



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, November 26, 2024

6:30 PM

Virtual

VIRTUAL MEETING

The City of Madison is holding the Common Council meeting in a virtual format. Members of the public may view and/or provide comment virtually at this Common Council meeting.

1. Written Comments: You can send comments on agenda items to allalder@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 virtual 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 virtual meeting. You are only able to participate virtually for this meeting.

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

- 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
- Zoom link: [https://cityofmadison.zoom.us/j/84370772874?](https://cityofmadison.zoom.us/j/84370772874?pwd=ulErSjst1rDtSjdxFCRwYq6vprq2rA.1)
[pwd=ulErSjst1rDtSjdxFCRwYq6vprq2rA.1](https://cityofmadison.zoom.us/j/84370772874?pwd=ulErSjst1rDtSjdxFCRwYq6vprq2rA.1)
- Listen to audio via phone:
(877) 853-5257 (Toll Free)
Webinar ID: 843 7077 2874

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: Duncan****OPENING REMARKS****HONORING RESOLUTIONS**

1. [86129](#) Congratulating Eastside News on their 100th anniversary.
Sponsors: Dina Nina Martinez-Rutherford, 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, Charles Myadze, Marsha A. Rummel, Bill Tishler, Michael E. Verveer, Regina M. Vidaver And Nasra Wehelie
Legislative History
11/18/24 Council Office RECOMMEND TO COUNCIL TO ADOPT
2. [86130](#) Expressing sincere appreciation to retired Madison Police Department Captain Jason Freedman for his 27 years of dedicated service to the City of Madison.
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
Legislative History
11/18/24 Council Office RECOMMEND TO COUNCIL TO ADOPT

DISCLOSURES AND RECUSALS

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

PRESENTATION OF CONSENT AGENDA

3. [84832](#) Consent Agenda Document (11/26/24)
Legislative History
8/16/24 Council Office RECOMMEND TO COUNCIL TO ACCEPT
- 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.

STAFF PRESENTATION

4. [86081](#) Presentation by the Department of Civil Rights
Attachments: [DCR 2023AnnualReport.pdf](#)

RECESSED PUBLIC HEARINGS**REPORT OF PLAN COMMISSION**

5. [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](#)
[Link to Demo File 84997](#)
[Link to Cond Use File 84998](#)
[Link to CSM File 85000](#)
[Public Comment 11-04-24.pdf](#)
- Legislative History
- | | | |
|---------|--|---|
| 9/16/24 | Attorney's Office | Referred for Introduction |
| | Plan Commission (Public Hearing - 10/21/24), Common Council (10/29/24) | |
| 9/24/24 | COMMON COUNCIL | Refer For Public Hearing to the PLAN COMMISSION |

10/21/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION
	On a motion by Solheim, seconded by Ald. Guequierre, the Plan Commission recommended that the Common Council re-refer the zoning map amendment to the November 4, 2024 Plan Commission meeting (November 26 Common Council pending review of a related item by the Urban Design Commission. The motion to recommend re-referral passed by voice vote/ other.	
10/29/24	COMMON COUNCIL	Re-refer for Recessed Public Hearing to the PLAN COMMISSION
11/4/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING
	On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded the zoning map amendment to the Common Council with a recommendation to approve. The motion passed by voice vote/other.	

PUBLIC HEARINGS

REPORT OF PLAN COMMISSION

6. [85464](#) Creating Section 28.022-00693 of the Madison General Ordinances to change the zoning of property located at 933 South Holt Circle from PD (Planned Development) District to Amended PD (GDP) (Planned Development-General Development Plan) District and creating Section 28.022-00694 to approve a Specific Implementation Plan. (District 20)
- Sponsors:** Planning Division
- Attachments:** [933 S Holt Circle.pdf](#)
[Link to Cond Use File 85185](#)
- Legislative History**
- | | | |
|---------|--|--|
| 10/1/24 | Attorney's Office | Referred for Introduction
Plan Commission (Public Hearing - 11/4/24), Common Council (11/26/24) |
| 10/8/24 | COMMON COUNCIL | Refer For Public Hearing to the PLAN
COMMISSION |
| 11/4/24 | PLAN COMMISSION | RECOMMEND TO COUNCIL TO ADOPT -
PUBLIC HEARING |
| | On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded on the Zoning Map Amendment to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other. | |
7. [85465](#) Creating Section 28.022-00695 of the Madison General Ordinances to change the zoning of property located at 619-699 West Mifflin Street from PD (Planned Development) District to UMX (Urban Mixed-Use) District. (District 4)
- Sponsors:** Planning Division
- Attachments:** [619-699 W Mifflin Street.pdf](#)
[Link to Demo File 85186](#)
[Link to Cond Use File 85187](#)
[Link to CSM File 85193](#)
- Legislative History**
- | | | |
|---------|-------------------|--|
| 10/1/24 | Attorney's Office | Referred for Introduction
Plan Commission (Public Hearing - 11/4/24), Common Council (11/26/24) |
|---------|-------------------|--|

10/8/24	COMMON COUNCIL	Refer For Public Hearing to the PLAN COMMISSION
11/4/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING

On a motion by Solheim, Seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Zoning Map Amendment to the Common Council with a recommendation to approve. The motion passed by voice vote/other.

END OF PUBLIC HEARINGS

PETITIONS AND COMMUNICATIONS

None received by the agenda deadline.

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

8. [86142](#) Report of the Mayor submitting resident committee appointments (introduction 11-26-2024; action 12-10-2024).
Legislative History

11/18/24	Mayor's Office Confirm 12/10/24	Referred for Introduction
----------	------------------------------------	---------------------------

9. [85729](#) Report of the Mayor submitting resident committee appointments (introduction 10-29-2024; action 11-26-2024).
Legislative History

10/16/24	Mayor's Office Confirm 11/26/24	Referred for Introduction
10/29/24	COMMON COUNCIL Confirm 11/26/24	Refer to a future Meeting to Confirm to the COMMON COUNCIL

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

10. [84837](#) Confirming the Madison Common Council meeting formats through March 25, 2025:
12/10/24 - Hybrid (Virtual & CCB 201)
1/14/25 - Hybrid (Virtual & CCB 201)
1/28/25 - Hybrid (Virtual & CCB 201)
2/11/25 - Hybrid (Virtual & CCB 201)
2/25/25 - Hybrid (Virtual & CCB 201)
3/11/25 - Hybrid (Virtual & CCB 201)
3/25/25 - Hybrid (Virtual & CCB 201)
Legislative History

8/16/24	Council Office	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER
---------	----------------	--

APPOINTMENTS

11. [85785](#) Appointments to the Police Civilian Oversight Board
- Sponsors:** Yannette Figueroa Cole
- Legislative History**
- | | | |
|----------|---|---|
| 10/22/24 | POLICE CIVILIAN
OVERSIGHT BOARD
Common Council (11/26/24) | Referred for Introduction |
| 10/29/24 | COMMON COUNCIL

Confirm 11/26/24 | Refer to a future Meeting to Confirm to the
COMMON COUNCIL |

REPORTS OF OFFICERS**REPORT OF BOARD OF HEALTH FOR MADISON AND DANE COUNTY**

12. [85819](#) Amending or repealing and recreating various sections in Chapter 7 and Chapter 9 of the Madison General Ordinances related to public health regulations to include additional fees, license or permit requirements, and harmonize language throughout. Changes include repealing section 7.50 and incorporating pre-inspection and reinspection requirements throughout Chapter 7.
- Sponsors:** Yannette Figueroa Cole
- Attachments:** [85819 Body](#)
- Legislative History**
- | | | |
|----------|---|---|
| 10/23/24 | Attorney's Office
Board of Health Madison and Dane County (11/6/24), Common Council (11/29/24) | Referred for Introduction |
| 10/29/24 | COMMON COUNCIL | Refer to the BOARD OF HEALTH FOR
MADISON AND DANE COUNTY |
| 11/6/24 | BOARD OF HEALTH FOR
MADISON AND DANE
COUNTY | RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER |

REPORT OF BOARD OF PUBLIC WORKS

13. [85736](#) Accepting street and terrace improvements constructed by Private Contract for 202-206 North Brooks Street PUD, Private Contract No. 2303 (District 8).
- Sponsors:** BOARD OF PUBLIC WORKS
- Legislative History**
- | | | |
|----------|--------------------------|--|
| 10/16/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 10/30/24 | BOARD OF PUBLIC
WORKS | RECOMMEND TO COUNCIL TO ADOPT -
REPORT OF OFFICER |
14. [85738](#) Report of Engineering of Non-Bid Contract for Police Training Photovoltaic Pole Foundations Installation (District 16).
- Sponsors:** BOARD OF PUBLIC WORKS

Attachments: [Report to Council of Non Bid Construction \(98648\).pdf](#)

Legislative History

10/16/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

15. [85764](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Pressure Zone 4 Interstate Crossing (District 16).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [15165 - BPW Exhibit \(002\).pdf](#)
[Madison Water Utility I-90 Project Area.pdf](#)

Legislative History

10/18/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

16. [85777](#) Declaring the City of Madison's Evergreen Avenue, Ohio Avenue, and Sommers Avenue Assessment District - 2025 (District 15).

Sponsors: Dina Nina Martinez-Rutherford

Legislative History

10/22/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

17. [85780](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 5 to the existing Purchase of Services contract between the City of Madison and Tetra Tech, Inc. for engineering services for the East Isthmus and Yahara River Watershed Study (District 2, District 4, District 6, District 12, and District 15).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [East Isthmus 8910amendment 5 extension-REV.pdf](#)

Legislative History

10/22/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

18. [85781](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Door Creek Watershed Study (District 3 and District 16).

Sponsors: Derek Field

Attachments: [Door Creek 9154amendment 2 extension-REV.pdf](#)

Legislative History

10/22/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

19. [85783](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and MSA Professional Services, Inc. for engineering services for the Near West Watershed Study (District 2, District 4, District 5, District 8, and District 13).
- Sponsors:** Michael E. Verveer
- Attachments:** [Near West 9155amendment 2 extension-REV.pdf](#)
- Legislative History**
- | | | |
|----------|-----------------------|---|
| 10/22/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| 10/30/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
20. [85813](#) Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Wingra Proper Watershed Study (District 5, District 10, District 11, District 13, and District 14)
- Sponsors:** Tag Evers, Regina M. Vidaver, Yannette Figueroa Cole And Isadore Knox Jr.
- Legislative History**
- | | | |
|----------|---|---|
| 10/23/24 | Engineering Division
Board of Public Works (10/30/24), Common Council (11/26/24) | Referred for Introduction |
| 10/29/24 | COMMON COUNCIL | Refer to the BOARD OF PUBLIC WORKS |
| 10/30/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
21. [85818](#) Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-73/74, for High Point Road (District 1, District 7)
- Sponsors:** John W. Duncan
- Legislative History**
- | | | |
|----------|---|---|
| 10/23/24 | Engineering Division
Board of Public Works (10/30/24), Common Council (11/26/24) | Referred for Introduction |
| 10/29/24 | COMMON COUNCIL | Refer to the BOARD OF PUBLIC WORKS |
| 10/30/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
22. [85822](#) Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-46/47, for West Towne Path. (District 9)
- Sponsors:** Nikki Conklin
- Legislative History**
- | | | |
|----------|---|---|
| 10/23/24 | Engineering Division
Board of Public Works (10/30/24), Common Council (11/26/24) | Referred for Introduction |
| 10/29/24 | COMMON COUNCIL | Refer to the BOARD OF PUBLIC WORKS |
| 10/30/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
23. [85823](#) 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. 5992-11-15/16, for John Nolen Drive Phase 2 (Lakeside St to Olin Ave) (District 13, District 14)

Sponsors: Tag Evers And Isadore Knox Jr.

Legislative History

10/23/24	Engineering Division Board of Public Works (10/30/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

24. [85824](#) 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. 5992-11-12/13, for John Nolen Drive Phase 3 (Olin Ave to USH 12 Beltline) (District 13, District 14)

Sponsors: Tag Evers And Isadore Knox Jr.

Legislative History

10/23/24	Engineering Division Board of Public Works (10/30/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

25. [85826](#) Approving plans and specifications for public improvements necessary for the project known as 1024 Milton Street and authorizing construction to be undertaken by the Developer, Private Contract No. 9562 (District 13)

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [9562 exhibit rev.pdf](#)

Legislative History

10/23/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

26. [85827](#) Report of Engineering of Non-Bid Contract for Madison Police Department East District Station Photovoltaic Pole Foundation Installation (District 3).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [Report to Council of Non Bid Construction \(100275\).pdf](#)

Legislative History

10/23/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
10/30/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

27. [85890](#) Accepting bituminous surface pavement constructed by Private Contract in Village at Autumn Lake Phase 12 Surface Paving, Private Contract No. 9099 (District 17).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [9099 Streets Schedule A bituminous.pdf](#)

Legislative History

10/29/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
11/6/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

28. [85900](#) Accepting bituminous surface pavement constructed by Private Contract in Springs at Pleasant View - Surface Paving, Private Contract No. 8950 (District 1).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [8950 Streets Schedule A bituminous.pdf](#)

Legislative History

10/30/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
11/6/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

29. [85901](#) Declaring the City of Madison's intention to exercise its police powers establishing the Meyer Avenue Assessment District - 2025 (District 11).

Sponsors: Bill Tishler

Legislative History

10/30/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
11/6/24	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

30. [85910](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East Madison Bikeways (District 6, District 12, District 15).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [15327-EMadisonBikeways_BPWExhibits.pdf](#)

[15327-EMadisonBikeways_BPWNotes.pdf](#)

Legislative History

10/30/24	Engineering Division	Refer to the BOARD OF PUBLIC WORKS
11/6/24	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: That prior to soliciting bids, the City will pursue and prioritize further negotiations with the railroad to permit the final solution to stormwater at the railroad crossing. If unsuccessful, the City will retain existing sidewalk in the affected area - REPORT OF OFFICER. The motion passed by voice vote/other.

31. [85912](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Shore Drive - Path (District 4).

Sponsors: BOARD OF PUBLIC WORKS

Attachments: [15104-NorthShoreDrPath_BPWNotes.pdf](#)

[NorthShoreDrPath_BPWExhibits.pdf](#)

Legislative History

- | | | | |
|--|----------|-----------------------|---|
| | 10/30/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| | 11/6/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
32. [86056](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Monona Terrace Tunnel Lighting (District 4)
- Sponsors:** Michael E. Verveer
- Attachments:** [Monona Terrace Tunnel Lighting_BPW Notes.pdf](#)
- Legislative History**
- | | | | |
|--|----------|------------------------------|---|
| | 11/13/24 | Traffic Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| | 11/20/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |
33. [86070](#) Awarding Public Works Contract No. 9605, Prairie Hills Detention Basin Improvements. (District 7)
- Sponsors:** BOARD OF PUBLIC WORKS
- Attachments:** [9605.pdf](#)
[9605 award.pdf](#)
- Legislative History**
- | | | | |
|--|----------|-----------------------|---|
| | 11/13/24 | Engineering Division | Refer to the BOARD OF PUBLIC WORKS |
| | 11/20/24 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |

REPORT OF CITY CLERK

34. [81494](#) Report of Operator License Applications November 26, 2024. See attached report for list of operators.
- Attachments:** [Report of Operator License Applications_112624.pdf](#)
- Legislative History**
- | | | | |
|--|---------|----------------|---|
| | 4/10/24 | Clerk's Office | RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER |
|--|---------|----------------|---|

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

35. [86176](#) Authorizing City of Madison, on behalf of the Greater Madison MPO, to execute a grant agreement with the United States Department of Transportation (USDOT) for up to \$1.25 million for the Greater Madison MPO Regional Safe Streets - Community Safety Enhancement Partnership project; amending the 2025 adopted operating budget to accept \$1.0 million in grant funding from the USDOT; authorizing the Mayor and Clerk to sign the resulting grant agreement; and, authorizing the Mayor and Clerk to sign sub agreements with participating local agencies.
- Sponsors:** John W. Duncan, Derek Field And Barbara Harrington-McKinney
- Attachments:** [SS4A resolution memo 11_19_2024.pdf](#)
- Legislative History**

11/19/24	Department of Planning and Community and Economic Development	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - 15 VOTES REQUIRED
----------	---	---

REPORT OF EQUAL OPPORTUNITIES COMMISSION

36. [85779](#) Amending Section 39.03(8)(i)3.b. of the Madison General Ordinances related to the Equal Opportunities Ordinance to align with state law.

Sponsors: Dina Nina Martinez-Rutherford

Legislative History

10/22/24	Attorney's Office Equal Opportunities Commission (11/21/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the EQUAL OPPORTUNITIES COMMISSION

Agenda Note: Equal Opportunities Commission meets 11/21/24 and a recommendation will be made from the floor.

REPORT OF FINANCE COMMITTEE

37. [85482](#) Amending the Public Health Operating Budget to Accept WI Department of Health Services Grant Funding for a 1.0 FTE Disease Intervention Specialist to Support Linkages to Care for People Who Use Drugs

Sponsors: Yannette Figueroa Cole

Legislative History

10/1/24	Health Department Finance Committee (10/14/24), Board of Health (10/9/24), Common Council (10/29/24)	Referred for Introduction
10/8/24	COMMON COUNCIL Additional referral to Board of Health for Madison and Dane County.	Refer to the FINANCE COMMITTEE
10/8/24	FINANCE COMMITTEE	Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY
10/14/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER
11/6/24	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE

38. [85759](#) Amending Subsection 4.08(2) of the Madison General Ordinances to allow for an alternate interest rate on certain installment payments.

Sponsors: Tag Evers

Legislative History

10/17/24	Attorney's Office Finance Committee (11/18/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

39. [85778](#) Authorizing a loan to Little Tibet Market & Café or its assigns in the amount of \$125,000 for real estate improvements to the commercial property at 1113 North Sherman Avenue through the TID 54 Small Cap TIF loan program using TID #54 incremental revenue as authorized in an amendment to the TID #54 Project Plan (RES-23-00507) adopted by the Common Council on July 25, 2023. (District 12)

Sponsors: Marsha A. Rummel And Amani Latimer Burris

Attachments: [2024_08_Summary_Little Tibet Market_Cafe.pdf](#)

Legislative History

10/22/24	Economic Development Division Finance Committee (11/18/24), Economic Development Committee (11/20/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE Additional referral to Economic Development Committee.
10/29/24	FINANCE COMMITTEE	Referred to the ECONOMIC DEVELOPMENT COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
11/20/24	ECONOMIC DEVELOPMENT COMMITTEE	Return to Lead with the Recommendation for Common Council to Adopt to the FINANCE COMMITTEE

40. [85782](#) Authorizing the Mayor and City Clerk to enter into a contract amendment with Trapeze Software Group, Inc. to the System Supply & Maintenance Agreement entered into on February 10, 2016 to extend coverage for Trapeze back-office software that went out of warranty at the end of 2024 through 2025. The cost of this contract amendment will not exceed \$276,376 in the Transit Utility 2025 operating budget.

Sponsors: Dina Nina Martinez-Rutherford

Attachments: [Trapeze 2025 CHANGE ORDER.pdf](#)

[Trapeze Software Group - Non-Competitive Selection Request - CC Approval R](#)

Legislative History

10/22/24	Metro Transit Finance Committee (11/18/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

41. [85784](#) Authorizing the City's execution of a Purchase and Sale Agreement and Lease between the City of Madison and The Salvation Army or their successors and assigns, for the purchase of the property located at 3030 Darbo Drive in the City of Madison, and leaseback period subsequent to closing. (District 15)

Sponsors: Satya V. Rhodes-Conway, Dina Nina Martinez-Rutherford And Marsha A. Rummel

Attachments: [10379 Lease -3030 Darbo.pdf](#)

[10379 PSA 3030 Darbo.pdf](#)

Legislative History

10/22/24	Economic Development Division Finance Committee (11/18/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER

42. [85796](#) Create new or modify existing classifications for position placement in the 2025 operating budget as adopted by the Common Council.

Sponsors: Director of Human Resources

Attachments: [PBMemo 2025 Budget Summary Analysis.pdf](#)
[AdmSrvsSup 10-2024.docx](#)
[Field Operations Supervisor DRAFT 2024.doc](#)
[Financial and Administrative Manager DRAFT 2024.doc](#)
[Fleet Operations Manager DRAFT 2024.doc](#)
[Fleet Program Manager DRAFT 2024.doc](#)
[Golf Course Superintendent 1-3 10-2024 DRAFT.doc](#)
[Parking Division Director DRAFT 2024.doc](#)
[PKG Admin & Finance Manager PD draft.docx](#)
[PKG Administrative Services Supervisor PD draft.docx](#)
[PKG Field Operations Supervisor PD draft.docx](#)
[PKG Tech Ops Asst PD draft.docx](#)
[Technology Operations Assistant DRAFT 2024.doc](#)

Legislative History

10/22/24	Human Resources Department Finance Committee (11/18/24), Personnel Board (11/4/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL Additional referral to Personnel Board.	Refer to the FINANCE COMMITTEE
10/29/24	FINANCE COMMITTEE	Referred to the PERSONNEL BOARD
11/4/24	PERSONNEL BOARD	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

43. [85798](#) Approving the City of Madison's application to the Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) 2023 Energy Innovation Grant Program for the project "Monona Terrace Geothermal Feasibility Study"; authorizing the Mayor and City Clerk to execute the associated grant agreement with the PSC-OEI; amending the 2024 Adopted Capital Budget to accept the grant award of \$50,000 in state funding; and approving the sole source contract with Hammel, Green and Abrahamson, Inc. (HGA) as a grant partner. (District 4)

Sponsors: Satya V. Rhodes-Conway And Michael E. Verveer

Attachments: [HGA - Non-Competitive Selection Request - October 2024.pdf](#)

Legislative History

10/23/24	Engineering Division Finance Committee (11/18/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER

44. [85810](#)

Authorizing a refinance of a Community Facilities Loan to YWCA Madison, Inc., originally for the sum of \$87,000, and increasing the loan amount by \$91,150 for a total of up to \$178,150 to support facility improvements at 2040 S. Park Street, authorizing the Mayor and City Clerk to sign an agreement for that purpose. (District 14)

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre And Nikki Conklin

Attachments: [City of Madison CFLP Application FINAL - YWCA Madison EC 2024.pdf](#)

Legislative History

10/23/24	Community Development Division Finance Committee (11/18/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL Additional referral Community Development Block Grant Committee.	Refer to the FINANCE COMMITTEE
10/29/24	FINANCE COMMITTEE	Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
11/7/24	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

45. [85811](#)

Authorizing the use of up to \$123,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Parks and Traffic Engineering Divisions in order to implement neighborhood improvement projects identified in the South Madison Neighborhood Plan (District 14).

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre And Nikki Conklin

Attachments: [Penn Park Lights Plan.pdf](#)
[Quann Park Lighting Project.pdf](#)

Legislative History

10/23/24	Community Development Division Finance Committee (11/18/24), Board of Park Commissioners (11/6/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL Additional referrals to Board of Park Commissioners, Community Development Block Grant Committee.	Refer to the FINANCE COMMITTEE
10/29/24	FINANCE COMMITTEE	Referred to the BOARD OF PARK COMMISSIONERS

10/29/24	FINANCE COMMITTEE	Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
11/6/24	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/7/24	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

46. [85812](#)

Authorizing the use of up to \$250,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Madison Metropolitan School District and the Planning, Parks and Traffic Engineering Divisions to implement neighborhood improvement projects identified in the Hawthorne-Truax Neighborhood plan. (District 12)

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin And Amani Latimer Burris

Attachments: [Carpenter Ridgeway Park Development Plan.pdf](#)

Legislative History

10/23/24	Community Development Division	Referred for Introduction
	Finance Committee (11/18/24), Board of Park Commissioners (11/6/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)	
10/29/24	COMMON COUNCIL	Refer to the FINANCE COMMITTEE
	Additional referrals to Board of Park Commissioners, Community Development Block Grant Committee.	
10/29/24	FINANCE COMMITTEE	Referred to the BOARD OF PARK COMMISSIONERS
10/29/24	FINANCE COMMITTEE	Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
11/6/24	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/7/24	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

47. [85820](#)

SUBSTITUTE Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Sponsors: Satya V. Rhodes-Conway, Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin And Tag Evers

Attachments: [85820-version 1.pdf](#)

Legislative History

10/23/24	Community Development Division Finance Committee (11/18/24), Community Development Block Grant (11/7/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL Additional referral to Community Development Block Grant Committee.	Refer to the FINANCE COMMITTEE
10/29/24	FINANCE COMMITTEE	Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
11/7/24	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

48. [85821](#) SUBSTITUTE-Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately ~~275~~270 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)

Sponsors: Satya V. Rhodes-Conway, Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin, Charles Myadze And Amani Latimer Burris

Attachments: [AHF-TC 2024 Memo to CDBG Committee Nov 2024.pdf](#)
[AHF-TC Funding Recommendations Oct 2024.pdf](#)
[85821-version1.pdf](#)
[LTR-Dryden Update 11-12-2024.pdf](#)
[Updated_AHF-TC Funding Recommendations Nov 2024.pdf](#)

Legislative History

10/23/24	Community Development Division Finance Committee (11/18/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)	Referred for Introduction
10/29/24	COMMON COUNCIL Additional referral to Community Development Block Grant Committee.	Refer to the FINANCE COMMITTEE
10/29/24	FINANCE COMMITTEE	Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
11/7/24	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE
11/18/24	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

REPORT OF MADISON POLICE DEPARTMENT

49. [85965](#) Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department
Attachments: [Common Council Quarterly Report Q3 2024.pdf](#)
Legislative History
 11/5/24 Council Office RECOMMEND TO COUNCIL TO ACCEPT
 - REPORT OF OFFICER
50. [86141](#) Report on Body-Worn Camera Experiment: Chief Shon F. Barnes, Madison Police Department
Attachments: [Body-Worn Camera Report.pdf](#)
Legislative History
 11/18/24 Council Office RECOMMEND TO COUNCIL TO ACCEPT
 - REPORT OF OFFICER

REPORT OF PLAN COMMISSION

51. [85000](#) Approving a Certified Survey Map of property owned by Adams Properties, LLC located at 2430-2450 E Washington Avenue and 10-16 N Seventh Street (District 12).
Sponsors: Planning Division
Attachments: [Locator Maps.pdf](#)
[Application.pdf](#)
[Letter of Intent.pdf](#)
[Proposed CSM.pdf](#)
[Link to Demo File 84997](#)
[Link to Rezoning File 85247](#)
[Link to Cond Use File 84998](#)
Legislative History

8/28/24	Planning Division	Referred for Introduction
	Plan Commission (10/21/24), Common Council (10/29/24)	
9/10/24	COMMON COUNCIL	Referred to the PLAN COMMISSION
10/21/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER
	On a motion by Solheim, seconded by Guequierre, the Plan Commission recommended that the Common Council re-refer the Certified Survey Map to the November 4, 2024 Plan Commission meeting (November 26 Common Council) pending review of a related item by the Urban Design Commission. The motion passed by voice vote/ other.	
10/29/24	COMMON COUNCIL	Re-refer to the PLAN COMMISSION
11/4/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER
	On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.	
52. [85193](#) Approving a Certified Survey Map of property owned by Wiedenbeck Historic Properties Limited Partnership located at 619 and 699 W Mifflin Street (District

4).

Sponsors: Planning Division

Attachments: [Locator Maps.pdf](#)
[CSM Application.pdf](#)
[Letter of Intent \(CSM\).pdf](#)
[Proposed CSM.pdf](#)
[Link to Demo File 85186](#)
[Link to Rezoning File 85465](#)
[Link to Cond Use File 85187](#)

Legislative History

9/11/24	Planning Division	Referred for Introduction
	Plan Commission (11/4/24), Common Council (11/26/24)	
10/8/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/4/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER

On a motion by Solheim, Seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve, subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.

53. [85415](#)

Approving the preliminary plat of the *Hill Valley* on property addressed as 940-1050 S High Point Road, 1051 S Pleasant View Road, and 902 Landmark Trail (District 1).

Sponsors: Planning Division

Attachments: [Subdivision Application.pdf](#)
[Hill Valley Plans.pdf](#)
[Subdivision Letter of Intent.pdf](#)
[Land Use Letter of Intent.pdf](#)
[Preliminary Plat.pdf](#)
[Link to Rezoning File 85814](#)

Legislative History

9/26/24	Planning Division	Referred for Introduction
	Plan Commission (11/18/24), Common Council (11/26/24)	
10/8/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER

On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the preliminary plat to the December 2, 2024 Plan Commission meeting (December 10 Common Council) at the request of the applicant and staff. The motion passed by voice vote/ other.

54. [85419](#)

Approving a Certified Survey Map of property owned by Danisco USA, Inc. located at 3322 Agriculture Drive and 5017-5025 Femrite Drive (District 16).

Sponsors: Planning Division

Attachments: [Locator Maps.pdf](#)
[Application.pdf](#)
[Proposed CSM.pdf](#)
[CSM Approval Letter.pdf](#)

Legislative History

9/26/24	Planning Division Common Council (11/26/24)	Referred for Introduction
10/8/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER

On a motion by Ald. Field, seconded by Sanders, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.

55. [85420](#) Approving a Certified Survey Map of property owned by CRG Acquisition, LLC located at 416-446 W Washington Avenue and 413-417 W Mifflin Street (District 4).

Sponsors: Planning Division

Attachments: [CSM Application.pdf](#)
[Letter of Intent.pdf](#)
[Proposed CSM.pdf](#)
[Public Comment 11-04-24.pdf](#)
[Link to Demo File 85416](#)
[Link to Cond Use File 85418](#)

Legislative History

9/26/24	Planning Division Plan Commission (11/18/24), Common Council (11/26/24)	Referred for Introduction
10/8/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER

On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the Certified Survey Map to the December 2, 2024 Plan Commission meeting (December 10 Common Council) to allow the project to be re-noticed. The motion passed by voice vote/ other.

56. [85625](#) Approving a Certified Survey Map of property owned by Madison Development Corporation located at 423-427 W Mifflin Street (District 4).

Sponsors: Planning Division

Attachments: [Locator Maps.pdf](#)
[CSM Application.pdf](#)
[Letter of Intent.pdf](#)
[Proposed CSM.pdf](#)
[Staff Comments.pdf](#)
[Link to Demo Permit File 85410](#)
[Link to Cond Use File 85411](#)

Legislative History

10/9/24	Planning Division	Referred for Introduction
	Plan Commission (11/18/24), Common Council (11/26/24)	
10/29/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER

On a motion by Heck, seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.

57. [85653](#) Approving a Certified Survey Map of property owned by Brearly Street Property Group, LLC located at 306 S Brearly Street (District 6).

Sponsors: Planning Division

Attachments: [Locator Maps.pdf](#)
[Application.pdf](#)
[Letter of Intent.pdf](#)
[Proposed CSM.pdf](#)
[Staff Comments.pdf](#)
[Link to Demo Permit File 85636](#)
[Link to Cond Use File 85637](#)

Legislative History

10/10/24	Planning Division	Referred for Introduction
	Plan Commission (11/18/24), Common Council (11/26/24)	
10/29/24	COMMON COUNCIL	Refer to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER

On a motion by Heck, seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.

58. [85814](#) Creating Section 28.022-00696 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District and creating Section 28.022-00697 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-U1 (Traditional Residential-Urban 1) District and creating Section 28.022-00698 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to NMX (Neighborhood Mixed Use) District and creating Section 28.022-00699 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to CC-T (Commercial Corridor-Transitional) District .

(District 1)

Sponsors: Planning Division**Attachments:** [940-1050 S High Point Rd et al.pdf](#)
[Link to Prelim Plat File 85415](#)**Legislative History**

10/23/24	Attorney's Office	Referred for Introduction Plan Commission (Public Hearing - 11/18/24), Common Council (11/26/24)
10/29/24	COMMON COUNCIL	Refer For Public Hearing to the PLAN COMMISSION
11/18/24	PLAN COMMISSION	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION

On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the zoning map amendment request to the December 2, 2024 Plan Commission meeting (December 10 Common Council) at the request of the applicant and staff. The motion passed by voice vote/ other.

REPORT OF POLICE CIVILIAN OVERSIGHT BOARD

59. [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)
9/24/24	COMMON COUNCIL	Refer to the POLICE CIVILIAN OVERSIGHT BOARD
10/8/24	COMMON COUNCIL	Re-refer to the POLICE CIVILIAN OVERSIGHT BOARD

Agenda Note: Police Civilian Oversight Board did not meet on 11/21/24. The recommendation is to re-refer to Police Civilian Oversight Board (12/19/24), Common Council (1/14/25).

REPORT OF RISK MANAGER

60. [85168](#) T. Rementer for National Subrogation - Property Damage - \$2,910.26

Legislative History

9/24/24	COMMON COUNCIL	Refer to the Risk Manager
11/19/24	Risk Manager	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER

61. [85272](#) A. Miranda - Vehicle Damage - \$1,637.52

Legislative History

9/24/24	COMMON COUNCIL	Refer to the Risk Manager
11/19/24	Risk Manager	RECOMMEND TO COUNCIL TO DISALLOW - REPORT OF OFFICER

62. [85578](#) J. Jewzewski - Property Damage - \$7,429.00
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
63. [85663](#) B. Harris - Property Damage - \$60,000.00
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
64. [85666](#) Cincinnati Financial Insurance - Vehicle Damage - Amount to be Determined
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
65. [85723](#) Secura Insurance - Vehicle Damage - \$7,119.61
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
66. [85762](#) I. Macias - Property Damage - \$15,423.75
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
67. [85788](#) R. Wesley - Vehicle Damage - \$500.00
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER
68. [85791](#) J. Thomas - Property Loss - \$400.00
Legislative History
10/29/24 COMMON COUNCIL Referred to the Risk Manager
11/19/24 Risk Manager RECOMMEND TO COUNCIL TO
DISALLOW - REPORT OF OFFICER

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE**ORDINANCES**

69. [86213](#) Amending Sections 10.056, 9.136, 38.07(8), and 33.27 of the Madison General Ordinances to eliminate the Street Use Staff Commission and assign their duties to relevant City staff.
- Sponsors:** Satya V. Rhodes-Conway, Yannette Figueroa Cole And Michael E. Verveer
- Legislative History**
- | | | |
|----------|--|---------------------------|
| 11/20/24 | Attorney's Office | Referred for Introduction |
| | Street Use Staff Commission (12/2/24), Common Council (12/10/24) | |
70. [86175](#) Amending Sections 3.54 (19) and 3.54 (20) of the Madison General Ordinances to reflect the 2024 Meet and Confer changes for General Municipal Employees.
- Sponsors:** Satya V. Rhodes-Conway
- Legislative History**
- | | | |
|----------|---|---------------------------|
| 11/19/24 | Attorney's Office | Referred for Introduction |
| | Finance Committee (12/2/24), Committee on Employee Relations (12/3/24), Common Council (12/10/24) | |

RESOLUTIONS

71. [81155](#) Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$20,232,335 grant from the U.S. Environmental Protection Agency (U.S. EPA) if awarded; authorizing the Mayor and City Clerk to execute the associated grant agreement with the U.S. EPA if awarded; authorizing the Mayor and City Clerk to contract with sub-recipients Sustain Dane, Project Home, Urban Triage, and Operation Fresh Start if awarded, to implement the Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air Quality, and Green Jobs in Madison, Wisconsin project.
- Sponsors:** Satya V. Rhodes-Conway, John P. Guequierre, MGR Govindarajan And Nikki Conklin
- Legislative History**
- | | | |
|----------|--|---------------------------|
| 11/15/24 | Mayor's Office | Referred for Introduction |
| | Finance Committee (12/2/24), Common Council (12/10/24) | |
72. [85499](#) Approving the 2025 Urban Forestry Special Charge
- Sponsors:** Satya V. Rhodes-Conway
- Attachments:** [Attachment A - 2025 Urban Forestry Special Charge Rates.pdf](#)
[MadCAP Memo for UFSC.pdf](#)
[Public Notice Urban Forestry Special Charge 2025.docx](#)
[Legal Notice Proof 2025.pdf](#)
- Legislative History**
- | | | |
|---------|--|---------------------------|
| 10/2/24 | Streets Division | Referred for Introduction |
| | Finance Committee (12/2/24), Common Council (12/10/24) | |
73. [85500](#) Approving the 2025 Resource Recovery Special Charge
- Sponsors:** Satya V. Rhodes-Conway

Attachments: [2025 Resource Recovery Rates.pdf](#)
[Public Notice Resource Recovery Special Charge 2025.docx](#)
[MadCAP Memo for RRSC.pdf](#)
[Legal Notice Proof 2025.pdf](#)

Legislative History

10/2/24 Streets Division Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

74. [85825](#) Amending the Engineering-Major Streets and Stormwater Utility Adopted Capital Budgets to transfer existing GO budget authority from the Stormwater Utility Citywide Flood Mitigation Program to the Mineral Point Road project, and authorizing the Mayor and the City Clerk to execute an Amendment to the contract between Madison and Mead & Hunt for additional design engineering services for the Mineral Point Rd. Pavement Replacement Project. (District 9)

Sponsors: Nikki Conklin

Legislative History

10/23/24 Engineering Division Referred for Introduction
Finance Committee (1/6/25), Board of Public Works (12/18/24), Common Council (1/14/25)

75. [85964](#) Adopting the Redevelopment Master Plan and Phasing and Affordability Plan for City-owned properties in the Park and Badger Area, 802, 810 and 818 West Badger Road and 825 Hughes Place. (District 14)

Sponsors: Sabrina V. Madison And Tag Evers

Attachments: [Exhibit A - Park Badger Master Plan.pdf](#)

Legislative History

11/5/24 Economic Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)

76. [85980](#) Approving an extension of a provisional appointment for Jay Schotzko from December 24, 2024, until such time as the position of Parks General supervisor - East is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Sponsors: Yannette Figueroa Cole

Legislative History

11/5/24 Parks Division Referred for Introduction
Common Council (12/10/24)

77. [85982](#) Approving an extension of a provisional appointment for Spencer Werner from December 24, 2024, until such time as the position of Parks Facility Supervisor is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Sponsors: Yannette Figueroa Cole

Legislative History

11/5/24 Parks Division Referred for Introduction
Common Council (12/10/24)

78. [86063](#) Authorizing a non-competitive selection contract with Wisconsin Municipal

Mutual Insurance Company (WMMIC) for third party administration of the City's workers' compensation claims.

