



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Agenda - Approved COMMON COUNCIL

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

*This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse
Channel 99 or at www.madisoncitychannel.tv.*

Tuesday, September 24, 2024

6:30 PM

210 Martin Luther King, Jr. Blvd.
Room 201 (City-County Building)

HYBRID MEETING

The City of Madison is holding the Common Council meeting in a hybrid format. Members of the public may choose to view and/or provide comment in person or virtually at hybrid Common Council meetings.

1. Written Comments: You can send comments on agenda items to allalders@cityofmadison.com

2. Register but Do Not Speak: You can register your support or opposition to an agenda item at <https://www.cityofmadison.com/MeetingRegistration>

3. Register to Speak or to Answer Questions: If you wish to speak at the hybrid meeting on an agenda item, you must register. You can register at <https://www.cityofmadison.com/MeetingRegistration>. When you register to speak, you will be sent an email with the information you will need to join the hybrid meeting. You can participate in-person or virtually.

4. Watch the Meeting: You can call-in or watch the Common Council meeting in several ways:

- In-person: Enter through the main doors at 210 Martin Luther King, Jr. Blvd and proceed to level 2.
- Livestream on the Madison City Channel website:
<https://www.cityofmadison.com/watchCouncil>
- Livestream on the City of Madison YouTube channel:
<https://www.youtube.com/user/CityofMadison>
- Television: Watch live on Spectrum channel 994 and AT&T U-Verse channel 99
- Listen to audio via phone:
(877) 853-5257 (Toll Free)
Webinar ID: 849 6663 7446

SPEAKING GUIDELINES

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below immediately.

Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese

inmediatamente al número de teléfono que figura a continuación.

Yog tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntaub ntawv ua lwm yam los sis lwm cov kev pab kom siv tau qhov kev pab, kev ua num los sis kev pab cuam no, thov hu rau tus xov tooj hauv qab no tam sim no.

Please contact the Office of the Common Council at (608) 266-4071.

Speaking Limit:

3 minutes for all items.

You must register before your item is considered by the Council.

The use of audible cell phone ringers and active use and response to cellular phone technology by the governing body, staff and members of the public is discouraged in the Council Chambers while the Council is in session.

ROLL CALL

NOTIFIED ABSENCES: Bennett, Vidaver, Wehelie.

OPENING REMARKS

HONORING RESOLUTIONS

1. [85234](#) Proclaiming September 30, 2024, through October 6, 2024, as the Week Without Driving in Madison

Sponsors: Regina M. Vidaver, Satya V. Rhodes-Conway, Juliana R. Bennett, Nikki Conklin, Jael Currie, John W. Duncan, Tag Evers, Derek Field, Yannette Figueroa Cole, MGR Govindarajan, John P. Guequierre, Barbara Harrington-McKinney, Isadore Knox Jr., Amani Latimer Burris, Sabrina V. Madison, Dina Nina Martinez-Rutherford, Charles Myadze, Marsha A. Rummel, Bill Tishler, Michael E. Verveer And Nasra Wehelie

Legislative History
9/13/24 Council Office RECOMMEND TO COUNCIL TO ADOPT
2. [85302](#) Recognizing September 15, 2024, through October 15, 2024, as Hispanic Heritage Month

Sponsors: Yannette Figueroa Cole, Satya V. Rhodes-Conway, Juliana R. Bennett, Nikki Conklin, Jael Currie, John W. Duncan, Tag Evers, Derek Field, MGR Govindarajan, John P. Guequierre, Barbara Harrington-McKinney, Isadore Knox Jr., Amani Latimer Burris, Sabrina V. Madison, Dina Nina Martinez-Rutherford, Charles Myadze, Marsha A. Rummel, Bill Tishler, Michael E. Verveer, Regina M. Vidaver And Nasra Wehelie

Attachments: [Hispanic Heritage Month 2024 Sources.docx](#)

Legislative History
9/18/24 Council Office RECOMMEND TO COUNCIL TO ADOPT

PRESENTATIONS

3. [85263](#) Performance and Activity Update from Destination Madison - Ellie Westman
Chin, CEO

DISCLOSURES AND RECUSALS

Members of the body should make any required disclosures or recusals under the City's Ethics Code.

PRESENTATION OF CONSENT AGENDA

4. [83969](#) Consent Agenda Document (9/24/24)
Legislative History
6/17/24 Council Office RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

1) Items which have registrants wishing to speak. 2) Items which Alder(s) have separated out for discussion/debate purposes.

PUBLIC COMMENT

Public comments will not be taken on items which are listed on the consent agenda for referral and the Council adopts the referral as part of the consent agenda OR when the Council has heard public comments on an item at a previous meeting and the item is on this agenda for discussion and action only. The Council may allow public comments in either instance by a majority vote.

PUBLIC HEARINGS

CAPITAL BUDGET

5. [84843](#) 2025 Executive Capital Budget
- Sponsors: Satya V. Rhodes-Conway
- Attachments: [2025 Capital Budget](#)
[2024 Project Borrowing Budget Carryforward Report - as of 7.31.2024.pdf](#)
[Briefing Schedule and Public Notice](#)
[2025 CIP Executive Budget Overview and Operating Request Update.pdf](#)
[Public Comment -- Executive Cap Budget -- 9.16.24.pdf](#)
- Legislative History
- | | | |
|---------|-------------------|--|
| 8/16/24 | FINANCE COMMITTEE | Referred for Introduction
Finance Committee (Public Hearings - 9/16/24, 9/30/24; additional briefing with no public comment - 9/17/24), Common Council (Public Hearings - 9/24/24, 10/8/24, 11/12/24) |
| 9/10/24 | COMMON COUNCIL | Referred for Public Hearing to the
FINANCE COMMITTEE |
| 9/16/24 | FINANCE COMMITTEE | Refer to the FINANCE COMMITTEE |

9/17/24 FINANCE COMMITTEE Refer For Public Hearing to the COMMON COUNCIL

REPORT OF PLAN COMMISSION

6. [84607](#) Creating Section 28.022-00685 of the Madison General Ordinances to change the zoning of property located at 4303 Portage Road from Temporary TR-U1 (Traditional Residential-Urban 1) District to TR-U1 (Traditional Residential-Urban 1) District. (District 17)

Sponsors: Planning Division

Attachments: [4303 Portage Road.pdf](#)
[Link to Cond Use File 84010](#)

Legislative History

7/30/24	Attorney's Office	Referred for Introduction
	Plan Commission (Public Hearing - 9/9/24), Common Council (9/24/24)	
8/6/24	COMMON COUNCIL	Referred for Public Hearing to the PLAN COMMISSION
9/9/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION

On a motion by Guequierre, seconded by Mendez, the Plan Commission recommended to Common Council to refer the request to the October 7 Plan Commission meeting (October 29 Common Council) at the request of the applicant. The motion passed by voice vote/other.

7. [84619](#) Creating Section 28.022-00686 of the Madison General Ordinances to change the zoning of property located at 905 Huxley Street from TR-U2 (Traditional Residential-Urban 2) District to RMX (Regional Mixed-Use) District. (District 12)

Sponsors: Planning Division

Attachments: [905 Huxley Street.pdf](#)
[Link to Plat File 84629](#)
[Public Comment 09-08-24.pdf](#)
[Public Comments 09-09-24.pdf](#)

Legislative History

7/30/24	Attorney's Office	Referred for Introduction
	Plan Commission (Public Hearing - 9/9/24), Common Council (9/24/24)	
8/6/24	COMMON COUNCIL	Referred for Public Hearing to the PLAN COMMISSION
9/9/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING

On a motion by Guequierre, seconded by Field, the Plan Commission found the standards met and forwarded the zoning map amendment to Common Council with a recommendation to adopt. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

8. [85089](#) Report of the Mayor submitting resident committee appointments (introduction 9-10-2024; action 9-24-2024).
- Legislative History
- | | | |
|---------|---------------------------------------|---|
| 9/4/24 | Mayor's Office
Confirm 9/24/24 | Referred for Introduction |
| 9/10/24 | COMMON COUNCIL

Confirm 9/24/24 | Refer to a future Meeting to Confirm to the
COMMON COUNCIL |
9. [85303](#) Report of the Mayor submitting resident committee appointments (introduction 9-24-2024; action 10-8-2024).
- Legislative History
- | | | |
|---------|-----------------------------------|---------------------------|
| 9/18/24 | Mayor's Office
Confirm 10/8/24 | Referred for Introduction |
|---------|-----------------------------------|---------------------------|

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

10. [83974](#) Confirming the Madison Common Council meeting formats through December 10, 2024:
- 10/8/24 - Hybrid (Virtual & CCB 201)
10/29/24 - Hybrid (Virtual & CCB 201)
11/12/24 (Budget) - Hybrid (Virtual & CCB 201)
11/13/24 (Budget, if needed) - Hybrid (Virtual & CCB 201)
11/14/24 (Budget, if needed) - Hybrid (Virtual & **MMB 215**)
11/26/24 - **Virtual**
12/10/24 - Hybrid (Virtual & CCB 201)
- Legislative History
- | | | |
|---------|----------------|--|
| 6/17/24 | Council Office | RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER |
|---------|----------------|--|

REPORTS OF OFFICERS**REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE**

11. [83669](#) Amending Section 38.05(9)(a) and creating 38.05(b) and (c) of the Madison General Ordinances related to Class A and Class "A" alcohol beverage licenses to impose geographic limitations on "Class A" and Class "A" license applications considered by the Common Council after adoption of this ordinance for purposes of regulating density of such alcohol beverage licenses.
- Sponsors: Regina M. Vidaver, Derek Field And Sabrina V. Madison

Attachments: [060424 CC public comment.pdf](#)
[Borisy-Rudin MEMORANDUM to Regina Vidaver re Class A Outlet Density 06-C](#)
[Greater Madison Chamber of Commerce - Comments on File 83669.pdf](#)
[Madison Alcohol Advisory Council Comments.pdf](#)
[Nordstrom Comments.pdf](#)
[Nordstrom Comments2.pdf](#)
[Alder Rummel Comments.pdf](#)
[2024-06-26 Madison Class A alcohol licenses ADI.pdf](#)
[Doss Comments.pdf](#)
[070924 CC public comment.pdf](#)

Legislative History

5/28/24	Attorney's Office	Referred for Introduction Alcohol License Review Committee (6/26/24), Common Council (7/2/24)
6/4/24	COMMON COUNCIL	Refer to the ALCOHOL LICENSE REVIEW COMMITTEE
6/26/24	ALCOHOL LICENSE REVIEW COMMITTEE	Re-refer
6/26/24	ALCOHOL LICENSE REVIEW COMMITTEE	Take Off The Table
6/26/24	ALCOHOL LICENSE REVIEW COMMITTEE	Table
7/2/24	COMMON COUNCIL	Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE
8/6/24	COMMON COUNCIL	Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE Alcohol License Review Committee (9/18/24), Common Council (9/24/24).

AGENDA NOTE: Alcohol License Review Committee did not consider file 83669 at the 9/18/24 meeting. The recommendation is to re-refer to Alcohol License Review Committee (11/20/24), Common Council (12/10/24).

12. [85179](#) Change of Licensed Premises
 PX2 LLC • dba Prost!
 Current Capacity (in/out): 180/60 • Proposed Capacity (in/out): 180/140
 401 E Washington Ave • Agent: David Nau
 Class B Combination Liquor & Beer • 51% alcohol, 48% food, 1% other
 Police Sector 406 (District 6)
 Expansion of outdoor premises and capacity on 9/28/2024.

Attachments: [LICPCH-2024-00853 App.pdf](#)

Legislative History

9/18/24	ALCOHOL LICENSE REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER
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REPORT OF BOARD OF PUBLIC WORKS

13. [84571](#) SECOND SUBSTITUTE: Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish soil infiltration design standards.

Sponsors: John P. Guequierre
Attachments: [84571-Version 1](#)
[84571-Version 2.pdf](#)
[84517 Email Correspondence.pdf](#)
[Infiltration Requirements-Full Context.pdf](#)

Legislative History

7/25/24	Attorney's Office Board of Public Works (8/28/24), Common Council (9/10/24)	Referred for Introduction
8/6/24	COMMON COUNCIL	Refer to the BOARD OF PUBLIC WORKS
8/28/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER
	A motion was made by Ald. Guequierre, seconded by Kliems, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS to refer back to Board of Public Works on 9/11/24- REPORT OF OFFICER. The motion passed by voice vote/other.	
9/10/24	COMMON COUNCIL	Re-refer to the BOARD OF PUBLIC WORKS
9/11/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

14. [85092](#) Declaring the City of Madison's intention to exercise its police powers establishing the N Franklin Avenue and Lynn Terrace Assessment District - 2025. (District 5)

Sponsors: Regina M. Vidaver

Legislative History

9/4/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
9/11/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

15. [85093](#) Awarding Public Works Contract No. 8767, Door Creek Park Shelter Connection project. (District 16)

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [8767BidOpeningTab.pdf](#)

Legislative History

9/4/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
9/11/24	BOARD OF PUBLIC WORKS	Reject Bids

AGENDA NOTE: The recommendation is to reject bids.

16. [85094](#) Awarding Public Works Contract No. 9561, S. Paterson Street Sanitary Sewer Replacement Assessment District - 2024. (District 6)

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [9561.pdf](#)
[9561 award.pdf](#)

Legislative History

9/4/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
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- | | | | |
|--|---------|-----------------------|---|
| | 9/11/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
|--|---------|-----------------------|---|
17. [85096](#) Accepting street improvements (sidewalk) constructed by Private Contract In 5535 University Avenue, Private Contract No. 8112 (District 19).
- Sponsors:** BOARD OF PUBLIC WORKS
- Attachments:** [8112 Sidewalk Schedule A.pdf](#)
- Legislative History**
- | | | |
|---------|-----------------------|---|
| 9/4/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 9/11/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
18. [85097](#) Accepting storm water management improvements constructed by Private Contract In 6510 Cottage Grove Rd, Private Contract No. 8364 (District 16).
- Sponsors:** BOARD OF PUBLIC WORKS
- Attachments:** [8364 Pond Schedule A.pdf](#)
- Legislative History**
- | | | |
|---------|-----------------------|---|
| 9/4/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 9/11/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
19. [85099](#) Accepting street and terrace improvements constructed by Private Contract for 320 E. Wilson Street, Private Contract No. 2395 (District 6).
- Sponsors:** BOARD OF PUBLIC WORKS
- Legislative History**
- | | | |
|---------|-----------------------|---|
| 9/4/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 9/11/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
20. [85100](#) Approving plans and specifications for public improvements necessary for the project known as 4 S Blair Street - Porchlight and authorizing construction to be undertaken by the Developer, Private Contract No. 9560 (District 6)
- Sponsors:** BOARD OF PUBLIC WORKS
- Attachments:** [9560 Exhibit.pdf](#)
- Legislative History**
- | | | |
|---------|-----------------------|---|
| 9/4/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 9/11/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
21. [85141](#) Assessing Benefits Cedar & Beld, Cedar Ph.2. (District 13)
- Sponsors:** BOARD OF PUBLIC WORKS
- Attachments:** [13062 FinalCedarPh2 Assess.pdf](#)
- Legislative History**
- | | | |
|--------|----------------------|------------------------------------|
| 9/6/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
|--------|----------------------|------------------------------------|

9/11/24

BOARD OF PUBLIC
WORKSRECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER**REPORT OF CITY CLERK**

22. [81491](#) Report of Operator License Applications September 24, 2024. See attached report for list of operators.

Attachments: [new operators](#)

Legislative History

4/10/24

Clerk's Office

RECOMMEND TO COUNCIL TO GRANT -
REPORT OF OFFICER**REPORT OF COMMON COUNCIL EXECUTIVE COMMITTEE**

23. [84390](#) Accepting the 2024 Agency Annual Surveillance Technology Reports for the 2023 Calendar Year

Sponsors: Yannette Figueroa Cole

Attachments: [Annual Surveillance Technology Reports 2024 - Combined.pdf](#)

Legislative History

7/11/24

Council Office

Referred for Introduction

Common Council Executive Committee (9/10/24), Common Council (9/24/24)

8/6/24

COMMON COUNCIL

Refer to the COMMON COUNCIL
EXECUTIVE COMMITTEE

AGENDA NOTE: Common Council Executive Committee will consider file 84390 at the 9/24/24 meeting and a recommendation will be made from the floor.

REPORT OF FINANCE COMMITTEE

24. [84777](#)

Authorizing a change order to the sole source Payment Card Industry Data Security Standards (PCI DSS) consulting contract to Baker Tilly US, LLP initially authorized under RES-20-00468 (file ID 60737).

Sponsors: Yannette Figueroa Cole

Legislative History

8/9/24

Finance Department

Referred for Introduction

Finance Committee (9/16/24), Common Council (9/24/24)

9/10/24

COMMON COUNCIL

Referred to the FINANCE COMMITTEE

9/16/24

FINANCE COMMITTEE

RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

25. [84804](#) Recreate positions #5120, #5121 and #5122 of Transit High Voltage Technician as one Transit Garage Dispatcher and reallocate the employee to the new position (#5120) and two Transit Maintenance Supervisor positions; and recreate position #3437 of Transit Planner 3 as a Transit Assistant Schedule Planner and reallocate the employee to the new position.

Sponsors: MGR Govindarajan, Dina Nina Martinez-Rutherford And Juliana R. Bennett

Attachments: [Finance Memo - Position Recreations 8.14.24.pdf](#)

Legislative History

8/14/24	Metro Transit Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

26. [84844](#)

Creating Section 20.08(12) of the Madison General Ordinances to establish the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee. (District 17)

Sponsors: Sabrina V. Madison

Attachments: [Public Notice for Impact Fees \(Pumpkin Hollow\).pdf](#)

[Letter to Clerk \(Pumpkin Hollow Needs Assessment\).pdf](#)

[Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee Needs](#)

[Pumpkin Hollow Impact Fee Ad Proof.pdf](#)

[Pumpkin Hollow Affidavit of Publication.pdf](#)

Legislative History

8/16/24	Attorney's Office Finance Committee (9/16/24), Board of Public Works (Public Hearing - 9/11/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	FINANCE COMMITTEE	Refer For Public Hearing to the BOARD OF PUBLIC WORKS
9/10/24	COMMON COUNCIL Additional referral for public hearing to Board of Public Works	Referred to the FINANCE COMMITTEE
9/11/24	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

27. [84951](#)

Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between OPEN Regenerative Technologies Inc. to provide software and support services to implement the Building Energy Savings Program by amending the project scope of services.

Sponsors: Satya V. Rhodes-Conway And Nasra Wehelie

Legislative History

8/26/24	Mayor's Office Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

28. [84983](#)

Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$40,000 grant award from U.S. Environmental Protection Agency (U.S. EPA); authorizing the Mayor and City

Clerk to execute the associated grant agreement with U.S. EPA; and authorizing the Mayor and City Clerk enter into a non-competitive contract with RENEW Wisconsin for the Clean School Bus Coalition project.

Sponsors: Satya V. Rhodes-Conway, Nasra Wehelie And MGR Govindarajan

Attachments: [City of Madison GRANT14217208 revised Work Plan.pdf](#)
[City of Madison GRANT14217208 Revised SF424 and SF424A.pdf](#)
[SubmissionPDF-GRANT14217208.pdf](#)
[City of Madison EPA form 6600_06.pdf](#)

Legislative History

8/27/24	Mayor's Office Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER

29. [84985](#)

Recreating position #3698 of Administrative Clerk 1 as a Program Assistant 1 and reallocate the employee to the new position.

Sponsors: Director of Human Resources

Attachments: [PB Memo Admin Clerk 1 MPD_08.26.24.pdf](#)

Legislative History

8/28/24	Human Resources Department Finance Committee (9/16/24), Personnel Board (9/11/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL Additional referral to Personnel Board	Referred to the FINANCE COMMITTEE
9/10/24	FINANCE COMMITTEE	Referred to the PERSONNEL BOARD
9/11/24	PERSONNEL BOARD	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

30. [84986](#)

Amending Resolution 22-00745 Authorizing the First Amendment to Ground Lease for the residential structure located at 704 East Gorham Street, within James Madison Park, and authorizing an access easement over a portion of the City's property at 728 East Gorham Street. (District 6)

Sponsors: Marsha A. Rummel

Attachments: [9916 704 East Gorham St 2024 Ground Lease Adjusted Rent Schedule FINAL.](#)
[9916 704 E Gorham Access Easement LEGAL DESCRIPTION Exhibit.pdf](#)
[9916 704 E Gorham St Access Easement Exhibit.pdf](#)

Legislative History

8/28/24	Economic Development Division Finance Committee (9/16/24), Board of Park Commissioners (9/11/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL Additional referral to Board of Park Commissioners	Referred to the FINANCE COMMITTEE

9/10/24	FINANCE COMMITTEE	Referred to the BOARD OF PARK COMMISSIONERS
9/11/24	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

31. [85039](#) Providing CocoVaa Chocolatier or its assigns a \$250,000 loan to purchase a commercial property at 10 Odana Court through the Commercial Ownership Assistance program under the Small Business Equity and Recovery Program (SBER) using the American Rescue Plan Act of 2021 (ARPA) aid Local Fiscal Recovery funds and authorizing the Mayor and City Clerk to sign an agreement with CocoVaa Chocolatier or its assigns for that purpose. (District 19)

Sponsors: John P. Guequierre, Marsha A. Rummel And Amani Latimer Burris

Attachments: [WWBIC Concurrence Memo- Peoples State Bank CocoVaa LLC.pdf](#)
[COA APP CocoVaa - Copy.pdf](#)
[cocovaa letters of support and testimonials compressed.pdf](#)

Legislative History

8/30/24	Economic Development Division Finance Committee (9/16/24), Economic Development Committee (9/11/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE Additional referral to Economic Development Committee
9/10/24	FINANCE COMMITTEE	Referred to the ECONOMIC DEVELOPMENT COMMITTEE
9/11/24	ECONOMIC DEVELOPMENT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

32. [85060](#) Authorizing the Transit General Manager to file an application for a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with US DOT and the associated 13 (c) agreement with Teamsters Local No. 695, approving the associated Program Management and Recipient Coordination Plan and authorizing Metro Transit to pass through funding as approved in the Program of Projects.

Sponsors: Juliana R. Bennett, Dina Nina Martinez-Rutherford, Derek Field And Amani Latimer Burris

Attachments: [Program Management Plan 2020 Adopted.pdf](#)
[2024 5310 POP amendment 2 approved.pdf](#)

Legislative History

9/3/24	Metro Transit Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE

9/16/24 FINANCE COMMITTEE RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

33. [85063](#) Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Juliana R. Bennett, Dina Nina Martinez-Rutherford, Derek Field And Amani Latimer Burris

Legislative History

9/3/24	Metro Transit Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

34. [85074](#) Amending the 2024 Capital Budget for the Planning Division-Municipal Art Fund to accept \$40,000 from the Madison Public Market Foundation and \$50,000 from the Friends of the Madison Arts Commission to help fund public art at the Madison Public Market and to approve and accept ten (10) artworks for installation at the Madison Public Market, including authorizing the Planning Division Director to sign contracts related to the projects (District 12).

Sponsors: Amani Latimer Burris And Marsha A. Rummel

Attachments: [Public Market Art Plan September 2024.pdf](#)

Legislative History

9/3/24	Department of Planning and Community and Economic Development Finance Committee (9/16/24), Madison Arts Commission (9/18/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL Additional referral to Madison Arts Commission	Referred to the FINANCE COMMITTEE
9/10/24	FINANCE COMMITTEE	Referred to the MADISON ARTS COMMISSION
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER
9/18/24	MADISON ARTS COMMISSION	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE

35. [85085](#) Authorizing a contract between the Board of Regents of the University of Wisconsin System on behalf of the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine and the City of Madison Fire Department to provide community paramedic-led transition intervention care for UW Health patients.

Sponsors: Satya V. Rhodes-Conway And MGR Govindarajan

Legislative History

9/4/24	Fire Department Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

36. [85087](#)

Authorizing a noncompetitive contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility through 2028

Sponsors: Charles Myadze And Amani Latimer Burris

Attachments: [Item 5 - Memo - Cummins Contract Amendment.pdf](#)
[Item 5 - Attachment A - Resolution for Cummins Inc Contract Amendment.pdf](#)
[Item 5 - Attachment B - Non-Competitive Selection Request.pdf](#)
[Item 5 - Attachment C - Cummins Inc Contract Amendment.pdf](#)
[MADISON WATER UTILITY QT 217900 - Patterson Street generator.pdf](#)
[MADISON WATER UTILITY QT 214603 - 9 generators.pdf](#)

Legislative History

9/4/24	Water Utility Finance Committee (9/16/24), Common Council (9/24/24)	Refer to the COMMON COUNCIL
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

37. [85088](#)

Create a new 1.0 FTE LTE Administrative Analyst 3 (CG18, R10) in the 2024 Traffic Engineering operating budget, which is funded by a Federal grant.

Sponsors: Director of Human Resources

Attachments: [FC Memo TE Admin Anal 3 LTE 8-2024.pdf](#)

Legislative History

9/4/24	Traffic Engineering Division Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

38. [85140](#)

Authorizing the City of Madison to apply to the Wisconsin Department of Natural Resources for a Ready for Reuse Brownfields Cleanup zero-interest loan in an amount not to exceed \$1,027,300 for the purpose of assisting in the remediation of contaminated soil at Huxley Yards (2007 Roth Street). (District 12)

Sponsors: Amani Latimer Burris And Satya V. Rhodes-Conway

Legislative History

9/6/24	Economic Development Division Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE Additional Referral to Sustainable Madison Committee (9/23/24)

9/11/24	FINANCE COMMITTEE	Referred to the SUSTAINABLE MADISON COMMITTEE
9/16/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

AGENDA NOTE: Sustainable Madison Committee will consider file 85140 at the 9/23/24 meeting and a recommendation will be made from the floor.

REPORT OF PLAN COMMISSION

39. [84624](#) Approving a Certified Survey Map of property owned by the City of Madison located at 1202 S Park Street (District 13).
- Sponsors:** Planning Division
- Attachments:** [Locator Maps.pdf](#)
[Application.pdf](#)
[Letter of Intent.pdf](#)
[Proposed CSM.pdf](#)
[Link to Cond Use File 84492](#)
- Legislative History**
- | | | |
|---------|---|---|
| 7/30/24 | Planning Division
Plan Commission (9/9/24), Common Council (9/24/24) | Referred for Introduction |
| 8/6/24 | COMMON COUNCIL | Refer to the PLAN COMMISSION |
| 9/9/24 | PLAN COMMISSION | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
- On a motion by Guequierre, seconded by Mendez, the Plan Commission found the standards met and forwarded the CSM to Common Council with a recommendation to adopt. The motion passed by voice vote/other.
40. [84629](#) Approving the preliminary plat and final plat of *Huxley Yards* on property addressed as 905 Huxley Street (District 12).
- Sponsors:** Planning Division
- Attachments:** [Locator Maps.pdf](#)
[Plat Application.pdf](#)
[Letter of Intent.pdf](#)
[Preliminary Plat.pdf](#)
[Final Plat.pdf](#)
[Staff Comments.pdf](#)
[Staff Comments Addendum.pdf](#)
[Link to Rezoning File 84619](#)
[Public Comment 09-08-24.pdf](#)
[Public Comments 09-09-24.pdf](#)
- Legislative History**
- | | | |
|---------|---|------------------------------|
| 7/31/24 | Planning Division
Plan Commission (9/9/24), Common Council (9/24/24) | Referred for Introduction |
| 8/6/24 | COMMON COUNCIL | Refer to the PLAN COMMISSION |

9/9/24

PLAN COMMISSION

RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER

On a motion by Guequierre, seconded by Mendez, the Plan Commission found the standards met and forwarded the preliminary and final plat to Common Council with a recommendation to adopt. The motion passed by voice vote/other.

REPORT OF RISK MANAGER

41. [83576](#) J. Steward - Vehicle Damage - \$327.99

Legislative History

6/4/24 COMMON COUNCIL

Refer to the Risk Manager

8/27/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

42. [84282](#) S. Caya and E. Tenebruso of Nowlan Law LLP for N. Sarenac - Personal Injury
- \$50,000.00

Legislative History

7/16/24 COMMON COUNCIL

Referred to the Risk Manager

9/17/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

43. [84742](#) D. Penaranda - Vehicle Damage - \$308.29

Legislative History

9/10/24 COMMON COUNCIL

Referred to the Risk Manager

9/17/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

44. [84745](#) B. Stanforth - Property Damage - \$325.35

Legislative History

9/10/24 COMMON COUNCIL

Referred to the Risk Manager

9/17/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

45. [84766](#) Progressive for C. Hoffman - Vehicle Damage - \$4,281.12

Legislative History

9/10/24 COMMON COUNCIL

Referred to the Risk Manager

9/17/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

46. [84769](#) C. Schwenn - Vehicle Damage - \$4,000.00

Legislative History

9/10/24 COMMON COUNCIL

Referred to the Risk Manager

9/17/24 Risk Manager

RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

47. [84783](#) M. Hitt - Property Damage - \$250.00

Legislative History

9/10/24 COMMON COUNCIL

Referred to the Risk Manager

- | | | | | |
|-----|------------------------------|---|----------------|---|
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 48. | <u>84867</u> | S. Bruhn - Vehicle Damage - \$2,739.54 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 49. | <u>84871</u> | J. Kujabi - Property Damage - \$858.00 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 50. | <u>84875</u> | T. Hartjes - Vehicle Damage - \$700.15 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 51. | <u>84899</u> | S. Phillips (Founders 3) - Property Damage - \$1,819.84 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 52. | <u>84936</u> | K. Mack - Property Damage - \$480.00 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 53. | <u>84939</u> | M. Moll - Vehicle Damage - \$604.39 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |
| 54. | <u>85016</u> | R. Darrow - Towing/Storage Fee - \$602.23 | | |
| | | <u>Legislative History</u> | | |
| | | 9/10/24 | COMMON COUNCIL | Referred to the Risk Manager |
| | | 9/17/24 | Risk Manager | RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER |

REPORT OF TRANSPORTATION COMMISSION

55. [85090](#) Authorizing the Mayor and City Clerk to enter into an 18-month, competitively selected service contract with Toole Design Group, LLC for updating the City's Pedestrian Plan and finalizing the All Ages and Abilities Bike Network (Citywide).

Sponsors: Satya V. Rhodes-Conway

Legislative History

9/4/24	Traffic Engineering Division Transportation Commission (9/18/24), Finance Committee (9/16/24), Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL Additional referral to Finance Committee	Referred to the TRANSPORTATION COMMISSION
9/10/24	TRANSPORTATION COMMISSION	Referred to the FINANCE COMMITTEE
9/16/24	FINANCE COMMITTEE	Return to Lead with the Recommendation for Approval to the TRANSPORTATION COMMISSION
9/18/24	TRANSPORTATION COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

ITEMS REFERRED TO THIS MEETING

RESOLUTIONS

56. [85075](#) Designating City of Madison Polling Locations for the 2024 General Election
- Sponsors:** Bill Tishler, Nasra Wehelie, Tag Evers, Marsha A. Rummel, John P. Guequierre, Regina M. Vidaver, Michael E. Verveer, MGR Govindarajan, Dina Nina Martinez-Rutherford, John W. Duncan And Derek Field

Legislative History

9/3/24	Clerk's Office Common Council (9/24/24)	Referred for Introduction
9/10/24	COMMON COUNCIL Adopt 9/24/24	Refer to a future Meeting to Adopt to the COMMON COUNCIL

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

57. [85149](#) Amending Sections 13.07, 13.18(6)(a) and 13.19(2), and creating Sec. 4.08(1) (d) of the Madison General Ordinances to address the connection of properties served by private water supply cooperatives to the City water supply and update the residential connection rebate program, to bring the lead service line reimbursement amount in line with the updated residential connection rebate amount, and to allow for longer installment payments of special assessments for customers of private water supply cooperatives.

Sponsors: Charles Myadze And Tag Evers

Legislative History

9/9/24 Attorney's Office Referred for Introduction
Water Utility Board (9/25/24), Finance Committee (9/30/24), Common Council (10/8/24)

58. [85207](#) Amending Sec. 33.31 of the Madison General Ordinances to Update the Membership of the Sustainable Madison Committee.
- Sponsors:** Satya V. Rhodes-Conway, MGR Govindarajan And Nasra Wehelie
- Legislative History**

9/12/24 Attorney's Office Referred for Introduction
Sustainable Madison Committee (10/21/24), Common Council (10/29/24)

59. [85247](#) Creating Section 28.022-00691 of the Madison General Ordinances to change the zoning of property located at 10 and 16 North Seventh Street from TR-C4 (Traditional Residential-Consistent 4) District to TSS (Traditional Shopping Street) District. (District 12)
- Sponsors:** Planning Division
- Attachments:** [10-16 N Seventh Street.pdf](#)
- Legislative History**

9/16/24 Attorney's Office Referred for Introduction
Plan Commission (Public Hearing - 10/21/24), Common Council (10/29/24)

60. [85248](#) Creating Section 28.022-00692 of the Madison General Ordinances to change the zoning of property located at 623 Schewe Road and 10122 White Fox Lane from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District. (District 9)
- Sponsors:** Planning Division
- Attachments:** [623 Schewe Road.pdf](#)
- Legislative History**

9/16/24 Attorney's Office Referred for Introduction
Plan Commission (Public Hearing - 10/21/24), Common Council (10/29/24)

61. [85327](#) Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian Oversight Board appointment process.
- Sponsors:** Yannette Figueroa Cole
- Legislative History**

9/19/24 Attorney's Office Referred for Introduction
Police Civilian Oversight Board (9/26/24), Common Council (10/8/24)

RESOLUTIONS

62. [85165](#) Authorizing the General Manager to file, on behalf of the Madison Water Utility, a conventional rate case with the WI Public Service Commission for the test year 2025.
- Sponsors:** Charles Myadze And Amani Latimer Burris
- Attachments:** [Item 2 Memo - Submission of 2025 Rate Case.pdf](#)
[2025 Rate Case Presentation.pdf](#)
- Legislative History**

9/10/24 Water Utility Referred for Introduction
Water Utility Board (9/25/24), Finance Committee (9/30/24), Common Council (10/8/24)

63. [85252](#) Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-00/87, for E Rusk Ave Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Sponsors: Isadore Knox Jr.

Legislative History

9/16/24 Engineering Division Referred for Introduction
Board of Public Works (9/25/24), Common Council (10/8/24)

64. [85256](#) Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-01/88, for Moorland Rd Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Sponsors: Isadore Knox Jr.

Legislative History

9/16/24 Engineering Division Referred for Introduction
Board of Public Works (9/25/24), Common Council (10/8/24)

65. [85257](#) Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-04/84, for Woodward Dr Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 18)

Sponsors: Charles Myadze

Legislative History

9/16/24 Engineering Division Referred for Introduction
Board of Public Works (9/25/24), Common Council (10/8/24)

66. [85258](#) Authorizing the Mayor and City Clerk to execute a revised State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-11-20/21/22/23/24/25/26/27/28/53/54/59/60, for John Nolen Drive (District 4, District 13)

Sponsors: Michael E. Verveer And Tag Evers

Legislative History

9/16/24 Engineering Division Referred for Introduction
Board of Public Works (9/25/24), Common Council (10/8/24)

67. [85266](#) Applying to the Dane County Board for exemption from the Dane County Library Tax levied under Section 43.57(3) and 43.64(2) Wisconsin Statutes.

Sponsors: Sabrina V. Madison

Attachments: [2025 FINAL EXEMPT MINIMUM APPROPRIATION.pdf](#)

Legislative History

9/16/24 Library Referred for Introduction

Finance Committee (9/30/24), Common Council (10/8/24)

68. [85279](#) Authorizing a sole source contract for goods and services from Royer Industries, Inc. for parts and repair on the Royer Topsoil Shredder for City of Madison Parks.
- Sponsors:** Yannette Figueroa Cole
- Attachments:** [Royer Industries Inc - Non-Competitive Selection Request.pdf](#)
- Legislative History**
- | | | |
|---------|--------------------------------|---------------------------|
| 9/17/24 | BOARD OF PARK
COMMISSIONERS | Referred for Introduction |
|---------|--------------------------------|---------------------------|
- Finance Committee (9/30/24), Common Council (10/8/24)
69. [85280](#) Authorizing the execution of a Fourth Amendment to the Lease with Joella Enterprises, LLC allowing for the City's continued use of space at 29 Marsh Court for the operation of the Madison Police Department evidentiary facility (District 16).
- Sponsors:** Jael Currie And Yannette Figueroa Cole
- Legislative History**
- | | | |
|---------|----------------------------------|---------------------------|
| 9/17/24 | Economic Development
Division | Referred for Introduction |
|---------|----------------------------------|---------------------------|
- Finance Committee (9/30/24), Common Council (10/8/24)
70. [85281](#) Authorizing the City's execution of a First Amendment to Lease, pertaining to the City's lease with the Salvation Army for the family shelter located at 4502 Milwaukee Street, for the purpose of extending the lease term and altering the maintenance provisions of the Lease. (District 3)
- Sponsors:** Derek Field
- Attachments:** [12226 1st Amendment to Lease.pdf](#)
[12226 Salvation Army Lease 5719164.pdf](#)
- Legislative History**
- | | | |
|---------|----------------------------------|---------------------------|
| 9/17/24 | Economic Development
Division | Referred for Introduction |
|---------|----------------------------------|---------------------------|
- Community Development Block Grant Committee (10/10/24), Common Council (10/29/24)
71. [85282](#) Authorizing an amendment to an Emergency Rental Assistance Program contract with Benevate, Inc., which governs the use of Benevate Inc.'s Neighborly Software system in administering Federal Emergency Rental Assistance funds provided to the City, to sustain efforts to prevent evictions and promote housing stability for eligible households in Dane County affected by the COVID-19 pandemic; and amending the Community Development Division's 2024 Operating Budget to reflect use of these funds, additionally accepting up to \$237,000 from Dane County to pay administration fees related to its use of that system.
- Sponsors:** Nikki Conklin, John P. Guequierre And Dina Nina Martinez-Rutherford
- Legislative History**
- | | | |
|---------|-----------------------------------|---------------------------|
| 9/17/24 | Community Development
Division | Referred for Introduction |
|---------|-----------------------------------|---------------------------|
- Finance Committee (9/30/24), Common Council (10/8/24)

72. [85297](#) Approving an intergovernmental agreement between the City of Sun Prairie and the City of Madison for the Madison Fire Department to provide emergency crisis services through the City of Madison CARES program.
- Sponsors:** Satya V. Rhodes-Conway
- Attachments:** [CARES IGA - Sun Prairie Agreement- Madison_Signed by SP.pdf](#)
- Legislative History**
- | | | |
|---------|--|---------------------------|
| 9/17/24 | Fire Department | Referred for Introduction |
| | Public Safety Review Committee (10/9/24), Finance Committee (12/2/24), Common Council (12/10/24) | |
73. [85301](#) Approving a loan of up to \$125,000 to RISE Wisconsin, Inc. from the Community Facilities Loan Program to help finance the replacement of a portion of a roof and replacement of two rooftop HVAC units at the agency's respite childcare center located at 2120 Fordem Avenue and authorizing the Mayor and City Clerk to enter into an agreement for that purpose (District 12).
- Sponsors:** Nikki Conklin, John P. Guequierre And Dina Nina Martinez-Rutherford
- Legislative History**
- | | | |
|---------|--|---------------------------|
| 9/17/24 | Community Development Division | Referred for Introduction |
| | Community Development Block Grant Committee (10/10/24), Finance Committee (9/30/24), Common Council (10/29/24) | |
74. [85304](#) Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$971,782 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Central Library remodel and authorizing the Mayor and City Clerk to enter into to enter into an agreement with the State of Wisconsin to accept the grant award. (District 4)
- Sponsors:** Sabrina V. Madison And Michael E. Verveer
- Legislative History**
- | | | |
|---------|---|---------------------------|
| 9/18/24 | Library | Referred for Introduction |
| | Finance Committee (9/30/24), Madison Public Library Board (9/26/24), Common Council (10/8/24) | |
75. [85305](#) Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$4,250,000 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Imagination Center at Reindahl Park Project and authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin to accept the grant award; and amending the 2024 Adopted Capital Budget of the Madison Public Library. (District 12 and District 17)
- Sponsors:** Sabrina V. Madison
- Legislative History**
- | | | |
|---------|---|---------------------------|
| 9/18/24 | Library | Referred for Introduction |
| | Finance Committee (9/30/24), Madison Public Library Board (9/26/24), Common Council (10/8/24) | |
76. [85313](#) Amending the 2024 Adopted Economic Development Department's Operating

Budget to accept a \$670,000 grant award from the Build America Bureau of the U.S. Department of Transportation (USDOT) and authorizing the Mayor and City Clerk to execute the associated grant agreement with USDOT.

Sponsors: Satya V. Rhodes-Conway

Legislative History

9/18/24

Finance Department

Referred for Introduction

Finance Committee (9/30/24), Common Council (10/8/24)

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 77. [85109](#) D. Joanis - Property Damage - \$3,000.00
- 78. [85125](#) M. Hefty - Property Damage - \$16,113.49
- 79. [85127](#) C. Liu - Vehicle Damage - \$500.00
- 80. [85131](#) S. Green - Property Loss - \$350.00
- 81. [85132](#) E. Collyard - Vehicle Damage - \$1,000.00
- 82. [85133](#) B. Patel - Property Damage - \$6,000.00
- 83. [85134](#) K. Barnes - Property Damage - \$2,500.00
- 84. [85168](#) T. Rementer for National Subrogation - Property Damage - \$2,910.26
- 85. [85217](#) C. Vang of Vang Law Office, S.C. for K. Haferbecker - Vehicle Damage and Medical Expenses - \$50,000.00
- 86. [85223](#) R. Devitt of Soffa & Devitt LLC for L. Wesker - Medical Expenses, Lost Wages, Pain and Suffering - \$135,564.15
- 87. [85226](#) Progressive for Y. Zang - Vehicle Damage - \$3,023.61
- 88. [85229](#) P. OLeary - Personal Injury - \$10,000,000.00
- 89. [85269](#) P. Cavi - Property Damage - \$16,220.25
- 90. [85272](#) A. Miranda - Vehicle Damage - \$1,637.52

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85234

File ID: 85234

File Type: Resolution

Status: Honoring
Resolution

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 09/13/2024

File Name:

Final Action:

Title: Proclaiming September 30, 2024, through October 6, 2024, as the Week Without
Driving in Madison

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 1.

Sponsors: Regina M. Vidaver, Satya V. Rhodes-Conway,
Juliana R. Bennett, Nikki Conklin, Jael Currie, John
W. Duncan, Tag Evers, Derek Field, Yannette
Figueroa Cole, MGR Govindarajan, John P.
Guequierre, Barbara Harrington-McKinney, Isadore
Knox Jr., Amani Latimer Burris, Sabrina V. Madison,
Dina Nina Martinez-Rutherford, Charles Myadze,
Marsha A. Rummel, Bill Tishler, Michael E. Verveer
And Nasra Wehelie

Effective Date:

Attachments:

Author: Ald. Regina Vidaver

Entered by: imatthias@cityofmadison.com

Enactment Number:

Hearing Date:

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/13/2024	Elizabeth York	Approve	10/3/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	09/13/2024	RECOMMEND TO COUNCIL TO ADOPT				
Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT							

Text of Legislative File 85234

Fiscal Note

No appropriation required.

Title

Proclaiming September 30, 2024, through October 6, 2024, as the Week Without Driving in Madison

Body

WHEREAS, Week Without Driving is a nationwide initiative that aims to raise awareness and promote understanding about the challenges faced by individuals who do not have reliable transportation, highlighting the impact of limited transportation on people's everyday lives; and,

WHEREAS, Week Without Driving encourages both individuals and decision-makers to go a week without driving; and,

WHEREAS, this year, Week Without Driving takes place from September 30, 2024, through October 6, 2024; and,

WHEREAS, according to the Wisconsin Department of Transportation, the City of Madison's non-driving population is estimated to be greater than 40% of the total population; and,

WHEREAS, people do not drive for a variety of reasons, whether it be due to age, financial circumstances, physical or intellectual disability, a preference to minimize their environmental impact, alleviate traffic congestion, or prioritize the safety of pedestrians and bicyclists; and,

WHEREAS, it is costly to own a car, with the United States Bureau of Labor Statistics estimating that, on average, it costs over \$1,000 per month to own a car, as of 2023, making it unaffordable for many Madison residents; and,

WHEREAS, having a variety of transportation options is crucial so that both people and businesses can have a transportation mode that works best for them when considering convenience, time, health, safety, cost, and other factors; and,

WHEREAS, options such as walking, rolling, biking and public transportation help communities thrive socially and economically, ease traffic congestion, benefit health, and promote a cleaner environment;

NOW, THEREFORE, BE IT RESOLVED that the Madison Common Council proclaims September 30, 2024, through October 6, 2024, as the Week Without Driving in Madison.

BE IT FINALLY RESOLVED that the Madison Common Council encourages all elected officials, staff members, and Madison drivers to take part in the Week Without Driving.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85302

File ID: 85302

File Type: Resolution

Status: Honoring
Resolution

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 09/18/2024

File Name: Hispanic Heritage Month 2024

Final Action:

Title: Recognizing September 15, 2024, through October 15, 2024, as Hispanic
Heritage Month

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 2.

Sponsors: Yannette Figueroa Cole, Satya V. Rhodes-Conway,
Juliana R. Bennett, Nikki Conklin, Jael Currie, John
W. Duncan, Tag Evers, Derek Field, MGR
Govindarajan, John P. Guequierre, Barbara
Harrington-McKinney, Isadore Knox Jr., Amani
Latimer Burris, Sabrina V. Madison, Dina Nina
Martinez-Rutherford, Charles Myadze, Marsha A.
Rummel, Bill Tishler, Michael E. Verveer, Regina M.
Vidaver And Nasra Wehelie

Effective Date:

Attachments: Hispanic Heritage Month 2024 Sources.docx

Enactment Number:

Author: Ald. Yannette Figueroa Cole

Hearing Date:

Entered by: imatthias@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Elizabeth York	Approve	10/8/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	09/18/2024	RECOMMEND TO COUNCIL TO ADOPT				
Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT							

Text of Legislative File 85302

Fiscal Note

No fiscal impact.

Title

Recognizing September 15, 2024, through October 15, 2024, as Hispanic Heritage Month

Body

WHEREAS, each year, the United States recognizes the economic, cultural, and social contributions that Hispanic/Latinx/e peoples have brought to our nation; and,

WHEREAS, the rich and distinctive culture of the Hispanic/Latinx/e community has always been an integral part of our country's identity; and,

WHEREAS, this month represents the anniversary of independence for Chile, Costa Rica, El Salvador, Guatemala, Honduras, México, and Nicaragua; and,

WHEREAS, Hispanic Heritage Month extends to October as October 12th is Día de la Raza; and,

WHEREAS, according to United Nations, there are 826 different Indigenous groups in Latin America and the Caribbean; and,

WHEREAS, many Latinx/e in the American continent are the descendants of Indigenous groups and their diverse tribes, such as the Arawak (Colombia and Venezuela), Aztecs/Mayans (Mexico and Central America), the Incas (South America), and the Taino (Cuba, Puerto Rico, the Dominican Republic, Haiti, and Jamaica), in addition to the many Latinx/e who share additional cultural roots, including African or Afro-Latinx/e and Asian-Latinx/e; and,

WHEREAS, some Latinx/e have lost the ability to speak ancestral native languages such as Quechua, Quiche, Nahuatl, Aymara, and others as these languages were replaced by the Spanish language during the colonialization of present day Central and South American and Caribbean countries, while others have lost or never acquired the ability to speak Spanish due to language suppression efforts here in the United States, where Latinx/e are still told to "speak English" despite the fact that the U.S. has no official language and that Spanish was the first non-native language spoken on the American continent; and,

WHEREAS, one-third of the present-day United States was internationally recognized as Mexico prior to the end of the Mexican-American war in 1848 and was inhabited by free people of Indigenous, African, and Mexican descent when Latinx/e were able to cross the Rio Grande border freely; and,

WHEREAS, while Latinx/e people had their land taken away, they have won the struggle of cultural survival; and,

WHEREAS, based on 2020 Census data, the Hispanic/Latinx/e population of the United States totals 62.1 million, which represents 19% of our population, and in 2021 the population grew to 62.5 million, making Hispanic/Latinx/e people the nation's largest ethnic or racial minority; and,

WHEREAS, based on 2020 Census data, the Hispanic/Latinx/e population of Wisconsin was 447,290, almost 8% of the state's population and a growth of over 100,000 from 2010; and,

WHEREAS, the Hispanic/Latinx/e population of Dane County totals almost 42,000, of which the City of Madison is home to 23,408, an increase of over 7,000 people since 2010; and,

WHEREAS, according to the Latinos Leadership Institute, Latinx/e current purchasing power is a \$1.7 trillion market, and their spending power is rising - with 6% compounded annual growth in the last decade, compared to 3% for the non-Latinx/e White population; and,

WHEREAS, Hispanic Heritage Month is one of enormous pride for Hispanics/Latinx/e living in the United States as the Hispanic and Latinx/e culture has had a profound and positive influence on our country and community through their strong commitment to family, faith, hard work, and selfless service; and,

WHEREAS, Madison is fortunate to count among its population a dynamic Hispanic/Latinx/e community that plays an important role in our city's economy and society; and,

WHEREAS, we encourage all Madisonians to recognize and applaud the many contributions made by our Hispanic/Latinx/e community to enhance the quality of life in every aspect of our city and that have contributed to our collective fight for equality and justice; and,

WHEREAS, whether their ancestors have been here for generations, or if they are among our newest residents, we recognize that Hispanic Heritage is American Heritage, and that our brothers and sisters in the Hispanic American community represent a rich history of country and culture;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council recognize the month of September 15, 2024, through October 15, 2024, as Hispanic Heritage Month in the City of Madison.

BE IT FURTHER RESOLVED that the Mayor and Common Council congratulate our Hispanic/Latinx/e community on this significant month and thank them for their contributions to the vibrancy of the City of Madison.

Title

Recognizing September 15, 2024, through October 15, 2024, as Hispanic Heritage Month

Sources:

<https://www.pewresearch.org/fact-tank/2021/09/09/key-facts-about-u-s-latinos-for-national-hispanic-heritage-month/>

<https://www.hispanicheritagemonth.gov/>

<https://data.census.gov/profile?g=160XX00US5548000>

<https://latinoslead.org/>

<https://openknowledge.fao.org/server/api/core/bitstreams/27b4e6b5-30b2-4e47-aaab-0505afa387d7/content/src/html/who-are-the-indigenous-and-tribal-peoples-of-latin-america-and-the-caribbean.html#tab1>



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85263

File ID: 85263

File Type: Presentation

Status: Presentation

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 09/16/2024

File Name: Performance and Activity Update from Destination
Madison - Ellie Westman Chin, CEO

Final Action:

Title: Performance and Activity Update from Destination Madison - Ellie Westman Chin,
CEO

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 3.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: lwindsor-engnell@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85263

Title

Performance and Activity Update from Destination Madison - Ellie Westman Chin, CEO



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 83969

File ID: 83969

File Type: Report

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 06/17/2024

File Name: Consent Agenda Document (9/24/24)

Final Action:

Title: Consent Agenda Document (9/24/24)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 4.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: lwindsor-engnell@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	06/17/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER							

Text of Legislative File 83969

Title

Consent Agenda Document (9/24/24)



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84843

File ID: 84843

File Type: Capital Budget

Status: Public Hearing

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/16/2024

File Name:

Final Action:

Title: 2025 Executive Capital Budget

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 5.

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: 2025 Capital Budget, 2024 Project Borrowing Budget
Carryforward Report - as of 7.31.2024.pdf, Briefing
Schedule and Public Notice, 2025 CIP Executive
Budget Overview and Operating Request
Update.pdf, Public Comment -- Executive Cap
Budget -- 9.16.24.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: echristianson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	FINANCE COMMITTEE	08/16/2024	Referred for Introduction				
	Action Text: This Capital Budget was Referred for Introduction						
	Notes: Finance Committee (Public Hearings - 9/16/24, 9/30/24; additional briefing with no public comment - 9/17/24), Common Council (Public Hearings - 9/24/24, 10/8/24, 11/12/24)						
1	COMMON COUNCIL	09/10/2024	Referred for Public Hearing	FINANCE COMMITTEE			
	Action Text: This Capital Budget was Referred for Public Hearing to the FINANCE COMMITTEE						
1	FINANCE COMMITTEE	09/16/2024	Refer	FINANCE COMMITTEE			Pass

Action Text: Public Safety and Public Health, Public Facilities, PCED, and Administration agencies presented agency capital budgets to the committee and responded to questions from alders. Finance staff reviewed impact fee and Tax Incremental Financing (TIF) cash flow statements included in the executive budget for informational purposes.

A motion was made by Evers, seconded by Rummel, to Refer to the FINANCE COMMITTEE meeting of Tuesday, September 17. The motion passed by voice vote/other.

1	FINANCE COMMITTEE	09/17/2024	Refer For Public Hearing	COMMON COUNCIL	Pass
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Action Text: Transportation, Public Facilities, and Public Works agencies presented agency capital budgets to the committee and responded to questions from alders. Finance staff reviewed carryforward appropriatoin and where to find budget materials on the website.

A motion was made by Figueroa Cole, seconded by Evers, to Refer For Public Hearing to the COMMON COUNCIL. The motion passed by voice vote/other.

Text of Legislative File 84843

Title

2025 Executive Capital Budget

Combined Major and Individual Minor Projects with Possible Carryforward Capital Appropriation Authority to 2025
Prior Year Unused Appropriation Authority by Project as of July 31, 2024
Appropriation Totals reflect all Funding Sources

Agency	Combined Major and Individual Minor Projects	Project Description	Authorized Appropriations as of 7/31/2024	Actual spending through 7/31/2024	Encumbrances through 7/31/2024	Unused Appropriation Authority as of 7/31/2024	Reauthorized GO Borrowing
CDA HOUSING OPERATIONS	12210	CDA CAPITAL IMPROVEMENTS	719,624	717,157	0	2,468	-
	12610	TRUAX PHASE 1 CAPITAL IMPROVEMENTS	81,377	28,897	-	52,480	-
	12611	TRUAX PHASE 2 CAPITAL IMPROVEMENTS	56,400	6,870	-	49,530	-
CDA HOUSING OPERATIONS Total			857,401	752,924	0	104,477	-
CDA REDEVELOPMENT	10079	MOSAIC RIDGE CONSTRUCTION	6,420,000	4,490,156	0	1,929,844	-
	11817	PUBLIC HOUSING REDEVELOPMENT	5,050,000	57,776	-	4,992,224	-
	13624	VILLAGE ON PARK REDEVELOPMENT	22,025,000	7,389,415	-	14,635,585	(1,700,000)
	14431	SOUTH MADISON REDEVELOPMENT	2,000,000	-	-	2,000,000	-
	14696	Triangle Redevelopment	11,000,000	-	-	11,000,000	(2,500,000)
	17002	BRIDGE LAKE PT COMM CENTER	394	394	-	0	-
CDA REDEVELOPMENT Total			46,495,394	11,937,740	0	34,557,653	(4,200,000)
COMMUNITY DEVELOPMENT	10066	NEIGHBORHOOD CENTERS	1,864,928	1,529,818	74,120	260,991	-
	11819	PARK EDGE/PARK RIDGE EMP CNTR	1,600,000	1,260,303	0	339,697	-
	13344	MEN'S HOMELESS SHELTER	26,370,000	2,040,812	21,745,450	2,583,738	(6,760,000)
	13398	TEMPORARY FAMILY SHELTER	3,230,000	3,185,291	143	44,566	-
	13672	COMMUNITY FACILITIES IMPROVE MAJOR	2,000,000	879,710	-	1,120,290	(2,000,000)
	13775	ARPA-SALVATION ARMY DARBO SITE	2,500,000	-	-	2,500,000	-
	13776	ARPA-YOUTH-CENTERED HOUSING	2,000,000	-	-	2,000,000	-
	13942	ACCESSORY DWELLING UNIT MAJOR PROJE	400,000	113,050	1,650	285,300	-
	13983	ARPA-OCCUPY MADISON SOLAR PRJ	150,000	127,799	-	22,201	-
	14751	TEMPORARY SHELTER FACILITIES MAINT	50,096	50,096	-	-	(96)
	14969	Child Care Capital Access	250,000	-	-	250,000	(250,000)
	17002	BRIDGE LAKE PT COMM CENTER	2,500,000	1,897	-	2,498,103	-
	17110	AFFORDABLE HOUSING-DEVELOPMENT	55,270,000	15,462,797	394,368	39,412,835	(16,017,400)
	62010	HSNG CONSUMER LOAN PRGMS	11,256,000	3,660,195	-	7,595,805	(2,169,400)
COMMUNITY DEVELOPMENT Total			109,441,025	28,311,768	22,215,730	58,913,526	(27,196,896)
ECONOMIC DEVELOPMENT	12640	LAND BANKING	9,133,800	7,217,881	(0)	1,915,919	(1,200,000)
	13072	SMALL BUSINESS EQUITY AND RECOVERY	8,494,861	5,707,288	228,968	2,558,605	(1,003,500)
	13837	ACRE Program	300,000	104,840	5,000	190,160	(150,000)
	13850	TRUMAN OLSON GROCERY DEVELOPMENT	9,200,000	5,184,141	-	4,015,859	(1,000,000)
	13984	ARPA-RETAIL BUILDING IMPRV GRANT	500,000	500,000	-	-	-
	1627	CAPITOL EAST PARKING STRUCTURE	1,000,000	1,000,000	-	-	-
	17073	COOPERATIVE ENTERPRISE DEVELOPMENT	900,000	750,000	-	150,000	-
	17128	LAND ACQUISITION	2,400,000	-	-	2,400,000	-
	63009	HEALTHY RETAIL ACCESS PROGRAM	900,000	650,000	-	250,000	(125,000)
	63022	CENTER FOR INDUSTRY & COMMERCE	198,941	133,446	-	65,495	(20,000)
	63060	GENERAL LAND ACQUISITION FUND	2,748,131	1,464,108	24,150	1,259,872	-

Combined Major and Individual Minor Projects with Possible Carryforward Capital Appropriation Authority to 2025
Prior Year Unused Appropriation Authority by Project as of July 31, 2024
Appropriation Totals reflect all Funding Sources

Agency	Combined Major and Individual Minor Projects	Project Description	Authorized Appropriations as of 7/31/2024	Actual spending through 7/31/2024	Encumbrances through 7/31/2024	Unused Appropriation Authority as of 7/31/2024	Reauthorized GO Borrowing
	63080	MARKETREADY PROGRAM	100,000	82,499	-	17,501	-
ECONOMIC DEVELOPMENT Total			35,875,733	22,794,202	258,118	12,823,413	(3,498,500)
ENGINEERING - FACILITIES MGMT	10192	SERVICE BUILDING IMPROVEMENTS	89,500	5,462	600	83,438	(8,900)
	10549	GENERAL FACILITY IMPROVEMENTS	570,697	191,511	13,159	366,028	(156,967)
	10560	FIRE FACILITY IMPROVEMENTS	801,427	-	-	801,427	(226,313)
	10561	CITY COUNTY BUILDING IMPROVEMENTS	1,980,913	36,984	2,200	1,941,729	(1,328,278)
	10562	ENERGY IMPROVEMENTS	7,649,681	3,674,806	930,646	3,044,229	(1,423,718)
	10563	SUSTAINABILITY IMPROVEMENTS	1,168,119	1,168,119	-	-	-
	10564	PARK FACILITY IMPROVEMENTS	3,124,055	812,704	1,229,611	1,081,740	(1,572,371)
	10565	STREETS FACILITY IMPROVEMENTS	907,027	282,161	-	624,866	(186,352)
	11079	SAYLE ST FACILITY IMPROVEMENTS	360,000	129,398	-	230,602	(150,000)
	11983	JUDGE DOYLE SQUARE	1,300,000	1,300,000	-	-	-
	12641	HORIZON LIST PLANNING	209,922	-	-	209,922	(132,654)
	13341	POLICE FACILITY IMPROVEMENTS	266,792	-	-	266,792	(675,535)
	13667	CCB OFFICE REMODELS	11,116,192	6,450,839	406,121	4,259,233	(5,653,484)
	14140	EV CHARGING INFRASTRUCTURE	746,135	61,066	47,796	637,274	(1,434,620)
	14357	TOWN OF MADISON TOWN HALL	350,000	203,986	37,645	108,369	(31,000)
	14715	MMB FACILITY IMPROVEMENTS	150,000	-	-	150,000	(145,000)
	14749	SENIOR CENTER FACILITY IMPROVEMENTS	164,742	-	-	164,742	(214,175)
	14751	TEMPORARY SHELTER FACILITIES MAINT	149,904	-	-	149,904	(249,577)
ENGINEERING - FACILITIES MGMT Total			31,105,107	14,317,034	2,667,777	14,120,296	(13,588,945)
ENGINEERING - MAJOR STREETS	10204	RURAL TO URBAN STREETS	608,308	458,308	150,000	-	(150,000)
	10218	RAILROAD CROSSINGS	1,350,000	4,620	-	1,345,380	-
	10226	RECONSTRUCTION STREETS	27,381,133	12,487,287	7,141,957	7,751,888	(6,635,606)
	10284	PLEASANT VIEW ROAD	8,419,014	5,196,008	1,433,655	1,789,351	(997,400)
	10538	BRIDGE REPAIR & REPLACEMENT	487,328	66,440	2,880	418,008	(69,426)
	10540	PAVEMENT MANAGEMENT	36,098,468	22,172,168	2,981,134	10,945,167	(5,786,048)
	10546	NEIGHBORHOOD TRAFFIC MGMT & PED IMP	437,346	437,346	-	(0)	-
	11131	MINERAL POINT RD (BELTLINE-HIGH PT)	639,685	140,916	238,810	259,959	(461,251)
	11133	S PARK ST (OLIN TO RR)	450,000	2,118	123,348	324,534	(447,934)
	11168	UNIVERSITY AVE (SHOREWOOD-UNIV BAY)	12,065,000	9,316,765	2,028,661	719,574	(476,809)
	11543	E WILSON ST AND E DOTY ST	4,320,000	-	-	4,320,000	(50,000)
	11786	INTERSTATE 94 INTERCHANGE STUDY	250,000	-	-	250,000	(250,000)
	11984	ATWOOD AVE RECONSTRUCTION	7,272,202	5,090,073	1,544,851	637,278	(1,711,361)
	12454	HIGH POINT RD AND RAYMOND RD	1,050,000	259,728	-	790,272	(749,500)
	13013	CTH AB INTERCHANGE	4,505,000	4,134,485	287,458	83,057	(377,989)
	13061	CEDAR ST	899,735	340,832	-	558,903	(30,000)

Combined Major and Individual Minor Projects with Possible Carryforward Capital Appropriation Authority to 2025
Prior Year Unused Appropriation Authority by Project as of July 31, 2024
Appropriation Totals reflect all Funding Sources

Agency	Combined Major and Individual Minor Projects	Project Description	Authorized Appropriations as of 7/31/2024	Actual spending through 7/31/2024	Encumbrances through 7/31/2024	Unused Appropriation Authority as of 7/31/2024	Reauthorized GO Borrowing
	13835	CTH M	36,653,074	32,406,312	458,967	3,787,795	(14,510)
	13838	BLAIR ST	1,415,000	984,528	264,849	165,623	(155,000)
	15322	JOHN NOLEN DR	4,680,000	1,799,640	1,682,272	1,198,088	(1,380,000)
ENGINEERING - MAJOR STREETS Total			148,981,293	95,297,573	18,338,843	35,344,877	(19,742,834)
ENGINEERING - OTHER PROJECTS	10192	SERVICE BUILDING IMPROVEMENTS	89,500	5,464	600	83,436	-
	10576	EQUIPMENT AND VEHICLES	304,000	38,491	143,964	121,545	-
	11082	MEDIAN FENCE REPAIRS	157,064	97,263	8,200	51,601	(110,000)
	11494	WASTE OIL COLLECTION SITES	169,980	1,590	-	168,391	-
	11846	AERIAL & ORTHO PHOTOS	73,500	-	-	73,500	(29,400)
	14095	EQUITY-BASED PROJECT PRIORITY TOOL	100,000	-	-	100,000	(28,194)
ENGINEERING - OTHER PROJECTS Total			894,044	142,808	152,764	598,472	(167,593)
ENGINEERING - PED/BIKE	10138	BIKEWAYS PROGRAM	3,750,023	249,224	353,081	3,147,718	(1,194,593)
	10142	CANNONBALL BIKE TRAIL	1,707,026	186,001	2,210	1,518,815	(189,025)
	10143	CAPITAL CITY TRAIL	1,031,890	9,136	18,200	1,004,553	(304,824)
	10148	SIDEWALK PROGRAM	12,782,017	5,918,564	157,339	6,706,115	(2,041,157)
	10160	GARVER PATH	2,490,000	2,472,383	-	17,617	-
	10165	WEST TOWNE PATH	4,940,771	4,361,117	780	578,874	(457,722)
	10547	PED/BIKE INFRASTRUCTURE ENHANCEMENT	109,090	109,090	-	(0)	-
	10548	SAFE ROUTES TO SCHOOL	16,233	16,233	-	0	-
	11112	SAFE ROUTES GRANTS PROGRAM	-	-	-	-	(214,532)
	11859	AUTUMN RIDGE PATH	3,210,000	331,075	2,291,327	587,598	(1,879,451)
	11868	TROY DR UNDERPASS	4,681,000	23,455	40,177	4,617,367	(1,540,679)
	11983	JUDGE DOYLE SQUARE	929,106	929,106	-	-	-
	13015	MAIN STREET IMPROVEMENTS	365,000	353,952	9,204	1,844	-
	13664	HERMINA-STARKWEATHER CRK PED BRIDGE	555,000	20,266	50,739	483,995	(500,000)
	13835	CTH M	3,285,675	3,266,386	-	19,290	-
	14143	BADGER RUSK PATH	150,000	21,318	21,485	107,197	(10,000)
ENGINEERING - PED/BIKE Total			40,002,831	18,267,306	2,944,542	18,790,982	(8,331,984)
FINANCE	11215	HENRY VILAS ZOO	225,000	84,884	65,116	75,000	(75,000)
	12509	CAPITAL BUDGET ADMINISTRATION	788,000	370,000	-	418,000	-
FINANCE Total			1,013,000	454,884	65,116	493,000	(75,000)
FIRE	12438	TRAINING CAPABILITY DVLPMNT	874,250	302,127	197,471	374,653	(374,250)
	13349	CRISIS RESPONSE VEHICLE	45,000	-	-	45,000	-
	14986	CARES VEHICLES	300,000	-	-	300,000	-
	17040	FIRE STATION-6W BADGER RD	4,384,000	355,981	-	4,028,019	(3,375,000)
	17225	FIRE & EMS EQUIPMENT MAJOR PROJ	4,132,000	2,054,493	87,323	1,990,183	(150,000)
	17226	COMMUNICATION EQUIP MAJOR PROJECT	1,049,189	411,558	19,711	617,920	(332,240)

Combined Major and Individual Minor Projects with Possible Carryforward Capital Appropriation Authority to 2025
Prior Year Unused Appropriation Authority by Project as of July 31, 2024
Appropriation Totals reflect all Funding Sources

Agency	Combined Major and Individual Minor Projects	Project Description	Authorized Appropriations as of 7/31/2024	Actual spending through 7/31/2024	Encumbrances through 7/31/2024	Unused Appropriation Authority as of 7/31/2024	Reauthorized GO Borrowing
	17227	FIRE BLDG IMPROVMNT MAJ PROG	70,000	71,692	-	(1,692)	-
	17451	FIRE STATION 14	7,620,614	7,621,637	(0)	(1,023)	-
FIRE Total			18,475,053	10,817,488	304,505	7,353,060	(4,231,490)
FLEET SERVICES	10305	FLEET SERVICE RELOCATION	32,715,780	32,714,867	0	912	-
	12003	2021 FLEET EQUIPMENT REPLACEMENT	8,292,891	7,947,283	345,608	0	-
	12504	FIRE APPARATUS / RESCUE VEHICLES	15,431,225	8,246,814	2,307,032	4,877,379	-
	12734	2020 SQUAD VEHICLE	59,300	49,426	-	9,874	-
	13094	FLEET GPS SYSTEM	595,998	575,998	20,000	-	-
	13625	Electric Heavy Trucks and Infrastru	2,050,000	1,661,744	3,560	384,696	-
	14442	2023 Police Squad Cars-COPS Hiring	168,000	150,399	-	17,601	-
	17060	FLEET EQUIPMENT REPLACEMENT	42,913,069	25,975,227	8,098,868	8,838,974	-
	17061	GPS/AVL	419,002	419,002	-	0	-
FLEET SERVICES Total			102,645,265	77,740,761	10,775,068	14,129,436	-
INFORMATION TECHNOLOGY	10042	ENTERPRISE FINANCIAL SYSTEM	2,916,000	2,334,006	0	581,994	(317,567)
	10043	PROPERTY ASSESSMENT SYSTEM	1,038,779	257,471	698,000	83,308	(50,000)
	12411	WORKSTATION EQUIP LIFECYCLE MNGMNT	740,000	740,000	(0)	0	-
	12412	NETWORK & OPERATIONS INFRASTRUCTURE	5,887,000	2,969,352	307,648	2,610,000	(396,500)
	12413	DATABASE INFRASTRUCTURE	525,000	89,633	-	435,367	(155,075)
	12417	DIGITAL INCLUSION	1,309,850	914,982	94,328	300,540	(213,000)
	12418	ENTERPRISE BUSINESS SOLUTIONS	875,000	488,786	18,227	367,987	(145,000)
	13086	MICROSOFT 365	1,550,000	1,243,525	154,542	151,933	(108,333)
	13534	CAMERA MANAGEMENT SYSTEM	750,000	363,742	63,633	322,625	(513,000)
	13535	DIGITAL MEDIA PROGRAM	705,000	452,723	49,835	202,442	(24,000)
	13537	DIGITAL WORKPLACE	2,420,000	1,349,063	2,260	1,068,677	(215,000)
	13806	ELECTION EQUIPMENT TOWN OF MADISON	100,000	99,685	-	315	-
	13940	311/CRM SYSTEM	150,000	73,930	-	76,070	-
	14356	CAMERA LIFECYCLE MANAGEMENT	392,000	42,507	69,760	279,733	(150,000)
	17049	TAX SYSTEM REPLACEMENT	350,000	279,934	58,509	11,557	(12,000)
	17401	SECURITY, RISK AND COMPLIANCE	2,385,000	855,154	-	1,529,846	(696,000)
	17404	FIBER NETWORK	2,385,500	1,666,219	142,255	577,026	(265,000)
	17521	LEGISLATIVE MANAGEMENT SYSTEM	250,000	8,650	800	240,550	-
	17523	LEARNING MANAGEMENT SYSTEM	100,000	-	-	100,000	(100,000)
INFORMATION TECHNOLOGY Total			24,829,129	14,229,362	1,659,797	8,939,971	(3,360,475)
LANDFILL	10192	SERVICE BUILDING IMPROVEMENTS	-	-	-	-	-
LANDFILL Total			-	-	-	-	-
LIBRARY	10002	RELOCATE PINNEY NEIGHBORHD LIBRARY	10,531,628	9,965,040	9,514	557,074	-
	12384	LIBRARY COLLECTION PURCHASES	1,555,000	740,000	-	815,000	-

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	12407	LIBRARY TECHNOLOGY UPGRADES	100,000	100,000	-	0	-
	12410	NEIGHBORHOOD LIBRARY LED UPGRADE	1,012,622	873,698	4,622	134,303	(100,000)
	13160	LIBRARY SUPPORT CENTER SIDING	550,000	60,095	-	489,905	(100,000)
	13826	AMPLIFYING COMMUNITY VOICES	65,558	65,558	-	-	-
	14100	LIBRARY KEYSKAN UPDATE	195,000	-	-	195,000	-
	17036	2024 - 2025 CENTRAL LI IMPROVEMENTS	275,000	-	-	275,000	(75,000)
	17074	LIBR MAJOR REPAIRS/REPLACEMENTS	564,385	404,385	(0)	160,000	-
	17085	IMAGINATION CENTER AT REINDAHL PARK	18,625,000	1,381,384	492,950	16,750,666	(11,625,000)
LIBRARY Total			33,474,193	13,590,160	507,085	19,376,948	(11,900,000)
MAYOR	10563	SUSTAINABILITY IMPROVEMENTS	3,723,314	2,181,031	104,389	1,437,894	-
	14836	AIR QUALITY MONITORING GRANT (ARPA)	429,746	-	-	429,746	-
MAYOR Total			4,153,060	2,181,031	104,389	1,867,640	-
METRO TRANSIT	10950	METRO SATELLITE BUS FACILITY	48,550,990	30,290,885	5,012,681	13,247,424	-
	13120	TRANSIT TECHNOLOGY SYSTEM	13,983,291	3,510,761	9,965,486	507,044	-
	14879	Equipment and Facility Systems	1,385,000	-	-	1,385,000	(92,500)
	14880	Transit Speed and Reliability Proj	450,000	-	-	450,000	(450,000)
	85001	TRANSIT COACHES (MAJOR)	48,524,050	10,493,165	0	38,030,885	(544,710)
	85002	FACILITY REPAIRS & IMPROVEMENTS	44,691,000	17,452,122	1,424,032	25,814,846	(10,234,200)
	85003	TRANSIT SYSTEM UPGRADES	4,907,170	2,158,459	1,027,511	1,721,201	(2,450,000)
METRO TRANSIT Total			162,491,501	63,905,391	17,429,710	81,156,400	(13,771,410)
MONONA TERRACE	10031	BUILDING AND BUILDING IMPROVEMENTS	6,838,992	3,507,882	23,000	3,308,109	(572,784)
	10037	MACHINERY AND OTHER EQUIPMENT	1,881,500	1,119,923	358,886	402,691	-
MONONA TERRACE Total			8,720,492	4,627,805	381,886	3,710,800	(572,784)
PARKING	10397	REVENUE EQUIPMENT REPLACEMENT	2,800,000	2,582,676	26,417	190,907	-
	11983	JUDGE DOYLE SQUARE	48,136,216	47,985,259	0	150,957	-
	14145	State Street Campus Garage Replac	50,257,495	12,607,286	27,647,054	10,003,155	-
	14146	Intercity Bus Terminal	1,700,000	-	-	1,700,000	(1,700,000)
	14147	PEO Technology Equipment	212,200	191,991	-	20,209	-
	14982	Park Access and Rev Control Equip	2,500,000	-	-	2,500,000	(2,500,000)
	16003	SINGLE SPACE METER REPLACEMENT	2,225,000	979,124	-	1,245,876	-
	16120	GARAGE LIGHTING REPLACEMENT (LED)	2,965,045	1,854,279	29,885	1,080,882	-
	1627	CAPITOL EAST PARKING STRUCTURE	17,010,465	17,000,026	(0)	10,439	(10,439)
	17600	VEHICLE REPLACEMENT PRGM MAJOR	649,000	335,879	207,098	106,023	-
	19005	OVERTURE PARKING GARAGE FENCING/SCR	625,000	396,134	175,695	53,171	-
	19010	PARKING GARAGE WINDOW REPLACEMENT P	210,000	12,145	-	197,855	-
PARKING Total			129,290,421	83,944,798	28,086,149	17,259,473	(4,210,439)
PARKS	10605	BEACH SHORELINE IMPROVEMENTS	2,414,970	640,845	12,438	1,761,687	(630,555)

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	10646	CENTRAL PARK	4,180,751	3,608,377	-	572,375	(2,996)
	12728	DOWNTOWN AREA PARK	1,280,000	1,235,847	-	44,153	(190,000)
	13937	COUNTRY GROVE PARK RESTROOM FACILIT	2,300,000	131,101	1,315,123	853,776	(457,500)
	14334	DOOR CREEK PARK SHELTER	3,940,585	852,522	2,696,719	391,345	(1,045,381)
	14708	OLBRICH BOTANICAL GARDENS IMPROVE	340,000	-	-	340,000	(190,000)
	17122	DOG PARK IMPROVEMENTS	422,628	159,443	2,000	261,184	(48,407)
	17124	CONSERVATION PARK IMPROVEMENTS	1,539,065	813,338	82,097	643,630	(575,505)
	17128	LAND ACQUISITION	26,987,517	11,372,732	9,700	15,605,085	-
	17130	DISC GOLF IMPROVEMENTS	215,686	82,745	1,250	131,691	-
	17148	EMERALD ASH BORER MITIGATION	931,904	366,979	227,999	336,926	(487,500)
	17166	FOREST HILL CEMETERY IMPROVEMENTS	160,000	-	-	160,000	(160,000)
	17168	GARVER AT OLBRICH BOTANICAL COMPLEX	1,586,501	676,066	10,200	900,235	(868,831)
	17170	JAMES MADISON PARK IMPROVEMENTS	771,914	448,021	-	323,893	-
	17184	VILAS PARK IMPROVEMENTS	1,721,527	1,143,784	0	577,743	(202,341)
	17190	ELVER PARK IMPROVEMENTS OUT	1,020,000	34,645	19,668	965,687	(420,000)
	17193	OLBRICH BOTANICAL COMPLEX	12,085,055	11,992,109	0	92,946	-
	17196	WARNER PARK COMMUNITY CENTER	9,000,000	414,298	143,660	8,442,042	(7,010,000)
	17202	PARK EQUIPMENT	2,202,840	884,323	161,664	1,156,853	(643,977)
	17233	HILL CREEK PARK	94,880	4,880	-	90,000	-
	17235	FIELD IMPROVEMENTS	1,290,000	348,321	-	941,680	(252,500)
	17362	LAW PARK IMPROVEMENTS	1,672,500	1,030,292	604,320	37,888	(200,000)
	17421	PARK LAND IMPROVEMENTS	14,917,725	3,071,979	513,933	11,331,813	(3,876,051)
	17436	PLAYGROUND/ACCESSIBILITY IMPROVMNTS	2,950,877	1,550,325	34,736	1,365,815	(616,681)
	17443	PARK FACILITY IMPROVEMENTS	10,179,902	8,010,263	361,157	1,808,481	(1,000,125)
PARKS Total			104,206,825	48,873,235	6,196,665	49,136,925	(18,878,351)
PCED OFFICE OF DIRECTOR	10064	HISTORIC PRESERVATION PLAN	100,000	90,371	0	9,629	-
	10066	NEIGHBORHOOD CENTERS	-	74,454	-	(74,454)	-
	10069	PUBLIC MARKET	22,958,075	8,137,179	10,762,240	4,058,657	(820,536)
	10780	COMPREHENSIVE PLAN UPDATE	250,000	276,863	(0)	(26,863)	-
	10925	E WASH / STOUGHTON RD REDEV PLANNIN	100,000	13,794	-	86,206	(18,146)
PCED OFFICE OF DIRECTOR Total			23,408,075	8,592,660	10,762,240	4,053,175	(838,682)
PLANNING	10064	HISTORIC PRESERVATION PLAN	150,000	144,416	(0)	5,584	-
	10780	COMPREHENSIVE PLAN UPDATE	250,000	199,524	-	50,476	-
	12743	PLANNING STUDIES 2020	45,000	24,603	(31)	20,428	-
	65001	MUNICIPAL ART FUND PROJECTS	1,017,077	643,611	6,310	367,157	(277,500)
PLANNING Total			1,462,077	1,012,153	6,279	443,645	(277,500)
POLICE	13336	BODY WORN CAMERA PILOT	83,000	5,120	49,000	28,880	-

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	14768	POLICE DIGITAL MEDIA AND STORAGE	225,000	122,559	29,800	72,641	-
	17240	POLICE TECH AND EQUIP MAJOR PROJECT	856,244	426,804	58,775	370,666	(239,300)
POLICE Total			1,164,244	554,483	137,575	472,187	(239,300)
PUBLIC HEALTH MADISON DANE CO	12599	ELECTRONIC HEALTH RECORDS	190,000	111,037	-	78,963	-
	12642	ELECTRONIC HEALTH RECORDS	550,000	-	-	550,000	(550,000)
	17047	REMODEL OF OFFICE SPACE	2,199,328	2,199,328	0	(0)	(0)
PUBLIC HEALTH MADISON DANE CO Total			2,939,328	2,310,365	0	628,963	(550,000)
SEWER	10142	CANNONBALL BIKE TRAIL	1,972,000	3,165	-	1,968,835	-
	10192	SERVICE BUILDING IMPROVEMENTS	542,210	117,923	3,000	421,287	-
	10226	RECONSTRUCTION STREETS	10,595,268	6,367,496	1,693,864	2,533,909	-
	10267	SEWER RECONSTRUCTION	2,294,918	429,569	60,146	1,805,204	-
	10268	LIFT STATION REHABILITATIONS	4,451,107	3,035,735	359,814	1,055,557	-
	10284	PLEASANT VIEW ROAD	154,000	106,979	24,801	22,219	-
	10437	SEWER ACCESS IMPROVEMENTS	250,809	42,531	302	207,976	-
	10450	TRENCHLESS SEWER REHABILITATION	7,733,009	3,289,736	2,077,520	2,365,753	-
	10540	PAVEMENT MANAGEMENT	10,124,039	6,231,154	412,073	3,480,813	-
	10576	EQUIPMENT AND VEHICLES	3,645,000	1,660,147	535,923	1,448,931	-
	11133	S PARK ST (OLIN TO RR)	5,000	-	-	5,000	-
	11168	UNIVERSITY AVE (SHOREWOOD-UNIV BAY)	1,006,000	973,579	34,237	(1,815)	-
	11510	PUMP STATION EMERGENCY GENERATORS	204,916	77,954	66,630	60,332	-
	11543	E WILSON ST AND E DOTY ST	826,000	-	-	826,000	-
	11678	SEWER IMPACT FEE DISTRICTS	6,572,000	681,395	-	5,890,605	-
	11984	ATWOOD AVE RECONSTRUCTION	1,252,972	1,079,592	104,617	68,764	-
	12454	HIGH POINT RD AND RAYMOND RD	21,500	2,271	-	19,229	-
	13013	CTH AB INTERCHANGE	96,000	73,900	825	21,275	-
	13568	SEWER BACKWATER VALVE PROGRAM	50,030	5,160	4,870	40,000	-
	13599	UTILITY MATERIALS HANDLING SITE	3,050,000	17,843	-	3,032,157	-
	13835	CTH M	668,271	668,271	0	0	-
	13838	BLAIR ST	1,240,000	1,065,773	63,651	110,576	-
SEWER Total			56,755,050	25,930,174	5,442,273	25,382,603	-
STORMWATER	10138	BIKEWAYS PROGRAM	750,000	-	-	750,000	(1,900,000)
	10142	CANNONBALL BIKE TRAIL	77,358	4,547	-	72,811	-
	10143	CAPITAL CITY TRAIL	50,000	-	-	50,000	(50,000)
	10165	WEST TOWNE PATH	-	-	-	-	-
	10192	SERVICE BUILDING IMPROVEMENTS	345,990	90,521	1,800	253,669	(268,500)
	10226	RECONSTRUCTION STREETS	7,520,332	4,275,066	1,033,838	2,211,428	(3,205,068)
	10312	GREENWAY IMPROVEMENTS	386,475	287,471	14,368	84,636	-

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	10334	STARKWEATHER CREEK WATERSHED	1,240,000	1,229,989	4,280	5,731	(330,000)
	10540	PAVEMENT MANAGEMENT	5,260,823	2,303,287	213,050	2,744,486	(2,857,684)
	10554	STREET CLEANING EQUIPMENT	1,004,691	113,460	330,378	560,853	-
	10576	EQUIPMENT AND VEHICLES	2,127,000	1,083,816	169,972	873,213	-
	10948	LOWER BADGER MILL CREEK WATERSHED	2,459,142	2,374,075	62,919	22,149	(225,000)
	11133	S PARK ST (OLIN TO RR)	20,000	-	-	20,000	-
	11168	UNIVERSITY AVE (SHOREWOOD-UNIV BAY)	5,696,000	4,863,036	388,338	444,626	(2,496,000)
	11513	CITYWIDE FLOOD MITIGATION	16,755,256	5,713,103	126,300	10,915,853	(4,059,535)
	11543	E WILSON ST AND E DOTY ST	400,000	-	-	400,000	(150,000)
	11664	STORM SEWER SYSTEM IMPROVEMENTS	951,314	437,673	-	513,641	-
	11665	STORMWATER QUALITY SYSTEM IMPROV	12,916,136	8,793,133	1,309,906	2,813,097	(4,006,636)
	11868	TROY DR UNDERPASS	30,000	-	-	30,000	-
	11984	ATWOOD AVE RECONSTRUCTION	2,100,000	1,592,835	195,452	311,713	(400,000)
	12454	HIGH POINT RD AND RAYMOND RD	1,389,420	1,389,448	-	(28)	(670,905)
	13838	BLAIR ST	-	-	-	-	-
STORMWATER Total			61,479,937	34,551,458	3,850,600	23,077,878	(20,619,329)
STREETS	10458	STREETS EQUIPMENT	2,826,000	1,382,946	425,869	1,017,185	(861,000)
	12415	STREET TREE PROGRAM	1,385,000	872,910	-	512,090	(183,000)
	12444	ST FUELING STATION AT SOUTH POINT	3,464,972	3,426,888	86,763	(48,678)	-
	12445	TRANSFER STATION TIPPING FLOOR	325,000	230,279	-	94,721	(94,000)
	12502	STREETS EMERALD ASH BORER	550,000	550,000	3,508	(3,508)	-
	12503	STREETS YARD IMPROVEMENTS	1,800,000	66,072	-	1,733,928	(1,643,866)
	12758	URBAN TREE INITIATIVES	1,000,000	387,623	78,739	533,638	(580,000)
	17060	FLEET EQUIPMENT REPLACEMENT	-	-	-	-	-
	44001	SALT STORAGE BARN - BADGER ROAD	2,264,000	2,230,786	-	33,214	-
STREETS Total			13,614,972	9,147,505	594,879	3,872,588	(3,361,866)
TAX INCREMENT DISTRICT	66000	TAX INCREMENT DIST BORROWING PRJ	65,925,300	9,168,063	-	56,757,237	(32,022,000)
TAX INCREMENT DISTRICT Total			65,925,300	9,168,063	-	56,757,237	(32,022,000)
TRAFFIC ENGINEERING	10418	STREET LIGHT INSTALLATION	2,309,626	483,282	300	1,826,043	(300,860)
	10420	PUBLIC SAFETY RADIO SYSTEM	2,752,580	2,595,038	-	157,543	(26,250)
	10427	TRAFFIC SIGNAL INFRASTRUCTURE	7,111,163	2,270,328	125,020	4,715,814	(1,172,269)
	10428	TRAFFIC SAFETY INFRASTRUCTURE	578,622	311,872	154,610	112,140	(39,375)
	10767	TRAFFIC ENGINEERING INVENTORY	2,000,000	2,911,587	1,544,853	(2,456,440)	-
	12730	MONONA TERRACE/JOHN NOLEN DR LIGHT	4,145,000	499,556	354,893	3,290,551	(1,950,000)
	12733	VISION ZERO TRAFFIC SAFETY INFRASTR	265,000	103,820	28,078	133,102	-
	13065	CITYWIDE LED LIGHTING CONVERSION	2,992,500	1,231,705	-	1,760,795	(933,750)
	13066	ZERO VISION PROGRAM	496,663	370,663	0	126,000	(1,271)

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	13119	SNOW EMERGENCY ZONE EXP/CSC	197,022	187,485	-	9,537	-
	13573	TWENTY IS PLENTY	613,026	4,950	474,495	133,581	(306,513)
	13778	Safe Streets Madison	5,790,317	1,905,768	78,499	3,806,050	(2,384,420)
	13779	Field Equipment Replacement	327,500	267,877	7,123	52,500	(52,500)
	13835	CTH M	678	339	-	339	-
	14149	Safe Streets for All Federal Grant	20,000,000	-	-	20,000,000	(4,000,000)
	14162	TOWN OF MADISON: PAVEMENT/SIGN IMPR	150,000	148,758	-	1,242	-
	14163	TOWN OF MADISON: STREET LIGHT IMPRO	40,000	6,260	-	33,740	-
	14356	CAMERA LIFECYCLE MANAGEMENT	78,000	24,954	-	53,046	(55,000)
	14700	2024 PEDESTRIAN BICYCLE COUNTER	185,000	-	-	185,000	(185,000)
	17071	WAYFINDING SIGNAGE	80,000	5,693	-	74,307	-
TRAFFIC ENGINEERING Total			50,112,697	13,329,935	2,767,872	34,014,890	(11,407,209)
TRANSPORTATION	12775	INTER-CITY INTERMODAL BUS TERMINAL	364,000	170,720	2	193,278	-
	12776	MADISON IN MOTION: COMPLETE STREETS	300,000	300,000	-	-	-
	13665	North-South Bus Rapid Transit	12,258,480	1,573,072	2,151,996	8,533,412	(5,000,000)
	13781	Inter-City Rail Station and Plan	520,000	215,761	230,776	73,463	(280,000)
	14355	Reconnecting Communities Pilot Gran	1,000,000	-	-	1,000,000	(200,000)
	14793	GRANT PROG: SUPPORT ACCESSIBLE TAXI	250,000	-	-	250,000	-
	17607	BUS RAPID TRANSIT PROGRAM	189,539,338	141,536,644	38,344,347	9,658,348	(150,000)
TRANSPORTATION Total			204,231,818	143,796,197	40,727,121	19,708,500	(5,630,000)
WATER	10226	RECONSTRUCTION STREETS	3,816,000	1,883,648	440,487	1,491,865	-
	10284	PLEASANT VIEW ROAD	221,500	131,397	49,666	40,437	-
	10440	WATER UTILITY FACILITY IMPROVEMENTS	10,871,452	1,665,563	4,499,415	4,706,474	-
	10448	UW19 IRON & MANGANESE FILTER	9,163,477	870,616	7,680,825	612,036	-
	10540	PAVEMENT MANAGEMENT	5,745,000	3,024,066	396,476	2,324,458	-
	10944	UNIT WELL NO. 8 RECONSTRUCTION	25,000	-	-	25,000	-
	11133	S PARK ST (OLIN TO RR)	21,000	-	-	21,000	-
	11168	UNIVERSITY AVE (SHOREWOOD-UNIV BAY)	1,832,440	1,727,687	91,502	13,251	-
	11543	E WILSON ST AND E DOTY ST	641,000	-	-	641,000	-
	11892	WATER MAIN REPLACE PIPE LINING	1,859,000	1,574,987	460	283,553	-
	11893	WATER MAIN REPLACEMENT	3,648,000	-	-	3,648,000	-
	11894	WATER MAIN REPLACE PAVEMENT MGMT	-	-	-	-	-
	11900	WELL 14 MITIGATION	1,381,250	468,403	14,980	897,868	-
	11984	ATWOOD AVE RECONSTRUCTION	749,000	511,597	136,622	100,782	-
	12339	WATER UTILITY VEHICLE PROGRAM	2,547,350	820,502	331,163	1,395,685	-
	12340	WATER UTILITY METER PROGRAM	1,117,000	459,205	-	657,795	-
	12341	WATER UTILITY UW REHAB PROGRAM	1,011,000	351,439	15,242	644,319	-

Combined Major and Individual Minor Projects with Possible Carryforward Capital Appropriation Authority to 2025
Prior Year Unused Appropriation Authority by Project as of July 31, 2024
Appropriation Totals reflect all Funding Sources

Agency	Combined Major and Individual Minor Projects	Project Description	Authorized Appropriations as of 7/31/2024	Actual spending through 7/31/2024	Encumbrances through 7/31/2024	Unused Appropriation Authority as of 7/31/2024	Reauthorized GO Borrowing
	12385	WATER UTILITY HYDRANTS PROGRAM	877,000	423,635	-	453,365	-
	12386	CHLORINATORS & FLORINATORS PROGRAM	141,665	56,779	-	84,886	-
	12387	WATER VALVE CUT-IN PROGRAM	104,000	22,505	-	81,495	-
	12441	BPS #213 RECONSTRUCT	500,000	-	-	500,000	-
	12454	HIGH POINT RD AND RAYMOND RD	35,000	-	-	35,000	-
	12503	STREETS YARD IMPROVEMENTS	500,000	-	-	500,000	-
	12507	WATER MAINS NEW	111,800	-	-	111,800	-
	13013	CTH AB INTERCHANGE	190,000	129,279	2,272	58,449	-
	13835	CTH M	3,167,600	2,975,029	-	192,571	-
	13838	BLAIR ST	109,000	59,418	104	49,478	-
	14004	PRESSURE ZONE RESILIENCY	1,100,000	786,917	360	312,722	-
	14205	UW27 IRON & MANGANESE FILTER	63,000	-	-	63,000	-
	14697	NEW WATER FACILITY PLANNING	800,000	-	-	800,000	-
	15322	JOHN NOLEN DR	30,000	-	-	30,000	-
	17603	WELL 30 IRON AND MANGANESE FILTER	63,000	-	-	63,000	-
	17604	WELL 28 IRON AND MANGANESE FILTER	63,000	-	-	63,000	-
	17607	BUS RAPID TRANSIT PROGRAM	165,000	5,001	-	159,999	-
WATER Total			52,669,535	17,947,672	13,659,574	21,062,289	-
Grand Total			1,536,714,799	778,526,938	190,036,556	568,151,306	(208,672,588)

FINANCE COMMITTEE

Schedule of 2025 Capital Budget Deliberations

Time & Locations

- Monday, September 16, 2024: 4:30pm (Virtual Meeting)
- Tuesday, September 17, 2024: 4:30pm (Virtual Meeting)

Agency Capital Budgets

The schedule of Finance Committee’s deliberations on the 2025 Executive Capital Budget is shown below. The Capital Budget can be found at:

<https://www.cityofmadison.com/finance/budget>

Members of the public can register to speak at the Monday, September 16 meeting at

<https://www.cityofmadison.com/MeetingRegistration>

Monday, September 16 4:30pm* – Virtual Meeting	Tuesday, September 17 4:30pm – Virtual Meeting
<u>AGENCY</u> <i>Public Safety & Health</i> Fire Police Public Health <i>Public Spaces</i> Library <i>PCED</i> Planning CDA Redevelopment Community Development Division Economic Development Division <i>Administration</i> Information Technology Mayor’s Office Finance Zoo	<u>AGENCY</u> <i>Transportation</i> Metro Parking Division Traffic Engineering Transportation <i>Public Spaces</i> Monona Terrace <i>Engineering</i> Engineering-Bicycle & Ped Engineering-Facilities Engineering-Major Streets Engineering-Other Projects Sewer Utility Stormwater Utility <i>Public Works</i> Fleet Services Parks Division Streets Division Water Utility

*Note: The 9/16/24 meeting will start at 4:30pm with regular finance committee business and public comment on the budget. The 9/17/24 meeting is a continuation of the 9/16/24 meeting and will not include a public comment period.



2025 Capital Budget: Executive Budget Overview

Finance Committee
September 16, 2024

Agenda

1. Navigating Budget Resources

- Capital Budget Web Page
- How to read agency budgets

2. Agency Briefings & Amendments

- Schedule, Format, and Amendment Process

3. Executive Budget Summary

- Budget by Element and Funding Source

4. GO Debt Service

- Relationship between Capital and Operating Budgets

5. Operating Budget Update

- Agency Requests & New Service Structure

Navigating Budget Resources

Where to find the Capital Budget

The executive capital budget and executive summary were published [online](https://www.cityofmadison.com/finance/budget/2025/capital) on 9/10/24:
<https://www.cityofmadison.com/finance/budget/2025/capital>

2025 Capital Budget

Executive Budget

- [Full Executive Capital Budget PDF](#)
- [Executive Summary PDF](#)

Executive Summary: Overview and summary of major changes

Introduction & Summaries

- [City of Madison Mission and Values PDF](#)
- [Capital Budget Overview and Policies PDF](#)
- [Capital Budget Summaries PDF](#)
- [Horizon List PDF](#)

Introduction & Summaries:

- Guidelines, policies, summary tables by agency, funding & expense types
- Horizon List

Administration and General Government

- [Finance Department PDF](#)
- [Information Technology PDF](#)
- [Mayor's Office PDF](#)

Planning and Development

- [CDA Redevelopment PDF](#)
- [Community Development Division PDF](#)
- [Economic Development Division PDF](#)
- [Planning Division PDF](#)

Agency Budgets:

- Organized by functional areas

Components of an Agency Budget:

CIP Overview

CIP Overview (1-2 pages)

- **Summary Table:** List of all capital projects and programs, with total funding by year
- **Changes from 2024 Adopted CIP (Graph):** Clustered bar graph that compares the total funding for the agency, by year, in the 2025 Executive CIP and the 2024 Adopted CIP
- **Description of Major Changes:** Comments on significant changes between the 2025 Executive CIP and the 2024 Adopted CIP. There is a comment on every project/program, even if there is no change. Comments may include changes in funding amount, funding source, project scope, timeline, or other aspects of the project.

Engineering - Bicycle and Pedestrian

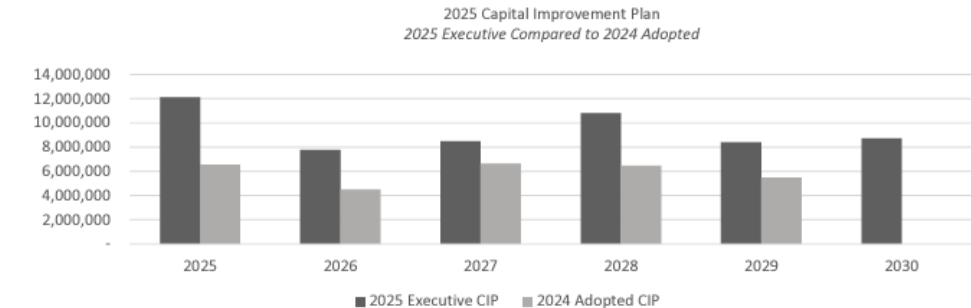
Capital Improvement Plan (CIP) Overview

Budget Phase: Executive

Summary Table

	2025	2026	2027	2028	2029	2030
Badger Rusk Path	1,120,000	-	-	-	-	-
Bikeways Program	600,000	2,490,000	2,939,099	3,538,789	2,368,000	2,436,000
Sidewalk Program	5,025,000	5,275,000	5,525,000	5,775,000	6,025,000	6,275,000
Troy Drive Railroad Bridge	4,250,000	-	-	-	-	-
West Towne Path Phase 2	1,122,000	-	-	1,496,000	-	-
	\$ 12,117,000	\$ 7,765,000	\$ 8,464,099	\$ 10,809,789	\$ 8,393,000	\$ 8,711,000

Changes from 2024 Adopted CIP



Description of Major Changes

Badger Rusk Path

- \$453,000 in funding changed from Non-General Fund GO Borrowing (TID) to TIF Increment in 2025.

Bikeways Program

- Program budget increased by \$2.7 million in General Fund GO Borrowing, \$5.5 million in Federal Sources, and \$395,000 in Non-General Fund GO Borrowing (TIF) from 2026 to 2029. This reflects a 260% increase.
- The inclusion of federal funding reflects secured funding for seven minor projects within the Bikeways Program.
- Program budget increased to include the Capital City Path Segment 5 & 6 included in the 2024 Adopted Capital Budget as a standalone project. The 2024 CIP included \$1,890,000.

Components of an Agency Budget: Expenditures & Revenues

Summary of Expenditures and Revenues (1-2 pages)

- **2025 CIP by Expenditure Type:** Table with budget amounts by expenditure type (e.g. Bike Path, Building, Land, Street), by year
- **2025 CIP by Funding Source:** Table with budget amounts by funding source (e.g. General Fund (GF) General Obligation (GO) Borrowing; Federal Sources; Impact Fees; Reserves Applied; TIF Increment), by year
- **Borrowing Summary:** Table with General Fund GO Borrowing and Non-General Fund GO Borrowing by year
- **Annual Debt Service:** Estimated debt service, assuming a 10-year repayment schedule and 3% interest
- **Executive Budget by Funding Source (Graph):** Stacked bar graph showing GO Borrowing and Other Sources by year

Engineering - Bicycle and Pedestrian

Summary of Expenditures and Revenues

2025 CIP by Expenditure Type

	2025	2026	2027	2028	2029	2030
Bike Path	2,842,000	2,490,000	2,939,099	5,034,789	2,368,000	2,436,000
Bridge	4,000,000	-	-	-	-	-
Stormwater Network	250,000	-	-	-	-	-
Street	5,025,000	5,275,000	5,525,000	5,775,000	6,025,000	6,275,000
	\$ 12,117,000	\$ 7,765,000	\$ 8,464,099	\$ 10,809,789	\$ 8,393,000	\$ 8,711,000

2025 CIP by Funding Source

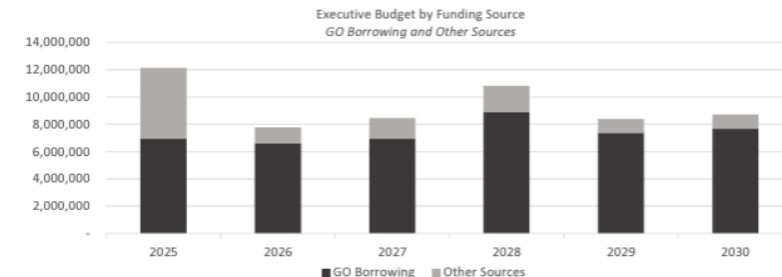
	2025	2026	2027	2028	2029	2030
GF GO Borrowing	6,600,000	6,606,000	6,540,000	8,920,000	7,368,000	7,686,000
Non-GF GO Borrowing	332,000	-	395,000	-	-	-
Federal Sources	4,657,000	1,134,000	1,504,099	1,864,789	1,000,000	1,000,000
Reserves Applied	50,000	-	-	-	-	-
Special Assessment	25,000	25,000	25,000	25,000	25,000	25,000
TIF Increment	453,000	-	-	-	-	-
	\$ 12,117,000	\$ 7,765,000	\$ 8,464,099	\$ 10,809,789	\$ 8,393,000	\$ 8,711,000

Borrowing Summary

	2025	2026	2027	2028	2029	2030
General Fund GO Borrowing	6,600,000	6,606,000	6,540,000	8,920,000	7,368,000	7,686,000
Non-General Fund GO Borrowing	332,000	-	395,000	-	-	-
	\$ 6,932,000	\$ 6,606,000	\$ 6,935,000	\$ 8,920,000	\$ 7,368,000	\$ 7,686,000

Annual Debt Service

	2025	2026	2027	2028	2029	2030
General Fund GO Borrowing	858,000	858,780	850,200	1,159,600	957,840	999,180
Non-General Fund GO Borrowing	43,160	-	51,350	-	-	-
	\$ 901,160	\$ 858,780	\$ 901,550	\$ 1,159,600	\$ 957,840	\$ 999,180



Components of an Agency Budget: Carryforward GO Borrowing

Carryforward GO Borrowing Section (1 page)

- **Carryforward GO Borrowing:** Table that summarizes funding authorized in prior capital budgets that will carryforward in 2025. Data reflects unspent funds as of July 31, 2024.
 - “Unused Appropriation Authority” column reflects all unused funds that will carryforward (borrowing, federal sources, grants).
 - “Reauthorized GO Borrowing” column reflects GO Borrowing that will be reauthorized in 2025

Engineering - Bicycle and Pedestrian

Carryforward General Obligation Borrowing

	Unused Appropriation Authority	Reauthorized GO Borrowing
11859 AUTUMN RIDGE PATH	587,598	1,879,451
14143 BADGER RUSK PATH	107,197	10,000
10138 BIKEWAYS PROGRAM	3,147,718	1,194,593
10142 CANNONBALL BIKE TRAIL	1,518,815	189,025
10143 CAPITAL CITY TRAIL	1,004,553	304,824
13835 CTH M	19,290	-
10160 GARVER PATH	17,617	-
13664 HERMINA-STARKWEATHER CRK PED BRIDGE	483,995	500,000
13015 MAIN STREET IMPROVEMENTS	1,844	-
11112 SAFE ROUTES GRANTS PROGRAM	-	214,532
10148 SIDEWALK PROGRAM	6,706,115	2,041,157
11868 TROY DR UNDERPASS	4,617,367	1,540,679
10165 WEST TOWNE PATH	578,874	457,722
	\$ 18,790,982	\$ 8,331,984

Components of an Agency Budget: Project & Program Details

Project & Program Details (1- 10 pages)

- **Identifying Information:** Project Name, Number, Type (Project or Program); and Citywide Element
- **Project Description:** Brief narrative on the purpose and scope of the project
- **Funding Table:** Table that summarizes funding by source, by year

Engineering - Bicycle and Pedestrian

Project & Program Details

Project	Badger Rusk Path	Project #	14143
Citywide Element	Land Use and Transportation	Project Type	Project

Project Description

This project funds the construction of a new multi-use path along Badger Road and North Rusk Avenue from the existing beltline overpass to Nygard Street. This project has been identified in the Southside Neighborhood Plan. The project has been awarded federal funding through the Transportation Alternatives Program. Funding in 2025 is for construction.

	2025	2026	2027	2028	2029	2030
TIF Increment	453,000	-	-	-	-	-
Federal Sources	667,000	-	-	-	-	-
Total	\$ 1,120,000	\$ -	\$ -	\$ -	\$ -	\$ -

Project	Bikeways Program	Project #	10138
Citywide Element	Land Use and Transportation	Project Type	Program

Project Description

This program is for bicycle-related improvements and path resurfacing throughout the City. The goal of this program is to improve the pavement quality of the existing bike paths to meet City Standards and provide new paths to close gaps in the network. Projects within this program are prioritized based on pavement quality rating of existing bikeways and projects awarded federal funds through the Transportation Alternatives Program. The focus of funding in 2025 will be for path resurfacing and new paths on Odana Rd and North Shore Dr. Capital City Path Phase 5 & 6 is planned for 2026. E Rusk Ave & Moorland are planned for 2027. Woodward Drive & W Beltline Path are planned for 2028.

	2025	2026	2027	2028	2029	2030
GF GO Borrowing	600,000	1,356,000	1,040,000	1,674,000	1,368,000	1,436,000
Non-GF GO Borrowing	-	-	395,000	-	-	-
Federal Sources	-	1,134,000	1,504,099	1,864,789	1,000,000	1,000,000
Total	\$ 600,000	\$ 2,490,000	\$ 2,939,099	\$ 3,538,789	\$ 2,368,000	\$ 2,436,000

Components of an Agency Budget: 2025 Appropriation

2025 Appropriation (1 page)

- Table summarizing 2025 appropriations only
- Includes agency's original funding request and the amount included in the executive budget
- Budget for 'out-years' is not included in the table

Engineering - Bicycle and Pedestrian

2025 Appropriation Schedule

2025 Appropriation

	Request	Executive Budget		
		GO Borrowing	Other	Total
Badger Rusk Path	1,120,000	-	1,120,000	1,120,000
Bikeways Program	600,000	600,000	-	600,000
Sidewalk Program	5,025,000	5,000,000	25,000	5,025,000
Troy Drive Railroad Bridge	4,250,000	1,200,000	3,050,000	4,250,000
West Towne Path Phase 2	1,122,000	132,000	990,000	1,122,000
	\$ 12,117,000	\$ 6,932,000	\$ 5,185,000	\$ 12,117,000

Agency Briefings & Amendment Process

Schedule for Briefings

Monday (9/11)

- Public Health & Safety
 - Fire
 - Police
 - Public Health
- Public Spaces
 - Library
- PCED
 - Planning
 - CDA Redevelopment
 - Community Development
 - Economic Development
- Administration
 - Information Technology
 - Mayor's Office
 - Finance
 - Zoo

Tuesday (9/12)

- Transportation
 - Metro
 - Parking
 - Traffic Engineering
 - Transportation
- Public Spaces
 - Monona Terrace
- Engineering
 - Bike & Ped
 - Facilities
 - Major Streets
 - Other
 - Sewer
 - Stormwater
- Public Works
 - Fleet
 - Parks
 - Streets
 - Water

Briefing Format

- Agencies will give a brief presentation (~5 minutes) highlighting significant projects and major changes in their CIP
- Presentation will focus on overview page of budget; no separate slides
- Discussion and Q&A to follow each presentation

Detailed Timeline for FC and CC Hearings

Capital

Operating

1.	Mayor Introduces Executive Budget	<ul style="list-style-type: none"> September 10 	<ul style="list-style-type: none"> October 8
2.	Finance Committee (FC) Hearings	<i>Agencies present budget; alders have opportunity to ask questions</i>	
		<ul style="list-style-type: none"> September 16 & 17 	<ul style="list-style-type: none"> October 14 & 15
3.	FC Amendment Week	<i>Alders submit requests to budget analysts; analysts review and publish amendments</i>	
		<ul style="list-style-type: none"> September 18 – 25 Alders submit by Weds., Sept. 25 at 12pm Analysts publish by Fri., Sept 27 at 12pm 	<ul style="list-style-type: none"> October 16 – 23 Alders submit by Weds., Oct. 23 at 12pm Analysts publish by Fri., Oct 25 at 12pm
4.	FC Vote on Amendments	<i>Hybrid FC Meetings – MMB 215</i>	
		<ul style="list-style-type: none"> September 30 	<ul style="list-style-type: none"> October 28
5.	City Council Amendments	<i>City Council has the opportunity to propose amendments to capital and operating budgets</i>	
		<ul style="list-style-type: none"> October 29 – November 6 Alders submit by Weds., Nov. 6 at 12pm Analysts publish by Fri., Nov 8 at 12pm 	
6.	City Council Adoption	Up to three (3) CC meetings to vote on amendments and adopt budget	
		<ul style="list-style-type: none"> November 12, 13, 14 	

Amendment Process Tips & Timeline

Review the Executive Budget:

- Review the budget and executive summary to understand what's included in the executive budget

Engage Agency Staff:

- Reach out to the impacted agency to discuss your amendment ideas; staff may have input on timeline, feasibility, and capacity needed to implement ideas
- Copy budget staff on communications with agencies so we are aware of potential amendments

Timeline:

- Alders can begin submitting amendment ideas any time after the budget is introduced
- **Submit preliminary amendments by Wednesday 9/25 at 12pm**
 - Amendment ideas do not have to be fully developed this deadline, but we do have to know you are planning to submit
- **Final amendments will be published on Friday 9/27 around 12pm**

Sponsorship:

- Any alder can submit an FC amendment
- Non-FC members must have an FC sponsor; Council president can be asked to courtesy sponsor
- If you have co-sponsors, be sure to include all sponsors in emails to budget staff so we can verify who is signed on to an amendment

Capital Amendment Template

Minimum information needed to start and amendment:

- Agency
- Existing or New Project
- Brief description of what you're trying to accomplish
- Estimated amount (agency staff and budget analyst will assist with fiscal analysis estimates)

Sample template from 2024 – will be updated for 2025

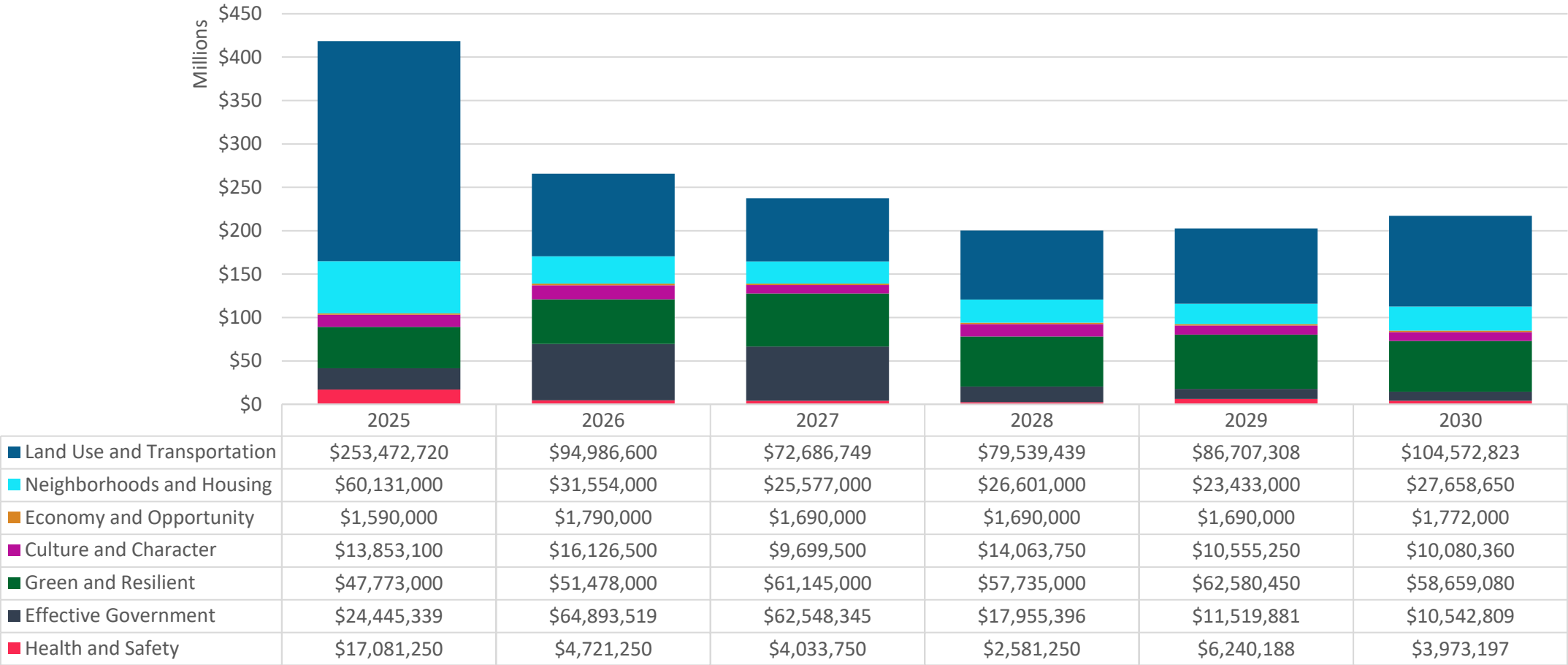
2024 Capital Budget: Finance Committee Amendments						
Agency:				Amendment #:		
Project Name:				Page #:		
Sponsor:				Project #:		
Co-Sponsor(s):						
Amendment Narrative <i>Brief description of what the amendment will do (e.g. add/remove funding, shift funding across years, create new project).</i>						
Amendment Amount <i>Amounts below reflect the change from the executive budget, not the total project amount.</i>						
	2024	2025	2026	2027	2028	2029
GO Borrowing						
Other						
Total						

Executive Budget Summary

2025 Capital Budget = \$418.3 million

2025 - 2030 Capital Improvement Plan = \$1.5 billion

Capital Investments by Element, by Year

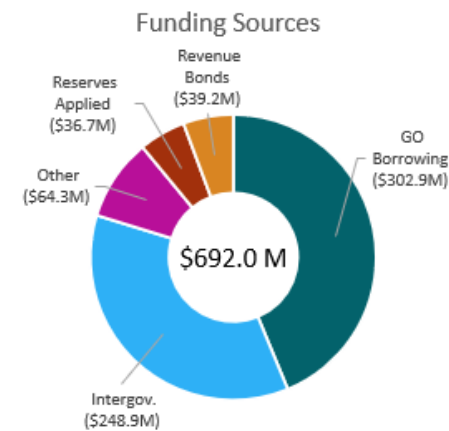
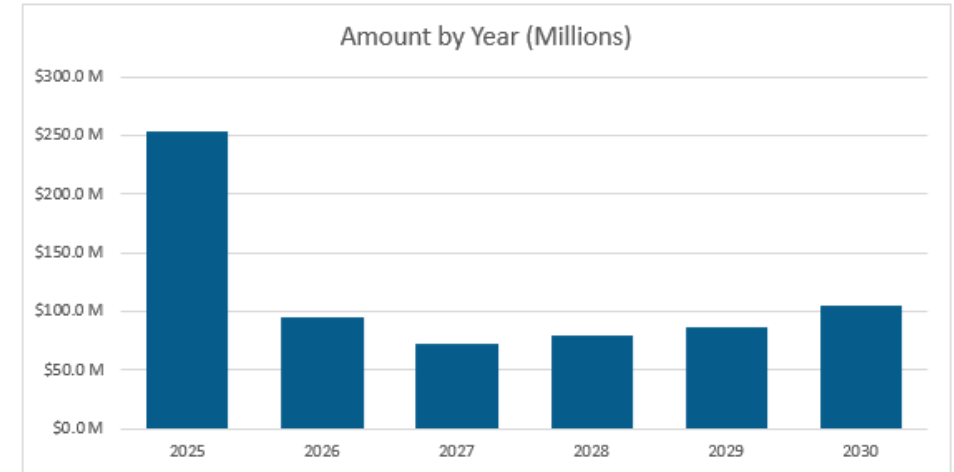


Citywide Elements

- Agencies select Citywide element as part of their submission process
- Projects may address multiple priorities/ elements, but are only presented in one category
- Executive summary has 1-pagers for each element, showing funding by year, by source, and highlights major projects
- Elements are presented in the same order as the Imagine Madison comprehensive plan

Projects by Element: Land Use & Transportation

Land Use & Transportation projects represent almost half (44.9%) of spending in the CIP. Major projects include the implementation of North-South Bus Rapid Transit and reconstruction of major streets such as John Nolen Drive. This category also includes ongoing programs to reconstruct and maintain the City's streets, sidewalks, and bike lanes. The largest share of funding for the \$692.0 million budgeted over 6 years is from GO borrowing (43.8%). The next largest share of funding is from intergovernmental sources (36.0%), representing large federal grants for transit and infrastructure.

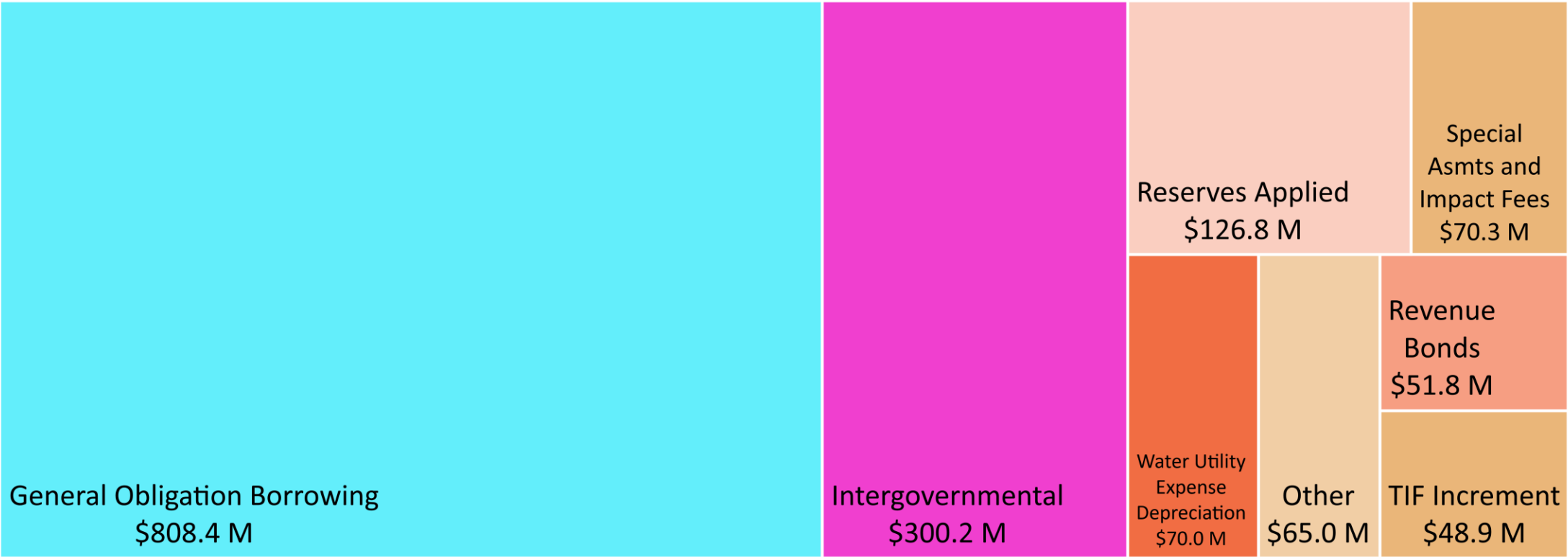


Project & Program Highlights (All Funds)

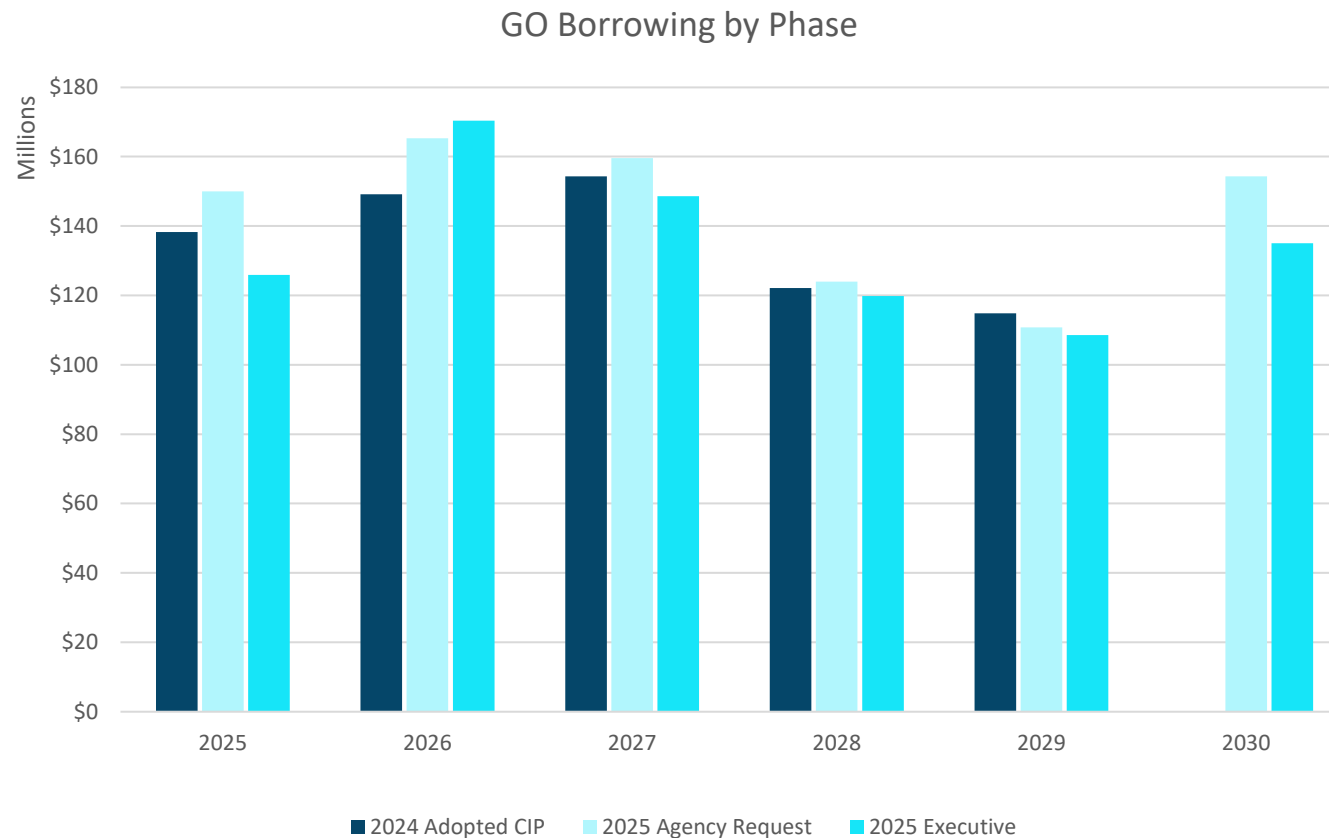
- **2025:** North-South Bus Rapid Transit (N-S BRT) (\$174.9m)
- **2025 – 2030 (ongoing programs):** Pavement Management (\$121.8 m); Reconstruction Streets (\$115.9 m); Metro Electric Buses and Charging Equipment (\$88.0 m); Sidewalk Program (\$33.9 m); Bikeways Program (\$14.4 m); Safe Streets Madison (\$9.8 m)
- **2025-2030 (major projects):** John Nolen Drive (\$23.8m); High Point/ Raymond/ MidTown (\$20.6m); Regent St (\$19.3 m)

GO Borrowing is the primary funding source of the CIP (52%), followed by Intergovernmental sources (20%)

Funding Sources for the 6- Year CIP (2025-2030)



Executive Budget reduces GO Borrowing compared to 2024 budget and agency request



2025 Budget:

- 2025 Executive is \$12.4 million less than 2024 Adopted CIP; \$24 million less than request
- Some expenses shifted to later years of the CIP, some changed funding sources from borrowing to federal grants or TIF increment when possible

2025-2029 CIP:

- Over the course of the CIP, 2025 Executive is \$5.3 million less than 2024 Adopted CIP; \$36.2 million less than request

GO Debt and Debt Service

Background

- The City issues debt each year to help finance the cost of projects authorized in the adopted capital budget.
- Most of that debt is in the form of a “general obligation” – this means the City pledges to repay the debt from its general taxing authority (the property tax levy). The remainder of the City’s debt is issued as a “revenue obligation” – this means a specific revenue source, in the City’s case it is usually sewer or water user fees, is pledged to repay the debt.
- Repayment of the principal and interest on general obligation debt is usually made over a 10 year period.
- Annual repayment of the principal and interest is called “debt service” and is included in the operating budget.
- Debt service on a new issuance begins in the year following the debt sale (e.g., repayment of principal and interest on debt sold to finance projects in the 2024 capital budget will begin in the 2025 budget).

Debt Service in the Operating Budget

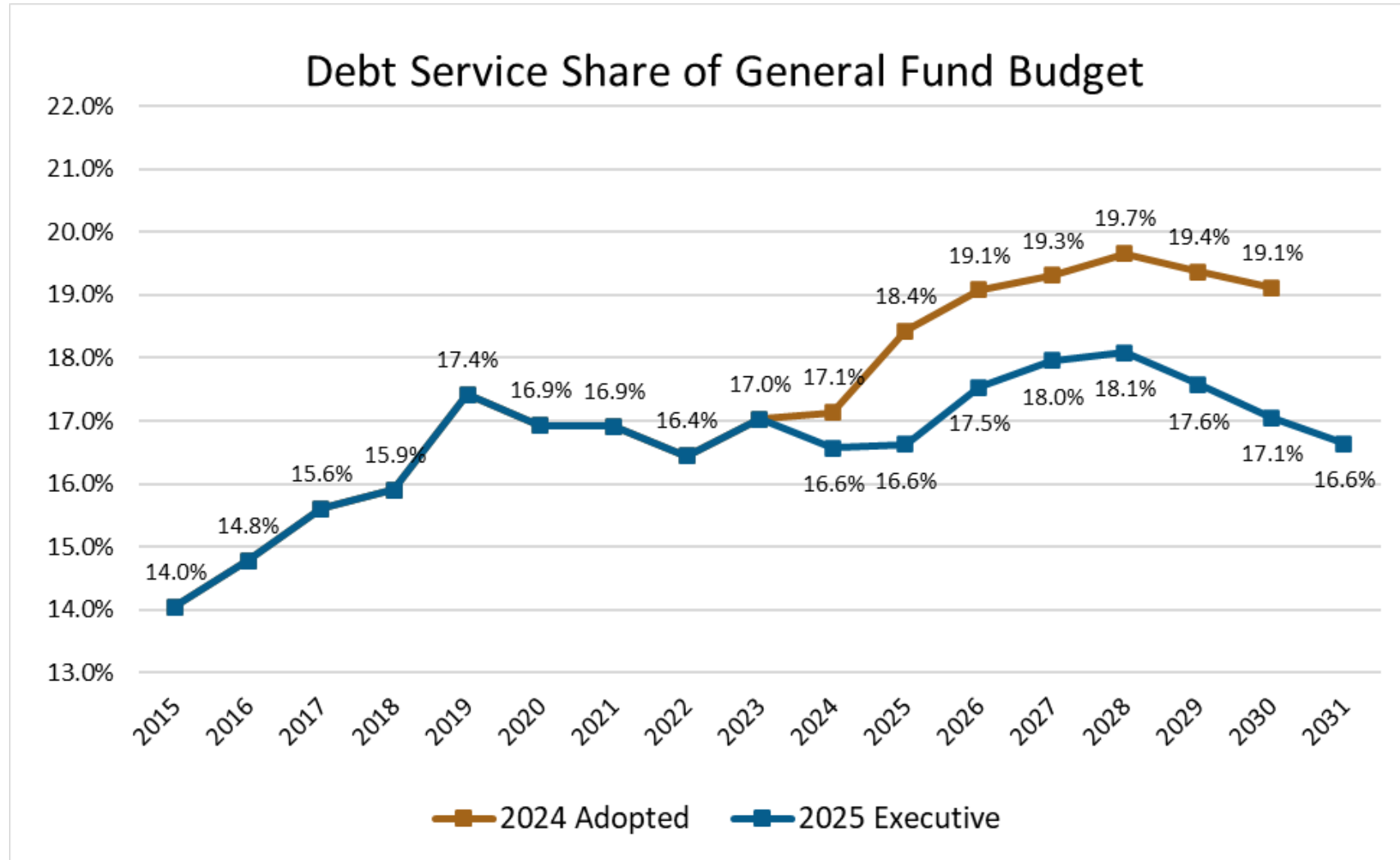
Operating Budget by Function

General & Library Funds

Budget by Function-General & Library Funds

	2023 Adopted	2024 Adopted	Change	% Change
Administration	27,742,871	30,665,782	2,922,911	10.54%
➔ Debt Service	61,587,222	63,879,900	2,292,678	3.72%
General Government	2,717,556	2,981,006	263,450	9.69%
Misc & Dir Approp to Cap	15,834,346	10,076,416	(5,757,930)	-36.36%
Planning & Development	30,474,418	28,351,278	(2,123,140)	-6.97%
Public Facilities	19,770,825	20,748,477	977,652	4.94%
Public Safety & Health	165,144,960	172,427,357	7,282,398	4.41%
Public Works	47,808,168	50,110,608	2,302,440	4.82%
Transportation	11,249,564	26,127,925	14,878,362	132.26%
TOTAL	382,329,929	405,368,750	23,038,821	6.03%

Projected debt service as a share of the budget is lower than 2024



Impact of Debt Service on Expenditures

- City cannot cut debt service on already issued debt; otherwise will default
- Levy Limit Calculation
 - Increases prior year levy by net new construction factor, ***excluding debt service***
 - Adds debt service for upcoming year based on amount borrowed in current year (ex. 2025 debt service in levy limit = 2024 borrowing = 2024 adopted capital budget)
- Interaction between Levy Limit and Debt Service
 - Less debt service ***does*** lower allowable total property tax
 - Less debt service ***does not*** increase the allowable levy for operations
 - Debt service paid from other funds (e.g., Stormwater projects) helps the operating budget by creating allowable levy that does not need to be used for debt service
 - ***Reducing borrowing in the capital budget does not address the structural deficit***

Reducing Debt Service Example

Actual Levy Limit Calculation for 2024 Budget

	Allowable Levy	Debt Service	Total Allowable Levy
Prior Year Levy	166,704,583	107,986,613	274,691,196
Current Year	<u>170,172,778</u>	<u>116,324,921</u>	<u>286,497,699</u>
Difference	3,468,195	8,338,308	11,806,503

If Debt Service was \$1 million lower (\$7 million reduction in borrowing in 2023 capital budget)

	Allowable Levy	Debt Service	Total Allowable Levy
Prior Year Levy	166,704,583	107,986,613	274,691,196
Current Year	<u>170,172,778</u>	<u>115,324,921</u>	<u>285,497,699</u>
Difference	3,468,195	7,338,308	10,806,503

Same as Actual
table above

\$1m less than
Actual table above

Reducing debt service lowers
total levy but does not change
allowable levy for operations

Operating Budget Update

Operating Budget Updates

- Agency operating budget requests published in July:
<https://www.cityofmadison.com/finance/budget/2025/operating>
- Budget target for general fund agencies is 99% of cost to continue estimate
- Request packets include:
 - Summary table showing budget by fund
 - Memo from department head outlining goals, plan to meet 99% budget target, and lower priority service areas
 - 3-part “Service Budget Proposal Form” for each budgetary service
 - “Service Identification Form” to identify lower priority services (5% reduction target)
- [Update on Budget Process Document](#) explains scenarios with/without referendum and summarizes proposed cuts

2025 Operating budget will reflect new service structure

Current State: Agency budgets are organized by “service” to reflect their activities. These services were established ~10 years ago with the implementation of Munis and may not reflect an agency’s current activities or organization structure.

Purpose/ Goal: The Service Redesign is a component of **Results Madison** – a strategic framework to align city services with the outcomes that matter most to residents. The goals are to 1) review and update each agency’s Service structure to better reflect the agency’s activities, 2) improve internal and external reporting on budget and metrics, and 3) facilitate the strategic allocation of resources.

Potential Changes in Agency Budgets:

1. No Change:

Keep Service structure same as current Munis structure

2. Add Services:

Create new services to add granularity to budget

3. Consolidate:

Combine services that should not be standalone

4. Shift Activities:

Realign accounts across services to reflect operations

Example of New Services

About half of agencies had at least 1 service change in their request. Most changes involved creating new services.

- Police budget currently has 2 services: Field and Support
- 2025 budget will have 5 services, which provide more detail and transparency on the budget
- Operating budget will show budget history at the agency level but **will not show budget history at the service level**

Police

Agency Budget by Fund

Fund	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
General	81,498,709	86,917,117	86,403,470	91,033,353	95,222,141	95,222,141
Other Grants	1,629,751	2,829,845	2,948,085	2,052,772	951,541	2,135,683
Other Restricted	239,032	168,500	185,404	312,828	312,828	227,800
Total	\$ 83,367,493	\$ 89,915,461	\$ 89,536,959	\$ 93,398,952	\$ 96,486,510	\$ 97,585,624

Agency Budget by Service

Service	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
Administrative Services						14,618,631
Community Support Services	<i>Service history not shown due to Results Madison service restructure. Services listed here will take effect January 1, 2025.</i>					2,049,598
Criminal Investigative Service						18,116,045
Patrol Ops & Traffic Services						59,647,993
Training						3,153,357
Total	\$ 83,367,493	\$ 89,915,461	\$ 89,536,959	\$ 93,398,952	\$ 96,486,510	\$ 97,585,624

From: [Nicholas Davies](#)
To: [Finance Committee](#)
Cc: [Transportation Commission](#)
Subject: Capital budget: remove I90 interchanges
Date: Sunday, September 15, 2024 12:56:38 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Finance Committee,

We all need to be on the lookout for expenses that are unnecessary, or worse, counterproductive.

Transportation's Executive Capital Budget includes a planned \$17 million for I90 interchanges at Hoepker Rd and Milwaukee St, expected to be spent in 2027 and 2029.

For one, these interchanges themselves are exclusively car infrastructure, and these millions in public funds would go towards incentivizing and subsidizing car travel over other modes. We would be facilitating the export of Madison tax revenue, housing, and jobs to the ever-receding suburban horizon, when we should instead be prioritizing infill development and transit ridership.

But more broadly, by paying for these interchanges, we would be supporting WisDOT's broader I90 widening project, in which they have discarded the city's input and priorities.

WisDOT wants to condemn a wider swathe of land through the city, and increase all types of pollution--air, water, light, sound--that Madison residents are exposed to, for the sake of moving interstate traffic through quicker. We will be the ones paying for it, in community division, in childhood, and climate impact, and the overall project will further impoverish the city's budget, by enabling people to export city wages to Deforest, or maybe by then, Portage.

Milwaukee tried to stop WisDOT's \$1 billion I94 expansion. This is our chance to stop this \$2 billion I90 expansion, by making it clear that we will not participate in it.

Thank you,

Nick Davies
3717 Richard St



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84607

File ID: 84607

File Type: Ordinance

Status: Council Public
Hearing

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 07/30/2024

File Name: Portage Road Rezone

Final Action:

Title: Creating Section 28.022-00685 of the Madison General Ordinances to change the zoning of property located at 4303 Portage Road from Temporary TR-U1 (Traditional Residential-Urban 1) District to TR-U1 (Traditional Residential-Urban 1) District. (District 17)

Notes: 6889PortageRdRZ

CC Agenda Date: 09/24/2024

Agenda Number: 6.

Sponsors: Planning Division

Effective Date:

Attachments: 4303 Portage Road.pdf, Link to Cond Use File 84010

Enactment Number:

Author: Kate Smith

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/30/2024	Michael Haas	Approved as to Form	8/19/2024
1	2	7/31/2024	Maggie McClain	Approve	8/19/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	07/30/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 9/9/24), Common Council (9/24/24)						
1	COMMON COUNCIL	08/06/2024	Referred for Public Hearing	PLAN COMMISSION		09/09/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						

1	PLAN COMMISSION	09/09/2024	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	PLAN COMMISSION	10/07/2024	Pass
Action Text: A motion was made by Guequierre, seconded by Mendez, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 10/7/2024. The motion passed by voice vote/other.						
Notes: On a motion by Guequierre, seconded by Mendez, the Plan Commission recommended to Common Council to refer the request to the October 7 Plan Commission meeting (October 29 Common Council) at the request of the applicant. The motion passed by voice vote/other.						

Text of Legislative File 84607

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00685 of the Madison General Ordinances to change the zoning of property located at 4303 Portage Road from Temporary TR-U1 (Traditional Residential-Urban 1) District to TR-U1 (Traditional Residential-Urban 1) District. (District 17)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 4303 Portage Road from Temporary TR-U1 (Traditional Residential-Urban 1) District to TR-U1 (Traditional Residential-Urban 1) District to allow future construction of an apartment building.

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00685 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00685. The following described property is hereby rezoned to TR-U1 (Traditional Residential-Urban 1) District.

Lot 1, Certified Survey Map 12909, City of Madison, Dane County, Wisconsin. Said parcel contains 1.3 acres"

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

FROM: Tim Parks, Planning Division

Amendment: X _____

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): _____

Date to be Presented: 6 August 2024

Referral(s): Plan Commission: 9 September 2024; Common Council: 24 September 2024

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 4303 Portage Road Alder District 17

From Temp. TR-U1 District To TR-U1 District

Proposed Use: Rezone to allow future construction of an apartment building

By Direction Of: 

Date: 30 July 2024



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84619

File ID: 84619

File Type: Ordinance

Status: Council Public Hearing

Version: 1

Reference:

Controlling Body: PLAN COMMISSION

File Created Date : 07/30/2024

File Name: Huxley Road Rezone

Final Action:

Title: Creating Section 28.022-00686 of the Madison General Ordinances to change the zoning of property located at 905 Huxley Street from TR-U2 (Traditional Residential-Urban 2) District to RMX (Regional Mixed-Use) District. (District 12)

Notes: 6890HuxleyRdRZ

CC Agenda Date: 09/24/2024

Agenda Number: 7.

Sponsors: Planning Division

Effective Date:

Attachments: 905 Huxley Street.pdf, Link to Plat File 84629, Public Comment 09-08-24.pdf, Public Comments 09-09-24.pdf

Enactment Number:

Author: Kate Smith

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/30/2024	Michael Haas	Approved as to Form	8/19/2024
1	2	7/31/2024	Maggie McClain	Approve	8/19/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	07/30/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 9/9/24), Common Council (9/24/24)						
1	COMMON COUNCIL	08/06/2024	Referred for Public Hearing	PLAN COMMISSION		09/09/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Referred for Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						

1	PLAN COMMISSION	09/09/2024	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING	Pass
Action Text: A motion was made by Guequierre, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.				
Notes: On a motion by Guequierre, seconded by Field, the Plan Commission found the standards met and forwarded the zoning map amendment to Common Council with a recommendation to adopt. The motion passed by voice vote/other.				

Text of Legislative File 84619

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00686 of the Madison General Ordinances to change the zoning of property located at 905 Huxley Street from TR-U2 (Traditional Residential-Urban 2) District to RMX (Regional Mixed-Use) District. (District 12)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 905 Huxley Street from TR-U2 (Traditional Residential-Urban 2) District to RMX (Regional Mixed-Use) District to allow future construction of an apartment building.

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00686 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00686. The following described property is hereby rezoned to RMX (Regional Mixed-Use) District.

Part of Lot 2, Certified Survey Map No. 16404, Recorded in Volume 122 of Certified Survey Maps, Pages 166-193, as Document No. 5939504, located in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 31, Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest Corner of Section 31, aforesaid; thence North 89 degrees 57 minutes 05 seconds East along the South line of the Southwest Quarter, aforesaid, a distance of 1,021.66 feet; thence North 03 degrees 15 minutes 11 seconds West, 33.92 feet the Southwest corner of Lot 2, aforesaid, also being the Point of Beginning; thence continuing North 03 degrees 15 minutes 11 seconds West along the West line of said lot, 365.68 feet; thence South 79 degrees 26 minutes 11 seconds East, 256.41 feet to the East line of Lot 2, aforesaid; thence South 10 degrees 37 minutes 10 seconds West along said line, 321.82 feet to the South line of Lot 2, aforesaid; thence South 89 degrees 24 minutes 24 seconds West along said line, 172.02 feet to the Point of Beginning.

Said parcel contains 72,677 square feet or 1.668 acres."

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

FROM: Tim Parks, Planning Division

Amendment: X _____

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): _____

Date to be Presented: 6 August 2024

Referral(s): Plan Commission: 9 September 2024; Common Council: 24 September 2024

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 905 Huxley Street Alder District 12

From TR-U2 District To RMX District

Proposed Use: Rezone to allow future construction of an apartment building

By Direction Of: 

Date: 30 July 2024

From: gordian@nym.hush.com
To: [Plan Commission Comments](#)
Subject: Oppose item 13 (Legistar 84619) and item 14 (Legistar 84629)
Date: Sunday, September 8, 2024 12:20:41 PM

You don't often get email from gordian@nym.hush.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Sun. Sept. 8, 2024

Plan Commission Members,

Please vote against item 13 (Legistar 84619) and item 14 (Legistar 84629). These two measures cause three problems.

* RMX zoning, as proposed in Item 13 (Legistar 84619), would allow construction of family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area (for exclusive residential use)". [1] RMX zoning is inappropriate for a 50 unit family apartment building. As the Staff Report says, "The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan..." [2; p. 3.] RMX zoning at this site fails the "public health, safety, and welfare" test.

According to Legistar 84619, the phase 3 site extends 172.02 feet along Commercial Avenue. [4] Even Madison's fiercest shoppers would give up 172.02 feet of store fronts to provide a safe place for children to play.

The site is now zoned partly RMX and partly TR-U2. It could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. [3] If children are to be allowed to live in the new phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

* Item 13 (Legistar 84619) authorizes City staff to try to remove environmental protections from a Designated Wetland on the site. [4] The north side of Madison needs the many ecological benefits provided by this wetland. Wetland protections should not be reduced at the demand of real estate developers. A vote to remove those protections would demonstrate an anti-environmental bias on the part of the Plan Commission and Common Council.

* The Wisconsin DNR has approved a Materials Management Plan for the development of the former Hartmeyer property. [5] That Materials Management Plan does not include the phase 3 housing project proposed by Lincoln Avenue. [6] Any construction done would violate the current Materials Management Plan. Neither of these two pieces of legislation requires a new Materials Management Plan approved by the Wisconsin DNR.

These three issues are discussed in detail below.

Thank you.

Don Lindsay

TR-U2 Zoning

TR-U2 zoning requires 40 sq. ft. per dwelling unit. of usable open space for apartment buildings of this size. [3]

50 units

* 40 square feet

= 2000 square feet of usable open space (minimum).

That area is not a lot for 50 apartments, but it is better than nothing at all. If children are to be allowed to live in the phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

As the Staff Report says, "The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan..." [2; p. 3.]

RMX zoning, as proposed in Item 13 (Legistar 84619), would allow construction of family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area (for exclusive residential use)". [1] RMX zoning is inappropriate for a 50 unit family apartment building. RMX zoning at this site fails the "public health, safety, and welfare" test.

The site is now zoned partly RMX and partly TR-U2. It could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. [3] If children are to be allowed to live in the new phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

Wetland Protection

Legistar 84629 says,

"BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this subdivision, and that the Council recognizes and adopts said revised boundaries." [7]

Lincoln Avenue Capital knew when it bought the property that a part of the parcel was in a

protected wetland. When they designed the third phase of their development, they assumed that the City would act to remove those protections. Why must environmental protections yield to the demands of real estate developers? Removing wetland protection status makes a mockery of the planning intended to preserve this sensitive environment.

Wisconsin DNR Approved Materials Management Plan

On Oct. 3, 2023, the Wisconsin DNR approved a Materials Management Plan for the development of the former Hartmeyer property. [5] That Materials Management Plan does not include the phase 3 housing project proposed by Lincoln Avenue. [6] Any construction done would violate the current Materials Management Plan approved by the Wisconsin DNR. Neither of these two pieces of legislation requires a new Materials Management Plan approved by the Wisconsin DNR. Again, the "public health, safety, and welfare" are not protected.

Sources

[1] RMX Zoning Code

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR_SUBCHAPTER_28DMIECODI_28.069REMIERMDI

[2] Staff Report

<https://madison.legistar.com/View.ashx?M=F&ID=13283683&GUID=ED74B93E-EA08-4230-A067-15748B5E98D9>

Accessed 20240907

[3] TR-U2 Zoning Code

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR_SUBCHAPTER_28CREDI_28.0512DI

[4] Legistar 84619

<https://madison.legistar.com/LegislationDetail.aspx?ID=6807772&GUID=D4661889-FF41-403F-9ED2-FF5F92A0CEDB&FullText=1>

Accessed 20240907

[5] Wisconsin DNR Approval of Materials Management Plan

[https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?
docSeqNo=268711&docName=20231003_857_MMP_Appr.pdf&docDsn=580328](https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=268711&docName=20231003_857_MMP_Appr.pdf&docDsn=580328)

Accessed 20231008

[6] Wisconsin DNR Approved Materials Management Plan

[https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?
docSeqNo=262460&docName=20230707_854_MMP_Req.pdf&docDsn=580328](https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=262460&docName=20230707_854_MMP_Req.pdf&docDsn=580328)

Accessed 20230710

[7] Legistar 84629

[https://madison.legistar.com/LegislationDetail.aspx?ID=6808103&GUID=87B77210-0A54-4345-
9DD1-36285548EC45&FullText=1](https://madison.legistar.com/LegislationDetail.aspx?ID=6808103&GUID=87B77210-0A54-4345-9DD1-36285548EC45&FullText=1)

Accessed 20240907

Lincoln Avenue Capital Letter of Intent

[https://madison.legistar.com/View.ashx?M=F&ID=13192784&GUID=21926352-9465-4F0B-A668-
CCE40B4A80FA](https://madison.legistar.com/View.ashx?M=F&ID=13192784&GUID=21926352-9465-4F0B-A668-CCE40B4A80FA)

Accessed 20240907

From: [Jennifer Argelander](#)
To: [Plan Commission Comments](#)
Subject: Oppose Items 13 and 14
Date: Monday, September 9, 2024 12:48:16 PM

You don't often get email from jargelander@yahoo.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan commissioner,

I oppose item 13 (Legistar 84619) and item 14 (Legistar 84629) and am requesting that you vote NO the items. In terms of the so-called meeting of the neighborhood, we were very disappointed with the meeting that was held at the Esquire restaurant about Phase III Hartmeyer Development on July 8. There was not appropriate notification for the meeting, in fact, neither of the Co-Chairs of SNA of which I am one received any postcard; the room was too small with little seating available; and we had too many questions that were not addressed. We on the north side are concerned with the quality of development in our neighborhood. We had no advanced idea about the design of this proposed development or how quickly it was to be sent to PC. I wrote twice to request a second meeting because we needed to see more and have a further discussion. The only response was from a City staff who did reply to some questions many of which were dismissive bureaucratic non-answers. We in the community are tired of being dismissed about our legitimate concerns while the City is bending over backward to keep developers happy.

If you have actually seen this space, it is totally inappropriate for children—it is dangerous --stuck between an ugly ice arena and railroad tracks. It would be another Russian block style building with cement all around.

RMX zoning, as proposed in Item 13 (Legistar 84619), would allow an inappropriate construction of a 50-unit family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area for exclusive residential use". The Zoning Map Amendment standards must be based on public health, safety, and welfare. RMX zoning at this site fails to meet the "public health, safety, and welfare" test.

Since the site is now zoned partly RMX and partly TR-U2, it could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. If children are to be allowed to live in the new phase 3 building, this zoning should be entirely TR-U2. OR make it adult only building.

Item 13 (Legistar 84619) authorizes City staff to try to remove environmental protections from a Designated Wetland on the site. Lincoln Avenue Capital knew when it bought the property that a part of the parcel was in a protected wetland. When they designed the third phase of their development, they assumed that the City would act to remove those protections. Wetland protections should not be reduced at the demand of real estate developers. Removing wetland protection status makes a mockery of the planning intended to preserve this sensitive environment.

The north side of Madison needs the many ecological benefits provided by this functioning urban wetland. A vote to remove those protections would demonstrate an anti-environmental bias on the part of the Plan Commission and Common Council. Thanks.

Jennifer Argelander
1715 Erie court
Madison

From: [Punt, Colin](#)
To: [Plan Commission Comments](#)
Subject: FW: Hartmeyer Phase III and more
Date: Monday, September 9, 2024 2:36:10 PM

Colin Punt, AICP (he, him, his)
Planner - City of Madison Planning Division
cpunt@cityofmadison.com |608.243.0455

From: Jennifer Argelander <jargelander@yahoo.com>
Sent: Friday, August 9, 2024 12:55 PM
To: Latimer Burris, Amani <district12@cityofmadison.com>; Punt, Colin <CPunt@cityofmadison.com>
Cc: Michelle Martin <mlmart29@yahoo.com>; don lindsay <gordian@nym.hush.com>; becky leidner <rw1951@yahoo.com>; Chris Elholm <chris.elholm@gmail.com>; Douglas Nelson <cascadeinvestmentgroup1@gmail.com>; Dorothy Borchardt <dborchardt1@charter.net>; Beth Sluys <sluysb@aol.com>; Kester, Dolores <dakester@sbcglobal.net>; badgerdiversified@att.net; Chet Hermansen <chetherm@hotmail.com>; CAROLYN RUMPH <brOwnsugar@charter.net>; Lesleigh Luttrell <lesleigh.luttrell@gmail.com>; Justin Markofski <director@northsideplanningcouncil.org>; marsha Cannon <mpcannon76@gmail.com>; Catherine Neumann <cln317.mail@gmail.com>
Subject: Hartmeyer Phase III and more

You don't often get email from jargelander@yahoo.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Alder Amani and Colin Punt,

I sent an email on 7/25 requesting a meeting before the Hartmeyer Phase III goes to the Plan Commission and have yet to get a response. This project is not ready for the Plan Commission. We are requesting that you ensure that this project is put on hold until you can meet with us. This meeting must be in a more appropriate room and definitely better notification provided of the time and place.

We must have the below questions addressed and the persons who can provide the answers should be at the meeting (Kevin McDonell LAC, contractors, and other pertinent city staff):

1. How long has this development been going through approvals before we even heard about it?
2. From what LAC showed to us, this is not an appropriate development for this area. It will be squeezed in a small space with no outdoor area for children except railroad tracks and the neighboring businesses. This phase should be for households with no children. The area is too small to be zoned as RMX and it was never meant to be zoned as such according to the Oscar Mayer plan. We need a different kind of development on this spot.
3. What are the plans for traffic onto Commercial and the new road?
4. Why hasn't the flooding already seen taken priority before any more building continues?

5. What are the plans to deal with infrastructure of sewers and drainage for the buildings on this wetland and adding almost 3,000 people on this property?

6. What has the City and Madison Schools been doing to enable the nearby schools to handle the influx of new students?

7. What has been done to address the increased burden on the police and EMS and fire services?

8. How can you keep ignoring climate change and not protecting the wetland which provides alleviation to flooding and cleaning dangerous pollutants instead of just filling everything in with cement?

Our neighborhood actually cares about those who would live in these buildings and we also believe in fighting climate change and protecting the environment. We have not seen the same attitude from the City.

Thank you for attention to this request.

Jennifer Argelander
submitting for all the people in the CC above.

