



Legislation Details (With Text)

**File #:** 38214      **Version:** 1      **Name:** Authorizing Agreement with Shake the Lake Madison, LLC

**Type:** Resolution      **Status:** Passed

**File created:** 4/29/2015      **In control:** BOARD OF ESTIMATES (ended 4/2017)

**On agenda:** 5/5/2015      **Final action:** 5/19/2015

**Enactment date:** 5/21/2015      **Enactment #:** RES-15-00453

**Title:** Authorizing the temporary closure and private use of the Olin Park boat launch for Shake the Lake 2015

**Sponsors:** Paul R. Soglin, Mark Clear, Michael E. Verveer, Samba Baldeh

**Indexes:**

**Code sections:**

**Attachments:** 1. Shake the Lake-Boat Launch and Park Use Agreement (2015)

Date	Ver.	Action By	Action	Result
5/19/2015	1	COMMON COUNCIL	Adopt	Pass
5/18/2015	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/11/2015	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
5/5/2015	1	BOARD OF PARK COMMISSIONERS	Referred	
5/5/2015	1	COMMON COUNCIL	Referred	
4/29/2015	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

This resolution authorizes an agreement with Shake the Lake Madison, LLC for the closure and use of the City boat launch in Olin Park. The agreement will include a provision that Shake the Lake Madison, LLC pay the City a daily fee for closing the boat launch to public access to make up for lost revenue attributable to the closure, estimated to be \$1,250. This revenue will be recognized as a part of the boat launch program within the Parks Division's 2015 Operating Budget. Additional fees will be charged and City costs recovered based upon specifics of the park event and street use permit processes. These fees will be recognized as the general fund revenues.

**Title**

Authorizing the temporary closure and private use of the Olin Park boat launch for Shake the Lake 2015

**Body**

WHEREAS, the City of Madison Parks Division maintains numerous piers and boat launches throughout the City that provide residents and visitors access to the City's lakes and waterways, including a boat launch at Olin Park on Lake Monona; and,

WHEREAS, Madison Mallards LLC ("Mallards") has had a long standing and successful relationship with the City of Madison that has been mutually beneficial to both parties; and,

WHEREAS, from 1993 to 2014, Madison hosted a large community celebration called Rhythm & Booms, the centerpiece being an evening firework show, at Warner Park; and,

WHEREAS, in 2014, Rhythm & Booms was moved from Warner Park to John Nolen Drive and an assemblage of barges on Lake Monona in downtown Madison, which location necessitated the use of the Olin Park Boat Launch and some of the surrounding parkland (the "Boat Launch") as a base of operations in order to launch and assemble the barges, to unload and prepare the fireworks, and to remove the barges from the lake following the event; and,

WHEREAS, when the owner of Rhythm & Booms expressed its inability to continue with the event in 2015, the Mallards received the permission from the owner to put on a similar community event, to be called Shake the Lake (the "Event"), that will include an evening firework show on Saturday, June 27, 2015, with a rain out date of Sunday, June 28, 2015, launching from barges in Lake Monona and public events in Law Park; and,

WHEREAS, Mallards formed a subsidiary, Shake the Lake Madison, LLC, for the purposes of putting on the Event and has requested permission to use the Olin Park boat launch as a base of operations to prepare the firework show for a launch from the Lake Monona surface; and,

WHEREAS, the Mallards use of the boat launch for the Event will require that the boat launch be closed to the public for eleven (11) days, or twelve (12) days if the rain out date is used, and that barges, cranes, tractor trailers and other heavy equipment be stored and operated on and within the boat launch area during this period; and,

WHEREAS, Section 8.188 of the Madison General Ordinances requires a valid agreement between the City and Shake the Lake Madison, LLC for the use of a boat launch in this manner.

NOW, THEREFORE, BE IT RESOLVED that the Superintendent of Parks is authorized to temporarily close the Olin Park boat launch to the public to facilitate the 2015 Shake the Lake event; and,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to enter into an agreement with Shake the Lake Madison, LLC to use the Olin Park Boat Launch for the 2015 Shake the Lake event, subject to terms and conditions as approved by the Superintendent of Parks, which terms shall include a daily closure fee, and in a format that is approved by the City Attorney and the Risk Manager.