Sponsors: Yannette Figueroa Cole

Attachments: [Service Agreement.pdf](#)
[2025-2030 POS Contract.pdf](#)
[2020-30 non-competitive form.pdf](#)

Legislative History

11/13/24 Finance Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

79. [86074](#)

Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign accept a U.S Department of Justice Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program (COSSUP) grant award of \$1,600,000 to expand the Madison Area Recovery Initiative (MARI) to address substance misuse order.

Sponsors: Satya V. Rhodes-Conway, Derek Field And Yannette Figueroa Cole

Legislative History

11/18/24 Police Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

80. [86075](#)

Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign a Wisconsin Department of Health Services Opioid Abatement Efforts by Law Enforcement grant award contract in the amount of \$95,935 for the Madison Area Resource Initiative (MARI) pre-arrest opioid diversion program.

Sponsors: Satya V. Rhodes-Conway, Derek Field And Yannette Figueroa Cole

Legislative History

11/18/24 Police Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

81. [86078](#)

Authorizing the Mayor and City Clerk to enter a three-year, sole-source contract with Local Initiatives Support Corporation (LISC) for the Associates in Commercial Real Estate (ACRE) program.

Sponsors: Satya V. Rhodes-Conway And Yannette Figueroa Cole

Attachments: [Local Initiatives Support Coalition - Non-Competitive Selection Request - CC Ap](#)

Legislative History

11/19/24 Civil Rights Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

82. [86160](#)

Adopting and confirming modifications to the Employee Benefits Handbooks for the General Municipal Employees, the Madison City Attorneys' Association (MCAA) and the Madison Professional and Supervisory Employee Association (MPSEA) for the period January 1, 2025 through December 31, 2025.

Sponsors: Satya V. Rhodes-Conway

Attachments: [2024 Employee and Labor Relations Manager's Report GME\(final\).pdf](#)

Legislative History

- 11/19/24 Human Resources Referred for Introduction
Department
Finance Committee (12/2/24), Committee on Employee Relations (12/3/24), Common Council (12/10/24)
83. [86161](#) Submitting the appointment of Bryan P. Mulrooney for confirmation of a five-year term as the Transit Chief Operating Officer.
- Sponsors: Satya V. Rhodes-Conway
- Attachments: [Mulrooney Contract Final.pdf](#)
- Legislative History
- 11/19/24 Human Resources Referred for Introduction
Department
Finance Committee (12/2/24), Common Council (12/10/24)
84. [86165](#) Authorizing the execution of a Third Amendment to Lease and Termination Agreement between the City (the “Lessee”) and 910 Mayer LLC (the “Lessor”) with respect to the leased land for Metro Transit’s north transfer facility and park and ride lot. (District 12).
- Sponsors: Amani Latimer Burris
- Legislative History
- 11/19/24 Economic Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)
85. [86166](#) Submitting the appointment of Jessica Stammer for confirmation of a five-year term as the Transit Chief People Officer.
- Sponsors: Satya V. Rhodes-Conway
- Attachments: [Stammer Contract Final.pdf](#)
- Legislative History
- 11/19/24 Human Resources Referred for Introduction
Department
Finance Committee (12/2/24), Common Council (12/10/24)
86. [86167](#) Submitting the appointment of Matthew R. Wachter for confirmation of a five-year term as the Director of Planning, Community, and Economic Development (DPCED).
- Sponsors: Satya V. Rhodes-Conway
- Attachments: [Wachter 2024 Contract Final.pdf](#)
- Legislative History
- 11/19/24 Human Resources Referred for Introduction
Department
Finance Committee (12/2/24), Common Council (12/10/24)
87. [86169](#) Authorizing the eventual forgiveness of \$1,613,365 of debt held by Madison Ice Inc. for the Madison Ice Arena (725 Forward Drive) and Hartmeyer Ice Arena (1810 and 1834 Commercial Avenue), authorizing the termination of existing land contracts for both ice arenas with Madison Ice Hartmeyer, LLC and Madison Ice MIA, LLC (Madison Ice, Inc.), authorizing the fee simple sale

of Hartmeyer Ice Arena to East Madison Ice Collective and the fee simple sale of Madison Ice Arena to Madison Ice, Inc. for \$1, authorizing a fundraising requirement of approximately \$3 million by East Madison Ice Collective for capital improvements to Hartmeyer Ice Arena, and authorizing additional terms related to the renegotiation of the City's relationship to the ice arenas (District 12 and District 19).

Sponsors: Satya V. Rhodes-Conway And John P. Guequierre

Legislative History

11/19/24 Economic Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)

88. [86170](#) Authorizing the Mayor and City Clerk to execute a development agreement and authorizing: 1) a budget amendment to the EDD 2025 Capital Budget (TID 46) to fund a \$930,000 Tax Incremental Finance Loan to EC Residential LLC, or its assigns to construct approximately 197 units of affordable housing and 151 underground parking stalls located at 5546 Element Way in the University Research Park in Tax Incremental District (TID) 46,; and 2) a budget amendment to the EDD 2025 Capital Budget (TID 46) granting \$4,365,000 of tax increments from TID 46 to the Community Development Authority for the purpose of preserving affordability in the Project (District 19).

Sponsors: John P. Guequierre And Yannette Figueroa Cole

Attachments: [13106 Element Collective TIF Report 11-26-24 FINAL.pdf](#)
[Exhibit A - Term Sheet.docx](#)

Legislative History

11/19/24 Economic Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)

89. [86177](#) Authorizing the Traffic Engineering Division to accept a federal grant for \$91,000 to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contracts and State/Municipal Agreements with Wisconsin Department of Transportation. (Citywide)

Sponsors: Satya V. Rhodes-Conway, Barbara Harrington-McKinney And Yannette Figueroa Cole

Legislative History

11/19/24 Traffic Engineering Division Referred for Introduction
Transportation Commission (12/11/24), Finance Committee (12/2/24), Common Council (1/14/25)

90. [86180](#) Amending the Public Health Budget to Accept Grant Funds from University of Wisconsin and Create a 1.0 Data Analyst Project Position for the Epidemiology & Data Science Team

Sponsors: Yannette Figueroa Cole

Legislative History

11/19/24 Health Department Referred for Introduction
Finance Committee (12/2/24), Board of Health for Madison and Dane County (12/4/24), Common Council (12/10/24)

91. [86181](#) Authorizing the Mayor and City Clerk to execute the initial 10-year term for the Accela Cloud Hosting Support and Maintenance contract and professional services to migrate to the cloud with Accela, Inc
- Sponsors:** Satya V. Rhodes-Conway And Yannette Figueroa Cole
- Legislative History**
- 11/19/24 Department of Information Technology Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)
92. [86182](#) Amending the Public Health Operating Budget to Accept Grant Funds from Wisconsin Department of Health Services and Create a 1.0 FTE Communicable Disease Coordinator for the Communicable Disease Program
- Sponsors:** Yannette Figueroa Cole
- Legislative History**
- 11/19/24 Health Department Referred for Introduction
Finance Committee (12/2/24), Board of Health for Madison and Dane County (12/4/24), Common Council (12/10/24)
93. [86187](#) Amending the Parks Divisions 2024 Adopted Capital Budget to accept an additional \$150,000 in Private Donations from the Madison Parks Foundation for purposes of constructing a water play feature at Rennebohm Park. (District 11)
- Sponsors:** Bill Tishler
- Legislative History**
- 11/19/24 Parks Division Referred for Introduction
Finance Committee (12/2/24), Board of Park Commissioners (12/11/24), Common Council (1/14/25)
94. [86196](#) Authorizing modifications to a previously approved amendment to the City's contract with Benevate, Inc., regarding administration of federal Emergency Rental Assistance Program dollars, for the purposes of updating the total contract price payable to Benevate Inc. for the use of its software system, recognizing the agency's name change to Benevate, LLC, and extending the term of the contract to September 24, 2030. (Citywide)
- Sponsors:** Nikki Conklin, John P. Guequierre And Dina Nina Martinez-Rutherford
- Legislative History**
- 11/20/24 Community Development Division Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)
95. [86197](#) Authorizing the assignment and assumption of a loan, made in 2005 by the City of Madison to Omega School Inc. to help Omega finance the acquisition of 835 West Badger Road, to Literacy Network, which has agreed to acquire Omega School Inc. including this property, and approving the transfer to Literacy Network of an existing Purchase of Service contract between the City and Omega School, Inc., which supports employment and career development programming. (District 14)
- Sponsors:** Nikki Conklin, Dina Nina Martinez-Rutherford And John P. Guequierre
- Legislative History**

11/20/24 Community Development Referred for Introduction
Division
Community Services Committee (1/22/25), Finance Committee (12/2/24), Community
Development Block Grant Committee (12/5/24), Common Council (1/28/25)

96. [86198](#) Authorizing the Mayor, on behalf of the City of Madison, to accept and execute grant agreements for two FY23 YHDP grants from HUD; and authorizing the Mayor and City Clerk to execute associated 2025 YHDP contracts with OutReach, Inc., Briarpatch Youth Services, Inc., Center for Community Stewardship, and Institute for Community Alliances. (Citywide)

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And John P. Guequierre

Legislative History

11/20/24 Community Development Referred for Introduction
Division
Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24),
Common Council (12/10/24)

97. [86199](#) Authorizing a non-competitive purchase of more than \$50,000 in initial and annual software services from BS&A Software LLC; for the purchase, implementation and ongoing support of special assessment software.

Sponsors: Yannette Figueroa Cole

Attachments: [BSA Software - Non-Competitive Selection Request - CC Approval Required Or](#)

Legislative History

11/20/24 Finance Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

98. [86200](#) BY TITLE ONLY: Year End Appropriation Resolution to amend the 2024 Adopted Operating Budget _____; and amend the 2024 Adopted Capital Budget _____

Sponsors: Satya V. Rhodes-Conway

Legislative History

11/20/24 Finance Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

99. [86214](#) Authorizing a five-year, non-competitive service contract between the University of Wisconsin Medical Foundation, Inc. and the City of Madison for the provision of Madison Fire Department Medical Director services.

Sponsors: Satya V. Rhodes-Conway

Legislative History

11/20/24 Fire Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

100. [86215](#) Authorizing the extension of the current firefighter personal protective equipment (PPE) purchase agreement between the Madison Fire Department and Jefferson Fire & Safety, Inc. until a new contract is awarded in 2026 following testing and a request for bid (RFB) process.

Sponsors: Satya V. Rhodes-Conway

Legislative History

11/20/24 Fire Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

101. [86216](#) Authorizing the double fill of firefighter positions (Local 311) in the City of Madison Fire Department in order to run a recruit academy and maintain full staffing following anticipated retirements in 2025.

Sponsors: Satya V. Rhodes-Conway

Legislative History

11/20/24 Fire Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

102. [86217](#) Approving the award of loans totaling up to \$250,000 from the Community Development Division's Child Care Facilities Loan Program to three child care providers (Little Genius Bilingual Learning Center, The Playing Field, and Safari Bilingual Learning Center) for use in establishing or expanding child care space and authorizing the Mayor and City Clerk to enter into agreements with those agencies to complete the specified development projects. (District 9, District 12, District 17)

Sponsors: Satya V. Rhodes-Conway, Nikki Conklin, Amani Latimer Burris, Sabrina V. Madison, Bill Tishler And Yannette Figueroa Cole

Attachments: [Child Care Facilities Loan Application Little Genius Bilingual Updated.pdf](#)
[Child Care Facilities Loan Application Safari Bilingual.pdf](#)
[Child Care Facilities Loan Application The Playing Field.pdf](#)

Legislative History

11/20/24 Community Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)

103. [86218](#) Amending the contract between the City of Madison and Bayview Foundation, Inc. governing the receipt of a grant for \$394,018 from the Dane County Urban Water Quality Grant Program; authorizing the City of Madison to amend its agreement with Bayview Foundation, Inc. by extending its expiration date to June 30, 2025; and authorizing the Mayor and City Clerk to execute agreements with Bayview Foundation, Inc. as appropriate. (District 13)

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And John P. Guequierre

Legislative History

11/20/24 Community Development Referred for Introduction
Division
Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24),
Common Council (12/10/24)

104. [86219](#) Awarding up to \$1,136,440 in Community Development Block Grant (CDBG) funds through the Community Development Division's (CDD) Capital Improvements for Nonprofit Housing (CINH) Program to four non-profit housing providers (Bram Hill Apartments/Bram Hill Institute, Northport Apartments Corporation, The Road Home, and Housing Initiatives) and authorizing the Mayor and City Clerk to enter into agreements with those agencies to implement the specified rehabilitation projects (District 2, District 6,

District 10, District 12, District 14, District 18).

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And John P. Guequierre

Legislative History

11/20/24 Community Development Referred for Introduction
Division
Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24),
Common Council (12/10/24)

105. [86220](#)

Authorizing the Mayor and City Clerk to execute a contract amendment between the City of Madison and the Tenant Resource Center (TRC), utilizing up to \$140,000 in remaining federal Emergency Rental Assistance funds, to sustain efforts to promote housing stability for eligible households in Dane County through TRC's Eviction Diversion and Defense Partnership. (Citywide)

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford, John P. Guequierre And Yannette Figueroa Cole

Legislative History

11/20/24 Community Development Referred for Introduction
Division
Finance Committee (12/2/24), Common Council (12/10/24)

106. [86221](#)

Censuring Alder Charles Myadze for conduct unbecoming of an alder.

Sponsors: MGR Govindarajan, Juliana R. Bennett, Regina M. Vidaver, Derek Field, Yannette Figueroa Cole, Sabrina V. Madison, Marsha A. Rummel, Satya V. Rhodes-Conway, Jael Currie, Michael E. Verveer, Dina Nina Martinez-Rutherford, Nikki Conklin, Tag Evers And John W. Duncan

Legislative History

11/20/24 Council Office Referred for Introduction
Common Council (12/10/24)

107. [86245](#)

Authorizing the Mayor and City Clerk to enter into an inter-governmental agreement with Dane County for continuation of an ongoing Information and Education Program as part of the Madison Area Municipal Stormwater Permit group (MAMSWaP). (Citywide)

Sponsors: John P. Guequierre

Attachments: [2025-2029 MAMSWaP Intergovernmental Agreement FINAL 11-20.pdf](#)

Legislative History

11/20/24 Engineering Division Referred for Introduction
Board of Public Works (12/18/24), Common Council (1/14/25)

108. [86251](#)

Amending the Parks Division 2025 Adopted Operating Budget to remove the paid parking pilot and associated revenues and expenditures

Sponsors: Tag Evers And Dina Nina Martinez-Rutherford

Legislative History

11/21/24 Finance Department Referred for Introduction
Finance Committee (12/2/24), Common Council (12/10/24)

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 109. [85851](#) Madison Gas and Electric - Property Damage - \$4,019.94
- 110. [85856](#) L. Downing - Building Expenses - \$26,357.00
- 111. [85904](#) P. OLeary - Personal Injury - \$10,000,000.00
- 112. [85907](#) Garver Properties LLC - Property Damage - \$14,558.00
- 113. [86009](#) C. Murphy - Vehicle Damage - \$327.37
- 114. [86017](#) A. Thao - Vehicle Damage - \$3,500.00
- 115. [86059](#) Progressive for M. Bravo - Personal Injury - \$550.55
- 116. [86110](#) Rural Insurance Company - Vehicle Damage - \$5,500.00
- 117. [86116](#) J. Cappaert - Vehicle Damage - \$5,600.00
- 118. [86119](#) M. Hackworthy - Property Damage - \$68,500.00
- 119. [86156](#) T. Boyd - Property Loss - \$3,000.00
- 120. [86159](#) SubrolQ for A. Carlos - Vehicle Damage - \$3,818.02
- 121. [86164](#) B. Beer - Property Damage/Loss - \$39.99
- 122. [86173](#) Farmers Insurance for E. Rausch - Vehicle Damage - \$2,620.56

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR**ADJOURNMENT**



City of Madison

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

Master

File Number: 86129

File ID: 86129

File Type: Resolution

Status: Honoring
Resolution

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 11/18/2024

File Name: Eastside News 100th anniversary.

Final Action:

Title: Congratulating Eastside News on their 100th anniversary.

Notes:

Sponsors: Dina Nina Martinez-Rutherford, 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, Charles Myadze, Marsha A. Rummel, Bill Tishler, Michael E. Verveer, Regina M. Vidaver And Nasra Wehelie

Effective Date:

Attachments:

Author: Ald. Dina Nina Martinez-Rutherford

Entered by: imatthias@cityofmadison.com

Enactment Number:

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	11/18/2024	RECOMMEND TO COUNCIL TO ADOPT				
Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT							

Text of Legislative File 86129

Fiscal Note

No fiscal impact.

Title

Congratulating Eastside News on their 100th anniversary.

Body

WHEREAS, Eastside News is a community newspaper covering the east side of Madison; and,

WHEREAS, Eastside News is published six times each year by Goodman Community Center, providing super-local news and information about events, issues, resources, and programs at

Goodman and in the east side of Madison; and,

WHEREAS, in 1912, A.W. Larson first published two issues of The East Side News, before Marshall Browne officially started regularly publishing East Side News on December 4, 1924, from his print shop near Schenk's Corners; and,

WHEREAS, ownership was passed through multiple publishers since Marshall Browne created the first modern issue of Eastside News before pausing sometime in the latter half of the 1960s or 1970s; and,

WHEREAS, in February of 1981, the Atwood Community Center - which is now known as the Goodman Community Center - relaunched the publication of Eastside News; and,

WHEREAS, the Goodman Community Center, formerly the Atwood Community Center, has since been producing the Eastside news continuously for 43 years; and,

WHEREAS, more than 12,000 copies of the Eastside News are mailed directly to households in the Goodman Community Center's service areas, as well as 5,000 more to subscribers throughout Madison; and,

WHEREAS, copies of the Eastside News can be found at several area businesses, as well as the Goodman Community Center; and,

WHEREAS, December 4, 2024, marks the 100th anniversary of the Eastside News;

NOW, THEREFORE, BE IT RESOLVED that the City of Madison congratulates Eastside News on their 100th anniversary.



City of Madison

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

Master

File Number: 86130

File ID: 86130

File Type: Resolution

Status: Honoring
Resolution

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 11/18/2024

File Name: Madison Police Department Captain Jason
Freedman Retirement

Final Action:

Title: Expressing sincere appreciation to retired Madison Police Department Captain
Jason Freedman for his 27 years of dedicated service to the City of Madison.

Notes:

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:

Author: Ald. Yannette Figueroa Cole

Enactment Number:

Hearing Date:

Entered by: imatthias@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	11/18/2024	RECOMMEND TO COUNCIL TO ADOPT				
Action Text: This Miscellaneous was RECOMMEND TO COUNCIL TO ADOPT							

Text of Legislative File 86130

Fiscal Note

No appropriation required.

Title

Expressing sincere appreciation to retired Madison Police Department Captain Jason
Freedman for his 27 years of dedicated service to the City of Madison.

Body

WHEREAS, Jason Freedman first joined the Madison Police Department as an officer in 1997;
and,

WHEREAS, Jason Freedman recently retired from the MPD and served in many capacities, including the promoted positions of Sergeant beginning in 2007, Lieutenant beginning in 2014, and Captain beginning in 2017; and,

WHEREAS, retired Captain Jason Freedman served throughout the entire City of Madison in many roles during his career, including the positions of Patrol Officer, Training Officer, Neighborhood Officer, Patrol Sergeant, Sergeant and Lieutenant of the Dane County Narcotics Task Force, Captain of the Central District, and last as the Captain of the Midtown District; and,

WHEREAS, retired Captain Jason Freedman also served many years as a team member and commander of the MPD SWAT team, as well as commander of the MPD Peer Support Team; and,

WHEREAS, retired Captain Jason Freedman always prioritized community policing and effective problem solving while serving the entire Madison Community; and,

WHEREAS, retired Captain Jason Freedman always led his fellow members of the MPD with dedication, distinction, and reliable, calm leadership every day;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Madison Common Council express their sincere appreciation to retired Madison Police Department Captain Jason Freedman for his years of dedicated service, and particularly for his final years of service leading the Midtown Police District.



City of Madison

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

Master

File Number: 84832

File ID: 84832

File Type: Report

Status: Consent Agenda

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 08/16/2024

File Name: Consent Agenda Document (11/26/24)

Final Action:

Title: Consent Agenda Document (11/26/24)

Notes:

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	08/16/2024	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER							

Text of Legislative File 84832

Title

Consent Agenda Document (11/26/24)



City of Madison

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

Master

File Number: 86081

File ID: 86081

File Type: Presentation

Status: Presentation

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 11/14/2024

File Name: Presentation by the Department of Civil Rights

Final Action:

Title: Presentation by the Department of Civil Rights

Notes:

Sponsors:

Effective Date:

Attachments: DCR 2023AnnualReport.pdf

Enactment Number:

Author: Byron Bishop

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86081

Title

Presentation by the Department of Civil Rights

EQUAL OPPORTUNITIES DIVISION ANNUAL REPORT

∞ 2023



Madison Equal Opportunities Commission

Celebration of 60 Years of Civil Rights and Human Rights (Then and Now)
1963-2023



TABLE OF CONTENTS

OUR HISTORY	03
MGO 39.03 - EQUAL OPPORTUNITIES ORDINANCE	04
STRATEGIC HIGHLIGHTS	06
LISTENING SESSIONS	07
COMBINED WORK OF EOC AND EOD	08
2023 STATISTICS	09
GOALS & APPROACHES	10
RECOMMENDATIONS	11
TEAM ACCOMPLISHMENTS	11
2023 SUPPORTING AND PARTNER ORGANIZATIONS	12

OUR HISTORY

In 1963 (prior to the Federal Civil Rights Act in 1964), Madison led the way, adopting the Equal Opportunities Commission (EOC) in response to local and national struggles of equality and the reality that Madison was divided by severe housing discrimination.

The EOC is one of the oldest standing commissions within the State of Wisconsin.

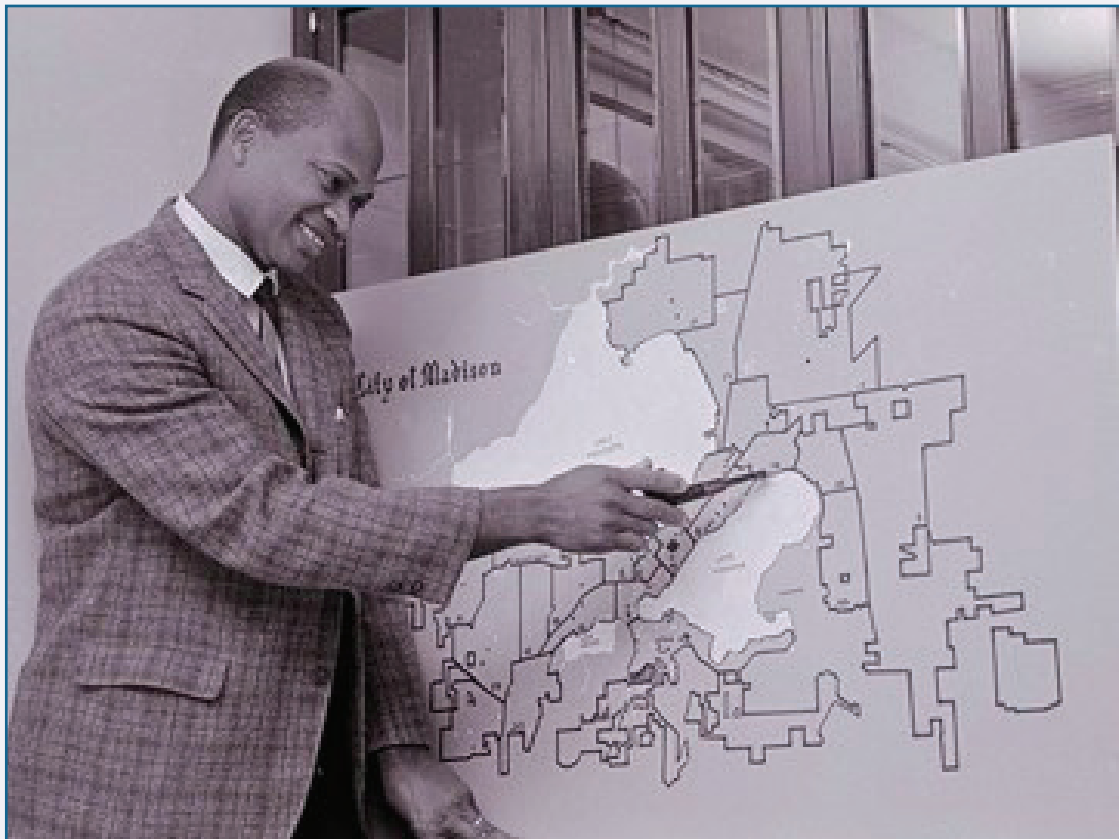
Using a government without walls philosophy, we operate under a servant leadership style: Understanding that being a good servant leader is not spending your time identifying what you can get from others, but rather the giving of oneself to others we serve. – Byron Bishop.

The Equal Opportunities Division (EOD) operates under the authority of the Equal Opportunities Ordinance 39.03, which states we are to:

1. Enable individuals to live and work free of discrimination
2. Provide remedies of discrimination complaints brought forth by the public
3. Provide community education and technical assistance (training)

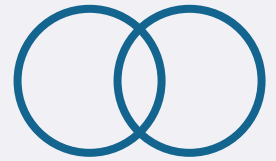
We investigate discrimination complaints for:

1. Employment
2. Housing
3. Public Accommodations
4. (Some) City Services



Rev. James Wright, Madison Equal Opportunities Commission's First Executive Director

MGO 39.03 – EQUAL OPPORTUNITIES ORDINANCE



The charge of the Equal Opportunities Commission as set forth in MGO 39.03 - Equal Opportunities Ordinance is, in part, as follows:

In order that the peace, freedom, safety and general welfare of all inhabitants of the City may be protected and ensured, it is hereby declared to be the public policy of the City of Madison to foster and enforce to the fullest extent the protection by law of the rights of all of its inhabitants to equal opportunity to gainful employment, housing, and the use of City facilities and public accommodations.

To fully effectuate this policy of promoting nondiscrimination, the City shall endeavor to eliminate all discrimination that may occur in its own employment, housing and public accommodation practices and in the use of City facilities. By adopting Sec. 39.05 of these ordinances, the Common Council has attempted to make sure that City facilities and programs that received City financial assistance are accessible to all persons [...].

The Commission is committed to fulfilling their charge through an educated, thoughtful and action-oriented approach to the issues facing the community they serve.

The City of Madison Equal Opportunities Commission ("the Commission") is committed to addressing issues of discrimination in Madison, Wisconsin.

The Commission continues to see and hear of many forms of disparities in Madison including economic, health, and housing crises disproportionately affecting Black, disabled, LGBTQIA and other marginalized communities. The Commission is committed to continuing to address the ongoing housing crisis in the City of Madison and its disparate impact on low-income members of the community and community members of color, and to continuing to understand and challenge the systems and policies that perpetuate the dual public health crises of racism and housing insecurity.

The Commission sees opportunity amidst these challenges. At its annual retreat in 2023, the Commission recommitted to its focus on finding solutions to the complex housing issues in Madison and addressing the policies and practices in place within the City of Madison perpetuating systemic racism.

Pursuant to the authority granted the Commission under MGO 39.03(10)(b), this body sets forth the following statement of intent to further effectuate the goals and purpose of this ordinance:

WHEREAS in 2011 the Madison City Council passed a resolution declaring “that housing be recognized as a human right and that all people who desire a place of shelter and stable long-term housing be prioritized to have this basic need met both temporarily and permanently”; and

WHEREAS the City and community have made progress toward developing housing for low-income residents; and

WHEREAS despite significant gains, housing remains unaffordable and unsustainable for many residents, including low-income and moderate-income earners, creating a disparate impact on a number of different protected classes; and

WHEREAS the laws of the State of Wisconsin preempt the City from enforcing dozens of housing protections for its residents; and

WHEREAS the Equal Opportunities Commission is committed to supporting and providing advocacy for change, and working with the community and stakeholders to reduce all barriers; and

WHEREAS the Equal Opportunities Commission is the enforcement agency for the Equal Opportunities Ordinance; and

WHEREAS the Equal Opportunities Commission has witnessed that not all Madison residents enjoy equitable access to fair, accessible, safe and sustainable housing; and

WHEREAS community residents demand and deserve that the City of Madison be a leader in promoting equitable access to housing and protecting individuals in protected classes;

THEREFORE BE IT RESOLVED that the City of Madison shall reaffirm its commitment to housing as a human right for all residents by advancing policies that support equitable access to housing through its oversight and monitoring, staff funding, contracting, and coordination of services and stakeholders to promote efficient use of City and community resources to supporting housing.



YOU DO HAVE THE RIGHT.

STRATEGIC HIGHLIGHTS



- **EDUCATION, TRAINING AND OUTREACH**

70 Total Events

39 Trainings, 2 Certifications, 29 Outreach

For 1,576 TOTAL PARTICIPANTS REACHED

- **COMMUNITY LISTENING SESSIONS**

North, South, East, West and Central locations within Madison.

- **EXPANDED MUNICIPALITY PARTNERSHIPS AND COLLABORATIONS**

- **REV. WRIGHT AWARD**



LISTENING SESSIONS

In an effort to learn more and stay connected to the issues facing the community, the Commission continued to receive updates from staff at Metro and the City's Transportation Departments on the planning and implementation of the Bus Rapid Transit corridor and Metro Transit redesign and how it is impacting historically marginalized communities throughout the City. Metro shared that the transit redesign routes had begun, and that Metro had implemented the use of Ride Guides to assist community members in navigating and understanding route changes.

The Commission has continued concerns over the distance some riders need to travel to reach their new bus stops and the City's response encouraging the use of paratransit as an alternative to Metro ridership. Additionally, they worry about the impact on folks who need to live on a transit corridor to reach their employment and how that is impacted by the lack of affordable housing in those transit corridors. Metro staff indicated they are continuously soliciting and receiving feedback on the transit redesign changes and implementing improvements based on that feedback.

The Commission is committed to the continued exploration of the impacts of this redesign, particularly the impact these changes have had particularly on paratransit users. The Commission is committed to following the Metro Transit Redesign and Bus Rapid Transit process to ensure the communities who have voiced their concerns are raised up and not lost in this process.

After hearing from the community about disparities in the portrayal of BIPOC folks in the media, members of the Commission met with staff at The Capital Times to discuss ways to decrease and eliminate bias in reporting. The Commission is committed to continuing these conversations to ensure the fair and unbiased representation of people of color in the local media.

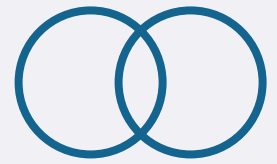
In the ongoing pursuit of a just and equitable housing landscape, the Commission continues to connect with municipalities throughout the State of Wisconsin to learn how preemptions in the law at the state level may be impacting other communities, and to discover how municipalities might be able to partner or collaborate to effect greater change. Madison has long been a leader in the area of civil rights, having one of the most robust and comprehensive Equal Opportunities Ordinances in the country. This leadership continued last year with the creation and passage of the Building Code Complainant protected class being added to the ordinance. The erosion of tenant rights at the state level, however, has done much to undermine the progress of this Commission.

In addition to connecting with local municipalities, the Equal Opportunities Commission held two community listening sessions in furtherance of the "Government Without Walls" philosophy to connect with and hear from the community it serves. Commissioners heard repeatedly about the struggles of the tenant population in the City of Madison in securing stable, safe and affordable housing. The Equal Opportunities Commission continues to seek effective, proactive solutions that impact community members' ability to stay safely and affordably housed.

On November 1, 2022, the City of Madison completed annexation of a portion of the Town of Madison, adding approximately 6,000 community members to Madison's population. On October 25, 2022, the City of Madison Common Council approved a change to Madison General Ordinance 39.03 that added a protection from retaliation for community members who complain of unsafe or unsanitary housing conditions. This Commission has seen a significant increase in the number of discrimination complaints filed through its online portal in 2023. This increase has considerably affected the Equal Opportunities Division's ability to ensure service delivery is efficient and responsive to the community's needs. The Equal Opportunities Commission is dedicated to supporting efforts to ensure the Equal Opportunities Division staff can continue to be effective and responsive in processing complaints of discrimination.

THE COMBINED WORK OF THE EQUAL OPPORTUNITIES DIVISION AND COMMISSION

EOC 60TH CELEBRATION OF SERVICE TO MADISON



Honoring EOC/EOD Team members of today



Corinda Rainey-Moore
Current EOC President



Honoring past EOC commissioners



2023 STATISTICS

INTAKE

541 Complaints received in 2023

- 244 Perfected Complaints Processed
- 66 Perfected Complaints Transferred to the State of WI
 - Employment (53.6%)
 - Housing (29.39%)
 - Public Accommodations (13.12%)
 - City Services (3.7%)
 - Chapter 32 Building Code Complainant (0.18%)

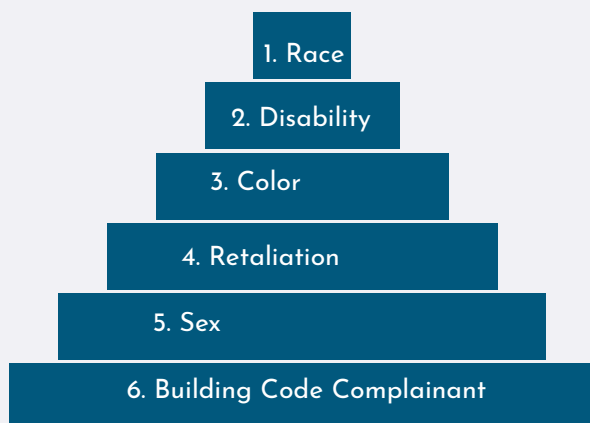
INVESTIGATION

- 83 Assigned to Investigation
- 66 Cases Investigated
- 55 Early Mediations
- For the first time ever in the history of EOD, due to the continual increase of cases and the staffing shortages, we had to create a holding stage for cases to be worked on.
- Down 2 investigators for six to nine months

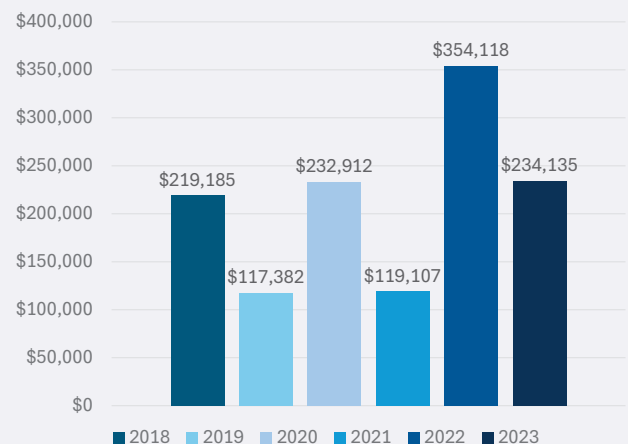
HEARINGS

- 11 Cases Certified to Hearing
- 1 Hearings Held
- 6 Cases Appealed for No Probable Cause Review
- 3 Hearing Examiner Decisions
- 1 Commission Decisions

MOST COMMON ALLEGATIONS



SETTLEMENTS



GOALS & APPROACHES

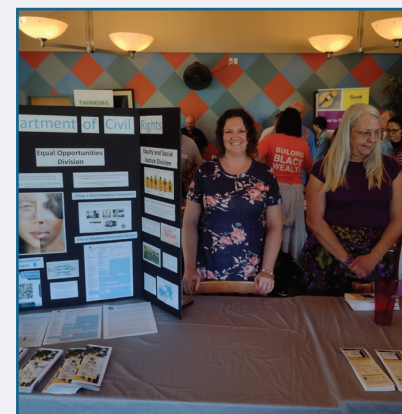
The Commission has identified a number of goals that they feel will help advance some of the outcomes identified above and is committed to pursuing the following approaches to address these issues.