From: [Punt, Colin](#)
To: [Plan Commission Comments](#)
Subject: FW: Hartmeyer Phase III and more
Date: Monday, September 9, 2024 2:38:32 PM

Colin Punt, AICP (he, him, his)
Planner - City of Madison Planning Division
cpunt@cityofmadison.com | 608.243.0455

From: gordian@nym.hush.com <gordian@nym.hush.com>
Sent: Tuesday, August 27, 2024 1:57 PM
To: Punt, Colin <CPunt@cityofmadison.com>; Latimer Burris, Amani <district12@cityofmadison.com>
Subject: RE: Hartmeyer Phase III and more

You don't often get email from gordian@nym.hush.com. [Learn why this is important](#)

Tue. Aug. 27, 2024

I would like to thank Colin Punt for his thorough effort to answer questions from the Sherman Neighborhood Association. I value his information and views.

My responses appear below, in the body of the e-mail.

Don Lindsay

RE: Hartmeyer Phase III and more
From Colin Punt <CPunt@cityofmadison.com>
To
Jennifer Argelander <jargelander@yahoo.com>,
Latimer Burris, Amani <district12@cityofmadison.com>
Michelle Martin <mlmart29@yahoo.com>,
don lindsay <gordian@nym.hush.com>,
becky leidner <rw11951@yahoo.com>,
Chris Elholm <chris.elholm@gmail.com>,
Douglas Nelson <cascadeinvestmentgroup1@gmail.com>,
Dorothy Borchardt <dborchardt1@charter.net>,
Beth Sluys <sluysb@aol.com>,
Dolores Kester <dakester@sbcglobal.net>,
badgerdiversified <badgerdiversified@att.net>,
Chet Hermansen <chetherm@hotmail.com>,
CAROLYN RUMPH <br0wnsugar@charter.net>,
Lesleigh Luttrell <lesleigh.luttrell@gmail.com>,
Justin Markofski <director@northsideplanningcouncil.org>,
marsha Cannon <mpcannon76@gmail.com>,
Catherine Neumann <cln317.mail@gmail.com>,

Sent Friday, August 9, 2024 at 4:58 PM

CP: Jennifer,

CP: See my responses below, in red.

Colin Punt, AICP (he, him, his)

Planner - City of Madison Planning Division

cpunt@cityofmadison.com |608.243.0455

[The color coding gets confusing when different colors are applied to the original, the reply, and the response(s) to the reply. I have inserted the authors' initials to identify their contributions to this e-mail chain.

JA: = Jennifer Argelander

CP: = Colin Punt

DL: = Don Lindsay

If there are others who want to make further comments, please follow this convention.]

From: Jennifer Argelander <jargelander@yahoo.com>

Sent: Friday, August 9, 2024 12:55 PM

To:

Latimer Burris, Amani <district12@cityofmadison.com> ,

Punt, Colin <CPunt@cityofmadison.com>

Cc: Michelle Martin <mlmart29@yahoo.com> ,

don lindsay <gordian@nym.hush.com> ,

becky leidner <rw11951@yahoo.com> ,

Chris Elholm <chris.elholm@gmail.com> ,

Douglas Nelson <cascadeinvestmentgroup1@gmail.com> ,

Dorothy Borchardt <dborchardt1@charter.net> ,

Beth Sluys <sluysb@aol.com> ,

Kester, Dolores <dakester@sbcglobal.net> ,

badgerdiversified@att.net ,

Chet Hermansen <chetherm@hotmail.com> ,

CAROLYN RUMPH <br0wnsugar@charter.net> ,

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Catherine Neumann <cln317.mail@gmail.com> ,

Subject: Hartmeyer Phase III and more

You don't often get email from jargelander@yahoo.com. Learn why this is important

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JA: Dear Alder Amani and Colin Punt,

Ja: I sent an email on 7/25 requesting a meeting before the Hartmeyer Phase III goes to the Plan Commission and have yet to get a response. This project is not ready for the Plan Commission. We are requesting that you ensure that this project is put on hold until you can meet with us. This meeting must be in a more appropriate room and definitely better notification provided of the time

and place.

Ja: We must have the below questions addressed and the persons who can provide the answers should be at the meeting (Kevin McDonell LAC, contractors, and other pertinent city staff):

Ja: 1. How long has this development been going through approvals before we even heard about it?

CP: The applicant provided notice to the alder and neighborhood association, which kicks off the review and approval process, on May 17, 2024. The applicant had requested an opportunity to present to the City's Development Assistance Team on December 28, 2023, which I believe is the first time city staff heard of the proposal. However, this is not a requirement of the review process and should not in any way be construed to be part of the approval process.

Ja: 2. From what LAC showed to us, this is not an appropriate development for this area. It will be squeezed in a small space with no outdoor area for children except railroad tracks and the neighboring businesses. This phase should be for households with no children. The area is too small to be zoned as RMX and it was never meant to be zoned as such according to the Oscar Mayer plan. We need a different kind of development on this spot.

CP: Both the Oscar Mayer Special Area Plan and the Comprehensive Plan have Community Mixed Use land use recommendations for the site. RMX is an identified zoning district for implementation of CMU recommendations. To the best of my knowledge, the proposed lot meets the dimensional standards for RMX districts.

DL: It might be useful to separate the zoning issue and the main issue. Apartments for families with children need an outdoor area for the children. If this new apartment tower provides inadequate outdoor spaces for children, it should be restricted to households without children.

RMX zoning districts require no "usable open space" and no "Lot area (for exclusive residential use)". See

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20-31_CH28ZOCOOR_SUBCHAPTER_28DMIECODI_28.069REMIERMDI

As JA pointed out, RMX zoning is inappropriate for a 50 unit family apartment building.

TR-U2 zoning requires 40 sq. ft. per dwelling unit. of usable open space for apartment buildings of this size. See

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20-31_CH28ZOCOOR_SUBCHAPTER_28CREDI_28.0512DI

50 units
* 40 square feet
= 2000 square feet of usable open space (minimum).

That area is not a lot for 50 apartments, but it is better than nothing at all. If children are to be allowed in the phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

Ja: 3. What are the plans for traffic onto Commercial and the new road?

CP: Driveways, site access, traffic movements, and transportation demand management requirements will be determined and enforced by staff from the Traffic Engineering Division, City Engineering Division, and Parking Utility.

DL: Here, a simple 12 word question turns into a game of whack-a-mole. A simple map and Planning Division Staff Report could answer the question. In less than two weeks the third phase of Hartmeyer housing development comes before the Plan Commission. Although there are now two Legistar data base records (84619 and 84629), no plans have been presented online, and there is no Staff Report. Keeping the public in the dark on the simplest questions excludes Madison's citizens from any meaningful role in the project approval process.

DL: Our traffic concerns are summarized in a comment Captain Kelly Donahue, Madison Police Department, North District, made to the Plan Commission.

"Another concern is the resulting traffic that will come with a large influx of residents. Commercial Avenue, N Sherman Avenue and Aberg Ave are all 2 lane streets that are already taxed, especially during the daily commute to work and school. We receive numerous concerns regarding traffic and poor driving on N Sherman Ave. The road was recently reconfigured to try to combat the increased safety issues for vehicles, cyclists and pedestrians. Certainly adding a large number of vehicles and many who will be making left turns will not help with the traffic issues and likely result in additional traffic crashes. This, in contrast to our strong efforts to affect injury crashes across the City. Additionally, the ability to get to the grocery store by bike or walking, requires crossing a large, busy intersection that isn't well suited to either."

From: Donahue, Kelly
To: Plan Commission Comments
Cc: Punt, Colin
Subject: Legistar ID 74056 and 74721
Date: Monday, December 12, 2022 1:49:25 PM

DL: This comment refers to the earlier phases, but phase 3 will exacerbate the problems. The number of onsite parking stalls suggests future traffic volumes on the nearby roads.

Parking spaces at Hartmeyer housing project:

- 266 Senior residents
- 19 Senior visitors
- 429 Family residents
- 17 Family visitors
- 71 Phase 3
- 802 Total

At just two trips per vehicle per day, 1,604 trips would be generated.

Ja: 4. Why hasn't the flooding already seen taken priority before any more building continues?

CP: Citywide response to flooding issues is an ongoing process. The City of Madison's response to extreme rainfall events since 2016 has focused in several areas including completing watershed studies of the affected areas and reviewing our stormwater design standards that affect both new and redevelopments. Madison General Ordinance Chapter 37, where these design standards are located, was rewritten and adopted by Common Council on June 2, 2020. New development is held to a much, much higher standard of stormwater management than the existing development surrounding it on the North side. You can learn about regional flood mitigation measures that are being implemented by the City at the Engineering webpage and the

Ja: 5. What are the plans to deal with infrastructure of sewers and drainage for the buildings on this wetland and adding almost 3,000 people on this property?

CP: In addition to the infrastructure required as conditions of approval for Lincoln Avenue's previous two phases:

CP: Storm sewer shall be installed up Roth Street to serve this development. No stormwater discharge from this development shall be allowed to enter the adjacent wetland in any event up to and including the 200-year event.

CP: Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))

CP: Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

CP: An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

CP: A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.

CP: A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

CP: This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line:

<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

CP: The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

CP: Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))

CP: Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

CP: Revise plan set to show more information on proposed drainage for the site. Use either

spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

CP: This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at

<https://dnr.wi.gov/topic/stormwater/publications.html>

CP: This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

CP: This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

CP: Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

CP: Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

CP: The Storm Water Management Plan & Report shall include compliance with the following:

CP: Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

CP: Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

CP: Rate Control New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

CP: Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

CP: TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

CP: Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review

and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

CP: ...this proposed phase will also require:

CP: Sanitary

CP: Utility plan needed showing proposed sewer lateral connection

CP: MMSD Fees due

CP: Confirm location of sanitary sewer and easement locations from development from north

CP: If the sewer west of proposed building is to be connected to, developer will be required to construct sewer in proposed easement

CP: Storm

CP: Overflow from the new storm on Ruskin passes along the RR tracks here – an overflow easement will need to be dedicated or a pipe sized for the 100-yr storm and installed. A developer agreement will be required for the needed storm sewer.

CP: Will need to show that the building does not flood.

CP: City Engineering has a full model of existing flood conditions that will need to be updated.

CP: This appears to require new development SWM standards unless it can be document that the site was previously developed.

DL: This level of planning for flooding is overwhelming. Unfortunately, the plans were overwhelmed by recent rain storms. On Monday June 24, 2024, Wed. July 3, 2024, and Wed. July 17, 2024 I observed hundreds of square feet of standing water adjacent to Lincoln Avenue Capital's construction projects on the former Hartmeyer property. Nearby areas were not as severely flooded. Rainwater runoff was flowing over the sidewalk on Commercial Avenue and into the street. This spectacular failure, on a brand new project, is what we mean when we say that the City is not adapting to climate change. The recent heavy rain storms are the new normal.

DL: The rain storm that caused the recent flooding was far less than the 100-year flood (6.66 inches over 24 hours duration using the MSE4 NRCS Rainfall Distribution) or the 200-year (4-hour storm event = 7.53 inches over 24 hours duration using the MSE4 NRCS Rainfall Distribution.) See Muni code 37.04

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH37THPUSTSYINERCO

Accessed 20240723

DL: The infrastructure onsite failed to handle a rain storm far smaller than minimum requirements.

Ja: 6. What has the City and Madison Schools been doing to enable the nearby schools to handle the influx of new students?

CP: Enrollment at East High Area elementary schools (Emerson, Gompers, Hawthorne, Lake View, Lindbergh, Lowell, Mendota, Sandburg, Lapham, and Marquette) has declined 10% between 2019-20 and 2022-23 (source). MMSD is forecasting a continued decline in enrollment of 2% per year (source). While I seriously doubt school capacity is an actual concern, Assistant Superintendent Bob Soldner represents MMSD on the Plan Commission and is provided all materials and information the rest of the Plan Commission receives regarding new developments.

DL: The percentage decline in student enrollments is good to know, but it immediately raises other questions:

- * The years in question coincide with the Covid 19 lockdowns. Extrapolating data trends is always risky. It is especially risky when the time frame includes events such as the nearly complete shutdown of society.

- * Was the 10% decline in enrollment followed by similar sized budget declines?

- * Knowing the percentage decline is valuable, but only the absolute numbers allow us to compare the decline to the number of students entering the area. The 303 family units on the former Hartmeyer property, plus the 68 family units at the nearby Odessa apartment tower, plus families living in the 110 unit apartment complex in the 1200 block of Huxley St. make it safe to assume that hundreds of new students will enroll in nearby schools. The schools' physical plant might be adequate, but what about pupil:teacher ratios, textbooks and computers provided to students, books in the libraries, and social services for students? Low income children do not necessarily have more personal problems than children from wealthier families, but they are more likely to turn to schools and other public agencies for help. The positive correlation between family income and student academic performance is well known. Without additional resources, such as mentoring programs and intensive tutoring, that cycle will not be broken. It is great that Assistant Superintendent Bob Soldner represents MMSD on the Plan Commission and is provided all materials and information the rest of the Plan Commission receives regarding new developments, but where are the hard numbers that show that Madison Schools can handle the large increase in low income students in Northside neighborhoods?

- * A student enrollment decline of 2% per year means a decline of 9.4% in five years and 18% in 10 years. This decline happens in a city with a general population growing at > 1% per year. Where are all these students going?

Ja: 7. What has been done to address the increased burden on the police and EMS and fire services?

CP: MPD and MFD staff are reviewers for all developments that require Plan Commission review and are able to make the necessary internal operational adjustments in reaction to any one proposal or pattern of development. I am not privy to those conversations.

DL: That the two Departments "are able to make the necessary internal operational adjustments in reaction to any one proposal or pattern of development" is an assertion whose truth depends on whether they two Departments are given additional resources. Our questions are what resources will they need and will they get them?

DL: In a comment to Madison's Plan Commission, Captain Kelly Donahue, Madison Police Department, North District, noted a large and sustained increase in police calls after the 110 unit apartment complex in the 1200 block of Huxley St. opened. Captain Donahue worries that opening more housing units in the Northside area "will continue to draw on police resources for the North Police District."

From: Donahue, Kelly
To: Plan Commission Comments
Cc: Punt, Colin
Subject: Legistar ID 74056 and 74721
Date: Monday, December 12, 2022 1:49:25 PM

Ja: 8. How can you keep ignoring climate change and not protecting the wetland which provides alleviation to flooding and cleaning dangerous pollutants instead of just filling everything in with cement?

CP: The Hartmeyer property is not what could be considered a high-quality wetland. It was until quite recently (speaking both geologically and in comparison to the European history of the place) used for a baseball field, parking, coal storage, and dumping. The transference of 13+ acres of that land to the Parks Division is probably the best thing that has happened to that site from an ecological perspective in the past 150 years.

DL: The best thing that has happened to the Hartmeyer site, strictly from an ecological perspective, is the closing of the hot dog factory which was the major cause of pollution on the site. The Hartmeyer wetland is recovering naturally from past environmental damage. Only time will tell whether Madison's Parks Division will have the wisdom to let nature take its course or the hubris to think that they can do a better job of managing the area.

DL: Despite the lack of an approved master plan, the Parks Division has already cut down a grove of trees on Roth St. Hundreds of square feet were clear cut. Clear cutting is not allowed in areas zoned Conservancy Natural, but the law was ignored. Lawn mowers are also being used to cut walking paths through the park. Actions like these frustrate those of us who favor preservation over landscaping.

Ja: Our neighborhood actually cares about those who would live in these buildings and we also believe in fighting climate change and protecting the environment. We have not seen the same attitude from the City.

Ja: If you are concerned about paving over our lands with cement, you should celebrate infill and redevelopment within the parts of our community that are already served by utilities, roads, transit, and services. The alternative is sprawl which will worsen climate change, local flooding, and pollution. The neighborhood's efforts to push development to the periphery promotes sprawl; it does not fight climate change, nor protect the environment.

DL: The Sherman Neighborhood Association supports infill development. It approved of the apartment complex in the 1200 block of Huxley St. and did not oppose the nearby Odessa apartment tower. Support for infill development does not mean support for every individual housing development inside Madison; people who say they like Mozart's music do not mean that they like every work that Mozart wrote. One can support infill development and still draw the line at housing low income people on poorly drained land contaminated by toxic chemicals.

DL: The former Hartmeyer property was once a sink that was able to contain stormwater runoff. The City of Madison destroyed that ability when it buried or removed all vegetation from 14 acres and replaced much of it with impermeable surfaces. Flooding quickly followed. Now this land is a net generator of stormwater runoff which must be captured and sent into Madison's storm sewers.

DL: Two new roads plus utilities are being built because the former Hartmeyer property was not "already served by utilities, roads, ...". Transit is another failure; this development should have

been built on a bus line. One of the two nearest bus routes runs just once every 75 minutes, and its bus stop lies three blocks away. The other bus line is two to three blocks away; it runs once every half hour.

DL: For a dozen years, the City has ruthlessly pushed infill development. In that time, urban sprawl has only continued. Urban development is more complicated than a tradeoff between infill development and urban sprawl. Could it be that the City's high density housing policies are driving urban sprawl? Enormous housing projects have replaced medium sized multi-family housing and single family residences. People who cannot find the housing that they want in Madison can and will move outside the city limits. They are not moving out of Madison because surrounding towns have 6+ story housing units but Madison does not. Businesses can and have followed their customers and their labor pools. Those who naively take a static view of a dynamic situation will never understand their own role in promoting urban sprawl.

Ja: Thank you for attention to this request.

Jennifer Argelander

submitting for all the people in the CC above.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85089

File ID: 85089

File Type: Appointment

Status: Unfinished
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/04/2024

File Name: 9-24-2024 Resident committee appointments
(ECCEC & SMC)

Final Action:

Title: Report of the Mayor submitting resident committee appointments (introduction
9-10-2024; action 9-24-2024).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 8.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author: Satya Rhodes-Conway

Hearing Date:

Entered by: Idcosta@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	09/04/2024	Referred for Introduction				
	Action Text:	This Appointment was Referred for Introduction					
	Notes:	Confirm 9/24/24					
1	COMMON COUNCIL	09/10/2024	Refer to a future Meeting to Confirm	COMMON COUNCIL			Pass
	Action Text:	A motion was made by Figueroa Cole, seconded by Duncan, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.					
	Notes:	Confirm 9/24/24					

Text of Legislative File 85089

Title

Report of the Mayor submitting resident committee appointments (introduction 9-10-2024; action 9-24-2024).

Body

I hereby submit, for your consideration and approval, the following resident committee appointments.

EARLY CHILDHOOD CARE AND EDUCATION COMMITTEE

GOLSHAN MOTAMEDI (2nd A.D.) - appoint to a three-year term to the position of Resident Member succeeding Nancy Brien. Golshan Motamedi is an Infant & Early Childhood Mental Health Consultant with the Wisconsin Alliance for Infant Mental Health and a treatment foster care mental health consultant.
TERM EXPIRES: 9-30-2027

SUSTAINABLE MADISON COMMITTEE

KIMBERLY CHO (4th A.D.) - appoint to the remainder of a two-year term to the position of First Alternate succeeding Xanthe Z. Saalman. Kimberly Cho currently holds the Second Alternate position and has served since 11/21/2023.
TERM EXPIRES: 6-30-2026

NATALIE L. LESNJAK (11th A.D.) - appoint to the remainder of a two-year term to the position of Second Alternate succeeding Kimberly Cho who is assuming the First Alternate position. Natalie Lesnjak is a senior at Madison West High School involved in her school's Green Team as well as the Dane County Youth Environmental Committee.
TERM EXPIRES: 6-30-2026

Respectfully submitted,

Satya Rhodes-Conway
Mayor



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85303

File ID: 85303

File Type: Appointment

Status: Mayoral Business

Version: 1

Reference:

Controlling Body: Mayor's Office

File Created Date : 09/18/2024

File Name: 10-8-2024 Resident committee appointments

Final Action:

Title: Report of the Mayor submitting resident committee appointments (introduction 9-24-2024; action 10-8-2024).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 9.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author: Satya Rhodes-Conway

Hearing Date:

Entered by: Idcosta@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	09/18/2024	Referred for Introduction				
	Action Text: This Appointment was Referred for Introduction						
	Notes: Confirm 10/8/24						

Text of Legislative File 85303

Title

Report of the Mayor submitting resident committee appointments (introduction 9-24-2024; action 10-8-2024).

Body

I hereby submit, for your consideration and approval, the following resident committee appointments.

***2/3 vote required for confirmation of non-city residents.**

Pursuant to Sec. 3.30(2) of the Madison General Ordinances, "...provision shall not apply to a member of or candidate for appointment to a City of Madison board, committee or commission where, in the judgement of the mayor and two-thirds (2/3) of the Common Council, the best interests of the city will be served by the appointment of a non-resident member who is particularly well qualified by reasons of education, background, and experience with Madison business concerns or other Madison-based employers and the Mayor specifies fully to the Common Council the reasons why he or she is recommending such appointment."

ETHICS BOARD

JOANNA E. FRASCH (17th A.D.) - appoint to the remainder of a three-year term to the position of Labor Representative succeeding Mary Czyszczak-Lyne. Joanna Frasch is a senior researcher with the Wisconsin State Department of Workforce Development. She is a member of AFSCME Local 1 and a delegate to the South Central Labor Federation SCFL). She was recommended for this appointment by the SCFL.

TERM EXPIRES: 4-30-2027

MADISON ARTS COMMISSION

ANTHONY J. SANSALONE (9th A.D.) - appoint to the remainder of a three-year term to the position of Member succeeding Fabu Carter. Anthony (Tony) Sansalone is a professional visual artist and serves as the development director for Wisconsin Humanities.

TERM EXPIRES: 4-30-2027

PLAN COMMISSION

SARA R. SANDERS (15th A.D.) - appoint to the remainder of a three-year term to the position of Adult City Resident succeeding Kathleen Spencer. Sara Sanders currently holds the First Alternate position and has served since 5-21-2024.

TERM EXPIRES: 4-30-2027

ANJALI BHASIN (15th A.D.) - appoint to the remainder of a one-year term to the position of First Alternate. Anjali Bhasin currently holds the Second Alternate position and has served since 5-21-2024. She is succeeding Sara Sanders who is assuming a regular member position.

TERM EXPIRES: 4-30-2025

DARRIN S. WASNIEWSKI (10th A.D.) - appoint to the remainder of a one-year term to the position of Second Alternate. Darrin Wasniewski is the senior associate state director - community outreach for AARP. He was a recent member of the City's Transportation Commission. He is succeeding Anjali Bhasin who is assuming the First Alternate position.

TERM EXPIRE: 6-30-2025

FOR INFORMATION ONLY - NOT SUBJECT TO COUNCIL CONFIRMATION

EMILY R. GNAM (11th A.D.) - will serve in the position of Mayor or Designee succeeding Ledell Zellers. Emily Gnam is an attorney and serves as the chief ethics & compliance officer for TruStage. She is a former member of the City's Board of Park Commissioners having served

ten years - two as its chair.
TERM EXPIRES: 4-20-2027

ROOM TAX COMMISSION

TOM ZIARNIK (1st A.D.) - reappoint to a one-year term to the position of Hotel/Motel Industry Representative. First appointed 7-5-2016.
TERM EXPIRES: 7-5-2025

Currently serving on: Monona Terrace Booking Event Assistance Advisory Committee

*SALLY MILEY, Middleton - reappoint to a one-year term to the position of Adult City Resident. First appointed 7-5-2016.
TERM EXPIRES: 7-5-2025

Rationale: Sally Miley has been a member of this body since its inception in 2016 and previously served as chair. A former alder and deputy mayor, she brings with her a wealth of knowledge and experience. Her finance education and city government experience, as well as her leadership skills, make her a valuable member of this commission.

GLENN KRIEG (19th A.D.) - reappoint to a one-year term to the position of Adult City Resident. First appointed 7-5-2016.
TERM EXPIRES: 7-5-2025

SYLVIA MOSS (16th A.D.) - reappoint to a one-year term to the position of Adult City Resident. First appointed 7-5-2016.
TERM EXPIRES: 7-5-2025

WATER UTILITY BOARD

CURTIS A. WITYNSKI (11th A.D.) - appoint to the remainder of a five-year term to the position of Member succeeding Eugene McLinn. Curt Witynski is a local government consultant. He is recently retired from the League of Wisconsin Municipalities where he worked for 35 years- holding various positions including legal counsel and deputy executive director.
TERM EXPIRES: 9-30-2025

Respectfully submitted,

Satya Rhodes-Conway
Mayor



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 83974

File ID: 83974

File Type: Report

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 06/17/2024

File Name: Confirming the Madison Common Council meeting formats through December 10, 2024

Final Action:

Title: Confirming the Madison Common Council meeting formats through December 10, 2024:
10/8/24 - Hybrid (Virtual & CCB 201)
10/29/24 - Hybrid (Virtual & CCB 201)
11/12/24 (Budget) - Hybrid (Virtual & CCB 201)
11/13/24 (Budget, if needed) - Hybrid (Virtual & CCB 201)
11/14/24 (Budget, if needed) - Hybrid (Virtual & **MMB 215**)
11/26/24 - **Virtual**
12/10/24 - Hybrid (Virtual & CCB 201)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 10.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: lwindsor-engnell@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	06/17/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER							

Text of Legislative File 83974

Title

Confirming the Madison Common Council meeting formats through December 10, 2024:

10/8/24 - Hybrid (Virtual & CCB 201)

10/29/24 - Hybrid (Virtual & CCB 201)

11/12/24 (Budget) - Hybrid (Virtual & CCB 201)

11/13/24 (Budget, if needed) - Hybrid (Virtual & CCB 201)

11/14/24 (Budget, if needed) - Hybrid (Virtual & **MMB 215**)

11/26/24 - **Virtual**

12/10/24 - Hybrid (Virtual & CCB 201)



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 83669

File ID: 83669

File Type: Ordinance

Status: Items Referred

Version: 1

Reference:

Controlling Body: ALCOHOL
LICENSE REVIEW
COMMITTEE

File Created Date : 05/28/2024

File Name: Geographic Density Class A

Final Action:

Title: Amending Section 38.05(9)(a) and creating 38.05(b) and (c) of the Madison General Ordinances related to Class A and Class "A" alcohol beverage licenses to impose geographic limitations on "Class A" and Class "A" license applications considered by the Common Council after adoption of this ordinance for purposes of regulating density of such alcohol beverage licenses.

Notes: 6850GeographicDensityClassA

CC Agenda Date: 07/02/2024

Agenda Number: 11.

Sponsors: Regina M. Vidaver, Derek Field And Sabrina V. Madison

Effective Date:

Attachments: 060424_CC_public_comment.pdf, Borisy-Rudin MEMORANDUM to Regina Vidaver re Class A Outlet Density 06-05-2024.pdf, Greater Madison Chamber of Commerce - Comments on File 83669.pdf, Madison Alcohol Advisory Council Comments.pdf, Nordstrom Comments.pdf, Nordstrom Comments2.pdf, Alder Rummel Comments.pdf, 2024-06-26 Madison Class A alcohol licenses ADI.pdf, Doss Comments.pdf, 070924_CC_public_comment.pdf

Enactment Number:

Author: Jennifer Zilavy

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	5/29/2024	Michael Haas	Approved as to Form	6/18/2024
1	2	5/29/2024	Robert Mulcahy	Approve	6/18/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1	Attorney's Office	05/28/2024	Referred for Introduction		
	Action Text: This Ordinance was Referred for Introduction				
	Notes: Alcohol License Review Committee (6/26/24), Common Council (7/2/24)				
1	COMMON COUNCIL	06/04/2024	Refer	ALCOHOL LICENSE REVIEW COMMITTEE	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.				
1	ALCOHOL LICENSE REVIEW COMMITTEE	06/26/2024	Table		Pass
	Action Text: A motion was made by Verveer, seconded by Donnelly, to Table. The motion passed by voice vote/other.				
1	ALCOHOL LICENSE REVIEW COMMITTEE	06/26/2024	Take Off The Table		Pass
	Action Text: A motion was made by Verveer, seconded by Donnelly, to Take Off The Table. The motion passed by voice vote/other.				
1	ALCOHOL LICENSE REVIEW COMMITTEE	06/26/2024	Re-refer		Pass
	Action Text: A motion was made by Verveer, seconded by Donnelly, to Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.				
1	COMMON COUNCIL	07/02/2024	Re-refer	ALCOHOL LICENSE REVIEW COMMITTEE	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.				
1	COMMON COUNCIL	08/06/2024	Re-refer	ALCOHOL LICENSE REVIEW COMMITTEE	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by voice vote/other.				
	Notes: Alcohol License Review Committee (9/18/24), Common Council (9/24/24).				

Text of Legislative File 83669

Fiscal Note

No City appropriation required.

Title

Amending Section 38.05(9)(a) and creating 38.05(b) and (c) of the Madison General Ordinances related to Class A and Class "A" alcohol beverage licenses to impose geographic limitations on "Class A" and Class "A" license applications considered by the Common Council after adoption of this ordinance for purposes of regulating density of such alcohol beverage licenses.

Body

DRAFTER'S ANALYSIS: This ordinance provides an objective basis for limiting the granting of liquor licenses for "Class A" and Class "A" establishments for the purpose of limiting density and proximity of such licenses to sensitive sites. A "Class A" license authorizes the retail sale of intoxicating liquor for consumption off the licensed premises where sold in the original packages and containers (also authorizes on premises free taste samples in limited quantities). A Class "A" license authorizes retail sales of fermented malt beverages (e.g. beer, wine coolers) for consumption off the licensed premises where sold and in the original packages, containers, and bottles (also authorizes on premises free taste samples in limited quantities). No sale of alcohol beverages is permitted between the hours of 9 pm and 8 am. Currently there

are no limitations on how many “Class A” and Class “A” alcohol beverage licenses can be approved and issued by a municipality. The decision to limit such licenses lies within the individual municipality. The City of Madison currently has 131 active Class A licenses. An applicant has no legal right to the issuance of an alcohol beverage license. Such license is a privilege, not a right. This amendment seeks to limit density and concentration of “Class A” and Class “A” alcohol beverage licenses near sensitive sites by imposing geographic limitations. Research has shown that an over-concentration of alcohol outlets increases the level of alcohol-related disorder and crime. High alcohol outlet density is associated with many social harms among neighborhoods in and around the alcohol outlets, such as disorderly conduct, noise, neighborhood disruption, public nuisance, and property damage. High alcohol outlet density is also linked with many alcohol-attributable effects among neighborhoods further away from alcohol outlets, such as alcohol-impaired driving, pedestrian injuries, domestic violence, and child abuse and neglect. The Task Force on Community Preventive Services (Campbell et al., 2009) recommended that “limiting alcohol beverage outlet density-either by reducing density levels or limiting density growth-can be an effective means of reducing the harms associated with excessive alcohol consumption.” This ordinance would apply to all Class A license applications filed with the City of Madison Clerk’s Office, or already on file in the Clerk’s Office but not yet granted, upon adoption.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) entitled “Class A License” of Subsection (9) entitled “Limitation Upon Issuance of Licenses” of Section 38.05 entitled “General Licensing Requirements” of the Madison General Ordinances is amended as follows:

- “(a) Class A License- Applicant Qualifications: No Class A license shall be granted except to a person who is ~~of good moral character~~ qualified under Wis. Stat. s. 125.04(5), and who has resided in the State of Wisconsin continuously for not less than ninety (90) days prior to the date of filing the application for license. No such license shall be issued to any person acting as agent for or in the employ of another. The individual licensee of a Class A license shall continue to be a resident of Wisconsin during the term of her/his license. The Common Council may revoke such license when such individual applicant ceases to be a resident of Wisconsin during the term of her/his license, but such revocation shall only be had following the giving of proper notice to the licensee and a proper hearing before the Alcohol License Review Committee.

2. Paragraph 1. entitled “Geographic Limitations” and Paragraph 2. entitled “Exemptions” of Subsection (9) entitled “Limitation Upon Issuance of Licenses” of Section 38.05 entitled “General Licensing Requirements” of the Madison General Ordinances are created as follows:

- "1. Geographic Limitations. No “Class A” or Class “A” license shall be granted or issued for an establishment under the following conditions:
- a. If the site is within the distance restriction, and other provisions in MGO 38.05(3)(f) related to schools, churches, hospitals, and libraries.
 - b. If the site is within one thousand three hundred and twenty (1,320) feet of an entity providing services to unhoused individuals. This distance shall be measured in a straight line from the two entities’ nearest parcel boundaries.
 - c. If the site is within one thousand three hundred and twenty (1,320) feet of

the boundary of any parcel occupied by a treatment facility as defined in Wisconsin State Statute Chapter 51. This distance shall be measured in a straight line from the two entities' nearest parcel boundaries.

- d. If the site is within one thousand three hundred and twenty (1,320) feet of any public park. This distance shall be measured in a straight line from the nearest parcel boundaries of the establishment and the park.

- 2. Exemptions. The following establishments are not subject to the geographic limitations set forth in subsection (b):

- a. Drug stores/pharmacies that are licensed by the Pharmacy Examining Board pursuant to § 450.05, Wis. Stat.
- b. Grocery stores that regularly and customarily sell grocery items for off-premises consumption. These establishments shall have and maintain groceries that are readily available to the public. "Grocery stores" shall not include establishments that provide automobile services, such as gasoline sales, automobile service, or repair."

From: [Fields, Debbie](#)
To: [All Alders](#)
Subject: FW: Alcohol Outlet Density
Date: Tuesday, June 4, 2024 10:13:56 AM
Attachments: [Madison Alcohol Outlet Density Facts and Recommendations - Dan Nordstrom.pdf](#)

Alders,

The message below was received in the Council Office inbox.

Thank you,
Debbie Fields
Program Assistant 2
Common Council Office
608-266-4297

From: Dan Nordstrom <dnordst@gmail.com>
Sent: Tuesday, June 4, 2024 9:31 AM
To: council <council@cityofmadison.com>
Subject: Alcohol Outlet Density

You don't often get email from dnordst@gmail.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Hello,

I commend Alds. Regina Vidaver, Sabrina Madison and Derek Field for taking a bold stance on limiting alcohol outlet density in Madison. I have been urging this for several years but gave up due to a lack of response from elected officials. I am glad it is being given more consideration.

I would also urge the Council to consider not only liquor stores, but also other outlets, when considering density. I am attaching a comprehensive review I completed a while ago looking at the issue.

Also, I live right next to Hawthorne Library and strongly oppose the liquor store being proposed for across the street. I will submit my comments to my Alder and the ALRC.

Kind Regards,
Dan Nordstrom

--

Dan Nordstrom, LCSW
Pronouns: He/Him/His ([What are personal pronouns?](#))

Co-President at [PC Foundation](#)

Connect with me on [LinkedIn](#)

Alcohol Outlet Density in Madison, Wisconsin (Updated: 6/12/21)

Dan Nordstrom, LCSW

Limiting alcohol outlet density is one of the best ways for communities to address the many economic and social costs caused by excessive drinking.

This paper will provide an overview of the problem of excessive drinking, explain what Alcohol Outlet Density is and to encourage policymakers to create responsible alcohol outlet density policies based on recommendations by the Centers for Disease Control and other public health organizations.

The Impact of Alcohol Overuse on Health and Safety

Excessive and chronic drinking contributes to a national epidemic of alcohol abuse, including causing 88,000 alcohol related fatalities per year and high rates of alcohol dependence. Alcohol use is the 3rd highest cause of preventable death.¹ Alcohol is involved in one quarter of suicides,² as well as deaths, illnesses and injuries from fires, drowning, sexual assaults and other violence, alcohol poisoning, fetal alcohol syndrome, miscarriage, risky sexual behaviors, high blood pressure, heart disease, stroke, liver disease, digestive problems, cancer (breast, mouth, throat, esophagus, liver, and colon), depression, anxiety, learning and memory problems, and dementia.³ A large study found in a 2018 report that there is no safe amount of alcohol use in terms of cancer risk.⁴ Another major study published in 2018 in the prestigious Lancet found there is no health advantage to consuming any amount of alcohol. Instead the study found that there are significant risks and costs.⁵ In 2019 a study also published in the Lancet debunked the argument that moderate drinking lowers the risk of stroke.⁶ Furthermore, there is no safe amount of alcohol consumption of a mother that is safe for a developing fetus.⁷ According to national statistics, Fetal Alcohol Spectrum Disorders are observed in between 2-5% of all children, which is a higher prevalence than Autism.⁸

The issue is getting worse. A recent article in the New York Times found that alcohol related ER visits have increased 50% since 2000, as well as finding that cirrhosis of the liver cases in the U.S. have increased after having decreased for decades.⁹ Falls and dementia rates, mostly affecting citizens over the age of 65, have been found to be twice as high among those diagnosed with alcohol use disorder.^{10 11}

¹ Health Impacts of Alcohol Use. (2017) National Institute on Alcohol Abuse and Alcoholism. Retrieved from the web on December 20, 2017 at <https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/alcohol-facts-and-statistics>

² Rabin, Roni Caryn (2009) Alcohol a Common Factor in Suicides. New York Times. Retrieved from the web on December 20, 2017 at <http://www.nytimes.com/2009/06/19/health/19suicide.html>

³ Fact Sheets - Alcohol Use and Your Health (2016) Centers for Disease Control. Retrieved on December 20, 2017 at <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

⁴ World Cancer Research Fund and the American Institute for Cancer Research (2018) Recommendations and public health and policy recommendations. Retrieved from the web on May 26, 2018 at www.wcrf.org/sites/default/files/Cancer-Prevention-Recommendations-2018.pdf

⁵ Robyn Burton and Nick Sheron (2018). No Level of Alcohol Consumption Improved Health. The Lancet. Retrieved from the web on August 26, 2018. [https://doi.org/10.1016/S0140-6736\(18\)31571-X](https://doi.org/10.1016/S0140-6736(18)31571-X)

⁶ EurekAlert and the American Association for the Advancement of Science (2019) The Lancet: Moderate alcohol consumption does not protect against stroke, study shows. Retrieved from the web on April 6th, 2019 at https://www.eurekalert.org/pub_releases/2019-04/tl-tlm040319.php

⁷ Alcohol and Pregnancy Questions and Answers (2018). Centers for Disease Control. Retrieved from the web on July 24, 2018 at <https://www.cdc.gov/ncbddd/fasd/fags.html>

⁸ Fetal Alcohol Spectrum Disorders (FASDs) Data and Statistics (2018). Centers for Disease Control. Retrieved from the web on July 24, 2018 at <https://www.cdc.gov/ncbddd/fasd/data.html>

⁹ Glasser, Gabrielle. (2017) "America, Can we Talk About Your Drinking?" New York Times. Retrieved on December 31, 2017 at <https://www.nytimes.com/2017/12/29/opinion/sunday/alcohol-binge-drinking.html>

¹⁰ Schwarzing, et al. (2018) Contribution of alcohol use disorders to the burden of dementia in France 2008–13: a nationwide retrospective cohort study. The Lancet. Retrieved from the web on Feb. 24, 2018 at <http://cdn.cnn.com/cnn/2018/images/02/20/dementiaalcohol.pdf>

¹¹ Coutu, Peter (2017). Losing their footing: More Wisconsin seniors are drinking, falling and dying. Cap Times retrieved from the web on March 7, 2017 at http://host.madison.com/ct/news/local/health-med-fit/losing-their-footing-more-wisconsin-seniors-are-drinking-falling-and/article_35c6584e-8c2e-11e7-9f44-9f4244b5c44a.html

Injuries from motor vehicle accidents and violence can be largely attributed to alcohol use, representing approximately one-third of all traffic fatalities involving automobiles, motorcycles and pedestrians.¹² Children and elderly pedestrians are especially at risk of injury or death due to intoxicated drivers. Half of all pedestrians killed by cars were killed when either the pedestrian or driver had been drinking. One in every five children under age 15 killed in traffic accidents are pedestrians. People 65 or older were 19% of all pedestrians killed in traffic accidents in 2015.¹³ Wisconsin has higher arrest rates than the nation overall for operating a motor vehicle while intoxicated and more than three times the national rate of arrests for other liquor law violations. Our citizens also have the highest rate of self-reported drinking and driving in the country.¹⁴ Nationally, “There are more alcohol-impaired driving deaths per year than deaths attributable to certain cancers, HIV/AIDS, and drownings.”¹⁵

With regard to injuries and deaths due to violence, one study showed, “Approximately 2 in 5 violent deaths and 1 in 4 emergency department visits for violence-related injuries are due to excessive alcohol use.”¹⁶ ¹⁷ Alcohol is also the most frequently used substance involved in sexual assault, and is found to be used by the survivor, the perpetrator or both in half of all reported cases of sexual assault.¹⁸

The Impact of Alcohol Overuse on the Economy

Studies have also found an economic burden on states, counties and cities as public safety, human services, legal and medical resources are impacted. A 2019 report issued by the Wisconsin Population Health Institute found that the cost of alcohol policies in Wisconsin cost taxpayers approximately \$3.9 billion.¹⁹ Nationally, a report released in 2016 by the US Surgeon General found that social costs of alcohol misuse to be \$249 billion.²⁰ As a comparison, the opioid epidemic causes \$78.5 billion in social costs per year to the country.²¹ These costs include the financial impact that communities, states and society in general bear including missed days at work, health and law enforcement costs and deaths. Homelessness is also exacerbated by alcohol and other drug use.²²

The economic health of cities and neighborhoods are adversely affected by higher alcohol outlet density because bars and restaurants crowd out other types of businesses. While bars and restaurants do

¹² Drunk driving crashes, fatalities and injuries (2015). State of Wisconsin, Department of Transportation. Retrieved from the web on December 20, 2017 at <http://wisconsindot.gov/Pages/safety/education/drunk-driv/ddcrash.aspx>

¹³ Pedestrian Safety. (2015) Centers for Disease Control. Retried from the CDC Website on March 4, 2018 at https://www.cdc.gov/motorvehiclesafety/pedestrian_safety/index.html

¹⁴ Wisconsin Epidemiological Profile on Alcohol and Other Drug Use (2014). State of Wisconsin Department of Health Services Division of Mental Health and Substance Abuse Services, Office of Health Informatics, Division of Public Health and the the University of Wisconsin Population Health Institute. Retrieved from the web on December 20, 2017 at <https://www.dhs.wisconsin.gov/publications/p4/p45718-14.pdf>

¹⁵ National Academy of Sciences, Engineering and Medicine (2018). Key Facts and Recommendations: Getting to Zero Alcohol-Impaired Driving Fatalities. Retrieved from the web on Jan. 30, 2018 at <https://www.nap.edu/resource/24951/011718AlcoholImpairedDrivingfacts.pdf>

¹⁶ Brewer, Robert (MD) (2015) Reducing Alcohol Outlet Density Can Reduce Violent Crime (2015).

Centers for Disease Control and Prevention National Center for Chronic Disease Prevention and Health Promotion, Division of Population Health, Excessive Alcohol Use Prevention Team. Retrieved from the web on December 20, 2017 at <http://blogs.cdc.gov/pcd/2015/05/28/reducing-alcohol-outlet-density-can-reduce-violent-crime/>

¹⁷ Zhang X, Hatcher B, Clarkson L, et al. (2015) Changes in density of on-premises alcohol outlets and impact on violent crime, Atlanta, Georgia, 1997-2007. Retrieved from the web on December 20, 2017 at <http://www.preventviolence.info/EvidenceBase?ID=1039>

¹⁸ University of Michigan Sexual Assault Prevention and Awareness Center. Retrieved from the web on December 31, 2017. <https://sapac.umich.edu/article/50>

¹⁹ Linnan, Sarah, et al. (2019) The Burden of Binge Drinking in Wisconsin. UW Population Health Institute Website. Retrieved on October 24, 2019 at <https://uwphi.pophealth.wisc.edu/wp-content/uploads/sites/316/2019/10/The-Burden-of-Binge-Drinking-in-Wisconsin-Full-Report-2.pdf>

²⁰ Surgeon General Issues Landmark Report on Alcohol, Drugs, and Health (2016). Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Health and Human Services. Retrieved from the web on December 20, 2017 at <https://newsletter.samhsa.gov/2016/11/29/surgeon-general-report-on-alcohol-drugs-health/>

²¹ Costs of US prescription opioid epidemic estimated at \$78. 5 billion (2016). Science Daily website. Retrieved from the web on December 20, 2017. <https://www.sciencedaily.com/releases/2016/09/160914105756.htm>

²² Substance Abuse and Mental Health Services Administration. Homelessness and Housing. Retrieved from the web on December 31, 2017. <https://www.samhsa.gov/homelessness-housing>

employ many people in our economy, workers are often not paid as well as in other types of businesses.²³ The city of Madison is currently studying the impact of alcohol outlets on surrounding businesses.²⁴

Community development is also heavily impacted as nonprofits, grocery stores, affordable housing and other needed public enterprises are not able to compete with the rent paid for commercial real estate by restaurants and bars.

Wisconsin's complicated relationship with alcohol

Our City and State's approach to alcohol consumption is problematic and alarming. Wisconsin citizens have higher rates of excessive drinking as well as risk factors and outcomes affecting individuals, families and communities as compared to other states. A 2016 report found that Madison residents have the 4th highest percentage of residents who report drinking heavily or engaging in binge drinking.²⁵ Nationwide, Wisconsin is 1st place in residents who engage in chronic and heavy drinking.^{26 27} Among women between the ages of 18 and 44, Wisconsin has the highest rates of both any alcohol use in the previous month and of binge drinking.²⁸ There has been a disturbing rise in proportion of deaths among women due to alcohol nationally in the past twenty years, as well as during the 2020-2021 pandemic.²⁹

Contrary to popular belief, binge drinking is a larger problem than chronic alcohol dependence and is associated with greater health, safety, economic and social impacts. Almost all people who drink excessively do not meet the definition of meeting the diagnostic criteria for having a severe alcohol use disorder.³⁰ Binge drinking is defined as having a Blood Alcohol Concentration (BAC) above 0.08% during one sitting, or about 4 drinks in a two hour period for women or 5 drinks for men.³¹

According to the Wisconsin Alcohol Policy Project, the state's higher drinking rates and negative outcomes are not due to Wisconsin's culture, but rather, are affected by a strong business lobby that opposes limiting the availability of alcohol or by increasing its costs. Wisconsin's problem is caused by the, "4 A's:" of Availability, Attractiveness, Affordability, and Acceptance.³² Wisconsin Public Radio published a series on this subject on May 13, 2019, titled, "High Tolerance: Wisconsin's Complicated Relationship with Alcohol."³³

²³ Thompson, Derek. (2017) Restaurants Are the New Factories. The Atlantic. Retrieved from the web on February 19, 2018 at <https://www.theatlantic.com/business/archive/2017/08/restaurant-jobs-boom/536244/>

²⁴ Shelver, Matthew. (2016). Eating, drinking establishments crowding out retail on State Street, mayor tells committee. Badger Herald. Retrieved from the web on February 19, 2018 at <https://badgerherald.com/news/2016/03/16/eating-drinking-establishments-crowding-out-retail-on-state-street-mayor-tells-committee/>

²⁵ Elbow, Stephen. (2016) "Wisconsin takes 12 spots in top 20 for drunkest cities; Madison comes in at No. 4." Wisconsin State Journal website, May 19, 2016. http://host.madison.com/ct/news/local/city-life/wisconsin-takes-spots-in-top-for-drunkest-cities-madison-comes/article_7452c79c-c500-5cd3-8b4f-1a8ffb019149.html

²⁶ America's 2018 Health Rankings. United Health Foundation website. Retrieved from the web on December 17, 2018 at <https://www.americashealthrankings.org/>

²⁷ Wisconsin Epidemiological Profile on Alcohol and Other Drug Use (2014). State of Wisconsin Department of Health Services Division of Mental Health and Substance Abuse Services, Office of Health Informatics, Division of (cont.) Public Health and the the University of Wisconsin Population Health Institute. Retrieved from the web on December 20, 2017 at <https://www.dhs.wisconsin.gov/publications/p4/p45718-14.pdf>

²⁸ State Level Estimates of Alcohol Use of Women (2016). Centers for Disease Control. Retrieved from the web on July 24, 2018 at <https://www.cdc.gov/ncbddd/fasd/data-maps-2016.html>

²⁹ What's Behind the Growth in Alcohol Consumption? (2021) The New York Times Upshot. Retrieved from the web on May 21, 2021 at <https://www.nytimes.com/2021/04/19/upshot/alcohol-deaths-pandemic.html>

³⁰ Esser MB, Hedden SL, Kanny D, Brewer RD, Gfroerer JC, Naimi TS. (2014) Prevalence of alcohol dependence among US adult drinkers, 2009–2011. Prev Chronic Dis. 2014;11:140329. Retrieved from the web on March 7, 2018 at <http://dx.doi.org/10.5888/pcd11.140329>

³¹ Alcohol and Public Health Frequently Asked Questions (2018) Centers for Disease Control. Retrieved from the web on July 30, 2018 at <https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/moderate-binge-drinking>

³² Druke, Galen.(2014) "Wisconsin's Drinking Problem Doesn't Stem From Cultural Heritage, Expert Says" Wisconsin Public Radio website. Retrieved on December 20, 2017 at <http://www.wpr.org/wisconsins-drinking-problem-doesnt-stem-cultural-heritage-expert-says>

³³ Wisconsin Public Radio (2019) "High Tolerance: Wisconsin's Complicated Relationship with Alcohol." Retrieved from the web on May 19, 2019 at <https://www.wpr.org/hightolerance>

Overview of Alcohol Outlet Density

Alcohol availability can be measured by comparing Alcohol Outlet Density by population. Alcohol outlets include all, “gas stations, bars, liquor stores, tasting rooms and restaurants.”³⁴ Dane County has a rate of 1 alcohol outlet for every 440 residents. While this rate is lower than the state average of one outlet per 330 residents, it is higher than the national average of one outlet per 1,400 residents.³⁵ In Aldermanic District 6 I found there to be one outlet per approximately 150 residents (approximately 90 outlets for 13,500 residents).³⁶ A Google map of all alcohol outlets in Aldermanic District 6 is available on my personal website.³⁷ An updated map of alcohol outlet density is available from the City of Madison.³⁸

The impacts on the areas where there is a high concentration of alcohol outlets are well understood. A meta-study published in 2008 found that, “Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems.”³⁹ This is backed up by a 2019 study completed by the City of Madison.⁴⁰

The widespread availability of alcohol has a negative economic and public health impact on our city and state, and it is getting worse. The trend will continue without effective municipal and state policies to balance the availability of alcohol with the public interest. Limiting alcohol outlet density is an effective method to save taxpayer dollars, help the local economy and improve public health and to prevent violence, crime, injuries and death.

Madison imposed a moratorium on new taverns in the downtown area from 2007-2014, but failed to include restaurants in the ordinance.⁴¹ A proposal in Madison that was recently considered would have restricted additional alcohol outlets in certain high density areas.⁴² There is a current moratorium on new outlets in a small district near the UW-Madison Campus, called the Alcohol Overlay District, that was imposed in 2014 and scheduled to be discontinued at the end of 2019.⁴³

³⁴ Alcohol License Overview for Dane County (2012) State of Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services, Bureau of Prevention Treatment and Recovery and the University of Wisconsin Law School, the Resource Center on Impaired Driving, and the Wisconsin Alcohol Policy Project. Retrieved on December 20, 2017 at <https://www.dhs.wisconsin.gov/publications/p0/p00778-dane.pdf>

³⁵ Alcohol, Culture and Environment Workgroup Recommendations (2010) Wisconsin State Council on Alcohol and Other Drug Abuse, Prevention Committee, Alcohol, Culture and Environment Workgroup. Retrieved on December 20, 2017 at https://media.law.wisc.edu/s/c_903/9n2zm/changing_wisconsins_alcohol_environment.pdf

³⁶ City of Madison list of Alcohol License recipients in District 6. Population data is an estimate based on 2010 census data. Information gathered by the author of this paper. Retrieved from the web on December 20, 2017 at <http://www.cityofmadison.com/>

³⁷ Map of alcohol outlets in Madison's 6th Aldermanic Ward. Data compiled from the City of Madison website at <http://www.cityofmadison.com/> Map created by the author of this paper. Retrieved from the web on Feb. 5, 2018 at <http://www.alcoholoutletdensity.com/blog/current-alcohol-outlet-licenses-in-madisons-6th-aldermanic-district>

³⁸ Impacts of Alcohol Outlet Density on the Provision of City Services (Report published by the City of Madison Dept of Public Health on October 21, 2019). Retrieved from the web on 3/6/21 at: <https://cityofmadison.maps.arcgis.com/apps/Cascade/index.html?appid=a6563299db6940cfb96e9a9a8fa05215>

³⁹ Stewart, Kathryn. (2008). How Alcohol Outlets Affect Neighborhood Violence. Pacific Institute for Research and Evaluation, Prevention Research Center, UC-Berkeley. Retrieved from the web on December 20, 2017 at <http://resources.prev.org/documents/AlcoholViolenceGruenewald.pdf>

⁴⁰ Impacts of Alcohol Outlet Density on the Provision of City Services (2019) City of Madison Finance Department, Public Health Madison & Dane County. Retrieved from the web on October 24, 2019 at <https://madison.legistar.com/View.ashx?M=F&ID=7813515&GUID=53CD62F3-B627-4872-BBB8-BF157B34E768>

⁴¹ Kliese, Jennifer. (2014) Madison adopts new alcohol licensing policy. WKOW Television News website. Retrieved from the web on December 20, 2017 at <http://www.wkow.com/story/25203762/2014/04/Wednesday/madison-adopts-new-alcohol-licensing-policy>

⁴² Rickert, Chris. (2017) Soglin to propose moratorium on new liquor licenses for Downtown restaurants. Madison.com. Retrieved from the web on February 19, 2018 at http://host.madison.com/ws/news/local/govt-and-politics/soglin-to-propose-moratorium-on-new-liquor-licenses-for-downtown/article_83488d0d-03b8-5ff1-b5db-5ead011fc5ae.html

⁴³ City of Madison Municipal Code (2019) 28.127 - Alcohol Overlay District. Retrieved from the web on October 24, 2019 at https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR SUBCHAPTER_28HOVDI_28_127ALOVDI

Recommendations

The City of Madison should impose a moratorium on new alcohol outlet licenses in neighborhoods in excess of alcohol outlets at a rate of 1 per 400 residents in each aldermanic district. Furthermore, alcohol should be limited in locations adjacent to places where children are present including schools, parks, churches, community centers and other public places.

In addition to imposing limits on Alcohol Outlet Density, the City of Madison should explore placing (a) limits on drink specials, (b) limits on alcohol advertising in public areas, (c) limits on outdoor seating at bars and restaurants that serve alcohol, (d) limiting alcohol sales at athletic and community events, (d) avoid alcohol sales near schools, parks and community centers, and consider (e) increasing funding for the prevention of alcohol misuse through public safety, human services and public health agencies.

Appendix: Additional Information and Resources; List of groups that Support the limiting of Alcohol Outlet Density

Academic Research Centers

- Johns Hopkins Bloomberg School of Public Health, Center on Alcohol Marketing and Youth (CAMY) & Community Anti-Drug Coalitions of America (CADCA) “Regulating Alcohol Outlet Density: An Action Guide”
http://www.camy.org/_docs/research-to-practice/place/alcohol-outlet-density/outlet-density-strategizer-nov-2011.pdf
- Temple University Center for Public Health Law Research ⁴⁴
- University of Wisconsin Law School Wisconsin Alcohol Policy Project ⁴⁵
- University of Wisconsin School of Medicine and Public Health - Population Health Institute ⁴⁶ “What Works for Health: Policies and Programs to Improve Wisconsin’s Health”
<http://whatworksforhealth.wisc.edu/program.php?t1=21&t2=13&t3=38&id=74>

Professional Associations

- American College of Preventive Medicine ⁴⁷
- American Society of Clinical Oncology ⁴⁸
- Association for Prevention Teaching and Research ⁴⁹
- National Academies of Sciences, Engineering, and Medicine ⁵⁰
- National Academy of Sciences Institute of Medicine; Board on Population Health and Public Health Practice; Committee on Public Health Strategies to Improve Health ⁵¹
- World Cancer Research Fund and the American Institute for Cancer Research ⁵²

Government and Intergovernmental Organizations

- Centers for Disease Control (CDC) Community Preventive Task Force Recommendations and Guide for Measuring Alcohol Outlet Density <https://www.thecommunityguide.org/topic/excessive-alcohol-consumption> and <https://www.cdc.gov/alcohol/pdfs/CDC-Guide-for-Measuring-Alcohol-Outlet-Density.pdf>
- State of Wisconsin Department of Health Services, Division of Public Health (<https://www.dhs.wisconsin.gov/dph/index.htm>)
- State of Wisconsin Department of Health Services, Division of Mental Health and Substance Abuse Services, Bureau of Prevention Treatment and Recovery (<https://www.dhs.wisconsin.gov/aoda/sudindex.htm>) Wisconsin State Council on Alcohol and Other Drug Abuse, Prevention Committee: Alcohol, Culture and Environment Workgroup Recommendations
https://media.law.wisc.edu/s/c_903/9n2zm/changing_wisconsins_alcohol_environment.pdf
- World Health Organization ⁵³

⁴⁴ Temple University Center for Public Health Law Research (2012) “The Effect Of Laws Reducing Alcohol Outlet Density On Alcohol Related Harms” retrieved from the web on March 7, 2018 at <http://publichealthlawresearch.org/product/effect-laws-reducing-alcohol-outlet-density-alcohol-related-harms>

⁴⁵ Wisconsin Dept. of Health Services (2012) “Alcohol License Overview for Dane County” retrieved from the web on March 7, 2018 at <https://www.dhs.wisconsin.gov/publications/p0/p00778-dane.pdf>

⁴⁶ Wisconsin Dept. of Health Services (2014) “Wisconsin Epidemiological Profile on Alcohol and Other Drug Use” retrieved from the web on March 7, 2018 at <https://www.dhs.wisconsin.gov/publications/p4/p45718-14.pdf>

⁴⁷ Campbell, CA, et. al. The effectiveness of limiting alcohol outlet density as a means of reducing excessive alcohol consumption and alcohol-related harms (2009) Published by the American Journal of Preventive Medicine and retrieved from the web on March 7, 2018 at <https://www.ncbi.nlm.nih.gov/pubmed/19944925>

⁴⁸ LoConte, Noelle. (2018) Alcohol and Cancer: A Statement of the American Society of Clinical Oncology retrieved from the web on March 7, 2018 at <http://ascopubs.org/doi/full/10.1200/JCO.2017.76.1155>

⁴⁹ Romney, Martha. (2014) Public Health Learning Module 6 - Substance Use: Addressing Addiction and Emerging Issues. The Assoc. For Prevention Teaching and Research. Retrieved from the web on March 7, 2018 at http://www.aptrweb.org/?PHLM_06

⁵⁰ Getting to Zero Alcohol-Impaired Driving Fatalities: A Comprehensive Approach to a Persistent Problem <http://www.nationalacademies.org/hmd/reports/2018/getting-to-zero-alcohol-impaired-driving-fatalities.aspx>

⁵¹ For the Public’s Health: Revitalizing Law and Policy to Meet New Challenges (2011)
<https://www.nap.edu/catalog/13093/for-the-publics-health-revitalizing-law-and-policy-to-meet>

⁵² World Cancer Research Fund and the American Institute for Cancer Research (2018) Recommendations and public health and policy recommendations. Retrieved from the web on May 26, 2018. www.wcrf.org/sites/default/files/Cancer-Prevention-Recommendations-2018.pdf

⁵³ Preventing violence by reducing the availability and harmful use of alcohol (2009) <http://apps.who.int/iris/handle/10665/44173>

MEMORANDUM

To: Regina Vidaver

From: Felice Borisy-Rudin, JD, Ph.D., Wisconsin Alcohol Policy Project

Date: 06/05/2024

Re: Effectiveness of Placing Geographic Limitations on Where New Class A Licensed Premises may be Located as a Strategy for Reducing Excessive Alcohol Use and Alcohol-Related Harms

Issue: How would a proposed ordinance placing geographic limitations on new Class A off-premises alcohol licenses be anticipated to impact public health and safety?

Brief Answer: Violence, injury, and underage drinking is greater when alcohol is abundant and available for off-premises consumption, such as in situations where there is a high density of Class A off-premises alcohol retail outlets. Reducing the density of Class A off-premises outlets can decrease violence, injury, and underage drinking. Placing a moratorium on new liquor stores in areas near facilities that serve children, people with developmental disabilities, unhoused people, and people in treatment for mental illness or substance use, could improve the public health of some of the city's most vulnerable populations.

Background: The effects of alcohol outlet density and violence, injury, and underage drinking have been extensively studied, with evidence from many countries, including the United States. Thomas Babor, *et al.* have summarized the effectiveness of various policies to reduce alcohol consumption and alcohol related problems in their book, *ALCOHOL NO ORDINARY COMMODITY*, 3rd Ed. Regarding outlet density, they summarize, "Major changes to outlet density . . . clearly affect consumption and harm rates. Evidence for gradual changes . . . is strongest for violence."ⁱ Restricting the spatial availability of alcohol is "consistently associated with reductions in both alcohol use and alcohol-related problems."ⁱ

Analysis: Increased Class A off-premises alcohol outlet density is associated with increased underage drinking, increased assaults, street violence, domestic (and intimate partner) violence, motor vehicle crashes, and other forms of injury.ⁱⁱ The size of the outlets may also be a factor, as places that sell large quantities of alcohol are also associated with increases in consumption, injury, and violence.ⁱⁱⁱ

Multiple studies have shown that the more alcohol is available in a neighborhood, the more adolescents consume alcohol.^{iv} A key study showed that for every 10% increase in overall alcohol outlet density there was a 17% increase in the odds that a teenager would drink alcohol the next year.^v In other words, the more alcohol outlets there are in a community, the more teens drink. One effective way to keep the number of alcohol outlets low and allow reduction by attrition is to not grant licenses for new alcohol outlets. The proposed ordinance would

effectively prohibit new Class A licenses for liquor stores and gas station/convenience stores in areas within 1,320 feet of facilities that provide services for unhoused individuals, facilities that provide mental health or substance use treatment, and public parks. With time and attrition, the ordinance may result in reduced numbers of Class A off-premises retail alcohol outlets in Madison.

Off-premises alcohol outlets tend to be crime generators. Reducing the number of off-premises retail alcohol outlets reduces violence. There are several reasons for this:

- One is that “Reducing supply by restricting physical availability will increase effort to obtain alcohol, and thereby reduce total volume consumed as well as alcohol-related problems.”^{vi}
- Another is that alcohol is a pharmacologically psychoactive beverage that dulls the reflexes and disinhibits behavior – which makes people both more likely to offend and to be victimized, thereby increasing the likelihood of accidents, violence, and injury. Reducing its availability reduces its use, and thereby reduces the violence and injury associated with it, such as motor vehicle crashes, falls, domestic violence, and other assaults.
- A third reason is that alcohol stores provide places where people can congregate, attract people from outside communities who are not interested in caring for the community where they are shopping or who may be looking for opportunities for criminal activity, and at the same time do not provide “guardians” who can supervise the drinking. Prof. Alexandra Snowden, who works at Marquette University, writes:

Off-premise alcohol outlets may serve as crime attractors that bring to these premises the motivated offenders in search of vulnerable targets in places that lack capable guardians. In the context of off-premise alcohol outlets, the guardianship over vulnerable targets is limited as the patrons’ visits to the outlets typically last just long enough to purchase the product. . . . Some off-premise alcohol outlets may specialize in the sale of single-serve products that are designed for immediate consumption, and may attract the patrons to the premise in search of the product that can be consumed immediately following the purchase in the near vicinity of the outlet, creating the opportunity for motivated offenders to act upon.^{vii}

Dr. Snowden has done extensive research on violence and alcohol outlets in Milwaukee. She found that many types of violence and crime associated significantly with the

density of Class A off-premises outlets, including assault, robberies, and domestic violence, even controlling for neighborhood characteristics. She also found that the effect of off-premises Class A outlets on violence, especially male-on-female domestic violence occurred not just in the neighborhood where the outlets were located but also in immediately adjoining neighborhoods.^{viii} In addition, during the COVID-19 pandemic, the increased use of off-premises outlets as the source of alcohol (as opposed to drinking socially in controlled on-premises environments such as restaurants and bars) probably contributed to greater levels of drinking and likely contributed to increased domestic violence. Dr. Snowden recommends:

The first step in reducing domestic violence would be to also reduce the number of off-premise alcohol outlets operating within adjacent neighborhoods and prevent new off-premise alcohol outlets from opening in neighborhoods which already have a large concentration of off-premise alcohol outlets, and which border neighborhoods with similarly high concentrations of such outlets.^{ix}

Conclusion: Reducing the concentration of Class A off-premises alcohol outlets and reducing the amount of alcohol sold by individual Class A off-premises alcohol outlets are both policies that can result in less underage alcohol consumption, and lower rates of violence and injury. An ordinance that limits the availability of Class A licenses may decrease the amount of underage drinking and decrease rates of violence and injury in the community.

If you have any additional questions, please contact:

Felice Borisyrudin, Policy Analyst, Wisconsin Alcohol Policy Project, fborisyrudin@mcw.edu
Maureen Busalacchi, Director, Wisconsin Alcohol Policy Project, mbusalacchi@mcw.edu

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ⁱ Babor, Thomas F. and others, *Alcohol: No Ordinary Commodity: Research and public policy*, 3rd ed. p 145 (Oxford, 2022; online ed., Oxford Academic, 19 Jan. 2023),

<https://doi.org/10.1093/oso/9780192844484.001.0001>, accessed 6 May 2023.

ⁱⁱ Babor, *et al.*, p. 134; Johnson, T. H., & Snowden, A. J. (2023). Neighborhood Ecological Models of Alcohol Outlet Density and Male-on-Female Domestic Violence: Accounting for Adjacent Place and Neighborhood Characteristics. *Journal of Drug Issues*, 0(0).

<https://doi.org/10.1177/00220426231159016>, accessed 11 May 2023.

ⁱⁱⁱ Babor, *et al.*, p. 135.

^{iv} Babor, *et al.*, p. 134.

^v Rowland, B., Evans-Whipp, T., Hemphill, S. A., Leung, R., Livingston, M., & Toumbourou, J. W. (2016). The density of alcohol outlets and adolescent alcohol consumption: An Australian longitudinal analysis. *Health & Place*, 37, 43-49.

<https://doi.org/10.1016/j.healthplace.2015.11.004>

^{vi} Babor, *et al.*, p. 93.

^{vii} Aleksandra J. Snowden, Exploring violence: The role of neighborhood characteristics, alcohol outlets, and other micro-places, *Social Science Research*, Volume 82, 2019, pp 181-194, ISSN 0049-089X, <https://doi.org/10.1016/j.ssresearch.2019.04.018>.

^{viii} Johnson, T. H., & Snowden, A. J. (2023). Neighborhood Ecological Models of Alcohol Outlet Density and Male-on-Female Domestic Violence: Accounting for Adjacent Place and Neighborhood Characteristics. *Journal of Drug Issues*, 0(0).

<https://doi.org/10.1177/00220426231159016>

^{ix} *Id.*



Members of the Alcohol Licensing Review Committee:

The Greater Madison Chamber of Commerce Board of Directors opposes the proposed changes to Madison General Ordinances (File #83669) that would place new citywide regulations and restrictions on alcohol licensing.

We appreciate the author's communication and desire to seek input on the issue from local businesses. Ultimately, we believe this is a solution in search of a problem with potential significant consequences for small businesses and entrepreneurs.

Addressing chronic alcohol use is a worthwhile and understandable objective, but a citywide policy that does not consider unique neighborhood characteristics and needs is an ill-advised approach.

From a business perspective, there are still many unanswered questions. What does this mean for businesses looking to renovate? Will this policy serve as a disincentive to making improvements for fear of losing a license? Blanket policies treat all Class A licensed establishments the same, including new, innovative business models that serve as neighborhood gathering establishments with multiple functions, including coffee shops, arcades, bookstores and tasting rooms. Are these the type of businesses we want to reduce in Madison?

Perhaps most importantly as to why this is a solution in search of a problem is the process. The Alcohol Licensing Review Committee already has the authority to reject and renew alcohol licenses where problems occur.

Again, while we appreciate the intent and transparency, there are other ways to tackle these issues beyond a citywide blanket policy that stands to negatively impact small business.

Feel free to contact me directly if you have any questions or comments.

Thank you.

A handwritten signature in black ink, appearing to read "David Aguayo".

David Aguayo
Public Policy Manager
608-443-1963 (O)
202-340-8446 (C)

MADISON ALCOHOL ADVISORY COUNCIL



To: City of Madison Common Council
City of Madison Alcohol License Review Committee

From: Madison Alcohol Advisory Council

Date: June 25, 2024

Subject: Opposition to Proposed City of Madison Ordinance Related to Geographic Limitations on "Class A" and Class "A" License Applications

On behalf of alcohol beverage industry stakeholders, the Madison Alcohol Advisory Council writes to express concerns with the proposed ordinance (File #83669) to impose geographic limitations on "Class A" and Class "A" license applications considered by the Common Council.

While the goal of addressing excessive alcohol use and alcohol related issues is laudable, we do not believe blanket geographic limitations on alcohol beverage retailers to be an effective strategy. As a result, we respectfully urge the Common Council to oppose this proposal.

First, by exempting large, institutional and chain grocery stores from the new license restrictions, the proposed ordinance discriminates against small, independent businesses, many of which are owned by persons of color and new residents to our community and country. We are unaware of any evidence that shows alcohol related disorder and crime is tied to the location of Class A licensed establishments, or a density of these licensees. Moreover, there certainly is no evidence indicating that that small, neighborhood retail outlets are more problematic for the City than large, regional grocery stores.

Another consequence of eliminating small, neighborhood retail outlets is that it would likely diminish local foot and bicycle traffic while encouraging the use of motorized vehicles to travel to larger, regional grocery stores. Additionally, by discouraging the development of small neighborhood retail stores, the problem of food deserts in the community is almost certain to be exacerbated.

Public support for the proposed policy also appears to be minimal. According to a University of Wisconsin Population Health Institute survey of opinions regarding alcohol use and related problems in the Greenbush-Vilas neighborhood, the majority of respondents felt that limiting alcohol outlet density would be ineffective¹. Few people surveyed thought that extending the City's Alcohol Licensing Density Ordinance would be an effective method of limiting excessive drinking.

As you know, the City has experienced a significant rise in locally owned and operated breweries, wineries and distilleries in recent years. Unfortunately, the proposed ordinance has the potential to negatively impact these small craft producers as it would result in fewer small, neighborhood retail outlets who are more likely to sell locally produced alcohol beverages than the large grocery chains which are unaffected by the license limitations.

Lastly, it is important to recognize the proposed ordinance is unnecessary as the Alcohol License Review Committee and Common Council already hold the authority to reject, revoke, or refuse to renew alcohol licenses. Limiting the number of alcohol beverage retail licenses can currently be done on a license-by-license basis as each applicant comes before the ALRC and Council.

For these reasons, we respectfully ask the Common Council to reject the proposed geographic limitations on "Class A" and Class "A" licenses in the City of Madison.

Thank you for your consideration.

The Madison Alcohol Advisory Council is a coalition of stakeholders that operate in the alcohol beverage industry and it includes the following organizations: Wisconsin Beer Distributors Association; Wisconsin Fuel & Retail Association; Tavern League of Wisconsin; Wisconsin Craft Beverage Coalition; Kwik Trip Inc.; Wisconsin Wine & Spirit Institute.

¹ Feder, E., Moran, C., Gargano Ahmed, A., Lessem, S., Steidl, R., Limiting Retail Alcohol Outlets in the Greenbush-Vilas Neighborhood, Madison, Wisconsin: A Health Impact Assessment. University of Wisconsin Population Health Institute, 2013.

From: [Dan Nordstrom](#)
To: [Knox Jr., Isadore](#); [Michael Donnelly](#); [Verveer, Michael](#); [3katfar3@gmail.com](#); [Verbick, Jim](#); [James Boxrud](#); [colin@barushok.com](#); [amanda.jovaag@wisc.edu](#); [McReynolds, Amber](#); [awestra@gmail.com](#); [Myadze, Charles](#)
Cc: [Vidaver, Regina](#); [Madison, Sabrina](#); [Rummel, Marsha](#)
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June 24, 2024

To Members of the Madison City ALRC,

I wish to comment in writing on the following topics scheduled for the June 26, 2024 ALRC agenda.

55. 83669 Amending Section 38.05(9)(a) and creating 38.05(b) and (c) of the Madison General Ordinances related to Class A and Class "A" alcohol beverage licenses

- I am in support of decreasing Alcohol Outlet Density, and urge the ALRC to address policy gaps in this area. In addition to the comments on page 226 of the Agenda packet, I wish to suggest that geographical/distance rules should include COMMUNITY HEALTH CLINICS and COMMUNITY CENTERS in addition to schools, churches, hospitals, and libraries.
- I recommend the ALRC discuss why they use 300 feet should be the appropriate distance for a new Class A outlet from one of these entities, and perhaps consider recommending that it be extended to be the same distance as the other proposed distances of 1,320 feet from the parcel boundaries.

56. 82871 Public Hearing - New License Refuel Pantry Inc • dba Refuel Pantry 2702 E Washington Ave

- This is an inappropriate location for a new license due to the existing high density of Alcohol Outlets in this area, and its proximity to the Dane County and City of Madison Public Health Department office as well as Hawthorne Public Library.

Note: I live at 2418 Winnebago St. (Union Corners) and am a parent of a child attending MMSD.

58. 83199 Public Hearing - New License MPL Corporation Investment • dba Crown Liquor 3510 E Washington Ave

-

I oppose this new license due to the existing high density of licenses in the area, as well as its proximity to Madison College - Truax as well as the East Madison Community Center.

64. 83708 Public Hearing - New License Sai Mart Atwood Inc • dba Atwood Mart 2801 Atwood Ave

- I oppose this license due to the existing high density of alcohol outlets in the area as well its proximity to the Goodman Community Center.

Thank you for considering.

Dan Nordstrom
2418 Winnebago St. #416
Madison, WI 53704
608-446-4856

From: [Dan Nordstrom](#)
To: [Knox Jr., Isadore](#); [Michael Donnelly](#); [Verveer, Michael](#); [3katfar3@gmail.com](#); [Verbick, Jim](#); [James Boxrud](#); [colin@barushok.com](#); [amanda.jovaag@wisc.edu](#); [McReynolds, Amber](#); [awestra@gmail.com](#); [Myadze, Charles](#)
Cc: [Vidaver, Regina](#); [Madison, Sabrina](#); [Rummel, Marsha](#)
Subject: Re: ALRC Comments
Date: Wednesday, June 26, 2024 10:16:10 AM

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Hello,

In response to a letter submitted by lobbyists representing alcohol manufacturers, distributors and vendors calling themselves the Madison Alcohol Advisory Council, I wish to respond to some confusing assertions:

1. The new ordinance would not 'eliminate' any existing retailer, nor would it prohibit anyone from selling alcohol under a current license. I don't know why the lobbyists would suggest that anything is being eliminated from what currently exists.
2. There is evidence showing harms from the density of alcohol outlets. Here are two sources: Impacts of Alcohol Outlet Density on the Provision of City Services (2019) City of Madison Finance Department, Public Health Madison & Dane County. Retrieved from the web on October 24, 2019 at <https://madison.legistar.com/View.ashx?M=F&ID=7813515&GUID=53CD62F3-B627-4872-BBB8-BF157B34E768>
Stewart, Kathryn. (2008). How Alcohol Outlets Affect Neighborhood Violence. Pacific Institute for Research and Evaluation, Prevention Research Center, UC-Berkeley. Retrieved from the web on December 20, 2017 at <http://resources.prev.org/documents/AlcoholViolenceGruenewald.pdf>
3. I agree that grocery stores should not be exempt. Alcohol outlets should include any type of business where alcohol is dispensed, and this is how Alcohol Outlet Density is defined.

My hope is that the ALRC and the city of Madison will seriously consider Alcohol Outlet Density and come up with meaningful guidelines that both protect the public, conserve city and nonprofit resources, and also respect the interests of the business community and rights of consumers.

As a possible suggestion, I propose the following Alcohol Outlet Density Guidelines:

The City of Madison should impose a moratorium on new alcohol outlet licenses in neighborhoods in excess of alcohol outlets at a rate of 1 per 400 residents per aldermanic district. Furthermore, alcohol should be limited in locations adjacent to places where children are present including schools, parks, churches, community centers, libraries, clinics, hospitals, treatment centers and other public places, with a rule of at least 1,000 feet distance between the nearest corner of the parcel of the proposed license.

Thanks for considering,
Dan Nordstrom

From: [Rummel, Marsha](#)
To: [licensing](#); ["Vanessa Flores"](#); [Mike D](#)
Cc: [Knox Jr., Isadore](#); [Verveer, Michael](#); [Myadze, Charles](#)
Subject: District 6 comments for ALRC 6/26/24
Date: Tuesday, June 25, 2024 5:35:05 PM

Hello ALRC members-

Enclosed are my comments. Thank you as always for your service!

43. 77906 Change of Licensed Premises 2116 AWA LLC • dba The Atwood Current Capacity (in/out): 160/0 • Proposed Capacity (in/out): 160/20 2116 Atwood Ave • Agent: Brian Mason Class B Combination Liquor & Beer • 85% alcohol, 10% food, 5% other Alder District 6 (Alder Rummel) • Police Sector 410 Request to extend premises outdoors to rear patio for four 10' x 10' tents, at time a perimeter fence will be present with signage reading "No Alcohol Beyond This Point." Legislative History

5/24/23 ALCOHOL LICENSE REVIEW COMMITTEE Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

6/21/23 ALCOHOL LICENSE REVIEW COMMITTEE Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

7/19/23 ALCOHOL LICENSE REVIEW COMMITTEE Refer to the ALCOHOL LICENSE REVIEW COMMITTEE

The applicant has not followed up on this application since it was referred over a year ago. I held a neighborhood meeting on 6/12/23 and about 31 people attended. Some people were in general support of the application but some nearby neighbors, affected by noise from the rear parking lot and concerned about violations of the existing conditions on the license (especially no trash pick up between 9p and 7a), were in strong opposition to having a rear yard patio. I don't understand how the application could be lost in limbo after two referrals and appreciate Deputy Clerk Jim Verbick placing it on the agenda for resolution. I support placing this application on file without prejudice.

45. 84077 Change of Licensed Premises North Central Management Inc • dba Moxy by Marriott Madison Downtown Current Capacity (in/out): 836/20 • Proposed Capacity (in/out): 836/20 823 E Washington Ave • Agent: Sheri Straka Class B Combination Liquor & Beer • 5% alcohol, 5% food, 90% other Police Sector 408 (District 6) Request to remove eighth floor meeting space from premises to be occupied by another license.

I have no concerns about this.

50. 83316 21+ Entertainment License Umami Dumpling & Ramen Bar LLC • dba Umami

Ramen & Dumpling Bar Capacity (in/out): 50 923 Williamson St. • Agent: Janmin Michael Ding
Class B Combination Liquor & Beer • 20% alcohol, 80% food Police Sector 408 (District 6)
Legislative History 5/15/24 ALCOHOL LICENSE REVIEW COMMITTEE Refer to the ALCOHOL
LICENSE REVIEW COMMITTEE

The applicant informed me after receiving input from the MNA Preservation and Development Committee and nearby residents at MNA P&D's May 14 meeting, that he and his team discussed the feedback received about how noise travels up the hill into nearby residents bedrooms (based on Plan B nightclub experience) and decided to withdraw the 21+ E license application and instead plans to extend food service hours. I support the withdrawal.

55. 83669 Amending Section 38.05(9)(a) and creating 38.05(b) and (c) of the Madison General Ordinances related to Class A and Class “A” alcohol beverage licenses to impose geographic limitations on “Class A” and Class “A” license applications considered by the Common Council after adoption of this ordinance for purposes of regulating density of such alcohol beverage licenses.

I appreciate the leadership of the sponsors to take up this important public health issue. I am in support. I also hope the ALRC has a robust discussion that can inform the Council.

65. 83709 Public Hearing - New License Grey Area Hospitality LLC • dba Grey Market 756 E Washington Ave • Agent: Matthew Phelps Estimated Capacity (in/out): 90/30 Class B Combination Liquor & Beer • 65% alcohol, 35% food Police Sector 407 (District 6)

I support this new license. The applicants attended the June 13 Tenney Lapham Neighborhood Association meeting and there were no concerns. The legistar item has a letter from TLNA in support.

Temporary Class B Concurrent with Street Use: I support all the temporary licenses proposed for D6 on the agenda - 76, 79, 80, and 81.

Thanks again~

Alder Marsha Rummel (she/her/hers)

District 6

Subscribe to my blog: <http://www.cityofmadison.com/council/district6/blog/>

Please note: all email, regular mail, text, & written communications are subject to open record requests.

Map of active and pending class A alcohol licenses in the city of Madison overlaid on the Area Deprivation Index for Madison Census block groups
June 26, 2024

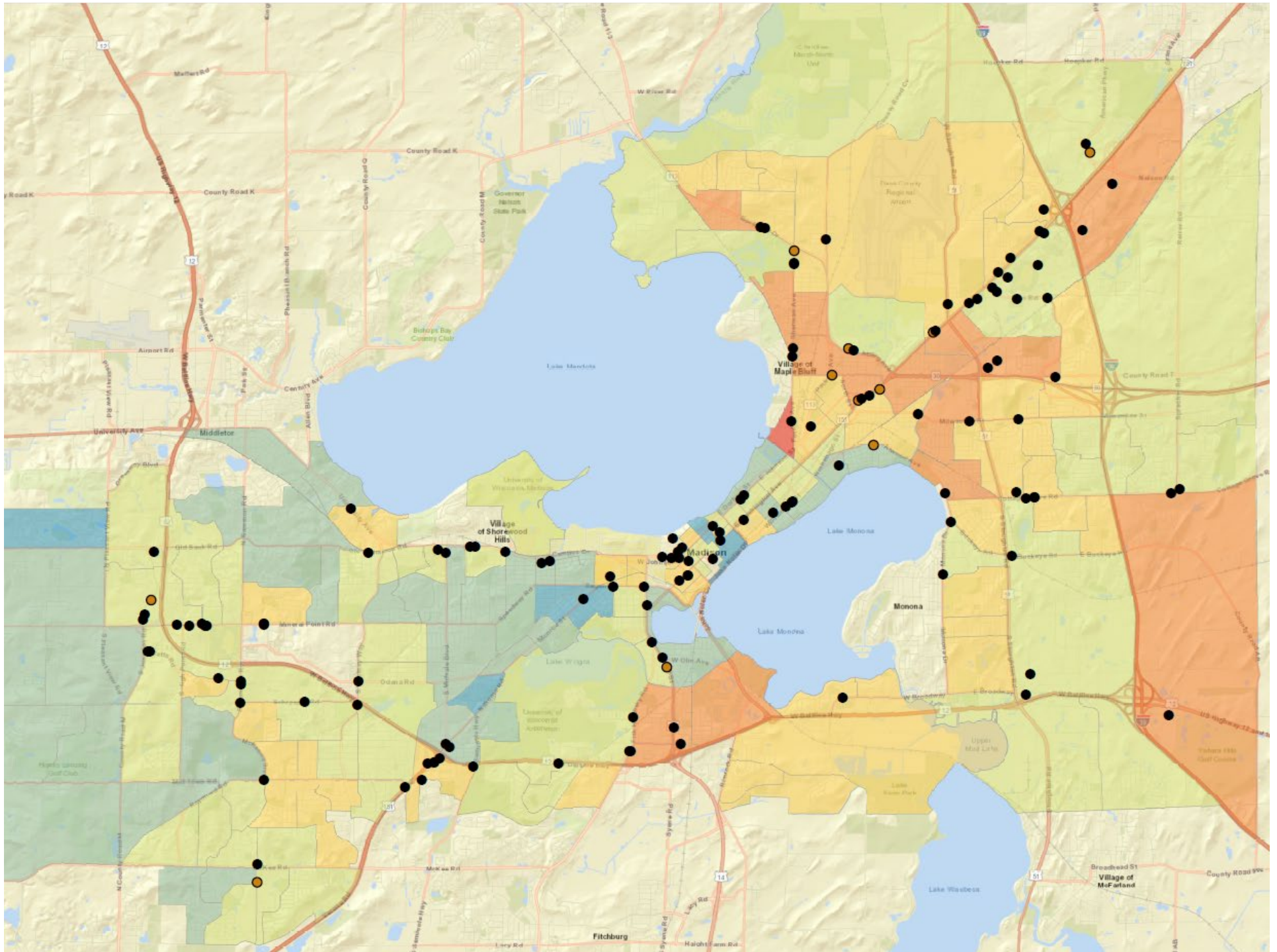
Legend:

Class A Alcohol Licenses

- Active
- Pending

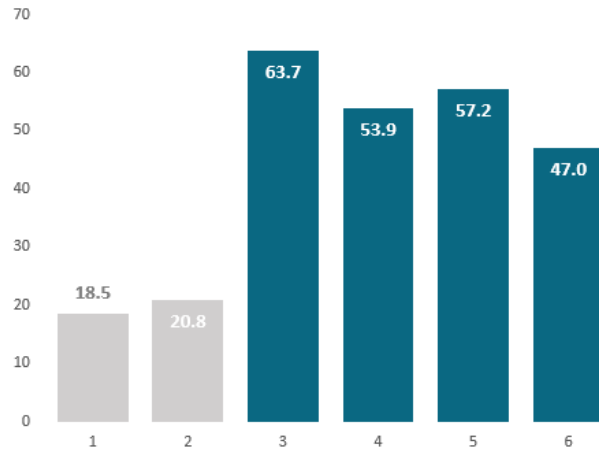
Area Deprivation Index (ADI) for Madison Census Block Groups (National Percentile Rankings)

- ADI Class 1
(Lowest level of “disadvantage”)
- ADI Class 2
- ADI Class 3
- ADI Class 4
- ADI Class 5
- ADI Class 6
(Highest level of “disadvantage”)



Summary Table:

Class A license rates skewed toward areas with **mid-and higher-level** Area Deprivation Index classes.



ADI class	Number of licenses (active + pending)	Total population of census block groups within ADI class	Rate of licenses per 100,000 population
1	2	10,795	18.5
2	11	53,007	20.8
3	60	94,159	63.7
4	43	79,820	53.9
5	14	24,485	57.2
6	1	2,127	47.0
NA	7	21,118	33.1
Total	138	285,511	48.3

Data Notes:

- Some block groups do not receive an ADI rank (“NA” in the above table) because they have low population and/or housing, a high group quarters population, or questionable data integrity due to missing data. Six of the seven licenses located in block groups without an ADI rank are located in the downtown Madison/campus area which has many students and a high percent of the population living in group quarters.

- Census block group populations were obtained from the 2020 Census. The total population of 285,511 is larger than the total Madison population of 269,840 because some block groups cross city boundaries. A limitation of this map is that it only contains licenses for the City of Madison, and there may be additional alcohol establishments within these block groups that are outside of the city of Madison.
- ADI national percentiles were used to categorize each Census block group. The percentiles for the Madison block groups had a range of 1-86. These were then converted into an ADI Class of 1 through 6 by using equal intervals:
 - ADI Class 1: ADI national percentile of 1-15
 - ADI Class 2: ADI national percentile of 16-29
 - ADI Class 3: ADI national percentile of 30-43
 - ADI Class 4: ADI national percentile of 44-57
 - ADI Class 5: ADI national percentile of 58-71
 - ADI Class 6: ADI national percentile of 72+

About the [Area Deprivation Index \(ADI\)](#)

The Area Deprivation Index (ADI) is based on a measure created by the Health Resources & Services Administration (HRSA) over three decades ago, and has since been refined, adapted, and validated to the Census block group neighborhood level by Amy Kind, MD, PhD and her research team at the University of Wisconsin-Madison. It allows for rankings of neighborhoods by socioeconomic disadvantage in a region of interest (e.g., at the state or national level). It includes factors for the theoretical domains of income, education, employment, and housing quality. It can be used to inform health delivery and policy, especially for the most disadvantaged neighborhood groups.

From: [Grayson Doss](#)
To: [All Alders; licensing](#)
Subject: Inclusion of the East Washington Ave and surrounding area with downtown area (Agenda item 55)
Date: Friday, June 28, 2024 5:30:17 PM

[Some people who received this message don't often get email from graysondoss@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email was sent from an external source. Avoid unknown links and attachments.

To whom it may concern,

I wanted to share my opinion on agenda item 55 in the alcohol license review committee. I am proposing that the already dense population of establishments selling and serving liquor in the East Washington Ave area be considered similar to downtown in regards to agenda item 55, which would enact restrictions on future licensing opportunities based on existing license density. With a quick Google search it is easy to find > 20 liquor stores in less than a 5 mile radius just east of the isthmus, not to mention the numerous restaurants serving alcoholic beverages. As a loyal customer of multiple restaurants and stores in the East Wash area, several of which serve and sell alcohol, I am concerned that continuing to grant additional licenses in this area will have a significant negative impact on these local businesses currently serving alcohol to Madison natives. Therefore, I am hoping that the East Washington Ave and adjacent areas be strongly considered along with the downtown area for the agenda item #55 discussion, which would take into account the high density of existing alcohol licenses in this area of the city as it has for downtown Madison.

Thank you,

Grayson

From: [Robbie Webber](#)
To: [All Alders](#)
Subject: No to alcohol density proposal
Date: Wednesday, July 3, 2024 11:18:07 AM

Some people who received this message don't often get email from robbie@robbiewebber.org. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Alders -

I'm not in favor of the current proposal to limit new class A licenses within 1/4 mile of many uses, including parks, schools, libraries, etc. But maybe not for the reason you have heard before.

Many grocery stores can only exist financially by selling beer, wine, and other alcoholic beverages. In mixed-use areas of the city, with many schools and small parks, new local grocery stores (or convenience stores) would not be able to get a liquor license. This actually may be disincentive to locate in areas that need access to local stores.

In my neighborhood and nearby District 5 -- where sponsor Alder Vidivar lives -- the following would not be able to hold a liquor license, if they didn't already exist: Trader Joes, Regent Coop, Barriques, Fresh Mart, as well as Miller's liquor, the BP station on University Ave, and the Spirit Mart at Franklin and University. All these are within 1/4 mile of either a school or a park.

We are striving to have neighborhoods where people can meet their daily needs without driving. The corner grocery, and yes, Kwik Trip, BP station, or other gas station are places people buy milk, frozen pizzas, and even fresh fruits and vegetables as well as a six pack or bottle of wine. Larger grocery stores allow people to do their shopping locally and without driving.

However, for better or worse, many of these establishments cannot survive financially without selling alcohol, even if it's just beer.

When you consider your vote, consider how many of your daily needs might not be available if new or existing stores couldn't locate close by.

Robbie Webber

Transportation geek

All opinions are my own, and not necessarily those of any group or organization with which I am affiliated.

Founding member, [Madison Bikes](#)

...where anyone can ride a bicycle conveniently and comfortably to any place year round.

MadisonBikes.org

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City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85179

File ID: 85179

File Type: License

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/11/2024

File Name:

Final Action:

Title: Change of Licensed Premises
PX2 LLC • dba Prost!
Current Capacity (in/out): 180/60 • Proposed Capacity (in/out): 180/140
401 E Washington Ave • Agent: David Nau
Class B Combination Liquor & Beer • 51% alcohol, 48% food, 1% other
Police Sector 406 (District 6)
Expansion of outdoor premises and capacity on 9/28/2024.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 12.

Sponsors:

Effective Date:

Attachments: LICPCH-2024-00853 App.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: jverbick@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	ALCOHOL LICENSE REVIEW COMMITTEE	09/18/2024	RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER				Pass
Action Text: A motion was made by Barushok, seconded by Verveer, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.							
One registration in support.							

Text of Legislative File 85179

Title

Change of Licensed Premises

PX2 LLC • dba Prost!

Current Capacity (in/out): 180/60 • Proposed Capacity (in/out): 180/140

401 E Washington Ave • Agent: David Nau

Class B Combination Liquor & Beer • 51% alcohol, 48% food, 1% other

Police Sector 406 (District 6)

Expansion of outdoor premises and capacity on 9/28/2024.



Change of Premises

Fee: \$25.00

City of Madison Clerk

210 MLK Jr Blvd, Room 103
Madison, WI 53703

licensing@cityofmadison.com

608-266-4601

(Agenda Item Number)

(Legistar file number)

LICPCN-2024-00853

(License number)

6

(Alder District #)

(Police Sector)

Office Use Only

Class A: ☐ Beer, ☐ Liquor, ☐ Cider

Class B: ☐ Beer, ☒ Liquor,

☐ Class C Wine

Licensed Premises Information

This application modifies existing alcohol license number: LICLIB-2022-00520

Business dba Name: Prost!

Licensed Address: 401 E Washington Ave, Madison, WI 53703

Liquor/Beer Agent Name: David J Nae

51 % Alcohol, 48 % Food, 1 % Other

Alder, District #: 6 Police Sector: Central District

Corporate Information

Business Legal Name (as on WI State Sellers Permit): PX2 LLC

Business Mailing Address: 401 E Washington Ave Madison, WI 53703

Business Contact Name, Position: David Nae, General Manager

Business Phone: 561-350-7825

Business Email: David@letsprost.com

Current Capacity (indoor): 180

Current Capacity (outdoor): NA

Proposed Capacity (indoor): 180

Proposed Capacity (outdoor): 140

If your capacity is increasing, contact Building Inspection: (608) 266-4551, binspection@cityofmadison.com

Change is: ☐ Permanent

☒ Temporary (from 09/28/2024 until 09/28/2024)

Date

Date

Is this change related to a Roadway Café Expansion License/Roadway Permit: ☐ Yes or ☐ No

Description of Changes (include approximate measurements, and fencing, if necessary):

The plan is to extend the premise into the ^{eastern} ~~middle~~ lane of Hancock St. with tables & chairs with the west lane designated as the emergency lane. The plan is for 16 tables & 140 chairs to be placed outside to serve food & drink

☐ Detailed Floor Plans included (required)

Authorized Signature

Date

☐ Orange sign and business card issued

☐ "License Renewals & Changes" brochure with next steps issued

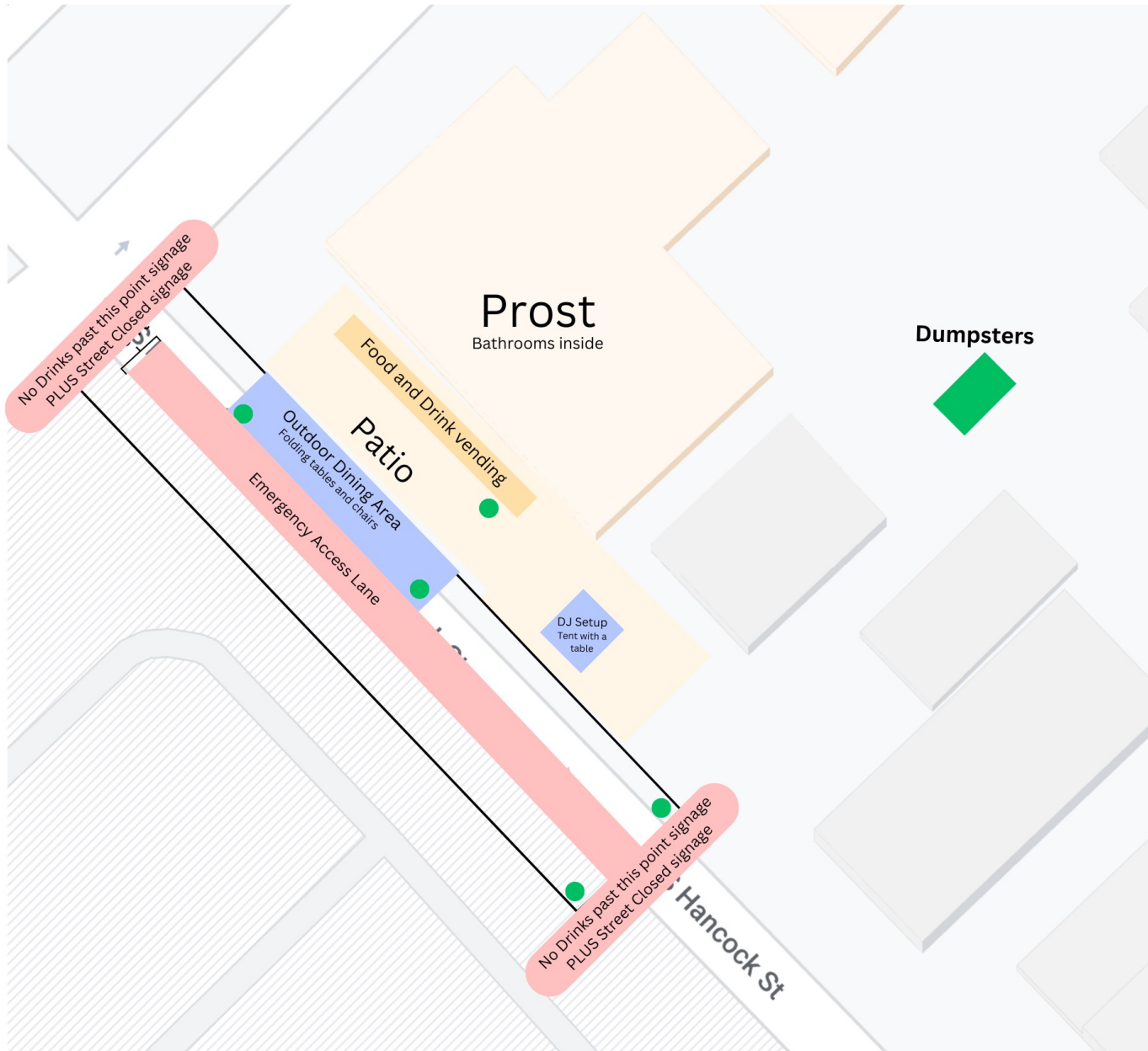
Office Use Only

Key:

Prost!
Property

Setup day
of

Trash
/recycling
Receptacles





City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84571

File ID: 84571

File Type: Ordinance

Status: Report of Officer

Version: 3

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 07/25/2024

File Name: Infiltration Requirements

Final Action:

Title: SECOND SUBSTITUTE: Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish soil infiltration design standards.

Notes: 6886InfiltrationRequirements

CC Agenda Date: 09/24/2024

Agenda Number: 13.

Sponsors: John P. Guequierre

Effective Date:

Attachments: 84571-Version 1, 84571-Version 2.pdf, 84517 Email Correspondence.pdf, Infiltration Requirements-Full Context.pdf

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/25/2024	Michael Haas	Approved as to Form	8/14/2024
1	2	7/29/2024	Robert Mulcahy	Approve	8/14/2024
2	1	8/21/2024	Michael Haas	Approved as to Form	9/10/2024
2	2	8/23/2024	Robert Mulcahy	Approve	9/10/2024
3	1	9/9/2024	Michael Haas	Approved as to Form	9/27/2024
3	2	9/9/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
3	3	9/9/2024	Ryan Pennington	Delegated	
Notes: Delegated: Out Of Office					
3	4	9/10/2024	Elizabeth York	Approve	9/13/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	07/25/2024	Referred for Introduction				

Action Text: This Ordinance was Referred for Introduction

Notes: Board of Public Works (8/28/24), Common Council (9/10/24)

1	COMMON COUNCIL	08/06/2024	Refer	BOARD OF PUBLIC WORKS	08/28/2024	Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

2	BOARD OF PUBLIC WORKS	08/28/2024	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIO NS - REPORT OF OFFICER			Pass
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Action Text: A motion was made by Ald. Guequierre, seconded by Kliems, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS to refer back to Board of Public Works on 9/11/24- REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: A motion was made by Ald. Guequierre, seconded by Kliems, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS to refer back to Board of Public Works on 9/11/24- REPORT OF OFFICER. The motion passed by voice vote/other.

2	COMMON COUNCIL	09/10/2024	Re-refer	BOARD OF PUBLIC WORKS	09/11/2024	Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.

2	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
---	--------------------------	------------	--	--	--	------

Action Text: Greg Fries, Engineering Division, presented details. A motion was made by Ald. Guequierre, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 84571

Fiscal Note

No appropriation required.

Title

SECOND SUBSTITUTE: Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish soil infiltration design standards.

Body

DRAFTER'S ANALYSIS: Under the City's existing ordinances, certain types of land development are required to get a stormwater management permit. As a condition of such permits, the applicant must submit a stormwater management plan documenting the system(s) and measures proposed to control stormwater runoff from the site. Consistent with State law, the City has established stormwater management performance standards, including requirements relating to infiltration of stormwater when 20,000 square feet or more of new impervious area is created. **These standards apply to all plats, Certified Survey Maps, development, and redevelopment projects which create a cumulative total of twenty thousand (20,000) square feet or more of new impervious area since October 1, 2004.** Infiltration refers to any precipitation that does not leave the site as runoff. Under this ordinance, technical standards for infiltration are being added to the City's standards applicable to all developments where infiltration is required, which change would require the infiltration design to utilize the best on-site soils for this purpose.

This substitute updates the infiltration standards to make them more clear and specific.

This second substitute makes further changes to these updated standards, including adding a delayed effective date of April 1, 2025.

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 1 entitled "All Developments" of Subdivision (e) entitled "Infiltration" of Subsection (3) entitled "Stormwater Management Performance Standards" of Section 37.09 entitled "Stormwater Management Plan Requirements" of the Madison General Ordinances is amended as follows:

"1. ~~All Developments. Developments within the City of Madison, regardless of development type, Development applications received by the Planning Division shall be required to infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least ninety percent (90%) of the pre-development infiltration volume, based on an average annual rainfall, regardless of area necessary for this requirement. Should the applicant prove to not be able to meet the infiltration requirement without dedicating more than two percent (2%) of the site area for this purpose, they may optionally choose to meet the secondary recharge standard. In accordance with Wisconsin DNR Post Construction Technical Standard 1002 (Site evaluation for stormwater infiltration), upon completion of site investigation (borings/pits) the infiltration system shall be designed to utilize the on-site soils having the highest design infiltration rate to meet their requirements for stormwater infiltration not be placed into amended or unamended loam (0.24 in/hr) or more restrictive soils if less restrictive unamended soils are available, without pumping, onsite. Furthermore, infiltration of chloride laden water shall not be allowed in soil with more than 5% P200 material readily available. Siting the location of the infiltration practices shall not interfere with other ordinances and pumping water shall not be required to meet this standard. Should the applicant prove to not be able to meet the infiltration requirement without dedicating more than two percent (2%) of the site area for this purpose, they may optionally choose to meet the secondary recharge standard.~~"

2. This ordinance will be effective on April 1, 2025.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84571

File ID: 84571

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: Attorney's Office

File Created Date : 07/25/2024

File Name: Infiltration Requirements

Final Action:

Title: Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish
soil infiltration design standards.

Notes: 6886InfiltrationRequirements

Sponsors: John P. Guequierre

Effective Date:

Attachments:

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	07/25/2024	Referred for Introduction				
Action Text: This Ordinance was Referred for Introduction							
Notes: Board of Public Works (8/28/24), Common Council (9/10/24)							

Text of Legislative File 84571

Fiscal Note

[Enter Fiscal Note Here]

Title

Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish soil infiltration design standards.

Body

DRAFTER'S ANALYSIS: Under the City's existing ordinances, certain types of land development are required to get a stormwater management permit. As a condition of such permits, the applicant must submit a stormwater management plan documenting the system(s) and measures proposed to control stormwater runoff from the site. Consistent with State law, the City has established stormwater management performance standards, including requirements relating to infiltration of stormwater when 20,000 square feet or more of new impervious area is created. Infiltration refers to any precipitation that does not leave the site as runoff. Under this ordinance, technical standards for infiltration are being added to the City's standards applicable to all developments where infiltration is required, which change would

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City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84571

File ID: 84571

File Type: Ordinance

Status: Items Referred

Version: 2

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 07/25/2024

File Name: Infiltration Requirements

Final Action:

Title: SUBSTITUTE: Amending Section 37.09(3)(e)1 of the Madison General Ordinances to establish soil infiltration design standards.

Notes: 6886InfiltrationRequirements

Sponsors: John P. Guequierre And Yannette Figueroa Cole

Effective Date:

Attachments: 84571-Version 1

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	07/25/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Board of Public Works (8/28/24), Common Council (9/10/24)						
1	COMMON COUNCIL	08/06/2024	Refer	BOARD OF PUBLIC WORKS			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.						

Text of Legislative File 84571

Fiscal Note

No appropriation required.

Title

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Body

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Johnson, Johanna

To: Johnson, Johanna
Subject: RE: Infiltration Ordinance - Request for Referral at BPW

From: Matt Brink
Sent: Tuesday, August 27, 2024 1:45 PM
To: Gaebler, Phil <PGaebler@cityofmadison.com>; Schmidt, Janet <jschmidt@cityofmadison.com>; Fries, Gregory <GFries@cityofmadison.com>
Cc: Dan Day
Subject: Infiltration Ordinance - Request for Referral at BPW
Importance: High

You don't often get email from mbrink@veridianhomes.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Janet, Phil, and Greg –

Thank you, Janet and Phil, for meeting with us on Monday to discuss the potential revisions to the infiltration ordinance and their implications for neighborhood development. Veridian Homes is requesting a referral of item 5 at the August 28, 2024 Board of Public Works meeting which seeks to amend section 37.09(3)(e)1 of the Madison General Ordinances and allow for further discussion on the potential unintended impacts of this revision on projects of various scales.

During our discussion, it became clear that this revision could have significant implications for neighborhood development, potentially affecting affordability and increasing long-term maintenance costs for the City. These factors could substantially impact Veridian's future projects.

We share the goal of creating better-designed neighborhoods that incorporate the infiltration practices at the heart of these revisions; however, we believe more time is needed to fully explore the ramifications of these changes. If the vote is delayed, we would appreciate the opportunity to have a follow-up meeting to clarify certain questions and ensure we can plan our neighborhood designs accordingly.

Thank you for your consideration.

Matt Brink

Director of Land Development

Office: 608-226-3144

Mobile: 608-225-8878

Leave a Review: [Google](#) | [Facebook](#)

[VeridianHomes.com](https://www.veridianhomes.com)



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Johnson, Johanna

From: Fries, Gregory
Sent: Wednesday, August 28, 2024 11:10 AM
To: BPW Agenda
Cc: Schmidt, Janet
Subject: FW: Smart Growth's Concerns re Legistar 84571-Version 1

Please add to the info for the BPW tonight - thanks

From: Bill Connors <bill@smartgrowthgreatermadison.org>
Sent: Wednesday, August 28, 2024 11:07 AM
To: Board of Public Works <boardofpublicworks@cityofmadison.com>
Cc: Guequierre, John <district19@cityofmadison.com>; Conklin, Nikki <district9@cityofmadison.com>; Aaron Williams <aaron.williams@wisc.edu>; kliems@gmail.com; Fries, Gregory <GFries@cityofmadison.com>; Schmidt, Janet <jschmidt@cityofmadison.com>
Subject: Smart Growth's Concerns re Legistar 84571-Version 1

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Members of the Board of Public Works:

I am writing to express the concerns of Smart Growth Greater Madison regarding the latest version of the proposed ordinance specifying the location of infiltration basins on development and redevelopment sites, Legistar 84571-Version 1, which is item 5 on the agenda for your meeting this afternoon.

Smart Growth's members include real estate developers, civil engineers, environmental consultants, architects, commercial lenders, general contractors--everyone involved in making real estate development happen in the Madison area. Smart Growth is an expert resource for municipal policy makers and staff who want to understand the practical implications of proposed ordinances and policies.

Smart Growth requests that the Board of Public Works pass a motion referring this proposed ordinance to its meeting next month to allow additional time for stakeholders to work with the alders sponsoring this ordinance and city staff to completely understand the impacts of the proposed ordinance and to determine if there is a way to make it not have profound negative impacts, especially on redevelopment projects. Smart Growth only saw the latest version of the proposed ordinance on Wednesday, August 21, and has been scrambling to gather the experts needed to evaluate it. Smart Growth appreciates that the latest version of the ordinance addresses some of the concerns raised by stakeholders, but it also raises more questions and concerns. There is no reason to rush this ordinance through the process. We respectfully request more time to work on improving the proposed ordinance.

When new Madison regulations increase the cost of housing development projects, one of two things happen. Either projects do not go forward because they are no longer financially feasible, meaning badly needed additional housing units are not constructed to address the Madison area's ongoing housing crisis, or projects go forward with even higher rents than the high rents we are already seeing in new development and redevelopment projects. One might focus exclusively on the additional cost of just this proposed additional regulation, but that would ignore the cumulative impact of the vast array of complex

regulations and additional costs Madison city government loads onto housing development projects. It is that cumulative impact that greatly contributes to the lack of supply of housing and high cost of housing in Madison.

The latest version of the proposed ordinance references the DNR Technical Standard 1002 for stormwater infiltration evaluation, but it is important to note that the DNR does not require infiltration for redevelopment projects, nor do most municipalities in the state. Technical Standard 1002 is primarily intended for new development or greenfield projects. This is a crucial distinction, since evaluating infiltration in an urban environment is both costly and challenging.

Madison only recently introduced the infiltration requirement for redevelopment (5% volume reduction of 10-year, 24-hour event) in June 2020. The most cost-effective way to meet this requirement is either by installing a traditional surface infiltration facility or by converting 20% of the existing site's impervious to pervious surface (although converting existing impervious area to pervious area usually sharply decreases revenue from the project, which adversely impacts financial feasibility).

Soil conditions in Madison are highly variable, often presenting challenges for infiltration. Unlike other parts of the state with more uniform and favorable soil conditions, Madison sites often have soils that are not conducive to infiltration. Additionally, many areas within the City have high groundwater levels or redox soil features, further limiting the use of traditional surface infiltration facilities. Meeting the current infiltration ordinance in Madison is already difficult for both new and redevelopment projects.

The latest version of this proposed ordinance will add complexity and increase costs in the development/redevelopment process. Here are some specific issues we foresee:

- Developers will need to spend more money during the due diligence phase to conduct multiple soil borings or test pits to determine whether surface infiltration is feasible and if it meets the ordinance. It is clear that this is the explicit intent of the proposed ordinance.
- Neither the latest version of the proposed ordinance nor the referenced DNR technical standard indicate how close together the points in the grid of test borings/pits must be. How will development teams find out in advance whether city engineering staff will agree that the grid is sufficient to comply with the new ordinance? Will the development team need to submit their grid to the city engineering team for approval before a contractor does the borings/pits?
- The latest version of the ordinance does not explicitly say what happens if the grid of borings/pits is completed and all of the soils found at the grid points are loam or more restrictive soils. In this situation, does the latest version of the ordinance permit the development team to place the infiltration basin where loam or more restrictive soils are located? If so, the ordinance should be changed to say that explicitly.
- For redevelopment projects that are predominantly existing hardscape, soil borings in existing parking lots will be necessary to determine soil infiltration rates. If the project moves forward with an infiltration facility such as a bioretention basin, the developer will be required to conduct an additional soil test pit in the same area as the boring as DSPS (which approves subsurface infiltration) will not accept soil borings.

- For redevelopment projects on sites containing large existing buildings, how can the grid of borings/pits include where the buildings are located?
- Developers make decisions about whether a site is financially and technically feasible for redevelopment before they demolish large existing buildings, based on a specific site layout for the redevelopment project. In fact, before they purchase a redevelopment site, developers almost always obtain zoning entitlement approvals based on a specific site layout. The developers recognize that further site investigation after they purchase the property might reveal issues that will require the site layout to be slightly adjusted, but once they purchase the site and demolish the existing building(s), it is too late from a financial perspective to essentially start over on the site layout based on the kinds of soils found by doing borings/pits. As a practical matter, for redevelopment projects, the latest version of the proposed ordinance will require a developer to assume that the required location of an infiltration basin might make the desired site layout not feasible and and therefore further assume that the 5% reduction in stormwater runoff required by the Madison's 2020 stormwater ordinance must be achieved by more costly green roof and/or greywater reuse systems. This will cause some developers to determine that some redevelopment sites are not financially viable for redevelopment before any borings/pits are done.
- State regulations prohibit locating an infiltration basin in contaminated soils. How would a development team comply with the latest version of the ordinance if the soils on the site that are better than loam for infiltration are contaminated and therefore cannot be used as the site of the infiltration basin? In that situation, would the latest version of the ordinance allow the development team to locate in the infiltration basin in uncontaminated loam or more restrictive soils?
- The ordinance now prohibits the infiltration of “chloride-laden water” (stormwater runoff from parking lots) into soil with more than 5% P200 material. Essentially, this refers to soil with an infiltration rate of 0.24 inches per hour or less. This new requirement will make it even more challenging to use infiltration facilities to meet the required 5% reduction in runoff in Madison's 2020 stormwater ordinance.

Overall, the most recent version of the proposed ordinance will likely add costs during the due diligence phase of a project and may restrict many sites from using infiltration facilities to comply with the stormwater ordinance. This, in turn, will necessitate the use of green roofs or greywater reuse systems, further increasing project costs. Higher project costs cause some projects not to go forward, restricting the supply of housing, and increased rents in the projects that do go forward.

Bill Connors
Executive Director
Smart Growth Greater Madison, Inc.
608-228-5995 (mobile)



www.smartgrowthgreatermadison.org

25 W Main St - 5th Floor, Suite 33
Madison, WI 53703

Infiltration Control Standards (File 84571)-Full Ordinance Context

37.09 - STORMWATER MANAGEMENT PLAN REQUIREMENTS.

(1) Stormwater Management Plan Required.

- (a) Every applicant for a stormwater management permit shall submit a plan documenting the system(s) and measures proposed to control stormwater runoff from the site. Included in this stormwater management plan shall be a completed standard stormwater management summary template. This template shall be available at: <https://www.cityofmadison.com/engineering/permits/stormwater-management-permit>. The stormwater management plan shall be completed and sealed by a Professional Engineer currently licensed in the State of Wisconsin.

(2) Plan Contents. Stormwater management plans shall satisfy all of the requirements in Sec. 37.09(3), and shall provide [minimum standards set forth in Subdivisions (a) – (m)].

(3) Stormwater Management Performance Standards. The proposed design, suggested location and phased implementation of effective, practicable stormwater management measures as set forth in the stormwater management plan shall be designed, engineered, and sealed by a Professional Engineer licensed in the State of Wisconsin, and implemented to achieve the following results:

[Subdivisions (a) – (d) covers sediment, oil and grease, and runoff rate control and outlet standards.]

- (e) Infiltration. All plats, Certified Survey Maps, development, and redevelopment projects which create a cumulative total of twenty thousand (20,000) square feet or more of new impervious area since October 1, 2004 are required to provide infiltration of stormwater as set forth below. Stormwater management reports submitted to the City of Madison for review shall meet the requirements of Wis. Admin. Code ch. NR 151.12(5)(c). The stormwater management reports shall comply with the sections entitled "Criteria" within the applicable Infiltration Technical Standards as provided by the Department of Natural Resources and maintained by the Standards Oversight Council. A link to the technical standards is provided as follows:
https://dnr.wi.gov/topic/stormwater/standards/postconst_standards.html. Stormwater infiltration shall comply with the following:

1. All Developments. Development applications received by the Planning Division ~~within the City of Madison, regardless of development type,~~ shall be required to infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least ninety percent (90%) of the pre-development infiltration volume, based on an average annual rainfall, regardless of area necessary for this requirement. In accordance with Wisconsin DNR Post Construction Technical Standard 1002 (Site evaluation for stormwater infiltration), upon completion of site investigation (borings/pits) the infiltration system shall not be placed into amended or unamended loam (0.24 in/hr) or more restrictive soils if less restrictive unamended soils are readily available. Siting the location of the infiltration practices shall not interfere with other ordinances and pumping water shall not be required to meet this standard. Should the applicant prove to not be able to meet the infiltration requirement without dedicating more than two percent (2%) of the site area for this purpose, they may optionally choose to meet the secondary recharge standard.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85092

File ID: 85092

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Declaring the City of Madison's intention to exercise its police powers establishing the N Franklin Avenue and Lynn Terrace Assessment District - 2025.

Final Action:

Title: Declaring the City of Madison's intention to exercise its police powers establishing the N Franklin Avenue and Lynn Terrace Assessment District - 2025. (District 5)

Notes: Grecia Izquierdo Torres

CC Agenda Date: 09/24/2024

Agenda Number: 14.

Sponsors: Regina M. Vidaver

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024						
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85092

Fiscal Note

No Funds Required.

Title

Declaring the City of Madison's intention to exercise its police powers establishing the N Franklin Avenue and Lynn Terrace Assessment District - 2025. (District 5)

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district known as the N Franklin Avenue and Lynn Terrace Assessment District - 2025, serving N Franklin Avenue from Regent Street to University Avenue, and Lynn Terrace from N Franklin Avenue to N Franklin Avenue Alley, all in accordance with Section 66.0701 (formerly Section 66.62) of the Wisconsin State Statutes and Section 4.09 of the Madison General Ordinances.
2. That the contemplated purposes of this assessment district are to remove and replace base course, pavement, sanitary sewer main and laterals, water main, replace storm sewer as needed, and spot replace curb and gutter, sidewalk, and driveway aprons.
3. That the benefited properties shall have the opportunity to pay the special assessments which may be levied as a result of this assessment district in eight (8) annual installments, subject to the current interest rate in effect at the time of establishment of the special assessment.
4. That the City Engineer is hereby directed to prepare a report consisting of preliminary or final plans and specifications; an estimate of the entire cost of the proposed work or improvements within the assessment district; a schedule of proposed assessments, constituting an exercise of police power of the City of Madison; and a statement that the property against which the assessments are proposed is benefited.
5. That upon completion of this aforesaid report, the City Engineer shall proceed in accordance with Section 4.09 of the Madison General Ordinances.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85093

File ID: 85093

File Type: Resolution

Status: Rejected

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Awarding Public Works Contract No. 8767, Door
Creek Park Shelter Connection project.

Final Action:

Title: Awarding Public Works Contract No. 8767, Door Creek Park Shelter Connection
project. (District 16)

Notes: Teletha Skar

CC Agenda Date: 09/24/2024

Agenda Number: 15.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 8767BidOpeningTab.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024		
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024						
1	BOARD OF PUBLIC WORKS	09/11/2024	Reject Bids				Pass
	Action Text: Mike Sturm, Parks Division, presented details. A motion was made by Clausius, seconded by Kliems, to Reject Bids. The motion passed by voice vote/other.						

Text of Legislative File 85093

Fiscal Note

Engineering issued a bid for Public Works Contract 3767. The cost estimate for the contract was \$501,823.60. Two bids were received. The recommendation from the Board of Public Works is to reject all bids and place on file.

Title

Awarding Public Works Contract No. 8767, Door Creek Park Shelter Connection project.
(District 16)

Body

BE IT RESOLVED, that the following low bids for miscellaneous improvements be accepted and that the Mayor and City Clerk be and are hereby authorized and directed to enter into a contract with the low bidder contained herein, subject to the Contractor's compliance with Section 39.02 of the Madison General Ordinances concerning compliance with the Affirmative Action provisions **and subject to the Contractor's compliance with Section 33.07 of the Madison General Ordinances regarding Best Value Contracting:**

BE IT FURTHER RESOLVED, that the funds be encumbered to cover the cost of the projects contained herein.

See attached document (Contract No. 8767) for itemization of bids.

DOOR CREEK PARK CONNECTION **NOT RECOMMENDED FOR AWARD**
CONTRACT NO. 8767
DATE: 8/29/24
PREQUALIFICATION: 235

CONTRACTORS	TOTAL BID	PREQUALIFICATION STATUS
Parisi Construction, LLC	\$444,052.70	OK
Engineering Estimate	\$501,823.60	
R. G. Huston Co., Inc.	\$551,000.00	OK
NOT RECOMMENDED FOR AWARD		



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85094

File ID: 85094

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Awarding Public Works Contract No. 9561, S.
Paterson Street Sanitary Sewer Replacement
Assessment District - 2024.

Final Action:

Title: Awarding Public Works Contract No. 9561, S. Paterson Street Sanitary Sewer
Replacement Assessment District - 2024. (District 6)

Notes: Kyle Frank

CC Agenda Date: 09/24/2024

Agenda Number: 16.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 9561.pdf, 9561 award.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024							
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.							

Text of Legislative File 85094

Fiscal Note

The proposed resolution authorizes awarding the contract for the S. Paterson Street Sanitary Sewer Replacement Assessment District - 2024 at a total estimated cost of \$718,622.36, including contingency. Funding for the project is available in Munis #15332. No additional appropriation is required.

Title

Awarding Public Works Contract No. 9561, S. Paterson Street Sanitary Sewer Replacement Assessment District - 2024. (District 6)

Body

BE IT RESOLVED, that the following low bids for miscellaneous improvements be accepted and that the Mayor and City Clerk be and are hereby authorized and directed to enter into a contract with the low bidder contained herein, subject to the Contractor's compliance with Section 39.02 of the Madison General Ordinances concerning compliance with the Affirmative Action provisions **and subject to the Contractor's compliance with Section 33.07 of the Madison General Ordinances regarding Best Value Contracting:**

BE IT FURTHER RESOLVED, that the funds be encumbered to cover the cost of the projects contained herein.

See attached document (Contract No. 9561) for itemization of bids.

S. PATERSON STREET SANITARY SEWER REPLACEMENT ASSESSMENT DISTRICT - 2024
CONTRACT NO. 9561
DATE: 8/29/24
PREQUALIFICATION: 275

CONTRACTORS	TOTAL BID	PREQUALIFICATION STATUS
Speedway Sand & Gravel, Inc.	\$665,391.07	OK
R. G. Huston Co., Inc.	\$846,000.00	OK
Engineering Estimate	\$1,040,197.50	
Parisi Construction, LLC	\$1,647,817.87	OK

S. Paterson Street Sanitary Sewer Replacement Assessment District - 2024
Speedway Sand & Gravel, Inc.

\$ 665,391.07

\$ 53,231.29

665,391.07

53,231.29

718,622.36

\$ 718,622.36



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85096

File ID: 85096

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Accepting street improvements (sidewalk)
constructed by Private Contract In 5535 University
Avenue, Private Contract No. 8112.

Final Action:

Title: Accepting street improvements (sidewalk) constructed by Private Contract In
5535 University Avenue, Private Contract No. 8112 (District 19).

Notes: Amy Kemp

CC Agenda Date: 09/24/2024

Agenda Number: 17.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 8112 Sidewalk Schedule A.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024						
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85096

Fiscal Note

No City Funds required. Private Contract.

Title

Accepting street improvements (sidewalk) constructed by Private Contract In 5535 University Avenue, Private Contract No. 8112 (District 19).

Body

WHEREAS, 5533 DEVELOPMENT PARTNERS LLC, has satisfactorily completed the installation of street improvements (sidewalk) by private contract, in accordance with the City of Madison Standard Specifications for Public Works Construction, in: 5535 University Avenue.

NOW, THEREFORE, BE IT RESOLVED

1. That said street improvements (sidewalk) be and are hereby accepted.
2. That the street improvements, **sidewalk**, on the following streets be and are hereby accepted:
 - Capital Avenue Sidewalk from N of Laurel Crest to University Avenue.
 - University Avenue Sidewalk from N of Camus Lane to Capital Avenue.

The attached Schedule "A" representing the actual cost of construction of these improvements, which shall increase the street infrastructure value for Project No. 13888 by \$ 2,800.00 for a useful life of 40 years.

**STREET PLANT VALUE
SIDEWALKS**

5535 University Avenue
13888

SIDEWALK

Description	Limits	Limits	Quantity	Unit	Unit Cost	Total Cost
Capital Avenue Sidewalk	N of Laurel Crest	University Avenue	86	SF	\$ 10.00	\$ 860.00
5' concrete sidewalk			Engineering @ 12%			\$ 103.20
MS LINK NO. 5395				Total Cost		\$ 963.20
University Avenue Sidewalk	N of Camus Lane	Capital Avenue	164	SF	\$ 10.00	\$ 1,640.00
5' concrete sidewalk			Engineering @ 12%			\$ 196.80
MS LINK NO. 5418				Total Cost		\$ 1,836.80
			Engineering @ 12%			
				Total Cost		
			Engineering @ 12%			
				Total Cost		
			Engineering @ 12%			
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			Engineering @ 12%			
				Total Cost		
			Engineering @ 12%			
				Total Cost		
GRAND TOTAL COST					\$	2,800.00

Prepared By: aek
Date: 9/3/2024



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85097

File ID: 85097

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Accepting storm water management improvements
constructed by Private Contract In 6510 Cottage
Grove Rd, Private Contract No. 8364.

Final Action:

Title: Accepting storm water management improvements constructed by Private
Contract In 6510 Cottage Grove Rd, Private Contract No. 8364 (District 16).

Notes: Amy Kemp

CC Agenda Date: 09/24/2024

Agenda Number: 18.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 8364 Pond Schedule A.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024							
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.							

Text of Legislative File 85097

Fiscal Note

No City Funds required. Private Contract.

Title

Accepting storm water management improvements constructed by Private Contract In 6510 Cottage Grove Rd, Private Contract No. 8364 (District 16).

Body

WHEREAS, CGRD, LLC, has satisfactorily completed the installation of storm water management improvements by private contract, in accordance with the City of Madison Standard Specifications for Public Works Construction, in: 6510 Cottage Grove Rd.

NOW, THEREFORE, BE IT RESOLVED

1. That said storm water management improvements be and are hereby accepted.
2. That said storm water management improvements are hereby assigned to the Madison Storm Water Utility for ownership and maintenance and that the attached Schedule "A" representing the actual cost of construction of these improvements shall be reflected in the Madison Storm Water Utility's "Utility Plant In Service".

Increase in Total Plant Value per Schedule "A"	<u>\$234,816.96.</u>
--	----------------------

STORM SEWER PLANT VALUE (Schedule 'A' / Detention Pond)

Rodefild Project - 6510 Cottage Grove Road
Kwik Trip Pond
12583

STRUCTURES

[illegible]

Prepared By: aek

Date: 9/3/2024

(Schedule 'A' / Storm Pipes)

12583

Description	Quantity	Unit	Unit Cost	Total Cost
12" ADS STORM SEWER PIPE	194.5	LF	\$ 43.00	\$ 8,363.50
Engineering @ 12%				\$ 1,003.62
Total Cost			\$ 48.16	\$ 9,367.12
21" RCP	538.5	LF	\$ 57.00	\$ 30,694.50
Engineering @ 12%				\$ 3,683.34
Total Cost			\$ 63.84	\$ 34,377.84
34" RCP				
Engineering @ 12%				
Total Cost				
Engineering @ 12%				
Total Cost				
Engineering @ 12%				
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Engineering @ 12%				
Total Cost				
Engineering @ 12%				
Total Cost				
GRAND TOTAL COST				\$ 43,744.96

aek

9/3/2024



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85099

File ID: 85099

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Accepting street and terrace improvements
constructed by Private Contract for 320 E. Wilson
Street, Private Contract No. 2395.

Final Action:

Title: Accepting street and terrace improvements constructed by Private Contract for
320 E. Wilson Street, Private Contract No. 2395 (District 6).

Notes: Amy Kemp

CC Agenda Date: 09/24/2024

Agenda Number: 19.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024						
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85099

Fiscal Note

No City Funds required. Private Contract.

Title

Accepting street and terrace improvements constructed by Private Contract for 320 E. Wilson Street, Private Contract No. 2395 (District 6).

Body

WHEREAS, Wilson Street, LLC, has satisfactorily completed the installation of street tree planting and concrete terrace improvements by private contract, in accordance with the City of Madison Standard Specifications for Public Works Construction, in: 320 E. Wilson Street.

NOW, THEREFORE, BE IT RESOLVED

That said terrace improvements adjacent to 320 E. Wilson Street are hereby accepted.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85100

File ID: 85100

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/04/2024

File Name: Approving plans and specifications for public improvements necessary for the project known as 4 S Blair Street - Porchlight and authorizing construction to be undertaken by the Developer, Private Contract No. 9560.

Final Action:

Title: Approving plans and specifications for public improvements necessary for the project known as 4 S Blair Street - Porchlight and authorizing construction to be undertaken by the Developer, Private Contract No. 9560 (District 6)

Notes: Brenda Stanley

CC Agenda Date: 09/24/2024

Agenda Number: 20.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 9560 Exhibit.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/04/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024							

1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.				

Text of Legislative File 85100

Fiscal Note

No City Funds required. Private Contract.

Title

Approving plans and specifications for public improvements necessary for the project known as 4 S Blair Street - Porchlight and authorizing construction to be undertaken by the Developer, Private Contract No. 9560 (District 6)

Body

WHEREAS, the developer, Four South Blair, LLC, has received the City of Madison's conditional approval to demolish a two-story commercial building and construction of an eight-story, mixed-use building containing approximately 3,800 square-feet of office space and 70 apartments at 521 E Washington Avenue, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the rezoning.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements that will be accepted by the City of Madison For 4 S Blair Street, with Four South Blair, LLC.
2. That the plans and specifications for the public improvements necessary to serve the development are hereby approved.
3. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer, except as follows: NONE
4. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
5. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.
6. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.

4 S Blair Street – Porchlight
Contract: 9560, Project: 15390
Entity: Four South Blair, LLC



The Developer, Four South Blair, LLC, has been conditionally approved for a one-lot certified survey map at 521 E Washington Avenue. The proposed project includes the demolition of a two-story commercial building and the construction of an eight-story, mixed-use building containing approximately 3,800 square-feet of office space and 70 apartments. The proposed building will be addressed as 4 S Blair Street.

Developer Agreement Work Includes:

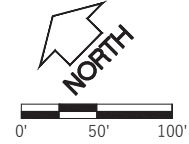
- One-lot Certified Survey Map (CSM)
- Private sanitary, storm, and water lateral connections
- Commercial driveway permit
- Provide an easement for and the construction of a 5-foot sidewalk, 8-foot terrace, and an additional 1-foot maintenance along S Blair Street adjacent to the project.
- Future tree plantings per City Forestry
- Maintain or replace the existing concrete boarding and amenity pad surface at the Metro bus stop adjacent to the project on E Washington Avenue

CERTIFIED SURVEY MAP NO. _____

THE NE 1/4 OF LOT 3, AND THE NW 106 FEET OF LOT FOUR, BLOCK 116, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AS DOCUMENT NUMBER 102, DANE COUNTY REGISTER OF DEEDS, EXCEPT THAT PART CONVEYED TO THE CITY OF MADISON IN WARRANTY DEED RECORDED AS DOCUMENT NUMBER 1852305, DANE COUNTY REGISTER OF DEEDS, LOCATED IN THE NE 1/4-SW 1/4 AND THE SE 1/4-SW 1/4 ALL IN FRACTIONAL SECTION 13, TOWNSHIP 07 NORTH, RANGE 09 EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN

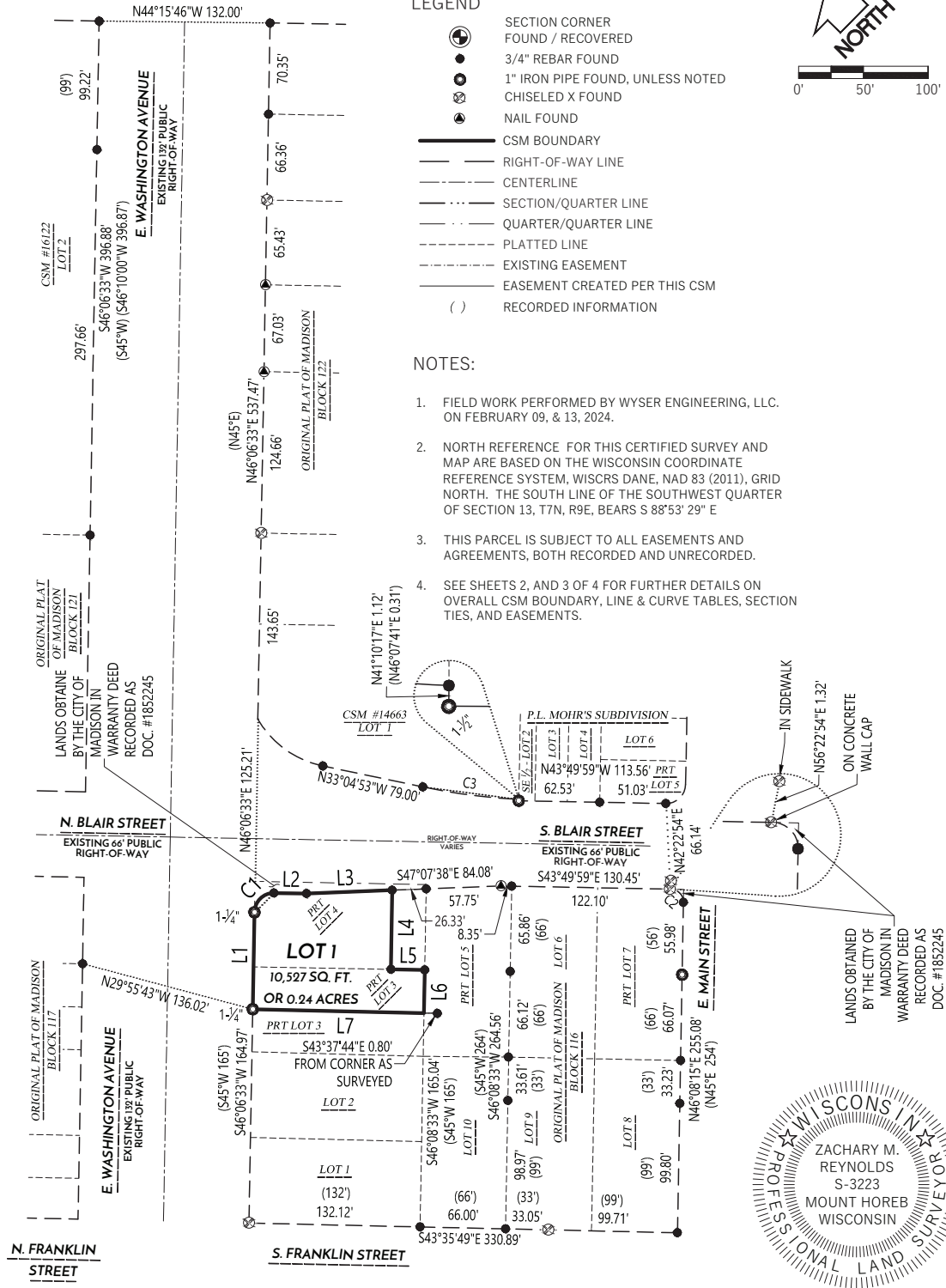
LEGEND

- SECTION CORNER FOUND / RECOVERED
- 3/4" REBAR FOUND
- 1" IRON PIPE FOUND, UNLESS NOTED CHISELED X FOUND
- NAIL FOUND
- CSM BOUNDARY
- RIGHT-OF-WAY LINE
- CENTERLINE
- SECTION/QUARTER LINE
- QUARTER/QUARTER LINE
- PLATTED LINE
- EXISTING EASEMENT
- EASEMENT CREATED PER THIS CSM
- RECORDED INFORMATION



NOTES:

1. FIELD WORK PERFORMED BY WYSER ENGINEERING, LLC. ON FEBRUARY 09, & 13, 2024.
2. NORTH REFERENCE FOR THIS CERTIFIED SURVEY AND MAP ARE BASED ON THE WISCONSIN COORDINATE REFERENCE SYSTEM, WISCRS DANE, NAD 83 (2011), GRID NORTH. THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 13, T7N, R9E, BEARS S 88°53' 29" E
3. THIS PARCEL IS SUBJECT TO ALL EASEMENTS AND AGREEMENTS, BOTH RECORDED AND UNRECORDED.
4. SEE SHEETS 2, AND 3 OF 4 FOR FURTHER DETAILS ON OVERALL CSM BOUNDARY, LINE & CURVE TABLES, SECTION TIES, AND EASEMENTS.



File: W:\2024\241199_John Lep - Blair & E. Wash, Madison\img\241199_CSM.dwg Layout: CSM 1 OF 4 User: Zach Plotted: May 10, 2024 - 5:01pm

	PREPARED BY: WYSER ENGINEERING 300 EAST FRONT STREET MOUNT HOREB, WI 53572 www.wyserengineering.com	PREPARED FOR: JOHN LEJA 5603 SURREY LANE WAUNAKEE, WI 53597	SURVEYED BY: MSM DRAWN BY: AMS CHECKED BY: ZMR APPROVED BY: ZMR	PROJECT NO: 24-1199 SHEET NO: 3 of 4	VOL. _____ PAGE _____ DOC. NO. _____ C.S.M. NO. _____

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City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85141

File ID: 85141

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 09/06/2024

File Name: Assessing Benefits Cedar & Beld, Cedar Ph.2.

Final Action:

Title: Assessing Benefits Cedar & Beld, Cedar Ph.2. (District 13)

Notes: Andy Zwieg

CC Agenda Date: 09/24/2024

Agenda Number: 21.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 13062_FinalCedarPh2_Assess.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/06/2024	Refer	BOARD OF PUBLIC WORKS	09/11/2024	09/11/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 9/11/2024						
1	BOARD OF PUBLIC WORKS	09/11/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Kliems, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85141

Fiscal Note

No appropriation required.

Title

Assessing Benefits Cedar & Beld, Cedar Ph.2. (District 13)

Body

WHEREAS, the construction of improvement(s) on Cedar & Beld, Cedar Ph.2 has been completed; and,

WHEREAS, it has been determined that the abutting property is to pay the amount per the attached schedule of assessments.

NOW, THEREFORE, BE IT RESOLVED, that the sums so charged to the abutting property be and are hereby assessed and levied upon said property payable by the owners of the lots or parcels of land benefited as determined by the Board of Public Works, and in accordance with its recommendations, the amount so charged to each of the lots or parcels of land so benefited being as follows, to wit:

Proj. ID: 13062

Project Name: Cedar Street Assessment District - 2022

Project Limits: Fish Hatchery Road to South Street

Street Lighting Assessment: The rate for street lighting is calculated based on the total construction costs divided by the net linear frontage.

1211 Fish Hatchery Road: Work included removing the driveways on Appleton Street and replacing on Cedar Street. The sidewalk and additional curb & gutter assessments petain to poor areas along Appleton Road that would have been replaced if Appleton Road was reconstructed. The City is not assessing the parcel for the full cost to construct Cedar Street. There is no lighting assessment along South Street because that was assessed with project #12956 in 2020. The lighting assessment is for the new portion of Cedar Street.

1219 South Street: Work included removing the existing driveway and curb ramp, then replacing the curb & gutter with full curb & gutter to accommodate the reconstruction of the SSM parking lot along South Street. There is no sidewalk or curb & gutter assessment because those items were in good shape and would have remained if Appleton Road was reconstructed. There is no South Street sidewalk or lighting assessment because that was assessed with project #12956 in 2020.

1347 Fish Hatchery Road: Work included removing the driveways on Appleton Street and replaceing on Cedar Street. The sidewalk and curb & gutter assessments petain to poor areas along Appleton Road that would have been replaced if Appleton Road was reconstructed. The City is not assessing the parcel for the full cost to construct Cedar Street. There is no lighting assessment along South Street because that was assessed with project #12956 in 2020. The lighting assessment is for the new portion of Cedar Street.

				Street Construction Items								Lighting Construction Items		Storm Sewer Items		TOTAL ASSMT
				Remove Concrete Driveway Apron Assessment @		Replace Concrete Driveway Apron Assessment @		Remove & Replace Concrete Sidewalk Assessment @		Remove & Replace Curb & Gutter Assessment @		Street Lighting Assessment @		Private Storm Sewer Connection Assessment @		
Parcel No. / Zoning No.	Owner's Name / Mailing Address	Situs Address / Parcel Location	Frontage LF	\$3.73	per SF	\$3.42	per SF	\$6.80	per SF	\$14.51	per LF	\$21.05	Each	\$3,749.11	Each	
				SF	Cost	SF	Cost	SF	Cost	LF	Cost	LF	Cost	Each	Cost	
0709-262-1119-8	WINGRA BUILDING GROUP 1808 W BELTLINE HWY MADISON WI	1211 Fish Hatchery Rd Cedar Street South Street Midland Street	735.25 268.06 877.48 334.37	469.20	\$1,750.12	201.60	\$689.47	50.00	\$340.00	150.00	\$2,176.50	268.06	\$5,643.35	0.00	\$0.00	\$10,599.44
0709-262-1006-7	WINGRA BUILDING GROUP 1808 W BELTLINE HWY MADISON WI	1219 South St Cedar Street High Street	670.28 357.92 437.92	230.10	\$858.27	0.00	\$0.00	0.00	\$0.00	45.00	\$652.95	0.00	\$0.00	0.00	\$0.00	\$1,511.22
0709-263-0307-8 TR-V1	OUR LADY OF HELP CORP ST MARY'S CARE CENTER 700 S PARK ST MADISON WI	1347 Fish Hatchery Rd South Street Cedar Street	273.00 545.91 271.35	185.30	\$691.17	354.50	\$1,212.39	200.00	\$1,360.00	100.00	\$1,451.00	271.35	\$5,712.62	1.00	\$3,749.11	\$14,176.28
TOTALS				4,771.54		884.60	\$3,299.56	556.10	\$1,901.86	250.00	\$1,700.00	295.00	\$4,280.45	539.41	\$11,355.97	\$26,286.95



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 81491

File ID: 81491

File Type: License

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Clerk's Office

File Created Date : 01/05/2024

File Name:

Final Action:

Title: Report of Operator License Applications September 24, 2024. See attached report for list of operators.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 22.

Sponsors:

Effective Date:

Attachments: new operators

Enactment Number:

Author:

Hearing Date:

Entered by: echristianson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Clerk's Office	04/10/2024	RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER				
Action Text: This License was RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER							

Text of Legislative File 81491

Title

Report of Operator License Applications September 24, 2024. See attached report for list of operators.

Holder Name

License

Police Review - Submit to Council

Baumann, Caleb	LICOPR-2024-00801
ELMORE, GARY	LICOPR-2024-00823
Fordyce, Simon J	LICOPR-2024-00813
Freed, Tristan	LICOPR-2024-00838
green, sarah	LICOPR-2024-00782
hess, shaqwona c	LICOPR-2024-00819
KIEWAT, JENNIFER A	LICOPR-2024-00832
Lawrence, Nicole	LICOPR-2024-00800
Lechmaier, Emilia	LICOPR-2024-00808
MARKERT, ZAKARY W	LICOPR-2024-00829
MAY, ZENAIDA	LICOPR-2024-00833
Parker-Robinson, Melvinnia	LICOPR-2024-00751
Perez Osorio, Maria	LICOPR-2024-00802
Scannell, Erika	LICOPR-2024-00830



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84390

File ID: 84390

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL
EXECUTIVE
COMMITTEE

File Created Date : 07/11/2024

File Name: Accepting the 2024 Agency Annual Surveillance
Technology Reports for the 2023 Calendar Year

Final Action:

Title: Accepting the 2024 Agency Annual Surveillance Technology Reports for the 2023
Calendar Year

Notes:

CC Agenda Date: 08/06/2024

Agenda Number: 23.

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments: Annual Surveillance Technology Reports 2024 -
Combined.pdf

Enactment Number:

Author: Isaac Matthias, Legislative Analyst

Hearing Date:

Entered by: imatthias@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/11/2024	Elizabeth York	Approve	7/31/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	07/11/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Common Council Executive Committee (9/10/24), Common Council (9/24/24)						
1	COMMON COUNCIL	08/06/2024	Refer	COMMON COUNCIL EXECUTIVE COMMITTEE			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.						

Text of Legislative File 84390

Fiscal Note

The proposed resolution accepts the annual surveillance technology reports prepared by city agencies. These reports are prepared pursuant to MGO 23.63(5). Accepting the reports does not have a fiscal impact. No appropriation is required.

Title

Accepting the 2024 Agency Annual Surveillance Technology Reports for the 2023 Calendar Year

Body

WHEREAS, the City of Madison has an interest in ensuring that all official surveillance activities carefully safeguard privacy and confidentiality for residents and visitors, while ensuring safety and security for the public; and,

WHEREAS, the City of Madison has an interest in a city-wide surveillance and data management policy that is consistent for all City agencies and covers all types of surveillance equipment usage and data management; and,

WHEREAS, the City of Madison created the President's Work Group to Develop City-wide Surveillance Equipment and Data Management Policies through Resolution, Legislative File No. 49217, adopted by the Common Council on December 5, 2017, to develop a policy governing the purchase and use of all surveillance equipment employed by all City agencies; and,

WHEREAS, the Work Group worked closely with City departments, in particular Information Technology, Madison Police Department and the City Attorney's office, to develop a proposed ordinance governing the citywide purchase and use of surveillance technology that will be introduced separately; and,

WHEREAS, Common Council approved MGO 23.63, governing the acquisition and use of surveillance technology, on June 16, 2020; and,

WHEREAS, MGO 23.63 requires all City agencies to submit an Annual Surveillance Technology Report each year;

NOW, THEREFORE, BE IT RESOLVED that the Common Council accepts the 2024 annual agency surveillance technology reports for the 2023 calendar year.



City of Madison, Wisconsin

Building Inspection

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes from previous year. No surveillance technology used.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
None			

Usage of Surveillance Technology

Surveillance Data Usage

n/a

Sharing Data with Other Entities

n/a

Safeguarding Individual Information

n/a

Complaints or Concerns

n/a

Appendix A: Supporting Policies

n/a



**City of Madison, Wisconsin
Community Development Authority (CDA) – Housing
Operations**

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes have been made to CDA Housing Operations surveillance technology during the past calendar year.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Facility cameras	Two exterior cameras, 22 interior cameras covering eight floors of residential building	Parkside – 245 S. Park St.	Cameras

Usage of Surveillance Technology

Surveillance Data Usage

Data is used/reviewed to follow up on resident concerns, complaints and potential crimes that occur within the building.

Sharing Data with Other Entities

Data is not shared with other entities. However, MPD has access to the data through their department.

Safeguarding Individual Information

The CDA is federally funded and subject to the requirements of federal statutes that limit the disclosure of information about public housing and multifamily housing residents and recipients of the Housing Choice Voucher Program. Any data collected from surveillance technology is protected the same as all CDA records and files.

Complaints or Concerns

The department has not received and complaints or concerns about it's surveillance technology.

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

City Assessor

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes from previous year. No surveillance technology used.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
None			

Usage of Surveillance Technology

Surveillance Data Usage

Not applicable.

Sharing Data with Other Entities

Not applicable.

Safeguarding Individual Information

Not applicable.

Complaints or Concerns

Not applicable.

Appendix A: Supporting Policies

Not applicable.



City of Madison, Wisconsin

Office of City Attorney

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Office of City Attorney does not use any surveillance technology.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
N/A	N/A	N/A	N/A

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

Department of Civil Rights

Annual Surveillance Technology Report

2024

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Introduction

Summary

DCR does not have any surveillance technology installed in our office space. DCR is located on the 5th floor of the City County Building in room 523. There are two points of entry and exit. The main entrance where our reception is located is the primary point of entry/exit used by members of the public, and City staff. The second point of entry/exit, located at the back of the office is staff use only.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
N/A	N/A	N/A	N/A

Usage of Surveillance Technology

Surveillance Data Usage

Not Applicable

Sharing Data with Other Entities

Not Applicable

Safeguarding Individual Information

Not Applicable

Complaints or Concerns

Not Applicable

Appendix A: Supporting Policies

Not Applicable



City of Madison, Wisconsin

City Clerk's Office

Annual Surveillance Technology Report

2024

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Introduction to the Surveillance Technology Report Template

Pursuant to MGO 23.63(5), each City department must conduct an annual review of its use of Surveillance Technology and submit a report to the Common Council via resolution. This template is intended to assist departments with completing the annual report requirement.

This Surveillance Technology Report template contains brief instructions and examples for completing the annual report.

Template style conventions are as follows:

Style	Convention
Normal text	Indicates placeholder text that can be used for any report.
[Instructional text in brackets]	[Indicates text that is to be replaced/edited/deleted by the user]
<i>Example text in italics</i>	<i>Indicates text that might be replaced/edited/deleted by the user</i>

As you complete the template, please remember to delete all instructional text **(including this section)** and update the following items, as applicable:

- Title page
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Introduction

Summary

Clerk's Office has no surveillance.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
[Insert common name for the item]	[Insert description of the item including its purpose]	[Insert building location or "mobile" if applicable]	[Insert surveillance technology type]

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

Common Council

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes to surveillance technology have been made by the Common Council over the 2023 calendar year. The Council does not utilize surveillance technology.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
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 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance*:

Reviewed Item	Description	Location	Type
N/A	N/A	N/A	N/A

*The Common Council does not utilize surveillance technology.

Usage of Surveillance Technology

Surveillance Data Usage*

N/A

Sharing Data with Other Entities*

N/A

Safeguarding Individual Information*

N/A

Complaints or Concerns*

N/A

*The Common Council does not utilize surveillance technology.

Appendix A: Supporting Policies

The Common Council does not utilize surveillance technology, and, therefore, has no additional supporting policies.



City of Madison, Wisconsin
DPCED/CDD/Madison Senior Center
Annual Surveillance Technology Report
2024

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Complaints or Concerns	Error! Bookmark not defined.
Appendix A: Supporting Policies	Error! Bookmark not defined.

Introduction

Summary

No changes to technology have been made since 2013. Since 2013, the Madison Senior Center located at 330 West Mifflin Street has had 13 video cameras installed on the interior and exterior of the facility for security purposes. There are cameras installed at all main entrances/exits. Facial recognition is expected from these vantage points. Other cameras point to general communal areas and exterior courtyard and drive areas in order to oversee general behaviors. Camera video is accessed through the City network using exacqVision software.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
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 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Axis M3204 (8 total)	Indoor 1 MP Color Camera, no audio	<ul style="list-style-type: none"> •Main Entrance/Exit •Vestibule Entrance/Exit •Dining Area •Lounge Area •Front Desk Area •2nd FI Elevator Entrance •2nd FI Front Hallway •2nd FI Back Hallway 	Camera
Axis P3364-VE (5 total)	Outdoor Color Camera, no audio	<ul style="list-style-type: none"> •Exterior Driveway •Exterior Main Entrance •Mid Courtyard •(2) Exterior Courtyard/ Entrance/Exit Areas 	Camera
Tyco exacqVision	Video surveillance software installed by City IT	City Network	Software

Usage of Surveillance Technology

Surveillance Data Usage

Video surveillance is for the purpose of security at the Madison Senior Center. In 2022, security entailed: 1) Live surveying by the Senior Center & Senior Services Manager and/or Office Manager during business hours to ensure safety of attendees; and 2) Replaying footage for the purpose of researching complaints of thievery, misconduct or behavioral problems, or property damage. Video data is automatically retained on the City network for approximately 2 weeks. Cameras can be remotely accessed through the City network using exacqVision software.

Sharing Data with Other Entities

Surveillance footage of one incident from May 2022 was shared with the City of Madison Risk Manager as it pertained to property damage.

Safeguarding Individual Information

To ensure privacy, only two administrative staff have access to Madison Senior Center's video surveillance system – the Community Resources Manager and the Facility Operations Supervisor. In the event footage needs to be exported and saved, the footage will be stored either 1) on an external drive and locked in the MSC safe which the two formally named staff only have access, or 2) on the City network's U drive where only the staff person who saved it has access. It will be saved for the appropriate time limit until it can be purged.

Public awareness notices are printing in the monthly newsletter and on signs located at the front desk. They state: *Public spaces (interior and exterior) at the Madison Senior Center are monitored by staff on video security cameras; participants and visitors may be recorded.*

Complaints or Concerns

No complaints or concerns in 2023.

Appendix A: Supporting Policies

Video Camera Surveillance Policy for Madison Senior Center:



Madison Senior Center

Video Camera Surveillance Plan Madison Senior Center Policy 1-16

Objectives and the scope of video surveillance

The Madison Senior Center has video cameras installed on the exterior and interior of the facility for security purposes. Security entails: 1) live surveying by the Facility Operations Supervisor and Facility Operations Associate during business hours to ensure safety of participants and guests. 2) replaying footage for the purpose of researching complaints of thievery; misconduct or behavioral problems; property damage.

Level of detail and recording area

There are cameras installed at all main entrances/exits. Facial recognition is expected from these points. Other cameras are pointing to general communal areas and exterior courtyard and drive areas in order to oversee general behaviors. Cameras do not have audio. Software used to view video is Tyco Security Products' "exacqVision" installed by City IT.

Provided notification(s) to participants

There are public notices at two locations at the front desk where participants sign-in. These notices state the following: **"Public spaces (interior and exterior) at the Madison Senior Center are monitored by staff on video security cameras; participants and visitors may be recorded."** This same statement is also found in the Senior Center's monthly newsletter – The Messenger.

