



**Judge Doyle Square Negotiating Team Check-In with the Board of Estimates
Monday, August 10, 2015**

Outline of Progress Since the July 27, 2015 Check-in with the Board of Estimates

1. The TIF Application filed by JDS Development LLC is being reviewed by City Staff. The TIF Coordinator is working on a list of additional information needed to complete the TIF analysis and a meeting between City staff including the TIF Coordinator and JDS representatives is being arranged. The TIF Analysis will be included with the Report of the Negotiating Team for the Board of Estimates meeting of August 24.
2. Debt and Equity commitment letters were submitted on July 29 and August 6 respectively.
3. A draft Parking Lease Term Sheet for the Private Parking Unit (650 stalls) was prepared and negotiation is underway, consistent with the provisions of the July 15, 2015 development Agreement.
4. The parking ramp was re-designed by the JDS Development architectural team and reviewed with TE/Parking Utility. The design increased the ingress and egress as requested. The design also identifies the Public Parking Unit (600 stalls) to be on basement level 1 and the above grade floors, and the Private Parking Unit (650 stalls) to be on basement level 1 through basement level 4. TE/Parking Utility are generally satisfied with the changes in the parking plans; however, TE/Parking Utility staff have concerns regarding the proposed location of the 600 public parking stalls and are providing JDS Development's architectural team with additional feedback.
5. Exact Sciences and JDS Development have initiated work on the transportation demand management plan.
6. a.) At the City's urging, JDS Development LLC has worked with its 1031 exchange partner to change the properties to be used in the 1031 transaction at Judge Doyle Square. As a result of this change, there no longer needs to be an early real estate closing at the time the Amended and Restated Agreement is executed, which was set for September 15, 2015. This change will remove the need to transfer all the property to the developer prior to project commencement and will remove the need to negotiate and execute the requisite interim City ground leases and reacquisition provisions for the period prior to project commencement.

b.) The Exact Sciences timeline to have the Amended and Restated Agreement approved by the City on September 1, 2015 and the execution of that agreement by September 15, 2015 remains in force.

c.) The Negotiating Team has met with the City's real estate consulting attorney on the 1031 transaction.

7. A draft Targeted Business and Workforce Diversity Program was presented by JDS Development on August 4. A meeting was held with Norman Davis in the Department of Civil Rights on August 5 to review the draft plan. A preliminary construction phase targeted business participation goal and workforce goals for racial ethnic and women participation was preliminarily recommended by Mr. Davis.
8. JDS Development LLC has initiated discussions with organized labor regarding a project labor agreement for the construction phase of the project and anticipates using such an agreement.
9. The City proposed three terms for a labor peace agreement:
 - Employee preference regarding whether to be represented by a labor organization for collective bargaining, and if so, by which labor organization shall be determined based on signed authorization cards in a card check procedure conducted by a neutral third party in lieu of a formal election.
 - The employer and the labor organization shall at all times refrain from the use of intimidation, reprisal or threats of reprisal, or other conduct designed to intimidate or coerce employees to influence the decision by employees whether to join or be represented by any labor organization.
 - Signatory labor organizations shall forbear from taking economic action, such as striking or picketing, against the signatory employer at the worksite of an organizing drive covered by this section, so long as the employer complies with the terms of the agreement.

JDS Development hasn't agreed to this language at this time. Negotiations continue.

10. Interim Public Parking During Construction

- Government East consists of 520 parking stalls with 119 of those stalls leased to monthly parkers and the remaining 401 parking spaces used to meet hourly/transient parking demand. The Parking Utility will be moving monthly contract parkers to the mid State Street ramp.
- JDS Development expects to demolish Government East in March of 2016.
- City Staff are exploring the following:
 - Access to hourly parking in the new Anchor Bank structure in November 2016,
 - Parking impact due to the potential relocation Madison Municipal Building staff and services in the summer or fall of 2016 due to building renovation.
 - Identifying a near east and near west location for shuttle service to address heavier parking demand on days when conventions or special events occur downtown.
 - Whether there is excess capacity in existing facilities for daytime, hourly parking on days when conventions and special events are not occurring.