To address housing discrimination in the City of Madison, the Commission will continue to seek ways to proactively address housing insecurity and affordability in the City of Madison. These efforts may include building capacity or collaboration efforts with the Homeless Services Consortium, Community Development Authority, the Dane County Board of Supervisors, Dane County Office of Equity and Inclusion, and working with the City of Madison Common Council to ensure housing and zoning policies are fair and inclusive and do not work to disproportionately exclude community members based on race, disability, socioeconomic status or any other protected status. This Commission will work toward engaging groups where there is natural synergy on civil rights issues affecting our community such as the City of Madison Planning and Zoning Division, the City/County Homeless Issues Committee, the Landlord Tenant Issues Committee, and other City commissions dealing with civil rights issues to identify any natural fusion partnerships.

The Commission will continue to have ongoing and robust engagement with the residents of the City of Madison. This Commission faced challenges in 2023 in its mission of education and outreach due to a lack of staffing and resources with the increase in discrimination complaint filings and the need to efficiently and effectively process those complaints. This Commission is committed to expanding the reach of its education and outreach on the work of the Equal Opportunities Commission, the City's Equal Opportunities Ordinance and how its protections work, what protections are available to the community, and how to engage and access the Commission and its work. This Commission is committed to employing new, alternative and improved ways of communicating messaging and opportunities for engagement to the public it serves, and to making this messaging culturally competent and available in as many languages and formats as possible to create meaningful engagement with the community. This Commission is interested in connecting further with voices from the community including faith-based organizations, our homeless community, our LGBTQIA community, and our disability community. To further the work on this goal, the Commission intends to continue to conduct Community Listening Sessions throughout the City.

This Commission is committed to making Madison inclusive, innovative and thriving through work on equity and inclusion in tourism marketing, entertainment booking and marketing, support of and collaboration with LGBTQIA groups, and support of and collaboration with immigration support organizations. The Commission wishes to review the reports from Kids Forward on the Race To Equity report and report on the state of employment from the local African American-Jewish Friendship Group in furtherance of the efforts of these groups.

The Equal Opportunities Commission celebrates its 60th Anniversary in 2023. This Commission remains committed to the vision and pursuit of a Madison where all of its residents can live, work and play free from discrimination.



RECOMMENDATIONS

Policy Recommendations:

1. Additional investigator/staffing support for the work of the Equal Opportunities Division.
2. Ensure zoning changes are evaluated for equity and their impact on marginalized communities.
3. Eliminate CDA's policy that discriminates against community members with felony drug charges from accessing housing.

Strategic Community Initiatives:

1. Connect with the Mayor/Common Council, and promote the need to the wider community, to support additional funding for Equal Opportunities Division staffing.
2. Creation of a procedure to process Commissioner initiated complaints of discrimination.
3. Continued review and updating of Madison General Ordinance 39.03 by the Ordinance Review Work Group.
4. Coordinate with Alders and City Staff to evaluate zoning proposal changes for disparate impact on marginalized communities.
5. Coordinate with Alders and City Staff to evaluate CDA's policy that discriminates against community members with felony drug charges from accessing housing.

TEAM ACCOMPLISHMENTS

1. 2023 Rev. Wright Awards was given to: Emanuel Scarbrough
2. 60th Celebration of the EOC in Madison.
3. Initiated the process to update and rewrite Madison General Ordinance (MGO) 39.03.
4. Identified 30 protected classes within the Equal Opportunities Ordinance, including the addition of the building code complainant protected class and the separation of the receipt of rental assistance protected class that was previously investigated under the source of income protected class.
5. Expanded our training partnership to include the State of Wisconsin's Equal Rights Division (ERD) and Equal Employment Opportunities Commission (EEOC) in joint monthly presentations at the Dane County Job Center.
6. Shared expertise and provided guidance to other municipalities on expanding their protected classes.
7. We added a fourth Equal Opportunities Investigator position to increase our efficiency and effectiveness in processing discrimination cases for the Madison area. First time we added an investigator within 25 years.
8. Conducted two community listening sessions and strengthened the marketing efforts to increase community visibility and engagement, this to include the (VOF) Voices of Faith Community Discussions.
9. Byron Bishop, EOD Manager, was appointed as the IAOHRA Board representative as the State of WI Rep.

2023 SUPPORTING AND PARTNER ORGANIZATIONS



CONTACT

Email: bbishop@cityofmadison.com

Web: cityofmadison.com/civil-rights

Phone: 608-266-4910





City of Madison

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

Master

File Number: 85247

File ID: 85247

File Type: Ordinance

Status: Council Recessed
Public Hearing

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

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

Sponsors: Planning Division

Effective Date:

Attachments: 10-16 N Seventh Street.pdf, Link to Demo File 84997, Link to Cond Use File 84998, Link to CSM File 85000, Public Comment 11-04-24.pdf

Enactment Number:

Author: Kate Smith

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	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)						
1	COMMON COUNCIL	09/24/2024	Refer For Public Hearing	PLAN COMMISSION		11/04/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						
1	PLAN COMMISSION	10/21/2024	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	PLAN COMMISSION	11/04/2024	11/04/2024	Pass
	Action Text: A motion was made by Solheim, seconded by Guequierre, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING to the PLAN COMMISSION and should be returned by 11/4/2024. The motion passed by voice vote/other.						
	Notes: On a motion by Solheim, seconded by Ald. Guequierre, the Plan Commission recommended that the Common Council re-refer the zoning map amendment to the November 4, 2024 Plan Commission meeting (November 26 Common Council pending review of a related item by the Urban Design Commission. The motion to recommend re-referral passed by voice vote/ other.						

1	COMMON COUNCIL	10/29/2024	Re-refer for Recessed Public Hearing	PLAN COMMISSION	11/04/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.					
1	PLAN COMMISSION	11/04/2024	RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING			Pass
	Action Text: A motion was made by Field, seconded by Solheim, to RECOMMEND TO COUNCIL TO ADOPT - RECESSED PUBLIC HEARING. The motion passed by voice vote/other.					
	Notes: On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded the zoning map amendment to the Common Council with a recommendation to approve. The motion passed by voice vote/other.					

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

From: [Vaughn, Jessica L](#)
To: [Katherine Brophy](#)
Cc: [Punt, Colin](#); [Cleveland, Julie](#)
Subject: RE: Development at East Washington and Seventh Streets
Date: Monday, November 4, 2024 9:35:31 AM

Good morning, Katherine!

Thank you for your email. Your comments will be shared with both the Urban Design Commission, as well as the Plan Commission. Please note that the Plan Commission will be taking this item up this evening, at their November 4 meeting. A link to that meeting agenda is provided below, which also includes information on how to access the virtual meeting.

<https://madison.legistar.com/View.ashx?M=A&ID=1132530&GUID=A9DEF934-2300-494B-86D1-F015229E941C>

If you have any questions, please do not hesitate to contact me.

Best,

Jessica



Jessica Vaughn, AICP (she/her)
Urban Design Commission Secretary – Planning Division
Department of Planning & Community & Economic
Development
215 Martin Luther King Jr. Blvd | Suite 017
PO Box 2985
Madison, WI 53701
jvaughn@cityofmadison.com
608.267.8740

From: Katherine Brophy <brophykf15@gmail.com>
Sent: Friday, November 1, 2024 1:23 PM
To: Vaughn, Jessica L <JV Vaughn@cityofmadison.com>
Subject: Development at East Washington and Seventh Streets

You don't often get email from brophykf15@gmail.com. [Learn why this is important](#)

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

Good afternoon. Ms. Vaughn.

I understand that this comment is after the October 23rd meeting, but unfortunately I was out of the country and unable to attend.

I wish to express my extreme opposition to this development for many reasons. The two most pressing are:

1. The number of units and, by extension, the number of new residents is too high for the given area. It is a small, residential area, and I do not understand the calculus that makes it possible to go from 4 single family homes (sometimes occupied, sometimes vacant) and one vacant business to 76 housing units. Even when the business was operating the level of traffic and noise was not anywhere near the level that this many new residents would bring. (And to counter any arguments about the developments across the street, that was a very large vacant area with train tracks and businesses bordering it as well as an outlet for traffic) Again, this is a small residential area with a church and an elementary school within 2 blocks of the proposed development.

2. Seventh Street is not physically equipped to handle the influx of 100+ new residents and the accompanying traffic. As stated above, there is an elementary school and a church within two blocks of the development, and especially during the pickup/dropoff hours at the school, it can barely handle the traffic flow as it is. This would also prevent the Greek church from holding their annual Greek Fest because they close down Seventh street between East Washington and Mifflin streets. It is the longest running ethnic festival in Madison and well liked and anticipated by the neighborhood every year.

When **many** neighbors asked at the initial informational meeting about the development why the driveway could not be put on East Washington, we were told it was "not possible". This is ludicrous since **every building on East Washington has a driveway on the main road**. In order to head East, drivers will have to turn on to the overly burdened Seventh, Mifflin and Dayton streets and go blocks out of the way. If it is "not possible" to have the driveway on East Washington, it is simply "not possible" to have such a large development at that spot.

I understand Madison needs more affordable housing, and I would not be opposed to a **much smaller**, appropriately sized development, but more thought needs to go into these plans. Why has nothing been done in the Oscar Meyer area that has been vacant for a decade?

Katherine Brophy
29 N 7th Street
Madison, WI 53704



City of Madison

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

Master

File Number: 85464

File ID: 85464

File Type: Ordinance

Status: Council Public
Hearing

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 10/01/2024

File Name: South Holt Circle Rezone

Final Action:

Title: Creating Section 28.022-00693 of the Madison General Ordinances to change the zoning of property located at 933 South Holt Circle from PD (Planned Development) District to Amended PD (GDP) (Planned Development-General Development Plan) District and creating Section 28.022-00694 to approve a Specific Implementation Plan. (District 20)

Notes: 6906SouthHoltRZ

Sponsors: Planning Division

Effective Date:

Attachments: 933 S Holt Circle.pdf, Link to Cond Use File 85185

Enactment Number:

Author: Kate Smith

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	10/01/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 11/4/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer For Public Hearing	PLAN COMMISSION		11/04/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						
1	PLAN COMMISSION	11/04/2024	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
	Action Text: A motion was made by Field, seconded by Solheim, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.						
	Notes: On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded on the Zoning Map Amendment to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.						

Text of Legislative File 85464

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00693 of the Madison General Ordinances to change the zoning of property located at 933 South Holt Circle from PD (Planned Development) District to Amended PD (GDP) (Planned Development-General Development Plan) District and creating Section 28.022-00694 to approve a Specific Implementation Plan. (District 20)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 933 South Holt Circle from PD (Planned Development) District to Amended PD (GDP) (Planned Development-General Development Plan) District and approves a General Development Plan and a Specific Implementation Plan to allow existing single-family residence to be used as family daycare.

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

1. Map Amendment 00693 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00693. The following described property is hereby rezoned to Amended PD (Planned Development) District.

Lot 124, Valhalla Valley Addition to High Point Estates, City of Madison, Dane County, Wisconsin. Said parcel contains 17,492 square feet (0.4 acres)"

2. WHEREAS, a Planned Development District Specific Implementation Plan has been duly filed for approval of the Madison Common Council and is hereby made an integral component of the zoning district regulations.

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

Map Amendment 00694 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00694. A Planned Development District Specific Implementation Plan is hereby approved for the following described property:

Lot 124, Valhalla Valley Addition to High Point Estates, City of Madison, Dane County, Wisconsin. Said parcel contains 17,492 square feet (0.4 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: 8 October 2024

Referral(s): Plan Commission: 4 November 2024; Common Council: 26 November 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:

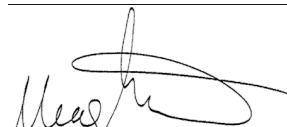
Rezone following property:

Address 933 S Holt Circle Alder District 20

From PD District To Amended PD(GDP-SIP) District

Proposed Use: Amend General Development Plan and Specific Implementation Plan for Lot 124 of Valhalla Valley Addition to High Point Estates to allow existing single-family residence to be used as a family daycare

By Direction Of:


Meagan Tuttle, Director, Planning Division

Date: 1 October 2024



City of Madison

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

Master

File Number: 85465

File ID: 85465

File Type: Ordinance

Status: Council Public
Hearing

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 10/01/2024

File Name: West Mifflin Street Rezone

Final Action:

Title: Creating Section 28.022-00695 of the Madison General Ordinances to change the zoning of property located at 619-699 West Mifflin Street from PD (Planned Development) District to UMX (Urban Mixed-Use) District. (District 4)

Notes: 6907WestMifflinRZ

Sponsors: Planning Division

Effective Date:

Attachments: 619-699 W Mifflin Street.pdf, Link to Demo File
85186, Link to Cond Use File 85187, Link to CSM
File 85193

Enactment Number:

Author: Kate Smith

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	10/01/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 11/4/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer For Public Hearing	PLAN COMMISSION		11/04/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						
1	PLAN COMMISSION	11/04/2024	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass
	Action Text: A motion was made by Solheim, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.						
	Notes: On a motion by Solheim, Seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Zoning Map Amendment to the Common Council with a recommendation to approve. The motion passed by voice vote/other.						

Text of Legislative File 85465

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00695 of the Madison General Ordinances to change the zoning of property located at 619-699 West Mifflin Street from PD (Planned Development) District to UMX (Urban Mixed-Use) District. (District 4)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 619-699 West Mifflin Street from PD (Planned Development) District to UMX (Urban Mixed-Use) District to facilitate construction of a ten-story multi-family dwelling.

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

1. Map Amendment 00695 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00695. The following described property is hereby rezoned to UMX (Urban Mixed-Use) District.

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street, all located in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 23, T7N, R9E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West 1/4 Corner of said Section 23; thence S88°46'38"E along the South line of the NW 1/4 of Section 23, 2650.26 feet to the Center of Section 23; thence N03°09'10"W, 119.69 feet; thence N47°10'40"E, 137.23 feet; thence N45°57'56"E, 204.37 feet; thence N43°52'21 "W, 165.84 feet to the most Easterly corner of Lot 6 of Block 24 of the Original Plat of Madison and the Point of Beginning; thence N44°13'12"W, 165.98 feet to the most Northerly corner of said Lot 6 and the Southeasterly right of way line of W. Mifflin Street; thence along said right of way line S45°58'10"W, 11.12 feet; thence along the Southwesterly right of way line of W. Mifflin Street N44°01'50"W, 33.06 feet to the centerline of vacated W. Mifflin Street; thence S45°55'13"W along said centerline, 222.93 feet; thence N43°47'25"W, 33.06 feet to the Northwesterly line of vacated W. Mifflin Street; thence S45°00'12"W along the Northwesterly line of vacated W. Mifflin Street, 74.65 feet to the intersection with the North line of Outlot 2 of West Madison Depot extended; thence S45°52'33"E, 230.29 feet to the Southerly corner of said Outlot 2; thence N46°38'14"E, 115.61 feet to the Northeasterly corner of said Outlot 2; thence S86°17'03"E, 8.18 feet to the East line of Outlot 7 of University Addition; thence N01°18'27"W along said East line of Outlot 7, 8.25 feet to the Southeasterly line of Lot 4 of Block 24 of the Original Plat of Madison; thence N46°08'04 "E, 175.00 feet to the Point of Beginning. Said described parcel contains 62,519 square feet (1.43 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: 8 October 2024

Referral(s): Plan Commission: 4 November 2024; Common Council: 26 November 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:

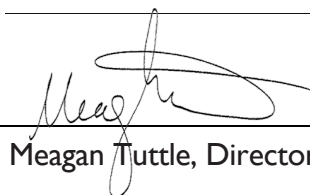
Rezone following property:

Address 619-699 W Mifflin Street Alder District 4

From PD District To UMX District

Proposed Use: Rezoning to facilitate construction of ten-story multi-family dwelling

By Direction Of:


Megan Tuttle, Director Planning Division

Date: 1 October 2024



City of Madison

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

Master

File Number: 86142

File ID: 86142

File Type: Appointment

Status: Mayoral Business

Version: 1

Reference:

Controlling Body: Mayor's Office

File Created Date : 11/18/2024

File Name: 12-10-2024 Resident committee appointments

Final Action:

Title: Report of the Mayor submitting resident committee appointments (introduction 11-26-2024; action 12-10-2024).

Notes:

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	11/18/2024	Referred for Introduction				
	Action Text:	This Appointment was Referred for Introduction					
	Notes:	Confirm 12/10/24					

Text of Legislative File 86142

Title

Report of the Mayor submitting resident committee appointments (introduction 11-26-2024; action 12-10-2024).

Body

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

COMMITTEE ON AGING

RHONDA D. SMILLIE (3rd A.D.) - reappoint to a three-year term to the position of Member (55+ Years of Age). First appointed 1-23-2024.
TERM EXPIRES: 10-1-2027

MADISON ARTS COMMISSION

ANGELA JOHNSON (13th A.D.) - appoint to the remainder of a three-year term to the position of Member succeeding Barbara A. Chusid. Angela Johnson is an arts educator currently teaching a community-based arts class at the University of Wisconsin-Madison. She previously served on the boards of the Madison Area Open Art Studios and the Monroe Street Art Center.
TERM EXPIRES: 4-30-2027

TRANSPORTATION COMMISSION

WILLIAM (BILL) F. BREMER (10th A.D.) - appoint to the remainder of a three-year term to the position of Resident Member succeeding Darrin Wasniewski. Bill Bremer currently holds the Second Alternate position and has served since 6-20-2023.
TERM EXPIRES: 6-30-2025

CAILEY A. JAMISON (6th A.D.) - appoint to the remainder of a three-year term to the position of First Alternate succeeding Nicki Vander Meulen. Cailey Jamison is a project manager with the State of Wisconsin - Department of Children & Families. She is a member of the Marquette Neighborhood Association's Transportation & Safety Committee.
TERM EXPIRES: 6-30-2027

LYNN A. OLSON (12th A.D.) - appoint to the remainder of a three-year term to the position of Second Alternate succeeding Bill Bremer who assumed a regular member seat. Lynn Olson currently serves on the City's Disability Rights Commission and will serve as the liaison between that body and the Transportation Commission.
TERM EXPIRES: 6-30-2027

VENDING OVERSIGHT COMMITTEE

MICHELLE L. QUIGLEY (6th A.D.) - reappoint to a three-year term to the position of Technical Advisor-Non-Voting. First appointed 9-3-2019.
TERM EXPIRES: 6-1-2027

Respectfully submitted,

Satya Rhodes-Conway
Mayor



City of Madison

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

Master

File Number: 85729

File ID: 85729

File Type: Appointment

Status: Unfinished
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 10/15/2024

File Name: 11-26-2024 Resident committee appointments (inc
State Street Garage Public Art Committee)

Final Action:

Title: Report of the Mayor submitting resident committee appointments (introduction
10-29-2024; action 11-26-2024).

Notes:

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	10/16/2024	Referred for Introduction				
	Action Text:	This Appointment was Referred for Introduction					
	Notes:	Confirm 11/26/24					
1	COMMON COUNCIL	10/29/2024	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 with Ald. Harrington-McKinney abstaining.					
	Notes:	Confirm 11/26/24					

Text of Legislative File 85729

Title

Report of the Mayor submitting resident committee appointments (introduction 10-29-2024; action 11-26-2024).

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."

COMMUNITY SERVICES COMMITTEE

PRECIOUS R. GOSTON (3rd A.D.) - reappoint to a three-year term to the position of Community Representative (Minority Rep). First appointed 4-16-2024.
TERM EXPIRES: 10-1-2027

MICHELLE A. DUNPHY (19th A.D.) - reappoint to a three-year term to the position of Community Representative. First appointed 8-6-2019.
TERM EXPIRES: 10-1-2027

SHIVA BIDAR (5th A.D.) - reappoint to a three-year term to the position of Community Representative. First appointed 6-1-2021.
TERM EXPIRES: 10-1-2027

DOWNTOWN COORDINATING COMMITTEE

Associated Students of Madison and D8 Alder recommendation:

SOPHIA M. HAGUE (8th A.D.) - appoint to the remainder of a one-year term to the position of Second Alternate-University of Wisconsin-Madison Student succeeding Ayden Fowler. Sophia Hague is a junior currently studying Political Science and Psychology.
TERM EXPIRES: 5-14-2025

MADISON METROPOLITAN SEWERAGE DISTRICT

BRAD MURPHY (20th A.D.) - reappoint to a three-year term to the position of Commissioner. First appointed 9-15-2015.
TERM EXPIRES: 10-15-2027

STATE STREET CAMPUS GARAGE/HAWTHORNE COURT PUBLIC ART AD HOC COMMITTEE

MAILE J. LLOYD (2nd A.D.) - appoint to the position of State Street/Downtown Area Resident. Maile Lloyd is an artist and student currently enrolled at the University of Wisconsin-Madison studying Fine Arts. She lives on East Gilman.

*PEGGY M. GUNDERSON, McFarland - appoint to the position of State Street/Downtown Area Business Representative.

Rationale: Peggy Gunderson serves on the boards of Downtown Madison, Inc. (DMI) and Madison's Central Business Improvement District (BID) Board. She spends much of her time in the area of the State Street campus garage and supporting businesses within the area through her role as DMI's Quality of Life Committee Chair.

KATHERINE D. ALCAUSKAS (12th A.D.) - appoint to the position of Faculty or Staff of the University of Wisconsin-Madison. Katherine Alcauskas is the chief curator of the Chazen Museum of Art.

*FAISAL ABDU'ALLAH, Shorewood - appoint to the position of Public Artist/Public Art Professional.

Rationale: Faisal Abdu'Allah is the Chazen Family Distinguished Chair in Art and Creative Arts Community Faculty Director at UW-Madison, providing direct connections with students and faculty who are the primary users of the State Street Campus Garage.

TL LUKE (6th A.D.) - appoint to the position of Madison Arts Commission Member.
TERM EXPIRES WITH TERM ON MADISON ARTS COMMISSION: 4-30-2026

ANTHONY SANSALONE (9th A.D.) - appoint to the position of Madison Arts Commission Member.
TERM EXPIRES WITH TERM ON MADISON ARTS COMMISSION: 4-30-2027

SUSTAINABLE MADISON COMMITTEE

SAMANTHA M. WORDEN (20th A.D.) - reappoint to a two-year term to the position of Member.
First appointed 9-20-2022.
TERM EXPIRES: 6-30-2026

SAMUEL J. DUNAISKI (10th A.D.) - reappoint to a two-year term to the position of Member.
First appointed 7-24-2018.
TERM EXPIRES: 6-30-2026

WATER UTILITY BOARD

ERIC J. CALLISTO (11th A.D.) - reappoint to a five-year term to the position of Member. First appointed 1-23-2024.
TERM EXPIRES: 9-30-2029

ZONING BOARD OF APPEALS

SAMUEL V.B. FRITZ (6th A.D.) - appoint to the remainder of a three-year term to the position of Adult City Resident succeeding Craig Brown. Sam Fritz currently holds the Second Alternate position and has served since 10-25-2022.
TERM EXPIRES: 4-20-2027

CLIFF GOODHART (11th A.D.) - appoint to the remainder of a three-year term to the position of First Alternate succeeding Jessica Klehr. Cliff Goodhart is a retired architect and previous

chair of the City's Urban Design Commission.
TERM EXPIRES: 4-21-2026

Respectfully submitted,

Satya Rhodes-Conway
Mayor



City of Madison

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

Master

File Number: 84837

File ID: 84837

File Type: Report

Status: Presidential
Business

Version: 1

Reference:

Controlling Body: Council Office

File Created Date : 08/16/2024

File Name: Confirming the Madison Common Council meeting
formats through March 25, 2025

Final Action:

Title: Confirming the Madison Common Council meeting formats through March 25,
2025:

12/10/24 - Hybrid (Virtual & CCB 201)
1/14/25 - Hybrid (Virtual & CCB 201)
1/28/25 - Hybrid (Virtual & CCB 201)
2/11/25 - Hybrid (Virtual & CCB 201)
2/25/25 - Hybrid (Virtual & CCB 201)
3/11/25 - Hybrid (Virtual & CCB 201)
3/25/25 - Hybrid (Virtual & CCB 201)

Notes:

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	08/16/2024	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER							

Text of Legislative File 84837

Title

Confirming the Madison Common Council meeting formats through March 25, 2025:

12/10/24 - Hybrid (Virtual & CCB 201)
1/14/25 - Hybrid (Virtual & CCB 201)
1/28/25 - Hybrid (Virtual & CCB 201)
2/11/25 - Hybrid (Virtual & CCB 201)
2/25/25 - Hybrid (Virtual & CCB 201)

3/11/25 - Hybrid (Virtual & CCB 201)

3/25/25 - Hybrid (Virtual & CCB 201)



City of Madison

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

Master

File Number: 85785

File ID: 85785

File Type: Appointment

Status: Unfinished
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 10/22/2024

File Name: Appointment of Members for the Police Civilian
Oversight Board

Final Action:

Title: Appointments to the Police Civilian Oversight Board

Notes: Introduced by title only on 10/29/24

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: rcopley@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	POLICE CIVILIAN OVERSIGHT BOARD	10/22/2024	Referred for Introduction				
	Action Text: This Appointment was Referred for Introduction						
	Notes: Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	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 meeting of 11/26/24. The motion passed by voice vote/other.						
	Notes: Confirm 11/26/24						

Text of Legislative File 85785

Fiscal Note

No appropriation required.

Title

Appointments to the Police Civilian Oversight Board

Body

WHEREAS, the terms of ten (10) seats on the Police Civilian Oversight Board expired on September 30, 2024, including 9 community organization seats, and one Mayoral appointee seat; and,

WHEREAS, the Police Civilian Oversight Board is comprised of eleven voting members and two alternates;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council confirm the following appointments to the Police Civilian Oversight Board:

Stangler, Tarah

Term: 4 years

Nominated by OutReach LGBTQ+ Community Center

Mills, Helyn Luisi

Term: 4 years

Nominated by JustDane

Snyder, Devon

Term: 4 years

Nominated by Urban Triage

Salgado, Stephanie Altamirano

Term: 4 years

Nominated by UNIDOS

Nelson, Katey

Term: 4 years

Nominated by YWCA

Rearick, Stephanie

Term: 4 years

Nominated by Community Response Team

Maia Pearson

Term: 4 years

Mayoral Appointee

Master

File Number: 85819

File ID: 85819

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
HEALTH FOR
MADISON AND
DANE COUNTY

File Created Date : 10/23/2024

File Name: Public Health Updates

Final Action:

Title: Amending or repealing and recreating various sections in Chapter 7 and Chapter 9 of the Madison General Ordinances related to public health regulations to include additional fees, license or permit requirements, and harmonize language throughout. Changes include repealing section 7.50 and incorporating pre-inspection and reinspection requirements throughout Chapter 7.

Notes: 6913BoardHealthFeeUpdates

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments: 85819 Body

Enactment Number:

Author: Avery Schulman

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	10/23/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction Notes: Board of Health Madison and Dane County (11/6/24), Common Council (11/29/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF HEALTH FOR MADISON AND DANE COUNTY		11/06/2024	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY. The motion passed by voice vote/other.						
1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	11/06/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Jenkins, to RECOMMEND TO COUNCIL TO ADOPT. The motion passed by voice vote/other.						

Text of Legislative File 85819

Fiscal Note

Public Health Madison Dane County (PHMDC) is an agent for the state of Wisconsin to license and inspect retail food establishments, lodging facilities, public swimming pools, recreational and educational camps, campgrounds, beaches, and manufactured home communities to prevent illness and ensure safety. This program is entirely fee supported. The proposed ordinance amendment increases fees which are anticipated to generate approximately \$180,000 in additional revenue in the Licensed Establishment service: pre-inspection fees (\$90,000), re-inspection fees (\$50,000), penalties/ late fees (\$30,000), and other penalty fee types (\$10,000).

Renewal fees were increased 20% in 2023 to support hiring two program managers for the service to address the span of control of managers to staff. The other fees listed above have not been increased at the same frequency and fee revenue no longer covers the cost for this service. One program manager has been hired, however, due to the unforeseen increases in personnel costs, the program has not been able to support hiring the second manager. The proposed fee increases will support that additional position which will cost \$161,500 in salary and benefits, \$5,500 in services and supplies, and \$10,000 in overhead costs.

Both the additional fee revenue and program manager expenses are included in PHMDC's 2025 Executive Operating Budget. No additional appropriation is required.

Title

Amending or repealing and recreating various sections in Chapter 7 and Chapter 9 of the Madison General Ordinances related to public health regulations to include additional fees, license or permit requirements, and harmonize language throughout. Changes include repealing section 7.50 and incorporating pre-inspection and reinspection requirements throughout Chapter 7.

Body

DRAFTER'S ANALYSIS: The proposed changes will update the late fee in various ordinances from 15% to 25% as well as adding a fee for operating without various, required licenses. Additionally, the changes will establish fees that are set by the Board of Health and published within the Public Health Madison and Dane County Fee Schedule which shall be published online.

Please see Legistar File No. 85819 Body in Attachments

Legistar File No. 85819 Body

DRAFTER'S ANALYSIS: The proposed changes will update the late fee in various ordinances from 15% to 25% as well as adding a fee for operating without various, required licenses. Additionally, the changes will establish fees that are set by the Board of Health and published within the Public Health Madison and Dane County Fee Schedule which shall be published online.

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

1. Subsection (3) of Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" of the Madison General Ordinances is amended as follows:

"(3) All places where food products are manufactured or prepared or sold to the public shall be maintained in a clean and sanitary condition and no foods shall be prepared, handled or cared for in any unclean manner ~~or near any filthy object nor by any person wearing filthy clothing, nor by any person afflicted with a loathsome or venereal disease; and all sweeping, dusting, and cleaning in any such place shall be done with a moist cloth, or combined with sprinkling or other methods so as to allay the dust. All foodstuffs shall be suitably covered or otherwise protected from contamination. No sleeping room, urinal, water closet, ash pit, or coal bin shall connect directly with any room used for cooking preparation or storage of food.~~"

2. Subsection (8) entitled "Food and Drink Permit" of Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" of the Madison General Ordinances is amended as follows:

"(8) Food and Drink Permit License.

- (a) No person, firm, or corporation shall sell at retail, offer for sale at retail, or hold for sale at retail any meat, fish, fruit, vegetables or other articles of food without possessing a food and drink permit license in good standing. ~~Such permit shall not be transferable from one location to another or from one person to another except as provided in Wis. Stat. § 97.605. The permit license shall be posted in a conspicuous place in the premises named in the permit license. Only a person who complies with the requirements of this ordinance shall be entitled to receive and/or retain a permit license.~~
- (b) Application. At least seven (7) days prior to opening for business the ~~owner or operator applicant~~ shall ~~make application to~~ apply for a license with the Clerk of the City of Madison ~~for a permit. The owner or operator shall place their personal signature upon the application.~~ The City Clerk shall transmit such application to Public Health Madison and Dane County. Public Health Madison and Dane County shall make such inspections as are necessary to determine whether all requirements of this ordinance have been satisfied. Permits shall be issued by the City Clerk only after the application therefor has been approved in writing by the Director of Public Health Madison and Dane County.
- (c) Emergency Temporary Suspension. Any permit license issued pursuant to this ordinance may be temporarily suspended or a method of operation or use of specific equipment temporarily prohibited by the Director of Public Health Madison and Dane County upon observation of violation of any of the provisions of this ordinance upon the premises named in the permit license, if the Director of Public Health Madison and Dane County has reasonable cause to believe that

the violation or violations create an immediate danger to health. Suspension of all operations authorized by the permit license may be ordered only if a more limited order will not remove the immediate danger. Reinstatement of the permit shall occur pursuant to Sec. 7.08(8) of the Madison General Ordinances. This order shall take effect immediately upon delivery to the operator or other person in charge of the establishment. The order shall be accompanied by written notice of the procedures for reinstatement and notice of the right to a hearing before a subcommittee of the Health Commission consisting of three members appointed by the Chair. Such hearing, which shall follow the procedures in Sec. 7.07(8)(d), must be held no later than fourteen (14) days after service of the notice unless both parties agree to a later date. The decision shall be issued within ten (10) days of the hearing. It may reverse, affirm or modify the order of the Director of Public Health Madison and Dane County and may order one or more of the options set forth in Wis. Stat. § 66.0417(3). Review of the decision shall be as provided in Sec. 7.07(8)(e) below.

- (d) Suspension/Revocation. In addition to any other penalty provided by these ordinances, any permit license may be suspended or revoked, by the Subcommittee of the Board of Health for Madison and Dane County formed for such purpose or by the Board of Health for Madison and Dane County as set forth below, upon serious or repeated violations of this ordinance. The permit license shall not be suspended or revoked until the permit license holder has had notice and an opportunity for a hearing. If the Director of Public Health Madison and Dane County is requesting suspension of a permit license, the matter shall be heard before a subcommittee of the Board of Health for Madison and Dane County consisting of three (3) members appointed by the Chair. If the Director of Public Health Madison and Dane County seeks revocation of the permit license, the hearing shall be before the Board of Health for Madison and Dane County, provided that the Board of Health for Madison and Dane County shall nevertheless have the authority to either suspend or revoke such permit license. The licensee shall be notified in writing of the charges against them at least ten (10) days prior to the hearing. At the hearing the licensee and the Director of Public Health Madison and Dane County shall have the opportunity to cross-examine witnesses, may call witnesses in their own behalf or may be represented by counsel. Within ten (10) days of the hearing, the administrative hearing body shall issue a written decision stating the reasons therefor. If ordered, suspension shall be for a period not to exceed six (6) months; revocation shall be for a period of one (1) year.
- (e) Judicial Review. The decision of the administrative hearing body shall be a final determination and shall be subject to review in court as may be provided by law. Any person aggrieved by the decision may seek review thereof within thirty (30) days after the date of the final determination.
- (f) Properly prepared plans for licensed premises which are hereafter constructed, reconstructed or extensively altered shall be submitted to the Director of Public Health Madison and Dane County and signed approval shall be obtained from the Director of Public Health Madison and Dane County before work is begun.
- (g) The annual fee for the food and drink permit license shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for permits licenses required by the Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Department's Public Health Madison and Dane County's website. The licensing

year shall be from July 1 through the following June 30. The permit fee shall be for one year or a fractional part thereof. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of ~~fifteen percent (15%)~~ twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.

