

..Fiscal Note

The proposed resolution authorizes the Park Superintendent to enter into commercial Boat Launch Use Agreements with construction companies at designated boat launches for purposes of providing services to private lakeside properties, including construction, shoreline repairs and installation/removal of piers.. The individual agreements would be in effect from signing until December 31, 2022 , and may be renewed for an additional term, to run from January 1, 2023 through December 1, 2023, upon the mutual agreement of the parties. The Parks Division anticipates charging fees as follows **FEES TBD**:

The Parks Division anticipates developing a Commercial Boat Launch Permit in 2023 that will be utilized going forward to replace the need for such agreements. Total revenue is unknown at this time, as it is dependent on the number of contractors that enter under agreements and the type and amount of actual use for each of them. No appropriation is required.

..Title

Authorizing the Parks Superintendent to Enter into Boat Launch Use Agreements With Construction Companies to Use Designated Boat Launches for Private Purposes

..Referrals

Common Council	June 7, 2022 Introduction
Board of Park Commissioners	June 8, 2022
Finance Committee	June 13, 2022
Common Council	June 21, 2022

..Body

WHEREAS, under Madison General Ordinance Sec. 8.188, unless a person has a valid use agreement with the City of Madison, no person shall anchor or moor any watercraft within twenty-five (25) yards of any boat launch or pier except temporarily for the purpose of launching or removal of a boat from the waters; and,

WHEREAS, the City of Madison operates several boat launch sites within City parks on Lakes Mendota and Monona, investing employee time and financial resources in keeping the facilities operational and open for use by all; and,

WHEREAS, contractors have historically utilized City boat launches for performing routine services such as seasonal pier installation and removal, often requiring storage of equipment in the launch parking lots for extended periods of time; and,

WHEREAS, as neighborhoods turnover and private properties develop, private property owners seeking to make shoreline improvements often have limited options for contractors to access shoreline. In addition, since 2018, significant weather events along with significantly variable lake levels in the Madison area have caused areas of shoreline erosion and destabilization, issues which can lead to further property damage and degradation in the water quality of the Lakes. These shoreline maintenance, construction and restoration services performed by construction companies often necessitates the use of barges, heavy equipment and the storage, loading and unloading of materials from land to the water, all of which can have a substantial impact upon the public's use of the facility and potentially cause damage to City property; and,

WHEREAS, there are limited areas where sufficient access to the Lakes is available to enable construction companies to perform the necessary shoreline restoration work; and,

WHEREAS, Parks anticipates the need for commercial use of boat launches by construction contractors will continue; and,

WHEREAS, the Parks Division is agreeable to allowing construction contractors to use designated boat launches for private construction activities, provided that the impact of the construction companies' operations on other boat launch users is minimized, and the City's property is protected.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Superintendent of Parks is delegated the authority to enter into individual agreements with construction companies to use designated boat launches as loading and unloading areas in order to perform private services, including dock and pier installation and removal, shoreline maintenance, construction, and restoration, and to act on behalf of the City as set forth in the Agreements, which agreements will be consistent with the Marshall Park boat launch use agreements approved by the Common Council in RES-19-00457 (Legistar File No. 56162), RES-20-00188 (Legistar File No. 59730), and RES-21-00280 (Legistar File No. 64821), and which shall be in a format approved by the City Attorney.