Location of cameras

All 13 cameras are located on Madison Senior Center property. Locations are:

Exterior (5 cameras):

1) Courtyard leading to grocery store and facility exit, 2) Mid-courtyard, 3) Courtyard leading to apartments and rear facility entrance/exit, 4) Main entrance/exit, 5) Driveway

Interior Main Floor (5 cameras):

6) Lounge, 7) Dining, 8) Front desk, 9) Main entrance/exit, 10) Rear vestibule entrance/exit

Interior 2nd Floor: (3 cameras):

11) Hall leading to Craft Room, 12) Front corridor and elevator entrance/exit, 13) Back corridor

Permanently or temporary placement?

Permanent placement

Persons in agency allowed view access

The Community Resources Manager and Facility Operations Supervisor are allowed viewing access. Records may also be shared with authorized individuals directly involved in investigating an incident.

Plan on training regarding the use, retention and storage

No official training on software usage. Online guide will be used if necessary. City IT retains and stores video for 14 days. If footage needs to be exported off the server and saved, it will be stored on an external drive in a locked safe, or on the City Network's U drive where it cannot be accessed by other staff, until it can be purged.

Those allowed to export any needed footage.

Community Resources Manager and Facility Operations Supervisor



City of Madison, Wisconsin
Employee Assistance Program
Annual Surveillance Technology Report
2024

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Introduction

Summary

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
<i>Main Entrance Camera</i>	<i>A fixed-dome camera is located near the main entrance into the lobby of our facility. It captures visitors and staff that enter the main entrance doors.</i>	<i>City-County Building</i>	<i>Fixed-dome camera</i>

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin
Economic Development Division
Annual Surveillance Technology Report
2024

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Introduction to the Surveillance Technology Report Template

Pursuant to MGO 23.63(5), each City department must conduct an annual review of its use of Surveillance Technology and submit a report to the Common Council via resolution. This template is intended to assist departments with completing the annual report requirement.

This Surveillance Technology Report template contains brief instructions and examples for completing the annual report.

Template style conventions are as follows:

Style	Convention
Normal text	Indicates placeholder text that can be used for any report.
[Instructional text in brackets]	[Indicates text that is to be replaced/edited/deleted by the user]
<i>Example text in italics</i>	<i>Indicates text that might be replaced/edited/deleted by the user</i>

As you complete the template, please remember to delete all instructional text **(including this section)** and update the following items, as applicable:

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- Footers

Introduction

Summary

No changes; we do not use surveillance technology.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
[Insert common name for the item]	[Insert description of the item including its purpose]	[Insert building location or “mobile” if applicable]	[Insert surveillance technology type]

Usage of Surveillance Technology

Surveillance Data Usage

N/A; we do not use Surveillance Technology.

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

Engineering Division

Annual Surveillance Technology Report

2024

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Introduction

Summary

In 2023, no changes were made to surveillance technology policies or inventory used by Engineering. No complaints were received.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
2 Building Cameras	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – Rear Entrance Driveways	PTZ camera
1 Building Camera	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – Building Inspection Counter	PTZ camera
4 Building Cameras	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – First Floor Entrance Lobbies	PTZ camera
2 Building Cameras	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – CDA Housing Interview Room Hallway	PTZ camera
1 Building Camera	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – CDA Housing Department Lobby	PTZ camera
2 Building Camera	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – Second Floor Stairwells	PTZ camera
1 Building Camera	A PTZ camera is installed to record motion events in the area of the building indicated.	Madison Municipal Building – Second Floor Meeting Room Hallway	PTZ camera

Usage of Surveillance Technology

Surveillance Data Usage

In 2023, City Engineering used the data collected by these IPC cameras for the following legitimate safety and security purposes:

- Ensuring normal and secure operation of the facility for public events and meetings.
- Ensuring proper use of parking spaces and clear access of two building driveways.

Sharing Data with Other Entities

No MMB camera data was shared with other entities in 2023.

Safeguarding Individual Information

Access to cameras is restricted to the Deputy City Engineer - Facilities and the Facilities Services Coordinator. No other Engineering Division staff has been granted access.

The Engineering Division does not store camera data locally in Engineering except in rare situations when a specific event in the building is under investigation. Any such data is deleted after the conclusion of each investigation. In order to store video clips from these cameras, Engineering must request assistance from City IT, who can download as requested and send to Engineering Facilities.

All other surveillance data from these cameras is stored and accessed through ExacqVision and managed by City IT. Data from these cameras is automatically overwritten after 14 days.

Complaints or Concerns

The Engineering Division has not received any complaints or concerns about its Surveillance Technology use.

Appendix A: Supporting Policies

Madison Municipal Building

Camera Surveillance Technology Departmental Policy

Revised July 10, 2023

Jim Wolfe, P.E., City Engineer

Location

Madison Municipal Building, 215 Martin Luther King Jr Blvd, Madison WI

Responsible Agency

The City of Madison Engineering Division, a division of the Department of Public Works.

Purpose

The purpose of this policy is to set forth guidelines for monitoring and using Internet Protocol Cameras (IPC) at the Madison Municipal Building (MMB) and to ensure compliance with Administrative Procedure Memorandum (APM) No. 3-17. IPC monitoring is used to enhance the security and safety of our employees and visitors, as well as to detect and deter criminal activity in and around the facility.

Camera Locations and Signage

The exhibit titled Security Camera Plan shows the locations of all IPC cameras in the building.

Signs informing employees, elected officials, and visitors using the building of the presence of video recording shall be placed at all entrances and shall read "Notice, Video Surveillance in Use on These Premises".

Policy Overview

Only two staff in Engineering currently have access to these cameras; the Deputy City Engineer - Facilities and the Facilities Services Coordinator. Recordings will only be viewed on a need-to-know basis and in such a manner as to avoid public viewing.

This system will record video only. Audio shall not be recorded.

This policy does not cover the cameras used by the City IT Media Team to record meetings in certain meeting rooms within the building. The rooms where the City IT Media Team recording can take place are shown on the exhibit entitled Security Camera Plan.

Monitoring of individuals based on characteristics such as race, gender, ethnicity, sexual orientation, disability, or other protected classifications is prohibited.

Policy Elements

Circumstances which necessitate the use of Surveillance Technology.

Legitimate purposes for IPC monitoring in the MMB are:

- Ensuring the safety of individuals, property, and the facility;
- Monitoring of any activity or behavior that seems out of the ordinary;
- Investigation of possible criminal activity;
- The IPC system will not be routinely monitored for purposes of assessing work performance or job competency. However, the Engineering Division, and the City agencies housed within the Building, expressly reserves the right to use all video evidence in conducting any personnel investigation and in imposing appropriate discipline; and/or
- To ensure the proper operation of doors that are controlled remotely and to verify the appropriate and secure use of the building and its public meeting spaces.

Training protocols.

All Engineering staff that currently have access to these IPC cameras have been trained on the use of the ExacqVision software and have been involved in the creation of this departmental policy and the annual report for this policy.

There is currently no plan to provide access to these cameras to additional staff. If such a need were to arise, these staff would be trained on the use of the cameras and would carefully review this policy and the most recent annual department report on the use of surveillance technology by and with the Facilities Services Coordinator.

Position(s) responsible for the account management and administration of the Surveillance Technology.

The Facilities Services Coordinator is responsible for account management and administration of the Surveillance Technology.

Position(s) responsible for receiving complaints regarding the Department's use of Surveillance Technology.

The Deputy City Engineer - Facilities is responsible for receiving and reviewing complaints regarding the Department's use of Surveillance Technology.

Process for determining roles and access to Surveillance Technology.

A guiding principle of this process will be to restrict access to these cameras as narrowly as possible while still maintaining safe and successful day-to-day operations as laid out above.

Currently only two Engineering staff have access to these cameras. If any additional staff access is determined to be necessary, it will be restricted to those staff in the Engineering Facilities groups. The Deputy City Engineer - Facilities will review the request and the need and make a determination.

Process to ensure access to Surveillance Technology is revoked when employee no longer has job-related need to said access.

By restricting access to this technology up front, Engineering intends to minimize this issue as much as possible.

The Department will verify each time any employee changes positions or ends City employment that no changes are needed to their Surveillance Technology access. Engineering will also review the job-related need for Surveillance Technology access as part of the annual report required by APM 3-17 each year.

Position(s) responsible for training staff and reviewing staff access and use of the Surveillance Technology

- Facilities Services Coordinator is responsible for training staff.
- Deputy City Engineer - Facilities is responsible for reviewing staff access and use.

Madison Police Department Access.

The Engineering Division will provide the Madison Police Department with immediate access to all data recordings that may constitute evidence of a crime, unless otherwise prohibited by law.

In the event the Department becomes aware that evidence of a crime may be recorded on these IPC cameras, the following procedure will be followed:

- Notify the Engineering Facilities Services Coordinator, Deputy City Engineer - Facilities, and City Engineer.
- Staff will contact the Madison Police Department Forensic Services Unit directly to ensure the proper segments of video are preserved for this use. Engineering staff do not have the ability to save video themselves.

Retention Period.

City IT automatically overwrites video stored on the ExacqVision system after 14 days.

If downloaded video is saved by MPD in an investigation of the possible commission of a crime, they are responsible for all records retention compliance.

If video is saved for another valid investigatory or open-records purpose, Engineering will follow the procedure laid out below.

Privacy.

All camera locations in the MMB were carefully considered during the design process with to ensure that they cannot be used to monitor the interior of any dwelling where a reasonable expectation of privacy exists. No private dwellings are visible from these cameras. No restrooms, locker rooms, or private offices are visible from these cameras. The cameras are all in common areas of the building, and focused primarily on building entrances and main building corridors.

These cameras do not have audio recording capability.

Procedures for ensuring that records are not destroyed during the pendency of any public records request, investigation or civil or criminal litigation.

Engineering does not have the permissions to save video files from these cameras.

In order to store video clips from these cameras, Engineering must request assistance from City IT, who can download as requested and send to Engineering Facilities.

During the investigation of a possible commission of a crime, Engineering staff will follow the procedure outlined above and have the Madison Police Department Forensic Services Unit make and maintain the necessary records for those investigations. Madison Police Department has relevant permissions to download and save video clips without Engineering's involvement.

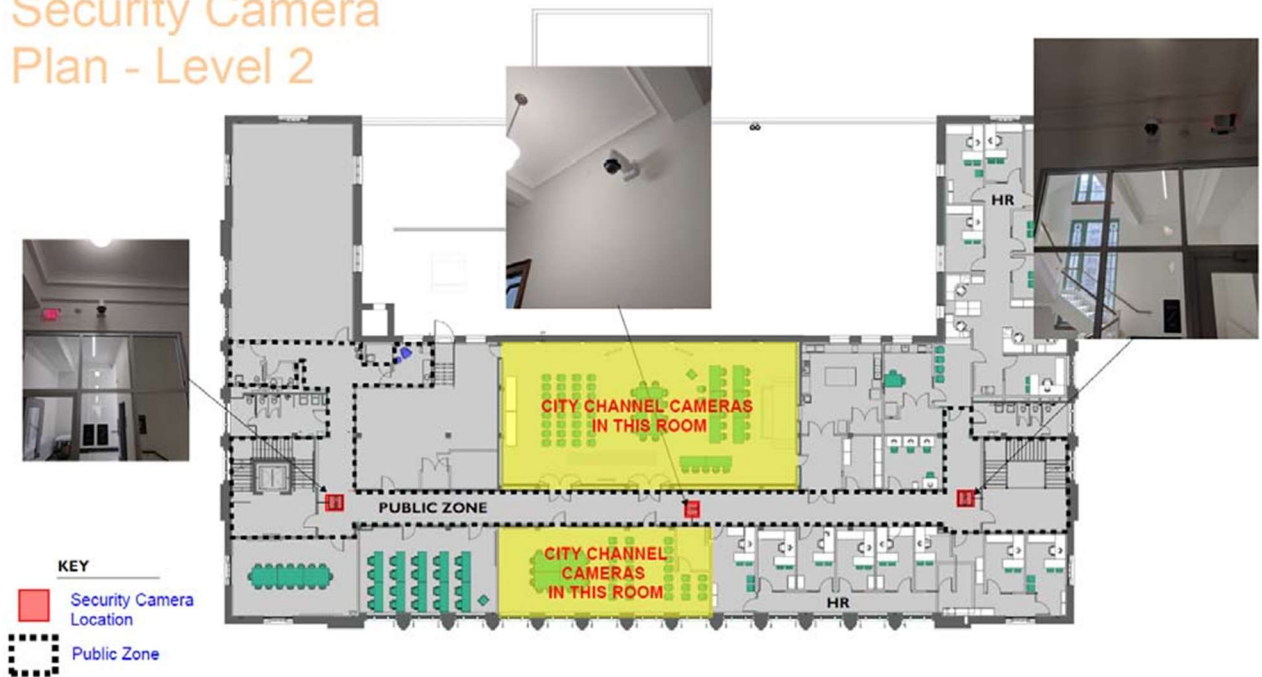
In the case of a valid request for these files that does not involve the Madison Police Department, all requests to save files will be first approved by either the Deputy City Engineer - Facilities or the City Engineer. Engineering will then work with City IT to save and obtain the appropriate files. Staff will notify the City Engineer (one of our Records Custodians) that we are now in possession of these files, and work with them to ensure compliance with APM 3-6.

Security Camera Plan - Level 0

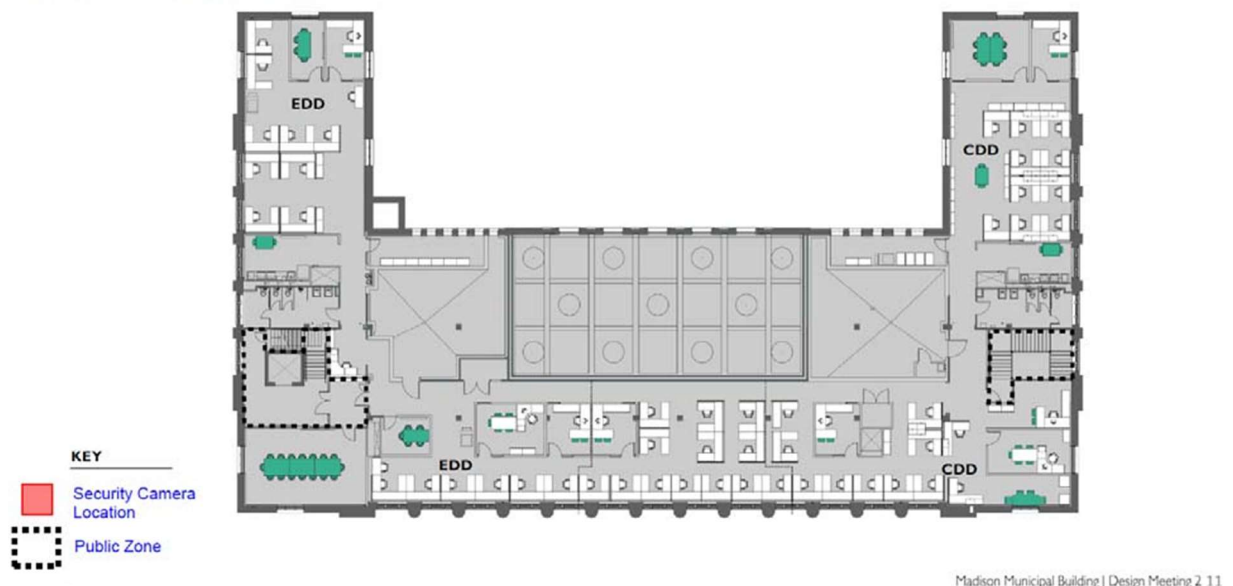




Security Camera Plan - Level 2



Security Camera Plan - Level 3





**City of Madison, Wisconsin
Finance Department**

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Finance Department occupies suites 406, 414 and 107 in the City County Building. The Department has not made any changes to its surveillance technology over the last year. The last change was the addition of access equipment for suite 414 in 2019. This change removed a hallway camera and installed a new access system with camera (non-recording) installed.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Suite 406 camera	Camera to allow staff to see who is entering office	Outside suite 406	Camera
Suite 414 camera	Camera to allow staff to see who is entering office	Outside suite 414	Camera
Suite 107 cameras	11 cameras to view suite entrances and lobby, office and vault areas. This office was not occupied in 2023 due to construction/remodeling.	Inside suite 107	Camera

Usage of Surveillance Technology

Surveillance Data Usage

The cameras outside of suites 406 and 414 are used as part of the Finance Department's security access. When a customer arrives at either location, they push a button to gain access and staff is able to see and communicate with the customer prior to allowing access.

Cameras in suite 107 are used to monitor individuals entering/exiting the suite. In addition, cameras can be used to monitor staff activities in the office and vault areas.

Sharing Data with Other Entities

The Finance Department has given the Madison Police Department access to the cameras in suites 406 and 107. The camera for suite 414 does not record and only sends video to the phone of the person that is being requested to provide access.

Safeguarding Individual Information

Access to the camera system is limited to individuals who may need to monitor or access recordings. Internal or public request for recordings will be reviewed by Finance Management prior to release.

Complaints or Concerns

The Finance Department is not aware of any complaints or concerns about its Surveillance Technology.

Appendix A: Supporting Policies

The Finance Department has signs posted outside suites 406 and 414 informing individuals that the areas are under video surveillance and there is a sign posted inside of suite 107 informing individuals that area is under video surveillance.



City of Madison, Wisconsin

Fleet Division

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes have been made to the Fleet Division surveillance technology during the past calendar year.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Nakoosa Main 1	Exterior camera monitoring the patio area at the main entrance of the Nakoosa Trail Fleet Facility	Nakoosa Trail	Camera
Nakoosa Main 2	Exterior camera monitoring the main entrance of the Nakoosa Trail Fleet Facility	Nakoosa Trail	Camera
Nakoosa Main 3	Exterior camera monitoring the patio area at the main entrance of the Nakoosa Trail Fleet Facility	Nakoosa Trail	Camera
Nakoosa Main 4	Exterior camera monitoring the patio area and front drive at the main entrance of the Nakoosa Trail Fleet Facility	Nakoosa Trail	Camera
Comm North 2	Exterior camera monitoring the north side and parking lot of the Communications section of the facility	Nakoosa Trail	Camera
Comm North 3	Exterior camera monitoring the north side and parking lot of the Communications section of the facility	Nakoosa Trail	Camera
Comm North 4	Exterior camera monitoring the north side entrance and parking lot of the Communications section of the facility	Nakoosa Trail	Camera
East Service Drive 3	Exterior camera monitoring the driveway along the east side of the facility and Nakoosa Trail gated entrance	Nakoosa Trail	Camera
East Service Drive 4	Exterior camera monitoring the driveway along the east side of the facility	Nakoosa Trail	Camera

City of Madison 2024 Surveillance Technology Report (Fleet)

Reviewed Item	Description	Location	Type
Nakoosa Main Entrance	Interior camera monitoring the entryway and reception area at the Visitor Entrance of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Nakoosa Main Entrance Quad View	Interior camera monitoring the entryway and reception area at the Visitor Entrance of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Comm Customer Hall	Interior camera monitoring the entrance and open office area of the Communications Shop in the Nakoosa Trail facility	Nakoosa Trail	Camera
North Service Drive 1	Exterior camera monitoring the North service drive of the Nakoosa Trail facility	Nakoosa Trail	Camera
North Service Drive 2	Exterior camera monitoring the North service drive of the Nakoosa Trail facility	Nakoosa Trail	Camera
North Service Drive East	Exterior camera monitoring the North service drive of the Nakoosa Trail facility	Nakoosa Trail	Camera
North Service Drive West	Exterior camera monitoring the North service drive of the Nakoosa Trail facility	Nakoosa Trail	Camera
Comm Gate 1	Exterior camera monitoring the entrance area of the Communications Shop at the Nakoosa Trail facility	Nakoosa Trail	Camera
Comm Gate 2	Exterior camera monitoring the parking lot and Nakoosa Trail outside of the Communications Shop area at the Nakoosa Trail facility	Nakoosa Trail	Camera
Comm Gate 3	Exterior camera monitoring the gate entrance off of Nakoosa Trail	Nakoosa Trail	Camera
Comm Gate 4	Exterior camera monitoring the drive area and service bay garage doors in the Communications Shop area at the Nakoosa Trail facility	Nakoosa Trail	Camera

City of Madison 2024 Surveillance Technology Report (Fleet)

Reviewed Item	Description	Location	Type
Comm Yard 3	Exterior camera monitoring the parking lot and drive area behind the Communications Shop area at the Nakoosa Trail facility	Nakoosa Trail	Camera
Light Yard 4	Exterior camera monitoring the gated entrance, drive area, and fuel station behind the Light Duty Shop at the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Gate 1	Exterior camera monitoring the driveway and employee parking lot to the west of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Gate 2	Exterior camera monitoring the gated entrance to the parking lot behind the Light Duty Shop at the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Gate 3	Exterior camera monitoring the fenced lawn behind the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Gate 4	Exterior camera monitoring the Nakoosa Trail Fleet facility driveway to Commercial Avenue	Nakoosa Trail	Camera
Main Driveway 1	Exterior camera monitoring the driveway between the employee parking lot at the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Main Driveway 2	Exterior camera monitoring the walled area of the parking lot behind the Light Duty Shop at the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Main Driveway 3	Exterior camera monitoring the driveway to Commercial Avenue and the employee parking lot	Nakoosa Trail	Camera
Main Driveway 4	Exterior camera monitoring the driveway and employee parking lot	Nakoosa Trail	Camera
Nakoosa Trail East (Parts Gate 1)	Exterior camera monitoring Nakoosa Trail and the driveway to the Parts gate of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera

City of Madison 2024 Surveillance Technology Report (Fleet)

Reviewed Item	Description	Location	Type
Nakoosa Trail West (Parts Gate 2)	Exterior camera monitoring Nakoosa Trail	Nakoosa Trail	Camera
Fleet Parts Gate 3	Exterior camera monitoring the gated entrance to the Parts Delivery area of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Parts Gate 4	Exterior camera monitoring the driveway to the Parts gate of the Nakoosa Trail Fleet facility	Nakoosa Trail	Camera
Fleet Parts Delivery 1	Exterior camera monitoring the garage door entrance to the Fleet Parts Warehouse	Nakoosa Trail	Camera
Fleet Parts Delivery 2	Exterior camera monitoring the service drive and loading zone outside the Fleet Parts Warehouse	Nakoosa Trail	Camera
Fleet Parts Delivery 3	Exterior camera monitoring the Fleet Parts Warehouse loading zone and the service drive outside the Heavy Duty Shop	Nakoosa Trail	Camera
Fleet Parts Delivery 4	Exterior camera monitoring the doorway to the Fleet Parts Warehouse and Heavy Duty Shop	Nakoosa Trail	Camera

Usage of Surveillance Technology

Surveillance Data Usage

In 2023, Fleet used the data collected by these IPC cameras for the following legitimate safety and security purposes:

- Ensuring normal and secure operation of the facility
- To investigate an employee complaint

Sharing Data with Other Entities

No camera data was shared with entities outside of Fleet in 2023. Radio Shop has additional access to cameras within their area of the building.

Safeguarding Individual Information

Access to camera recordings is restricted to the Fleet Superintendent, Fleet Operations Manager, and Fleet Chief of Staff, the latter two with the permission of the Fleet Superintendent. Live viewing is restricted to the two Fleet Forepersons.

Fleet does not store camera data except in rare situations when a specific event in the building is under investigation.

All other surveillance data from these cameras is stored and accessed through ExacQ Vision and managed by City IT. Data from these cameras is automatically overwritten after 14 days.

Complaints or Concerns

Fleet has not received any complaints or concerns about its Surveillance Technology use in 2023.

Appendix A: Supporting Policies

Camera Surveillance Technology Departmental Policy

Revised 7/6/23

Mahanth Joishy, Fleet Superintendent

Location

Based at (1) 4151 Nakoosa Trail and (2) 1501 West Badger Road.

Responsible Agency

The City of Madison Fleet Division, a division of the Department of Public Works.

Purpose

The purpose of this policy is to set forth guidelines for monitoring and using Internet Protocol Cameras (IPC) at Fleet Facilities and to ensure compliance with Administrative Procedure Memorandum (APM) No. 3-17. IPC monitoring is used to enhance the security and safety of our employees and visitors, as well as to detect and deter criminal activity in and around the facility.

Camera Signage

Signs informing employees, elected officials, and visitors using the building of the presence of video recording shall be placed at all entrances and shall read “Notice, Video Surveillance in Use on These Premises”.

Policy Overview

Five Fleet staff have access to the system. Recordings will only be viewed on a need-to know basis and in such a manner as to avoid public viewing.

This system will record video only. Audio shall not be recorded.

Monitoring of individuals based on characteristics such as race, gender, ethnicity, sexual orientation, disability, or other protected classifications is strictly prohibited.

Policy Elements

1. Circumstances which necessitate the use of Surveillance Technology.

Legitimate purposes for IPC monitoring in Fleet facilities are:

- Ensuring the safety of individuals, property, and the facility;

- Monitoring of any activity or behavior that seems out of the ordinary;
- Investigation of possible criminal activity;
- The IPC system will not be routinely monitored for purposes of assessing work performance or job competency. However Fleet expressly reserves the right to use all video evidence in conducting any personnel investigation and in imposing appropriate discipline; and/or
- To ensure the proper operation of doors that are controlled remotely and to verify the appropriate and secure use of the building and its public meeting spaces.

2. Training protocols.

All Fleet staff that receive access to these IPC cameras have been or will be trained on the use of the ExacqVision software and have received this policy.

There is currently no plan to provide access to these cameras to additional staff. If such a need were to arise, these staff would be trained on the use of the cameras and would carefully review this policy and the most recent annual department report on the use of surveillance technology by the Superintendent.

3. Position(s) responsible for the account management and administration of the Surveillance Technology.

The Fleet Superintendent is responsible for account management and administration of the Surveillance Technology in partnership with City IT.

4. Position(s) responsible for receiving complaints regarding the Department's use of Surveillance Technology.

The Fleet Superintendent is responsible for receiving and reviewing complaints regarding the Department's use of Surveillance Technology. If Superintendent is absent the Operations Manager will be the backup.

5. Process for determining roles and access to Surveillance Technology.

A guiding principle of this process will be to restrict access to these cameras as narrowly as possible while still maintaining safe and successful day-to-day operations as laid out above.

Currently only five Fleet staff have access to these cameras. Fleet Superintendent will review this list on an annual basis.

6. Process to ensure access to Surveillance Technology is revoked when employee no longer has job-related need to said access.

By restricting access to this technology up front, Fleet intends to minimize this issue as much as possible.

The Department will verify each time any employee changes positions or ends City employment that no changes are needed to their Surveillance Technology access. Fleet will also review the jobrelated need for Surveillance Technology access as part of the annual report required by APM 3-17 each year.

7. Position(s) responsible for training staff and reviewing staff access and use of the Surveillance Technology

Fleet Superintendent is responsible for staff training, access and use.

8. Madison Police Department Access.

Fleet will provide the Madison Police Department with immediate access to all data recordings that may constitute evidence of a crime, unless otherwise prohibited by law.

In the event the Department becomes aware that evidence of a crime may be recorded on these IPC cameras, the following procedure will be followed:

- Notify the Fleet Superintendent.
- Staff will contact the Madison Police Department Forensic Services Unit directly to ensure the proper segments of video are preserved for this use.

9. Retention Period.

Fleet does not have the permissions necessary to save video clips from these IPC cameras themselves. City IT automatically overwrites video on the ExacQvision system after 14 days. If downloaded video is saved by MPD in an investigation of the possible commission of a crime, they are responsible for all records retention compliance.

If video is saved for another valid investigatory or open-records purpose, Fleet will follow the procedure laid out below.

10. Privacy.

All camera locations were carefully considered during the design process to ensure that they cannot be used to monitor the interior of interior dwelling where a reasonable expectation of privacy exists. No private dwellings are visible from these cameras. No restrooms, locker rooms, or private offices are visible from these cameras. The cameras are all in common areas of the building, and the cameras do not have audio recording capability.

11. Procedures for ensuring that records are not destroyed during the pendency of any public records request, investigation or civil or criminal litigation.

Fleet does not have the permissions to save video files from these cameras. During the investigation of a possible commission of a crime, Fleet staff will follow the procedure outlined above and have the Madison Police Department Forensic Services Unit make and maintain the necessary records for those investigations.

In the case of a valid request for these files that does not involve the Madison Police Department, all requests to save files will be first approved by the Superintendent or Operations Manager. Fleet will then work with City IT to save and obtain the appropriate files. Staff will notify the Fleet Superintendent

(one of our Records Custodians) that we are now in possession of these files, and work with them to ensure compliance.



City of Madison, Wisconsin

Human Resources

Annual Surveillance Technology Report

2024

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Introduction

Summary

No changes

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
<i>Main Entrance Camera</i>	<i>A fixed-dome camera is located near the main entrance into the lobby of our facility. It captures visitors and staff that enter the main entrance doors.</i>	<i>City-County Building</i>	<i>Fixed-dome camera</i>

Usage of Surveillance Technology

Surveillance Data Usage

We do not use surveillance data, except Citywide surveillance data that is collected by other agencies.

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin
Information Technology
Annual Surveillance Technology Report
2024

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Introduction to the Surveillance Technology Report Template

Pursuant to MGO 23.63(5), each City department must conduct an annual review of its use of Surveillance Technology and submit a report to the Common Council via resolution. This template is intended to assist departments with completing the annual report requirement.

This Surveillance Technology Report template contains brief instructions and examples for completing the annual report.

Template style conventions are as follows:

Style	Convention
Normal text	Indicates placeholder text that can be used for any report.
[Instructional text in brackets]	[Indicates text that is to be replaced/edited/deleted by the user]
<i>Example text in italics</i>	<i>Indicates text that might be replaced/edited/deleted by the user</i>

As you complete the template, please remember to delete all instructional text **(including this section)** and update the following items, as applicable:

- Title page
- Table of contents
- Headers
- Footers

Introduction

Summary

During 2023, Information Technology (IT) did not add any additional surveillance technology to our inventory. All cameras listed below are used for monitoring incidents and identifying when customers are requesting access to an area

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Doorbell Camera	Cameras used as part of the doorbell system so that we can see who is at the front doors.	CCB Room 525 and 501	Fixed
Help Desk Main Entrance	Cameras used as part of the doorbell system so that we can see who is at the front doors.	CCB Room 500 – Main Entrance	<i>Fixed</i>
Help Desk Back Hallway Entrance	Cameras are used as part of the doorbell system so that we can see who is at the back entrance	CCB Room 500 – Back Hallway Entrance	Fixed
Water Utility Data Center	Entrance inside data center	Water Utility Data Center	Fixed
Water Utility Data Center	Rack view	Water Utility Data Center	Fixed
CCB GA4 Storage Area	Main entrance	CCB-GA4 Storage Area – Main Entrance	Fixed
CCB GA4 Storage Area	Back entrance	CCB-GA4 Storage Area – Back Entrance	Fixed
CCB GA4 Storage Area	Storage area	CCB-GA4 Storage Area – Storage Area	Fixed
CCB GA4 Data Center	Entrance	CCB-GA4 Data Center – Entrance	Fixed
CCB GA4 Data Center	Rack view 1	CCB-GA4 Data Center – Rack View 1	Fixed

Reviewed Item	Description	Location	Type
CCB GA4 Data Center	Rack view 2	CCB-GA4 Data Center – Rack View 2	Fixed

Usage of Surveillance Technology

Surveillance Data Usage

The Help Desk, Data Center and GA2 video is used ONLY for review of incidents that may occur in those areas such as damage, theft or unauthorized access. The doorbell devices in Helpdesk area and 525 suite are used to identify customers for entrance to each area that may not have authorized access from the City's card access system.

Sharing Data with Other Entities

Data is not shared with entities except for use as a part of an investigation. This investigation could be initiated by IT or the Madison Police Department in the event of damage, theft or unauthorized access to facilities.

Safeguarding Individual Information

IT is not collecting any individual information with our camera usage. These cameras are solely used for monitoring incidents and identifying when customers are requesting access to an area.

Complaints or Concerns

IT has not received any complaints or concerns related to its usage of surveillance technology.

Appendix A: Supporting Policies

There are no IT-specific surveillance technology support policies at this time.



City of Madison, Wisconsin

Madison Public Library

Annual Surveillance Technology Report

2024

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Introduction

Summary

In accordance with Memorandum No. 3-17 Page 3 and Madison, Wisconsin - Code of Ordinances - CHAPTER 23 - OFFENSES AGAINST PUBLIC POLICY -23.63 - USE OF SURVEILLANCE TECHNOLOGY. Madison Public Library added 3 local cameras at our Hawthorne Library under the "exigent situation". Once the moratorium on adding new cameras is lifted, City IT will help us install city-managed cameras.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

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 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Security Cameras	Fixed cameras at certain Library locations	Central Library, 201 W. Mifflin St., 53703 Pinney Library, 516 Cottage Grove Rd., 53716 Meadowridge Library, 5726 Raymond Rd., 53711 Goodman South Madison Library, 2222 S. Park St., 53713	PTZ Cameras of varied resolution
Security Cameras	Fixed cameras – Entrance/Exit	Hawthorne Library, 2707 E Washington Ave, Madison, WI 53704	Closed Circuit MPL IT access only

Usage of Surveillance Technology

Surveillance Data Usage

The Library uses screen shots from video to later identify subjects who may have violated the Library's Behavior Policy.

Sharing Data with Other Entities

The Library only shares data internally with authorized staff. Authorized Library staff may share data with law enforcement officials when required in accordance with Wisconsin State Statute 43.30 governing library records: <https://docs.legis.wisconsin.gov/statutes/statutes/43/30>.

Safeguarding Individual Information

Data can only be accessed by authorized Library account holders.

Complaints or Concerns

There have been no complaints registered against the Library's use of this data.

Appendix A: Supporting Policies

Employee Security Camera Training Acknowledgement

I _____ received security camera training on _____.

Name Date

I also acknowledge that with the responsibility of being granted access to MPL's security cameras I will adhere to the following policies:

- A supervisor must be notified and provide approval before accessing footage.
- Cameras are only to be used to supplement incident reports or in the event of an appropriate police request.
- Sharing images or video outside of MPL's incident reports or police requests is strictly prohibited
- Cameras are not to be moved or adjusted
- Employees cannot share security credentials for others to log in with.

_____ Signature/ Date



**City of Madison, Wisconsin
Mayor's Office**

Annual Surveillance Technology Report

2024

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Introduction

Summary

No Changes

Ordinance Requirements

This document is prepared pursuant to M.G.O. 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
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 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Suite 403 dome security camera	Camera to allow staff to see who is entering	Suite 403 - near front desk	camera

Usage of Surveillance Technology

Surveillance Data Usage

The camera near the front desk of 403 is for security. It allows other staff to see who is entering and if front desk staff need assistance.

Sharing Data with Other Entities

Our understanding is that this camera does not record and is just used for live situations, should the need arise.

Safeguarding Individual Information

Because no video is recorded, no individual information is retained or at-risk

Complaints or Concerns

Appendix A: Supporting Policies

No supporting policies.



2024 Annual Surveillance Technology Report

City of Madison, Wisconsin



metro transit



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Introduction

Summary

Metro Transit has not made any significant changes or additions to its surveillance systems in the last calendar year. Due to major renovation at our 1 S. Ingersoll facility we had to adjust or move 6 cameras, but they are updated in the list of cameras below.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
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 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*



Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
ME1101 East Wash 1	Exterior fixed camera using Exacqvision	E. Wash garage wall near Few St.	Camera
ME1101 East Wash 2	Exterior Fixed camera using Exacqvision	E. Wash garage wall between Few and Ingersoll	Camera
ME1101 Maint B 1	Interior fixed camera using Exacqvision	Maintenance Area B	Camera
ME1101 Maint B 2	Interior fixed camera using Exacqvision	Maintenance Area B	Camera
ME1101 Driver Room A	Interior fixed camera using Exacqvision	2 nd floor training room	Camera
ME1101 Driver Room B	Interior fixed camera using Exacqvision	Temporary Exercise Room	Camera
ME1101 Dispatch A	Interior fixed camera using Exacqvision	Operations Dispatch	Camera
ME1101 Dispatch B	Interior fixed camera using Exacqvision	Operations Dispatch	Camera
ME 3A – Greeting Area	Interior fixed camera using Exacqvision	New Driver Break room entrance area	Camera
ME 3A – Ingersoll Vestibule	Interior fixed camera using Exacqvision	1 S. Ingersoll Main Entrance Vestibule	Camera
ME E. Was & Ingersoll	Interior fixed camera using Exacqvision	Employee Entrance and outdoor break area	Camera
ME1101 Radio Room	Interior fixed camera using Exacqvision	Operations Dispatch	Camera
ME1101 Mechanic Room	Interior fixed camera using Exacqvision	Mechanic Breakroom	Camera
ME1101 Bus Storage A	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage B	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage C	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage D	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage E	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage F	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage G	Interior fixed camera using Exacqvision	1101 Garage	Camera



ME1101 Bus Storage H	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bus Storage I	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Bike Rack	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Door 4	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Service Lane A	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Service Lane B	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Service Lane C	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Service Lane D	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Yard A	Exterior PTZ camera using Exacqvision	1101 Yard Wall	Camera
ME1101 Yard B	Exterior fixed camera using Exacqvision	1101 Yard Wall	Camera
ME1101 Yard C	Exterior PTZ camera using Exacqvision	1101 Yard Wall	Camera
ME1101 Parking Aisle A	Exterior fixed camera using exacqvision	1101 Yard Wall	Camera
ME1101 Parking Aisle B	Exterior fixed camera using Exacqvision	1101 Service Lane Wall	Camera
ME1101 Parking Aisle C	Exterior fixed camera using Exacqvision	1101 Service Lane Wall	Camera
ME1101 Parking Aisle D	Exterior fixed camera using Exacqvision	1101 Service Lane Entrance	Camera
ME1101 Fire Lane	Exterior Fixed Camera using Exacqvision	1101 Garage Roof	Camera
ME1101 Tank Room	Interior fixed camera using Exacqvision	1101 Service Lane Area	Camera
ME1101 Subcontractor Room	Interior fixed camera using Exacqvision	1101 Service Lane Area	Camera
ME1101 BG Shop	Interior fixed camera using Exacqvision	Room inside 1101 Garage	Camera
ME1101 Employee Entrance	Interior fixed camera using Exacqvision	Currently not operational due to renovation	Camera
ME1101 Hallway PTZ	Interior PTZ camera using Exacqvision	1101 Hallway near maintenance shop	Camera
ME1101 Hallway A	Interior fixed camera using Exacqvision	Currently not operational due to renovation	Camera
ME1101 Hallway B	Interior fixed camera using Exacqvision	1101 Common Area Hall	Camera
ME1101 Hallway C	Interior fixed camera using Exacqvision	1101 Common Area Hall	Camera
ME1101 Hallway D	Interior fixed camera using Exacqvision	New Receiving area	Camera



ME1101 Hallway E	Interior fixed camera using Exacqvision	1101 Common Area Hall	Camera
ME1101 Engine Shop A	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Engine Shop B	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Shop 01	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Shop 02	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Seat Shop	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Meter Room	Interior fixed camera using Exacqvision	1101 Maintenance Shop	Camera
ME1101 Bus Storage	Interior fixed camera using Exacqvision	1101 Garage	Camera
ME1101 Wash Bay Exits	Interior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Vault 1	Interior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Vault 2	Interior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Cash Room	Interior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Overhead Doors A	Exterior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Overhead Doors B	Exterior fixed camera using Exacqvision	1101 Service Lane	Camera
ME1101 Overhead Doors C	Exterior fixed camera using Exacqvision	1101 Service Lane	Camera
MT1101 Dispatch A	Audio using Exacqvision	1101 Dispatch	Microphone
MT1101 Mechroom	Audio using Exacqvision	1101 Mechanic Break Room	Microphone
MT1101 EmpEntrance	Audio using Exacqvision	Currently down due to renovation	Microphone
MT1101 BusStorage J	Audio using Exacqvision	1101 Garage	Microphone
ME Metro Storage	Interior fixed camera using Exacqvision	1 S. Ingersoll Garage	Camera
ME Cash Room New	Interior fixed camera using Exacqvision	Cash Room	Camera
ME NTP 1	Exterior Fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 2	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 3	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 4	Exterior fixed camera using Exacqvision	North Transfer Point	Camera



ME NTP 5	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 6	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 7	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME NTP 8	Exterior fixed camera using Exacqvision	North Transfer Point	Camera
ME WTP Inbound A	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Inbound B	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Inbound C	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Inbound D	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Outbound A	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Outbound B	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Outbound C	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Outbound D	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME WTP Entrance	Exterior fixed camera using Exacqvision	West Transfer Point	Camera
ME 1245 West Reception B	Interior fixed camera using Exacqvision	1245 Reception Window	Camera
ME 1245 West Reception A	Interior fixed camera using Exacqvision	1245 Reception Window	Camera
ME 1245 West Hallway A	Interior fixed camera using Exacqvision	1245 Common Hallway	Camera
ME 1245 West Hallway B	Interior fixed camera using Exacqvision	1245 Common Hallway	Camera
ME 1245 CSC Overview	Interior fixed camera using Exacqvision	1245 Customer Service Call Center	Camera
ME 1245 Finance Hall	Interior fixed camera using Exacqvision	1245 Hallway near Finance department	Camera
ME 1245 West Downstairs	Interior fixed camera using Exacqvision	1245 lower level near vending machine	Camera
ME 1245 East Hallway A	Interior fixed camera using Exacqvision	1245 Common Hallway	Camera
ME 1245 East Hallway B	Interior fixed camera using Exacqvision	1245 Common Hallway	Camera
ME 1245 Lost and Found A	Interior fixed camera using Exacqvision	1245 Lost and Found Room	Camera
ME 1245 Lost and Found B	Interior fixed camera using Exacqvision	1245 Lost and Found Room	Camera
ME 1245 Reception C	Interior fixed camera using Exacqvision	1245 Reception Window	Camera



ME 1245 Reception D	Interior fixed camera using Exacqvision	1245 Reception Window	Camera
ME 1245 East Mens Rm Exit	Interior fixed camera using Exacqvision	1245 Exit Hall near mens room	Camera
ME 1245 Reception A	Fixed audio using Exacqvision	1245 Reception Window	Microphone
ME 3829 Hanson West Exterior	Exterior fixed camera using Exacqvision	Exterior West side of building	Camera
ME 3829 Hanson 180 Interior	Interior fixed camera using Exacqvision	Building and Grounds shop	Camera
ME 3829 Hanson NW Exterior	Exterior fixed camera using Exacqvision	Exterior NW side of building	Camera
ME 3829 Hanson SE Exterior	Exterior fixed camera using Exacqvision	Exterior SE side of building	Camera
ME 3829 Hanson NE Exterior	Exterior fixed camera using Exacqvision	Exterior NE side of building	Camera
ME 3901 Hanson W Exterior	Exterior fixed camera using Exacqvision	Exterior West side of building	Camera
ME 3901 Hanson SE Exterior	Exterior fixed camera using Exacqvision	Exterior SE side of building	Camera
ME 3901 Hanson NE Exterior	Exterior fixed camera using Exacqvision	Exterior NE side of building	Camera
ME 3901 Hanson 180 Interior	Interior fixed camera using Exacqvision	Interior view of future bus storage	Camera
ME 3901 Hanson NW Exterior	Exterior fixed camera using Exacqvision	Exterior NW view of building	Camera
Smart Record	Phone recording software	266-4466, 267-8760, 267-8761, 267-8781 are recorded phone lines	Software
REI R8001	Bus Video Recorder	110 buses utilize this system. Each bus has 5 fixed cameras. 4 interior, 1 exterior. Each interior camera is equipped with a microphone.	Video Recording system with cameras and audio
REI HD800	Bus Video Recorder	78 buses utilize this system. Each bus has 6 fixed cameras. 4 interior, 2 exterior. Each interior camera is equipped with a microphone.	Video recording system with cameras and audio
REI HD5-1200	Bus Video Recorder	16 buses utilize this system. Each bus has 8 fixed cameras. 4 interior and 4 exterior. Each interior camera is equipped with a microphone	Video recording system with cameras and audio
Apollo	Bus Video Recorder	33 buses utilize this system. Each bus has 11 cameras. 4 exterior and 7 interior. Each interior camera is equipped with a microphone	Video recording system with cameras and audio





Usage of Surveillance Technology

Surveillance Data Usage

Bus Video/Audio Recording Systems – Each revenue service vehicle is equipped with a digital video recorder (DVR), cameras, and microphones. The data is utilized on an as needed basis to investigate accidents, customer feedback, passenger count verification, and security incident investigation. Video and audio recordings are not reviewed or saved without merit to do so. Bus video data is overwritten unless pulled and saved.

Facility Video/Audio Recording Systems – Metro facilities are equipped with cameras both in public and non-public areas. Complete access with rights to save is only granted to a small group of employees identified in the Metro Security Camera Surveillance Policy. Frontline supervisors have rights to transfer point facility cameras with live view rights but cannot create or save clips. Facility video/audio is reviewed and/or saved only when warranted. It is utilized to resolve disputes, employee misconduct investigations, security incident investigations, and accident investigations in and around Metro facilities.

Phone Recording Systems – Metro utilizes recorded phone lines both internally and externally. The publically distributed customer service phone line is recorded as well as the operations and maintenance internal phone numbers utilized by employees. Phone calls are only reviewed or accessed when warranted to resolve disputes or to verify the correct information was provided. The customer service supervisory staff may utilize phone recordings in coaching of customer service representatives.

Sharing Data with Other Entities

Bus Video/Audio Recording Systems – Clips created from bus video systems are shared with other government entities upon request. Metro has an established method of sharing with the school district, labor union, local law enforcement agencies, city attorney's office, work comp insurance carrier, and its vehicle insurance carrier. This insures timely investigation and conclusion of incidents and/or accidents that occur in and around buses.

Facility Video/Audio Recording Systems – Metro utilizes the same methods of sharing clips upon request from other governmental agencies and insurance partners as with bus video clips.

Phone Recording Systems – Metro would utilize the same methods of sharing phone recording clips upon request from other governmental agencies and insurance partners as with bus video clips.

***Requests for video or recordings from the general public, media, employees, outside insurance companies, government agencies that do not have an active relationship with Metro Transit, and all other video requests outside of established sharing relationships would be vetted by the Records Custodian before release.

Safeguarding Individual Information

All surveillance records are stored and secured in established location on a video server. This server is protected by City IT network security systems.

Complaints or Concerns

Metro Transit has not directly received any complaints or concerns regarding video surveillance systems.



Appendix A: Supporting Policies

Security Camera Surveillance Policy

Objectives

The primary objective of having video surveillance is to document what transpires when events occur that threaten the safety of customers and/or employees of the transit system. The installation of cameras, with signage alerting customers and employees, has also been a deterrent to disruptive behavior and provides a sense of security to riders and employees. In the case of personal injury accidents, a video record validates the facts.

Locations

Metro Transit has security surveillance cameras at the transfer points, on buses, in the operations, maintenance, storage, and administration facilities.

- All four Transfer Points are equipped with security cameras. Images are available in real-time via wireless connection to Metro staff and to the Madison Police Department.
- On-board video and audio surveillance equipment is installed on the entire fleet of revenue service vehicles.
- Facility cameras are located in the following areas:
 - Common areas such as hallways, employee parking lot, garage exterior along E. Washington Ave., bus storage and entrances, service lane and maintenance areas, dispatch office, and breakrooms.
 - The cash-handling room where cash is counted and sorted from bus fare is also equipped with cameras.
- Cameras provide security for employees at the building entrances and other public areas. Footage is also used to resolve disputes and review incidents that may have occurred.
- There is signage in all locations providing notice that video (and audio on the buses) surveillance is present.

Downloading Images

Bus video systems use digital video recorders (DVR) to store information. To access the footage, the hard drive is pulled and images are reviewed and downloaded when an incident or accident is reported (by employees or public). If the hard drive is not pulled, all data will be overwritten when the hard drive reaches capacity. If it is required to review multiple hard drives to search for an event, footage found to be irrelevant or reviewed as part of a process of elimination, may not be retained. Hard drives are not pulled or reviewed without a purpose or reason to do so.



Access to Images

- For safety and/or security incidents, the surveillance records are shared with individuals directly involved in investigating and following up on the incident. This includes Metro management staff, law enforcement officials, school officials, the City's insurance company, the bus operator, union officials, the offending individual (and his/her parents as appropriate), and others who may be directly involved in responding to the behavior.

Metro Transit Rules of Conduct call for police intervention, arrest and/or prosecution in situations in which an individual's actions present an imminent danger to the life or safety of him/herself or others, or to Metro property. Video evidence is particularly useful in enlisting police and prosecutorial support to enforce the policy in these emergency situations.

- Video images are used to monitor ride loads, boarding activity, and other planning purposes. The Planning Manager has access to the video records for this purpose.
- The on-board bus video is also used for training purposes. The ability to develop training videos showing our own operators handling real life situations has been an excellent training tool. Metro Driver Instructors access the on-board video record created by management. Driver Instructors are not allowed or have access to pull hard drives or review facility cameras. This type of footage is displayed to employees in training. Metro management will gain consent of known individuals shown in the footage before utilization in training groups.

Levels of Access

- On-board bus video
 - Operations, maintenance, and information technology supervisors and managers have full review and saving rights.
 - The planning unit has access to video storage for passenger count purposes and turning movement issues.
 - Marketing supervisor and manager have access to video for responding to public inquiry and media requests.
 - Records custodian has access to video storage for open records requests and public inquiry.
 - Driver Instructors have no access to video footage with the exception of records specifically designated for training purposes.
- Transfer Point cameras only
 - Planning unit, operations and maintenance supervisors and managers have live view and review access but are not allowed to save footage.
- All Facility cameras
 - Operations General Supervisors, Maintenance General Supervisors, Operations Manager, Maintenance Manager, Building and Grounds Foreman, and Information Technology Manager have access to all facility and transfer point cameras. This is live view and review rights only.
 - Operations General Supervisors and the Information Technology Manager have live view, review, and save rights.



Public Records

- In consultation with the City Attorney's office and insurance company, Metro will maintain, as a public record, images downloaded from the recorders in accordance with the video record retention policy outlined below.
- In cases where follow-up action is taken, the images will become part of the files for the incident, and be maintained in accordance with the video record retention policy outlined below.
- In cases of vehicular accidents, the images provided to our insurance company will be maintained as part of their case file in accordance with their record retention policies.
- The Assistant to the General Manager serves as the open records custodian for Metro Transit. This includes video surveillance records.
- Records are stored on a secure network server maintained by the City of Madison Information Technology Department

Record Retention Policy:

Category	Default
MPD-MetroVideo	
Transit General Mgr Requests	365 Days
Complaints	365 Days
Misc	365 Days
Pedestrians	365 Days
School School Name	365 Days
Shop Misc	365 Days
Policy/Fare Dispute Strollers	365 Days
Workers Comp	365 Days
Driver Violations	365 Days
Driver Electronic Violations	365 Days
Shop Employee Misconduct	365 Days
Office Employee Misconduct	365 Days
Accidents Fixed Route Paratransit Slip & Fall Bike or Ped Facility	4 Years
Refresher Training	4 Years
Safe Streets	4 Years

Updated January 15, 2009

Updated May 5, 2011

Updated December 17, 2012

Updated March 20, 2014

Updated June 22, 2018 – Phil Gadke – Operations General Supervisor

Updated August 26, 2020 – Phil Gadke – Operations General Supervisor



Updated June 23, 2022 – Justin Maki – Safety Coordinator
Updated June 8th, 2023—Justin Maki—Safety Coordinator
Updated June13th, 2024—Justin Maki—Safety Coordinator



**City of Madison, Wisconsin
Streets & Urban Forestry**

Annual Surveillance Technology Report

2024

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Introduction

Summary

Madison Fire did not add any new surveillance equipment during the calendar year 2023.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Security Cameras	Madison Fire has several cameras on the City Enterprise camera system. The system is maintained by IT. The cameras are there to capture the front and rear of the stations and parking lots of the stations.	Cameras located at the front and rear of the stations and some at Fire Admin.	Security camera

Usage of Surveillance Technology

Surveillance Data Usage

The MFD utilizes the video camera systems at the fire stations to provide a type of security to our employees at work. It not only provides security to their safety via regarding awareness and monitoring outside of the city buildings, but also for their personal vehicles. Over the years, MFD has experienced multiple acts of theft and vandalism near and around the fire stations. This has been vital for police reports and documentation of the incidents when possible. The video camera system also aids in an attempts to learn from MFD accidents that happen at the fire station. If captured on video, the data can be used to educate our personnel to improve our driving or safety habits.

Sharing Data with Other Entities

By default, the data collected is not shared with other agencies or entities. All data is subject to request and potential release.

Safeguarding Individual Information

The cameras for MFD are in place for security and safety reasons and our employees realize and are aware of the need to protect the privacy rights of the public and MFD employees when and where applicable. Images and videos are deleted in accordance with City's APMs and default retention times setup by City IT. Only Fire leadership have the ability to rewind and review camera data.

Complaints or Concerns

MFD has had no complaints or concerns with our surveillance technology in 2023. It continues to be an asset as needed for the safety and concern of the MFD and related parties.

Appendix A: Supporting Policies

None



City of Madison, Wisconsin

Monona Terrace

Annual Surveillance Technology Report

2024

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Safeguarding Individual Information	Error! Bookmark not defined.
Complaints or Concerns	Error! Bookmark not defined.
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Introduction to the Surveillance Technology Report Template

Pursuant to MGO 23.63(5), each City department must conduct an annual review of its use of Surveillance Technology and submit a report to the Common Council via resolution. This template is intended to assist departments with completing the annual report requirement.

This Surveillance Technology Report template contains brief instructions and examples for completing the annual report.

Template style conventions are as follows:

Style	Convention
Normal text	Indicates placeholder text that can be used for any report.
[Instructional text in brackets]	[Indicates text that is to be replaced/edited/deleted by the user]
<i>Example text in italics</i>	<i>Indicates text that might be replaced/edited/deleted by the user</i>

As you complete the template, please remember to delete all instructional text **(including this section)** and update the following items, as applicable:

- Title page
- Table of contents
- Headers
- Footers

Introduction

Summary

Monona Terrace uses our camera system to help ensure our customers, guests and staff have a safe environment to meet, visit and work.

Technology changes this year have only been replacement of failed cameras.

We have no changes to our current policies.

Monona Terrace has received zero complaints regarding our surveillance technology.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
<i>MT-Level 6 Radar</i>	<i>Radar unit located on light pole on rooftop. Detects when people cross railing</i>	<i>Monona Terrace</i>	<i>Radar</i>
<i>MT Olin Terrace External</i>	<i>A PTZ Camera mounted on a light pole on Olin Terrace. This camera captures visitors and staff near 5th floor entrance to MT</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level2 West Hallway 2</i>	<i>A fixed-dome camera located in 2W lobby. It Captures visitors and staff that visit the building.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 6 West Roof</i>	<i>A PTZ Camera located on the "West Drum" It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>

<i>MT Level 6 Rooftop CTR PTZ</i>	<i>A PTZ Camera located on a light pole. It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 6 Rooftop CTR 360 D</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 6 West Roof" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 6 Rooftop CTR 360 C</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 6 West Roof" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 6 Rooftop CTR 360 B</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 6 West Roof" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 6 Rooftop CTR 360 A</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 6 West Roof" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 6 Rooftop Center West</i>	<i>A PTZ Camera located on a light pole. It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 6 Rooftop Center Lake</i>	<i>A PTZ Camera located on a light pole. It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 6 Rooftop Center East</i>	<i>A PTZ Camera located on a light pole. It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 6 Exterior elevator</i>	<i>A Fixed camera in a call box. It captures visitors and staff that use the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 6 Elevator</i>	<i>A fixed dome camera located near rooftop passenger elevator. It captures staff and visitors who access the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 6 East Roof</i>	<i>A PTZ Camera located on a light pole. It Captures visitors and staff that use the rooftop.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 6 East Freight Elevator</i>	<i>A fixed dome camera located near freight elevators. It captures staff and vendors who access the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 West Roof Ramp</i>	<i>A fixed dome camera located on exterior wall. It captures East roof Ramp and bicycle elevator traffic.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 Skywalk</i>	<i>A fixed dome camera located on Hotel end of Sky Walk. It captures visitors and staff that use the Sky Walk.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 5 Sky Walk Elevator B</i>	<i>A fixed dome camera located in the Sky Walk Lobby. It captures visitors and staff using stairs, elevator, Sky Walk.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 Sky Walk Elevator A</i>	<i>A fixed dome camera located in the Sky Walk Lobby. It captures visitors and staff using stairs, elevator, Sky Walk.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 Main Ent. West</i>	<i>A fixed dome camera located in 5th floor main entrance. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 Main Ent. East</i>	<i>A fixed dome camera located in 5th floor main entrance. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 5 East Roof Ramp</i>	<i>A fixed dome camera located on exterior wall. It captures west roof Ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 4 West Vending</i>	<i>A fixed dome camera located on 4th floor vending area. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 West Lecture Hallway</i>	<i>A fixed dome camera located on 4th lobby outside Lecture Hall and Meeting Rooms. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 West</i>	<i>A PTZ camera located on 4th floor West. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Spare Input</i>	<i>Spare input - No Camera or audio.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 spare input</i>	<i>Spare input - No Camera or audio.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 North Catering 2</i>	<i>A fixed dome camera located on 4th floor East catering area. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

City of Madison 2024 Surveillance Technology Report Monona Terrace

<i>MT Level 4 North Catering 1</i>	<i>A fixed dome camera located on 4th floor East catering area. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room R</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room Q</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room P</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room O</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room N</i>	<i>A fixed dome camera located in Meeting space. It captures</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

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	<i>visitors and staff using this room.</i>		
<i>MT Level 4 Meeting Room M</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room L</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Meeting Room K</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Main Ent. West</i>	<i>A fixed dome camera located in North Hallway. It captures visitors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Main Ent. East</i>	<i>A fixed dome camera located in North Hallway. It captures visitors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

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<i>MT Level 4 Lecture Hall B</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Lecture Hall A</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hol MTG Hallway</i>	<i>A fixed dome camera located in North Hallway. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hall of Ideas J</i>	<i>A fixed dome camera located in North Hallway. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hall of Ideas I</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hall of Ideas H</i>	<i>A fixed dome camera located in Meeting space. It captures</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>visitors and staff using this room.</i>		
<i>MT Level 4 Hall of Ideas G</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hall of Ideas F</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Hall of Ideas E PTZ</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Hall of Ideas E</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Grand View</i>	<i>A fixed dome camera located in Grand Terrace. It captures visitors and staff using public space.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 4 Grand Terrace West</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Grand Terrace East</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Grand Terrace</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Giftshop 4</i>	<i>A fixed dome camera located in Gift Shop. It captures visitors and staff in the shop.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Giftshop 3</i>	<i>A fixed dome camera located in Gift Shop. It captures visitors and staff in the shop.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Giftshop 2</i>	<i>A fixed dome camera located in Gift Shop. It captures visitors and staff in the shop.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

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<i>MT Level 4 Giftshop 1</i>	<i>A fixed dome camera located in Gift Shop. It captures visitors and staff in the shop.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 East State Stairs</i>	<i>A fixed dome camera located on wall in stairwell. It captures visitors and staff in the stairwell</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 East Entrance/Elevator</i>	<i>A fixed dome camera located in level 4 elevator lobby. It captures visitors and staff entering the building.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 East</i>	<i>A PTZ camera located on 4th floor East. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Drive West Entrance</i>	<i>A fixed dome camera located outside in soffit. It captures visitors and staff on sidewalk and drive through.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Drive West</i>	<i>A fixed dome camera located outside in soffit. It captures visitors and</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>staff on sidewalk and drive through.</i>		
<i>MT Level 4 Drive Thru</i>	<i>A PTZ camera located outside main entrance level 4. It captures visitors and staff using drive through.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Drive East</i>	<i>A fixed dome camera located outside in soffit. It captures visitors and staff on sidewalk and drive through.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ctr West Hallway</i>	<i>A fixed dome camera located near main entrance. It captures visitors and staff using the North Hallway.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ctr East Hallway</i>	<i>A fixed dome camera located near main entrance. It captures visitors and staff using the North Hallway.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Catering North Doors</i>	<i>A fixed dome camera located on 4th floor East catering area. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

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<i>MT Level 4 Catering Elevators</i>	<i>A fixed dome camera located on 4th floor East catering area. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Cap Prom</i>	<i>A fixed dome camera located on wall behind elevator. It captures visitors and guests in the capital Promenade.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Bike Elevator</i>	<i>A fixed dome camera located in soffit. It captures visitors and staff using bike elevator, sidewalk and parking.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ballroom D PTZ</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Ballroom D</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ballroom C West</i>	<i>A fixed dome camera located in Meeting space. It captures</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>visitors and staff using this room.</i>		
<i>MT Level 4 Ballroom C</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ballroom B West</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ballroom B</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 4 Ballroom A PTZ</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 4 Ballroom A</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 3 West Hallway Strg B</i>	<i>A fixed camera located in storage hallway. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 West Hallway Strg A</i>	<i>A fixed camera located in storage hallway. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 West Hallway Gallery</i>	<i>A fixed dome camera mounted to ceiling. It captures visitors and staff in gallery.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Parking Ramp West Right</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Parking Ramp West Left</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 3 Parking Ramp West Center</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Parking Ramp East Right</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Parking Ramp East Left</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Parking Ramp East Center</i>	<i>A fixed dome camera. This is one of three sensors in this camera. Together it covers 180 degrees. It captures visitors and staff in the parking ramp.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 3 East Hallway PTZ</i>	<i>A PTZ camera located in 3rd floor storage. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 3 East Hallway D</i>	<i>A fixed camera located in storage hallway. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 East Hallway C</i>	<i>Spare input - No Camera or audio.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 3 East Hallway B</i>	<i>A fixed camera located in storage hallway. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 East Hallway A</i>	<i>A fixed camera located in storage hallway. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 CTR Entrance West</i>	<i>A fixed dome camera located in 3rd floor main entrance. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 3 CTR Entrance East</i>	<i>A fixed dome camera located in 3rd floor main entrance. It captures visitors and staff using this entrance.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 3 Comm Room</i>	<i>A fixed dome camera located on cable tray. It captures vendors and staff in the communications room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 West Hallway</i>	<i>A fixed dome camera mounted to ceiling. It captures visitors and staff using this hallway.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 East Hallway</i>	<i>A fixed dome camera mounted to ceiling. It captures visitors and staff using this hallway.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 East Elevators</i>	<i>A fixed dome camera mounted in ceiling tile. It captures elevators and surrounding area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 E Back of House</i>	<i>A fixed dome camera mounted in ceiling tile. It captures hallway leading to locker rooms.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

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<i>MT Level 2 Community Terrace W</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 Community Terrace E</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 2 Community Terrace</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 West Lake 360 D</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock Outside PTZ" It captures visitors and staff the visit the West Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Lake 360 C</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock Outside PTZ" It captures visitors and</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>staff the visit the West Dock area</i>		
<i>MT Level 1 West Lake 360 B</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock Outside PTZ" It captures visitors and staff the visit the West Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Lake 360 A</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock Outside PTZ" It captures visitors and staff the visit the West Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Dock Outside PTZ</i>	<i>A PTZ camera mounted to a concrete support. It captures visitors and staff using the West Dock.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>

<i>MT Level 1 West Dock Outside 360 D</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock 2" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Dock Outside 360 C</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock 2" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Dock Outside 360 B</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock 2" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 1 West Dock Outside 360 A</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 West Dock 2" It captures visitors and staff the visit the rooftop</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 West Dock 2</i>	<i>A PTZ Camera located on light pole. It captures visitors and staff using West parking lot.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 W Dock PTZ</i>	<i>A PTZ camera located inside West Loading Dock area. It captures vendors and staff that use this area.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 W Dock C</i>	<i>A fixed camera located in West Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 W Dock B</i>	<i>A fixed camera located in West Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 1 W Dock A</i>	<i>A fixed camera located in West Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 Lakeside West</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 Lakeside PTZ</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 Lakeside East</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 ExHall B Wide</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 ExHall B North Wall</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 1 ExHall B</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 ExHall A Temp PTZ</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 ExHall A North Wall</i>	<i>A fixed dome camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 ExHall A</i>	<i>A PTZ camera located in Meeting space. It captures visitors and staff using this room.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 East Lake PTZ</i>	<i>A PTZ camera mounted to a light pole on East Dock. It captures visitors and staff using East Dock area.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 East Lake 360 D</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Lake PTZ It captures visitors and</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>staff using the East Dock area</i>		
<i>MT Level 1 East Lake 360 C</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Lake PTZ It captures visitors and staff using the East Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 East Lake 360 B</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Lake PTZ It captures visitors and staff using the East Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 East Lake 360 A</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Lake PTZ It captures visitors and staff using the East Dock area</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 1 East Dock Outside PTZ</i>	<i>A PTZ camera mounted to a concrete support. It captures visitors and staff using the East Dock.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 East Dock Outside 3 360 D</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Dock Outside PTZ" It captures visitors and staff using the East Dock.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 East Dock Outside 3 360 C</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Dock Outside PTZ" It captures visitors and staff using the East Dock.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 East Dock Outside 3 360 B</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Dock Outside PTZ" It captures visitors and</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

	<i>staff using the East Dock.</i>		
<i>MT Level 1 East Dock Outside 3 360 A</i>	<i>A fixed camera that works with 3 other sensors to make a 360 degree image that works with "MT Level 1 East Dock Outside PTZ" It captures visitors and staff using the East Dock.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 East Dock Inside</i>	<i>A PTZ camera mounted in East Dock area. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 E. Dock Inside 3</i>	<i>A fixed camera located in East Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 E. Dock Inside 2</i>	<i>A fixed camera located in East Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

<i>MT Level 1 E. Dock Inside 1</i>	<i>A fixed camera located in East Dock Inside. It captures vendors and staff using this area.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>
<i>MT Level 1 Bike Path West PTZ</i>	<i>A PTZ Camera located in soffit outside Lakeside Commons. It captures visitors and staff using bike path.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Level 1 Bike Path East PTZ</i>	<i>A PTZ Camera located in soffit outside Lakeside Commons. It captures visitors and staff using bike path.</i>	<i>Monona Terrace</i>	<i>PTZ Camera</i>
<i>MT Greeter</i>	<i>A fixed dome camera located in ceiling by main entrance on 4th floor. It captures visitors and staff interacting with the Greeter.</i>	<i>Monona Terrace</i>	<i>Fixed-dome camera</i>

Usage of Surveillance Technology

Surveillance Data Usage

The Monona Terrace camera system is used for the purposes of monitoring the safety of all individuals and property. Video data is automatically retained on the City network for approximately 2 weeks. The Command Center Operator will report any suspicious activity or behavior to the Operations Manager. MPD will be contacted for all incidents that may be criminal in nature. Incident reports are filled out for all other incidents that happen on MT property and sent to the City Risk Manager for review.

Sharing Data with Other Entities

Monona Terrace captured and shared video segments upon request from MPD in 2023.

Monona Terrace captured and shared video segments upon request from City Risk Manager in 2023.

Safeguarding Individual Information

No change from previous year.

Complaints or Concerns

No change from previous year.

Appendix A: Supporting Policies

No Change from previous year.



**City of Madison, Wisconsin
Madison Police Department**

Annual Surveillance Technology Report

2024

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Introduction

Summary

During 2023, there was no new surveillance technology added to the Madison Police Department's existing surveillance technology inventory.

Ordinance Requirements

This document is prepared pursuant to M.G.O. 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
In-car video systems	In-car cameras in marked squad cars and certain unmarked squad cars.	MPD Fleet - Mobile	Cameras
Body Cameras	MPD SWAT officers use body worn cameras during authorized SWAT operations (warrant service, high risk incidents, etc.) Body worn cameras are also deployed to TEST motor officers.	Mobile	Cameras
Small Unmanned Aircraft Systems (sUAS or UAS)	Small Unmanned Aircraft Systems (sUAS or UAS) provides assistance to officers in a variety of contexts: search and rescue, crimes scene processing, major events, etc.	Mobile	Camera
SWAT Robotics	Robotics platforms that are equipped with audio and/or visual monitoring. The robotics are used to enter and observe areas during high-risk operations.	Mobile	Robotics/Camera
Covert tracking devices	Used to track the location of an individual suspect (pursuant to a valid court order) during criminal investigations. Limited personnel have access to this technology.	Mobile	Covert tracking devices
Telephone recording devices	Device used by personnel that attaches to a phone to record a conversation. Used in limited circumstances	Mobile	Audio recorder
Covert recording devices	Recording devices used on a temporary basis to aid criminal investigations. Only a limited number of personnel have access to these devices.	Mobile and stationary	Covert recording devices
Computer, cellphone and mobile device extraction tools.	Used by MPD's forensic services unit to analyze data stored on an electronic device as part of a criminal investigation (Used pursuant to a court order or with the consent of the device owner only).	Stationary – MPD Facility	Extraction tools

Cameras on City Enterprise Camera System	MPD has been assigned a number of cameras on the City Enterprise camera system. The system is maintained by IT.	Varies	Cameras

Usage of Surveillance Technology

Surveillance Data Usage

In-car video systems have been utilized by MPD for over 20 years and consists of one camera that faces forward of the squad car and one internal camera facing to the back seat of the vehicle. Officers also wear a portable microphone that is connected to the system and transmits audio. It is intended to serve a variety of purposes; the most significant is to capture evidence for use in a prosecution (this can include driving behavior, field sobriety tests, etc.) In-car video is also used to help investigate citizen complaints about officer behavior and to audit officer driving habits.

The SWAT Body Worn Cameras are used during tactical operations. The data captured is used to resolve citizen complaints, provide documentation for use-of-force encounters, assist with prosecutions, assist with after action reviews, and as a training aid. During pre-planned tactical operations (like serving search warrants), specific officers are assigned to wear cameras. There are not enough cameras to assign one to each officer, so they are assigned with the goal of providing as much coverage of the operation as possible. After the incident is resolved, supervisors download the video. The cameras are also deployed when possible for spontaneous tactical incidents, but there will be a delay in their arrival at the scene (and sometimes it is not practical to deploy them).

TEST Motor Officers are also assigned Body Worn Cameras since in-car video is not available for motorcycles. The data captured during all traffic stops is used to resolve citizen complaints, provide documentation for use-of-force encounters, assist with prosecutions, and document the issuance of citations and physical arrests.

The UAS provides assistance to officers in a variety of contexts: search and rescue, crime scene processing, and major events and incidents. Officers investigating an incident where a UAS would be beneficial can request that the UAS team respond. The UAS provides real-time video which enables officers to check large open areas much more quickly than they could on foot.

MPD SWAT has several robotics platforms that are equipped with audio and/or visual monitoring. The robotics are used to enter and observe areas during high-risk tactical operations. They are intended to aid officers in searching for high-risk individuals in a safe manner.

Covert tracking devices are used in limited circumstances with a valid court order during criminal investigations to track the location of an individual crime suspect.

Telephone recording devices are attached to a telephone and record conversations. Most common use would be by members of the Crisis Negotiation Team (CNT) to record their negotiations during a tactical incident.

Covert recording devices are used during criminal investigations or internal investigations (very limited circumstances).

Data extracted by the tools used by MPD's forensic services unit is used in criminal investigations. Extractions are completed pursuant to a valid court order or with the consent from the owner of the device.

All commissioned employees are authorized to use the City Enterprise Camera System per MPD SOP. Civilian employees may be authorized by the Chief to access the system where there is a job-related need. No employee is allowed to access or utilize the system prior to receiving training in its use. Authorized employees are only permitted to access the City Enterprise Camera System for official law enforcement business, under any of the following conditions - to assist with the investigation of criminal or otherwise unlawful activity; for internal investigations as appropriate by the Chief or designee; to protect and secure MPD/City facilities; to maintain order during planned and unplanned events, for proactive review of a tactical incident, or for internal training opportunities with prior supervisory approval; to remotely monitor environmental conditions or other non-investigative circumstances necessary to perform an employee's duties (i.e., weather or traffic conditions, safety hazards, management of resources, etc.); and to preserve previously-discovered items or view/retrieve preserved evidence.

Sharing Data with Other Entities

Other agencies can request a particular video or piece of data, but no other agency (with the exception of the City Attorney's Office) has immediate access to our data server. All data is subject to request and potential release under the public records law. The City Attorney's Office can review video that has been specifically designated for them to review. Video/data is shared with the District Attorney's Office as part of the case review/prosecution process.

Safeguarding Individual Information

The MPD recognizes that while the use of video and audio surveillance technology can significantly aid MPD investigative efforts and promote greater public safety, the use of this technology must be balanced with the need to protect the privacy rights of the public and MPD employees when and where applicable. MPD SOPs require that use of surveillance technology will be consistent with any applicable City of Madison APMs and ordinances.

Complaints or Concerns

The MPD did not receive any complaints or expressed concerns in 2023 that stemmed from the use of surveillance technology. There were some instances where residents asked that the MPD staff review available recordings of camera footage to justify a complaint or concern.

Appendix A: Supporting Policies

MPD's Video and Audio Surveillance SOP:

<https://www.cityofmadison.com/police/documents/sop/VideoAudioSurveillance.pdf>

MPD's Digital Forensics SOP:

<https://www.cityofmadison.com/police/documents/sop/DigitalForensics.pdf>

MPD In-Car Video System SOP:

<https://www.cityofmadison.com/police/documents/sop/InCarVideo.pdf>

MPD SWAT Body Worn Cameras SOP:

<https://www.cityofmadison.com/police/documents/sop/SWATBodyWornCameras.pdf>

MPD Unmanned Aircraft Systems SOP:

<https://www.cityofmadison.com/police/documents/sop/UnmannedAircraftSystems.pdf>

MPD Police Motorcycles SOP:

<https://www.cityofmadison.com/police/documents/sop/PoliceMotorcycles.pdf>



City of Madison, Wisconsin

Municipal Court

Annual Surveillance Technology Report

2024

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Introduction

Summary

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
<i>Main Entrance Camera</i>	<i>A fixed-dome camera is located near the main entrance into the lobby of our facility. It captures visitors and staff that enter the main entrance doors.</i>	<i>City-County Building</i>	<i>Fixed-dome camera</i>

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

Parking Division

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Parking Division has not made any significant changes to our video surveillance system in 2024.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
	PU OC Entry Exit 1	Overture Center Garage	Video Camera
	PU OC Entry Exit 2	Overture Center Garage	Video Camera
	PU OC Entry Exit 3	Overture Center Garage	Video Camera
	PU OC Entry Exit 4	Overture Center Garage	Video Camera
	PU OC POF 1	Overture Center Garage	Video Camera
	PU OC POF 2	Overture Center Garage	Video Camera
	PU OC POF 3	Overture Center Garage	Video Camera
	PU OC POF 4	Overture Center Garage	Video Camera
	PU Frances Entry Exit 1	SSCa Frances Garage	Video Camera
	PU Frances POF 1 & 2	SSCa Frances Garage	Video Camera
	PU Frances Entry Exit 2	SSCa Frances Garage	Video Camera
	PU Frances Booth 1	SSCa Frances Garage	Video Camera
	PU Frances Booth 2	SSCa Frances Garage	Video Camera
	PU SSC Entry Exit 3	State Street Capitol Garage	Video Camera

Reviewed Item	Description	Location	Type
	PU SSC Entry Exit 4	State Street Capitol Garage	Video Camera
	PU SSC Entry Exit 2	State Street Capitol Garage	Video Camera
	PU SSC Entry Exit 1	State Street Capitol Garage	Video Camera
	PU SSC POF 1	State Street Capitol Garage	Video Camera
	PU SSC Entry/Exit 5	State Street Capitol Garage	Video Camera
	PU SSC Johnson Entry	State Street Capitol Garage	Video Camera
	PU SSC Dayton	State Street Capitol Garage	Video Camera
	PU SSC POF 2	State Street Capitol Garage	Video Camera
	PU SSC Metered North 2	State Street Capitol Garage	Video Camera
	PU SSC Dayton Meter Section	State Street Capitol Garage	Video Camera
	Buckeye Gilman	Buckeye Lot	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	Buckeye Gorham	Buckeye Lot	Video Camera
	PU CSN Webster Entry	Capitol Square North Garage	Video Camera
	PU CSN Permit Entry/Exit	Capitol Square North Garage	Video Camera
	PU CSN POF 1	Capitol Square North Garage	Video Camera
	PU CSN Entry/Exit 2	Capitol Square North Garage	Video Camera
	PU CSN POF 2	Capitol Square North Garage	Video Camera
	PU CSN Entry/Exit 1	Capitol Square North Garage	Video Camera
	PU CSN POF 3	Capitol Square North Garage	Video Camera
	PU SLS Bicycle Entry 1	South Livingston St. Garage	Video Camera
	PU SLS Motorcycle	South Livingston St. Garage	Video Camera
	PU SLS Entry 3	South Livingston St. Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU SLS Exit 3	South Livingston St. Garage	Video Camera
	PU SLS Lobby 1	South Livingston St. Garage	Video Camera
	PU SLS East Exterior	South Livingston St. Garage	Video Camera
	PU SLS Center Bay 1	South Livingston St. Garage	Video Camera
	PU SLS Ramp 1	South Livingston St. Garage	Video Camera
	PU SLS Entry Exit 2	South Livingston St. Garage	Video Camera
	PU SLS Livingston Driveway 1	South Livingston St. Garage	Video Camera
	PU SLS Entry Exit 1	South Livingston St. Garage	Video Camera
	PU SLS Elevator 1	South Livingston St. Garage	Video Camera
	PU SLS Elevator 2	South Livingston St. Garage	Video Camera
	PU SLS Plaza	South Livingston St. Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU SLS Lobby 2	South Livingston St. Garage	Video Camera
	PU SLS South Stair 2	South Livingston St. Garage	Video Camera
	PU SLS East Bay 2	South Livingston St. Garage	Video Camera
	PU SLS NW Bay 2	South Livingston St. Garage	Video Camera
	PU SLS Lobby 3	South Livingston St. Garage	Video Camera
	PU SLS South Stair 3	South Livingston St. Garage	Video Camera
	PU SLS East Bay 3	South Livingston St. Garage	Video Camera
	PU SLS NW Bay 3	South Livingston St. Garage	Video Camera
	PU SLS Lobby 4	South Livingston St. Garage	Video Camera
	PU SLS South Stair 4	South Livingston St. Garage	Video Camera
	PU SLS NW Bay 4	South Livingston St. Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU SLS Lobby 5	South Livingston St. Garage	Video Camera
	PU SLS South Stair 5	South Livingston St. Garage	Video Camera
	PU SLS Roof 3	South Livingston St. Garage	Video Camera
	PU SLS Roof 4	South Livingston St. Garage	Video Camera
	PU SLS Roof 1	South Livingston St. Garage	Video Camera
	PU SLS Roof 2	South Livingston St. Garage	Video Camera
	PU SLS POF 6	South Livingston St. Garage	Video Camera
	PU WS LL0 WB North	Wilson Street Garage	Video Camera
	PU WS LL1-CB SOUTH	Wilson Street Garage	Video Camera
	PU WS LL0-CB North	Wilson Street Garage	Video Camera
	PU WS LL2-EB North	Wilson Street Garage	Video Camera
	PU WS LL0-North Lobby	Wilson Street Garage	Video Camera
	PU WS LL2-EB Center	Wilson Street Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU WS LL3-WB Center	Wilson Street Garage	Video Camera
	PU WS LL2-WB Center	Wilson Street Garage	Video Camera
	PU WS LL3-WB North	Wilson Street Garage	Video Camera
	PU WS LL3-North Stairs	Wilson Street Garage	Video Camera
	PU WS LL2-North Stairs	Wilson Street Garage	Video Camera
	PU WS LL0-EB Center	Wilson Street Garage	Video Camera
	PU WS LL4-WB North	Wilson Street Garage	Video Camera
	PU WS LL3-CB Center	Wilson Street Garage	Video Camera
	PU WS LL2-North Lobby	Wilson Street Garage	Video Camera
	PU WS LL3-EB South	Wilson Street Garage	Video Camera
	PU WS LL2-WB North	Wilson Street Garage	Video Camera
	PU WS LL1-CB Center	Wilson Street Garage	Video Camera
	PU WS LL3-South Lobby	Wilson Street Garage	Video Camera
	PU WS LL0-CB Center	Wilson Street Garage	Video Camera
	PU WS LL2-EB South	Wilson Street Garage	Video Camera
	PU WS LL3-EB Center	Wilson Street Garage	Video Camera
	PU WS LL1-EB South	Wilson Street Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU WS LL1-EB Center	Wilson Street Garage	Video Camera
	PU WS LL1-NB Center	Wilson Street Garage	Video Camera
	PU WS LL1-WB North	Wilson Street Garage	Video Camera
	PU WS LL0-North Stairs	Wilson Street Garage	Video Camera
	PU WS LL3-CB North	Wilson Street Garage	Video Camera
	PU WS LL3-North Lobby	Wilson Street Garage	Video Camera
	PU WS LL4-CB Center	Wilson Street Garage	Video Camera
	PU WS LL1-North Lobby	Wilson Street Garage	Video Camera
	PU WS LL1-EB North	Wilson Street Garage	Video Camera
	PU WS LL1-North Stairs	Wilson Street Garage	Video Camera
	PU WS LL3-EB North	Wilson Street Garage	Video Camera
	PU WS LL2-CB Center	Wilson Street Garage	Video Camera
	PU WS LL4-WB Center	Wilson Street Garage	Video Camera
	PU WS LL2-CB North	Wilson Street Garage	Video Camera
	PU WS LL4-EB Center	Wilson Street Garage	Video Camera
	PU WS LL4-EB South	Wilson Street Garage	Video Camera
	PU WS LL4-North Lobby	Wilson Street Garage	Video Camera

City of Madison 2024 Surveillance Technology Report Parking Division

Reviewed Item	Description	Location	Type
	PU WS LL4-CB North	Wilson Street Garage	Video Camera
	PU WS LL2-South Lobby	Wilson Street Garage	Video Camera
	PU WS LL1-WB Center	Wilson Street Garage	Video Camera
	PU WS LL1-South Lobby	Wilson Street Garage	Video Camera
	PU WS LL4-South Lobby	Wilson Street Garage	Video Camera
	PU WS LL3-CB South	Wilson Street Garage	Video Camera
	PU WS LL4-CB South	Wilson Street Garage	Video Camera
	PU WS LL0-Motorcycle	Wilson Street Garage	Video Camera
	PU WS LL2-CB South	Wilson Street Garage	Video Camera
	PU WS LL4-North Stairs	Wilson Street Garage	Video Camera
	PU WS L1 Entry 1 & 2	Wilson Street Garage	Video Camera
	PU WS L1 Exit 1 & 2	Wilson Street Garage	Video Camera
	PU WS L1 Entry/Exit 3	Wilson Street Garage	Video Camera
	PU WS L1-Wilson Exit	Wilson Street Garage	Video Camera
	PU WS L1 Wilson Pedestrian	Wilson Street Garage	Video Camera
	PU WS L1-Wilson Corridor	Wilson Street Garage	Video Camera
	PU WS L1-Ambassador Window	Wilson Street Garage	Video Camera

Reviewed Item	Description	Location	Type
	PU WS L2-Doty Pedestrian	Wilson Street Garage	Video Camera
	PU WS L2 North Lobby	Wilson Street Garage	Video Camera
	PU WS L2 Bike Center	Wilson Street Garage	Video Camera
	PU WS L2-Doty Ramp	Wilson Street Garage	Video Camera
	PU WS L1-Garage Office	Wilson Street Garage	Video Camera
	PU WS L1 South Lobby	Wilson Street Garage	Video Camera

Usage of Surveillance Technology

Surveillance Data Usage

Live video is used by staff responding to helpline calls to assist customers. For example, if a customer cannot pay their parking fee at the exit, staff can view the camera to verify the vehicle plate number and mail a failure-to-pay notice to the customer, allowing them to pay later. Staff can also view the exit lane and adjacent surroundings to verify that the gate can be safely raised remotely to allow the customer to exit. The ability to respond to helpline calls remotely provides significantly faster response and customer resolution than dispatching an employee to respond to a facility in person. Video is also reviewed when there are customer disputes regarding parking fees and vehicle entry or exit time.

Video footage is reviewed and archived when there is an incident, such as intentional damage to gates. Cameras at the exit stations allow us to identify the vehicle that caused the damage, invoice the vehicle owner for repair costs, and issue a citation for a violation of City Ordinance 8.14(2)(c)4, "Causing Damage at a Municipal Parking Facility While Exiting."

Video is used to monitor/review operations such as timeframes of vehicle queuing and exit wait times and identify causes of backups to make operational customer service improvements.

Video recordings are temporarily stored on City Servers and automatically overwritten every two weeks/period determined by City IT for temporary retention unless an incident requires the archival of specific records. Parking Division staff do not have access permissions to download or share video data files. All archival requests are submitted through the Police Department for processing.

Sharing Data with Other Entities

The Parking Division does not provide data to other entities. City IT determines camera access rights for other departments.

Safeguarding Individual Information

Parking Division Staff do not have direct access to the video files and can only view them in real-time or review video recordings from the previous two weeks before they are overwritten. No concerns have been raised/identified regarding protecting individual privacy and safeguarding information from the Parking Division's use of cameras in public parking facilities.

Complaints or Concerns

The Parking Division has not received any complaints or concerns regarding our surveillance policy.

Appendix A: Supporting Policies

Video Surveillance Policy for the City of Madison Parking Division

July 2024

1. The City of Madison Parking Division uses Video Surveillance Technology to meet the following objectives:
 - a. Assist customers with their facility visits, allow staff to provide better response times through remote assistance and help-line support, and monitor and review operational improvements.
 - b. Document what transpires in or near Parking Division facilities to enhance the safety and security of customers, employees, and visitors.
 - c. Safeguard the Parking Division's revenue stream.
 - d. Validate facts in the case of incidents, such as those involving intentional damage to parking facility gates and equipment, personal injury, and personal property accidents or incidents.
2. Signs in English and Spanish will be maintained at the entrances and exits of facilities for vehicular and pedestrian traffic, notifying the public that Surveillance Camera Technology is in use.
3. Staff training will be ongoing, provided by the employees' direct supervisors, and overseen by the Parking Operations Supervisor.
4. Account management and administration of the Surveillance Technology will be performed by the Parking Operations Supervisor.
5. Complaints regarding the Division's use of Surveillance Technology will be received by the Parking Operations Supervisor.
6. Access to Surveillance Technology and employee roles will be determined by the Parking Operations Supervisor. Only positions with an ongoing, regular, work-related need to view camera and video images will be authorized to have access permissions.
7. The Parking Operations Supervisor will notify City IT of necessary permission changes to ensure access to the Surveillance Technology is revoked when an employee no longer has a job-related need to access it or is found to have inappropriately used it.

8. Staff training will be provided by the employee's direct supervisors when initial access is granted, with annual refresher training on the policy and appropriate use of the technology. The Parking Operations Supervisor oversees the ongoing training and review of staff account access with City IT support.
9. City IT will ensure access to the Madison Police Department.
10. Video recordings are temporarily stored on City Servers and automatically overwritten every two weeks or as established by City IT for temporary retention. Parking Division staff do not have system access permissions to download, share, or store images or video files. In the event of an incident requiring the retention of specific video footage, all archival requests are submitted through the Police Department for processing. Those images will be copied and kept as public records per Section 3.70 of the Madison General Ordinances.
11. Surveillance Technology shall not be used to visually or audibly monitor the interior of private dwellings. Most of the Parking Division's cameras are fixed and located within parking facilities without any possible view of a private dwelling. Limited personnel are authorized to change camera angles or views on cameras with that capability. Any Parking Division employee who moves a camera angle without authorization to do so or who uses cameras to attempt to record/monitor the interior of a private residence will have their access rights revoked immediately and is subject to disciplinary action.
12. City IT shall ensure that records are not destroyed during the pendency of any public records request, investigation, or civil or criminal litigation. Any public records request submitted to the Parking Division shall be promptly referred to the Police Department (within 1 business day) of receipt to ensure timely action and retention of the existing records requested. The Police Department is responsible for the archival of relevant records involving criminal investigations or litigation; however, the Parking Division will request the archival of video records when staff are aware of an incident that occurred in a parking facility and video evidence is likely to be relevant in a potential civil or criminal investigation or litigation.



**City of Madison, Wisconsin
Parks Division**

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Parks Division is a large organization with very diverse facilities and operations, consisting of General Parks, Olbrich Botanical Gardens, Warner Park Community Recreation Center (WPCRC), and the Golf Enterprise Program. There are no cameras owned or maintained by the Parks Division located within any general park locations or at the Olbrich Botanical Gardens Facility. Both WPCRC and Golf Enterprise own and maintain cameras within their facilities.

Warner Park Community Recreation Center (WPCRC) has 11 cameras throughout the facility's common areas. Cameras are not monitored continuously under normal circumstances but may be monitored for safety or security purposes. During 2023, there was no new surveillance technology added to the WPCRC's existing surveillance technology inventory.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Camera 1	Wired 1080p camera with infra-red, motion activated.	WPCRC Lobby	Indoor Camera
Camera 2	Wired 1080p camera with infra-red, motion activated.	WPCRC Front Desk	Indoor Camera
Camera 3	Wired 1080p camera with infra-red, motion activated.	WPCRC Game Room	Indoor Camera
Camera 4	Wireless 720p camera with infra-red, motion activated.	WPCRC Outside Driveway East	Indoor Camera
Camera 5	Wired 1080p camera with infra-red, motion activated.	WPCRC Gymnasium Hallway Rear	Indoor Camera
Camera 6	Wired 1080p camera with infra-red, motion activated.	WPCRC Gymnasium Court A	Indoor Camera
Camera 7	Wired 1080p camera with infra-red, motion activated.	WPCRC Gymnasium Court B	Indoor Camera
Camera 8	Wireless 720p camera with infra-red, motion activated.	WPCRC Outside Driveway West	Indoor Camera
Camera 9	Wired 1080p camera with infra-red, motion activated.	WPCRC Main Hall Front	Indoor Camera
Camera 11	Wired 1080p camera with infra-red, motion activated.	WPCRC Mall Hall Rear	Indoor Camera
Camera 12	Wired 1080p camera with infra-red, motion activated.	WPCRC Childcare-common area	Indoor Camera
Camera 16	Wireless 720p camera with infra-red, motion activated.	WPCRC Lobby Entrance	Indoor Camera
Video Security System	Lorex DV800 Series 16 channel DVR. Local video storage only. Not on City of Madison network, no remote access.	WPCRC Front Desk	DVR

Reviewed Item	Description	Location	Type
Video Surveillance System	Video Surveillance System	Odana Hills Golf Course – Clubhouse – Interior	Speco DVR8TL500
	Speco DVR8TL500		
Camera 1	Constant stream, safe	Odana Hills	
Camera 2	Golf shop		
Camera 3	Bar/concession		
Reviewed Item	Description	Location	Type
Video Surveillance System	Video Surveillance System	Glenway Golf Course – Clubhouse – Interior & Exterior	Speco DVR8TL500
Camera 1	Constant stream, carts	Glenway Golf Course – Clubhouse –Carts	Outside Camera
Camera 2	Cash register and safe	Glenway Golf Course – Clubhouse – Cash Register and Safe	Indoor Camera
Camera 3	Door	Glenway Golf Course – Clubhouse – Main Door	Indoor Camera
Camera 4	Seating	Glenway Golf Course – Clubhouse – Seating	Indoor Camera

DVR BOX, sim card, self contained deletes after two days

Usage of Surveillance Technology for WPCRC:

Surveillance Data Usage

The primary use of surveillance data is to investigate incidents in the facility such as thefts, accidents, injuries, and property damage and support disciplinary actions for staff and facility users.

Sharing Data with Other Entities

Surveillance records are only shared with individuals directly involved in investigating and following up on the incident, including Park's Management and the Madison Police Department.

Safeguarding Individual Information

WPCRC surveillance cameras use digital video recorders (DVR) to store information. Video may be reviewed and downloaded when employees or the public report an incident requiring camera access. Video is available for 14 days from the time of the incident. After 14 days from the time of the incident, all data is overwritten and becomes unavailable. WPCRC Facility Manager or designee provides downloaded videos and images to the City of Madison Information Technology (IT) Department for storage on a secure network server.

WPCRC Program Coordinator, WPCRC Facility Manager, Parks Community Services Manager, Assistant Parks Superintendent, and Parks Superintendent have access to the login functions to review, save, and download footage from the surveillance cameras. All other staff have access to the view-only functions.

Surveillance from golf courses is stored DVR BOX with a sim card that is self contained deletes after two days. These systems are in locked areas and can only be accessed by Golf Supervisors, Assistant, Assistant Parks Superintendent, and Parks Superintendent.

Complaints or Concerns

The Parks Division has not received complaints or concerns about its surveillance technology in any of these locations.

Appendix A: Supporting Policies

WPCRC SURVEILLANCE CAMERA POLICY

Purpose: This document is the Parks Division's policy for using surveillance cameras at the Warner Park Community Recreation Center (WPCRC), as required by APM 3-17. The primary purpose of this policy is to balance the City's interests in monitoring the use of the WPCRC, protecting the public safety of those in the facility, and respecting the privacy rights of the public and the associational/collective action rights of City employees. In addition, this policy promotes security for the public and City employees through timely surveillance of areas otherwise difficult to monitor.

Locations: The WPCRC surveillance camera system includes 13 cameras throughout the facility. Video monitoring occurs in common areas of the facility to include; building entrances and exits, lobby and reception area, hallways and corridors, gymnasium, game room, and the childcare room.

Monitoring by surveillance cameras shall not occur in the following areas:

- Bathrooms
- Lockers rooms
- Offices
- Maintenance and storage rooms

Downloading Videos and Images: WPCRC surveillance cameras use digital video recorders (DVR) to store information. The playback feature provides access to video footage. Video and images may be reviewed and downloaded when employees or the public reports an incident or accident. Video is available for 14 days from the time of the incident. After 14 days from the time of the incident, all data is overwritten and becomes unavailable. WPCRC Facility Manager or designee, as outlined in the Public Records section, will provide downloaded videos and images to the City of Madison Information Technology (IT) Department for storage on a secure network server.

Access, Use, and Monitoring: Surveillance records are only shared with individuals directly involved in investigating and following up on the incident, including Park's Management Team, Madison Police Department, the offending individual parents as appropriate, and others who may be directly involved in responding to the incident, including the City Attorney's Office and the City's Risk Manager. The Madison Police Department will be provided with immediate access to all data recordings that may constitute evidence of a crime, upon request, unless otherwise prohibited by law.

Surveillance cameras are not monitored continuously under normal operating conditions but may be monitored for safety and security purposes, including investigating thefts, accidents, misconduct, or property damage. Personnel with access to the surveillance cameras should be trained in the effective use of the equipment. Public notice of security monitoring is located on the facility entrance door.

The following list outlines examples of prohibited use of the surveillance cameras:

- Use of dummy or placebo cameras, personal webcam, or similar technology for surveillance purposes.
- Recording of audio for surveillance purposes.
- The use of a personal cell phone to record or monitor activity.

- Reasons unrelated to surveillance activity including videotaping athletic events for replay or post-game reviews or attendance for programs.

The following list provides additional expectations for the use of the surveillance cameras:

- Personnel, as outlined in the Levels of Access section, may review video from the surveillance cameras when an incident occurs.
- Complete the WPCRC Behavior Report Form with details, including the date, time, and location for incidents requiring video review and place in the WPCRC Facility Manager's box.

Levels of Access: The following individuals shall have access to the login functions to review, save, and download footage from the surveillance cameras. In addition, individuals may also have access to the remote access features.

- WPCRC Program Coordinator
- WPCRC Facility Manager
- Parks Community Services Manager
- Assistant Parks Superintendent
- Parks Superintendent
- WPCRC Maintenance Mechanic shall have access to the Admin login function for maintenance, training, and revocation of access to the surveillance cameras.
- Staff not listed in this section shall have access to the view-only functions.
- Information Technology staff may have access to the surveillance records and equipment as needed to maintain, service, or operate the system.

When any of the above listed persons are no longer in the listed job title, their access to the surveillance records shall be revoked. Revoking this access shall be the responsibility of the Assistant Parks Superintendent, and in their absence, the Parks Superintendent.

Other Responsibilities:

Assistant Parks Superintendent

- Authorize copies of surveillance videos or images and the release of records.
- Submit the Annual Surveillance Technology Report to the Common Council.
- Periodically review this policy and make recommendations for revisions to the Board of Parks Commissioners.
- Receive complaints regarding the use of surveillance cameras.
- Conduct an annual review of surveillance technology to ensure compliance with city ordinance MGO Section 23.63.
- Periodically review staff access and use of the surveillance technology

Public Records

- In consultation with the City Attorney's office, WPCRC will maintain, as a public record, images downloaded from the recorders following the video record retention policy outlined below.
- In cases where follow-up action is taken, the images will become part of the files for the incident and be maintained under the video record retention policy outlined below. During the pendency of any public records request, investigation or civil or criminal litigation, no applicable records shall be destroyed.
- The Assistant Parks Superintendent serves as the open records custodian for Parks.

- Records are stored on a secure network server maintained by the City of Madison IT Department. In addition to IT Department staff and representatives of the City Attorney's Office, the following individuals shall have access to the secured network folder.
 - WPCRC Program Coordinator
 - WPCRC Facility Manager
 - Parks Community Services Manager
 - Assistant Parks Superintendent
 - Parks Superintendent

Record Retention Policy:

Category	Default
MPD-WPCRC Video	
Parks Superintendent Requests	365 Days
Workers Comp	365 Days
Employee Misconduct	365 Days
User Misconduct	365 Days
Complaints	365 Days
Misc	365 Days
Accidents Slip & Falls Sports & Fitness activities Community programs, rentals, and events Other facility accidents or injuries	4 Years

The Training Protocol Parks Division employees identified above who have access to the surveillance records will be trained annually, or upon commencement of their employment, on their duties and responsibilities under this Policy. The Assistant Parks Superintendent shall be responsible for this training. No employee shall have access to surveillance records until they have received this training.



City of Madison, Wisconsin

Public Health Madison & Dane County

Annual Surveillance Technology Report

2024

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Introduction

Summary

Public Health Madison & Dane County does not have any surveillance technology and has not added any surveillance technology in 2024.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
N/A	N/A	N/A	N/A

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies



City of Madison, Wisconsin

Planning Division

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Planning Division's use of surveillance technology has not changed.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
None			

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin

Streets Division

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Introduction

Summary

There have been no changes with the Streets Division.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
N/A	N/A	N/A	N/A

Usage of Surveillance Technology

Surveillance Data Usage

N/A

Sharing Data with Other Entities

N/A

Safeguarding Individual Information

N/A

Complaints or Concerns

N/A

Appendix A: Supporting Policies

N/A



City of Madison, Wisconsin
Traffic Engineering
Annual Surveillance Technology Report
2024

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Safeguarding Individual Information	Error! Bookmark not defined.
Complaints or Concerns	Error! Bookmark not defined.
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Introduction

Summary

Traffic Engineering staff continues to use surveillance cameras located on critical streets and street intersections throughout the City. The purpose of these cameras are to monitor, study and analyze traffic volume, flow and crashes.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

See Addendum

Usage of Surveillance Technology

Surveillance Data Usage

Traffic Engineering staff uses surveillance cameras located on critical streets and street intersections throughout the City. The purpose of these cameras is exclusively to monitor, study and analyze traffic volume, flow and crashes. Video is often used to make short and/or long term changes to traffic signal controllers and other traffic control equipment. The purpose of these cameras is for staff to use real time monitoring to help staff manually or remotely adapt traffic control devices (signals, barricades, signs, cones) to improve traffic flow and reduce congestion and associated pollution.

Sharing Data with Other Entities

Other agencies such as Metro Transit and the streets division use our cameras assess their operations. In addition, many of the cameras listed below are used by the City of Madison Police Department but are owned by T.E. as they are located in the Public Right of Way.

Safeguarding Individual Information

The purpose of these cameras for Traffic Engineering's use is exclusively to monitor traffic and street and sidewalk operation and there is no attempts to identify individual information.

Complaints or Concerns

None

Appendix A: Supporting Policies

<u>Intersection/Location</u>	<u>Camera Model</u>	<u>Owner - TE/MPD/Other</u>
18 N. Carroll	P5635-E-MkII	MPD
400 Block West Gilman	P5635-E-MkII	MPD
400 N. Frances	P5655-E	MPD
500 Block State 1	Q6045-E	MPD
600 Block State St 1	Q6045-E	MPD
700 Block State St.	P5635-E-MkII	MPD
800 State St.	P5655-E	MPD
Aberg Ave & Shopko Dr	P5655-E	TE
Acewood & Cottage Grove	P5635-E-MkII	MPD
American Family Pkwy & Eastpark	P5522-E	TE
Atlas & Cottage Grove	P5635-E-MkII	MPD
Bassett St & Mifflin St	P5534-E	MPD
Bassett St & W Washington Ave	P5635-E-MkII	MPD
Beacon @ Blair St.	P5635-E-MkII	MPD
Beltline & Fish Hatchery North	P5624-E	TE
Beltline & Fish Hatchery South	P5655-E	TE
Beltline & Gammon North	P5624-E	TE
Beltline & Gammon South	P5655-E	TE
Beltline & Mineral Point East	P5624-E	TE
Beltline & Mineral Point West	P5635-E-MkII	TE
Beltline & Old Sauk East	P5655-E	TE
Beltline & Old Sauk West	P5624-E	TE
Beltline & Park North	P5624-E	TE
Beltline & Rimrock North	P5624-E	TE
Beltline & Rimrock South	P5624-E	TE
Beltline & Todd Dr	P5635-E-MkII	MPD
Beltline & Todd Dr-South	P5635-E-MkII	MPD
Beltline & Whitney North	P5655-E	TE
Beltline & Whitney South	P5635-E-MkII	TE
Brittingham Park Shelter	Q6035-E	MPD
Broadway & Monona Dr	P5522-E	TE
Broadway & Copps Ave	P5522-E	TE
Broadway & Frazier Ave	P5655-E	TE
Broom St & Mifflin St	P5655-E	MPD
Capital City Path & Brearly	P5655-E	MPD
Capital City Path & Dickinson	P5655-E	MPD
Capital City Path & Livingston	P5655-E	MPD
Capital City Path & Patterson	P5655-E	MPD
Capital City Path & Thornton	P5655-E	MPD
Carroll & Dayton	P5635-E-MkII	MPD
Carroll & Main	P5655-E	MPD

City of Madison 2024 Surveillance Technology Report (Traffic Engineering)

Carroll & Wilson	P5655-E	MPD
Carroll W Washington	P5655-E	MPD
Charter St & Spring St	P5655-E	TE
Cottage Grove & Thompson	P5655-E	MPD
Dayton St & Henry St	P5624-E-MkII	MPD
Doty St & Carroll St	P5655-E	MPD
Doty St & King St	P5635-E-MkII	MPD
Doty St & S Hamilton & Fairchild	P5655-E	MPD
Dryden & Northport	P5635-E-MkII	MPD
E Washington & First St	P5635-E-MkII	TE
E Washington & Marquette St	P5635-E-MkII	MPD
E Washington & Webster St	Q6035-E	MPD
E Washington & Zeier	P5624-E-MkII	TE
E. Washington & Blair	P5635-E-MkII	MPD
E. Washington & Fair Oaks	P5635-E-MkII	MPD
E. Washington & Lein	P5635-E-MkII	MPD
E. Washington & Paterson	P5635-E-MkII	MPD
E. Washington & Pinckney	P5655-E	MPD
Elver Park & McKenna	P5635-E-MkII	MPD
Fairchild & Mifflin	P5635-E-MkII	MPD
Fish Hatchery & Badger Rd	P5635-E-MkII	TE
Fish Hatchery Rd & Mckee Rd	P5635-E-MkII	TE
Fluno 1	P5655-E	MPD
Fluno 2	P5655-E	MPD
Fluno 3	P5655-E	MPD
Frances Dayton	P5655-E	MPD
Frances Johnson	P5635-E-MkII	MPD
Frances Langdon	P5655-E	MPD
Frances State South	P5655-E	MPD
Gammon & Schroeder	P5635-E-MkII	MPD
Gammon & Watts	P5635-E-MkII	MPD
Gammon Rd & Odana Rd	P5655-E	TE
Gilman St & Henry St	P5635-E-MkII	MPD
Gorham St & Broom St	Q6045-E	MPD
Gorham St & Franklin St	P5655-E	MPD
Gorham St & Wisconsin Ave	P5635-E-MkII	MPD
Hamilton & Henry & Wilson	P5655-E	MPD
Hawthorne Court 1	P3367	MPD
Hawthorne Court 2	P3367	MPD
Hawthorne Court 3	P3367	MPD
Hawthorne Court 4	P3367	MPD
James Madison Park 1	P5635-E-MkII	MPD
James Madison Park 2	P5635-E-MkII	MPD
James Madison Park 3	P5635-E-MkII	MPD

City of Madison 2024 Surveillance Technology Report (Traffic Engineering)

John Nolen & Blair & Wilson	P5635-E-MkII	TE
John Nolen & Broom St	P5655-E	TE
John Nolen & North Shore Dr	P5655-E	TE
John Nolen & Olin	P5655-E	TE
John Nolen & Rimrock Rd	P5635-E-MkII	TE
Johnson & First	P5635-E-MkII	TE
Johnson St & Baldwin St	P5655-E	TE
Johnson St & Bassett St	P5655-E	TE
Johnson St & Blair St	P5635-E-MkII	MPD
Johnson St & Butler & Hamilton	P5635-E-MkII	MPD
Johnson St & Park St	P5655-E	TE
Johnson St & Wisconsin Ave	P5635-E-MkII	TE
Juntion Road & Jug	P5655-E	TE
King St & Pinckney St & Main St	P5655-E	MPD
Lake Mendota & Carroll	P5635-E-MkII	MPD
Lake Mendota & Frances	P5655-E	MPD
Lake Mendota & Henry	P5655-E	MPD
Lake Mendota & Lake	P5635-E-MkII	MPD
Lake St & Langdon	Q6035-E	MPD
Langdon & Henry	P5655-E	MPD
Langdon & Howard	P5655-E	MPD
Langdon St & Carroll St	P5635-E-MkII	MPD
Langdon St & Wisconsin Ave	P5635-E-MkII	MPD
Lien & E. Wash	P5635-E-MkII	MPD
Mckee Rd & Seminole Hwy	P5655-E	TE
Mifflin & Bedford	P5635-E-MkII	MPD
Mifflin & Pinckney	P5635-E-MkII	MPD
Milwaukee & Fair Oaks	P5635-E-MkII	MPD
Mineral Point Rd & Midvale Blvd	P5635-E-MkII	TE
Mineral Point Rd & South Point	P5655-E	TE
Mineral Pt Rd & Gammon Rd	P5635-E-MkII	TE
Mineral Pt Rd & Whitney Way	P5522-E	TE
MLK & Doty	P5635-E-MkII	MPD
MLK Jr Blvd & Main St	P5655-E	MPD
Moorland & Rimrock	P5635-E-MkII	MPD
Northport & Sherman Ave	P5655-E	TE
Northport Dr & Troy Drive	Q6035-E	TE
Old Sauk & Excelsior	P5635-E-MkII	TE
Old Sauk & High Point	P5635-E-MkII	TE
Old Sauk & Junction Rd	P5635-E-MkII	TE
Old Sauk & Pleasant View	P5624-E	TE
Packers & Commercial Ave	P5655-E	TE
Packers & International Lane	P5635-E-MkII	TE
Packers & Northport Dr	P5534-E	TE

City of Madison 2024 Surveillance Technology Report (Traffic Engineering)

Park & Badger	P5534-E	TE
Park & Buick	P5655-E	MPD
Park & W Washington	P5635-E-MkII	MPD
Park St & Fish Hatchery Rd	P5655-E	TE
Park St & Olin Ave	P5655-E	TE
Peace Park & State	P5635-E-MkII	MPD
Peace Park Gilman	P5635-E-MkII	MPD
Penn Park 1	P5635-E-MkII	MPD
Penn Park 2	P5655-E	MPD
Pleasant View & McKee	P5635-E-MkII	TE
Pleasant View & Midtown	P5635-E-MkII	TE
Portage & E. Wash	P5635-E-MkII	MPD
Raymond & McKenna	P5635-E-MkII	MPD
Raymond & Whitney Way	P5635-E-MkII	MPD
Regent St & Breese Terrace	P5655-E	MPD
Regent St & Mills St	Q6035-E	MPD
Regent St & Monroe	P5635-E-MkII	MPD
Regent St & Park St	P5635-E-MkII	MPD
Regent St & Randall Ave	P5655-E	MPD
Sherman Ave & Aberg Ave	P5635-E-MkII	TE
State St & Carroll St Cul de Sac	P5635-E-MkII	MPD
State St & Dayton St	P5635-E-MkII	MPD
State St & Frances North	P5635-E-MkII	MPD
State St & Gilman St	P5655-E	MPD
State St & Gorham St	P5635-E-MkII	MPD
State St & Johnson St	P5624-E	MPD
State St & Mifflin & Carroll #2	P5635-E-MkII	MPD
State St & Mifflin & Carroll #1	P5635-E-MkII	MPD
State St & Mifflin St cul-de-sac	P5635-E-MkII	MPD
State St. & Lake St.	P5635-E-MkII	MPD
SW Bike Path @ Verona Frontage	P5655-E	MPD
University & Frances 2	P5655-E	MPD
University Ave & Babcock Dr	P5635-E-MkII	TE
University Ave & Bassett St	P5655-E	MPD
University Ave & Farley Ave	P5655-E	TE
University Ave & Frances St	P5655-E	TE
University Ave & Lake St	P5655-E	TE
University Ave & Midvale Blvd	P5635-E-MkII	TE
University Ave & Park St	P5655-E	TE
University Ave & Segoe Rd	P5635-E-MkII	TE
University Ave & Shorewood Blvd	P5635-E-MkII	TE
University Ave & Spring Harbor	P5655-E	TE
University Ave & Whitney Way	P5635-E-MkII	TE
Verona Rd Underpass East	P3364	MPD

Verona Rd Underpass West	P3364	MPD
W Washington & Bedford St	P5655-E	MPD
W Washington & Fairchild St	P5655-E	TE
W Washington & Proudfit	P5655-E	TE
W. Washington & Broom	P5635-E-MkII	MPD
Webster St & N Hamilton St	P3367	PU
Whitney Way & Odana Rd	P5522-E	TE
Wisconsin & Dayton	P5655-E	MPD
Wisconsin & Mifflin	P5655-E	MPD



**City of Madison, Wisconsin
Department of Transportation**

Annual Surveillance Technology Report

2024

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Introduction

Summary

The Department of Transportation (DOT) has not implemented new surveillance technologies in 2021. Divisions within the DOT, Traffic Engineering, Parking, and Metro Transit, have individual camera installations and will report on them as appropriate. Note that Bus Rapid Transit cameras will be reported on Metro Transit's report.

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

- (a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.*
- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
 - 1. An inventory of current Surveillance Technology and the applicable policies;*
 - 2. How the Department has used the data collected by its Surveillance Technology;*
 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type

Usage of Surveillance Technology

Surveillance Data Usage

Not applicable.

Sharing Data with Other Entities

Not applicable.

Safeguarding Individual Information

Not applicable.

Complaints or Concerns

Not applicable.

Appendix A: Supporting Policies

[INSERT TEXT]



City of Madison, Wisconsin

Water Utility

Annual Surveillance Technology Report

2024

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Introduction

Summary

During 2023, the Water Utility added new cameras to the inside of some of its remote non public water site buildings. This was done as a result of a physical security audit that was done by Wildcard in 2022 that showed a camera footage deficiency inside of the remote water site buildings. The Water Utility Emergency Response Committee met, reviewed the security audit, and determined that the locations below were the biggest need. The remote water site buildings are not open to the public and the camera locations that were added are internal to the building. These camera locations are not public facing.

Here is a list of cameras that were added in 2023 and these are included in the Surveillance Technologies list below. These camera additions/locations were approved by City IT as part of TDX ticket “Water Utility request to add and replace cameras 2022” (Service Request ID: 20257101).

- Unit Well 7
 - Booster Pump Area
 - Pump Room PTZ
- Unit Well 9
 - Well Pump Room
- Unit Well 11
 - Booster Pump Room
- Unit Well 12
 - Booster Pump Room
- Unit Well 13
 - Booster Pump Room
- Unit Well 14
 - Booster Pump Room
- Unit Well 20
 - Pump Room
- Unit Well 24
 - Booster Pump Room
- Unit Well 26
 - Pump Room
- Unit Well 29
 - Filter Room
- Unit Well 31
 - Pump Room PTZ
 - Filter Area

Ordinance Requirements

This document is prepared pursuant to MGO 23.63(5), which states:

(a) Each Department will conduct an annual review of its Surveillance Technology and ensure compliance with this Ordinance.

- (b) Each Department will complete an Annual Surveillance Technology Report which will be submitted to the Common Council through a resolution. The Annual Surveillance Technology Report will include:*
- 1. An inventory of current Surveillance Technology and the applicable policies;*
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 - 3. How any Surveillance Data is being shared with other entities;*
 - 4. How well Surveillance Data management protocols are safeguarding individual information; and*
 - 5. Whether the Department has received any complaints or concerns about its Surveillance Technology use and the resolution of said complaints.*
- (c) The Common Council shall review and take action on the resolution accompanying the Annual Surveillance Technology Report.*

Surveillance Technologies

Below is a list of technologies used by the Department that were reviewed and met the ordinance definitional requirement of surveillance:

Reviewed Item	Description	Location	Type
Pump Room	Interior camera monitoring the building main entrance and pump room.	Unit Well 6	Fixed – fisheye camera
North Hatches	Exterior camera monitoring the north roof accesses into the water reservoir.	Unit Well 6	Fixed – bullet camera
South Hatch	Exterior camera monitoring the south roof access into the water reservoir.	Unit Well 6	Fixed – bullet camera
Front Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 6	Fixed – dome camera
Parking	Exterior camera monitoring the chemical storage room entrance, building front entrance, and parking spot outside of the chemical room.	Unit Well 7	Fixed – dome camera
Generator Door	Exterior camera monitoring the generator room entrance.	Unit Well 7	Fixed – dome camera
Pump Room Entry	Interior camera monitoring the front and side building entrances.	Unit Well 7	Fixed – dome camera
Chemical Room Door	Exterior camera monitoring the chemical storage room entrance.	Unit Well 7	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Side Door	Exterior camera monitoring the building side entrance and the parking spot for the building side entrance.	Unit Well 7	Fixed – dome camera
Front Entrance	Exterior camera monitoring the building front entrance.	Unit Well 7	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 7	Fixed – dome camera
Booster Pump Area	Interior camera monitoring the area near the booster pumps.	Unit Well 7	Fixed – dome camera
Pump Room PTZ	Interior camera monitoring the front and side building entrances, the filter area, and the entrance into the generator room.	Unit Well 7	PTZ – dome camera
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 8	Fixed – dome camera
Hatch	Exterior camera monitoring the roof access into the water reservoir.	Unit Well 8	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 8	Fixed – dome camera
Booster Pump Room	Interior camera monitoring the building main entrance and the booster pump room.	Unit Well 9	Fixed – dome camera
Hatch	Exterior camera monitoring the water reservoir pit entrance and water reservoir climbing pilaster entrance.	Unit Well 9	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 9	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Overflow	Exterior camera monitoring the water reservoir overflow discharge pipe.	Unit Well 9	Fixed – bullet camera
Well Pump Room	Interior camera monitoring the well pump room, the chlorine room entrance, and the fluoride room room entrance.	Unit Well 9	Fixed – dome camera
Well Pump Room	Interior camera monitoring the building main entrance and well pump room.	Unit Well 11	Fixed – dome camera
Hatch	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 11	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 11	Fixed – dome camera
Booster Pump Room	Interior camera monitoring the booster pump room.	Unit Well 11	Fixed – dome camera
Well Pump Room	Interior camera monitoring the building main entrance and well pump room.	Unit Well 12	Fixed – dome camera
Hatch	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 12	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 12	Fixed – dome camera
Booster Pump Room	Interior camera monitoring the booster pump room.	Unit Well 12	Fixed – dome camera
Well Pump Room	Interior camera monitoring the building main entrance and well pump room.	Unit Well 13	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 13	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 13	Fixed – bullet camera
Booster Pump Room	Interior camera monitoring the booster pump room.	Unit Well 13	Fixed – dome camera
Well Pump Room	Interior camera monitoring the building main entrance and well pump room.	Unit Well 14	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 14	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 14	Fixed – dome camera
Booster Pump Room	Interior camera monitoring the booster pump room.	Unit Well 14	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 15	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 15	Fixed – bullet camera
Filter Room	Interior camera monitoring the water filtration room entrance.	Unit Well 15	Fixed – dome camera
Rear Entrance	Exterior camera monitoring the building rear entrance.	Unit Well 15	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 16	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 16	Fixed – dome camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 16	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 17	Fixed – bullet camera
North Hatch	Exterior camera monitoring the north roof access into the water reservoir.	Unit Well 17	Fixed – bullet camera
South Hatch	Exterior camera monitoring the south roof access into the water reservoir.	Unit Well 17	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 17	Fixed – bullet camera
Pump Room	Interior camera monitoring the building main entrance and booster pump area.	Unit Well 18	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 18	Fixed – bullet camera
Front Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 18	Fixed – dome camera
Chemical Parking	Exterior camera monitoring the chemical storage room entrance and the chemical storage room parking spot.	Unit Well 18	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 19	Fixed – bullet camera
North Hatch	Exterior camera monitoring the north roof access into the water reservoir.	Unit Well 19	Fixed – bullet camera
South Hatch	Exterior camera monitoring the south roof access into the water reservoir.	Unit Well 19	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 19	Fixed – bullet camera
Pump Room Entry	Interior camera monitoring the building main entrance.	Unit Well 20	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 20	Fixed – dome camera
Sphere Entry	Exterior camera monitoring the water tower entrance.	Unit Well 20	Fixed – bullet camera
Pit	Exterior camera monitoring the water reservoir pit entrance.	Unit Well 20	Fixed – bullet camera
Pump Room	Interior camera monitoring the well pump and booster pump areas.	Unit Well 20	Fixed – fisheye camera
Booster Pump Room Entry	Interior camera monitoring the booster pump building main entrance.	Unit Well 24	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Northwest Hatch	Exterior camera monitoring the northwest roof access into the water reservoir.	Unit Well 24	Fixed – bullet camera
Southwest Hatch	Exterior camera monitoring the southwest roof access into the water reservoir.	Unit Well 24	Fixed – bullet camera
Front Parking	Exterior camera monitoring the booster pump building main entrance, the chemical room entrance, and the booster pump building parking spot.	Unit Well 24	Fixed – dome camera
Deepwell Entrance	Exterior camera monitoring the well pump building main entrance and the well pump building parking spot.	Unit Well 24	Fixed – dome camera
Deepwell Pump Room	Interior camera monitoring the well pump building main entrance and well pump room.	Unit Well 24	Fixed – dome camera
Booster Pump Room	Interior camera monitoring the booster pump room in the booster pump building.	Unit Well 24	Fixed – fisheye camera
Pump Room	Interior camera monitoring the building main entrance.	Unit Well 25	Fixed – bullet camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 25	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 25	Fixed – dome camera
Pump Room Entry	Interior camera monitoring the building main entrance and well pump area.	Unit Well 26	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Sphere Entry	Exterior camera monitoring the water tower entrance.	Unit Well 26	Fixed – bullet camera
Hatch East	Exterior camera monitoring the east roof access into the water reservoir.	Unit Well 26	Fixed – bullet camera
Hatch West	Exterior camera monitoring the west roof access into the water reservoir.	Unit Well 26	Fixed – bullet camera
Front Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 26	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance, building side entrance, well pump area, and booster pump area.	Unit Well 26	Fixed – fisheye camera
Pump Room	Interior camera monitoring the building main entrance, the well pump area, and the booster pump area.	Unit Well 27	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 27	Fixed – dome camera
Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 27	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance, the well pump area, and the booster pump area.	Unit Well 28	Fixed – dome camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 28	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Front Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, and the site parking spot.	Unit Well 28	Fixed – dome camera
Well Pump Room	Interior camera monitoring the well pump building entrance and the well pump area.	Unit Well 29	Fixed – dome camera
Booster Pump Room	Interior camera monitoring part of the well pump area and the booster pump area.	Unit Well 29	Fixed – dome camera
North Hatch	Exterior camera monitoring the north roof access into the water reservoir.	Unit Well 29	Fixed – dome camera
South Hatch	Exterior camera monitoring the south roof access into the water reservoir.	Unit Well 29	Fixed – dome camera
Parking	Exterior camera monitoring the building main entrance, chemical storage room entrance, water filtration room entrance, and the site parking spot.	Unit Well 29	Fixed – dome camera
Filter Room	Interior camera monitoring the water filtration room and water filtration room entrance.	Unit Well 29	Fixed – fisheye camera
Pump Room	Interior camera monitoring the building main entrance and well pump area.	Unit Well 30	Fixed – bullet camera
Hatches	Exterior camera monitoring the roof accesses into the water reservoir.	Unit Well 30	Fixed – bullet camera
Pump Room Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Unit Well 30	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Chemical Room Entry	Exterior camera monitoring the chemical storage room entrance and the chemical storage room parking spot.	Unit Well 30	Fixed – dome camera
Pump Room Entry	Exterior camera monitoring the building side entrance.	Unit Well 31	Fixed – dome camera
Pump Room	Interior camera monitoring the front and side building entrances.	Unit Well 31	Fixed – dome camera
Garage/Storage Lot Entry	Exterior camera monitoring the storage lot entrance and garage entrance.	Unit Well 31	Fixed – dome camera
Backwash Tank Hatches	Exterior camera monitoring the roof accesses into the water filtration backwash tanks.	Unit Well 31	Fixed – bullet camera
Reservoir Hatch	Exterior camera monitoring the roof access into the water reservoir.	Unit Well 31	Fixed – dome camera
Garage Exit	Exterior camera monitoring the garage exit and generator area.	Unit Well 31	Fixed – dome camera
Storage Lot	Exterior camera monitoring the site storage lot.	Unit Well 31	Fixed – dome camera
Chemical Room Entry	Exterior camera monitoring the building front entrance, chemical storage room entrance, and the site parking spot.	Unit Well 31	Fixed – dome camera
Reservoir Overflow	Exterior camera monitoring the water reservoir overflow discharge pipe.	Unit Well 31	Fixed – dome camera
Garage Entrance Overhead Door	Interior camera monitoring the garage entrance overhead door.	Unit Well 31	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Garage Exit Overhead Door	Interior camera monitoring the garage exit overhead door.	Unit Well 31	Fixed – dome camera
Pump Room PTZ	Interior camera monitoring the front and side building entrances, the well pump area, the water filtration area, the interior entrance into the garage, and the booster pump area.	Unit Well 31	PTZ – dome camera
Filter Area	Interior camera monitoring the water filtration area.	Unit Well 31	Fixed – dome camera
Front Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 106	Fixed – dome camera
East Hatch	Exterior camera monitoring the east roof access into the water reservoir.	Booster Station 106	Fixed – dome camera
West Hatch	Exterior camera monitoring the west roof access into the water reservoir.	Booster Station 106	Fixed – dome camera
Pump Room Door	Interior camera monitoring the building main entrance and booster pump area.	Booster Station 106	Fixed – dome camera
Main Climbing Pilaster	Exterior camera monitoring the reservoir main climbing pilaster entrance.	Reservoirs 113/313	Fixed – bullet camera
Vault Door	Interior camera monitoring the reservoir vault entrance.	Reservoirs 113/313	Fixed – dome camera
Overflow	Exterior camera monitoring the water reservoir overflow discharge pipe.	Reservoirs 113/313	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Vault Entry	Exterior camera monitoring the reservoir vault entrance.	Reservoirs 113/313	Fixed – bullet camera
Pump Room	Interior camera monitoring the building main entrance.	Booster Station 115	Fixed – bullet camera
Pilaster Door	Exterior camera monitoring the reservoir climbing pilaster entrance.	Booster Station 115	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 115	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance and the booster pump area.	Booster Station 118	Fixed – bullet camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 118	Fixed – dome camera
Chemical Room Entry	Exterior camera monitoring the chemical storage room entrance.	Booster Station 118	Fixed – dome camera
Building East Side	Exterior camera monitoring the east side of the building.	Booster Station 118	Fixed – dome camera
Building South Side	Exterior camera monitoring the south side of the building.	Booster Station 118	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance.	Booster Station 125	Fixed – bullet camera
Pump Room	Interior camera monitoring the building main entrance and pump room.	Booster Station 128	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Entrance/Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 128	Fixed – dome camera
Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 213	Fixed – bullet camera
Pump Room	Interior camera monitoring the building main entrance.	Booster Station 213	Fixed – dome camera
Pump Room	Interior camera monitoring the building main entrance.	Booster Station 215	Fixed – bullet camera
Entrance/Parking	Exterior camera monitoring the building main entrance and the site parking spot.	Booster Station 215	Fixed – dome camera
Door/Overflow	Exterior camera monitoring the water tower entrance and the water tower overflow discharge pipe.	Sphere 225	Fixed – bullet camera
Parking Area	Exterior camera monitoring the water tower parking spot and radio shop building entrance.	Sphere 225	Fixed – bullet camera
Entrance Exterior	Exterior camera monitoring the water tower main entrance.	Blackhawk Tank 228	Fixed – dome camera
Overflow	Exterior camera monitoring the water tower overflow discharge pipe.	Blackhawk Tank 228	Fixed – dome camera
Interior Entry	Interior camera monitoring the water tower main entrance.	Blackhawk Tank 228	Fixed – bullet camera
Pump Room	Interior camera monitoring the building main entrance, the building main level, and the stairs to the building pit room.	Felland Reservoir 229	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
East Hatch	Exterior camera monitoring the east roof access into the water reservoir.	Felland Reservoir 229	Fixed – bullet camera
South Hatch	Exterior camera monitoring the south roof access into the water reservoir.	Felland Reservoir 229	Fixed – bullet camera
Parking/Entry	Exterior camera monitoring the building main entrance and the site parking spot.	Felland Reservoir 229	Fixed – dome camera
Door	Exterior camera monitoring the water tower entrance.	Sphere 315	Fixed – bullet camera
Overflow/Parking	Exterior camera monitoring the water tower parking spot and the water tower overflow discharge pipe.	Sphere 315	Fixed – bullet camera
Employee East Entrance	Interior camera monitoring the building employee east entrance.	Olin Office	Fixed – dome camera
Employee South Entrance	Exterior camera monitoring the building south employee entrance and the parking spots in front of this entrance.	Olin Office	Fixed – dome camera
Meter Shop Entrance	Exterior camera monitoring the building meter shop entrance and the parking spots in front of this entrance.	Olin Office	Fixed – dome camera
Main Entrance Plaza	Exterior camera monitoring the building front entrance plaza.	Olin Office	Fixed – dome camera
Main Entrance	Exterior camera monitoring the building front entrances.	Olin Office	Fixed – dome camera
Patio Entrance	Interior camera monitoring the building patio area entrance.	Olin Office	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Patio Parking	Exterior camera monitoring the parking and building entrance near the patio area.	Olin Office	Fixed – dome camera
Reception	Interior camera monitoring the building main public entrance and reception area. Camera also monitors the entrance into the first floor office area and the stairs to the second floor office area.	Olin Office	Fixed – dome camera
Main Entrance Doors	Exterior camera monitoring the building main public entrance doors. Camera is also used to identify individuals that call the pump operator after hours to gain entry into the building for use of the conference room.	Olin Office	Fixed – dome camera
Main Gate	Exterior camera monitoring the entrance and exit gate into the employee parking lot.	Olin Office	Fixed – dome camera
VSF Main Entrance/Hallway	Interior camera monitoring the vehicle storage building main entrance, the main hallway for the vehicle storage building, and the entrance into the City IT NOC Room.	Olin Office Vehicle Storage Building	Fixed – dome camera
VSF Entrance Overhead Door	Interior camera monitoring the garage entrance overhead door.	Olin Office Vehicle Storage Building	Fixed – dome camera
VSF Exit Overhead Door	Interior camera monitoring the garage exit overhead door.	Olin Office Vehicle Storage Building	Fixed – dome camera
VSF Entrance Bay	Interior camera monitoring the garage entrance bay.	Olin Office Vehicle Storage Building	Fixed – dome camera
VSF Exit Bay	Interior camera monitoring the garage exit bay.	Olin Office Vehicle Storage Building	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Outside Main Entrance	Exterior camera monitoring the building main public entrance.	Paterson Street Office	Fixed – bullet camera
Inside Main Entrance	Interior camera monitoring the building main public entrance.	Paterson Street Office	Fixed – dome camera
Employee Entrance	Exterior camera monitoring the building main employee entrance and the south end of the main employee parking lot.	Paterson Street Office	Fixed – bullet camera
Employee Interior Entrance	Interior camera monitoring the building main employee entrance.	Paterson Street Office	Fixed – dome camera
Main Parking Lot South	Exterior camera monitoring the south end of the main employee parking lot.	Paterson Street Office	Fixed – bullet camera
Shop/Fuel Pumps	Exterior camera monitoring the fueling station and the mechanical shop overhead door entrances from the employee parking lot.	Paterson Street Office	Fixed – bullet camera
Shop Entrance	Exterior camera monitoring the mechanical shop overhead door entrances from Paterson Street.	Paterson Street Office	Fixed – bullet camera
VSF Entrance/Exit Overhead Doors	Exterior camera monitoring the entrance and exit overhead doors into the vehicle storage building.	Paterson Street Office	Fixed – bullet camera
Back Lot Gate	Exterior camera monitoring the entrance/exit gate for the back employee parking lot.	Paterson Street Office	Fixed – bullet camera
Back Lot Entrance	Exterior camera monitoring the building entrance from the back employee parking lot.	Paterson Street Office	Fixed – bullet camera
Back Parking Lot	Exterior camera monitoring the back employee parking lot.	Paterson Street Office	Fixed – bullet camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
Parking Lot South Generator	Exterior camera monitoring the back employee parking lot and the building generator.	Paterson Street Office	Fixed – bullet camera
Interior Shop Entrance	Interior camera monitoring the main interior entrance into the mechanical shop.	Paterson Street Office	Fixed – dome camera
Shop Entrance Overhead Door	Exterior camera monitoring the mechanical shop overhead door entrances from Paterson Street.	Paterson Street Office	Fixed – bullet camera
Main Gates	Exterior camera monitoring the entrance and exit gates into the main employee parking lot.	Paterson Street Office	Fixed – bullet camera
Fuel Pumps	Exterior camera monitoring the fueling station and the north end of the main employee parking lot.	Paterson Street Office	Fixed – bullet camera
Shop Door Exterior Entrance	Exterior camera monitoring the mechanical shop exterior entrance.	Paterson Street Office	Fixed – bullet camera
Main Parking Lot North	Exterior camera monitoring the north end of the main employee parking lot and the entrance gate into the main employee parking lot.	Paterson Street Office	Fixed – bullet camera
Parking Lot Southwest	Exterior camera monitoring the south end of the main employee parking lot and the building generator.	Paterson Street Office	Fixed – bullet camera
Building Main St.	Exterior camera monitoring the Main Street side of the building.	Paterson Street Office	Fixed – bullet camera
VSB South Overhead Door Back Lot	Interior camera monitoring the VSB south overhead door that exits into the back storage lot.	Paterson Street Vehicle Storage Building	Fixed – dome camera

City of Madison 2024 Surveillance Technology Report (Water Utility)

Reviewed Item	Description	Location	Type
VSF Exit Overhead Door Paterson Street	Interior camera monitoring the VSB exit overhead door to Paterson Street.	Paterson Street Vehicle Storage Building	Fixed – dome camera
VSF Back Lot	Exterior camera monitoring the far east side of the back storage lot and the VSB south overhead door exit.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Center Overhead Door Back Lot	Interior camera monitoring the VSB center overhead door that exits into the back storage lot.	Paterson Street Vehicle Storage Building	Fixed – dome camera
VSF Entrance Overhead Door Paterson Street	Interior camera monitoring the VSB entrance overhead door from Paterson Street.	Paterson Street Vehicle Storage Building	Fixed – dome camera
VSF North Overhead Door Back Lot	Interior camera monitoring the VSB north overhead door that exits into the back storage lot.	Paterson Street Vehicle Storage Building	Fixed – dome camera
VSF Back Lot East Gate	Exterior camera monitoring the back lot east entrance/exit gate.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Back Lot Storage East	Exterior camera monitoring the east side of the back storage lot.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Back Lot Main St Gate	Exterior camera monitoring the back lot entrance/exit gate from Main Street.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Back Lot Storage West	Exterior camera monitoring the back lot entrance/exit gate from Main Street and the west side of the back storage lot.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Entrance Overhead Door	Exterior camera monitoring the VSB entrance overhead door from Paterson Street.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSF Main Street	Exterior camera monitoring the vehicle storage building along Main Street.	Paterson Street Vehicle Storage Building	Fixed – bullet camera

Reviewed Item	Description	Location	Type
VSB East Side	Exterior camera monitoring the vehicle storage building along the east side.	Paterson Street Vehicle Storage Building	Fixed – bullet camera
VSB Exit Overhead Door	Exterior camera monitoring the VSB exit overhead door from Paterson Street.	Paterson Street Vehicle Storage Building	Fixed – bullet camera

Usage of Surveillance Technology

Surveillance Data Usage

The water utility uses the cameras at its sites for security purposes. The cameras are monitored by the 24/7 pump operator to maintain the security of its water facilities. The recorded video is ONLY used for review of incidents that may occur. These incidents include damage, theft, or unauthorized access into its facilities.

The water utility allows the public and other agencies to use the main conference room at its Olin Office. The water utility uses the camera that monitors the main public entrance at the Olin Office to identify individuals that arrive after hours and request access into the building for use of the conference room.

Sharing Data with Other Entities

Data is not shared with other entities except for use as part of an investigation. The investigation could be initiated by the water utility, City IT, or the Madison Police Department in the event of damage, theft, or unauthorized access to its facilities. The water utility has also shared data with the Madison Police Department to aid in the investigation of incidents that have occurred involving the public.

Safeguarding Individual Information

The water utility is not collecting any individual information with its camera usage. These cameras are solely used for security, monitoring incidents, and identifying individuals that request after hours access into the Olin Office for use of the conference room.

Complaints or Concerns

The water utility has not received complaints or concerns related to its usage of surveillance technology.

Appendix A: Supporting Policies

Use of Video Surveillance Cameras Questionnaire

Please explain your agency's objective behind this occurrence of video surveillance and the scope with which your agency hopes to obtain and fulfill this objective.

1. Madison Water Utility (MWU) utilizes video surveillance cameras at its remote facilities to provide security over its water storage reservoirs, wells, pumping equipment and chemical supply rooms. In addition, they are used to provide security for its field personnel and provide documentation of employee accidents and incidents. All 35 remote sites are equipped with cameras.
2. Cameras at the Administration (Heim Building) and Distribution/ Maintenance (Paterson Office) facilities and the Vehicle Storage buildings at both sites provide security over building entrances, vehicle storage areas, and employee/public parking lots. In addition, they provide security for its employees and provide documentation of employee accidents or incidents.

**What level of detail is expected from the recorded video and the expected recording area?
Examples; facial recognition, license plate recognition, monitoring traffic flow only; overview of an entire city park.**

The live and recorded video from MWU cameras are used to identify individuals engaged in illegal behavior and need to allow for the identification of individuals (e.g., face, body dimensions, and clothing) and vehicles (e.g., make, model, color and license plate).

The audio option existing on the cameras will remain deactivated.

How will you provide an individual(s) with notification(s) that video recording devices are in use and that he/she may be recorded on video? *

All MWU employees are notified that video surveillance is conducted 24 hours/day, 365 days/year at MWU facilities. There is signage at all of the MWUs facilities and sites.

Provide location of where each camera will be physically placed by providing a street name, building name, etc. *

Cameras are installed at the following locations:

Heim Building, Vehicle Storage Building, and parking lots - 119 E. Olin Avenue

Distribution/Maintenance Building, Vehicle Storage Building, and parking lot - 110 S. Paterson Street

UW 6 Building and parking - 2757 University Avenue

UW 7 Building and parking - 1709 North Sherman Avenue

UW 8 Building and parking - 3206 Lakeland Avenue
UW 9 Building and parking - 4724 Spaanem Avenue
UW 11 Building and parking - 102 Dempsey Road
UW 12 Building and parking - 801 South Whitney Way
UW 13 Building and parking - 1201 Wheeler Road
UW 14 Building and parking - 5130 University Avenue
UW 15 Building and parking - 3900 East Washington Avenue
UW 16 Building and parking - 6706 Mineral Point Road
UW 17 Building and parking - 201 South Hancock Street
UW 18 Building and parking - 1925 South Park Street
UW 19 Building and parking - 2526 Lake Mendota Drive
UW 20 Building, Sphere 120, and parking - 2829 Prairie Road
UW 24 Well Pump Building and parking - 809 E. Dayton Street
UW 24 Booster Pump Building and parking - 115 N. Livingston Street
UW 25 Building and parking - 5415 Queensbridge Road
UW 26 Building, Sphere 126, and parking - 910 S. High Point Road
UW 27 Building and parking - 18 N. Randall Avenue
UW 28 Building and parking - 8210 Old Sauk Road (F.B.2249)
UW 29 Building and parking - 829 N. Thompson Drive
UW 30 Building and parking - 1133 Moorland Road
UW 31 Building and parking - 4901 Tradewinds Parkway
BS 106 Building and parking - 110 Glenway Street
Reservoirs 113/313 Building - 1314 Lakeview Avenue/1202 Northport Drive
BS 115 Building and parking - 4701 Bunker Hill Lane
BS 118 Building and parking - 2497 Greenway View
BS 125 Building - 6006 Cottontail Trail
BS 128 Building and parking - 9202 Waterside Street
BS 213 Building and parking - 1314 Lakeview Avenue
BS 215 Building and parking - 2718 Crossroads Drive
Sphere 225 and parking - 435 Milky Way
Blackhawk Tank 228 and parking - 10451 Old Sauk Road
Reservoir 229 Building and parking - 1224 Felland Road
Sphere 315 and parking - 3514 Cross Hill Drive

Please indicate whether or not these cameras are being put in place permanently or for temporary purposes only. *

All of the MWUs cameras are permanently in place.

Identify a person or persons in your agency that will be allowed view access to the video surveillance system. (Note that video that is part of a continuous loop is not considered a record per MGO 3.70(3)(b)(6)a.)

The Water Supply Manager will be responsible for overseeing and managing the MWU's video surveillance system. The Control Systems Programmer and Control Systems Technician will be responsible for maintaining the system (software and hardware) and downloading/storing video. In addition to these personnel, MWU managers and Pump Operators will be allowed to view the continuous loops.

The surveillance records will be shared with individuals directly involved in investigating and following up on an incident. This could include MWU management staff, law enforcement officials, and the City's insurance company.

State your agency's plan on training regarding the use, retention and storage of video surveillance footage.

MWU staff has attended training by the City's Attorney's Office and IT Department. Refresher training will be provided by IT staff and by Exacq Technologies, the manufacturer of the VMS, to management and technical staff.

MWU will use the City's enterprise camera system. Video camera images will be stored on the city's enterprise system for a minimum of two weeks unless needed to identify someone or record a specific incident. Those images will be copied and kept as public records in accordance with local, state and federal public records laws.

If video footage needs to be extracted, for other than a criminal investigation, please identify no more than two people in your agency or division that will be allowed to export the needed video footage. (Please Note: Once video footage has been exported from the system, it is subject to Open Records statutes and must be retained for 7 years.)

The Control Systems Programmer and Control Systems Technician will be responsible for downloading, exporting, and storing video.



City of Madison

City of Madison
Madison, WI 53703
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Master

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COMMITTEE

File Created Date : 08/09/2024

File Name: Authorizing a change order to the sole source
Payment Card Industry Data Security Standards (PCI
DSS) consulting contract to Baker Tilly US, LLP

Final Action:

Title:

Authorizing a change order to the sole source Payment Card Industry Data
Security Standards (PCI DSS) consulting contract to Baker Tilly US, LLP initially
authorized under RES-20-00468 (file ID 60737).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 24.

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Craig Franklin

Hearing Date:

Entered by: ckoh@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/21/2024	Ryan Pennington	Approve	8/29/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Department	08/09/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						

1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 84777

Fiscal Note

The proposed resolution authorizes a contract change order (non-competitive) with Baker Tilly US, LLP to carry out the 2024 PCI DSS assessment. The cost will be expensed to the Parking Utility's 2024 operating budget in the amount of \$15,000. Parking Utility has sufficient funding for this expense in their purchased services budget. No additional appropriation required.

Title

Authorizing a change order to the sole source Payment Card Industry Data Security Standards (PCI DSS) consulting contract to Baker Tilly US, LLP initially authorized under RES-20-00468 (file ID 60737).

Body

WHEREAS, the City of Madison entered into a non-competitive contract with Baker Tilly US, LLP in July 2020 for PCI DSS consulting; and,
WHEREAS, the initial contract amount was \$90,000; and,
WHEREAS, the City completed its first PCI DSS assessment in 2023 and completed the filing with the card brands; and,
WHEREAS, the City is required to undergo a PCI DSS assessment annually; and,
WHEREAS, the estimated cost of the 2024 City wide assessment is \$35,000; and,
WHEREAS, the remaining balance within the contract is \$20,000; and,
WHEREAS, the additional cost is contributed to Parking Utility delays in updating the card hardware at garage pay stations; and,
WHEREAS, the delay requires a larger scope assessment for the Parking Utility, requiring a change order to add \$15,000 to complete; and,
WHEREAS, under MGO 4.26(4), a contract of more than \$50,000 that was not competitively selected must be approved by the Common Council; and,
WHEREAS, Baker Tilly US, LLP is the City's external audit firm and has provided consulting services in the past; and,
WHEREAS, the consulting work will continue to document the current state of card acceptance across all City functions, continue to update the prioritized approach to achieve full compliance and assist City staff in completing the 2024 assessment; and,
NOW THEREFORE BE IT RESOLVED, that the Common Council hereby authorizes the Finance Director or designee to sign a change order in the amount of \$15,000 to complete the 2024 PCI DSS assessment.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84804

File ID: 84804

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/14/2024

File Name: Position Recreations - Metro Transit

Final Action:

Title: Recreate positions #5120, #5121 and #5122 of Transit High Voltage Technician as one Transit Garage Dispatcher and reallocate the employee to the new position (#5120) and two Transit Maintenance Supervisor positions; and recreate position #3437 of Transit Planner 3 as a Transit Assistant Schedule Planner and reallocate the employee to the new position.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 25.

Sponsors: MGR Govindarajan, Dina Nina Martinez-Rutherford
And Juliana R. Bennett

Effective Date:

Attachments: Finance Memo - Position Recreations 8.14.24.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: aschroeder@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Ryan Pennington	Approve	9/10/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Transit	08/14/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						

1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 84804

Fiscal Note

The proposed resolution recreates 4.0 FTE positions within Metro Transit's operating budget.

The 2023 Adopted Operating Budget created 3.0 FTE High Voltage Technician positions to support the implementation and maintenance of new electric buses and charging infrastructure. Subsequently, Metro entered into an agreement for electric charging installation that also provides five years of warranty work and preventative maintenance for equipment. As such, Metro does not have an immediate need for the High Voltage Technician positions. The agency is requesting to recreate these positions as a 1.0 FTE Transit Garage Dispatcher and 2.0 FTE Transit Maintenance Supervisors. This resolution also changes a Transit Planner 3 to a Transit Assistant Schedule Planner. The changes result in an annualized cost decrease of \$20,000 or less.

Title

Recreate positions #5120, #5121 and #5122 of Transit High Voltage Technician as one Transit Garage Dispatcher and reallocate the employee to the new position (#5120) and two Transit Maintenance Supervisor positions; and recreate position #3437 of Transit Planner 3 as a Transit Assistant Schedule Planner and reallocate the employee to the new position.

Body

Delete position #3437 in the Transit Planner 3 classification (CG44/R10) and recreate it in the Transit Assistant Schedule Planner classification (CG 44/R07) and place incumbent N. Smithson in the recreated position;

Delete vacant position #5120 in the Transit High Voltage Technician classification (CG41/R12) and recreate it in the Transit Garage Dispatcher classification (CG41/R05);

Delete vacant positions #5121 and #5122 in the Transit High Voltage Technician classification (CG41/R12) and recreate them in the Transit Maintenance Supervisor classification (CG44/R08).

WHEREAS, Metro Transit has signed a contract with New Flyer (authorized by Legistar file #76201) for charging infrastructure to include five (5) years of maintenance and warranty work for the charging equipment; and

WHEREAS, Metro Transit has modified staffing needs due to rapidly changing projects and contracts, including staffing needs at a new satellite garage location at Hanson Road; and

WHEREAS, Metro Transit can make these staff changes budget neutral without displacing any staff;

NOW, THEREFORE, BE IT RESOLVED, that three vacant Transit High Voltage Technician positions (#5120, #5121, #5122) in CG41/R12 be recreated as one Transit Garage Dispatcher (#5120) in CG41/R05 and two Transit Maintenance Supervisors (#5121 and #5122) in CG44/R08 in the permanent salary detail of the Transit Utility Operating Budget; and

BE IT FURTHER RESOLVED that position #3437 in the Transit Planner 3 classification (CG44/R10) be deleted in that classification and recreated in the Transit Assistant Schedule Planner classification (CG44/R07), and that the incumbent, N. Smithson, be placed in that position in the permanent salary detail of the Transit Utility Operating Budget.

TO: Finance Committee
FROM: Ann Schroeder, Metro Transit
DATE: August 13, 2024
SUBJECT: Recreating Four Positions

At the request of Transit General Manager Justin Stuehrenberg and Transit Chief Maintenance Officer Tyson Roessler, Metro Transit is submitting a resolution to do the following:

- Delete vacant position #5120 in the Transit High Voltage Technician classification (CG41/R12) and recreate the position in the Transit Garage Dispatcher classification (CG41/R05). This position is currently in recruitment for this underfill.
- Delete vacant positions #5121 and 5122 in the Transit High Voltage Technician classification (CG41/R12) and recreate the positions in the Transit Maintenance Supervisor classification (CG44/R08).
- Delete position #3437 in the Transit Planner 3 classification (CG44/R10) and recreate it in the Transit Assistant Schedule Planner classification (CG44/R07) and reallocate the incumbent, N. Smithson, into the new classification.

The classification of Transit High Voltage Technician was added to the Transit Utility budget in 2023 to support the electric vehicle infrastructure as Metro Transit transitions to an electric fleet. Subsequently, an agreement was signed with New Flyer to not only install electric charging stations but also provide five years of warranty work and preventative maintenance for the equipment.

Due to the inclusion of maintenance on the charging equipment in the contract with New Flyer, Metro Transit does not have an immediate need for Transit High Voltage Technician positions to be filled. However, during this time of rapid change, including the staffing of a satellite garage at Hanson Road, Metro has additional needs in other maintenance positions, including Transit Garage Dispatcher and Transit Maintenance Supervisor.

In recreating the current three Transit High Voltage Technician positions as one Transit Garage Dispatcher and two Transit Maintenance Supervisors, as well as making a budgeted Transit Planner 3 position, currently underfilled, permanently a Transit Assistant Schedule Planner, there will be an annual salary savings of approximately \$10,000 in the Transit Utility Operating budget.

To fill Transit High Voltage Technician positions in the future, Metro Transit will need to make a request through the budget or resolution process.

Editor's Note:

Compensation Group/Range	2024 Annual Minimum (Step 1)	2024 Annual (Step 3*)	2024 Annual Maximum (Step 5)	2024 Annual Maximum (+12% longevity)
41/05	\$49,252	\$55,818	\$65,667	\$73,548
41/12	\$60,680	\$68,771	\$80,907	\$90,616
44/07	\$71,469	\$77,647	\$84,664	\$94,823
44/08	\$74,640	\$81,022	\$88,571	\$99,199
44/10	\$81,022	\$88,571	\$97,372	\$109,057

*Represented employees start at step 3 per MOU with Teamsters Local 120

cc: Justin Stuehrenberg, Transit General Manager
Tyson Roessler, Transit Chief Maintenance Officer
Allisa Brown, Transit HR Manager
Tom Kimble, Transit Finance Manager
Erin Hillson, Human Resources Director
Emaan Abdel-Halim, Human Resources Services Manager
Kurt Rose, Employee and Labor Relations Manager
Tameaka Bryant, Labor Relations Specialist



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84844

File ID: 84844

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/16/2024

File Name: Pumpkin Hollow Neighborhood Sanitary Sewer
Improvement Impact Fee

Final Action:

Title: Creating Section 20.08(12) of the Madison General Ordinances to establish the
Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee. (District
17)

Notes: 6893PumpkinHollowImpact

CC Agenda Date: 09/24/2024

Agenda Number: 26.

Sponsors: Sabrina V. Madison

Effective Date:

Attachments: Public Notice for Impact Fees (Pumpkin Hollow).pdf,
Letter to Clerk (Pumpkin Hollow Needs
Assessment).pdf, Pumpkin Hollow Neighborhood
Sanitary Sewer Improvement Impact Fee Needs
Assessment.pdf, Pumpin Hollow Impact Fee Ad
Proof.pdf, Pumpkin Hollow Affidavit of Publication.pdf

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/16/2024	Michael Haas	Approved as to Form	9/5/2024
1	2	8/19/2024	Elizabeth York	Delegated	
1	3	8/23/2024	Robert Mulcahy	Approve	8/23/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	08/16/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Board of Public Works (Public Hearing - 9/11/24), Common Council (9/24/24)						

1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE	09/16/2024	
	Action Text: This Ordinance was Referred to the FINANCE COMMITTEE					
	Notes: Additional referral for public hearing to Board of Public Works					
1	FINANCE COMMITTEE	09/10/2024	Refer For Public Hearing	BOARD OF PUBLIC WORKS	09/11/2024	
	Action Text: This Ordinance was Refer For Public Hearing to the BOARD OF PUBLIC WORKS					
1	BOARD OF PUBLIC WORKS	09/11/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	09/16/2024	Pass
	Action Text: Kyle Frank, Engineering Division, presented details. A motion was made by Kliems, seconded by Ald. Guequierre, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.					
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 84844

Fiscal Note

The proposed ordinance establishes the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District. Impact fee districts are established to impose impact fees on developers to pay for the capital costs that are necessary to accommodate land development. No City appropriation is required with the establishment of impact fee districts.

In the undeveloped areas of the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District, the Impact Fee shall be \$60.60 per 1000 square feet of Net Developed Area. In areas already developed without public sanitary sewer, the Impact Fee does not apply, but these parcels may be specially assessed or charged connection fees for sanitary sewer service. The total estimated cost to complete the sanitary sewer interceptor and land acquisition components of the project is calculated to be \$1,664,212.80, or \$2,639.70 per acre.

Title

Creating Section 20.08(12) of the Madison General Ordinances to establish the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee. (District 17)

Body

DRAFTER'S ANALYSIS: This ordinance creates an impact fee: the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee. This impact fee will serve the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District. This District is made up of lands subject to the Pumpkin Hollow Neighborhood Development Plan, in the northeast area of the City generally lying between the Interstate 39/90/94 interstate and Rattman Road, and includes lands currently in the Town of Burke that will eventually be attached to the City. The District does not currently have sanitary sewer services. To serve development of the District, existing sewer infrastructure will need to be extended across the interstate, then north to Hoepker Road and east to Portage Road. Further information is available in the Public Facilities Needs Assessments for the District prepared by staff, a copy of which is on file in the City Clerk's Office. This ordinance is being enacted under the City's authority set forth in Wis. Stat. Sec. 66.0617 to impose impact fees on developers to pay for the capital costs that are necessary to accommodate land development.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (12) entitled "Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee" of Section 20.08 entitled "Schedule and Calculation of Impact Fees" of the Madison General Ordinances is created to read as follows:

"(12) Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee.

(a) In response to new and future Development demands in the Pumpkin Hollow Neighborhood, in the area generally east of Interstate 39/90/94 and west of Rattman Road, on the northeast side of Madison, additional new public sanitary sewer facilities must be constructed to allow such Developments to proceed. Specifically, to adequately serve this new and future Development, the City must extend and construct new sanitary sewer interceptors. Therefore, the Common Council hereby establishes the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District as a mechanism to equitably charge all new Developments in this District their proportional share of the cost for necessary sanitary sewer improvements in the watershed.