- (h) Holders of malt beverage licenses and intoxicating liquor licenses pursuant to Chapter 38 of these ordinances otherwise required to possess a food and drink permit, need not include the anticipated gross sales of such beverages regulated by said ordinance sections in determining the fee for the food and drink permit.
- (i) Change of Ownership. Every license holder within this section shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply Public Health Madison and Dane County with the names and post office addresses of any prospective new operators.
- (j) License Contingent on Payment of Fees. The City Clerk or Public Health Madison and Dane County may not issue or renew a food and drink license unless the license applicant or holder pays all fees which are due and payable under this section."

3. Subsection (9) entitled "Micro Market Permit" of Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" of the Madison General Ordinances is amended as follows:

"(9) Micro Market Permit License.

- (a) A micro market is an unstaffed, self-checkout retail food establishment selling prepackaged time- and temperature-controlled food located within a business.
- (b) No person, firm, or corporation shall operate a micro market without possessing a food and drink ~~permit~~ license in good standing. The ~~permit~~ license shall be posted in a conspicuous place in the premises named in the ~~permit~~ license. Only a person who complies with the requirements of this ordinance shall be entitled to receive and/or retain a ~~permit~~ license.
- (c) The annual fee for the micro market ~~permit~~ license shall be forty dollars (\$40) for one micro market located in a building, and shall be sixty dollars (\$60) for two or more micro markets located in the same building. The licensing year shall be from July 1 through the following June 30. The ~~permit~~ license fee herein established shall be for one year or a fractional part thereof. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of ~~fifteen percent (15%)~~ twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license. "

4. Subsection (10) entitled "Reinspection Fee" Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" of the Madison General Ordinances is repealed and recreated as follows:

"(10) Reinspection Fees.

- (a) Requested Inspections. Every license holder within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
- (b) An applicant for a food and drink license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
- (c) Pre-Inspection Fees. The pre-inspection fees for a food and drink license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
- (d) Pursuant to authority set forth in Wis. Stat. § 97.615, the pre-inspection fee for a food and drink license shall be based upon the anticipated gross annual food and drink sales for the licensing year as set forth in in the Public Health Madison and Dane County Fee Schedule. Micro markets are exempt from pre-inspection fees.
- (e) Pre-inspection fees for a food and drink license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.

5. Subsection (11) entitled "Permit Contingent on Payment of Fees" of Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" is repealed and recreated as follows:

(11) Reinspection Fee.

- (a) If Public Health Madison and Dane County reinspects a premise licensed under this section because Public Health Madison and Dane County finds a violation of Madison General Ordinances Section, Public Health Madison and Dane County shall charge the license holder a reinspection fee.
- (b) The reinspection fee for the food and drink license shall be based upon the anticipated gross annual food and drink sales for the licensing year asset forth within the Public Health Madison and Dane County Fee Schedule. . The reinspection fee for a food and drink license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
- (c) The reinspection fee for a food and drink license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
- (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.

6. Subsection (12) entitled "Plan Review Requirement and Fee", Subsection (13) entitled "Fees for Special Conditions Inspections", Subsection (14) entitled "Fees for Hazard Analysis and Critical Control Point (HACCP) Plan Validation and Verification", Subsection (15) entitled "Fees for a Risk Control Plan", Subsection (16) entitled "Fee for Operating Without a Certified Food Protection Manager", Subsection (17) entitled "Fees for Operating Without a License", and Subsection (18) entitled "Penalty" of Section 7.07 entitled "Regulations Regarding Foods Handled by Public Places" of the Madison General Ordinances are created to read as follows:

- “(12) Plan Review Requirement and Fee. Public Health Madison and Dane County shall require the license holder or license applicant of a new or extensively remodeled food establishment to submit equipment layout plans, equipment schedules, detailed descriptions of food processing operations, and menus for review as requested. Public Health Madison and Dane County shall charge the license holder of the new or remodeled food establishment the pre-inspection fee as required in this section.
- (13) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website
- (14) Fees for Hazard Analysis and Critical Control Point (HACCP) Plan Validation and Verification. Public Health Madison and Dane County may charge a fee for a HACCP plan validation and subsequent annual verification to the operator or entity required by law to submit a HACCP plan for approval. A separate HACCP plan validation or verification fee shall be paid for each HACCP plan. The fee for a HACCP plan validation and annual verification shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website
- (15) Fees for a Risk Control Plan. Public Health Madison and Dane County may charge a fee as set forth in the Public Health Madison and Dane County Fee Schedule for Risk Control Plan. The fee shall be established by the Board of Health and may be reestablished by the Board of Health as needed. The fee be established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on website. A separate Risk Control Plan fee shall be paid for each Risk Control plan.
- (16) Fee for Operating Without a Certified Food Protection Manager. Public Health Madison and Dane County shall charge the license holder of a food establishment for operating without a certified food protection manager. The fee shall be established by the Board of Health and may be reestablished by the Board of Health as needed. The fee established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
- (18) Fees for Operating Without a License. Any operator of a food establishment requiring a food and drink license found to be operating without a license, shall pay to the Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to applicable fees.
- (19) Penalty.
- (a) Any person violating the provisions of this section shall be punished by a fine of not less than twenty dollars (\$20) nor more than two hundred dollars (\$200) and each day of violation shall constitute a separate offense. (b) In addition to the above penalties, the Public Health Madison and Dane County may order the suspension or revocation of the license issued to an establishment under this section.
- (b) Wis. Stat. § 66.0417(5)(b), regarding the impeding of city inspectors in the performance of their duties and the giving of false information to such inspectors,

and all subsequent amendments, additions, and recodifications thereto are hereby adopted by reference.”

7. Subsection (4) entitled “Enforcement” of Section 7.15 entitled “Regulation of Tattooing and Body Piercing” of the Madison General Ordinances is amended as follows:

“(4) Enforcement. Enforcement procedures shall be in accordance with Wis. Stat. § 66.0417. ~~The department's Chapter 463 of the Wisconsin Statutes and Wis. Admin. Code ch. SPS 221.~~ The Public Health Madison and Dane County's administrator of this ordinance may utilize City of Madison commissioned police officers to enforce any aspect of this ordinance, pursuant to Sec. 5.03(4), M.G.O.”

8. Subsection (5) entitled “Appeal” of Section 7.15 entitled “Regulation of Tattooing and Body Piercing” of the Madison General Ordinances is amended as follows:

“(5) Appeal. Any person aggrieved by an order of ~~the department~~ Public Health Madison and Dane County issued pursuant to Wis. Admin. Code ch. SPS 221 or this section, may appeal such order in accordance with the provisions of Sec. 66.0417, Wis. Stats. to a subcommittee of the Board of Health for Madison and Dane County. The subcommittee, consisting of at least three (3) members, may affirm, set aside, or modify the order by majority vote. That decision shall be final and may be appealed to the Circuit Court of Dane County.”

9. Subsection (6) entitled “Licensing and Fees” of Section 7.15 entitled “Regulation of Tattooing and Body Piercing” of the Madison General Ordinances is repealed and recreated as follows:

“(6) Licensing and Fees.

- (a) No person, firm, or corporation may operate a tattoo or body-piercing establishment or combination thereof on an annual or temporary basis unless the person has obtained a license and paid fees as specified in this section.
- (b) No person may tattoo or body pierce another person within the City unless the person has obtained a license and paid fees as specified in Wis. Admin. Code ch. SPS 221.
- (c) The license shall be conspicuously displayed in the licensed facility.
- (d) A license shall not be granted to an applicant without a pre-inspection.
- (e) The City Clerk or Public Health Madison and Dane County may not issue or renew a tattoo or body piercing license unless the license applicant or holder pays all fees which are due and payable under this section
- (f) Every license holder within this section shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply Public Health Madison and Dane County with the names and post office addresses of any prospective new operators.
- (g) Licensing. Application for licensing shall be made thirty (30) days prior to issuance. The licensing year shall be from July 1 through the following June 30, except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. The license fee

herein established shall be for one year or a fractional part thereof, except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 25% of the filing fee. Payment of the late filing fee shall not relieve any person from any other penalties set forth in this section or in the ordinances for failure to possess or obtain a license.

1. Annual establishment fees shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for licenses required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website
 - (h) Temporary Licensing. At special events every area shall be considered a temporary establishment and must be licensed as such before the onset of the event. Every practitioner must possess a current and valid State of Wisconsin practitioner license issued by the State of Wisconsin before the practitioner can operate at a special event. An application for a temporary license shall be submitted to the City Clerk's office thirty (30) days prior to the special event to allow for processing.
 1. Temporary establishment fees shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for licenses required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website."
10. Subsection (7) entitled "Pre-Inspection Fees", Subsection (8) entitled "Reinspection Fees", Subsection (9) entitled "Fees for Special Conditions Inspections", and Subsection (10) entitled "Fees for Operating Without a Tattoo or Body Piercing License" of Section 7.15 entitled "Regulation of Tattooing and Body Piercing" of the Madison General Ordinances are created to read as follows:
- "(7) Pre-inspection Fees.
- (a) Requested Inspections. Every license applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
 - (b) An applicant for a tattoo and body piercing license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
 - (c) The pre-inspection fee for a tattoo and body piercing license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (d) Pre-inspection fee for a tattoo and body piercing license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
- (8) Reinspection Fees.

- (a) If Public Health Madison and Dane County reinspects a premise licensed under this section because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the license holder a reinspection fee.
 - (b) The reinspection fee for a tattoo and body-piercing establishment shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (c) The reinspection fee for a tattoo and body piercing establishment established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
 - (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.
- (9) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website
- (10) Fees for Operating Without a Tattoo or Body Piercing License. Any operator of a tattoo or body piercing establishment found to be operating without a license, shall pay to the Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to applicable fees."

11. Subsection (8) entitled "Penalty" of Section 7.15 entitled "Regulation of Tattooing and Body Piercing" of the Madison General Ordinances is renumbered to Subsection (11)

12. Subsection (1) entitled "Definitions" of Section 7.44 entitled "Minimum Standards for Public Swimming Pools" of the Madison General Ordinances is created to read as follows:

"(1) Definitions.

"Operator" means the owner of a pool or the person responsible to the owner for the operation of a pool, including the mechanical systems operations of the pool.

"Owner" means the state, a political subdivision of the state, corporation, company, association, firm, partnership, or individual owning or controlling any pool.

"Public pool" means a structure, basin, chamber, or tank, and appurtenant buildings and equipment, used for wading, swimming, diving, water recreation, or therapy, including an exercise pool, mobile pool, whirlpool, cold soak pool, or water attraction. "Public pool" does not include an inflated mobile structure, basin, chamber, or tank; a swim pond; an individual therapeutic pod, tub, or bath; a fixed or mobile structure, basin, chamber, or tank that serves fewer than 3 individual residences; or a fixed or mobile structure, basin, chamber, or tank that is used solely for animal training, therapy, or exercise and the only individuals in the pool are the animal trainer or handler, animal health or wellness professional or the animal's individual owner."

13. Subsection (1) entitled "Public Swimming Pool License" of Section 7.44 entitled "Minimum Standards for Public Swimming Pools" of the Madison General Ordinances is renumbered to Subsection (2) and amended as follows:

"(2) Public Swimming Pool Licenses.

- (a) No person, firm or corporation may operate a public swimming pool unless ~~the Director of Public Health Madison and Dane County has first issued a Public Swimming Pool license to the operator of the pool.~~
- (b) No license shall be issued unless the swimming pool is in full compliance with Sec. 7.44, MGO, Wis. Admin. Code chs. SPS 390 and ATCP 76.
- (c) At least seven (7) days prior to opening for business the owner ~~or operator~~ of a public swimming pool shall make application to the Clerk of the City of Madison for a license. ~~The owner or operator of the public swimming pool shall place their personal signature upon the application.~~ The City Clerk shall transmit such application to Public Health Madison and Dane County. Public Health Madison and Dane County shall make such inspections as are necessary to determine whether all requirements of this ~~ordinance~~ have section has been satisfied. Licenses shall be issued by Public Health Madison and Dane County the City Clerk only after the application therefore has been approved in writing by ~~the Director of Public Health Madison and Dane County.~~
- (bc) Public Swimming Pool licensing year shall be from July 1 through the following June 30. However, licenses issued on or after April 1 of one year shall be effective through June 30 of the following year.
- (ed) Public Swimming Pool Licenses shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for ~~permits~~ licenses required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on ~~the Department's~~ Public Health Madison and Dane County's website. No license shall be issued unless the operator shall have first submitted an application for a license and a license fee. ~~renewal~~ Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of ~~fifteen percent (15%)~~ twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.
- (de) In addition to any other remedies provided by Sec. 7.44, MGO, Wis. Admin. Code chs. SPS 390 and ATCP 76, any license issued pursuant to this subsection may be suspended for up to thirty (30) days or revoked by the Director of Public Health Madison and Dane County for noncompliance with the provisions of Sec. 7.44, MGO, Wis. Admin. Code chs. SPS 390 and ATCP 76. Upon denial of a license or revocation or suspension of the license of any operator of a public swimming pool the operator may appeal the determination of the Director of Public Health Madison and Dane County to the Board of Health for Madison and Dane County within ten (10) days of the determination by filing a notice of appeal with the City Clerk who shall then promptly notify the members of the Administrative Hearings Committee of the appeal who shall promptly convene for consideration of the appeal. By majority vote, the Committee may reverse or modify the determination of the Director of Public Health Madison and Dane County. Any further appeal shall be to the Circuit Courts of Dane County.
- (f) Every license holder of a public swimming pool license shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply the Public Health Madison and Dane County with the names and post office addresses of any prospective new operators.
- (g) A license shall not be granted to an applicant without a pre-inspection.

- (h) The license shall be conspicuously displayed in the licensed facility.
- (i) License Contingent on Payment of Fees. The City Clerk or Public Health Madison and Dane County may not issue or renew a swimming pool license unless the license applicant or holder pays all fees which are due and payable under this section.

14. Subsection (3) entitled “Pre-inspection Fee”, Subsection (4) entitled “Reinspection Fee”, Subsection (5) entitled “Fees for Special Inspections”, Subsection (6) entitled “Fees for a Risk Control Plan”, Subsection (7) entitled “Plan Review Requirement and Fee”, Subsection (8) entitled “Fees for Operating Without Public Swimming Pool License”, of Section 7.44 entitled “Minimum Standards for Public Swimming Pools” of the Madison General Ordinances are created as follows:

(3) Pre-inspection Fee.

- (a) Every license applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
- (b) A applicant for a public swimming pool license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
- (c) The pre-inspection fee for a public swimming pool license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
- (d) The pre-inspection fee for a public swimming pool license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.

(4) Reinspection Fee.

- (a) If Public Health Madison and Dane County re-inspects an establishment regulated under Madison General Ordinance Chapter 7 because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the license holder a re-inspection fee.
- (b) The reinspection fee for a public swimming pool license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
- (c) The reinspection fee for a public swimming pool license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
- (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.

(5) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County

Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.

- (6) Fees for a Risk Control Plan. Public Health Madison and Dane County may charge a fee as set forth in the Public Health Madison and Dane County Fee Schedule for a Risk Control Plan. The fee shall be established by the Board of Health and may be reestablished by the Board of Health as needed. The fee be established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website. A separate Risk Control Plan fee shall be paid for each Risk Control plan.
- (7) Plan Review Requirement and Fee. Public Health Madison and Dane County shall require an operator of a public swimming pool to submit plans for new pool construction or modifications. The plan review fee for a public swimming pool license shall be as set forth in the Public Health Madison and Dane County Fee Schedule as required in this section.
- (8) Fees for Operating Without Public Swimming Pool License. Any operator of a public swimming pool license establishment found to be operating without a license, shall pay to the Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to applicable fees.

15. Subsection (2) entitled "Penalty" of Section 7.44 entitled "Minimum Standards for Public Swimming Pools" of the Madison General Ordinances is renumbered to Subsection (9) and amended as follows:

"(9) Penalty.

- (a) Any person violating any of the provisions of this chapter for which a penalty is not already provided herein shall be punished by a forfeiture of not less than ten dollars (\$10) nor more than one hundred dollars (\$100) for each offense. Each day or portion thereof shall constitute a separate offense.
- (b) In addition to the above penalties, the department may order the suspension or revocation of the license issued to an establishment under this section.
- (c) Wis. Stat. § 66.0417(5)(b), regarding the impeding of city inspectors in the performance of their duties and the giving of false information to such inspectors, and all subsequent amendments, additions, and recodifications thereto are hereby adopted by reference."

16. Section 7.50 entitled "Pre-Inspection Permits and Fees and Changes of Ownership and Reinspection Fees" of the Madison General Ordinances is repealed and reserved for future use.

17. Section 7.51 entitled "Hotels, Motels, Bed and Breakfast Establishments and Tourist Rooming Houses" of the Madison General Ordinances is repealed and recreated as follows:

"7.51 HOTELS, MOTELS, TOURIST ROOMING HOUSES, AND BED AND BREAKFAST ESTABLISHMENTS

- (1) Adoption by Reference. Wis. Admin. Code chs. ATCP 72 and 73 and subsequent amendments, additions and recodifications, are adopted by reference except for those provisions found elsewhere in the Madison General Ordinances which impose stricter standards, in which case the said ordinance provisions shall prevail.
- (2) Definitions.

"Bed and Breakfast Establishment" means any place of temporary lodging that provides eight (8) or fewer rooms for rent to no more than a total of twenty (20) tourists or other transients for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

"Hotel" means a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas.

"Motel" means a hotel that furnishes on-premise parking for motor vehicles of guests as part of the room charge, without extra cost, and that is identified as a "motel" rather than a "hotel" at the request of the operator.

"Tourist rooming house" means all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients.
- (3) Fees. The annual fee for hotels, motels, tourist rooming houses and bed and breakfast establishments shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for licenses required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website. The licensing year shall be from July 1 through the following June 30. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.
- (4) License Required.
 - (a) Before operating a hotel, motel, tourist rooming house, or bed and breakfast for business, the operator, shall obtain a license from Public Health Madison and Dane County through application made upon a form furnished by the Public Health Madison and Dane County.
 - (b) The license shall be conspicuously displayed in the licensed facility.
 - (c) A license shall not be granted to an applicant without a pre-inspection.
 - (d) The City Clerk or Public Health Madison and Dane County may not issue or renew a hotel, motel, tourist rooming house, or bed and breakfast license unless the license applicant or holder pays all fees which are due and payable under this section
- (5) Change in Ownership. Every license holder of a hotel, motel, tourist room house, or bed and breakfast license shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply Public Health Madison and Dane County with the names and post office addresses of any prospective new operators.
- (6) Pre-inspection Fee.

- (a) Every license applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
 - (b) An applicant for a hotel, motel, tourist room house, or bed and breakfast license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
 - (c) The pre-inspection fee for a hotel, motel, tourist rooming house, or bed and breakfast establishment license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (d) The pre-inspection fee for a hotel, motel, tourist rooming house, or bed and breakfast establishment license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
- (7) Reinspection Fee.
- (a) If Public Health Madison and Dane County reinspects an establishment regulated under Madison General Ordinance Chapter 7 because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the establishment's license holder a re-inspection fee.
 - (b) The reinspection fee for a hotel, motel, tourist rooming house, or bed and breakfast establishment license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (c) The reinspection fee for a hotel, motel, tourist rooming house, or bed and breakfast license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
 - (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.
- (8) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website
- (9) Plan Review Requirement and Fee. Public Health Madison and Dane County shall require a license applicant or license holder of a new or extensively remodeled hotel, motel, tourist rooming house, or bed and breakfast establishment to submit plans to Public Health Madison and Dane County. The plan review fee for a hotel, motel, tourist rooming house, or bed and breakfast establishment license shall be as set forth in the Public Health Madison and Dane County Fee Schedule as required in this section.
- (10) Fees for Operating Without a License. Any operator found to be operating without a license, shall pay to Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to applicable fees.

18. Subsection (2) entitled "Definition" of Section 7.52 entitled "Recreational and Educational Camps" of the Madison General Ordinances is amended as follows:

"(2) Definition Definitions."

~~Department. Whenever the term department is used in the aforesaid Wisconsin Administrative Code, it shall be construed to mean Public Health Madison and Dane County unless the context clearly demonstrates otherwise.~~

"Recreational and educational camp" means a camp premises, including temporary and permanent structures that are operated as overnight living quarters, where food or lodging are provided for a camper. The camp provides a combination of planned program activities established for the primary purpose of providing an indoor or outdoor group living experience for campers with social, recreational, spiritual, and educational objectives during one or more seasons of the year.

"Operator" means the owner of a camp or the person responsible to the owner for the operation of the camp.

19. Subsection (4) entitled "Fees" of Section 7.52 entitled "Recreational and Educational Camps" of the Madison General Ordinances is amended as follows:

"(4) Fees. The annual fee for Recreational and Educational Camps shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for ~~permits licenses~~ required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Department's Public Health Madison and Dane County's website. The license fee is for the period of July 1 through the following June 30 ~~or for any portion of said time~~ except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of ~~fifteen percent (15%)~~ twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license."

20. Subsection (5) entitled "License Required", Subsection (6) entitled "Change in Ownership", Subsection (7) entitled "Pre-inspection Fee", Subsection (8) entitled "Reinspection Fee", Subsection (9) entitled "Plan Review Fee", Subsection (10) entitled "Fees for Special Conditions Inspections", and Subsection (11) entitled "Fees for Operating Without a License" of Section 7.52 entitled "Recreational and Educational Camps" of the Madison General Ordinances are created to read as follows:

"(5) License Required.

- (a) When a license is required to operate a recreational and educational camp under Wis. Admin. Code. Sec. ATCP 78.07(1), the operator may not operate without a recreational and educational camp license. The license may be obtained through Public Health Madison and Dane County through application made upon a form furnished by Public Health Madison and Dane County.
- (b) The license shall be conspicuously displayed in the licensed facility
- (c) A license shall not be granted to an applicant without a pre-inspection.

- (d) The City Clerk or Public Health Madison and Dane County may not issue or renew a recreational and educational camp license unless the license applicant or holder pays all fees which are due and payable under this section.
- (6) Change in Ownership. Every license holder of a recreational and educational camp shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply the Public Health Madison and Dane County with the names and post office addresses of any prospective new operators
- (7) Pre-inspection Fee.
 - (a) Every license applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
 - (b) An applicant for a recreational and educational camp license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
 - (c) The pre-inspection fee for a recreational and educational camp license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (d) Pre-inspection fee for recreational and educational camp license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
- (8) Reinspection Fee.
 - (a) If Public Health Madison and Dane County reinspects a recreational and educational camp because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the license holder a reinspection fee.
 - (b) The reinspection fee for a recreational and educational camp license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (c) The reinspection fee for a recreational and educational camp license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
 - (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.
- (9) Plan Review Fee. The plan review fee for a recreational and educational camp license shall be as set forth in the Public Health Madison and Dane County Fee Schedule. Public Health Madison and Dane County shall require a license holder of a recreation and educational camp license to submit plans for approval as required by Wis. Admin. Chapt. ATP 78.06. The plan review fee under this section shall be as set forth in the Public Health Madison and Dane County Fee Schedule as required in this section.
- (10) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County

Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website

- (11) Fees for Operating Without a License. Any operator found to be operating without a license, shall pay to Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to any applicable fees."

21. Subsection (2) entitled "Definition" of Section 7.53 entitled "Campgrounds" of the Madison General Ordinances is amended as follows:

"(2) Definition Definitions.

~~Department. Whenever the term department is used in the aforesaid Wisconsin Administrative Code, it shall be construed to mean Public Health Madison and Dane County unless the context clearly demonstrates otherwise.~~

"Campground" means a parcel or tract of land owned by a person, state, or local government that is designed, maintained, intended, or used for the purpose of providing campsites offered with or without charge, for temporary overnight sleeping accommodations.

"Operator" means the owner of a campground or the person responsible to the owner for the operation of the campground."

22. Subsection (4) entitled "Fees" of Section 7.53 entitled "Campgrounds" of the Madison General Ordinances is amended as follows:

- "(4) Fees. The annual fee for ~~Campgrounds~~ a campground license shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for ~~permits licenses~~ required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on ~~the Department's~~ Public Health Madison and Dane County's website. The license fees are for the period July 1 through the following June 30 ~~or for any portion of said time period~~ except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of ~~fifteen percent (15%)~~ twenty-five percent (25%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license."

23. Subsection (5) entitled "License Required", Subsection (6) entitled "Pre-inspection Fee", Subsection (7) entitled "Reinspection Fee", Subsection (8) entitled "Plan Review", Subsection (9) entitled "Fees for Special Conditions Inspections" and Subsection (10) entitled "Fees for Operating Without a License" of the Madison General Ordinances are created to read as follows:

"(5) License Required.

- (a) No person, firm, or corporation shall operate a campground without a campground license. The license applicant, shall obtain a license from Public

Health Madison and Dane County through application made upon a form furnished by Public Health Madison and Dane County.

- (b) The license shall be conspicuously displayed in the licensed facility.
 - (c) A license shall not be granted to an applicant without a pre-inspection.
 - (d) License Contingent on Payment of Fees. The City Clerk or Public Health Madison and Dane County may not issue or renew a campground license unless the license applicant pays all fees which are due and payable under this section.
- (6) Pre-inspection Fee.
- (a) Every license applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
 - (b) An applicant for a campground license shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their license.
 - (c) The pre-inspection fee for a campground license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (d) Pre-inspection fee for a campground license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
- (7) Reinspection Fee.
- (a) If Public Health Madison and Dane County reinspects a campground regulated under Madison General Ordinance Chapter 7 because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the establishment's license holder a reinspection fee.
 - (b) The reinspection fee for a campground license shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - (c) The reinspection fee for a campground license established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
 - (d) The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.
- (8) Plan Review. The plan review fee for a campground license shall be as set forth in the Public Health Madison and Dane County Fee Schedule. Public Health Madison and Dane County shall require an operator of a campground to submit plans for approval as required by Wis. Admin. Chapt. ATP 79.04. The plan review fee under this section shall be as set forth in the Public Health Madison and Dane County Fee Schedule as required in this section.
- (9) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or on-site consultation services that are not directly related to Public Health Madison and Dane County's licensing responsibilities. Public Health Madison and Dane County may charge the license holder requesting the inspection or on-site consultation a fee as set forth in the Public Health Madison and Dane County Fee Schedule. The fee for a special conditions inspection shall be established by the Board of Health and shall be published in the Public Health Madison and Dane County

Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website

- (10) Fees for Operating Without a License. Any operator found to be operating without a license, shall pay to the Public Health Madison and Dane County a fee as set forth in the Public Health Madison and Dane County Fee Schedule, in addition to applicable fees.

24. Section 9.23 entitled "Regulations of Mobile Homes and Mobile Home Parks" of the Madison General Ordinances is amended as follows:

"9.23 REGULATIONS OF MOBILE HOMES AND MOBILE HOME PARKS MANUFACTURED HOME COMMUNITIES"

25. Subsection (1) entitled "Definitions" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

(1) Definitions.

- (a) A ~~"mobile "~~"Mobile home" means ~~any a vehicle or structure intended for or capable of manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, or, designed primarily for sleeping purposes, mounted on wheels or jacks, and/or capable of being moved from place to place, either by its own power or by power supplied by some vehicle used or to be used, excepting a device used exclusively upon stationary rails or tracks with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.~~
- (b) "Manufactured home" means any of the following:
1. A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425.
 2. A mobile home, unless a mobile home is specifically excluded under the applicable statute.
- (c) A ~~"mobile "~~"Manufactured home park community" means ~~any park, court, site, lot, parcel, or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than one (1) mobile home and shall include all buildings used or intended for use as a part of the equipment thereof, whether or not a charge is made for the use of the mobile home park and its facilities plot or plots of ground upon which three (3) or more manufactured homes that are occupied for dwelling or sleeping purposes are located. "Mobile Manufactured home park community " shall not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for the purposes of inspection and sale does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm.~~

- (c) ~~A "unit" means a section of ground in a mobile home park of not less than eight hundred (800) square feet of unoccupied space designated as the location for only one (1) automobile and/or one (1) mobile home.~~
- (d) The word "person" shall be construed to include an individual, partnership, firm, company or corporation, whether tenant, owner, lessee, licensee permit holder, or their agent, heir or assigns.
- (e) "Operator" means ~~any a~~ a person engaged in the business of ~~renting sites in owning or managing a mobile manufactured home park community to tenants.~~ Operator includes officers, representatives, agents and employees.
- (f) "Rental Agreement" means an agreement, whether written or oral, between an operator and a tenant for the rental of a site.
- (g) "Screening" means the procedure used by an operator to determine that a prospective tenant meets the operator's minimum financial standards and other reasonable requirements established by the operator. Screening must comply with MGO Sec. 39.03 and Sec. 32.10, Madison General Ordinances.
- (h) "Security Deposit" means the total of all payments and deposits given by a tenant to the operator as security for the performance of the tenant's obligations, and includes all rent payments in excess of one month's prepaid rent.
- (i) "Site" means ~~any a plot of land which is rented or offered ground within a manufactured home community designed for rental for the accommodation of a mobile home used for residential purposes. It does not include a plot of land rented for the accommodation of a mobile~~ placement of one manufactured home which is:
 - 1. ~~Occupied on a strictly seasonal basis; or~~
 - 2. ~~Owned by the operator and occupied by the operator herself or himself as a residence.~~
- (j) "Tenant means any person renting a site from an operator.
- (k) "Utility Service" means:
 - 1. Electricity, water, sewer, telephone, and natural gas;
 - 2. Liquefied petroleum gas other than liquefied petroleum gas in portable containers;
 - 3. Fuel oil supplied through a permanent central system in the ~~mobile~~ manufactured home park community; and
 - 4. Television service.

26. Subdivision (c) of Subsection (2) entitled "Fire Extinguishers " of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is repealed and reserved for future use.

27. Subsection (3) entitled "Permit and Regulations for Mobile Home Parking Outside Mobile Home Parks" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(3) Permit and Regulations for Mobile Home Parking Outside Mobile Manufactured Home Parks Communities.

The parking of any occupied mobile home outside an approved ~~mobile~~ manufactured home park community as previously defined, is hereby prohibited, unless the mobile home be parked to the rear of a premise and a permit therefor obtained from the Building Inspection Division of the Department of Planning and Community and Economic Development. The parking of more than one (1) occupied mobile home on any premises except an approved ~~mobile~~ manufactured home park community is hereby prohibited. Such permit shall be issued upon compliance with the following conditions:

1. No permit to park an occupied mobile home outside an approved ~~mobile~~ manufactured home park community shall be approved for a period of greater than ten (10) days in any one (1) year, and unless there shall have been filed with the application for permit the written consent of the property owner or lessee of the premises, that the occupant or occupants of such mobile home have twenty-four (24) hour access to the sanitary facilities of the property proximate to the mobile home.
2. Except in the case of an approved ~~mobile~~ manufactured home park community, no permit shall be issued for an occupied mobile home unless the period of such occupancy is definitely stated in the application for permit and approved by the Director of the Building Inspection Division.
3. No automobile mobile home shall be used for living quarters upon any street, alley, or public way in the City of Madison.
4. No person, firm, or corporation shall make any electrical connection for any mobile home to any building or other source of electricity without permit and approval of the electrical inspector.
5. No person, firm, or corporation shall deposit garbage, waste, water, rubbish or other waste combustible materials on the premises where an occupied mobile home is parked or on adjoining premises. Garbage and rubbish and other waste combustible materials shall be placed in suitable metal containers for collection by the City departments involved in such collections and at times specified by such departments. Waste water shall be kept in suitable metal containers and all other sanitary requirements for mobile home wastes observed as set forth for the sanitary regulation of mobile homes in ~~mobile~~ manufactured home parks communities.
6. The Director of the Building Inspection Division shall issue a permit upon payment of one dollar (\$1) fee and filing of an application complying with provisions of this Ordinance. Each permit card shall be posted on the mobile home for which it is issued.
7. This subsection shall not apply to a mobile home which meets the definition of "manufactured home" in Wis. Stat. § 101.91(2) and is used as a residential building on a zoning lot.

28. Subsection (4) entitled "Regulations for Mobile Home Parks" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is repealed and recreated as follows:

"(4) Regulations for Manufactured Home Communities.

(a) Registration.

1. Any occupant of any mobile home located at an approved manufactured home community must register with the owner, manager or operator of a community.
2. The registration shall include the following:
 - a. Names and addresses.
 - b. Dates of entrance and departure.
 - c. License numbers of all mobile homes and towing or other automobiles.
 - d. States issuing such licenses.
 - e. Proposed stay in community.
 - f. Place of last location and length of stay.

(b) Community Plan.

1. Every mobile home or manufactured home community shall be located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other water. No mobile home or manufactured home community shall be located in any area that is situated so that drainage or other sources of filth can be deposited in its location.
2. Mobile home units shall be clearly defined, and the community shall be so arranged that all units shall abut on a public street for a distance of at least sixteen (16) feet. Such street shall be graveled or paved and maintained in good condition, having natural drainage, be well lighted at night and shall not be obstructed at any time.
3. The community shall be so laid out that no unit shall be located farther than two hundred (200) feet from a toilet and service building as required herein, and walkways to such building or buildings as required herein, shall be graveled or paved and well lighted at night.
4. No occupied mobile home in a manufactured home community shall be located less than ten (10) feet from any building or other mobile home unless of the same occupancy, or from the boundary line of the premises on which it is located.

(c) Management.

1. In every manufactured home community there shall be located the office of the person in charge of the said community. A copy of these regulations shall be posted therein, and the community register shall at all times be kept in said office.
2. It shall be the duty of the community owner, manager or operator together with any attendants or persons in charge of such communities to:
 - a. Keep a register of all occupants of mobile homes, to be open at all times to inspection by Federal, State and City officials.
 - b. Maintain the community in a clean, orderly and sanitary condition at all times.
 - c. Report to the Director of Public Health Madison and Dane County all cases of persons or animals affected or suspected of being affected with a communicable disease.

(d) Permit and Manufactured Home Community Approval.

1. Permit Required. No person, firm or corporation shall establish, maintain or operate any manufactured home community as defined in Wis. Stat. § 66.0435 within the City of Madison without receiving the approval of the Common Council and without having been granted a permit therefor. No Permit shall be issued or transferred unless all monthly parking fees attributable to the community from all preceding months have been fully paid as required by this section.
2. Application and Renewal. Applications for permit shall be filed with the City Clerk together with an annual permit fee according to the Fee Schedule but such permit shall not be issued by the Common Council until plans and specifications complying with the provisions of the General Ordinances of the City of Madison and the State Board of Health are submitted for approval. The Clerk, after approval of the application by the Common Council and upon completion of the work according to the plans, shall issue the permit. Renewal permits shall be obtained on or before June 30 of each year or be subject to a late filing fee of twenty-five percent (25%) of the permit fee.

Application for manufactured home community permit shall be in writing, signed by the applicant, and shall contain the following:

- a. The name and address of the applicant.
 - b. The location and legal description of the manufactured home community.
 - c. The complete plan of the community.
3. Fees
 - a. The fee for a Manufactured home community permit shall be established by the Board of Health and may be reestablished by the Board of Health as needed. The fee for a Manufactured home community permit established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
 4. Pre-inspection Fees.
 - a. Every permit applicant within this section who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
 - b. An applicant for a manufactured home community permit shall schedule a pre-inspection with Public Health Madison and Dane County after submitting their application and prior to Public Health Madison and Dane County or City Clerk issuing their permit.
 - c. The pre-inspection fee for a manufactured home community permit shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - d. Pre-inspection fee for a manufactured home community permit established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
 5. Reinspection Fees.

