



# City of Madison

City of Madison  
Madison, WI 53703  
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## Master

**File Number: 20225**

**File ID:** 20225

**File Type:** Resolution

**Status:** Reconsidered  
Business

**Version:** 2

**Reference:**

**Controlling Body:** COMMON  
COUNCIL

**Lead Referral:** COMMON COUNCIL

**File Created Date :** 10/12/2010

**File Name:** Amending the 2010 Operating Budget to appropriate \$25,000 from the Contingent Reserve to Miscellaneous Appropriations to hire The North Group, Incorporated for \$22,500 to conduct the independent review of the proposed operating model ("Focus Model") for t

**Final Action:**

**Title:** Amending the 2010 Operating Budget to appropriate \$25,000 plus expenses not-to-exceed \$1,000 from the Contingent Reserve to Miscellaneous Appropriations to hire Professor James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University to conduct an independent review of the proposed operating model ("Focus Model") for the Overture Center, advise on performance standards and provide recommendations for the private, non-profit board selection and composition.

### Notes:

**CC Agenda Date:** 11/09/2010

**Agenda Number:**

**Sponsors:** Lauren Cnare, Shiva Bidar-Sielaff, Michael E. Verveer, Mark Clear, Larry Palm, Marsha A. Rummel, Joseph R. Clausius and Steve King

**Enactment Date:**

**Attachments:** 20225 Version 1.pdf, Amended Version 1.pdf, Scope.pdf

**Enactment Number:**

**Author:**

**Hearing Date:**

**Entered by:** lveldran@cityofmadison.com

**Published Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	10/14/2010	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS				
	<b>Action Text:</b>	This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS					
	<b>Notes:</b>	Business by the President & 15 VOTES REQUIRED					

1		10/19/2010						
1		10/19/2010						
1	COMMON COUNCIL	10/19/2010	Refer to a future Meeting to Adopt	COMMON COUNCIL	11/09/2010	10/19/2010	Fail	
	<b>Action Text:</b>	A motion was made by Ald. Compton, seconded by Ald. Bruer, to Refer to a future Meeting to Adopt to the COMMON COUNCIL, due back on 11/9/2010. The motion FAILED by voice vote/other.						
	<b>Notes:</b>	Excused: 4 David J. Cieslewicz; Shiva Bidar-Sielaff; Julia S. Kerr and Michael Schumacher						
1	COMMON COUNCIL	10/19/2010	Adopt				Fail	
	<b>Action Text:</b>	A motion was made by Ald. Solomon, seconded by Ald. Rhodes-Conway, to Adopt with the following Friendly Ammendments: Paragraph 1:Please assess public ownership of the facility with private management of the operations, including the uniqueness of the structure, the likelihood of success in terms of financial viability and community relations, and the current lack of community support, and propose critical tenets that must be included in a management agreement; Paragraph 3: Should the city explore other models? How do these models compare and what are their relative advantages and disadvantages?; Paragraph 4: (new paragraph): Should the city consider any long term requirements in Board membership of the non-profit operator to increase the likelihood of the long term success of Overture? The motion FAILED by the following vote:						
		Ayes: Clausius, Clear, Cnare, Eagon, King, Maniaci, Palm, Rhodes-Conway, Rummel, Sandborn, Schmidt, Skidmore, Solomon and Verveer.						
		Noes: Bruer, Compton and Pham-Remmele						
	<b>Notes:</b>	Excused: Bidar-Sielaff, Kerr and Schumacher. The motion FAILED by the following vote: Ayes: Clausius, Clear, Cnare, Eagon, King, Maniaci, Palm, Rhodes-Conway, Rummel, Sandborn, Schmidt, Skidmore, Solomon and Verveer. Noes: Bruer, Compton and Pham-Remmele Excused: Bidar-Sielaff, Kerr and Schumacher. Excused: 4 David J. Cieslewicz; Shiva Bidar-Sielaff; Julia S. Kerr and Michael Schumacher						
2	COMMON COUNCIL	11/09/2010	Reconsider				Pass	
	<b>Action Text:</b>	A motion was made by Ald. Bidar-Sielaff, seconded by Ald. Cnare, to Reconsider . The motion passed by voice vote/other.						
	<b>Notes:</b>							
1	COMMON COUNCIL	11/09/2010						
	<b>Notes:</b>							

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**Text of Legislative File 20225**

**Title**

Amending the 2010 Operating Budget to appropriate \$25,000 plus expenses not-to-exceed \$1,000 from the Contingent Reserve to Miscellaneous Appropriations to hire Professor James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University to conduct an independent review of the proposed operating model ("Focus Model") for the Overture Center, advise on performance standards and provide recommendations for the private, non-profit board selection and composition.

**Body**

WHEREAS, the Common Council on August 3, 2010 passed Substitute Resolution, File ID # 19058 authorizing the Mayor and City staff to negotiate with the Madison Cultural Arts District and to recommend a plan for the City's role in the long-term viability of the Overture Center and created an independent citizen group to review and analyze the future business plan of Overture to determine its financial feasibility; and,

WHEREAS, on October 8, 2010 the Overture Ad Hoc Committee made several recommendations; and,

WHEREAS, one recommendation from the Overture Ad Hoc Committee encouraged the City of Madison to hire an independent consultant to examine the financial assumptions in the proposed operating model ("Focus Model) to determine its accuracy and achievability; and,

WHEREAS, the Common Council believes that in order to do its due diligence an independent consultants should be hired to conduct additional review of the Overture Center proposed operating model ("Focus Model"); and,

WHEREAS, time constraints do not allow for a complete competitive Request For Proposal (RFP) process, necessitating a sole source contract;

NOW THEREFORE BE IT RESOLVED, that the Common Council amends the 2010 Operating Budget to appropriate \$26,000 from the Contingent Reserve to Miscellaneous Appropriations to hire Professor James Undercofler, Professor of Performing Arts and Arts Administration at Drexel University to conduct an independent review of the proposed operating model ("Focus Model") for the Overture Center, advise on performance standards and provide recommendations for the private, non-profit board selection and composition.

**Fiscal Note**

\$1,141,000 remains available in the 2010 Contingent Reserve. This appropriation would have no impact on the City's eligibility under the State Expenditure Restraint Program.