

## Committee on Audit on 2022-12-07 2:00 PM - HYBRID MEETING

This meeting will be held in Room 203-R, and will be live-streamed on the County Legislative Information Center:

<https://milwaukeecounty.legistar.com/Calendar.aspx>

Meeting Time: 12-07-22 14:00

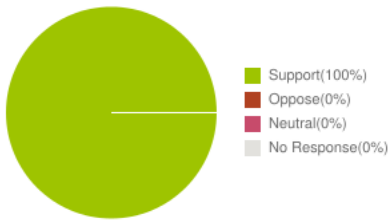
### eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Committee on Audit on 2022-12-07 2:00 PM - HYBRID MEETING This meeting will be held in Room 203-R, and will be live-streamed on the County Legislative Information Center: <a href="https://milwaukeecounty.legistar.com/Calendar.aspx">https://milwaukeecounty.legistar.com/Calendar.aspx</a>	12-07-22 14:00	16	3	3	0	0

#### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



**Committee on Audit on 2022-12-07 2:00 PM - HYBRID MEETING**

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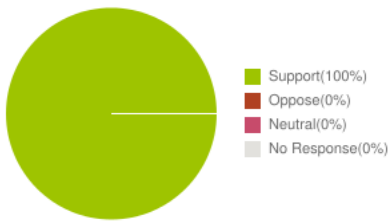
12-07-22 14:00

Agenda Name	Comments	Support	Oppose	Neutral
2 22-1167 A resolution requesting the Audit Services Division of the Office of the Comptroller conduct an audit of 2012 agreement between Milwaukee County and the Rock Sports Complex/Ballpark Commons	3	3	0	0

**Sentiments for All Agenda Items**

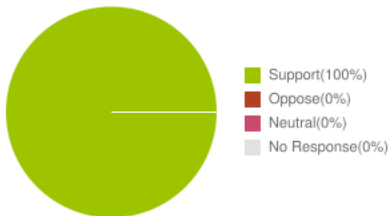
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**Overall Sentiment**



**Agenda Item: eComments for 2 22-1167 A resolution requesting the Audit Services Division of the Office of the Comptroller conduct an audit of 2012 agreement between Milwaukee County and the Rock Sports Complex/Ballpark Commons**

**Overall Sentiment**



**Joy Draginis-Zingales**

Location:

Submitted At: 2:00pm 12-07-22

Audit committee Supervisors,

I am requesting you support the resolution to audit the ROC ( Rock) sports complex. I believe this is in a “statute of limitations”, shall we say, position and must be moved forward today if this to be done.

This is an important stand the County should make as these monies are park of an agreement made between the developer and County itself. You can not continue to ask the tax payers for more and more money when you continue to have contracts with developers who do not pay their agreed dollar amount(s) to you.

Thank you for your time and continued support, Joy Draginis-Zingales GREENDALE, WI

**Kathleen Vincent**

Location:

Submitted At: 12:28pm 12-07-22

Submitted by Supervisor Kathleen Vincent on behalf of constituent Andy Kleist

I ask the Audit Committee to please support item 2 for the full audit of the Rock Sports Complex from 2012 to present.

In 2017 over 400 public comment cards were submitted to the County with concerns for the expanded partnership and relationship between the Rock and the County regarding the sale of the former parkland. Parkland that was rezoned without County Board approval. In 2019 myself and many other citizens requested a full audit of the Rock Sports Complex starting from 2012 to present. Residents surrounding this development made the County aware of the documentation of unpaid rent, non-compliance with TBE/DBE, and a handful of other material violations from the 2012 contracts. Yet these concerns and warnings by citizens were ignored. We are now in the situation of the County enabling a public nuisance that could have been avoided with proper diligence, fulfillment of contracts, and honest reporting by County staff and elected officials.

The County should have examined and evaluated the concerns and warnings raised by citizens of Milwaukee County. The 2019 resolution for the audit requested by citizens (19-602) was "an audit to review the performance of the Rock as it relates to its agreements with Milwaukee County". It does not say performance of agreements "from 2018 and forward", but compliance with agreements between these 2 parties. That means ALL contracts starting from 2012 when this partnership was established.