- a. If Public Health Madison and Dane County reinspects a manufactured home community regulated under Madison General Ordinance Chapter 7 because Public Health Madison and Dane County finds a violation of Madison General Ordinances, Public Health Madison and Dane County shall charge the establishment's permit holder a reinspection fee.
 - b. The reinspection fee for a permit shall be established by the Board of Health and may be reestablished by the Board of Health as needed.
 - c. The reinspection fee for a manufactured home community permit established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on Public Health Madison and Dane County's website.
 - d. The reinspection fee is payable when the reinspection is completed and is due upon written demand from Public Health Madison and Dane County.
6. The plan review fee for a Manufactured Home Community permit shall be established by the Board of Health and may be reestablished by the Board of Health as needed. The plan review fee for a Manufactured home community permit established by the Board of Health shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Public Health Madison and Dane County's website.
7. Public Health Madison and Dane County shall require an operator of a new, extensively remodeled or expansion of a manufactured home community to submit plans as requested. Public Health Madison and Dane County shall charge the establishment owner or operator of a manufactured home community the pre-inspection/plan review fees as set forth in the Public Health Madison and Dane County Fee Schedule.
8. Term of Permit. The term of the permit shall be from July 1 through the following June 30, except that a permit initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year and may be renewed annually thereafter by any permit holder, and after approval of the Common Council of the City of Madison and upon payment of the annual permit fee. Upon such renewal, the City Clerk shall issue a certificate renewing the permit for another year unless sooner revoked. The application for renewal shall be in writing signed by the applicant on forms furnished by the City of Madison. Renewal permits shall be obtained on or before June 30 of each year or be subject to a late filing fee of twenty-five percent (25%) of the filing fee. Payment of the late filing fee shall not relieve any person from any other penalties set forth in this section or in the ordinances for failure to possess or obtain a permit.
9. Transfer of Permit. Upon application for a transfer of permit, the City Clerk, after approval of the application by the Common Council, shall issue a transfer upon the payment of a ten dollar (\$10) fee.
10. In addition to the permit fee provided in this ordinance, there shall be collected from each occupied mobile home in the City a monthly parking permit fee as provided in Wis. Stats. § 66.0435 (3)(c) and (e) and as computed thereunder. The operator of a manufactured home community in the City shall furnish information to the City Clerk and City Assessor on

occupied mobile homes added to their community within five (5) days after their arrival, on forms prescribed by the State Department of Revenue. The manufactured home community operator shall collect such monthly parking permit fee from the mobile home owner and shall pay said fee to the City on or before the tenth (10th) of the month following the month for which such parking permit fee is due. Any person who fails to comply with the reporting requirements of this paragraph shall be subject to a forfeiture of not more than twenty-five dollars (\$25) for each violation. Each such failure shall constitute a separate offense.

11. Exemption certificates in duplicate shall be accepted by the City Treasurer from qualified nonresident tourists or vacationists in lieu of monthly mobile home permit fees. When one (1) or more persons occupying a mobile home are employed in this state, there shall be no exemption from the monthly parking permit fee. Every person claiming an exemption from the monthly parking permit fee provided for in Paragraph 6. of this subsection shall execute in duplicate a certificate setting forth the facts necessary to establish such claim. Such certificate shall be in a form approved by the City Treasurer and blank forms may be furnished to persons requesting them by the Treasurer.
12. A fee for operating without a permit shall be charged when any manufactured home community is found to be operating without a permit.

29. Paragraph 7. of Subdivision (a) of Subsection (5) entitled "Rental Agreement; Requirements" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "7. A disclosure as to whether the ~~mobile~~ manufactured home park community contains an emergency shelter and, if the park has an emergency shelter, the location of the emergency shelter and procedures for its use.

30. Subdivision (a) of Subsection (6) entitled "Rental Agreement Limitations" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(a) No ~~park~~ manufactured home community operator may restrict the type of material used for mobile home steps or the type of air conditioning equipment serving mobile homes in a ~~mobile~~ manufactured home park community, unless such restrictions are required by law, or are uniformly applied ~~mobile~~ manufactured home park community requirements made a condition of the tenant's original rental agreement. Any such restrictions, however, may not be instituted during the occupancy of an original tenant under the same, an amended, a renewed or a new rental agreement. ~~Notwithstanding~~ Notwithstanding the foregoing, if a tenant's mobile home steps are required by law to be replaced, the park operator may require that they be made to comply with current ~~park~~ manufactured home community standards."

31. Paragraph 7. of Subdivision (d) entitled "Tie-In Sales; Separate or Discriminatory Charges" of Subsection (6) entitled "Rental Agreement Limitations" of Section 9.23 entitled

“Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances is amended as follows:

- “7. Use a mobile home site to display a mobile home offered for sale, or rent a site to a mobile home dealer for purposes other than accommodation of a mobile home occupied as a residence, if the use or rental of the site results in there being no site in the ~~mobile~~ manufactured home park ~~community~~ available to a prospective tenant who does not purchase a mobile home from the operator or renting dealer.”

32. Subsection (8) entitled “Changes in Rental Terms or Park Rules” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances is amended as follows:

“(8) Changes in Rental Terms or ~~Park~~ Community Rules.”

33. Paragraph 1. of Subdivision (b) of Subsection (8) entitled “Changes in Rental Terms or Community Rules” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances is amended as follows:

- “1. Rules setting standards and requirements for skirting, weather-proofing or frost-proofing, and auxiliary buildings or sheds.”

34. Subdivision (e) of Subsection (9) entitled “Charges for Utility Services” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances is amended as follows:

- “(e) If a ~~mobile~~ manufactured home park ~~community~~ operator purchases water and sewer service and resells the service to the occupants of the ~~mobile~~ manufactured home park ~~community~~, the maximum allowable water and sewer bill to the average user within the ~~mobile~~ manufactured home park ~~community~~ may not exceed the lesser of the ~~mobile~~ manufactured home park ~~community~~ water and sewer bill, plus 30%, divided by the number of occupied lots within the park, or the retail rates of the local municipality's water and sewer operation applied to the average user.”

35. Subdivision (f) of Subsection (9) entitled “Charges for Utility Services” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances is amended as follows:

- “(f) A ~~mobile~~ manufactured home park ~~community~~ operator may establish water and sewer rates in excess of those set forth in Subdivision (e), if the operator has been granted permission by the Public Service Commission pursuant to PSC 186.31, or has been granted permission by any other state agency that regulates such water and sewer rates, as successor agency to the Public Service Commission.”

36. Subdivision (d) of Subsection (10) entitled "Restrictions on Choice of Vendors" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(d) Services involving the transportation of a ~~mobile~~ manufactured home ~~park~~ community or from a site within the mobile home park, if the operator can show that the person providing the service has damaged the park during a previous move and failed to compensate the operator for the damages."

37. Subdivision (e) of Subsection (10) entitled "Restrictions on Choice of Vendors" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(e) A nondiscriminatory prohibition against sales solicitations within the ~~mobile~~ manufactured home ~~park~~ community."

38. Subsection (11) entitled "Entrance and Exit Fees" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(11) Entrance And Exit Fees. No operator may charge an entrance fee or exit fee in return for allowing the movement of a mobile home into or out of a ~~mobile~~ manufactured home ~~park~~ community. This subsection does not apply to:
- (a) Periodic payments for the rental of a site, pursuant to the rental agreement.
 - (b) A security deposit not exceeding the amount of 3 months' rent or \$350, whichever is less.
 - (c) Material and labor costs incurred by the operator to move a tenant's mobile home into or out of the ~~mobile~~ manufactured home ~~park~~ community, to install the mobile home on a site or remove it from a site, or to connect or disconnect utility services. The amount of any charges, or the basis upon which charges are to be calculated, shall be clearly set forth in the rental agreement."

39. Subdivision (a) of Subsection (12) entitled "Sale of Mobile Home; Transfer of Tenancy" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(a) No operator may:
1. Require any tenant to designate the operator, or any person named by the operator, as agent for the sale of a tenant's mobile home, or unreasonably restrict the sale of a tenant's mobile home by the tenant or an agent of the tenant's own choosing.
 2. Solicit or receive any payment or other thing of value as a condition to the assignment or sublease of a rental agreement by a tenant, or as a condition to the transfer of tenancy to a buyer of the tenant's mobile home.
 3. Sell, for placement in a ~~mobile~~ manufactured home ~~park~~ community owned or operated by the operator, any mobile home purchased from a

tenant who was prohibited from selling the home directly for placement in the ~~mobile~~ manufactured home ~~park~~ community.

4. Refuse to rent a mobile home site to the purchaser of a tenant's mobile home except for a reason specified under Wis. Stat. § 710.15 (5m). This section does not prohibit the screening of prospective tenants by an operator.
5. Limit a tenant's ability to post, on the tenant's mobile home or on the site on which the mobile home is located, a "For Sale" sign or other advertisement announcing the tenant's offer to sell the tenant's mobile home if the limitation is not applied uniformly to every person, including the operator and any mobile home dealer, who sells or offers to sell a mobile home on site in the ~~mobile~~ manufactured home ~~park~~ community."

40. Subdivision (a) of Subsection (13) entitled "Termination of Tenancy" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

- "(a) Whenever an operator terminates any rental agreement or refuses, upon the expiration of a lease, to renew the lease or to enter into a new rental agreement, the operator shall provide the tenant with written notice setting forth the reason for such termination or refusal. Notices of termination shall comply with the requirements of ~~Madison General Ordinances~~ MGO Chapter 32, Wis. Stat. § 710.15 and ch. 704, as applicable. If the rental agreement does not comply with the requirements of s. ATCP 125.03 (1) ~~(intro.)~~ and (2), the operator shall comply with the notice requirements of Wis. Stat. § 704.17 (2), when terminating a tenancy, unless the ~~park~~ manufactured home community operator or tenant proves that other notice requirements under Wis. Stat. § 704.17 (1) or (3), are applicable."

41. Subsection (14) entitled "Prohibited Practices" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

"(14) Prohibited Practices.

No operator shall:

- (a) Make any false, deceptive, or misleading representation to induce a mobile home sale or site rental, or make any representation inconsistent with or contrary to the written rental agreement.
- (b) Impose any term or condition, any rule or regulation which the operator knows or reasonably ought to know is in conflict with this chapter or applicable law.
- (c) Require any tenant to make permanent improvements to the ~~mobile~~ manufactured home ~~park~~ community or any of its facilities, or assess any separate charge therefore.
- (d) Enter a tenant's mobile home without the tenant's permission and reasonable notice to the tenant, as provided in MGO Sec. 32.05 (1)(d), (e) and (f), ~~MGO~~. This does not prohibit the operator from entering a tenant's mobile home if the tenant cannot be contacted and the operator reasonably believes that entry is

necessary because of emergency, or to preserve and protect the mobile home or park community.

42. Subsection (15) of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

"(15) As a condition of the City license permit issued under Section 9.23, Madison General Ordinances, if a park community owner elects to cease the operation of either all or a portion of the ~~mobile~~ manufactured home park community, the tenants shall be entitled to at least 180 days' notice of such sale or ceasing of operations or 15 days' notice of listing the park community for sale with a broker, as provided in Subsection (16). If 180 days or more remain on the existing lease at the time of notice, the tenant is entitled to the balance of the term of their lease up to the date of the ceasing of operations. If less than 180 days remain in the term of their lease, the tenant is entitled to the balance of their lease plus a written month-to-month tenancy and rent must remain at the expiring lease rate to provide them with a full 180 days' notice."

43. Subsection (16) of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

(16) As a condition of the City license permit issued under Section 9.23 Madison General Ordinances, the residents in a ~~mobile~~ manufactured home park community have the right to organize a resident or homeowner's association to further their mutual interest and to conduct any other business and programs which the association shall determine. Park Community residents have the right to peacefully assemble and freely associate. Subject to reasonable notice and Park Community facility rules, an association shall have the right to use the facilities of the Park Community to conduct its business and programs including forums for or speeches by public officials or candidates for public office. When an association is organized it shall notify the park community owner.

(a) A Park Community resident association formed for the purpose of purchasing a Park Community may give written notification to the park community owner of the association's interest in purchasing the community.

(b) For the purpose of notification, the Park Community resident association shall provide the names and addresses of up to three (3) designated members or officers of their Park Community association to the park community owner annually.

(c) A Park Community resident association that has notified the park community owner of its interest to purchase the Park Community may request in writing that it be notified by the park community owner of the park community owner's intent to sell the park community, or if the owner or agent of the owner enters into a listing agreement with a licensed real estate broker to affect the sale of all or part of the community. The park community owner shall provide such notification to all members designated under subsection (b) of this section 180 days prior entering into a sale agreement to sell the park community or within ~~fifteen (15)~~ twenty-five (25) days of the park community owner entering into a listing agreement with a real estate broker. The notice shall state the price, terms and conditions of the proposed sale and that the Park Community resident association shall have the opportunity to make a competing offer within 90 days. If the Park Community resident association acting on their behalf makes an offer during the 90-day

period, the ~~park~~ community owner shall consider it and negotiate with them in good faith.

(d) This section shall not apply to any of the following:

1. A governmental entity taking by eminent domain;
2. A forced sale pursuant to foreclosure or a deed given in lieu of foreclosure;
3. Transfer by gift, devise or operation of law;
4. A transfer by a corporation or limited liability company to an affiliate;
5. A transfer by a partnership to one (1) or more of its partners;
6. A sale or transfer to a person who would be an heir, or to a trust the beneficiaries of which would be heirs, of the ~~Park~~ Community owner if the ~~Park~~ Community owner were to die intestate

44. Subsection (17) of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

"(17) As a condition of the City ~~license permit~~ issued under Section 9.23 Madison General Ordinances, if a ~~park community~~ owner converts a ~~mobile manufactured home park community~~ to a subdivision, the ~~mobile manufactured home park community~~ tenant shall be given the opportunity to buy a space and keep their home in the new subdivision by the ~~park community~~ owner offering the ~~mobile manufactured home park community~~ tenant a 180 day option to buy the space."

45. Subsection (18) of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

"(18) As a condition of the City ~~license permit~~ issued under Section 9.23 Madison General Ordinance, the owner of a ~~mobile manufactured home park licensed community with a permit~~ under Section 9.23 of MGO shall give a mobile home tenant at least 180 days to move a mobile home out of the ~~park community~~, so long as the ~~mobile manufactured home park community~~ tenant pays the owner a monthly storage fee equal to the monthly rent in force at the time the mobile home tenant gives notice of moving the mobile home out of the ~~park community~~."

46. Subsection (19) of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

"(19) The Madison City Clerk and the Director of the Department of Planning, Community & Economic Development shall each designate an employee in their respective agency to be responsible for ~~mobile manufactured home park community~~ issues related to licensing and enforcement of Section 9.23 Madison General Ordinances."

47. Subsection (22) entitled "Applicability of Chapter 32" of Section 9.23 entitled "Regulations of Mobile Homes and Manufactured Home Communities" of the Madison General Ordinances is amended as follows:

“(22) Applicability of Chapter 32. The provisions of Chapter 32, MGO, are applicable to ~~mobile~~ manufactured home park community owners and tenants, to the extent that they are not in conflict with this Chapter, ATCP 125 or Wis. Stat. § 710.15.”

EDITOR’S NOTES:

Subsection (10) entitled “Reinspection Fee” Section 7.07 entitled “Regulations Regarding Foods Handled by Public Places” of the Madison General Ordinances currently reads as follows:

“(10) Reinspection Fee. If Public Health Madison and Dane County reinspects a retail food establishment or restaurant because Public Health Madison and Dane County finds a violation of this Chapter, Public Health Madison and Dane County shall charge the retail food establishment or restaurant owner or operator a reinspection fee. The reinspection fee for the food and drink permit shall be based upon the anticipated gross annual food and drink sales for the licensing year as set forth in the tables below. A reinspection fee is payable when the reinspection is completed, and is due upon written demand from Public Health Madison and Dane County.”

Anticipated Gross Annual Food and Drink Sales	Annual Permit Fee	Subsequent Reinspection Fee
\$0 - \$10,000	\$25	\$50
\$10,001 - \$100,000	\$50	\$75
\$100,001 - \$250,000	\$75	\$150
\$250,001 - \$500,000	\$150	\$250
\$500,001 - \$1,000,000	\$250	\$500
\$1,000,001 - \$5,000,000	\$500	\$750
Greater than \$5,000,000	\$750	\$1,000

Subsection (11) entitled “Permit Contingent on Payment of Fees” of Section 7.07 entitled “Regulations Regarding Foods Handled by Public Places” of the Madison General Ordinances currently reads as follows:

“(11) Permit Contingent on Payment of Fees. The City Clerk may not issue or renew a food and drink permit unless the permit applicant pays all fees which are due and payable under this section.”

Subsection (6) entitled “Licensing and Fees” of Section 7.15 entitled “Regulation of Tattooing and Body Piercing” of the Madison General Ordinances currently reads as follows:

“(6) Licensing and Fees.
 (a) Requirement.

1. Establishment. No person may operate a tattoo or body-piercing establishment or combination thereof on an annual or temporary basis unless the person has obtained a license and paid fees as specified in this section.
 2. Practitioner. No person may tattoo or body pierce another person within the City unless the person has obtained a license and paid fees as specified in Wis. Admin. Code ch. SPS 221.
- (b) Licensing. Application for licensing shall be made thirty (30) days prior to issuance. The licensing year shall be from July 1 through the following June 30, except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. The license fee herein established shall be for one year or a fractional part thereof, except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of 15% of the filing fee. Payment of the late filing fee shall not relieve any person from any other penalties set forth in this section or in the ordinances for failure to possess or obtain a license.
- (c) Temporary Licensing. At special events every area shall be considered a temporary establishment and must be licensed as such before the onset of the event. Every practitioner must possess a current and valid State of Wisconsin practitioner license issued by the State of Wisconsin before the practitioner can operate at a special event. An application for a temporary license shall be submitted to the City Clerk's office thirty (30) days prior to the special event to allow for processing.
- (d) Reinspection Fees. If the Department reinspects a tattoo and body-piercing establishment because the Department finds a violation of this chapter, the Department shall charge the establishment owner or operator a reinspection fee of one hundred and fifty dollars (\$150) for the first reinspection and two hundred and fifty dollars (\$250) for the second and subsequent reinspections. A reinspection fee is payable when the reinspection is completed, and is due upon written demand from the Department.
- (e) Fees.
1. Annual establishment fees shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for permits required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Department's website. Pre-inspection and Reinspection fees shall be as follows:
 - a. Pre-inspection, one-time only, \$250.
 - b. First Reinspection Fee, \$150.
 - c. Subsequent Reinspection Fee, \$250.
 2. Temporary establishment fees shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for permits required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule,

which shall be publicly available at the City Clerk's Office and posted on the Department's website.”

Section 7.50 entitled “Pre-Inspection Permits and Fees and Changes of Ownership and Reinspection Fees” of the Madison General Ordinances currently reads as follows:

“7.50 PRE-INSPECTION PERMITS AND FEES AND CHANGES OF OWNERSHIP AND REINSPECTION FEES.

- (1) **Requirement.** Before opening for business, every operator of an enterprise requiring: a food and drink permit; micro market, a hotel, motel, tourist rooming house, bed and breakfast establishment permit; a public swimming pool permit; or a recreational, educational camp or campground permit, shall obtain a permit from Public Health Madison and Dane County through application made upon a form furnished by the Department. A permit or license shall not be granted to an operator without a pre-inspection. The permit or license shall be conspicuously displayed in or near the licensed facility.
- (2) **Change of Ownership.** Every operator of an enterprise requiring a food and drink permit, a hotel or tourist rooming house or a swimming pool shall promptly notify Public Health Madison and Dane County in writing of their intention to cease operations and shall also supply the Department with the names and post office addresses of any prospective new operators.
- (3) **Requested Inspections.** Any operator or prospective operator of an enterprise requiring a food and drink permit or a hotel or tourist rooming house license or a swimming pool license, who requests an inspection shall pay the pre-inspection fee herein set forth before said inspection.
- (4) **Pre-Inspection Fees.** Pursuant to authority set forth in Wis. Stat. § 97.615, the pre-inspection fee for a food and drink permit shall be based upon the anticipated gross annual food and drink sales for the licensing year as set forth in the tables below. Food and drink establishments that are primarily retail or taverns that do not serve food and do not engage in food processing, the pre-inspection fee shall be one hundred dollars (\$100) for each pre-inspection. Micro markets are exempt from pre-inspection fees.

Anticipated Gross Annual Food and Drink Sales	Annual Permit Fee
\$0 - \$10,000	\$375
\$10,001 - \$100,000	\$400
\$100,001 - \$250,000	\$450
\$250,001 - \$500,000	\$500
\$500,001 - \$1,000,000	\$600
\$1,000,001 - \$5,000,000	\$700
Greater than \$5,000,000	\$800

The pre-inspection fee for a hotel, motel, tourist rooming house, bed and breakfast establishment permit; a public swimming pool permit; or a recreational, educational camp or campground permit shall be three hundred seventy-five dollars (\$375) for each inspection. A separate pre-inspection fee shall be paid for each category of permit or license.

- (5) **Inspection Fees.** Public Health Madison and Dane County may charge a State of Wisconsin licensed operator or entity an inspection fee of twenty five dollars (\$25) per day.

- (6) Re-Inspection Fees. If Public Health Madison and Dane County re-inspects an establishment regulated under Madison General Ordinance Chapter 7 because Public Health Madison and Dane County finds a violation of this Chapter, Public Health Madison and Dane County shall charge the establishment owner or operator a re-inspection fee. The fees for the first re-inspection and second and subsequent re-inspections for a food and drink permit shall be based upon the anticipated gross annual food and drink sales for the licensing year as set forth in the tables below. A re-inspection fee is payable when the re-inspection is completed, and due upon written demand from Public Health Madison and Dane County.

Anticipated Gross Annual Food and Drink Sales	Annual Permit Fee	Second and Subsequent Reinspection Fee
\$0 - \$10,000	\$25	\$50
\$10,001 - \$100,000	\$50	\$75
\$100,001 - \$250,000	\$75	\$150
\$250,001 - \$500,000	\$150	\$250
\$500,001 - \$1,000,000	\$250	\$500
\$1,000,001 - \$5,000,000	\$500	\$750
Greater than \$5,000,000	\$750	\$1,000

The reinspection fee for a hotel, motel, tourist rooming house, bed and breakfast establishment permit; a public swimming pool permit; or a recreational educational camp, or campground permit shall be one hundred fifty dollars (\$150) for the first reinspection and two hundred fifty dollars (\$250) for second and subsequent reinspections. There is no reinspection fee for micro markets. A separate pre-inspection fee shall be paid for each category of permit or license.

- (7) Plan Review Requirement and Fee. Public Health Madison and Dane County shall require an operator of a new or extensively remodeled food establishment to submit equipment layout plans, equipment schedules, detailed descriptions of food processing operations, and menus for review as requested. Public Health Madison and Dane County shall charge the establishment owner or operator of a new food establishment the pre-inspection fee based upon the anticipated gross annual food and drink sales for the licensing year as set forth in Sec. 7.50(4), MGO. The plan review fee for a new hotel, motel, tourist rooming house, bed and breakfast establishment permit; a public swimming pool permit or a recreational, educational camp or campground permit shall be three hundred seventy-five dollars (\$375) or two hundred and fifty dollars (\$250) for an existing establishment that will be extensively remodeled.
- (8) Fees for Special Conditions Inspections. Public Health Madison and Dane County may charge for an inspection or consultation services that are not directly related to Public Health Madison and Dane County's permitting and licensing responsibilities. Public Health Madison and Dane County may charge the operator or entity requesting the inspection or consultation a fee of two hundred and fifty dollars (\$250).
- (9) Fees for Hazard Analysis and Critical Control Point (HACCP) Plan Review. Public Health Madison and Dane County may charge a fee of one hundred dollars (\$100) for an HACCP plan review and subsequent annual verification to the operator or entity required by law to submit an HACCP plan for approval. A separate HACCP plan review fee shall be paid for each HACCP plan."

Section 7.51 entitled "Hotels, Motels, Bed and Breakfast Establishments and Tourist Rooming Houses" of the Madison General Ordinances currently reads as follows:

“7.51 HOTELS, MOTELS, BED AND BREAKFAST ESTABLISHMENTS AND TOURIST ROOMING HOUSES.

- “(1) Adoption by Reference. Wis. Admin. Code chs. ATP 72 and 73 and subsequent amendments, additions and recodifications, are adopted by reference except for those provisions found elsewhere in the Madison General Ordinances which impose stricter standards, in which case the said ordinance provisions shall prevail.
- (2) Definitions.
- Department. Whenever the term "department" is used in the aforesaid Wisconsin Administrative Code, it shall be construed to mean Public Health Madison and Dane County unless the context clearly demonstrates otherwise.
- Bed and Breakfast Establishments means any place of temporary lodging that provides eight (8) or fewer rooms for rent to no more than a total of twenty (20) tourists or other transients for a length of stay not to exceed twenty-one (21) consecutive days, is the owner's principal residence, is occupied by the owner at the time of rental and while renters are on the premises, and in which the only meal served is breakfast.
- (3) Fees. The annual fee for Hotels, Motels, Tourist Rooming Houses and Bed and Breakfast Establishments shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. City fees for permits required by Madison General Ordinances Chapter 7 shall be published in the Public Health Madison and Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Department's website. The licensing year shall be from July 1 through the following June 30. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of fifteen percent (15%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.
- (4) Fees are established pursuant to authority found in Wis. Stat. § 254.69.”

Subdivision (c) of Subsection (2) entitled “Fire Extinguishers ” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances currently reads as follows:

- “(c) The storing and use of fuel oil and the heating installations used in connection therewith in occupied mobile homes shall be as approved by the Madison Fire Department, and comply with provisions of Chapter 20 (Oil Burning Equipment and Storage of Fuel Oils) of the General Ordinances of the City of Madison.”

Subsection (4) entitled “Regulations for Mobile Home Parks” of Section 9.23 entitled “Regulations of Mobile Homes and Manufactured Home Communities” of the Madison General Ordinances currently reads as follows:

- (4) Regulations for Mobile Home Parks.
- (a) Registration.
1. Any occupant of any mobile home located at an approved mobile home park must register with the owner, manager or operator of a park.
 2. The registration shall include the following:

- a. Names and addresses.
 - b. Dates of entrance and departure.
 - c. License numbers of all mobile homes and towing or other automobiles.
 - d. States issuing such licenses.
 - e. Proposed stay in park.
 - f. Place of last location and length of stay.
- (b) Park Plan.
 1. Every mobile home or mobile home park shall be located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other water. No mobile home or mobile home park shall be located in any area that is situated so that drainage or other sources of filth can be deposited in its location.
 2. Mobile home units shall be clearly defined, and the park shall be so arranged that all units shall abut on a public street for a distance of at least sixteen (16) feet. Such street shall be graveled or paved and maintained in good condition, having natural drainage, be well lighted at night and shall not be obstructed at any time.
 3. The park shall be so laid out that no unit shall be located farther than two hundred (200) feet from a toilet and service building as required herein, and walkways to such building or buildings as required herein, shall be graveled or paved and well lighted at night.
 4. No occupied mobile home in a mobile home park shall be located less than ten (10) feet from any building or other mobile home unless of the same occupancy, or from the boundary line of the premises on which it is located.
- (c) Management.
 1. In every mobile home park there shall be located the office of the person in charge of the said park. A copy of these regulations shall be posted therein, and the park register shall at all times be kept in said office.
 2. It shall be the duty of the park owner, manager or operator together with any attendants or persons in charge of such parks to:
 - a. Keep a register of all occupants of mobile homes, to be open at all times to inspection by Federal, State and City officials.
 - b. Maintain the park in a clean, orderly and sanitary condition at all times.
 - c. Report to the Director of Public Health Madison and Dane County all cases of persons or animals affected or suspected of being affected with a communicable disease. \
- (d) License and Mobile Home Park Approval.
 1. License Required. No person, firm or corporation shall establish, maintain or operate any mobile home park as defined in Wis. Stat. § 66.0435 within the City of Madison without receiving the approval of the Common Council and without having been granted a license therefor. No license shall be issued or transferred unless all monthly parking fees attributable to the park from all preceding months have been fully paid as required by this section.

2. Application. Application for mobile home park license shall be in writing, signed by the applicant, and shall contain the following:
 - a. The name and address of the applicant.
 - b. The location and legal description of the mobile home park.
 - c. The complete plan of the park.
3. License Fee. Mobile home park license fees shall be established by the Board of Health in an amount sufficient to recover the costs incurred by the City and may be reestablished by the Board of Health as needed. License fees shall be published in the Public Health Madison & Dane County Fee Schedule, which shall be publicly available at the City Clerk's Office and posted on the Department's website. Applications for licenses shall be filed with the City Clerk together with an annual license fee according to the Fee Schedule but such license shall not be issued by the Common Council until plans and specifications complying with the provisions of the General Ordinances of the City of Madison and the State Board of Health are submitted for approval. The Clerk, after approval of the application by the Common Council and upon completion of the work according to the plans, shall issue the license. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of fifteen percent (15%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license. Pre-inspection and Reinspection fees shall be as follows:
 - a. Pre-inspection, one-time only, \$375.
 - b. First Reinspection Fee, \$150.
 - c. Subsequent Reinspection Fee, \$250.
4. Term of License. The term of the license shall be from July 1 through the following June 30, except that a license initially issued during the period beginning on April 1 and ending on June 30 expires on June 30 of the following year and may be renewed annually thereafter by any licensee, and after approval of the Common Council of the City of Madison and upon payment of the annual license fee. Upon such renewal, the City Clerk shall issue a certificate renewing the license for another year unless sooner revoked. The application for renewal shall be in writing signed by the applicant on forms furnished by the City of Madison. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of fifteen percent (15%) of the filing fee. Payment of the late filing fee shall not relieve any person from any other penalties set forth in this section or in the ordinances for failure to possess or obtain a license. (Am. by ORD-22-00125, 12-15-22)
5. Transfer of License. Upon application for a transfer of license, the City Clerk, after approval of the application by the Common Council, shall issue a transfer upon the payment of a ten dollar (\$10) fee.
6. In addition to the license fee provided in Paragraphs 2. and 4., there shall be collected from each occupied mobile home in the City a monthly parking permit fee as provided in Wis. Stats. § 66.0435 (3)(c) and (e) and as computed thereunder. The operator of a mobile home park in the City shall furnish information to the City Clerk and City Assessor on occupied mobile homes added to his/her park within five (5) days after their arrival, on forms prescribed by the State Department of Revenue. The mobile

home park operator shall collect such monthly parking permit fee from the mobile home owner and shall pay said fee to the City on or before the tenth (10th) of the month following the month for which such parking permit fee is due.

Any person who fails to comply with the reporting requirements of this paragraph shall be subject to a forfeiture of not more than twenty-five dollars (\$25) for each violation. Each such failure shall constitute a separate offense.

7. Exemption certificates in duplicate shall be accepted by the City Treasurer from qualified nonresident tourists or vacationists in lieu of monthly mobile home permit fees. When one (1) or more persons occupying a mobile home are employed in this state, there shall be no exemption from the monthly parking permit fee. Every person claiming an exemption from the monthly parking permit fee provided for in Paragraph 6. of this subsection shall execute in duplicate a certificate setting forth the facts necessary to establish such claim. Such certificate shall be in a form approved by the City Treasurer and blank forms may be furnished to persons requesting them by the Treasurer.



City of Madison

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

Master

File Number: 85736

File ID: 85736

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/16/2024

File Name: Accepting street and terrace improvements
constructed by Private Contract for 202-206 North
Brooks Street PUD, Private Contract No. 2303

Final Action:

Title: Accepting street and terrace improvements constructed by Private Contract for
202-206 North Brooks Street PUD, Private Contract No. 2303 (District 8).

Notes: Amy Kemp

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/16/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85736

Fiscal Note

No City Funds required. Private contract.

Title

Accepting street and terrace improvements constructed by Private Contract for 202-206 North
Brooks Street PUD, Private Contract No. 2303 (District 8).

Body

WHEREAS, Brooks Dayton, LLC, has satisfactorily completed the installation of terrace
improvements by private contract, in accordance with the City of Madison Standard

Specifications for Public Works Construction, in: 202-206 N. Brooks Street PUD.

NOW, THEREFORE, BE IT RESOLVED

That said terrace improvements adjacent to 202-206 N. Brooks Street PUD are hereby accepted.



City of Madison

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

Master

File Number: 85738

File ID: 85738

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/16/2024

File Name: Report of Engineering of Non-Bid Contract for Police
Training Photovoltaic Pole Foundations Installation.

Final Action:

Title: Report of Engineering of Non-Bid Contract for Police Training Photovoltaic Pole
Foundations Installation (District 16).

Notes: William McMahon

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: Report to Council of Non Bid Construction
(98648).pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/16/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85738

Fiscal Note

No appropriation required.

Title

Report of Engineering of Non-Bid Contract for Police Training Photovoltaic Pole Foundations
Installation (District 16).

.Body

The attached report has been prepared by City Engineering pursuant to the requirements of
Wis.Stat.Sec 62.15(14) and MGO Sec. 33.07(6)(b).



City of Madison

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

Master

File Number: 85738

Report to Council of Non-Bid Public Works Construction Project Completed Using City Staff

Project: 98648

Date: 2/15/2024

Agency: Engineering

Final Cost: \$39,451.80

Background

Click or tap here to enter text.

This report is intended to inform the Mayor and Common Council and to satisfy the requirements of Wisconsin Statute 62.15(14).

Scope of Work

Installation of foundations, poles, and conduit for solar photovoltaic system at Madison Police Department Training Center at 5702 Femrite Dr.

Recycling and Waste Disposal

Not Applicable.

Cost Detail

Final project cost was \$39,451.80. Line items costs are provided below.

ITEM	COST
Wages and Benefits	\$ 25,112.92
Equipment	\$ 10,248.29
Purchased Services	\$ -
Materials and Supplies	\$ 4,090.59
Other:	
TOTAL	\$ 39,451.80



City of Madison

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

Master

File Number: 85764

File ID: 85764

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/18/2024

File Name: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Pressure Zone 4 Interstate Crossing.

Final Action:

Title: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Pressure Zone 4 Interstate Crossing (District 16).

Notes: Ryan Newman

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 15165 - BPW Exhibit (002).pdf, Madison Water Utility I-90 Project Area.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/18/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85764

Fiscal Note

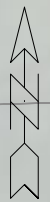
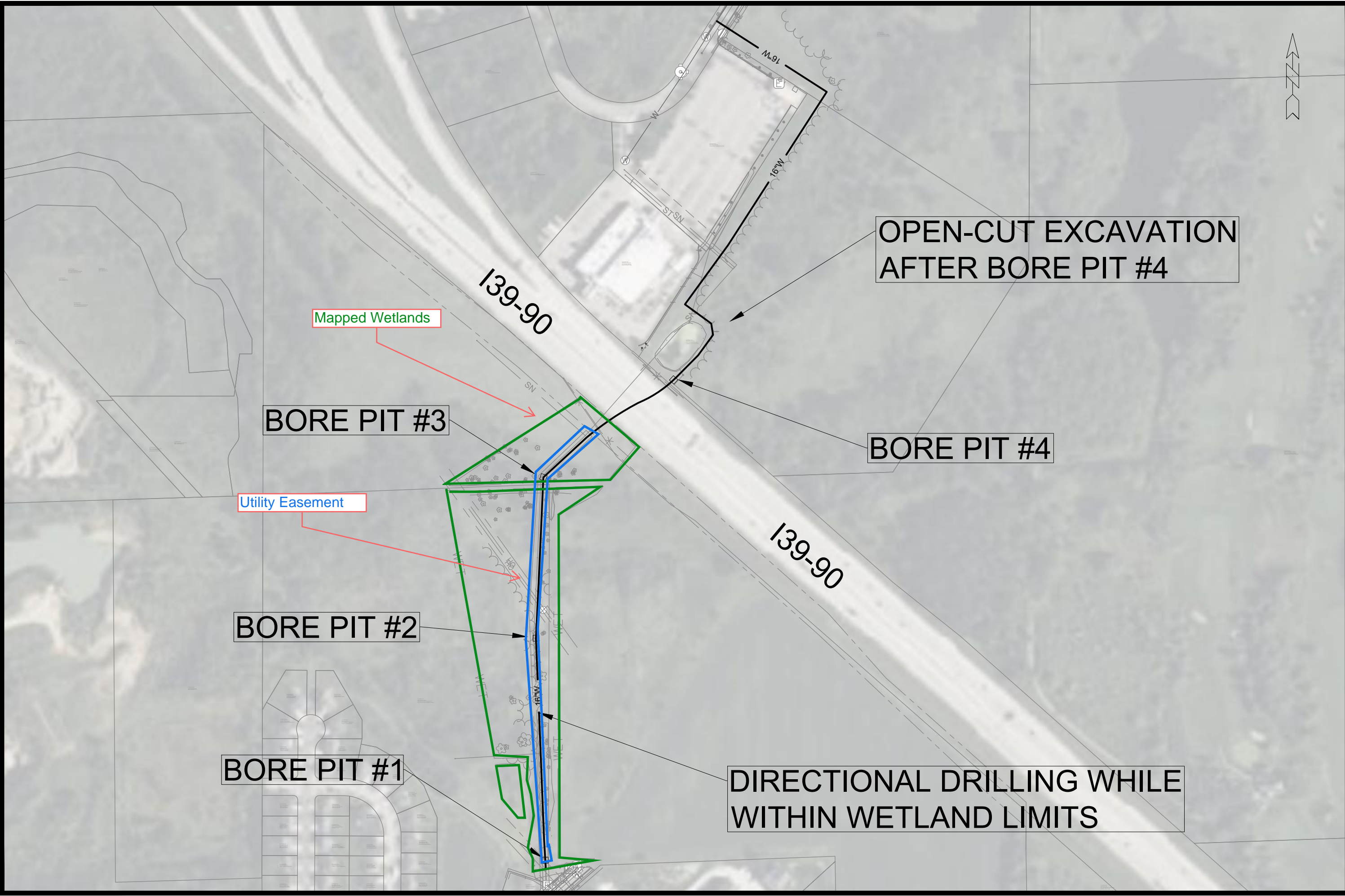
The proposed resolution approves plans and specifications and authorizes the Board of Public Works to advertise and receive bids for Pressure Zone 4 Interstate Crossing. The total estimated cost of the project is \$2,000,000. County Sources funding for the project will be made available in the year-end resolution pursuant to an inter-governmental agreement between the City of Madison and Dane County passed via RES-24-00215 (Legistar #82309). Bidding for the project will occur after the City allocates funds in the year-end resolution.