For purposes of the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee imposed under this section, the said District shall be all existing undeveloped land that currently drains or is altered to drain to the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement drainage area, as more specifically described and identified as follows:

Any and all undeveloped parcels (platted and/or metes and bounds), or portions thereof, that are located within, or that are altered or pumped to discharge sewer outflow within the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement service area. These lands are located within parts of the Southern ½ of Section 3, Section, 9, 10, 15, and the Eastern ½ of Section 16, Town 8 North, Range 10 East in the Town of Burke and the City of Madison.

The said District shall also be shown on the Development Impact Fee District Map.

(b) Calculation of the Impact Fee. The amount of the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee to be imposed on individual properties shall be calculated based on the amount of Net Developable Area of the land being developed within the above-described District. The subject Impact Fee is based upon the estimated Cost to construct the necessary public improvements. Prior to the recording of any certified survey map or any final Subdivision Plat, or the issuance of building permits following approval of a rezoning or conditional use permit, the City shall calculate the amount of net area being developed, based on the proposed certified survey map, final Subdivision Plat, or other applicable public records.

In the undeveloped areas of the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District, the Impact Fee shall be \$60.60 per 1000 square feet of Net Developed Area. In areas already developed without public sanitary sewer, the Impact Fee does not apply, but these parcels may be specially assessed or charged connection fees for sanitary sewer service at a rate of \$60.60 per 1000 square feet.

The said Impact Fee, special assessment, and connection fee rates are established in 2024 dollars and shall be indexed for inflation annually (January 1st) thereafter with September, 2024 as the base, using the Construction Cost Index as published by the Engineering News Record or equivalent successor index."

PUBLIC NOTICE

PROPOSED ORDINANCE AMENDING CHAPTER 20 ENTITLED “IMPACT FEE ORDINANCE” AND NOTICE OF AVAILABILITY OF PUBLIC FACILITIES NEED ASSESSMENTS

MADISON WISCONSIN

PART I

In accordance with Sec. 66.0617, Wis. Stats., notice is hereby given that a proposed ordinance, amending Chapter 20 entitled “Impact Fee Ordinance” of the Madison General Ordinances to impose sanitary sewer impact fees upon new or expanded development in the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District in order to require developers to pay a fair proportionate share for new, expanded, or improved capital public facilities necessary to accommodate new or expanded development within the City, will be considered by City of Madison Board of Public Works, at a regular meeting to be held **Wednesday, September 11, 2024 at 5:30 P.M.** The meeting will be held virtually and the public can attend using a laptop or call in by phone. If you would like instructions on how to participate, please e-mail boardofpublicworks@cityofmadison.com. At that time, the City of Madison Board of Public Works will then and there consider said ordinance and will hold a public hearing to hear all persons interested, or their agents or attorneys, concerning matters contained in said ordinance, and other action as the City of Madison Board of Public Works may deem proper. You must register to speak before this matter is considered by the Board.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Engineering Division at telephone number (608) 266-4751 or e-mail us at engineering@cityofmadison.com. Please make contact at least 72-hours prior to the date of this activity, so that we can make proper accommodations.

PART II

Notice is also hereby given of the availability of the subject proposed Ordinance and Public Facilities Needs Assessments for the proposed impact fees pursuant to Sec. 66.0617(4)(b), Wis. Stats. The subject proposed Ordinance and Needs Assessment is available for inspection and copy at the following locations as of August 16, 2024.

City of Madison – City Clerk
City-County Building, Room 105
210 Martin Luther King, Jr., Blvd.
Madison, WI 53703
608-266-4601

City of Madison – Engineering Division
City-County Building, Room 115
210 Martin Luther King, Jr., Blvd.
Madison, WI 53703
608-266-4751



Office of the City Attorney

Michael R. Haas, City Attorney

Patricia A. Lauten, Deputy City Attorney

ASSISTANT CITY ATTORNEYS

Benjamin C. Becker
Jason P. Donker
Eric A. Finch
Marcia A. Kurtz
Lara M. Mainella
Amber R. McReynolds
Adriana M. Peguero

Matthew D. Robles
Andrew D. Schauer
Avery J. Schulman
Kate M. Smith
Jaime L. Staffaroni
Doran E. Viste
Brittany A. Wilson
Jennifer Zilavy

City-County Building, Room 401
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3345

(Telephone) 608-266-4511
(Facsimile) 608-267-8715
attorney@cityofmadison.com

PARALEGAL Ryan M. Riley

August 16, 2024

Maribeth Witzel-Behl
City Clerk
City of Madison
210 Martin Luther King Jr. Blvd., Room 105
Madison, WI 53703

Re: Pumpkin Hollow Public Facility Needs Assessments (File No. 84844)

Maribeth,

Attached to this letter is a copy of Legislative File # 84844, an ordinance that would establish the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee. Pursuant to the requirements of Wis. Stat. Sec. 66.0617(4)(b), a copy of the Public Facilities Needs Assessment prepared to support the creation of this impact fee shall be available for public inspection and copying in the office of the City Clerk at least twenty days before the public hearing currently scheduled to occur before the Board of Public Works on September 11, 2024. This need assessment is also included with this letter, along with a copy of the public notice that will be published in the Wisconsin State Journal no later than September 4, 2024.

Please make these records available for public inspection and copying until such time as the Council takes action on File # 84844.

A copy of this letter and attachments will also be left with City Engineering, who shall likewise make these records available for public inspection and copying.

Please let me know if there are any questions.

/s/ Doran Viste

Doran Viste
Assistant City Attorney

Encl.
cc. City Engineering



Public Facilities Needs Assessment
For the Pumpkin Hollow Neighborhood
Sanitary Sewer Improvement Impact Fee District

August 16, 2024

Introduction

Pursuant to the requirements of Wis. Stat. Sec. 66.0617(4), the City of Madison has prepared this public facilities needs assessment for certain sanitary sewer improvements for which impact fees may be imposed. Sanitary sewer improvements are necessary to accommodate land development within the Pumpkin Hollow Neighborhood consistent with the Pumpkin Hollow Neighborhood Development Plan. This work shall serve the area identified as the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District (the "District").

The Pumpkin Hollow Neighborhood Development Plan was adopted in 2008 by the City of Madison to guide development in this largely undeveloped area. The area is located in the northeast area of the City of Madison and includes lands currently lying in the Town of Burke (refer to the map in *Exhibit B*). Under the terms of the Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan, entered into on January 23, 2007, the properties in Burke will be developed in the City, and will eventually attach to the City on October 27, 2036. The plan includes recommendations for lands to be reserved for parks, open space, and drainage based on existing topography and natural features.

The City of Madison is proposing to extend and construct new sanitary sewer interceptors and structures to meet the future needs of this area. Lands upstream of the proposed sanitary sewer are in the early stages of development planning. The developing lands will require connection to this public sewerage system. Where possible, these facilities are designed to function by gravity. To serve these lands, the sanitary sewer system needs to be extended across Interstate I-90/94/39 453' to the northeast. After crossing the interstate, the new interceptor will split into two branches: one extending to the north up to Hoepker Road, the other extending to the east to Portage Road.

The Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District is being created to help finance these improvements for the neighborhood it will serve, improvements which are necessary to accommodate land development within the District. As the neighborhood develops, other nearby areas may require establishment of additional impact fee districts, depending on timing, location, and specific improvements needed for each development.

Location Description of Impact Fee District

The District shall include the following:

Any and all undeveloped parcels (platted and/or metes and bounds), or portions thereof, that are located within, or that are altered or pumped to discharge sewer outflow within the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement service area. These lands are located within parts of the Southern ½ of Section 3, Section, 9, 10, 15, and the Eastern ½ of Section 16, Town 8 North, Range 10 East in the Town of Burke and the City of Madison. (See Exhibit B, Attached.)

Existing Public Facilities

Within the District, approximately 808.05 acres are undeveloped. It is assumed that 65% of this area (525.23 acres) shall be developed and will be assessed impact fees. Currently, there are no sanitary sewer improvements within the District. Existing development is served by private onsite wastewater treatment (septic) systems. The City has a 21" diameter sanitary sewer on the west side of Interstate I- 90/94/39 with capacity to accept the additional projected service area.

New Public Facilities Required for Land Development

To serve the District, the City is proposing to extend the existing 21" PVC sanitary sewer interceptor 631 linear feet across Interstate I-90/94/39 to the northeast. From that extension point, the City will extend approximately 1,086 linear ft of 18" PVC sanitary sewer interceptor north to Hoepker Road, and 1,166 linear feet of 12" PVC sanitary sewer interceptor main east to Portage Road. Sanitary sewer access structures will also be constructed as part of the improvements. Pipe sizes and lengths may be adjusted with final design plans. All of this proposed sewer work, other than the portion occurring within the Interstate I-90/94/39 right-of-way, will be completed within City acquired easements. Easement acquisition costs, including temporary construction easements, shall be included in the Impact Fee. In some areas, the location may change if necessary due to various currently unknown factors. See Exhibit B for the layout of the proposed sanitary sewer improvements. The estimated capital costs associated with easement acquisition, planning, designing, permitting, and constructing the sanitary sewer improvements that are necessary to accommodate land development in the District are set forth in Exhibit C. These costs do not include expenses for operation or maintenance of the improvements following construction. Construction cost estimates includes 10% for engineering and 10% contingency. The final cost for the Sanitary Sewer Interceptor shall include sanitary pipe, backfill, structures, trench patches, and all related incidental costs.

Project Funding

In order to finance the improvements, the City of Madison, pursuant to Wis. Stats. § 66.0617(2), is proposing to amend Section 20.08 of the Madison General Ordinances to create an impact fee that will require developers to pay for the capital costs incurred by the City to make the sanitary sewer improvements needed to accommodate land development within the District. In the District, these costs would be associated with the installation of the sanitary interceptors, including costs for easement or fee acquisition, surveying, planning, design, permitting, and construction.

Impact Fee

The impact fee shall be based on the *net developable area* of the proposed development. The net developable area is the area of a proposed development, exclusive of street rights of ways and drainage areas or Park areas. The rate will be the same for all land uses and zoning districts. It is assumed for this impact fee that 65% of the total undeveloped lands in the District would be included in the net developable areas. It is assumed that the remaining 35% will not be developed due to the use of lands for public purposes such as

street rights of ways, public parks, public drainage land, and other public natural areas. Net acres of developed lands are the total area of land, excluding the street rights of way, that are already developed.

Properties that are undeveloped shall pay an impact fee at the time of development in accord with State Statutes and City Ordinance. The estimated total cost to complete the sanitary sewer interceptor and land acquisition components of the project is calculated to be \$1,664,212.80 (2024 dollars). The total estimated cost is divided by the net developable area (630.45 acres) within the District. The fee rate is calculated to be \$2,639.70 per acre, or \$60.60 per 1,000 square feet of Net Developed Area.

Sanitary Assessment and Connection Fees

Lands within the District that are already developed may be charged with a sanitary assessment or a connection fee in the future at the time they connect to public sanitary sewer. The sanitary assessments and/or connection fees are based on the same rates developed as part of this impact fee. Until those properties connect to the public sewerage system, the Madison Sewer Utility shall pay the proportionate share for any developed properties that will/may contribute to the sewer system, but are not obligated to pay the impact fee as they have been previously developed at the time of creation of this impact fee district. If a property currently has an on-site sewerage disposal system in place, an assessment/connection fee for sanitary sewer improvements will be due at the actual time of connection to the sanitary sewer system. The assessment rate and connection fee was calculated to be \$2,639.70 per net acre. (They would incur additional assessments not included in this rate for the local main, lateral, etc.).

Adjustments to Impact Fee

The impact fee shall be adjusted annually for inflation, based on the Construction Cost Index as published in the *Engineering News Record* (<http://enr.construction.com/>). The base month/year for calculating such adjustment shall be the month/year of final Common Council adoption of this Impact Fee Ordinance.

Effect of impact fees on housing costs

For each parcel within the District, development fees will include sanitary interceptor/land acquisition impact fees/assessments. The fees were estimated to be \$2,639.68 per net acre for sanitary interceptor (\$60.60 per 1,000 square feet of Net Developed Area). The effect on housing costs was also calculated, based on anticipated lot size and average housing densities for a variety of residential zones, including the two examples that follow. The current (2024) minimum lot size for TR-C3, single-family housing, is 3,000 square feet whereas the average city lot size is 0.25 acre (10,890 square feet). The City anticipates development in the District will average 6,000 square feet. The additional cost incurred by new dwelling units in the District would be as follows:

	Pumpkin Hollow Neighborhood Sanitary Impact Fees	
Size of Lot	6000 ft ²	.25 acre
Additional Cost for New Dwelling Unit	\$363.60	\$659.93

The City of Madison has over 146,000 existing dwelling units, many of which are affordable to a wide range of households. The City has prepared a Comprehensive Plan which includes objectives and policies to increase housing affordability within the City. This Plan builds on plans targeted specifically at providing affordable housing including the Comprehensive Housing Affordability Strategy, the Five Year Housing and Community Development (Consolidated) Plan and the Madison Community Development Authority’s Public Housing Plans. The City has also worked to preserve the quality of its existing housing stock and to provide new housing and higher relative densities as one way to reduce the per unit cost of land and to increase the efficiency of service provided to housing which is built. Impact fees charged for new development in the City cover the provision of basic infrastructure and capital facilities that are a prerequisite for development in the areas covered by the fees. The amount of the fees is directly related to the need to provide capital facilities which are necessitated by and attributable to the benefitting development. These fees represent a small proportion of the total costs to provide housing when considering the cost of land, other infrastructure requirements, the cost to construct housing and financing. Hence, the cumulative effect of development related fees already charged by the City of Madison and the effect of the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee, should not have a significant negative impact on the availability of affordable housing within the community.

EXHIBIT A

Total Area of Impact Fee District (ac)		1026.20
<u>LAND USE</u>		<u>ACRES</u>
City of Madison Undeveloped Land		387.65
Burke Undeveloped Land		420.39
Total Undeveloped Land		808.04
Developable Land (65% of Undeveloped Total)		525.23
City Developed Land		12.57
Burke Developed Land		205.59
Total Developed Land		218.16
Exempt Developed Lands		
	<i>Parks</i>	29.89
	<i>Wetlands</i>	19.55
	<i>ROW</i>	63.49
	Total Exempt	112.93

Eligible Acres (for rate assessment)	630.46
(Developable + Developed - Exempt)	

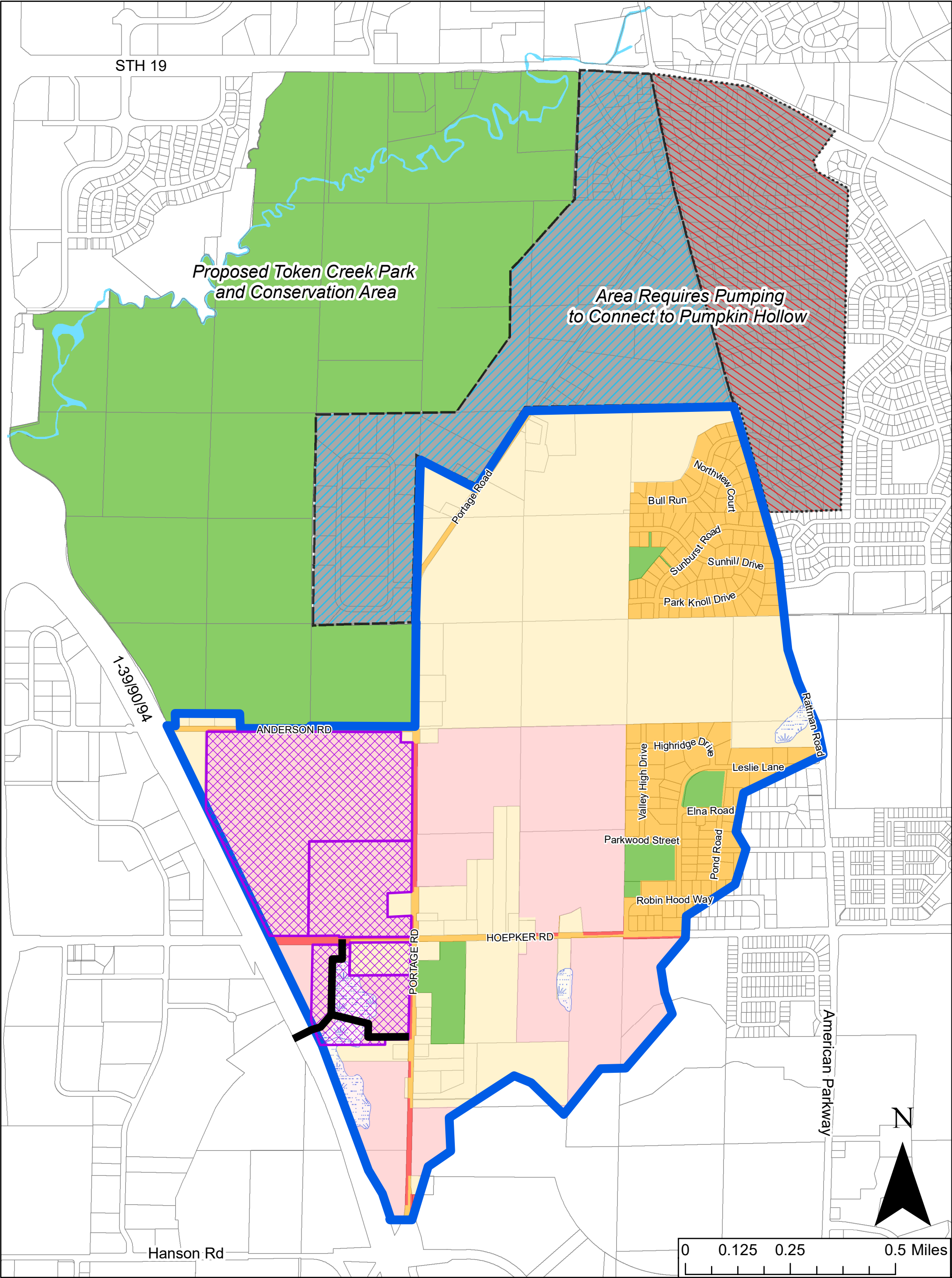
Total Cost Estimate	\$1,664,212.80
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Cost per Acre	\$2,639.68
Cost per 1,000 square feet	\$60.60

<u>Impact on Development</u>	<u>Add'l cost</u>
3,500 sf lot (R2Z)	\$212.10
10,000 sf lot	\$605.99
Med-density multi-family (R4) unit	\$121.20

Pumpkin Hollow Neighborhood

Sanitary Sewer Improvement Impact Fee District



Proposed Sanitary Sewer

Proposed Development

Impact Fee District Boundary

Wetlands

City of Madison, Developed

City of Madison, Undeveloped

Town of Burke, Developed

Town of Burke, Undeveloped

Exempt to Impact Fee

Future Annex to City of Madison

Future Annex to Sun Prairie

Tax Parcels (2023)

481

EXHIBIT C

Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District

Contract #**Project#** 13867

MUNIS# 13867

Sanitary Main Cost

Item #		Quantity	Unit	Unit Cost	Total Cost
10704	Traffic Control for Sanitary Sewer Installation	1	L.S.	\$10,000.00	\$10,000.00
10914	Mobilization for Sanitary Sewer Installation	1	L.S.	\$150,000.00	\$150,000.00
20109	Finish Grading	1	L.S.	\$10,000.00	\$10,000.00
20217	Clear Stone 3"	500	TON	\$20.00	\$10,000.00
20218	Crushed Stone (Sewer Access Roads)	2,050	TON	\$12.00	\$24,600.00
21002	Erosion Control Inspection	5	EACH	\$600.00	\$3,000.00
21011	Construction Entrance	3	EACH	\$2,000.00	\$6,000.00
21013	Street Sweeping	1	L.S.	\$5,000.00	\$5,000.00
21014	Clear Stone(Ditch Check)	5	EACH	\$250.00	\$1,250.00
21022	Silt Fence- Provide, Install and Maintain	4925	L.F.	\$5.00	\$24,625.00
21023	Silt Fence- Remove and Restore	4925	L.F.	\$1.00	\$4,925.00
21064	Erosion Matting, Class 1, Type B-Organic	8700	S.Y.	\$3.25	\$28,275.00
50202	Type II Dewatering	1	L.S.	\$15,000.00	\$15,000.00
50212	Select Backfill for Sanitary Sewer	2593	T.F.	\$1.00	\$2,593.00
50225	Utility Trench Patch Type III	60	T.F.	\$60.00	\$3,600.00
50303	12" PVC Sanitary Sewer (SDR-35/SDR-26)	1191	L.F.	\$165.00	\$196,515.00
50305	18" PVC Sanitary Sewer (PS 46, ASTM F679)	1086	L.F.	\$190.00	\$206,340.00
50306	21" PVC Sanitary Sewer (PS 46, ASTM F679)	316	L.F.	\$240.00	\$75,840.00
50401	12 Inch Type I RCP Storm Sewer Pipe	20	L.F.	\$55.00	\$1,100.00
50403	18 Inch Type I RCP Storm Sewer Pipe	20	L.F.	\$65.00	\$1,300.00
50461	12 Inch RCP AE	2	EACH	\$1,800.00	\$3,600.00
50463	18 Inch RCP AE	2	EACH	\$2,200.00	\$4,400.00
50701	4' Diameter SAS	9	EACH	\$3,600.00	\$32,400.00
50702	5' Diameter SAS	2	EACH	\$5,000.00	\$10,000.00
50771	Internal Chimney Seal	10	EACH	\$750.00	\$7,500.00
50797	External Sewer Access Structure Joint Seal	10	EACH	\$500.00	\$5,000.00
90070	Clearing and Grubbing	1	L.S.	\$10,000.00	\$10,000.00
90071	Salvage Topsoil	2593	T.F.	\$10.00	\$25,930.00
90072	Topsoil Placemnt- General	2091	T.F.	\$8.00	\$16,728.00
90073	Topsoil Placemnt- Wetland	502	T.F.	\$15.00	\$7,530.00
90074	Sun Terrace Seeding	2091	T.F.	\$3.00	\$6,273.00
90075	Infiltration Seeding	502	T.F.	\$10.00	\$5,020.00
90076	Bore and Jack 21" (Sewer with Casing)	315	L.F.	\$1,500.00	\$472,500.00

SUBTOTAL	<u>\$1,386,844.00</u>
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ENG/CONT	20%	\$277,368.80
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Estimated Cost = \$1,664,212.80

OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Wisconsin State Journal** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(800) 362-8333**.

Notice ID: keasb2ht9I6kh5W0rNQB | **Proof Updated: Aug. 28, 2024 at 09:31am CDT**
Notice Name: Pumpkin Hollow Impact Fee | Publisher ID: COL-WI-12001171

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Isaac Gabriel
igabriel@cityofmadison.com
(608) 266-4751

FILING FOR

Wisconsin State Journal

Columns Wide: 1 **Ad Class:** Legals
Total Column Inches: 7.2
Number of Lines: 84

09/03/2024: General Legal Notice	130.74
Affidavit Fee	1.00

Subtotal	\$131.74
Tax	\$0.00
Processing Fee	\$0.00
Total	\$131.74

PROPOSED ORDINANCE
AMENDING CHAPTER 20
ENTITLED "IMPACT FEE
ORDINANCE" AND NOTICE
OF AVAILABILITY OF PUBLIC
FACILITIES NEED ASSESSMENTS
MADISON WISCONSIN

PART I

In accordance with Sec. 66.0617, Wis. Stats., notice is hereby given that a proposed ordinance, amending Chapter 20 entitled "Impact Fee Ordinance" of the Madison General Ordinances to impose sanitary sewer impact fees upon new or expanded development in the Pumpkin Hollow Neighborhood Sanitary Sewer Improvement Impact Fee District in order to require developers to pay a fair proportionate share for new, expanded, or improved capital public facilities necessary to accommodate new or expanded development within the City, will be considered by City of Madison Board of Public Works, at a regular meeting to be held **Wednesday, September 11, 2024 at 5:30 P.M.** The meeting will be held virtually and the public can attend using a laptop or call in by phone. If you would like instructions on how to participate, please e-mail boardofpublicworks@cityofmadison.com. At that time, the City of Madison Board of Public Works will then and there consider said ordinance and will hold a public hearing to hear all persons interested, or their agents or attorneys, concerning matters contained in said ordinance, and other action as the City of Madison Board of Public Works may deem proper. You must register to speak before this matter is considered by the Board.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Engineering Division at telephone number (608) 266-4751 or e-mail us at engineering@cityofmadison.com. Please make contact at least 72-hours prior to the date of this activity, so that we can make proper accommodations.

PART II

Notice is also hereby given of the availability of the subject proposed Ordinance and Public Facilities Needs Assessments for the proposed impact fees pursuant to Sec. 66.0617(4)(b), Wis. Stats. The subject proposed Ordinance and Needs Assessment is available for inspection and copy at the following locations as of August 16, 2024.

City of Madison – City Clerk
City-County Building, Room 105
210 Martin Luther King, Jr., Blvd.
Madison, WI 53703
608-266-4601

City of Madison – Engineering Division
City-County Building, Room 115
210 Martin Luther King, Jr., Blvd.
Madison, WI 53703
608-266-4751

WSJ: September 3, 2024
COL-WI-12001171 WNAXLP

AFFIDAVIT OF PUBLICATION

Wisconsin State Journal
1901 Fish Hatchery Rd, Madison, WI 53713
(800) 362-8333

State of Texas, County of Bexar, ss:

I, Yuade Moore, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Wisconsin State Journal, a newspaper at Madison, County of Dane, State of Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on the dates listed below:

Publication Dates:

Sep 3, 2024

Notice ID: keasb2ht9l6kh5W0rNQB

Notice Name: Pumpkin Hollow Impact Fee

Section: Legals

Category: 0100 LEGAL NOTICE

Publication Fee: \$131.74

Yuade Moore

Agent

VERIFICATION

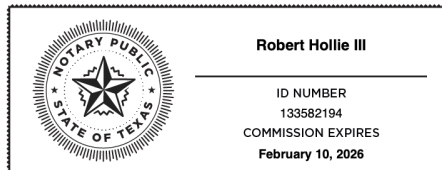
State of Texas
 County of Bexar

Signed or attested before me on this: 09/05/2024

Robert Hollie III

Notary Public

Electronically signed and notarized online using the Proof platform.



**PROPOSED ORDINANCE
 AMENDING CHAPTER 20
 ENTITLED "IMPACT FEE
 ORDINANCE" AND NOTICE
 OF AVAILABILITY OF PUBLIC
 FACILITIES NEED ASSESSMENTS
 MADISON WISCONSIN**

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 608-266-4751

WSJ: September 3, 2024
 COL-WI-12001171 WNAXLP



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84951

File ID: 84951

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/23/2024

File Name:

Final Action:

Title: Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between OPEN Regenerative Technologies Inc. to provide software and support services to implement the Building Energy Savings Program by amending the project scope of services.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 27.

Sponsors: Satya V. Rhodes-Conway And Nasra Wehelie

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jprice2@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/27/2024	Elizabeth York	Approve	9/13/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	08/26/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass

Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 84951

Fiscal Note

The proposed resolution authorizes an amendment to the competitively selected contract with OPEN Regenerative Technologies Inc. to provide software and support services to implement the Building Energy Savings Program. The original contract was \$612,125 for the period March 1, 2024, through February 28, 2029. The Sustainability and Resilience Manager has determined that additional services are needed to develop and implement materials to support the tune-up requirements of the program and is proposing an amendment to the contract in the amount of \$33,450 for these additional services. A building tune-up is a process wherein property owners have a qualified professional assess a building's existing energy systems, controls, and maintenance practices and perform no- to low-cost operational adjustments, maintenance, or minor repairs that improve system performance and save energy. Funding for the amendment is available in the 2024 Sustainability Improvements capital budget. No appropriation is necessary.

Title

Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between OPEN Regenerative Technologies Inc. to provide software and support services to implement the Building Energy Savings Program by amending the project scope of services.

Body

WHEREAS, the Common Council created Section 29.40 and amending Section 1.08(3)(a) of the Madison General Ordinances to establish a Building Energy Savings code (ORD-23-00033); and,

WHEREAS, implementation of the Building Energy Savings code through the Building Energy Savings Program (BESP) will reduce carbon pollution by an estimated 91,257 to 136,886 tons per year, the equivalent of taking 17,838 to 26,757 cars off the road; and,

WHEREAS, the OPEN Regenerative Technologies Inc. was competitively selected to provide software and support services to implement the Building Energy Savings Program; and

WHEREAS, the City of Madison executed a service contract with OPEN Regenerative Technologies Inc. for the Building Energy Savings Program on May 29, 2024 in the amount of \$612,125 for the period March 1, 2024 through February 28, 2029; and

WHEREAS, OPEN Regenerative Technologies Inc. has provided quality work according to the original scope of services for the Building Energy Savings Program; and

WHEREAS, the Sustainability and Resilience Manager has determined that additional services are needed to develop and implement materials to support the tune-up requirements of the program; and

WHEREAS, under MGO 4.26(4), service contracts of more than \$50,000 in cost require Common Council approval and signature by the Mayor and City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an Amendment to the contract between the City of Madison and OPEN Regenerative Technologies Inc. for additional services for the Building Energy Savings Program and add \$33,450 to the contract total.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84983

File ID: 84983

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/27/2024

File Name:

Final Action:

Title: Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$40,000 grant award from U.S. Environmental Protection Agency (U.S. EPA); authorizing the Mayor and City Clerk to execute the associated grant agreement with U.S. EPA; and authorizing the Mayor and City Clerk enter into a non-competitive contract with RENEW Wisconsin for the Clean School Bus Coalition project.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 28.

Sponsors: Satya V. Rhodes-Conway, Nasra Wehelie And MGR Govindarajan

Effective Date:

Attachments: City of Madison GRANT14217208 revised Work Plan.pdf, City of Madison GRANT14217208 Revised SF424 and SF424A.pdf, SubmissionPDF-GRANT14217208.pdf, City of Madison_EPA form_6600_06.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: gmay@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/28/2024	Elizabeth York	Approve	9/5/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	08/27/2024	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Finance Committee (9/16/24), Common Council (9/24/24)					

1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE	09/16/2024
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE				
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER		Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER. The motion passed by voice vote/other.				

Text of Legislative File 84983

Fiscal Note

The proposed resolution amends the 2024 Sustainability Improvements capital budget by \$40,000 for a grant award from the U.S. Environmental Protection Agency and authorizes the execution of the associated grant agreement. The resolution also authorizes a non-competitive contract funded by the grant with RENEW Wisconsin for the Clean School Bus Coalition project. There is no impact on the levy.

Title

Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$40,000 grant award from U.S. Environmental Protection Agency (U.S. EPA); authorizing the Mayor and City Clerk to execute the associated grant agreement with U.S. EPA; and authorizing the Mayor and City Clerk enter into a non-competitive contract with RENEW Wisconsin for the Clean School Bus Coalition project.

Body

WHEREAS, the City of Madison is committed to providing a healthy environment for all residents and advancing environmental justice; and,
 WHEREAS, air pollution poses serious risks to community respiratory and cardiovascular health; and,
 WHEREAS, research shows that low to moderate income residents, BIPOC communities, people with disabilities, children, and the elderly face greater exposure and vulnerability to air pollution in the United States; and,
 WHEREAS, research also shows that BIPOC and low-income Wisconsinites are disproportionately burdened by respiratory and cardiovascular illnesses; and,
 WHEREAS, diesel-fueled school buses emit particulate matter (PM), a toxic air pollutant that negatively impacts lung development in children and worsens heart and lung health for everyone; and,
 WHEREAS, electric school buses have zero tailpipe emissions and therefore the exposure of children and others in our community to dangerous diesel exhaust; and,
 WHEREAS, electric school buses also produce fewer greenhouse gas emissions than their diesel counterparts; and,
 WHEREAS, electric school buses play a critical role in achieving our community's climate goals and protect community health; and,
 WHEREAS, the U.S. EPA's 2022-2026 strategic plan supports the replacement of existing school buses with low- or zero-emission school buses funded under the Bipartisan Infrastructure Law, which will be implemented in alignment with Justice40; and,
 WHEREAS, the City of Madison and RENEW Wisconsin successfully applied for funding through the U.S. EPA's Region 5 Air and Radiation Division Clean School Bus Grant Program;

and,

WHEREAS, these funds will support education and outreach by RENEW Wisconsin to raise awareness among key stakeholders about the environmental and health benefits of transitioning to clean school buses.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to execute an agreement with U.S. EPA and formally accept the \$40,000 award described above.

BE IT FURTHER RESOLVED, that Mayor's Office Sustainability Improvements Project 2024 Adopted Capital Budget is amended to appropriate \$40,000 for implementation of the Clean School Bus Coalition project.

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor and City Clerk to enter into a non-competitive contract with RENEW Wisconsin for the amount of \$40,000 effective October 1, 2024 to September 25, 2025 to provide services to implement the Clean School Bus Coalition project and funded by the U.S. EPA Region 5 Air and Radiation Division Clean School Bus Grant Program award.

EPA Region 5 Air and Radiation Division Clean School Bus Grant Request

Work Plan: Each narrative work plan must explicitly describe how the proposed project/program will provide environmental results and should consist of these elements:

Project Description: Illustrate the need for the project.
Include the following elements in the Project Description:

1. Problem Statement: Provide a well-supported statement or needs assessment of the problem to be addressed, which demonstrates the reason your organization should receive funding support.

The transition to clean transportation, particularly in school bus fleets, presents significant challenges to school districts in Wisconsin. Despite the operational and maintenance savings offered by electric school buses (ESBs) compared to diesel buses, many districts struggle to realize these benefits due to high upfront costs and limited financial resources. These problems are particularly exacerbated among students who live in low-income communities and are more dependent on school transportation. These groups are disproportionately impacted by the harmful effects of diesel emissions, including increased health risks and exposure to pollutants.

With the introduction of the EPA Clean School Bus (CSB) Program, there is a significant opportunity to fund electric school buses in Wisconsin. While the Clean School Bus program removes a large hurdle in electrifying a school's fleet, school districts have limited financial and human resources to focus on the deployment of new transportation technology. Adoption of electric school buses requires planning for new electrical load at facilities, procurement and installation of charging infrastructure, new fueling practices, and training for maintenance staff to maintain ESBs. These challenges cannot be met without the support of Wisconsin communities and the leaders that serve them.

RENEW has an established network of nonprofit organizations, industry partners, and community members that focus on sustainability and building a clean economy. The City of Madison will partner with RENEW to leverage this network to create local advocates for clean school buses in Wisconsin's school districts. By doing so, these districts can take advantage of current and future funding opportunities through the Clean School Bus Program. Our message will emphasize the financial and health benefits of switching to clean school buses and provide RENEW as a valuable resource to guide interested parties through the program.

2. Objectives: Identify the project/program objectives. Objectives should be specific, measurable, and clearly describe how they are related to and lead to the project/program goals and expected environmental results. These objectives must link to the EPA Strategic Plan. Information regarding the EPA's Strategic Plan's goals and objectives can be found at: <https://www.epa.gov/planandbudget/strategicplan>

Objective 1: Increase awareness and advocate for the adoption of clean school buses in Wisconsin's school districts.

One of the major obstacles in clean school bus adoption is the lack of awareness and education surrounding ESBs in Wisconsin school districts. In addressing this, RENEW will develop and distribute educational materials and participate in Wisconsin events to raise awareness among key stakeholders about the environmental and health benefits of transitioning to clean school buses. Tracking attendance at events and monitoring media coverage will measure the effectiveness of our advocacy efforts.

This objective directly aligns with Strategic Plan Goal 1 (Objective 1.1) by transitioning our school districts' bus fleet to electric buses, significantly reducing greenhouse gas emissions. By replacing gas and diesel buses with zero-emission electric buses, we can directly reduce local carbon emissions, which are major contributors to climate change.

Additionally, our proposal aligns with Strategic Plan Goal 4 (Objective 4.1) by improving air quality in Wisconsin communities; particularly near schools and residential neighborhoods, where children are most vulnerable. This proposal will reduce localized air pollution and protect the health of students by eliminating diesel exhaust and other pollutants which have been linked to respiratory illnesses and other health problems.

Objective 2: Educate stakeholders about the financial and health benefits of transitioning to clean school buses.

RENEW will develop and distribute comprehensive educational materials that will focus on highlighting the financial savings, reduced health risks, and environmental benefits of clean school buses. Assessments of stakeholder knowledge before and after educational sessions will measure the effectiveness of our educational efforts. By promoting cleaner transportation options and improving public health outcomes, this objective supports Strategy 2 of the EPA Strategic Plan and contributes to Goal 1 by reducing emissions that cause climate change and enhancing resilience.

Objective 3: Provide support to interested parties in navigating the Clean School Bus Rebate (CSB) Program.

RENEW will establish a digital platform as an online resource to assist school districts in navigating the CSB Rebate Program, providing resources to school districts throughout the application process. Tracking inquiries received and evaluating the success rate of applicants who receive assistance will measure the effectiveness of our support efforts. By advancing environmental justice and civil rights through equitable access to clean transportation options, particularly for underserved communities, this objective aligns with Goal 2 of the EPA Strategic Plan.

Objective 4: Facilitate partnerships between applicants and electric providers to ensure access to resources and support.

Maintaining consistent communication between school districts and their electric providers is a crucial and often overlooked aspect of ESB adoption. School districts and their electric providers must partner in order to successfully implement and install charging infrastructure, manage the increased load brought on by ESBs, and address any potential challenges. In this project, RENEW will focus on establishing partnerships between school districts and electric providers, facilitating introductions, and assisting in meeting coordination to foster collaboration and knowledge exchange. Monitoring the establishment of partnerships and evaluating their effectiveness in supporting project implementation will measure the success of our partnership facilitation efforts. By promoting equitable access to clean transportation solutions and reducing emissions that cause climate change, this objective aligns with both Goals 1 and 2 of the EPA Strategic Plan.

3. Project Methods: Outline in detail the necessary tasks and activities that will be conducted to accomplish the objectives. Describe why you have chosen these activities to obtain the desired environmental results. The tasks and activities should be realistic and achievable within the budget and project period of the grant. Include whether or not the activities will require a Quality Assurance Project Plan (QAPP).

1. Participate in Wisconsin events to build awareness about the program and educate potential participants about clean school buses (these might be stand-alone clean school bus events or components of clean energy events).
2. Develop and support the Clean School Bus Coalition in Wisconsin
3. Host regular meetings (virtual or in person) with relevant agenda items to update members and schools on the Clean School Bus Program.

4. Educate prospective program applicants on the specific benefits of deploying clean school buses while highlighting alignment between the program and the interests of school officials.
5. Facilitate partnerships between applicants and their electric providers to ensure that applications are not withdrawn or unfulfilled due to a lack of resources.
6. Build a network of trusted stakeholders to serve as local ambassadors for the program, providing accurate information about EPA's program and how schools can procure and operate clean school buses.
7. Educate key stakeholders on specific EPA program requirements and the application process for the Clean School Bus program during the current and subsequent funding rounds through social media and other digital channels.
8. Build a digital platform for program participants that will help ensure the school's participation will be a positive experience for teachers, students, and parents by troubleshooting and sharing experiences and success stories.

The above methods and activities will not require a Quality Assurance Project Plan (QAPP).

4. Specific Environmental Outputs: Identify the specific outputs. Deliverables of environmental activity, effort, and/or associated work products related to an environmental goal or objectives, which will be developed over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period. For example, developing an air quality management plan, an emissions inventory, producing raw and summarized air monitoring data, or progress reports to be submitted on a quarterly or semi-annual basis.

Develop one qualitative report including estimated reduced greenhouse gas emissions and improved air quality based on the number of electric school buses integrated during the project period.

RENEW will use the Department of Energy's Alternative Fuel Life-Cycle Environmental and Economic Transportation (AFLEET) Tool to estimate the reductions in greenhouse gas and air pollutant emissions. The AFLEET tool allows stakeholders to compare new alternative fuel vehicles to diesel heavy-duty vehicles.

RENEW will collect all of the necessary data (vehicle type, mileage, fuel economy, purchase price, maintenance, fuel price, etc.) from partner school districts, and will input that data to the AFLEET Payback On-Road Calculator to determine annual greenhouse

gas and air pollutant emissions. Upon receiving the annual data, RENEW will calculate the full life cycle emissions reductions, based on the assumption that school buses spend on average 12 years in operation.

5. Desired Environmental Outcomes: Articulate the desired environmental outcomes. The result, effect, or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period. For example, “significant number of community members with increased awareness of air quality issues” or “increased number of residents breathing cleaner air.”

- Our proposal directly aligns with EPA Strategic Plan Goal 4, Objective 4.1, by significantly improving air quality in Wisconsin's communities, with a special focus on areas surrounding schools and residential neighborhoods where children are most vulnerable. By targeting and reducing localized air pollution, this initiative will be crucial in protecting student health. The elimination of diesel exhaust and other harmful pollutants—known contributors to respiratory illnesses and a range of other health issues—will have a profound and lasting impact on the well-being of students, families, and the broader community.
- Our proposal aligns with EPA Strategic Plan Goal 1, Objective 1.1, by facilitating the transition of school districts’ bus fleets to electric vehicles, thereby significantly reducing greenhouse gas emissions. Replacing gas and diesel buses with zero-emission electric alternatives will directly lower local carbon emissions, a key driver of climate change. This accelerated shift to clean and zero-emission school buses not only contributes to global efforts to combat climate change but also promotes sustainable transportation solutions.

6. Target Dates and Milestones: Include an estimated timeline or schedule of expected target dates and milestones (a marker of reaching an identifiable stage in any task) to achieve specific tasks and accomplishments during the budget and project period.

To ensure timely progress and achievement of our objectives, we have established target dates and milestones for key activities. These include the launch of awareness campaigns, regular and recurring meetings of the Clean School Bus Coalition, completion of educational outreach efforts, and submission of progress reports. By adhering to these timelines, we aim to track progress and make necessary adjustments to ensure the successful implementation of the project.

Target date	Milestone
October 2024	Announcement of CSB Program Rebates
Q1, October 1, 2024 - December 31, 2024	
October 1, 2024	Start of Project Period
October 2024 - December 2024	Outreach to School Districts
October 16, 2024	Clean School Bus Coalition Meeting
Fall 2024	Clean Energy Event
November 20, 2024	Clean School Bus Coalition Meeting
First Quarterly Report Due	December 31, 2024
Q2, January 1, 2025 - March 31, 2025	
January 2025 - March 2025	Continued Communication to Awarded School Districts on EPA updates
Winter 2025	Clean Energy Event
March, 2025	Clean School Bus Coalition Meeting
Second Quarterly Report Due	March 31, 2025
Q3, April 1, 2025 - June 30, 2025	
April 2025 - June 2025	Communicate with and Support Awarded School Districts
Spring 2025	Clean Energy Event
Third Quarterly Report Due	June 30, 2025
Q4, July 1, 2025 - September 30, 2025	
Summer 2025	Clean Energy Event
Final Technical Report Due	October 31, 2025

7. Performance Measures: Provide a detailed explanation of how the project/program shall be evaluated (through quantitative means, if possible). Applicants must develop criteria to evaluate progress and results by tracking and measuring outputs and outcomes. Evaluation must occur during as well as after the project/program activities are conducted to make sure appropriate adjustments can be made along the way, if necessary. For example, if permit review is one of your objectives, provide a number of permits you plan to review.

- Participate in three to six (3-6) in-person events with at least 200 cumulative attendees, discussing the benefits of ESBs with Wisconsin communities.
- Monthly meetings and engagement with the Clean School Bus Coalition.
- Measure the number of prospective program applicants educated and supported.
- Development of one (1) digital platform offering resources for program participants.
- Develop at least three (3) case studies evaluating electric school bus performance. The studies should include emissions reduction, fuel cost savings, maintenance savings, and other benefits such as noise reduction, driver recruitment, retention, etc.

8. Program Manager/Contact(s): Identify all individuals or parties who will be involved in the project/program activities and a description of their respective roles/responsibilities.

- Ben Behlke, Clean Technology Manager

9. Budget Narrative: Provide a detailed itemized budget proposal, including a narrative statement justifying the expenses for each of the categories on the SF424A being performed within the grant/project period.

Contract EPA Grant for Electric School Bus Organizing and Advocacy**Period** 10/01/2024 – 09/30/2025

	Description		Narrative
Expense			
	RENEW WI Personnel	\$29,383	Wages
	RENEW WI Fringe Benefits (20% of Personnel)	\$5,877	Social Security, Medicare, federal and state unemployment, workers comp insurance, 401k match, medical insurance reimbursement
	RENEW WI Supplies	\$500	Brochures, fact sheets, signage
	RENEW WI Travel	\$1,302	Ben Behlke, Visits Across the State to Visit with School Boards and Other Stakeholders
	RENEW WI Indirect Cost (10% of Personnel)	\$2,938	Indirect expenses include rent, nondirect staff (including human resources/payroll, accounting, administrative), organizational insurance, legal, audit, I/T, and other miscellaneous expenses.
Total Expenses	Total Year 1	\$40,000	

Position Schedule

Position Title / Staff Name	Hourly Rate	Hours per Week	Yearly Cost
RENEW WI Clean Technology Manager	\$31	10	\$16,250
RENEW WI Deputy Director	\$50	3	\$7,725
RENEW WI Communications Manager	\$35	3	\$5,408
Total Salaries			\$29,383

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

07/18/2024

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

Wisconsin

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Madison

* b. Employer/Taxpayer Identification Number (EIN/TIN):

39-6005507

* c. UEI:

FS3AZ3FV8JG8

d. Address:

* Street1:

210 Martin Luther King, Jr. Blvd.

Street2:

Room 403, City-County Building

* City:

Madison

County/Parish:

Wisconsin

* State:

WI: Wisconsin

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

53703-3340

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Dr.

* First Name:

Jessica

Middle Name:

* Last Name:

Price

Suffix:

Title:

Sustainability and Resilience Manager

Organizational Affiliation:

* Telephone Number:

6082671992

Fax Number:

* Email:

jprice2@cityofmadison.com

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.034

CFDA Title:

Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities
Relating to the Clean Air Act

* 12. Funding Opportunity Number:

EPA-CEP-01

* Title:

EPA Mandatory Grant Programs

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

RENEW Wisconsin Clean School Bus Program Outreach

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="40,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="40,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed:

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	66.034	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5. Totals		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>

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Prescribed by OMB (Circular A -102) Page 1

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) <div style="font-size: small; padding: 2px;">Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act</div>	(2)	(3)	(4)	
a. Personnel	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>
b. Fringe Benefits	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
c. Travel	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
d. Equipment	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
e. Supplies	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
f. Contractual	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
g. Construction	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
h. Other	<input style="width: 80%;" type="text" value="40,000.00"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text" value="40,000.00"/>
i. Total Direct Charges (sum of 6a-6h)	<input style="width: 80%;" type="text" value="40,000.00"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text" value="40,000.00"/>
j. Indirect Charges	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>
k. TOTALS (sum of 6i and 6j)	\$ <input style="width: 80%;" type="text" value="40,000.00"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text" value="40,000.00"/>
7. Program Income	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>

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SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	\$	\$	\$	\$
9.					
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$	\$	\$	\$
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 40,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
14. Non-Federal	\$				
15. TOTAL (sum of lines 13 and 14)	\$ 40,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	\$	\$	\$	\$
17.					
18.					
19.					
20. TOTAL (sum of lines 16 - 19)		\$	\$	\$	\$
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks:					

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

07/18/2024

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

Wisconsin

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Madison

* b. Employer/Taxpayer Identification Number (EIN/TIN):

39-6005507

* c. UEI:

FS3AZ3FV8JG8

d. Address:

* Street1:

210 Martin Luther King, Jr. Blvd.

Street2:

Room 403, City-County Building

* City:

Madison

County/Parish:

Wisconsin

* State:

WI: Wisconsin

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

53703-3340

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Dr.

* First Name:

Jessica

Middle Name:

* Last Name:

Price

Suffix:

Title:

Sustainability and Resilience Manager

Organizational Affiliation:

* Telephone Number:

6082671992

Fax Number:

* Email:

jprice2@cityofmadison.com

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.034

CFDA Title:

Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities
Relating to the Clean Air Act

* 12. Funding Opportunity Number:

EPA-CEP-01

* Title:

EPA Mandatory Grant Programs

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

RENEW Wisconsin Clean School Bus Program Outreach

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="40,000.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="40,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title: * Telephone Number: Fax Number: * Email: * Signature of Authorized Representative: * Date Signed:

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	66.034	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4. <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5. Totals		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>	\$ <input type="text"/>	\$ <input type="text" value="40,000.00"/>

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Prescribed by OMB (Circular A -102) Page 1

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) <div style="font-size: small; padding: 2px;">Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act</div>	(2)	(3)	(4)	
a. Personnel	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>
b. Fringe Benefits	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
c. Travel	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
d. Equipment	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
e. Supplies	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
f. Contractual	<input style="width: 80%;" type="text" value="40,000.00"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text" value="40,000.00"/>
g. Construction	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
h. Other	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
i. Total Direct Charges (sum of 6a-6h)	<input style="width: 80%;" type="text" value="40,000.00"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text" value="40,000.00"/>
j. Indirect Charges	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>
k. TOTALS (sum of 6i and 6j)	<input style="width: 80%;" type="text" value="40,000.00"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text"/>	<input style="width: 80%;" type="text" value="40,000.00"/>
7. Program Income	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>	\$ <input style="width: 80%;" type="text"/>

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Prescribed by OMB (Circular A -102) Page 1A

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	\$	\$	\$	\$
9.					
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$	\$	\$	\$
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 40,000.00	\$ 40,000.00			
14. Non-Federal	\$				
15. TOTAL (sum of lines 13 and 14)	\$ 40,000.00	\$ 40,000.00			
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act	\$	\$	\$	\$
17.					
18.					
19.					
20. TOTAL (sum of lines 16 - 19)		\$	\$	\$	\$
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks:					



Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance

Note: Read Instructions before completing form.

I. A. Applicant/Recipient (Name, Address, City, State, Zip Code)

Name:

Address:

City:

State: Zip Code:

B. Unique Entity Identifier (UEI):

C. Applicant/Recipient Point of Contact

Name:

Phone:

Email:

Title:

II. Is the applicant currently receiving EPA Assistance? ☒ Yes ☐ No

III. List all pending civil rights lawsuits and administrative complaints filed under federal law against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

One case pending. 10/4/2023 - Claim #GLCM00002977. Alleges mental illness and use of excessive force when police responded to a call with K9 who bit and caused injury.

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that alleged discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective actions taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

None

V. List all civil rights compliance reviews of the applicant/recipient conducted under federal nondiscrimination laws by any federal agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

None

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.

☐ Yes ☒ No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).

☐ Yes ☐ No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. 7.70) applies.

- VII. Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its program or activities? (40 C.F.R 5.140 and 7.95) ☒ Yes ☐ No
- a. Do the methods of notice accommodate those with impaired vision or hearing? ☒ Yes ☐ No
- b. Is the notice posted in a prominent place in the applicant's/recipient's website, in the offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? ☒ Yes ☐ No
- c. Does the notice identify a designated civil rights coordinator? ☒ Yes ☐ No
- VIII. Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or disability status of the population it serves? (40 C.F.R. 7.85(a)) ☒ Yes ☐ No
- IX. Does the applicant/recipient have a policy/procedure for providing meaningful access to services for persons with limited English proficiency? (Title VI, 40 C.F.R. Part 7, *Lau v Nichols* 414 U.S. (1974)) ☒ Yes ☐ No
- X. If the applicant is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

Norman D. Davis, Civil Rights Director, 210 Martin Luther King Jr Blvd, Room 523, Madison, WI 53703, ndavis@cityofmadison.com, (608) 266-4910 phone (608) 266-6514 fax

- XI. If the applicant is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or applicant's/recipient's website address for, or a copy of, the procedures.

<https://discrimination.cityofmadison.com/Home/ComplaintView>

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official

Jessica Price

B. Title of Authorized Official

Sustainability and Resilience Manager

C. Date

07/18/2024

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. *Signature of Authorized EPA Official

B. Title of Authorized Official

C. Date

General. Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any State or its political subdivision, any instrumentality of a State or its political subdivision, any public or private agency, institution, organizations, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means: any federal agency-initiated investigation of a particular aspect of the applicant's and/or recipient's programs or activities to determine compliance with the federal non-discrimination laws. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.



EPA KEY CONTACTS FORM

OMB Number: 2030-0020
Expiration Date: 06/30/2024

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name:	Prefix:	First Name:	Middle Name:
		Satya	
	Last Name:		Suffix:
	Rhodes-Conway		
Title:	Mayor		
Complete Address:			
Street1:	210 Martin Luther King, Jr. Blvd.		
Street2:	Room 403, City-County Building		
City:	State:	WI: Wisconsin	
Madison			
Zip / Postal Code:	Country:	USA: UNITED STATES	
53703-3340			
Phone Number:	Fax Number:		
(608) 266-4611			
E-mail Address:	mayor@cityofmadison.com		

Payee: *Individual authorized to accept payments.*

Name:	Prefix:	First Name:	Middle Name:
		Nicole	
	Last Name:		Suffix:
	Stevens		
Title:	Executive Assistant to the Mayor		
Complete Address:			
Street1:	210 Martin Luther King, Jr. Blvd.		
Street2:	Room 403, City-County Building		
City:	State:	WI: Wisconsin	
Madison			
Zip / Postal Code:	Country:	USA: UNITED STATES	
53703-3340			
Phone Number:	Fax Number:		
(608) 266-4611			
E-mail Address:	nstevens@cityofmadison.com		

Administrative Contact: *Individual from Sponsored Programs Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc).*

Name:	Prefix:	First Name:	Middle Name:
	Dr.	Jessica	
	Last Name:		Suffix:
	Price		
Title:			
Complete Address:			
Street1:	210 Martin Luther King, Jr. Blvd.		
Street2:	Room 403, City-County Building		
City:	State:	WI: Wisconsin	
Madison			
Zip / Postal Code:	Country:	USA: UNITED STATES	
53703-3340			
Phone Number:	Fax Number:		
(608) 266-4611			
E-mail Address:	jprice2@cityofmadison.com		

EPA KEY CONTACTS FORM

Project Manager: *Individual responsible for the technical completion of the proposed work.*

Name: Prefix: **First Name:** **Middle Name:**
Last Name: **Suffix:**
Title:

Complete Address:

Street1:
Street2:
City: **State:**
Zip / Postal Code: **Country:**
Phone Number: **Fax Number:**
E-mail Address:

Project Narrative File(s)

*** Mandatory Project Narrative File Filename:** 1234-RENEW Clean School Bus Grant Request.docx

Add Mandatory Project Narrative File

Delete Mandatory Project Narrative File

View Mandatory Project Narrative File

To add more Project Narrative File attachments, please use the attachment buttons below.

Add Optional Project Narrative File

Delete Optional Project Narrative File

View Optional Project Narrative File

The following attachment is not included in this view since it is not a read-only PDF file.

The agency will receive all application forms and attachments without any data loss.

ProjectNarrativeAttachments_1_2-Attachments-1234-RENEW Clean School Bus

Grant Request.docx

Budget Narrative File(s)

* **Mandatory Budget Narrative Filename:**

Add Mandatory Budget Narrative

Delete Mandatory Budget Narrative

View Mandatory Budget Narrative

To add more Budget Narrative attachments, please use the attachment buttons below.

Add Optional Budget Narrative

Delete Optional Budget Narrative

View Optional Budget Narrative

Contract EPA Grant for Electric School Bus Organizing and Advocacy

Period 06/01/24 to 5/31/25

	Description		Narrative
Expense			
	Personnel	\$29,383	Wages
	Fringe Benefits (20% of Personnel)	\$5,877	Social Security, Medicare, federal and state unemployment, workers comp insurance, 401k match, medical insurance reimbursement
	Supplies	\$500	Brochures, fact sheets, signage
	Travel	\$1,302	Ben Behlke, Visits Across the State to Visit with School Boards and Other Stakeholders
	Indirect Cost (10% of Personnel)	\$2,938	Indirect expenses include rent, nondirect staff (including human resources/payroll, accounting, administrative), organizational insurance, legal, audit, I/T, and other miscellaneous expenses.
Total Expenses	Total Year 1	\$40,000	

Position Schedule

Position Title / Staff Name	Hourly Rate	Hours per Week	Yearly Cost
Clean Technology Manager	\$31	10	\$16,250
Deputy Director	\$50	3	\$7,725
Communications Manager	\$35	3	\$5,408
Total Salaries			\$29,383



United States
ENVIRONMENTAL PROTECTION AGENCY
Washington, DC 20460

OMB Control No. 2016-0006
Approval expires 06/30/2024

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2030-0020). Responses to this collection of information are required to obtain an assistance agreement (40 CFR Part 30, 40 CFR Part 31, and 40 CFR Part 33 for awards made prior to December 26, 2014, and 2 CFR 200, 2 CFR 1500, and 40 CFR Part 33 for awards made after December 26, 2014). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to be 0.25 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA Project Control Number

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Typed Name & Title of Authorized Representative

Signature and Date of Authorized Representative



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84985

File ID: 84985

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/28/2024

File Name: Recreate position #3698 of Administrative Clerk 1 as a Program Assistant 1 and reallocate the employee to the new position.

Final Action:

Title: Recreating position #3698 of Administrative Clerk 1 as a Program Assistant 1 and reallocate the employee to the new position.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 29.

Sponsors: Director of Human Resources

Effective Date:

Attachments: PB Memo Admin Clerk 1 MPD_08.26.24.pdf

Enactment Number:

Author: Kara Kratowicz, Human Resources Performance Excellence

Hearing Date:

Entered by: jortiz@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/28/2024	Elizabeth York	Approve	9/17/2024

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	08/28/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Personnel Board (9/11/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						
	Notes: Additional referral to Personnel Board						
1	FINANCE COMMITTEE	09/10/2024	Referred	PERSONNEL BOARD		09/11/2024	
	Action Text: This Resolution was Referred to the PERSONNEL BOARD						

1	PERSONNEL BOARD	09/11/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	09/16/2024	Pass
	Action Text: A motion was made by Benishek-Clark, seconded by Vransy, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.					
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 84985

Fiscal Note

The proposed resolution recreates an Administrative Clerk 1 position (#3698) in the Police Department as a Program Assistant 1 position and reallocates the employee to the new position. The estimated cost of the change in 2024 is \$3,400 and will be absorbed in the Police Department's existing budget.

Title

Recreating position #3698 of Administrative Clerk 1 as a Program Assistant 1 and reallocate the employee to the new position.

Body

Resolution to recreate the 1.0 FTE position #3698 of Administrative Clerk 1 (CG20, R09) as a Program Assistant 1 (CG20, R 11) in the 2024 operating budget of the Madison Police Department, and reallocate the employee (Emily Hardiman) to the new position.

TO: Personnel Board
FROM: Karalyn (kara) Kratowicz, Human Resources
DATE: August 26, 2024
SUBJECT: Administrative Clerk 1 – Madison Police Department (Special Duty Coordinator)

On March 6, 2024, Madison Police Department (MPD) Assistant Chief John Patterson submitted a request to Human Resources for a study of Administrative Clerk 1 position #3698 in Compensation Group 20, Range 9; currently filled by Emily Hardiman. The request indicates that this position, which has a working title of Special Duty Coordinator, has grown extensively in complexity and technical proficiency because of the evolving nature of our economy. After a review of the updated position description, meetings with supervisor Alyssa Cains, employee Emily Hardiman, as well as a complete analysis, I recommend the following for reasons outlined in this memo.

- Recreate position #3698 as a Program Assistant 1 in Compensation Group 20, Range 11; and
- Reallocate the employee, Emily Hardiman, to the new position.

Emily Hardiman began working at the Madison Police Department (MPD) since April 2010 as an Administrative Clerk 1, also called the Special Duty Coordinator, herein referred to as the Coordinator. When the employee came into this position, the special duty process was managed as a paper-based process and the associated duties were assigned by the supervisor as 30% of the position's total workload. Several process changes were needed to adjust for automated workflows thereafter; this position consulted on the process improvements in a continuously changing environment.

This position study analysis uses the classification specification of the current position (administrative clerk) and the proposed classification specification (program assistant) to determine the appropriateness of the current employee's pay. The duties as assigned by the supervisor have changed significantly and performed for more than the required six months.

First a review of the classification specification for Administrative Clerk 1, which states work in these position are:

...responsible administrative support work in the implementation and coordination of a variety of office functions necessitating judgment, discretion, and initiative in the interpretation and application of policies, procedures and processes.

In recent years, since the employee came into the job, the position began coordinating with colleagues across the city. For example, city employees in the Street Use interagency staff team. To do so, the position increased requirement to have a knowledge and ability to correctly translate Street Use requirements in the applied context of MPD needs for special events coverage. Coordination across the city in this context was not previously a part of the position description. This necessitated the functional increase of program management regarding the Special Duty process shifting from 30% - 85% of all duties assigned.

With changes ongoing in community beyond supervisory control, the number of requests for special duty officers to be processed by this position continues to increase. Increases continue to happen for mandatorily required events (e.g. parades, races, festivals, etc.) as the number of these events rebounded post-COVID. Additionally, voluntary inquiries for random security continue to increase (e.g. a church requesting an officer for a private religiously affiliated event, employee terminations, specific threats at a business, and events hiring officers to have police presence with visibility with or without a squad to be on sight in case anything were to come up during the event). These changes to duties increase specialization needed for this position to support the duties.

Now a review of the Program Assistant 1 classification specification, which states:

...responsible programmatic support work in a City department, division or other independent program unit. Employees in this class support a particular program or programs by **performing or coordinating specialized program functions, interpreting and applying programmatic policies and procedures, and performing administrative tasks in support of the program.** The work requires exercising considerable judgment and discretion in the interpretation and application of policies. Employees in this class work under the general supervision of the department, division, or program head and may provide direction to limited numbers of permanent and/or non-permanent staff. Work is **distinguished from an Administrative Clerk in that Administrative Clerks perform a wide range of administrative tasks whereas a Program Assistant is responsible for coordinating program functions and related administrative tasks in support of a program** and which require more in-depth knowledge of program operations in order to carry out such tasks.

Internally, each event needing special duty officers assigned requires an extensive breadth of knowledge and coordination with MPD Executive and Command Staff, leadership from all six districts (note: sixth district added in the time this position was held by employee), as well as special events, traffic teams, and special duty officers. This position exercises considerable judgement and discretion in the interpretation of all related policies and standard operating procedures.

With the information from each community client requesting support, the Coordinator independently manages the fulfillment of each request through to officer timekeeping, bill pay dissemination for hours accounted, and collection of revenue back to the city. All special duty assignments are solely processed by this position; the supervisor is the only backup. Over time, the portion of workload associated with processing the requests through to proposed assignment (i.e. number of officers, squad cars, etc.) had not been previously done by this position. This increased the level of support provided to command staff who ultimately sign off on the proposal before community client bill issuance takes place.

While the position has grown in scope and complexity, it also ensures reasonable judgement and discretion are applied in each community client request or requirement to have officers on premise. Administrative support and office support clerk duties have been significantly reduced from this position description, but are assigned as time allows. The supervisor handles additional administrative support duties to assist the Assistant Chiefs with tasks. The office support clerk duties were reassigned to the Police Report Typist on the team. This position is backup to the supervisor although this workload is decreasing due to increasing efficiency of Assistant Chiefs self-managing administrative tasks.

Based on the analysis detailed in this memo, I recommend the Administrative Clerk 1 position #3698 in Compensation Group 20, Range 9 be recreated as a Program Assistant 1 in Compensation Group 20, Range 11 in the 2024 operating budget of the Madison Police Department, and the employee, E. Hardiman, be reallocated to the new position.

The necessary resolution has been prepared to implement these recommendations.

Editor's Note:

Effective Date: March 17, 2024

Compensation Group/Range	2024 Annual Minimum (Step 1)	2024 Annual Maximum (Step 5)	2024 Annual Maximum (+12% Longevity)
20/09	\$ 53,345.50	\$ 59,979.92	\$ 67,177.50
20/11	\$ 56,594.20	\$ 63,347.96	\$ 70,949.84

Cc: John Patterson, MPD
Alyssa Cains, Police Executive Office Supervisor
Erin Hillson, HR Director



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84986

File ID: 84986

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/28/2024

File Name: 9916 Ground Lease Amendment 704 E Gorham St

Final Action:

Title: Amending Resolution 22-00745 Authorizing the First Amendment to Ground Lease for the residential structure located at 704 East Gorham Street, within James Madison Park, and authorizing an access easement over a portion of the City's property at 728 East Gorham Street. (District 6)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 30.

Sponsors: Marsha A. Rummel

Effective Date:

Attachments: 9916 704 East Gorham St 2024 Ground Lease Adjusted Rent Schedule FINAL.pdf, 9916 704 E Gorham Access Easement LEGAL DESCRIPTION Exhibit.pdf, 9916 704 E Gorham St Access Easement Exhibit.pdf

Enactment Number:

Author: Dan Rolfs, Real Estate Development Manager

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/30/2024	Maggie McClain	Approve	9/19/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	08/28/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Board of Park Commissioners (9/11/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						
	Notes: Additional referral to Board of Park Commissioners						

1	FINANCE COMMITTEE	09/10/2024	Referred	BOARD OF PARK COMMISSIONER S	09/11/2024	
	Action Text: This Resolution was Referred to the BOARD OF PARK COMMISSIONERS					
1	BOARD OF PARK COMMISSIONERS	09/11/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	09/16/2024	Pass
	Action Text: Knepp explained circumstances of lease amendment.					
	Motion made by Miller Fienen, seconded by Myadze, to RETURN TO LEAD WITH THE RECOMMENDATION FOR APPROVAL TO THE FINANCE COMMITTEE. Motion passed by voice vote/other.					
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					

Text of Legislative File 84986

Fiscal Note

No additional City appropriation required. The current rent schedule for the property began in 2012 starting at \$4,500 with a two percent (2%) increase in each year thereafter. The first amendment to the ground lease rent schedule authorized in file 69489 and subsequently amended by file 74045 was not executed between the City and the Lessee due to construction delays for property improvements. According to the attached revised rent schedule, the ground lease amount will be \$6,403 in 2025 based on currently-planned property improvements, and it will increase by two percent (2%) each year starting in 2026, resulting in an annual increase of approximately \$466 in the first year.

Title

Amending Resolution 22-00745 Authorizing the First Amendment to Ground Lease for the residential structure located at 704 East Gorham Street, within James Madison Park, and authorizing an access easement over a portion of the City's property at 728 East Gorham Street. (District 6)

Body

WHEREAS, on April 4, 2012, the City of Madison Common Council approved Resolution RES-12-00247 (Legistar #25054), accepting a proposal from Bob Klebba and David Waugh (collectively, the "Lessees") for the purchase of the residential structure located 704 East Gorham Street, commonly known as the Collins House (the "Property") and authorized staff to negotiate the final terms for the sale of residential structure and a lease of the land beneath it (the "Ground Lease"); and,

WHEREAS, on September 14, 2012, by Bill of Sale (Doc. #4913197) and Ground Lease (Doc. #4913196) the City sold the improvements and leased the land to the Lessees, the Ground Lease being attached hereto and incorporated herein; and,

WHEREAS, the Lessees wish to make certain improvements ("Improvements") to the Property, including a reconfiguration of the access to the Property from N. Blount Street across an existing right-of-way (the "Lincoln School Access Drive") over the City's property located at 728 E. Gorham Street. The City granted the existing right-of-way over its property to the lessee of the property located at 720 E. Gorham St. ("Lincoln School Lessees") in 1985 (Doc. #1872438),

which Right-of-Way Agreement includes a condition reserving the right of the City to grant to the Lessees a right to use the portion of the Lincoln School Access Drive abutting the Property, subject to the Lessees entering into a Joint Driveway Agreement with Lincoln School Lessees; and,

WHEREAS, the Council has previously approved amendments to the Ground Lease in RES-22-00139 (Legistar #69489) and RES-22-00745 (Legistar #74045), and Lessees have received approvals to make improvements to the Property including the receipt of a Conditional Use Permit and Certificate of Appropriateness as required by Madison General Ordinances; and,

WHEREAS, Lessees have experienced construction delays that will not allow them to commence construction of the Improvements until late 2024. In addition, Lessees' have reduced the overall size and impact of the Improvements upon the Property from what was initially authorized in the previously approved amendments to the Ground Lease for the Property; and,

WHEREAS, these delays will not allow Lessees realize increased revenue from these Improvements to the Property until 2026; and,

WHEREAS, the Lessees have previously agreed to a commensurate increase in the Ground Lease Rent Schedule (the "Revised Rent Schedule"), shown as Exhibit C in the attached Ground Lease; and,

WHEREAS, the Lessees have requested that the commensurate increase in the Revised Rent Schedule be delayed for one year so they can complete the Improvements and begin to realize income from said improvements; and,

WHEREAS, Lessees and City have not executed an amendment to memorialize the Revised Rent Schedule, therefore, this will remain the First Amendment to Ground Lease; and,

WHEREAS, the Improvements contemplated by the Lessees include new parking spaces that will be accessed off of the Lincoln School Access Drive. Consistent with the terms of the existing Right-of-Way Agreement, and subject to the new Joint Driveway Agreement executed between the Lincoln School Lessees and the Lessees on August 17, 2024, it is appropriate for the City to grant Lessees an access easement over a portion of the City's property at 728 E. Gorham St.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to execute a First Amendment to Ground Lease with Lessees, or their successors and assignees, substantially, though not exclusively, on the terms and conditions attached hereto;

BE IT FURTHER RESOLVED that the Ground Lease rent schedule shall be increased to the amounts shown in the attached Revised Rent Schedule;

BE IT FURTHER RESOLVED that, consistent with the terms of the existing right-of-way, and pursuant to the executed Joint Driveway Agreement, the City hereby grants an Access Easement (the "Access Easement") to the Lessees, or their successors and assignees, as shown on the attached documentation;

BE IT FURTHER RESOLVED that the City's Common Council hereby authorizes the Mayor and City Clerk to execute, deliver and record the First Amendment to Ground Lease and Access Easement and take any further action required to accomplish the purpose of this resolution in a form approved by the City Attorney.

704 East Gorham St 2024 Amendment Rent Schedule

NOTE: Second amendment was approved
but not signed due to work stoppage.

Third Amendment - 2025 Rent
Adjustment
Fifteen Year Rate Adjustment
Thirty Year Rate Adjustment

10%
5%
5%

NOTE: 2025 Rate Adjustment reflects time
to complete improvements
to 704 East Gorham St

Year	2024 - 25 Revised Rent Schedule		Increase	Annual Change		Monthly Change	
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
1							
2	\$	6,403.35	2%	\$	465.70	\$	38.81
3	\$	6,531.42	2%	\$	475.01	\$	39.58
4	\$	6,662.05	2%	\$	484.51	\$	40.38
5	\$	6,795.29	2%	\$	494.20	\$	41.18
6	\$	6,931.20	2%	\$	504.09	\$	42.01
7	\$	7,069.82	2%	\$	514.17	\$	42.85
8	\$	7,211.22	2%	\$	524.45	\$	43.70
9	\$	7,355.44	2%	\$	534.94	\$	44.58
10	\$	7,502.55	2%	\$	545.64	\$	45.47
11	\$	7,652.60	2%	\$	556.55	\$	46.38
12	\$	7,805.65	2%	\$	567.68	\$	47.31
13	\$	7,961.76	2%	\$	579.04	\$	48.25
14	\$	8,121.00	2%	\$	590.62	\$	49.22
15	\$	8,283.42	2%	\$	602.43	\$	50.20
16	\$	8,449.09	2%	\$	614.48	\$	51.21
17	\$	9,040.52	2%	\$	1,049.22	\$	87.44
18	\$	9,221.33	2%	\$	1,070.21	\$	89.18
19	\$	9,405.76	2%	\$	1,091.61	\$	90.97
20	\$	9,593.88	2%	\$	1,113.44	\$	92.79
21	\$	9,785.75	2%	\$	1,135.71	\$	94.64
22	\$	9,981.47	2%	\$	1,158.43	\$	96.54
23	\$	10,181.10	2%	\$	1,181.60	\$	98.47
24	\$	10,384.72	2%	\$	1,205.23	\$	100.44
25	\$	10,592.42	2%	\$	1,229.33	\$	102.44

704 East Gorham St 2024 Amendment Rent Schedule

NOTE: Second amendment was approved
but not signed due to work stoppage.

Third Amendment - 2025 Rent

Adjustment

10%

Fifteen Year Rate Adjustment

5%

Thirty Year Rate Adjustment

5%

NOTE: 2025 Rate Adjustment reflects time
to complete improvements
to 704 East Gorham St

Year	2024 - 25 Revised Rent Schedule		Increase	Annual Change	Monthly Change
26	\$	10,804.26	2%	\$ 1,253.92	\$ 104.49
27	\$	11,020.35	2%	\$ 1,279.00	\$ 106.58
28	\$	11,240.76	2%	\$ 1,304.58	\$ 108.71
29	\$	11,465.57	2%	\$ 1,330.67	\$ 110.89
30	\$	11,694.88	2%	\$ 1,357.28	\$ 113.11
31	\$	11,928.78	2%	\$ 1,384.43	\$ 115.37
32	\$	12,763.79	2%	\$ 2,008.56	\$ 167.38
33	\$	13,019.07	2%	\$ 2,048.73	\$ 170.73
34	\$	13,279.45	2%	\$ 2,089.70	\$ 174.14
35	\$	13,545.04	2%	\$ 2,131.49	\$ 177.62
36	\$	13,815.94	2%	\$ 2,174.12	\$ 181.18
37	\$	14,092.26	2%	\$ 2,217.61	\$ 184.80
38	\$	14,374.11	2%	\$ 2,261.96	\$ 188.50
39	\$	14,661.59	2%	\$ 2,307.20	\$ 192.27
40	\$	14,954.82	2%	\$ 2,353.34	\$ 196.11
41	\$	15,253.92	2%	\$ 2,400.41	\$ 200.03
42	\$	15,558.99	2%	\$ 2,448.42	\$ 204.03
43	\$	15,870.17	2%	\$ 2,497.39	\$ 208.12
44	\$	16,187.58	2%	\$ 2,547.33	\$ 212.28
45	\$	16,511.33	2%	\$ 2,598.28	\$ 216.52
46	\$	16,841.56	2%	\$ 2,650.25	\$ 220.85
47	\$	17,178.39	2%	\$ 2,703.25	\$ 225.27
48	\$	17,521.95	2%	\$ 2,757.32	\$ 229.78
49	\$	17,872.39	2%	\$ 2,812.46	\$ 234.37
50	\$	18,229.84	2%	\$ 2,868.71	\$ 239.06
51	\$	18,594.44	2%	\$ 2,926.09	\$ 243.84
52	\$	18,966.33	2%	\$ 2,984.61	\$ 248.72
53	\$	19,345.65	2%	\$ 3,044.30	\$ 253.69
54	\$	19,732.57	2%	\$ 3,105.19	\$ 258.77
55	\$	20,127.22	2%	\$ 3,167.29	\$ 263.94
56	\$	20,529.76	2%	\$ 3,230.63	\$ 269.22
57	\$	20,940.36	2%	\$ 3,295.25	\$ 274.60
58	\$	21,359.16	2%	\$ 3,361.15	\$ 280.10
59	\$	21,786.35	2%	\$ 3,428.38	\$ 285.70
60	\$	22,222.07	2%	\$ 3,496.94	\$ 291.41
61	\$	22,666.52	2%	\$ 3,566.88	\$ 297.24
62	\$	23,119.85	2%	\$ 3,638.22	\$ 303.18
63	\$	23,582.24	2%	\$ 3,710.98	\$ 309.25
64	\$	24,053.89	2%	\$ 3,785.20	\$ 315.43

704 East Gorham St 2024 Amendment Rent Schedule

NOTE: Second amendment was approved
but not signed due to work stoppage.

Third Amendment - 2025 Rent

Adjustment

10%

Fifteen Year Rate Adjustment

5%

Thirty Year Rate Adjustment

5%

NOTE: 2025 Rate Adjustment reflects time
to complete improvements
to 704 East Gorham St

Year	2024 - 25 Revised Rent Schedule		Increase	Annual Change		Monthly Change	
65	\$	24,534.97	2%	\$	3,860.91	\$	321.74
66	\$	25,025.67	2%	\$	3,938.13	\$	328.18
67	\$	25,526.18	2%	\$	4,016.89	\$	334.74
68	\$	26,036.70	2%	\$	4,097.23	\$	341.44
69	\$	26,557.44	2%	\$	4,179.17	\$	348.26
70	\$	27,088.59	2%	\$	4,262.75	\$	355.23
71	\$	27,630.36	2%	\$	4,348.01	\$	362.33
72	\$	28,182.96	2%	\$	4,434.97	\$	369.58
73	\$	28,746.62	2%	\$	4,523.67	\$	376.97
74	\$	29,321.56	2%	\$	4,614.14	\$	384.51
75	\$	29,907.99	2%	\$	4,706.43	\$	392.20
76	\$	30,506.15	2%	\$	4,800.55	\$	400.05
77	\$	31,116.27	2%	\$	4,896.56	\$	408.05
78	\$	31,738.60	2%	\$	4,994.50	\$	416.21
79	\$	32,373.37	2%	\$	5,094.39	\$	424.53
80	\$	33,020.83	2%	\$	5,196.27	\$	433.02
81	\$	33,681.25	2%	\$	5,300.20	\$	441.68
82	\$	34,354.88	2%	\$	5,406.20	\$	450.52
83	\$	35,041.97	2%	\$	5,514.33	\$	459.53
84	\$	35,742.81	2%	\$	5,624.61	\$	468.72
85	\$	36,457.67	2%	\$	5,737.11	\$	478.09
86	\$	37,186.82	2%	\$	5,851.85	\$	487.65
87	\$	37,930.56	2%	\$	5,968.88	\$	497.41
88	\$	38,689.17	2%	\$	6,088.26	\$	507.36
89	\$	39,462.95	2%	\$	6,210.03	\$	517.50
90	\$	40,252.21	2%	\$	6,334.23	\$	527.85
91	\$	41,057.26	2%	\$	6,460.91	\$	538.41
92	\$	41,878.40	2%	\$	6,590.13	\$	549.18
93	\$	42,715.97	2%	\$	6,721.93	\$	560.16
94	\$	43,570.29	2%	\$	6,856.37	\$	571.36
95	\$	44,441.70	2%	\$	6,993.50	\$	582.79
96	\$	45,330.53	2%	\$	7,133.37	\$	594.45
97	\$	46,237.14	2%	\$	7,276.04	\$	606.34
98	\$	47,161.88	2%	\$	7,421.56	\$	618.46
99	\$	48,105.12	2%	\$	7,569.99	\$	630.83

Drive on Parkland Exhibit
Metes and Bounds Description

Part of Lot 3, Certified Survey Map Number 4607, as recorded in Volume 20 of Certified Survey Maps, on page 140-142, as document number 1872136, Dane County Registry, located in the Southwest Quarter of the Northwest Quarter of Section 13, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the west corner of Lot 1 of said Certified Survey Map Number 4607, also being the northeast right of way of North Blount Street, also being the southern most corner of said Lot 3; thence North 43 degrees 41 minutes 25 seconds West along said northeast right of way, 23.16 feet; thence North 27 degrees 58 minutes 40 seconds East, 17.58 feet; thence North 50 degrees 19 minutes 49 seconds East, 26.22 feet; thence North 62 degrees 26 minutes 53 seconds East, 47.85 feet; thence North 52 degrees 37 minutes 36 seconds East, 6.73 feet; thence South 43 degrees 52 minutes 25 seconds East, 17.61 feet to the north corner of said Lot 1; thence South 52 degrees 37 minutes 36 seconds West along the northwest line of said Lot 1, 38.52 feet; thence South 63 degrees 19 minutes 20 seconds West along said northwest line, 19.38 feet; thence South 50 degrees 17 minutes 46 seconds West along said northwest line, 19.36 feet; thence South 27 degrees 56 minutes 39 seconds West along said northwest line, 20.47 feet to the Point of Beginning. This description contains 353 square feet.

Bearings are based upon the Wisconsin County Coordinate System – Dane Zone

Prepared By:
Burse Surveying and Engineering, Inc.
2801 International Lane, Suite 101
Madison WI, 53704

M:\BSE2510\Documents\Descriptions\Drive on Parkland Exhibit.doc

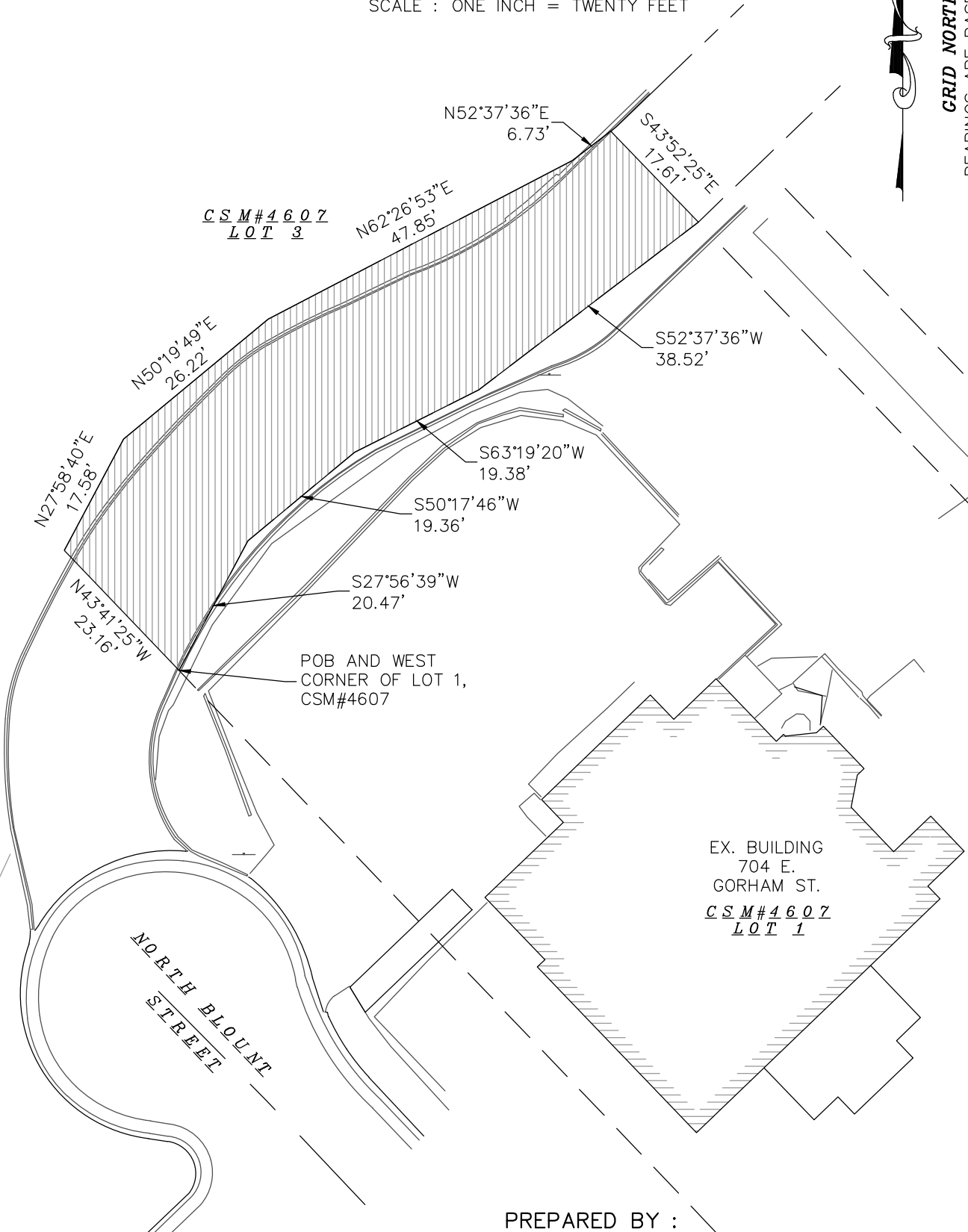
EXHIBIT

PART OF LOT 3, CERTIFIED SURVEY MAP NUMBER 4607, AS RECORDED IN VOLUME 20 OF CERTIFIED SURVEY MAPS, ON PAGE 140-142, AS DOCUMENT NUMBER 1872136, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



SCALE : ONE INCH = TWENTY FEET

GRID NORTH
BEARINGS ARE BASED UPON
WISCONSIN COUNTY COORDINATE
SYSTEM (DANE ZONE)



PREPARED BY :

Burse

surveying & engineering Inc.

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

Date: September 03, 2024

Plot View: EXHIBIT

\\BSE2510\\dwg\\Survey\\BSE2510 Exhibit Parks v20.dwg

SHEET 1 OF 1



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85039

File ID: 85039

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 08/30/2024

File Name: CocoVaa Chocolatier Commercial Ownership
Assistance

Final Action:

Title: Providing CocoVaa Chocolatier or its assigns a \$250,000 loan to purchase a commercial property at 10 Odana Court through the Commercial Ownership Assistance program under the Small Business Equity and Recovery Program (SBER) using the American Rescue Plan Act of 2021 (ARPA) aid Local Fiscal Recovery funds and authorizing the Mayor and City Clerk to sign an agreement with CocoVaa Chocolatier or its assigns for that purpose. (District 19)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 31.

Sponsors: John P. Guequierre, Marsha A. Rummel And Amani Latimer Burris

Effective Date:

Attachments: WWBIC Concurrence Memo- Peoples State Bank
CocoVaa LLC.pdf, COA APP CocoVaa - Copy.pdf,
cocovaa letters of support and
testimonials_compressed.pdf

Enactment Number:

Author: Michael Miller, Business Development Specialist

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/30/2024	Maggie McClain	Approve	9/19/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	08/30/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Economic Development Committee (9/11/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	

Action Text: This Resolution was Referred to the FINANCE COMMITTEE

Notes: Additional referral to Economic Development Committee

1	FINANCE COMMITTEE	09/10/2024	Referred	ECONOMIC DEVELOPMENT COMMITTEE	09/11/2024
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Action Text: This Resolution was Referred to the ECONOMIC DEVELOPMENT COMMITTEE

1	ECONOMIC DEVELOPMENT COMMITTEE	09/11/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	09/16/2024
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Action Text: Miller gave an overview of the COA loan process. Syovata Edari, the owner of CocoVaa, discussed the business followed by questions from members.

A motion was made by Liggon, seconded by Bah to return to lead with recommendation for approval.
The motion passed unanimously by voice vote. Madison recused from voting.

1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER		Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 85039

Fiscal Note

The proposed resolution authorizes the use of \$250,000 of American Rescue Plan Act (ARPA) funds remaining the in Small Business Equity & Recovery Program 13072 (Munis Project 13658).

Previous Commercial Ownership Assistance grants utilizing ARPA funds include:

Smart Cleaning Solutions, LLC (\$250,000, RES-23-00126, Leg file 75569)

Dane County Family Acupuncture (\$250,000, RES-23-00419, Leg file 77771)

Isthmus Wellness (\$250,000, RES-23-00555, Leg file 78826)

Golden Vibes Counseling Center (\$200,000, RES-24-00155, Leg file 81906)

No additional City appropriation required.

Title

Providing CocoVaa Chocolatier or its assigns a \$250,000 loan to purchase a commercial property at 10 Odana Court through the Commercial Ownership Assistance program under the Small Business Equity and Recovery Program (SBER) using the American Rescue Plan Act of 2021 (ARPA) aid Local Fiscal Recovery funds and authorizing the Mayor and City Clerk to sign an agreement with CocoVaa Chocolatier or its assigns for that purpose. (District 19)

Body

WHEREAS, business and property ownership is a vital pathway to economic empowerment. For Madison to make meaningful progress in addressing racial and gender disparities the City must go beyond programs focused on addressing basic needs, and direct more resources and strategies toward building wealth and economic empowerment among communities that are not sharing in the City's prosperity; and

WHEREAS, CocoVaa Chocolatier a Women and Black owned business that will operate its business out of this location. The business is committed to satisfying the most primal instinct in us as humans - to eat- by creating a complete sensory symphony of confectionery bliss and has been doing so for over six years; and

WHEREAS, CocoVaa Chocolatier will utilize Commercial Ownership Assistance funds to assist with the acquisition of the property located at 10 Odana Court, hereby meeting the requirements of the Commercial Ownership Assistance (COA) Program; and

WHEREAS, the COA program guidelines stipulate these funds can be no more than 25% of the total project package and all loan repayments are deferred until sale, cash-out refinance for other than property improvements, and the property is transferred or ceases to be a location for a business owned by the borrower. If any of the above happen within the first 7 years repayment of the full amount is required. If any of the above happen between years 7-15 repayment of one-half the borrowed amount will be required. If the applicant still owns the property after year 15, the original loan amount will be forgiven. There will be no interest rate; and

WHEREAS, the Director of the Department of Planning, Community, and Economic Development recommends an investment of \$250,000 of Commercial Ownership Assistance Funds to this project.

NOW, THEREFORE BE IT RESOLVED, that the Common Council authorizes a \$250,000 Commercial Ownership Assistance Program Loan to CocoVaa Chocolatier and/or its assigns for the purchase of the property at 10 Odana Court; and

BE IT FINALLY RESOLVED that the Mayor and City Clerk are hereby authorized to execute a loan agreement and/or any other documents as may be necessary to effectuate the transaction, all of which are subject to the approval of the City Attorney.



Date: 7/23/24

City of Madison – Commercial Ownership Assistance Program

Lead Bank Approval Concurring Memo

Project: 10 Odana Ct, Madison WI 53719 – Syovata Edari or ETBN, CocoVaa, LLC

Per Peoples State Bank approval memo and supporting financial attached to this memo, WWBIC recommends concurring with People’s State Bank credit approval decision with the following financing structure reflecting City of Madison’s Commercial Ownership Assistance Program source of fund for \$250,000 (20% of the project). WDFI status needs to be current:

Sources and Uses			
Sources:		Uses	
PSB	\$750,000	Purchase Building	\$630,000
Cash Investment	\$230,000	Build-Out	\$514,483
City of Madison Grant	\$250,000	Contingency (16.6%)	\$85,517
Total Sources:	\$1,230,000	Total Uses:	\$1,230,000

Greater Milwaukee
1533 N. RiverCenter Drive
Milwaukee, WI 53212
Phone: 414.263.5450

South Central
2300 S. Park Street, Suite 103
Madison, WI 53713
Phone: 608.257.5450

Southeast
600 52nd Street, Suite 130
Kenosha, WI 53140
Phone: 262.925.2850

245 Main Street, Suite 102
Racine, WI 53403
Phone 262.898.5000

Northeast
1191 N. Casaloma Drive
Appleton, WI 54913
Phone: 920.944.2700

info@wwbic.com
wwbic.com

Please let me know if you have any question!

Thank you very much!

Sincerely,

Mike Hetzel
Director of Lending



Department of Planning & Community & Economic Development

Economic Development Division

Matthew B. Mikolajewski, Director

P.O. Box 2983

Madison, WI 53701-2983

Phone: (608) 266-4222 | Fax: (608) 261-6126

cityofmadison.com

Office of Business Resources
Office of Real Estate Services

Michael Miller, (608) 267-8721

mmiller2@cityofmadison.com

COMMERCIAL OWNERSHIP ASSISTANCE PROGRAM (COA)

Resilient Entrepreneurs Program

APPLICATION

- Applicants should read the COA Guidelines document before filling out this application.
- If you need support in a language other than English, please contact Michael Miller: mmiller2@cityofmadison.com who will help coordinate translation services.
- Applicants must be City of Madison residents, own a business located within the City of Madison
- The program is designed for existing business owners to support them in taking the next step toward owning or developing a business property. As such, applicants should be established businesses with two or more years of operating experience.
- An application review team comprised of Department of Planning, Community and Economic Development staff, Department of Civil Rights Staff and other departments as needed will evaluate your application and determine if it meets the eligibility requirements of the program. If the team determines your business meets all eligibility requirements you will be asked to submit more detailed information for underwriting of the business and feasibility of the project.

The application schedule is as follows:

1. Applications are due on a quarterly schedule (January, April, July, October).
2. Applications are due no later than noon on the 3rd Friday of the above months.
3. The COA program has an annual budget of \$500,000. Once funds are exhausted, applications will no longer be accepted.

Applicant Name: Syovata Edari Phone: [REDACTED]

Business Name: CocoVaa Chocolatier

Business Address: 1815 East Washington Ave. Zip Code: 53704

Email: Info@cocovaa.com

Do you live in the City of Madison? ☒ Yes ☐ No

Home Address: [REDACTED]

What is the address of the property you are looking to purchase?

10 Odana Court, Madison, WI 53719

The Commercial Ownership Assistance Program is only available to City of Madison business owners that identify as being a member of a “historically underrepresented” group.

I identify as being a member of a “historically underrepresented” group that is defined as:

- | | | |
|---|---|---|
| <input type="checkbox"/> Low Income | <input checked="" type="checkbox"/> Woman | <input type="checkbox"/> Person with a disability |
| <input checked="" type="checkbox"/> Person of Color | <input type="checkbox"/> Veteran | <input type="checkbox"/> LGBTQ+ Individual <input type="checkbox"/> Immigrant |

How long has your business been in operation?

☐ Start-up

☐ 4-7 years

☐ 1-3 years

☒ more than 7 years

In the space below, provide us with your business ownership (name, percent owned and race or ethnicity of all partners):

- 100% black woman single mother owned
- Founded, owned and operated by Syovata Edari

How will purchasing this property affect your business and you?

Purchasing the building will have a transformative impact on my business, and my family. Owning the property will provide long-term stability and security, ensuring that CocoVaa can continue to operate and grow. This stability will allow us to expand our production, meet the increasing demand for our unique chocolates, and invest in training and supporting a dedicated staff. It will also enable us to maintain our commitment to sustainable trade practices and our community-centered mission. For my family, this purchase means financial security and the ability to continue our journey of overcoming past hardships, including domestic abuse and abusive employment situations. It ensures that the business we've poured our hearts into will remain a source of pride and support for us. Without securing this building, CocoVaa will close permanently. The loss of our business would mean losing not just our livelihood, but also the community space we've created—a place that brings people together, supports local events, and serves as a symbol of resilience. Owning the building is crucial for us to continue making a positive impact on our community and to ensure the survival and growth of CocoVaa.

How will purchasing this property impact your community?

Obtaining the property will have a profound impact on our community. CocoVaa is an international award-winning chocolatier and James Beard semi-finalist. Our current space, built in new construction, has become a cherished part of the community. However, as a renter, our long-term stability is uncertain.

Purchasing a building will allow us to scale our business, significantly increasing production capacity and enabling us to meet the growing demand for our artisanal chocolates. More importantly, it will allow us to provide training in the chocolate arts, creating valuable employment opportunities in our community and investing in a skilled workforce.

If CocoVaa closes, the community would lose a vital gathering space and a hub of local engagement. Our shop has become a cherished place where people come together, fostering a sense of community and connection. Losing this opportunity would mean losing a venue that brings people together, celebrates diversity, and provides a refuge for many, including those who have been inspired by our story of resilience and triumph. The closure would strip the community of a unique, supportive environment that enhances local identity and pride. Please see our social media pages as well as attached support letters.

Please describe, in detail, the proposed project (location, buildout needs, and basic timeline):

We have an accepted offer on a building located at 10 Odana Court. The building is 4300 square feet as compared to the 1400 square feet we currently rent. Please see attached architectural schematic for details of buildout needs. The estimated buildout costs will be \$550-600k. Most bids for the work have been submitted and more are forthcoming.

Timeline:

Closing: On or before 11/1/2024

Demo and construction start: 11/4/2024

Occupancy: March 1, 2025

Eligible Uses	Maximum Loan Amount	Eligible Locations
Funds can be used by businesses to purchase their existing building, buying a new building, sizeable expansion or redevelopment of an existing building the business presently owns, or purchasing a condominium unit.	The COA Loan cannot be more than 25% of the total price of the building or cost of the project. Loans are for up to \$250,000. The City will work with applicants to support efforts to seek additional financing.	The program may be used for any commercial property located within the City of Madison.

Amount requested: \$ 250,000

SOURCES AND USES OF FUNDS

- This is a statement of how much money is required, its source, and how money will be used.
- By definition, sources must equal uses.

SOURCES OF FUNDS	Amount	Source
Line of Credit	\$ 0.00	
Outside Equity	\$ 250,000.00	COA Loan
Personal Equity	\$ 250,000.00	Business Savings
Term Loan	\$ 750,000.00	People's State Bank
Other	\$ 0.00	
TOTAL SOURCES	\$ 1,250,000.00	

USES OF FUNDS	Amount	Source
Cash Reserve	\$	
Inventory	\$ 0.00	We will transfer inventory to new location
Purchase Building	\$ 630,000.00	People's State Bank and COA Loan
Purchase Equipment	\$ 0.00	We own all necessary equipment
Renovations	\$ 600,000.00	People's State Bank /Personal Equity
Contingency	\$ 20,000.00	People's State Bank
Other	\$ 0.00	
TOTAL USES	\$ 1,250,000.00	

All Applications:

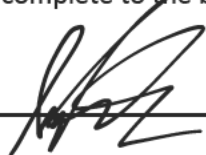
- If the team determines your business meets all eligibility requirements you will be asked to submit more detailed information for underwriting of the business and feasibility of the project.
- Applicants who receive funds from this program will be asked to speak with future recipients on lessons learned and their experience.

The City of Madison has collaborated with a local bank who has offered to consult applicants wishing to know more about bank requirements and the commercial loan process. If you are interested in taking advantage of this service please let staff know and contact information can be provided.

APPLICANT CERTIFICATION

The Applicant certifies that all information in this application and all information furnished in support of this application is given for the purpose of the City of Madison Commercial Ownership Assistance Program is true and complete to the best of the applicant's knowledge and belief.

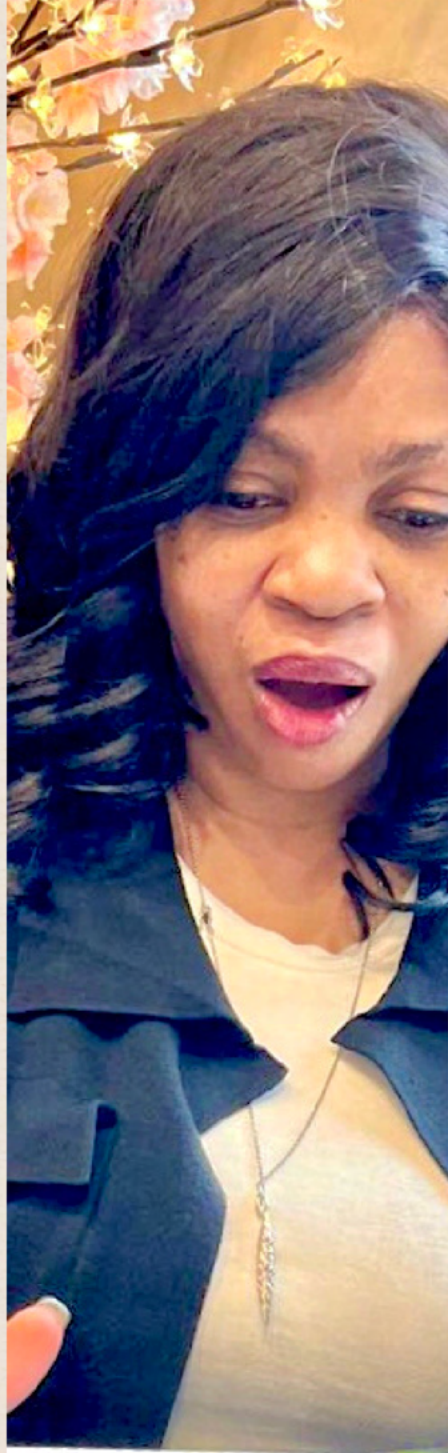
Signature: _____

Date: July 22, 2024

Applications must be submitted to the Economic Development Division by e-mail:

mmiller2@cityofmadison.com

If you do not have access to e-mail, please call (608) 267-8721 to arrange delivery of your application.



COCOVAA: WHAT PEOPLE SAY

MAY 2024

info@cocovaa.com





**"You make history
every day you stay in
business."**

— Milele Chikasa Anana



MY STORY

Contrary to popular belief, my chocolate company isn't a "passion project." The real story is one of self-liberation from domestic abuse and economic dependence on systems that didn't welcome women like me. It includes getting fired from a federal job for insubordination, where, as an employee of the federal judiciary, I was exempt from any protections under the Civil Rights Act. It involved times when I feared for my life and a 24-year struggle for economic stability as a single mom.

The whole story is for another day, but the bottom line is that as a single mom, I never had the privilege of throwing all caution to the wind to pursue a dream. Instead, I've grown CocoVaa with intense focus, intention, sacrifice, and deliberateness. It was as much a means to an end as it was a pursuit of passion. It was an emancipation project that accidentally grew into an international award-winning chocolate company with a new purpose.

What once began as a refuge for my kids and I, has grown into a refuge for many others. I've come to appreciate CocoVaa as a transcendent force that will outlive me because our products and brand story have already touched thousands of people. The goal now is to multiply its impact, allow others to have a stake in the outcome through training and employment opportunities, and to build something lasting for my family.

Despite creating the illusion of ease, my journey has been anything but straightforward. And what it's taught me is that success isn't a clean linear path. It's messy and twisted. And while I wouldn't change anything about this journey that's given me the resilience to keep going, I hope that my efforts to break down barriers that lock many of us out, will help clear the path for the next generation of diverse entrepreneurs - especially other single moms.

Syovata Edari



JACKIE SUMMERS



"Jack From Brooklyn": First Legal Black Distiller in America; Founder of Sorel Liqueur, the most awarded liqueur on the planet.

“Vata, you are the first generation capable of doing what you do; not because our progenitors lacked talent; they lacked opportunity. You are the living extension of a conversation that predates you by centuries; the living expression of reversing dreams deferred.”



To Whom it May Concern:

Syovata Edari is a generational talent.

I'm not speaking specifically about her status as a Master Chocolatier. The James Beard Foundation has acknowledged her as a 2024 finalist for "Outstanding Pastry Chef or Baker." Her company, CocoVaa, has won scores of international awards, including 29 awards from the London-based Academy of Chocolate Awards (AoC), the world's longest-running and most prestigious fine chocolate competition. Her accolades are many and vaunted.

Before becoming a Master Chocolatier, Ms. Edari had a successful career as a trial lawyer. As a single mother without a safety net, she left a career that fed her family while starving her soul, to pursue this calling to have a broader impact on humanity through food. Her deep connection to Indigenous and African traditions both ground her and fuel her creativity as a chef. Her expressions aren't just culinary delights; they're tiny, delicious mouthfuls of history.

Named an International Rising Star by the Academy of Chocolate in 2018, Ms. Edari is steadfast in her commitment to ethical sourcing. Her approach goes beyond sustainability; it actively supports communities historically exploited for their resources and labor. Her work isn't just delicious—it's profoundly impactful.

That she has been able to accomplish all of this, despite significant systemic barriers, speaks to the strength of her character, and the consistency of her integrity. As the first legal, licensed Black distiller in the US, I implicitly understand some (but not all) of the challenges she's faced. Ms. Edari has demonstrated world-class talent, genius-level marketing, and Olympic-level persistence.

She is deserving of serious financial consideration, both for her business and the boon this would bring to the local community.

In gratitude,

Jack

Jack
SOREL

JACK FROM BROOKLYN



May 21st, 2024

To Whom it May Concern:

I am pleased to write on behalf of Common Wealth Development, a stalwart in fostering economic growth and supporting community development within Madison and Dane County. Our mission to encourage entrepreneurial leadership, financial fluency, and the sustainability of local businesses aligns perfectly with the objectives of ventures like CocoVaa Chocolatier, owned and operated by Ms. Syovata Edari.

Ms. Edari, a trailblazer and Black woman entrepreneur, has impressively led CocoVaa through significant challenges, including the recent global pandemic. Her resilience and strategic insight have not only helped her business survive but expand, notably enhancing her e-commerce presence in response to shifting market dynamics. CocoVaa's commitment to quality and community has solidified a robust customer base and Ms. Edari's expansion plans promise to multiply local employment opportunities and maintain this valuable enterprise in our evolving city. Her product responds to a heightened demand for quality and inclusivity as her creations and space service a global diverse community - a quality about her brand that make her stand out from her competitors even on a national level. Madison is lucky to have CocoVaa.

Previously, Ms. Edari considered situating her business at our Main Street Industries site. Unfortunately, suitable space was unavailable at the time. Nonetheless, her vision and CocoVaa's potential align with our goals at Common Wealth Development, and we fully support her continued growth.

As one of the few Black woman-owned brick-and-mortar businesses in Madison and Dane County, CocoVaa represents an essential pillar in our diverse business community. We urge the City of Madison and its financial institutions to recognize the opportunity that CocoVaa presents not only as a business but as a cornerstone for broader community engagement and development.

Investing in CocoVaa is more than a financial decision; it is an investment in our community's future, ensuring that our economic landscape continues to diversify and thrive. We are excited to support Ms. Edari as she guides her business to new heights and further cements her role as a leader in our local business economy.

Thank you for considering this strong endorsement. We are enthusiastic about CocoVaa's future and the positive impact it will continue to have on our community.

Respectfully Submitted,


Justice Castañeda

Executive Director

Common Wealth Development, Inc.

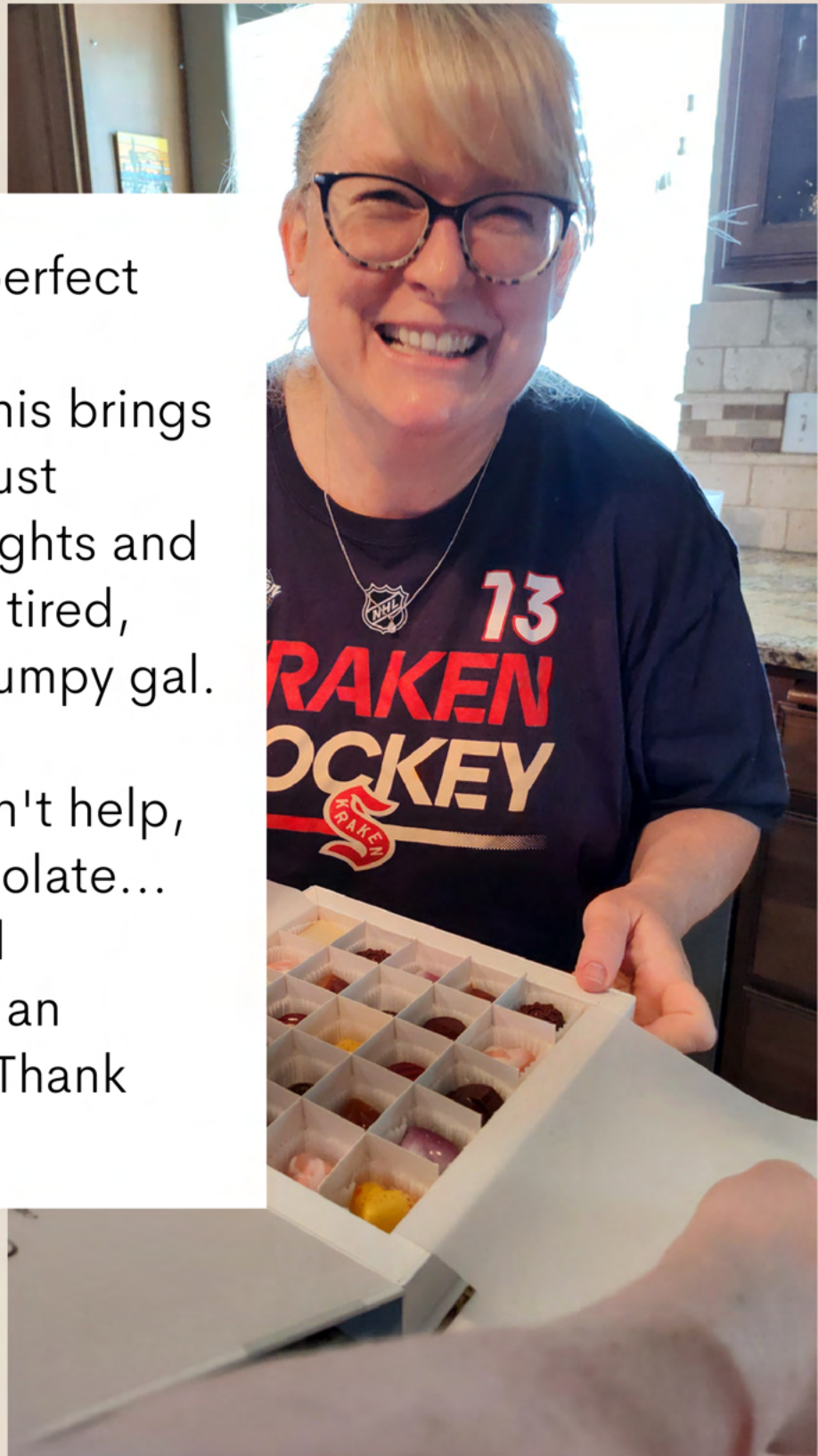
justice@cwd.org | 608-620-7745



“Testimonial

Package received in perfect condition. I hope you understand what joy this brings to people. Shari had just worked the last few nights and I came home to a very tired, just woken up, and grumpy gal. Tried feeding her a cosmopolitan and didn't help, but opening that chocolate... She was all smiles and bouncing. Jesus what an effect! So wonderful! Thank you so much!

Cary C.
Washington
State



MAJOR GEN. MARCIA ANDERSON



Major Gen. Marcia Anderson; First Black Woman
Major General in the US Army

“Syovata, you have transformed CocoVaa from a mere dream into a thriving reality through sheer determination and an unwavering belief that success comes to those who defy the odds, overcome obstacles, and ignore the naysayers. Continue the fight and pave the way for the next generation of entrepreneurs!”



Betty Harris Custer, CFP®, CRPC
Founding Managing Partner
Betty.Custer@custerburish.com

Joanna G. Burish, MBA
Managing Partner
Joanna.Burish@custerburish.com

J. Corkey Custer
Managing Partner
JCorkey.Custer@custerburish.com

W. Earle Smith, AWMA™, CISTM
Financial Planner
Earle.Smith@custerburish.com

May 21, 2024

To Whom it May Be of Interest:

I am writing to express my deep appreciation and admiration for Syovata Edari who owns and operates CocoVaa, the most superb chocolate making shop I have ever encountered. Vata has received numerous national and international awards and certainly deserves every one of them.

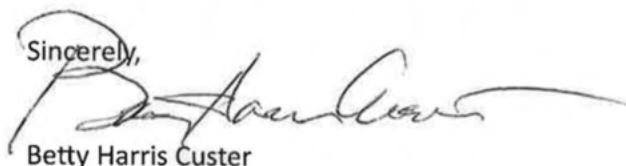
Significantly she has reached these levels of success as a single mother. I know well the hardships that face women who choose to be business owners and entrepreneurs as I have been for over 50 years. She has had the additional issues that face women of color, which I have not had to have as a concern.

In spite of these challenges, Vata has provided a place of welcome for the community that this City should be holding as a model for other business owners. Unfortunately, her landlord has not been at all willing to partner with her about issues that have been detrimental to her managing a thriving business.

Our greater area community needs to make certain that we do all we can to support such a gifted, hardworking artist. She has deployed most of her life savings into this enterprise, and as she seeks a better facility that she will control she needs the help of the banking community to give her that chance.

I know of few people who work as hard as she does, and I know of none who produce a finer product. We will be grateful that we helped her in the next steps towards regional, national and international renown.

Sincerely,



Betty Harris Custer

Custer Burish Financial Services • 406 Science Drive, Suite 310 • Madison, WI 53711
(608) 238-8388 • (800) 346-8864 • (608) 287-3041 Fax

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ALTHEA BERNSTEIN

I was at a point in my life where nothing could help me. I had just been assaulted. I was at the lowest point of my life and even contemplated ending it when I got a "get well soon" gift left at my front door. My mom and dad brought the gift to me as I lay curled up on the couch, shut off from the world. As much as I hated the world and wanted to be left alone, I took the gift from my mom. It was a beautiful brown bag with black tissue paper. The card informed me that the gift was from a family friend. I pulled a thin white box out of the bag with delicate silver writing on the front of the box.

"CocoVaa".

I had no idea at the time what brand this was so I opened the box. A little brown card said "chocolatier". I shut the box. Great, a box of chocolate. Our friend forgot that I was anaphylactic to Chocolate. I looked up at my parents and handed my dad the box. "Chocolates", I said. My dad opened the box and then removed the sheet covering the chocolates. He gasped. He handed the box back to me. I removed the sheet so I could see why my dad was so impressed. I gasped too. Orange, yellow, pink, green, white. The most beautiful color combinations I had ever seen. I had been grossly mistaken for writing this small box off so quickly. Since they were all white chocolates...I could eat them!

I looked at the small informational card again and identified a "Passionfruit Mango White Chocolate". I took a small bite and immediately the flavors hit my mouth. Sweet, tangy, creamy, delicate, one of the best things I had ever tried. Over the next few days I savored the remaining Bon Bons only having one a day. I would cut each one into thirds and my parents and I would sit down together and marvel over the experience of each unique Bon Bon. My mom told me I should look into CocoVaa and so I did. I found the website and read every single page I could find. "Black Owned, World Famous, Female, Mother, Chocolatier ". I fell in love with CocoVaa even further. I decided to leave a message for the owner on the website primarily to thank her for making white chocolates that I could eat. The next day I got a response, "I would love to meet you. Please come by my shop". I was ecstatic and was amazed that I even got a response! That weekend I met Vata at her shop. I walked into her shop and was hit with a sense of calm. The shop was stunning.

ALTHEA BERNSTEIN, CONT.



Cases filled with edible masterpieces, a sweet smell wafting through the air, and a sitting area where Vata and I would spend the next few hours getting to know each other. We discussed my assault and life as a black woman. We discussed my love life and my academic goals. We talked about everything and anything. I realized this was the first day in weeks that I was enjoying. Sitting in Vata's shop made me feel like I was going to survive. As we wrapped up our tea time, I was already planning on when to come back. I knew that I wanted, needed, to spend more time at CocoVaa. Vata then offered for me to come help her in her shop and at that moment I had been saved.



I would come to her shop and spend hours talking with her while she would buzz around the kitchen making magic. I had found a safe place. I found a Sanctuary. I found Vata when I needed it the most. I had spent day after day planning on ending my life and a box of chocolates saved me. I know for a fact that I am not the only one to share this experience because I would frequently watch customers walk in and sit down to talk. Vata knew them all by name and always would offer the most caring hospitality. Vata quickly became one of my idols and always will be. She is smart, loving, kind, determined and strong. She has taught me how to fight for what I need and to love myself. CocoVaa helped to heal me. I always knew I was safe at her shop and I knew that protecting her sanctuary and everyone inside was a priority to her. Vata has become a pillar in the community and strives for maintaining a World Class Chocolate Shop.



ALTHEA BERNSTEIN, CONT.

Cocovaa is more than a shop. It is an experience, a safe haven and a sanctuary. I still reach out to Vata from time to time when I need some of the CocoVaa spirit. The highly decorated walls of her shop covered in World Champion Chocolatier Awards speaks volumes about her skill, creations and devotion. However, If you really want to know what CocoVaa is about, go by on a Sunday afternoon. It is like walking into a fairytale. Be welcomed in by her brilliant loving son. Relax and breathe in the clean, sweet environment. Enjoy a cup of tea and a slice of cake. Enjoy the most divine edible luxuries made with the highest quality ingredients. Be at peace. You will never find a shop like CocoVaa anywhere else in the world. After-all, if a box of chocolates can save someone's life, then the person making them must be pretty damn talented.

Althea Bernstein-Filipowicz





“Testimonial

Life is unbelievably short. Most of our investments are made for our survival. But your remarkable talent, skill, dedication, and product are what make life worth living. Your product is ephemeral. Tasting your chocolates is nothing less than experiencing life itself. It is why we strive.

I am a nurse, and I make my living bringing people back from the brink of death. I provide people hope, and so you are indirectly saving lives with your chocolate—it is that good! Rather than investing in property, our wealthy can invest in making life truly worth living.

Thank you so much for your work, Ms. Edari!

Bill Caldwell
Madison, WI



Scott MacGregor
111 Wildwood Ave
Madison, CT 06443
M 203-998-1700
E Scott@TrySomethingNewNow.com
W TrySomethingNewNow.com
W TheOutlierProject.co

5/23/2024

To Whom It May Concern:

My name is Scott MacGregor. I'm the Founder and CEO of SomethingNew LLC, the Founder of The Outlier Project, the Publisher & Editor-In-Chief of Outlier Magazine and a 4 time author but most importantly, I'm friends with Syovata Edari.

Syovata, or Vata to me, is one of the most remarkable people I've ever met. While her background was as a trial attorney she forged a new path into entrepreneurship where I truly believe she belongs because it unleashes her innovation and creativity.

I've seen audiences mesmerized as they hang on her every word in describing her passion for creating magical experiences. I've witnessed iconic chefs like Jacques Pepin, decorated legendary Navy SEAL's like Jason Redman, football and broadcasting greats like Merrill Hoge and USWNT stars like Joanna Lohman all savor her creations with the same passion in which she makes them.

There is unfortunately only one Vata and she is a treasure. My hope is that her business expanded and thrives so that even more people can have the transformative delight of experiencing her artistry.

Best,

Scott MacGregor
Founder & CEO, SomethingNew LLC & The Outlier Project

MADELINE SALL

My name is Madeline Sall, and I have known Syovata Edari for the past four years, initially as a customer of her chocolate shop, CocoVaa, and now as a good friend. Syovata has built an internationally acclaimed chocolate business despite chronic underfunding and limited access to opportunities in Madison. Her chocolate is incredible, and she runs her business based on her values, even when it means losing customers.



Through observing how she operates her business and conducts herself within the Madison community and beyond, I can attest to her integrity. During the genocide in Palestine, she used her platform to share information, call people to action, and bring Palestinian products into her shop. Locally, she supported Sharon Irwin-Henry, Tony Robinson's grandmother, in preparing a petition to file criminal complaints against the officer who murdered Tony in 2015, offering her legal expertise pro bono. Syovata has also hosted multiple pop-ups for smaller Black-owned food businesses within her retail storefront, giving those entrepreneurs access to her customer base and a dedicated location for sales.

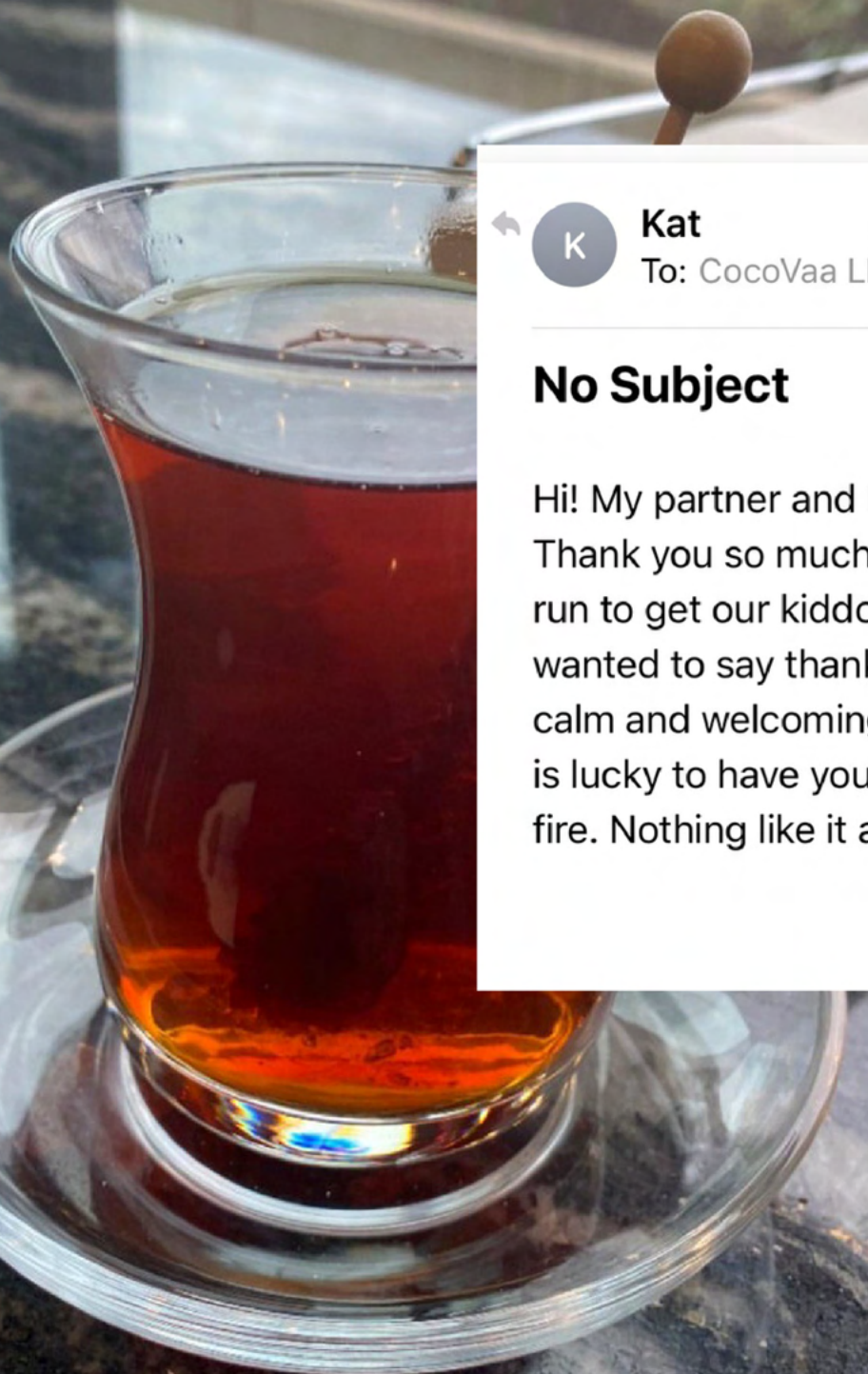
Everything Syovata gains is poured back into the community around her.

Madeline Sall



reemtarahay

Random offers of tea while shopping
make me feel so at home 🥰



Kat

To: CocoVaa LLC >

5:05 PM

No Subject

Hi! My partner and I were in earlier today. Thank you so much for the tea. We had to run to get our kiddo from school, but just wanted to say thank you for providing such a calm and welcoming environment. Madison is lucky to have you. The vegan chocolate is fire. Nothing like it around ❤️

Thank you,



COCOVAA

SHARON IRWIN

My name is Sharon Irwin. I'm the grandmother of Tony Robinson who was killed by Madison Police Officer Matt Kenny in 2015. I've been fighting for justice for almost 10 years and Syovata, or Vata as we call her, has been there every step of the way, even as she grows her own business.

I have known Vata on a professional and personal level for almost two decades. I watched her begin her chocolate business CocoVaa in the kitchen of her mother's home and take it to new and greater levels over the years, one step at a time, until now. I see her working to achieve a greater goal for herself and her community. She has spoken of her dreams to teach the youth of chocolate and life. I love to listen to her when she speaks of the building she will buy and the kids she will help. And I know she will because she always follows through with whatever she puts her mind to.

She took on the onus of writing a petition for my Grandson Tony Robinson's case to be heard before a criminal judge using Wisconsin Statute 968.02. Wi Stat. 968.02 is a little used statute that allows a citizen to bring charges against someone who has done harm and the DA refuses to prosecute. I fit that description with my grandson. We were swimming in waters that had not been swum much before, and not for cases of 2nd degree reckless homicide. The evidence showed a crime had been committed against my grandson, but I could not move forward in the courts, Year after year I went to the DA, giving evidence asking him to prosecute. He refused to prosecute saying to me yes there is probable cause, but he could not win this case, so he would not prosecute. I spent the next Eight years looking for a way around the DA. I feel the evidence must be heard in a court of law so all of Madison can judge for themselves whether My grandson's death was a justified killing or not.

Syovata mentioned the statute to me in 2020, but I could get no help from attorneys, No one wanted to wade through a process rarely used, plus do it for free. One day, in August, 2021, as I sat at Vata's chocolate shop looking sad and depressed because yet another lawyer turned me down to help pursue justice for Tony, "I will help you," she said. I did not understand what that would entail. She had an idea of what it would take.

SHARON IRWIN CONT.

She had an idea of what it would take. She worked 60 hours a week doing chocolate and 20 more working on the petition. She did this for eight months, putting a petition together that would hold up against the scrutiny of the criminal courts. Vata would call at 2 am, asking me questions about the evidence, because I know more about my grandson's case than anyone else, except now Vata. There were 42 exhibits created with the evidence compiled from The DCI, Department of Criminal Investigation, Attorneys Lovey and Lovey, and Madison Police policies and procedures.

She wrote a petition that showed probable cause beyond a reasonable doubt, which got my grandson into the courts before a judge. She also enlisted the help of six lawyers to take it to trial. Without her, I would still be floundering.

I know she is destined to do great things and this opportunity is perfect. Great things come for people who step up and commit a lifetime to helping their community. Syovata has done that and so much more. It is an honor for me to write this letter on her behalf. I can not wait to be there when she breaks ground for this next step in her life and our community.

Sharon Irwin
community activist, Army Veteran



JAMES BAERWOLF

My name is James Baerwolf. Myself and family own Sassy Cow Creamery, a small scale farmstead dairy plant and farm. We supply milk and dairy products in the Madison and greater Wisconsin area. We have been selling heavy cream to CocoVaa for several years now. Vata has been an excellent customer and integral part in the success of businesses like ours.

The benefit of businesses such as CocoVaa to farmstead operations such as ourselves is that we cannot compete on price alone. We rely on the quality of what we produce and our local network of customers that seek out products that raise the quality of the products that they are creating, producing and selling to customers that seek that type of product and experience.

I have seen first hand the time and commitment that Vata puts into her business and product and recognize the dedication and passion she has for producing the highest quality chocolate and related creations. I hope to have her business as a dedicated growing partner for many years to come.

James Baerwolf
James Baerwolf
Sassy Cow Creamery
W4192 Bristol Road
Columbus, WI 53925
Phone: (608) 837-7766





Ph: 702-614-9350
Fax: 702-914-8841

PO Box 96831
Las Vegas NV 89193
USA

Recommendation Letter of CocoVaa Chocolatier

To whom it may concern:

My name is Paul Edward, founder and owner of Chef Rubber. Chef Rubber is the world's leading producer of specialty products and custom tools for Chefs. Chef Rubber supplies some of the biggest chocolate companies in the world including M&M Mars Master Foods, to some of the smallest start ups in locations such as Rawanda. I have been in the industry for 50 years and have participated in and been instrumental as a company in providing new and innovative creations and solutions for the world's leading chefs.

As a major supplier of specialty items to some of the world's most esteemed chocolate companies, I've seen firsthand the passion, innovation, and tenacity it takes to flourish in this competitive yet rewarding industry. Vata, stands out as an emerging leader, with a truly groundbreaking company that has caught my attention, as well as that of others. From my testing of her product, she has mastered the foundational techniques to developing a unique style and creating signature products that are both aesthetically pleasing and gastronomically exceptional.

It isn't just her product line that impresses me, but Vata's deep understanding of the market, its challenges, and the vast opportunities that lie ahead. She has built a strong circle of industry experts to support her and she utilizes the resources in her network, including me and my team, to advise her as she grows. It is evident that her brand is not just in the business for short-term gains; they are building a legacy.

It makes perfect sense to me why Vata seeks to own her next building with expanded space at this stage of her company. As someone who has successfully scaled a chocolate company from its modest beginnings to a widely recognized brand, I intimately understand the challenges faced by businesses operating in limited spaces and the boundless potential that unfolds once those spatial constraints are alleviated. During the early stages of my own company's journey, we were confined to a space that, while adequate initially, soon began to restrict our growth. In a business where production intricacies, storage needs, and temperature sensitivities are paramount, space is not just a luxury—it is a necessity. Operating in a cramped environment directly affects not only production capacity but also

product quality and delivery options. It limits the scope for innovation, hampers efficient logistics, and impacts staff health - especially in the new COVID economic era where space to accommodate social distancing is likely a permanent fixture to keep manufacturing facilities running.

This industry, especially the luxury chocolate and confectionery sector, is ripe for scalable businesses. With global chocolate sales continuing to show consistent growth and consumers' unyielding demand for premium, artisanal products, the potential for a brand like CocoVaa is only limited by a lack of capitalization to grow. Boundless potential will unfold once CocoVaa's spatial constraints are alleviated. With its remarkable dedication to the craft and a clear vision for the future, CocoVaa has showcased the kind of potential that reminds me of my own company's nascent days. They have consistently delivered high-quality products, even within their current space constraints, and working successfully through a global pandemic - a testament to their skills, passion and resiliency. But like many ambitious entities, they are now at a crossroads where the size of their operational space could either curtail their aspirations or catapult them to new heights.

With the increased capacity, CocoVaa can tap into larger markets, diversify their product range, capture sales from the boom in demand for e-commerce and even venture into training and workshops, adding multiple revenue streams to their business.

I firmly believe that with the right support and financial backing, CocoVaa can transcend boundaries and establish itself as a leading name in the industry. Investing in them is not just funding a company, but backing an idea, a vision, and a future where quality and innovation reign supreme.

It's important to note that most large chocolate companies started like CocoVaa. This includes big names like See's Candy and even Mars Inc. whose founder, Frank, began in his grandmother's kitchen hand dipping chocolate. At some point they were capitalized and were able to grow. She deserves the same opportunity, and our industry is long overdue for the diversity she brings, something reflected in her product line.

To potential financiers, whether it be a bank or a private funder, I urge you to recognize the lucrativeness of this industry and the scalability of businesses like CocoVaa. Herein lies an opportunity to be part of a brand that, I am confident, will shape the chocolate world in the years to come.

Warm regards,

Paul Edward
Founder & Owner, Chef Rubber
702-614-9350
www.ChefRubber.com

I've watched CocoVaa grow a loyal following since its beginnings in 2016. Vata is a highly skilled chocolatier who understands the fine balance between couvertures, flavorings and various ingredients that present a great tasting praline or truffle. The love Vata puts in her product not only results in a great tasting indulgence but has a unique flair of artistry. Vata is also extremely committed to giving back to the disenfranchised of her community.



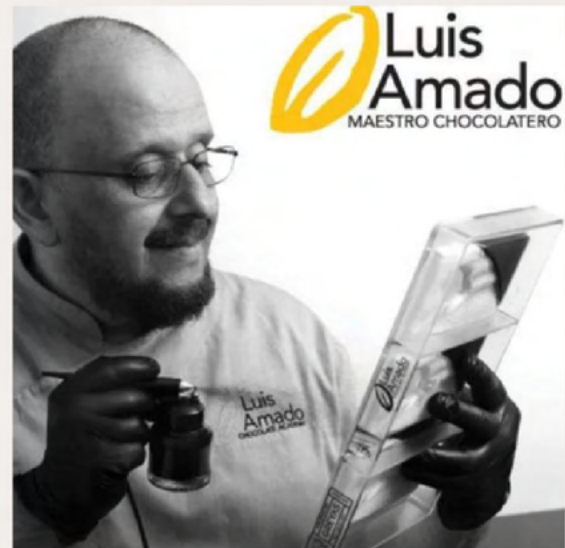
Philippe Tytgat, Vice President of
Sales for North America at
Blommer Chocolates

"There is top, average and sucks. You're in the top! I don't say that too often as I have been in the industry for almost 50 years now! So take the compliment as a milestone. Seriously, you're world class!."

Paul Edward, owner/founder of Chef Rubber

"I've trained some of the best, including pastry chefs in France to compete for the MOF title. In my career which is long, I have met few chefs who can master technique, presentation AND flavor. Edari is one of them. Her work is marvelous. I recently tested one of her collections and it was confirmed to me why she has received so many international awards."

Master Chocolatier Luis Amado



"WONDERFUL!

Hello Syovata:

My father Jacques Pepin and I were recently gifted your chocolates by Scott MacGregor and they were absolutely delicious! Thank you! I Hope to be able to order more. Congratulations on a wonderful and delicious adventure!

Kindly- Claudine"



11 November 2022

Ms Vata Edari

Founder/Director

Cocovaa Chocolatier

1815 East Washington Avenue

Madison, WI 53704

USA

Dear Ms Vata Edari

LETTER OF APPRECIATION

On behalf of Their Majesties, The Oloni and Yeyeluwa Olori of Eti-Oni, Friends of Eti-Oni and members of International Cocoa Diplomacy, I will like to acknowledge and express our sincere gratitude and appreciation for your presence and participation as one of our special guests and speaker at the 2022 edition of Royal Cocoa Soiree of Arts and Culture held on Thursday 27 October 2022 at the Royal Over-Seas League House, Six Park Place, St James's, London SW1A 1LR.

Without your presence and contributions, our testimony of the huge success of the event will be incomplete and for this, we are grateful and say a big "Thank You" for your believe in our cause which was displayed in your support of our message of the need to bridge the gap between cocoa producing regions and chocolate consumption nations to achieve shared value towards wealth creation that can transform cocoa communities across the globe. I must also mention your thoughtful act of sharing your experiences and challenges in the highly competitive space of commercial chocolate making and ideas of how to overcome them which forms part of the mission of International Cocoa Diplomacy.

We will continue to update you as we move ahead working to achieve our vision of building that bridge between cocoa production and consumption through true friendship and partnership and trust with it, the world will be a better place and look forward to you joining us at Eti-Oni for the annual editions of The Cocoa Festival.

Finally, we will like to seize this opportunity to remind you as Oba Dokun Thompson said during his remarks, that the inaugural edition of the International Chocolate Festival London will take place between Wednesday 18 Oct to Sunday 22 Oct, 2023 to celebrate chocolate

28 FOUNES DRIVE
CHAFFORD HUNDRED, GRAYS
ESSEX RM16 6DU

Tel: +447956614224, Email: foeo@cocoafestival.org

www.cocoafestival.org

from, as well as the culture of, cocoa producing regions in a manner that will bring cocoa closer to chocolate consumers for value proposition and trust you and your team will participate and take a prominent role in this history making event.

Please be assured of my esteemed regards always and as the year 2022 slowly comes to a close, we want to wish you in advance, a Merry Christmas and a Happy and Prosperous New Year 2023. Yours sincerely,

For: FRIENDS OF ETI-ONI



YEMISI JENKINS MBE

Global Coordinator



“

Testimonial

I've been a fan of CocoVaa for a little while now. It's so amazing to think about the impact you have on people's life: you make something from your imagination, experience, expertise and sensibility that we could never dream of. The pleasure to be invited in your generous and vibrant world is priceless. I'm grateful for you. A little bit of Madison's soul and of the best Madison has to offer will be with me through your creations. I'm so excited to share your little gems with my friends on Valentine's day this year! Thank you for all you do!

Addie



AMY THRONDSSEN

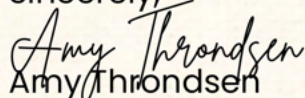
To whom it may concern,

Having grown up in an entrepreneurial family that eventually sold a thriving business to a Canadian corporation, I understand intimately the critical role financing plays in scaling a business. My parents experienced both the lows of bankruptcy and the highs of groundbreaking innovation in the agricultural sector before their eventual success. This personal history informs my strong support for Ms. Edari's financing request.

I've had the pleasure of working closely with Ms. Edari, assisting her with logistical challenges like preparing shipments for significant sales events. This firsthand experience gave me insights into the operational constraints imposed by her current facilities. During one such event, the tight confines of her workspace starkly highlighted how spatial limitations can hamper efficiency, causing delays and potential financial losses. Currently, Ms. Edari's business is constrained by its physical environment, unable to expand or streamline operations effectively. She has a strategic vision for enhancing her workspace not only to increase production capacity but also to elevate her profitability.

Visiting Ms. Edari's store, you immediately sense the community she has built around her brand. Her storefront is more than just a place to buy chocolates; it's an immersive experience where luxury meets artistry. Her attention to detail—from the innovative lighting down to the unique flooring—complements the exquisite craftsmanship of her chocolates, compelling customers to spend generously on what might seem mere indulgences. Yet, these are testaments to her skills and commitment to her craft. Ms. Edari is not just a chocolatier; she is an integral part of our community, a celebrated artist in her field, and a dedicated entrepreneur. Supporting her business means investing in our local economy and nurturing a homegrown talent who embodies the spirit of Madison.

I urge you to consider her application favorably and to invest in the future growth of her business, which promises to be an asset not only to her family but to the entire community.

Sincerely,

Amy Throndsen

Advanced Comfort Technology, Inc. | DCC Waterbeds
Owner, Managing Partner (Former, sold in August 2023)

ERIC RUPERT



My name is Eric Rupert and I have been a chef in Madison for over 40 years. I worked my way through kitchens as a pastry chef and line cook, to working alongside Odessa Piper, to a lengthy career as the executive chef at EPIC. For the last 7 years I have been the owner of Fortune Favors, formerly known as Nutkrack, where we produce and distribute to over 800 stores across the country very lightly candied pecans. We also operate a retail location as well as robust online sales. With essentially one product, we have grown the business, almost doubling our sales each year. We recently were the recipients of the Wisconsin Small Business Administration's Business Persons of the Year and were considered for the same award on the national level. I have been a part of Madison's food community since 1978, watching it grow and mature, over time being nationally recognized as a food destination.

In 2022 we purchased a 19000 square foot production facility that has allowed us to expand and operate far more efficiently. We went from a 240 square foot kitchen tied to our retail location to a 4000 square foot kitchen that is a part of this 19000 square foot facility. The efficiencies gained in the move have dramatically increased our production capabilities while decreasing our cost of goods and labor. We can now purchase and store much larger quantities of ingredients, packaging and finished goods. The savings we have gained from these lowered costs are integral to our ability to grow at the pace that we have.

I met Syovata Edari about 5 years ago. In short, she makes the finest chocolate I have ever had, period. As a fellow chef, I have marveled at her insight, vision, technical skills and creativity. Add to that, her tenacity, drive, passion, resilience and persistence. What we are so very fortunate to have in our community is quite literally a world class chocolatier in our midst, producing extraordinary, memorable products.

Over the years, I have been lucky enough to get to know her and to call her Vata. During our busiest of times we find each other for mutual support, for validation, for commiseration and celebration of what we do. Vata is a fighter who will always tell me like it is. She sometimes challenges my assumptions about food, craft, community and societal issues and I always walk away grateful with plenty to ponder.

I will admit to being biased. I've met many talented chefs over the years, but Vata stands above them all with her ability to weave her technical abilities with her vision for chocolate (and life). Very few people I have met can do this to the degree she can. As a mostly one woman show, I have always expressed my concerns to her about the long-term sustainability of her business model. However I also understand it. She doesn't want to pay workers in a skilled trade anything less than a living wage, until she can build the capacity to scale enough to justify investing resources into hiring and training.

In my estimation, she needs far more production space so that it makes sense to invest in staff that she can train to her exacting standards. I am also of the opinion that her plan to develop lines of chocolates that are as exquisite as her bonbons, but require less labor, greater shelf life for wider distribution will grow her sales to millions within a few years. Every indicator has shown us at Fortune Favors that consumers are willing to pay more for extraordinary experiences rather than things. Add to that Vata's very compelling life story and I am confident that given more space, she will be able to grow her business on local, regional and national levels.

At Fortune Favors I've been privileged to see what capitalization can do for growth. I believe it's time for the powers that be to really back CocoVaa so it can remain in our community and thrive.



Eric Rupert

Founder/Chef

FORTUNE FAVORS

2086 Atwood Avenue

Madison, WI 53704

Office 608-709-1077

Directly to me 608-334-5011





CocoVAA

chocolatier





City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85060

File ID: 85060

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/03/2024

File Name: Authorizing the Transit General Manager to file an application for a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant with U.S. Department of Transportation

Final Action:

Title: Authorizing the Transit General Manager to file an application for a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with US DOT and the associated 13 (c) agreement with Teamsters Local No. 695, approving the associated Program Management and Recipient Coordination Plan and authorizing Metro Transit to pass through funding as approved in the Program of Projects.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 32.

Sponsors: Juliana R. Bennett, Dina Nina Martinez-Rutherford, Derek Field And Amani Latimer Burris

Effective Date:

Attachments: Program_Management_Plan_2020_Adopted.pdf, 2024_5310_POP_amendment_2_approved.pdf

Enactment Number:

Author: Scott Korth

Hearing Date:

Entered by: sharnish@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/3/2024	Ryan Pennington	Approve	9/23/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Transit	09/03/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						

1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE	09/16/2024
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE				
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER		Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.				

Text of Legislative File 85060

Fiscal Note

The proposed resolution authorizes the City to submit a grant application for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities through the U.S. Department of Transportation. As proposed in the application materials, the total grant award will be \$457,688 and the local match for these funds is \$102,426. The City of Madison will fund \$21,760 of the local share, receive \$87,040 in grant funds, and receive an additional \$47,982 to cover grant administration. Funding from this grant supports the Paratransit Service within Metro's operating budget. Metro will pass through other funding to sub-recipients. The federal funding along with the City's local match were included in Metro's 2024 operating budget. No additional appropriation is required. Please see the attached documents for additional project budget details.

Title

Authorizing the Transit General Manager to file an application for a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with US DOT and the associated 13 (c) agreement with Teamsters Local No. 695, approving the associated Program Management and Recipient Coordination Plan and authorizing Metro Transit to pass through funding as approved in the Program of Projects.

Body

WHEREAS, the Madison Area Transportation Planning Board (TPB) - An MPO, adopted Resolution TPB No. 84 on November 13, 2013 supporting the designation of the City of Madison - Metro Transit as the recipient for federal Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds; and

WHEREAS, Governor Walker designated the City of Madison - Metro Transit as the recipient of Section 5310 Program funds for the Madison Urbanized Area via letter to the Federal Transit Administration on December 9, 2013; and

WHEREAS, the Madison Area TPB, in conjunction with the City of Madison - Metro Transit has developed the Program Management and Recipient Coordination Plan (attached) with input from the Wisconsin Department of Transportation, Bureau of Transit and the Program of Projects (attached) to receive funding; and

WHEREAS, on October 4, 2023 the Greater Madison MPO adopted Resolution 10 adopting the 2024 - 2028 Transportation Improvement Program for the Madison Metropolitan Area that includes Section 5310 projects listed in the Program of Projects;

WHEREAS, on April 3, 2024 the Greater Madison MPO adopted Resolution 4 amending Dane County's Travel Training project in the Section 5310 Program of Projects;

NOW, THEREFORE, BE IT RESOLVED that the Transit General Manager is authorized to file an application for Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant, the Mayor and the City Clerk are authorized to execute the associated grant agreement with US DOT and the associated 13(c) agreement with Teamsters Local No. 695; and

BE IT FURTHER RESOLVED that the City of Madison approves the associated Program Management and Recipient Coordination Plan and authorizes Metro Transit to pass through funding as approved in the Program of Projects.



Program Management and Recipient Coordination Plan

for the Madison Urbanized Area’s Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program

Madison Area Transportation Planning Board – a Metropolitan Planning Organization (MPO)

and

City of Madison, Metro Transit

Adopted February 2014

Amended September 2014

Amended June 2019

Amended January 2020

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1. Introduction

Mobility Programs for Seniors and People with Disabilities under SAFETEA-LU

Under the previous federal transportation authorization legislation – the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) – there were two programs that were designed to enhance mobility for seniors and people with disabilities.

These programs were:

Transportation for Elderly Persons and Persons with Disabilities (Section 5310), which provided federal funds to help private non-profit agencies purchase vehicles and other capital items to transport seniors and people with disabilities. In Dane County, past funding was used to purchase vans for non-profit organizations used for transportation for seniors.

New Freedom Program (Section 5317), which provided federal funds to expand transportation mobility options for people with disabilities. MPOs in large urbanized areas exceeding 200,000 in population such as Madison (called Transportation Management Areas or TMAs) received a direct allocation of funding under the program. These funds were also distributed by WisDOT through a competitive application process coordinated with the MPO, and the funds could be used by private non-profit agencies, state and local governments, and public and private transportation operators for capital purchases and operating expenses associated with new services that went beyond the requirements of the Americans with Disabilities Act (ADA). Section 5317 funds were used to fund mobility management services for Dane County specialized transportation services and for funding new accessible vans and training and financial incentives for Union Cab drivers providing accessible cab rides.

Consolidation of Programs under MAP-21

In July of 2012, a new federal transportation authorization bill was signed into law. The new law – Moving Ahead for Progress in the 21st Century (MAP-21) – combined the two programs (Transportation for Elderly Persons and Persons with Disabilities and New Freedom Program) to create the **Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310 program)**. This new program continues to enhance mobility for seniors and people with disabilities, and the activities that were eligible for funds under the former New Freedom Program are now eligible for Section 5310 funding.

Under SAFETEA-LU and previous legislation, Section 5310 program funds were apportioned to states for distribution to subrecipients. Another significant change instituted by MAP-21 is that Section 5310 program funds are apportioned to rural, small urban, and large urban areas. In large MPO areas (TMAs) such as Madison, the designated recipient must be designated by the state and responsible local officials. As a result, a local administration process needed to be developed by the Madison Area Transportation Planning Board (MATPB) – a Metropolitan Planning Organization (MPO) to allow the funds associated with the new program to be distributed in the Madison area.

Although MAP-21 consolidated the former Section 5310 and 5317 programs, it specifies that at least 55% of program funds be used for traditional capital projects for seniors and people with disabilities, including mobility management. The remaining funds (up to 45%) may be used for similar projects with fewer restrictions.

The most recent federal transportation authorization bill, the Fixing America's Surface Transportation (FAST) Act, adopted in 2015, continued the same structure and rules for the Section 5310 program.

Purpose of the Program Management and Recipient Coordination Plan

The Program Management and Recipient Coordination Plan (PMRCP) is designed to identify the policies and procedures for administering the Section 5310 program in the Madison Urbanized Area. These policies and procedures are based on program requirements issued by the Federal Transit Administration (FTA).

[Circular FTA C 9070.1G](#) Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions provides guidance for Section 5310 projects. It covers project requirements, administration procedures, and other relevant components of the federal Section 5310 program. The PMRCP serves as a local companion to FTA C 9070.1G, describing the roles and mechanisms for carrying out policies and procedures in the Madison Urbanized Area, satisfying the FTA requirement for a Program Management Plan.

Summary of Roles and Responsibilities for Section 5310 Program in the Madison Urban Area

The City of Madison – Metro Transit (Metro Transit) is the largest provider of public transportation in Dane County and the second largest public transit agency in Wisconsin. Metro Transit is the direct recipient for Section 5310 program funds. Metro Transit is also the designated recipient for other federal funds, such as Urbanized Area Formula (Section 5307) grants, and has the legal, financial, and staffing capabilities to receive and administer federal funds. As the designated recipient, Metro Transit is responsible for administering grant agreements, with subrecipients applying for federal funds, and satisfying documentation and reporting requirements.

The Madison Area Transportation Planning Board (MATPB) – A Metropolitan Planning Organization (MPO) serves as the MPO for Madison Urban Area in central Dane County. With a 2010 population of about 408,000¹, the Madison Urban Area is a Transportation Management Area (TMA) as determined by the Federal Highway Administration (FHWA) and FTA. The MPO's role in the Section 5310 program is to select and prioritize projects for funding and prepare and maintain the PMRCP in cooperation with Metro Transit.

¹ 2010 Census population within the Madison Urban Area as adopted by USDOT 6/11/2013 and by MPO 3/4/15
Program Management and Recipient Coordination Plan

2. Summary of the Section 5310 Enhanced Mobility Program

The purpose of the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program is:

To improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. This program supports transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas...Eligible projects include both traditional capital investment and nontraditional investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services.

– FTA Section 5310 Fact Sheet

Designated Recipient

The governor of each state or an official designee must designate a public entity to be the recipient for Section 5310 funds. The designated agency must have the requisite legal, financial, and staffing capabilities to receive and administer federal funds under this program. In many cases it is appropriate for the designated recipient (DR) for the Section 5310 program to be the same as the DR for Urbanized Area Formula (Section 5307) funds. Alternatively, the DR for the former Section 5317 program, the MPO, the state, or another public agency may be a preferred choice based on local circumstances. Up to 10% of the recipient's total fiscal year apportionment may be used to fund program administration costs.

The DR is primarily responsible for applying to FTA for Section 5310 grants on behalf of itself and/or subrecipient(s). In addition, the DR is responsible for the development of a Program of Projects (POP) which identifies the subrecipients and projects for which the recipient is applying for financial assistance. In the Madison Urbanized Area, the MPO will prepare the POP for submission to the FTA by the DR. In addition, the DR manages all aspects of grant distribution, including reporting to the FTA.

Metro Transit was identified as the most appropriate DR in the Madison Urbanized Area because of Metro staff's experience with similar federal funding programs, including the Urbanized Area Formula Program (Section 5307) and Bus and Bus Facilities Program (Section 5339). The State of Wisconsin designated Metro Transit as the recipient of Section 5310 program funds for the Madison Urbanized Area via a letter from Governor Walker to the FTA dated December 9, 2013.

Eligible Subrecipients

Eligible subrecipients are entities that are allowed to apply for and receive funds through the Section 5310 program. The eligible subrecipients for this program are:

- State or local government authorities
 - To be eligible for "traditional 5310 capital projects", a state or local government authority must be approved by WisDOT to coordinate services for seniors and individuals with disabilities or certify that there are no non-profit organizations readily available in the area to provide the service.
- Private non-profit organizations
- Operators of public transportation that receive a grant indirectly through a recipient
 - Not eligible for "traditional 5310 capital projects"

Eligible Activities

According to FTA requirements, at least 55% of the Section 5310 funding apportionment must be used for capital expenses for public transportation projects that are planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities (“traditional Section 5310 capital projects”). It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project. Mobility management expenses, previously eligible under Section 5317, are eligible and qualify for this traditional Section 5310 project requirement.

The remaining 45% of the funds may be used for operating or capital expenses associated with:

- Public transportation projects that exceed the requirements of the ADA
- Public transportation projects that improve access to fixed route transit service and decrease reliance by individuals with disabilities on complementary paratransit
- Alternatives to public transportation that assist seniors and individuals with disabilities

Before a project can be awarded funds, the project must be certified by the DR that it is included in a locally developed coordinated public transit – human services transportation plan. The 2019 Coordinated Public Transit – Human Services Transportation Plan for Dane County, prepared and published by the MPO, serves as this document.

Section 5310 Program Goals and Objectives

The following principles from the 2019 Coordinated Public Transit – Human Services Transportation Plan for Dane County summarize the goals and objectives for the use of Section 5310 program funds in the Madison Urban Area.

Independence – Promote and maintain the independence of older adults, people with disabilities, and others with limited resources, by encouraging and supporting the use of transportation options that foster independence; and, provide training and resources to allow transit-dependent people the greatest possible access to the community.

Accessibility – Eliminate geographical inequity in availability of transportation options; provide access to transportation services throughout Dane County that are open to seniors and people with disabilities and not limited to a specific group of clients or customers; and, connect communities and their residents to transportation services that are integrated and open to the general public.

Efficiency – Develop cost effective solutions and avoid duplication of service provision; seek out cost-sharing opportunities and partnerships to extend the usefulness of transportation resources; and, evaluate services based on productivity and measures of cost effectiveness that exemplify good stewardship of public resources.

Resourcefulness – Use a mix of resources (human, monetary, equipment, contractual) to create and sustain services that meet different transportation needs; and, apply innovative thinking and cultivate community relationships to address issues.

Funding priorities and project selection criteria are listed in Section 4, Project Selection Criteria and Process.

Funding for Projects and Program Administration

Section 5310 program funds are awarded on an annual calendar cycle. For example, Fiscal Year 2020 allocations are awarded in Calendar Year 2019.

The Section 5310 program can generally fund up to 80% of a project's capital costs (in some limited cases up to 90%) and up to 50% of a project's operating costs. Administrative costs (up to 10% of the federal apportionment) are funded at 100% federal share. The remaining costs can be covered by:

- Other federal (non-DOT) transportation funding sources
- State and local funding sources
- Private funding sources

It is the responsibility of the subrecipient to secure and administer funds outside the 5310 program.

Metro Transit and the MPO are eligible to be reimbursed for Section 5310 administrative costs. Subrecipients will not be reimbursed for administrative costs related to application development, program reporting, or other activities. The administrative costs will be used for activities described in Section 3, Roles and Responsibilities.

3. Roles and Responsibilities

Although Metro Transit is the DR for the Madison Urbanized Area’s Section 5310 program, the program is co-administered by Metro Transit and MATPB. Metro Transit may apply for funding for projects it conducts; therefore, in this document the word “subrecipient” applies to Metro Transit as well as other entities. Each entity’s administrative roles and responsibilities are summarized below.

