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From the Director of Economic Development, Department of Administrative Services, requesting authorization to: enter into a Contribution and Participation (Trust) Agreement with BPC County Land, LLC, for the sale of the Crystal Ridge landfill; and authorization to execute a new Lease Agreement for land zoned as parkland between Milwaukee County and The Rock Sports Complex, LLC, for the ski hill property located in the Village of Greendale, by recommending adoption of the following:

A RESOLUTION

WHEREAS, Milwaukee County (the County) is the owner of a former landfill known as Crystal Ridge in the City of Franklin; and

WHEREAS, since 2011, Crystal Ridge has been operated as an outdoor sports recreational facility under a Sports Park Maintenance and Operations Services Agreement (Agreement) with The Rock Sports Complex, LLC (Operator); and

WHEREAS, the existing Agreement envisioned a relationship wherein the Operator built and maintained recreational amenities that had a minimal impact on the obligation of the County to monitor and collect methane gas, maintain the landfill cap, monitor the landfill leachate system, and monitor water quality among other things (Landfill Infrastructure); and

WHEREAS, the Operator is contemplating the development of a mixed use destination district known as Ballpark Commons that incorporates a portion of the Crystal Ridge landfill, and the existing Agreement inadequately plans for improvements to the Landfill Infrastructure; and

WHEREAS, the Operator is considering a purchase of the former landfill property in the City of Franklin pursuant to an Option to Purchase and Development Agreement, but would not purchase the land zoned as parkland in the Village of Greendale, which contains a portion of the ski hill, and would continue to be operated under a Lease Agreement; and

WHEREAS, it is estimated that the cost to replace the Landfill Infrastructure is \$3,700,000 in present dollars, with full replacement occurring every 20 years with an annual operating cost in the amount of \$167,000; and

WHEREAS, the costs and responsibilities to improve and operate the Landfill Infrastructure will be substantially borne by the Operator with some County participation and oversight from the Wisconsin Department of Natural Resources; and

WHEREAS, the financial terms and the relationship between the Operator and the County are outlined in the Contribution and Participation (Trust) Agreement; and

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WHEREAS, the County and the Operator recognize the concerns of neighboring property owners, and realize that additional recreational use of the site will require added infrastructure to mitigate noise and light impacts on adjacent neighborhoods; and

WHEREAS, the Committee on Finance and Audit, at its meeting of September 20, 2017, recommended adoption of File No. 17-598 (vote 4-2); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby agrees to cancel the existing Sports Park Maintenance and Operations Services Agreement with The Rock Sports Complex, LLC; and

BE IT FURTHER RESOLVED, the County Board hereby authorizes the implementation of a new lease agreement between Milwaukee County and The Rock Sports Complex, LLC, for the ski hill property located in the Village of Greendale pursuant to the Lease Agreement attached to this Resolution; and

BE IT FURTHER RESOLVED, the County Board hereby authorizes execution of the Contribution and Participation (Trust) Agreement attached to this Resolution subject to finalization by Corporation Counsel, Office of Corporation Counsel (OCC), and the Office of the Comptroller; and

BE IT FURTHER RESOLVED, the County Board hereby authorizes the Department of Parks, Recreation, and Culture, the Department of Administrative Services, the OCC, and any other Department that may be necessary to execute and record all documents, and perform all actions as required to accomplish these tasks; and

BE IT FURTHER RESOLVED, the County Executive and County Clerk are authorized to execute any required documents regarding the execution of this Resolution.

jmj
09/20/17
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