Title

Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Pressure Zone 4 Interstate Crossing (District 16).

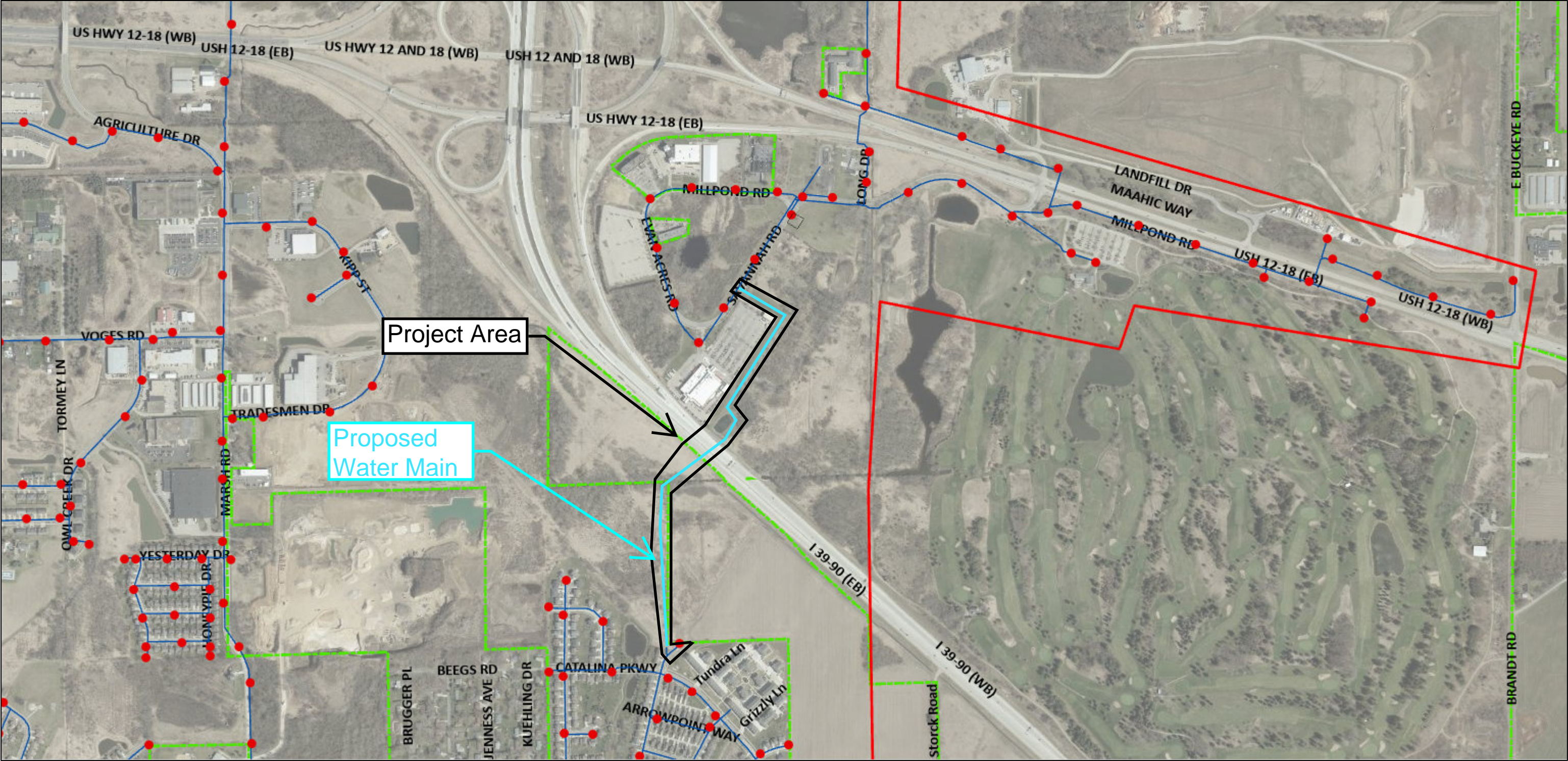
Body

- 1) That the plans and specifications for Pressure Zone 4 Interstate Crossing, be and are hereby approved.
- 2) That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.
- 3) That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.



	15165		15165	
	W-1			
OPTION 1 DIRECTIONAL DRILL OVERVIEW		MADISON, WI		
PRESSURE ZONE 4 INTERSTATE CROSSING		CONTRACT NO: #####		
M:\DESIGN\Projects\15165\CAD\Water\15165WU - Exhibits.dwg		V 119		
Designed By: RJN		Date: 10/1/2024 12:53 PM		
REVISION		DATE		
BY		BY		

Madison Water Utility I-90 Crossing Exhibit



10/24/2024, 2:01:17 PM

- Structure

Property

Site

Pressure Zone

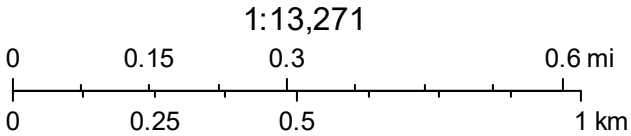
4" HYDRANT
- 5" HYDRANT

Water Main

Water Main (Private)

Madison City Boundary

Street Labels





City of Madison

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

Master

File Number: 85777

File ID: 85777

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/21/2024

File Name: Declaring the City of Madison's Evergreen Avenue,
Ohio Avenue, and Sommers Avenue Assessment
District - 2025

Final Action:

Title: Declaring the City of Madison's Evergreen Avenue, Ohio Avenue, and Sommers
Avenue Assessment District - 2025 (District 15).

Notes: Andrew Zwieg

Sponsors: Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/22/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85777

Fiscal Note

No City funds required.

Title

Declaring the City of Madison's Evergreen Avenue, Ohio Avenue, and Sommers Avenue
Assessment District - 2025 (District 15).

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district known as the Evergreen Avenue, Ohio Avenue, and Sommers Avenue Assessment District - 2025, serving Evergreen Avenue from Center Avenue to Atwood Avenue, Ohio Avenue from Center Avenue to Atwood Avenue, and Sommers Avenue from Dunning Avenue to Hudson Avenue 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 the sanitary sewer main and laterals, partial water main, storm sewer main and laterals, base course, curb and gutter, driveway aprons, asphalt pavement, pavement marking, signs, as well as improve pedestrian crossings, and spot replace sidewalk as needed along Evergreen Avenue from Center Avenue to Atwood Avenue, Ohio Avenue from Center Avenue to Atwood Avenue, and Sommers Avenue from Dunning Avenue to Hudson Avenue.
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: 85780

File ID: 85780

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/22/2024

File Name: Authorizing the Mayor and the City Clerk to execute Amendment No. 5 to the existing Purchase of Services contract between the City of Madison and Tetra Tech, Inc. for engineering services for the East Isthmus and Yahara River Watershed Study

Final Action:

Title: Authorizing the Mayor and the City Clerk to execute Amendment No. 5 to the existing Purchase of Services contract between the City of Madison and Tetra Tech, Inc. for engineering services for the East Isthmus and Yahara River Watershed Study (District 2, District 4, District 6, District 12, and District 15).

Notes: Ryan Stenjem

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: East Isthmus 8910amendment 5 extension-REV.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/22/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85780

Fiscal Note

The proposed resolutions authorizes a 5th amendment to the existing contract (#8910) between the City of Madison and Tetra Tech, Inc. for engineering services for the East Isthmus and Yahara River Watershed Study. The proposed amendment extends the contract period to

September 30, 2025 from December 31, 2024 and does not change the total contract dollar amount. No additional appropriation is required.

Title

Authorizing the Mayor and the City Clerk to execute Amendment No. 5 to the existing Purchase of Services contract between the City of Madison and Tetra Tech, Inc. for engineering services for the East Isthmus and Yahara River Watershed Study (District 2, District 4, District 6, District 12, and District 15).

Body

The City of Madison Engineering Division is conducting watershed and flood studies as a result of extreme rain events over the past several years. The City entered into an agreement with Tetra Tech, Inc. for engineering services related to flooding evaluation in the East Isthmus and Yahara River watershed (RES-20-00352) and the previous authorized amendments (RES-21-00699, RES-22-00429, RES-22-00734, RES-23-00626). The proposed amendment extends the contract period to September 30, 2025.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an Amendment 5 to the contract between the City of Madison and Tetra Tech, Inc. for to extend the contract term for East Isthmus and Yahara River Watershed Study.



City of Madison

AMENDMENT #5

RENEWAL OR EXTENSION

of the Contract for Purchase of Services (Contract 8910)

between the City of Madison and Tetra Tech, Inc.

The City of Madison and Contractor listed above agree to renew or extend as applicable, the Contract for Purchase of Services executed by the City on 6/9/2020 and as amended on 11/23/21, 8/18/22, 12/6/22, and 11/2/23 ("Original Contract"), as follows:

1. Exercise the option to:

☐ Renew the Original Contract as set forth in section 4, Term, by:

- ☐ exercising the 1st renewal period
- ☐ exercising the 2nd renewal period
- ☐ exercising the 3rd renewal period
- ☐ Renewing for a period of: _____

☒ Extend the term of the Original Contract to: September 30, 2025

2. All other provisions of the Original Contract shall remain unchanged and in full force and effect.

3. **COUNTERPARTS, ELECTRONIC SIGNATURE AND DELIVERY.**

This Contract may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Contract may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Contract 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 Contract 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 Contract, fully executed, shall be as valid as an original.

[Signature Page Follows]

The person signing on behalf of the Contractor represents and warrants that he or she has been duly authorized to bind the Contractor and sign this amendment on the Contractor's behalf.

CONTRACTOR:

Tetra Tech, Inc.
(Type or Print Name of Contracting Entity)

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.

NOTE: Certain service contracts may be executed by the designee of the Finance Director on behalf of the City of Madison:

By: _____
Mary Richards, Procurement Supervisor

Date: _____

MGO 4.26(3) and (5) authorize the Finance Director or designee to sign purchase of service contracts when all of the following apply:

- (a) The funds are included in the approved City budget.
- (b) An RFP or competitive process was used, or the Contract is exempt from competitive bidding under 4.26(4)(a).
- (c) The City Attorney has approved the form of the Contract.
- (d) The Contract complies with other laws, resolutions and ordinances.
- (e) The Contract is for a period of 1 year or less, OR not more than 5 years AND the average cost is not more than \$100,000 per year, AND was subject to competitive bidding. (If over \$50,000 and exempt from bidding under 4.26(4)(a), regardless of duration of the Contract, the Common Council must authorize the Contract by resolution and the Mayor and City Clerk must sign, per 4.26(5)(b).)

Emergency Service contracts may also be signed by the designee of the Finance Director if the requirements of MGO 4.26(3)(c) are met.

For City Use Only: SIGNATURE INSTRUCTIONS FOR CONTRACT TO BE SIGNED BY FINANCE (PURCHASING):

Obtain contractor's signature first. Attach the contractor-signed contract with all attachments/exhibits and the certificate of insurance to the requisition in MUNIS.



City of Madison

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

Master

File Number: 85781

File ID: 85781

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/22/2024

File Name: Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Door Creek Watershed Study.

Final Action:

Title: Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Door Creek Watershed Study (District 3 and District 16).

Notes: Ryan Stenjem

Sponsors: Derek Field

Effective Date:

Attachments: Door Creek 9154amendment 2 extension-REV.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/22/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85781

Fiscal Note

The proposed amendment only extends the contract period and does not change the total contract dollar amount. No additional appropriation is required.

Title

Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Door Creek Watershed Study (District 3 and District 16).

Body

The City of Madison Engineering Division is conducting watershed and flood studies as a result of extreme rain events over the past several years. The City entered into an agreement with Brown and Caldwell for engineering services related to flooding evaluation in the Door Creek Watershed Study (RES-22-00336) and the previous authorized amendment (RES-22-00733). This proposed amendment extends the contract period to June 30, 2025.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute and Amendment 2 to the contract between the City of Madison and Brown and Caldwell to extend the contract period for the Door Creek Watershed Study.



AMENDMENT #2
RENEWAL OR EXTENSION
of the Contract for Purchase of Services (Contract 9154)
between the City of Madison and Brown and Caldwell

The City of Madison and Contractor listed above agree to renew or extend as applicable, the Contract for Purchase of Services executed by the City on 6/1/22 and as amended on 11/11/22 ("Original Contract"), as follows:

1. Exercise the option to:

- ☐ Renew the Original Contract as set forth in section 4, Term, by:
 - ☐ exercising the 1st renewal period
 - ☐ exercising the 2nd renewal period
 - ☐ exercising the 3rd renewal period
 - ☐ Renewing for a period of: _____

☒ Extend the term of the Original Contract to: June 30, 2025

2. All other provisions of the Original Contract shall remain unchanged and in full force and effect.

3. **COUNTERPARTS, ELECTRONIC SIGNATURE AND DELIVERY.**

This Contract may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Contract may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Contract 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 Contract 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 Contract, fully executed, shall be as valid as an original.

[Signature Page Follows]

The person signing on behalf of the Contractor represents and warrants that he or she has been duly authorized to bind the Contractor and sign this amendment on the Contractor's behalf.

CONTRACTOR:

(Type or Print Name of Contracting Entity)

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.

NOTE: Certain service contracts may be executed by the designee of the Finance Director on behalf of the City of Madison:

By: _____
Mary Richards, Procurement Supervisor

Date: _____

MGO 4.26(3) and (5) authorize the Finance Director or designee to sign purchase of service contracts when all of the following apply:

- (a) The funds are included in the approved City budget.
- (b) An RFP or competitive process was used, or the Contract is exempt from competitive bidding under 4.26(4)(a).
- (c) The City Attorney has approved the form of the Contract.
- (d) The Contract complies with other laws, resolutions and ordinances.
- (e) The Contract is for a period of 1 year or less, OR not more than 5 years AND the average cost is not more than \$100,000 per year, AND was subject to competitive bidding. (If over \$50,000 and exempt from bidding under 4.26(4)(a), regardless of duration of the Contract, the Common Council must authorize the Contract by resolution and the Mayor and City Clerk must sign, per 4.26(5)(b).)

Emergency Service contracts may also be signed by the designee of the Finance Director if the requirements of MGO 4.26(3)(c) are met.

For City Use Only: SIGNATURE INSTRUCTIONS FOR CONTRACT TO BE SIGNED BY FINANCE (PURCHASING):

Obtain contractor's signature first. Attach the contractor-signed contract with all attachments/exhibits and the certificate of insurance to the requisition in MUNIS.



City of Madison

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

Master

File Number: 85783

File ID: 85783

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/22/2024

File Name: Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and MSA Professional Services, Inc. for engineering services for the Near West Watershed Study.

Final Action:

Title: Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and MSA Professional Services, Inc. for engineering services for the Near West Watershed Study (District 2, District 4, District 5, District 8, and District 13).

Notes: Ryan Stenjem

Sponsors: Michael E. Verveer

Effective Date:

Attachments: Near West 9155amendment 2 extension-REV.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/22/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85783

Fiscal Note

The proposed amendment only extends the contract period and does not change the total contract dollar amount. No additional appropriation is required.

Title

Authorizing the Mayor and the City Clerk to execute Amendment No. 2 to the existing Purchase of Services contract between the City of Madison and MSA Professional Services, Inc. for engineering services for the Near West Watershed Study (District 2, District 4, District 5, District 8, and District 13).

Body

The City of Madison Engineering Division is conducting watershed and flood studies as a result of extreme rain events over the past several years. The City entered into an agreement with MSA Professional Services, Inc. for engineering services related to flooding evaluation in the Near West Watershed Study (RES-22-00337) and the previously authorized amendment (RES-23-00027). This proposed amendment extends the contract period to June 30, 2025.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute and Amendment 2 to the contract between the City of Madison and MSA Professional Services, Inc. to extend the contract period for Near West Watershed Study.



City of Madison

AMENDMENT #2

RENEWAL OR EXTENSION

of the Contract for Purchase of Services (Contract 9155)

between the City of Madison and MSA Professional Services, Inc.

The City of Madison and Contractor listed above agree to renew or extend as applicable, the Contract for Purchase of Services executed by the City on 6/28/22 and as amended on 2/14/23 ("Original Contract"), as follows:

1. Exercise the option to:

- ☐ Renew the Original Contract as set forth in section 4, Term, by:
 - ☐ exercising the 1st renewal period
 - ☐ exercising the 2nd renewal period
 - ☐ exercising the 3rd renewal period
 - ☐ Renewing for a period of: _____

☒ Extend the term of the Original Contract to: June 30, 2025

2. All other provisions of the Original Contract shall remain unchanged and in full force and effect.

3. **COUNTERPARTS, ELECTRONIC SIGNATURE AND DELIVERY.**

This Contract may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Contract may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Contract 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 Contract 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 Contract, fully executed, shall be as valid as an original.

[Signature Page Follows]

The person signing on behalf of the Contractor represents and warrants that he or she has been duly authorized to bind the Contractor and sign this amendment on the Contractor's behalf.

CONTRACTOR:

MSA Professional Services, Inc.
(Type or Print Name of Contracting Entity)

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.

NOTE: Certain service contracts may be executed by the designee of the Finance Director on behalf of the City of Madison:

By: _____
Mary Richards, Procurement Supervisor

Date: _____

MGO 4.26(3) and (5) authorize the Finance Director or designee to sign purchase of service contracts when all of the following apply:

- (a) The funds are included in the approved City budget.
- (b) An RFP or competitive process was used, or the Contract is exempt from competitive bidding under 4.26(4)(a).
- (c) The City Attorney has approved the form of the Contract.
- (d) The Contract complies with other laws, resolutions and ordinances.
- (e) The Contract is for a period of 1 year or less, OR not more than 5 years AND the average cost is not more than \$100,000 per year, AND was subject to competitive bidding. (If over \$50,000 and exempt from bidding under 4.26(4)(a), regardless of duration of the Contract, the Common Council must authorize the Contract by resolution and the Mayor and City Clerk must sign, per 4.26(5)(b).)

Emergency Service contracts may also be signed by the designee of the Finance Director if the requirements of MGO 4.26(3)(c) are met.

For City Use Only: SIGNATURE INSTRUCTIONS FOR CONTRACT TO BE SIGNED BY FINANCE (PURCHASING):

Obtain contractor's signature first. Attach the contractor-signed contract with all attachments/exhibits and the certificate of insurance to the requisition in MUNIS.



City of Madison

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

Master

File Number: 85813

File ID: 85813

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

File Name: Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Wingra Proper Watershed Study

Final Action:

Title: Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Wingra Proper Watershed Study (District 5, District 10, District 11, District 13, and District 14)

Notes: Phil Gaebler

Sponsors: Tag Evers, Regina M. Vidaver, Yannette Figueroa
Cole And Isadore Knox Jr.

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction		10/29/2024		
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (10/30/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	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.						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85813

Fiscal Note

The proposed resolution authorizes a first amendment to existing Board of Public Works contract #9156 for engineering services for the Wingra Proper Watershed Study in the amount of \$2,754. The original contract was approved via RES-22-00335 on May 10, 2022 (Legistar #70938), for a total amount of \$195,558. The new contract, including the proposed amendment, will total \$198,312. Funding is available in the 2024 Adopted Stormwater Utility Operating Budget to support flood studies. No additional appropriation is required.

Title

Authorizing the Mayor and the City Clerk to execute Amendment No. 1 to the existing Purchase of Services contract between the City of Madison and Brown and Caldwell for engineering services for the Wingra Proper Watershed Study (District 5, District 10, District 11, District 13, and District 14)

Body

The City of Madison Engineering Division is conducting watershed and flood studies as a result of extreme rain events over the past several years. The City entered into an agreement with Brown and Caldwell for engineering services related to flooding evaluation in the Wingra Proper Watershed (RES-22-00335). The City Engineer authorized additional engineering services and recommend that they be undertaken by Brown and Caldwell for the Wingra Proper Watershed as defined below:

1. Evaluate the sensitivity of the 10% and 1% design storm results under existing conditions to the adjustment of modeling parameters that show significant impact on results for the calibration storms.
2. Present results and include with the existing conditions report.

The existing contract shall be extended until August 1, 2025 to allow completion of remaining tasks

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an Amendment 1 to the contract between the City of Madison and Brown and Caldwell for additional design services and to extend the contract term for the Wingra Proper Watershed.



City of Madison

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

Master

File Number: 85818

File ID: 85818

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

File Name: Authorizing the Mayor and City Clerk to execute a
State/Municipal Agreement with the State of
Wisconsin Department of Transportation for Project
I.D. 5992-10-73/74, for High Point Road

Final Action:

Title: Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with
the State of Wisconsin Department of Transportation for Project I.D.
5992-10-73/74, for High Point Road (District 1, District 7)

Notes: Chris Petykowski

Sponsors: John W. Duncan

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (10/30/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	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.						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85818

Fiscal Note

The proposed resolution authorizes an agreement for cost sharing for the High Point Road construction project. The agreement authorizes a federal/state share of \$2,400,000 and a City of Madison share of \$600,000 funded by General Fund GO Borrowing for the portion of High Point Road from the Midpoint Meadows Plat to Raymond Road in 2026. Funding is included in the 2025 Executive Capital Budget in the Engineering - Major Streets Capital Improvement Plan (CIP) for the High Point Road project (Munis #15401).

Title

Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-73/74, for High Point Road (District 1, District 7)

Body

Engineering Division submitted an application for and were awarded Federal funds under the Surface Transportation Block Grant Program. The City was awarded funds for 80% of construction costs (up to \$2,400,000).

The City of Madison is proposing to construct High Point Road from the Midpoint Meadows Plat to Raymond Road. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). A project Agreement with the State of Wisconsin Department of Transportation is required to cover estimated construction costs. The proposed project is planned for construction in the years 2026-2027.

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 cost sharing for High Point Road project.



City of Madison

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

Master

File Number: 85822

File ID: 85822

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

File Name: Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-46/47, for West Towne Path.

Final Action:

Title: Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-46/47, for West Towne Path. (District 9)

Notes: Chris Petykowski

Sponsors: Nikki Conklin

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineering

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (10/30/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	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.						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85822

Fiscal Note

The proposed resolution authorizes an agreement for cost sharing for the West Towne Path construction project from Zor Shine Place to Gammon Road in 2028 (Phase 2B). The agreement authorizes a federal/state share of \$2,431,000 and a City of Madison share of \$1,331,752. Funding of \$1,496,000 General Fund GO Borrowing is included in the 2025 Executive Capital Budget in the Engineering - Bicycle and Pedestrian Capital Improvement Plan (CIP) to fund the local share of the West Towne Path Phase 2B project (Munis #12614) in the year 2028.

Title

Authorizing the Mayor and City Clerk to execute a State/Municipal Agreement with the State of Wisconsin Department of Transportation for Project I.D. 5992-10-46/47, for West Towne Path. (District 9)

Body

Engineering Division submitted an application for and were awarded Federal funds under the Surface Transportation Block Grant Program. The City was awarded funds for 65% of construction costs (up to \$2,431,000).

The City of Madison is proposing to construct the West Towne Path from Zor Shrine Place to Gammon Rd. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). A project Agreement with the State of Wisconsin Department of Transportation is required to cover estimated construction costs. The proposed project is planned for construction in the years 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 cost sharing for the West Towne Path project.



City of Madison

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

Master

File Number: 85823

File ID: 85823

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

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. 5992-11-15/16, for John Nolen Drive Phase 2 (Lakeside St to Olin Ave)

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. 5992-11-15/16, for John Nolen Drive Phase 2 (Lakeside St to Olin Ave) (District 13, District 14)

Notes: Chris Petykowski

Sponsors: Tag Evers And Isadore Knox Jr.

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineering

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (10/30/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	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.						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Stern, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85823

Fiscal Note

The proposed resolution authorizes an agreement for cost sharing for the John Nolen Drive construction project from Lakeside St to Olin Ave in 2028. The agreement authorizes a federal/state share of \$4,465,500 and a City of Madison share of \$2,452,826. Funding of \$3,628,000 Non-General Fund GO Borrowing is included in the 2025 Executive Capital Budget in the Engineering - Major Streets Capital Improvement Plan (CIP) to fund the local share of the John Nolen Drive project (Munis #11860) in the year 2028.

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. 5992-11-15/16, for John Nolen Drive Phase 2 (Lakeside St to Olin Ave) (District 13, District 14)

Body

Engineering Division submitted an application for and were awarded Federal funds under the Surface Transportation Block Grant Program. The City was awarded funds for 65% of construction costs (up to \$4,465,500).

The City of Madison is proposing to reconstruct John Nolen Drive from Lakeside St to Olin Ave. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). A project Agreement with the State of Wisconsin Department of Transportation is required to cover estimated construction costs. The proposed project is planned for construction in the years 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 cost sharing for John Nolen Drive Phase 2 project (Lakeside St to Olin Ave).



City of Madison

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

Master

File Number: 85824

File ID: 85824

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

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. 5992-11-12/13, for John Nolen Drive Phase 3 (Olin Ave to USH 12 Beltline).

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. 5992-11-12/13, for John Nolen Drive Phase 3 (Olin Ave to USH 12 Beltline) (District 13, District 14)

Notes: Chris Petykowski

Sponsors: Tag Evers And Isadore Knox Jr.

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (10/30/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	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.						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85824

Fiscal Note

The proposed resolution authorizes an agreement for cost sharing for the John Nolen Drive construction project from Olin Ave to USH 12 Beltline in 2029. The agreement authorizes a federal/state share of \$7,637,500 and a local share of \$4,160,826. Funding of \$2,350,000 Non-General Fund GO Borrowing and \$2,350,000 in County Sources is included in the 2025 Executive Capital Budget in the Engineering - Major Streets Capital Improvement Plan (CIP) to fund the local share of the John Nolen Drive project (Munis #11860) in the year 2029.

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. 5992-11-12/13, for John Nolen Drive Phase 3 (Olin Ave to USH 12 Beltline) (District 13, District 14)

Body

Engineering Division submitted an application for and were awarded Federal funds under the Surface Transportation Block Grant Program. The City was awarded funds for 65% of construction costs (up to \$7,637,500). This project will also include cost sharing agreements with Dane County, authorized by this resolution.

The City of Madison is proposing to reconstruct John Nolen Drive from Olin Ave to USH 12 Beltline. The project will be constructed under a contract let by the Wisconsin Department of Transportation (WisDOT). A project Agreement with the State of Wisconsin Department of Transportation is required to cover estimated construction costs. The proposed project is planned for construction in the years 2029.

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 cost sharing for John Nolen Drive Phase 3 project (Olin Ave to USH 12 Beltline). NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into agreements with Dane County for cost sharing on the project.



City of Madison

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

Master

File Number: 85826

File ID: 85826

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

File Name: Approving plans and specifications for public improvements necessary for the project known as 1024 Milton Street and authorizing construction to be undertaken by the Developer, Private Contract No. 9562

Final Action:

Title: Approving plans and specifications for public improvements necessary for the project known as 1024 Milton Street and authorizing construction to be undertaken by the Developer, Private Contract No. 9562 (District 13)

Notes: Tim Troester

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 9562 exhibit rev.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Recused: Stern						

Text of Legislative File 85826

Fiscal Note

No City Funds required. Private contract.

Title

Approving plans and specifications for public improvements necessary for the project known as 1024 Milton Street and authorizing construction to be undertaken by the Developer, Private

Contract No. 9562 (District 13)

Body

WHEREAS, the developer, Neighborhood House Ventures, LLC, has received the City of Madison's conditional approval for a rezoning from the CI (Campus Institutional) District to the TSS (Traditional Shopping Street) District, demolition permit, and conditional use at property currently addressed as 29 S Mills Street, 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:

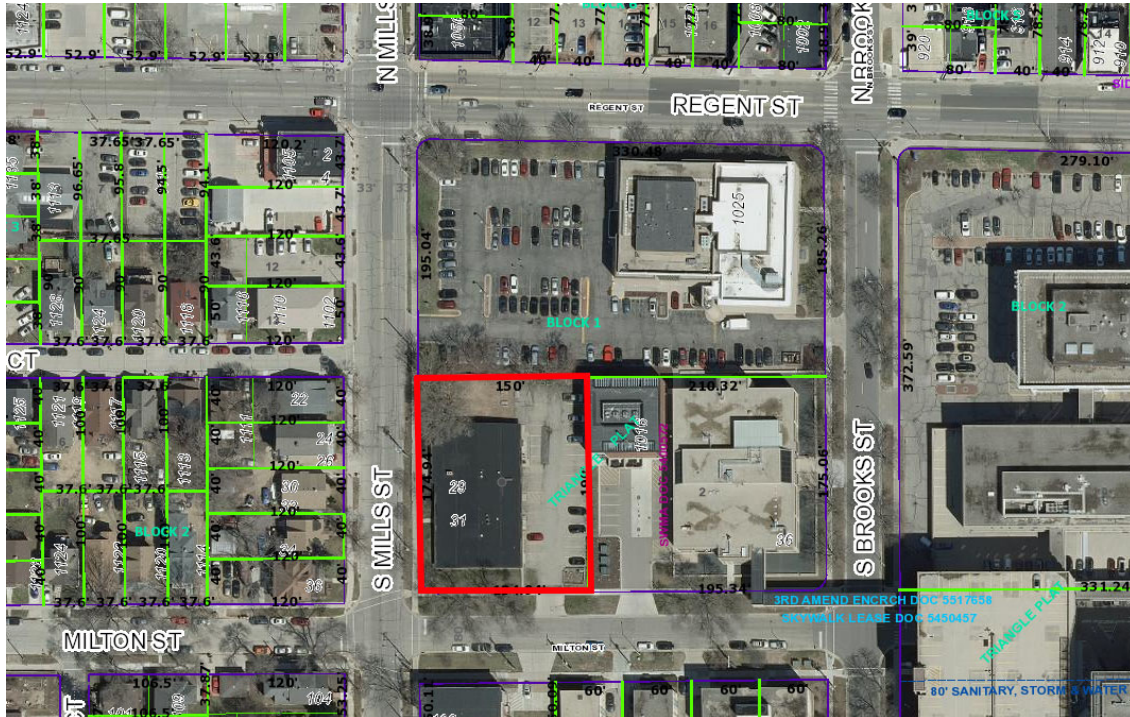
1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements that will be accepted by the City of Madison For 1024 Milton Street, with Neighborhood House Ventures, LLC, or designee with the approval of the City Engineer.
2. That 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 with the approval of the City Engineer, and in a form to be approved by the City Attorney.

1024 Milton Street

Contract 9562

MUNIS 15407

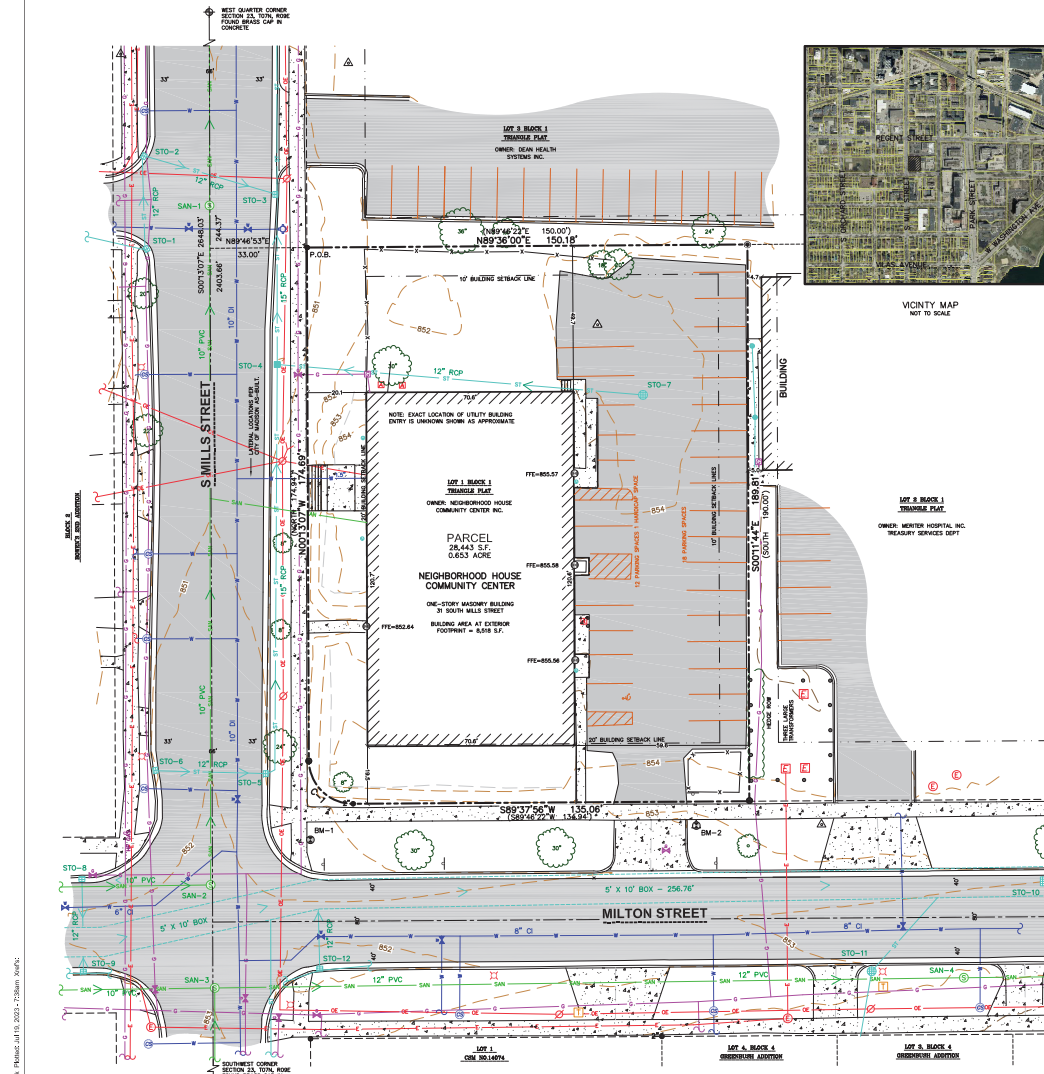
Developer: Neighborhood House Ventures, LLC



Summary of Improvements:

- Construct / restore public sidewalk and terrace on S Mills Street and Milton Street per plans approved by the City Engineer.
- Repair or replace existing public sidewalk, street terrace, curb and gutter, street terrace, and street pavement as necessary to accommodate the private redevelopment project.
- Close abandoned driveways with curb and gutter. Construct new private drive apron on Milton Street per approved commercial driveway permit.
- Construct private sanitary, storm, and water service laterals. A new sanitary sewer access structure will be required to facilitate the connection of the proposed private sanitary lateral to the public sanitary sewer main.
- Restore any existing pavement markings or street signage disturbed as part of the private redevelopment project.