Metro Transit Roles and Responsibilities

- Develop, execute, manage, and amend grant agreements with subrecipients
- Apply for federal funds on behalf of eligible subrecipients as identified by the MPO and manage the program’s federal grants
- Complete program grant reporting to the FTA on a quarterly and annual basis
- Work with subrecipients and WisDOT to procure capital items and ensure compliance with all applicable state and federal requirements
- Process payments, draw down federal funds, complete financial audits, and complete grant closeouts
- Collect and maintain financial reports, operating statistics, and vehicle data from subrecipients
- Monitor subrecipient compliance with federal requirements (Section 504, ADA, etc.)
- Conduct on-site inspections of subrecipient projects, if needed
- Amend Metro Transit’s Title VI Plan, Equal Employment Opportunity (EEO) Plan, Disadvantaged Business Enterprise (DBE) Goals, and other applicable documents to include the Section 5310 program
- Review subrecipients’ Title VI, EEO, and DBE programs
- Investigate and address Title VI, EEO, and DBE complaints
- Monitor subrecipients’ adherence to maintenance plans and safety standards
- Participate in the roles and responsibilities of eligible subrecipients for project applications on behalf of Metro Transit

MPO Roles and Responsibilities

- Develop and revise the program’s PMRCP
- Develop and approve the annual Program of Projects (POP) as part of the Transportation Improvement Program (TIP) process
- Develop and revise the Coordinated Public Transit – Human Services Transportation Plan for Dane County
- Notify potential subrecipients of application cycles; distribute project application materials
- Determine subrecipient and project eligibility; maintain a list of potential subrecipients
- Provide technical assistance to potential subrecipients
- Develop and conduct the project selection process, which includes:
 - Develop the application form to distribute to potential subrecipients
 - Release a solicitation for project applications to potential subrecipients
 - Develop project selection criteria

- Receive and review project applications from subrecipients
- Recruit persons to serve on the project evaluation team each year (if it is decided to use one) and work with the team to review and score the project applications
- Present project scoring and funding recommendations to the MPO's advisory committees and to the program's decision-making body (MPO Policy Board). Utilize the Transportation Improvement Program (TIP) process in the MPO's Public Participation Plan for providing the public and private transportation providers with notice and an opportunity to comment on projects selected for funding
- Notify successful subrecipients of their award amounts and reporting requirements
- Ensure compliance with Section 5310 program requirement that at least 55% of the federal funding apportionment is used for "traditional 5310 capital projects"
- Provide demographic data to help subrecipients comply with Title VI requirements

Subrecipient Roles and Responsibilities

- Inform MATPB (MPO) staff of intention to apply for Section 5310 program funds, complete and submit application(s) and/or provide project description(s) and funding information, provide follow-up information, and participate in interviews and/or on-site visits if conducted
- Work with Metro Transit and WisDOT to procure capital items; assure that procurement regulations are met
- Develop and maintain a Maintenance Plan to be held on file with Metro Transit
- Inspect, insure, and maintain all vehicles funded through the program
- Complete and submit acceptance certifications to Metro Transit upon vehicle delivery
- Deliver the project as described in the grant project application, including local management and administration
- Provide financial management of the project, including provision of non-Section 5310 funds and assurance that Section 5310 funds are used for the project identified in the project application
- Submit financial and progress reports, operating statistics, and vehicle data to Metro Transit
- Maintain a Title VI plan and comply with federal Title VI requirements
- Submit to on-site inspections as requested by Metro Transit and the Wisconsin State Patrol
- Comply with private sector participation requirements in Section 5
- Maintain a Data Universal Numbering System (DUNS) profile and provide the DUNS number to Metro Transit. DUNS numbers can be requested at no charge at www.dnb.com
- Register for a System for Award Management (SAM) account and profile and provide the SAM registration to Metro Transit. SAM registration can be performed for no charge but requires an account through www.login.gov
- Comply with all additional applicable state and federal requirements

4. Project Selection Criteria and Process

Project Planning and Coordination

Medium-range planning for Section 5310 program projects is included in the five-year Coordinated Public Transit – Human Services Transportation Plan for Dane County, completed by the MPO. This planning process is conducted within the framework of the MPO’s long range transportation plan (currently the Regional Transportation Plan 2050 adopted in 2017) and the currently adopted Transit Development Plan for the Madison Urban Area.

A competitive process is used to select and prioritize projects for Section 5310 program funding the Madison urban area. The MPO will solicit project applications from eligible subrecipients.

Project Application Process

The application process will be led by the MPO. Specific tasks, deadlines, and meeting dates will be identified in the materials that are distributed to eligible subrecipients as appropriate.

- MPO staff informs eligible subrecipients of upcoming application cycle.
- Eligible subrecipients notify MPO staff of intention to apply.
- MPO staff distributes application materials to interested eligible subrecipients.
- Completed applications are due to MPO staff.
- MPO staff assembles an evaluation panel with objective individuals who do not represent any of the applicants, which scores the applications. [Note: Evaluation panel will generally be used, but is optional.]
- MPO staff prepares a draft program of projects (POP) based on the scores, funding available, and requirements of the Section 5310 program.
- MPO staff notify applicants of award recommendations included in the draft POP.
- MPO board votes on accepting the funding recommendations in the draft POP; projects selected at this time are included in the preliminary POP. Applicants are encouraged to attend this board meeting to make presentations or answer board questions before the vote is taken.
- MPO staff distributes letters to applicants informing them of whether or not they are included in the preliminary POP. Applicants whose projects are not recommended for funding may submit letters of protest, which are due to the MPO staff contact one week prior to the scheduled adoption of the POP.
- MPO board approves the POP with any changes as part of approval of the TIP or a TIP amendment.
- Applicants work with Metro Transit to develop project agreements.
- Metro Transit applies to the FTA for funding for the projects on behalf of the subrecipients.

Project application materials are developed by WisDOT. MPO staff have the option of using these application materials as they are or developing alternative application materials to distribute. The benefit of using application materials developed by WisDOT is that applicants that do not immediately know whether they should apply for state-managed Section 5310 funds or MPO-managed Section 5310 funds can fill out one standard application.

Applicants that are approved for vehicle capital funds should contact Metro Transit as soon as possible to begin the procurement process. Applicants that are approved for operating funds should contact Metro Transit as soon as possible to develop project agreements.

Project Selection Criteria

The projects that receive funds through the Madison Urbanized Area's Section 5310 program are selected by the MPO based on published criteria. The evaluation criteria used by the evaluation panel to score project applications are as follows:

Section 5310 Application Scoring Criteria		Maximum Points
1. Demonstration of Need and Project Benefits		40
The application describes how the existing project or the proposed project will be effective at meeting the transportation needs of seniors and people with disabilities and what happens if the funding is not awarded.		10
<div>Project Type</div> <ul style="list-style-type: none"> Replacement or Service Level Maintenance Vehicle- Explains why current fleet cannot meet current needs (10 Points) Expansion Vehicle- Describes the planned service expansion and how the need for the expanded service was determined (8 Points) Mobility Management (Traditional)-Describes how project will help meet the transportation needs of seniors and individuals with disabilities, and identifies specific services and activities the project will provide (10 Points) Non-Traditional Projects- Describes how project will help meet transportation needs of seniors and individuals with disabilities. Identifies specific services and activities the project will provide (8 Points) 		10
Supported by the Coordinated Plan- The project overcomes barrier to transportation and/or meets an unmet need. <ul style="list-style-type: none"> Identified as a Tier 1 Strategy Project (10 Points) Identified as a Tier 2 Strategy Project (6 Points) Not identified as a strategy, but addresses a need (3 Points) 		10
The project serves a reasonable number of individuals or trips given the project budget. <ul style="list-style-type: none"> Should include total number of people served, and percentage of seniors or individuals with a disability served 		10
2. Promotes the Development of a Coordinated Network		30
The application identifies other transportation services available and how the project complements rather than duplicates them. <ul style="list-style-type: none"> Could include (but not limited to) increased hours of operation, reduction of coverage gaps, increased access to medical/employment/recreation trips 		15
The application identifies steps that will be taken to ensure a coordinated effort with other local agencies (including human services agencies, meal and shopping sites, employers etc.), and how the service will be marketed.		10
The application describes who is eligible to ride/participate in proposed service. <ul style="list-style-type: none"> Public- Project/service is open to all eligible seniors or individuals with disabilities (5 Points) Private- Project/service is limited to a select client base (2 points) 		5
3. Financial and Management Capacity		30
The project has a reasonable level of administrative costs		10
The application identifies local match sources that are backed up by budgets, support letters, and other documentation.		10
The project sponsor has the capacity to meet the project management, reporting, and project delivery functions of the Section 5310 program.		10

Projects will be selected by the MPO for inclusion in the POP based on their scores and the extent to which they fulfill the general funding priorities and address specific service needs identified in the Coordinated Public Transit – Human Services Transportation Plan, including the Priority Tier each project falls under:

Tier 1- Maintain existing level of service of viable programs or operations

Tier 1 supports existing transportation services and projects that:

- Have shown to be effective in meeting transportation needs of seniors, people with disabilities, and those with limited income
- Continue to demonstrate effective transportation operations within the county’s coordinated network

Tier 2a- Accommodate increasing demand for services within existing programs and operations

Tier 2a supports existing and new services and projects that:

- Require capital and operating assistance to meet growing demand for the service(s) within present boundaries
- Are able to improve efficiency and functionality by building on existing infrastructure
- Allow for growth, but do not automatically extend new service without a careful evaluation of transportation needs across populations and jurisdictions

Tier 2b- Respond to emerging community needs, opportunities, and create new partnerships

Tier 2b supports projects that:

- Are under development and bring new resources
- Address identified transportation needs and gaps and/or focus on an underserved group of individuals
- Improve the efficiency and effectiveness of the overall system
- Provide an added benefit to the transportation services network and riders
- Are innovative in their approach in reaching out to new riders or geographic areas

Additionally, the MPO will select and prioritize projects based on their ability to satisfy the Section 5310 Program Goals and Objectives described in Section 2: independence, accessibility, efficiency, and resourcefulness.

Annual Program of Projects Development, Appeal, Approval, and Amendment Process

The MPO is responsible for developing and amending the Program of Projects (POP) since it has the responsibility for selecting the projects and prepares the five-year Transportation Improvement Program (TIP). The POP must be consistent with the TIP and the federal share cannot exceed the allocation of Section 5310 program funds; however, the TIP may include illustrative projects that do not yet have completed and accepted project applications. The requirements for the POP include:

- Identification of each subrecipient, including whether they are governmental authorities, private non-profit agencies, or Indian tribal governments or tribal transit agencies
- A description of each project
- The total project cost and the federal share
- Whether each project is a capital or an operating expense and whether or not it meets the requirements for a “traditional Section 5310 capital” project

MPO staff develops a draft POP after project applications are reviewed and scored by the evaluation panel. The draft POP and a description of any projects not selected for funding are presented to the MPO's advisory committees.

MPO staff distributes letters to each applicant with the draft POP, informing them whether or not their project is included. Applicants may appeal the decision of MPO staff to include or not include any project in the draft POP. Applicants must submit their appeal in writing by one calendar week prior to the scheduled adoption of the POP. Appeals must be submitted to the MPO staff contact, who will be identified in the notice and is listed on page 23. Any appeals will be included in the meeting packet for the MPO board. The MPO board will make the final decision on which projects are included in the POP.

Following review and a recommendation by the MPO advisory committees, the MPO Policy Board may approve the project recommendations (with or without modifications), or direct staff to develop alternative proposals. The approved POP is then forwarded to Metro Transit, which forwards it to the FTA and carries it out. Amendments to the POP are conducted as needed using the same process.

5. Private Sector Participation

The FTA requires that local recipients provide private for-profit transit and paratransit operators a fair and timely opportunity to participate to the maximum extent feasible in the planning and provision of proposed transportation services. Therefore, each applicant for funds from the Madison Urbanized Area's Section 5310 program must make efforts to comply with this policy and provide documentation of these efforts in its application.

Applicants who utilize in-house resources or other methods to deliver projects must demonstrate that they made reasonable efforts to include participation by private for-profit operators if applicable.

6. Civil Rights

Recipients of the Madison Urban Area's Section 5310 program funds are required to meet civil rights requirements under Title VI, as well as Equal Employment Opportunity (EEO) and Disadvantaged Business Enterprise (DBE) regulations.

The MPO maintains a record of funding requests for the Section 5310 Program received from private non-profit organizations, state or local governmental authorities, and Indian tribes. The record identifies those applicants that would use grant program funds to provide assistance to predominantly minority and low income populations. The record shall also indicate which applications were rejected and accepted for funding.

Metro Transit, as a City of Madison utility, utilizes the City of Madison Department of Civil Rights to oversee civil rights issues. Metro Transit will be the liaison between subrecipients, the City of Madison Department of Civil Rights, and the FTA.

Title VI

The elements of a Title VI Program are determined by FTA Circular 4702.1B (Appendix A) and include, but are not limited to:

- Title VI notice to the public, including a list of locations where the notice is posted
- Title VI complaint procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint) and Title VI complaint form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public participation plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program

Metro Transit prepares a Title VI Program Update for submission to the FTA every three years.

Section 5310 Program subrecipients must submit their Title VI Programs to Metro Transit. Metro will develop a schedule that outlines the frequency with which subrecipients must submit their Title VI programs. A subrecipient's Title VI program must be approved by the subrecipient's appropriate governing entity or official(s) responsible for policy decisions (e.g., board of directors, mayor, tribal executive, city administrator, etc.). Subrecipients must submit a copy of the board resolution, meeting minutes, or similar documentation as evidence of approval.

Contractors and subcontractors are not required to submit a Title VI report. However, they are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Recipients and subrecipients are responsible for ensuring that their contractors are complying with their Title VI Program and Title VI regulations.

Metro Transit, the MPO, and WisDOT are available to assist subrecipients with Title VI compliance. Metro Transit will provide sample notifications, forms, and program language to subrecipients upon request. The MPO will provide demographic data to assist subrecipients in conducting their analysis and subsequently developing their Title VI Program.

Metro Transit, in coordination with the City of Madison Department of Civil Rights, oversees subrecipient compliance with Title VI as follows:

- **Grant Agreements** – Through annual grant agreements, the subrecipient agrees to comply with applicable civil rights statutes and regulations, including Title VI of the Civil Rights Act, Equal Employment Opportunity (EEO), and Disadvantaged Business Enterprise (DBE). As subrecipients to Metro Transit, Section 5310 Program subrecipients must comply with the FTA's Annual List of Certifications and Assurances signed annually by Metro Transit.
- **Review of Subrecipient's Title VI Program** – Metro Transit reviews the contents of Title VI Program materials as submitted by subrecipients, including public notification language, LEP, complaint procedures and complaint form, and public participation and outreach. Metro provides sample materials and technical assistance to subrecipients in developing a compliant Title VI Program.
- **Investigation and Monitoring of Title VI Complaints (or potential complaints and/or lawsuits)** – As part of its annual application, Metro Transit requires subrecipients to report any Title VI complaints or lawsuits. Subrecipients may contact Metro Transit at any time during the year to report Title VI complaints, potential complaints, and/or lawsuits. Metro Transit may also receive complaints regarding subrecipients or their contractors directly from the public. When a complaint is determined to be a civil rights issue, Metro Transit staff will consult with the City of Madison Department of Civil Rights office as appropriate.
- **On-Site Visits** – Metro Transit and/or City of Madison Civil Rights Department staff may conduct on-site visits as necessary to monitor subrecipient compliance. During on-site visits, staff will verify the location of the public notification language as stated in the subrecipient's Title VI Program. During this time, staff may also discuss with the subrecipient any new or potential opportunities for public participation and public outreach that may present themselves since the previous submission of the subrecipient's Title VI Program.

Disadvantaged Business Enterprise (DBE)

The objectives of the US Department of Transportation's (DOT's) DBE regulations, as specified in 49 CFR Part 26, are to:

- Ensure nondiscrimination in the award and administration of DOT-assisted contracts
- Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs
- Help remove barriers to the participation of DBEs in DOT assisted contracts
- Assist the development of firms that can compete successfully in the market place outside the DBE Program

Metro Transit has developed and administers its DBE Program Plan. The plan outlines policies and procedures established to satisfy the DBE requirements. Metro Transit's DBE Program Plan is on file with the FTA. Any plan updates with significant changes are submitted to FTA. All DBE submissions to the FTA, including the DBE Program Plan and all required reporting, are completed by Metro Transit staff.

Metro Transit staff works closely with subrecipients to address DBE requirements. In goal setting, three-year goals are established based on anticipated FTA-funded contracting opportunities by both subrecipients and Metro Transit. Contract-specific goals may also be established, and these goals may require a greater amount of subrecipient technical assistance from Metro Transit and/or the MPO. Work with subrecipients also includes the ongoing collection of data for contract monitoring and reporting on FTA-funded contracts.

Prior to awarding Section 5310 Program funds, subrecipients may be asked to identify potential contracting and procurement opportunities and Metro Transit staff works with subrecipients to identify potential DBE participation. Metro Transit staff also ensures that subrecipients use appropriate DBE contract language in their solicitations. WisDOT's Office of Business Opportunity and Equity Compliance (OBOEC) provides assistance to potential DBEs to become certified and maintains the Unified Certification Program Directory. Subrecipients must report to Metro Transit as required on DBE goal achievement on all FTA-funded contracting.

Equal Employment Opportunity (EEO)

Metro Transit and Section 5310 Program subrecipients must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to, discrimination in employment under any project, program, or activity receiving federal financial assistance under the federal transit laws.

Each Section 5310 Program contract between Metro Transit and a subrecipient for the provision of FTA funding shall contain language that requires the subrecipient to comply with FTA regulations related to EEO. In addition, private providers under contract with subrecipients are required to comply with these regulations.

If a subrecipient's transit-related staff reaches 15 or more and/or the dollar threshold for capital, operating, or planning assistance is met, Metro Transit will require the subrecipient to submit a formal Affirmative Action (AA) / EEO Plan to Metro Transit for review and approval. Metro will withhold the approval of future grants until it receives the AA / EEO Plan from the subrecipient. The Equal Employment Opportunity Act by definition explicitly exempts Indian tribes from its provisions.

Assurances

Metro Transit annually signs the FTA Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements, which binds Metro Transit to all civil rights requirements.

Through annual grant agreements, subrecipients agree to comply with all applicable civil rights statutes and regulations. These include Title VI of the Civil Rights Act, Equal Employment Opportunity, and Americans with Disabilities Act. As subrecipients to Metro Transit, Section 5310 Program subrecipients must comply with the FTA's Annual List of Certifications and Assurances as stated in their grant agreements with Metro Transit.

7. Maintenance

Consistent with federal requirements, each subrecipient must maintain its facilities (and substantial facility components), vehicles, and other substantial assets.

Subrecipients are required to develop maintenance plans covering their federally-funded vehicles and facilities and to provide Metro Transit with a copy of their plan(s). Subrecipients must maintain all federally-funded property in good operating order and maintain ADA accessibility features.

Subrecipients are expected to develop their own maintenance plans, although WisDOT provides extensive written guidance on developing maintenance plans as well as sample plans upon request. Once adopted, subrecipients are monitored for adherence to the plans by Metro Transit staff for compliance during on-site visits.

Metro Transit requires subrecipients to design and operate maintenance programs that include:

- Preventative maintenance practices and schedules for vehicles
- Preventative maintenance practices for accessibility equipment
- Preventative maintenance practices for facilities
- A system for recording maintenance and repair activities
- A process for authorizing and controlling maintenance activities and costs
- Quality control for outsourced maintenance
- A procedure for pursuing warranty recoveries

Metro Transit must have an up-to-date maintenance plan on file from Section 5310 program subrecipients prior to applying for grants from the FTA. Subrecipients will not be required to resubmit maintenance plans with each application cycle, but are required to submit updated plans when necessary, e.g., when they have acquired new vehicles or other substantial assets not addressed in previously submitted plans or when the plan on file is out-of-date.

All transit vehicles are required to meet safety standards and undergo inspections based on program and/or vehicle capacity. WisDOT and Metro Transit require that all vehicles purchased with Section 5310 program funds be registered as human service vehicles (HSVs) or municipal vehicles, and be plated accordingly. All vehicles are considered HSVs and are subject to annual HSV inspections conducted by the Wisconsin State Patrol per Wisconsin State Statutes Section 110.05 and Wisconsin Administrative Code Trans 301. Upon request, State Patrol also will conduct initial inspections right after vehicle delivery. These inspections cover the integrity of vehicle safety and mechanical features.

Wisconsin Administrative Code Trans 301 addresses equipment and safety standards for HSVs. It adopts all federal regulations from 49 CFR 393 (Parts and Accessories Necessary for Safe Operation), 49 CFR 571 (Federal Motor Vehicle Safety Standards), and 36 CFR 1192 (Americans with Disabilities Act [ADA] Accessibility Guidelines for Transportation Vehicles). Trans 301 also provides additional equipment standards and requirements and provides inspection and enforcement standards.

8. Section 5310 Program Management

Vehicle Procurement

Although Metro Transit is the DR for the Madison Urban Area's Section 5310 Program, vehicle procurement activities are generally handled by the WisDOT Bureau of Transit through its statewide procurement process. Subrecipients will work with Metro Transit and WisDOT to arrange procurement of vehicles that meet the needs of the project. All grant agreements require subrecipients to comply with all relevant federal procurement laws and regulations and submit all third party contracts to Metro Transit for review.

WisDOT Transit procedures require staff to review all federally funded third party contracts to ensure federal contract clauses are included. WisDOT provides toolkits for assisting subrecipients with common procurements. Technical assistance for federal procurements is available from transit project managers or a WisDOT designated agent (e.g. a contractor). WisDOT maintains a subrecipient procurement assistance web page that contains links to:

- The WisDOT procurement manual
- FTA-compliant toolkits for micro and small purchases
- FTA-compliant toolkit for shared-ride taxi requests for proposals
- System for Award Management (SAM)

WisDOT also has a toolkit for procuring architecture and engineering services according to Brooks Act requirements, and WisDOT Transit provides opportunities for training on federal procurement regulations.

Buy America and Pre-award and Post-delivery Reviews

WisDOT's HSV procurement solicitations detail federal Buy America requirements and impose Buy America pre-award certification requirements on all vendors submitting bids. For each vehicle type a vendor bids on, it must submit a "Certification of Compliance with 49 U.S.C. 5323(j)." If a vendor is unsure whether an offered vehicle is compliant with Buy America requirements, it may submit a "Certification of Non-Compliance with 49 U.S.C. 5323(j)" with its bid; however, it must provide documentation of an FTA-approved exception before WisDOT will consider the bid.

In addition to the pre-award certification, the solicitations require bidders to provide certification and a detailed list of all major vehicle components and subassemblies and their respective calculated percentages of total manufacturer's cost made in the United States. WisDOT reviews the Buy America information submitted by bidders and provides a pre-award certification.

For each delivered FTA-funded vehicle, Metro Transit requires the vehicle recipient to complete a post-delivery Buy America compliance certification that declares it has received and reviewed appropriate Buy America documentation. Metro will not pay the vendor until it receives this certification.

WisDOT's procurement manual details Buy America requirements and provides instructions for completing pre-award and post-delivery certifications for FTA subrecipients conducting their own procurements. Metro Transit, with WisDOT's assistance, provides technical support to subrecipients needing assistance with this or other aspects of their procurements.

Financial Management

Metro Transit is responsible for managing grants, contracts, and interagency agreements to ensure that expenditures comply with federal rules and regulations for all FTA grant programs. Financial management responsibilities include:

- Investigating and resolving accounting problems to ensure compliance with state and federal rules
- Managing the documentation associated with individual grants, contracts, and interagency agreements
- Submitting federal financial reports
- Rectifying and closing out FTA grants when projects are completed

Metro Transit uses the Electronic Clearing House Operation System (ECHO Web) process to request FTA grant awards so that transactions are processed in a timely manner and accounts are balanced and documented.

Metro Transit maintains records for vehicles, facilities, and other substantial assets purchased with Section 5310 Program funds. Metro Transit ensures that all equipment used by subrecipients that is purchased with federal funds through the Section 5310 Program is used for the program or project for which it was acquired. Records are updated and appropriate equipment use is assured through reporting by subrecipients and on-site reviews. See Section 9, Project Monitoring and Reporting.

Disposition of Assets

In the event that a subrecipient no longer needs equipment purchased with federal funds through the Section 5310 Program and useful life remains, the equipment is transferred in accordance with Metro Transit, WisDOT, and FTA requirements and guidelines.

In the event a vehicle or other substantial asset has reached the end of its useful life, the subrecipient must receive approval from Metro Transit to dispose of the asset.

Accounting Systems

Subrecipients establish a set of accounts in which all transit-related costs, revenues, and operating sources are recorded and clearly identified, easily traced, and substantially documented. Accounting practices and records must be in accordance with Generally Accepted Accounting Principles.

Metro Transit uses the same accounting system for the Section 5310 Enhanced Mobility Program that it uses for its other state and federal grant programs.

Metro uses the information contained in the quarterly reports to monitor subrecipients' fiscal and operational activities. Requests for reimbursement are approved by Metro Transit before being processed for payment.

9. Project Monitoring and Reporting

The goal for monitoring and reporting for Section 5310 program funds is to ensure effective use of program funds, provide useful information for the planning and prioritization of future projects, and fulfill federal requirements without placing an excessive burden on the designated recipient or subrecipients.

Metro Transit Reporting

Metro Transit will submit required Section 5310 reports to the FTA by October 31 of each year, covering a 12-month period ending on September 30, as well as quarterly reports, as required by the FTA. Subrecipients are required to submit required information to Metro Transit so that Metro Transit can consolidate the information to include in the report to the FTA. Metro Transit will act as a liaison between the FTA and subrecipients during audits. Annual reports filed by Metro Transit will include:

- An updated POP (prepared by the MPO)
- Civil rights compliance issues (such as Title VI, EEO, or DBE complaints)
- A milestone activity report
- A Federal Financial Report
- Program measures, including:
 - Gaps in service filled by Section 5310 projects
 - Ridership
 - Physical improvements (such as sidewalks, transportation facilities, or technology)

In addition, Metro will fulfill National Transit Database (NTD) reporting requirements.

Reporting Requirements for Subrecipients

Quarterly Reports. Quarterly reports are due to Metro Transit 10 business days following the end of each quarterly period – January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. The following data must be submitted to Metro Transit on a quarterly basis for each vehicle, transportation program, or other service funded through the Madison Urbanized Area’s Section 5310 program:

- A narrative describing accomplishments and/or problems and changes to milestones and budgets
- A copy of all recorded civil rights or Title VI complaints
- The actual or estimated number of one-way unlinked passenger trips (if applicable), and the categorical purpose of each trip (if known, optional)
- The actual or estimated statistics related to delivering mobility management, fixed-route orientation, client eligibility, or similar services; such as contacts through call centers, website visits, and training sessions
- The number of individual clients served
- Physical improvements completed (such as sidewalks, transportation facilities, or technology)
- Quarterly revenues and sources of revenue for the project

(continued next page)

- Quarterly capital and operating costs (separated)
- Quarterly actual or estimated vehicle revenue miles (required) and hours (if known)
- Fleet summary including year, mileage, make/model, and relevant features
- Inventory of related facilities

Annual Reports. Metro Transit will submit required annual Section 5310 reports to the FTA by October 31 of each year, covering a 12-month period ending on September 30. Metro Transit will be responsible for consolidating this data from quarterly reports and may request additional information from subrecipients.

Monthly Reports. Metro Transit (City of Madison) requires the completion of a Subrecipient Risk Assessment Worksheet for all subrecipients of each grant awarded. Subrecipients determined to be High Risk will be required to submit monthly programmatic reports and invoices. Subrecipients determined to be Medium or High Risk may be required to:

- Undergo additional site visits
- Identify deficiencies and develop a resolution plan
- Participate in increased interaction/communication with MATPB and/or Metro Transit staff

National Transit Database (NTD) Reporting. Subrecipients must provide Metro Transit with information necessary for Metro Transit to file annual NTD reports. The necessary information, which commonly includes vehicle miles and hours, passenger trips, and financial information, will vary depending on the project and subrecipients must coordinate with Metro Transit to determine what is necessary. NTD information is due to Metro Transit by March 15 annually.

Metro Transit will use these reports to monitor subrecipient fiscal and operational management and to satisfy federal reporting requirements.

Metro Transit will schedule on-site visits with subrecipients on a triennial cycle to review operations and maintenance records. In addition, to improve subrecipient monitoring procedures, Metro staff may request and review supporting documentation, including local match documentation, for one subrecipient's reimbursement request per quarter. Selection of the reimbursement request will be based on either a risk assessment or random selection.

Section 504 and ADA Reporting

The annual Federal Certifications and Assurances for FTA Assistance, which is signed by all subrecipients, contains the ADA certification. Metro Transit staff verifies compliance with Section 504 and ADA requirements while reviewing annual grant applications and during annual on-site audits.

10. Other Provisions

Environmental Protection

Most projects and activities funded through the Section 5310 Enhanced Mobility Program do not involve significant environmental impacts. Typically, projects are considered categorical exclusions because they are types of projects that have been “categorically” (i.e., previously) excluded in regulations from the requirements to conduct environmental reviews and prepare environmental documentation.

FTA classifies categorical exclusions (CE) into two groups:

- CE under 23 CFR 771.118(c) – routine activities and projects which have very limited or no environmental effects at all (e.g. utility and similar appurtenances within or adjacent to existing transportation right-of-way; stand-alone pedestrian and bicycle projects, including transit plaza amenities; environmental mitigation or stewardship activities; planning and administrative activities; actions promoting safety, security, and/or accessibility; acquisition or transfer of real property interest; acquisition or maintenance of vehicles and/or equipment; maintenance, rehabilitation, or reconstruction of facilities; assembly or construction of facilities that is consistent with existing local land use regulations; joint development of facilities for transit and non-transit purposes without substantially expanding the existing footprint; emergency recovery actions; actions within existing operational right-of-way; action with limited federal funding; bridge removal and related activities; preventative maintenance of culverts and channels; and, geotechnical and other similar investigations).
- CE under 23 CFR 771.118(d) – activities and projects which have limited potential for environmental effects, and adequate documentation has been collected to demonstrate that the CE would apply and that no significant environmental impacts would result (e.g. highway modernization, bridge replacement or rail grade separation, hardship or protective property acquisition, acquisition of right-of-way, facility modernization, minor facility realignment for rail safety purposes, facility modernization or expansion outside the existing right-of-way, or other activities or projects with adequate documentation to show that they should receive a CE).²

Even if a project is determined to be a CE, there may be other relevant state and federal environmental protection requirements that must be satisfied (depending on the project’s type and location).

For projects with environmental impacts that are determined not to be a CE, FTA requires the preparation of an environmental assessment (EA) for public comment and FTA review. In the unlikely event that significant environmental impacts are identified with a project, an environmental impact statement (EIS) is required.

School Transportation

Consistent with federal laws, Section 5310 program funds may not be used for exclusive school bus service. The Federal Certifications and Assurances for FTA grants require the subrecipient to certify compliance with each annual sub-grant agreement.

Metro Transit oversees compliance with the prohibition by monitoring route schedules submitted with application materials, on websites, and/or in promotional materials with route schedules. Metro staff also looks for signs that might indicate exclusive school bus service (e.g., a school route only) during vehicle inspections.

² https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Section_118_Guidance-November_2014.pdf

Drug and Alcohol Testing

Recipients or subrecipients that receive only Section 5310 program assistance are not subject to FTA's drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver's licenses (49 CFR Part 382). Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should also include any employees funded under Section 5310 projects in their testing program. See [FTA Circular C 9070.1G](#) Chapter 8 Section 11 for more information.

Closeout

Recipients should initiate project closeout with subrecipients within ninety days after all funds are expended and all work activities for the project are completed. Recipients should similarly initiate POP closeout with FTA within ninety days after all work activities for the POP are completed. A final Federal Financial Report, final budget, and final POP must be submitted electronically via the electronic grant management system at the time of closeout.

FTA expects grants awarded for a specific POP to be completed within a reasonable, specified time frame, generally not to exceed two to three years. Although this provides recipients with a great deal of flexibility in developing and subsequently revising programs of projects, it is not intended that grants be continually revised or amended in ways that will excessively prolong the life of the grant, and consequently result in a large number of active Section 5310 grants. If small amounts of funds remain in an inactive grant, the recipient should request that the funds be deobligated and the project closed out. If the deobligated funds are still within their period of availability, FTA can reobligate the funds in a new grant to the recipient along with other currently available funds. Otherwise the deobligated funds lapse and are reappropriated by FTA among states and UZAs in a subsequent year.

Audit

States and designated recipients are responsible for ensuring that audits are performed pursuant to the requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," resolving audit findings, and bringing problems to FTA's attention. FTA has not required States and designated recipients to ensure an annual financial audit of a subrecipient is performed when assistance is provided solely in the form of capital equipment procured directly by the state or designated recipient. Even if the amount of FTA funds the recipient passes to a particular subrecipient does not trigger the requirement for an A-133 audit, the recipient may wish to review A-133 audit reports prepared for subrecipients that are required to be audited because the total federal funds from all sources exceed the threshold (currently \$750,000).

Subrecipients are required to bring to the attention of the recipient any audit findings relevant to their use of FTA funds.

Restrictions on Lobbying

Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any federal contract, grant, or cooperative agreement. The state, subrecipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and must disclose the expenditure of nonfederal funds for such purposes (49 CFR part 20).

Other federal laws also govern lobbying activities. For example, federal funds may not be used for lobbying congressional representatives or senators indirectly, such as by contributing to a lobbying organization or

funding a grass-roots campaign to influence legislation (31 U.S.C. 1352). These laws do not prohibit general advocacy for transit. Providing information to legislators about the services a recipient provides in the community is not prohibited, nor is using nonfederal funds for lobbying, so long as the required disclosures are made.

Staff Contacts

Agency	Name	Phone	Email
Madison Area Transportation Planning Board (MPO) Staff	Ben Lyman	(608) 243-0182	blyman@cityofmadison.com
Metro Transit	Scott Korth	(608) 266-6538	skorth@cityofmadison.com
Wisconsin Department of Transportation (WisDOT)	Lorrie Olson	(608) 266-1535	Lorrie.Olson@dot.wi.gov
	-or- John Swissler	(608) 264-9532	John.Swissler@dot.wi.gov

Appendix A – Recipient Designation Letter



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

P.O. Box 7863
MADISON, WI 53707

December 9, 2013

Ms. Marisol Simon
Regional Administrator
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, IL 60606

Dear Ms. Simon:

I am pleased to notify you that pursuant to 49 U.S.C. Section 5310 I have appointed the following entities as Designated Recipients of Federal Transit Administration formula funds for the Transportation Management Areas (TMAs) listed below:

<u>Designated Recipient</u>	<u>TMA</u>
Valley Transit	Appleton, WI
Green Bay Metro	Green Bay, WI
Madison Metro	Madison, WI
Milwaukee County	Milwaukee, WI

Attached are the resolutions from each area's planning commission, identifying these entities as the Designated Recipients of 5310 funds for their respective TMA.

If you have any questions, please feel free to contact John Alley, transit section chief, Wisconsin Department of Transportation, at (608) 266-0189.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Walker".

Governor Scott Walker

Enclosures

Appendix B – MPO Board Resolution

Resolution TPB No. 168

Amending the Program Management and Recipient Coordination Plan for the Madison Urbanized Area's Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program

WHEREAS, the Madison Area Transportation Planning Board (MATPB) – An MPO adopted Resolution TPB No. 84 on November 13, 2013, supporting designation of the City of Madison – Metro Transit as the recipient for federal Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds with MATPB responsible for preparing the Program Management and Recipient Coordination Plan (“Program Management Plan”, or PMP) in coordination with Metro Transit, prioritizing and selecting projects for Section 5310 program funding, and preparing the annual Program of Projects (POP) as part of the Transportation Improvement Program process; and

WHEREAS, the Governor designated the City of Madison – Metro Transit as the recipient of Section 5310 Program funds for the Madison Urbanized Area via letter to the Federal Transit Administration (FTA) on December 9, 2013; and

WHEREAS, a Program Management Plan that describes policies and procedures for administering the Section 5310 program in the Madison area, including the division of responsibilities between Metro Transit and MATPB is required to be on file with FTA; and

WHEREAS, MATPB adopted Resolution TPB No. 85 on February 5, 2014 approving the *Program Management and Recipient Coordination Plan for the Madison Urbanized Area's Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program* as the required PMP; and

WHEREAS, MATPB adopted Resolution TPB No. 94 on September 3, 2014 amending the Madison Area Program Management Plan (PMP) to add project selection criteria and a competitive process for selecting projects, which has been used since 2015; and

WHEREAS, MATPB adopted Resolution TPB No. 156 on June 19, 2019 amending the Madison Area PMP to revise the project selection criteria to make the scoring process more transparent and incorporate some other changes based on experience in scoring projects, which was used in 2019; and

WHEREAS, the PMP needs to be amended again to incorporate comments received from FTA in October, 2019, regarding changes required to reflect current FTA documents, reporting requirements, categorical exclusions, drug and alcohol testing, project closeout, audit, and restrictions on lobbying; and

WHEREAS, the PMP does not include preliminary review and approval of the POP by the MATPB, although it has been the practice of the MATPB to conduct this preliminary review and approval of the POP; and

WHEREAS, the PMP refers to appeals being due to MPO staff but does not provide any criteria or process for appeals, and the intent of this section was to provide applicants with an opportunity to protest awards which they do not agree with but not to provide applicants with an opportunity to submit new information or have their application re-considered after scoring; and

WHEREAS, during the December 4, 2019 MATPB meeting, board members suggested that applicants should be provided an opportunity to make presentations on and answer questions about their applications:

NOW, THEREFORE BE IT RESOLVED that MATPB approves an amendment to the *Program Management and Recipient Coordination Plan for the Madison Urbanized Area's Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program* to address the aforementioned issues.

01-08-2020
Date Adopted


Doug Wood, Vice Chair
Madison Area Transportation Planning Board

Appendix C – References

- [Fact Sheet - Enhanced Mobility of Seniors and Individuals with Disabilities Section 5310 \(FTA\)](#)
- [Circular FTA C 9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions \(FTA\)](#)
- [Transit Procurement Procedures \(WisDOT\)](#), includes links to:
 - [Procurement Manual \(WisDOT\)](#)
 - [Best Practices Procurement Manual \(FTA\)](#)
 - Toolkits and other resources for procurement and contracting
- [Americans with Disabilities Act \(US Department of Justice\)](#)
- [Fiscal Year 2013 Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements \(FTA\)](#)
- [Circular FTA 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients \(FTA\)](#)
- [Wisconsin State Statutes \(Legislative Reference Bureau\)](#)
- [Wisconsin Administrative Code \(Legislative Reference Bureau\)](#)
- Wisconsin state-wide [Elderly and Disabled Transportation Capital Assistance \(WisDOT\)](#)
- [Title VI of the Civil Rights Act of 1964 \(US Department of Justice\)](#)
- [49 CFR Part 26 Sample Disadvantaged Business Enterprise Program \(US DOT\)](#)
- [ECHO-Web User Manual \(FTA\)](#)

Appendix D – Index of Program Management Plan Requirements

Circular FTA C 9070.1G Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions specifies that the Project Management Plan should address the following topics. The reference page numbers of the topics are shown at the right.

a. Program Goals and Objectives	4
b. Roles and Responsibilities	6
c. Coordination	8
d. Eligible Subrecipients	3
e. Local Share and Local Funding Requirements	4
f. Project Selection Criteria and Method of Distributing Funds	9
g. Annual Program of Projects Development and Approval Process	11
h. State Administration, Planning and Technical Assistance (use of administrative costs)	5
i. Transfer of Funds (applies to State Management Plans)	N/A
j. Private Sector Participation	13
k. Civil Rights	14
l. Section 504 and ADA Reporting	21
m. Program Measures (method for collecting and reporting data)	20
n. Program Management	18
o. Other Provisions	22

Appendix E – Acronyms and Abbreviations

DR – Direct Recipient

ECHO Web – Electronic Clearing House Operation

FTA – Federal Transit Administration

LEP – Limited English Proficiency

MAP-21 – Moving Ahead for Progress in the 21st Century

MATPB – Madison Area Transportation Planning Board – a Metropolitan Planning Organization

Metro Transit – the City of Madison – Metro Transit

MPO – Madison Area Transportation Planning Board – a Metropolitan Planning Organization

PMRCP – Program Management and Recipient Coordination Plan

NTD – National Transit Database

POP – Program of Projects

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users

WisDOT – Wisconsin Department of Transportation

TIP – Transportation Improvement Program

TrAMS – Transit Award and Management System (online web reporting for the FTA)

2024 Section 5310 Program of Projects for the Madison Urbanized Area - Amended										
Subrecipient	Service Area	Service Area Urban/Rural	Sub Type ¹	Project Type	Project Description/ALI	FTA Amount	Local Amount	Total Amount	Coordination Plan Page	Project Type ²
<u>Category A Projects</u> - Certified as having met federal requirements and approved for funding.										
City of Madison - Metro Transit	Madison Area	Urban	DR	Capital	Patatransit Eligibility & Mobility Coordinator (Traditional)	\$87,040	\$21,760	\$108,800	33	14f
Dane County DHS	Dane County	Urban/Rural	LG	Capital	One-Call Center (Mobility Management)(Traditional)	\$90,666	\$22,666	\$113,332	33	14f
Dane County DHS	Dane County	Urban/Rural	LG	Capital	Mobility Training Bus Buddy Program (Mobility Management)(Traditional)	\$11,200	\$2,800	\$14,000	33	15c
Madision Area Rehabilitation Centers (MARC)	Madison Area	Urban	PNP	Capital	Two Accessible Vehicles (Traditional)	\$105,600	\$26,400	\$132,000	33	14a
NewBridge Madison	Madison Area	Urban	PNP	Capital	Accessible Vehicle (Traditional)	\$115,200	\$28,800	\$144,000	33	14a
Fico Skye Transportation	Madison Area	Urban	PO	Capital	Accessible Vehicle (Traditional)	\$0	\$0	\$0	33	14a
City of Madison - Metro Transit			DR		Grant Administration	\$47,982		\$47,982		12
Total						\$457,688	\$102,426	\$560,114		
<u>Category B Projects</u> - Pending federal requirements and/or pending approval for funding.										
Total						\$0	\$0	\$0		

¹ DR - Direct Recipient, PNP - Private Non-Profit, LG - Local Government, PO - Private Operator receiving indirect funds

² Project type defined in FTA C 9070.1G:

12 - Administration expenses

14a - Rolling stock and related activities (meeting the 55% requirement)

14b - Passenger facilities (meeting the 55% requirement)

14c - Support facilities and equipment (meeting the 55% requirement)

14d - Lease of equipment (meeting the 55% requirement)

14e - Acquisition of transportation services under a contract, lease, or other arrangement, including user-side subsidies (meeting the 55% requirement)

14f - Support for mobility management and coordination programs (meeting the 55% requirement)

15a - Public transportation projects (capital and operating) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities

15b - Public transportation projects that exceed the requirements of the ADA

15c - Public transportation projects that improve access to fixed route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service

15d - Alternatives to public transportation that assist seniors and individuals with disabilities with transportation

All projects are within Dane County, Madison, WI; Wisconsin Congressional District 2; and consistent with the 2019 Coordinated Public Transit-Human Services Transportation Plan for Dane County.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85063

File ID: 85063

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/03/2024

File Name: Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation

Final Action:

Title: Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 33.

Sponsors: Juliana R. Bennett, Dina Nina Martinez-Rutherford,
Derek Field And Amani Latimer Burris

Effective Date:

Attachments:

Enactment Number:

Author: Scott Korth

Hearing Date:

Entered by: sharnish@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/3/2024	Ryan Pennington	Approve	9/23/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Transit	09/03/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						

1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.				

Text of Legislative File 85063

Fiscal Note

Funds under this grant will be used to support the Transit Division Capital and Operating budgets. Up to 80% of the total project cost of \$16,541,209 is funded by the U.S. Department of Transportation with the remaining 20% local share (\$3,308,242) to be funded from general obligation debt and operating funds included in Metro Transit's Capital and Operating budgets. No additional appropriation required.

Title

Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Body

Under the Urbanized Area Formula program of 49 United States Code 5307, funds are made available for capital and operating assistance and transportation-related planning projects. As an urbanized area, the City of Madison receives from the U.S. Congress an apportionment for use by Madison Metro. Metro will use its funds for preventative maintenance costs and capital costs for replacement buses, shop equipment, support vehicles and bus facility renovation projects as included in the Transit Division capital and operating budgets.

Under Sections 5337 and 5339 (formerly known as Section 3 of the Federal Transit Act, as amended), capital funds are available for transit system capital improvements. Metro will use these funds for replacement buses and bus facility renovation projects. The local share is funded in the Metro Capital budget.

WHEREAS, FTA has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, grants for financial assistance will impose certain obligations upon the City of Madison,
including the provision of the local share of the project costs; and

WHEREAS, as a condition of the assistance, the City of Madison must provide all annual certifications and assurances required by FTA and negotiate an agreement relating to the protection of mass transit
employees under the provisions of Section 5333(b), formerly Section 13 (c) of the Federal Transit Act, as amended; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON:

1. That the Transit General Manager is authorized to execute and file applications for capital and planning assistance on behalf of the City of Madison with FTA for Federal assistance authorized by Title 23 and Chapter 53 of Title 49, United States Code, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA.
2. That the Transit General Manager is authorized to execute and file with such applications the annual certifications and assurances and other documents FTA requires before awarding a financial assistance grant.
3. That, in accordance with 39.02 of the MGO, the Transit General Manager, in conjunction with the Affirmative Action Director, is authorized to set forth and execute affirmative disadvantaged business policies in connection with the procurement needs of the grant's projects.
4. That the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned applications.
5. That the Mayor and City Clerk are authorized to execute agreements pursuant to Section 5333 (b) under the Federal Transit Act, as amended, between the City of Madison, Wisconsin and Drivers, Salesmen, Warehousemen, Milk Processors, Cannery, Dairy Employees and Helpers Union Local 695, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, with reference to this grant application.

PROJECT DESCRIPTION	TOTAL COST	FTA SHARE	LOCAL SHARE
Bus Tools & Hardware	\$ 430,000.	\$ 344,000.	\$ 86,000.
Support Vehicles	\$ 890,000.	\$ 712,000.	\$ 178,000.
Rehab/Renovate Bus Facilities	\$ 4,250,535.	\$ 3,400,428.	\$ 850,107.
Preventive Maintenance	\$ 7,500,000.	\$ 6,000,000.	\$ 1,500,000.
Renovate Bus Facilities (5337)	\$ 1,660,643.	\$ 1,328,514.	\$ 332,129.
Fixed Route Transit buses (5339)	\$ 735,016.	\$ 588,013.	\$ 147,003.
Renovate Bus Facilities (5339)	<u>\$ 1,075,015.</u>	<u>\$ 860,012.</u>	<u>\$ 215,003.</u>
	\$16,541,209.	\$13,232,967.	\$ 3,308,242.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85074

File ID: 85074

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/03/2024

File Name: Amending the 2024 Capital Budget for the Planning Division-Municipal Art Fund to accept \$40,000 from the Madison Public Market Foundation and \$50,000 from the Friends of the Madison Arts Commission to help fund public art at the Madison Public Market

Final Action:

Title: Amending the 2024 Capital Budget for the Planning Division-Municipal Art Fund to accept \$40,000 from the Madison Public Market Foundation and \$50,000 from the Friends of the Madison Arts Commission to help fund public art at the Madison Public Market and to approve and accept ten (10) artworks for installation at the Madison Public Market, including authorizing the Planning Division Director to sign contracts related to the projects (District 12).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 34.

Sponsors: Amani Latimer Burris And Marsha A. Rummel

Effective Date:

Attachments: Public Market Art Plan_September 2024.pdf

Enactment Number:

Author: Karin Wolf

Hearing Date:

Entered by: kwolf@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Maggie McClain	Approve	9/24/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Planning and Community and Economic Development	09/03/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Madison Arts Commission (9/18/24), Common Council (9/24/24)						

1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE	09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE					
	Notes: Additional referral to Madison Arts Commission					
1	FINANCE COMMITTEE	09/10/2024	Referred	MADISON ARTS COMMISSION	09/18/2024	
	Action Text: This Resolution was Referred to the MADISON ARTS COMMISSION					
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER. The motion passed by voice vote/other.					
1	MADISON ARTS COMMISSION	09/18/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE		Pass
	Action Text: A motion was made by Luke, seconded by Brewoo, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.					

Text of Legislative File 85074

Fiscal Note

The proposed resolution amends the Planning Division's 2024 Adopted Capital Budget to appropriate an additional \$90,000 in grant funding to the Municipal Art Fund (Munis program 65001/project 14748) for the purpose of funding public art pieces at the Madison Public Market: \$40,000 from the Madison Community Foundation via the Madison Public Market Foundation and \$50,000 from the Hoke Family Foundation via the Friends of the Madison Arts Commission. This amendment would bring the total budget for the 2024 Municipal Art Fund project to \$250,000. The resolution further approves the implementation of ten (10) public artworks for the Madison Public Market, utilizing the \$90,000 in grants added via this resolution and up to \$140,000 of other Municipal Art Fund capital program funds.

Title

Amending the 2024 Capital Budget for the Planning Division-Municipal Art Fund to accept \$40,000 from the Madison Public Market Foundation and \$50,000 from the Friends of the Madison Arts Commission to help fund public art at the Madison Public Market and to approve and accept ten (10) artworks for installation at the Madison Public Market, including authorizing the Planning Division Director to sign contracts related to the projects (District 12).

Body

WHEREAS, the Common Council adopted Resolution, I.D. 30476 on March 19, 2002, adopting the Public Art Framework and Field Guide for Madison, Wisconsin and recommendations contained in the framework; and,

WHEREAS, the Public Art Framework and Field Guide recommends the Madison Arts Commission create opportunities for community partnerships for Art in City-owned buildings; and,

WHEREAS, in October 2015, the Common Council approved the Business Plan for the Madison Public Market (RES-15-0081, Leg file 38885), affirming that the City of Madison's long-term vision for the Public Market including an emphasis on space for public art & exhibitions; and,

WHEREAS, the Madison Public Market Foundation determined five themes for art in the Madison Public Market: Sustainability, Ecology, History, Place, and Inclusivity; and,

WHEREAS, on January 9, 2024, the Madison Public Market Foundation reviewed the Madison Public Market Art Plan and on January 16, 2024, the Madison Arts Commission approved staff proceeding with the implementation of the following projects:

- House Overflowing with Love* by Keysha Mabra. Existing mural on plywood from the 2020 Downtown and State Street Mural Project.
- Mother Nature* by Mike Lroy. Existing mural on plywood from the 2020 Downtown & State Street Mural Project.
- Flamingo, Muskie, Spotted Cow* cistern wraps by Hello Madison. Printed on vinyl and mounted on water cisterns. Fabrication and installation done by SpeedPro.
- Madison Food Culture History Wall. In partnership with Stony the Road archive and the UW-Madison School of Human Ecology Design Studies program.
- Eliza Leonard* photo mural by Tom Jones. High Resolution photo of original artwork printed on Alumapanel. Reproduction and installation done by SpeedPro.
- Mural by Monique Karlen + Students from La Follette & Middleton High Schools. Mural from the 2020 Downtown & State Street Mural Project reproduced on Alumapanel. Reproduction and installation done by SpeedPro.
- Sky Sail* by Thurber Park Artist-in-Resident, Ash Armenta. Hand dyed kites made of nylon.
- Issuing a call for artists for a native landscape mural for the front facade.

WHEREAS, on August 30, 2024, the Madison Public Market Foundation reviewed the following additional proposals:

- Greetings* by Actual Size Artwork. Fiberglass figures and picnic table.
- Rodrigo Carapia's mural celebrating racial unity from the from the 2020 Downtown & State Street Mural Project.

WHEREAS, through the City of Madison's bidding process, it was determined that BSA Signage LLC (SpeedPro) should be selected for the fabrication, reproduction, and installation of Hello Madison, Inc.'s *Flamingo, Muskie, and Spotted Cow* cistern designs, *Eliza Leonard* photo mural by Tom Jones, and reproduction of an untitled mural by Monique Karlen + Students from La Follette and Middleton High Schools for a total up to \$47,000; and,

WHEREAS, public investment in this project, through the Percent for Art Ordinance and the Municipal Art Fund, enabled Madison Arts staff and the Friends of the Madison Arts Commission to leverage additional funding thereby increasing the budget by more than 50 percent; and,

WHEREAS, The Madison Public Market Foundation received a \$40,000 grant from the Madison Community Foundation for public art for the Madison Public Market; and,

WHEREAS, the Friends of the Madison Arts Commission received a \$50,000 pledge from the Hoke Family Foundation for public art for the Madison Public Market; and,

WHEREAS, \$90,000 in additional funding from the Madison Public Market Foundation and the Friends of the Madison Arts Commission will augment the budget for public art at the Madison Public Market.

NOW, THEREFORE, BE IT RESOLVED that Common Council approves Madison Arts staff proceeding with commissioning and acquiring the *House Overflowing with Love* by Keysha

Mabra; *Mother Nature* by Mike Lroy; Madison Food Culture History wall; *Sky Sail* by Ash Armenta; Issuing a call for artists for a native landscape mural; *Greetings* by Actual Size Artwork; and Rodrigo Carapia's mural celebrating racial unity from the from the 2020 Downtown State Street Mural Project; and BSA Signage LLC (SpeedPro) should fabricate, reproduce, and install *Flamingo*, *Muskie*, and *Spotted Cow* cistern designs by Hello Madison, Inc., Eliza Leonard photo mural by Tom Jones, and reproduction of an untitled mural by Monique Karlen + Students from La Follette and Middleton High Schools.

BE IT FURTHER RESOLVED that these ten (10) projects will be administered by the City of Madison Arts staff and authorizes the Planning Division Director to sign any necessary contracts, agreements, and other documents necessary to implement these projects.

BE IT FURTHER RESOLVED that the City is authorized to accept ownership of the final pieces of artwork upon compliance with and according to the terms of the contracts executed with each recipient.

BE IT STILL FURTHER RESOLVED that the Planning Division's 2024 adopted Capital Budget is amended to appropriate an additional \$90,000 to the Municipal Art Fund consisting of \$40,000 from the Madison Public Market Foundation and \$50,000 from the Friends of the Madison Arts Commission.

BE IT FINALLY RESOLVED that the aforementioned grants from the Madison Community Foundation and the Friends of the Madison Art Commission will be utilized in accordance with the terms and agreements with each of the funding organizations.



Public Market Art Plan

Sustainability, Ecology, History, Place & Inclusivity

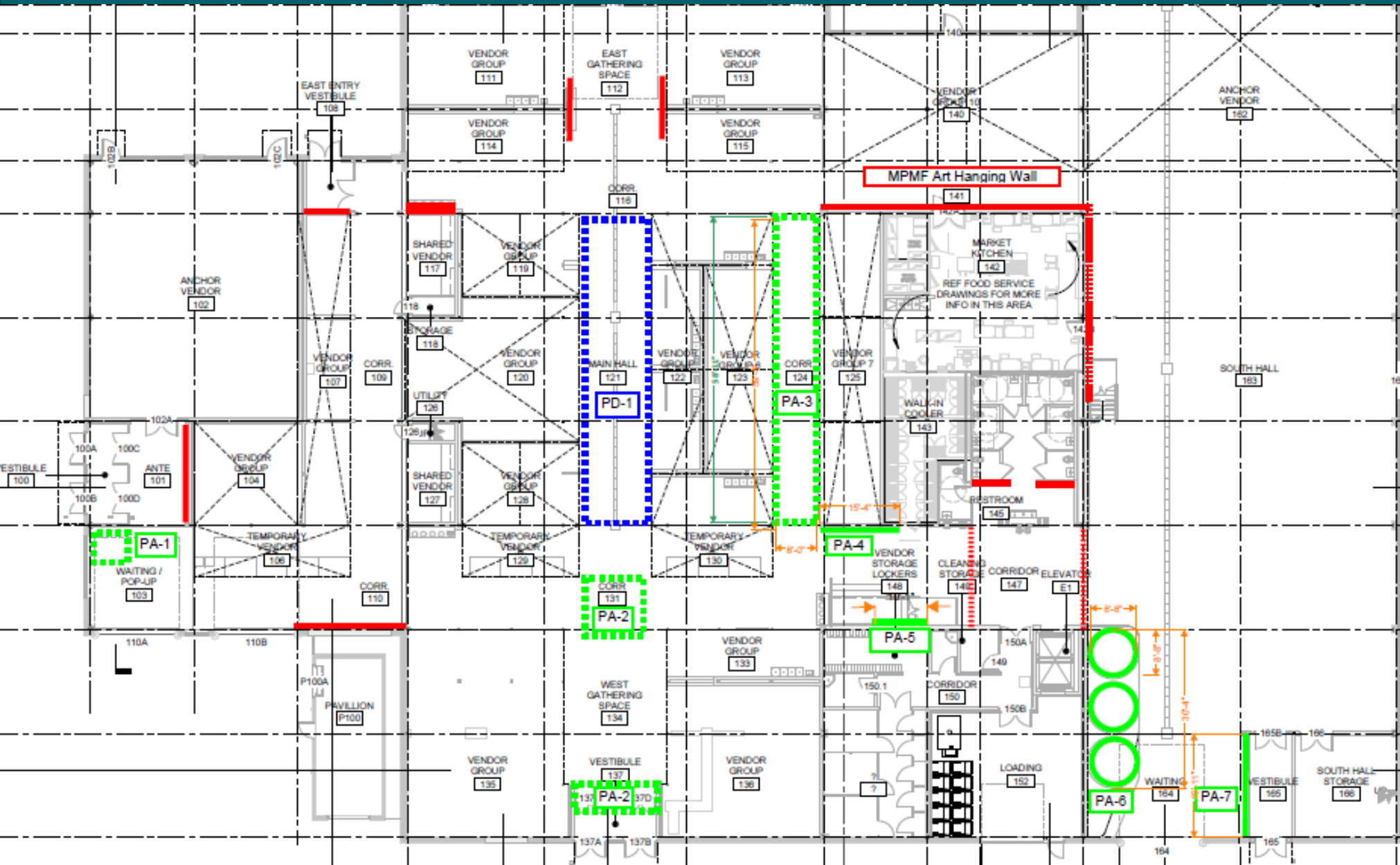
September 2024

Karin Wolf, Madison Arts & Culture Administrator

Meri Rose Ekberg, Community & Cultural Resources Planner

City of Madison Department of Planning & Community & Economic Development

Public Art Interior Site Plan – 1st Floor

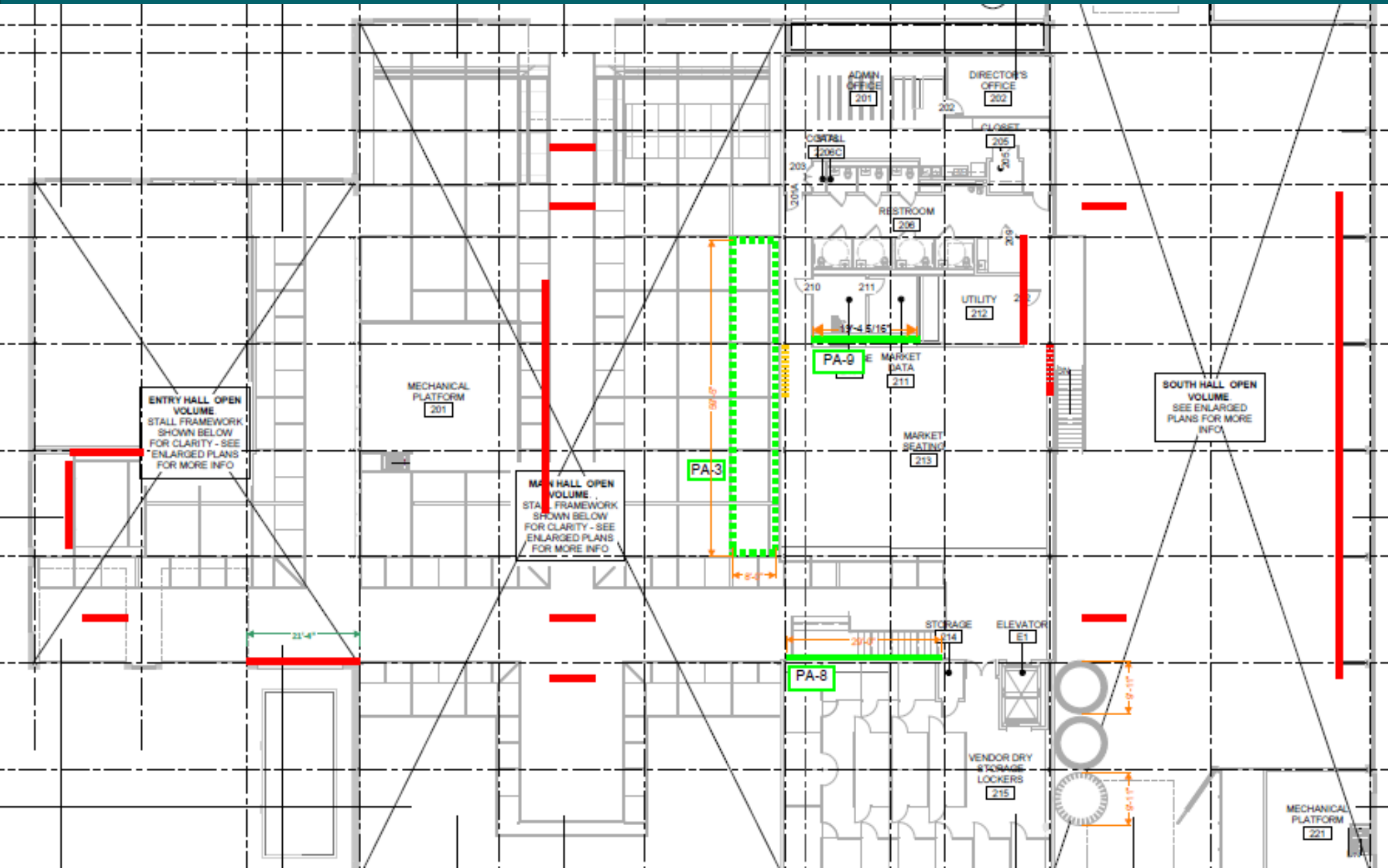


PA =
Public Art

PD =
Private
Donation

Signage

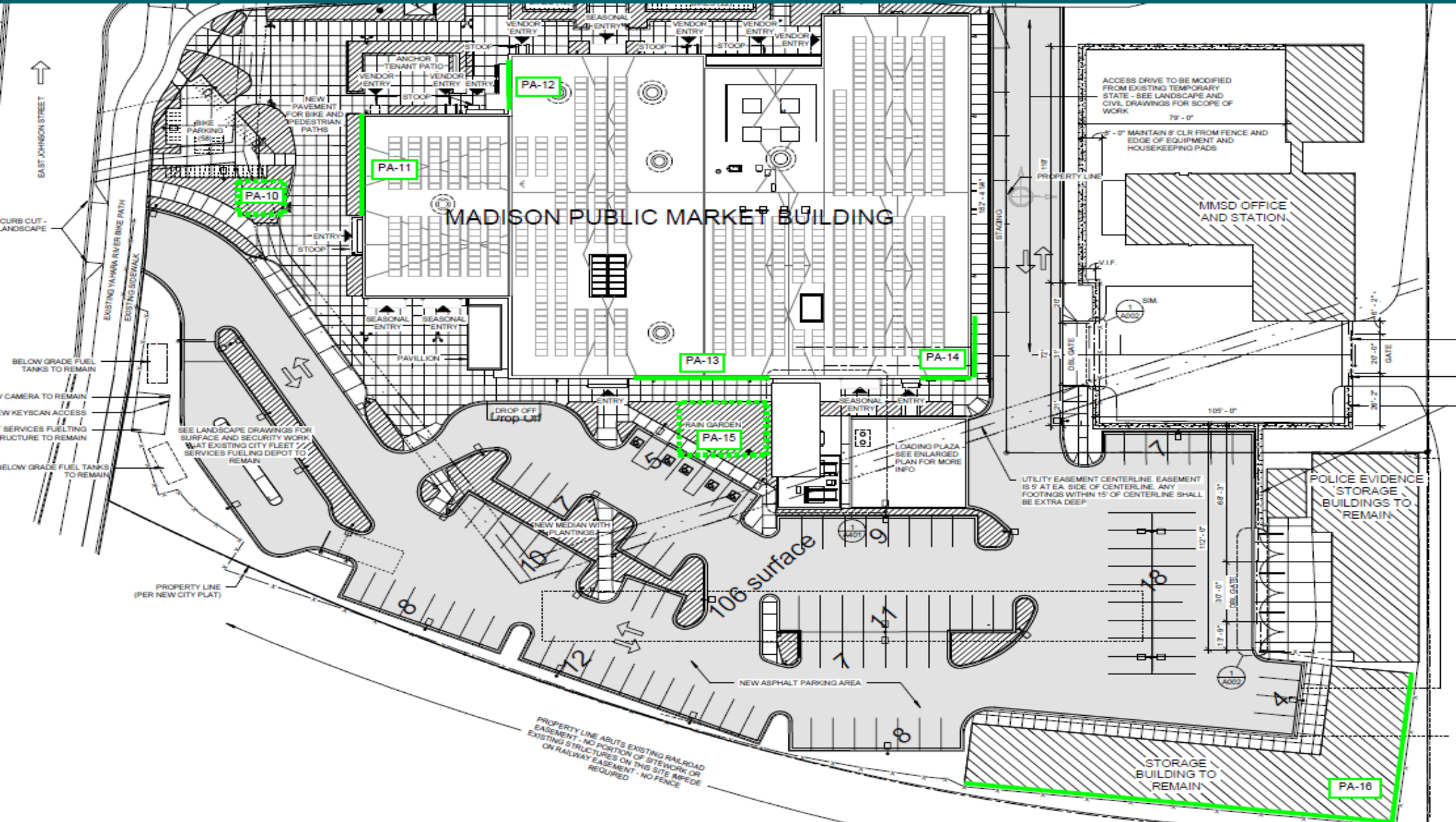
Public Art Interior Site Plan – Mezzanine



PA =
Public Art

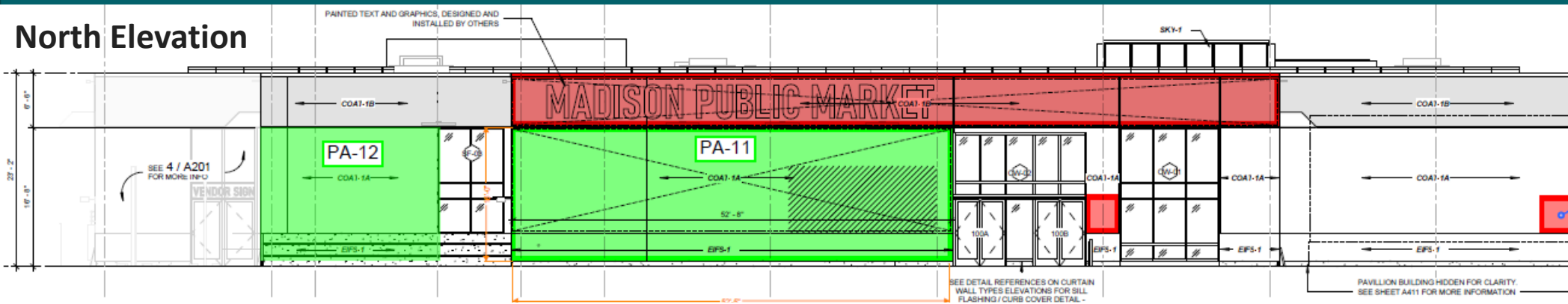
Signage

Public Art Exterior Site Plan



PA =
Public Art

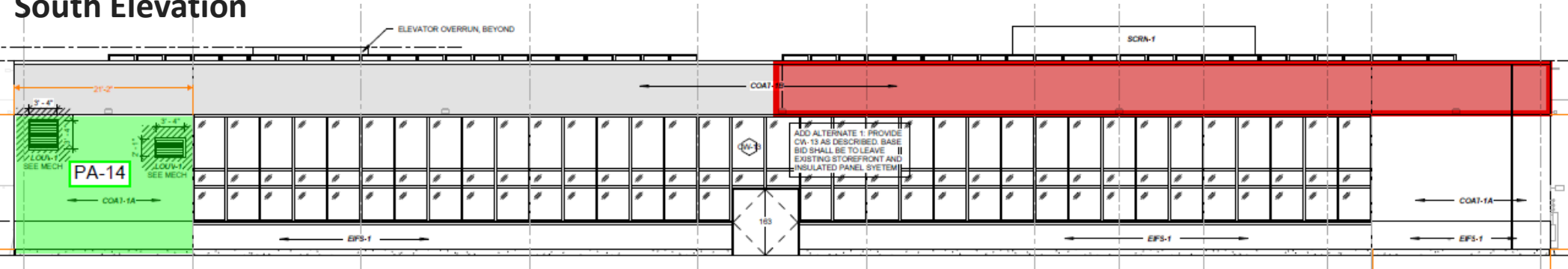
Public Art Exterior Elevations



PA =
Public Art

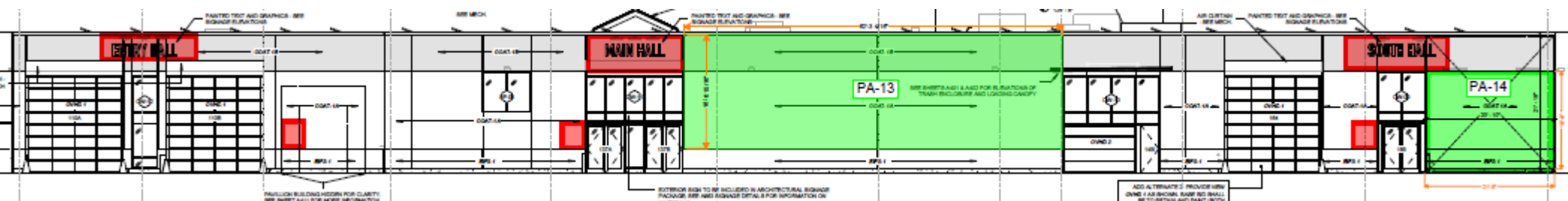
East Elevation – no art sites identified

South Elevation



Signage

West Elevation



Greetings by Actual Size Artworks

History, Ecology, Place

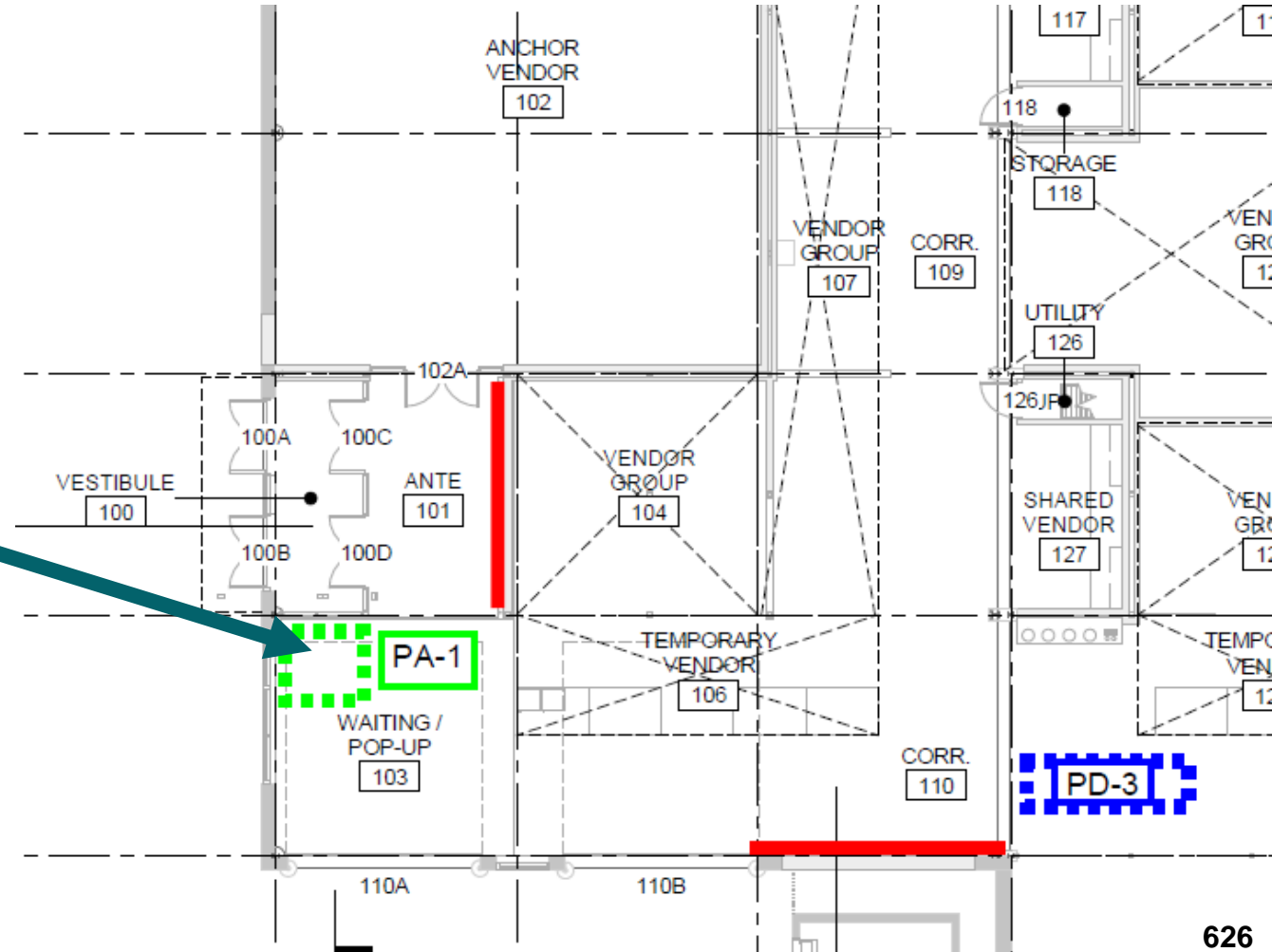
Estimated Cost, may be split between multiple vendors: \$32,050.00



PA-1



Composite fiberglass sculpture seated at a 4' x 6' picnic table



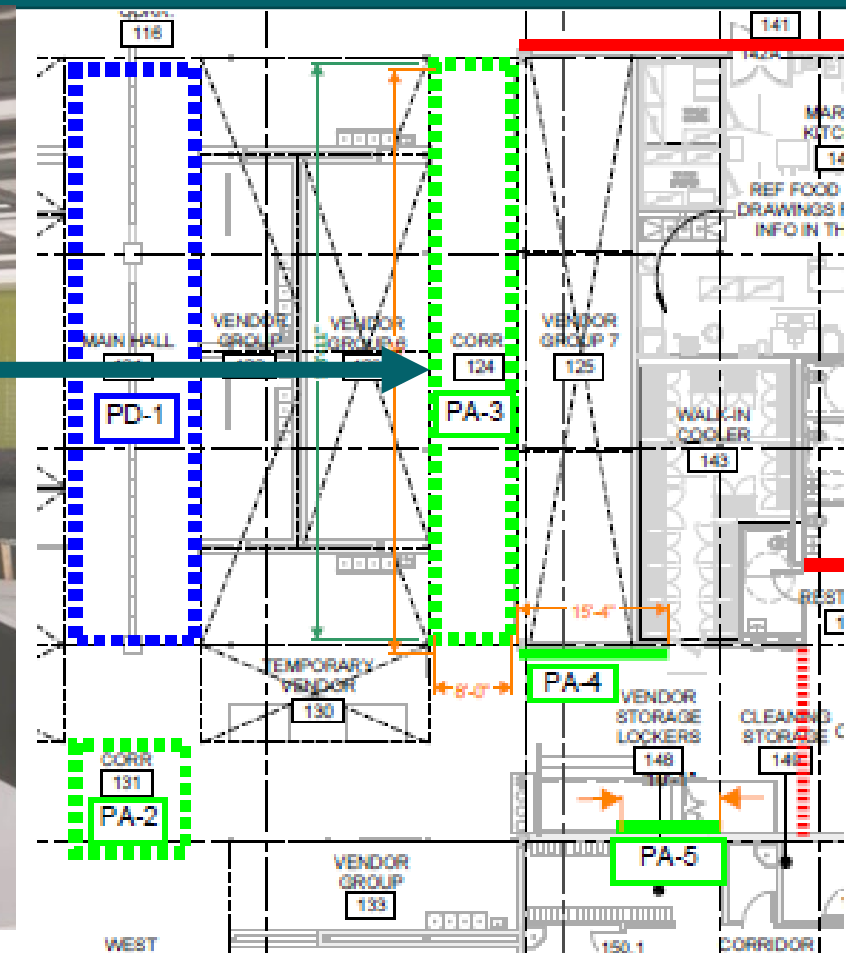
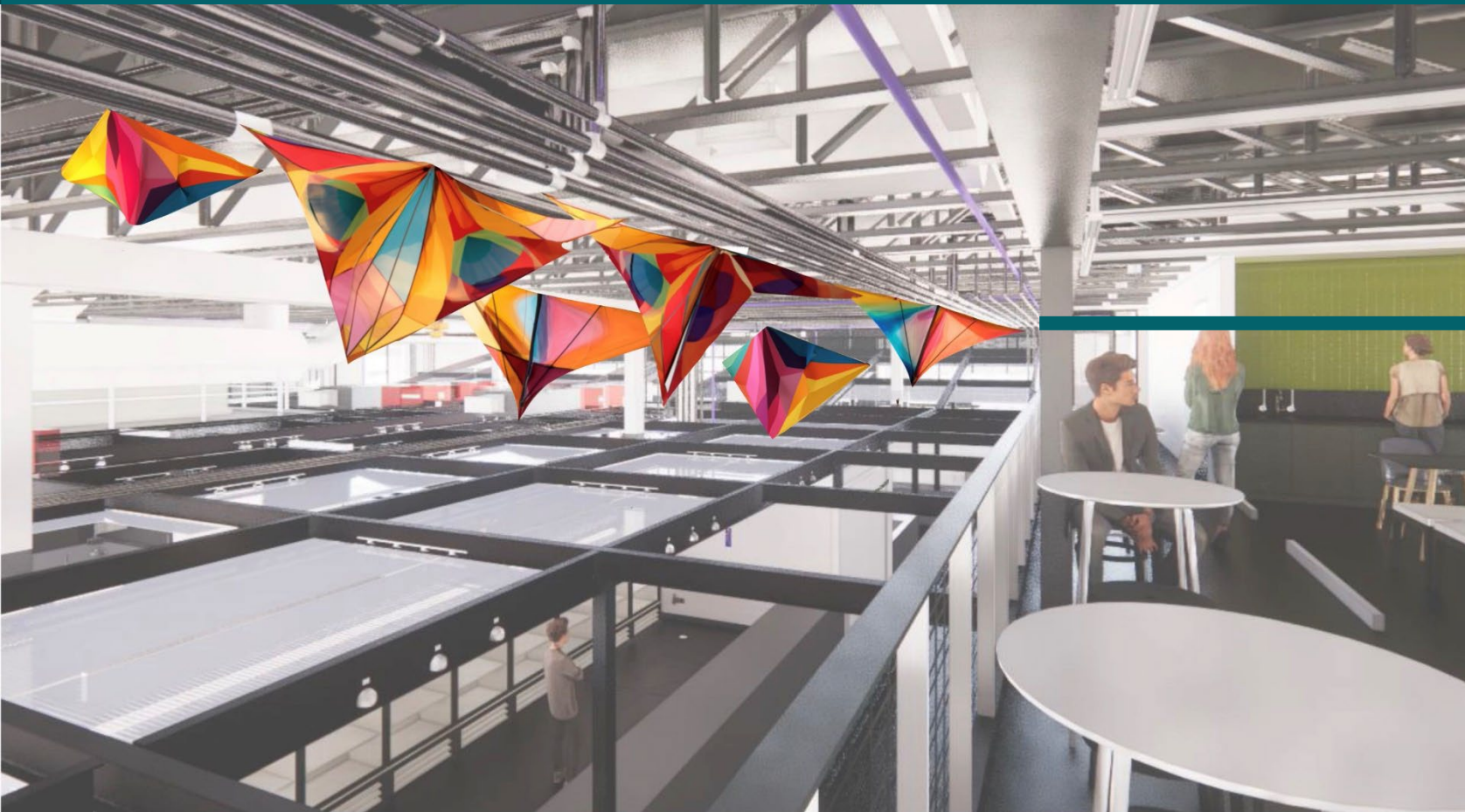
Sky Sail by Ash Armenta (he/them)

Sustainability, Ecology & Inclusivity

Estimated Cost, may be split between multiple vendors: \$39,000.00



PA-3



Hand dyed kites made of nylon. Various sizes.

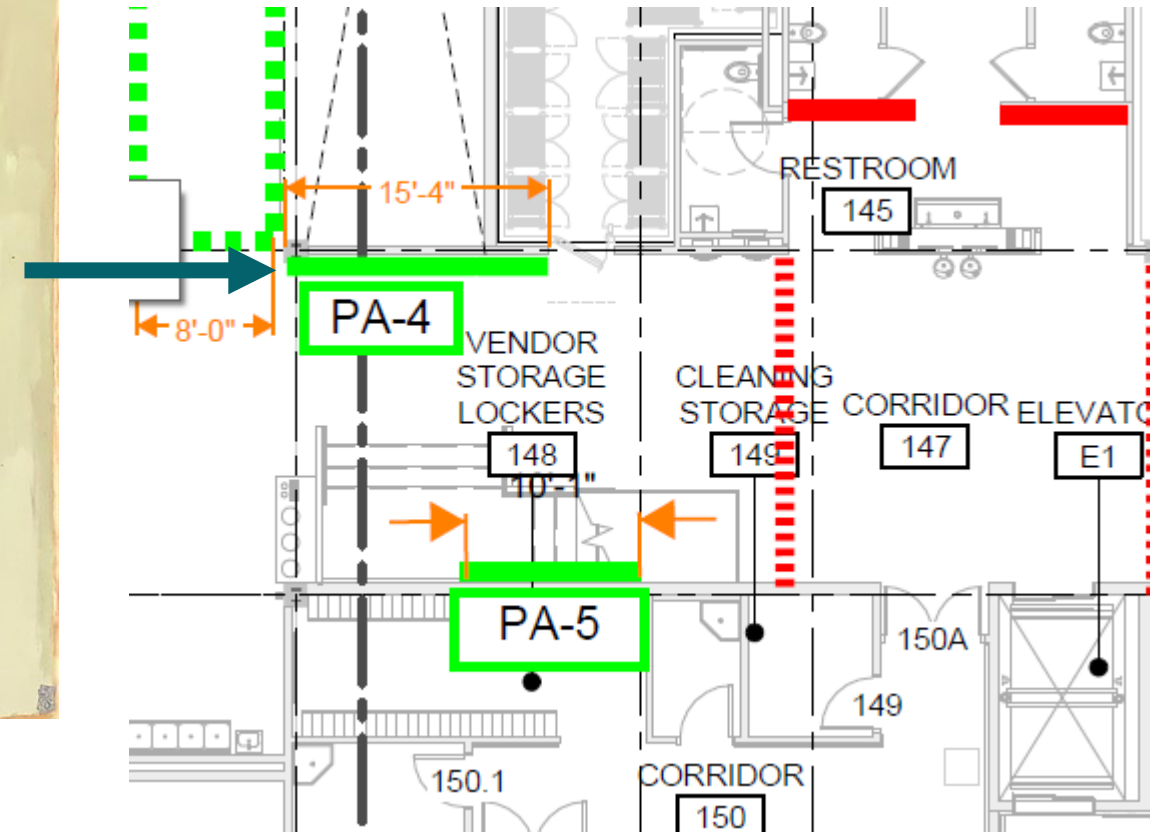
House Overflowing with Love by Keysha Mabra

Place & Inclusivity

Estimated Cost, may be split between multiple vendors: \$4,800.00



PA-4



Existing mural on plywood from the
2020 Downtown State Street Mural Project

Approximately 14' W x 8' H

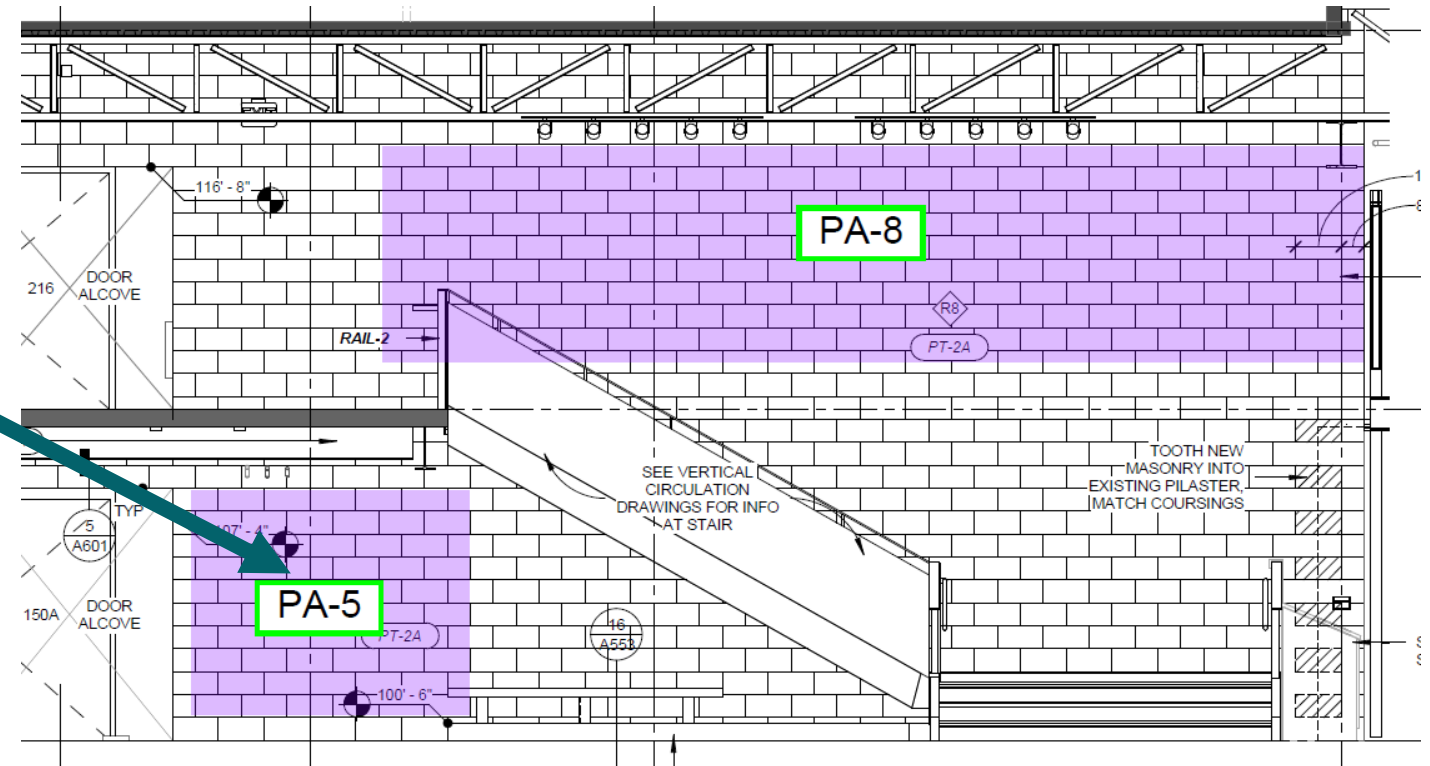
Untitled by Rodrigo Carapia

Place & Inclusivity

Estimated Cost, may be split between multiple vendors: \$3,500.00



PA-5



Existing mural on plywood from the
2020 Downtown State Street Mural Project
Approximately 10'4" W x 10'3" H

"I included a jaguar as a lot of the Brown community in Latin America feel represented by the jaguar. I used the black panther to represent the Black community. My piece represents unity between Black and Brown people and everything we have both been through, and it is important that we be together, and fight together"

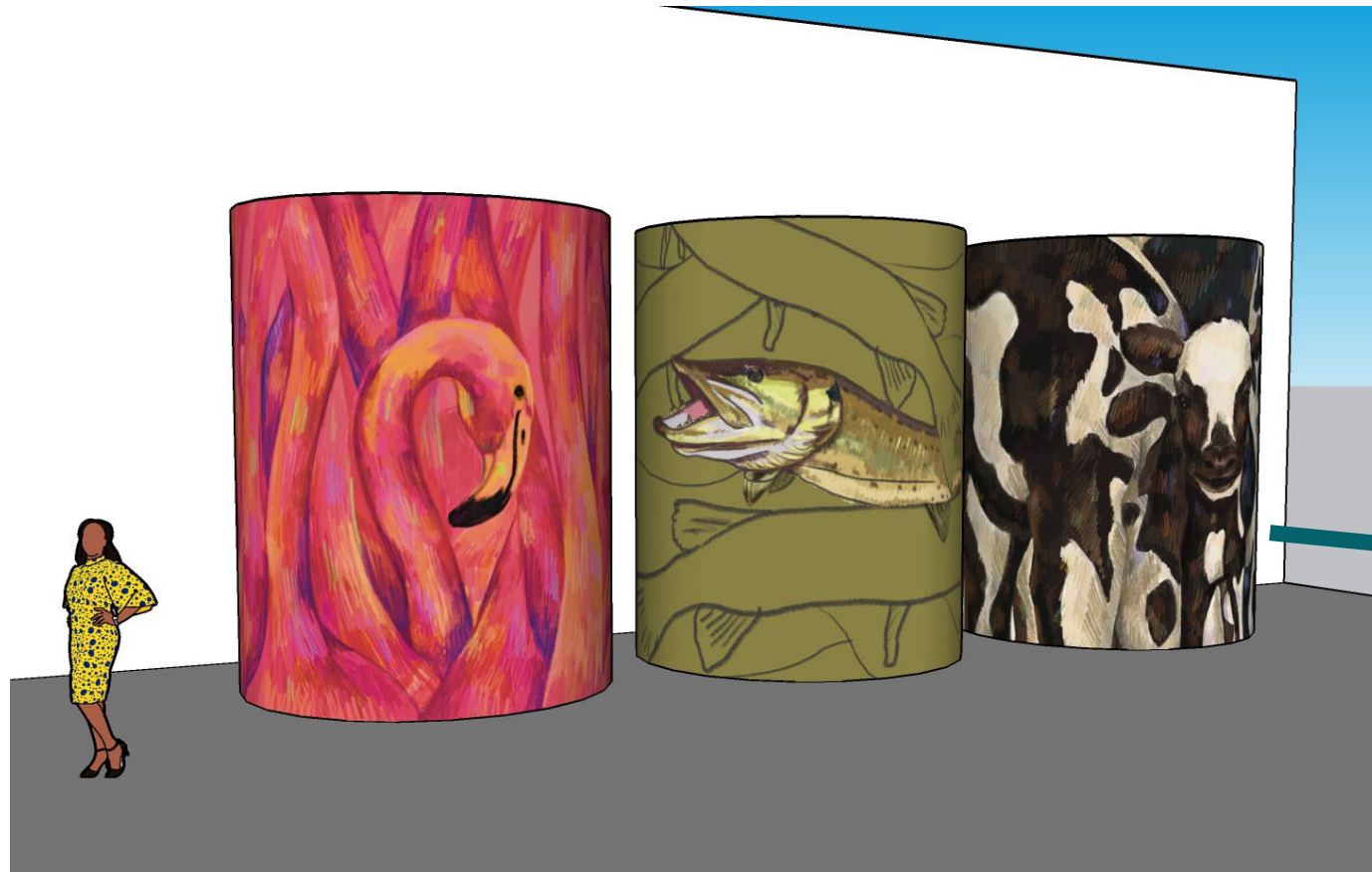
Flamingo, Muskie, Spotted Cow Cistern Wraps by Hello Madison

Sustainability & Ecology

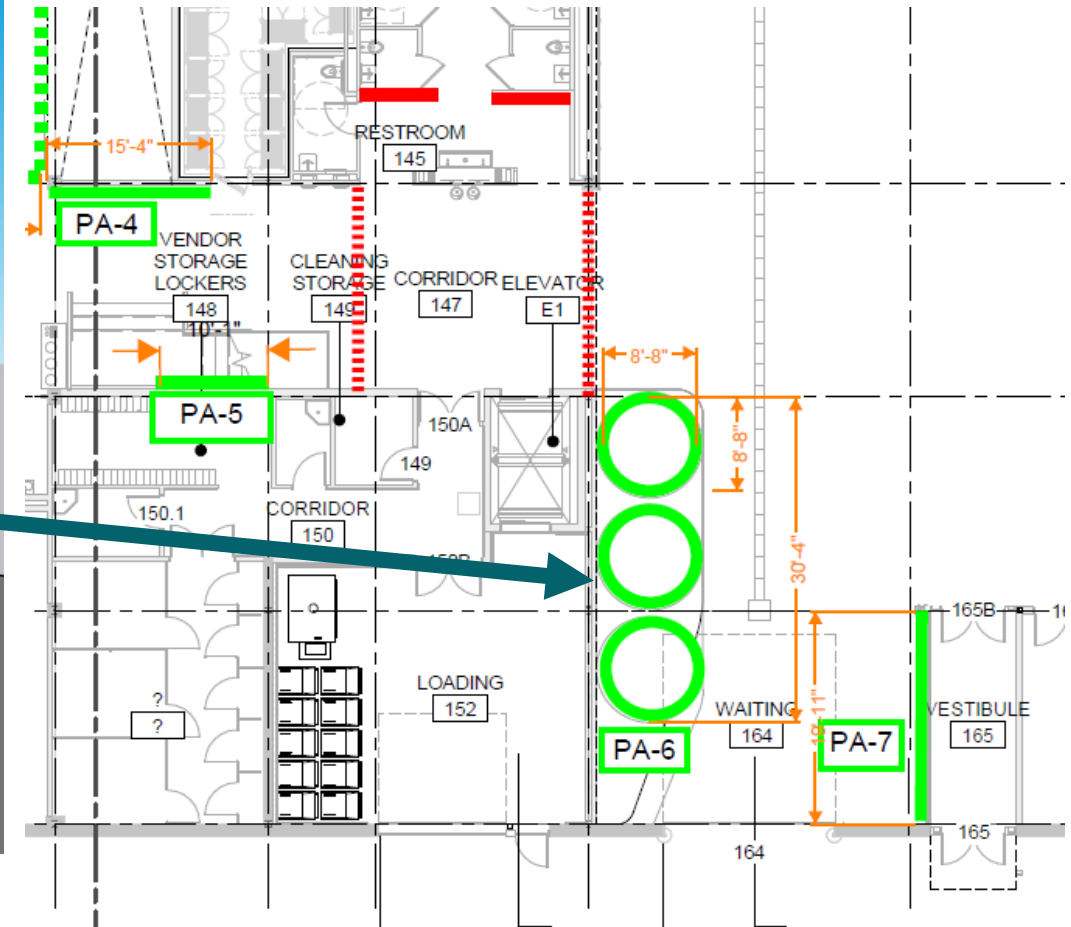
Estimated Cost, may be split between multiple vendors: \$12,725.00



PA-6



Flamingo, Muskellunge, Spotted Cow, Digital drawings, 2023
Printed on vinyl and mounted on water cisterns



Mother Nature by Mike Lroy

Ecology & Inclusivity

Estimated Cost, may be split between multiple vendors: \$7,600.00

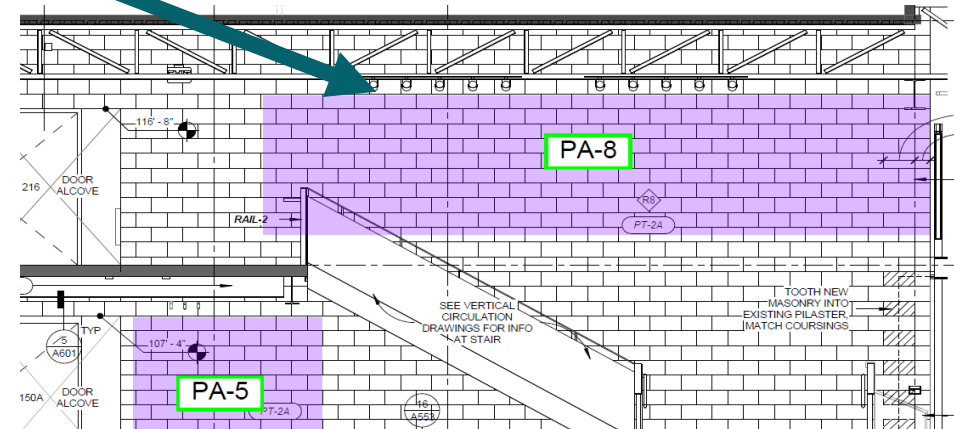


PA-8



Existing mural on plywood from the
2020 Downtown State Street Mural Project

Approximately 33' W x 8' H



Food Culture Historic Photo Wall

History, Place & Inclusivity

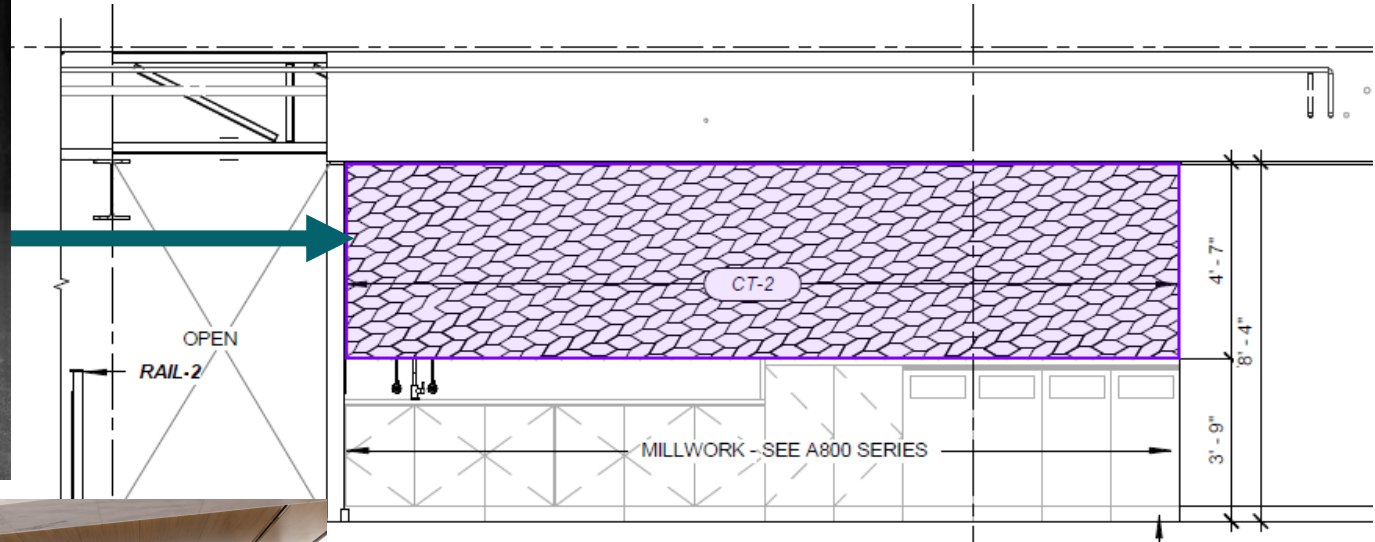
Estimated Cost, may be split between multiple vendors: \$40,000.00

PA-9



Carson Gulley, Head Chef at UW-Madison from 1926-1954

Some photos will be sourced from the *Stony the Road* archive, courtesy Betty Banks and Today Not Tomorrow, Inc.



Example of a photo printed in glass by General Glass Incorporated

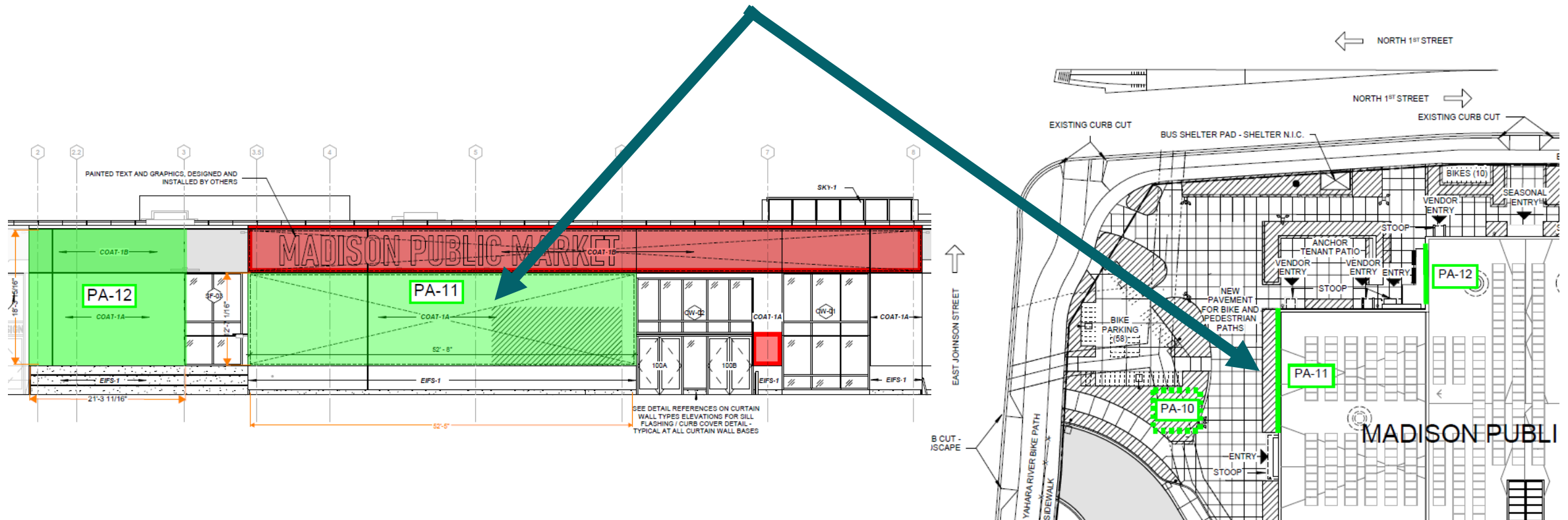
Selection of historical photos representing the history of food production in Madison artfully collaged to create a cohesive artwork that is rendered in glass or photo mosaic tile. Created in partnership with UW-Madison School of Human Ecology Design Studies.

Call for Art: Native Landscape Mural

PA-11

Estimated Cost, may be split between multiple vendors: \$25,000.00

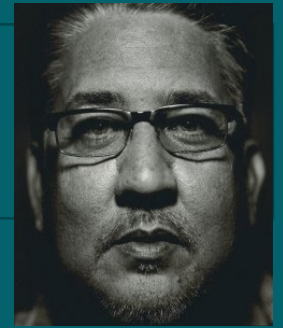
- Call for muralist to create a design of native plants for below the market sign at the main entrance on E Johnson at 1st Street.



Elizah Leonard photo mural by Tom Jones

History & Inclusivity

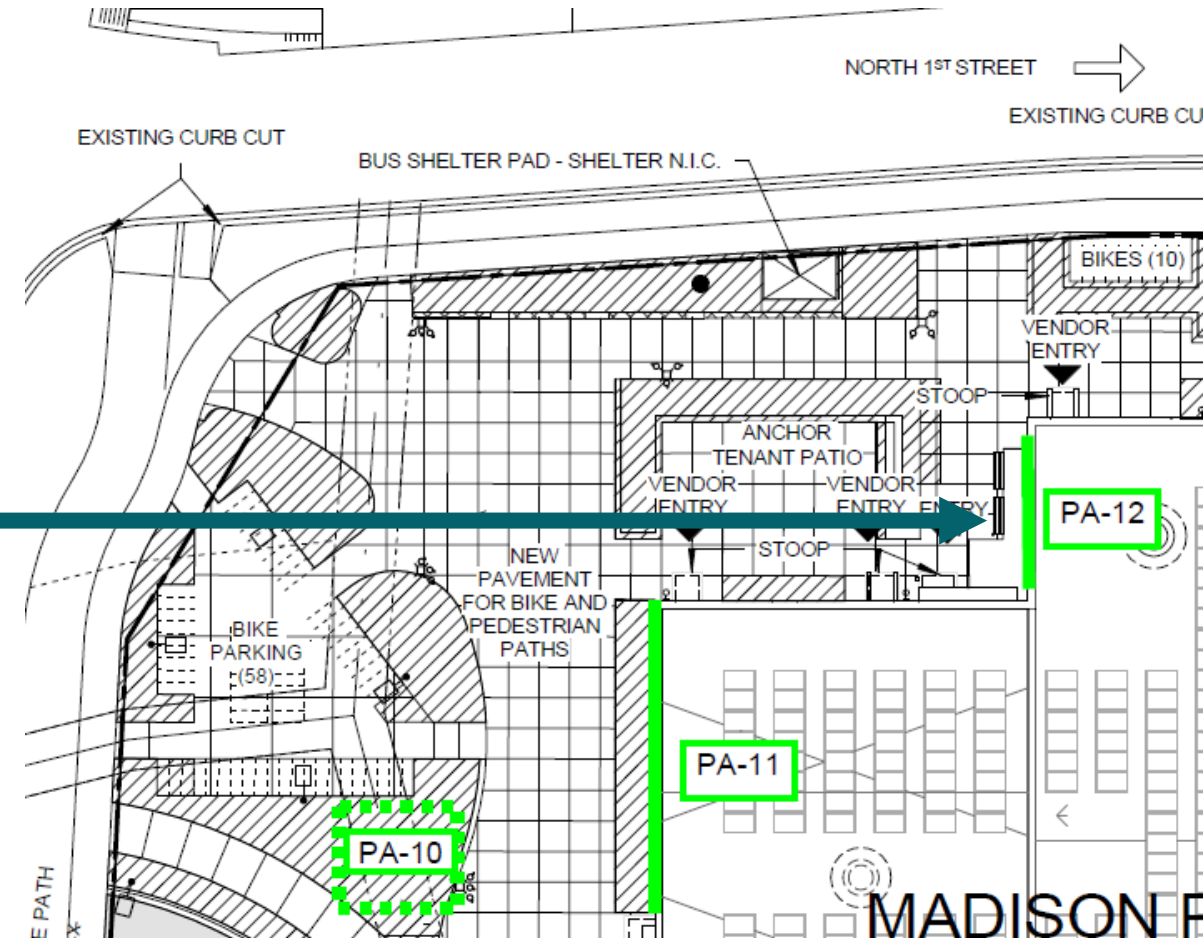
Estimated Cost, may be split between multiple vendors: \$15,500.00



PA-12



High resolution photo of original artwork printed on alumapanel
18' foot square



Mural by Monique Karlen + students

Place & Inclusivity

Estimated Cost, may be split between multiple vendors: \$30,540.00

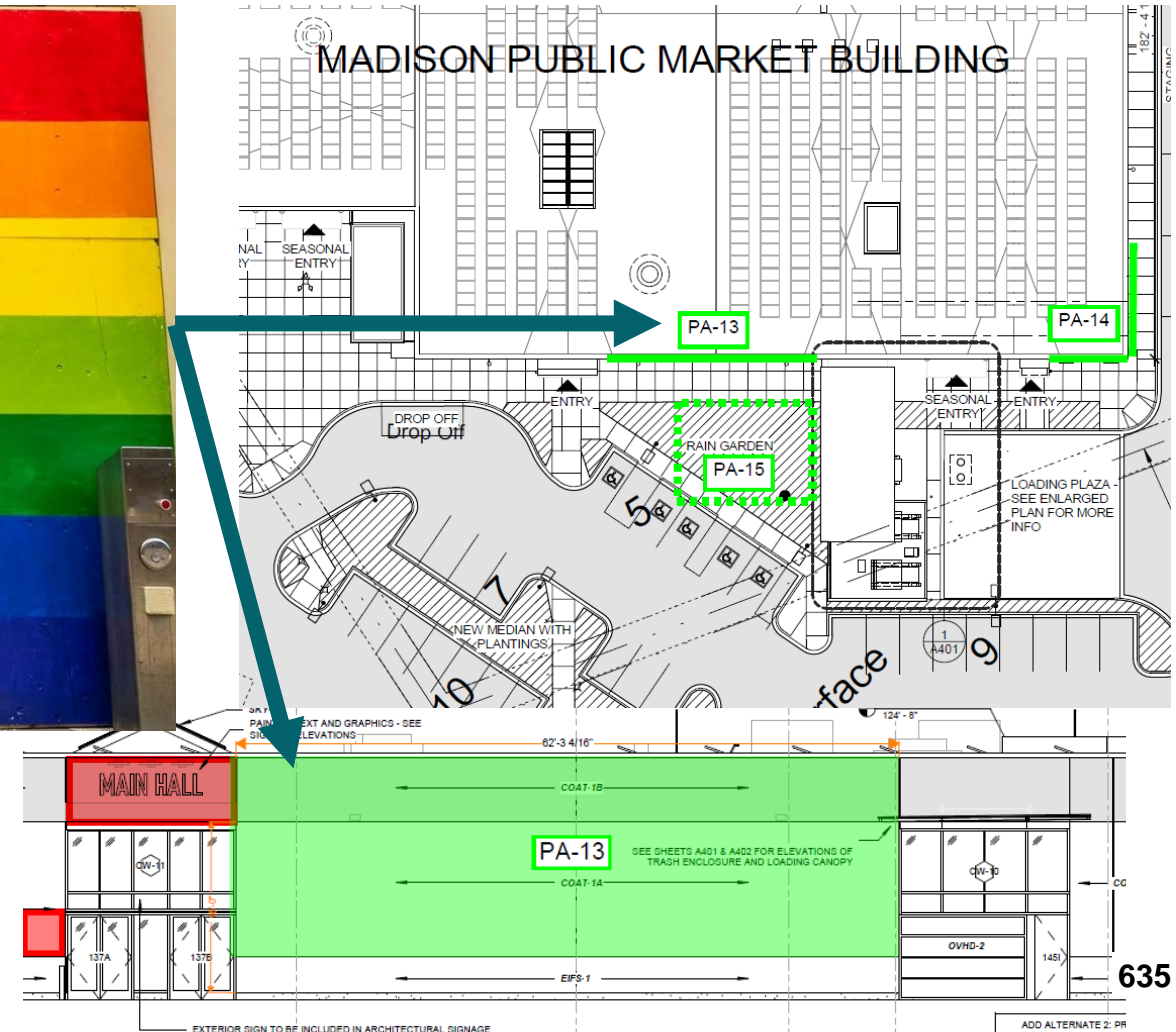


PA-13



Mural by Monique Karlen, LaFollette & Middleton High School Students

Recreate mural from the 2020 State Street Mural Project on Alumapanel





City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85085

File ID: 85085

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/10/2024

File Name: A contract between the University Wisconsin School of Medicine and Public Health and the City of Madison Fire Department to provide community paramedic-led transition intervention care for UW Health patients.

Final Action:

Title: Authorizing a contract between the Board of Regents of the University of Wisconsin System on behalf of the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine and the City of Madison Fire Department to provide community paramedic-led transition intervention care for UW Health patients.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 35.

Sponsors: Satya V. Rhodes-Conway And MGR Govindarajan

Effective Date:

Attachments:

Enactment Number:

Author: Brent Sloat

Hearing Date:

Entered by: bsloat@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Elizabeth York	Approve	9/24/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Fire Department	09/04/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						

1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
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Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 85085

Fiscal Note

The proposed resolution authorizes a contract between the University Wisconsin School of Medicine and Public Health and the Madison Fire Department (MFD) for MFD community paramedics to provide home visits to UW Health patients for research related to Emergency Departments Leading the Transformation of Alzheimer's and Dementia Care (ED-LEAD). Total compensation from UW School of Medicine and Public Health to MFD is approximately \$44,040 in phase one of the project and \$88,080 in phase two. The paramedics will provide the service during their regular schedule. No additional city appropriation is required.

Title

Authorizing a contract between the Board of Regents of the University of Wisconsin System on behalf of the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine and the City of Madison Fire Department to provide community paramedic-led transition intervention care for UW Health patients.

Body

WHEREAS, the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine has approached the City of Madison Fire Department (MFD) to assist with research related to Emergency Departments Leading the Transformation of Alzheimer's and Dementia Care (ED-LEAD);

WHEREAS, the research project includes MFD community paramedics to provide home visits to UW Health patients, which is titled Community Paramedic-led Transition Intervention (CPTI);

WHEREAS, the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine has agreed to pay for and train three MFD community paramedics in CPTI and to compensate MFD \$350 per completed home visit and \$85 per attempted home visit with up to 30 completed home visits and up to six (6) attempted home visits per month for a four-month delivery period;

WHEREAS, the aforementioned four-month period is called the optimization phase, which will take place at the UW Hospital and will likely be effective November 1, 2024;

WHEREAS, a possible second phase, the randomization phase, will occur sometime before research grant completion in 2029 and will include the same \$350 per completed home visit and \$85 per attempted home visit with up to 40 completed home visits and up to eight (8) attempted home visits per month during a six-month delivery period;

WHEREAS, total compensation for the optimization phase is approximately \$44,040 and total compensation for the randomization phase is approximately \$88,080;

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves a contract between the Board of Regents of the University of Wisconsin System on behalf of the University Wisconsin School of Medicine and Public Health, Department of Emergency Medicine and the City of Madison Fire Department to provide community paramedic-led transition intervention care for UW Health patients;

BE IT FURTHER RESOLVED, the Common Council authorizes the Mayor, Fire Chief, and City Clerk to execute all necessary contract documents.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85087

File ID: 85087

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/04/2024

File Name: Authorizing a noncompetitive contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility through 2028

Final Action:

Title: Authorizing a noncompetitive contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility through 2028

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 36.

Sponsors: Charles Myadze And Amani Latimer Burris

Effective Date:

Attachments: Item 5 - Memo - Cummins Contract Amendment.pdf, Item 5 - Attachment A - Resolution for Cummins Inc Contract Amendment.pdf, Item 5 - Attachment B - Non-Competitive Selection Request.pdf, Item 5 - Attachment C - Cummins Inc Contract Amendment.pdf, MADISON WATER UTILITY QT 217900 - Patterson Street generator.pdf, MADISON WATER UTILITY QT 214603 - 9 generators.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: jberndt@madisonwater.org

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Robert Mulcahy	Approve	9/24/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Water Utility	09/04/2024	Refer	COMMON COUNCIL			
	Action Text: This Resolution was Refer to the COMMON COUNCIL Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	

Action Text: This Resolution was Referred to the FINANCE COMMITTEE

1 FINANCE COMMITTEE 09/16/2024 RECOMMEND TO
COUNCIL TO
ADOPT - REPORT
OF OFFICER

Pass

Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 85087

.FISCAL NOTE

The proposed resolution authorizes a contract amendment with Cummins Inc. for an additional five years of noncompetitive selected service for planned generator maintenance for Madison Water Utility. The total 5-year cost is \$58,751, with amounts ranging from \$11,506 to \$12,116 per year. Funding for 2024 is included in the Madison Water Utility's 2024 Adopted Operating budget and will be included in the agency's 2025 to 2028 operating budget requests. No appropriation is required.

.TITLE

Authorizing a noncompetitive contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility through 2028

.BODY

WHEREAS, the Madison Water Utility uses generators at various sites to run our deep wells and our boosters in the event of a power outage. This allows us to keep clean water running at all times to the public and also provide adequate fire protection; and

WHEREAS, the Water Utility contracted with Cummins Inc. in 2019 for 5 years of generator maintenance service and Cummins is familiar with our process, and available to do the work in the timeframe needed; and

WHEREAS, The Water Utility feels very confident in continuing to use choosing Cummins for its generator maintenance contract. They are a leader in the industry, and they have given us great quality workmanship for over ten years that we have had them doing our generator maintenance. They continue to come in at the lowest cost with the most for our dollar. They have many of the parts we need on hand and their service response is very quick. We have done two other five-year contracts with them and they have performed well; and

WHEREAS, Madison Water Utility desires to amend the 2019 contract with Cummins and extend it for an additional five years, in an amount not to exceed \$58,751 (ranging from \$11,506.46 to \$12,115.81 per year) to provide planned generator maintenance services from 2024 to 2028; and

WHEREAS, MGO 4.26 requires Common Council approval of service contracts of \$50,000 or more if the contractor was not selected through a competitive selection process; and the reasons for selecting this contractor are set forth above and in the attached Noncompetitive Selection Request Form and requires Common Council approval of service contracts with a term of more than five years total and Cummins proposes to amend an existing contract with the impact being a contract that spans 10 years total; and

WHEREAS, for the reasons stated in the attached Noncompetitive Selection Request Form, the proposed contract with Cummins Inc. meets the exception to the bidding process in section 4.26(4)(a)7. which states "A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant";

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes the

Mayor and City Clerk to sign a non-competitive service contract or amend the existing contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility from 2024 to 2028 at the price set forth above.

MEMORANDUM

Date: August 27, 2024

To: Mayor Satya Rhodes Conway
City of Madison Common Council
City of Madison Finance Committee
City of Madison Water Utility Board

From: January Vang, Finance Manager
Krishna Kumar, General Manager

Subject: Authorizing a noncompetitive selected service contract amendment from 2024 to 2028 with Cummins Inc for planned generator maintenance for Madison Water Utility not to exceed \$58,751.

RECOMMENDATION

Staff request authorization to amend the contract with Cummins Inc for planned generator maintenance for five more years ending December 31, 2028.

BACKGROUND:

The Water Utility uses generators at various sites to run our deep wells and boosters in the event of a power outage and has contracted with Cummins Inc since 2019 to maintain the generators. Cummins Inc is familiar with our processes and available to do the work in the timeframe needed. This will allow the Water Utility to keep clean water running at all times to the public and to provide adequate fire protection.

LEGISLATIVE PATH:

8/27/24 – Water Utility Board
9/10/24 – Common Council (Introduction)
9/16/24 – Finance Committee
9/24/24 – Common Council (Final Approval)

ATTACHMENTS:

Resolution
Sole Source Form
Amended Contract

Fiscal Note

The proposed resolution authorizes a contract amendment with Cummins Inc. for five more years of noncompetitive selected service for planned generator maintenance for Madison Water Utility. The total 5-year cost is \$58,751 and is included in Madison Water Utility's 2024 operating budget and will be included in the Department's 2025 to 2028 operating budget request. No appropriation is required.

Title

Authorizing a noncompetitive contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility through 2028 .

Body

WHEREAS, the Madison Water Utility uses generators at various sites to run our deep wells and our boosters in the event of a power outage. This allows us to keep clean water running at all times to the public and also provide adequate fire protection; and

WHEREAS, the Water Utility contracted with Cummins Inc. in 2019 for 5 years of generator maintenance service and Cummins is familiar with our process, and available to do the work in the timeframe needed; and

WHEREAS, The Water Utility feels very confident in continuing to use choosing Cummins for its generator maintenance contract. They are a leader in the industry, and they have given us great quality workmanship for over ten years that we have had them doing our generator maintenance. They continue to come in at the lowest cost with the most for our dollar. They have many of the parts we need on hand and their service response is very quick. We have done two other five-year contracts with them and they have performed well; and

WHEREAS, Madison Water Utility desires to amend the 2019 contract with Cummins and extend it for an additional five years, in an amount not to exceed \$58,751 (ranging from \$11,506.46 to \$12,115.81 per year) to provide planned generator maintenance services from 2024 to 2028; and

WHEREAS, MGO 4.26 requires Common Council approval of service contracts of \$50,000 or more if the contractor was not selected through a competitive selection process; and the reasons for selecting this contractor are set forth above and in the attached Noncompetitive Selection Request Form and requires Common Council approval of service contracts with a term of more than five years total and Cummins proposes to amend an existing contract with the impact being a contract that spans 10 years total; and

WHEREAS, for the reasons stated in the attached Noncompetitive Selection Request Form, the proposed contract with Cummins Inc. meets the exception to the bidding process in section 4.26(4)(a)7. which states "A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant";

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to sign a non-competitive service contract or amend the existing contract with Cummins Inc. to provide planned generator maintenance for Madison Water Utility from 2024 to 2028 at the price set forth above.



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 07/30/2024

Requisition Number: 24XXXXXX (8 characters)

Requestor Name: January Vang

Requestor Phone Number: 608-266-4645

Requestor Email: jvang@madisonwater.org

Fund: 2100 WATER UTILITY

Agency: 86 WATER

- Major:
- ☐ 53*** Supplies/Goods
 - ☐ 541** Utilities
 - ☒ 542** Building/Facility Maintenance/Repair
 - ☐ 543** Software/Equipment Maintenance/Repair
 - ☐ 544** Public Works Maintenance/Repair
 - ☐ 545** Training/HR-Related Services
 - ☐ 546** Consulting/Professional Services
 - ☐ 548** Grants/Loans/Insurance/Other Services

Total Purchase Amount: \$58,751.00

Vendor Name: Cummins Inc.

Product/Service Description: Generator Maintenance Service

☐ **\$50,000 and UNDER**
This form will be sent to the Purchasing Supervisor for review.

☒ **OVER \$50,000**
Complete this form and draft a resolution using the sample resolutions provided by the City Attorney to your Budget Analyst. **Your resolution will not be added to the Finance Committee agenda without this form.**

Check the box(es) for the exception criteria you feel are applicable:

- ☐ 1. Public exigency (emergency) will not permit the delay incident to advertising or other competitive processes.
- ☐ 2. The services or goods required are available from only one person or firm (i.e., **true** sole source).
- ☐ 3. The services are for professional services to be provided by attorneys.
- ☐ 4. The services are to be rendered by a university, college, or other educational institution.
- ☐ 5. No acceptable bids have been received after formal advertising.
- ☐ 6. Service fees are established by law or professional code.

- ☒ 7. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant.
- ☐ 8. Otherwise authorized by law, rule, resolution, or regulation. Explain:
- ☐ If procurement is being paid with Federal or State grant funds, the vendor was identified by name in the approved Grant Application. (OPTIONAL)

REASON FOR REQUEST

WHY A COMPETITIVE SELECTION PROCESS CANNOT BE USED:

Provide **detailed** explanation below. For a true sole source, provide all information to explain why this product or service can only be purchased from this vendor. For one-of-a-kind items not sold through distributors, explain the unique performance features of the product requested that are not available from any other product. For services, detail the unique qualifications this vendor possesses, or other reason(s) that meet the criteria selected above. Identify specific, measurable factors and qualifications.

The generators at the Madison Water Utility run our deep wells and our boosters in the event of a power outage. Cummins has provided generator maintenance service for Madison Water Utility for the last 5 years. Cummins' familiarity with our generators and systems will ensure that we are able to keep clean water running at all times to the public and also provide adequate fire protection.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has spent \$2,700,778 with Cummins Inc. since 2017. Of that total, \$29,274 was competitively selected, \$87,762 was purchased through a Purchasing Cooperative, \$2,491,847 was non-competitively selected, and the remaining \$91,895 was made up of small purchases that were each under the threshold requiring competitive selection.

Date:

Submit

AGREEMENT TO REINSTATE AND AMEND CONTRACT FOR PURCHASE OF SERVICES DATED 5/2/2019

This Amendment to Contract for Purchase of Services (“Amendment”) shall become effective as of the date of final signature by the City by and between Cummins Inc. and City of Madison for the purposes of amending the Original Contract (hereinafter defined) and extend its term through December 31, 2028

RECITALS

WHEREAS, the parties identified above are parties to the Contract for Purchase of Services, for the sale and purchase of power generation goods and services, effective 5/2/2019 (“Original Contract”); and

WHEREAS, the Original Contract expired on December 31, 2023 but the parties have continued to perform their respective obligations under that contract and now desire to reinstate it and amend the Original Contract for purposes of extending the services through the end of 2028 and establishing pricing therefore as described in the new quote, as follows;

AMENDMENT

NOW, THEREFORE, In consideration of the mutual promises and covenants set forth herein and in the Original Contract, and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the parties mutually agree to reinstate and amend the Original Contract as follows:

1. Section 3 of the Contract is hereby amended by:

A. deleting the present section 3 in its entirety and replacing it as follows:

3. SCOPE OF SERVICES AND SCHEDULE OF PAYMENTS.

Contractor will perform the following services and be paid according to the following schedule(s) or attachment(s):

Attachment 1: Planned Maintenance Proposal dated 1/18/2024 Quote 214603.

Order of Precedence: In the event of a conflict between the terms of this Contract for Purchase of Services and the terms of any document attached or incorporated herein, the terms of this Contract for Purchase of Services shall control and supersede any such conflicting term.

B. The parties further agree to replace the attachments listed in Section 3 of the Original Contract with Attachment 1 attached hereto (new quote for 2024-2028.)

2. Section 4 of the Contract is hereby amended as follows:

4. TERM AND EFFECTIVE DATE.

This Contract shall become effective upon execution by the Mayor, (or the Purchasing Agent, if authorized) on behalf of the City of Madison, unless another effective date is specified in the Attachment(s) incorporated in Section 3. Notwithstanding the foregoing, the parties expressly agree that all terms and conditions of this Contract shall apply to any work performed as of January 2, 2019. The term of this Contract shall be from January 2, 2019 through December 31, 2028.

3. Section 13 of the Original Contract is REPLACED in its entirety with the following:

13. AFFIRMATIVE ACTION.

A. The following language applies to all contractors employing fifteen (15) or more employees (MGO 39.02(9)(c):

The Contractor agrees that, within thirty (30) days after the effective date of this Contract, Contractor will provide to the City of Madison Department of Civil Rights (the "Department"), certain workforce utilization statistics, using a form provided by the City.

If the Contract is still in effect, or if the City enters into a new Agreement with the Contractor, within one year after the date on which the form was required to be provided, the Contractor will provide updated workforce information using a second form, also to be furnished by the City. The second form will be submitted to the Department no later than one year after the date on which the first form was required to be provided.

The Contractor further agrees that, for at least twelve (12) months after the effective date of this Contract, it will notify the Department of each of its job openings at facilities in Dane County for which applicants not already employees of the Contractor are to be considered. The notice will include a job description, classification, qualifications, and application procedures and deadlines, shall be provided to the City by the opening date of advertisement and with sufficient time for the City to notify candidates and make a timely referral. The Contractor agrees to interview and consider candidates referred by the Department, or an organization designated by the Department, if the candidate meets the minimum qualification standards established by the Contractor, and if the referral is timely. A referral is timely if it is received by the Contractor on or before the date stated in the notice.

The Department will determine if a contractor is exempt from the above requirements (Sec. 13.A.) at the time the Request for Exemption in 13.B.(2) is made.

B. Articles of Agreement, Request for Exemption, and Release of Payment:

The "ARTICLES OF AGREEMENT" beginning on the following page, apply to all contractors, unless determined to be exempt under the following table and procedures:

NUMBER OF EMPLOYEES	LESS THAN \$50,000 Aggregate Annual Business with the City*	\$50,000 OR MORE Aggregate Annual Business with the City*
14 or less	Exempt**	Exempt**
15 or more	Exempt**	Not Exempt

*As determined by the Finance Director

**As determined by the Department of Civil Rights

(1) **Exempt Status:** In this section, "Exempt" means the Contractor is exempt from the Articles of Agreement in section 13.B.(5) of this Contract and from filing an Affirmative Action plan as required by Section IV of the Articles of Agreement. The Department of Civil Rights ("Department") makes the final determination as to whether a contractor is exempt. If the Contractor is not exempt, sec. 13.B.(5) shall apply and Contractor shall select option A. or B. under Article IV therein and file an Affirmative Action Plan.

(2) **Request for Exemption – Fewer Than 15 Employees:** (MGO 39.02(9)(a)2.) Contractors who believe they are exempt based on number of employees shall submit a Request for Exemption on a form provided by the Department within thirty (30) days of the effective date of this Contract.

(3) **Exemption – Annual Aggregate Business:** (MGO 39.02(9)(a)c.): The Department will determine, at the time this Contract is presented for signature, if the Contractor is exempt because it will have less than \$50,000 in annual aggregate business with the City for the calendar year in which the contract is in effect. CONTRACTORS WITH 15 OR MORE EMPLOYEES WILL LOSE THIS EXEMPTION AND BECOME SUBJECT TO SEC. 13.B.(5) UPON REACHING \$50,000 OR MORE ANNUAL AGGREGATE BUSINESS WITH THE CITY WITHIN THE CALENDAR YEAR, BEGINNING IN 2019.

(4) **Release of Payment:** (MGO 39.02(9)(e)1.b.) All non-exempt contractors must have an approved Affirmative Action plan meeting the requirements of Article IV below on file with the Department within thirty (30) days of the effective

date of this Contract and prior to release of payment by the City. Contractors that are exempt based on number of employees agree to file a Request for Exemption with the Department within thirty (30) days of the effective date and prior to release of payment by the City.

(5) Articles of Agreement:

ARTICLE I

The Contractor shall take affirmative action in accordance with the provisions of this Contract to ensure that applicants are employed, and that employees are treated during employment without regard to race, religion, color, age, marital status, disability, sex, sexual orientation, gender identity or national origin and that the employer shall provide harassment-free work environment for the realization of the potential of each employee. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training including apprenticeship insofar as it is within the control of the Contractor. The Contractor agrees to post in conspicuous places available to employees and applicants notices to be provided by the City setting out the provisions of the nondiscrimination clauses in this Contract.

ARTICLE II

The Contractor shall in all solicitations or advertisements for employees placed by or on behalf of the Contractors state that all qualified or qualifiable applicants will be employed without regard to race, religion, color, age, marital status, disability, sex, sexual orientation, gender identity or national origin.

ARTICLE III

The Contractor shall send to each labor union or representative of workers with which it has a collective bargaining Agreement or other Contract or understanding a notice to be provided by the City advising the labor union or workers representative of the Contractor's equal employment opportunity and affirmative action commitments. Such notices shall be posted in conspicuous places available to employees and applicants for employment.

ARTICLE IV

(This Article applies to non-public works contracts.)

The Contractor agrees that it will comply with all provisions of the Affirmative Action Ordinance of the City of Madison (MGO 39.02) including the Contract compliance requirements. The Contractor warrants and certifies that one of the following paragraphs is true (**check one**):

- ☐ A. Contractor has prepared and has on file an affirmative action plan that meets the format requirements of Federal Revised Order No. 4, 41 CFR part 60-2, as established by 43 FR 51400 November 3, 1978, including appendices required by City of Madison ordinances or it has prepared and has on file a model affirmative action plan approved by the Madison Common Council.
- ☐ B. Within thirty (30) days after the effective date of this Contract, Contractor will complete an affirmative action plan that meets the format requirements of Federal Revised Order No. 4, 41 CFR Part 60-2, as established by 43 FR 51400, November 3, 1978, including appendices required by City of Madison ordinance or within thirty (30) days after the effective date of this Contract, it will complete a model affirmative action plan approved by the Madison Common Council.
- ☐ C. Contractor believes it is exempt from filing an affirmative action plan because it has fewer than fifteen (15) employees and has filed, or will file within thirty (30) days after the effective date of this Contract, a form required by the City to confirm exempt status based on number of employees. If the City determines that Contractor is not exempt, the Articles of Agreement will apply.
- ☒ D. Contractor believes it is exempt from filing an affirmative action plan because its annual aggregate business with the City for the calendar year in which the contract is in effect is less than fifty thousand dollars (\$50,000), or for another reason listed in MGO 39.02(9)(a)2. If the City determines that Contractor is not exempt, the Articles of Agreement will apply.

ARTICLE V

(This Article applies only to public works contracts.)

The Contractor agrees that it will comply with all provisions of the Affirmative Action Ordinance of the City of Madison, including the Contract compliance requirements. The Contractor agrees to submit the model affirmative action plan for public works Contractors in a form approved by the Director of Affirmative Action.

ARTICLE VI

The Contractor will maintain records as required by Section 39.02(9)(f) of the Madison General Ordinances and will provide the City's Department of Affirmative Action with access to such records and to persons who have relevant and necessary information, as provided in Section 39.02(9)(f). The City agrees to keep all such records confidential, except to the extent that public inspection is required by law.

ARTICLE VII

In the event of the Contractor's or subcontractor's failure to comply with the Equal Employment Opportunity and Affirmative Action provisions of this Contract or Sections 39.03 and 39.02 of the Madison General Ordinances, it is agreed that the City at its option may do any or all of the following:

- A. Cancel, terminate or suspend this Contract in whole or in part.
- B. Declare the Contractor ineligible for further City contracts until the Affirmative Action requirements are met.
- C. Recover on behalf of the City from the prime Contractor 0.5 percent of the Contract award price for each week that such party fails or refuses to comply, in the nature of liquidated damages, but not to exceed a total of five percent (5%) of the Contract price, or ten thousand dollars (\$10,000), whichever is less. Under public works contracts, if a subcontractor is in noncompliance, the City may recover liquidated damages from the prime Contractor in the manner described above. The preceding sentence shall not be construed to prohibit a prime Contractor from recovering the amount of such damage from the noncomplying subcontractor.

ARTICLE VIII

(This Article applies to public works contracts only.)

The Contractor shall include the above provisions of this Contract in every subcontract so that such provisions will be binding upon each subcontractor. The Contractor shall take such action with respect to any subcontractor as necessary to enforce such provisions, including sanctions provided for noncompliance.

ARTICLE IX

The Contractor shall allow the maximum feasible opportunity to small business enterprises to compete for any subcontracts entered into pursuant to this Contract. (In federally funded contracts the terms "DBE, MBE, and WBE" shall be substituted for the term "small business" in this Article.)

4. Section 23 of the Original Contract is REPLACED with the following:

23. CONTRACT PRICE.

It is expressly understood and agreed that in no event will the total contract price for the remaining contract years of 2024 through 2028 exceed a total of \$58,751, as set forth in Attachment 1: Planned Maintenance Proposal dated 1/18/2024 Quote 214603.

5. The Original Contract is hereby amended by adding a new Section 34 which shall read as follows:

34. WARRANTY.

All parts and components furnished hereunder shall be warranted in accordance with the applicable manufacturer's express warranty for any goods for a period of one (1) year and Contractor's standard warranty for workmanship for a period of ninety (90) days, and any rights thereto shall pass on to the City. THE WRITTEN WARRANTIES SHALL BE EXCLUSIVE AND IN LIEU OF ALL OTHER REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED; AND ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR PARTICULAR PURPOSE IS EXPRESSLY EXCLUDED. REPAIR OR REPLACEMENT SHALL BE THE SOLE REMEDY FOR DEFECTS OR ERRORS IN WORKMANSHIP AND/OR MATERIALS.

6. Effect of Amendment. Except as amended by this Amendment, the Original Contract will remain in full force and effect. This Amendment constitutes the entire agreement between the parties with respect to the subject matter addressed, superseding all prior discussions, offers, proposals, and agreements between the parties.
7. Order of Precedence. The terms of this Amendment will control in the event of any conflict between the terms of this Amendment and the Original Contract, with respect to the subject matter of this Amendment.
- 8. COUNTERPARTS, ELECTRONIC SIGNATURE AND DELIVERY.**

This Amendment may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Amendment may be converted into electronic format and signed or given effect with one or more electronic signature(s) if the electronic signature(s) meets all requirements of Wis. Stat. ch. 137 or other applicable Wisconsin or Federal law. Executed copies or counterparts of this Amendment may be delivered by facsimile or email and upon receipt will be deemed original

and binding upon the parties hereto, whether or not a hard copy is also delivered. Copies of this Amendment, fully executed, shall be as valid as an original.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment to the Original Contract.

CONTRACTOR:

Cummins Inc.

By:

(Signature)

(Print Name and Title of Person Signing)

Date:

**CITY OF MADISON, WISCONSIN
a municipal corporation:**

By:

Satya Rhodes-Conway, Mayor

Date:

Approved:

David P. Schmiedicke, Finance Director

Date:

By:

Maribeth Witzel-Behl, City Clerk

Date:

Approved as to Form:

Eric T. Veum, Risk Manager

Date:

Michael Haas, City Attorney

Date:

For City Use Only: SIGNATURE INSTRUCTIONS FOR CONTRACTS SIGNED BY MAYOR/CLERK:
Obtain contractor's signature first. Route this contract & all of its attachments for City signatures using the City Clerk's Contract Routing Database. Include 1 copy of authorizing resolution & 1 copy of the Certificate of Insurance.



Sales and Service

MILWAUKEE WI BRANCH
800 WEST RYAN ROAD
OAK CREEK, WI 53154
Phone: 414-768-7400

PLANNED MAINTENANCE AGREEMENT

Customer Address	Customer Contact	Quote Information
MADISON WATER UTILITY 119 E OLIN AVE Madison, WI 53713	Contact: Doug Van Horn Phone: 608 2664702 Fax: 608 210-9199 Cust Id: 71674	Quote Date: 21-FEB-24 Quote Expires: 21-MAY-24 Quote Num: 217900 Quoted By: John D Prill Quote Term: 5 Year(s)

Site Information

1	WATER UTILITY-PATERSON S	110 S PATERSON ST	MADISON	WI	53703
---	--------------------------	-------------------	---------	----	-------

Site	Unit Number	Manufacturer	Model	Prod Model	Serial Number	Type
------	-------------	--------------	-------	------------	---------------	------

1	PATERSON ST	ONAN	GEN SET	DQDAA	C160737391	ST
---	-------------	------	---------	-------	------------	----

Site	Unit Number	Service Event	Qty	Sell Price	Extended Price
1	PATERSON ST	FULL SERVICE	3	769.16	2,307.48
		FULL SVC/BATT R&R	2	1,378.51	2,757.02

Generator Planned Equipment Maintenance Quote

Service/Scheduled Month -

Based on previous PM schedule, services are tentatively scheduled for:

FULL SERVICE IN MAY OF 2024. INCLUDES OIL SAMPLE ANALYSIS.

FULL SERVICE WITH BATTERY REPLACEMENT IN MAY OF 2025. (LAST REPLACED IN MAY OF 2023) INCLUDES OIL SAMPLE ANALYSIS.

FULL SERVICE IN MAY OF 2026. INCLUDES OIL SAMPLE ANALYSIS.

FULL SERVICE WITH BATTERY REPLACEMENT IN MAY OF 2027. INCLUDES OIL SAMPLE ANALYSIS.

FULL SERVICE IN MAY OF 2028. INCLUDES OIL SAMPLE ANALYSIS.

For any questions regarding this proposal and to continue your services without interruption, please sign the agreement and return to:

Dan Prill, Cummins Inside Sales at john.prill@cummins.com, Phone: 651-286-2223 or fax 651-286-2031

Auto Renewal Option

Planned Equipment Maintenance Agreements are designed with an automatic renewal provision. If you wish to participate in the auto renew option, please check the box below:

☐ Opt IN to Automatic Renewal

This agreement will automatically renew at the end of the term for a period equal to the original term (the Renewal Term). In such event, cost increases for the Renewal Term will not exceed 4%. Either party has the right to terminate this Agreement with thirty (30) days prior written notice unless the work has already been performed.



Sales and Service

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Payment Info

Customers with a line of credit will be invoiced after the completion of service event unless requested otherwise. Customers without a line of credit including residential customers will be invoiced annually prior to services being performed.

PO#

Purchase order must be made out to Cummins Inc. or Cummins Sales and Service

W9 available upon request.

Please note our payment remit to address is:
P.O. Box 772639
Detroit, MI 48277-2639

For any questions regarding your account or additional sales opportunities:

Stan Sandall- Planned Maintenance Territory Manager - Cummins Sales and Service
Phone 262 389 6712, Fax 414 570 7177, Email Stan.L.Sandall@cummins.com

Unless otherwise noted, quote reflects services completed during regular business hours. Additional repairs will not be performed without customer's authorization.

PM customers receive a discounted labor rate on recommended repairs for units on this agreement.

Standard Agreement Amount	\$5,064.50
Proposal Total	\$5,064.50

THERE ARE ADDITIONAL CONTRACT TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS DOCUMENT, INCLUDING LIMITATIONS OF WARRANTIES AND LIABILITY, WHICH ARE EXPRESSLY INCORPORATED HEREIN. CUSTOMER ACKNOWLEDGES THAT THE CONTRACT TERMS AND CONDITIONS HAVE BEEN READ, FULLY UNDERSTOOD, AND ACCEPTED.



Sales and Service

PLANNED MAINTENANCE AGREEMENT

<u>Customer Address</u>	<u>Customer Contact</u>	<u>Quote Information</u>
MADISON WATER UTILITY 119 E OLIN AVE Madison, WI 53713	Contact: Doug Van Horn Phone: 608 2664702 Fax: 608 210-9199 Cust Id: 71674	Quote Date: 21-FEB-24 Quote Expires: 21-MAY-24 Quote Num: 217900 Quoted By: John D Prill Quote Term: 5 Year(s)

Customer Approval

Signature: _____

Date: _____

CUMMINS INC

Signature: _____

Date: _____

PLANNED MAINTENANCE AGREEMENT TERMS AND CONDITIONS

These Planned Maintenance Agreement Terms and Conditions, together with the Quote on the front side and the Scope of Services, are hereinafter referred to as this 'Agreement' and shall constitute the entire agreement between the customer identified in the Quote ('Customer') and Cummins Inc. ('Cummins') and supersede any previous agreement or understanding (oral or written) between the parties with respect to the subject matter of this Agreement. Customer shall be deemed to have made an unqualified acceptance of these Terms and Conditions and it shall become a binding agreement between the parties on the earliest of the following to occur: (i) Cummins' receipt of Customer's purchase order or purchase order number; (ii) Customer's signing or acknowledgment of this Agreement; (iii) Cummins' release of Products to production pursuant to Customer's oral or written instruction or direction; (iv) Customer's payment of any amounts due to Cummins; or (v) any other event constituting acceptance under applicable law. No prior inconsistent course of dealing, course of performance, or usage of trade, if any, constitutes a waiver of or serves to explain or interpret this Agreement. Electronic transactions between Customer and Cummins will be solely governed by this Agreement, and any terms and conditions on Customer's website or other internet site will be null and void and of no legal effect on Cummins. In the event Customer delivers, references, incorporates by reference, or produces any purchase order or document, any terms and conditions related thereto: (i) shall be null and void and of no legal effect on Cummins, and (ii) this Agreement shall remain the governing terms of the transaction.

1. **SCOPE OF SERVICES; PERFORMANCE OF SERVICES.** Cummins shall perform the maintenance ('Services') on the equipment identified in the Quote ('Equipment') in accordance with the schedule specified in the Quote. The Services include those services defined in the 'Service Event' section of the Quote. No additional services or materials are included in this Agreement unless agreed upon by the parties in writing. Unless otherwise indicated in the Quote, Cummins will provide the labor and tools necessary to perform the Services and shall keep Customer's property free from accumulation of waste materials caused by Cummins' operations. Either party may terminate this Agreement with or without cause by providing thirty (30) days written notice to the other.

2. **CUSTOMER OBLIGATIONS.** Customer shall provide Cummins safe access to Customer's site and arrange for all related services and utilities necessary for Cummins to perform the Services. During the performance of the Services, Customer shall fully and completely secure all or any part of any facility where the Equipment is located to remove and mitigate any and all safety issues and risks, including but not limited to facility occupants, customers, invitees, or any third party and or property damage or work interruption arising out of the Services. Customer shall make all necessary arrangement to address and mitigate the consequences of any electrical service interruption which might occur during the Services. **CUSTOMER IS RESPONSIBLE FOR OPERATING AND MAINTAINING THE EQUIPMENT IN ACCORDANCE WITH THE OWNER'S MANUAL FOR THE EQUIPMENT.**

3. **PAYMENT TERMS.** Unless otherwise agreed to by the parties in writing and subject to credit approval by Cummins, payments are due thirty (30) days from the date of the invoice. If Customer does not have approved credit with Cummins, as solely determined by Cummins, payments are due in advance or at the time of supply of the Services. If payment is not received when due, in addition to any rights Cummins may have at law, Cummins may charge Customer eighteen percent (18%) interest annually on late payments, or the maximum amount allowed by law. Customer agrees to pay all Cummins' costs and expenses (including all reasonable attorneys' fees) related to Cummins' enforcement and collection of unpaid invoices, or any other enforcement of this Agreement by Cummins. Unless otherwise stated, the Quote excludes all applicable local, state, or federal sales and/or use or similar taxes which Cummins is required by applicable laws to collect from Customer and shall be stated on the invoice.

4. **DELAYS.** Any performance dates indicated in this Agreement are estimated and not guaranteed. Cummins shall not be liable for any delays in performance however occasioned, including any that result directly or indirectly from acts of Customer or causes beyond Cummins' control, including but not limited to acts of God, accidents, fire, explosions, flood, unusual weather conditions, acts of government authority, or labor disputes. **AS A RESULT OF THE OUTBREAK OF THE DISEASE COVID-19 ARISING FROM THE NOVEL CORONAVIRUS, TEMPORARY DELAYS IN DELIVERY, LABOUR OR SERVICES FROM CUMMINS AND ITS SUB-SUPPLIERS OR SUBCONTRACTORS MAY OCCUR. AMONG OTHER FACTORS, CUMMINS' DELIVERY OBLIGATIONS ARE SUBJECT TO CORRECT AND PUNCTUAL SUPPLY FROM OUR SUB-SUPPLIERS OR SUBCONTRACTORS, AND CUMMINS RESERVES THE RIGHT TO MAKE PARTIAL DELIVERIES OR MODIFY ITS LABOUR OR SERVICE. WHILE CUMMINS SHALL MAKE EVERY COMMERCIALY REASONABLE EFFORT TO MEET THE DELIVERY, SERVICE OR COMPLETION OBLIGATIONS SET FORTH HEREIN, SUCH DATES ARE SUBJECT TO CHANGE.**

5. **WARRANTY.** Cummins shall perform the Services in a reasonable and workmanlike manner. Parts and components supplied under this Agreement are governed by the express written manufacturer's limited warranty. No other warranty for parts or components is provided under this Agreement. All Services shall be free from defects in workmanship for a period of ninety (90) days after completion of Services. In the event of a warrantable defect in workmanship of Services supplied under this Agreement ('Warrantable Defect'), Cummins' obligation shall be solely limited to correcting the Warrantable Defect. Cummins shall correct the Warrantable Defect where (i) such Warrantable Defect becomes apparent to Customer during the warranty period; (ii) Cummins receives written notice of any Warrantable Defect within thirty (30) days following discovery by Customer; and (iii) Cummins has determined that there is a Warrantable Defect. Warrantable Defects remedied under this provision shall be subject to the remaining warranty period of the original warranty of the Services. New parts supplied during the remedy of Warrantable Defects are warranted for the balance of the warranty period still available from the original warranty of such parts. The remedies set forth in this Section 5 shall not be deemed to have failed of their essential purpose so long as Cummins is willing to correct defective Services or refund the purchase price therefor.

6. **LIMITATIONS OF WARRANTIES AND LIABILITY. THE REMEDIES PROVIDED IN THE LIMITED WARRANTY AND THIS AGREEMENT ARE THE SOLE AND EXCLUSIVE WARRANTIES AND REMEDIES PROVIDED BY CUMMINS TO THE CUSTOMER UNDER THIS AGREEMENT. EXCEPT AS SET OUT IN THE WARRANTY AND THIS AGREEMENT, AND TO THE EXTENT PERMITTED BY LAW, CUMMINS EXPRESSLY DISCLAIMS ALL OTHER REPRESENTATIONS, WARRANTIES, ENDORSEMENTS, AND CONDITIONS OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY STATUTORY OR COMMON LAW IMPLIED REPRESENTATIONS, WARRANTIES AND CONDITIONS OF FITNESS FOR A PURPOSE OR MERCHANTABILITY. NOTWITHSTANDING ANY OTHER TERM OF THIS AGREEMENT, IN NO EVENT SHALL CUMMINS, ITS OFFICERS, DIRECTORS, EMPLOYEES, OR AGENTS BE LIABLE TO CUSTOMER OR ANY THIRD PARTY FOR ANY INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES OF ANY KIND (INCLUDING WITHOUT LIMITATION DOWNTIME, LOSS OF PROFIT OR REVENUE, LOSS OF DATA, LOSS OF OPPORTUNITY, DAMAGE TO GOODWILL, AND DAMAGES CAUSED BY DELAYS) IN ANY WAY RELATED TO OR ARISING FROM CUMMINS' SUPPLY OF PARTS OR SERVICES UNDER THIS AGREEMENT. IN NO EVENT SHALL CUMMINS' LIABILITY TO CUSTOMER OR ANY THIRD PARTY CLAIMING DIRECTLY THROUGH CUSTOMER OR ON CUSTOMER'S BEHALF UNDER THIS AGREEMENT EXCEED THE TOTAL COST OF PARTS AND SERVICES SUPPLIED BY CUMMINS UNDER THIS AGREEMENT. BY ACCEPTANCE OF THIS AGREEMENT, CUSTOMER ACKNOWLEDGES CUSTOMER'S SOLE REMEDY AGAINST CUMMINS FOR ANY LOSS SHALL BE THE REMEDY PROVIDED HEREIN.**

7. **INDEMNITY.** Customer shall indemnify, defend and hold harmless Cummins from and against any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, brought against or incurred by Cummins related to or arising out of this Agreement or the Services supplied under this Agreement (collectively, the 'Claims'), where such Claims were caused or contributed to by, in whole or in part, the acts, omissions, fault or negligence of the Customer. Customer shall present any Claims covered by this indemnity to its insurance carrier unless Cummins directs that the defense will be handled by Cummins' legal counsel at Customer's expense.

8. **CONFIDENTIALITY.** Each party shall keep confidential any information received from the other that is not generally known to the public and at the time of disclosure, would reasonably be understood by the receiving party to be proprietary or confidential, whether disclosed in oral, written, visual, electronic or other form, and which the receiving party (or agents) learns in connection with this Agreement including, but not limited to: (a) business plans, strategies, sales, projects and analyses; (b) financial information, pricing, and fee structures; (c) business processes, methods and models; (d) employee and supplier information; (e) specifications; and (f) the terms and conditions of this Agreement. Each party shall take necessary steps to ensure compliance with this provision by its employees and agents.

9. **GOVERNING LAW.** This Agreement and all matters arising hereunder shall be governed by and construed in accordance with the laws of the State of Indiana without giving effect to any choice or conflict of law provision. The parties agree that the courts of the State of Indiana shall have exclusive jurisdiction to settle any dispute or claim arising in connection with this Agreement.

10. **INSURANCE.** Upon Customer's request, Cummins will provide to Customer a Certificate of Insurance evidencing Cummins' relevant insurance coverage.

11. **ASSIGNMENT.** This Agreement shall be binding on the parties and their successors and assigns. Customer shall not assign this Agreement without the prior written consent of Cummins.

12. **INTELLECTUAL PROPERTY.** Any intellectual property rights created by either party, whether independently or jointly, in the course of the performance of this Agreement or otherwise related to Cummins pre-existing intellectual property or subject matter related thereto, shall be Cummins' property. Customer agrees to assign, and does hereby assign, all right, title, and interest to such intellectual property to Cummins. Any Cummins pre-existing intellectual property shall remain Cummins' property. Nothing in this Agreement shall be deemed to have given Customer a licence or any other rights to use any of the intellectual property rights of Cummins.

13. **MISCELLANEOUS.** Cummins shall be an independent contractor with respect to the Services performed under this Agreement. All notices under this Agreement shall be in writing and be delivered personally, mailed via first class certified or registered mail, or sent by a nationally recognized express courier service to the addresses set forth in the Quote. No amendment of this Agreement shall be valid unless it is in writing and signed by the parties hereto. Failure of either party to require performance by the other party of any provision hereof shall in no way affect the right to require such performance at any time thereafter, nor shall the waiver by a party of a breach of any of the provisions hereof constitute a waiver of any succeeding breach. Any provision of this Agreement that is invalid or unenforceable shall not affect the validity or enforceability of the remaining terms hereof.

14. **ON-CALL SERVICES.** Upon Customer's request, Cummins shall provide on-call services (repair, emergency work or other) on the Equipment ('On-call Services'). Any On-call Services shall be invoiced to the Customer at the Cummins current hour rate (including traveling) and shall be governed by the terms and conditions of this Agreement.

15. **PRICING.** To the extent allowed by law, actual prices may vary from the price at the time of order placement, as the same will be based on prices prevailing on the date of shipment. Subject to local laws, Cummins reserves the right to adjust pricing on goods and services due to input and labor cost changes and other unforeseen circumstances beyond Cummins' control.