Citizens and the County Comptroller were fully aware of 4 years of unpaid rent by this developer. This information was supplied to the County yet during the 2 financial presentations made by Comptroller Manske in 2017 for the sale of this former parkland to the developer, this significant technical default was not disclosed to the County Board. As elected officials, it is your duty to ensure that the information presented to obtain votes are complied with, including the terms of agreements. Agreements cannot be amended or changed without County Board approval. Why have contracts or requirements if they are simply ignored or are poorly written to create issues of contractual non-compliance? This money owed to the County and in that regard, the citizens of Milwaukee County, is required to be collected from The Rock. There is no excuse not to. The County consistently expresses budget and financial issues yet refuses to collect money that is contractually obligated to the County.

This and numerous other non-compliance issues of the 2012 contract, if properly disclosed by the County staff and elected officials, would have avoided this situation from ever occurring. The Rock is a stepping stone to examining this issue in depth. Again, I ask that you please audit the Rock from 2012 to present for all obligations. The dismissive excuse for the County to say "going forward it won't happen again" for not doing their job effectively is offensive and frustrating. It should not have happened in the first place. Now thousands of surrounding residents have to put up with noise and music for hours, from baseball games and concerts, as well as a steady stream of fireworks. The County was a partner in creating this harm through direct negligence since citizens already warned that issues from 2012 would only worsen. And they have. Please follow through and support this audit starting from 2012 as was originally required.

Andy Kleist  
6025 Parkview Rd  
Greendale, WI

### **Dana Gindt**

Location:

Submitted At: 8:18am 12-07-22

The audit of the Rock needs to be performed from 2012 to present. In 2019 citizens requested the audit of all County agreements with the Rock. The audit was to "review the performance of the Rock as it relates to its agreements with Milwaukee County". It was to be an audit for compliance with agreements between these 2 parties, not for a limited time, but the entire partnership established in 2012.

The results of the 2021 audit report indicates "Throughout our review of recent audits we have reported on a continuing trend of lack of monitoring and overall assignment responsibility. We believe a cultural change is needed at the County to eliminate the lack of ownership of contract monitoring"

To be clear, citizens brought issue of negligence regarding contract monitoring and fulfillment in 2019 before the

audit of this development was performed. That significant issues existed with contract compliance for 6 years prior to the sale of this former parkland. This same "lack of monitoring and responsibility" for contracts has been indicated by audit reports as a significant issue since 2006. That is 16 years of unresolved issues and excuses. The taxpayers should not carry the burden of the County not enforcing their contracts. The proposed 1% sales tax increase is concerning given that monies that are contractually owed to the County are not being pursued. It is alarming that even the "audit" of this development was reduced in scope to not shed light on these contractual compliance issues for this particular development from 2012 to present. The County has the right to audit compliance of agreements as indicated in the contracts section 8. It is alarming that the County refuses to perform a complete audit even when the public, elected officials and staff are fully aware of ongoing significant issues with this partnership.

I support a full audit from 2012 to present. Collect the money owed to the County. Per the 2021 audit staff presentation indicated "they reviewed the relevant agreements" The foundational agreements creating the partnership between these parties without the required RFP process has the most significant relevance. Who decided that years of unpaid rent and nearly a dozen other non-compliance issues were not relevant? There are numerous contractual issues in the 2012 agreement that were supplied to the County prior to the sale which were all ignored.

If the County Board was fully informed of the 2012 contractual defaults from 2012 to 2017 would the sale have moved forward as it did? The County Board was misinformed regarding this ongoing partnership and voted based on this misinformation.

According to the May 18, 2022 Audit Committee DAS testimony, based on the issues discovered for this partnership from 2018 to 2021 the County can enforce a moratorium on deals with this developer for a period of 3 years as part of the noncompliance penalty as well as surrender of the \$10,000 TBE deposit.

Stop for a minute and just think about that again. The numerous non-compliance issues of the 2012 contract if properly disclosed by the County staff and elected officials, would have avoided this ongoing rogue situation from ever occurring. There would have been a moratorium. An RFP could have been issued to explore other options. An RFP should have occurred prior to putting this developer on this land in 2012.

How many other contracts that have financial obligations to the County are being disregarded? Does the County not need this money that is contractual owed?

Please support this complete audit.