

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF MADISON PARKS DIVISION
AND CITY OF MADISON COMMUNITY DEVELOPMENT DIVISION
FOR THE MADISON SENIOR CENTER COURTYARD**

This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into on ____ day of _____, 2023 by and between the City of Madison Parks Division (hereinafter referred to as "Parks") and the City of Madison Community Development Division (hereinafter referred to as "CDD"), (collectively the "Agencies").

RECITALS

WHEREAS, the City of Madison ("City") has owned the property located at 330 W Mifflin St, Madison, WI 53703, legally described as Lot 1 of CSM No. 3753, in the City of Madison, Dane County, Wisconsin ("Property") since 1981. The Property includes portions of the building at 330 W. Mifflin St., a driveway and entrance area, as well as an open space area designated by said CSM as a "Public Mall"; and,

WHEREAS, the City of Madison Community Development Division ("CDD") has owned and operated the Madison Senior Center on the Property since 1983. The Public Mall area of the Property, commonly known as the Senior Center Courtyard ("Courtyard"), has been classified as an Urban Plaza within the City of Madison Administrative Parcel classification system. The Courtyard has been lightly developed for uses associated with the Senior Center, but is underdeveloped and underutilized as public open space. The Common Council has determined that it is appropriate to administratively reclassify the Courtyard as a City park, subject to the control of the Parks Division (Legistar File No. 76479); and,

WHEREAS, because the Courtyard is not a separate tax parcel from the underlying Senior Center Property, and due to the overlap of the space with the Senior Center operations, it is necessary for Parks and the CDD to enter into an interagency agreement regarding shared responsibilities over the area.

THEREFORE the Agencies agree as follows:

1. Establishment of Courtyard Public Park: Agencies hereby establish the Public Park area of the Courtyard as denoted on Exhibit A.
2. Improvement of the Courtyard:
 - a. Construction of Courtyard shall be performed in accordance with plans and specifications to be approved by the Agencies.
 - b. Parks shall lead and oversee all planning efforts related to improvements to the Courtyard.
 - c. Parks shall oversee Board of Public Works contracting process, including bidding preparation, contractor selection and project management.
 - d. Parks shall include for project funding for Courtyard improvements within the Parks Division's Capital Budget requests.
 - e. Parks may designate Park Impact Fee funding for Courtyard Improvements under the Administrative Parcel classification of Park as allowed under Madison General Ordinance Chapter 20 and Wis. Stat. Sec. 66.0617.

- f. CDD will participate in the planning efforts, provide feedback and facilitate engagement with Senior Center guests and general public.
 - g. CDD will be responsible for building exterior improvements outside of the Public Park area denoted on Exhibit A.
- 3. Maintenance of the Courtyard:
 - a. Parks will provide the following maintenance services within area denoted on Exhibit A and the public sidewalks within the access easements serving the Courtyard:
 - i. Sidewalk Snow and Ice Removal in Public Park and public sidewalks within access easements
 - ii. Trash and recycling collection from public receptacles (Sidewalk snow removal is a priority over trash collection during winter storms.)
 - iii. Leaf/debris collection as needed
 - iv. Turf maintenance, including mowing and string trimming
 - v. Landscape planting and maintenance
 - vi. Hardscape maintenance – sweeping sidewalks, power washing seating areas as needed,
 - vii. Graffiti and residue removal
 - viii. Installing/removing park rules signs/benches/bike racks/refuse containers as required.
 - b. CDD will be responsible for improvement and maintenance services on exterior of the building outside of the Public Park area denoted on Exhibit A including:
 - i. Snow shoveling for at building for egress and Sidewalk Snow and Ice Removal of public walks adjacent to property outside of Public Park depicted on Exhibit A.
 - ii. Repair and maintenance of awning at entrance.
 - iii. Parties may agree to amend these duties in writing.
 - c. Agencies agree to construct, maintain and use the Courtyard in a manner fully complying with all laws and legal requirements.
- 4. Programming of the Courtyard:
 - a. Parks staff will include the Courtyard within the current reservation system.
 - b. CDD will coordinate programming needs of the space with Parks staff.
 - c. Overall programming is intended to be compatible with the operations and enjoyment of the adjacent Senior Center facility.
 - d. Park Rangers will educate and enforce park rules according to Madison General Ordinance and the Parks Behavior Policy.
 - e. CDD will contact Madison Police Department for immediate emergency matters.
- 5. Municipal Service Payments:
 - a. The Courtyard adds approximately 20,560 square feet (.47 of an acre) of park land. Parks will be responsible for paying Stormwater and Urban Forestry Special Charges for the Courtyard portion of the Property. CDD will pay X%, Parks will pay Y% of these charges.

6. Communications: Any notice or communication under this MOU shall be directed to the following individuals or their respective successors:

For Parks: Parks Superintendent
City of Madison
330 E. Lakeside St.
Madison, WI 53715
Add email

For CDD Community Development Division Manager
City of Madison
215 Martin Luther King Jr. Blvd, 3rd Floor
Madison, WI 53703
Add email

7. Amendments: This MOU may be amended at any time by the written agreement of the Agencies.

IN WITNESS WHEREOF, the Agencies have entered into this MOU as of the date first set forth above.

FOR THE MADISON PARKS DIVISION

Eric Knepp, Parks Superintendent

Date

FOR THE MADISON COMMUNITY DEVELOPMENT DIVISION

Matthew Wachter, Director
Department of Planning, Community and
Economic Development

Date

This MOU is authorized by Resolution Enactment No. _____, File ID No. _____, adopted by Common Council of the City of Madison _____, and has been approved by the Board of Park Commissioners at its _____ meeting and the _____ at its _____. Meeting.