16. To the extent applicable, this contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability. The employee notice requirements set forth in 29 CFR Part 471, Appendix A to Subpart A, are hereby incorporated by reference into this contract.

07.25.2022

Generator Planned Equipment Maintenance



INSPECTION

INTERVALS AVAILABLE: WEEKLY, MONTHLY, QUARTERLY, SEMI-ANNUALLY OR ANNUALLY

BATTERIES AND BATTERY CHARGER

- Visually inspect battery terminal connections
- Verify electrolyte level, vent caps of all cells in the starting battery system
- Visually inspect wiring, connections and insulation
- Record battery charging functions
- Record battery information
- Record battery condition test

FUEL SYSTEM

- Visually inspect ignition system (Natural Gas and Propane Only)
- Record primary tank fuel level
- Inspect engine fuel system for leaks
- Visually inspect all engine fuel hoses, clamps, pipes, components and fittings
- Visually inspect rupture/ containment basin
- Inspect day tank and controls (if applicable)
- Optional - fuel sample for laboratory analysis*

COOLING SYSTEM

- Record coolant level
- Visually inspect for coolant leaks
- Visually inspect drive belts condition
- Verify for proper coolant heater operation
- Record jacket water temperature
- Visually inspect fan, water pump, drives and pulleys
- Visually inspect all coolant hoses, clamps and connections
- Visually inspect radiator condition
- Visually inspect louver for damage
- Visually inspect fan hub and drive pulley for mechanical damage
- Record freeze point of antifreeze protection
- Record DCA level prior to changing coolant filter
- Optional - Coolant sample for laboratory analysis*

LUBRICATION SYSTEM

- Visually inspect engine oil leaks
- Visually inspect engine oil lines and connections
- Record oil level
- Optional - Oil sample for laboratory analysis*

GENSET CONTROLS AND ACCESSORIES

- Visually inspect all engine mounted wiring, senders and devices
- Visually inspect all control mounted components and wiring
- Verify all connecting plugs are tightened and in a good condition
- Visually inspect all accessory components and wiring
- Visually inspect and test lighting indicators

INTAKE AND EXHAUST SYSTEMS

- Visually inspect air filter and housing
- Visually inspect all engine piping and connections
- Record air cleaner restriction
- Visually inspect engine exhaust system for leaks
- Visually inspect rain cap
- Optional – Air filter replacement*
- Optional - Clean crankcase breather or replace filters*

GENERAL CONDITIONS

- Visually inspect governor linkage and oil level
- Visually inspect guards
- Visually inspect enclosure
- Visually inspect engine and generator mounts
- Verify emergency stop operation

TRANSFER SWITCH

- Visually inspect controls and time delay settings
- Verify function of exercise clock and record settings from controller
- Verify remote start control operation
- Record utility / source one voltage

AFTERTREATMENT (Upon request)

- Verify DEF level
- Record DPF restriction
- Visually inspect aftertreatment and controls

SWITCHGEAR (Upon Request)

- Inspection and Full Service quote available upon request.

FULL SERVICE

INCLUDES INSPECTION

OPERATIONAL & FUNCTIONAL REVIEW OF GENERATOR CRITICAL COMPONENTS

- Inspect engine cooling fan & fan drives for excessive wear or shaft wobble
- Check all pulleys, belt tensioners, slack adjusters & idler pulleys for travel, wear & overall condition
- Inspect / lubricate drive bearings, gear or belt drives, and other shaft connecting hardware

LUBRICATION OIL & FILTRATION SERVICE

- Change engine oil
- Change oil, fuel and water filters
- Post lube services operations of genset (unloaded) at rated temperature

* Additional Charge

Any additional repairs, parts, or service which are required will be brought to the attention of the owner. Repairs will only be made after proper authorization from the owner is given to Cummins. Any additional repairs, maintenance or service performed by Cummins or a Planned Equipment Maintenance Agreement holder will be at current Cummins labor rates.

Arc flash boundary and available incident energy shall be identified and marked on equipment being serviced or maintained.



Sales and Service

MILWAUKEE WI BRANCH
800 WEST RYAN ROAD
OAK CREEK, WI 53154
Phone: 414-768-7400

PLANNED MAINTENANCE AGREEMENT

Customer Address	Customer Contact	Quote Information
MADISON WATER UTILITY	Contact: Doug Van Horn	Quote Date: 18-JAN-24
119 E OLIN AVE	Phone: 608 2664702	Quote Expires: 18-JUN-24
Madison, WI 53713	Fax: 608 210-9199	Quote Num: 214603
	Cust Id: 71674	Quoted By: John D Prill
		Quote Term: 5 Year(s)

Site Information

1	OP CENTER VSB	110 S PATERSON ST	MADISON	WI	53703
2	MADISON WELL #31	4901 TRADEWINDS PKWY	MADISON	WI	53718
3	BOOSTER STATION 215	2718 CROSSROADS DR	MADISON	WI	53718
4	HEIM BLDG	119 E OLIN AVE	MADISON	WI	53713
5	UW 20	2829 PRAIRIE RD	MADISON	WI	53719
6	UW 30	1133 MOORLAND RD	MADISON	WI	53713
7	UW 26	910 S HIGHPOINT RD	MADISON	WI	53713
8	MADISON WELL #7	1709 N SHERMAN AVE	MADISON	WI	53704
9	BOOSTER STATION 115	4701 BUNKER HILL RD	MADISON	WI	53704

Site	Unit Number	Manufacturer	Model	Prod Model	Serial Number	Type
1	OP CENTER VSB	KOHLER	GEN SET	100REZGD	SGM32KNNT	ST
2	WELL 31	KOHLER	GEN SET	KD900	3334GGDM0001	ST
3	BOOSTER 215	CUMMINS	GENSET CUMM	GTA8.36-G2	46021605	ST
4	HEIM BLDG	CUMMINS	GENSET CUMM	100.0DGCG-5689827	H040682649	ST
5	UW20	KOHLER	GENSET KOHL	450.0ROZD	604831	ST
6	UW30	KOHLER	GENSET KOHL	600.0REOZM	2068737	ST
7	WELL #126	ONAN	GEN SET	DFEK 1402774	C140654024	ST
8	WELL #7	ONAN	GEN SET	750.0DQFAA	J140750504	ST
9	BOOSTER 115	KOHLER	GEN SET	500REOZJB	SGM32DNCR	ST

Site	Unit Number	Service Event	Qty	Sell Price	Extended Price
1	OP CENTER VSB	FULL SERVICE	5	550.84	2,754.20
2	WELL 31	FULL SERVICE	5	2,632.63	13,163.15
3	BOOSTER 215	FULL SERVICE	5	635.23	3,176.15
4	HEIM BLDG	FULL SERVICE	5	556.15	2,780.75
5	UW20	FULL SERVICE	5	1,010.24	5,051.20
6	UW30	FULL SERVICE	5	1,151.88	5,759.40
7	WELL #126	FULL SERVICE	5	1,124.89	5,624.45
8	WELL #7	FULL SERVICE	5	1,755.76	8,778.80
9	BOOSTER 115	FULL SERVICE	5	1,319.68	6,598.40

Generator Planned Equipment Maintenance Quote



Sales and Service

PLANNED MAINTENANCE AGREEMENT

<u>Customer Address</u>	<u>Customer Contact</u>	<u>Quote Information</u>
MADISON WATER UTILITY 119 E OLIN AVE Madison, WI 53713	Contact: Doug Van Horn Phone: 608 2664702 Fax: 608 210-9199 Cust Id: 71674	Quote Date: 18-JAN-24 Quote Expires: 18-JUN-24 Quote Num: 214603 Quoted By: John D Prill Quote Term: 5 Year(s)

Service/Scheduled Month -

Based on previous PM schedule, services are tentatively scheduled for:

FULL SERVICE IN JUNE OF 2024, 2025, 2026, 2027 AND 2028.

BOOSTER 115 INCLUDES OIL AND FUEL SAMPLE ANALYSIS.

BOOSTER 215 INCLUDES FUEL SAMPLE ANALYSIS.

HEIM BLDG INCLUDES FUEL SAMPLE ANALYSIS.

OP CENTER VSB INCLUDES OIL AND FUEL SAMPLE ANALYSIS.

UW20 INCLUDES FUEL SAMPLE ANALYSIS.

UW30 INCLUDES OIL AND FUEL SAMPLE ANALYSIS.

WELL #126 INCLUDES FUEL SAMPLE ANALYSIS.

WELL #7 INCLUDES OIL SAMPLE ANALYSIS.

WELL 31 INCLUDES OIL SAMPLE ANALYSIS.

For any questions regarding this proposal and to continue your services without interruption, please sign the agreement and return to:

Dan Prill, Cummins Inside Sales at john.prill@cummins.com, Phone: 651-286-2223 or fax 651-286-2031

Auto Renewal Option

Planned Equipment Maintenance Agreements are designed with an automatic renewal provision. If you wish to participate in the auto renew option, please check the box below:

☐ Opt IN to Automatic Renewal

This agreement will automatically renew at the end of the term for a period equal to the original term (the Renewal Term). In such event, cost increases for the Renewal Term will not exceed 4%. Either party has the right to terminate this Agreement with thirty (30) days prior written notice unless the work has already been performed.

Payment Info

Customers with a line of credit will be invoiced after the completion of service event unless requested otherwise. Customers without a line of credit including residential customers will be invoiced annually prior to services being performed.

PO# _____

Purchase order must be made out to Cummins Inc. or Cummins Sales and Service

W9 available upon request.

Please note our payment remit to address is:

P.O. Box 772639

Detroit, MI 48277-2639

For any questions regarding your account or additional sales opportunities:



Sales and Service

PLANNED MAINTENANCE AGREEMENT

<u>Customer Address</u>	<u>Customer Contact</u>	<u>Quote Information</u>
MADISON WATER UTILITY 119 E OLIN AVE Madison, WI 53713	Contact: Doug Van Horn Phone: 608 2664702 Fax: 608 210-9199 Cust Id: 71674	Quote Date: 18-JAN-24 Quote Expires: 18-JUN-24 Quote Num: 214603 Quoted By: John D Prill Quote Term: 5 Year(s)

Stan Sandall- Planned Maintenance Territory Manager - Cummins Sales and Service
Phone 262 389 6712, Fax 414 570 7177, Email Stan.L.Sandall@cummins.com

Unless otherwise noted, quote reflects services completed during regular business hours. Additional repairs will not be performed without customer's authorization.

PM customers receive a discounted labor rate on recommended repairs for units on this agreement.

Standard Agreement Amount	\$53,686.50
Proposal Total	\$53,686.50

THERE ARE ADDITIONAL CONTRACT TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS DOCUMENT, INCLUDING LIMITATIONS OF WARRANTIES AND LIABILITY, WHICH ARE EXPRESSLY INCORPORATED HEREIN. CUSTOMER ACKNOWLEDGES THAT THE CONTRACT TERMS AND CONDITIONS HAVE BEEN READ, FULLY UNDERSTOOD, AND ACCEPTED.

Customer Approval _____

Signature: _____

Date: _____

CUMMINS INC _____

Signature: _____

Date: _____

PLANNED MAINTENANCE AGREEMENT TERMS AND CONDITIONS

These Planned Maintenance Agreement Terms and Conditions, together with the Quote on the front side and the Scope of Services, are hereinafter referred to as this 'Agreement' and shall constitute the entire agreement between the customer identified in the Quote ('Customer') and Cummins Inc. ('Cummins') and supersede any previous agreement or understanding (oral or written) between the parties with respect to the subject matter of this Agreement. Customer shall be deemed to have made an unqualified acceptance of these Terms and Conditions and it shall become a binding agreement between the parties on the earliest of the following to occur: (i) Cummins' receipt of Customer's purchase order or purchase order number; (ii) Customer's signing or acknowledgment of this Agreement; (iii) Cummins' release of Products to production pursuant to Customer's oral or written instruction or direction; (iv) Customer's payment of any amounts due to Cummins; or (v) any other event constituting acceptance under applicable law. No prior inconsistent course of dealing, course of performance, or usage of trade, if any, constitutes a waiver of or serves to explain or interpret this Agreement. Electronic transactions between Customer and Cummins will be solely governed by this Agreement, and any terms and conditions on Customer's website or other internet site will be null and void and of no legal effect on Cummins. In the event Customer delivers, references, incorporates by reference, or produces any purchase order or document, any terms and conditions related thereto: (i) shall be null and void and of no legal effect on Cummins, and (ii) this Agreement shall remain the governing terms of the transaction.

1. **SCOPE OF SERVICES; PERFORMANCE OF SERVICES.** Cummins shall perform the maintenance ('Services') on the equipment identified in the Quote ('Equipment') in accordance with the schedule specified in the Quote. The Services include those services defined in the 'Service Event' section of the Quote. No additional services or materials are included in this Agreement unless agreed upon by the parties in writing. Unless otherwise indicated in the Quote, Cummins will provide the labor and tools necessary to perform the Services and shall keep Customer's property free from accumulation of waste materials caused by Cummins' operations. Either party may terminate this Agreement with or without cause by providing thirty (30) days written notice to the other.

2. **CUSTOMER OBLIGATIONS.** Customer shall provide Cummins safe access to Customer's site and arrange for all related services and utilities necessary for Cummins to perform the Services. During the performance of the Services, Customer shall fully and completely secure all or any part of any facility where the Equipment is located to remove and mitigate any and all safety issues and risks, including but not limited to facility occupants, customers, invitees, or any third party and or property damage or work interruption arising out of the Services. Customer shall make all necessary arrangement to address and mitigate the consequences of any electrical service interruption which might occur during the Services. **CUSTOMER IS RESPONSIBLE FOR OPERATING AND MAINTAINING THE EQUIPMENT IN ACCORDANCE WITH THE OWNER'S MANUAL FOR THE EQUIPMENT.**

3. **PAYMENT TERMS.** Unless otherwise agreed to by the parties in writing and subject to credit approval by Cummins, payments are due thirty (30) days from the date of the invoice. If Customer does not have approved credit with Cummins, as solely determined by Cummins, payments are due in advance or at the time of supply of the Services. If payment is not received when due, in addition to any rights Cummins may have at law, Cummins may charge Customer eighteen percent (18%) interest annually on late payments, or the maximum amount allowed by law. Customer agrees to pay all Cummins' costs and expenses (including all reasonable attorneys' fees) related to Cummins' enforcement and collection of unpaid invoices, or any other enforcement of this Agreement by Cummins. Unless otherwise stated, the Quote excludes all applicable local, state, or federal sales and/or use or similar taxes which Cummins is required by applicable laws to collect from Customer and shall be stated on the invoice.

4. **DELAYS.** Any performance dates indicated in this Agreement are estimated and not guaranteed. Cummins shall not be liable for any delays in performance however occasioned, including any that result directly or indirectly from acts of Customer or causes beyond Cummins' control, including but not limited to acts of God, accidents, fire, explosions, flood, unusual weather conditions, acts of government authority, or labor disputes. **AS A RESULT OF THE OUTBREAK OF THE DISEASE COVID-19 ARISING FROM THE NOVEL CORONAVIRUS, TEMPORARY DELAYS IN DELIVERY, LABOUR OR SERVICES FROM CUMMINS AND ITS SUB-SUPPLIERS OR SUBCONTRACTORS MAY OCCUR. AMONG OTHER FACTORS, CUMMINS' DELIVERY OBLIGATIONS ARE SUBJECT TO CORRECT AND PUNCTUAL SUPPLY FROM OUR SUB-SUPPLIERS OR SUBCONTRACTORS, AND CUMMINS RESERVES THE RIGHT TO MAKE PARTIAL DELIVERIES OR MODIFY ITS LABOUR OR SERVICE. WHILE CUMMINS SHALL MAKE EVERY COMMERCIALY REASONABLE EFFORT TO MEET THE DELIVERY, SERVICE OR COMPLETION OBLIGATIONS SET FORTH HEREIN, SUCH DATES ARE SUBJECT TO CHANGE.**

5. **WARRANTY.** Cummins shall perform the Services in a reasonable and workmanlike manner. Parts and components supplied under this Agreement are governed by the express written manufacturer's limited warranty. No other warranty for parts or components is provided under this Agreement. All Services shall be free from defects in workmanship for a period of ninety (90) days after completion of Services. In the event of a warrantable defect in workmanship of Services supplied under this Agreement ('Warrantable Defect'), Cummins' obligation shall be solely limited to correcting the Warrantable Defect. Cummins shall correct the Warrantable Defect where (i) such Warrantable Defect becomes apparent to Customer during the warranty period; (ii) Cummins receives written notice of any Warrantable Defect within thirty (30) days following discovery by Customer; and (iii) Cummins has determined that there is a Warrantable Defect. Warrantable Defects remedied under this provision shall be subject to the remaining warranty period of the original warranty of the Services. New parts supplied during the remedy of Warrantable Defects are warranted for the balance of the warranty period still available from the original warranty of such parts. The remedies set forth in this Section 5 shall not be deemed to have failed of their essential purpose so long as Cummins is willing to correct defective Services or refund the purchase price therefor.

6. **LIMITATIONS OF WARRANTIES AND LIABILITY. THE REMEDIES PROVIDED IN THE LIMITED WARRANTY AND THIS AGREEMENT ARE THE SOLE AND EXCLUSIVE WARRANTIES AND REMEDIES PROVIDED BY CUMMINS TO THE CUSTOMER UNDER THIS AGREEMENT. EXCEPT AS SET OUT IN THE WARRANTY AND THIS AGREEMENT, AND TO THE EXTENT PERMITTED BY LAW, CUMMINS EXPRESSLY DISCLAIMS ALL OTHER REPRESENTATIONS, WARRANTIES, ENDORSEMENTS, AND CONDITIONS OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY STATUTORY OR COMMON LAW IMPLIED REPRESENTATIONS, WARRANTIES AND CONDITIONS OF FITNESS FOR A PURPOSE OR MERCHANTABILITY. NOTWITHSTANDING ANY OTHER TERM OF THIS AGREEMENT, IN NO EVENT SHALL CUMMINS, ITS OFFICERS, DIRECTORS, EMPLOYEES, OR AGENTS BE LIABLE TO CUSTOMER OR ANY THIRD PARTY FOR ANY INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES OF ANY KIND (INCLUDING WITHOUT LIMITATION DOWNTIME, LOSS OF PROFIT OR REVENUE, LOSS OF DATA, LOSS OF OPPORTUNITY, DAMAGE TO GOODWILL, AND DAMAGES CAUSED BY DELAYS) IN ANY WAY RELATED TO OR ARISING FROM CUMMINS' SUPPLY OF PARTS OR SERVICES UNDER THIS AGREEMENT. IN NO EVENT SHALL CUMMINS' LIABILITY TO CUSTOMER OR ANY THIRD PARTY CLAIMING DIRECTLY THROUGH CUSTOMER OR ON CUSTOMER'S BEHALF UNDER THIS AGREEMENT EXCEED THE TOTAL COST OF PARTS AND SERVICES SUPPLIED BY CUMMINS UNDER THIS AGREEMENT. BY ACCEPTANCE OF THIS AGREEMENT, CUSTOMER ACKNOWLEDGES CUSTOMER'S SOLE REMEDY AGAINST CUMMINS FOR ANY LOSS SHALL BE THE REMEDY PROVIDED HEREIN.**

7. **INDEMNITY.** Customer shall indemnify, defend and hold harmless Cummins from and against any and all claims, actions, costs, expenses, damages and liabilities, including reasonable attorneys' fees, brought against or incurred by Cummins related to or arising out of this Agreement or the Services supplied under this Agreement (collectively, the 'Claims'), where such Claims were caused or contributed to by, in whole or in part, the acts, omissions, fault or negligence of the Customer. Customer shall present any Claims covered by this indemnity to its insurance carrier unless Cummins directs that the defense will be handled by Cummins' legal counsel at Customer's expense.

8. **CONFIDENTIALITY.** Each party shall keep confidential any information received from the other that is not generally known to the public and at the time of disclosure, would reasonably be understood by the receiving party to be proprietary or confidential, whether disclosed in oral, written, visual, electronic or other form, and which the receiving party (or agents) learns in connection with this Agreement including, but not limited to: (a) business plans, strategies, sales, projects and analyses; (b) financial information, pricing, and fee structures; (c) business processes, methods and models; (d) employee and supplier information; (e) specifications; and (f) the terms and conditions of this Agreement. Each party shall take necessary steps to ensure compliance with this provision by its employees and agents.

9. **GOVERNING LAW.** This Agreement and all matters arising hereunder shall be governed by and construed in accordance with the laws of the State of Indiana without giving effect to any choice or conflict of law provision. The parties agree that the courts of the State of Indiana shall have exclusive jurisdiction to settle any dispute or claim arising in connection with this Agreement.

10. **INSURANCE.** Upon Customer's request, Cummins will provide to Customer a Certificate of Insurance evidencing Cummins' relevant insurance coverage.

11. **ASSIGNMENT.** This Agreement shall be binding on the parties and their successors and assigns. Customer shall not assign this Agreement without the prior written consent of Cummins.

12. **INTELLECTUAL PROPERTY.** Any intellectual property rights created by either party, whether independently or jointly, in the course of the performance of this Agreement or otherwise related to Cummins pre-existing intellectual property or subject matter related thereto, shall be Cummins' property. Customer agrees to assign, and does hereby assign, all right, title, and interest to such intellectual property to Cummins. Any Cummins pre-existing intellectual property shall remain Cummins' property. Nothing in this Agreement shall be deemed to have given Customer a licence or any other rights to use any of the intellectual property rights of Cummins.

13. **MISCELLANEOUS.** Cummins shall be an independent contractor with respect to the Services performed under this Agreement. All notices under this Agreement shall be in writing and be delivered personally, mailed via first class certified or registered mail, or sent by a nationally recognized express courier service to the addresses set forth in the Quote. No amendment of this Agreement shall be valid unless it is in writing and signed by the parties hereto. Failure of either party to require performance by the other party of any provision hereof shall in no way affect the right to require such performance at any time thereafter, nor shall the waiver by a party of a breach of any of the provisions hereof constitute a waiver of any succeeding breach. Any provision of this Agreement that is invalid or unenforceable shall not affect the validity or enforceability of the remaining terms hereof.

14. **ON-CALL SERVICES.** Upon Customer's request, Cummins shall provide on-call services (repair, emergency work or other) on the Equipment ('On-call Services'). Any On-call Services shall be invoiced to the Customer at the Cummins current hour rate (including traveling) and shall be governed by the terms and conditions of this Agreement.

15. **PRICING.** To the extent allowed by law, actual prices may vary from the price at the time of order placement, as the same will be based on prices prevailing on the date of shipment. Subject to local laws, Cummins reserves the right to adjust pricing on goods and services due to input and labor cost changes and other unforeseen circumstances beyond Cummins' control.

16. To the extent applicable, this contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability. The employee notice requirements set forth in 29 CFR Part 471, Appendix A to Subpart A, are hereby incorporated by reference into this contract.

07.25.2022

Generator

Planned Equipment Maintenance

INSPECTION



INTERVALS AVAILABLE: WEEKLY, MONTHLY, QUARTERLY, SEMI-ANNUALLY OR ANNUALLY

BATTERIES AND BATTERY CHARGER

- Visually inspect battery terminal connections
- Verify electrolyte level, vent caps of all cells in the starting battery system
- Visually inspect wiring, connections and insulation
- Record battery charging functions
- Record battery information
- Record battery condition test

FUEL SYSTEM

- Visually inspect ignition system (Natural Gas and Propane Only)
- Record primary tank fuel level
- Inspect engine fuel system for leaks
- Visually inspect all engine fuel hoses, clamps, pipes, components and fittings
- Visually inspect rupture/ containment basin
- Inspect day tank and controls (if applicable)
- Optional - fuel sample for laboratory analysis*

COOLING SYSTEM

- Record coolant level
- Visually inspect for coolant leaks
- Visually inspect drive belts condition
- Verify for proper coolant heater operation
- Record jacket water temperature
- Visually inspect fan, water pump, drives and pulleys
- Visually inspect all coolant hoses, clamps and connections
- Visually inspect radiator condition
- Visually inspect louver for damage
- Visually inspect fan hub and drive pulley for mechanical damage
- Record freeze point of antifreeze protection
- Record DCA level prior to changing coolant filter
- Optional - Coolant sample for laboratory analysis*

LUBRICATION SYSTEM

- Visually inspect engine oil leaks
- Visually inspect engine oil lines and connections
- Record oil level
- Optional - Oil sample for laboratory analysis*

GENSET CONTROLS AND ACCESSORIES

- Visually inspect all engine mounted wiring, senders and devices
- Visually inspect all control mounted components and wiring
- Verify all connecting plugs are tightened and in a good condition
- Visually inspect all accessory components and wiring
- Visually inspect and test lighting indicators

INTAKE AND EXHAUST SYSTEMS

- Visually inspect air filter and housing
- Visually inspect all engine piping and connections
- Record air cleaner restriction
- Visually inspect engine exhaust system for leaks
- Visually inspect rain cap
- Optional – Air filter replacement*
- Optional - Clean crankcase breather or replace filters*

GENERAL CONDITIONS

- Visually inspect governor linkage and oil level
- Visually inspect guards
- Visually inspect enclosure
- Visually inspect engine and generator mounts
- Verify emergency stop operation

TRANSFER SWITCH

- Visually inspect controls and time delay settings
- Verify function of exercise clock and record settings from controller
- Verify remote start control operation
- Record utility / source one voltage

AFTERTREATMENT (Upon request)

- Verify DEF level
- Record DPF restriction
- Visually inspect aftertreatment and controls

SWITCHGEAR (Upon Request)

- Inspection and Full Service quote available upon request.

FULL SERVICE

INCLUDES INSPECTION

OPERATIONAL & FUNCTIONAL REVIEW OF GENERATOR CRITICAL COMPONENTS

- Inspect engine cooling fan & fan drives for excessive wear or shaft wobble
- Check all pulleys, belt tensioners, slack adjusters & idler pulleys for travel, wear & overall condition
- Inspect / lubricate drive bearings, gear or belt drives, and other shaft connecting hardware

LUBRICATION OIL & FILTRATION SERVICE

- Change engine oil
- Change oil, fuel and water filters
- Post lube services operations of genset (unloaded) at rated temperature

* Additional Charge

Any additional repairs, parts, or service which are required will be brought to the attention of the owner. Repairs will only be made after proper authorization from the owner is given to Cummins. Any additional repairs, maintenance or service performed by Cummins or a Planned Equipment Maintenance Agreement holder will be at current Cummins labor rates.

Arc flash boundary and available incident energy shall be identified and marked on equipment being serviced or maintained.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85088

File ID: 85088

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/04/2024

File Name: Create a new 1.0 FTE LTE Administrative Analyst 3 (CG18, R10) in the 2024 Traffic Engineering operating budget, which is funded by a Federal grant.

Final Action:

Title: Create a new 1.0 FTE LTE Administrative Analyst 3 (CG18, R10) in the 2024 Traffic Engineering operating budget, which is funded by a Federal grant.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 37.

Sponsors: Director of Human Resources

Effective Date:

Attachments: FC Memo TE Admin Anal 3 LTE 8-2024.pdf

Enactment Number:

Author: Yang Tao, Director of Traffic Engineering

Hearing Date:

Entered by: ALarson2@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Ryan Pennington	Approve	9/24/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Traffic Engineering Division	09/04/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	FINANCE COMMITTEE		09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE						
1	FINANCE COMMITTEE	09/16/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass

Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 85088

Fiscal Note

The proposed resolution creates a limited term 1.0 FTE Administrative Analyst 3 position within Traffic Engineering. The total cost of the position, including salary and benefits, is \$102,000 and will be funded entirely from federal grants through the Safe Streets and Roads for All program. This position will be responsible for the implementation of alcohol harm reduction and prevention strategies to reduce the burden of alcohol related crashes in the City of Madison.

Title

Create a new 1.0 FTE LTE Administrative Analyst 3 (CG18, R10) in the 2024 Traffic Engineering operating budget, which is funded by a Federal grant.

Body

Resolution to create a new 1.0 FTE LTE (limited term employment) position of Administrative Analyst 3 (CG18, R10) in the Traffic Engineering Division 2024 operating budget, thereof.

Compensation Group/Range	2024 Annual Minimum (Step 1)	2024 Annual Maximum (Step 5)	2024 Annual Maximum (+12% longevity)
18/10	\$81,047.46	\$97,404.58	\$109,093.14

TO: Finance Committee

FROM: Emaan Abdel-Halim, Human Resources

DATE: 20 August 2024

SUBJECT: Traffic Engineering Administrative Analyst 3 - LTE

Traffic Engineering has received \$6.3 million of federal grants through the Safe Streets and Roads for All (SS4A) Program to implement safety improvement projects in Madison, with a portion specifically designated for the impaired driving reduction program. At the request of Director of Traffic Engineering Yang Tao, a limited term employment position is proposed to take on the significant amount of work added to Traffic Engineering related to this grant funded program.

This is a new LTE position will be funded by the City's Safe Streets and Roads for All (SS4A) federal grant program. This position will be responsible for the implementation of alcohol harm reduction and prevention strategies to reduce the burden of alcohol related crashes in the City of Madison. Objectives include developing a safe ride program for non-tavern league member businesses, as well as research and surveillance for 'click and collect' purchasing. The position will work both independently and in collaboration with the Public Health Program Coordinator within the Substance Use Prevention and Harm Reduction team from Dane County and Madison Public Health.

Upon reviewing the submitted position description (see attached), this position will be responsible for the program planning, development and coordination of safe ride expansion program focused on reducing impaired driving. This work will include strategic communication and coordination with the other LTE position focused on safe streets. Therefore, I recommend the position be created as an LTE in CG18, Range 10, due to the programmatic type and level of responsibilities to be performed.

The work of the proposed new position is very much in line with the current classification of Administrative Analyst 3, which describes the work as:

...journey-level of the professional Administrative Analyst series. Work is performed with a **high degree of independence within applicable policy and procedural guidelines** and may involve self-initiated work consistent with the needs of the organization. Employees are **assigned varied and responsible analytic activities and prepare substantive study recommendations for policy body consideration**. Work may include providing leadership, advice, and consultation, on a project basis.

The desired background and experience for a successful individual in this position also lines up with the training and experience requirements found in the Administrative Analyst 3 classification. Two years of directly related professional experience in budgetary development and/or program analysis, with a related bachelor's degree.

Since the Administrative Analyst 3 1 classification already exists in the City's classification scheme, the addition of Administrative Analyst 3 - LTE within the Traffic Engineering Division operating budget may be authorized directly by the Finance Committee, according to Mayoral APM 2-4. Therefore, I am recommending that the position that was funded be created as a 1.0 FTE LTE Administrative Analyst 3 position within the Traffic Engineering budget. The position is being created as an LTE because the Traffic Engineering Division was awarded funding to cover this position as for approximately two years to work on the project.

The necessary resolution to implement this recommendation has been drafted.

Editor's Note:

Compensation Group/Range	2024 Annual Minimum (Step 1)	2024 Annual Maximum (Step 5)	2024 Annual Maximum +12% longevity
18/10	\$81,047.46	\$97,404.58	\$109,093.14

cc: Yang Tao - Director of Traffic Engineering
Renee Calloway – Assistant Director of Traffic Engineering
Tom Mohr – Assistant Director of Traffic Engineering
Erin Hillson – HR Director



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85140

File ID: 85140

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/06/2024

File Name: Ready for Reuse Brownfields Cleanup Loan

Final Action:

Title: Authorizing the City of Madison to apply to the Wisconsin Department of Natural Resources for a Ready for Reuse Brownfields Cleanup zero-interest loan in an amount not to exceed \$1,027,300 for the purpose of assisting in the remediation of contaminated soil at Huxley Yards (2007 Roth Street). (District 12)

Notes: To be introduced from the floor 9/10/24

CC Agenda Date: 09/24/2024

Agenda Number: 38.

Sponsors: Amani Latimer Burris And Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author: Tom Otto, Economic Development Specialist

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/9/2024	Maggie McClain	Approve	9/26/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	09/06/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Refer	FINANCE COMMITTEE	09/16/2024		Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.						
	Notes: Additional Referral to Sustainable Madison Committee (9/23/24)						
1	FINANCE COMMITTEE	09/11/2024	Referred	SUSTAINABLE MADISON COMMITTEE			

Action Text: This Resolution was Referred to the SUSTAINABLE MADISON COMMITTEE

1 FINANCE COMMITTEE 09/16/2024 RECOMMEND TO
COUNCIL TO
ADOPT - REPORT
OF OFFICER

Pass

Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Text of Legislative File 85140

Fiscal Note

The proposed resolution authorizes the City of Madison to apply to the Wisconsin Department of Natural Resources (WDNR) for a Ready for Reuse Brownfields Cleanup zero-interest loan for the purpose of assisting in the remediation of contaminated soil around the View, Victoria, and Conway at the Huxley Yards property. A separate resolution will be required to authorize acceptance of the loan, amend the Economic Development Division's adopted budget to reflect the loan, and to approve the terms and conditions of a loan agreement between the City and the WDNR; as well as to approve the terms and conditions of a loan agreement between the City and Lincoln Avenue Capital Management, LLC.

Title

Authorizing the City of Madison to apply to the Wisconsin Department of Natural Resources for a Ready for Reuse Brownfields Cleanup zero-interest loan in an amount not to exceed \$1,027,300 for the purpose of assisting in the remediation of contaminated soil at Huxley Yards (2007 Roth Street). (District 12)

Body

WHEREAS, Lincoln Ave Capital Management, LLC acting through its affiliates Roth Street 1, limited partnership and Roth Street II, limited partnership, and Conway at Huxley, LLC (collectively, the "Developer") have commenced construction on a redevelopment of Huxley Yards (formerly known as the Hartmeyer site) located at 2007 Roth Street (the "Redevelopment"); and,

WHEREAS, the Developer has entered into a Contract for the Construction of Public Improvements (the "Developers Agreement") for infrastructure improvements required for the Redevelopment as approved by RES-00697 adopted on November 7, 2023; and

WHEREAS, stormwater management under the Developers Agreement require substantial soil removal and management which, due to contamination, carries a cost of approximately \$1,317,000 (the "Remediation Cost"); and,

WHEREAS, the State of Wisconsin Department of Natural Resources (WDNR) administers the Ready for Reuse loan program under which it offers zero interest loans to local governments to help clean up environmental contamination at eligible brownfield sites, which funds can then be transferred to the Developer; and,

WHEREAS, the Developer has a required financial match of about \$289,700 (the "Match"); and

WHEREAS, the Developer requests that the City apply to the WDNR for funds in the amount of the Remediation Cost minus the Match which equals approximately (\$1,027,300) (the "RFR Amount"); and

WHEREAS, the Developer will repay the City, who will in turn repay the WDNR; and

WHEREAS, the Ready for Reuse program only allows for 10 year repayment, but due to the

tax credit investment for the Redevelopment, the Developer requires repayment over 20 years; and

WHEREAS, under this scenario, the WDNR would receive smaller repayments by the Developer through the City for the first 10 years with a balloon payment made by the City to the WDNR for the remaining balance at the end of Year 10; and

WHEREAS, the City is allowed to refinance this remaining debt on notes after ten years in accordance with Wis. Stat. §67.12; and

WHEREAS, the City has agreed in principle to support the Redevelopment by paying off this remaining balance owed to the WDNR with a balloon payment in Year 10, and then entering into a new 10 year loan agreement between the City and the Developer for this amount plus interest; and

WHEREAS, if the WDNR approves this application, a separate resolution will be required to authorize acceptance of the loan and to approve the terms and conditions of a loan agreement between the City and WDNR; as well as the terms and conditions of a loan agreement between the City and the Developer.

NOW THEREFORE BE IT RESOLVED that the Common Council authorizes the City to apply to the Wisconsin Department of Natural Resources for a Ready for Reuse Brownfields Cleanup loan in an amount not to exceed \$1,027,300 for the purpose of completing environmental clean-up at Huxley Yards (2007 Roth Street); and

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to negotiate the loan agreements between the City and WDNR, and between the City and Developer per the general terms outlined in this resolution; and

BE IT FINALLY RESOLVED that the Mayor and City Clerk are hereby authorized to execute and record any documents related to this transaction in a form to be approved by the City Attorney.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84624

File ID: 84624

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 07/30/2024

File Name: CSM - 1202 S Park St

Final Action:

Title: Approving a Certified Survey Map of property owned by the City of Madison located at 1202 S Park Street (District 13).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 39.

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, Application.pdf, Letter of Intent.pdf, Proposed CSM.pdf, Link to Cond Use File 84492

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/31/2024	Maggie McClain	Approve	8/19/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	07/30/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (9/9/24), Common Council (9/24/24)						
1	COMMON COUNCIL	08/06/2024	Refer	PLAN COMMISSION		09/09/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.						
1	PLAN COMMISSION	09/09/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass

Action Text: A motion was made by Guequierre, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Guequierre, seconded by Mendez, the Plan Commission found the standards met and forwarded the CSM to Common Council with a recommendation to adopt. The motion passed by voice vote/other.

Text of Legislative File 84624

Fiscal Note

No City appropriation is required with the approval of this certified survey map. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title

Approving a Certified Survey Map of property owned by the City of Madison located at 1202 S Park Street (District 13).

Body

WHEREAS a Certified Survey Map of property owned by City of Madison located at 1202 S Park Street, City of Madison, Dane County, Wisconsin has been duly filed for approval by the Plan Commission, its Secretary or their designee, as provided for in Section 16.23(4)(f) of Madison General Ordinances; and

WHEREAS Chapter 236, Wisconsin Statutes requires that the Madison Common Council approve any dedications proposed or required as part of the proposed division of the lands contained on said Certified Survey Map;

NOW THEREFORE BE IT RESOLVED that said Certified Survey Map, bond and subdivision contract, subsequent affidavits of correction, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approval of said Certified Survey Map are hereby approved by the Madison Common Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the Certified Survey Map and any of the above mentioned documents related thereto.

BE IT FURTHER RESOLVED that all dedications included in this Certified Survey Map or required as a condition of approval of this Certified Survey Map be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded Certified Survey Map in the Comprehensive Plan and any applicable neighborhood plans.



City of Madison

Conditional Use & Certified Survey Map Referral

Location

1202 S Park Street

Project Name

Park Lofts Apartments

Applicant

Julian Walters, Eminent Development Corp.
Ross Rreichel, Sketchworks Architecture, LLC

Requests

- Construct 5-story mixed-use building
- Create one lot by CSM

Public Hearing Dates

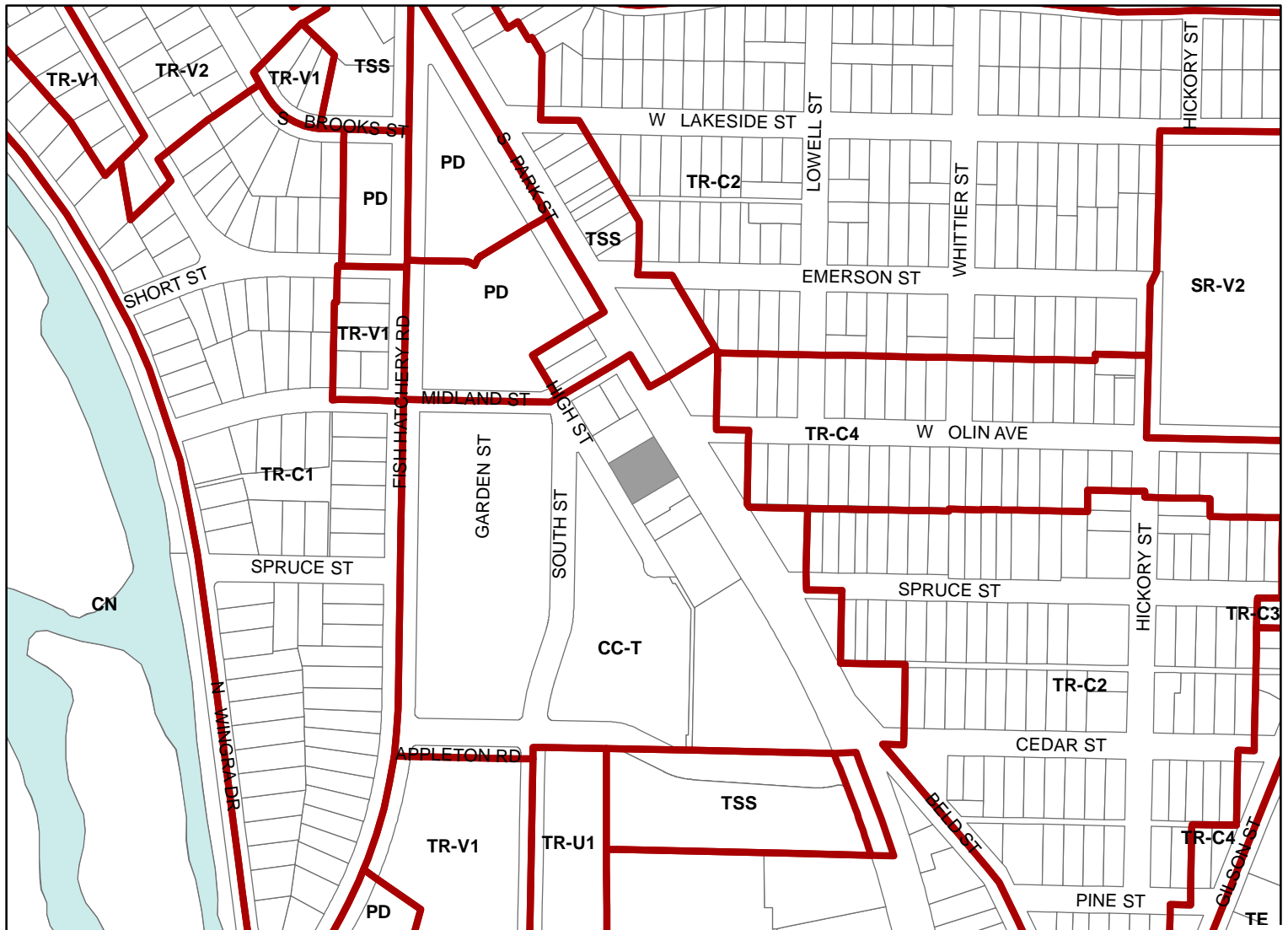
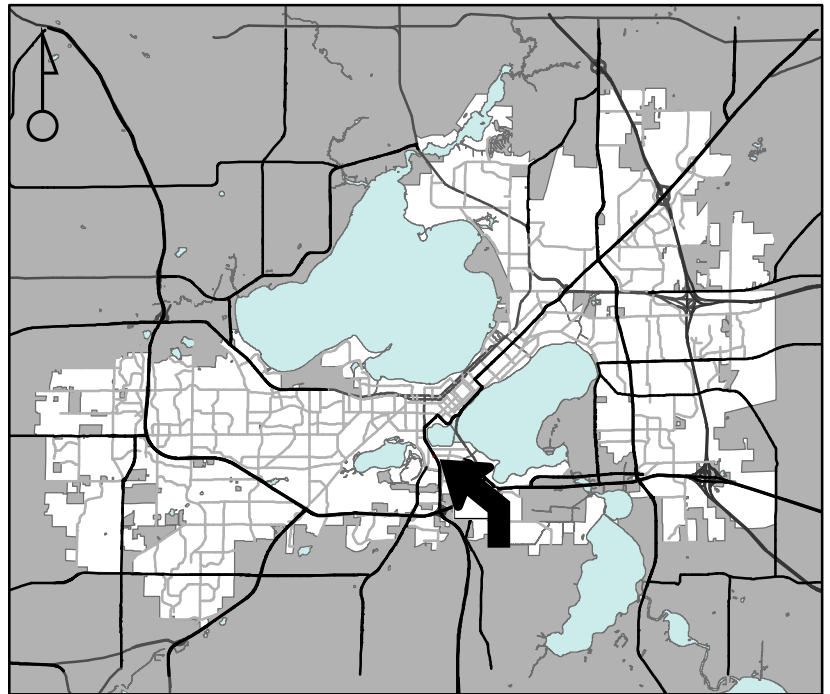
Plan Commission

September 9, 2024

Common Council

September 24, 2024 (for CSM)

For Questions Contact: Colin Punt at: 243-0455 or cpunt@cityofmadison.com or City Planning at 266-4635



Scale: 1" = 400'



SUBDIVISION APPLICATION

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:

<https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf>

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635

7/15/24 9:55 a.m.



NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance ([M.G.O. Sec. 2.40](#)). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☐ Preliminary Subdivision Plat ☐ Final Subdivision Plat ☒ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: _____

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of \$250, plus \$50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of \$250 plus \$200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: City of Madison EDD Representative, if any: _____
Street address: P.O. BOX 2983 City/State/Zip: Madison, WI 53701
Telephone: (608) 267-4933 Email: _____
Firm Preparing Survey: JSD Inc Contact: Kevin Yeska, and Jim Morrow (Surveyor)
Street address: 507 W. Verona, Ste 500 City/State/Zip: Verona, WI 53593
Telephone: 608-893-0092, 262-933-4184 Email: Kevin.Yeska@JSDinc.com, jim.morrow@JSDinc.com

Check only ONE – ALL Correspondence on this application should be sent to: ☐ Property Owner, OR ☒ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 1202 S. Park St.
Tax Parcel Number(s): 070926209052
Zoning District(s) of Proposed Lots: CC-T, Commercial Corridor-Transitional School District: Madison Metropolitan

- Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.

4a. Property Information for Properties Located Outside the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____
Date of Approval by Dane County: _____ Date of Approval by Town: _____

- For an extraterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	1		0.345
Retail/Office	1		(Same area)
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):	1		(Same Area)
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS			

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as individual PDF files in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Electronic submittals via file hosting services (such as Dropbox) are not allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in [M.G.O. Sec. 16.23 \(7\)\(a\)](#).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of [§236.20, Wis. Stats.](#)
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in [M.G.O. Secs. 16.23 \(7\)\(a\) and \(d\)](#), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the plat, preliminary plat or CSM as submitted: a) Right-of-Way lines (public and private); b) Lot lines; c) Lot numbers; d) Lot/Plat dimensions; e) Street names; f) Easement lines (i.e. all in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent:** One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.

** A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.

☐ **Report of Title and Supporting Documents:** One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in [M.G.O. Sec. 16.23](#) and as satisfactory to the Office of Real Estate Services. Note:

- The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- Do not email these files to the City's Office of Real Estate Services. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits:** One copy of the approval letters from the town where the property is located and Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Jim I. Morrow Signature: Jim Irl Morrow

Date: 7/15/24 Interest In Property On This Date: Surveyor

July 15, 2024

City of Madison
Planning Division
Urban Design Commission
Attn: Jessica Vaughn
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-4635

RE: 1202 S. Park Street
Land Use Application
Conditional Use
UDC Initial and Final Approval

Dear Commission members:

On behalf of Julian Walters (Eminent Development Corporation), Sketchworks Architecture, LLC is submitting this letter of intent for a Land Use Application and Conditional Use for a proposed mixed-use development on South Park Street.

Existing Conditions

This is a vacant lot which lies in UDC District 7. The site is void of all structures and any trees or other landscaping. Some utilities are on site; however, all will need to be improved for this new development.

New Development

The new development seeks to construct a 5-story mixed-use residential building. The core purpose of this development is designed for Youth Centered Housing, a use sought after by the City of Madison. This development will offer an affordable housing option for a demographic of young adults transitioning out of foster care households. The population may include a range from single young adults to young families with children.

The development will have 44 residential apartment units, a fitness center, club room on the 5th floor with large patio, individual storage rooms for each apartment unit, and 17 indoor parking stalls. The building will also have full-time building management personnel with their own office.

Park Lofts will also be a new location for JustDane, a non-profit company who helps underserved communities with skills to rebuild or succeed in their daily lives. JustDane will have an average of 1 full-time staff member during regular business hours, with additional staff members occasionally at this facility during larger meetings or conferences. They will have one office and a ~550 sf multi-purpose meeting room.

Site Design

We have included the design of a bus shelter on our property as requested by Madison Metro. The shelter is 3-sided, generally glass in nature, with clear anodized aluminum frames. Due to the grades in the southeast corner of our lot and the adjacent lot, we have placed the shelter approximately 13' north of the southern property line.

The site also accommodates a requested pedestrian connection from Park Street to High Street via a sidewalk along the south property line. The north side of the property is clear of all obstructions for open space, approximately 880 sf.

The upper roof will hold 2,000 sf of green roof, building mechanicals, and be solar ready.

Parking

There is limited vehicle parking along Park Street, and the bus stop will further prevent available parking immediately in front of the property. High Street has on-street parking, with an estimated 6 stalls directly adjacent to the site.

Vehicle and bicycle access to secure interior parking will occur from the west on High Street, to avoid traffic concerns on Park Street. There will be 17 vehicle stalls and 40 bicycle stalls inside the building. We also have 6 exterior bicycle stalls for short term and business use.

This development also provides 16 TDM points, with 5 points being required. Below is a list of provided components:

- Dedicated access to bike parking
- Indoor covered bike parking near entrance
- Improved surrounding pedestrian infrastructure
- Delivery support amenities
- Provides affordable housing at 60% of AMI

Additional information can be found in the submittal package.

Floor Plans

The first floor contains commercial space, accessed from Park Street, a fitness center, 2 residential units, secure bike parking, the internal garbage room, a mechanical room, and the vehicle parking garage. Floors 2-5 are all residential units (11/floor on levels 2-4, 10 on 5th floor), with the 5th floor also home to the club room and patio. Resident access would be gained from either Park Street or High Street, with an elevator placed nearest the Park Street entry.

Residential dwelling unit summary:

Studio:	6 (14%)
1-bedroom:	13 (29%)
1-bedroom + den:	7 (16%)
<u>2-bedroom:</u>	<u>18 (41%)</u>
Total Units:	44

Exterior Design

The building exterior will consist of dark, earth toned brick masonry at street level for a durable base, with khaki and dark steel blue colored fiber cement panels for a more monolithic aesthetic, plus a lighter blue vertical PVC composite siding at the northeast corner and accented on each stair tower. Glazing will be aluminum storefront at commercial spaces and common areas, and vinyl window systems at dwelling units. Railing systems will be aluminum with glass panels for all residential Juliet balconies, and the roof top patio railing system.

The bus stop shelter will be integrated to the Park Street elevation (SE corner), including a bench and canopy overhang. The structure shown is 3' deep and 10' wide with glass walls and roof, with clear anodized framing.

Development Summary:

- Current Zoning: CC-T (Commercial Corridor – Transitional)
- Property Area: 15,047 sf (approximately)
- Five-story building above grade
 - Façade is stepped back 15' at the fifth floor along Park Street
- 11,463 sf building footprint
- 44 residential dwelling units
- 750 sf commercial space
- 17 at-grade parking stalls
- 46 bicycle parking stalls
- 2,000 sf green roof

Project Schedule:

This project is seeking municipal approvals (UDC, Plan Commission, Common Council) through the end of October 2024. We are scheduled to submit for building permit review in early December 2024. Construction is planned to commence April 1, 2025, with occupancy to occur in Q1 2026.

All our design and development team members are excited to be part of this historic development and look forward to seeing how this project can help better the lives of the youth of the city.

Respectfully,



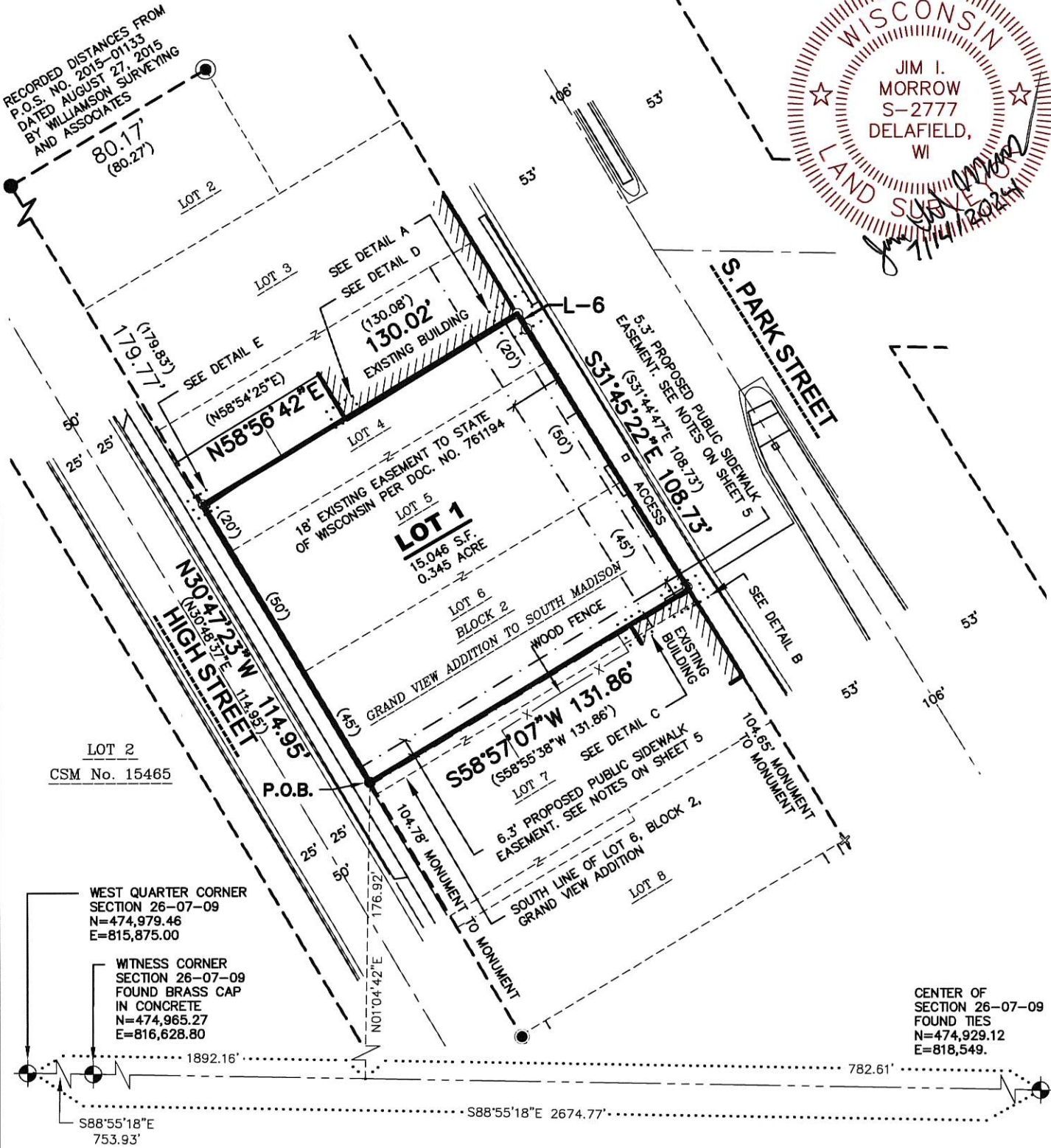
Ross Treichel, Project Manager
Sketchworks Architecture, LLC

PRELIMINARY

CERTIFIED SURVEY MAP NO.

PART OF LOTS 4 AND 6, ALL OF LOT 5, BLOCK 2, GRAND VIEW ADDITION TO SOUTH MADISON, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

RECORDED DISTANCES FROM
P.O.S. NO. 2015-01133
DATED AUGUST 27, 2015
BY WILLIAMSON SURVEYING
AND ASSOCIATES
80.17'
(80.27')



WEST QUARTER CORNER
SECTION 26-07-09
N=474,979.46
E=815,875.00

WITNESS CORNER
SECTION 26-07-09
FOUND BRASS CAP
IN CONCRETE
N=474,965.27
E=816,628.80

CENTER OF
SECTION 26-07-09
FOUND TIES
N=474,929.12
E=818,549.

LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- 1" IRON PIPE FOUND
- 3/4"x18" REBAR SET (1.5 LBS/LF)
- CHISELED 'X' FOUND
- PARCEL BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- BUILDING

NOTES

- FIELD WORK PERFORMED ON MARCH 24, 2024.
- BEARINGS ARE REFERENCED TO THE CITY OF MADISON WCCS DANE ZONE, 1997 COORDINATES. THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26-07-09, BEARS S88°55'18"E.
- LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
- THERE ARE NO BUILDINGS ON SITE.
- () DENOTES RECORD DATA DEPICTING THE SAME LINE ON THE GROUND AS RETRACED BY THIS SURVEY



LINE TABLE

LINE	BEARING	DISTANCE
L-6	S30°48'47"E	6.24'
	(S30°51'24"E)	(6.27')

SURVEYED BY:



SURVEYED FOR:

**SKETCHWORKS
ARCHITECTURE**
2501 PARMENTER ST., STE 300A
MIDDLETON, WI 53562

PROJECT NO: 23-13499

FIELDBOOK/PG: E-FILE

SHEET NO: 1 OF 6

SURVEYED BY: ZHG

DRAWN BY: JIM

VOL. _____ PAGE _____

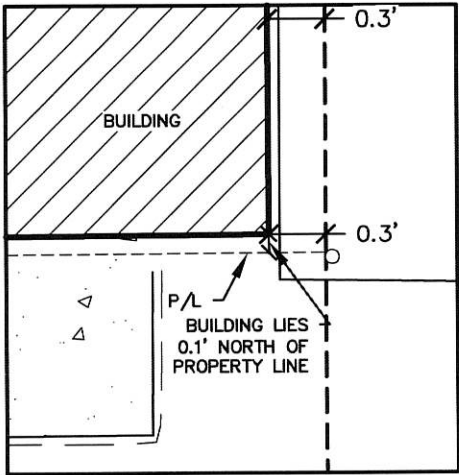
DOC. NO. _____

C.S.M. NO. _____

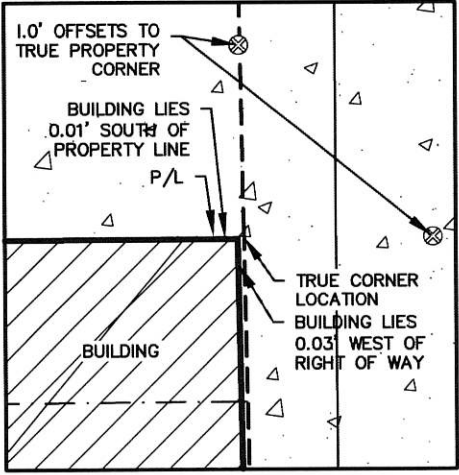
PRELIMINARY

CERTIFIED SURVEY MAP NO. _____

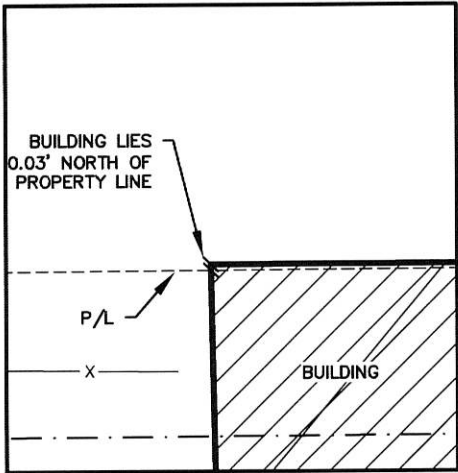
PART OF LOTS 4 AND 6, ALL OF LOT 5, BLOCK 2, GRAND VIEW ADDITION TO SOUTH MADISON, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



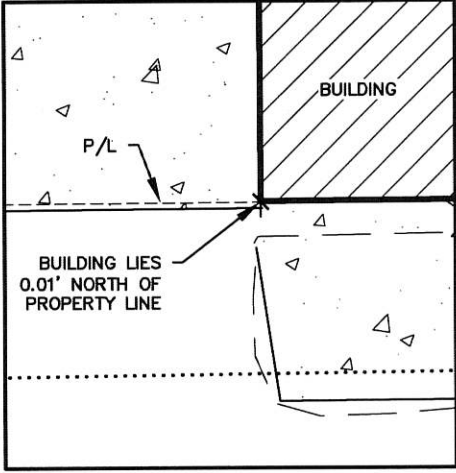
DETAIL A
SCALE 1:1



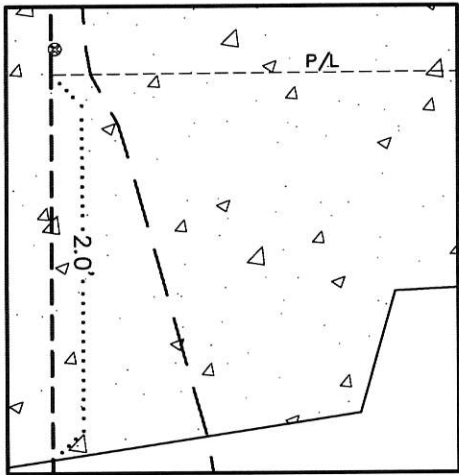
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SCALE 1:1



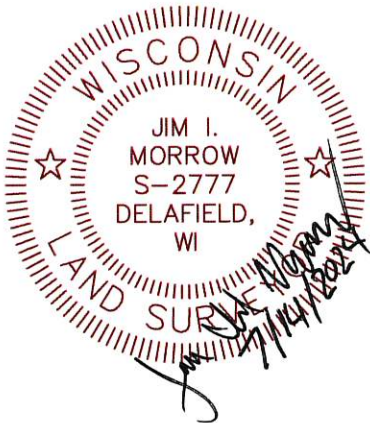
DETAIL C
SCALE 1:1




DETAIL D
SCALE 1:1



DETAIL E
SCALE 1:1



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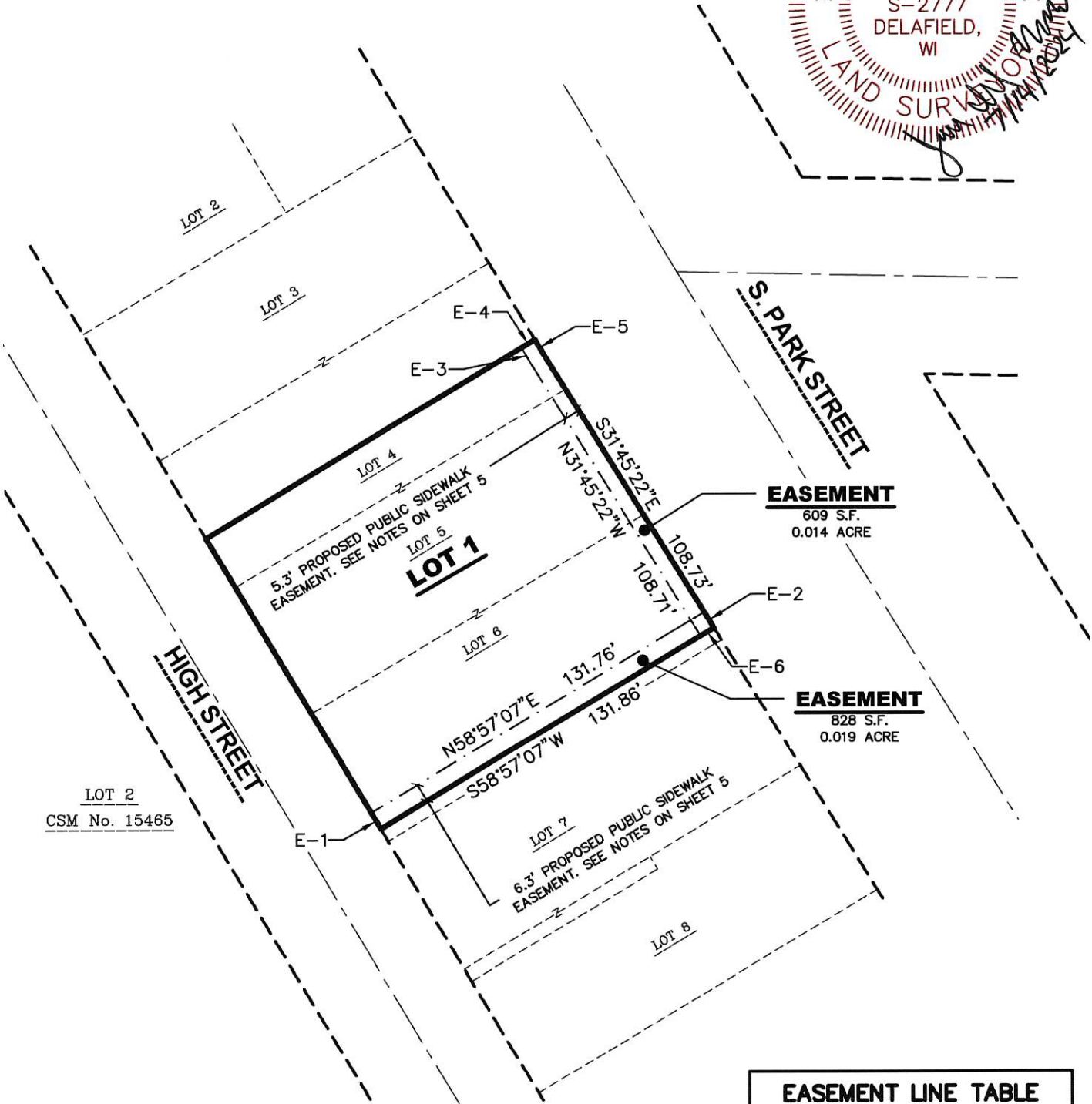
<div>SURVEYED BY:</div> <div></div> <div>MADISON REGIONAL OFFICE 507 W. VERONA AVENUE, SUITE 500 VERONA, WISCONSIN 53593 P. 608.848.5060</div>	<div>SURVEYED FOR:</div> <div>SKETCHWORKS ARCHITECTURE</div> <div>2501 PARMENTER ST., STE 300A MIDDLETON, WI 53562</div>	<div>PROJECT NO: 23-13499</div> <div>FIELDBOOK/PG: E-FILE</div> <div>SHEET NO: 2 OF 6</div>	<div>SURVEYED BY: ZHG</div> <div>DRAWN BY: JIM</div>	<div>VOL. _____ PAGE _____</div> <div>DOC. NO. _____</div> <div>C.S.M. NO. _____</div>
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PRELIMINARY

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PROPOSED PUBLIC SIDEWALK EASEMENTS

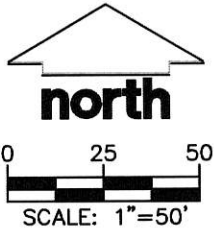


LOT 2
CSM No. 15465

EASEMENT
609 S.F.
0.014 ACRE

EASEMENT
828 S.F.
0.019 ACRE

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-1	N30°47'23"W	6.30'
E-2	S31°45'22"E	6.30'
E-3	N30°48'47"W	6.26'
E-4	N58°56'42"E	5.30'
E-5	S30°48'47"E	6.24'
E-6	S58°57'07"W	5.30'



SURVEYED BY:
JSD
MADISON REGIONAL OFFICE
507 W. VERONA AVENUE, SUITE 500
VERONA, WISCONSIN 53593
P. 608.848.5060

SURVEYED FOR:
**SKETCHWORKS
ARCHITECTURE**
2501 PARMENTER ST., STE 300A
MIDDLETON, WI 53562

PROJECT NO: 23-13499
FIELDBOOK/PG: E-FILE
SHEET NO: 3 OF 6

SURVEYED BY: ZHG
DRAWN BY: JIM

VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

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PRELIMINARY

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SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26,
TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

LEGAL DESCRIPTION

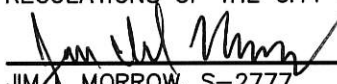
PART OF LOTS 4 AND 6, AND ALL OF LOT 5, BLOCK 2, GRAND VIEW ADDITION TO SOUTH MADISON, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 26; THENCE S88°55'18"E 1892.16 FEET ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE N01°04'42" E 176.92 FEET TO A POINT ON THE NORTH LINE OF HIGH STREET, SAID POINT ALSO THE POINT OF BEGINNING; THENCE N30°47'23"W ALONG SAID NORTH LINE OF HIGH STREET A DISTANCE OF 114.95 FEET; THENCE N58°56'42"E 130.02 FEET TO A POINT ON THE SOUTH LINE OF SOUTH PARK STREET; THENCE ALONG SAID SOUTH LINE OF SOUTH PARK STREET FOR THE FOLLOWING TWO COURSES: S30°48'47"E 6.24 FEET, AND S31°45'22"E 108.73 FEET; THENCE S58°57'07"W 131.86 FEET TO THE POINT OF BEGINNING.

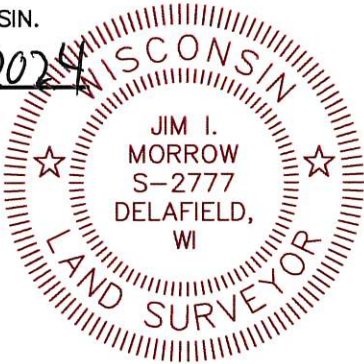
SAID PARCEL CONTAINS 15,046 SQUARE FEET OR 0.345 ACRES OF LAND.


SURVEYOR'S CERTIFICATE

I, JIM I. MORROW, PROFESSIONAL LAND SURVEYOR S-2777, DO HEREBY CERTIFY THAT BY DIRECTION OF SKETCHWORKS ARCHITECTURE, I HAVE SURVEYED, DIVIDED, AND MAPPED THE LANDS DESCRIBED HEREON, AND THAT THE MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY OF THE LANDS SURVEYED AND THE DIVISION THEREOF, IN ACCORDANCE WITH THE INFORMATION PROVIDED. I FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS IN FULL COMPLIANCE WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN.


JIM I. MORROW, S-2777
PROFESSIONAL LAND SURVEYOR

7/14/2024
DATE



<div>SURVEYED BY:</div> <div></div> <div>MADISON REGIONAL OFFICE 507 W. VERONA AVENUE, SUITE 500 VERONA, WISCONSIN 53593 P. 608.848.5060</div>	<div>SURVEYED FOR:</div> <div>SKETCHWORKS ARCHITECTURE</div> <div>2501 PARMENTER ST., STE 300A MIDDLETON, WI 53562</div>	<div>PROJECT NO:</div> <div>23-13499</div> <div>FIELDBOOK/PG:</div> <div>E-FILE</div> <div>SHEET NO:</div> <div>4 OF 6</div>	<div>SURVEYED BY:</div> <div>ZHG</div> <div>DRAWN BY:</div> <div>JIM</div>
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VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

File: \\JSD\INC\projects2\2023\2313499\DWG\Survey Sheets\2313499 P-CSM.dwg Layout: CSM 5 of 6 User: Jmorrow Plotted: Jul 14, 2024 - 2:38pm

PRELIMINARY

CERTIFIED SURVEY MAP NO. _____

PART OF LOTS 4 AND 6, AND ALL OF LOT 5, BLOCK 2, GRAND VIEW ADDITION TO SOUTH MADISON, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 07 NORTH, RANGE EIGHT 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

PUBLIC SIDEWALK EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS AND WITHIN THE EASEMENT AREA IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO THE CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY THE CITY OF MADISON FOR PUBLIC SIDEWALK. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE PUBLIC SIDEWALK AND BIKE PATH WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.


PROPERTY RESTORATION: CITY OF MADISON SHALL REPAIR ANY DAMAGE CAUSED TO ANY PAVEMENT, CONCRETE OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR THE PROPERTY AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO THE ORIGINAL GRADE AND SURFACE CONDITION INCLUDING THE REPAIR OR REPLACEMENT OF PAVEMENT, CONCRETE AND TURF.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE PUBLIC USE SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.



<div>SURVEYED BY:</div> <div></div> <div>MADISON REGIONAL OFFICE 507 W. VERONA AVENUE, SUITE 500 VERONA, WISCONSIN 53593 P. 608.848.5060</div>	<div>SURVEYED FOR:</div> <div>SKETCHWORKS ARCHITECTURE</div> <div>2501 PARMENTER ST., STE. 300A MIDDLETON, WI 53562</div>	<div>PROJECT NO: 23-13499</div> <div>FIELDBOOK/PG: E-FILE</div> <div>SHEET NO: 5 OF 6</div>	<div>SURVEYED BY: ZHG</div> <div>DRAWN BY: JIM</div>	<div>VOL. _____ PAGE _____</div> <div>DOC. NO. _____</div> <div>C.S.M. NO. _____</div>
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File: \\JSD\INC\projects2\2023\2313499\DWG\Survey Sheets\2313499 P-CSM.dwg Layout: CSM 6 of 6 User: Jmorrow Plotted: Jul 14, 2024 - 2:39pm

PRELIMINARY

CERTIFIED SURVEY MAP NO. _____

PART OF LOTS 4 AND 6, AND ALL OF LOT 5, BLOCK 2, GRAND VIEW ADDITION TO SOUTH MADISON, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26 AND IN THE NORTHWEST TOWNSHIP 07 NORTH, RANGE 09 EAST,CITY OF MADISON, DANE COUNTY, WISCONSIN

CORPORATE OWNER'S CERTIFICATE

ECONOMIC DEVELOPMENT DIVISION, CITY OF MADISON, A MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, AND MAPPED, AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES TO BE SUBMITTED TO THE CITY OF MADISON FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID MUNICIPAL CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVES THIS _____DAY OF _____, 2024.

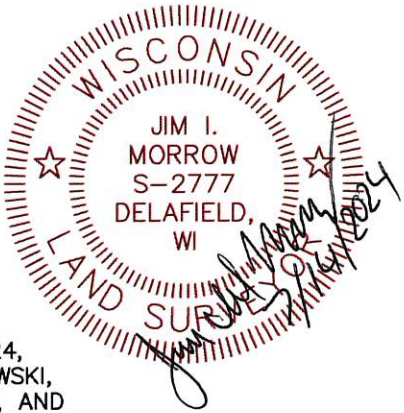
ECONOMIC DEVELOPMENT DIVISION
CITY OF MADISON

BY: _____
MATTHEW MIKOLAJEWSKI, DIRECTOR

STATE OF WISCONSIN) SS
DANE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 2024,
THE ABOVE NAMED REPRESENTATIVES OF THE ABOVE NAMED MATTHEW MIKOLAJEWSKI,
TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND
ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, DANE COUNTY, WISCONSIN MY COMMISSION EXPIRES _____



CITY OF MADISON PLAN COMMISSION APPROVAL

APPROVED FOR RECORDING PER CITY OF MADISON PLAN COMMISSION ACTION OF _____,2024.

MATTHEW WACHTER, DATE _____
SECRETARY,
CITY OF MADISON PLAN COMMISSION

CITY OF MADISON COMMON COUNCIL APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP LOCATED IN THE CITY OF MADISON WAS HEREBY APPROVED BY ENACTMENT NUMBER _____, FILE ID NUMBER _____ADOPTED ON THIS _____DAY OF _____, 2024.

MARIBETH WITZEL-BEHL, CLERK
CITY OF MADISON

OFFICE OF THE REGISTER OF DEEDS

_____ COUNTY, WISCONSIN
RECEIVED FOR RECORD _____
20__ AT _____O'CLOCK ____M
AS DOCUMENT # _____
IN VOL. _____OF CERTIFIED
SURVEY MAPS ON PAGE(S) _____
REGISTER OF DEEDS

SURVEYED BY: JSD MADISON REGIONAL OFFICE 507 W. VERONA AVENUE, SUITE 500 VERONA, WISCONSIN 53593 P. 608.848.5060	SURVEYED FOR: SKETCHWORKS ARCHITECTURE 2501 PARMENTER ST., STE 300A MIDDLETON, WI 53562	PROJECT NO: 23-13499	SURVEYED BY: ZHG
		FB/PG: E-FILE	DRAWN BY: JIM
		SHEET NO: 6 OF 6	



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84629

File ID: 84629

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 07/30/2024

File Name: Prelim Plat & Final Plat - Huxley Yards - 905 Huxley
St

Final Action:

Title: Approving the preliminary plat and final plat of *Huxley Yards* on property
addressed as 905 Huxley Street (District 12).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 40.

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, Plat Application.pdf, Letter of
Intent.pdf, Preliminary Plat.pdf, Final Plat.pdf, Staff
Comments.pdf, Staff Comments Addendum.pdf, Link
to Rezoning File 84619, Public Comment
09-08-24.pdf, Public Comments 09-09-24.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	7/31/2024	Maggie McClain	Approve	8/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	07/31/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (9/9/24), Common Council (9/24/24)						
1	COMMON COUNCIL	08/06/2024	Refer	PLAN COMMISSION		09/09/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the PLAN COMMISSION. The motion passed by voice vote/other.						

1	PLAN COMMISSION	09/09/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
Action Text: A motion was made by Guequierre, seconded by Mendez, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.				
Notes: On a motion by Guequierre, seconded by Mendez, the Plan Commission found the standards met and forwarded the preliminary and final plat to Common Council with a recommendation to adopt. The motion passed by voice vote/other.				

Text of Legislative File 84629

Fiscal Note

No City appropriation is required with the approval of this final preliminary plat. City costs associated with urban development in this area will be included in future operating and capital budgets subject to Common Council approval.

Title

Approving the preliminary plat and final plat of *Huxley Yards* on property addressed as 905 Huxley Street (District 12).

Body

WHEREAS Roth Street I, LLP filed a preliminary plat and final plat known as *Huxley Yards* on property addressed as 905 Huxley Street, City of Madison, Dane County, Wisconsin for approval by the Madison Common Council;

NOW THEREFORE BE IT RESOLVED that said preliminary plat be is hereby approved subject to all conditions as required by the reviewing City departments as required by Section 16.23 of the general ordinances of the City of Madison and all conditions noted in the Plan Commission files.

BE IT RESOLVED that the final plat of *Huxley Yards* is hereby approved subject to all conditions as required by the reviewing City departments as required by Section 16.23 of the General Ordinances of the City of Madison, subject to the conditions noted in the Plan Commission files, and that same shall be recorded with the Dane County Register of Deeds.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to sign the final plat, bond and subdivision contract, subsequent affidavits of corrections, parkland acquisition documents, easement or right-of-way release or procurement documents or any other related document or documents as deemed necessary by the Secretary of the Plan Commission in accordance with the approved plat.

BE IT FURTHER RESOLVED that the said plat is hereby added to the official map and the street grades for said plat on file in the City Engineer's Office are hereby approved.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded subdivision in the Comprehensive Plan and any applicable neighborhood plans.

BE IT FURTHER RESOLVED that all dedications included in this plat or required as a condition of approval of this plat be and are hereby accepted by the City of Madison.

BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to

this subdivision, and that the Council recognizes and adopts said revised boundaries.



City of Madison

Rezoning, Preliminary Plat and Final Plat

Location

905 Huxley Street

Project Name

Huxley Yards

Applicant

Kevin McDonell, Roth Street I Limited Partnership
Lincoln Avenue Communities
Jim Morrow & Matt Haase, JSD Professional
Services, Inc.

Requests

- Rezone from TR-U2 to RMX
- Subdivision creating two lots

Public Hearing Dates

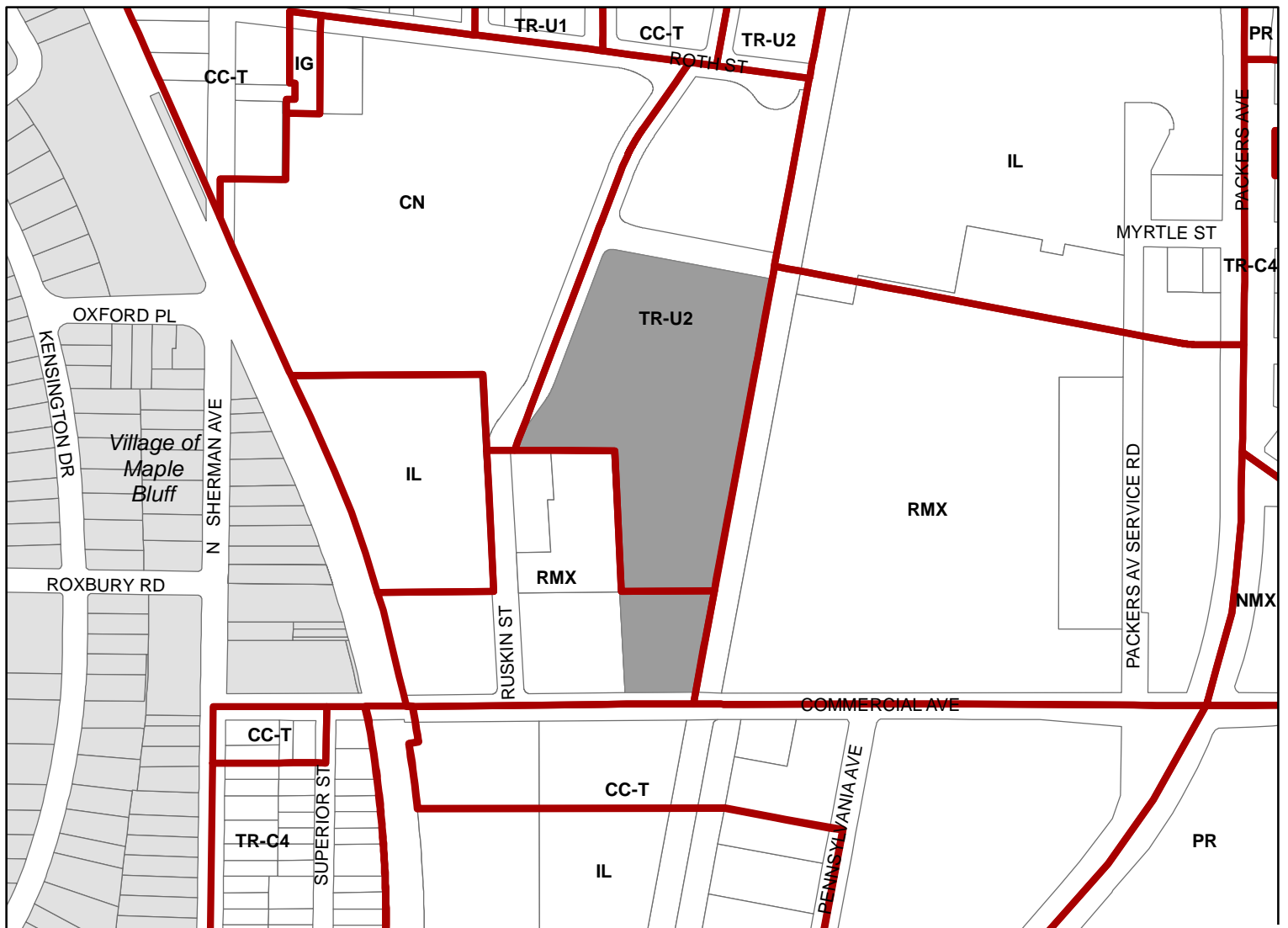
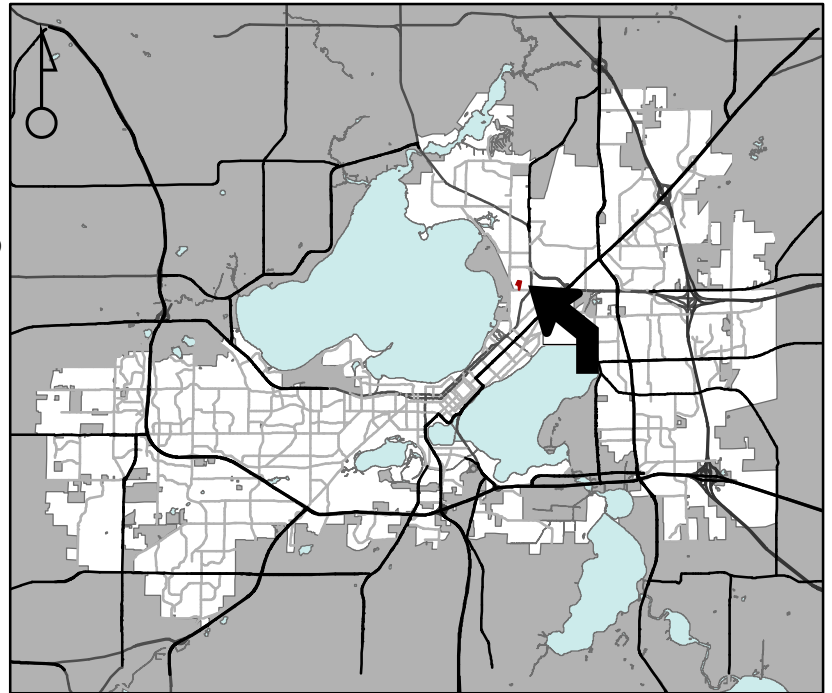
Plan Commission

September 9, 2024

Common Council

September 24, 2024

For Questions Contact: Colin Punt at: 243-0455 or cpunt@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'



SUBDIVISION APPLICATION

7/15/24 11:53 a.m.

**** Please read both pages of the application completely and fill in all required fields ****

For a digital copy of this form with fillable fields, please visit:

<https://www.cityofmadison.com/sites/default/files/city-of-madison/development-services-center/documents/SubdivisionApplication.pdf>

If you need an interpreter, translator, materials in alternate formats or other accommodations to access these forms, please call the Planning Division at (608) 266-4635.

Si necesita interprete, traductor, materiales en diferentes formatos, u otro tipo de ayuda para acceder a estos formularios, por favor llame al (608) 266-4635.

Yog tias koj xav tau ib tug neeg txhais lus, tus neeg txhais ntawv, los sis xav tau cov ntaub ntawv ua lwm hom ntawv los sis lwm cov kev pab kom paub txog cov lus qhia no, thov hu rau Koog Npaj (Planning Division) (608) 266-4635.

City of Madison
Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
(608) 266-4635



NOTICE REGARDING LOBBYING ORDINANCE: If you are seeking approval of a development that has over 40,000 square feet of non-residential space, or a residential development of over 10 dwelling units, or if you are seeking assistance from the City with a value of \$10,000 (including grants, loans, TIF or similar assistance), then you likely are subject to Madison's lobbying ordinance ([M.G.O. Sec. 2.40](#)). You are required to register and report your lobbying. Please consult the City Clerk's Office for more information. Failure to comply with the lobbying ordinance may result in fines.

1. Application Type

☒ Preliminary Subdivision Plat ☒ Final Subdivision Plat ☐ Land Division/Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: Huxley Yards

2. Review Fees

- For Preliminary and/or Final Plats, an application fee of \$250, plus \$50 per lot or outlot contained on the plat.
- For Certified Survey Maps, an application fee of \$250 plus \$200 per lot and outlot contained on the CSM.

Make checks payable to "City Treasurer" and mail it to the following address: City of Madison Building Inspection; P.O. Box 2984; Madison, WI 53701-2984. Please include a cover page with the check which includes the project address, brief description of the project, and contact information.

3. Property Owner and Agent Information

Name of Property Owner: Roth Street I LLP Representative, if any: Kevin McDonell
Street address: 401 Wilshire Blvd. 11th Floor City/State/Zip: Santa Monica, CA 90401
Telephone: 608-999-4450 Email: kevin@lincolnavenue.com
Firm Preparing Survey: JSD Professional Services, Inc. Contact: Jim Morrow & Matt Haase
Street address: 507 W. Verona Ave., Ste. 500 City/State/Zip: Verona, WI, 53593
Telephone: 608-848-5060 Email: jim.morrow@jsdinc.com & matt.haase@jsdinc.com

Check only ONE – ALL Correspondence on this application should be sent to: ☒ Property Owner, OR ☒ Survey Firm

4. Property Information for Properties Located within Madison City Limits

Parcel Addresses: 905 Huxley Street
Tax Parcel Number(s): 081031307011
Zoning District(s) of Proposed Lots: TR-US & RMX School District: MMSD

- Please include a detailed description of the number and use of all proposed lots and outlots in your letter of intent.

4a. Property Information for Properties Located Outside the Madison City Limits in the City's Extraterritorial Jurisdiction:

Parcel Addresses (note town if located outside City): _____
Date of Approval by Dane County: _____ Date of Approval by Town: _____

- For an extraterritorial request to be scheduled, approval letters from both the Town and Dane County must be submitted.

5. Subdivision Contents and Description. Complete table as it pertains to your request; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	2		8.541
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use):			
Outlots Dedicated to the Public (Parks, Stormwater, etc.)			
Outlots Maintained by a Private Group or Association			
PROJECT TOTALS	2		8.541

6. Required Submittal Materials

Digital (PDF) copies of all items listed below (if applicable) are required. Applicants are to submit each of these documents as individual PDF files in an e-mail sent to PCapplications@cityofmadison.com. The transmittal shall include the name of the project and applicant. Note that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Electronic submittals via file hosting services (such as Dropbox) are not allowed. Applicants who are unable to provide the materials electronically should contact the Planning Division at Planning@cityofmadison.com or (608) 266-4635 for assistance.

☐ **A Completed Subdivision Application Form** (i.e. both sides of this form)

☐ **Map Copies** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, the drawings must be drawn to scale and are required to provide all information as set forth in [M.G.O. Sec. 16.23 \(7\)\(a\)](#).
- For Final Plats, the drawings must be drawn to scale and drawn to the specifications of [§236.20, Wis. Stats.](#).
- For Certified Survey Maps (CSMs), the drawings shall include all of the information set forth in [M.G.O. Secs. 16.23 \(7\)\(a\) and \(d\)](#), including existing site conditions, the nature of the proposed division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.

For Plat & CSMs, in addition to the PDF copy, a digital CADD file shall also be submitted in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the plat, preliminary plat or CSM as submitted: a) Right-of-Way lines (public and private); b) Lot lines; c) Lot numbers; d) Lot/Plat dimensions; e) Street names; f) Easement lines (i.e. all in title and shown on the plat or CSM including wetland & floodplain boundaries.)

☐ **Letter of Intent:** One copy of a letter describing the proposed subdivision or land division in detail including, but not limited to:

- The number and type/use of the lots and outlots proposed with this subdivision or land division, including any outlots to be dedicated to the public;
- Existing conditions and uses of the property;
- Phasing schedule for the project, and;
- The names of persons involved (property owner(s), subdivider, surveyor, civil engineer, etc.).

* The letter of intent for a subdivision or land division may be the same as the letter of intent submitted with a concurrent Land Use Application for the same property.

** A letter of intent is not required for Subdivision Applications for lot combinations or split duplexes.

☐ **Report of Title and Supporting Documents:** One copy of a City of Madison standard 60-year Report of Title obtained from a title insurance company as required in [M.G.O. Sec. 16.23](#) and as satisfactory to the Office of Real Estate Services. Note:

- The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images of the vesting deeds and all documents listed in the Report of Title.
- Do not email these files to the City's Office of Real Estate Services. Send them instead to the email address noted at the top of this page.

☐ **For Surveys Outside the Madison City Limits:** One copy of the approval letters from the town where the property is located and Dane County shall be submitted with your request. The Plan Commission may not consider an application within its extraterritorial jurisdiction without prior approval from the town and Dane County.

7. Applicant Declarations:

The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Kevin McDonnell / Jim Morrow Signature: [Signature]

Date: 7/15/2024 Interest In Property On This Date: Land Surveyor

July 15, 2024

Mr. Bill Fruhling
Department of Planning & Community & Economic Development
Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Blvd.
Madison, WI 53703



Re: Letter of Intent - Land Use Application Submittal
905 Huxley St.
KBA Project #2401

Mr. Bill Fruhling:

The following is submitted together with the plans and application for the staff and Plan Commission's consideration of approval.

Organizational Structure:

Owner:
Lincoln Avenue Communities
401 Wilshire Blvd. #1070
Santa Monica, CA 90401
(608) 999-4450
Contact: Kevin McDonell
Email: kevin@lincolnavenue.com

Architect:
Knothe & Bruce Architects, LLC
8401 Greenway Blvd., Ste 900
Middleton, WI 53562
(608) 836-3690
Contact: Kevin Burow
Email: kburow@knothebruce.com

Engineer:
JSD
507 W. Verona Ave., Ste 500
Verona, WI 53593
(608) 848-5060
Contact: Matt Haase, PE
Email: matt.haase@jsdinc.com

Landscape Design:
JSD
507 W. Verona Ave., Ste 500
Verona, WI 53593
(608) 848-5060
Contact: Michael Siniscalchi
Email: michael.siniscalchi@JSDinc.com

Surveyor:
JSD
507 W. Verona Ave., Ste 500
Verona, WI 53593
(608) 848-5060
Contact: Jim Morrow, PLS
Email: jim.morrow@jsdinc.com

Introduction:

This proposed multi-family residential development involves the development of 905 Huxley Street located on the north side of Commercial Avenue and east of Ruskin Street, adjacent to the former

Oscar Mayer facilities. Located on the east side of Madison, the site is currently vacant. The site is newly created and currently has two zoning classifications over it. The majority of the site, which is the southern two-thirds, is zoned Regional Mixed-Use (RMX) and the northern one-third is zoned Traditional Residential - Urban 2 (TR-U2). Through discussions with Staff, we are requesting that the northern one-third be rezoned to Regional Mixed-Use (RMX) zoning for the proposed redevelopment. Along with the proposed rezoning, the development will also include a land division via subdivision plat. The subdivision will create two lots; a 1.67 acre lot for the proposed development and the remainder of existing Lot 2 of CSM 16404 will be reduced to a lot area of 6.87 acres. As part of the development review, a subdivision application will be submitted on behalf of the developer.

Project Description:

The proposed project is a mixed-use multi-family residential development consisting of 50 dwelling units and will be located within the Oscar Mayer Special Area Plan. It also includes a community service facility located within the building and will have enclosed parking within the main structure and in detached garage buildings.

This project is also adjacent to the Hartmeyer Ice Arena and easements will be formalized such that access can be maintained by the Ice Arena to the back of their facility. The proposed project is 5 stories in height with a flat roof structure that will be able to have solar panels on the roof. The redevelopment of this site with new landscaping and this active use will improve the overall quality of the site as well as for the greater neighborhood without being disruptive to the existing uses.

Parking is provided within the building along with garages and surface parking and this is all accessed from Commercial Avenue to the south of the site. Beyond the site access and parking improvements, the development will include a building community hardscape patio area on the east side of the building, adjacent to the primary entry to the building.

The proposed development will include stormwater management facilities which includes a large underground detention system within the parking lot area and a smaller rain garden in the northwest corner of the property to meet the green infrastructure requirements. There will also be a public stormwater overflow facility along the railroad for purposes of servicing the public greenway's overflow just north of the development.

This project is Phase III of the redevelopment of the Oscar Meyer lands west of the railroad corridor and the contemporary design will complement the adjacent multi-family housing to the north, currently under construction.

Sustainability:

This project will meet or exceed the standards outlined by Wisconsin Green Built Home and the roof surfaces will be utilized for solar panels.

City and Neighborhood Input:

We have engaged with the Alder, city staff and the neighborhood on this project. We met with the City on several occasions for this proposed development including a City of Madison Development Assistance meeting on 1/4/24. There was also a neighborhood meeting led by Alder Amani Latimer Burris on 7/8/24. This input has helped shape this proposed development.

Site Development Data:**Densities:**

Lot Area	72,677 S.F. / 1.67 acres
Dwelling Units	50 D.U.
Lot Area / D.U.	1,453 S.F./D.U.
Density	30 units/acre
Lot Coverage	48,115 S.F. / 66 %

Building Height:	5 Stories / 58' 3-5/8"
------------------	------------------------

Dwelling Unit Mix:

One Bedroom	12
Two Bedroom	25
<u>Three Bedroom</u>	<u>13</u>
Total	50 D.U.

Vehicle Parking:

Enclosed	41
Surface parking lot	<u>30</u>
Total	71 vehicle stalls

Bicycle Parking:

Garage Wall-Mount	13
Garage Floor-Mount	39
<u>Commercial /Guests Surface</u>	<u>10</u>
Total	62 bike stalls

Project Schedule:

It is anticipated that construction will start in Winter 2024/2025 and be completed in 2026.

Thank you for your time and consideration of our proposal.

Sincerely,

Kevin Burow, AIA, NCARB, LEED AP
Managing Member

PRELIMINARY PLAT OF HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

LEGEND

● 1" IRON PIPE FOUND	—X—X— EASEMENT LINE
● PK/MAG NAIL FOUND	—X—X— FENCE LINE
● BENCHMARK	—X—X— GUARD OR SAFETY RAIL
● BOLLARD	—X—X— EDGE OF PAVEMENT
● SIGN	—X—X— CONCRETE CURB & GUTTER
● SANITARY MANHOLE	—X—X— EDGE OF GRAVEL
● WATERMAIN OR GASMAIN VALVE	—X—X— SANITARY SEWER
● HYDRANT	—X—X— WATER LINE
● ROUND CASTED INLET	—X—X— ST STORM SEWER
● SQUARE CASTED INLET	—X—X— G NATURAL GAS
● CURB INLET	—X—X— OH OVERHEAD LINE
● STORM SEWER ACCESS	—X—X— BUILDING
● POWER POLE W/GUY	—X—X— INDEX CONTOUR
● TRAFFIC SIGNAL	—X—X— 854 INTERMEDIATE CONTOUR
● MONITORING WELL	—X—X— DELINEATED WETLANDS
● PARCEL BOUNDARY	—X—X— BITUMINOUS PAVEMENT
● CHORD LINE	—X—X— CONCRETE PAVEMENT
● CENTERLINE	—X—X— GRAVEL
● RIGHT-OF-WAY LINE	—X—X— EDGE OF BITUMINOUS
● SETBACK LINE	—X—X— END OF FLAGGED UTILITIES
● SECTION LINE	—X—X— DENOTES RECORDED AS MEASUREMENTS
● PLATTED LOT LINE	—X—X— DEPICTING THE SAME LINE ON THE
	—X—X— GROUND AS RETRACED BY THIS SURVEY

LEGEND

UTILITY EASEMENTS — NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE.

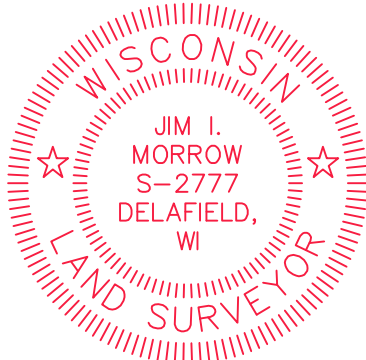
THE DISTURBANCE OF A LOT CORNER BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES.

UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THIS PLAT. THE USE OF THESE EASEMENTS IS NOT TO BE EXTENDED TO PRIVATE OR PUBLIC PRIVATE UTILITIES SUCH AS WATER, SANITARY SEWER AND STORM WATER UTILITIES, EXCEPT WHERE SPECIFICALLY NOTED ON THE PLAT.

ARROWS INDICATE THE DIRECTION OF SURFACE DRAINAGE SWALE AT INDIVIDUAL PROPERTY LINES. SAID DRAINAGE SWALE SHALL BE GRADED WITH THE CONSTRUCTION OF EACH PRINCIPAL STRUCTURE AND MAINTAINED BY THE LOT OWNER UNLESS MODIFIED WITH THE APPROVAL OF THE TOWN OF MADISON ENGINEER. THE FINAL GRADE SHALL NOT BE ALTERED BY MORE THAN 6 INCHES WITHOUT PRIOR WRITTEN CONSENT OF THE TOWN OF MADISON ENGINEER AND THE APPROPRIATE UTILITY COMPANY OR COMPANIES.

NOTES

- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, BEARS N89°57'05"E.
- ALL STREET RIGHT-OF-WAYS WITHIN THE PLAT BOUNDARY ARE HEREBY DEDICATED TO THE PUBLIC.
- DISTANCES SHOWN ALONG CURVES ARE CHORD LENGTHS.
- LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
- SEE SHEET 3 FOR TERMS AND CONDITIONS OF ALL CITY EASEMENTS.



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N03°15'11"W	33.92'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH
C-1	117.00'	23°03'29"	N24°33'11"E	46.77'	47.09'
C-2	183.00'	15°16'09"	N28°26'51"E	48.62'	48.77'
C-3	25.00'	79°53'17"	N60°45'25"E	32.10'	34.86'

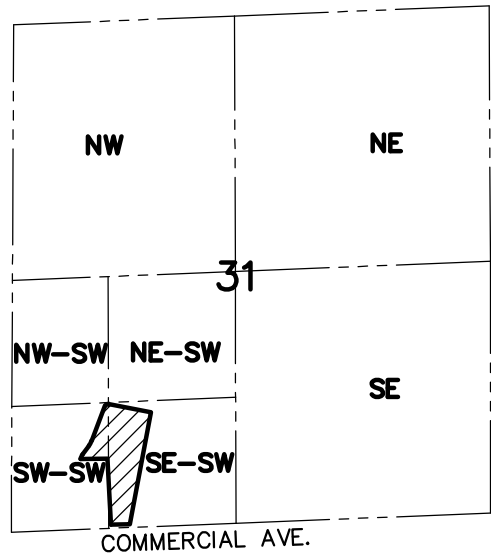
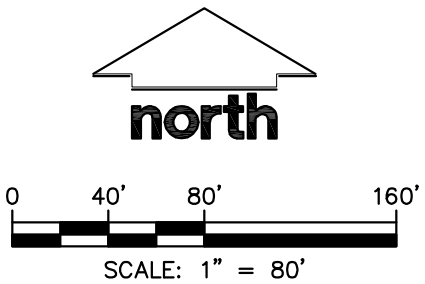
BENCHMARKS		
BENCH MARK	ELEVATION	DESCRIPTION
BM-1	857.88	TOP NUT ON HYDRANT EAST SIDE OF RUSKIN STREET, NW CORNER OF HARTMEYER ICE ARENA PARCEL
BM-2	851.64	M.A.G. NAIL FOUND, SE CORNER OF SITE, EAST SIDE OF RAILROAD, NORTH SIDE OF COMMERCIAL AVENUE.

*JSD DOES NOT GUARANTEE THAT THE BENCHMARK ELEVATIONS LISTED ON THIS MAP HAVE NOT BEEN DISTURBED SINCE THE DATE OF THE SURVEY AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION ACTIVITIES.

SANITARY SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
SAN-5	852.03	NE	846.50	12"	DI
		SW	846.47	12"	DI
SAN-6	855.96	NE	845.93	12"	DI
		SW	845.88	12"	DI
SAN-7	854.02	NE	845.24	12"	DI
		SW	845.21	12"	DI
SAN-8	852.73	NW	844.06	15"	DI
		SE	844.08	15"	DI
SAN-9	852.29	W	843.67	12"	PVC
		NW	844.25	12"	PVC
		E	843.59	15"	PVC

STORM SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
STM-5	852.51	NE	848.91	30"	RCP
		SW	848.91	30"	RCP
STM-6	852.74	NE	*	30"	RCP
		SW	*	30"	RCP
STM-7	851.71	N	847.41	30"	RCP
		W	847.41	15"	RCP
		S	847.31	30"	RCP
STM-8	851.67	E	847.87	15"	RCP
		W	846.63	3'x2.5'	BOX
STM-9	852.68	NW	*	*	*
		E	846.54	3'x2.5'	BOX
		N	849.45	12"	RCP
STM-10	852.65	W	849.67	15"	RCP
		E	849.13	15"	RCP
		W	849.12	12"	RCP
CB-1	852.40	S	849.09	12"	RCP
		W	*	*	*
INL-7	851.90	W	*	*	*

— COULD NOT SEE PIPE IN MANHOLE
* DID NOT MEASURE DEPTH OF STRUCTURE



LOCATION SKETCH
SECTION 31, T08N, R10E, DANE COUNTY

SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608) 999-4450

SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

PROJECT LOCATION:
SECTION 31
TOWNSHIP 08 NORTH
RANGE 10 EAST
CITY OF MADISON
DANE COUNTY, WI



PRELIMINARY PLAT OF HUXLEY YARDS

PROJECT NO: 22-11381	SURVEYED BY: JK	INITIAL SUBMITTAL DATE: JULY 15, 2024
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: —
		REVISION RESUBMITTAL DATE: —
		REVISION RESUBMITTAL DATE: —

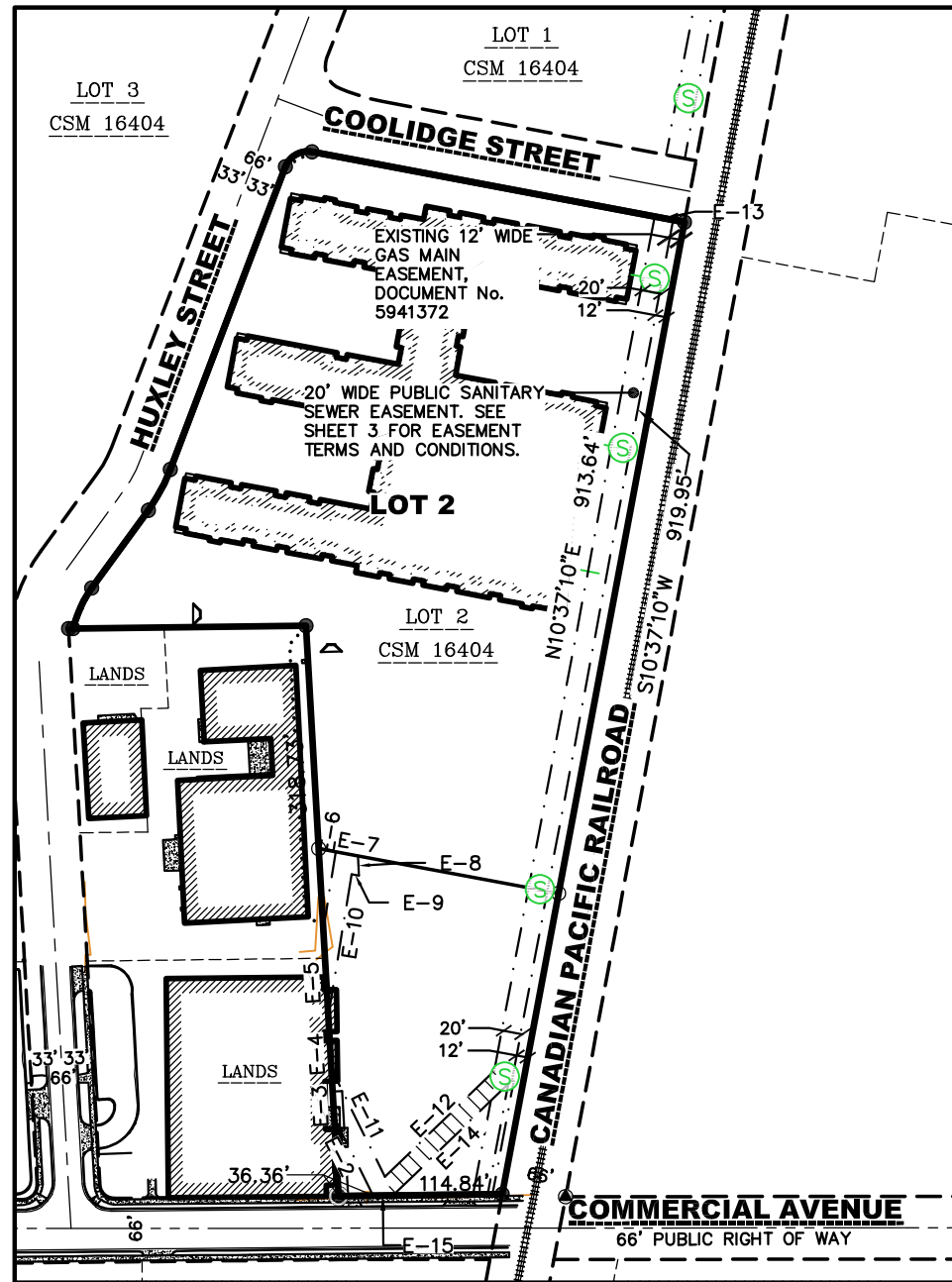
SHEET 1 OF 4

DRAFT

File: \\JSD\GIS\Projects\2023\2211381\03_Survey\Working_Files - Survey\2024-07-15_Plats\2211381_P-Plat.dwg Layout: Sheet 1 User: jsm\jacob Plot Date: Jul 15, 2024 - 9:34am

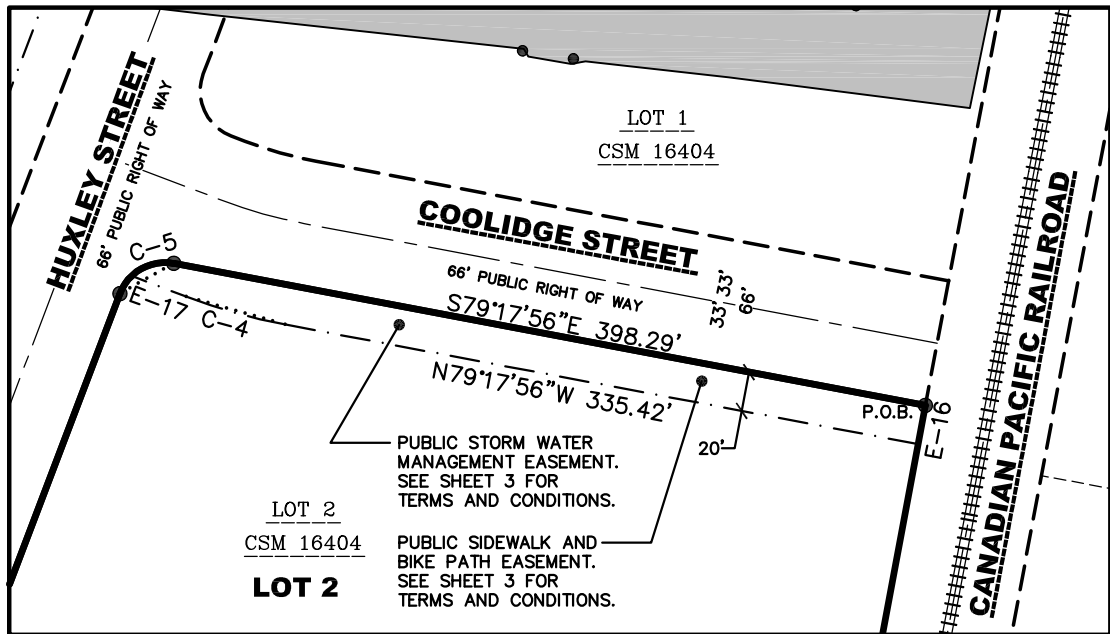
PRELIMINARY PLAT OF HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-2	N26°25'50"W	92.28'
E-3	N03°15'11"W	50.82'
E-4	N03°15'11"W	54.48'
E-5	N03°15'11"W	92.70'
E-6	N09°12'24"E	82.12'
E-7	S79°26'11"E	23.69'
E-8	S02°40'35"E	20.55'
E-9	N79°26'11"W	7.91'
E-10	S09°12'24"W	152.16'
E-11	S26°25'50"E	126.68'
E-12	N45°57'49"E	159.94'
E-13	S79°17'56"E	20.00'
E-14	S45°57'26"W	174.01'
E-15	S89°24'24"W	20.82'

PART OF EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT. SEE DETAIL 'J' FOR NEW EASEMENT

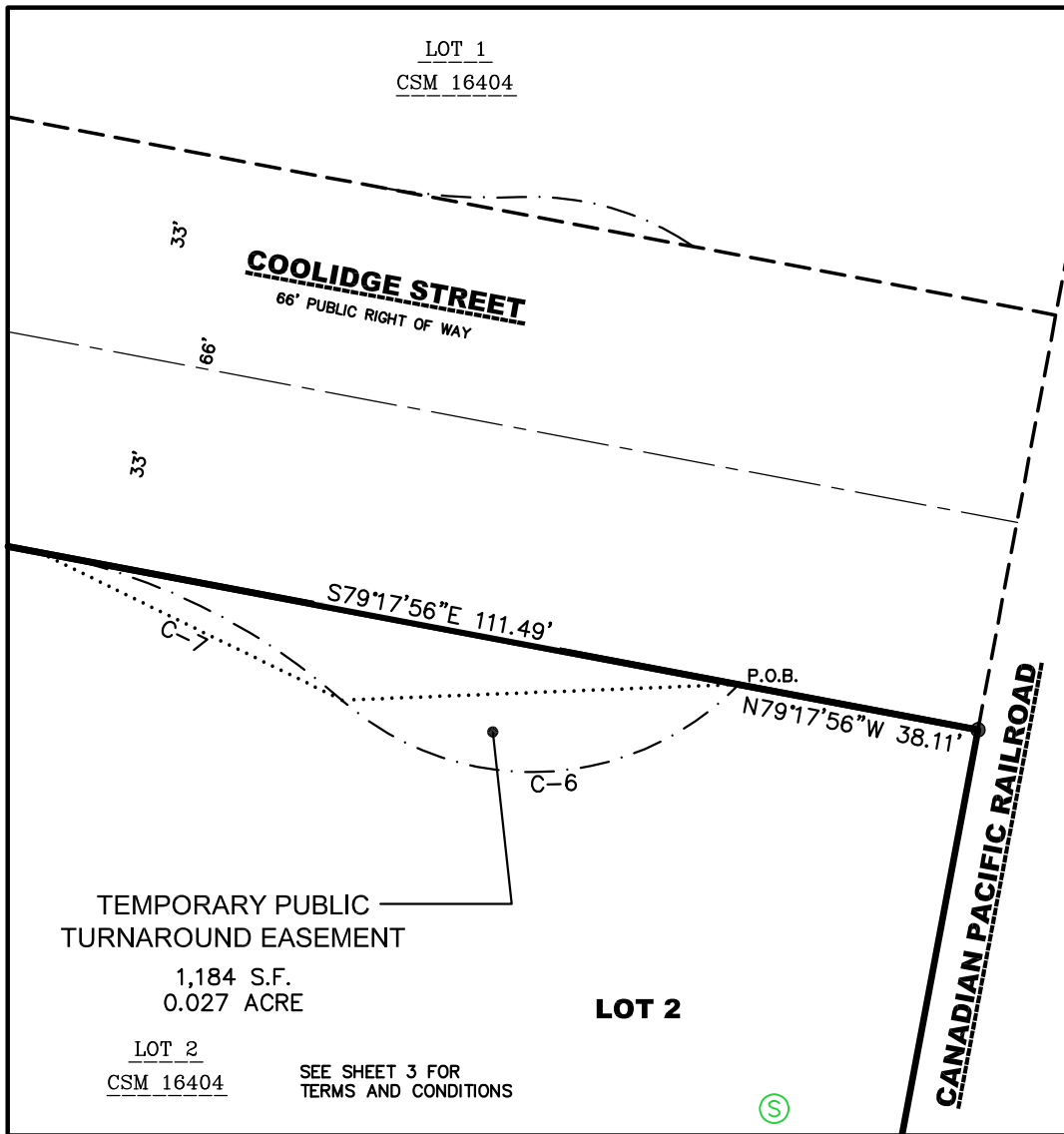


EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-16	S10°37'10"W	20.50'
E-17	N69°11'13"W	30.41'

PUBLIC STORM WATER MANAGEMENT AND PUBLIC SIDEWALK AND BIKE PATH EASEMENT

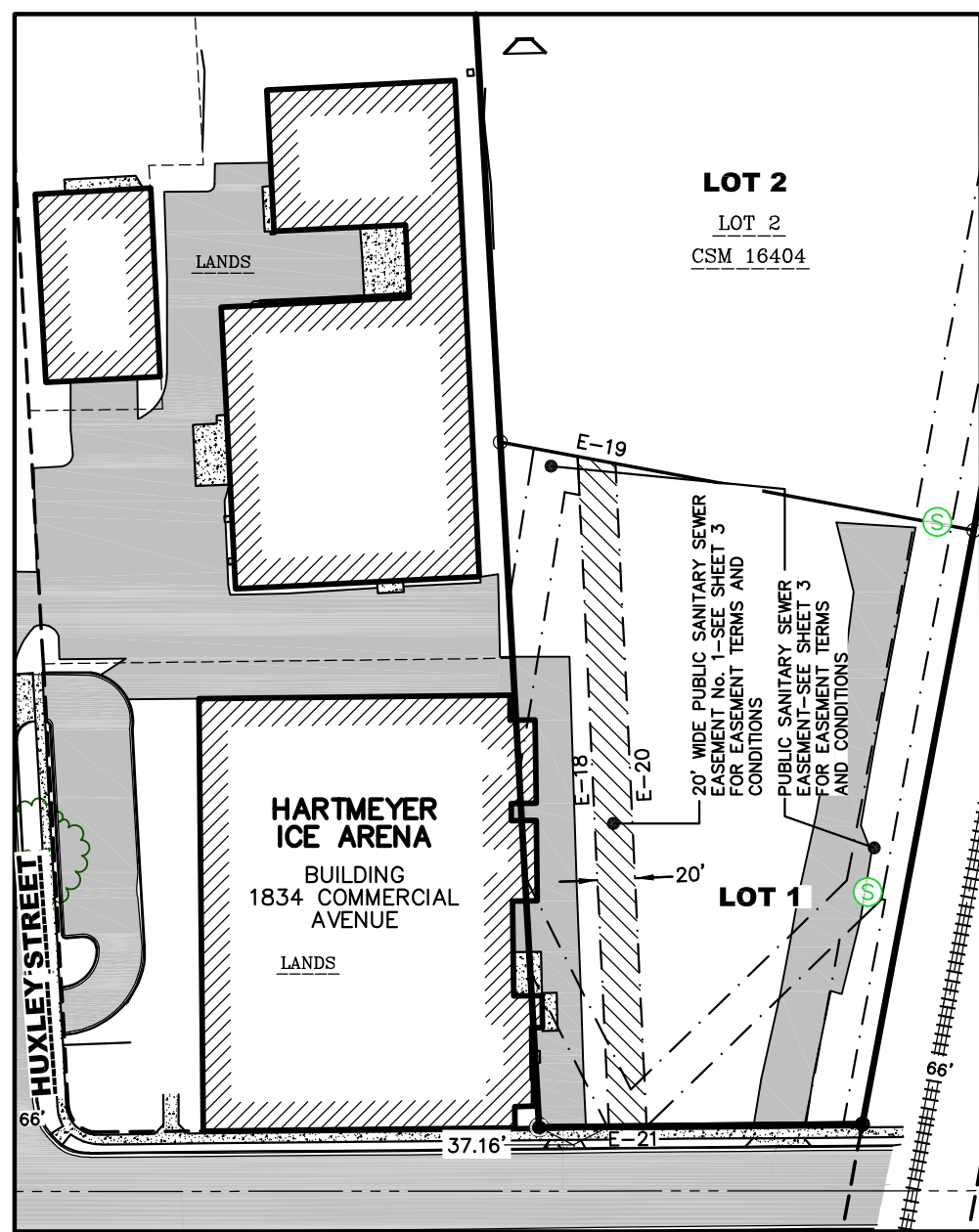
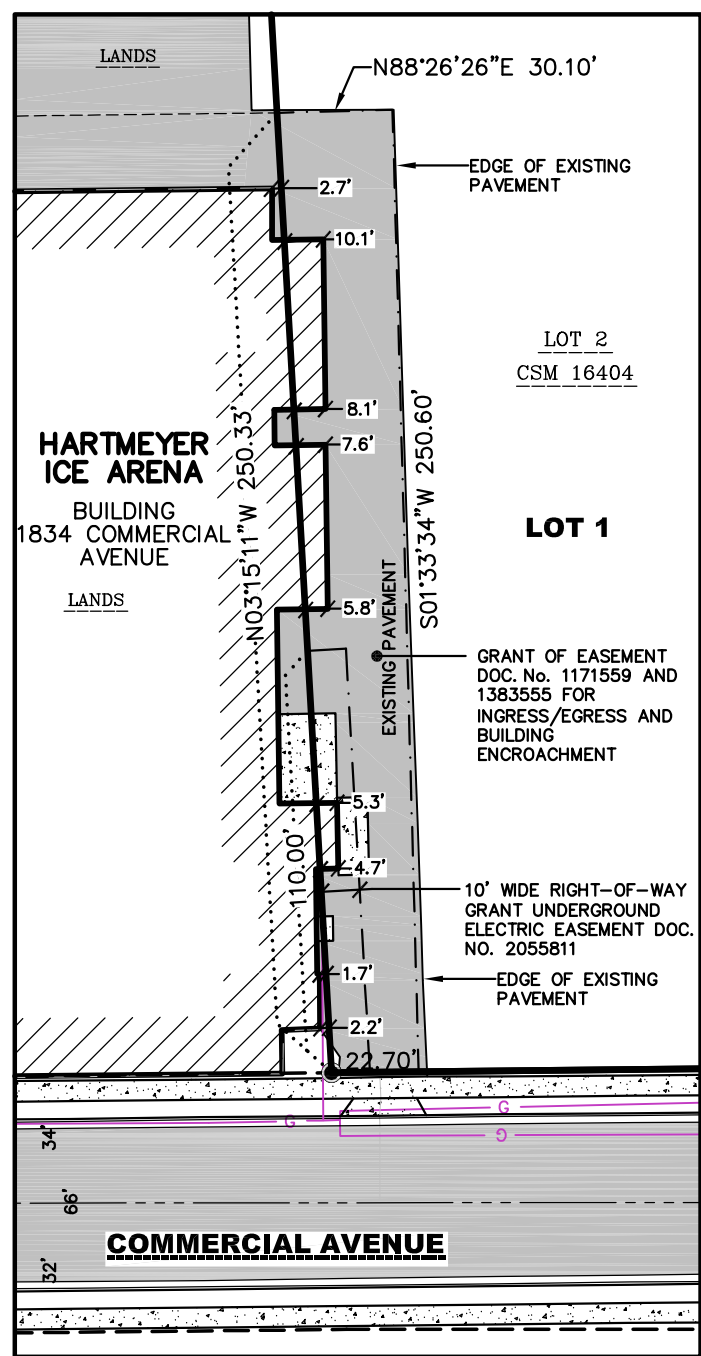
SEE TEXT ON SHEET 3
SCALE: 1" = 100'

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-4	53.56'	303.50'	10°06'43"	53.49'	N74°14'35"W
C-5	23.74'	25.00'	54°23'55"	22.85'	N73°30'07"E



EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-6	68.55'	45.00'	87°16'40"	62.11'	S87°42'25"W
C-7	53.49'	100.00'	30°38'41"	52.85'	N63°58'36"W

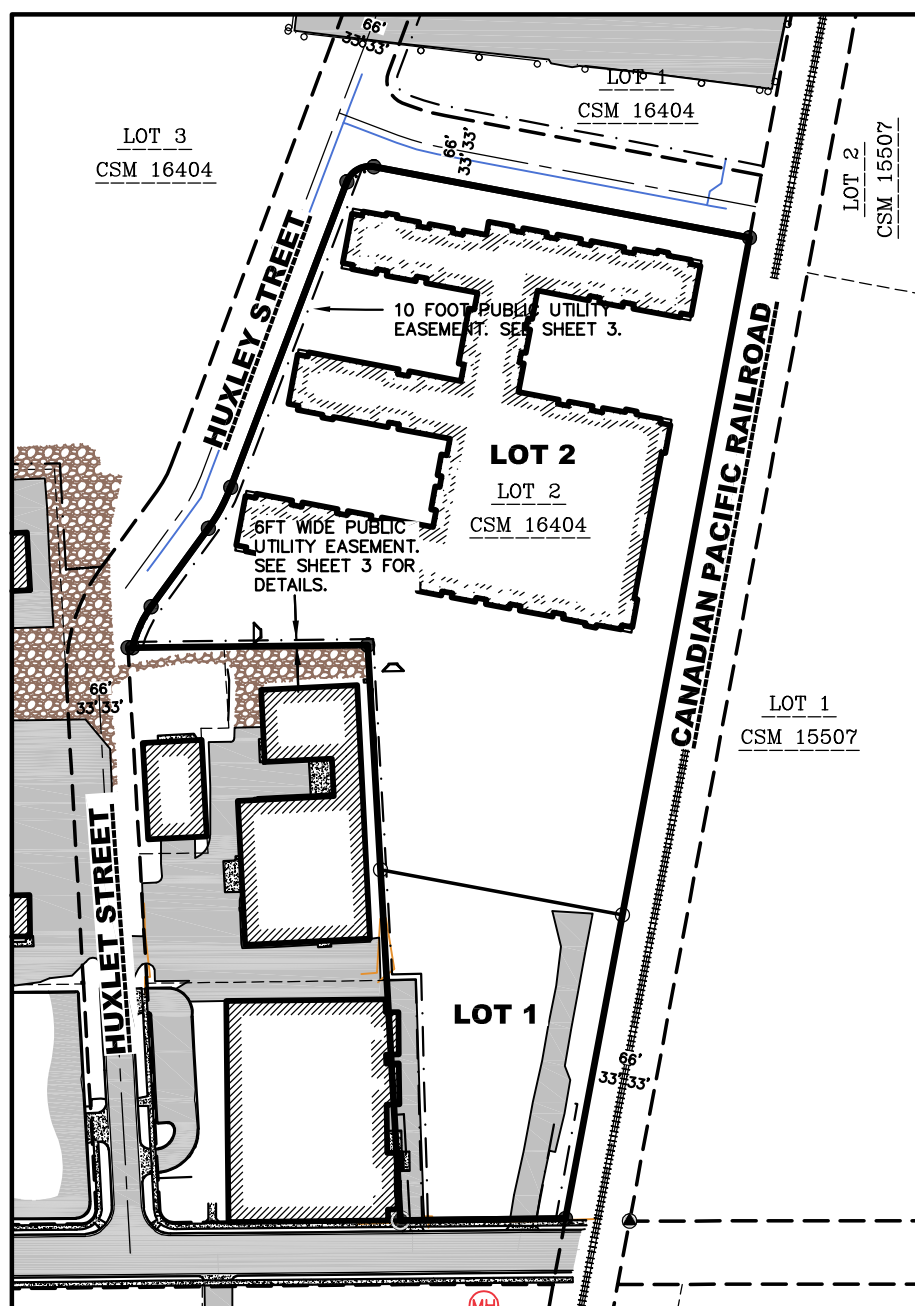
PUBLIC SANITARY EASEMENT
SEE TEXT ON SHEET 3
SCALE: 1" = 200'



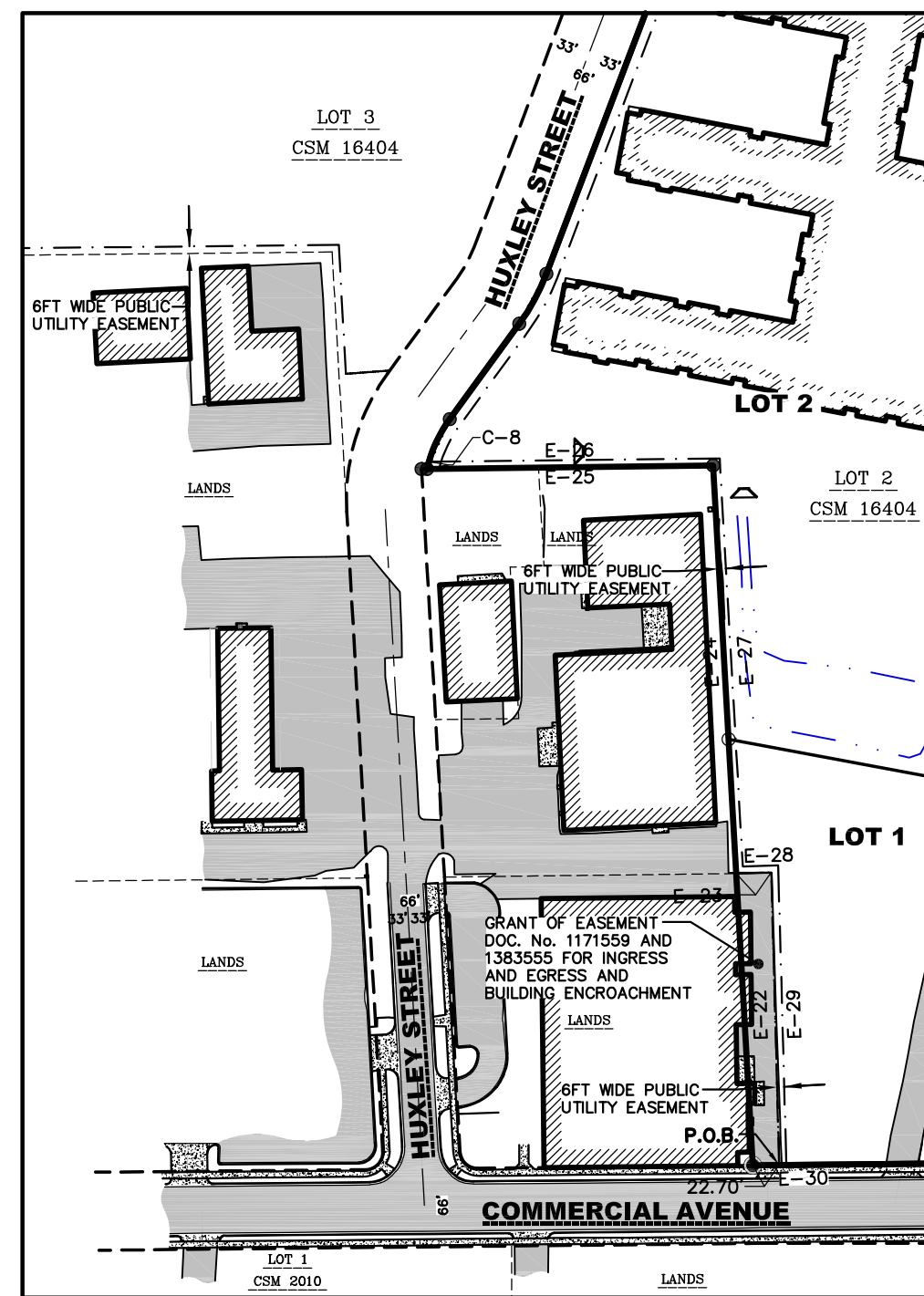
PUBLIC SANITARY EASEMENT
SEE TEXT ON SHEET 3
SCALE: 1" = 100'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-18	N02°40'35"W	357.41'
E-19	S79°26'11"E	20.55'
E-20	S02°40'35"E	353.43'
E-21	S89°24'24"W	20.01'

EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT



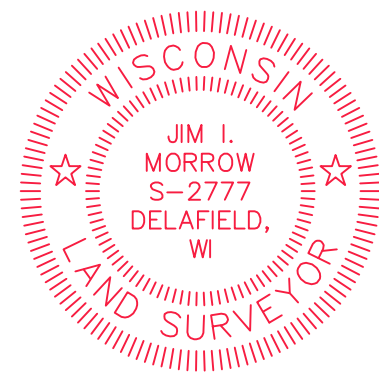
PUBLIC UTILITY EASEMENTS
SEE TEXT ON SHEET 3
SCALE: 1" = 200'



PUBLIC UTILITY EASEMENTS
SEE TEXT ON SHEET 3
SCALE: 1" = 150'

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-8	6.26'	107.00'	3°21'15"	6.26'	N16°00'27"E

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-22	N01°33'34"W	250.60'
E-23	S88°26'26"W	30.10'
E-24	N03°15'11"W	349.97'
E-25	S89°21'01"W	234.56'
E-26	N89°21'01"E	238.49'
E-27	S03°15'11"E	349.88'
E-28	N88°26'26"E	30.27'
E-29	S01°33'34"E	256.70'
E-30	S89°24'24"W	6.00'



SURVEYED FOR:
LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999-4450

SURVEYED BY:
JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

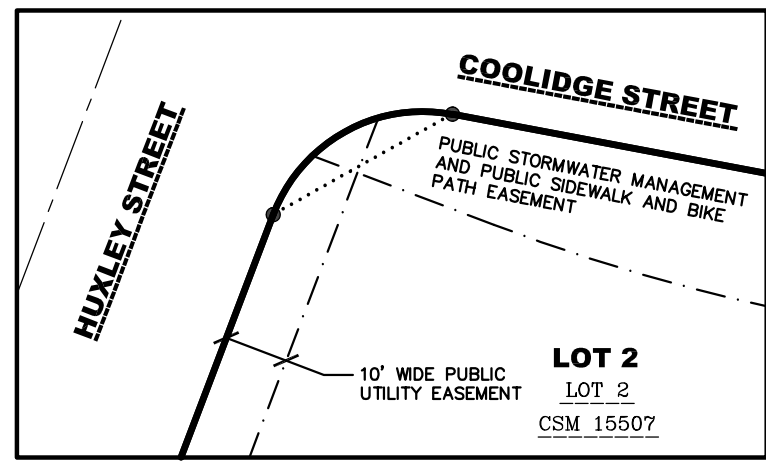
PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI		JSD CREATE THE VISION TELL THE STORY jsdinc.com	
PRELIMINARY PLAT OF HUXLEY YARDS			
PROJECT NO: 22-11381	SURVEYED BY: JK	INITIAL SUBMITTAL DATE: JULY 15, 2024	
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	

SHEET 2 OF 4

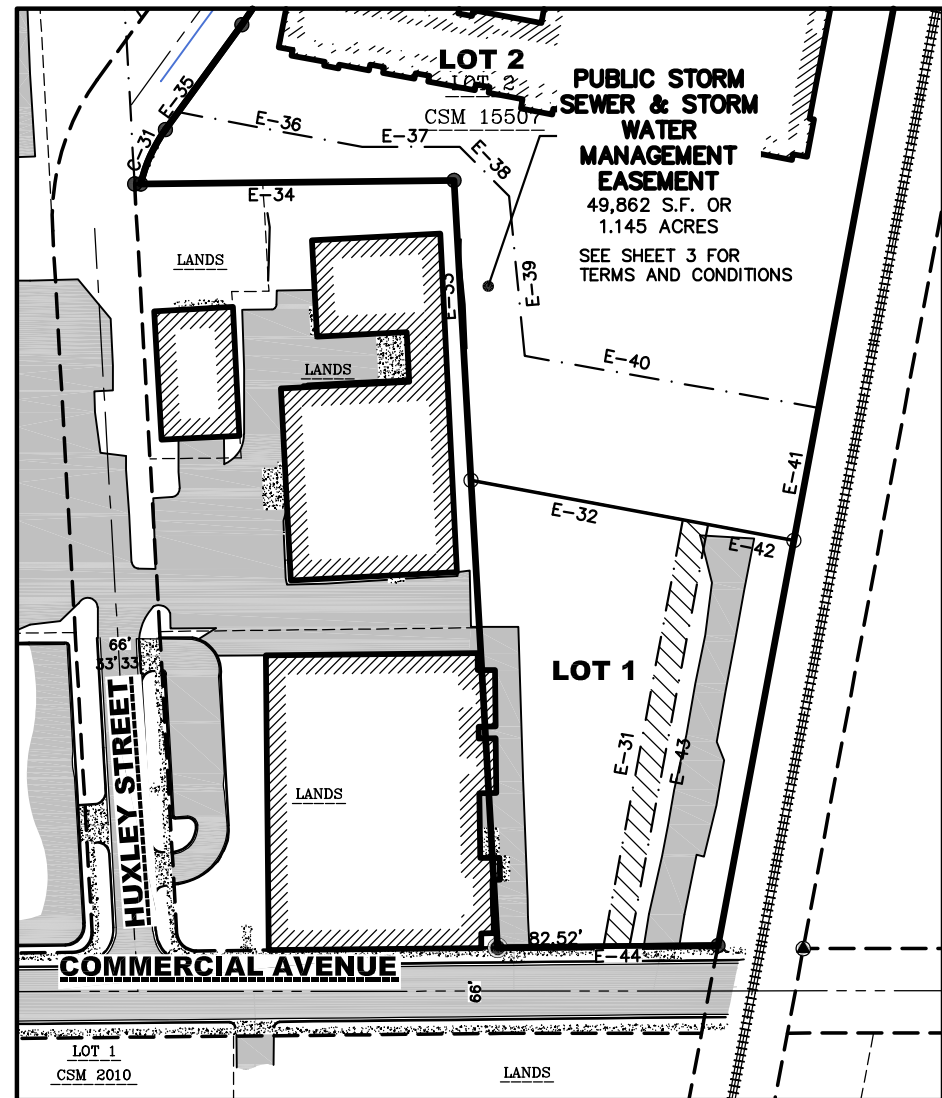
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PRELIMINARY PLAT OF HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



0 15' 30'
SCALE: 1" = 30'



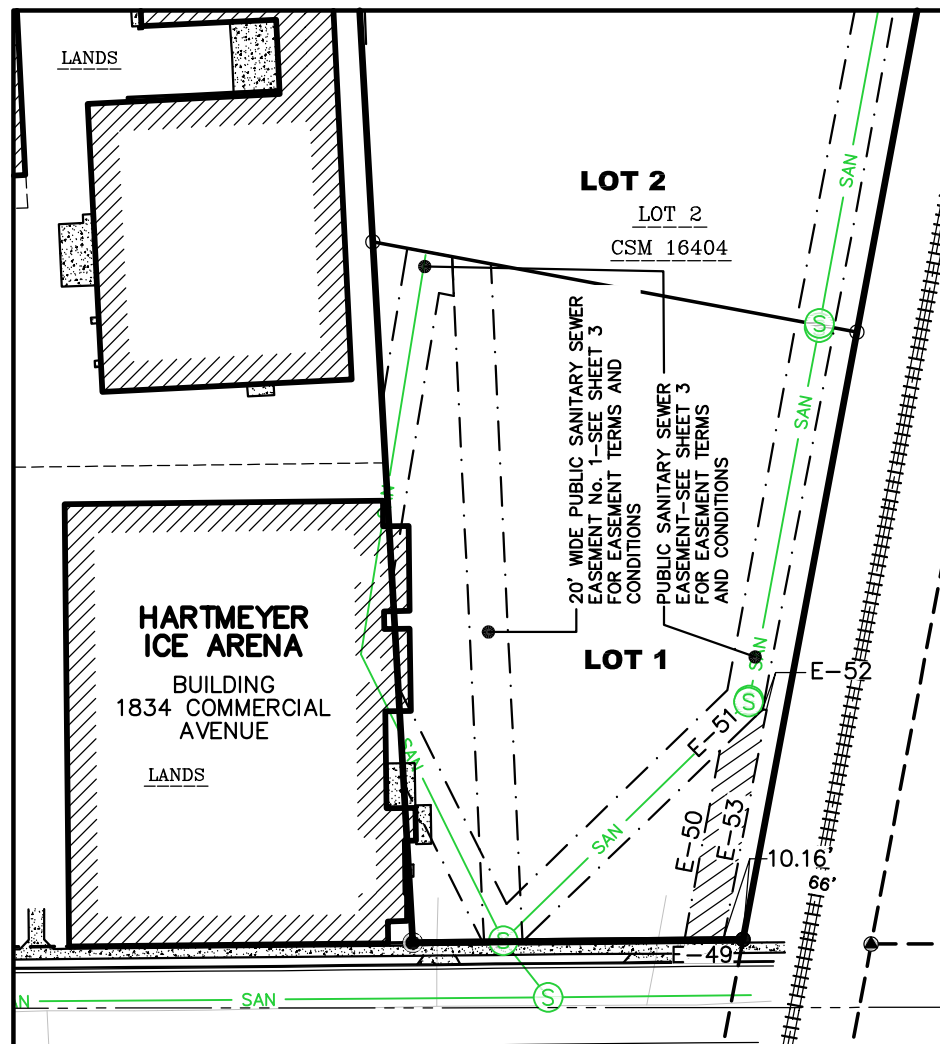
0 75' 150'
SCALE: 1" = 150'



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-31	N10°33'49"E	339.14'
E-32	N79°26'11"W	168.29'
E-33	N03°15'11"W	234.62'
E-34	S89°21'01"W	244.88'
E-35	N36°04'55"E	16.73'
E-36	S79°17'56"E	146.32'
E-37	N90°00'00"E	76.30'
E-38	S45°00'00"E	54.36'
E-39	S05°34'07"E	125.38'
E-40	S79°59'25"E	233.25'
E-41	S10°37'10"W	105.39'
E-42	N79°26'11"W	68.12'
E-43	S10°33'49"W	335.19'
E-44	S89°24'24"W	20.39'

PART OF EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT, SEE DETAIL 'K' FOR NEW EASEMENT

EASEMENT CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C-9	47.09'	117.00'	23°03'29"	46.77' N24°33'11"E

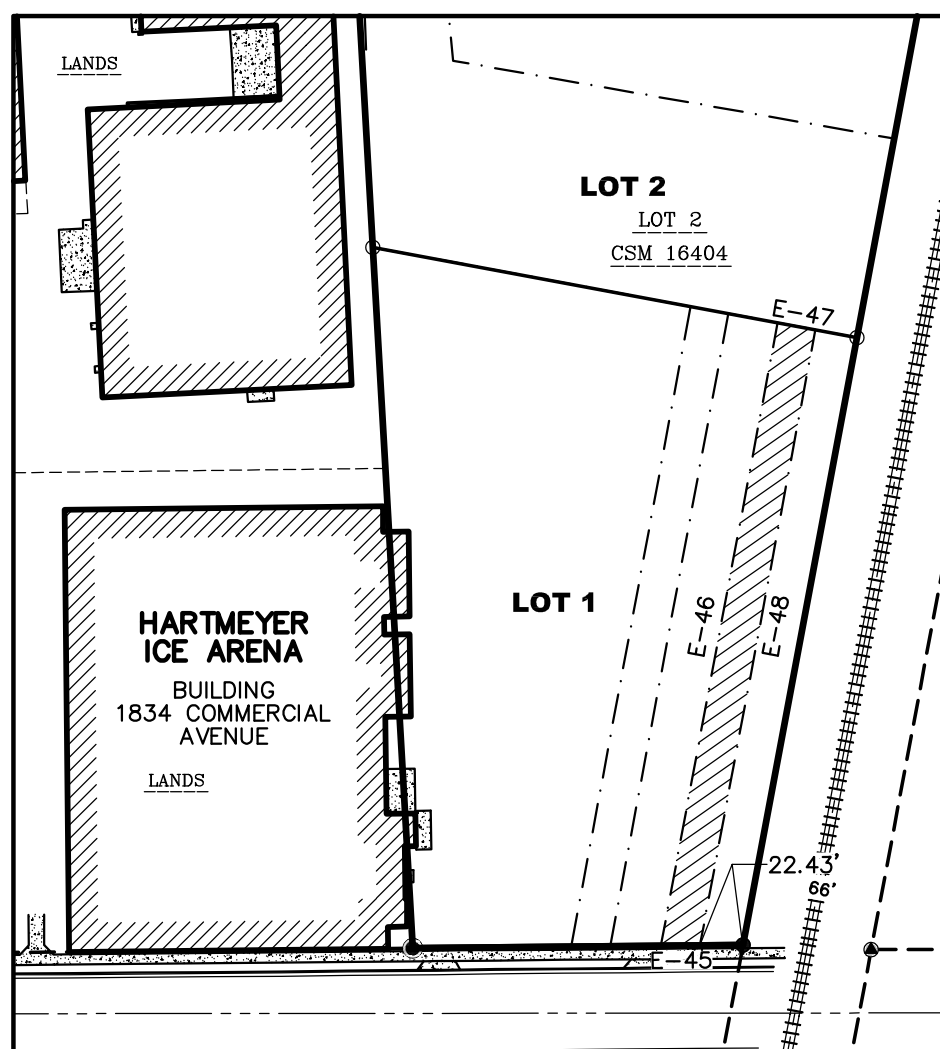


0 50' 100'
SCALE: 1" = 100'



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-45	S89°24'24"W	20.39'
E-46	N10°37'10"E	330.10'
E-47	S79°26'11"E	20.00'
E-48	S10°37'10"W	326.16'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-49	S89°24'24"W	20.39'
E-50	N10°37'24"E	100.23'
E-51	N45°57'26"E	31.05'
E-52	S79°22'36"E	2.04'
E-53	S10°37'24"W	121.60'



0 50' 100'
SCALE: 1" = 100'



PUBLIC SANITARY SEWER EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC UNDERGROUND SANITARY SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE SANITARY SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE SANITARY SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC SANITARY SEWER EASEMENTS No. 1:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC UNDERGROUND SANITARY SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE SANITARY SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE SANITARY SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

FUTURE USE: THE OWNER OF LOT 2 MAY REQUEST THE EASEMENT AREA AND ANY ASSOCIATED SANITARY SEWER FACILITIES WITHIN ANY PORTION OF THE EASEMENT AREA TO BE RELOCATED, AT THEIR COST, IN THE FUTURE TO ACCOMMODATE FURTHER DEVELOPMENT OR REDEVELOPMENT OF LANDS WITHIN LOT 2. UPON THE REQUEST TO THE CITY, THE CITY MAY APPROVE SUCH REQUEST IN ITS DISCRETION, ANY SUCH APPROVAL SHALL NOT BE UNREASONABLY WITHHELD, CONDITIONED OR DELAYED. THE REQUIRED SEPARATE DOCUMENT RELEASING, PARTIALLY RELEASING OR AMENDING THE EASEMENT SHALL BE RECORDED WITH THE DANE COUNTY REGISTER OF DEEDS.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC STORM SEWER AND STORMWATER MANAGEMENT EASEMENTS SOUTH SIDE OF LOT 2:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC STORMWATER MANAGEMENT AND PUBLIC UNDERGROUND STORM SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE STORM WATER MANAGEMENT AND STORM SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE STORM SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC SIDEWALK AND BIKE PATH EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO THE CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY THE CITY OF MADISON FOR PUBLIC SIDEWALK AND BIKE PATH PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE PUBLIC SIDEWALK AND BIKE PATH WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: CITY OF MADISON SHALL REPAIR ANY DAMAGE CAUSED TO ANY PAVEMENT, CONCRETE OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR THE PROPERTY AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO THE ORIGINAL GRADE AND SURFACE CONDITION INCLUDING THE REPAIR OR REPLACEMENT OF PAVEMENT, CONCRETE AND TURF.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE PUBLIC USE SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC STORMWATER MANAGEMENT EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC STORM WATER MANAGEMENT AND UNDERGROUND STORM SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE STORM WATER MANAGEMENT AND STORM SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: CITY OF MADISON SHALL REPAIR ANY DAMAGE CAUSED TO ANY PAVEMENT, CONCRETE OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR THE PROPERTY AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO THE ORIGINAL GRADE AND SURFACE CONDITION INCLUDING THE REPAIR OR REPLACEMENT OF PAVEMENT, CONCRETE AND TURF.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE STORM SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

TEMPORARY PUBLIC TURNAROUND EASEMENT:

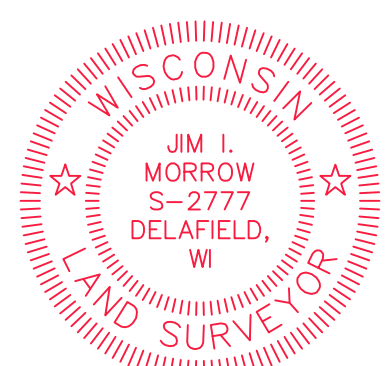
TEMPORARY LIMITED EASEMENT BENEFITING THE CITY OF MADISON FOR TEMPORARY TURNAROUND IMPROVEMENT PURPOSES. SAID EASEMENT SHALL TERMINATE WITHOUT NOTICE UPON THE EXTENSION AND CONSTRUCTION OF IMPROVEMENTS OF COOLIDGE STREET TO THE EAST AND THE REMOVAL OF THE PUBLIC TURNAROUND IMPROVEMENTS FROM THE EASEMENT AREA.

PUBLIC UTILITY EASEMENTS:

PUBLIC UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE BY PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

SUBSOIL NOTE:

SUBSOIL INFORMATION INDICATES THAT LOTS AND OUTLOTS WITHIN THIS CERTIFIED SURVEY MAP MAY ENCOUNTER GROUND WATER LESS THAN 9 FEET BELOW PROPOSED STREET GRADES. LOT AND OUTLOT OWNERS SHALL VERIFY THIS INFORMATION AND DETERMINE APPROPRIATE DESIGN OF ANY PROPOSED IMPROVEMENTS TO MITIGATE ANY ADVERSE EFFECTS ON ANY BUILDING OR IMPROVEMENT TO BE CONSTRUCTED WITHIN ANY LOT OR OUTLOT WITHIN THIS CERTIFIED SURVEY MAP. ANY INSTALLED DOWNGRADE SYSTEM SHALL BE DISCHARGED DIRECTLY TO THE PUBLIC STORM SEWER SYSTEM VIA A PIPE CONNECTION.




SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999-4450

SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI	 CREATE THE VISION TELL THE STORY jsdinc.com	
PRELIMINARY PLAT OF HUXLEY YARDS		
PROJECT NO: 22-11381	SURVEYED BY: —	INITIAL SUBMITTAL DATE: JULY 15, 2024
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: —
		REVISION RESUBMITTAL DATE: —
		REVISION RESUBMITTAL DATE: —
SHEET 3 OF 4		

DRAFT

PRELIMINARY PLAT OF HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR’S CERTIFICATE

I, JIM I. MORROW, WISCONSIN PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATE STATUTES AND THE LAND DIVISION AND SUBDIVISION REGULATION OF THE CITY OF MADISON, AND BY THE DIRECTION OF LINCOLN AVENUE COMMUNITIES I HAVE SURVEYED, DIVIDED AND MAPPED THE PLAT OF "HUXLEY YARDS" IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN, AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LANDS SURVEYED AND THE DIVISION THEREOF, DESCRIBED AS FOLLOWS:

LOT 2, CERTIFIED SURVEY MAP No. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CONTANING 372,049 SQUARE FEET OR 8.541 ACRES OF LAND.

JIM I. MORROW, S–2777
PROFESSIONAL LAND SURVEYOR

DATE



CORPORATE OWNER’S CERTIFICATE

ROTH STREET I LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS AN OWNER, HEREBY CERTIFY THAT I HAVE CAUSED THE LANDS DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON, AND DO FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

COMMON COUNCIL, CITY OF MADISON
STATE OF WISCONSIN–DEPARTMENT OF ADMINISTRATION

BY: RUSSELL CONDAS, AS VICE PRESIDENT OF ROTH STREET I GP, LLC, ITS GENERAL PARTNER

STATE OF CALIFORNIA) SS
COUNTY OF LOS ANGELES) SS

ON _____, 202____, BEFORE ME, _____, NOTARY PUBLIC, PERSONALLY APPEARED RUSSELL CONDAS WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ (SEAL)

CONSENT OF FIRST MORTGAGE HOLDER

CITIBANK, N.A., A NATIONAL BANKING ASSOCIATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE THE LAWS OF THE UNITED STATES OF AMERICA

BY: MICHAEL HEMMENS, VICE PRESIDENT

STATE OF _____) SS
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, BY MICHAEL HEMMENS, VICE PRESIDENT OF CITIBANK, N.A., A NATIONAL BANKING ASSOCIATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE THE LAWS OF THE UNITED STATES OF AMERICA, FOR AND ON BEHALF OF SAID NATIONAL BANKING ASSOCIATION.

[STAMP] _____
NOTARY PUBLIC

CONSENT OF JUNIOR MORTGAGOR

CITY OF MADISON, A MUNICIPAL CORPORATION INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN

BY: _____, MAYOR

BY: _____, CITY CLERK

STATE OF WISCONSIN)ss
COUNTY OF DANE)ss

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2024, THE ABOVE NAMED OFFICER OF THE ABOVE NAMED [NAME], TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN MY COMMISSION EXPIRES

CERTIFICATE OF CITY OF MADISON COMMON COUNCIL

"RESOLVED THAT THIS PLAT KNOWN AS "HUXLEY YARDS", BEING A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, ALL IN TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, WAS HEREBY APPROVED BY RESOLUTION No._____, FILE No._____, ADOPTED ON THE _____ DAY OF _____, 2024, AND FURTHER RESOLVED THAT THE CONDITIONS OF SAID APPROVAL WERE FULFILLED ON THE _____ DAY OF _____, 2024, AND THAT SAID RESOLUTION FURTHER PROVIDED FOR THE ACCEPTANCE OF THOSE LANDS AND RIGHTS DEDICATED BY SAID "[plot name]" FOR PUBLIC USE".

I, MARIBETH WITZEL–BEL, CLERK OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN HEREBY CERTIFY THAT THE CITY COUNCIL HAS RESOLVED THAT PUBLIC SEWER WILL BE MADE AVAILABLE TO THE LOTS IN THE PLAT OF "HUXLEY YARDS", BEFORE BUILDINGS ARE OCCUPIED AND THAT PRIVATE SEWER FACILITIES ARE PROHIBITED.

MARIBETH WITZEL–BEHL, CITY CLERK DATE

CERTIFICATE OF CITY TREASURER

I, DAVE GAWENDA BEING DULY ELECTED, QUALIFIED, AND ACTING TREASURER OF THE CITY OF MADISON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2024, ON ANY OF THE LANDS INCLUDED IN THE PLAT OF "HUXLEY YARDS".

DAVE GAWENDA, TREASURER, CITY OF MADISON DATE

CERTIFICATE OF COUNTY TREASURER

I, ADAM GALLAGHER, BEING THE DULY APPOINTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF DANE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2024, AFFECTING THE LANDS INCLUDED IN THE PLAT OF "HUXLEY YARDS"

ADAM GALLAGHER DATE
TREASURER, DANE COUNTY

CERTIFICATE OF THE CITY OF MADISON PLAN COMMISSION

THIS PLAT KNOWN AS "HUXLEY YARDS" IS HEREBY APPROVED BY THE CITY OF MADISON PLAN COMMISSION THIS _____ DAY OF _____, 2024.

