



## Legislation Text

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**File #:** 73840, **Version:** 1

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### Fiscal Note

No additional expenditure required.

### Title

Amending Res-22-00564 Authorizing a Loan Agreement for a \$2,100,000 TIF loan to Madison Interstate East, LLC for a three-phased industrial project located at 2930 and 3030 Ohmeda Drive (16th A.D.).

### Body

WHEREAS, on August 31, 2021, the Common Council approved a loan agreement to fund a \$2,100,000 TIF loan to Madison Interstate East, LLC ("Developer"), or its assigns, for a three-phased industrial project located at 2930 and 3030 Ohmeda Drive in the recently adopted TID 49 (Femrite Drive) boundary (Legistar #66652, RES-21-00604); and,

WHEREAS, three payments are to be made to fund three phases of the project over time; and,

WHEREAS, the Common Council authorized an amendment to the RES-21-00564 (together with RES-21-00604, the "Resolution") to provide an extension to the project commencement deadlines; and

WHEREAS, the Developer is seeking a tenant which, if secured, would require a slightly larger Project A, and change the development from a three phase development (Projects A, B, and C) into a two phase development (Projects A and B), which would provide a faster return on the City's investment due to a slightly larger project and advanced construction schedule; and

WHEREAS, City staff seeks the option of amending Sections 4 and 5 of the Resolution in order to accommodate the changes stated above if Developer can secure the tenant.

NOW, THEREFORE, BE IT RESOLVED that Res-22-00564 is amended to provide that, at the City's option, if the Developer secures the tenant requiring a larger Project A than currently anticipated, the City staff is authorized to structure the Loan Agreement to accommodate such request subject to the following conditions:

1. The new Projects A and B will add more, rather than less, total building size; and
2. The projected increment from the new Projects A and B is equal to or greater than the current projected increment.

BE IT FURTHER RESOLVED that, subject to the approval of the City Attorney, additional changes may be made for consistency with the material terms above.

BE IT FINALLY RESOLVED that the Mayor and City Clerk are hereby authorized to execute the TIF Loan Agreement and other documents as may be necessary to effectuate the purposes of this resolution all of which are subject to the approval of the City Attorney.