



DEPARTMENT OF ADMINISTRATIVE SERVICES

Milwaukee County

Teig Whaley-Smith
Aaron Hertzberg

- Director, Administrative Services
- Economic Development Director

Mr. Mike Zimmerman
BPC County Land, LLC
c/o ROC Ventures
510 W. Kilbourn Avenue, #B
Milwaukee WI, 53203

Dear Mr. Zimmerman,

On December 20, 2017 you entered a Development Agreement with Milwaukee County regarding the Ballpark Commons project in Franklin. The Development Agreement and associated documents outline several requirements related to the development of property sold by Milwaukee County to BPC County Land, LLC.

As reporting on May 24, 2019, your project is trending towards non-compliance of Community Benefit Requirements. We take these issues seriously and are frustrated by your lack of attention and follow through to this contractual obligation.

Dating back to May of last year, I have contacted you and your team no less than six times regarding these requirements. Through that time, my colleagues and I offered support in understanding and achieving compliance. We have requested compliance, follow through on reporting, a plan to correct deficiencies, and opportunities to meet to discuss remedial action.

I have yet to receive adequate response to any of these requests or see dramatic improvement in compliance trends. As noted in my email of February 5, 2019, Milwaukee County intends to consider all available penalties to address your lack of compliance, see section 2.7 and 2.8 of the Development Agreement. Your security deposit of \$10,000 paid towards these goals is at risk. The County may disqualify you from participating in future County projects for a period up to three (3) years.

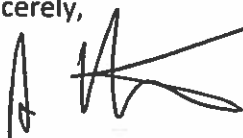
Note that Milwaukee County may also consider your lack of good faith towards compliance in other requests of the County. As a member of the Joint Review Board (JRB) regarding planned creation and amendment to tax increment districts to support the Ballpark Commons project, we will consider a broad range of impacts including your ability to fulfill the terms of your existing agreements. The Franklin JRB meeting is scheduled for May 30th.

I again ask for your attention to this matter. Please provide a detailed plan addressing your lack of compliance to community benefit requirements and a corrective action plan to improve performance. As our Community Business Development Partners Division has noted to you

previously, this could include pledges to hire qualifying businesses for on-going contracts at the development beyond the construction phase.

At the time of this letter, other areas of deficiency include installation of a hardwired noise monitoring system and the creation and deposit of funds into a Landfill Maintenance Reserve Fund. I have received communication from your representatives that suggest these issues will be remedied prior to scheduled stadium activities in late June. In the meantime, please be sure to take all reasonable precautions to mitigate and monitor sounds on site in the accordance and spirit of our agreements and local ordinances.

Sincerely,



Aaron Hertzberg

CC: Chris Abele, Milwaukee County Executive
Scott Manske, Milwaukee County Comptroller
Milwaukee County Economic and Community Development Committee
Chair: Supervisor Nicholson
Supervisor Logsdon
Supervisor Weishan
Supervisor Staskunas
Supervisor Martin
Allyson R. Smith, Committee Coordinator
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