MATT WACHTER, SECRETARY
CITY OF MADISON PLAN COMMISSION

CERTIFICATE OF REGISTER OF DEEDS

RECEIVED FOR RECORDING THIS _____ DAY OF _____, 2024, AT _____ O’CLOCK ____M. AND RECORDED IN VOLUME _____ OF PLATS ON PAGES _____ THROUGH _____ AS DOCUMENT NUMBER _____



KRISTI CHLEBOWSKI
REGISTER OF DEEDS, DANE COUNTY

SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999–4450

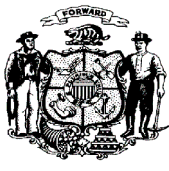
SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848–5060

PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI				CREATE THE VISION  TELL THE STORY
		jsdinc.com		
PRELIMINARY PLAT OF HUXLEY YARDS				
PROJECT NO: 22–11381	SURVEYED BY: JK	INITIAL SUBMITTAL DATE: JULY 15, 2024		
FIELDBOOK/PG: E–FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: –		
		REVISION RESUBMITTAL DATE: –		
		REVISION RESUBMITTAL DATE: –		
SHEET 4 OF 4				

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



Department of Administration

DRAFT

HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

LEGEND

- 1" IRON PIPE FOUND
- PK/MAG NAIL FOUND
- 3/4" REBAR FOUND
- PARCEL BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- SECTION LINE
- PLATTED LOT LINE
- EASEMENT LINE
- FENCE LINE
- GUARD OR SAFETY RAIL
- EDGE OF PAVEMENT
- CONCRETE CURB & GUTTER
- EDGE OF GRAVEL
- BUILDING
- DELINEATED WETLANDS
- EDGE OF BITUMINOUS
- END OF FLAGGED UTILITIES
- DENOTES RECORDED AS MEASUREMENTS DEPICTING THE SAME LINE ON THE GROUND AS RETRACED BY THIS SURVEY

LEGEND

UTILITY EASEMENTS – NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE.

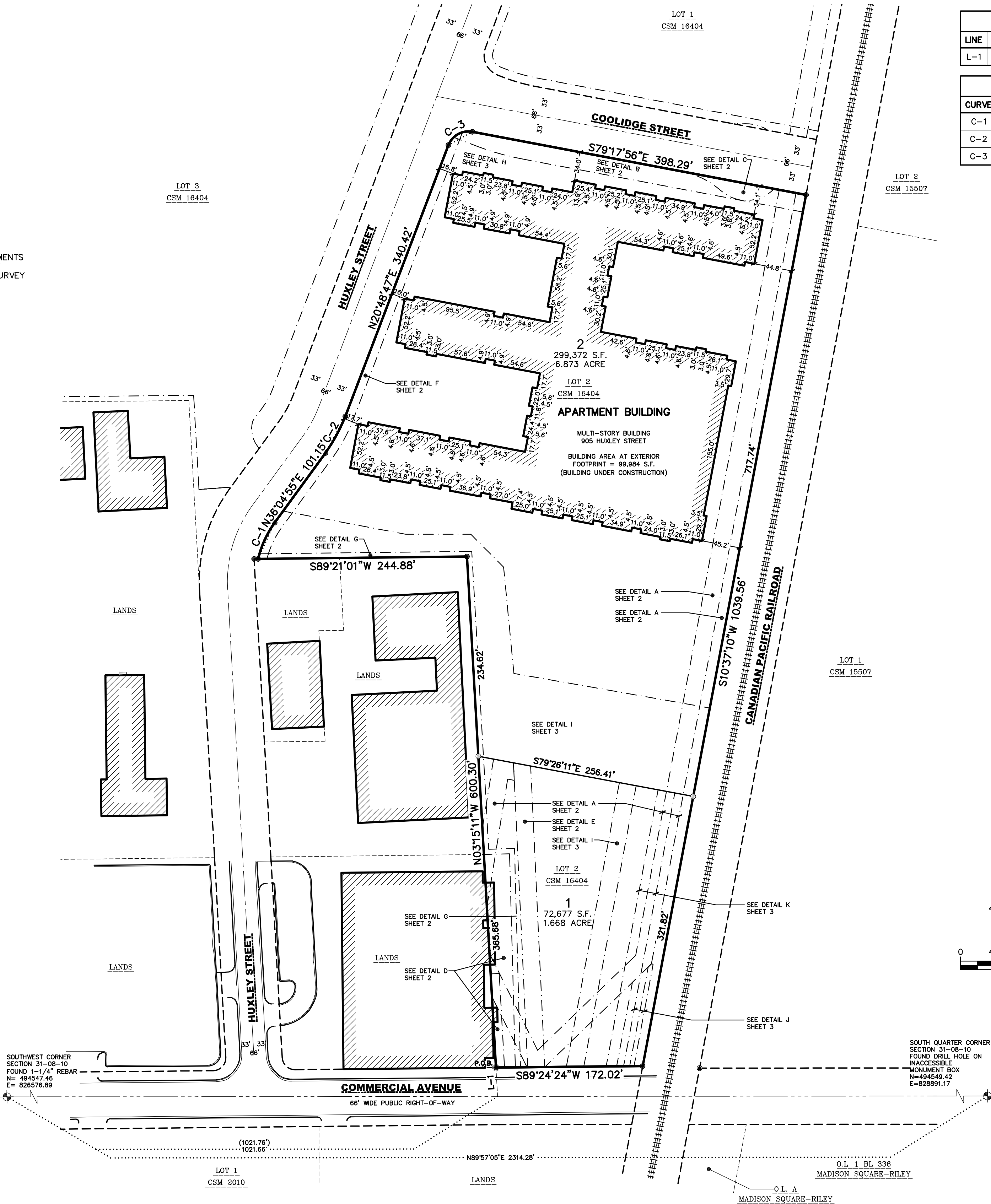
THE DISTURBANCE OF A LOT CORNER BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES.

UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THIS PLAT. THE USE OF THESE EASEMENTS IS NOT TO BE EXTENDED TO PRIVATE OR PUBLIC PRIVATE UTILITIES SUCH AS WATER, SANITARY SEWER AND STORM WATER UTILITIES, EXCEPT WHERE SPECIFICALLY NOTED ON THE PLAT.

ARROWS INDICATE THE DIRECTION OF SURFACE DRAINAGE SWALE AT INDIVIDUAL PROPERTY LINES. SAID DRAINAGE SWALE SHALL BE GRADED WITH THE CONSTRUCTION OF EACH PRINCIPAL STRUCTURE AND MAINTAINED BY THE LOT OWNER UNLESS MODIFIED WITH THE APPROVAL OF THE TOWN OF MADISON ENGINEER. THE FINAL GRADE SHALL NOT BE ALTERED BY MORE THAN 6 INCHES WITHOUT PRIOR WRITTEN CONSENT OF THE TOWN OF MADISON ENGINEER AND THE APPROPRIATE UTILITY COMPANY OR COMPANIES.

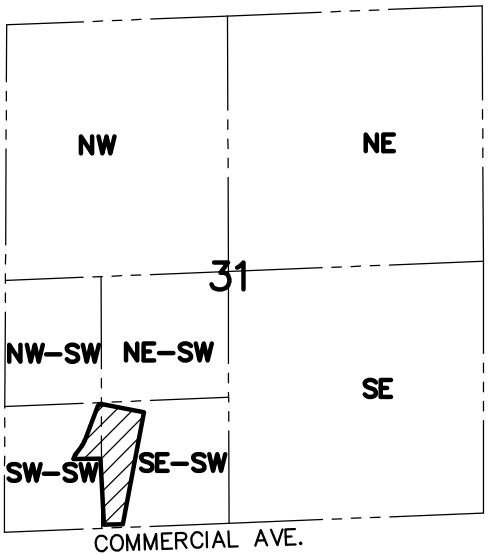
NOTES

- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, BEARS N89°57'05"E.
- ALL STREET RIGHT-OF-WAYS WITHIN THE PLAT BOUNDARY ARE HEREBY DEDICATED TO THE PUBLIC.
- DISTANCES SHOWN ALONG CURVES ARE CHORD LENGTHS.
- LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
- SEE SHEET 3 FOR TERMS AND CONDITIONS OF ALL CITY EASEMENTS.

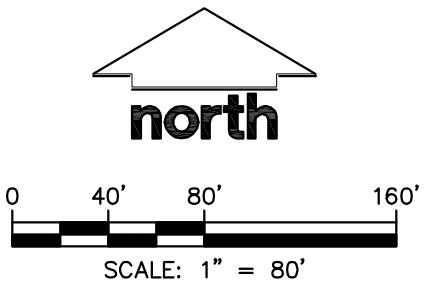


LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N03°15'11\"W	33.92'

CURVE TABLE						
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN
C-1	117.00'	23°03'29\"	N24°33'11\"E	46.77'	47.09'	N36°04'55\"E
C-2	183.00'	15°16'09\"	N28°26'51\"E	48.62'	48.77'	N20°48'47\"E
C-3	25.00'	79°53'17\"	N60°45'25\"E	32.10'	34.86'	S79°17'56\"E



LOCATION SKETCH
SECTION 31, T08N, R10E, DANE COUNTY



SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999-4450

SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

PROJECT LOCATION:
SECTION 31
TOWNSHIP 08 NORTH
RANGE 10 EAST
CITY OF MADISON
DANE COUNTY, WI



jsdinc.com

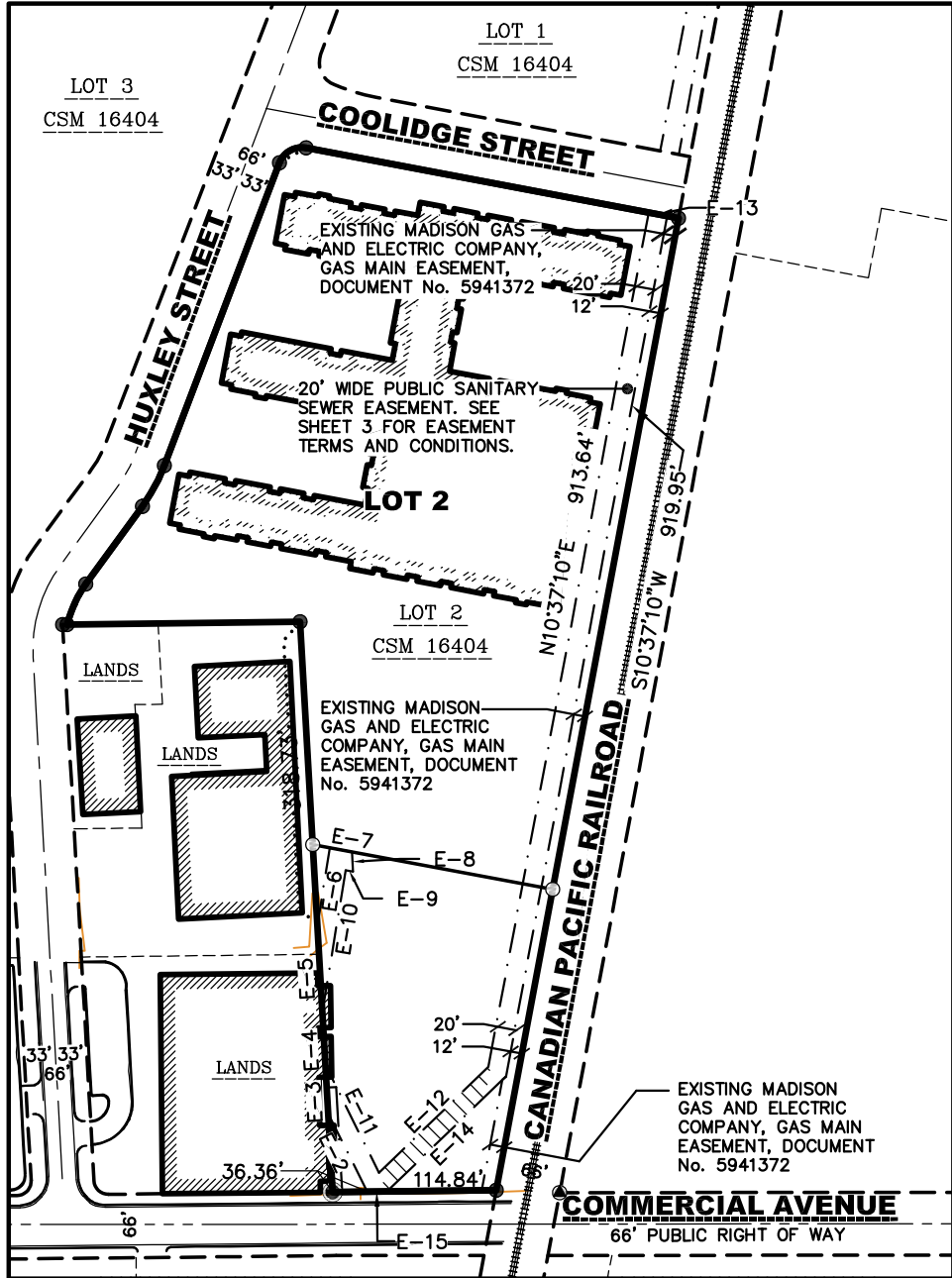
HUXLEY YARDS SUBDIVISION

PROJECT NO: 22-11381	SURVEYED BY: RAC	INITIAL SUBMITTAL DATE: JULY 15, 2024
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: -
		REVISION RESUBMITTAL DATE: -

SHEET 1 OF 4

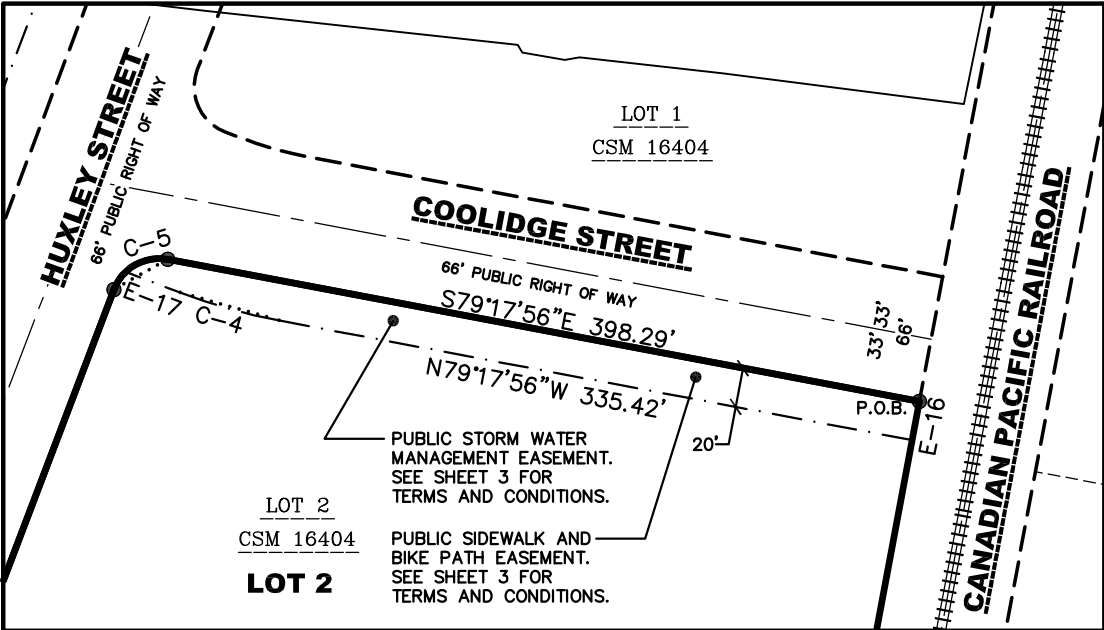
HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-2	N26°25'50"W	92.28'
E-3	N03°15'11"W	50.82'
E-4	N03°15'11"W	54.48'
E-5	N03°15'11"W	92.70'
E-6	N09°12'24"E	82.12'
E-7	S79°26'11"E	23.69'
E-8	S02°40'35"E	20.55'
E-9	N79°26'11"W	7.91'
E-10	S09°12'24"W	152.16'
E-11	S26°25'50"E	126.68'
E-12	N45°57'49"E	159.94'
E-13	S79°17'56"E	20.00'
E-14	S45°57'26"W	174.01'
E-15	S89°24'24"W	20.82'

PART OF EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT. SEE DETAIL 'J' FOR NEW EASEMENT



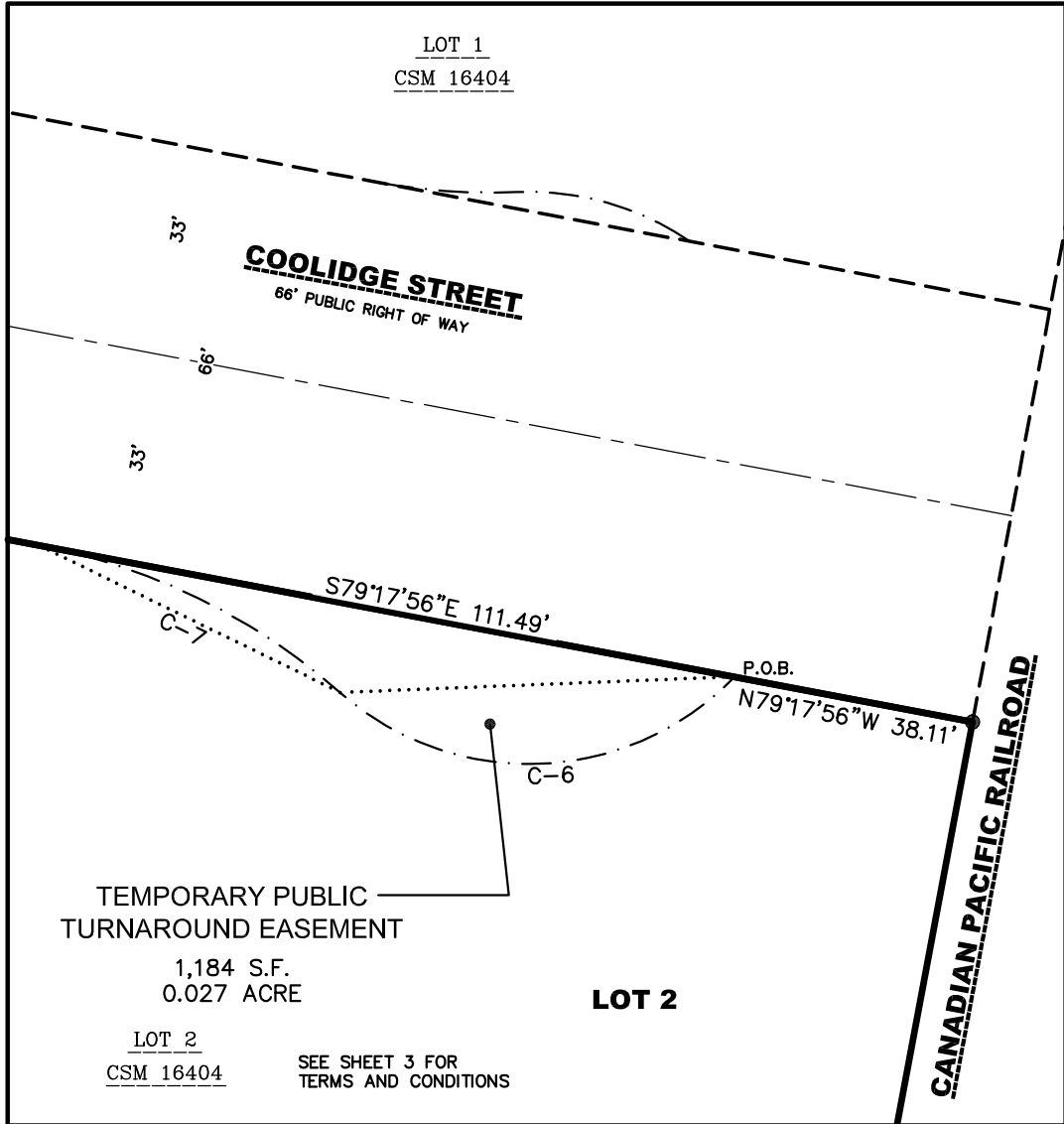
EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-16	S10°37'10"W	20.50'
E-17	N69°11'13"W	30.41'

PUBLIC STORM WATER MANAGEMENT AND PUBLIC SIDEWALK AND BIKE PATH EASEMENT

SEE TEXT ON SHEET 3

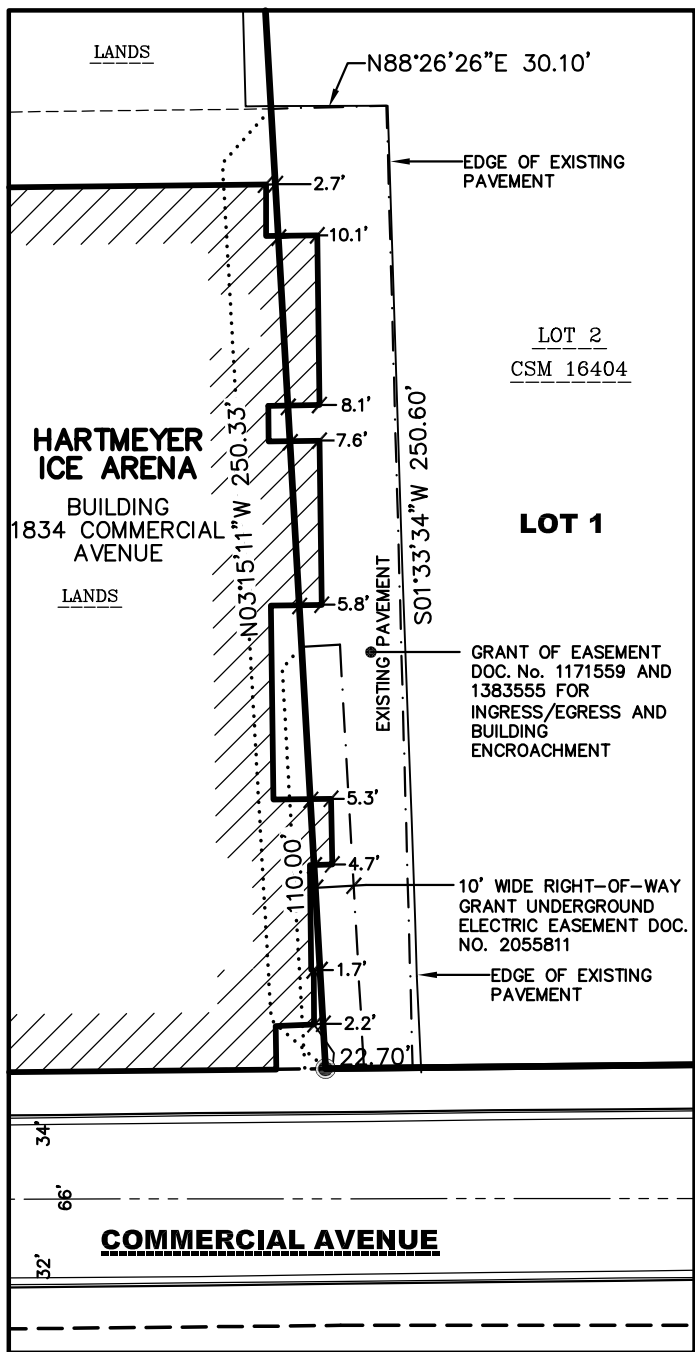
SCALE: 1" = 100'

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-4	53.56'	303.50'	10°06'43"	53.49'	N74°14'35"W
C-5	23.74'	25.00'	54°23'55"	22.85'	N73°30'07"E

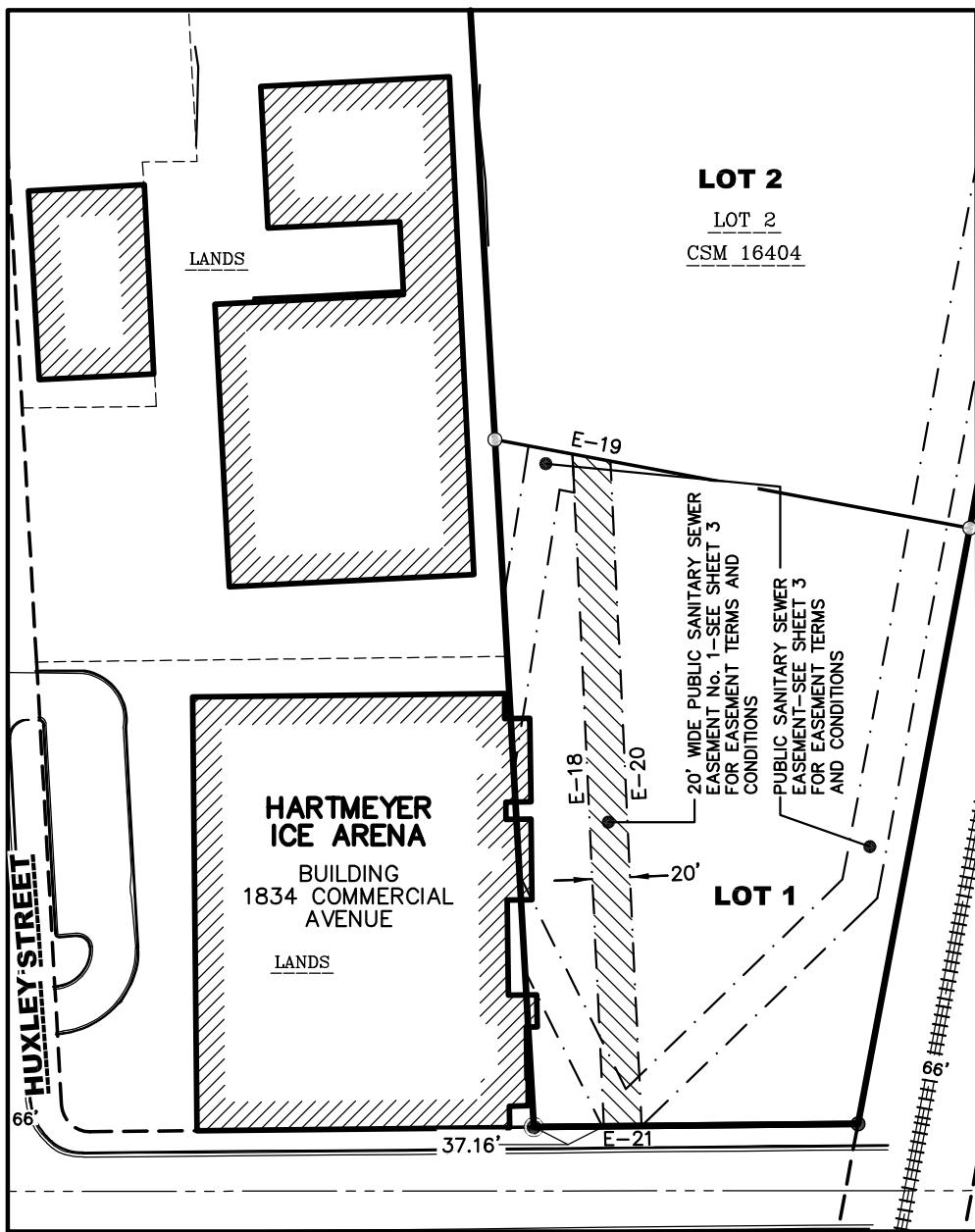


EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-6	68.55'	45.00'	87°16'40"	62.11'	S87°42'25"W
C-7	53.49'	100.00'	30°38'41"	52.85'	N63°58'36"W

PUBLIC SANITARY EASEMENT
SEE TEXT ON SHEET 3
DETAIL 'A'



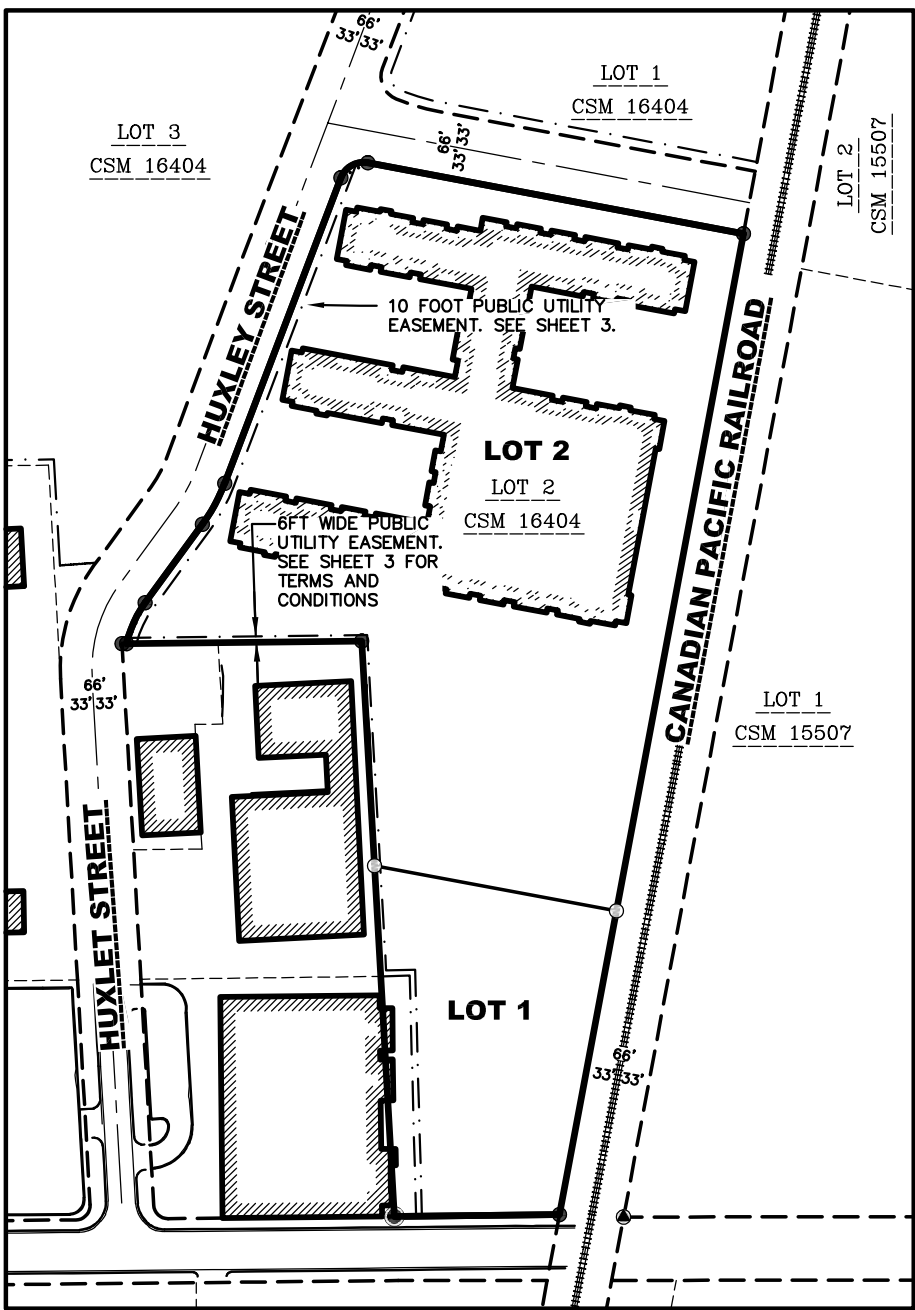
EXISTING EASEMENTS
DETAIL 'D'



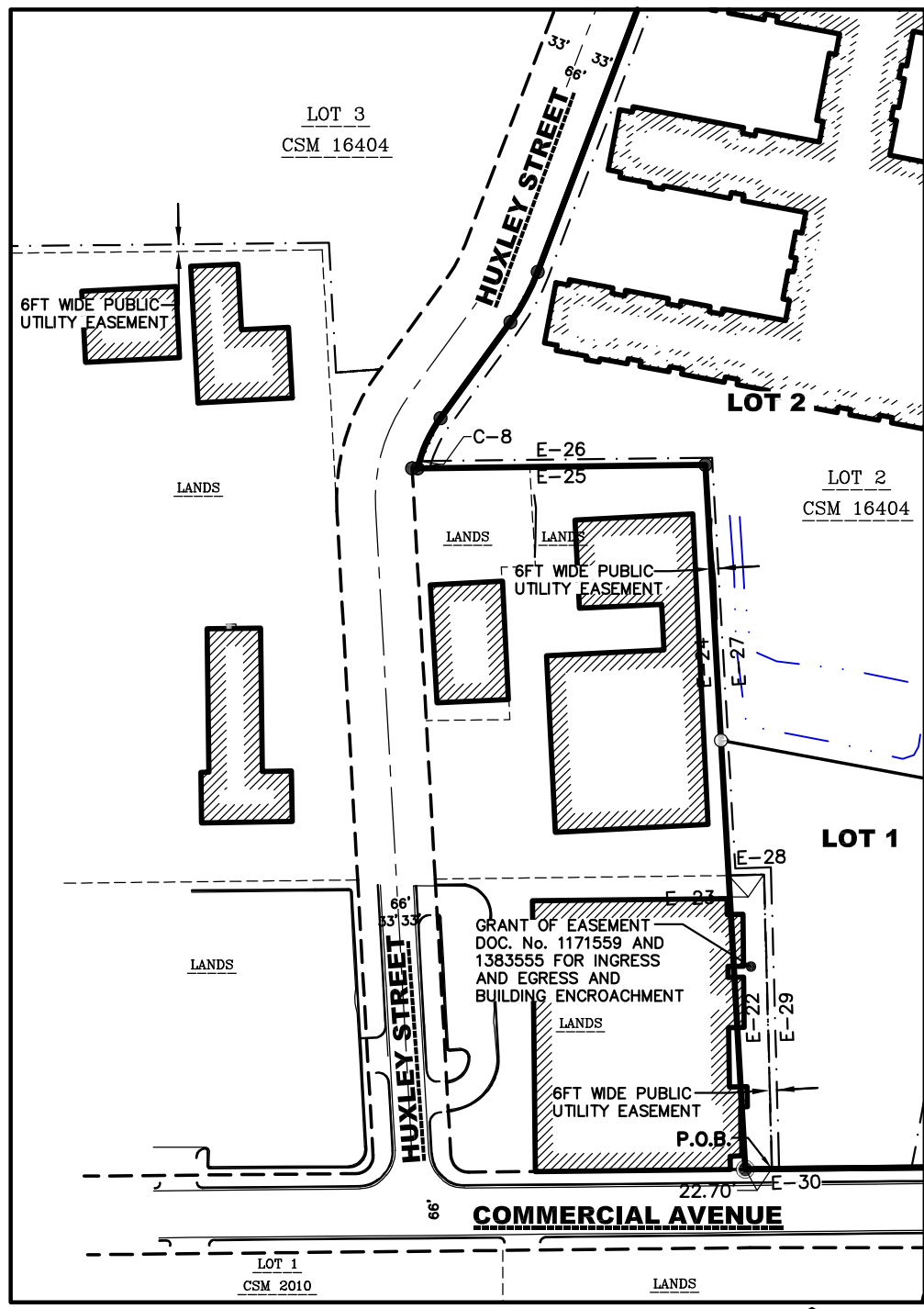
PUBLIC SANITARY EASEMENT
SEE TEXT ON SHEET 3
DETAIL 'E'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-18	N02°40'35"W	357.41'
E-19	S79°26'11"E	20.55'
E-20	S02°40'35"E	353.43'
E-21	S89°24'24"W	20.01'

EASEMENT TO BE RELEASED BY SEPARATE INSTRUMENT



PUBLIC UTILITY EASEMENTS
SEE TEXT ON SHEET 3
DETAIL 'F'



PUBLIC UTILITY EASEMENTS
SEE TEXT ON SHEET 3
DETAIL 'G'

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-8	6.26'	107.00'	3°21'15"	6.26'	N16°00'27"E

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-22	N01°33'34"W	250.60'
E-23	S88°26'26"W	30.10'
E-24	N03°15'11"W	349.97'
E-25	S89°21'01"W	234.56'
E-26	N89°21'01"E	238.49'
E-27	S03°15'11"E	349.88'
E-28	N88°26'26"E	30.27'
E-29	S01°33'34"E	256.70'
E-30	S89°24'24"W	6.00'



SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999-4450

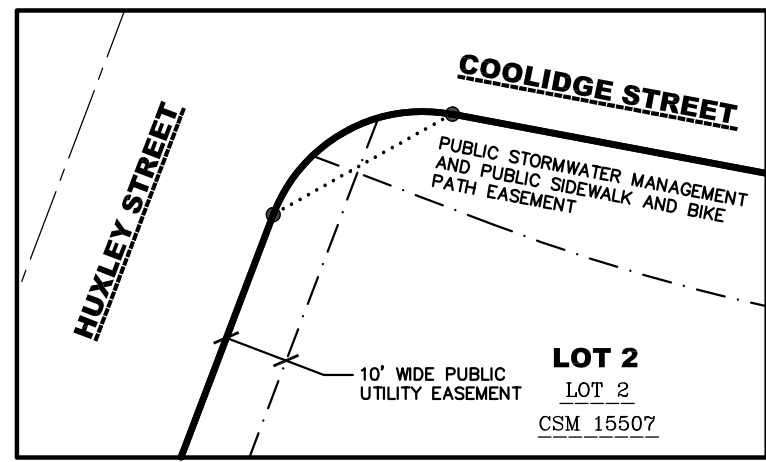
SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

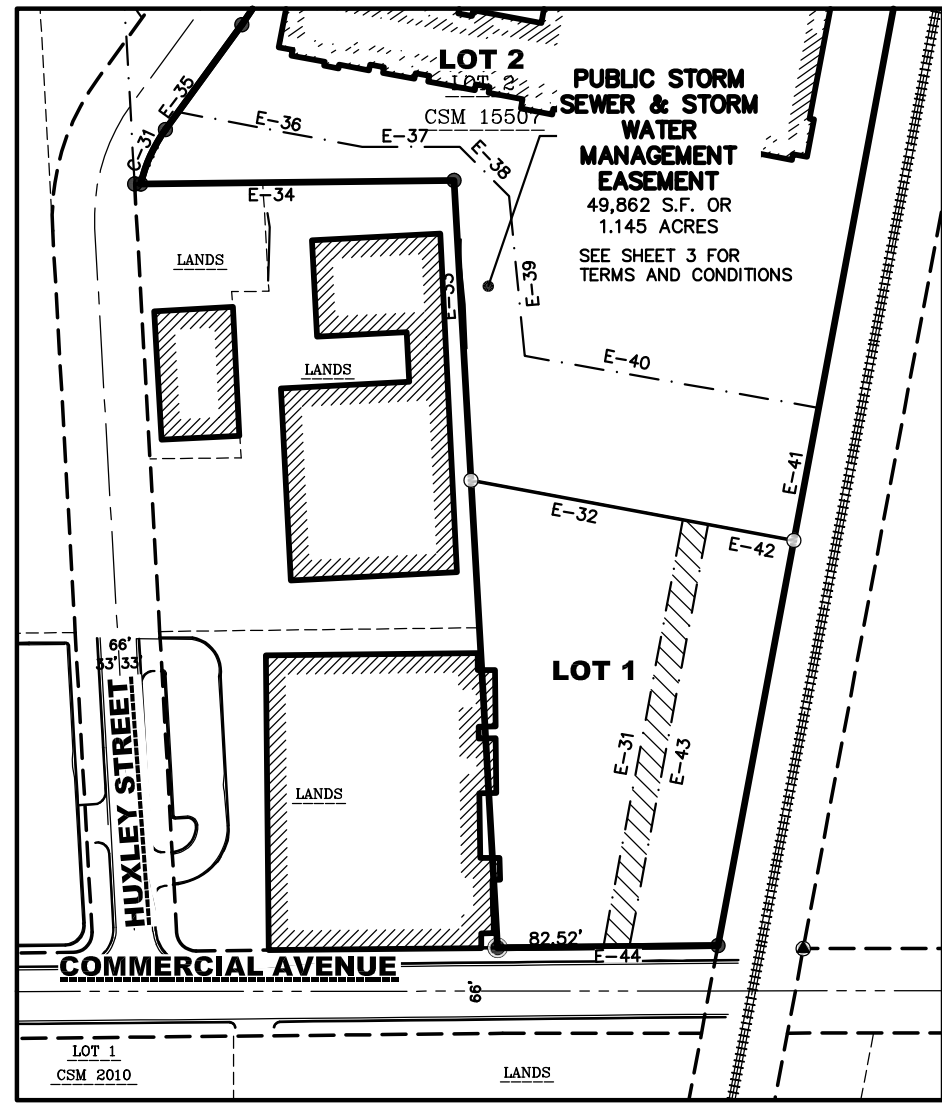
PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI		JSD CREATE THE VISION TELL THE STORY jsdinc.com	
HUXLEY YARDS SUBDIVISION			
PROJECT NO: 22-11381	SURVEYED BY: RAC	INITIAL SUBMITTAL DATE: JULY 15, 2024	
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	
SHEET 2 OF 4			

HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



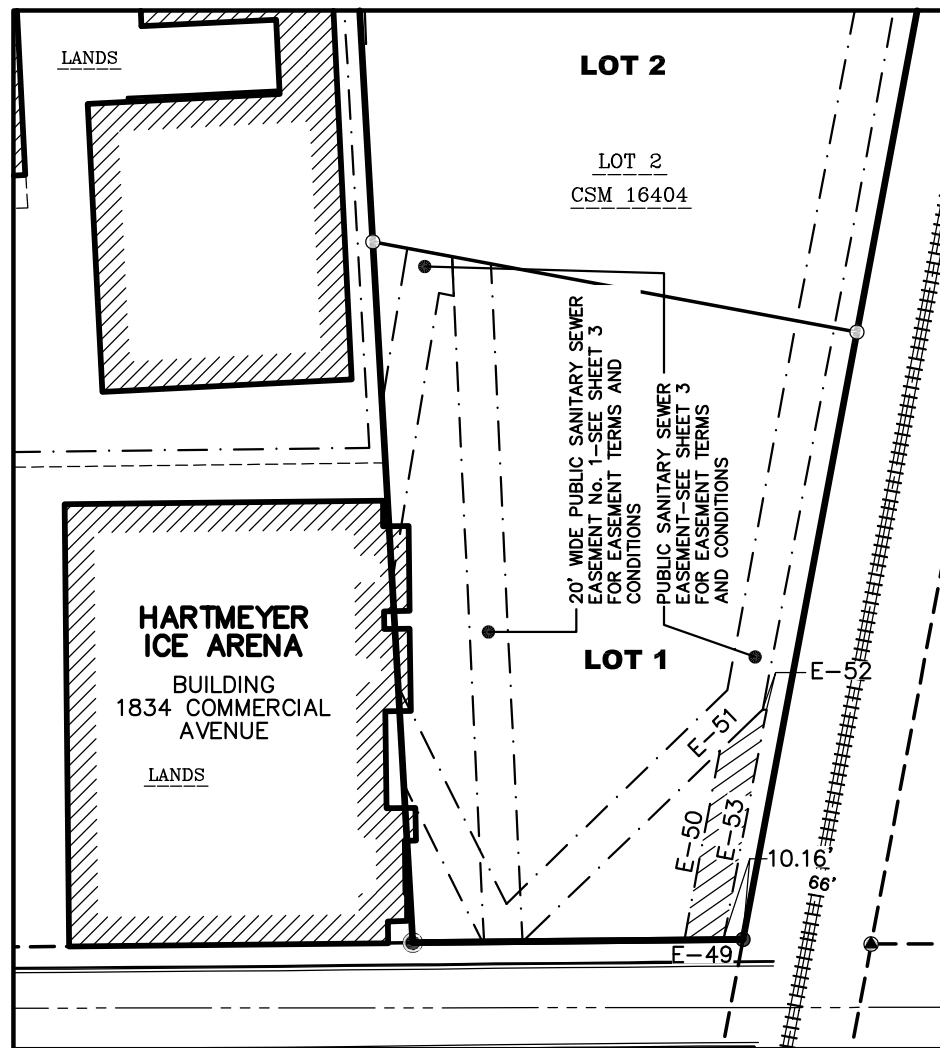
DETAIL 'H'



DETAIL 'I'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-31	N10°33'49"E	339.14'
E-32	N79°26'11"W	168.29'
E-33	N03°15'11"W	234.62'
E-34	S89°21'01"W	244.88'
E-35	N36°04'55"E	16.73'
E-36	S79°17'56"E	146.32'
E-37	N90°00'00"E	76.30'
E-38	S45°00'00"E	54.36'
E-39	S05°34'07"E	125.38'
E-40	S79°59'25"E	233.25'
E-41	S10°37'10"W	105.39'
E-42	N79°26'11"W	68.12'
E-43	S10°33'49"W	335.19'
E-44	S89°24'24"W	20.39'

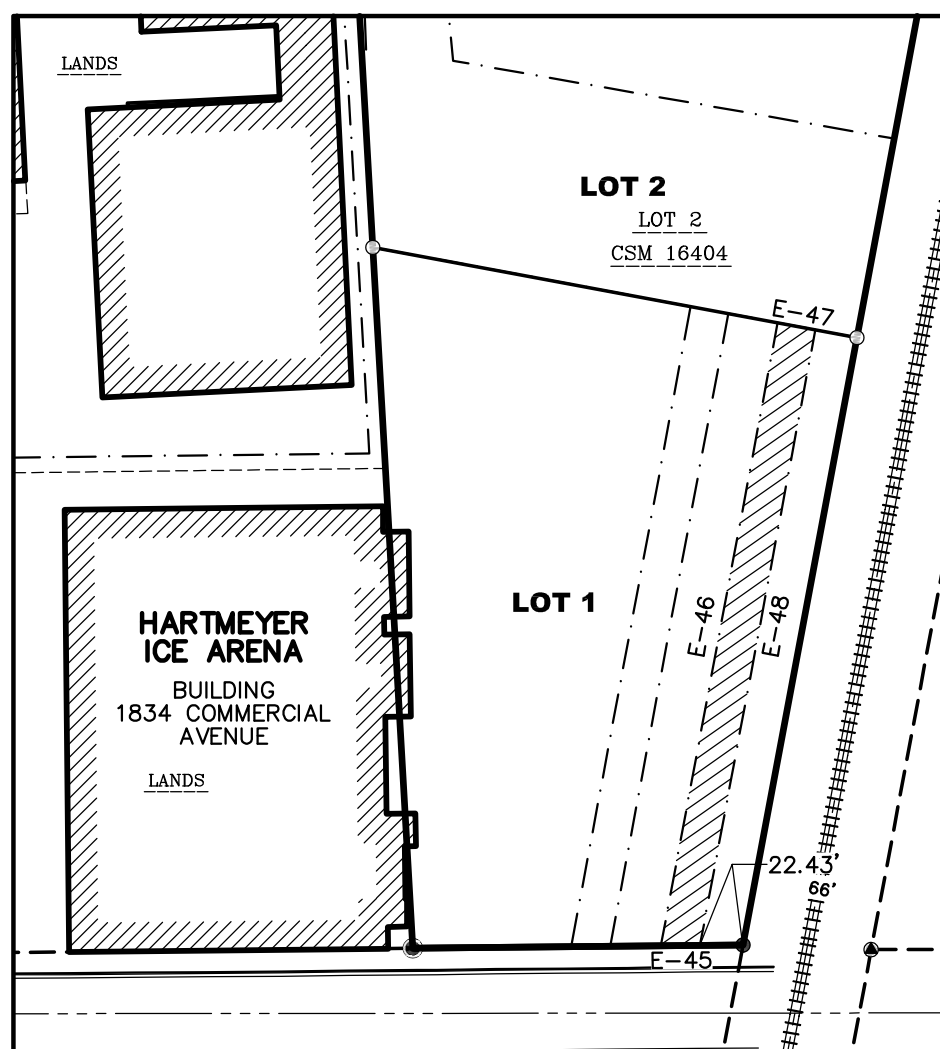
EASEMENT CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C-9	47.09'	117.00'	23°03'29"	46.77'



DETAIL 'J'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-45	S89°24'24"W	20.39'
E-46	N10°37'10"E	330.10'
E-47	S79°26'11"E	20.00'
E-48	S10°37'10"W	326.16'

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E-49	S89°24'24"W	20.39'
E-50	N10°37'24"E	100.23'
E-51	N45°57'26"E	31.05'
E-52	S79°22'36"E	2.04'
E-53	S10°37'24"W	121.60'



DETAIL 'K'

PUBLIC SANITARY SEWER EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC UNDERGROUND SANITARY SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE SANITARY SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE SANITARY SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC SANITARY SEWER EASEMENTS No. 1:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC UNDERGROUND SANITARY SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE SANITARY SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE SANITARY SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

FUTURE USE: THE OWNER OF LOT 2 MAY REQUEST THE EASEMENT AREA AND ANY ASSOCIATED SANITARY SEWER FACILITIES WITHIN ANY PORTION OF THE EASEMENT AREA TO BE RELOCATED, AT THEIR COST, IN THE FUTURE TO ACCOMMODATE FURTHER DEVELOPMENT OR REDEVELOPMENT OF LANDS WITHIN LOT 2. UPON THE REQUEST TO THE CITY, THE CITY MAY APPROVE SUCH REQUEST IN ITS DISCRETION, ANY SUCH APPROVAL SHALL NOT BE UNREASONABLY WITHHELD, CONDITIONED OR DELAYED. THE REQUIRED SEPARATE DOCUMENT RELEASING, PARTIALLY RELEASING OR AMENDING THE EASEMENT SHALL BE RECORDED WITH THE DANE COUNTY REGISTER OF DEEDS.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC STORM SEWER AND STORMWATER MANAGEMENT EASEMENTS SOUTH SIDE OF LOT 2:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC STORMWATER MANAGEMENT AND PUBLIC UNDERGROUND STORM SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE STORM WATER MANAGEMENT FACILITIES AND STORM SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: THE OWNER OF ANY PROPERTY SUBJECT TO THE EASEMENT SET FORTH HEREIN SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY PAVEMENT, CONCRETE, LANDSCAPING, PRIVATE SITE IMPROVEMENTS OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR PROPERTY THAT ARE DAMAGED OR REMOVED AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, THE CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO AN APPROPRIATE GRADE WITH CRUSHED STONE OR TURF FOR PROPER DRAINAGE UNTIL SUCH TIME OWNER REPAIRS AND/OR REPLACES THE PRIVATE IMPROVEMENTS DAMAGED OR REMOVED DURING THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE STORM SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

BINDING EFFECT: THIS EASEMENT SHALL RUN WITH THE LAND DESCRIBED HEREIN AND SHALL BE BINDING UPON THE OWNERS OF THE PROPERTY, AND THEIR SUCCESSORS IN INTEREST.

RELEASE OF RIGHTS TO EASEMENTS CREATED BY PLAT: ANY RELEASE OF RIGHTS THAT WERE PLACED ON PLATTED LAND WHICH WAS REQUIRED BY A PUBLIC BODY OR WHICH NAMES A PUBLIC BODY OR PUBLIC UTILITY AS GRANTEE SHALL BE RELEASED BY RECORDING A SEPARATE EASEMENT RELEASE DOCUMENT WITH THE DANE COUNTY REGISTER OF DEEDS IN ACCORDANCE WITH SS236.293.

PUBLIC SIDEWALK AND BIKE PATH EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO THE CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY THE CITY OF MADISON FOR PUBLIC SIDEWALK AND BIKE PATH PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE PUBLIC SIDEWALK AND BIKE PATH WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: CITY OF MADISON SHALL REPAIR ANY DAMAGE CAUSED TO ANY PAVEMENT, CONCRETE OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR THE PROPERTY AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO THE ORIGINAL GRADE AND SURFACE CONDITION INCLUDING THE REPAIR OR REPLACEMENT OF PAVEMENT, CONCRETE AND TURF.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE PUBLIC USE SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

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PUBLIC STORMWATER MANAGEMENT EASEMENTS:

CREATION OF EASEMENT RIGHTS: A PERMANENT EASEMENT OVER, ACROSS A PORTION OF THE PROPERTY (THE "EASEMENT AREA") IS ESTABLISHED, MEMORIALIZED, RESERVED BY, GRANTED, CONVEYED, TRANSFERRED AND ASSIGNED TO CITY OF MADISON FOR THE USES AND PURPOSES HEREINAFTER SET FORTH. THE EASEMENT AREA MAY BE USED BY CITY OF MADISON FOR PUBLIC STORM WATER MANAGEMENT AND UNDERGROUND STORM SEWER PURPOSES. CITY OF MADISON AND ITS EMPLOYEES, AGENTS AND CONTRACTORS SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, OPERATE, REPAIR, REPLACE AND RECONSTRUCT THE STORM WATER MANAGEMENT AND STORM SEWER FACILITIES WITHIN THE EASEMENT AREA. CITY OF MADISON SHALL HAVE THE FURTHER RIGHT OF INGRESS AND EGRESS TO AND FROM THE EASEMENT AREA IN ORDER TO EXERCISE ITS RIGHTS AND PRIVILEGES HEREUNDER, AND TO CUT AND REMOVE TREES, VEGETATION AND OTHER IMPEDIMENTS IN THE EASEMENT AREA WHICH MAY OBSTRUCT OR INTERFERE WITH THE ACTUAL OR POTENTIAL USE OF THE EASEMENT AREA FOR THE FOREGOING PURPOSES.

PROPERTY RESTORATION: CITY OF MADISON SHALL REPAIR ANY DAMAGE CAUSED TO ANY PAVEMENT, CONCRETE OR TURF LOCATED WITHIN THE EASEMENT AREA AND/OR THE PROPERTY AS A RESULT OF THE USE OF THE EASEMENT AREA BY OR ON BEHALF OF THE CITY OF MADISON AS PROVIDED HEREIN. FOLLOWING COMPLETION OF ANY EXCAVATION WORK, CITY OF MADISON SHALL PROMPTLY RESTORE THE AREA AFFECTED BY THE WORK TO THE ORIGINAL GRADE AND SURFACE CONDITION INCLUDING THE REPAIR OR REPLACEMENT OF PAVEMENT, CONCRETE AND TURF.

LIMITATIONS ON USE OF EASEMENT AREA: THE OWNER OF THE PROPERTY SHALL HAVE THE RIGHT TO USE THE EASEMENT AREA FOR ANY PURPOSE, PROVIDED SUCH USE SHALL NOT INTERFERE WITH THE EASEMENT RIGHTS OF THE CITY OF MADISON HEREUNDER. NO BUILDINGS OR STRUCTURES OR FENCES UNRELATED TO THE STORM SEWER FACILITIES SHALL BE CONSTRUCTED IN AND NO GRADE CHANGE SHALL BE MADE TO THE EASEMENT AREA WITHOUT THE WRITTEN CONSENT OF THE CITY OF MADISON'S ENGINEERING DIVISION CITY ENGINEER.

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TEMPORARY PUBLIC TURNAROUND EASEMENT:

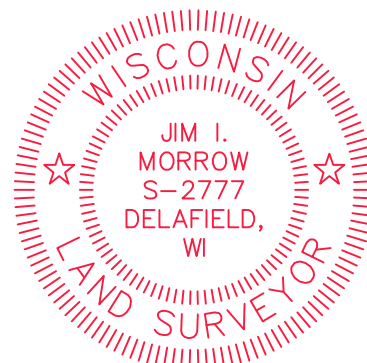
TEMPORARY LIMITED EASEMENT BENEFITING THE CITY OF MADISON FOR TEMPORARY TURNAROUND IMPROVEMENT PURPOSES. SAID EASEMENT SHALL TERMINATE WITHOUT NOTICE UPON THE EXTENSION AND CONSTRUCTION OF IMPROVEMENTS OF COOLIDGE STREET TO THE EAST AND THE REMOVAL OF THE PUBLIC TURNAROUND IMPROVEMENTS FROM THE EASEMENT AREA.

PUBLIC UTILITY EASEMENTS:

PUBLIC UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE BY PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.

SUBSOIL NOTE:

SUBSOIL INFORMATION INDICATES THAT LOTS AND OUTLOTS WITHIN THIS CERTIFIED SURVEY MAP MAY ENCOUNTER GROUND WATER LESS THAN 9 FEET BELOW PROPOSED STREET GRADES. LOT AND OUTLOT OWNERS SHALL VERIFY THIS INFORMATION AND DETERMINE APPROPRIATE DESIGN OF ANY PROPOSED IMPROVEMENTS TO MITIGATE ANY ADVERSE EFFECTS ON ANY BUILDING OR IMPROVEMENT TO BE CONSTRUCTED WITHIN ANY LOT OR OUTLOT WITHIN THIS CERTIFIED SURVEY MAP. ANY INSTALLED DOWNSPILL SYSTEM SHALL BE DISCHARGED DIRECTLY TO THE PUBLIC STORM SEWER SYSTEM VIA A PIPE CONNECTION.



SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999-4450

SURVEYED BY:

JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848-5060

PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI		JSD CREATE THE VISION TELL THE STORY jsdinc.com	
HUXLEY YARDS SUBDIVISION			
PROJECT NO: 22-11381	SURVEYED BY: RAC	INITIAL SUBMITTAL DATE: JULY 15, 2024	
FIELDBOOK/PG: E-FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	
		REVISION RESUBMITTAL DATE: -	
SHEET 3 OF 4			

HUXLEY YARDS SUBDIVISION

LOT 2, CERTIFIED SURVEY MAP NO. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, JIM I. MORROW, WISCONSIN PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATE STATUTES AND THE LAND DIVISION AND SUBDIVISION REGULATION OF THE CITY OF MADISON, AND BY THE DIRECTION OF LINCOLN AVENUE COMMUNITIES I HAVE SURVEYED, DIVIDED AND MAPPED THE PLAT OF "HUXLEY YARDS" IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN, AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LANDS SURVEYED AND THE DIVISION THEREOF, DESCRIBED AS FOLLOWS:

LOT 2, CERTIFIED SURVEY MAP No. 16404, VOLUME 122, PAGES 166–193 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, RECORDED AS DOCUMENT NO. 5939504, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CONTANING 372,049 SQUARE FEET OR 8.541 ACRES OF LAND.

JIM I. MORROW, S–2777
PROFESSIONAL LAND SURVEYOR

DATE



CORPORATE OWNER'S CERTIFICATE

ROTH STREET I LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS AN OWNER, HEREBY CERTIFY THAT I HAVE CAUSED THE LANDS DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON, AND DO FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

COMMON COUNCIL, CITY OF MADISON
STATE OF WISCONSIN–DEPARTMENT OF ADMINISTRATION

BY: RUSSELL CONDAS, AS VICE PRESIDENT OF ROTH STREET I GP, LLC, ITS GENERAL PARTNER

STATE OF CALIFORNIA) SS
COUNTY OF LOS ANGELES) SS

ON _____, 202____, BEFORE ME, _____, NOTARY PUBLIC, PERSONALLY APPEARED RUSSELL CONDAS WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ (SEAL)

CONSENT OF FIRST MORTGAGE HOLDER

CITIBANK, N.A., A NATIONAL BANKING ASSOCIATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE THE LAWS OF THE UNITED STATES OF AMERICA

BY: MICHAEL HEMMENS, VICE PRESIDENT

STATE OF _____) SS
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, BY MICHAEL HEMMENS, VICE PRESIDENT OF CITIBANK, N.A., A NATIONAL BANKING ASSOCIATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE THE LAWS OF THE UNITED STATES OF AMERICA, FOR AND ON BEHALF OF SAID NATIONAL BANKING ASSOCIATION.

[STAMP] _____
NOTARY PUBLIC

CONSENT OF JUNIOR MORTGAGOR

CITY OF MADISON, A MUNICIPAL CORPORATION INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN

BY: _____, MAYOR

BY: _____, CITY CLERK

STATE OF WISCONSIN)ss
COUNTY OF DANE)ss

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2024, THE ABOVE NAMED OFFICER OF THE ABOVE NAMED [NAME], TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN MY COMMISSION EXPIRES

CERTIFICATE OF CITY OF MADISON COMMON COUNCIL

"RESOLVED THAT THIS PLAT KNOWN AS "HUXLEY YARDS", BEING A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, ALL IN TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, WAS HEREBY APPROVED BY RESOLUTION No._____, FILE No._____, ADOPTED ON THE _____ DAY OF _____, 2024, AND FURTHER RESOLVED THAT THE CONDITIONS OF SAID APPROVAL WERE FULFILLED ON THE _____ DAY OF _____, 2024, AND THAT SAID RESOLUTION FURTHER PROVIDED FOR THE ACCEPTANCE OF THOSE LANDS AND RIGHTS DEDICATED BY SAID "[plot name]" FOR PUBLIC USE".

I, MARIBETH WITZEL–BEL, CLERK OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN HEREBY CERTIFY THAT THE CITY COUNCIL HAS RESOLVED THAT PUBLIC SEWER WILL BE MADE AVAILABLE TO THE LOTS IN THE PLAT OF "HUXLEY YARDS", BEFORE BUILDINGS ARE OCCUPIED AND THAT PRIVATE SEWER FACILITIES ARE PROHIBITED.

MARIBETH WITZEL–BEHL, CITY CLERK DATE

CERTIFICATE OF CITY TREASURER

I, DAVE GAWENDA BEING DULY ELECTED, QUALIFIED, AND ACTING TREASURER OF THE CITY OF MADISON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2024, ON ANY OF THE LANDS INCLUDED IN THE PLAT OF "HUXLEY YARDS".

DAVE GAWENDA, TREASURER, CITY OF MADISON DATE

CERTIFICATE OF COUNTY TREASURER

I, ADAM GALLAGHER, BEING THE DULY APPOINTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF DANE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF THE _____ DAY OF _____, 2024, AFFECTING THE LANDS INCLUDED IN THE PLAT OF "HUXLEY YARDS"

ADAM GALLAGHER DATE
TREASURER, DANE COUNTY

CERTIFICATE OF THE CITY OF MADISON PLAN COMMISSION

THIS PLAT KNOWN AS "HUXLEY YARDS" IS HEREBY APPROVED BY THE CITY OF MADISON PLAN COMMISSION THIS _____ DAY OF _____, 2024.

MATT WACHTER, SECRETARY
CITY OF MADISON PLAN COMMISSION

CERTIFICATE OF REGISTER OF DEEDS

RECEIVED FOR RECORDING THIS _____ DAY OF _____, 2024, AT _____ O'CLOCK ____M. AND RECORDED IN VOLUME _____ OF PLATS ON PAGES _____ THROUGH _____ AS DOCUMENT NUMBER _____

KRISTI CHLEBOWSKI
REGISTER OF DEEDS, DANE COUNTY

SURVEYED FOR:

LINCOLN AVENUE COMMUNITIES
401 WILSHIRE BOULEVARD, 11TH FLOOR
SANTA MONICA, CA 90401
(608)999–4450

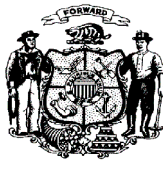
SURVEYED BY:



JSD PROFESSIONAL SERVICES, INC.
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN, 53593
(608) 848–5060

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



PROJECT LOCATION: SECTION 31 TOWNSHIP 08 NORTH RANGE 10 EAST CITY OF MADISON DANE COUNTY, WI		 CREATE THE VISION  TELL THE STORY	
HUXLEY YARDS SUBDIVISION		jsdinc.com	
PROJECT NO: 22–11381	SURVEYED BY: RAC	INITIAL SUBMITTAL DATE: JULY 15, 2024	
FIELDBOOK/PG: E–FILE	DRAWN BY: JK	REVISION RESUBMITTAL DATE: –	
		REVISION RESUBMITTAL DATE: –	
		REVISION RESUBMITTAL DATE: –	
SHEET 4 OF 4			

PLANNING DIVISION STAFF REPORT

September 9, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 905 Huxley Street (District 12, Ald. Latimer-Burris)
Application Type: Zoning Map Amendment, Preliminary & Final Plat
Legistar File ID # [84619](#) & [84629](#)
Prepared By: Colin Punt, AICP, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Kevin McDonell; Lincoln Avenue Communities; 401 Wilshire Blvd, 11th Flr; Santa Monica, CA 90401
Contact: Kevin Burow; Knothe & Bruce Architects, LLC; 8401 Greenway Blvd #900; Middleton, WI 53562
Surveyor: Jim Morrow; JSD Professional Services, Inc.; 507 W Verona Ave #500; Verona, WI 53593
Owner: Kevin McDonell; Roth Street I LLP; 401 Wilshire Blvd, 11th Flr; Santa Monica, CA 90401

Requested Action: The applicant is seeking approval of a preliminary plat and final plat to create two lots and approval of a zoning map amendment to rezone the southernmost lot from TR-U2 and RMX to RMX.

Proposal Summary: The applicant proposes to subdivide the large lot at 905 Huxley Street into two lots via a plat (Huxley Yards). The applicant also proposes to rezone the southerly proposed Lot 1 from TR-U2 and RMX to RMX for a 50-unit multifamily residential building. Lot 2 is proposed to remain zoned TR-U2 and is currently under construction with a seven-story, 303-unit multifamily residential building.

Applicable Regulations & Standards: Standards for zoning map amendments are found in §28.182(6) MGO. Process and requirements for subdivisions are found in §16.23(3) MGO.

Review Required By: Plan Commission, Common Council

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 905 Huxley Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission could find that the standards for land divisions are met and forward the preliminary plat and final plat for Huxley Yards to Common Council with a recommendation to **approve** subject to the conditions from reviewing agencies beginning on page 4; and
- That the Plan Commission find that the standards for zoning map amendments are met and forward the requested change of zoning of Lot 1 from TR-U2 and RMX to RMX to Common Council with a recommendation to **approve**.

Background Information

Parcel Location: The subject site is generally bounded by Coolidge Street on the north, Commercial Avenue on the south, Huxley Street to the west, and a Canadian Pacific railroad to the east. The entire site is approximately 8.54 acres. The site is within Alder District 12 and the Madison Municipal School District.

Existing Conditions and Land Use: The northern portion of the site is the construction site for a seven-story, 303-unit multifamily residential building approved in 2022. A small amount on the Commercial Street frontage (to a depth of about 250 feet) is zoned RMX (Regional Mixed Use district), but the great majority of the site is currently zoned TR-U2 (Traditional Residential-Urban 2 district).

Surrounding Land Uses and Zoning:

- North: Construction site for a six-story, 250-unit multifamily residential building zone TR-U2;
- West: Warehouse, industrial buildings, and an indoor ice area zoned RMX and, across Huxley Street, a public park zoned CN (Conservancy district);
- South: Across Commercial Street, a MG&E facility zoned IL (Industrial Limited district) and CC-T (Commercial Corridor-Transitional district); and
- East: Canadian Pacific Railway line zoned IL, with former Oscar Mayer campus beyond zoned IL and RMX (Regional Mixed Use district).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends the site for Community Mixed Use. The [Oscar Mayer Special Area Plan](#) (2020) also recommends community mixed-use..

Zoning Summary: Lot 2 is currently under development and is not proposed for any future development. Lot 1 is proposed to be zoned RMX (Regional Mixed Use District):

Requirements	Required	Proposed
Lot Area (sq. ft.): For exclusive residential use	None	Lot 1: 72,677 sq. ft.
Front Yard Setback	0' or 5'	TBD
Max. Front Yard Setback	25'	TBD
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	6'	TBD
Rear Yard Setback	The lesser of 20% of lot depth or 20'	TBD
Usable Open Space	None	TBD
Maximum Lot Coverage	90%	TBD
Minimum Building Height	2 stories	TBD
Maximum Building Height	5 stories/78'	TBD

Other Critical Zoning Items	Utility Easements
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Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: Much of the western portion of the overall site, generally confined to Lot 3 of the CSM, is within a mapped Dane County environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Previous Approvals

On June 21, 2022, Common Council approved a zoning map amendment ([ID 69517](#)) for a large parcel generally addressed as 2007 Roth Street, which includes the subject site, from IG (Industrial-General district) to CN (Conservancy district), TR-U2 (Traditional Residential-Urban 2 district), and RMX (Regional Mixed-Use district). On

December 12, 2022, the Plan Commission approved conditional uses to construct a six-story, 250-unit apartment building on Lot 1 ([ID 74056](#)) and a seven-story, 303-unit apartment building on Lot 2 ([ID 74721](#)) created via CSM ([ID 74065](#)) that was approved by Common Council on January 3, 2023. A third lot was created for parks and open space purposes. Lot 2 of the CSM is the subject site. Because the original CSM created four parcels, the creation of two lots out of existing Lot 2 creates a total of five parcels by successive divisions within a period of five years, thus legally requiring subdivision via plat.

Project Description, Analysis, & Conclusion

Project Description

The applicant is seeking approval of a preliminary plat and final plat to create two lots and approval of a zoning map amendment to rezone the southernmost lot from TR-U2 and RMX to RMX. Specifically, the applicant proposes to subdivide the existing large lot at 905 Huxley Street (Lot 2 of the existing approved CSM) into two lots. The applicant also proposes to rezone the southerly proposed lot (Lot 1) from TR-U2 and RMX to RMX for a 50-unit multifamily residential building. The proposed building is a permitted use in the RMX district and not before the Plan Commission for approval. A separate permitted use site plan review will be required for the proposed multi-family residential development project. Lot 2 is proposed to remain zoned TR-U2 and is currently under construction with a seven-story, 303-unit multifamily residential building.

Analysis

These requests are subject to the standards plat subdivisions and zoning map amendments. This section begins with a summary of adopted plan recommendations, followed by subdivision standards, zoning map amendment standards, and finally a conclusion.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends the site for community mixed-use (CMU). The CMU category includes areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole, generally at heights of two to six stories, and residential densities up to 130 units per acre. The [Oscar Mayer Special Area Plan](#) (2020) also recommends community mixed-use for the site at heights of three to ten stories. If a transit hub facility is established along the adjacent railroad line, the Oscar Mayer Special Area Plan also recommends the creation of an urban plaza as a forecourt to that facility. That Plan also recommends orienting development to Commercial Avenue with entries, active retail, and service uses on the ground floor to create a pedestrian scale, and to incorporate stepbacks to reduce building mass.

Standards for Zoning Map Amendments

The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

As discussed above, Staff believe that based on the CMU land use recommendation in both the [Comprehensive Plan](#) and the [Oscar Mayer Special Area Plan](#), in addition to the adjacency of RMX-zoned properties with the same

plan recommendations, that the zoning map amendment request is consistent with adopted plans and all applicable standards can be found met.

Standards for Land Divisions

With the recommended agency conditions, staff believes that the Plan Commission may find the standards for land divisions (16.23 MGO) approval met with the proposed Preliminary Plat and Final Plat with the staff-recommended conditions. The proposed lot will meet the dimensional requirements in the RMX district, and staff believes that the proposal is consistent with the recommendations for the site in the Comprehensive Plan and the Oscar Mayer Special Area Plan.

Conclusion

Staff believe that both the proposed land division and change of zoning are consistent with the recommendations of the Comprehensive Plan, as well as the Oscar Mayer Special Area Plan, and that all applicable standards for both requests can be found met.

At time of report publication, staff are unaware of any written public comment regarding this application.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 905 Huxley Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission could find that the standards for land divisions are met and forward the preliminary plat and final plat for Huxley Yards to Common Council with a recommendation to **approve** subject to the conditions from reviewing agencies below; and
- That the Plan Commission find that the standards for zoning map amendments are met and forward the requested change of zoning of Lot 1 from TR-U2 and RMX to RMX to Common Council with a recommendation to **approve**.

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. A separate permitted use site plan review will be required for the proposed multi-family residential development project.

City Engineering Division (Contact Brenda Stanley, 261-9127)

2. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Brynn Bemis (608-267-1986, bbemis@cityofmadison.com).
3. Proposed development includes proposed buildings located on top of the City of Madison sanitary sewer and public sanitary sewer easements. Property located to west of proposed development (Hartmeyer Ice Arena)

is also located on top of a City sewer and easements. Developer shall enter into a developer agreement provide sanitary sewer and dedicate public sanitary easements in order eliminate all buildings (existing and proposed) located on top of City sewers and easements as a condition for development. City sanitary sewer easements will be released when existing City sanitary sewers taken out of service.

4. This development site needs to accommodate and pass the 100 year event through the site (drainage from the North) and to Commercial Ave. Discharge to the RR ROW is not allowed.
5. The area adjacent to this proposed development has been determined by City Engineering to have a known flooding risk. Engineering has set the minimum protective lowest entrance elevation opening at an elevation of 855.00. This standard is not intended to be protective in all cases. The Developer is strongly encouraged to complete their own engineering analysis to determine and meet a protective elevation which they are comfortable with. In no case shall the protective elevation be set below the minimum threshold determined by City Engineering.
6. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
7. Construct path, terrace, curb and gutter and pavement as required along Commercial Ave to a plan as approved by City Engineer
8. Construct north south path from Huxley Street to Commercial Ave to a plan as required by City Engineer
9. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
10. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
11. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: Contractor shall notify Ray Schneider (608)3473628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection.
12. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
13. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
14. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
15. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size,

invert elevation, and alignment of the proposed service. (POLICY)

16. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
17. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
18. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity. Public Stormwater shall be contained to public right of way, easements or public lands for the 100-year 24-hr design storm for new development. (POLICY)
19. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
The Storm Water Management Plan & Report shall include compliance with the following:
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the

10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

SS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

21. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroster@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

22. The Detail "A" title shall read "Existing Public Sanitary Sewer Easement per Doc No 5939504. See Document for Terms and Conditions". The label on the map shall read "Existing Public Sanitary Sewer Easement per Doc No 5939504".
23. The Detail "E" title shall read "Existing Public Sanitary Sewer Easement (No. 1) per Doc No 5939504. See Document for Terms and Conditions". The label on the map shall read "Existing 20' Wide Public Sanitary Sewer Easement (No. 1) per Doc No 5939504".
24. The Detail "J" title shall read "Public Sanitary Sewer Easement (New). See Terms and Conditions on this sheet". Add a label on the map pointing to the new easement area and the label shall read " Public Sanitary Sewer Easement (New). Modify the labels for the existing Sanitary Sewer Easement with proper references to the recorded document.
25. The Detail "I" title shall read "Existing Public Public Storm Sewer and Storm Water Management Easement per Doc No 5939504. See Document for Terms and Conditions". The label on the map shall read "Existing PublicStorm Sewer and Storm Water Management Easement per Doc No 5939504". Also remove the hatching from the exhibit as the easement extends into Lot 2 as well.
26. The Detail "K" title shall read "Public Storm Sewer Easement (New). See Terms and Conditions on this sheet". Add a label on the map pointing to the new easement area and the label shall read " Public Storm Sewer Easement (New). Add ne Public Storm Sewer Easement text that has the same terms and conditions as the Public Sanitary Sewer Easement text. Add a label for the existing Storm Sewer & Stormwater Management Easement per Doc No 5939504.
27. The Detail "B" title shall read "Existing Public Storm Water Management and Public Sidewalk and Bike Path Easements per Doc No 5939504. See Document for Terms and Conditions". The labels on the map shall read "Existing Public Storm Water Management Easement per Doc No 5939504 and Public Sidewalk and Bike Path Easement per Doc No 5939504".

28. Remove note 2 on the plats if there ultimately are not any additional street dedication as part of this plat.
29. The Detail "C" title shall read "Existing Temporary Public Turnaround Easement per Doc No 5939504. See Document for Terms and Conditions". The label on the map shall read "Existing Temporary Public Turnaround Easement per Doc No 5939504".
30. There are not any new general Public Utility Easements being granted by this plat. Remove the notes on Sheets 1 and 2 of the final plat. Also remove the drainage arrow note, it is incorrect and does not apply to this plat.
31. The Detail "F" and "G" and "H" titles shall read "Existing Public Utility Easements per Doc No 5939504. See Document for Terms and Conditions". The label on the maps shall read "Existing 6' (or 10' depending on location) Wide Public Utility Easement per Doc No 5939504".
32. Remove the Easement text for the Public Sanitary Sewer Easements No. 1, Public Storm Sewer and Stormwater Management Easements South Side of Lot 2, Public Sidewalk and Bike Path Easements and Public Utility Easements. The existing easements have been defined by the existing CSM 16404 and all labels should refer to that document. Only text for new easements granted by this plat shall be on the face of this plat.
33. The Title reports provided are outdated and are not specifically for Lot 2 of CSM 16404 only. Provide an updated report of Lot 2 only. Engineering Mapping reserves the right of additional requirements in conjunction with the revised title report prior to final plat sign off.
34. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
35. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
36. Conditions of approval noted herein are not intended to be construed as a review determining full compliance with City of Madison Ordinances and State of Wisconsin Statutes. The licensed professional preparing the land division is fully responsible for full compliance with all Ordinances and Statutes regulating this proposed land division.
37. With the multitude of easements existing and to be granted within Lot 1, different line types shall be utilized to differentiate between the different easement areas.
38. Add to the headers on each sheet and the legal description "Volume 22 of Certified Surveys" as this a distinct set of Volumes at the Register of Deeds.
39. Add the plat name in the last sentence of the Common Council Certificate.
40. Relabel the name of the street from the north line of the ice arena to Commercial Ave as Ruskin Street (to be

renamed by separate future resolution)

41. Label the width of the adjacent railroad right of way.
42. Remove any items from the Legend that are not shown on the plat.
43. This pending plat application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
44. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
 - a) Right-of-Way lines (public and private)
 - b) Lot lines
 - c) Lot numbers
 - d) Lot/Plat dimensions
 - e) Street names
 - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Traffic Engineering Division (Contact Luke Peters, 266-6543)

45. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum ten (10)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Commercial Avenue. The City plans to extend a path along Commercial Avenue to connect to the existing Demetral path.
 46. Work with Traffic Engineering to finalize a path location through the site.

Fire Department (Contact Matt Hamilton, 266-4457)

47. Aerial access lane does not appear to comply with IFC and MGO requirements. Revise the fire access lane or work with Matt Hamilton to provide an equivalent level of aerial access.

Parks Division (Contact Kate Kane, 261-9671)

48. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 22041.1 when contacting Parks about this project.

Water Utility (Contact Jeff Belshaw, 261-9835)

49. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, 261-4289)

50. Metro Transit operates daily all-day transit service along North Sherman Avenue near this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day transit service along Packers Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

51. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 97 Weekday & 65 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

52. The agency reviewed this request and has recommended no conditions of approval as part of the proposed subdivision plat. A Transportation Demand Management (TDM) Plan will be required as part of the site plan review for future development.

Office of Real Estate Services (Contact Andy Miller, 261-9983)

53. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), all parties having an interest in the property, pursuant to Wis. Stats 236.21(2)(a), shall execute the Owner's Certificate on the plat. Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate. When possible, the executed original hard stock recordable plat shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the plat containing electronic signatures shall be provided to ORES to obtain approval sign-off.

54. Prior to plat approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s).

55. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the plat boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to plat approval sign-off.

56. A Consent of Lessee certificate shall be included on the plat for any tenancy in excess of one year, recorded

or unrecorded, and executed by said tenant prior to agency plat approval sign-off.

57. All consents and certifications for any holder of interests in the subject lands shall conform with Wis. Stats. 236.21(2) and 236.29, i.e., to include the language "...surveyed, divided, mapped and dedicated....".
58. If any portion of the lands within the plat boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and executed prior to approval sign-off.
59. City of Madison Treasurer Certificate: The following certificate must appear on the plat:

I, Craig Franklin, being the duly appointed, qualified and acting Treasurer of the City of Madison, Dane County, Wisconsin, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this _____ day of _____, 20____ on any of the lands included in the plat of _____.

Craig Franklin, City Treasurer
City of Madison, Dane County, Wisconsin

60. Dane County Treasurer Certificate: A certificate for the Dane County Treasurer similar to the City of Madison Treasurer Certificate above shall appear on the plat.
61. The lands within the Plat boundary are located within TID 54, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the Plat if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com.
62. As of August 30, 2024, no real estate taxes are due for the subject property. Under 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to Plat recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts are to be provided on or before sign-off.
63. As of August 30, 2024, there are no special assessments reported for the parcels within the plat boundary. Pursuant to Madison City Ordinance Section 16.23(5)(e)1 and Wis. Stats. 236.21(3), all special assessments, including accrued interest in the case of delinquencies, shall be paid by the owner prior to plat approval sign off. Receipts for payment shall be provided to the City's Office of Real Estate Services in advance of plat approval sign-off.
64. An outdated title report was supplied with the plat application, thus ORES reserves the right to impose additional conditions of approval in the event an updated title report contains changes that warrant revisions to the plat. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Andy Miller (acmiller@cityofmadison.com) in the City's Office of Real Estate Services, as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report dated November 7, 2023, and the date when sign-off approval is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.

65. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
66. Include on the proposed plat a complete and accurate legal description of the lands that are to be included in the proposed plat. The legal description shall be reconciled with the legal description of said lands in record title.
67. Create and record, or show as being dedicated in the proposed plat, easements for utility and drainage rights of way when the utility or drainage physically exists, but no document for it exists in record title.
68. Record satisfactions or releases for all recorded instruments that encumber or benefit the subject lands, if all interested parties agree that the purpose for such instrument is no longer necessary or relevant for the purposes of the land division.
69. Initiate requests to all applicable utilities to record releases of their interests in utility easements in underlying plats or CSM's, if this proposed plat is a redivision of existing plats or CSM's with utility easements that will no longer be applicable; and, prior to requesting sign-off, place a note in the proposed plat citing the recording data for the City's recorded release of same.
70. Include the following sentence with the dedicated utility easements depiction in the Legend: Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.



Project Address: 905 Huxley Street (District 12, Ald. Latimer-Burris)

Application Type: Zoning Map Amendment, Preliminary & Final Plat

Legistar File ID # [84619](#) & [84629](#)

Prepared By: Colin Punt, AICP, Planning Division

Reviewed By: Meagan Tuttle, AICP, Planning Director

The City Engineering Division and Traffic Engineering Division have revised their recommended conditions and have **recommended comments 8 and 46 in the original staff report be deleted.**

~~8. Construct north-south path from Huxley Street to Commercial Ave to a plan as required by City Engineer~~

~~46. Work with Traffic Engineering to finalize a path location through the site.~~

A planned north-south multiuse path from Huxley Street to Commercial Avenue required in recommended conditions of approval 8 and 46 does not appear to be constructible due to the location of necessary stormwater facilities in its path. The City Engineering Division and Traffic Engineering Division have therefore recommended the removal of the conditions 8 and 46 from the Planning Division's staff recommendation. Staff notes that recommended condition of approval 45, which requires that "The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum ten (10)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Commercial Avenue. The City plans to extend a path along Commercial Avenue to connect to the existing Demetral path," provides an acceptable alternative connection to the future Huxley-Ruskin street connection to be constructed to the northwest. Condition 45 is recommended to remain.

Staff continues to recommend approval of these items with these clarifications, subject to input at the public hearing and the remaining conditions recommended by the reviewing agencies.

From: gordian@nym.hush.com
To: [Plan Commission Comments](#)
Subject: Oppose item 13 (Legistar 84619) and item 14 (Legistar 84629)
Date: Sunday, September 8, 2024 12:20:41 PM

You don't often get email from gordian@nym.hush.com. [Learn why this is important](#)

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Sun. Sept. 8, 2024

Plan Commission Members,

Please vote against item 13 (Legistar 84619) and item 14 (Legistar 84629). These two measures cause three problems.

* RMX zoning, as proposed in Item 13 (Legistar 84619), would allow construction of family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area (for exclusive residential use)". [1] RMX zoning is inappropriate for a 50 unit family apartment building. As the Staff Report says, "The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan..." [2; p. 3.] RMX zoning at this site fails the "public health, safety, and welfare" test.

According to Legistar 84619, the phase 3 site extends 172.02 feet along Commercial Avenue. [4] Even Madison's fiercest shoppers would give up 172.02 feet of store fronts to provide a safe place for children to play.

The site is now zoned partly RMX and partly TR-U2. It could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. [3] If children are to be allowed to live in the new phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

* Item 13 (Legistar 84619) authorizes City staff to try to remove environmental protections from a Designated Wetland on the site. [4] The north side of Madison needs the many ecological benefits provided by this wetland. Wetland protections should not be reduced at the demand of real estate developers. A vote to remove those protections would demonstrate an anti-environmental bias on the part of the Plan Commission and Common Council.

* The Wisconsin DNR has approved a Materials Management Plan for the development of the former Hartmeyer property. [5] That Materials Management Plan does not include the phase 3 housing project proposed by Lincoln Avenue. [6] Any construction done would violate the current Materials Management Plan. Neither of these two pieces of legislation requires a new Materials Management Plan approved by the Wisconsin DNR.

These three issues are discussed in detail below.

Thank you.

Don Lindsay

TR-U2 Zoning

TR-U2 zoning requires 40 sq. ft. per dwelling unit. of usable open space for apartment buildings of this size. [3]

50 units

* 40 square feet

= 2000 square feet of usable open space (minimum).

That area is not a lot for 50 apartments, but it is better than nothing at all. If children are to be allowed to live in the phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

As the Staff Report says, "The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan..." [2; p. 3.]

RMX zoning, as proposed in Item 13 (Legistar 84619), would allow construction of family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area (for exclusive residential use)". [1] RMX zoning is inappropriate for a 50 unit family apartment building. RMX zoning at this site fails the "public health, safety, and welfare" test.

The site is now zoned partly RMX and partly TR-U2. It could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. [3] If children are to be allowed to live in the new phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

Wetland Protection

Legistar 84629 says,

"BE IT FURTHER RESOLVED that the Common Council authorizes City staff to request approval from the Capital Area Regional Planning Commission of any minor revisions to adopted environmental corridor boundaries within the Central Urban Service Area relating to this subdivision, and that the Council recognizes and adopts said revised boundaries." [7]

Lincoln Avenue Capital knew when it bought the property that a part of the parcel was in a

protected wetland. When they designed the third phase of their development, they assumed that the City would act to remove those protections. Why must environmental protections yield to the demands of real estate developers? Removing wetland protection status makes a mockery of the planning intended to preserve this sensitive environment.

Wisconsin DNR Approved Materials Management Plan

On Oct. 3, 2023, the Wisconsin DNR approved a Materials Management Plan for the development of the former Hartmeyer property. [5] That Materials Management Plan does not include the phase 3 housing project proposed by Lincoln Avenue. [6] Any construction done would violate the current Materials Management Plan approved by the Wisconsin DNR. Neither of these two pieces of legislation requires a new Materials Management Plan approved by the Wisconsin DNR. Again, the "public health, safety, and welfare" are not protected.

Sources

[1] RMX Zoning Code

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR_SUBCHAPTER_28DMIECODI_28.069REMIERMDI

[2] Staff Report

<https://madison.legistar.com/View.ashx?M=F&ID=13283683&GUID=ED74B93E-EA08-4230-A067-15748B5E98D9>

Accessed 20240907

[3] TR-U2 Zoning Code

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20--31_CH28ZOCOR_SUBCHAPTER_28CREDI_28.0512DI

[4] Legistar 84619

<https://madison.legistar.com/LegislationDetail.aspx?ID=6807772&GUID=D4661889-FF41-403F-9ED2-FF5F92A0CEDB&FullText=1>

Accessed 20240907

[5] Wisconsin DNR Approval of Materials Management Plan

https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=268711&docName=20231003_857_MMP_Appr.pdf&docDsn=580328

Accessed 20231008

[6] Wisconsin DNR Approved Materials Management Plan

https://apps.dnr.wi.gov/botw/DownloadBlobFile.do?docSeqNo=262460&docName=20230707_854_MMP_Req.pdf&docDsn=580328

Accessed 20230710

[7] Legistar 84629

<https://madison.legistar.com/LegislationDetail.aspx?ID=6808103&GUID=87B77210-0A54-4345-9DD1-36285548EC45&FullText=1>

Accessed 20240907

Lincoln Avenue Capital Letter of Intent

<https://madison.legistar.com/View.ashx?M=F&ID=13192784&GUID=21926352-9465-4F0B-A668-CCE40B4A80FA>

Accessed 20240907

From: [Jennifer Argelander](#)
To: [Plan Commission Comments](#)
Subject: Oppose Items 13 and 14
Date: Monday, September 9, 2024 12:48:16 PM

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Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Plan commissioner,

I oppose item 13 (Legistar 84619) and item 14 (Legistar 84629) and am requesting that you vote NO the items. In terms of the so-called meeting of the neighborhood, we were very disappointed with the meeting that was held at the Esquire restaurant about Phase III Hartmeyer Development on July 8. There was not appropriate notification for the meeting, in fact, neither of the Co-Chairs of SNA of which I am one received any postcard; the room was too small with little seating available; and we had too many questions that were not addressed. We on the north side are concerned with the quality of development in our neighborhood. We had no advanced idea about the design of this proposed development or how quickly it was to be sent to PC. I wrote twice to request a second meeting because we needed to see more and have a further discussion. The only response was from a City staff who did reply to some questions many of which were dismissive bureaucratic non-answers. We in the community are tired of being dismissed about our legitimate concerns while the City is bending over backward to keep developers happy.

If you have actually seen this space, it is totally inappropriate for children—it is dangerous --stuck between an ugly ice arena and railroad tracks. It would be another Russian block style building with cement all around.

RMX zoning, as proposed in Item 13 (Legistar 84619), would allow an inappropriate construction of a 50-unit family housing with no required safe place for children to play. RMX zoning requires no "usable open space" and requires no "Lot area for exclusive residential use". The Zoning Map Amendment standards must be based on public health, safety, and welfare. RMX zoning at this site fails to meet the "public health, safety, and welfare" test.

Since the site is now zoned partly RMX and partly TR-U2, it could easily be designated entirely TR-U2, which would require 2,000 square feet of usable open space. If children are to be allowed to live in the new phase 3 building, this zoning should be entirely TR-U2. OR make it adult only building.

Item 13 (Legistar 84619) authorizes City staff to try to remove environmental protections from a Designated Wetland on the site. Lincoln Avenue Capital knew when it bought the property that a part of the parcel was in a protected wetland. When they designed the third phase of their development, they assumed that the City would act to remove those protections. Wetland protections should not be reduced at the demand of real estate developers. Removing wetland protection status makes a mockery of the planning intended to preserve this sensitive environment.

The north side of Madison needs the many ecological benefits provided by this functioning urban wetland. A vote to remove those protections would demonstrate an anti-environmental bias on the part of the Plan Commission and Common Council. Thanks.

Jennifer Argelander
1715 Erie court
Madison

From: [Punt, Colin](#)
To: [Plan Commission Comments](#)
Subject: FW: Hartmeyer Phase III and more
Date: Monday, September 9, 2024 2:36:10 PM

Colin Punt, AICP (he, him, his)
Planner - City of Madison Planning Division
cpunt@cityofmadison.com |608.243.0455

From: Jennifer Argelander <jargelander@yahoo.com>
Sent: Friday, August 9, 2024 12:55 PM
To: Latimer Burris, Amani <district12@cityofmadison.com>; Punt, Colin <CPunt@cityofmadison.com>
Cc: Michelle Martin <mlmart29@yahoo.com>; don lindsay <gordian@nym.hush.com>; becky leidner <rw1951@yahoo.com>; Chris Elholm <chris.elholm@gmail.com>; Douglas Nelson <cascadeinvestmentgroup1@gmail.com>; Dorothy Borchardt <dborchardt1@charter.net>; Beth Sluys <sluysb@aol.com>; Kester, Dolores <dakester@sbcglobal.net>; badgerdiversified@att.net; Chet Hermansen <chetherm@hotmail.com>; CAROLYN RUMPH <brOwnsugar@charter.net>; Lesleigh Luttrell <lesleigh.luttrell@gmail.com>; Justin Markofski <director@northsideplanningcouncil.org>; marsha Cannon <mpcannon76@gmail.com>; Catherine Neumann <cln317.mail@gmail.com>
Subject: Hartmeyer Phase III and more

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Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Alder Amani and Colin Punt,

I sent an email on 7/25 requesting a meeting before the Hartmeyer Phase III goes to the Plan Commission and have yet to get a response. This project is not ready for the Plan Commission. We are requesting that you ensure that this project is put on hold until you can meet with us. This meeting must be in a more appropriate room and definitely better notification provided of the time and place.

We must have the below questions addressed and the persons who can provide the answers should be at the meeting (Kevin McDonell LAC, contractors, and other pertinent city staff):

1. How long has this development been going through approvals before we even heard about it?
2. From what LAC showed to us, this is not an appropriate development for this area. It will be squeezed in a small space with no outdoor area for children except railroad tracks and the neighboring businesses. This phase should be for households with no children. The area is too small to be zoned as RMX and it was never meant to be zoned as such according to the Oscar Mayer plan. We need a different kind of development on this spot.
3. What are the plans for traffic onto Commercial and the new road?
4. Why hasn't the flooding already seen taken priority before any more building continues?

5. What are the plans to deal with infrastructure of sewers and drainage for the buildings on this wetland and adding almost 3,000 people on this property?

6. What has the City and Madison Schools been doing to enable the nearby schools to handle the influx of new students?

7. What has been done to address the increased burden on the police and EMS and fire services?

8. How can you keep ignoring climate change and not protecting the wetland which provides alleviation to flooding and cleaning dangerous pollutants instead of just filling everything in with cement?

Our neighborhood actually cares about those who would live in these buildings and we also believe in fighting climate change and protecting the environment. We have not seen the same attitude from the City.

Thank you for attention to this request.

Jennifer Argelander
submitting for all the people in the CC above.

From: [Punt, Colin](#)
To: [Plan Commission Comments](#)
Subject: FW: Hartmeyer Phase III and more
Date: Monday, September 9, 2024 2:38:32 PM

Colin Punt, AICP (he, him, his)
Planner - City of Madison Planning Division
cpunt@cityofmadison.com | 608.243.0455

From: gordian@nym.hush.com <gordian@nym.hush.com>
Sent: Tuesday, August 27, 2024 1:57 PM
To: Punt, Colin <CPunt@cityofmadison.com>; Latimer Burris, Amani <district12@cityofmadison.com>
Subject: RE: Hartmeyer Phase III and more

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Tue. Aug. 27, 2024

I would like to thank Colin Punt for his thorough effort to answer questions from the Sherman Neighborhood Association. I value his information and views.

My responses appear below, in the body of the e-mail.

Don Lindsay

RE: Hartmeyer Phase III and more
From Colin Punt <CPunt@cityofmadison.com>
To
Jennifer Argelander <jargelander@yahoo.com>,
Latimer Burris, Amani <district12@cityofmadison.com>
Michelle Martin <mlmart29@yahoo.com>,
don lindsay <gordian@nym.hush.com>,
becky leidner <rw11951@yahoo.com>,
Chris Elholm <chris.elholm@gmail.com>,
Douglas Nelson <cascadeinvestmentgroup1@gmail.com>,
Dorothy Borchardt <dborchardt1@charter.net>,
Beth Sluys <sluysb@aol.com>,
Dolores Kester <dakester@sbcglobal.net>,
badgerdiversified <badgerdiversified@att.net>,
Chet Hermansen <chetherm@hotmail.com>,
CAROLYN RUMPH <br0wnsugar@charter.net>,
Lesleigh Luttrell <lesleigh.luttrell@gmail.com>,
Justin Markofski <director@northsideplanningcouncil.org>,
marsha Cannon <mpcannon76@gmail.com>,
Catherine Neumann <cln317.mail@gmail.com>,

Sent Friday, August 9, 2024 at 4:58 PM

CP: Jennifer,

CP: See my responses below, in red.

Colin Punt, AICP (he, him, his)

Planner - City of Madison Planning Division

cpunt@cityofmadison.com |608.243.0455

[The color coding gets confusing when different colors are applied to the original, the reply, and the response(s) to the reply. I have inserted the authors' initials to identify their contributions to this e-mail chain.

JA: = Jennifer Argelander

CP: = Colin Punt

DL: = Don Lindsay

If there are others who want to make further comments, please follow this convention.]

From: Jennifer Argelander <jargelander@yahoo.com>
Sent: Friday, August 9, 2024 12:55 PM
To:
Latimer Burris, Amani <district12@cityofmadison.com>,
Punt, Colin <CPunt@cityofmadison.com>
Cc: Michelle Martin <mlmart29@yahoo.com>,
don lindsay <gordian@nym.hush.com>,
becky leidner <rw11951@yahoo.com>,
Chris Elholm <chris.elholm@gmail.com>,
Douglas Nelson <cascadeinvestmentgroup1@gmail.com>,
Dorothy Borchardt <dborchardt1@charter.net>,
Beth Sluys <sluysb@aol.com>,
Kester, Dolores <dakester@sbcglobal.net>,
badgerdiversified@att.net,
Chet Hermansen <chetherm@hotmail.com>,
CAROLYN RUMPH <br0wnsugar@charter.net>,
Lesleigh Luttrell <lesleigh.luttrell@gmail.com>,
Justin Markofski <director@northsideplanningcouncil.org>,
marsha Cannon <mpcannon76@gmail.com>,
Catherine Neumann <cln317.mail@gmail.com>,

Subject: Hartmeyer Phase III and more

You don't often get email from jargelander@yahoo.com. Learn why this is important

Caution: This email was sent from an external source. Avoid unknown links and attachments.

JA: Dear Alder Amani and Colin Punt,

Ja: I sent an email on 7/25 requesting a meeting before the Hartmeyer Phase III goes to the Plan Commission and have yet to get a response. This project is not ready for the Plan Commission. We are requesting that you ensure that this project is put on hold until you can meet with us. This meeting must be in a more appropriate room and definitely better notification provided of the time

and place.

Ja: We must have the below questions addressed and the persons who can provide the answers should be at the meeting (Kevin McDonell LAC, contractors, and other pertinent city staff):

Ja: 1. How long has this development been going through approvals before we even heard about it?

CP: The applicant provided notice to the alder and neighborhood association, which kicks off the review and approval process, on May 17, 2024. The applicant had requested an opportunity to present to the City's Development Assistance Team on December 28, 2023, which I believe is the first time city staff heard of the proposal. However, this is not a requirement of the review process and should not in any way be construed to be part of the approval process.

Ja: 2. From what LAC showed to us, this is not an appropriate development for this area. It will be squeezed in a small space with no outdoor area for children except railroad tracks and the neighboring businesses. This phase should be for households with no children. The area is too small to be zoned as RMX and it was never meant to be zoned as such according to the Oscar Mayer plan. We need a different kind of development on this spot.

CP: Both the Oscar Mayer Special Area Plan and the Comprehensive Plan have Community Mixed Use land use recommendations for the site. RMX is an identified zoning district for implementation of CMU recommendations. To the best of my knowledge, the proposed lot meets the dimensional standards for RMX districts.

DL: It might be useful to separate the zoning issue and the main issue. Apartments for families with children need an outdoor area for the children. If this new apartment tower provides inadequate outdoor spaces for children, it should be restricted to households without children.

RMX zoning districts require no "usable open space" and no "Lot area (for exclusive residential use)". See

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20-31_CH28ZOCOOR_SUBCHAPTER_28DMIECODI_28.069REMIERMDI

As JA pointed out, RMX zoning is inappropriate for a 50 unit family apartment building.

TR-U2 zoning requires 40 sq. ft. per dwelling unit. of usable open space for apartment buildings of this size. See

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIICH20-31_CH28ZOCOOR_SUBCHAPTER_28CREDI_28.0512DI

50 units
* 40 square feet
= 2000 square feet of usable open space (minimum).

That area is not a lot for 50 apartments, but it is better than nothing at all. If children are to be allowed in the phase 3 building, it would be more appropriate to make the whole lot a TR-U2 zoning district.

Ja: 3.What are the plans for traffic onto Commercial and the new road?

CP: Driveways, site access, traffic movements, and transportation demand management requirements will be determined and enforced by staff from the Traffic Engineering Division, City Engineering Division, and Parking Utility.

DL: Here, a simple 12 word question turns into a game of whack-a-mole. A simple map and Planning Division Staff Report could answer the question. In less than two weeks the third phase of Hartmeyer housing development comes before the Plan Commission. Although there are now two Legistar data base records (84619 and 84629), no plans have been presented online, and there is no Staff Report. Keeping the public in the dark on the simplest questions excludes Madison's citizens from any meaningful role in the project approval process.

DL: Our traffic concerns are summarized in a comment Captain Kelly Donahue, Madison Police Department, North District, made to the Plan Commission.

"Another concern is the resulting traffic that will come with a large influx of residents. Commercial Avenue, N Sherman Avenue and Aberg Ave are all 2 lane streets that are already taxed, especially during the daily commute to work and school. We receive numerous concerns regarding traffic and poor driving on N Sherman Ave. The road was recently reconfigured to try to combat the increased safety issues for vehicles, cyclists and pedestrians. Certainly adding a large number of vehicles and many who will be making left turns will not help with the traffic issues and likely result in additional traffic crashes. This, in contrast to our strong efforts to affect injury crashes across the City. Additionally, the ability to get to the grocery store by bike or walking, requires crossing a large, busy intersection that isn't well suited to either."

From: Donahue, Kelly
To: Plan Commission Comments
Cc: Punt, Colin
Subject: Legistar ID 74056 and 74721
Date: Monday, December 12, 2022 1:49:25 PM

DL: This comment refers to the earlier phases, but phase 3 will exacerbate the problems. The number of onsite parking stalls suggests future traffic volumes on the nearby roads.

Parking spaces at Hartmeyer housing project:

- 266 Senior residents
- 19 Senior visitors
- 429 Family residents
- 17 Family visitors
- 71 Phase 3
- 802 Total

At just two trips per vehicle per day, 1,604 trips would be generated.

Ja: 4. Why hasn't the flooding already seen taken priority before any more building continues?

CP: Citywide response to flooding issues is an ongoing process. The City of Madison's response to extreme rainfall events since 2016 has focused in several areas including completing watershed studies of the affected areas and reviewing our stormwater design standards that affect both new and redevelopments. Madison General Ordinance Chapter 37, where these design standards are located, was rewritten and adopted by Common Council on June 2, 2020. New development is held to a much, much higher standard of stormwater management than the existing development surrounding it on the North side. You can learn about regional flood mitigation measures that are being implemented by the City at the Engineering webpage and the

Ja: 5. What are the plans to deal with infrastructure of sewers and drainage for the buildings on this wetland and adding almost 3,000 people on this property?

CP: In addition to the infrastructure required as conditions of approval for Lincoln Avenue's previous two phases:

CP: Storm sewer shall be installed up Roth Street to serve this development. No stormwater discharge from this development shall be allowed to enter the adjacent wetland in any event up to and including the 200-year event.

CP: Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))

CP: Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

CP: An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

CP: A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.

CP: A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

CP: This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line:

<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

CP: The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

CP: Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer. (MGO 16.23(9)(d)(2) and 16.23(7) (a)(13))

CP: Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

CP: Revise plan set to show more information on proposed drainage for the site. Use either

spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

CP: This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at

<https://dnr.wi.gov/topic/stormwater/publications.html>

CP: This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

CP: This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

CP: Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

CP: Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

CP: The Storm Water Management Plan & Report shall include compliance with the following:

CP: Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

CP: Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

CP: Rate Control New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

CP: Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

CP: TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

CP: Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review

and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

CP: ...this proposed phase will also require:

CP: Sanitary

CP: Utility plan needed showing proposed sewer lateral connection

CP: MMSD Fees due

CP: Confirm location of sanitary sewer and easement locations from development from north

CP: If the sewer west of proposed building is to be connected to, developer will be required to construct sewer in proposed easement

CP: Storm

CP: Overflow from the new storm on Ruskin passes along the RR tracks here – an overflow easement will need to be dedicated or a pipe sized for the 100-yr storm and installed. A developer agreement will be required for the needed storm sewer.

CP: Will need to show that the building does not flood.

CP: City Engineering has a full model of existing flood conditions that will need to be updated.

CP: This appears to require new development SWM standards unless it can be document that the site was previously developed.

DL: This level of planning for flooding is overwhelming. Unfortunately, the plans were overwhelmed by recent rain storms. On Monday June 24, 2024, Wed. July 3, 2024, and Wed. July 17, 2024 I observed hundreds of square feet of standing water adjacent to Lincoln Avenue Capital's construction projects on the former Hartmeyer property. Nearby areas were not as severely flooded. Rainwater runoff was flowing over the sidewalk on Commercial Avenue and into the street. This spectacular failure, on a brand new project, is what we mean when we say that the City is not adapting to climate change. The recent heavy rain storms are the new normal.

DL: The rain storm that caused the recent flooding was far less than the 100-year flood (6.66 inches over 24 hours duration using the MSE4 NRCS Rainfall Distribution) or the 200-year (4-hour storm event = 7.53 inches over 24 hours duration using the MSE4 NRCS Rainfall Distribution.) See Muni code 37.04

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH37THPUSTSYINERCO

Accessed 20240723

DL: The infrastructure onsite failed to handle a rain storm far smaller than minimum requirements.

Ja: 6. What has the City and Madison Schools been doing to enable the nearby schools to handle the influx of new students?

CP: Enrollment at East High Area elementary schools (Emerson, Gompers, Hawthorne, Lake View, Lindbergh, Lowell, Mendota, Sandburg, Lapham, and Marquette) has declined 10% between 2019-20 and 2022-23 (source). MMSD is forecasting a continued decline in enrollment of 2% per year (source). While I seriously doubt school capacity is an actual concern, Assistant Superintendent Bob Soldner represents MMSD on the Plan Commission and is provided all materials and information the rest of the Plan Commission receives regarding new developments.

DL: The percentage decline in student enrollments is good to know, but it immediately raises other questions:

- * The years in question coincide with the Covid 19 lockdowns. Extrapolating data trends is always risky. It is especially risky when the time frame includes events such as the nearly complete shutdown of society.

- * Was the 10% decline in enrollment followed by similar sized budget declines?

- * Knowing the percentage decline is valuable, but only the absolute numbers allow us to compare the decline to the number of students entering the area. The 303 family units on the former Hartmeyer property, plus the 68 family units at the nearby Odessa apartment tower, plus families living in the 110 unit apartment complex in the 1200 block of Huxley St. make it safe to assume that hundreds of new students will enroll in nearby schools. The schools' physical plant might be adequate, but what about pupil:teacher ratios, textbooks and computers provided to students, books in the libraries, and social services for students? Low income children do not necessarily have more personal problems than children from wealthier families, but they are more likely to turn to schools and other public agencies for help. The positive correlation between family income and student academic performance is well known. Without additional resources, such as mentoring programs and intensive tutoring, that cycle will not be broken. It is great that Assistant Superintendent Bob Soldner represents MMSD on the Plan Commission and is provided all materials and information the rest of the Plan Commission receives regarding new developments, but where are the hard numbers that show that Madison Schools can handle the large increase in low income students in Northside neighborhoods?

- * A student enrollment decline of 2% per year means a decline of 9.4% in five years and 18% in 10 years. This decline happens in a city with a general population growing at > 1% per year. Where are all these students going?

Ja: 7. What has been done to address the increased burden on the police and EMS and fire services?

CP: MPD and MFD staff are reviewers for all developments that require Plan Commission review and are able to make the necessary internal operational adjustments in reaction to any one proposal or pattern of development. I am not privy to those conversations.

DL: That the two Departments "are able to make the necessary internal operational adjustments in reaction to any one proposal or pattern of development" is an assertion whose truth depends on whether they two Departments are given additional resources. Our questions are what resources will they need and will they get them?

DL: In a comment to Madison's Plan Commission, Captain Kelly Donahue, Madison Police Department, North District, noted a large and sustained increase in police calls after the 110 unit apartment complex in the 1200 block of Huxley St. opened. Captain Donahue worries that opening more housing units in the Northside area "will continue to draw on police resources for the North Police District."

From: Donahue, Kelly
To: Plan Commission Comments
Cc: Punt, Colin
Subject: Legistar ID 74056 and 74721
Date: Monday, December 12, 2022 1:49:25 PM

Ja: 8. How can you keep ignoring climate change and not protecting the wetland which provides alleviation to flooding and cleaning dangerous pollutants instead of just filling everything in with cement?

CP: The Hartmeyer property is not what could be considered a high-quality wetland. It was until quite recently (speaking both geologically and in comparison to the European history of the place) used for a baseball field, parking, coal storage, and dumping. The transference of 13+ acres of that land to the Parks Division is probably the best thing that has happened to that site from an ecological perspective in the past 150 years.

DL: The best thing that has happened to the Hartmeyer site, strictly from an ecological perspective, is the closing of the hot dog factory which was the major cause of pollution on the site. The Hartmeyer wetland is recovering naturally from past environmental damage. Only time will tell whether Madison's Parks Division will have the wisdom to let nature take its course or the hubris to think that they can do a better job of managing the area.

DL: Despite the lack of an approved master plan, the Parks Division has already cut down a grove of trees on Roth St. Hundreds of square feet were clear cut. Clear cutting is not allowed in areas zoned Conservancy Natural, but the law was ignored. Lawn mowers are also being used to cut walking paths through the park. Actions like these frustrate those of us who favor preservation over landscaping.

Ja: Our neighborhood actually cares about those who would live in these buildings and we also believe in fighting climate change and protecting the environment. We have not seen the same attitude from the City.

Ja: If you are concerned about paving over our lands with cement, you should celebrate infill and redevelopment within the parts of our community that are already served by utilities, roads, transit, and services. The alternative is sprawl which will worsen climate change, local flooding, and pollution. The neighborhood's efforts to push development to the periphery promotes sprawl; it does not fight climate change, nor protect the environment.

DL: The Sherman Neighborhood Association supports infill development. It approved of the apartment complex in the 1200 block of Huxley St. and did not oppose the nearby Odessa apartment tower. Support for infill development does not mean support for every individual housing development inside Madison; people who say they like Mozart's music do not mean that they like every work that Mozart wrote. One can support infill development and still draw the line at housing low income people on poorly drained land contaminated by toxic chemicals.

DL: The former Hartmeyer property was once a sink that was able to contain stormwater runoff. The City of Madison destroyed that ability when it buried or removed all vegetation from 14 acres and replaced much of it with impermeable surfaces. Flooding quickly followed. Now this land is a net generator of stormwater runoff which must be captured and sent into Madison's storm sewers.

DL: Two new roads plus utilities are being built because the former Hartmeyer property was not "already served by utilities, roads, ...". Transit is another failure; this development should have

been built on a bus line. One of the two nearest bus routes runs just once every 75 minutes, and its bus stop lies three blocks away. The other bus line is two to three blocks away; it runs once every half hour.

DL: For a dozen years, the City has ruthlessly pushed infill development. In that time, urban sprawl has only continued. Urban development is more complicated than a tradeoff between infill development and urban sprawl. Could it be that the City's high density housing policies are driving urban sprawl? Enormous housing projects have replaced medium sized multi-family housing and single family residences. People who cannot find the housing that they want in Madison can and will move outside the city limits. They are not moving out of Madison because surrounding towns have 6+ story housing units but Madison does not. Businesses can and have followed their customers and their labor pools. Those who naively take a static view of a dynamic situation will never understand their own role in promoting urban sprawl.

Ja: Thank you for attention to this request.

Jennifer Argelander

submitting for all the people in the CC above.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 83576

File ID: 83576

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 05/22/2024

File Name: CLAIM: J. Steward - Vehicle Damage - \$327.99

Final Action:

Title: J. Steward - Vehicle Damage - \$327.99

Notes: EVL005556

CC Agenda Date: 09/24/2024

Agenda Number: 41.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	06/04/2024	Refer	Risk Manager		08/27/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the Risk Manager. The motion passed by voice vote/other.						
1	Risk Manager	08/27/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 83576

Title

J. Steward - Vehicle Damage - \$327.99

Body

Claim received 5/21/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84282

File ID: 84282

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 07/02/2024

File Name: CLAIM: S. Caya and E. Tenebruso of Nowlan Law
LLP for N. Sarenac - Personal Injury - \$50,000.00

Final Action:

Title: S. Caya and E. Tenebruso of Nowlan Law LLP for N. Sarenac - Personal Injury -
\$50,000.00

Notes: EVL005697

CC Agenda Date: 09/24/2024

Agenda Number: 42.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	07/16/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84282

Title

S. Caya and E. Tenebruso of Nowlan Law LLP for N. Sarenac - Personal Injury - \$50,000.00

Body

Claim received 6/25/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84742

File ID: 84742

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 08/08/2024

File Name: CLAIM: D. Penaranda - Vehicle Damage - \$308.29

Final Action:

Title: D. Penaranda - Vehicle Damage - \$308.29

Notes: EVL005824

CC Agenda Date: 09/24/2024

Agenda Number: 43.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84742

Title

D. Penaranda - Vehicle Damage - \$308.29

Body

Claim received 8/5/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84745

File ID: 84745

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 08/08/2024

File Name: CLAIM: B. Stanforth - Property Damage - \$325.35

Final Action:

Title: B. Stanforth - Property Damage - \$325.35

Notes: EVL005825

CC Agenda Date: 09/24/2024

Agenda Number: 44.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84745

Title

B. Stanforth - Property Damage - \$325.35

Body

Claim received 8/5/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84766

File ID: 84766

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/09/2024

File Name: CLAIM: Progressive for C. Hoffman - Vehicle
Damage - \$4,281.12

Final Action:

Title: Progressive for C. Hoffman - Vehicle Damage - \$4,281.12

Notes: TMI Claim

CC Agenda Date: 09/24/2024

Agenda Number: 45.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84766

Title

Progressive for C. Hoffman - Vehicle Damage - \$4,281.12

Body

Claim received 8/6/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84769

File ID: 84769

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/09/2024

File Name: CLAIM: C. Schwenn - Vehicle Damage - \$4,000.00

Final Action:

Title: C. Schwenn - Vehicle Damage - \$4,000.00

Notes: EVL005829

CC Agenda Date: 09/24/2024

Agenda Number: 46.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84769

Title

C. Schwenn - Vehicle Damage - \$4,000.00

Body

Claim received 8/6/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84783

File ID: 84783

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/13/2024

File Name: CLAIM: M. Hitt - Property Damage - \$250.00

Final Action:

Title: M. Hitt - Property Damage - \$250.00

Notes: EVL005837

CC Agenda Date: 09/24/2024

Agenda Number: 47.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84783

Title

M. Hitt - Property Damage - \$250.00

Body

Claim received 8/8/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84867

File ID: 84867

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/21/2024

File Name: CLAIM: S. Bruhn - Vehicle Damage - \$2,739.54

Final Action:

Title: S. Bruhn - Vehicle Damage - \$2,739.54

Notes: EVL005851

CC Agenda Date: 09/24/2024

Agenda Number: 48.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84867

Title

S. Bruhn - Vehicle Damage - \$2,739.54

Body

Claim received 8/14/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84871

File ID: 84871

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/21/2024

File Name: CLAIM: J. Kujabi - Property Damage - \$858.00

Final Action:

Title: J. Kujabi - Property Damage - \$858.00

Notes: EVL005853

CC Agenda Date: 09/24/2024

Agenda Number: 49.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84871

Title

J. Kujabi - Property Damage - \$858.00

Body

Claim received 8/16/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84875

File ID: 84875

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/21/2024

File Name: CLAIM: T. Hartjes - Vehicle Damage - \$700.15

Final Action:

Title: T. Hartjes - Vehicle Damage - \$700.15

Notes: EVL005854

CC Agenda Date: 09/24/2024

Agenda Number: 50.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84875

Title

T. Hartjes - Vehicle Damage - \$700.15

Body

Claim received 8/16/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84899

File ID: 84899

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/22/2024

File Name: CLAIM: S. Phillips (Founders 3) - Property Damage -
\$1,819.84

Final Action:

Title: S. Phillips (Founders 3) - Property Damage - \$1,819.84

Notes: EVL005855

CC Agenda Date: 09/24/2024

Agenda Number: 51.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84899

Title

S. Phillips (Founders 3) - Property Damage - \$1,819.84

Body

Claim received 8/19/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84936

File ID: 84936

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/23/2024

File Name: CLAIM: K. Mack - Property Damage - \$480.00

Final Action:

Title: K. Mack - Property Damage - \$480.00

Notes: EVL005860

CC Agenda Date: 09/24/2024

Agenda Number: 52.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84936

Title

K. Mack - Property Damage - \$480.00

Body

Claim received 8/19/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 84939

File ID: 84939

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/23/2024

File Name: CLAIM: M. Moll - Vehicle Damage - \$604.39

Final Action:

Title: M. Moll - Vehicle Damage - \$604.39

Notes: EVL005863

CC Agenda Date: 09/24/2024

Agenda Number: 53.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 84939

Title

M. Moll - Vehicle Damage - \$604.39

Body

Claim received 8/22/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85016

File ID: 85016

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 08/29/2024

File Name: CLAIM: R. Darrow - Towing/Storage Fee - \$602.23

Final Action:

Title: R. Darrow - Towing/Storage Fee - \$602.23

Notes: EVL005873

CC Agenda Date: 09/24/2024

Agenda Number: 54.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	COMMON COUNCIL	09/10/2024	Referred	Risk Manager		09/17/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	09/17/2024	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER				
	Action Text: This Claim was RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER						

Text of Legislative File 85016

Title

R. Darrow - Towing/Storage Fee - \$602.23

Body

Claim received 8/26/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85090

File ID: 85090

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Traffic Engineering Division

File Created Date : 09/04/2024

File Name: Authorizing the Mayor and City Clerk to enter into an 18-month, competitively selected service contract with Toole Design Group, LLC for updating the City's Pedestrian Plan and finalizing the All Ages and Abilities Bike Network.

Final Action:

Title: Authorizing the Mayor and City Clerk to enter into an 18-month, competitively selected service contract with Toole Design Group, LLC for updating the City's Pedestrian Plan and finalizing the All Ages and Abilities Bike Network (Citywide).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 55.

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author: Renee Callaway, Assistant Director of Traffic Engineering

Hearing Date:

Entered by: ALarson2@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Ryan Pennington	Approve	9/24/2024

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Traffic Engineering Division	09/04/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Transportation Commission (9/18/24), Finance Committee (9/16/24), Common Council (9/24/24)						
1	COMMON COUNCIL	09/10/2024	Referred	TRANSPORTATION COMMISSION		09/18/2024	
	Action Text: This Resolution was Referred to the TRANSPORTATION COMMISSION						
	Notes: Additional referral to Finance Committee						

1	TRANSPORTATION COMMISSION	09/10/2024	Referred	FINANCE COMMITTEE	09/16/2024	
	Action Text: This Resolution was Referred to the FINANCE COMMITTEE					
1	FINANCE COMMITTEE	09/16/2024	Return to Lead with the Recommendation for Approval	TRANSPORTATI ON COMMISSION	09/18/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to Return to Lead with the Recommendation for Approval to the TRANSPORTATION COMMISSION. The motion passed by voice vote/other.					
1	TRANSPORTATION COMMISSION	09/18/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER			Pass
	Action Text: Webber moved to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER, seconded by Bremer. The motion passed by voice vote/other.					

Text of Legislative File 85090

Fiscal Note

The proposed resolution authorizes a contract for pedestrian and bicycle planning. The contract price is not to exceed \$265,000. The contract will be funded at 80% from a Safe Streets for All Program grant included in the 2023 capital budget. The remaining 20% will be funded from existing borrowing authority within Traffic Engineering's capital program.

Title

Authorizing the Mayor and City Clerk to enter into an 18-month, competitively selected service contract with Toole Design Group, LLC for updating the City's Pedestrian Plan and finalizing the All Ages and Abilities Bike Network (Citywide).

Body

WHEREAS, the City Department requires consulting services in order to complete these Safe Streets for All program grant funded planning tasks; and

WHEREAS, the City Department worked with the Purchasing Division to issue RFP # 13015-0-2024-BP to solicit proposals for such services, and received 1 proposal; and

WHEREAS, an evaluation team consisting of Purchasing and relevant Department staff conducted a detailed evaluation and scored the proposal using criteria including project experience, firm and staff background, overall project approach, approach to equitable engagement, and proposed schedule; and

WHEREAS, to complete the consulting work, an eighteen month contract is required, and Toole Design Group, LLC proposed a contract price not to exceed \$265,000 to update the City's Pedestrian Plan, finalize the All Ages and Abilities Bike Network map, prioritize pedestrian and bicycle projects, and complete related deliverables; and

WHEREAS, under MGO 4.26(3)(e), service contracts of more than one year that average more than \$100,000 per year in cost require Common Council approval and signature by the Mayor and City Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to sign a contract with Toole Design Group for the purposes and at the price described above, for a term of 18 months, and any related documentation in a form approved by the City Attorney.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85075

File ID: 85075

File Type: Resolution

Status: Unfinished
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/03/2024

File Name:

Final Action:

Title: Designating City of Madison Polling Locations for the 2024 General Election

Notes:

CC Agenda Date: 09/10/2024

Agenda Number: 56.

Sponsors: Bill Tishler, Nasra Wehelie, Tag Evers, Marsha A. Rummel, John P. Guequierre, Regina M. Vidaver, Michael E. Verveer, MGR Govindarajan, Dina Nina Martinez-Rutherford, John W. Duncan And Derek Field

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jverbick@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/4/2024	Robert Mulcahy	Approve	9/9/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Clerk's Office	09/03/2024	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Common Council (9/24/24)					
1	COMMON COUNCIL	09/10/2024	Refer to a future Meeting to Adopt	COMMON COUNCIL			
	Action Text:	This Resolution was Referred to a future Meeting to Adopt to the COMMON COUNCIL					
	Notes:	Adopt 9/24/24					

Text of Legislative File 85075

Fiscal Note

The City Clerk's 2024 Operating Budget includes funding to support four elections in 2024. No additional appropriation is required.

Title

Designating City of Madison Polling Locations for the 2024 General Election

Body

WHEREAS, the Common Council must establish polling locations at least 30 days before an election; and

WHEREAS, City of Madison voters have elections for county executive, county officers other than supervisors, Representatives to the Assembly, State Senators, Representative to Congress, United States Senator, the President/Vice President, and referenda from the state, City of Madison, and some school districts on November 5, 2024; and

WHEREAS, 107 facilities have generously agreed to open their doors to facilitate the democratic process on Election Day;

NOW, THEREFORE, BE IT RESOLVED, that the following locations are designated as polling places for the November 2024 General Election:

<u>Ward</u>	<u>Polling Location</u>
1, 125	Westminster Senior Apartments, 6160 Dell Dr
2, 3	Fire Station #14, 3201 Dairy Dr
4	City Church, 4909 E Buckeye Rd
5, 6	Elvehjem Elementary School, 5106 Academy Dr
7, 121	Door Creek Church, 6602 Dominion Dr
8, 123	Steamfitters Local 601 Training Center, 6310 Town Center Dr
9	Oak Park Place, 718 Jupiter Dr
10	Messiah Lutheran Church, 5202 Cottage Grove Rd
11	New Beginnings Church, 602 Acewood Blvd
12	Kennedy Elementary School, 221 Meadowlark Dr
13	Hy-Vee, 3801 E Washington Ave
14	LaFollette High School, 702 Pflaum Rd
15	Lake Edge Lutheran Church, 4032 Monona Dr
16	Pinney Library, 516 Cottage Grove Rd
17	Whitehorse Middle School, 218 Schenk St
18	Hawthorne Library, 2707 E Washington Ave
19	Olbrich Gardens, 3330 Atwood Ave
20, 21	Nakoosa Trail Fleet Facility, 4151 Nakoosa Trail
22	Fire Station #11, 4011 Morgan Way
23	Oakwood Village Prairie Ridge, 5565 Tancho Dr
24, 133	Sandburg Elementary School, 4114 Donald Dr
25	Eastside Lutheran, 2310 Independence Lane
26, 128	East Madison Community Center, 8 Straubel Ct
27	Hawthorne Elementary, 3344 Concord Ave
28	Bashford United Methodist Church, 329 North St
29	East High School, 2222 E Washington Ave
30	Tenney Park Pavilion, 402 N Thornton Ave
31	Door Creek Church - Northside, 1181 N Sherman Ave
32	Lakeview Library, 2845 N Sherman Ave
33, 122	Sherman Ave United Methodist Church, 3705 N Sherman Ave
34, 129	Black Hawk Middle School, 1402 Wyoming Way
35	TPC Wisconsin, 5000 N Sherman Ave

36	Warner Park CRC, 1659 Players Dr
37	Lindbergh Elementary School, 4500 Kennedy Rd
38	Mendota Elementary School, 4002 School Rd
39, 131	Vera Court Neighborhood Center, 614 Vera Ct
40	Trinity Lutheran Church, 1904 Winnebago St
41	Lapham Elementary School, 1045 E Dayton St
42	O'Keeffe Middle School, 510 S Thornton Ave
43	Christ Presbyterian Church, 944 E Gorham St
44	Wil-Mar Neighborhood Center, 504 S Brearly St
45, 51, 126	NoVo Apartments, 216 S Pinckney St
46	Gates of Heaven, 302 E Gorham St
47	Bethel Lutheran, 312 Wisconsin Ave
48	Lowell Center, 610 Langdon St
49	Hillel at the University of Wisconsin, 611 Langdon St
50	Chazen Museum of Art, 750 University Ave
52	Central Library, 201 W Mifflin St
53	Capitol Lakes, 333 W Main St
54	Madison Senior Center, 330 W Mifflin St
55	641 W Main St Apartments, 641 W Main St
56	Nicholas Recreation Center, 797 W Dayton St
57	Gordon Dining & Event Center, 770 W Dayton St
58	Smith Hall, 35 N Park St
59	Union South, 1308 W Dayton St
60	Memorial Union, 800 Langdon St
61	Holt Center, 1650 Kronshage Dr
62	Eagle Heights Community Center, 611 Eagle Hts
63	First Congregational Church, 1609 University Ave
64	Blessed Sacrament Church, 2111 Rowley Ave
65	West High School, 30 Ash St
66	First Baptist Church, 518 N Franklin Ave
67	Bethany United Methodist Church, 3910 Mineral Point Rd
68	Brittingham Apartments, 755 Braxton Pl
69	St James Catholic School, 1204 St James Ct
70	Society of Friends (Quakers), 1704 Roberts Ct
71	Wingra School, 718 Gilmore St
72	Trinity United Methodist Church, 1123 Vilas Ave
73	Goodman Parks Maintenance, 1402 Wingra Creek Pkwy
74	Bridge - Lake Point - Waunona, 1917 Lake Point Dr
75	Highland Manor Park Storm Shelter, 10 Manor Dr
76	Catholic Multicultural Center, 1862 Beld St
77	Village on Park, 2300 S Park St
78, 79	Leopold Elementary School, 2602 Post Rd
80	Thoreau Elementary School, 3870 Nakoma Rd
81	Boys and Girls Club, 4619 Jenewein Rd
82	Toki Middle School, 5606 Russett Rd
83	Good Shepherd Lutheran Church, 5701 Raymond Rd
84, 99	Meadowridge Library, 5726 Raymond Rd
85	Midvale Elementary School, 502 Caromar Dr
86	Sequoia Library, 4340 Tokay Blvd
87, 88	Covenant Presbyterian Church, 326 S Segoe Rd
89	Hamilton Middle School, 4801 Waukesha St
90	Stephens Elementary School, 120 S Rosa Rd

91, 92 Asbury United Methodist, 6101 University Ave
93 John Muir Elementary, 6602 Inner Dr
94 Oakwood Village University Woods, 6205 Mineral Point Rd
95, 97, 130 Anana Elementary School, 6323 Woodington Way
96 Alicia Ashman Library, 733 N High Point Rd
98 Huegel Elementary, 2601 Prairie Rd
100 Urban League SW Employment Ctr, 1233 McKenna Blvd
101, 120 Elver Park Shelter, 1250 McKenna Blvd
102 Elver Neighborhood Center/WI Youth Company, 1201 McKenna Blvd
103 Chapel Valley Church, 3102 Prairie Rd
104 Staybridge Suites Madison - Fitchburg, 2916 Hardrock Rd
105, 106 Chavez Elementary School, 3502 Maple Grove Dr
107, 111, 124 Point of Grace Church, 7026 Raymond Rd
108 Timberlake Village Apts Community Room, 7425 Timberlake Trl
109, 114 Blackhawk Church, 9620 Brader Way
110 West Madison Agricultural Research Station, 8502 Mineral Point Rd
112, 113 Olson Elementary School, 801 Redan Dr
115 Lussier Community Education Ctr, 55 S Gammon Rd
116 High Point Church, 7702 Old Sauk Rd
117 Attic Angel Association, 640 Junction Rd
118, 134 The Jefferson, 9401 Old Sauk Rd
119 Middleton United Church of Christ, 645 Schewe Rd
127 UW Arboretum Visitor Center, 2880 Longenecker Dr
132 Badger Rock Middle School, 501 E Badger Rd



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85149

File ID: 85149

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/09/2024

File Name: Private Water Supply Cooperatives

Final Action:

Title: Amending Sections 13.07, 13.18(6)(a) and 13.19(2), and creating Sec. 4.08(1)(d) of the Madison General Ordinances to address the connection of properties served by private water supply cooperatives to the City water supply and update the residential connection rebate program, to bring the lead service line reimbursement amount in line with the updated residential connection rebate amount, and to allow for longer installment payments of special assessments for customers of private water supply cooperatives.

Notes: 6900PrivateWaterSupplyCoops

CC Agenda Date: 09/24/2024

Agenda Number: 57.

Sponsors: Charles Myadze And Tag Evers

Effective Date:

Attachments:

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/11/2024	Michael Haas	Approved as to Form	10/1/2024
1	2	9/11/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	3	9/16/2024	Ryan Pennington	Delegated	
1	4	9/16/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/09/2024	Referred for Introduction				
Action Text: This Ordinance was Referred for Introduction							

Text of Legislative File 85149

Fiscal Note

No City appropriation required.

Title

Amending Sections 13.07, 13.18(6)(a) and 13.19(2), and creating Sec. 4.08(1)(d) of the Madison General Ordinances to address the connection of properties served by private water supply cooperatives to the City water supply and update the residential connection rebate program, to bring the lead service line reimbursement amount in line with the updated residential connection rebate amount, and to allow for longer installment payments of special assessments for customers of private water supply cooperatives.

Body

DRAFTER'S ANALYSIS: This ordinance largely addresses the connection of the residential properties served by private water supply cooperatives to the City's water supply, as well as updating the residential connection rebate and the lead service line reimbursement programs, and allowing a longer installment period for the payment of special assessments by private water supply cooperative customers.

Under this ordinance, the City's residential connection requirements are being updated to require that properties served by the private water supply cooperatives connect to the City water mains, once installed, no later than 60 days before the cooperative declares that it will cease to operate its private wells and water system. While the Water Utility would be expected to work with private water supply cooperatives on transitioning water services to the City mains, this 60 day window will give the City additional time to pursue enforcement or cause the connections to be made before private water service ceases.

In addition, this ordinance will update the residential connection rebate program so that private water supply cooperative customers are eligible for the increased rebate of \$3,000, which amount is being increased to account for current costs. These changes will also expand the rebate to other properties that abandon private wells to connect to the City's system which were previously ineligible because the properties weren't in the City before 2013 and weren't connected to the City's water supply before 2016. As a companion to these changes, the lead water service line replacement reimbursement is being updated to match the \$3,000 residential connection rebate, to reflect increased costs of that work. Also, a deadline for rebate applications is being created.

Finally, this ordinance will provide that stand-alone water main assessment installment payments will no longer be capped at 5-years, and that customers of private water supply cooperatives may make installment payments for 30-years associated with the water main extension to make this conversion more affordable for residents.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (d) of Subsection (1) of Section 4.08 entitled "Special Assessments-Payment in Installments" of the Madison General Ordinances is created as follows:

"(d) Thirty (30), where the special assessments are being levied to fund a water main to serve properties provided private water service by a private water supply cooperative, as defined in Sec. 13.07(2)(b)8."

2. Paragraph 8 of Subdivision (b) entitled "Definitions" of Subsection (2) entitled

“Residential Connections Required” of Section 13.07 entitled “Service Connections” of the Madison General Ordinances is created as follows:

“8. Private Water Supply Cooperative means a privately owned cooperative association, organized under Wis. Stats. Ch. 185, that provides private water service to its members within the Water Utility’s service area.”

3. Paragraph 3 of Subdivision (c) entitled “Connection Requirement” of Subsection (2) entitled “Residential Connections Required” of Section 13.07 entitled “Service Connections” of the Madison General Ordinances is created as follows:

“3. Following the installation of public water mains in the adjacent right-of-ways, any building served with private water by a private water supply cooperative shall be connected with the water main pursuant to the standards set forth in sub. (1).”

4. Subdivision (d) entitled “Timing of Connection” of Subsection (2) entitled “Residential Connections Required” of Section 13.07 entitled “Service Connections” of the Madison General Ordinances is amended as follows:

“(d) Timing of Connection. Buildings subject to the connection requirement in sub. (c) shall be connected to the water main within ninety (90) days of either the expiration of a valid well operation permit issued under Sec. 13.21(5), MGO, unless the property owner renews the well operation permit during this period of time, or upon the conveyance of the property pursuant to Wis. Stat. ch. 706, whichever occurs first. In addition, buildings served by a private water supply cooperative shall be connected to the water main no later than sixty (60) days before the date that the private water supply cooperative declares it will cease to operate its private wells and water system.

However, for properties annexed into or attached to the City of Madison that would be subject to the connection requirement in sub. (c) upon annexation or attachment, connection shall be made within one hundred eighty (180) days of the effective date of said annexation or attachment. Properties annexed into or attached to the City that would not be subject to the connection requirement in sub. (c) upon annexation or attachment must connect within ninety (90) days of a water main extension that invokes the requirements of sub. (c)1.”

5. Subdivision (i) entitled “Residential Connection Rebate” of Subsection (2) entitled “Residential Connections Required” of Section 13.07 entitled “Service Connections” of the Madison General Ordinances is amended as follows:

“(i) Residential Connection Rebate. Upon the connection of a building to the water main as required under this sub. (c), the Water Utility General Manager is authorized to issue a rebate to the owner of the property of up to fifty percent (50%) of the cost to the owner of the connection of the building to the water main, up to a maximum rebate of ~~three thousand dollars (\$3,000)~~ two thousand dollars (\$2,000). In determining if a property is eligible for this rebate, the distance limitation set forth in sub. (c)2. does not apply. A rebate will be issued if the following conditions are met:

~~1. The connection to the water main is made prior to January 1, 2016.~~

~~12.~~ 12. The property owner had a valid well operation permit issued under Sec. 13.21, MGO, prior to the well abandonment, or was a member of a private water supply cooperative.

~~23.~~ 23. The property owner provides the Water Utility General Manager with receipts and proof that the foregoing requirements have been met.

~~34. The Water Utility has not issued a citation or made a written referral to the City Attorney for non-compliance with the requirements of this subsection to the property owner, or their predecessor in interest.~~

~~5. The property is in the City of Madison as of January 1, 2013.~~

~~46. Except for properties that were members of a private water supply cooperative, if the property owner properly abandons the private well on the property within thirty (30) days of the connection, or secures a new well operation permit under Sec. 13.21(5) for an irrigation-only well.~~

~~57. The City or the Madison Water Utility has sufficient funding available to support the rebate."~~

6. Subdivision (a) of Subsection (6) entitled "Financing of Replacement" of Section 13.18 entitled "Lead Water Service Line Replacement" of the Madison General Ordinances is amended as follows:

"(a) The Water Utility may, contingent on availability of funding, administer lead service replacement reimbursement program. Upon application to the Water Utility, owners, managers or persons otherwise exercising control over properties with lead customer-side water service lines who replaced such lines after November 1, 2016, in accordance with applicable Utility rules, guidelines and schedules, and who have complied with all of the provisions of this ordinance will be eligible for a reimbursement payment not to exceed fifty percent (50%) of the cost of replacement of any lead customer-side water service line in use, up to a maximum of \$ ~~3,000~~4,500 for each service line replaced. Application for reimbursement must include, as documentation of replacement and cost, a payment receipt from a licensed plumber for replacing the lead customer-side water service line at the subject property. Application must be made within ninety (90) days of the completion of work. Disputes regarding eligibility for reimbursement may be appealed to the Water Utility Board."

7. Subsection (2) of Section 13.19 entitled "Water Main Assessment Procedure" of the Madison General Ordinances is amended as follows

"(2) When a water main extension is proposed, the Common Council shall adopt a Resolution directing the installation of the main and directing the Water Utility General Manager to report on the assessments for the main in accordance with Wis. Stat. § 66.0701, and indicating that the assessments are to be placed on the tax roll in ~~five (5) equal~~ annual installments with interest as established by Sec. 4.08 of the Ordinances."



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85207

File ID: 85207

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/12/2024

File Name: Sustainable Madison Committee Membership

Final Action:

Title: Amending Sec. 33.31 of the Madison General Ordinances to Update the
Membership of the Sustainable Madison Committee.

Notes: 6901SustainableMadisonMembership

CC Agenda Date: 09/24/2024

Agenda Number: 58.

Sponsors: Satya V. Rhodes-Conway, MGR Govindarajan And
Nasra Wehelie

Effective Date:

Attachments:

Enactment Number:

Author: Doran Viste

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/12/2024	Michael Haas	Approved as to Form	10/2/2024
1	2	9/12/2024	Elizabeth York	Approve	10/2/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/12/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Sustainable Madison Committee (10/21/24), Common Council (10/29/24)						

Text of Legislative File 85207

Fiscal Note

No fiscal impact.

Title

Amending Sec. 33.31 of the Madison General Ordinances to Update the Membership of the

Sustainable Madison Committee.

Body

DRAFTER'S ANALYSIS: This ordinance updates the membership of the Sustainable Madison Committee by decreasing the overall body from 15 to 11 members, the number of alternates from 3 to 2, and adding a goal of having youth members (ages 14-24) appointed to the Committee.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 33.31 entitled "Sustainable Madison Committee" of the Madison General Ordinances is amended as follows:

"33.31 - SUSTAINABLE MADISON COMMITTEE

The Sustainable Madison Committee takes a leadership role in the promotion of sustainability and environmental protection for the City of Madison, the Madison community, and the region. The committee consists of eleven (11) fifteen (15) members plus two three alternates: at least one (1) Common Council member, one (1) Board of Public Works member (who may also be a Council member), and nine (9) thirteen (13) various experts or community representatives with an interest in sustainability (no more than two (2) of whom may also be Council members). Members shall be resident members that bring, collectively, a variety of different perspectives and experiences related to, collectively, represent the following areas of expertise: (1) Air, (2) water, (3) energy, (4) transportation and land use, (5) food, (6) the built environment, (7) finance, economics and workforce, (8) culture (health, education, arts), ~~and (9) environmental - protection justice,~~ (10) climate, and (11) youth perspectives (ages 14-24). The Mayor shall strive to appoint members drawn from the following portions of the community: Neighborhood groups, sustainability activists, youth (ages 14-24), business people, educational institutions and the development community. Members and alternates are appointed by the Mayor and approved by the Common Council. Members and alternates shall be appointed for a term of two years, with terms expiring June 30 with the exception of aldermanic members and the Board of Public Works member. The term of aldermanic members shall expire with the expiration of their terms as alders and the term of the Board of Public Works member shall expire with their term on Board of Public Works."



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85247

File ID: 85247

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: North Seventh Street Rezone

Final Action:

Title: Creating Section 28.022-00691 of the Madison General Ordinances to change the zoning of property located at 10 and 16 North Seventh Street from TR-C4 (Traditional Residential-Consistent 4) District to TSS (Traditional Shopping Street) District. (District 12)

Notes: 6902NSeventhRZ

CC Agenda Date: 09/24/2024

Agenda Number: 59.

Sponsors: Planning Division

Effective Date:

Attachments: 10-16 N Seventh Street.pdf

Enactment Number:

Author: Kate Smith

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/16/2024	Michael Haas	Approved as to Form	10/4/2024
1	2	9/18/2024	Maggie McClain	Approve	10/4/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/16/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 10/21/24), Common Council (10/29/24)						

Text of Legislative File 85247

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00691 of the Madison General Ordinances to change the zoning of property located at 10 and 16 North Seventh Street from TR-C4 (Traditional Residential-Consistent 4) District to TSS (Traditional Shopping Street) District. (District 12)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 10 and 16 North Seventh Street from TR-C4 (Traditional Residential-Consistent 4) District to TSS (Traditional Shopping Street) District to allow redevelopment of parcels together with 2430-2450 East Washington Avenue with a five-story mixed-use building.

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00691 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

“28.022-00691. The following described property is hereby rezoned to TSS (Traditional Shopping Street) District.

All of Lot 12 and the Northwestern 40 feet of Lots 13 and 14, Block 1, Girstenbrei's Plat of Blocks 295, 296 and 297 of Farwell's Addition to Madison, City of Madison, Dane County, Wisconsin. Said described area contains 8,190 square feet (0.188 acres).”

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

FROM: Tim Parks, Planning Division

Amendment: X

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): _____

Date to be Presented: 24 September 2024

Referral(s): Plan Commission: 21 October 2024; Common Council: 29 October 2024

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 10 and 16 N Seventh Street Alder District 12

From TR-C4 District To TSS District

Proposed Use: Rezone to TSS to allow redevelopment of parcels together with 2430-2450 E Washington Avenue with five-story mixed-use building

By Direction Of: Meagan Tuttle, Director, Planning Division

Date: 12 September 2024



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85248

File ID: 85248

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Schewe Road Rezone

Final Action:

Title: Creating Section 28.022-00692 of the Madison General Ordinances to change the zoning of property located at 623 Schewe Road and 10122 White Fox Lane from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District. (District 9)

Notes: 6903ScheweRZ

CC Agenda Date: 09/24/2024

Agenda Number: 60.

Sponsors: Planning Division

Effective Date:

Attachments: 623 Schewe Road.pdf

Enactment Number:

Author: Kate Smith

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/16/2024	Michael Haas	Approved as to Form	10/4/2024
1	2	9/18/2024	Maggie McClain	Approve	10/4/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/16/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 10/21/24), Common Council (10/29/24)						

Text of Legislative File 85248

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00692 of the Madison General Ordinances to change the zoning of property located at 623 Schewe Road and 10122 White Fox Lane from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District. (District 9)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 623 Schewe Road and 10122 White Fox Lane from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District for the proposed "The Crest at Eagle Trace" residential subdivision.

The Common Council of the City of Madison do hereby ordain as follows:

1. Map Amendment 00692 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00692. The following described property is hereby rezoned to TR-P (Traditional Residential-Planned) District.

Outlot 1, Eagle Trace; Lot 1, Certified Survey Map 9672; and unplatted lands, located in the NE1/4 of the NE1/4 of Section 20, T7N, R8E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of said Section 20; thence S01°40'41"W, 649.07 feet along the East line of said NE1/4 to the Northwest corner of Outlot 3, Chapel View also being the Southeast corner of Lot 1, Certified Survey Map 14935 and the Point of Beginning; thence S01°40'41"W, 502.82 feet along the West line of said Outlot 3 to a point on the Northerly right of way line of White Fox Lane; thence S89°38'37"W, 100.44 feet along said Northerly right of way line to a point of curve; thence Southwesterly along said Northerly right-of-way on a curve to the left which has a radius of 435.00 feet and a chord which bears S71°32'58"W, 270.21 feet; thence S53°27'18"W, 81.94 feet along said Northerly right-of-way line to a point of curve; thence Westerly along a curve to the right which has a radius of 25.00 feet and a chord which bears N80°21'34"W, 21.65 feet to a point of compound curve on the Easterly right-of-way line of Schewe Road; thence Northerly along said Easterly right-of-way line on a curve to the right which has a radius of 232.00 feet and a chord which bears N16°23'22"W, 141.72 feet; thence N01°23'42"E, 8.25 feet to a point of curve; thence Northerly along said Easterly right-of-way line on a curve to the right which has a radius of 25.00 feet and chord which bears N10°08'31"W, 10.00 feet; thence N01°23'42"E, 476.44 feet along said Easterly right-of-way line to the Southwest corner of Lot 1, Certified Survey Map 14935; thence N89°34'57"E, 488.62 feet along the North line of said Lot 1 to the Point of Beginning. Said described lands contain 265,001 square feet (6.084 acres)."

REQUEST FOR AMENDMENT TO THE MADISON GENERAL ORDINANCES

TO: Michael R. Haas, City Attorney

Proposed/Current Section No. _____

FROM: Tim Parks, Planning Division

Amendment: X _____

Repeal: _____

Creation: _____

Please draft the following ordinance:

Note: Is this ordinance exempt from the provisions of Section 2.05(4)?

_____ If so, **circle** the appropriate paragraph number under which exemption is claimed. [1, 2, 3, 4, 5, 6, 7, 8, 9]

_____ If not, the signature of the Mayor or the Alderperson who will sponsor this ordinance is required below.

See Attachment(s): _____

Date to be Presented: 24 September 2024

Referral(s): Plan Commission: 21 October 2024; Common Council: 29 October 2024

Fiscal Note: No Fiscal Impact

Sponsor(s): Planning Division

When completed:

Send DRAFT to: Tim Parks (original will be held until otherwise notified)

Send copy to: _____

Note: Unless otherwise indicated, this ordinance will be submitted directly to Common Council.

If request is to rezone property, the following additional information must be furnished before the ordinance can be drafted:

Rezone following property:

Address 623 Schewe Road and 10122 White Fox Lane Alder District 9

From Temp. A District To TR-P District

Proposed Use: Rezone for proposed "The Crest at Eagle Trace" residential subdivision

By Direction Of: Meagan Tuttle, Director, Planning Division

Date: 12 September 2024



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85327

File ID: 85327

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: Attorney's Office

File Created Date : 09/19/2024

File Name: PCOB Appointments

Final Action:

Title: Amending Section 5.20 of the Madison General Ordinances to modify the Police
Civilian Oversight Board appointment process.

Notes: 6904PCOBAppointments

CC Agenda Date: 09/24/2024

Agenda Number: 61.

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Andrew Schauer

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1		Michael Haas		
1	2		Elizabeth York		

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/19/2024	Referred for Introduction				
Action Text:		This Ordinance was Referred for Introduction					
Notes:		Police Civilian Oversight Board (9/26/24), Common Council (10/8/24)					

Text of Legislative File 85327

Fiscal Note

[Enter Fiscal Note Here]

Title

Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian
Oversight Board appointment process.

Body

DRAFTER'S ANALYSIS: Under the current ordinance, each appointment to the Police Civilian Oversight Board ("PCOB") must be nominated by a local community organization on a designated list created by the Common Council. While still encouraging the involvement of local community organizations, this Ordinance Amendment removes this requirement, instructs the Office of Independent Monitor to collect applications for membership to the PCOB into a pool of applicants from whom the Mayor and Common Council Leadership will appoint new PCOB members, and otherwise streamlines the process. The Ordinance Amendment also makes other changes to the election of PCOB leadership.

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 2. entitled "Diverse Composition" of Subdivision (a) entitled "Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:

- "2. Diverse Composition. In considering the ~~nominations~~ and applicants of the Board, the Common Council shall strive to consider members who have lived experience with homelessness, mental health, substance abuse and/or arrest or conviction records and shall further strive to include members from a diverse background, including but not limited to:
- a. Members who are:
 - i. African American;
 - ii. Asian;
 - iii. Latinx;
 - iv. Native American; and
 - v. From the LGBTQ community.
 - b. Members affiliated with an organization in the field of:
 - i. Mental Health;
 - ii. Youth Advocacy; and
 - iii. AODA.
 - c. Members with an arrest/conviction record.
 - d. In constituting the Board as outlined above, the Mayor and Council shall ensure that members represent a diversity of age, socioeconomic status, gender, geographic residence, and work experience.
- Individual members may represent more than one of the categories listed. "

2. Paragraph 3. entitled "Nominated by Community-Based Organizations" of Subdivision (a) entitled "Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:

- "3. ~~Nominated by community-based organizations~~ Applications. The ~~Mayor and Common Council, in collaboration with the Department of Civil Rights, Office of the Independent Monitor~~ shall seek ~~nominations~~ applications from the public and a designated ~~list~~ set of nine (9) community-based organizations that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the city and criminal

justice reform. ~~Priority shall be given to organizations with budgets under \$1 million. The Office of Independent Monitor, in consultation with the Mayor and Common Council, shall update the list designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance and the Monitor, Board, and Common Council shall ensure that it is updated at least every two (2) years. Each community-based organization shall submit two (2) names and applications to the Mayor and Common Council, except that an organization may re-nominate a member whose term is expiring without submitting three names. The Mayor and Common Council shall appoint one (1) person nominated by each organization. In the event that a community organization or organizations does not submit two (2) nominations when requested or does not re-nominate a current member, The Office of Independent Monitor is charged with collecting applications from the community-based organizations and the public, and with creating a pool of eligible applicants for Board membership. The application for Board membership shall have a place for listing the support of a community-based organization from the list. Upon any vacancy of the Board, the Mayor and Common Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council, as provided in sub. (3)(b)1."~~

4. Paragraph 1. entitled "Appointment" of Subsection (b) entitled "Appointment and Residency of Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:

- "1. Appointment. Upon any vacancy on the Board, new members and alternates to the Board shall be appointed by the Mayor in consultation with Common Council leadership from the pool of applicants described in sub. (3)(a)3, and confirmed by the Common Council.
- a. ~~Nine (9) Members, one (1) from each community-based organization and who have been selected as outlined in sub. (3)(a)3, shall be appointed by the Mayor and the Common Council and confirmed by the Common Council.~~
 - b. ~~One (1) Member and one (1) alternate Member shall be appointed by the Mayor and confirmed by the Common Council.~~
 - c. ~~One (1) Member and one (1) alternate Member shall be appointed and confirmed by the Common Council."~~

5. Paragraph 1. entitled "Terms" of Subdivision (c) entitled "Terms and Vacancies" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:

- "1. Terms. Notwithstanding the terms of Sec. 33.01, MGO, Members members shall have staggered four-year terms, except that when the Board is initially created and filled, five (5) members shall be appointed for four-year terms, three (3) Members shall be appointed for three-year terms, and five (5) Members, including the two (2) alternate Members, shall be appointed for two-year terms."

6. Subsection (6) entitled "Executive Subcommittee" of the Madison General Ordinances is amended as follows:

- "(6) Officers and Executive Subcommittee. Notwithstanding the provisions of M.G.O. § 33.01(7)(a), the Board shall elect from its membership a Board Chair and a Board Vice Chair in January of every odd numbered year. After such election, The the Board shall create a five-member Executive Subcommittee, consisting of the Board Chair, the Board Vice Chair, and three (3) additional members selected by the Board. Members shall serve two-year terms on the Executive Subcommittee. Members may serve on the Executive Subcommittee for a maximum of two (2) Executive Subcommittee terms. The Chair of the Board shall serve as Chair of the Executive Subcommittee and the Vice Chair of the Board shall serve as Vice Chair of the Executive Subcommittee. Upon any permanent vacancy of the Executive Subcommittee, the Board Chair shall be able to select a temporary replacement from the Board membership until the Board is able to choose a replacement. The Executive Subcommittee shall meet at least monthly in order to provide feedback and direction to the Monitor in between Board meetings. At all times, the Executive Subcommittee shall keep the Board informed of the Monitor's work."



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85165

File ID: 85165

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/10/2024

File Name: Authorizing the General Manager to file, on behalf of the Madison Water Utility, a conventional rate case with the WI Public Service Commission for the test year 2025.

Final Action:

Title: Authorizing the General Manager to file, on behalf of the Madison Water Utility, a conventional rate case with the WI Public Service Commission for the test year 2025.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 62.

Sponsors: Charles Myadze And Amani Latimer Burris

Effective Date:

Attachments: Item 2 Memo - Submission of 2025 Rate Case.pdf,
2025 Rate Case Presentation.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: jberndt@madisonwater.org

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/10/2024	Robert Mulcahy	Delegated	
Notes: Delegated: Out Of Office					
1	2	9/16/2024	Ryan Pennington	Delegated	
1	3	9/17/2024	Robert Mulcahy	Approve	9/20/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Water Utility	09/10/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Water Utility Board (9/25/24), Finance Committee (9/30/24), Common Council (10/8/24)							

Text of Legislative File 85165

.FISCAL NOTE

The proposed resolution authorizes the General Manager of the Madison Water Utility to file for a conventional rate case with the Public Service Commission of Wisconsin for test year 2025; no fiscal impacts for FY 2024.

.TITLE

Authorizing the General Manager to file, on behalf of the Madison Water Utility, a conventional rate case with the WI Public Service Commission for the test year 2025.