- Coordinate relocation of existing private utilities (gas, electric, cable, etc.) with private utility companies as needed to accommodate the private redevelopment
- Protect existing public street terrace trees on S Mills Street and Milton Street, tree removals, and new street tree plantings as approved by City Forestry, including any recommendations for potential long term canopy improvement, if planned utility work provides opportunities.



COUNTY MAP
NOT TO SCALE

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

OWNER: MONTELL HOSPITAL INC.
REDACTED SURVEY DATA

ALTA/NSPS LAND TITLE SURVEY

ALL OF LOT 1, BLOCK 1, TRIANGLE PLAT, PART OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, MADISON, DANE COUNTY, WISCONSIN.

LEGEND

- GOVERNMENT CORNER
- 1" IRON PIPE FOUND
- 2" IRON PIPE FOUND
- 1" REBAR FOUND
- 1/2" REBAR FOUND
- BENCHMARK
- FINISHED FLOOR SHOT LOCATION
- BOLLARD
- SOON
- SANITARY MANHOLE
- CLEAN OUT
- HYDRANT
- WATER VALVE
- CURB STOP/SERVICE VALVE
- ROUND CASTED INLET
- SQUARE CASTED INLET
- CURB INLET
- DOWNSPOUT
- GAS REGULATOR/METER
- GAS VALVE
- ELECTRIC MANHOLE
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- AIR CONDITION UNIT
- LIGHT POLE
- POWER POLE
- TELEPHONE PEDestal
- DECIDUOUS TREE
- HANDICAP PARKING
- PARCEL BOUNDARY
- SECTION LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PROPERTY LINE
- CHORD LINE
- SETBACK LINE
- EASEMENT LINE
- FENCE LINE
- EDGE OF PAVEMENT
- CONCRETE CURB & GUTTER
- EDGE OF GRAVEL
- SANITARY SEWER
- WATER LINE
- STORM SEWER
- OVERHEAD LINE
- UNDERGROUND ELECTRIC
- EDGE OF WOODS OR BRUSH
- BUILDING
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT
- GRAVEL
- EDGE OF BITUMINOUS PAVEMENT STRIPPING
- END OF FLAGGED UTILITIES
- DICTIONARY RECORDS AS MEASUREMENTS
- DEPICTING THE SAME LINE ON THE GROUND AS RETRACED BY THIS SURVEY

NOTES

- FIELD WORK PERFORMED ON JUNE 9-16, 2023.
- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE ZONE THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, ELEVATION = 500'13.07'E.
- ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88). BENCHMARK IS A BRASS CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, ELEVATION = 850.74'.
- CONTOUR INTERVAL IS ONE FOOT.
- SURFACE UTILITIES AND FEATURES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SURFACE FEATURES AND APPURTENANCES, LOCATING DIGGERS HOTLINE FIELD MARKINGS AND BY REFERENCE TO UTILITY RECORDS AND MAPS. DIGGERS HOTLINE TICKET NO. 20230206672, WITH A CLEAR DATE OF JUNE 02, 2023.
- UTILITY COMPANIES CONTACTED THRU DIGGERS HOTLINE:
 - MADISON GAS AND ELECTRIC
 - CITY OF MADISON
 - CHARTER COMMUNICATIONS
 - MIDWEST FIBER NETWORKS
 - VERIZON WIRELESS
 - AT&T DISTRIBUTION
- BEFORE EXCAVATION, APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED. FOR EXACT LOCATION OF UNDERGROUND UTILITIES, CONTACT DIGGERS HOTLINE, AT 1.800.242.8511.
- ROADWAY UTILITY RECORD DRAWINGS WERE REQUESTED FROM THE CITY OF MADISON. THE UTILITIES SHOWN REPRESENT FIELD LOCATED UTILITIES IN COMBINATION WITH THE SUPPLIED CITY RECORDS.
- BUILDING SETBACK LINE ARE FROM AMENDED URBAN RENEWAL PLAN, DOCUMENT NO. 1079986.

NOTES CORRESPONDING TO TABLE A REQUIREMENTS:

- THE SUBJECT PROPERTY LIES IN ZONE X, AREA OF MINIMAL FLOOD HAZARD PER FEMA MAP NUMBER 5502504086, WHICH HAS NOT BEEN PRINTED.
- CURRENT ZONING CLASSIFICATION WAS REQUESTED BUT NOT PROVIDED BY THE INSURER AT THE TIME OF THE SURVEY.
- THERE ARE 30 PARKING SPACES AND 1 HANDICAP SPACE FOR A TOTAL OF 31 PARKING SPACES.
- NOTE TO THE CLIENT, INSURER, AND LENDER - WITH REGARD TO TABLE A, ITEM 11, INFORMATION FROM THE SOURCES CHECKED ABOVE WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PERTINENT TO SECTION 11.0. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EDUCATION, THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
- THERE ARE NO PROPOSED CHANGES IN THE STREET RIGHT-OF-WAY LINES. THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THE SURVEY.
- THERE ARE NO OFFSITE EASEMENTS FOR THE SUBJECT PROPERTY.
- EXECUTE A DIGGERS HOTLINE PUBLIC UTILITY LOCATE. SEE NOTE 5 ABOVE.

NOTES CORRESPONDING TO SCHEDULE B-SECTION TWO EXCEPTIONS

- FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO.: NS-1182327-MAD, COMMITMENT DATE: JUNE 14, 2023 AT 7:30 A.M.
- CURRENT AND FUTURE OBLIGATIONS ARISING FROM THE INCLUSION OF THE SUBJECT PARCELS IN TAX INCREMENTAL DISTRICT NO. 48. THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF TRIANGLE PLAT, AS RECORDED IN AUGUST 5, 1968 IN VOLUME 34, PAGE 21 AS DOCUMENT NO. 1220391, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- AMENDED URBAN RENEWAL PLAN FOR THE TRIANGLE URBAN RENEWAL AREA, PROJECT NO. WS. R-2 RECORDED AUGUST 13, 1963 IN VOLUME 396 OF MSC, ON PAGE 79 AS DOCUMENT NO. 1079986. MODIFICATION AND/OR AMENDMENT BY INSTRUMENT: AMENDED URBAN RENEWAL PLAN FOR THE TRIANGLE URBAN RENEWAL AREA, PROJECT NO. WS. R-2; RECORDING INFORMATION: FEBRUARY 2, 1965 IN VOLUME 422 OF MSC, PAGE 101 AS DOCUMENT NO. 1121051. THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- LAND PURCHASE AND REDEVELOPMENT AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, DATED: JANUARY 13, 1965. PARTIES: REDEVELOPMENT AUTHORITY OF THE CITY OF MADISON, A PUBLIC BODY CORPORATE AND POLITICAL OF THE STATE OF WISCONSIN AND MADISON NEIGHBORHOOD CENTER, A NON-STOCK, NON-PROFIT CORPORATION. RECORDED: JANUARY 14, 1965 IN VOLUME 421; PAGE 1; INSTRUMENT NO.: 1219865. CERTIFICATE OF COMPLETION OF IMPROVEMENTS RECORDED JUNE 22, 1967 IN VOLUME 465, PAGE 564 AS DOCUMENT NO. 1187686. THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN OUTLAW DEED RECORDED IN JANUARY 21, 1965 IN VOLUME 793, PAGE 111 AS DOCUMENT NO. 1122479 OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- URBAN RENEWAL PLAN FOR THE TRIANGLE URBAN RENEWAL AREA (PROJECT NO. WS. R-2) RECORDED OCTOBER 13, 1967 IN VOLUME 473 OF MSC, PAGE 1 AS DOCUMENT NO. 1198060. THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- URBAN RENEWAL PLAN FOR THE TRIANGLE URBAN RENEWAL AREA (PROJECT NO. WS. R-2) RECORDED JANUARY 19, 1972 IN VOLUME 313, PAGE 279 AS DOCUMENT NO. 1315271. THIS ITEM DOES AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- LEADS, HOOK-UP CHARGES OR FEES, DEFERRED CHARGES, RESERVE CAPACITY ASSESSMENTS, IMPACT FEES, OR OTHER CHARGES OF FEES DUE AND PAYABLE ON THE DEVELOPMENT OR IMPROVEMENT OF THE LAND. THIS ITEM MAY AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.
- RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES. THIS ITEM MAY AFFECT THE SUBJECT PROPERTY AND IS NOT GRAPHIC IN NATURE, THEREFORE IT IS NOT PLOTTED HEREON.

LEGAL DESCRIPTION (AS FURNISHED)

FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO.: NS-1182327-MAD, COMMITMENT DATE: JUNE 14, 2023 AT 7:30 A.M.

LOT ONE (1), BLOCK ONE (1), TRIANGLE PLAT, A REPLAT OF PARTS OF GREEN BUSH ADDITION, PRESLEYS ADDITION, FABERS SUBDIVISION AND MURPHY'S REPLAT, CITY OF MADISON, DANE COUNTY, WISCONSIN.

FOR INFORMATIONAL PURPOSES ONLY:

ADDRESS: 31 SOUTH MILLS STREET, MADISON, WI

TAX KEY NUMBER: 201/0709-233-0302-1

SURVEYOR'S CERTIFICATE

- NEIGHBORHOOD HOUSE COMMUNITY CENTER, INC.,
- FIRST BUSINESS BANK,
- CITY OF MADISON, A MUNICIPAL CORPORATION,
- FIRST AMERICAN TITLE INSURANCE COMPANY,

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED HERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6a, 7b, 7c, 7d, 8, 9, 10, 11a, 12, 13, 14, 16, 17, 18, 19, 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 9-16, 2023.

TODD J. BURR, S-2614
PROFESSIONAL LAND SURVEYOR
Email: todd.burr@jdsinc.com
Website: www.jdsinc.com

DATE



CREATE THE VISION TELL THE STORY

JsdInc.com

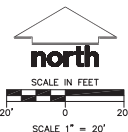
MADISON REGIONAL OFFICE
101 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
P. 608.848.5060

CLIENT:
THE ALEXANDER
COMPANY

CLIENT ADDRESS:
2450 RIMROCK ROAD, SUITE 100
MADISON, WI 53713

PROJECT:
NEIGHBORHOOD HOUSE
COMMUNITY CENTER
REDEVELOPMENT

PROJECT LOCATION:
31 SOUTH MILLS STREET
CITY OF MADISON
DANE COUNTY, WI



MODIFICATIONS:	Date	Description
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

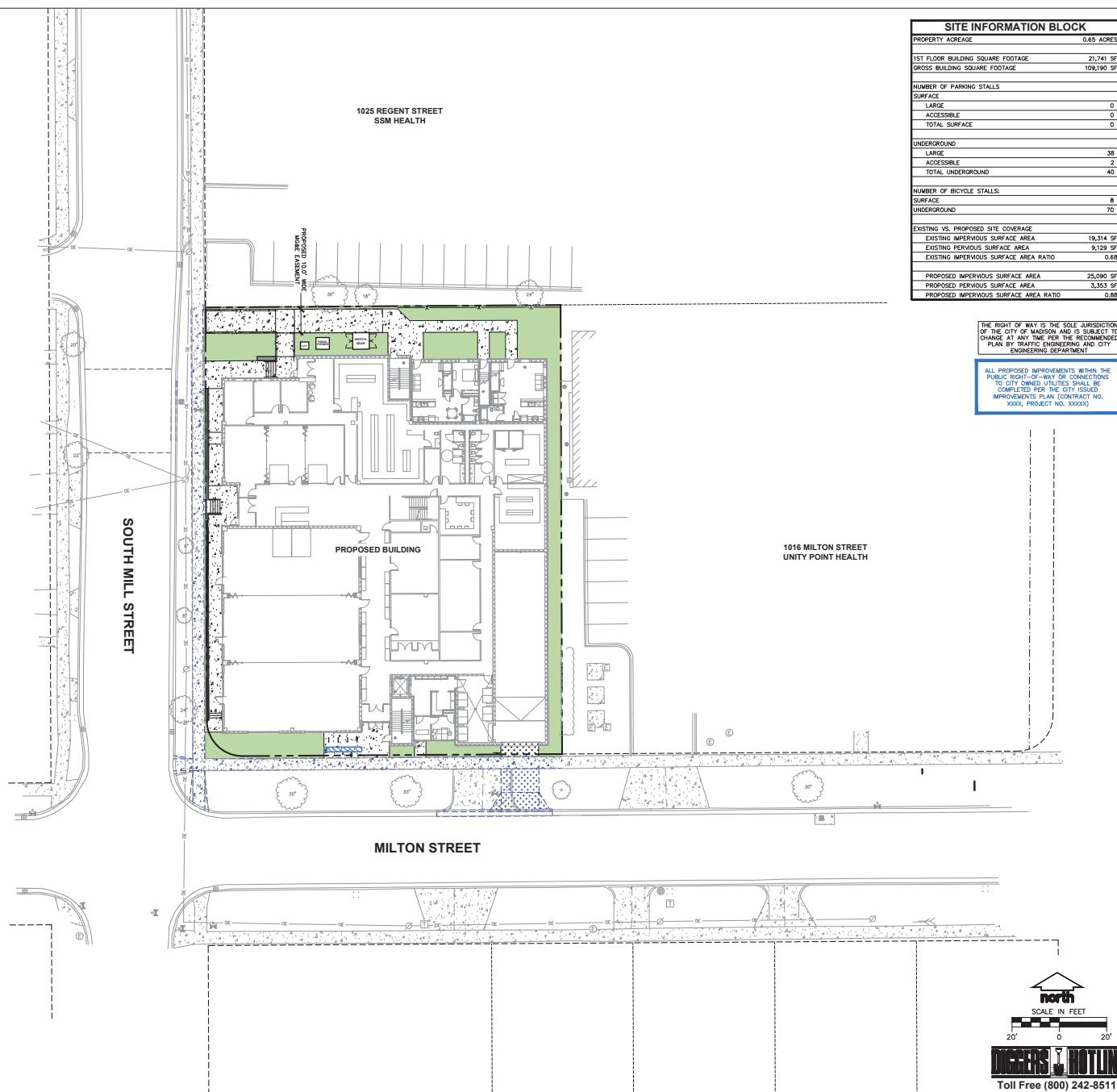
Prepared By: CND 06/16/23

SHEET TITLE:
ALTA/NSPS
LAND TITLE
SURVEY

SHEET NUMBER:

1 OF 1

PROJECT NO: 23-1016



Alexander
Company

2450 Rimrock Road
Suite 100
Madison, WI 53713
Telephone: 608-258-5580
Fax: 608-258-5599
www.alexandercompany.com



JSD
jsdinc.com
MADISON REGIONAL OFFICE
507 WEST VERONA AVENUE, SUITE 500
VERONA, WISCONSIN 53593
P. 608.848.5060

WHEDA
APPLICATION
NOT FOR CONSTRUCTION

01-19-24	WHEDA APPLICATION
----------	-------------------

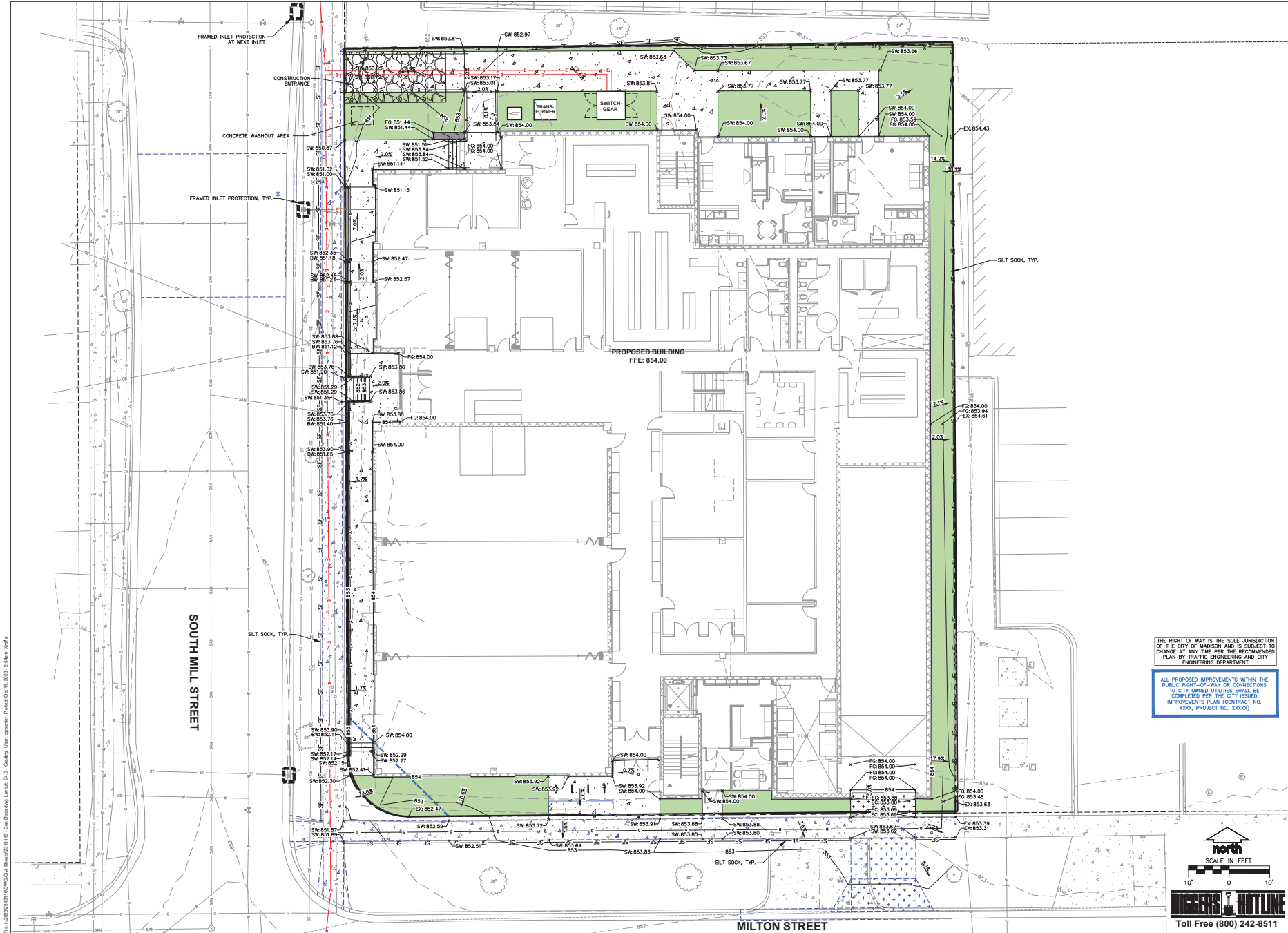
DRAWN:	APPR:
--------	-------

NEIGHBORHOOD HOUSE
1024 MILTON STREET
MADISON, WI 53715

PROJECT # 23-814

OVERALL SITE PLAN

C3.0



Alexander Company

2450 Rimrock Road
Suite 100
Madison, WI 53713
Telephone: 608-258-5580
Fax: 608-258-5599
www.alexandercompany.com

JSD
jsdinc.com

PRELIMINARY
NOT FOR CONSTRUCTION

10-12-23 LAND USE APPLICATION

DRAWN: APPR:

NEIGHBORHOOD HOUSE
29 S. MILLS STREET
MADISON, WI 53715

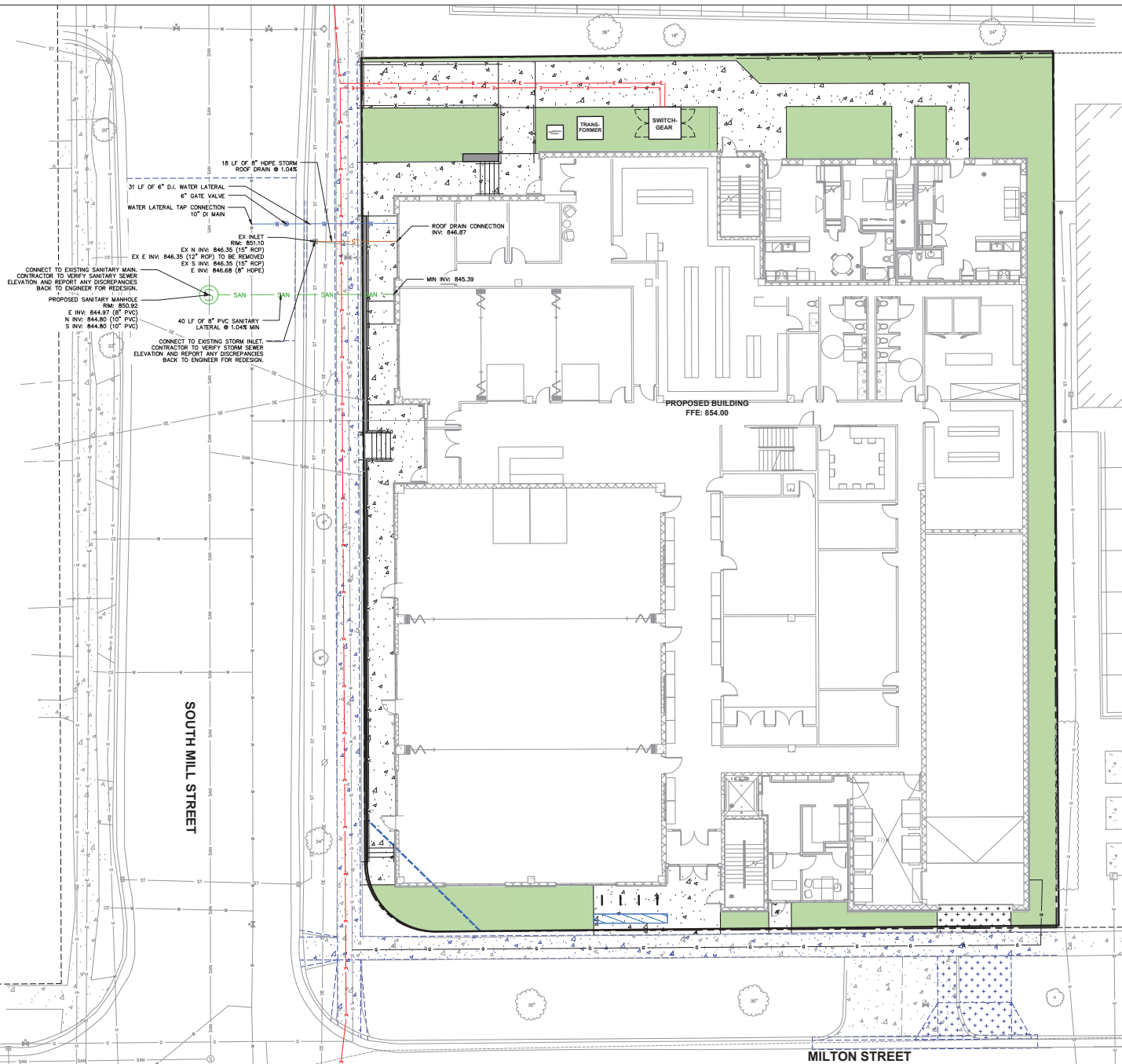
PROJECT # 23-814

GRADING PLAN

C4.0



File: I:\0203131\0203131\0203131.dwg, User: c:\win\user\cgmiller, Plotted: Oct 11, 2020, 2:29pm, W:\4



THE RIGHT OF WAY IS THE SOLE JURISDICTION OF THE CITY OF MADISON AND IS SUBJECT TO CHANGE AT ANY TIME FOR THE RECOMMENDED PLAN BY TRAFFIC ENGINEERING AND CITY ENGINEERING DEPARTMENT.

ALL PROPOSED IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY OR CONNECTIONS TO CITY OWNED UTILITIES SHALL BE COMPLETED FOR THE CITY ISSUED IMPROVEMENTS PLAN (CONTRACT NO. XXX, PROJECT NO. XXXXX).



Alexander Company

2450 Rimrock Road
Suite 100
Madison, WI 53713
Telephone: 608-258-5580
Fax: 608-258-5599
www.alexandercompany.com



PRELIMINARY
NOT FOR CONSTRUCTION

10-12-23 LAND USE APPLICATION

DRAWN: APPR:
















NEIGHBORHOOD HOUSE
29 S. MILLS STREET
MADISON, WI 53715

PROJECT # 23-814

UTILITY PLAN

C5.0



PLANT LIST		
OVERSTORY DECIDUOUS TREES	CODE	BOTANICAL / COMMON NAME
	GIBI	<i>Ginkgo biloba</i> 'Autumn Gold' TM Autumn Gold Maidenhair Tree
DECIDUOUS SHRUBS	CODE	BOTANICAL / COMMON NAME
	AMEO	<i>Amelanchier alnifolia</i> 'Obelisk' Standing Ovation™ Serviceberry
	ARME	<i>Aronia melanocarpa</i> 'Morton' TM Iniquis Beauty Black Chokeberry
	HAMV	<i>Hamamelis virginiana</i> Common Witch Hazel
	HYDB	<i>Hydrangea paniculata</i> 'ILVOBO' Bobol® Panicle Hydrangea
	PHOP	<i>Physocarpus opulifolius</i> 'Amber Jubilee' Ninebark
	RHDG	<i>Rhododendron</i> x 'Golden Lights' Golden Lights Northern Lights Azalea
	RIBG	<i>Ribes alpinum</i> 'Green Mound' Green Mound Alpine Currant
EVERGREEN SHRUBS	CODE	BOTANICAL / COMMON NAME
	BUVG	<i>Buxus</i> x 'Green Velvet' Green Velvet Boxwood
PERENNIALS & GRASSES	CODE	BOTANICAL / COMMON NAME
	ALSU	<i>Allium</i> x 'Summer Beauty' Summer Beauty Allium
	ASCHW	<i>Astilbe chinensis</i> 'Vision In White' Vision In White Chinensis Astilbe
	HOBA	<i>Hosta</i> x 'Blue Angel' Blue Angel Hosta
	HOBS	<i>Hosta</i> x 'Regal Splendor' Regal Splendor Hosta
	PAVI	<i>Panicum virgatum</i> 'Shenandoah' Shenandoah Switch Grass
	SPHE	<i>Sporobolus heterolepis</i> Prairie Droopseed

- THE RIGHT OF WAY IS THE SOLE JURISDICTION
OF THE CITY OF MADISON AND IS SUBJECT TO
CHANGE AT ANY TIME PER THE RECOMMENDED
PLAN BY TRAFFIC ENGINEERING AND CITY
ENGINEERING DEPARTMENT

ALL PROPOSED IMPROVEMENTS WITHIN THE
PUBLIC RIGHT-OF-WAY OR CONNECTIONS
TO CITY OWNED UTILITIES SHALL BE
COMPLETED PER THE CITY ISSUED
IMPROVEMENTS PLAN (CONTRACT NO.
XXXX, PROJECT NO. XXXXX)



10-12-23	LAND USE APPLICATION
----------	----------------------

PROJECT # 23-814

LANDSCAPE PLAN

L1.0



City of Madison

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

Master

File Number: 85827

File ID: 85827

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/23/2024

File Name: Report of Engineering of Non-Bid Contract for
Madison Police Department East District Station
Photovoltaic Pole Foundation Installation (District 16)

Final Action:

Title: Report of Engineering of Non-Bid Contract for Madison Police Department East
District Station Photovoltaic Pole Foundation Installation (District 3).

Notes: William McMahon

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: Report to Council of Non Bid Construction
(100275).pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Refer	BOARD OF PUBLIC WORKS		10/30/2024	
	Action Text: This Miscellaneous was Refer to the BOARD OF PUBLIC WORKS						
1	BOARD OF PUBLIC WORKS	10/30/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Clausius, seconded by Ald. Conklin, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice						
	Recused: Stern						

Text of Legislative File 85827

Fiscal Note

No appropriation required.

Title

Report of Engineering of Non-Bid Contract for Madison Police Department East District Station
Photovoltaic Pole Foundation Installation (District 3).

Body

The attached report has been prepared by City Engineering pursuant to the requirements of

Wis.Stat.Sec.62.15(14) and MGO Sec. 33.07(6)(b).

Report to Council of Non-Bid Public Works Construction Project Completed Using City Staff

Project: 100275

Date: 2/15/2024

Agency: Engineering

Final Cost: \$36,798.24

Background

Click or tap here to enter text.

This report is intended to inform the Mayor and Common Council and to satisfy the requirements of Wisconsin Statute 62.15(14).

Scope of Work

Installation of foundations, poles, and conduit for solar photovoltaic system at Madison Police Department East District Station at 809 S Thompson Dr.

Recycling and Waste Disposal

Not Applicable.

Cost Detail

Final project cost was \$36,798.24. Line items costs are provided below.

ITEM	COST
Wages and Benefits	\$ 22,914.47
Equipment	\$ 9,137.84
Purchased Services	\$ -
Materials and Supplies	\$ 4,745.93
Other:	
TOTAL	\$ 36,798.24



City of Madison

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

Master

File Number: 85890

File ID: 85890

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/29/2024

File Name: Accepting bituminous surface pavement constructed by Private Contract in Village at Autumn Lake Phase 12 Surface Paving, Private Contract No. 9099 (District 17).

Final Action:

Title: Accepting bituminous surface pavement constructed by Private Contract in Village at Autumn Lake Phase 12 Surface Paving, Private Contract No. 9099 (District 17).

Notes: Tim Troester

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 9099 Streets Schedule A bituminous.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/29/2024	Refer	BOARD OF PUBLIC WORKS	11/06/2024	11/06/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/6/2024						
1	BOARD OF PUBLIC WORKS	11/06/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Stern, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85890

Fiscal Note

No City Funds required. Private Contract.

Title

Accepting bituminous surface pavement constructed by Private Contract in Village at Autumn Lake Phase 12 Surface Paving, Private Contract No. 9099 (District 17).

Body

WHEREAS, VAL, LLC has satisfactorily completed the installation bituminous surface

pavement by private contract, in accordance with the City of Madison Standard Specifications for Public Works Construction, for: Village at Autumn Lake Phase 12 Surface Paving.

NOW, THEREFORE, BE IT RESOLVED

That the bituminous surface street improvements on the following streets be and are hereby accepted:

- Autumn Lake Parkway from 159 FT NE of Tori Frost Drive to Sanctuary Drive.
- Autumn Lake Parkway from Sanctuary Drive to E of Lot 1184.
- Sanctuary Drive from Autumn Lake Parkway to Spring Dreams Lane.
- Sanctuary Drive from Spring Dreams Lane to Waterfall Way.
- Sanctuary Drive from Waterfall Way to Felland Road.
- Waterfall Way from Sanctuary Drive to 295 FT N of Sanctuary Drive.
- Waterfall Way from E of Lot 1205 to Sanctuary Drive.

The attached Schedule "A" representing the actual cost of construction of these improvements, which shall increase the street infrastructure value for Project No. 13856 by \$42,959.26 for a useful life of 40 years.

**STREET PLANT VALUE
BITUMINOUS SURFACE**

Village at Autumn Lake Phase 12 - Surface Paving
13856

STREET

Description	From	To	Quantity	Unit	Unit Cost	Total Cost
Autumn Lake Parkway	159 FT NE of Tori Frost Drive	Sanctuary Drive	90	LF		\$ 3,775.20
Type 'B' Pavement 48' wide				Engineering @ 12%		\$ 453.02
MS LINK NO. 26617				Total Cost		\$ 4,228.22
Autumn Lake Parkway	Sanctuary Drive	E of Lot 1184	279	LF		\$ 11,703.12
Type 'B' Pavement 48' wide				Engineering @ 12%		\$ 1,404.37
MS LINK NO. 23380				Total Cost		\$ 13,107.49
Sanctuary Drive	Autumn Lake Parkway	Spring Dreams Lane	150	LF		\$ 3,523.33
Type 'A' Pavement 32' wide				Engineering @ 12%		\$ 422.80
MS LINK NO. 26547				Total Cost		\$ 3,946.13
Sanctuary Drive	Spring Dreams Lane	Waterfall Way	305	LF		\$ 7,164.11
Type 'A' Pavement 32' wide				Engineering @ 12%		\$ 859.69
MS LINK NO. 23394				Total Cost		\$ 8,023.80
Sanctuary Drive	Waterfall Way	Felland Road	195	LF		\$ 4,580.33
Type 'A' Pavement 32' wide				Engineering @ 12%		\$ 549.64
MS LINK NO. 23388				Total Cost		\$ 5,129.97
Waterfall Way	Sanctuary Drive	295 FT N of Sanctuary Drive	95	LF		\$ 1,912.67
Type 'A' Pavement 28' wide				Engineering @ 12%		\$ 229.52
MS LINK NO. 23343				Total Cost		\$ 2,142.19
Waterfall Way	E of Lot 1205	Sanctuary Drive	283	LF		\$ 5,697.73
Type 'A' Pavement 28' wide				Engineering @ 12%		\$ 683.73
MS LINK NO. 26619				Total Cost		\$ 6,381.46
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		



City of Madison

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

Master

File Number: 85900

File ID: 85900

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/30/2024

File Name: Accepting bituminous surface pavement constructed by Private Contract in Springs at Pleasant View - Surface Paving, Private Contract No. 8950 (District 1).

Final Action:

Title: Accepting bituminous surface pavement constructed by Private Contract in Springs at Pleasant View - Surface Paving, Private Contract No. 8950 (District 1).

Notes: Amy Kemp

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 8950 Streets Schedule A bituminous.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/30/2024	Refer	BOARD OF PUBLIC WORKS	10/30/2024	11/06/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 10/30/2024						
1	BOARD OF PUBLIC WORKS	11/06/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Stern, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85900

Fiscal Note

No City Funds required. Private Contract

Title

Accepting bituminous surface pavement constructed by Private Contract in Springs at Pleasant View - Surface Paving, Private Contract No. 8950 (District 1).

Body

WHEREAS, Continental 479 Fund, LLC has satisfactorily completed the installation bituminous surface pavement by private contract, in accordance with the City of Madison Standard

Specifications for Public Works Construction, for: Springs at Pleasant View.

NOW, THEREFORE, BE IT RESOLVED

That the bituminous surface street improvements on the following streets be and are hereby accepted:

- Mansion Hill Ave from S Pleasant View Road to Mica Road.
- Mansion Hill Ave Roundabout from Mica Road to Mansion Hill Ave.
- Mica Road from 454' S of Mansion Hill to Mansion Hill Avenue.
- Mansion Hill Ave Roundabout from Mica Road to Mansion Hill Ave.
- Mansion Hill Ave from Mica Road to 228' NW of Blakton Drive.
- Mansion Hill Ave Roundabout from Mica Road to Mansion Hill Ave.
- Mica Road from Mansion Hill Ave to 741' N of Mansion Hill.
- Mansion Hill Ave Roundabout from Mansion Hill Ave to Mica Road.

The attached Schedule "A" representing the actual cost of construction of these improvements, which shall increase the street infrastructure value for Project No. 13228 by \$229,138.27 for a useful life of 40 years.

**STREET PLANT VALUE
BITUMINOUS SURFACE**

Springs at Pleasant View - Surface Paving
13228

STREET

Description	From	To	Quantity	Unit	Unit Cost	Total Cost
Mansion Hill Ave	S Pleasant View Road	Mica Road	614	LF		\$ 10,773.59
Type 'C' pavement 51' wide				Engineering @ 12%		\$ 1,292.83
MS Link 26534				Total Cost		\$ 12,066.42
Mansion Hill Ave Roundabout	Mica Road	Mansion Hill Ave	25	LF		\$ 1,740.56
Type 'C' pavement 23' wide				Engineering @ 12%		\$ 208.87
MS Link 26607				Total Cost		\$ 1,949.43
Mica Road	454' S of Mansion Hill	Mansion Hill Ave	405	LF		\$ 45,115.20
Type 'B' pavement 36' wide				Engineering @ 12%		\$ 5,413.82
MS Link 26536				Total Cost		\$ 50,529.02
Mansion Hill Ave Roundabout	Mica Road	Mansion Hill Ave	25	LF		\$ 1,740.56
Type 'C' pavement 23' wide				Engineering @ 12%		\$ 208.87
MS Link 26608				Total Cost		\$ 1,949.43
Mansion Hill Ave	Mica Road	228' NW of Blakton Drive	550	LF		\$ 69,950.22
Type 'C' pavement 36' wide				Engineering @ 12%		\$ 8,394.03
MS Link 26533				Total Cost		\$ 78,344.25
Mansion Hill Ave Roundabout	Mica Road	Mansion Hill Ave	25	LF		\$ 1,987.22
Type 'C' pavement 23' wide				Engineering @ 12%		\$ 238.47
MS Link 26609				Total Cost		\$ 2,225.69
Mica Road	Mansion Hill Ave	741' N of Mansion Hill	640	LF		\$ 71,293.16
Type 'B' pavement 36' wide				Engineering @ 12%		\$ 8,555.18
MS Link 26535				Total Cost		\$ 79,848.34
Mansion Hill Ave Roundabout	Mansion Hill Ave	Mica Road	25	LF		\$ 1,987.22
Type 'C' pavement 23' wide				Engineering @ 12%		\$ 238.47
MS Link 26606				Total Cost		\$ 2,225.69
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
				LF		
				Engineering @ 12%		
				Total Cost		
			</			



City of Madison

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

Master

File Number: 85901

File ID: 85901

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/30/2024

File Name: Declaring the City of Madison's intention to exercise its police powers establishing the Meyer Avenue Assessment District - 2025.