.BODY

WHEREAS, the Madison Water Utility (the Utility) is a municipal public utility, with the Utility's rates subject to the oversight and approval of the Public Service Commission of Wisconsin (PSCW); and

WHEREAS, the Utility's current rates are not adequate to support its long-term Capital Improvement Program (CIP), particularly the water main replacement program; and

WHEREAS, the Utility is committed to maintaining the PSCW recommended level of funding for the water main replacement program; and

WHEREAS, the Utility has an outstanding debt of \$166M and a projected annual debt service payment of \$18.9M for 2025, which is almost as much as the Utility's current operations and maintenance expenditures and hence desires to limit further borrowing; and

WHEREAS, the PSCW will generally allow 1.3% depreciation expense on the original cost of existing water mains, which amounts to \$2.0M per year; and the PSCW would also like the Utility to replace water mains up to 1% of the existing water mains per year at an estimated cost of \$12.5M; and

WHEREAS, to reduce the gap, PSCW allowed the Utility to generate an additional \$5M of depreciation in the 2022 rate case; and

WHEREAS, the Utility is seeking PSCW approval for expense depreciation of an additional \$5M for a total of \$10M in the 2025 rate case, which would be sufficient to replace water mains up to 0.8% of the existing water mains per years; and

WHEREAS this will preempt the Utility from incurring more debt and strengthen its short and long-term financial position; and

WHEREAS, as part of the 2022 rate case, PSCW approved the Madison Municipal Services Customer Assistance Program (MadCAP) on a 2-year pilot basis. Under MadCAP, eligible municipal service bill recipients who earn less than 50% of the area median family income will be eligible for a \$20 or \$30 rebate on their monthly bill. The Utility desires to continue providing financial relief to eligible customers through MadCAP to fulfill its commitment to make drinking water both accessible and affordable for all customers; and

WHEREAS, the continuation of MadCAP is both "Prudent and Reasonable" to accomplish the Utility's twin objectives of increased water rates to make needed investments in the Utility's infrastructure *AND* making drinking water accessible and affordable to all its customers as delayed investment in needed infrastructure replacement will ultimately cost all customer

classes more money in the long run; and

WHEREAS, a critical measure of success for MadCAP is a significant level of participation by eligible households and without such participation, the program will not meet its stated goals: and

WHEREAS, the Utility was able to enroll only 328 households or 4.0% of the estimated eligible households in the program within the first 16.5 months of program launch due to significant barriers to entry caused by participate inability to participate in the Utility's conservation program or due to challenges posed in meeting the current qualifying income limits; and WHEREAS, the Utility desires to mitigate these barriers to entry and to reduce both the administrative burden (on the eligible applicant) and the administrative cost (to the Utility) and has taken the following measures:

- 1) A modified application process for any household with less than 4 persons who has a municipal services bill in their name and is currently a FoodShare (WI-SNAP) member to receive MadCAP benefits at \$20 per month since they meet the current MadCAP income thresholds. Such households will have to confirm the possession of valid FoodShare Eligibility Card (WI QUEST Card) and not required to provide additional income documentation.
- 2) Collaborated with the WI Department of Health Services (DHS) to
 - a. Send mailings to FoodShare members living within the City of Madison inviting them to participate in the program.
 - b. Explore if it is allowable for DHS to share FoodShare eligibility status data with the Utility, as well as what a process would look like for safely transmitting the data to the Utility with the goal of qualifying FoodShare members for MadCAP automatically. According to Professor Manny Teodoro, UW-Madison, "It's a magnificently simple affordability strategy that's easy on customer and utility alike. That kind of seamless, frictionless process maintains citizens' dignity, and is the gold standard of good public administration"; and

WEREAS, the Utility desires to seek PSCW approval for modifications to MadCAP in the 2025 rate case to streamline the income verification process by:

- a. Matching or exceeding the qualifying income levels to that of the FoodShare limits.
- b. Combining the existing two income thresholds (30% AMI and 50% AMI) into one group with a uniform monthly credit of \$30 on the City of Madison Municipal Services Bill (with Utility's share at \$12)
- c. Modifying the need to participate in the Utility's conservation program from a pre-enrollment condition to a post-enrollment follow up by the Utility, which would include providing water audit kits and detailed instructions for taking advantage of the services provided by Project Home and Focus on Energy; and

WHEREAS, the Utility has retained the independent contractor services of Trilogy Consulting, LLC, to assist with the development of the Utility's long range financial plan and the 2025 Rate Case proposal which incorporates the elements outlined above; and

WHEREAS, Trilogy Consulting, LLC, critically examined the Utility's water consumption trends, cash flows, operating and maintenance expenses, infrastructure needs, debt burden, operating and capital ratios and reserves and assisted Utility staff in developing the 2025 Rate Case proposal; and

WHEREAS, the Water Utility Board (Board) reviewed and concurs that the 2025 Rate Case

proposal be filed as a conventional rate case with the PSCW.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF MADISON COMMON COUNCIL that it is in the best interest of and benefit to the Utility and its ratepayers to continue cash financing the water main replacement program and implementing MadCAP with the recommended modifications and, therefore, hereby authorize the General Manager to file, on behalf of the Utility, a conventional rate case with the PSCW for the test year 2025; and

BE IT FURTHER RESOLVED that the General Manager and Finance and Administration Manager of the Utility, along with the City Attorney, are authorized to provide individual testimonials and to take other actions or to make changes that may be necessary to submit the conventional rate case to the PSCW.

MEMORANDUM

Date: September 24, 2024

To: Mayor Satya Rhodes-Conway
Common Council
Finance Committee
Water Utility Board

From: January Vang, Finance & Administration Manager
Krishna Kumar, General Manager

Subject: Submission of 2025 Rate Case, including proposed modifications to MadCAP, to the Public Service Commission of Wisconsin (PSCW)

RECOMMENDATION

- 1) Authorize the General Manager to file a conventional rate case with the PSCW for the test year 2025 that includes accelerated depreciation of water mains (Expense Depreciation) and modification to the MadCAP (Madison Customer Affordability Program).
- 2) Authorize the General Manager and Finance & Administration Manager to provide testimonials to the PSCW.

BACKGROUND

Madison Water Utility (Utility)'s last rate case was approved by the PSCW on December 29, 2022. The new rates were implemented on March 1, 2023. The Utility is required to file a new conventional rate case with the PSCW by the end of 2024 (# 3280-WR-117). For the new rate case, the Utility will continue to incorporate three seemingly disparate components – expense depreciation, rate design, and affordability goals, which collectively form the core of the Utility's strategic water affordability plan.

Expense Depreciation

The Utility's 6-year Capital Improvement Program (CIP) for FY 2024-29 calls for \$139.5M in capital investments by way of infrastructure renewal. In the past, the Utility issued revenue bonds primarily to fund its capital projects. Currently, the Utility has an outstanding debt of \$166M and a projected annual debt service payment of \$18.9M for 2025, which is almost as much as the Utility's current Operations and Maintenance Expenditures. The Utility desires to limit further borrowing given the current debt load.

An alternative method of capital project financing is through 'expense depreciation'. Expense depreciation is a means to *cash finance* replacement of water mains. The PSCW will generally allow 1.3% depreciation expense on the original cost of existing water mains, which amounts to

\$2.0M per year. The PSCW would also like the utilities to replace water mains up to 1% of the total feet existing water mains per year, which in our case translates to \$12.5M per year. To reduce the gap, PSCW allowed the Utility to generate an additional \$5M of depreciation in the 2022 rate case. The Utility is seeking PSCW approval for expense depreciation of \$10M in the 2025 rate case, which would be sufficient to replace water mains up to 0.8% of the total feet of existing water mains per year. This will preempt the Utility from incurring more debt in the next several years thereby strengthening its short and long-term financial position.

The entire \$10M of expense depreciation, if approved, is required to be separately tracked and solely dedicated to funding water main replacement projects.

Cash Adder

At a minimum, the Utility's revenues must be enough to cover operation and maintenance expenses (O&M), payment in lieu of taxes (PILOT), and debt service, including a margin to ensure that the Utility can pay debt service even if revenues or expenses fluctuate. The Utility's existing bond covenants require the Utility to have revenues available to pay debt service of at least 1.25 times the annual debt service (also known as debt coverage). The additional margin may be used to cash fund capital improvements if not needed to pay debt service.

For most utilities, the amount that the PSCW allows them to collect for depreciation expense and the standard return on investment (currently 6.2% on the value of utility assets) provides enough debt coverage. However, in the Utility's 2022 rate case, the PSCW determined that a 'cash adder' of \$6.5M was needed, in addition to depreciation expense and return on investment, to provide debt coverage.

The PSCW also agreed that the expense depreciation should not be considered as available to provide debt coverage. In that case, a cash adder of at least \$8.3M would be appropriate to be included in the 2025 Rate Case. Please see Table – 1 below.

Table – 1 Recommended Expense Depreciation and Cash Adder Request for Test Year 2025	
Item	Amount
Normal Depreciation Expense	\$7.2M
Expense Depreciation	\$10.0M
Return on Investment	\$15.0M
Cash Adder	\$8.3M
Revenues Available for Debt Service & Capital Projects	\$40.5M
Available for Debt Service	\$18.9M
Available for Capital Projects	\$21.6M

Madison Customer Assistance Program (MadCAP)

As part of the 2022 rate case, PSCW approved the Madison Municipal Services Customer Assistance Program (MadCAP) on a 2-year pilot basis. MadCAP is a means tested customer affordability program that offers eligible customers rebates on their municipal services bills, with the Water Utility portion of the rebate being funded by ratepayers. Implementation of a means tested affordability program is both prudent and reasonable to accomplish the Utility's twin objectives of increased water rates to make needed investments in the Utility's infrastructure and making drinking water accessible and affordable to all its customers. Delayed investment in needed infrastructure replacement will ultimately cost all customer classes more money in the long run.

MadCAP can help reduce municipal services costs for low-income residents. It offers monthly bill credits to low-income customers. Eligible households can receive a monthly bill credit of \$20 or \$30 (based on income.) The average current monthly municipal services bill amounts to approximately \$100. MadCAP was introduced on March 1, 2023. The participation data for the first 16.5 months is shown on Table – 2.

Table – 2 / MadCAP Participation Data (as of July 15, 2024)				
Applications	Area Mean Income <30%	Area Mean Income >30% and <50%	Total (#)	Total (%)
Received	294	188	482	100%
Approved	209	119	328	68%
Not Approved	85	69	154	32%
Approved – Homeowners	126	84	210	64%
Renters	83	35	118	36%

Barriers to Entry Experienced

The Utility estimates approximately 8,258 households within the City of Madison who are potentially eligible for MadCAP. As shown in Table – 2, 328 households or 4.0% of the estimated eligible households enrolled in the program within the first 16.5 months of program launch. Out of the 482 applications received, nearly one-third of all applications were denied for various reasons as indicated in Table – 3.

Table - 3 / Basis for Denial of MadCAP Applications			
	Basis	Denials (#)	Denials (%)
1	Declined to participate in conservation	55	36%
2	Annual Renewal Not Done	41	27%
3	Income - too high or no documentation	37	24%
4	No account/service not in name	12	8%
5	Account Inactive (Moved or Deceased)	8	5%
6	Incomplete application	1	>1%
	Total	154	100%

The relatively large number of denials (**36% or nearly 1/3rd**), as shown on Table – 2, indicate that the program, as currently structured, poses significant barriers to entry for potential applicants. **60%, or nearly 2/3rd** of the denials was due to two reasons – either declining to participate in the Utility’s conservation program or due to challenges posed in meeting the current qualifying income limits.

A critical measure of success for MadCAP is a significant level of participation by eligible households. Without such participation, the program will not meet its stated goals. To ease the barriers to entry into the program and to reduce both the administrative burden (on the eligible applicant) and the administrative cost (on the Utility), the Utility has taken or is taking the following measures:

- 1) Introduced a modified application process for any household with less than 4 persons who has a municipal services bill in their name and is currently a FoodShare (WI-SNAP) member to receive MadCAP benefits at \$20 per month since they meet the current MadCAP income thresholds as shown on Table - 4. Such households will have to confirm the possession of valid FoodShare Eligibility Card (WI QUEST Card) and are not required to provide additional income documentation.

This is an approach well-researched by leading water affordability scholar Manny Teodoro, professor at the University of Wisconsin-Madison, and implemented by JXN (Jackson) Water, Mississippi. Professor Teodoro characterizes this novel approach as an “...interim measure by a local water utility (that) bridges a gap until national policy changes to allow SNAP benefits to be used to pay water bills – something that would really help with water affordability.”¹ According to Professor Teodoro, linking MadCAP eligibility to FoodShare participation helps low-income Utility customers receive help in paying their municipal services bill with very low administrative burden. FoodShare members need not complete lengthy forms to qualify for the lower rates, and they won’t have to provide extensive income documentation.

- 2) Collaborating with the WI Department of Health Services (DHS) to
 - a. Send mailings to FoodShare members living within the City of Madison inviting them to participate in the program.
 - b. Explore if it is allowable for DHS to share FoodShare eligibility status data with the Utility, as well as what a process would look like for safely transmitting the data to the Utility with the goal of qualifying FoodShare members for MadCAP automatically. According to Professor Teodoro, “It’s a magnificently simple affordability strategy that’s easy on customer and utility alike. That kind of seamless, frictionless process maintains citizens’ dignity, and is the gold standard of good public administration.”
- 3) Seek PSCW approval for modification to MadCAP in the 2025 rate case to streamline the income verification process by:
 - a. Matching or exceeding the qualifying income levels to that of the FoodShare limits.
 - b. Combining the existing two income thresholds (30% AMI and 50% AMI) into one group with a uniform monthly credit of \$30 (with Utility’s share at \$12) as shown in Table – 4.

¹ Jackson Action - *A pricing strategy for safe, sustainable, affordable water*
(<https://mannyteodoro.com/?p=4433>)

Table 4 - MadCAP (Current and Proposed) and FoodShare Income Limits				
	MadCAP (Existing)		FoodShare Limit	MadCAP - Proposed (\$30)
Household Size	30% AMI (\$30)	50% AMI (\$20)		
1	25,700	42,750	29,160	42,750
2	29,350	48,850	39,456	48,850
3	33,000	54,950	49,728	54,950
4	36,650	61,050	60,000	61,050
5	39,600	65,950	70,296	70,296
6	42,550	70,850	80,568	80,568
7	45,450	75,750	90,840	90,840
8	50,560	80,600	101,136	101,136
9			111,432	111,432
10+			121,728	121,728

- 4) Seek PSCW approval to modify the need to participate in the Utility's conservation program from a pre-enrollment condition to a post-enrollment follow up by the Utility, which would include providing water audit kits and detailed instructions for taking advantage of the services provided by Project Home and Focus on Energy²

Average Residential Customer Water Rate Impacts

As is evident from Table – 5 below, households making at or under 50% of the area mean income will see a reduction in their monthly water bills if the proposed Customer Assistance Program is authorized by the PSCW and subsequently implemented by the Utility.

Table 5 - Average Residential Customer Water Rate Impacts		
	Current Rates	\$10.M Expense Depreciation with \$8.3M Cash Adder
General Service Charge	\$14.00	\$15.20
Volumetric Rate – First 3,000 gallons	\$13.80	\$17.19
Next 1,000 gallons	\$6.10	\$7.75
Average Residential Monthly Bill	\$33.90	\$40.14
Change in Monthly Bill		\$6.24
Net Change in Monthly Bill with \$12 Bill Offset		(\$5.76)

² Focus on Energy provides among other things an Online Home Assessment Tool

Recommended Proposal to be included in the 2025 Rate Case to the PSCW

The Utility retained Trilogy Consulting, LLC, (Trilogy) to assist with the development of the Utility's long range financial plan and the 2025 Rate Case proposal. Trilogy has critically examined the Utility's water consumption trends, cash flows, operating and maintenance expenses, infrastructure needs, debt burden, operating and capital ratios and reserves, etc., and assisted Utility staff in developing this proposal. Trilogy and the Utility staff recommend this proposal to be included in the 2025 Rate Case. Trilogy will be making a presentation at the board meeting to go over the proposal.

LEGISLATIVE PATH:

09/24/24 – Common Council (Introduction)
09/25/24 – Water Utility Board
09/30/24 – Finance Committee
10/08/24 – Common Council (Final Approval)

ATTACHMENTS:

1. Common Council Draft Resolution File #85165
2. 2025 Rate Case Presentation

The background is a light blue gradient with several realistic water droplets and bubbles of various sizes scattered across the surface. Some are at the top, some at the bottom, and some in the middle. They have highlights and shadows, giving them a 3D appearance.

MADISON WATER UTILITY 2025 RATE CASE

PRESENTATION TO THE MADISON WATER UTILITY BOARD
SEPTEMBER 25, 2024

OBJECTIVES FOR THE 2025 RATE CASE

- Increased funding to make needed investments in infrastructure
 - **Expense depreciation** to cash fund water main replacements
 - **Cash adder** to improve debt coverage and provide funding for other capital projects
- Making drinking water accessible and affordable to all customers
 - **Rate design**
 - **Customer assistance program** to reduce utility bills to an affordable level for low-income customers

COSTS THAT CAN BE INCLUDED IN WATER RATES

Conventional Rate Setting

Operation and maintenance expenses

PILOT and other taxes

Amounts that can be used for debt service and capital:

Normal depreciation expense (incl. 1.3% per year for water mains)

Return on net investment rate base

(Value of assets – accum. depreciation) x 6.20%

‘Cash Adder’ – additional amount needed to provide debt coverage (Madison only)

'EXPENSE DEPRECIATION' APPROACH

- PSCW has allowed utilities to depreciate the entire cost of water main replacements immediately instead of 1.3% per year
- The amount that the utility is allowed as 'expense depreciation' is a dedicated funding source for cash funding of water main replacements
- Expense depreciation may be used for replacement of up to 1% of water mains per year
- Example:
 - Normal Depreciation for \$1.0M of water main replacements - \$13,000 per year for 77 years
 - Expense depreciation for \$1.0m of water main replacements - \$1.0M in one year

COSTS THAT CAN BE INCLUDED IN RATES

‘Expense Depreciation’ Approach

Operation and maintenance expenses

PILOT and other taxes

Amounts that can be used for debt service and capital:

Normal depreciation expense (incl. 1.3% per year for water mains not funded with expense depreciation)

Expense depreciation for replacing up to 1 % of water mains per year (funds must be spent on mains)

Return on net investment rate base

$(\text{Value of assets} - \text{accum. depreciation}) \times 6.20\%$

‘Cash Adder’ – additional amount needed to provide debt coverage (Madison only)

ACCOMPLISHMENTS FROM THE 2021 RATE CASE

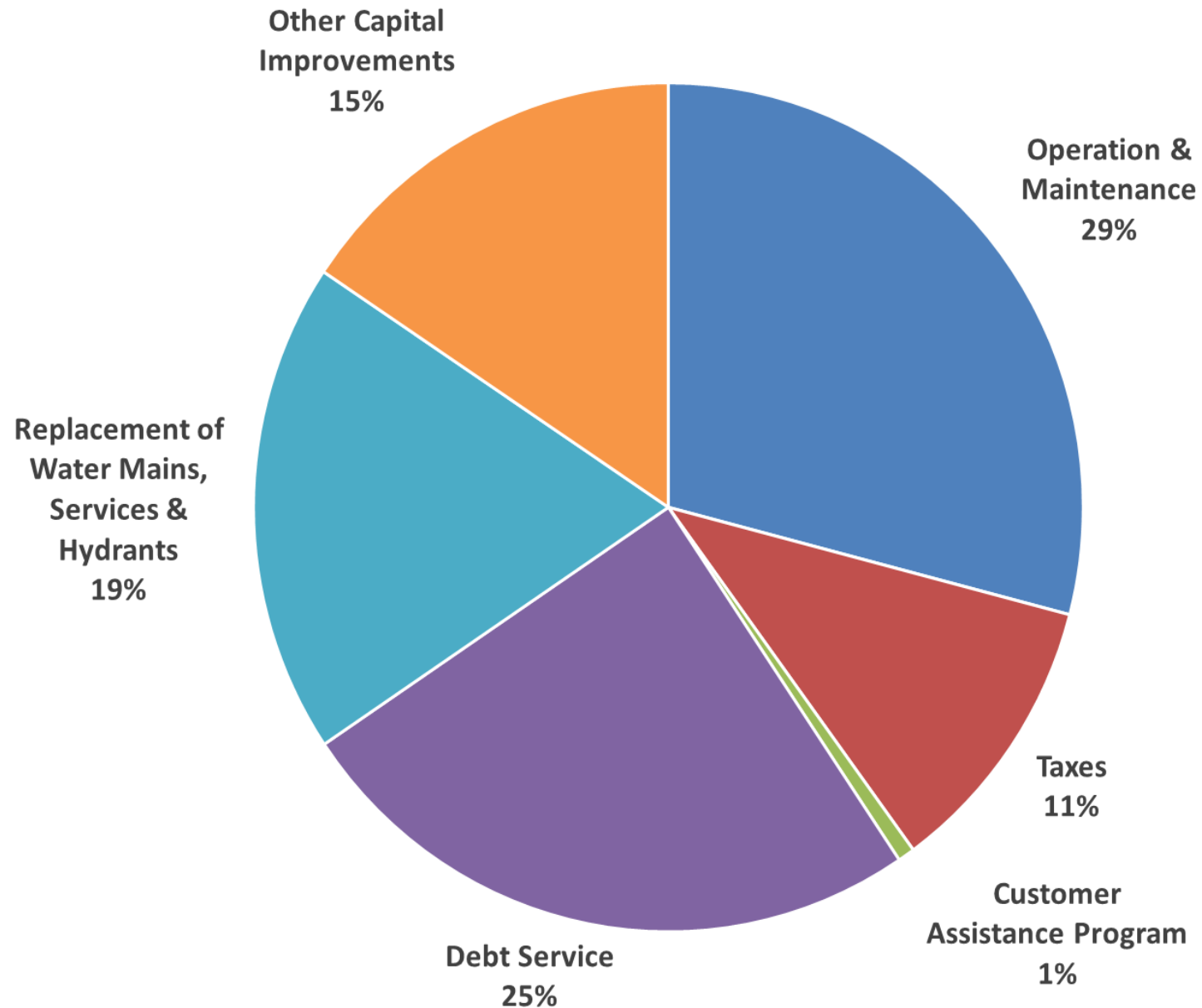
- Approval for **\$5.0M** per year of expense depreciation to fund water main replacements (about **0.4%** of mains per year)
- Generate revenues to cash fund other ongoing capital improvements
- Reduced outstanding debt from **\$197M** at YE 2021 to **\$166M** at YE 2023
- Approval for customer assistance program (Madcap) rebates to offset rate increase and **reduce** monthly water bills for low-income customers

GOALS FOR CURRENT RATE CASE

- Approval to increase expense depreciation to **\$10.0M** to fund water main replacements (about **0.8%** of mains per year)
- Continue to reduce outstanding debt to no more than **50%** of Water utility assets (currently at about 63%)
- Generate revenues for cash funding other capital improvements
- Streamline the customer assistance program (**MadCAP**) rebates to increase participation and reduce water bills for more low-income customers

PROJECTED AMOUNTS AVAILABLE FOR DEBT SERVICE AND CAPITAL - 2025

Debt Service and Capital Components	Recommended Request for Cash Adder and Expense Depreciation
Normal Depreciation Expense	\$7.2M
Expense Depreciation	\$10.0M
Return on Investment	\$15.0M
Cash Adder	\$8.3M
Revenues Available for Debt Service and Capital	\$40.5M
Amount Available for Debt Service	\$18.8M
Amount Available for Capital	\$21.7M
• Main Replacement	\$10.0M
• Services & Hydrants Replacement	\$2.5M
• Other Capital	\$9.2M



Percentage of Projected Expenditures 2025 - 2029

CURRENT CUSTOMER ASSISTANCE PROGRAM (MadCAP)

Area Median Income (AMI) Criteria	“Extremely Low-Income” ($\leq 30\%$ AMI)	“Very Low-Income” ($> 30\%$ AMI but $\leq 50\%$ AMI)
Eligible Annual Income Threshold (for 3-person household)	$\leq \$27,900$	$\leq \$46,400$
Monthly Bill Offset Amount	\$12	\$8
Annual Bill Offset Amount	\$144	\$96

MadCAP PARTICIPATION THROUGH JULY 2024

Applications	“Extremely Low-Income” (≤ 30% AMI)	“Very Low-Income” (> 30% AMI but ≤ 50% AMI)	Total	Percent
Received	294	188	482	100%
Not Approved	85	69	154	32%
Approved	209	119	328	68%
Approved - Homeowners	126	84	210	64%
Approved - Renters	83	35	118	36%

MadCAP AP BASIS FOR APPLICATION DENIAL

	Basis	Denials	Percent
1	Declined to participate in conservation	55	36%
2	Annual income renewal not done	41	27%
3	Income – too high or no documentation	37	24%
4	No account / service not in name	12	8%
5	Account inactive (moved or deceased)	8	5%
6	Incomplete application	1	>1%
	Total	154	100%

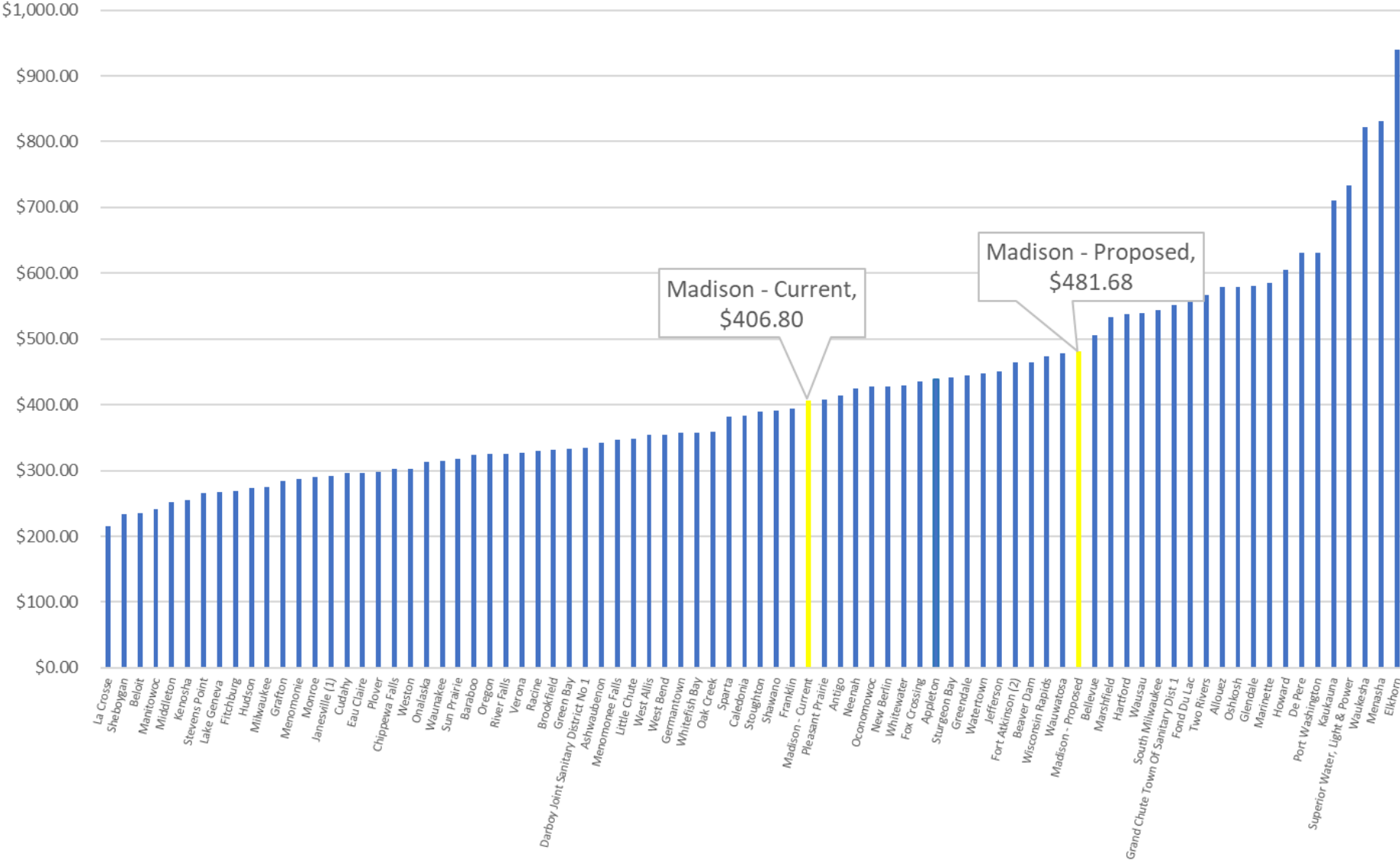
MODIFICATIONS TO MADCAP

- Modify current application process to allow FoodShare (WI SNAP) with less than 4 members to receive the \$20 rebate with FoodShare eligibility card only
- Collaboration with WI Department of Health Services (DHS) on mailings to FoodShare and potential data sharing
- Seek Public Service Commission of Wisconsin (PSCW) approval to streamline the income verification process
 - Match or exceed qualifying income limits to the FoodShare limits
 - Combining rebates into a uniform rebate of \$30 per month (water utility share \$12)
- Seek PSCW approval to modify the need to participate in the utility's conservation program from pre-enrollment requirement to post-enrollment assistance

ESTIMATED RATES AND AVERAGE MONTHLY RESIDENTIAL WATER BILLS

	Current Rates	\$10.0M Expense Depreciation \$8.3M Cash Adder
General Service Charge	\$14.00	\$15.20
Volumetric Rate – First 3,000 gal.	\$13.80	\$17.19
Volumetric Rate – Next 1,000 gal.	\$6.10	\$7.75
Average Monthly Bill	\$33.90	\$40.14
Change in Monthly Bill		\$6.24
Annualized Percentage Increase		5.8%
Net Change in Bill with \$12 Offset		(\$5.76)

Statewide Class AB Utilities - Annual Residential Water Bill with Public Fire Protection



NEXT STEPS

- Submit application to PSCW requesting:
 - **\$10.0M** expense depreciation to increase water main replacements to 0.8% per year
 - Cash adder of **\$8.3M** to provide adequate debt coverage, cash fund other routine ongoing capital investment and continue to reduce the utility's debt burden
 - Modifications to *MadCAP* to streamline the application process and reach more low-income customers with rebates to offset the rate increase



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85252

File ID: 85252

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-00/87, for E Rusk Ave Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Final Action:

Title: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-00/87, for E Rusk Ave Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Notes: Chris Petykowski

CC Agenda Date: 09/24/2024

Agenda Number: 63.

Sponsors: Isadore Knox Jr.

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/17/2024	Robert Mulcahy	Approve	9/17/2024

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/16/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Board of Public Works (9/25/24), Common Council (10/8/24)							

Text of Legislative File 85252

Fiscal Note

The proposed resolution authorizes an agreement with the State of Wisconsin Department of Transportation for construction of the E Rusk Path. The 2025 Executive Capital Budget includes \$418,386 in General Fund GO Borrowing and \$755,164 in federal sources for construction in 2027 (Munis #15131). Future capital budget requests will reflect the updated amounts per this proposed agreement. No additional appropriation is required.

Title

Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-00/87, for E Rusk Ave Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Body

Engineering Division and Department of Transportation submitted an application for Federal funds under the 2024-2028 WisDOT Transportation Alternatives Program (TAP) authorized by resolution RES-23-00797, File ID 80857, approved on 12/5/2023 by the Common Council.

The project to construct a shared use path on E Rusk Avenue from N Rusk Ave to Rimrock Road was awarded a federal grant under the Transportation Alternatives Program (TAP) that will reimburse 80% of participating construction costs to a maximum of \$755,164.

Design will begin in 2025 and construction is scheduled for 2027.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute an agreement with the State of Wisconsin Department of Transportation for construction, construction oversight and cost sharing for the E Rusk Ave Path project.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85256

File ID: 85256

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-00/88, for Moorland Rd Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Tr

Final Action:

Title: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-01/88, for Moorland Rd Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Notes: Chris Petykowski

CC Agenda Date: 09/24/2024

Agenda Number: 64.

Sponsors: Isadore Knox Jr.

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/17/2024	Robert Mulcahy	Approve	9/17/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/16/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (9/25/24), Common Council (10/8/24)						

Text of Legislative File 85256

Fiscal Note

The proposed resolution authorizes an agreement with the State of Wisconsin Department of Transportation for construction of the Moorland Rd Path. The 2025 Executive Capital Budget includes \$415,033 in General Fund GO Borrowing and \$748,935 in federal sources for construction in 2027 (Munis #15132). Future capital budget requests will reflect the updated amounts per this proposed agreement. No additional appropriation is required.

Title

Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-01/88, for Moorland Rd Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 14)

Body

Engineering Division and Department of Transportation submitted an application for Federal funds under the 2024-2028 WisDOT Transportation Alternatives Program (TAP) authorized by resolution RES-23-00797, File ID 80857, approved on 12/5/2023 by the Common Council.

The project to construct a shared use path on Moorland Rd from Wayland Dr to Capital City Path was awarded a federal grant under the Transportation Alternatives Program (TAP) that will reimburse 80% of participating construction costs to a maximum of \$748,935.

Design will begin in 2025 and construction is scheduled for 2027.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute an agreement with the State of Wisconsin Department of Transportation for construction, construction oversight and cost sharing for the Moorland Rd Path project.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85257

File ID: 85257

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-04/84, for Woodward Dr Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Tr

Final Action:

Title: Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-04/84, for Woodward Dr Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 18)

Notes: Chris Petykowski

CC Agenda Date: 09/24/2024

Agenda Number: 65.

Sponsors: Charles Myadze

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/17/2024	Robert Mulcahy	Approve	9/17/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/16/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Board of Public Works (9/25/24), Common Council (10/8/24)							

Text of Legislative File 85257

Fiscal Note

The proposed resolution authorizes an agreement with the State of Wisconsin Department of Transportation for construction of the Woodward Dr Path. The 2025 Executive Capital Budget includes \$415,033 in General Fund GO Borrowing and \$980,524 in federal sources for construction in 2028 (Munis #15266). Future capital budget requests will reflect the updated amounts per this proposed agreement. No additional appropriation is required.

Title

Approving State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project, I.D. 5992-02-04/84, for Woodward Dr Path and authorizing the Mayor and City Clerk to execute this agreement with the State of Wisconsin Department of Transportation for construction cost sharing and State design review costs. (District 18)

Body

Engineering Division and Department of Transportation submitted an application for Federal funds under the 2024-2028 WisDOT Transportation Alternatives Program (TAP) authorized by resolution RES-23-00797, File ID 80857, approved on 12/5/2023 by the Common Council. The project to construct a shared use path on Woodward Dr from Sheridan Dr to Forster Dr was awarded a federal grant under the Transportation Alternatives Program (TAP) that will reimburse 80% of participating construction costs to a maximum of \$980,524. Design will begin in 2025 and construction is scheduled for 2028. NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute an agreement with the State of Wisconsin Department of Transportation for construction, construction oversight and cost sharing for the Woodward Dr Path project.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85258

File ID: 85258

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Authorizing the Mayor and City Clerk to execute a revised State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-11-20/21/22/23/24/25/26/27/28/53/54/59/60, for John Nolen Drive.

Final Action:

Title: Authorizing the Mayor and City Clerk to execute a revised State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-11-20/21/22/23/24/25/26/27/28/53/54/59/60, for John Nolen Drive (District 4, District 13)

Notes: Chris Petykowski

CC Agenda Date: 09/24/2024

Agenda Number: 66.

Sponsors: Michael E. Verveer And Tag Evers

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/17/2024	Robert Mulcahy	Approve	9/17/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	09/16/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Board of Public Works (9/25/24), Common Council (10/8/24)							

Text of Legislative File 85258

Fiscal Note

The proposed resolution authorizes an agreement with the State of Wisconsin Department of Transportation for construction of the John Nolen Drive Phase 1 - Broom to Lakeside. The 2025 Executive Capital Budget includes \$8,000,000 in General Fund GO Borrowing and \$1,000,000 in Non-General Fund GO Borrowing for construction in 2025. This project will be constructed over three years (2025, 2026, and 2027). Remaining budget authority and future capital budget requests will reflect the updated amounts per this proposed agreement. No additional appropriation is required.

Title

Authorizing the Mayor and City Clerk to execute a revised State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D.

5992-11-20/21/22/23/24/25/26/27/28/53/54/59/60, for John Nolen Drive (District 4, District 13)

Body

Engineering Division submitted an application for Federal funds under the 3 separate programs (Surface Transportation Block Grant, Local Bridge Program & Bridge Investment Program).

The City of Madison is proposing to reconstruct John Nolen Drive from Lakeside Street to North Shore Drive. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). A revised project Agreement with the State of Wisconsin Department of Transportation will be required to update estimated construction costs. The proposed project is planned for construction in the years 2025 through 2027.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute an amended agreement with the State of Wisconsin Department of Transportation for construction cost sharing for the John Nolen Drive project.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85266

File ID: 85266

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/16/2024

File Name: Application to the Dane County Board for exemption
from the Dane County Library Tax levied under
Section 43.57(3) and 43.64(2) Wisconsin Statutes.

Final Action:

Title: Applying to the Dane County Board for exemption from the Dane County
Library Tax levied under Section 43.57(3) and 43.64(2) Wisconsin Statutes.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 67.

Sponsors: Sabrina V. Madison

Effective Date:

Attachments: 2025 FINAL EXEMPT MINIMUM
APPROPRIATION.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: inewman@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/16/2024	Elizabeth York	Approve	10/4/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Library	09/16/2024	Referred for Introduction				
Action Text:		This Resolution was Referred for Introduction					
Notes:		Finance Committee (9/30/24), Common Council (10/8/24)					

Text of Legislative File 85266

Fiscal Note

The proposed resolution requests exemption from the Dane County Library tax levied under
Section 43.57(3) and 43.64(2) Wisconsin Statutes. All libraries within Dane County have

collectively adopted service standards to ensure access to library services across Dane County municipalities. Adhering to these standards allows localities to submit a request for exemption from the Dane County Library Tax levied by the Dane County Board. The value of this exemption in 2025 is approximately \$14,863,000.

Title

Applying to the Dane County Board for exemption from the Dane County Library Tax levied under Section 43.57(3) and 43.64(2) Wisconsin Statutes.

Body

WHEREAS the Dane County Board has established a county library and levies a county library tax as authorized under Section 43.57 (3) of the Wisconsin Statutes, and

WHEREAS the Dane County Library Board has determined that the library serving the city/village of Madison meets the minimum standards of operation established by the County Board (RES 185, 2011-2012; RES 98, 2013-2014; RES 233, 2016-2017; RES 149 2023-2024) in compliance with Section 43.11 (3) (d) of the Wisconsin Statutes, and

WHEREAS Section 43.64 (2) (b) of the Wisconsin Statutes provides that a village or city which levies a tax for public library service and appropriates and expends for a library fund as defined by s.43.52 (1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of property in the city or village for the current year, and

WHEREAS the city/village of Madison will appropriate in 2024 and expend in 2025 an amount in excess of that calculated above in support of its library,

NOW THEREFORE BE IT RESOLVED that the city/village of Madison hereby requests of the Dane County Board of Supervisors that the city/village of Madison be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64 (2).

BE IT FURTHER RESOLVED that confirmed copies of this resolution will be forwarded by the City/Village clerk to the following party:

Tracy Herold, Director
Dane County Library Service
herold@dcls.info

Date Passed: _____

Vote: _____

Authorized Signature

Title of Person signing

Exempt Total	73,367,021,300	
County Total	93,315,894,600	
2023 tax base	\$19,948,873,300	
2024 DCLS app		\$6,760,910
2024 County library tax levy rate		\$0.0003389119

Per 2024 DOR DaneCo EqVal

	EXEMPT LIBS	2024 Eq Val	2025 Min App	2024 App	Diff
Villages	Belleville	297,043,000	\$100,671	\$253,800	\$153,129
	Black Earth	192,013,300	\$65,076	\$157,446	\$92,370
	Cambridge	273,196,500	\$92,590	\$105,000	\$12,410
	Cross Plains	563,671,800	\$191,035	\$304,803	\$113,768
	Deerfield	310,337,600	\$105,177	\$173,000	\$67,823
	DeForest	1,741,105,600	\$590,081	\$693,095	\$103,014
	Marshall	386,859,100	\$131,111	\$186,000	\$54,889
	Mazomanie	240,400,300	\$81,475	\$97,850	\$16,375
	McFarland	1,568,293,500	\$531,513	\$768,000	\$236,487
	Mount Horeb	1,160,929,900	\$393,453	\$512,132	\$118,679
	Oregon	1,868,548,600	\$633,273	\$1,099,376	\$466,103
	Waunakee	3,088,851,000	\$1,046,848	\$1,338,863	\$292,015
Cities	Fitchburg	5,855,418,000	\$1,984,471	\$2,314,436	\$329,965
	Madison	43,854,448,000	\$14,862,793	\$19,770,825	\$4,908,032
	Middleton	4,698,269,500	\$1,592,299	\$1,597,392	\$5,093
	Monona	1,825,534,500	\$618,695	\$707,955	\$89,260
	Stoughton	1,778,095,500	\$602,618	\$741,585	\$138,967
	Sun Prairie	5,574,558,400	\$1,889,284	\$2,023,505	\$134,221
	Verona	4,049,963,900	\$1,372,581	\$1,291,669	-\$80,912



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85279

File ID: 85279

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: Authorizing a sole source contract for goods and services from Royer Industries, Inc. for parts and repair on the Royer Topsoil Shredder for City of Madison Parks.

Final Action:

Title: Authorizing a sole source contract for goods and services from Royer Industries, Inc. for parts and repair on the Royer Topsoil Shredder for City of Madison Parks.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 68.

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments: Royer Industries Inc - Non-Competitive Selection Request.pdf

Enactment Number:

Author: Shelby Deaken & Rich Bergmann

Hearing Date:

Entered by: nmiller@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Robert Mulcahy	Approve	10/7/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	BOARD OF PARK COMMISSIONERS	09/17/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/30/24), Common Council (10/8/24)						

Text of Legislative File 85279

Fiscal Note

The proposed resolution authorizes a sole source contract with Royer Industries, Inc. for

repairs to specialized topsoil shredding equipment. Estimated costs of the repairs are not to exceed \$89,995. Funding is available within the Parks Division's 2024 Adopted Capital Budget (Munis #14211). No additional appropriation is required.

Title

Authorizing a sole source contract for goods and services from Royer Industries, Inc. for parts and repair on the Royer Topsoil Shredder for City of Madison Parks.

Body

WHEREAS, City of Madison Parks requires a topsoil shredder to complete necessary functions in the field; and

WHEREAS, Royer Industries, Inc. is the manufacturer of the Royer 466 topsoil shredder currently in possession of the Parks Division and has been the primary service provider for this equipment including yearly maintenance, unscheduled repairs, and in-field emergency repairs; and

WHEREAS, the Parks Division desires to enter into a contract with Royer Industries, Inc. for parts and repair of the Royer 466 in an amount not to exceed \$89,995 to provide necessary maintenance to extend of the life of the equipment up to 15 years; and

WHEREAS, under MGO 4.26(4)(b) a service contract of \$50,000 or more that was not competitively selected must be approved by the Common Council and must meet one of the exceptions in MGO 4.26(4)(a); and

WHEREAS, for the reasons stated on the attached Noncompetitive Selection Request Form, Royer Industries, Inc. is the only contractor in the area that can provide the specific parts and repairs for the Royer 466, thereby meeting the exception of MGO 4.26(4)(a)2., "the service required is available from only one person or firm."

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the Finance Director to sign a sole source contract for purchase of goods and services from Royer Industries, Inc. to provide parts and repair services for the Royer 466 topsoil shredder, for the purposes and at the price described above.

BE IT FURTHER RESOLVED that the Finance Director or their Designee is authorized to sign amendments for the purchase of goods and services as described above.



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 09/06/2024

Requisition Number: (8 characters)

Requestor Name: SHELBY DEAKIN

Requestor Phone Number: 608-267-1105

Requestor Email: SDEAKIN@CITYOFMADISON.COM

Fund: 1400 CAPITAL PROJECT

Agency: 51 PARKS

- Major:
- ☐ 53*** Supplies/Goods
 - ☐ 541** Utilities
 - ☐ 542** Building/Facility Maintenance/Repair
 - ☐ 543** Software/Equipment Maintenance/Repair
 - ☒ 544** Public Works Maintenance/Repair
 - ☐ 545** Training/HR-Related Services
 - ☐ 546** Consulting/Professional Services
 - ☐ 548** Grants/Loans/Insurance/Other Services

Total Purchase Amount: \$89,995.00

Vendor Name: ROYER INDUSTRIES INC

Product/Service Description: SHREDDER REPAIR

☐ **\$50,000 and UNDER**
This form will be sent to the Purchasing Supervisor for review.

☒ **OVER \$50,000**
Complete this form and draft a resolution using the sample resolutions provided by the City Attorney to your Budget Analyst. **Your resolution will not be added to the Finance Committee agenda without this form.**

Check the box(es) for the exception criteria you feel are applicable:

- ☐ 1. Public exigency (emergency) will not permit the delay incident to advertising or other competitive processes.
- ☒ 2. The services or goods required are available from only one person or firm (i.e., **true** sole source).
- ☐ 3. The services are for professional services to be provided by attorneys.
- ☐ 4. The services are to be rendered by a university, college, or other educational institution.
- ☐ 5. No acceptable bids have been received after formal advertising.
- ☐ 6. Service fees are established by law or professional code.

- ☐ 7. A particular consultant has provided services to the City on a similar or continuing project in the recent past, and it would be economical to the City on the basis of time and money to retain the same consultant.
- ☐ 8. Otherwise authorized by law, rule, resolution, or regulation. Explain:
- ☐ If procurement is being paid with Federal or State grant funds, the vendor was identified by name in the approved Grant Application. (OPTIONAL)

REASON FOR REQUEST

WHY A COMPETITIVE SELECTION PROCESS CANNOT BE USED:

Provide **detailed** explanation below. For a true sole source, provide all information to explain why this product or service can only be purchased from this vendor. For one-of-a-kind items not sold through distributors, explain the unique performance features of the product requested that are not available from any other product. For services, detail the unique qualifications this vendor possesses, or other reason(s) that meet the criteria selected above. Identify specific, measurable factors and qualifications.

ROYER INDUSTRIES INC IS THE ORIGINAL MANUFACTURER OF ROYER TOPSOIL SHREDDER CURRENTLY IN POSSESSION OF CITY OF MADISON PARKS. ROYER INDUSTRIES INC IS THE PRIMARY PROVIDER OF ALL MAINTENANCE AND REPAIRS OF THIS EQUIPMENT AND OWN THE PATENT RIGHTS FOR UNIQUE PARTS REQUIRED FOR REPAIR. REPAIR WILL EXTEND THE LIFE OF THIS EQUIPMENT UP TO 15 YEARS.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has not previously purchased from this vendor.

Date:

Submit



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85280

File ID: 85280

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: Fourth Amendment to Madison Police Department
Facility Lease

Final Action:

Title: Authorizing the execution of a Fourth Amendment to the Lease with Joella Enterprises, LLC allowing for the City's continued use of space at 29 Marsh Court for the operation of the Madison Police Department evidentiary facility (District 16).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 69.

Sponsors: Jael Currie And Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Kris Koval, Real Estate Development Specialist IV

Hearing Date:

Entered by: nmakinen@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Maggie McClain	Approve	10/7/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	09/17/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/30/24), Common Council (10/8/24)						

Text of Legislative File 85280

Fiscal Note

The proposed resolution authorizes extending the lease for continued use of space at 29 Marsh

Court by the Madison Police Department from January 1, 2026 to December 31, 2028. The annual base rent for calendar year 2026 is the same rate as calendar year 2025 as outlined in the third amendment to the lease (\$79,576). The annual base rent will increase by two percent (2%) in calendar years 2027 and 2028. If the Extension Options are exercised past 2028, the annual base rent will increase by three percent (3%) per annum as reflected in the body of the resolution. The rental expense based on this fourth amendment to the lease will be included in future Police Operating Budgets beginning in 2026.

Title

Authorizing the execution of a Fourth Amendment to the Lease with Joella Enterprises, LLC allowing for the City's continued use of space at 29 Marsh Court for the operation of the Madison Police Department evidentiary facility (District 16).

Body

WHEREAS, the Lessor and the City are parties to a certain Lease (the "Lease") pertaining to the Building and the Land defined therein, dated December 30, 2008, which Lease was recorded with the Dane County Register of Deeds on January 12, 2009 as Document No. 4492668; and

WHEREAS, the initial term of the Lease was for the four-year period commencing on January 1, 2009; and

WHEREAS, in accordance with Paragraph 7 of the Lease, the City exercised its one-year renewal option, and the term of the Lease was extended to December 31, 2013; and

WHEREAS, the Common Council authorized the execution of a First Amendment to Lease (Resolution File ID No. 31331) which was executed on November 25, 2013 and recorded with the Dane County Register of Deeds on November 27, 2013 as Document No. 5040527, which extended the term of the Lease for an additional period of three (3) years to December 31, 2016 and gave the City the option to renew the Lease for two (2) successive terms of one (1) year each; and

WHEREAS, the Common Council authorized the execution of a Second Amendment to Lease (Resolution File ID No. 39189) which was executed on July 1, 2015 and recorded with the Dane County Register of Deeds on August 5, 2015 as Document No. 5174404 that allowed the extension the term of the Lease until December 31, 2017 and gave the City the option to renew the Lease for four (4) successive terms of one (1) year each until December 31, 2021; and

WHEREAS, the Common Council authorized the execution of a Third Amendment to Lease (Resolution File ID No. 61874) which was executed on October 26, 2020 and recorded with the Dane County Register of Deeds on October 28, 2020 as Document No. 5654857 that gave the City the option to renew the Lease for four (4) successive terms of one (1) year, which were all exercised until December 31, 2025, which is the current Extended Term; and

WHEREAS, the Lease and the three amendments to it are collectively in the definition of the Lease; and

WHEREAS, the parties agreed to amend the Lease to have the Extended Term expire on December 31, 2028 and provide three (3) extension options of one (1) year each.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison hereby authorizes the execution of a "Fourth Lease Amendment" to Lease with Joella Enterprises, LLC a Wisconsin limited liability company (the "Lessor"), amending the Lease executed between parties on the following terms and conditions:

- 1) Paragraph 2 of the Lease is amended to provide that the term of the Lease shall be extended to December 31, 2028 (the "Extended Term").
- 2) The following Subparagraph is inserted in Paragraph 3 of the Lease:

g. Base Rent payable during the Extended Term shall be as follows:

Fourth Amendment Extended Term	Annual Base Rent	Monthly Base Rent
1/1/2026-12/31/2026	\$ 79,575.74	\$ 6,631.31
1/1/2027-12/31/2027	\$ 81,167.25	\$ 6,763.94
1/1/2028-12/31/2028	\$ 82,790.60	\$ 6,899.22

- 3) Paragraph 7 of the Lease is amended to provide that if, at the end of the Extended Term, the City is not in default under the Lease, then the City shall have three (3) successive options to extend the Lease for additional terms of one (1) year each, under the same terms and conditions in the Lease, except that Base Rent during the renewal periods shall be as set forth in the table below, payable as provided in Paragraph 3. If the City desires to renew the Lease, the City must give notice in writing to the Lessor a minimum of one hundred fifty (150) days prior to the expiration of the Extended Term or any renewal term, by providing notice per Paragraph 22.

First Extension Option	Annual Base Rent	Monthly Base Rent
1/1/2029-12/31/2029	\$ 85,274.31	\$ 7,106.19
Second Extension Option 1/1/2030-12/31/2030	\$ 87,832.54	\$ 7,319.38
Third Extension Option 1/1/2031-12/31/2031	\$ 90,467.52	\$ 7,538.96

- 4) All other terms and conditions of the Lease shall remain in full force and effect.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute and record the Fourth Lease Amendment any and all additional documents that may be required to carry out the intent of this resolution in a form to be approved by the City Attorney.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85281

File ID: 85281

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: First Amendment to Salvation Army Lease

Final Action:

Title: Authorizing the City's execution of a First Amendment to Lease, pertaining to the City's lease with the Salvation Army for the family shelter located at 4502 Milwaukee Street, for the purpose of extending the lease term and altering the maintenance provisions of the Lease. (District 3)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 70.

Sponsors: Derek Field

Effective Date:

Attachments: 12226 1st Amendment to Lease.pdf, 12226 Salvation
Army Lease 5719164.pdf

Enactment Number:

Author: Lance Vest, Real Estate Specialist

Hearing Date:

Entered by: nmakinen@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Maggie McClain	Approve	10/7/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	09/17/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Community Development Block Grant Committee (10/10/24), Common Council (10/29/24)							

Text of Legislative File 85281

Fiscal Note

The proposed resolution authorizes the first amendment to the lease of City-owned property at 4502 Milwaukee St to The Salvation Army for the purposes of operating a family shelter. This

first amendment does not propose any changes to the base annual rent of \$1 per year. No additional City appropriation required.

Title

Authorizing the City's execution of a First Amendment to Lease, pertaining to the City's lease with the Salvation Army for the family shelter located at 4502 Milwaukee Street, for the purpose of extending the lease term and altering the maintenance provisions of the Lease. (District 3)

Body

WHEREAS, the City of Madison ("City") is the owner of the property at 4502 Milwaukee Street consisting of 144,200 square feet of land and a 36,192 square foot building currently operating a family shelter ("Property"), as legally described in Exhibit A of the attached First Amendment to Lease ("First Amendment"); and

WHEREAS, in 2021 the City executed a lease with the Salvation Army ("Lessee") for operation of a shelter for families experiencing homelessness and other related services thereto at the Property (the "Lease"); and

WHEREAS, the Lease was for an original term of one (1) year and in accordance with the terms of the Lease, the Lessee has exercised each of the two consecutive two (2) year Option Periods provided in Paragraph 8 of the Lease to renew the lease through April 5, 2026, and there are no remaining options to renew under the current terms of the Lease; and

WHEREAS, the City and the Lessee desire to amend the terms of the Lease to add an additional renewal Option Period of two years, and also alter the maintenance provisions of the Lease.

NOW, THEREFORE, BE IT RESOLVED that the City's Common Council hereby authorizes the Mayor and City Clerk to execute a First Amendment to Lease with the Salvation Army, substantially on the following terms and conditions:

1. Paragraph 8 of the Lease shall be amended to allow for one additional two (2) year Option Period commencing on April 6, 2026, and expiring on April 5, 2028 ("Third Option Period").
2. Subparagraph 11.a. of the Lease shall be deleted in its entirety and replaced with the following:

The Lessee is responsible at its cost for the monitoring, inspection, testing, maintenance, routine repair and replacement of its Lessee Improvements, and the following items in the Leased Premises: interior walls and flooring; interior doors and windows, keys, exterior and interior door hardware including alarms; all telecommunications wiring, cabling, equipment and services, including but not limited to internet, telephone, video surveillance, and cable and/or satellite TV; electrical systems including but not limited to panel boards, switchgear, light fixtures (interior, exterior, and parking lot), exit lights, receptacles and switches, conduit and wiring (including underground), and emergency generator; operation and maintenance of building HVAC systems, including but not limited to Packaged Terminal Air Conditioners (PTAC) located in individual guest rooms and related controls, piping and wiring; kitchen

and laundry equipment; interior plumbing system including but not limited to above grade water and sewer piping, fixtures, water heaters and softeners, grease traps, cross-connection control devices, removal of sewer blockages from toilets, sinks, and sewer lateral to point of connection with public sewer main; exterior and interior signs; personal property taxes; interior and exterior window washing/cleaning; roof gutters, downspouts; building siding; fire alarm (including monitoring) and suppression systems (including extinguishers); pest control; and all necessary related work as a result of damage caused by Lessee.

3. Subparagraph 11.j. of the Lease shall be deleted in its entirety and replaced with the following:

Lessee shall be responsible for all outdoor maintenance, including keeping the lawn mowed on a regular basis, maintaining landscaping, maintaining the parking lot, and any other related maintenance of the yards and landscape on the Property. Maintenance responsibilities for the parking lot shall include resealing, restriping, crack sealing, repairing potholes, and any other maintenance needed to provide safe, reliable access to the Building.

4. Subparagraph 13.a. of the Lease shall be deleted in its entirety and replaced with the following:

foundation; roof; underground water and sewer (excluding removal of blockages); elevator; structural portions of the Leased Premises (except interior walls); except for repairs required thereto by reason of the acts or omission of Lessee, Lessee's employees, agents, invitees, licensees or contractors.

5. Except as expressly modified by the First Amendment, all other provisions of the Lease shall remain unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that the City's Common Council hereby authorizes the Mayor and City Clerk to take any further action required to accomplish the purpose of this resolution in a form approved by the City Attorney.

FIRST AMENDMENT TO LEASE

(This document is a lease of less than 99 years and not a conveyance subject to Transfer Return and fee per Sec. 77.21(1) Wis. Stats.)

This First Amendment to Lease (“First Amendment”) is entered into this _____ day of _____, 2024, by and between the **City of Madison**, a municipal corporation, located in Dane County, Wisconsin (“City”), and **The Salvation Army**, an Illinois corporation (the “Lessee”; and together, City and Lessee shall be called “Parties”).

WITNESSETH:

WHEREAS, the City and the Tenant are parties to that certain Lease, dated April 6, 2021 (“Lease”); and

WHEREAS, the Lease pertains to the City-owned property located at 4502 Milwaukee Street in the City of Madison (“Property”), legally described on Exhibit A attached hereto and incorporated by reference, which contains a building thereon (“Building”; the Property and all improvements thereon, including the Building, are collectively referred to as the “Leased Premises”); and

WHEREAS, the Lease was for an original term of one (1) year and in accordance with the terms of the Lease, the Lessee has exercised both of the two consecutive two (2) year Option Periods provided in Paragraph 8 of the Lease; and

WHEREAS, the parties desire to amend the Lease to provide for one (1) additional Option Period for a period of two (2) years; and

WHEREAS, the parties desire to amend the Lease to revise Lessee’s responsibilities as provided in Paragraph 11 of the Lease, as well as the City’s responsibilities as provided in Paragraph 13 of the Lease; and

WHEREAS, the parties acknowledge that pursuant to Paragraph 13 of the Lease, City has, at its own expense, made all necessary improvements to comply with applicable statutes and codes including the Wisconsin Administrative Code, Madison General Ordinances and the Americans with Disabilities Act as necessary to obtain a certificate of occupancy and deliver the Leased Premises for use as a mission house.

NOW, THEREFORE, the City and the Lessee mutually agree as follows:

1. Paragraph 8 of the Lease is hereby amended to allow for one additional two (2) year Option Period commencing on April 6, 2026, and expiring on April 5, 2028 (“Third Option Period”).

Return to: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251/0710-032-0117-7

2. Subparagraph 11.a. of the Lease is hereby deleted in its entirety and replaced with the following:

The Lessee is responsible at its cost for the monitoring, inspection, testing, maintenance, routine repair and replacement of its Lessee Improvements, and the following items in the Leased Premises: interior walls and flooring; interior doors and windows, keys, exterior and interior door hardware including alarms; all telecommunications wiring, cabling, equipment and services, including but not limited to internet, telephone, video surveillance, and cable and/or satellite TV; electrical systems including but not limited to panel boards, switchgear, light fixtures (interior, exterior, and parking lot), exit lights, receptacles and switches, conduit and wiring (including underground), and emergency generator; operation and maintenance of building HVAC systems, including but not limited to Packaged Terminal Air Conditioners (PTAC) located in individual guest rooms and related controls, piping and wiring; kitchen and laundry equipment; interior plumbing system including but not limited to above grade water and sewer piping, fixtures, water heaters and softeners, grease traps, cross-connection control devices, removal of sewer blockages from toilets, sinks, and sewer lateral to point of connection with public sewer main; exterior and interior signs; personal property taxes; interior and exterior window washing/cleaning; roof gutters, downspouts; building siding; fire alarm (including monitoring) and suppression systems (including extinguishers); pest control; and all necessary related work as a result of damage caused by Lessee.

3. Subparagraph 11.j. of the Lease is hereby deleted in its entirety and replaced with the following:

Lessee shall be responsible for all outdoor maintenance, including keeping the lawn mowed on a regular basis, maintaining landscaping, maintaining the parking lot, and any other related maintenance of the yards and landscape on the Property. Maintenance responsibilities for the parking lot shall include resealing, restriping, crack sealing, repairing potholes, and any other maintenance needed to provide safe, reliable access to the Building.

4. Subparagraph 13.a. of the Lease is hereby deleted in its entirety and replaced with the following:

foundation; roof; underground water and sewer (excluding removal of blockages); elevator; structural portions of the Leased Premises (except interior walls); except for repairs required thereto by reason of the acts or omission of Lessee, Lessee's employees, agents, invitees, licensees or contractors.

5. Except as expressly modified by this First Amendment, all other provisions of the Lease remain unchanged and in full force and effect.

[signatures on following two pages]

IN WITNESS WHEREOF, the parties have entered into this First Amendment to Lease as of the date first set forth above.

THE SALVATION ARMY,
an Illinois corporation

By: _____
(signature)

By: _____
(print or type name and title)

State of _____)
)ss.
County of _____)

Personally came before me this _____ day of _____, 2024, the above named _____ (name), _____ (title) of The Salvation Army, an Illinois corporation, known to be the person who executed the above foregoing instrument and acknowledged that they executed the foregoing instrument on behalf of such corporation, by its authority.

Notary Public, State of _____

Print or Type Name

My Commission expires:_____

CITY OF MADISON,
a Wisconsin municipal corporation

By: _____
Satya Rhodes-Conway, Mayor

By: _____
Maribeth L. Witzel-Behl, City Clerk

AUTHENTICATION

The signatures of Satya Rhodes-Conway, as the Mayor, and Maribeth Witzel-Behl, as the City Clerk, on behalf of the City of Madison, are authenticated on this _____ day of _____, 2024.

Doran Viste, Assistant City Attorney
Member, State Bar of Wisconsin

Approved

Date

Approved

Date

David Schmiedicke, Finance Director

Eric Veum, Risk Manager

Approved as to Form

Michael Haas, City Attorney

Execution of this Lease by the City of Madison is authorized by Resolution No. RES-24-_____, File ID No. _____, adopted by the Common Council of the City of Madison on _____, 2024.

Drafted by the City of Madison Office of Real Estate Services.

Project No. 12226

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Tax Parcel 251/0710-032-0117-7:

CERTIFIED SURVEY MAP NO 7184 RECORDED IN DANE COUNTY REGISTER OF DEEDS
IN VOL 36 PAGE 238 OF CERTIFIED SURVEYS. LOT 1

LEASE

(This document is a lease of less than 99 years and not a conveyance subject to Transfer Return and fee per Sec. 77.21(1) Wis. Stats.)

This Lease is entered into this 6th day of April, 2021 ("Effective Date"), by and between the **City of Madison**, a municipal corporation, located in Dane County, Wisconsin ("City"), and **The Salvation Army**, an Illinois corporation (the "Lessee").

WITNESSETH:

NOW, THEREFORE, the City and the Lessee mutually agree as follows:

1. Property. 4502 Milwaukee St, Madison, WI 53715 ("Property"), legally described on Exhibit A attached hereto and incorporated by reference, which contains a building thereon ("Building").
2. Leased Premises. The City hereby leases to the Lessee the premises ("Leased Premises") described as follows: The Property and all improvements thereon, including the Building as described in Section 1 above.
3. Use. The Lessee will occupy and use the Leased Premises for operation of a shelter for women and families experiencing homelessness and other related services thereto, and for no other purposes whatsoever without the City's prior written consent, which consent the City may withhold in its reasonable discretion. The City agrees this use is in accordance with CC-T zoning as described in Madison General Ordinance 28.095, including any conditional uses. The Leased Premises shall not be used for any illegal purpose.
4. Lessee Improvements. Lessee shall present its plans for improvements to the City for its written approval, such approval not to be unreasonably withheld, conditioned or delayed, before any construction work can commence and, with respect to any initial improvements to be performed by Lessee promptly after the Effective Date, prior to this Lease being executed.
 - a. Any subsequent changes by Lessee to the floor plan, beyond routine maintenance, or to fixtures and replacement items beyond routine replacement needs, during Base Lease Term or Option Periods as defined below, shall require written approval by the City, such approval not to be unreasonably withheld, conditioned or delayed.
 - b. At the end of the Base Lease Term or Option Periods as defined below, any fixed Lessee Improvements to the Leased Premises shall remain on site, except for security equipment, cameras, and data information systems, and all other furniture, fixtures and equipment in the Leased Premises, which Lessee may remove at the end of the Lease Term.

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT

5719164

04/20/2021 10:03 AM

Trans Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 21

The above recording information verifies that this document has been electronically recorded and returned to the submitter.

Return to: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251/0710-032-0117-7

5. Capital Improvements. Any capital improvements desired by Lessee for its use of the Property will be at Lessee's sole expense. The City shall retain ownership of any permanent capital improvement to the Property funded in whole or in part by any source upon termination of this Lease, except as otherwise provided in paragraph 4(b).
6. Base Lease Term. This Lease shall be for an initial term of one (1) year (the "Base Lease Term"), subject to early termination pursuant to the terms of this Lease. This Lease shall commence on the Effective Date and expire on the date immediately preceding the first (1st) anniversary of the Effective Date. The term "Lease Year" shall mean a full one (1) year period. The first Lease Year shall begin on the Effective Date. Each succeeding Lease Year shall begin on the anniversary of the Effective Date.
7. Base Rent. The annual "Rent" shall be One and 00/100 Dollar (\$1.00), receipt of which is hereby acknowledged by the City.
8. Option to Renew. If, at the end of the Base Lease Term of this Lease, the Lessee is not in default under the terms and conditions of the Lease, then the Lessee shall have the right to extend the Base Lease Term for two (2) consecutive two (2) year terms (each, an "Option Period" and together the "Option Periods"), upon agreement of the parties as to the terms of the renewal. Together, the Base Lease Term, and, if exercised, the Option Periods will be defined as the "Lease Term".

If the Lessee desires to renew this Lease, the Lessee must give notice in writing to the City a minimum of three (3) months prior to the expiration of the Base Lease Term or Option Period, by providing Notice as specified in Paragraph 28. Following receipt of such notice, the City and Lessee shall negotiate any changes to this Lease applicable to such Option Period and, if the parties are unable to reach mutual agreement prior to expiration of the Base Lease Term or Option Period, as applicable, then either party may terminate this Lease on or after expiration of the Base Lease Term or Option Period, as applicable.

9. Parking Area. Lessee shall be permitted to use all parking stalls on the Property ("Lessee Parking Stalls") for its staff, guests and visitors. Lessee shall pay for the cost of any signage necessary to identify stalls for different groups. Lessee is responsible policing the Lessee Parking Stalls.
10. Construction. Except for the initial construction undertaken in accordance with Paragraphs 4 and 5 above, construction, paving, modification, landscaping improvements or alterations to the Leased Premises exceeding \$10,000 in any calendar year in cost for services and materials, and any plans for any of the same, are subject to written approval of the City prior to any work taking place, such approval not to be unreasonably withheld, conditioned or delayed. Any such construction, modification, improvement, alteration, redecoration, or remodeling shall remain for the benefit of the City, unless otherwise provided in such written approval. All normal periodic repairs, maintenance, and replacement in kind can be performed by the Lessee without written approval by the City. In all cases, the Lessee is responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any construction or maintenance activity.

In the event the Lessee hires a third party contractor to perform work in, on or adjacent to the Leased Premises for activities such as construction, remodeling, unit maintenance or repairs, and cleaning and/or custodial, the City shall review and approve the written contract or agreement before the Lessee executes the contract(s) or agreement(s), for the sole purpose of reviewing the scope of work, such approval not to be unreasonably withheld, conditioned or delayed. The contract shall be deemed approved unless City provides an objection or comments to the contract within 10 business days after the City's receipt of such contract. The City shall not be liable or have any duty for reviewing the contract or agreement between the Lessee and a contractor the Lessee hires, nor shall this Paragraph waive any rights under Paragraph 37 or any other rights or remedies available to the City for damages resulting from the Lessee's contract or agreement with a third party. The Lessee shall obtain a certificate of insurance from the operators naming the City as additional insured, if not already on file with the City, before executing any contracts or agreements. The certificate of insurance forms shall be approved by the City's Risk Manager, such approval not to be unreasonably withheld, conditioned or delayed, and kept active during the term of the operating contracts or agreements.

11. **Lessee's Responsibilities.** Lessee shall, at its own expense, keep and maintain the Leased Premises in a presentable condition consistent with good business practice and in a manner consistent with the preservation and protection of the general appearance and value of other premises in the immediate vicinity. Other responsibilities are detailed as:
 - a. The Lessee is responsible at its cost for the monitoring, inspection, testing, maintenance, routine repair and replacement of its Lessee Improvements, and the following items in the Leased Premises: interior walls and flooring; interior doors and windows, keys, exterior and interior door hardware including alarms; all telecommunications wiring, cabling, equipment and services, including but not limited to internet, telephone, video surveillance, and cable and/or satellite TV; interior electrical systems beyond panel boards including but not limited to light fixtures, exit lights, receptacles and switches, conduit and wiring, and emergency generator; Packaged Terminal Air Conditioners (PTAC) located in individual guest rooms and related controls, piping and wiring, excluding 2021 cooling season start-up of PTACs; kitchen and laundry equipment; fire alarm system monitoring; fire extinguishers; interior plumbing system including but not limited to above grade water and sewer piping, fixtures, water heaters and softeners, grease traps, cross-connection control devices, removal of sewer blockages from toilets, sinks, and sewer lateral to point of connection with public sewer main; exterior and interior signs; all necessary related work as a result of damage caused by Lessee; personal property taxes; interior and exterior window washing/cleaning; and pest control.
 - b. In the event Lessee or any of its customers, members, employees, agents, invitees, contractors or licensees, damage the Leased Premises or the Property, then Lessee shall be responsible for the repair or replacement of the damaged items/improvements.
 - c. The Lessee is responsible for the removal of all snow and ice on the Property, including all parking lots, drive aisles, sidewalks, entryways, delivery areas and other applicable locations at all times. Clearing of snow and ice on the driveway shall be in compliance with Salt Wise standards and protocols.
 - d. The Lessee is responsible for all pick up and removal of trash and recycling that is not provided for by municipal waste removal. This includes removal and cleaning of any

residual trash, recycling or liquids left on the ground after the removal of the Lessee's trash and recycling bins.

- e. The Lessee is responsible for weekly waste and recycling removal, or more frequently as needed, at its cost. Lessee shall either: (i) haul the trash off site at its cost or (ii) contract with a third party waste disposal company at its cost to have trash and recycling bins emptied on a regular basis. Dumpsters must be less than 1.5 cubic yards in size and 100% noncombustible, per City fire code requirements.
 - f. Lessee shall provide all necessary cleaning supplies and labor to maintain in a clean and sanitary condition the Property. Any custodial services, and any chemicals, trash liners, soap and paper used by the Lessee pursuant to its obligations under the provision, are required to be in accordance with the City's Green Cleaning Program and comply with the green product standards, specifications and practices of the Program. The failure to abide by the requirements of the Sustainable Green Cleaning Program shall be a default subject to Paragraph 22 of this Agreement.
 - g. No storage of materials and/or equipment is permitted outside the Leased Premises, except the temporary and orderly placement of items in conjunction with maintenance, repair or construction activities.
 - h. Lessee shall submit, by January 1st of the following year, an Operations Plan that includes but is not limited to their Staffing model, drug and alcohol policies, and Lessee's "Good Neighbor" policies to the City's Community Development Grant Supervisor or their designee.
 - i. Prior to the start of each calendar year, representatives of Lessee and City will meet to discuss any special maintenance needs related to the Property. Lessee and City will endeavor to identify appropriate times to undertake such maintenance so as to not disrupt use of the Property by Lessee or others.
 - j. Lessee shall be responsible for all outdoor maintenance, including keeping the lawn mowed on a regular basis, maintaining landscaping, and any other related maintenance of the yards and landscape on the Property.
12. Operating Expenses. As of the Effective Date, subject to the City's obligations under Paragraph 13 of this Lease, the Lessee will be responsible for all operating costs related to the Leased Premises, including but not limited to: electricity; natural gas; liquid propane; water; landfill; trash collection service; sewer; storm water and urban forestry service; elevator fire alarm monitoring, inspection, and testing; telephone lines; internet and data charges; routine special assessments levied by the City or others; licenses; commercial liability; worker's compensation; employer's liability, umbrella and property insurance premiums, in accordance with Paragraphs 36 & 37 herein; interior and exterior window washing/cleaning; and exterior signs.
13. City's Responsibilities. The City shall, at its own expense, make any improvements to comply with applicable statutes and codes including the Wisconsin Administrative Code, Madison General Ordinances and the Americans with Disabilities Act as necessary to obtain a certificate of occupancy and deliver the Leased Premises for use as a mission house, as reviewed and

approved by City's Building Inspection on February 2, 2021. Building Code Plans are attached as Exhibit B and incorporated by reference. In addition, the City shall be responsible for the following:

- a. foundation; roof; underground water and sewer (excluding removal of blockages); elevator; fire alarm and suppression systems; below grade water, and sewer; electrical system limited to underground conduit and wiring, switchgear and panel boards, and exterior lighting; HVAC system excluding PTACs located in individual guest rooms and related controls, piping and wiring, other than 2021 cooling season start-up of PTACs; fire alarm system, monitoring; structural portions of the Leased Premises (except interior walls); except for repairs required thereto by reason of the acts or omission of Lessee, Lessee's employees, agents, invitees, licensees or contractors.
 - b. The Lessee shall give the City written notice of the necessity for repairs/replacements to the Leased Premises coming to the attention of Lessee, following which the City shall have a reasonable time to undertake and complete such repairs.
 - c. Unless caused by the City's negligence, the City shall not be liable for any damage done or occasioned by or from plumbing, gas, water, seam or other pipes, or sewage or the bursting, leaking or running of any tank, water closet or waste pipe, in, above, upon or about the Leased Premises nor for damage occasioned by water, snow or ice being upon or coming through the roof, skylight, trap door or otherwise.
14. Right of Entry. The City or its representatives reserve the right to enter and access the Leased Premises at any reasonable time, with 24-hour advance notice to the Lessee, for non-emergency purposes set forth below. The City agrees to follow reasonable rules and requirements of Lessee regarding safety and privacy, and the Lessee may have a representative present during any period of access by the City hereunder.
- a. To make any inspection it may deem expedient to the proper enforcement of any term or condition of this Lease or in the exercise of its municipal powers.
 - b. For the purpose of performing work related to any public improvement provided that the City or its representatives restore the Leased Premises to a condition equivalent to that which existed on the date the City initiated the installation of the public improvement. The Lessee agrees to waive any loss of access and to hold the City harmless for any damages resulting from loss of parking or parking revenue which may occur during the period of installation of the public improvement.
15. Signage. All signage must be approved by the City in writing, and shall be in conformity with the provisions of Chapter 31, Sign Control Ordinance, Madison General Ordinances.
- a. Lessee may install signage approved by the City at the entrances to the Leased Premises from the Common Areas, such approval not to be unreasonably withheld, conditioned or delayed.
 - b. Lessee shall pay the cost to create, install and maintain any signage.
16. Special Conditions.

- a. No buildings or other structures shall be erected upon the Leased Premises.
 - b. The Lessee shall in no way encumber, or allow to be encumbered, the City's title to the Leased Premises.
 - c. The Lessee shall supervise, regulate and maintain the Leased Premises to permit parking only on parking stalls which have been completed and approved by the City. The Lessee shall prohibit and prevent parking by anyone on any unimproved area of the Leased Premises.
17. Assignment and Subletting. The Lessee shall not assign this Lease nor sublet the Leased Premises, or any portion thereof, without the prior written consent of the City, which consent the City may withhold at its sole discretion.
18. Liens.
- a. The Lessee shall not suffer or permit any construction or mechanics' lien to be filed, or if filed, to remain uncontested, against the fee of the Leased Premises, nor against the Lessee's leasehold interest in the Leased Premises, by reason of work, labor, services or materials supplied or claimed to have been supplied to the Lessee or anyone holding the Leased Premises or any part thereof through or under the Lessee; and nothing contained herein shall be deemed or construed in any way as constituting the consent or request of the City, express or implied, by inference or otherwise, to any contractor, subcontractor, laborer or materialman for the performance of any labor or the furnishing of any materials for any specific improvement, alteration or repair of or to the Leased Premises or any part thereof, nor as giving the Lessee any right, power or authority to contract for or permit the rendering of any services or the furnishing of any materials that would give rise to the filing of any construction or mechanics' lien against the fee of the Leased Premises. If any such lien is filed, the Lessee shall immediately cause the same to be discharged or released or shall upon request provide adequate and acceptable security or bond to protect the City's interest.
 - b. If any such construction or mechanics' lien shall at any time be filed against the Leased Premises by reason of work, labor, services or materials supplied or claimed to have been supplied to the Lessee or anyone holding the Leased Premises or any part thereof through or under the Lessee, the Lessee covenants that it will promptly take and diligently prosecute appropriate action to have the same discharged by payment, bonding or otherwise, and that it will hold the City free and harmless of and from any and all liability to any contractor, subcontractor, materialman, laborer or any other person relating to or arising because of any improvements or alterations on or to the Leased Premises, and that it will also defend on behalf of the City, at the Lessee's sole cost and expense, any action, suit or proceeding which may be brought for the enforcement of any such lien, and that it will pay any damages and discharge any judgments entered therein. Upon the Lessee's failure to do any of the foregoing things, the City may take such action as may be reasonably necessary to protect the City's interest, in addition to any other right or remedy which it may have; and any amount paid by the City in connection with such action shall be repaid by the Lessee to the City upon demand, and if not promptly paid within thirty (30) days after written notice from the City, together with interest thereon at the rate of twelve percent (12%) per annum.

19. Taxes. The City is a tax exempt entity. Should any City of Madison Ordinance or State of Wisconsin Statute after the Effective Date require that the Property be subject to real estate taxes or assessments, the Lessee, subject to a 180 day notice period, shall be liable for all such real estate taxes and assessments related to the Property. If the City shall sell or otherwise transfer ownership of the Property, or any portion thereof, to any other person or entity and the Property, or any portion thereof, becomes subject to real estate taxes or assessments following such sale, the successor landlord shall be liable for all such real estate taxes and assessments related to the Property.

20. Subordination.

- a. This Lease is subordinate to rights and privileges granted by the City to public and private utilities across, over or under the Leased Premises.
- b. The Lessee shall subordinate its rights in this Lease, without compensation, at the request of the City to provide rights, privileges, easements and rights-of-way for all current or future public and private utilities across or along the Leased Premises, provided that neither such subordination nor such easements shall interfere, except temporarily during construction or temporarily pursuant to rights which accrue to such easements or rights-of-way, with the use of the Leased Premises under the terms of this Lease.

21. Termination.

- a. The City shall have the right, at its sole option, to declare this Lease void, terminate the same, reenter and take possession of the Leased Premises under the following conditions:
 - (1) By giving the Lessee a minimum of sixty (60) days' written notice of termination, upon or after any one of the following events:
 - i. The filing by the Lessee of a voluntary petition in bankruptcy.
 - ii. The institution of proceedings in bankruptcy against the Lessee and the adjudication of the Lessee as bankrupt pursuant to such proceedings.
 - iii. The taking by a court of competent jurisdiction of the Lessee's assets pursuant to proceedings brought under the provisions of any federal or state reorganization act.
 - iv. The appointment of a receiver of the Lessee's assets.
 - v. The divestiture of the Lessee's estate herein by other operation of law.
 - vi. The abandonment by the Lessee of the Leased Premises.
 - vii. The use of the Leased Premises for an illegal purpose.
 - viii. The failure of the Lessee to pay when due any rent or any other monetary sums due pursuant to the terms of this Lease.

- ix. In the event the Lessee defaults in the performance of any other term or condition of this Lease.

The termination shall not be effective, if within such sixty (60) day period, the event giving rise to the City's right to terminate ceases to exist. In the event of a breach of a term, covenant or condition of this Lease which requires more than the payment of money to cure and which cannot, because of the nature of such default, be cured within said sixty (60) days, then the Lessee shall be deemed to be complying with such notice if, promptly upon receipt of such notice, the Lessee immediately takes steps to cure the default as soon as reasonably possible and proceeds thereafter continuously with due diligence to cure the default within a period of time which, under all prevailing circumstances, shall be reasonable. In the event of termination under this Subparagraph, any prepaid rent shall be retained by the City.

- (2) In the event that the Lessee fails to maintain insurance as required by this Lease, the City may elect to: (a) immediately terminate this Lease and cause the removal of all personal property installed upon the Leased Premises at the sole expense of the Lessee; or (b) purchase or pay for any insurance coverage required by this Lease and charge the Lessee the cost of same as additional rent. Any amount paid by the City hereunder shall be repaid by the Lessee to the City upon demand, and if not repaid within thirty (30) days, together with interest thereon at the rate of twelve percent (12%) per annum. In the event of termination under this Subparagraph, any prepaid rent shall be retained by the City.
- (3) By giving the Lessee a minimum of sixty (60) days written notice of termination in the event the Lessee defaults in the performance of any term or condition of this Lease other than those as set forth in Subparagraphs 22.a.(1) and 22.a.(2). Notwithstanding the foregoing, if such default is not a health or safety violation and cannot, because of the nature of the default, be cured within sixty (60) days, then the Lessee shall be deemed to be complying with such notice if, promptly upon receipt of such notice, the Lessee immediately takes steps to cure the default as soon as reasonably possible and proceeds thereafter continuously with due diligence to cure the default within a period of time which, under all prevailing circumstances, shall be reasonable. In the event of termination under this Subparagraph, any prepaid rent shall be retained by the City.
- (4) By giving the Lessee a minimum of one hundred eighty (180) days written notice of termination in the event the Leased Premises, at the sole discretion of the City of Madison, are desired for any public use or purpose.
- (5) Upon a taking in accordance with the terms of Paragraph 34 of this Lease.

Failure of the City to declare this Lease terminated upon the breach or default of the Lessee for any reason set forth in this Subparagraph 21.a. shall not operate to bar or destroy any right of the City to terminate this Lease for any subsequent breach or default of any term or condition of this Lease.

- b. The Lessee shall have the right, at its sole option, to terminate this Lease by giving the City a minimum of one hundred eighty (180) days written notice of termination and by complying with Paragraph 23. In the event of termination under this Subparagraph, any rent that has been prepaid for the period following the date of termination shall be prorated on a per diem basis and refunded to the Lessee.
22. No Waiver. Failure or delay on the part of either party to enforce any of the terms, covenants, conditions or agreements hereof shall not operate as a waiver thereof nor void or affect the right of the party to enforce the same upon any subsequent default or breach. Except as otherwise provided in this Lease, the rights and remedies herein granted are cumulative and are in addition to any given by statutes, rules of law or otherwise and the use of one remedy shall not be taken to exclude or waive the right to the use of another.
23. Removal and Disposal of Personal Property. Upon the expiration or termination of this Lease, the Lessee shall remove all personal property from the Leased Premises. If the Lessee leaves any personal property on the Leased Premises, the City shall have the right to dispose of said property, without liability, thirty (30) days after the Lessee vacates or abandons the Leased Premises.
24. Hold Over. In the event the Lessee shall continue to occupy or use the Leased Premises after the expiration of this Lease or any extension thereof, the Lessee shall be subject to the provisions of this Lease except that the Rent shall be paid at a market rate based on the highest and best use of the Property. The term shall be month to month, and not year to year.
25. Definition of City and Lessee. The terms "City" and "Lessee" when used herein shall mean either singular or plural, as the case may be, and the provisions of this Lease shall bind the parties mutually, their heirs, personal representatives, successors and assigns.
26. Authorized Agent. The City's Economic Development Division Director or the Director's designee is hereby designated as the official representative of the City for the enforcement of all provisions of this Lease, with authority to administer this Lease lawfully on behalf of the City.
27. Notices. All notices to be given under the terms of this Lease shall be signed by the person sending the same, and shall be sent by certified mail, return receipt requested and postage prepaid, to the address of the parties specified below. If electing to use electronic mail, said emails shall be sent to the email addresses provided below with an active read receipt and shall include a statement that the electronic mail constitutes notice under the terms of this Lease.

For the City:

City of Madison
Economic Development Division
Office of Real Estate Services
Attn: Manager
P. O. Box 2983
Madison, WI 53701-2983
Email: lvest@cityofmadison.com &
ORES@cityofmadison.com

For the Lessee:

The Salvation Army

Attn: Tracy Habermehl,
Divisional Property Administrator
11315 W. Watertown Plank Rd.
Wauwatosa, WI 53226
Email: Tracy.Habermehl@usc.salvationarmy.org

Any party hereto may, by giving five (5) days written notice to the other party in the manner herein stated, designate any other address in substitution of the address shown above to which notices shall be given.

28. **Non-Discrimination.** In the performance of its obligations under this Lease, the Lessee agrees not to discriminate against any employee, program applicant or customer because of race, religion, marital status, age, color, sex, disability, national origin or ancestry, income level or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, gender identity, political beliefs or student status. The Lessee further agrees not to discriminate against any contractor, subcontractor or person who offers to contract or subcontract for services under this Lease because of race, religion, color, age, disability, sex, sexual orientation, gender identity or national origin.
29. **Accessibility.** The Leased Premises shall conform where applicable to Chapter SPS 361.05 of the Wisconsin Administrative Code, Madison General Ordinances Section 39.05, and the Americans with Disabilities Act, regarding accessibility, with all costs of compliance to be paid by the Lessee, except for the initial delivery requirements set forth in Paragraph 13.
30. **Weapons Prohibition.** Lessee shall install a sign on all entrances to the Leased Premises banning all weapons.
31. **Property Rules and Regulations.** Lessee, its vendors and contractors are to abide by all Property rules & regulations listed below (collectively, the "Rules and Regulations"):
 - a. Lessee shall not obstruct any sidewalks, halls, passages, exits entrances, elevators, or stairways of the Property.
 - b. Lessee shall not use or keep in the Leased Premises any kerosene, gasoline, or inflammable or combustible fluid or material other than those limited quantities necessary for the operation or maintenance of office or retail equipment, or as art supplies/materials.
 - c. Lessee shall not use or permit to be used in the Leased Premises any foul or noxious gas or substance, do or permit anything to be done in the Leased Premises which materially obstructs, materially interferes, or materially injures the City.
 - d. Lessee shall not use any method of heating or air conditioning other than that supplied or approved by the City.
 - e. City reserves the right to prevent access to the Leased Premises in case of invasion, riot, earthquake, public health emergency or other emergency by closing the doors or by other appropriate action.
 - f. The toilet rooms, toilets, urinals, washbowls and other plumbing apparatus shall not be used

for any purpose other than that for which they were constructed and no foreign substance of any kind shall be thrown therein.

- g. Lessee shall comply with all safety, fire protection and evacuation procedures and regulations reasonably established by City and that are consistent with the Lease or any governmental agency.
 - h. City shall enforce the Rules and Regulations in a non-discriminatory manner, but shall, in addition to any remedies provided herein, have the right to expel persons violating law or these Rules and Regulations. If City agrees to less burdensome or more favorable rules and regulations for the benefit of any other Lessee, these Rules and Regulations shall be automatically amended to include any such less burdensome or more favorable Rules and Regulations.
 - i. These Rules and Regulations are in addition to the terms, covenants and conditions of the Lease for use of Leased Premises in the Property. In the event these Rules and Regulations conflict with any provision of the Lease, the Lease shall control.
 - j. Smoking, including the use of e-cigarettes, is prohibited throughout the interior of the Building. Violators will be ticketed and/or removed from the Property.
 - k. Alcoholic Beverages. The Lessee shall not sell or keep on the Property alcoholic beverages of any kind whatsoever, in accordance with Madison General Ordinances.
 - l. Sidewalks/Right of Way. Lessee shall not use the sidewalks to keep or sell merchandise.
 - m. The City reserves the right to make reasonable additions and modification to the Rules and Regulations, with cooperation with the Lessee.
32. Severability. If any term or provision of this Lease or the application thereof to the City or the Lessee or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such terms or provisions to the City or the Lessee or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and be enforceable to the fullest extent permitted by law.
33. Damage and Destruction. In the event the Building is damaged by any peril covered by standard policies of fire and extended coverage insurance to an extent which is less than twenty-five percent (25%) of the cost of replacement of the Building, the damage shall, except as hereinafter provided, promptly be repaired by the City, at the City's expense, but in no event shall the City be required to repair or replace the Lessee's stock-in-trade, trade fixtures, furniture, furnishings, equipment or personal property. In the event the Building is damaged to the extent of twenty-five percent (25%) or more of the cost of replacement, the City may elect either to repair or rebuild the Leased Premises, as the case may be, or to terminate this Lease upon giving notice of such election in writing to the Lessee within ninety (90) days after the event causing the damage. If the casualty, repairing or rebuilding shall render the Leased Premises untenable, in whole or in part, Tenant may elect to terminate the Lease upon giving notice of such election in writing to Landlord within thirty (30) days after the event causing the damage.

34. Leased Premises Acquired by Eminent Domain. In the event the Leased Premises or any part thereof shall be needed either permanently or temporarily for any public or quasi-public use or purpose by any authority in appropriation proceedings or by any right of eminent domain, the entire compensation award therefor, including, but not limited to, all damages and compensation for diminution of value of the leasehold, reversion and fee, shall belong to the City without any deduction therefrom for any present or future estate of the Lessee, and the Lessee hereby assigns to the City all of its right, title and interest to any such award. However, the Lessee shall have the right to recover from the condemning authority such compensation as may be separately awarded to the Lessee for moving and relocation expenses.

In the event of a taking of any portion of the Leased Premises not resulting in a termination of this Lease, the City shall use so much of the proceeds of the City's award for the Leased Premises as is required therefor to restore the Leased Premises to a complete architectural unit, and this Lease shall continue in effect with respect to the balance of the Leased Premises, with a reduction of Base Rent in proportion to the portion of the Leased Premises taken.

35. Insurance. In addition to the requirements contained in Attachment 1, the Lessee will require its contractors to insure, as indicated, against the following risks to the extent stated below. The Lessee shall not allow any contractor to commence work on activities such as construction, remodeling, unit maintenance or repairs, and/or any cleaning/custodial, until the insurance required below, and pursuant to paragraph 10 above, has been obtained and corresponding certificate(s) of insurance have been approved by the City Risk Manager, such approval not to be unreasonably withheld, conditioned or delayed.
- a. Commercial General Liability. Lessee shall require all contractors under this Lease (if any) to procure and maintain Commercial General Liability insurance including, but not limited to, bodily injury, property damage, personal injury, products and completed operations in an amount not less than \$1,000,000 per occurrence. This policy shall also provide contractual liability in the same amount. Contractor's coverage shall be primary and noncontributory, and list the City of Madison, its officers, officials, agents and employees as additional insureds.
 - b. Worker's Compensation. Lessee shall require all contractors under this Lease (if any) to procure and maintain Workers' Compensation insurance as required by the State of Wisconsin. The Lessee shall also carry Employers Liability limits of at least \$100,000 Each Accident, \$100,000 Disease - Each Employee, and \$500,000 Disease - Policy Limit.
 - c. Property Insurance. Lessee shall be solely responsible for carrying personal property insurance sufficient to cover loss of all personal property on the Leased Premises. The City shall not be liable for any damage to or loss of property of Lessee or others located on the Leased Premises and Lessee shall obtain a waiver of subrogation in favor of the City.
 - d. Acceptability of Insurers. The above-required insurance is to be placed with insurers who have an A.M. Best rating of no less than A~ (A minus) and a Financial Category rating of no less than VII.
 - e. Proof of Insurance. The Lessee shall provide the City with certificate(s) of insurance showing the type, amount, class of operations covered, effective dates, and expiration dates of required policies prior to commencing work under this Lease. Lessee shall provide the

certificate(s) to the City's representative upon execution of the Lease, or sooner, for approval by the City Risk Manager. The Lessee shall provide copies of additional insured endorsements or insurance policies, if requested by the City Risk Manager.

- f. Notice of Change in Policy. The Lessee and/or Insurer shall give the City thirty (30) calendar days' advance written notice of cancellation, non-renewal or material changes to any of the above-required policies during the term of this Lease.
36. Indemnification. Each party shall be responsible its own acts, errors or omissions and for the acts, errors or omissions of its employees, officers, officials, agents, boards, committees and commissions, and shall be responsible for any losses, claims, and liabilities that are attributable to such acts, errors, or omissions including providing its own defense, arising out of this Lease. In situations involving joint liability, each party shall only be responsible for such losses, claims, and liabilities that are attributable to its own acts, errors, or omissions and the acts, errors or omissions of its employees, officers, officials, agents, boards, committees and commissions. It is not the intent of either party to waive, limit or otherwise modify the protections and limitations of liability found in Wis. Stat. 893.80 or any other protections available to the parties by law. This paragraph shall survive the termination or expiration of this Lease.
37. Hazardous Substances; Indemnification. The Lessee represents and warrants that its use of the Leased Premises will not generate any hazardous substance, and it will not store or dispose on the Leased Premises nor transport to or over the Leased Premises any hazardous substance in violation of any applicable federal, state or local law, regulation or rule. The Lessee further agrees to hold the City harmless from and indemnify the City against any release of such hazardous substance by the Lessee or Lessee's agents and any damage, loss, or expense or liability resulting from such release including all attorneys' fees, costs and penalties incurred as a result thereof. "Hazardous substance" shall be interpreted broadly to mean any substance or material defined or designated as hazardous or toxic waste, hazardous or toxic material, hazardous or toxic radioactive substance, or other similar term by any federal, state or local environmental law, regulation or rule presently in effect or promulgated in the future, as such laws, regulations or rules may be amended from time to time; and it shall be interpreted to include, but not be limited to, any substance which after release into the environment will or may reasonably be anticipated to cause sickness, death or disease or damage to or loss of use of real or personal property. This paragraph shall survive termination and assignment or transfer of this Lease.
38. Compliance. The Lessee shall observe and promptly and effectively comply with all applicable statutes, rules, orders, ordinances, requirements and regulations of the City, the County of Dane, the State of Wisconsin, the federal government and any other governmental authority having jurisdiction over the Leased Premises. The Lessee may, if in good faith and on reasonable grounds, dispute the validity of any charge, complaint or action taken pursuant to or under color of any statute, rule, order, ordinance, requirement or regulation, defend against the same, and in good faith diligently conduct any necessary proceedings to prevent and avoid any adverse consequence of the same. The Lessee agrees that any such contest shall be prosecuted to a final conclusion as soon as possible and that it will hold the City harmless with respect to any actions taken by any lawful governmental authority with respect thereto.

39. Brokerage Costs. The City is not responsible for any brokerage costs in connection with the Lease.
40. Public Record. This Lease will be recorded at the office of the Dane County Register of Deeds after it is executed by the parties.
41. Counterparts. This Lease may be executed in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

[Signature Pages Follow.]

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

THE SALVATION ARMY

By: Shelagh M. Stuart-Andrews
Shelagh M. Stuart-Andrews
Asst. Treasurer

* Name and Title

By: _____

* Name and Title

State of Illinois)
)ss.
County of Cook)

Personally came before me this 24th day of March, 2021,
Shelagh M. Stuart-Andrews the Asst Treasurer of The Salvation Army, known to be the
person(s) who executed the above foregoing instrument, and acknowledged that he/she/they executed
the foregoing instrument on behalf of such corporation and by its authority.

[STAMP]



Janet F. Gunter
Notary Public, State of Illinois
Janet F. Gunter
Print or Type Name
My Commission: 11/16/2022

State of _____)
)ss.
County of _____)


Personally came before me this _____ day of _____, 20____,
_____, the _____ of The Salvation Army, known to be the
person(s) who executed the above foregoing instrument, and acknowledged that he/she/they executed
the foregoing instrument on behalf of such corporation and by its authority.


[STAMP]

Notary Public, State of _____

Print or Type Name
My Commission: _____

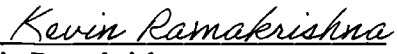
CITY OF MADISON

By: 
Satya Rhodes-Conway, Mayor

By: 
Maribeth L. Witzel-Behl, City Clerk

AUTHENTICATION

The signatures of Satya Rhodes-Conway and Maribeth Witzel-Behl, Mayor and Clerk respectively, of the City of Madison, are hereby authenticated this 6th day of April, 2021.

By: 
Kevin Ramakrishna
Member of the Wisconsin Bar

Approved	Date	Approved	Date
<u></u>	<u>04-01-2021</u>	<u></u>	<u>4/1/2021</u>
David Schmiedicke, Finance Director		Eric Veum, Risk Manager	

Approved as to Form
 4/5/2021
Michael Haas, City Attorney

Execution of this by the Lease by the City of Madison is authorized by Resolution No. RES-20-00815, File ID No. 63063 adopted by the Common Council of the City of Madison on December 1st, 2020.

Drafted by the City of Madison Office of Real Estate Services.

Project No. 12226

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Tax Parcel 251/0710-032-0117-7:

CERTIFIED SURVEY MAP NO 7184 RECORDED IN DANE COUNTY REGISTER OF DEEDS
IN VOL 36 PAGE 238 OF CERTIFIED SURVEYS. LOT 1

EXHIBIT B
BUILDING CODE PLANS

[ATTACHED]

- 24785749.7

ATTACHMENT 1
Lessee Insurance Requirements

Insurance - Lessee. The Lessee will insure against the following risks to the extent stated below. The Lessee shall not commence work under this Lease until the insurance required below has been obtained and corresponding certificate(s) of insurance have been approved by the City Risk Manager.

Commercial General Liability. During the life of this Lease, the Lessee shall procure and maintain Commercial General Liability insurance including, but not limited to, bodily injury, property damage, personal injury, products and completed operations in an amount not less than \$1,000,000 per occurrence. This policy shall also provide contractual liability in the same amount and shall extend coverage to Lessee's volunteers. Lessee's coverage shall be primary and noncontributory, and list the City of Madison as additional insured. Lessee shall require all subcontractors under this Lease (if any) to procure and maintain insurance meeting the above criteria, applying on a primary and noncontributory basis and listing the City of Madison as additional insured.

Automobile Liability. During the life of this Lease, the Lessee shall procure and maintain Business Automobile Liability insurance covering owned, non-owned and hired automobiles with limits of not less than \$1,000,000 combined single limit per accident. Lessee shall require all subcontractors under this Lease (if any) to procure and maintain insurance covering each subcontractor and meeting the above criteria.

Worker's Compensation. During the life of this Lease, the Lessee shall procure and maintain statutory Workers' Compensation insurance as required by the State of Wisconsin. The Lessee shall also carry Employers Liability limits of at least \$100,000 Each Accident, \$100,000 Disease - Each Employee, and \$500,000 Disease - Policy Limit. Lessee shall require all subcontractors under this Agreement (if any) to procure and maintain such insurance.

Umbrella Liability. During the life of this Lease, the Lessee shall procure and maintain Umbrella Liability coverage at least as broad as the underlying Commercial General Liability and Employers Liability with minimum limits of \$2,000,000 per occurrence and aggregate.

Property Insurance. Lessee shall be solely responsible for carrying personal property insurance sufficient to cover loss of all personal property on the Leased Premises. The City shall not be liable for any damage to or loss of property of Lessee or others located on the Leased Premises and Lessee shall obtain a waiver of subrogation in favor of the City.

Acceptability of Insurers. The above-required insurance is to be placed with insurers who have an A.M. Best rating of no less than A~ (A minus) and a Financial Category rating of no less than VII.

Proof of Insurance, Approval. The Lessee shall provide the City with certificate(s) of insurance showing the type, amount, class of operations covered, effective dates, and expiration dates of required policies prior to commencing work under this Lease. Lessee shall provide the certificate(s) to the City's representative upon execution of the Lease, or sooner, for approval by the City Risk Manager. The Lessee shall provide copies of additional insured endorsements or insurance policies, if requested by the City Risk Manager.

Notice of Change in Policy. The Lessee and/or Insurer shall give the City thirty (30) calendar days advance written notice of cancellation, non-renewal or material changes to any of the above-required policies during the term of this Lease.

Risk Manager. All information required to be provided to the Risk Manager should be addressed as follows:

City of Madison
Attention: Risk Manager, Room 406
210 Martin Luther King Jr. Blvd.
Madison, WI 53703



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85282

File ID: 85282

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: Authorizing an amendment to an Emergency Rental Assistance Program contract with Benevate, Inc., which governs the use of Benevate Inc.'s Neighborly Software system in administering Federal Emergency Rental Assistance funds provided to the City, to sustain

Final Action:

Title: Authorizing an amendment to an Emergency Rental Assistance Program contract with Benevate, Inc., which governs the use of Benevate Inc.'s Neighborly Software system in administering Federal Emergency Rental Assistance funds provided to the City, to sustain efforts to prevent evictions and promote housing stability for eligible households in Dane County affected by the COVID-19 pandemic; and amending the Community Development Division's 2024 Operating Budget to reflect use of these funds, additionally accepting up to \$237,000 from Dane County to pay administration fees related to its use of that system.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 71.

Sponsors: Nikki Conklin, John P. Guequierre And Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Maggie McClain	Approve	10/7/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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1 Community Development 09/17/2024 Referred for
Division Introduction
Action Text: This Resolution was Referred for Introduction
Notes: Finance Committee (9/30/24), Common Council (10/8/24)

Text of Legislative File 85282

Fiscal Note

The proposed resolution amends the Community Development Division's (CDD) 2024 Adopted Operating Budget (Munis project 76121) to accept up to \$237,000 in federal Emergency Rental Assistance (ERA) funds from Dane County and increase corresponding expenses for purchased services for the use of Benevate Inc.'s Neighborly Software system. The increase reflects the County's portion of administration fees for the use of the Neighborly Software system, which is used to administer Federal Emergency Rental Assistance Funds. The resolution would also authorize the City to amend the contract between the City and Benevate Inc. to reflect increased user fees. The additional \$237,000 in ERA funds from the County and ERA funds already authorized in CDD's Adopted Operating Budget will fund the increased contract costs.

Title

Authorizing an amendment to an Emergency Rental Assistance Program contract with Benevate, Inc., which governs the use of Benevate Inc.'s Neighborly Software system in administering Federal Emergency Rental Assistance funds provided to the City, to sustain efforts to prevent evictions and promote housing stability for eligible households in Dane County affected by the COVID-19 pandemic; and amending the Community Development Division's 2024 Operating Budget to reflect use of these funds, additionally accepting up to \$237,000 from Dane County to pay administration fees related to its use of that system.

Body

BACKGROUND

On December 21, 2020, Congress enacted the Consolidated Appropriations Act, 2021 (H.R. 133, Public Law 116-260, a/k/a "COVID Relief Act"), which included \$25 billion in Emergency Rental Assistance Program funding ("ERA1") to be distributed by the U.S. Treasury Department to state and local governments for use in preventing evictions and promoting housing stability among households affected by the COVID-19 pandemic. Through this Act, the City of Madison had received a direct ERA1 allocation of nearly \$7.8 million (RES-21-00042, Legistar #63792) and a pass-thru ERA1 allocation, via the Wisconsin Department of Administration's Division of Energy, Housing & Community Resources, of roughly \$25.2 million (RES-21-00371, Legistar #65271; and RES-21-00557, Legistar #66681).

On March 10, 2021, Congress subsequently enacted the American Rescue Plan Act of 2021 (H.R. 1319, Public Law 117-2), which provided additional funding to respond to multiple areas of need created by the COVID-19 pandemic. This Act (also known as "ARPA") included an additional \$21.5 billion in Emergency Rental Assistance Program funding ("ERA2") to be distributed to state and local governments as supplemental support for their ongoing eviction prevention and housing stability efforts; of this figure, the City of Madison had received a direct ERA2 allocation of just over \$6.1 million and re-allocation of an additional approximate \$34.1 million.

Together, these federal Emergency Rental Assistance Program funds-both ERA1 and ERA2-were primarily used in collaboration with similar allocations received by Dane County to support a local rental assistance program known as Dane CORE to provide direct assistance to eligible applicants, along with associated housing stability services, through vendor contracts

administered by local community organizations, as approved via Legistar files #63792 and #66702. The funds that remain are now primarily used to support the Eviction Diversion and Defense Partnership operated through the Tenant Resource Center, which facilitates mediation, legal representation, and rental assistance payments for households with an eviction filing.

Additionally, on May 18, 2021, the Council adopted RES-21-00371, Legistar File #65271, which authorized the Mayor and City Clerk to execute an agreement with Benevate Inc. to use Neighborly Software, a centralized database to implement a rental assistance program. To support close collaboration with the Dane County-funded program, Dane County sought also to use the Neighborly Software platform and the Common Council authorized granting access through the City's contract with Benevate Inc. under Legistar file #66526.

A small portion of overall Emergency Rental Assistance program funds has been used to support this contract with Benevate, Inc., for the utilization of Benevate's Neighborly Software system in administering the federal Emergency Rental Assistance Program funds provided to the City. Benevate assesses a fee for the use of its system that is based on a percentage of the funds being managed. The ongoing use of these funds requires up to an additional \$486,000 in system fees, which will necessitate an amendment to Benevate's existing contract with the City. As a shared program with Dane County, the County's portion of the system usage fees are calculated separately based upon the funds it manages.

The purposes of this proposed Resolution are to authorize an amendment to the City's contract with Benevate, Inc. to revise the Neighborly Software usage fees associated with the City's use of ERA2 funds, to accept funds from Dane County for fees associated with its use of ERA2 funds and to amend the adopted 2024 Operating Budget of the Community Development Division to reflect the receipt of County funds for its share of usage fees and the payment of the fees.

ACTION

WHEREAS, on December 21, 2020, Congress enacted the Consolidated Appropriations Act, 2021 (H.R. 133), which included \$25 billion in Emergency Rental Assistance Program funding ("ERA1") to be distributed to state and local governments for use in preventing evictions and promoting housing stability among households affected by the COVID-19 pandemic; and,

WHEREAS, the Common Council approved the City's acceptance of roughly \$33 million in ERA1 funds, comprised of a direct allocation from the U.S. Treasury Department and a pass-thru allocation from the Wisconsin Department of Administration's Division of Energy, Housing & Community Resources; and,

WHEREAS, on March 10, 2021, Congress subsequently enacted the American Rescue Plan Act of 2021 (H.R. 1319), which included a further \$21.5 billion in Emergency Rental Assistance Program funding ("ERA2"), \$6,142,189.70 of which was awarded to the City of Madison as an additional direct allocation from the U.S. Treasury Department; and,

WHEREAS, the Common Council approved the City's acceptance of roughly \$45 million in ERA2 funds, comprised of a direct allocation from the U.S. Treasury Department, a pass-thru allocation from the Wisconsin Department of Administration's Division of Energy, Housing & Community Resources, and direct reallocation from the U.S. Treasury Department; and,

WHEREAS, the City and County established the Dane CORE (now Dane CORE 2.0) and Eviction Diversion and Defense programs to utilize the awarded federal Emergency Rental Assistance Program funds to prevent evictions and promote housing stability in Madison and Dane County; and,

WHEREAS, on May 24, 2021, the Common Council adopted RES-21-00371 (Legistar File #65271) to authorize execution of an agreement between the City and Benevate Inc. for the use of Benevate's Neighborly Software, a centralized database, to administer the Dane CORE and Eviction Diversion and Defense program Emergency Rental Assistance Program funds; and,

WHEREAS, through its executed contract with the City, Benevate assesses a fee for the use of its Neighborly system that is based on a percentage of the funds being managed, an annual system user fee, federally required data maintenance and reporting fees; and,

WHEREAS, Dane County received its own allocations of ERA funds which were administered by the Dane County Department of Human Services (DCDHS) Housing Access and Affordability Division (HAA), and in August 2021 the Madison Common Council authorized the City to amend its contract with Benevate, Inc. to allow County contractors to use the Neighborly Software system to administer County ERA funds, a change that triggered an increase in the fees charged by Benevate for the use of that system; and,

WHEREAS, the City's ongoing use of ERA2 funds for Eviction Diversion and Defense, and subsequent increases to Dane County's ERA allocations, have increased the fees for usage of the Neighborly System requiring the Benevate contract to be amended to correctly reflect these increases; and,

WHEREAS, the added cost to the City's contract associated with Dane County's increased use of the system through subsequent allocations totals \$237,000, bringing the additional total contract cost to \$486,000. The City's Community Development Division's 2024 Operating Budget must also be amended to accept and authorize the added revenue and expenditures associated with Dane County's ERA funds.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor and City Clerk to execute an amendment to the City's current Neighborly Software contract with Benevate, Inc. to reflect the added usage fees incurred by the City and Dane County for their continued use of the Neighborly System; and,

BE IT FURTHER RESOLVED, that the Common Council amends the Community Development Division's 2024 Adopted Operating Budget to reflect receipt of \$237,000 from Dane County, for payment of added usage fees to Benevate, and the expenditure of \$486,000 of ERA2 funds toward payment of additional City (\$249,000) and County (\$237,000) usage fees.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85297

File ID: 85297

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: Approving an intergovernmental agreement between the City of Sun Prairie and the City of Madison for the Madison Fire Department to provide emergency crisis services through the City of Madison CARES program.

Final Action:

Title: Approving an intergovernmental agreement between the City of Sun Prairie and the City of Madison for the Madison Fire Department to provide emergency crisis services through the City of Madison CARES program.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 72.

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: CARES IGA - Sun Praire Agreement-Madison_Signed by SP.pdf

Enactment Number:

Author: Brent Sloat

Hearing Date:

Entered by: bsloat@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Elizabeth York	Approve	10/7/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Fire Department	09/17/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Public Safety Review Committee (10/9/24), Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 85297

Fiscal Note

The proposed resolution authorizes the City of Madison Fire Department to provide emergency crisis services through Madison's CARES program to the City of Sun Prairie. The City of Sun Prairie will compensate the City of Madison at \$531 per CARES response. The number of actual responses provided to Sun Prairie has yet to be determined. The agreement is expected to begin in December 2024.

The 2024 adopted operating budget includes \$275,000 to fund an additional CARES team added through Finance Committee amendment #12. The amendment also added \$275,000 in General Fund Revenue - Payment for Municipal Services to offset the cost of the team. Service delivery to Sun Prairie will be provided with current CARES staffing and resources and an additional team will not be added. No additional city appropriation is required.

Title

Approving an intergovernmental agreement between the City of Sun Prairie and the City of Madison for the Madison Fire Department to provide emergency crisis services through the City of Madison CARES program.

Body

WHEREAS, the City of Madison and City of Sun Prairie recognize the need to provide emergency crisis response services to the residents of Sun Prairie;

WHEREAS, "emergency crisis services" are provided by the City of Madison CARES program;

WHEREAS, Madison and Sun Prairie are authorized by Wis. Stats. § 66.0301 to contract with each other for the receipt or furnishing of services;

WHEREAS, under this agreement, the Madison Fire Department (MFD) will provide emergency response and non-emergency response for emergency crisis situations (which for purposes of this Agreement shall include emergency crisis transport), and other, similar emergency crisis response services provided by MFD for emergency crisis responses at the same level of service and response as provided within the City of Madison;

WHEREAS, MFD is currently operating with three CARES teams every weekday and one CARES team on weekends;

WHEREAS, the total number of CARES responses within the City of Madison is projected to be at least 3,300 for calendar year 2024;

WHEREAS, there is no minimum or maximum in the number of CARES responses to Sun Prairie but responses are limited to units that are in service and available at a given moment;

WHEREAS, the City of Sun Prairie shall pay the City of Madison \$531.00 per response, which is based on the current estimated cost per response for the City of Madison;

WHEREAS, the effective date of this Agreement has yet to be finalized but will likely begin in December 2024 and continue through December 2025;

WHEREAS, Madison or Sun Prairie may terminate this Agreement by providing at least 30 days of notice and this Agreement will also terminate in the event that the City of Madison no longer provides emergency crisis services within the City;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and City Clerk are authorized to execute an intergovernmental agreement pursuant to Wis. Stats. § 66.0301 with the City of Sun Prairie for the Madison Fire Department to provide emergency crisis services through the City of Madison CARES program.

EMERGENCY CRISIS SERVICES AGREEMENT
Between the City of Madison and the City of Sun Prairie

THIS AGREEMENT (“Agreement”) is entered into by and between the City of Madison, a Wisconsin municipal corporation located in Dane County, Wisconsin (“Madison”) and the City of Sun Prairie, a municipal corporation located in Dane County, Wisconsin (“Sun Prairie”).

RECITALS

- A. Madison and Sun Prairie recognize the need to provide emergency crisis response services to the residents of Sun Prairie.
- B. “Emergency Crisis Services” are services provided by the City of Madison CARES Program.
- C. Madison and Sun Prairie are authorized by Wis. Stats. § 66.0301 to contract with each other for the receipt or furnishing of services.

AGREEMENT

In consideration of the mutual promises, covenants and agreements hereinafter set forth, Madison and the Sun Prairie make this intergovernmental agreement under Wis. Stat. § 66.0301 for the purposes described above and the benefit, health, safety and welfare of the public, and agree as follows:

- 1. Definitions. When used in this Agreement, the following terms shall have the following meanings:
 - A. *Fire Department:* Fire Department means the City of Madison Fire Department.
 - B. *Emergency Crisis Services:* Emergency Crisis Services means emergency response and non-emergency response for emergency crisis situations (which for purposes of this Agreement shall include emergency crisis transport), and other, similar emergency crisis response services provided by the Fire Department for emergency crisis responses at the same level of service and response as provided within Madison.
- 2. Effective Date and Term of this Agreement. This Agreement shall be effective beginning XXX, and, unless terminated sooner under provisions elsewhere in this Agreement, shall be in effect until XXX

3. Services to be provided by Madison to Sun Prairie.

A. *Emergency Crisis Services.* Madison shall provide Emergency Crisis Services to all persons and premises within the City Sun Prairie through the use of the MFD CARES Team.

4. Fees and Charges for City Services.

A. *Fee Schedule.* For Madison services to be provided under this Agreement, Sun Prairie shall pay Madison five hundred and thirty-one dollars (\$531) per response.

Sun Prairie's payments shall be paid in quarterly installments by XXX of the given year. Madison shall provide Sun Prairie with an invoice for each quarterly payment at least thirty (30) days before each quarterly payment is due. Payment shall be made to:

City Treasurer – City of Madison
210 Martin Luther King, Jr., Blvd
Room 107
Madison, WI 53703

If Sun Prairie does not pay by the due date, Madison shall provide Sun Prairie written notice of breach and ten (10) business days to cure. If Sun Prairie fails to cure by remitting full payment within 10 business days from the date of the notice, Madison may immediately terminate this Agreement or impose a late fee of one percent (1%) of the amount owed.

5. Operational Policy. Operational policy for providing Emergency Crisis Services under this Agreement shall be established by Madison, and Madison shall have the responsibility for implementation of all policies adopted.
6. Operational Personnel. The personnel providing Emergency Crisis Services under this Agreement shall be employees of Madison, and are not agents or employees of Sun Prairie. Madison shall be solely responsible for paying all wages, benefits, disability payments,

and pension and workers compensation claims for Madison employees providing services under this Agreement, and for damage to Madison equipment and clothing used in providing services under this Agreement.

7. Liability. Each party shall be responsible for the consequences of its own acts, errors or omissions and for the acts, errors, or omissions of its employees, officers, officials, agents, boards, committees and commissions, and shall be responsible for any losses, claims, and liabilities that are attributable to such acts, errors or omissions including providing its own defense, arising out of this Agreement. In situations involving joint liability, each party shall be responsible only for such losses, claims, and liabilities that are attributable to its own acts, errors, or omissions and the acts, errors, or omissions of its employees, officers, officials, agents, boards, committees, and commissions. It is not the intent of either party to waive, limit or otherwise modify the protections and limitations of liability found in Wis. Stats. § 893.80 or any other protections available to the parties by law.
8. Termination.
 - A. *Termination of Agreement.* Madison or Sun Prairie may terminate this Agreement by providing at least thirty (30) days of notice.
 - B. *Termination for Cause:* If either party shall commit a breach of, or fail to timely and properly fulfill any obligation under this Agreement, other than late payment as described in Section 4.A., the nonbreaching party shall provide the breaching party written notice thereof providing thirty (30) days from the date of receipt of the notice to cure. If the breach is not cured within the 30 days, the nonbreaching party retains all available rights at law and equity, including but not limited to the immediate termination of this Agreement and all rights of the breaching party, suit for damages, and specific performance. If due to the nature of the breach it cannot be cured within 30 days from the receipt of notice, then the breaching party shall be deemed to be complying with the notice to cure, if promptly upon receipt of such notice the breaching party takes steps to cure the breach as soon as reasonably possible and proceeds thereafter with due diligence to cure the breach within a period of time which, under all the circumstances, shall be reasonable.
 - C. This Agreement will terminate in the event that Madison no longer provides Emergency Crisis Services within the City.
9. Change in Law / Severability. If Section 3 or Section 4 of this Agreement is held by a court of competent jurisdiction to be illegal or otherwise unenforceable and there is no

further right to appeal such holding, or if there is a change in state or federal law that renders Section 3 or Section 4 illegal or otherwise unenforceable, this Agreement shall terminate. If any part, term, or provision of this Agreement other than Section 3 or Section 4 is held by a court of competent jurisdiction to be illegal or otherwise unenforceable by a change in state or federal law, such illegality or unenforceability shall not affect the validity of any other part, term, or provision and the rights of the parties will be construed as if the invalid part, term or provision was never part of the Agreement.

10. Force Majeure. "Force Majeure" shall mean an event or circumstance beyond the reasonable control of and without the fault or negligence of the party claiming Force Majeure. It shall include a failure or interruption in the provision of services due to an act of God; war; sabotage; riot; insurrection; civil unrest or disturbance; explosion; earthquake; flood or other abnormal weather condition. An event of Force Majeure that prevents the City from providing Emergency Response Services shall excuse Madison from providing such service until the event of the Force Majeure no longer prevents the City from providing such service.
11. Conflict Resolution. Madison and Sun Prairie pledge their good faith to resolve any concerns or disputes that arise regarding their respective obligations. Any potential misunderstandings or disputes that are not resolved by Sun Prairie or Madison Fire Department staff shall be addressed by a group consisting of the Mayor of the City, the Sun Prairie Mayor, the City of Madison Fire Chief, and any staff members and legal counsel requested by either party. Either party may at any time request a meeting with the other party to discuss a concern relating to this Agreement. Nothing in this section is intended to prevent either party from seeking any remedy available to it under this Agreement from a court of competent jurisdiction in Dane County, Wisconsin as described in Section 17.
12. Non-Discrimination. In the performance of work under this Agreement, Madison and Sun Prairie agree to not discriminate against any employee or applicant for employment because of race, religion, marital status, age, color, sex, handicap, national origin or ancestry, income level or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, gender identity, political beliefs or student status. Madison and Sun Prairie further agree to not discriminate against any subcontractor or person who offers to subcontract on this Agreement because of race, religion, color, age, disability, sex, sexual orientation, gender identity or national origin.
13. Notices. All notices to be given shall be in writing and delivered by personal delivery or Certified United States mail, as follows:

To the City: Fire Chief, City of Madison
Madison Fire Department
314 W. Dayton Street
Madison WI 53703

with copy to: Madison City Attorney

Room 401
 210 Martin Luther King Jr. Blvd
 Madison WI 53703

To Sun Prairie: Director of Administrative Services
 300 E Main Street
 Sun Prairie, WI 53590

With copy to: Sun Prairie City
 Attorney
 300 E Main Street
 Sun Prairie, WI
 53590

Either party may change the names and addresses for giving notice to such party by delivering written notice of such change or changes to the other party.

14. Entire Agreement. This Agreement, including any and all addenda, exhibits and the like attached hereto, sets forth the entire agreement between Madison and Sun Prairie regarding Madison's provision of Emergency Crisis Services to Sun Prairie, and supersedes any prior discussions, agreements, or understandings, either written or oral.
15. No Waiver. No failure to exercise, and no delay in exercising, any right, power or remedy hereunder on the part of Madison or Sun Prairie shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy. No express waiver shall affect any event or default other than the event of default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided by Madison or Sun Prairie therein. A waiver of any covenant, term of condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.
16. Choice of Law and Forum Selection. This Agreement shall be governed by and construed, interpreted and enforced in accordance with the laws of the State of Wisconsin. The parties agree, for any claim or suit or other dispute relating to this Agreement that cannot be mutually resolved, the venue shall be a court of competent jurisdiction in Dane County, Wisconsin and the parties agree to submit themselves to the jurisdiction of said court, to the exclusion of any other judicial district that may have jurisdiction over such dispute according to any law.
17. No Third Party Beneficiaries. This Agreement is intended to be an agreement solely between the parties hereto and for their benefit only. No part of this Agreement shall be construed to add to, supplement, amend, abridge or repeal existing duties, rights, benefits or privileges of any person who is not a party hereto, including but not limited to employees of either party.

Page 6 of 9

18. Amendment / Modification. This Agreement may be amended or modified only by written amendment approved and executed by Madison and Sun Prairie.
19. Binding Effect / Assignment. The parties have entered into this Agreement under the authority of Wis. Stats. § 66.0301. Neither party may assign its obligations hereunder to any third party without the prior written consent of the other party. Subject to the foregoing, the parties agree that this Agreement shall be binding upon and inure to the benefit of both parties, as well as their respective heirs, successors and assigns.
20. Construction. The parties acknowledge that this Agreement is the product of negotiations between the parties and that, prior to the execution hereof, each party has had full and adequate opportunity to have this Agreement reviewed by, and to obtain the advice of, its own legal counsel with respect hereto. Nothing in this Agreement shall be construed more strictly for or against any party because of that party's attorney drafted this Agreement or any part hereof.
21. Authority. Each party represents that it has the authority to enter into the Agreement and that all necessary procedures have been followed to secure authorization to enter into this Agreement from the party's respective governing body. Each person signing the Agreement represents and warrants that he or she has been duly authorized to do so.
22. Counterparts. The Agreement may be signed in counterparts which, when taken together, shall be effective as if all signatures appeared on the same original document.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their proper officers as of the date when all parties hereto have affixed their respective signatures.

FOR THE CITY OF MADISON

Satya Rhodes-Conway, Mayor

Date

Maribeth Witzel-Behl, City Clerk

Date

Countersigned:

David P. Schmiedicke, Finance Director

Date

Page 7 of 9

Eric Veum, Risk Manager

Date


Approved as to Form:

Michael Haas, City Attorney

Date

Execution of this Agreement by the City is authorized by Resolution Enactment No. RES __-_____, ID No. _____, adopted by the Common Council of the City of Madison on _____, 2024

FOR THE CITY OF SUN PRAIRIE:

DocuSigned by:

7BA89CC77CCB4E3...
Paul Esser, Mayor

8/12/2024
Date

DocuSigned by:

1FA3DBF4956F45C...
Elena Hilby, City Clerk

8/12/2024
Date

Approved as to Form:

DocuSigned by:

1CC6DA48BFCD4B0...
Kathleen McDaniel, City Attorney

8/12/2024
Date

Execution of this Agreement by Sun Prairie is authorized by a resolution, adopted by the City of Sun Prairie on August 8, 2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85301

File ID: 85301

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/17/2024

File Name: Approving a loan of up to \$125,000 to RISE Wisconsin, Inc. from the Community Facilities Loan Program to help finance the replacement of a portion of a roof and replacement of two rooftop HVAC units at the agency's respite childcare center located at 2120

Final Action:

Title: Approving a loan of up to \$125,000 to RISE Wisconsin, Inc. from the Community Facilities Loan Program to help finance the replacement of a portion of a roof and replacement of two rooftop HVAC units at the agency's respite childcare center located at 2120 Fordem Avenue and authorizing the Mayor and City Clerk to enter into an agreement for that purpose (District 12).

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 73.

Sponsors: Nikki Conklin, John P. Guequierre And Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Maggie McClain	Approve	10/8/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	09/17/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Community Development Block Grant Committee (10/10/24), Finance Committee (9/30/24), Common Council (10/29/24)						

Text of Legislative File 85301

Fiscal Note

The proposed resolution authorizes a loan of up to \$125,000 to RISE Wisconsin, Inc. for capital improvements at 2120 Fordem Ave. The loan is part of the Community Facilities Loan Program (Munis project 13672). CFL program guidelines for acquisition and construction loans set a maximum loan amount of the lesser of \$400,000 or 20% of total eligible project costs in the form of a zero percent long-term deferred loan. Funding was authorized in the Community Development Division's 2024 Adopted Capital Budget (\$1.0 million in General Fund-supported GO Borrowing). No additional City appropriation required.

Title

Approving a loan of up to \$125,000 to RISE Wisconsin, Inc. from the Community Facilities Loan Program to help finance the replacement of a portion of a roof and replacement of two rooftop HVAC units at the agency's respite childcare center located at 2120 Fordem Avenue and authorizing the Mayor and City Clerk to enter into an agreement for that purpose (District 12).

Body

WHEREAS, the City of Madison's Community Facilities Loan (CFL) Program provides low-cost financing to support non-residential development projects undertaken by non-profit organizations in Madison that involve the acquisition of property or substantial expansion, redevelopment, improvement or rehabilitation of property the organizations currently own or lease; and,

WHEREAS, the City's objective through the CFL Program is to create or improve safe, accessible, energy efficient and well-maintained community and neighborhood facilities; and,

WHEREAS, RISE Wisconsin, Inc. has applied to the CFL Program for assistance to help replace a portion of the roof at its facility located at 2120 Fordem Avenue. The roof is over 20 years old and experienced an increase in leaking. In addition, two rooftop HVAC units are at the end of their lifecycle and need replacement. The roof improvements directly impact RISE Wisconsin's childcare respite center and meeting spaces; and,

WHEREAS, per the CFL Program guidelines, RISE Wisconsin, Inc. intends to provide programming and other support at the community facility primarily to low-income households, and meets all other eligibility requirements of the CFL Program; and,

WHEREAS, RISE Wisconsin, Inc. presents a total project budget of approximately \$250,000 and the CFL Program guidelines offer financial assistance for improvements in an amount of up to the lesser of \$300,000 or 50% of total eligible projects costs; and,

WHEREAS, funds under the CFL Program are offered to awardees in the form of a zero percent long-term deferred loan, repayable upon the sale or change of use of the property.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approves a loan of up to \$125,000 from the Community Facilities Loan Program to RISE Wisconsin, Inc. to help finance the costs of roof and HVAC equipment replacement at 2120 Foreдем Avenue, Madison; and,

BE IT FURTHER RESOLVED that, that the Council authorizes the Mayor and City Clerk to

execute, deliver, publish, file and record such other documents, instruments, notices and records, and take such other actions as shall be deemed necessary or desirable to accomplish the intent of this Resolution, and to comply with and perform the obligations of the City.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85304

File ID: 85304

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/18/2024

File Name: Authorizing the Madison Public Library to submit, and if awarded, to accept a grant of up to \$971,782 from the Flexible Facilities Program funded through the State of Wisconsin Division of Energy, Housing and Community Resources for the Central Library

Final Action:

Title: Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$971,782 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Central Library remodel and authorizing the Mayor and City Clerk to enter into to enter into an agreement with the State of Wisconsin to accept the grant award. (District 4)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 74.

Sponsors: Sabrina V. Madison And Michael E. Verveer

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: inewman@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Elizabeth York	Approve	10/8/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Library	09/18/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/30/24), Madison Public Library Board (9/26/24), Common Council (10/8/24)						

Text of Legislative File 85304

Fiscal Note

Fiscal note pending.

Title

Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$971,782 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Central Library remodel and authorizing the Mayor and City Clerk to enter into to enter into an agreement with the State of Wisconsin to accept the grant award. (District 4)

Body

WHEREAS, the State of Wisconsin Division of Energy, Housing and Community Resources has established the Flexible Facilities Program, an initiative dedicated to supporting recovery from the COVID-19 public health emergency including support for infrastructure and capital assets to support health access, broadband access, and inequities to critical services; and,

WHEREAS, the Central Library receives nearly 260,000 visits per year and hosts over 10,000 study room uses and 36,000 computer sessions annually; and,

WHEREAS, the Central Library serves both Madison residents and downtown Madison visitors; and,

WHEREAS, the facility will be remodeled to add more desired study spaces, activate spaces that are underutilized, and provide better safety for staff working in the public spaces; and,

WHEREAS, the Library's request of \$971,782 in Flexible Facilities Program funding requires fiscal proof that the Library can complete the project by September 2026; and,

NOW, THEREFORE, BE IT RESOLVED that City of Madison Public Library is authorized to apply for a Flexible Facilities Program construction grant to fund a portion of the costs of remodeling the Central Library;

BE IT FURTHER RESOLVED that, if awarded the grant, the Mayor and City Clerk are authorized to sign a grant agreement with the State of Wisconsin Department of Administration for the Flexible Facilities Grant award, in a format approved by the City Attorney, and any other documents necessary to comply with the grant requirements and to secure the grant funding; and,

BE IT FURTHER RESOLVED that, if awarded the grant, the 2025 Mayor's Executive Capital Budget for Madison Public Library will be amended to appropriate the grant revenue of up to \$971,782 and expenditures in the amount of the grant funds awarded with total project cost of up to \$1,221,782; and,

BE IT FINALLY RESOLVED that the Mayor and Clerk are hereby authorized to execute the above documents and any other documents related to this transaction in a form to be

approved by the City Attorney.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85305

File ID: 85305

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 09/18/2024

File Name: Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$4,250,000 from the Flexible Facilities Program funded through the State of Wisconsin

Final Action:

Title: Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$4,250,000 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Imagination Center at Reindahl Park Project and authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin to accept the grant award; and amending the 2024 Adopted Capital Budget of the Madison Public Library. (District 12 and District 17)

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 75.

Sponsors: Sabrina V. Madison

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: inewman@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Elizabeth York	Approve	10/8/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Library	09/18/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (9/30/24), Madison Public Library Board (9/26/24), Common Council (10/8/24)						

Text of Legislative File 85305

Fiscal Note

Fiscal note pending.

Title

Authorizing the City of Madison to submit, and if awarded, to accept a grant of up to \$4,250,000 from the Flexible Facilities Program funded through the State of Wisconsin Department of Administration Division of Energy, Housing and Community Resources for the Imagination Center at Reindahl Park Project and authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin to accept the grant award; and amending the 2024 Adopted Capital Budget of the Madison Public Library. (District 12 and District 17)

Body

WHEREAS, the State of Wisconsin Division of Energy, Housing and Community Resources has established the Flexible Facilities Program, an initiative dedicated to supporting recovery from the COVID-19 public health emergency including support for infrastructure and capital assets to support health access, broadband access, and inequities to critical services; and,

WHEREAS, the Imagination Center at Reindahl Park will be a multifunctional, indoor-outdoor library and community space that would be the first-ever library facility within a Madison park; and,

WHEREAS, construction of the Imagination Center at Reindahl Park will connect library and city services to the fast-growing and diverse northeast side of Madison; and,

WHEREAS, the facility will include indoor park pavilions, a library, community rooms and classrooms, computer service and wi-fi, and a programmatic component to bring needed services and social connections to the northeast side of Madison; and,

WHEREAS, the Library's request of \$4,250,000 in Flexible Facilities Program funding requires fiscal proof that the Library can complete the project by September 2026; and,

NOW, THEREFORE, BE IT RESOLVED that City of Madison Public Library is authorized to apply for a Flexible Facilities Program construction grant to fund a portion of the construction costs of Imagination Center at Reindahl Park;

BE IT FURTHER RESOLVED that, if awarded the grant, the Mayor and City Clerk are authorized to sign a grant agreement with the State of Wisconsin Department of Administration for the Flexible Facilities Grant award, in a format approved by the City Attorney, and any other documents necessary to comply with the grant requirements and to secure the grant funding; and,

BE IT FURTHER RESOLVED that, if awarded the grant, the 2024 Adopted Capital Budget for Madison Public Library will be amended to appropriate the grant revenue of up to \$4,250,000 and expenditures in the amount of the grant funds awarded with total project cost of up to \$22,875,000; and,

BE IT FINALLY RESOLVED that the Mayor and Clerk are hereby authorized to execute the above documents and any other documents related to this transaction in a form to be approved by the City Attorney.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85313

File ID: 85313

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/18/2024

File Name: Innovative Finance and Asset Concession Grant
Program (IFACGP) Award

Final Action:

Title: Amending the 2024 Adopted Economic Development Department's Operating Budget to accept a \$670,000 grant award from the Build America Bureau of the U.S. Department of Transportation (USDOT) and authorizing the Mayor and City Clerk to execute the associated grant agreement with USDOT.

Notes:

CC Agenda Date: 09/24/2024

Agenda Number: 76.

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: mmccclain@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/18/2024	Maggie McClain	Approve	9/24/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Department	09/18/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (9/30/24), Common Council (10/8/24)							

Text of Legislative File 85313

Fiscal Note

The proposed resolution amends the Economic Development Division's (EDD) 2024 Adopted Operating Budget to appropriate \$670,000 in federal grant revenue and commensurate

expenditures to be used for the implementation of the “Madison, WI Asset Scan to Identify Opportunities for Transit-Oriented Development” project. No match is required for this grant. The resolution further authorizes the execution of an agreement and any other documents with the U.S. Department of Transportation in order to comply with the grant requirements.

Title

Amending the 2024 Adopted Economic Development Department’s Operating Budget to accept a \$670,000 grant award from the Build America Bureau of the U.S. Department of Transportation (USDOT) and authorizing the Mayor and City Clerk to execute the associated grant agreement with USDOT.

Body

WHEREAS, the City of Madison hopes to build its organizational capacity to launch a “Putting Assets to Work” asset management strategy starting with an Asset Scan that will proactively identify Existing Assets with potential to become Enhanced Assets through public-private partnership, the investment of private capital, leveraging the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program, and asset concession arrangements; and, WHEREAS, the “Putting Assets to Work” asset management strategy will advance the City’s goals and objectives in the areas of safety, climate change and sustainability, equity, workforce development and job quality, and wealth creation; and,

WHEREAS, the City’s asset scan will focus on identifying Existing Assets within ½ mile of the BRT lines, as these lines will have dedicated median bus lanes and align with TIFIA requirements for fixed guideways; and,

WHEREAS, the City has identified 177 Existing Assets within ½ mile of the proposed Line A and Line B BRT routes that could potentially be Enhanced; and,

WHEREAS, the City will utilize existing City staff to create and administer the City’s asset management initiative, lead the procurement of third-party technical service advisors and coordinate their activities with City officials and departments, lead efforts to build public-private partnerships, and leverage public and private funding in connection with the development of Existing Assets; and,

WHEREAS, the City of Madison successfully applied for funding through the Build America Bureau of the U.S. Department of Transportation (USDOT), Innovative Finance and Asset Concession Grant Program (IFACGP), Technical Assistance Cooperative Agreement grant funding; and,

WHEREAS, there is no match requirement for IFACGP, Technical Assistance Cooperative Agreement grant funding for awards less than \$1 million; and,

WHEREAS, these funds will be used for one-time costs to hire a third-party technical service team, who will perform an Asset Scan, perform an Asset Evaluation using the interactive data tool developed by the Asset Scan, engage the public and analyze public feedback, and review the Existing Asset portfolio to evaluate potential project options and explore potential development parameters; and,

WHEREAS, the asset scan will help to establish an asset management initiative that taps unused or underutilized City-owned real estate and responsibly steward these existing taxpayer assets to create greater value for our community; and,

WHEREAS, implementation of the asset management initiative will be completed by existing staff and will not result in ongoing operating costs or staff needs.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to execute an agreement with USDOT and any other documents necessary to comply with the grant requirements to formally accept the \$670,000 award described above.

BE IT FURTHER RESOLVED, that the Economic Development Department’s 2024 Adopted Operating Budget is amended to appropriate \$670,000 for implementation of the “Madison, WI

Asset Scan to Identify Opportunities for Transit-Oriented Development” project.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85109

File ID: 85109

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/04/2024

File Name: CLAIM: D. Joanis - Property Damage - \$3,000.00

Final Action:

Title: D. Joanis - Property Damage - \$3,000.00

Notes: EVL005881

CC Agenda Date: 09/24/2024

Agenda Number: 77.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85109

Title

D. Joanis - Property Damage - \$3,000.00

Body

Claim received 8/29/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85125

File ID: 85125

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: M. Hefty - Property Damage - \$16,113.49

Final Action:

Title: M. Hefty - Property Damage - \$16,113.49

Notes: EVL005886

CC Agenda Date: 09/24/2024

Agenda Number: 78.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85125

Title

M. Hefty - Property Damage - \$16,113.49

Body

Claim received 8/30/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85127

File ID: 85127

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: C. Liu - Vehicle Damage - \$500.00

Final Action:

Title: C. Liu - Vehicle Damage - \$500.00

Notes: EVL005890

CC Agenda Date: 09/25/2024

Agenda Number: 79.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85127

Title

C. Liu - Vehicle Damage - \$500.00

Body

Claim received 8/31/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85131

File ID: 85131

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: S. Green - Property Loss - \$350.00

Final Action:

Title: S. Green - Property Loss - \$350.00

Notes: EVL005892

CC Agenda Date: 09/24/2024

Agenda Number: 80.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85131

Title

S. Green - Property Loss - \$350.00

Body

Claim received 9/2/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85132

File ID: 85132

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: E. Collyard - Vehicle Damage - \$1,000.00

Final Action:

Title: E. Collyard - Vehicle Damage - \$1,000.00

Notes: EVL005893

CC Agenda Date: 09/24/2024

Agenda Number: 81.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85132

Title

E. Collyard - Vehicle Damage - \$1,000.00

Body

Claim received 9/3/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85133

File ID: 85133

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: B. Patel - Property Damage - \$6,000.00

Final Action:

Title: B. Patel - Property Damage - \$6,000.00

Notes: EVL005894

CC Agenda Date: 09/24/2024

Agenda Number: 82.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85133

Title

B. Patel - Property Damage - \$6,000.00

Body

Claim received 9/3/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85134

File ID: 85134

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/05/2024

File Name: CLAIM: K. Barnes - Property Damage - \$2,500.00

Final Action:

Title: K. Barnes - Property Damage - \$2,500.00

Notes: EVL005895

CC Agenda Date: 09/24/2024

Agenda Number: 83.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85134

Title

K. Barnes - Property Damage - \$2,500.00

Body

Claim received 8/4/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85168

File ID: 85168

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/10/2024

File Name: CLAIM: T. Rementer for National Subrogation -
Property Damage - \$2,910.26

Final Action:

Title: T. Rementer for National Subrogation - Property Damage - \$2,910.26

Notes: EVL005899

CC Agenda Date: 09/24/2024

Agenda Number: 84.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85168

Title

T. Rementer for National Subrogation - Property Damage - \$2,910.26

Body

Claim received 9/10/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85217

File ID: 85217

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/13/2024

File Name: CLAIM: C. Vang of Vang Law Office, S.C. for K. Haferbecker - Vehicle Damage and Medical Expenses - \$50,000.00

Final Action:

Title: C. Vang of Vang Law Office, S.C. for K. Haferbecker - Vehicle Damage and Medical Expenses - \$50,000.00

Notes: TMI Claim

CC Agenda Date: 09/24/2024

Agenda Number: 85.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85217

Title

C. Vang of Vang Law Office, S.C. for K. Haferbecker - Vehicle Damage and Medical Expenses - \$50,000.00

Body

Claim received 9/12/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85223

File ID: 85223

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/13/2024

File Name: CLAIM: R. Devitt of Soffa & Devitt LLC for L. Wesker
- Medical Expenses, Lost Wages, Pain and Suffering
- \$135,564.15

Final Action:

Title: R. Devitt of Soffa & Devitt LLC for L. Wesker - Medical Expenses, Lost Wages,
Pain and Suffering - \$135,564.15

Notes: TMI - Metro Claim

CC Agenda Date: 09/24/2024

Agenda Number: 86.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85223

Title

R. Devitt of Soffa & Devitt LLC for L. Wesker - Medical Expenses, Lost Wages, Pain and Suffering - \$135,564.15

Body

Claim received 09/10/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85226

File ID: 85226

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/13/2024

File Name: CLAIM: Progressive for Y. Zang - Vehicle Damage -
\$3,023.61
Progressive for Y. Zang - Vehicle Damage
- \$3,023.61

Final Action:

Title: Progressive for Y. Zang - Vehicle Damage - \$3,023.61

Notes: EVL005913

CC Agenda Date: 09/24/2024

Agenda Number: 87.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85226

Title

Progressive for Y. Zang - Vehicle Damage - \$3,023.61

Body

Claim received 9/10/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85229

File ID: 85229

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/13/2024

File Name: CLAIM: P. OLeary - Personal Injury - \$10,000,000.00

Final Action:

Title: P. OLeary - Personal Injury - \$10,000,000.00

Notes: EVL005914

CC Agenda Date: 09/24/2024

Agenda Number: 88.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85229

Title

P. OLeary - Personal Injury - \$10,000,000.00

Body

Claim received 9/11/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85269

File ID: 85269

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/16/2024

File Name: CLAIM: P. Cavi - Property Damage - \$16,220.25

Final Action:

Title: P. Cavi - Property Damage - \$16,220.25

Notes: EVL005917

CC Agenda Date: 09/24/2024

Agenda Number: 89.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85269

Title

P. Cavi - Property Damage - \$16,220.25

Body

Claim received 9/14/2024.



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 85272

File ID: 85272

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 09/16/2024

File Name: CLAIM: A. Miranda - Vehicle Damage - \$1,637.52

Final Action:

Title: A. Miranda - Vehicle Damage - \$1,637.52

Notes: EVL005918

CC Agenda Date: 09/24/2024

Agenda Number: 90.

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: jaustin2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 85272

Title

A. Miranda - Vehicle Damage - \$1,637.52

Body

Claim received 9/16/2024.

EMERGENCY CRISIS SERVICES AGREEMENT
Between the City of Madison and the City of Sun Prairie

THIS AGREEMENT (“Agreement”) is entered into by and between the City of Madison, a Wisconsin municipal corporation located in Dane County, Wisconsin (“Madison”) and the City of Sun Prairie, a municipal corporation located in Dane County, Wisconsin (“Sun Prairie”).

RECITALS

- A. Madison and Sun Prairie recognize the need to provide emergency crisis response services to the residents of Sun Prairie.
- B. “Emergency Crisis Services” are services provided by the City of Madison CARES Program.
- C. Madison and Sun Prairie are authorized by Wis. Stats. § 66.0301 to contract with each other for the receipt or furnishing of services.

AGREEMENT

In consideration of the mutual promises, covenants and agreements hereinafter set forth, Madison and the Sun Prairie make this intergovernmental agreement under Wis. Stat. § 66.0301 for the purposes described above and the benefit, health, safety and welfare of the public, and agree as follows:

- 1. Definitions. When used in this Agreement, the following terms shall have the following meanings:
 - A. *Fire Department:* Fire Department means the City of Madison Fire Department.
 - B. *Emergency Crisis Services:* Emergency Crisis Services means emergency response and non-emergency response for emergency crisis situations (which for purposes of this Agreement shall include emergency crisis transport), and other, similar emergency crisis response services provided by the Fire Department for emergency crisis responses at the same level of service and response as provided within Madison.
- 2. Effective Date and Term of this Agreement. This Agreement shall be effective beginning XXX, and, unless terminated sooner under provisions elsewhere in this Agreement, shall be in effect until XXX

3. Services to be provided by Madison to Sun Prairie.

A. *Emergency Crisis Services.* Madison shall provide Emergency Crisis Services to all persons and premises within the City Sun Prairie through the use of the MFD CARES Team.

4. Fees and Charges for City Services.

A. *Fee Schedule.* For Madison services to be provided under this Agreement, Sun Prairie shall pay Madison five hundred and thirty-one dollars (\$531) per response.

Sun Prairie's payments shall be paid in quarterly installments by XXX of the given year. Madison shall provide Sun Prairie with an invoice for each quarterly payment at least thirty (30) days before each quarterly payment is due. Payment shall be made to:

City Treasurer – City of Madison
210 Martin Luther King, Jr., Blvd
Room 107
Madison, WI 53703

If Sun Prairie does not pay by the due date, Madison shall provide Sun Prairie written notice of breach and ten (10) business days to cure. If Sun Prairie fails to cure by remitting full payment within 10 business days from the date of the notice, Madison may immediately terminate this Agreement or impose a late fee of one percent (1%) of the amount owed.

5. Operational Policy. Operational policy for providing Emergency Crisis Services under this Agreement shall be established by Madison, and Madison shall have the responsibility for implementation of all policies adopted.
6. Operational Personnel. The personnel providing Emergency Crisis Services under this Agreement shall be employees of Madison, and are not agents or employees of Sun Prairie. Madison shall be solely responsible for paying all wages, benefits, disability payments,

and pension and workers compensation claims for Madison employees providing services under this Agreement, and for damage to Madison equipment and clothing used in providing services under this Agreement.

7. Liability. Each party shall be responsible for the consequences of its own acts, errors or omissions and for the acts, errors, or omissions of its employees, officers, officials, agents, boards, committees and commissions, and shall be responsible for any losses, claims, and liabilities that are attributable to such acts, errors or omissions including providing its own defense, arising out of this Agreement. In situations involving joint liability, each party shall be responsible only for such losses, claims, and liabilities that are attributable to its own acts, errors, or omissions and the acts, errors, or omissions of its employees, officers, officials, agents, boards, committees, and commissions. It is not the intent of either party to waive, limit or otherwise modify the protections and limitations of liability found in Wis. Stats. § 893.80 or any other protections available to the parties by law.
8. Termination.
 - A. *Termination of Agreement.* Madison or Sun Prairie may terminate this Agreement by providing at least thirty (30) days of notice.
 - B. *Termination for Cause:* If either party shall commit a breach of, or fail to timely and properly fulfill any obligation under this Agreement, other than late payment as described in Section 4.A., the nonbreaching party shall provide the breaching party written notice thereof providing thirty (30) days from the date of receipt of the notice to cure. If the breach is not cured within the 30 days, the nonbreaching party retains all available rights at law and equity, including but not limited to the immediate termination of this Agreement and all rights of the breaching party, suit for damages, and specific performance. If due to the nature of the breach it cannot be cured within 30 days from the receipt of notice, then the breaching party shall be deemed to be complying with the notice to cure, if promptly upon receipt of such notice the breaching party takes steps to cure the breach as soon as reasonably possible and proceeds thereafter with due diligence to cure the breach within a period of time which, under all the circumstances, shall be reasonable.
 - C. This Agreement will terminate in the event that Madison no longer provides Emergency Crisis Services within the City.
9. Change in Law / Severability. If Section 3 or Section 4 of this Agreement is held by a court of competent jurisdiction to be illegal or otherwise unenforceable and there is no

further right to appeal such holding, or if there is a change in state or federal law that renders Section 3 or Section 4 illegal or otherwise unenforceable, this Agreement shall terminate. If any part, term, or provision of this Agreement other than Section 3 or Section 4 is held by a court of competent jurisdiction to be illegal or otherwise unenforceable by a change in state or federal law, such illegality or unenforceability shall not affect the validity of any other part, term, or provision and the rights of the parties will be construed as if the invalid part, term or provision was never part of the Agreement.

10. Force Majeure. "Force Majeure" shall mean an event or circumstance beyond the reasonable control of and without the fault or negligence of the party claiming Force Majeure. It shall include a failure or interruption in the provision of services due to an act of God; war; sabotage; riot; insurrection; civil unrest or disturbance; explosion; earthquake; flood or other abnormal weather condition. An event of Force Majeure that prevents the City from providing Emergency Response Services shall excuse Madison from providing such service until the event of the Force Majeure no longer prevents the City from providing such service.
11. Conflict Resolution. Madison and Sun Prairie pledge their good faith to resolve any concerns or disputes that arise regarding their respective obligations. Any potential misunderstandings or disputes that are not resolved by Sun Prairie or Madison Fire Department staff shall be addressed by a group consisting of the Mayor of the City, the Sun Prairie Mayor, the City of Madison Fire Chief, and any staff members and legal counsel requested by either party. Either party may at any time request a meeting with the other party to discuss a concern relating to this Agreement. Nothing in this section is intended to prevent either party from seeking any remedy available to it under this Agreement from a court of competent jurisdiction in Dane County, Wisconsin as described in Section 17.
12. Non-Discrimination. In the performance of work under this Agreement, Madison and Sun Prairie agree to not discriminate against any employee or applicant for employment because of race, religion, marital status, age, color, sex, handicap, national origin or ancestry, income level or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, gender identity, political beliefs or student status. Madison and Sun Prairie further agree to not discriminate against any subcontractor or person who offers to subcontract on this Agreement because of race, religion, color, age, disability, sex, sexual orientation, gender identity or national origin.
13. Notices. All notices to be given shall be in writing and delivered by personal delivery or Certified United States mail, as follows:

To the City: Fire Chief, City of Madison
 Madison Fire Department
 314 W. Dayton Street
 Madison WI 53703

with copy to: Madison City Attorney

Room 401
210 Martin Luther King Jr. Blvd
Madison WI 53703

To Sun Prairie: Director of Administrative Services
300 E Main Street
Sun Prairie, WI 53590

With copy to: Sun Prairie City
Attorney
300 E Main Street
Sun Prairie, WI
53590

Either party may change the names and addresses for giving notice to such party by delivering written notice of such change or changes to the other party.

14. Entire Agreement. This Agreement, including any and all addenda, exhibits and the like attached hereto, sets forth the entire agreement between Madison and Sun Prairie regarding Madison's provision of Emergency Crisis Services to Sun Prairie, and supersedes any prior discussions, agreements, or understandings, either written or oral.
15. No Waiver. No failure to exercise, and no delay in exercising, any right, power or remedy hereunder on the part of Madison or Sun Prairie shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power or remedy preclude any other or further exercise thereof or the exercise of any other right, power or remedy. No express waiver shall affect any event or default other than the event of default specified in such waiver, and any such waiver, to be effective, must be in writing and shall be operative only for the time and to the extent expressly provided by Madison or Sun Prairie therein. A waiver of any covenant, term of condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.
16. Choice of Law and Forum Selection. This Agreement shall be governed by and construed, interpreted and enforced in accordance with the laws of the State of Wisconsin. The parties agree, for any claim or suit or other dispute relating to this Agreement that cannot be mutually resolved, the venue shall be a court of competent jurisdiction in Dane County, Wisconsin and the parties agree to submit themselves to the jurisdiction of said court, to the exclusion of any other judicial district that may have jurisdiction over such dispute according to any law.
17. No Third Party Beneficiaries. This Agreement is intended to be an agreement solely between the parties hereto and for their benefit only. No part of this Agreement shall be construed to add to, supplement, amend, abridge or repeal existing duties, rights, benefits or privileges of any person who is not a party hereto, including but not limited to employees of either party.

Page 6 of 9

18. Amendment / Modification. This Agreement may be amended or modified only by written amendment approved and executed by Madison and Sun Prairie.
19. Binding Effect / Assignment. The parties have entered into this Agreement under the authority of Wis. Stats. § 66.0301. Neither party may assign its obligations hereunder to any third party without the prior written consent of the other party. Subject to the foregoing, the parties agree that this Agreement shall be binding upon and inure to the benefit of both parties, as well as their respective heirs, successors and assigns.
20. Construction. The parties acknowledge that this Agreement is the product of negotiations between the parties and that, prior to the execution hereof, each party has had full and adequate opportunity to have this Agreement reviewed by, and to obtain the advice of, its own legal counsel with respect hereto. Nothing in this Agreement shall be construed more strictly for or against any party because of that party's attorney drafted this Agreement or any part hereof.
21. Authority. Each party represents that it has the authority to enter into the Agreement and that all necessary procedures have been followed to secure authorization to enter into this Agreement from the party's respective governing body. Each person signing the Agreement represents and warrants that he or she has been duly authorized to do so.
22. Counterparts. The Agreement may be signed in counterparts which, when taken together, shall be effective as if all signatures appeared on the same original document.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their proper officers as of the date when all parties hereto have affixed their respective signatures.

FOR THE CITY OF MADISON

Satya Rhodes-Conway, Mayor

Date

Maribeth Witzel-Behl, City Clerk

Date

Countersigned:

David P. Schmiedicke, Finance Director

Date

Page 7 of 9

Eric Veum, Risk Manager

Date


Approved as to Form:

Michael Haas, City Attorney

Date

Execution of this Agreement by the City is authorized by Resolution Enactment No. RES __-_____, ID No. _____, adopted by the Common Council of the City of Madison on _____, 2024

FOR THE CITY OF SUN PRAIRIE:

DocuSigned by:

7BA89CC77CCB4E3...
Paul Esser, Mayor

8/12/2024
Date

DocuSigned by:

1FA3DBF4956F45C...
Elena Hilby, City Clerk

8/12/2024
Date

Approved as to Form:

DocuSigned by:

1CC6DA48BFCD4B0...
Kathleen McDaniel, City Attorney

8/12/2024
Date

Execution of this Agreement by Sun Prairie is authorized by a resolution, adopted by the City of Sun Prairie on August 8, 2024.