Final Action:

Title: Declaring the City of Madison's intention to exercise its police powers establishing the Meyer Avenue Assessment District - 2025 (District 11).

Notes: Reid Stiteley

Sponsors: Bill Tishler

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/30/2024	Refer	BOARD OF PUBLIC WORKS	11/06/2024	11/06/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/6/2024						
1	BOARD OF PUBLIC WORKS	11/06/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Stern, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85901

Fiscal Note

No Funds Required.

Title

Declaring the City of Madison's intention to exercise its police powers establishing the Meyer Avenue Assessment District - 2025 (District 11).

Body

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district

known as the "Meyer Avenue Assessment District - 2025" serving Meyer Avenue from Holly Avenue to Glenway Street; 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 purpose of this assessment district is to remove and replace the asphalt pavement and road base, replace sanitary sewer main and laterals, replace storm sewer and private storm connections, install curb and gutter, and replace sidewalk and drive aprons as needed.

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 the Madison General Ordinances.



City of Madison

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

Master

File Number: 85910

File ID: 85910

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/30/2024

File Name: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East Madison Bikeways.

Final Action:

Title: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East Madison Bikeways (District 6, District 12, District 15).

Notes: Aaron Canton

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 15327-EMadisonBikeways_BPWExhibits.pdf,
15327-EMadisonBikeways_BPWNotes.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/30/2024	Refer	BOARD OF PUBLIC WORKS	11/06/2024	11/06/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/6/2024						
1	BOARD OF PUBLIC WORKS	11/06/2024	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIO NS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Ald. Guequierre, seconded by Kliems, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS that prior to soliciting bids, the City will pursue and prioritize further negotiations with the railroad to permit the final solution to stormwater at the railroad crossing. If unsuccessful, the City will retain existing sidewalk in the affected area - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: Stern recused herself from this item. A motion was made by Ald. Guequierre, seconded by Kliems, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS: That prior to soliciting bids, the City will pursue and prioritize further negotiations with the railroad to permit the final solution to stormwater at the railroad crossing. If unsuccessful, the City will retain existing sidewalk in the affected area - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85910

Fiscal Note

The proposed resolution approves plans and specifications and authorizing the Board of Public Works to advertise and receive Bids for the East Madison Bikeways project. Funding for this project was authorized in the 2024 Traffic Engineering Capital Budget in the Safe Streets Madison program (Munis 13778).

Path	15327-45-172	\$308,000
Path-Storm	15327-45-174	\$42,000
Path-Lighting	15327-45-177	\$20,000

East Madison Bikeways Total	\$370,000
-----------------------------	-----------

Title

Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for East Madison Bikeways (District 6, District 12, District 15).

Body

BE IT RESOLVED,

- 1) That the plans and specifications for East Madison Bikeways, be and are hereby approved.
- 2) That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.
- 3) That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance 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.

15327: East Madison Bikeways (BRT)

Project Engineer Aaron Canton Ph: 242-4763 email: acanton@cityofmadison.com

Project Limits

Alder: 12 Latimer Burris/6 Rummel
Alder: 15 Martinez-Rutherford

East Washington Ave Sidewalk Widening
Winnebago Path

Project Description

Prior to implementation of the BRT East/West system, the bicycle facilities along E. Washington Ave. were high-stress and generally inadequate relative to current City standards. Additionally, with the BRT project, those bike lanes are now utilized as part of a travel lane during peak hours. This project is to better connect some low-stress bike facilities on the east side of Madison. The total estimated cost is \$370,000.

East Washington Sidewalk Widening

Widening the existing sidewalk on the north-side of East Washington Ave to 10-ft from Sparkle Ct to the new development (The Easterly) at 1868 E Wash, widened sidewalk in front of new building was already built with development up to N First St. Widening behind the existing sidewalk into Burr Jones Park. No tree impacts, avoiding one large tree in Park by narrowing terrace space. Two street light poles to be relocated as well as a utility pedestal. Includes widening across RR track crossing, will include detectable warning fields at RR crossing per OCR order to BRT. Storm inlet within RR ROW will need to be relocated further north to make room for sidewalk widening. Coordination with RR is on-going.

Winnebago Path

Widening the existing sidewalk to a 10-ft wide path on the south-side of Winnebago St up to the existing Union Corners Connector Path. Widen ramp from Winnebago St to allow easier bike access onto connector path. Includes pavement markings along Winnebago St. No tree impacts. No lighting impacts or additions, adjacent existing lighting will suffice.

Land Purchases

N/A

Trees

No Tree removals anticipated

Assessment Policy

No Assessments

Schedule

Advertise for bids	December 2024
Anticipated Construction Start	Spring 2025
Approximate Duration	Approx. 2 Months

Costs

Estimated Total Cost:	\$	370,000.00
Assessments:	\$	-
Traffic Engineering Cost:	\$	370,000.00

Correspondence

E Wash Sidewalk Widening - Board of Parks Commission (May 8, 2024), Transportation Commission (June 2024)
Winnebago Path - Transportation Commission (June 2024)



City of Madison

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

Master

File Number: 85912

File ID: 85912

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: BOARD OF
PUBLIC WORKS

File Created Date : 10/30/2024

File Name: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Shore Drive - Path

Final Action:

Title: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Shore Drive - Path (District 4).

Notes: Aaron Canton

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 15104-NorthShoreDrPath_BPWNNotes.pdf,
NorthShoreDrPath_BPWExhibits.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/30/2024	Refer	BOARD OF PUBLIC WORKS		11/06/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS						
1	BOARD OF PUBLIC WORKS	11/06/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Ald. Conklin, seconded by Kliems, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85912

Fiscal Note

The proposed resolution approves plans and specifications and authorizes the Board of Public Works to advertise and receive bids for the North Shore Drive Path project. The total estimated cost of the project is \$480,000. Funding is available in Munis projects #15104 (\$230,000) and #15493 (\$250,000). No additional appropriation is required.

Title

Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for North Shore Drive - Path (District 4).

Body

BE IT RESOLVED,

- 1) That the plans and specifications for North Shore Drive - Path, be and are hereby approved.
- 2) That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.
- 3) 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.

15104: North Shore Drive - Path

Project Engineer	Aaron Canton Ph: 242-4763 email: acanton@cityofmadison.com	
Project Limits Alder: 4 Verveer	Southwest Path to S Bedford Street	
Project Description	This project includes reconstructing the existing sidewalk along the north-side of North Shore Drive between the Southwest Path and S Bedford St. The new path will connect to the new Brittingham Path to be built with the John Nolen Drive reconstruction project in 2026. A raised crossing is included at the S Bedford St intersection. Storm sewer will be adjusted/added as needed. The right-turn lane from North Shore Dr to S Bedford St will be removed with this project for the future Brittingham Path.	
Path	Existing	Proposed
	6-ft wide concrete sidewalk	10-ft wide asphalt path
Storm Sewer	Existing	Proposed
	Storm inlets at Bedford-NSD intersection	Adjust/Add inlets as needed for curb changes
Parking N/A	Existing	Proposed
Lighting N/A	Existing	Proposed
	Street Lighting	Existing lighting will remain and light path
Land Purchases N/A		
Trees No Tree removals anticipated		
Assessment Policy No Assessments		
Schedule		
Advertise for bids	December 2024	
Anticipated Construction Start	Spring 2025	
Approximate Duration	Approx. 2 Months	
Costs		
Estimated Total Cost:	\$	480,000.00
Assessments:	\$	-
City Engineering Cost:	\$	480,000.00
Correspondence		
Transportation Commission (May 16, 2024)		
Public Informational Meeting (with John Nolen Drive on May 23, 2024)		



NORTH SHORE DRIVE PATH



NORTH SHORE DRIVE PATH

CONNECT TO SOUTHWEST PATH
(ALTERNATIVE ROUTE DURING JOHN NOLEN
DRIVE CONSTRUCTION AND CAP CITY DETOUR)

10-FT WIDE
ASPHALT PATH

NO TREE IMPACTS
ANTICIPATED WITH
THIS PROJECT

RAISED CROSSING

REMOVE NORTH SHORE DRIVE
WESTBOUND RIGHT-TURN LANE.
MOVE INLETS AS NEEDED

PATH BUILT SEPARATELY WITH
JOHN NOLEN DRIVE PROJECT

MONONA BAY

BRITTINGHAM
PARK

W WILSON ST

S BEDFORD ST

NORTH SHORE DR

BRITTINGHAM PATH

SOUTHWEST PATH



City of Madison

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

Master

File Number: 86056

File ID: 86056

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Traffic Engineering Division

File Created Date : 11/13/2024

File Name: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Monona Terrace Tunnel Lighting.

Final Action:

Title: Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Monona Terrace Tunnel Lighting (District 4)

Notes: Gretchen Aviles Pineiro

Sponsors: Michael E. Verveer

Effective Date:

Attachments: Monona Terrace Tunnel Lighting_BPW Notes.pdf

Enactment Number:

Author: Gretchen Aviles Pineiro, Traffic Engineering

Hearing Date:

Entered by: ALarson2@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Traffic Engineering Division	11/13/2024	Refer	BOARD OF PUBLIC WORKS	11/20/2024	11/20/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/20/2024						
1	BOARD OF PUBLIC WORKS	11/20/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Ald. Conklin, seconded by Williams, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 86056

Fiscal Note

The proposed resolution approves plans and specifications and authorizes the Board of Public Works to advertise and receive bids for Monona Terrace Tunnel Lighting project. The total estimated cost of the project is \$1,854,097.00. Funding is available in Munis project #12730. No additional appropriation is required.

Title

Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Monona Terrace Tunnel Lighting (District 4)

Body

BE IT RESOLVED,

- 1) That the plans and specifications for Monona Terrace Tunnel Lighting, be and are hereby approved.
- 2) That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.
- 3) 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 .



CITY OF MADISON TRAFFIC ENGINEERING



215 Martin Luther King, Jr. Blvd., Suite 109 Madison, WI 53703
(608) 266-4761 www.cityofmadison.com/traffic-engineering

Project Description

Lighting systems for the Monona Terrace Tunnel are proposed to be reconstructed in 2024 via local funding. The project will include the removal of existing conduits, fittings, junction boxes, high pressure sodium (HPS) and metal halide (MH) fixtures, and controls and replacement with non-corrosive materials, and light emitting diode (LED) fixtures. This project includes mural lighting and spot repairs to medium voltage conduits that are owned by the City of Madison, but contain electrical service conductors owned by MG&E. It includes providing infrastructure for future installation of aesthetic tunnel entrance lighting and traffic & pedestrian life safety cameras.



Existing Tunnel Lighting System to be Replaced



Existing RR Luminares to be Replaced



Existing Electrical Controls to be Replaced



CITY OF MADISON TRAFFIC ENGINEERING



215 Martin Luther King, Jr. Blvd., Suite 109 Madison, WI 53703
(608) 266-4761 www.cityofmadison.com/traffic-engineering



Existing MG&E Infrastructure to be Repaired/Replaced

Construction Costs:

- Estimated at \$1,854,097.00
 - Project is Eligible for Focus on Energy Rebate Incentives Estimated around \$10K

Benefits:

- Safety
 - Improved Visibility for Users
 - Replacement of Corroded/Failing Infrastructure
 - Traffic & Pedestrian Life Safety Cameras
- Maintenance
 - Smart Controls for Outage Notification
 - Easier Access to Disconnects
 - Extended Infrastructure Lifespan
- Aesthetics
 - Fully Operational Lighting System
 - Modernized Luminaires and Infrastructure
 - Provisions for Mural and Tunnel Entrance Lighting
- Cost Savings
 - Energy Savings (Fewer Luminaires with Reduced Power Consumption)
 - Maintenance Savings (Fewer Incidents & Real-Time Performance Metrics)
 - Future Construction Savings (Provisions for Expansion)

Schedule:

- Start of Project & Lane Closures Concurrent with JND Project
 - Start: October 2025
- Date to be Completed: Spring 2026



City of Madison

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

Master

File Number: 86070

File ID: 86070

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Engineering
Division

File Created Date : 11/13/2024

File Name: Awarding Public Works Contract No. 9605, Prairie
Hills Detention Basin Improvements.

Final Action:

Title: Awarding Public Works Contract No. 9605, Prairie Hills Detention Basin
Improvements. (District 7)

Notes: Grant Pokos

Sponsors: BOARD OF PUBLIC WORKS

Effective Date:

Attachments: 9605.pdf, 9605 award.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/13/2024	Refer	BOARD OF PUBLIC WORKS	11/20/2024	11/20/2024	
	Action Text: This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 11/20/2024						
1	BOARD OF PUBLIC WORKS	11/20/2024	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Ald. Conklin, seconded by Williams, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 86070

Fiscal Note

The proposed resolution authorizes awarding the contract for the Prairie Hills Detention Basin Improvements at a total estimated cost of \$422,141, including contingency. Funding for the project is available in Munis #14915. No additional appropriation is required.

Title

Awarding Public Works Contract No. 9605, Prairie Hills Detention Basin Improvements. (District 7)

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. 9605) for itemization of bids.

PRAIRIE HILLS DETENTION BASIN IMPROVEMENTS
CONTRACT NO. 9605
DATE: 11/14/24
PREQUALIFICATION: 225, 240, 275

CONTRACTORS	TOTAL BID	PREQUALIFICATION STATUS
Speedway Sand & Gravel, Inc.	\$390,871.10	OK
Integrity Grading & Excavating, Inc.	\$439,078.06	OK
Engineering Estimate	\$507,500.00	
R. G. Huston Co., Inc.	\$637,200.00	OK

CONTRACT NO. 9605
Prairie Hills Detention Basin Improvements
Speedway Sand & Gravel, Inc.

CONTRACT AWARD	\$ 390,871.10
<i>MAX CONTINGENCY (8%)</i>	<i>\$ 31,269.69</i>
 STORM: 14915-84-174: 54445 (91345)	 390,871.10
ACCT. CONTINGENCY 8%	31,269.69
ACCT. SUBTOTAL	<hr/> 422,140.79
 GRAND TOTAL INCL. CONTINGENCY	 <hr/><hr/>\$ 422,140.79



City of Madison

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

Master

File Number: 81494

File ID: 81494

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 November 26, 2024. See attached report for list of operators.

Notes:

Sponsors:

Effective Date:

Attachments: Report of Operator License Applications_112624.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	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 81494

Title

Report of Operator License Applications November 26, 2024. See attached report for list of operators.

Holder Name

License

Police Review - Submit to Council

CULLEN, CASSANDRA	LICOPR-2024-00990
DAVIS, KAREN	LICOPR-2024-00992
Esser, Lucas	LICOPR-2024-00975
GOLDMAN, ERIC	LICOPR-2024-00987
Gumley, Daniel	LICOPR-2024-00983
HEDRICK, RACHEAL A	LICOPR-2024-00985
hoppman, pierria leigh	LICOPR-2024-00977
Kallas, Katrina	LICOPR-2024-00922
Kugi, Samantha Hope	LICOPR-2024-00989
Kwiecinski, Kelly Jean	LICOPR-2024-00976
Lavin, Jonah	LICOPR-2024-00978
McEvoy, Mary	LICOPR-2024-00981
McLean, Cory Andrew	LICOPR-2024-00982
OSBORNE, WILLIAM	LICOPR-2024-00928
piorier, caley	LICOPR-2024-00652
Powell, Xavi A	LICOPR-2024-00691
RICHTER, NIGEL K	LICOPR-2024-00727
Roh, Madelyn R	LICOPR-2024-00723
SCANNELL, ERIKA	LICOPR-2024-00993
Smith, Madden Elizabeth	LICOPR-2024-00980
Vandall, Finnegan	LICOPR-2024-00984
VIVIAN, MACKENZIE	LICOPR-2024-00988
WALTON, SOPHIA	LICOPR-2024-00991



City of Madison

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

Master

File Number: 86176

File ID: 86176

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Department of
Planning and
Community and
Economic
Development

File Created Date : 11/19/2024

File Name: Authorizing City of Madison, on behalf of the Greater Madison MPO, to execute a grant agreement with the United States Department of Transportation (USDOT)

Final Action:

Title: Authorizing City of Madison, on behalf of the Greater Madison MPO, to execute a grant agreement with the United States Department of Transportation (USDOT) for up to \$1.25 million for the Greater Madison MPO Regional Safe Streets - Community Safety Enhancement Partnership project; amending the 2025 adopted operating budget to accept \$1.0 million in grant funding from the USDOT; authorizing the Mayor and Clerk to sign the resulting grant agreement; and, authorizing the Mayor and Clerk to sign sub agreements with participating local agencies.

Notes:

Sponsors: John W. Duncan, Derek Field And Barbara Harrington-McKinney

Effective Date:

Attachments: SS4A resolution memo 11_19_2024.pdf

Enactment Number:

Author: Alexandra Andros, Greater Madison MPO Director

Hearing Date:

Entered by: lheiser-ertel@cityofmadison.com

Published Date:

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	11/19/2024	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - 15 VOTES REQUIRED				
Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055 - 15 VOTES REQUIRED							

Text of Legislative File 86176

Fiscal Note

The proposed resolution amends the Planning Division's 2025 Adopted Operating Budget to appropriate \$1.0 million in federal funds awarded by the U.S. Department of Transportation (USDOT) for the Safe Streets and Roads for All Planning grant to the Greater Madison Metropolitan Planning Organization (MPO). The City serves as the fiscal agent for the MPO, and the MPO will be the designated recipient of the grant. Five local municipalities that are part of the MPO will be receiving the federal funds; the MPO is serving as the pass-through agency for administration of the grant. The 20% local match required of the grant will be paid directly by the local participating municipalities. The MPO will also retain up to 15% of the total project amount of \$1.25 million for administration tasks related to the grant. The proposed resolution further authorizes the execution of the grant agreement between the City and the USDOT, and it authorizes the execution of sub-agreements with participating municipalities.

Title

Authorizing City of Madison, on behalf of the Greater Madison MPO, to execute a grant agreement with the United States Department of Transportation (USDOT) for up to \$1.25 million for the Greater Madison MPO Regional Safe Streets - Community Safety Enhancement Partnership project; amending the 2025 adopted operating budget to accept \$1.0 million in grant funding from the USDOT; authorizing the Mayor and Clerk to sign the resulting grant agreement; and, authorizing the Mayor and Clerk to sign sub agreements with participating local agencies.

Body

WHEREAS, the City of Madison Planning Division provides staffing for the Greater Madison Metropolitan Planning Organization (MPO) and the City serves as the MPO's fiscal and administrative agent; and

WHEREAS, the Greater Madison MPO is the designated MPO for the Madison Metropolitan Area with responsibilities to perform metropolitan transportation planning and programming activities; and

WHEREAS, the Greater Madison MPO was awarded a Safe Streets and Roads for All Planning Grant from the USDOT for the purposes of assisting local agencies within the MPO's planning area to develop supplemental safety planning studies to support the MPO's Regional Safety Action Plan; and

WHEREAS, the grant will provide funding for the following roadway safety planning activities:

- 1) Up to \$300,000 (\$240,000 federal + \$60,000 local match) to the City of Fitchburg to develop a Vision Zero Plan,
 - 2) Up to \$150,000 (\$120,000 federal + \$30,000 local match) to the City of Verona to develop a Safe Routes to School Plan,
 - 3) Up to \$150,000 (\$120,000 federal + \$30,000 local match) to the Village of Cottage Grove to develop an Active Transportation Plan,
 - 4) Up to \$150,000 (\$120,000 federal + \$30,000 local match) to the Village of Shorewood Hills to develop a Safety Action Plan,
 - 5) Up to \$500,000 (\$400,000 federal + \$100,000 local match) to Dane County to develop a Highway Safety Plan County Highway Comprehensive Safety Action Plan;
- and

WHEREAS, the Greater Madison MPO would be the designated recipient of the federal grant award in the amount of \$1.0 million; and

WHEREAS, the participating local agencies will provide the required 20% local match for each

of their respective projects, totaling \$250,000; and

WHEREAS, the participating local agencies have or will have the ability to meet the financial obligations of the cost-sharing requirements; and

WHEREAS, the City of Madison through the Greater Madison MPO will contract separately with each participating local agency for administration of the federal grant portion; and

WHEREAS, the budget of Madison's Planning Department will be increased by \$1.0 million to reflect the federal portion of the USDOT Safe Streets - Community Safety Enhancement Partnership grant.

NOW, THEREFORE, BE IT RESOLVED, the City of Madison, as fiscal and administrative agent for the Greater Madison MPO, is authorized to execute the USDOT Safe Streets and Roads for All grant and the Mayor and City Clerk are authorized to sign the agreement and related documents, in a format approved by the City Attorney; and

BE IT FURTHER RESOLVED, the City, on behalf of the Greater Madison MPO, is authorized to enter into sub agreements with each local participating agency and the Mayor and City Clerk are authorized to sign the agreements and related documents, in a format approved by the City Attorney; and

BE IT FURTHER RESOLVED, the City, on behalf of the Greater Madison MPO, is authorized to retain up to 15% of the total project amount of \$1.25 million for administration tasks related to the grant on behalf of the participating local agencies; and

BE IT FURTHER RESOLVED, that Greater MPO staff are authorized to sign related paperwork or forms that are not part of the grant agreement or that are provided after the Mayor and Clerk sign the initial grant agreement, if required, after any legal terms included in those forms are reviewed by the City Attorney; and

BE IT FINALLY RESOLVED, that the Planning Division's 2025 Adopted Operating Budget is amended so that the revenues and commensurate expenditures in the grant fund will be increased by \$1.0 million to reflect the federal funds granted by the Safe Streets for All Grant.



Memo

Date: 11/19/2024

To: Common Council

From: Alexandra Andros, AICP, MPO Director

RE: Authorizing City of Madison, on behalf of the Greater Madison MPO, to execute a grant agreement with the United States Department of Transportation (USDOT) for up to \$1.25 million for the Greater Madison MPO Regional Safe Streets - Community Safety Enhancement Partnership project; amending the 2025 adopted operating budget to accept \$1.0 million in grant funding from the USDOT; authorizing the Mayor and Clerk to sign the resulting grant agreement; and, authorizing the Mayor and Clerk to sign sub agreements with participating local agencies. ***Leg File 86176.***

The Greater Madison Metropolitan Planning Organization (MPO) has been awarded \$1 million in federal funding through the U.S. Department of Transportation's Safe Streets and Roads for All (SS4A) program, part of the Bipartisan Infrastructure Law, to enhance safety for drivers, bicyclists, and pedestrians throughout Dane County. This regional project is important for the City of Madison because it complements the City's ongoing dedication and investment in improving roadway safety and encouraging active transportation.

This grant builds on the MPO's Regional Safety Action Plan, adopted earlier this year, which outlines strategies to achieve the organization's goal of zero roadway fatalities and injuries by 2040. By focusing on safety improvements in areas with diverse transportation needs, this funding brings the MPO and Madison region one step closer to a safer, more connected transportation network.

This funding will assist the City of Fitchburg, the Village of Shorewood Hills, and Dane County in creating targeted safety action plans. Additionally, it will support the Village of Cottage Grove's Active Transportation Plan and the City of Verona's Safe Routes to School Plan—each a critical step towards making local roadways, sidewalks, and bike paths safer for all residents.

Each community partner is responsible for producing their plans and for providing their local match. The City of Madison does not provide any matching funds toward this project. The City, on behalf of the MPO, will retain funds for grant administration related tasks conducted on behalf of the participating local partners.



City of Madison

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

Master

File Number: 85779

File ID: 85779

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: EQUAL
OPPORTUNITIES
COMMISSION

File Created Date : 10/22/2024

File Name: Equal Opportunities Considerations

Final Action:

Title: Amending Section 39.03(8)(i)3.b. of the Madison General Ordinances related to the Equal Opportunities Ordinance to align with state law.

Notes: 6908EqualOpportunitiesConsiderations

Sponsors: Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author: Adriana Peguero

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	10/22/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Equal Opportunities Commission (11/21/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	EQUAL OPPORTUNITIES COMMISSION			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the EQUAL OPPORTUNITIES COMMISSION. The motion passed by voice vote/other.						

Text of Legislative File 85779

Fiscal Note

[Enter Fiscal Note Here]

Title

Amending Section 39.03(8)(i)3.b. of the Madison General Ordinances related to the Equal Opportunities Ordinance to align with state law.

Body

DRAFTER'S ANALYSIS: This change to the City's Equal Opportunities Ordinance replaces the 3-year limitation on crimes or other offenses that an employer can consider when making an employment decision regarding an employee. This change is to make the City's Ordinance more congruent with state law.

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

1. Subparagraph b. or Paragraph 3. of Subdivision (i) of Subsection (8) entitled "Employment Practices" of Section 39.03 entitled "Equal Opportunities Ordinance" of the Madison General Ordinances is amended as follows:

- "b. Has been ~~within the past three (3) years~~ placed on probation, paroled, released from incarceration, or paid a fine, for a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job or licensed activity; Whether the circumstances of any such offense substantially relate to the circumstances of the particular job or licensed activity shall be based on the facts of the particular offense, including but not limited to the seriousness of the offense, the passage of time since the employee or applicant was placed on probation, paroled, released from incarceration, or paid a fine, for a felony, misdemeanor, or other offense, the age of the employee or applicant at the time the offense occurred, and the character of the employee or applicant.



City of Madison

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

Master

File Number: 85482

File ID: 85482

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/01/2024

File Name:

Final Action:

Title: Amending the Public Health Operating Budget to Accept WI Department of Health Services Grant Funding for a 1.0 FTE Disease Intervention Specialist to Support Linkages to Care for People Who Use Drugs

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: KMayoh@publichealthmdc.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Health Department	10/01/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (10/14/24), Board of Health (10/9/24), Common Council (10/29/24)						
1	COMMON COUNCIL	10/08/2024	Refer	FINANCE COMMITTEE		10/14/2024	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 Board of Health for Madison and Dane County.						
1	FINANCE COMMITTEE	10/08/2024	Referred	BOARD OF HEALTH FOR MADISON AND DANE COUNTY		11/06/2024	
	Action Text: This Resolution was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY						
1	FINANCE COMMITTEE	10/14/2024	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER				
	Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER						

1	BOARD OF HEALTH FOR MADISON AND DANE COUNTY	11/06/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	Pass
Action Text: A motion was made by Lankton, seconded by Figueroa Cole, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.					

Text of Legislative File 85482

Fiscal Note

The proposed resolution amends the Public Health operating budget to accept a WI Department of Health Services grant for \$520,000 through August 31, 2029. The grant will fund a 1.0 FTE Disease Intervention Specialist. The position will be a peer navigator to enhance the safety, health, and well-being of people who use drugs and will help establish linkages to evidence-based substance use disorder treatments, community resources, health services, and ongoing care.

Title

Amending the Public Health Operating Budget to Accept WI Department of Health Services Grant Funding for a 1.0 FTE Disease Intervention Specialist to Support Linkages to Care for People Who Use Drugs

Body

WHEREAS, Public Health Madison & Dane County (Public Health) applied for and received funding from the WI Department of Health Services (DHS) via the Employing Navigators to Increase Linkage to Care for People who Use Drugs (PWUD) grant; and

WHEREAS, Public Health's Syringe Services Program (SSP) has averaged nearly 1,200 client encounters per month so far in 2024 and is a vital tool to engage with PWUD, prevent fatal/non-fatal overdose, and curb the spread of communicable disease; and

WHEREAS, with this funding, Public Health will create a peer navigator position to enhance the safety, health, and well-being of people who use drugs by offering trauma-informed support and connecting them to essential services and resources that build recovery capital; and

WHEREAS, this position will also help establish vital linkages to evidence-based substance use disorder treatments, community resources, health services, and ongoing care, with the goals of reducing overdose deaths, improving access to treatment and support services, and fostering a safer, healthier community; and

WHEREAS, the approved grant application included funding for a 1.0 FTE Disease Intervention Specialist (Range 14) position to support navigator functions for this project. The creation of this position would cost an estimated \$104,000 of grant funding annually through the end of the grant period; and

NOW, THEREFORE, BE IT RESOLVED that Public Health has received a total of \$104,000 in funding from the Employing Navigators to Increase Linkage to Care for PWUD grant in 2024 designated to a 1.0 FTE Disease Intervention Specialist position for the duration of the grant period; and

BE IT FURTHER RESOLVED that per the Intergovernmental Agreement Between the City of Madison & Dane County, Public Health employees are employees of Dane County and both the Dane County Board and the City Council are required to approve the creation of any new positions; and

BE IT FURTHER RESOLVED Public Health anticipates that the positions will be hired in the fourth quarter of 2024 and there will be continued funding through August 31, 2029; and

BE IT FURTHER RESOLVED, that the Common Council approves amending the 2024 Public Health operating budget to accept the additional funds in the amount of \$104,000; and

BE IT FURTHER RESOLVED, that the Director of Public Health Madison & Dane County is authorized to sign the agreement for the amount and purpose outlined above; and

BE IT FINALLY RESOLVED that upon adoption of this resolution and approval from the Common Council and Dane County Board, a 1.0 FTE Disease Intervention Specialist (Range 14) position will be created in the Public Health Madison & Dane County 2024 Operating Budget, and the position will be noted in the 2025 Operating Budget to reflect that the continuation of the position is contingent upon continued Employing Navigators to Increase Linkage to Care for PWUD grant funding.



City of Madison

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

Master

File Number: 85759

File ID: 85759

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/17/2024

File Name: Safe Drinking Water Trust Fund Installment

Final Action:

Title: Amending Subsection 4.08(2) of the Madison General Ordinances to allow for an alternate interest rate on certain installment payments.

Notes: 6905SafeDrinkingWaterInstallmentRate

Sponsors: Tag Evers

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	10/17/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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.						
1	FINANCE COMMITTEE	11/18/2024	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 85759

Fiscal Note

The proposed resolution amends subsection 4.08(2) of the Madison General Ordinances to allow for an alternate interest rate on projects where special assessments are levied to fund a water main to serve on properties provided private water service by a private supply cooperative, and which are funded by the Safe Drinking Water Loan Program (SDWLP) loan issued by the State of Wisconsin Department of Natural Resources. For this type of project, it is anticipated only one project will qualify for the unique treatment. The interest rate on the

SDWLP loan is 2.145%.

Title

Amending Subsection 4.08(2) of the Madison General Ordinances to allow for an alternate interest rate on certain installment payments.

Body

DRAFTER'S ANALYSIS: This ordinance amends the City's interest rate calculation methodology associated with certain special assessments that are paid by installments. As allowed for by Wis. Stat. Sec. 66.0715(3)(b), and as provided for by MGO Sec. 4.08(2), the applicable interest rate for installment payments is set by the Common Council at the time an assessment is levied. The interest rate is established based upon the prior year's general obligation borrowing rate. This ordinance would allow a different rate to be used for projects 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, and which are funded by a Safe Drinking Water Loan Program loan issued by the State of Wisconsin Department of Natural Resources. For this type of project, the interest rate shall be the loan rate associated with the SDWLP loan. It is anticipated that there will only be one project that will qualify for this unique treatment.

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

1. Subsection (2) of Section 4.08 entitled "Special Assessments-Payment in Installments" of the Madison General Ordinances is amended as follows:

"(2) Installment payments shall be calculated as follows:

- (a) The first installment shall include a proportionate part of the principal of the special assessment determined by the number of installments, together with interest at the rate of in effect at the time the assessment is levied.
- (b) The interest rate for each calendar year shall be determined by the Finance Director at the beginning of each year using the cost of the prior year general obligation borrowing (%) plus one percent (1%) for administration rounded up to the next highest one-half percent (0.5%).
- (c) Notwithstanding Subd. (b), if the improvement project is of the type described in Sub. (1)(d), and the City funds the improvement project by a loan issued under the State of Wisconsin Department of Natural Resources Safe Drinking Water Loan Program (SDWLP), the interest rate for each calendar year shall be the City's applicable rate of borrowing for the SDWLP loan.
- (d) Said interest rate shall be computed from the date the assessment is billed through the next succeeding October 31, and each subsequent installment shall include a like proportion of the principal and twelve (12) months interest upon the unpaid portion of such assessment."



City of Madison

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

Master

File Number: 85778

File ID: 85778

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/22/2024

File Name: Little Tibet Market & Cafe TID 54 Small Cap TIF
Loan

Final Action:

Title: Authorizing a loan to Little Tibet Market & Café or its assigns in the amount of \$125,000 for real estate improvements to the commercial property at 1113 North Sherman Avenue through the TID 54 Small Cap TIF loan program using TID #54 incremental revenue as authorized in an amendment to the TID #54 Project Plan (RES-23-00507) adopted by the Common Council on July 25, 2023. (District 12)

Notes:

Sponsors: Marsha A. Rummel And Amani Latimer Burris

Effective Date:

Attachments: 2024_08_Summary_Little Tibet Market Cafe.pdf

Enactment Number:

Author: Michael Miller, Business Development Specialist

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	10/22/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Economic Development Committee (11/20/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Economic Development Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	ECONOMIC DEVELOPMENT COMMITTEE			
	Action Text: This Resolution was Referred to the ECONOMIC DEVELOPMENT COMMITTEE						
1	FINANCE COMMITTEE	11/18/2024	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.						

1	ECONOMIC DEVELOPMENT COMMITTEE	11/20/2024	Return to Lead with the Recommendation for Common Council to Adopt	FINANCE COMMITTEE
---	--------------------------------------	------------	--	----------------------

Action Text: Miller gave an overview of the Small Cap TIF program. Jillian Hackel from Madison Development Corporation gave an overview of the loan process and the business. Committee members followed with questions.

A motion was made by Wehelie and seconded by Bulgrin to return to lead with recommendation for Common Council to adopt. The motion passed unanimously by voice vote.

Text of Legislative File 85778

Fiscal Note

The proposed resolution authorizes a Small Cap TIF Loan in the amount of \$125,000 to Little Tibet Market & Cafe for real estate improvements at a commercial property at 1113 N. Sherman Ave. At loan closing, the City shall disburse an amount equal to 15% of the principal amount of loan to MDC from Program funds for servicing, and 15% of the principal amount of the loan to MDC from Program funds for servicing and closing fees. The aggregate (30%) of all such loan fees for this loan will be \$37,500.

The TID 54 Project Plan includes \$1.0 million for Small Cap TIF Loans. The Common Council approved the TID 54 Project Plan in 2023 (RES-23-00507, Leg file 78314). Council further authorized Madison Development Corporation (MDC) to administer the program in future TIDs through the adoption of the TID 51 Project Plan (RES-23-00470, Leg file 78323). Funds for this loan are included in the Economic Development Division's 2024 Adopted Capital Budget as TID-support GO Borrowing. No additional City appropriation is required.

One other Small Cap TIF loan in TID 54 is in process: \$125,000 to Atwood Music Hall LLC (Leg file 82847). These two loans, including MDC service fees, total \$325,000.

Title

Authorizing a loan to Little Tibet Market & Café or its assigns in the amount of \$125,000 for real estate improvements to the commercial property at 1113 North Sherman Avenue through the TID 54 Small Cap TIF loan program using TID #54 incremental revenue as authorized in an amendment to the TID #54 Project Plan (RES-23-00507) adopted by the Common Council on July 25, 2023. (District 12)

Body

WHEREAS, the City of Madison has created the boundary and Project Plan for Tax Incremental District (TID) #54 on July 25, 2023 RES-23-00507 (File ID Number 78314); and

WHEREAS, the intent and purpose of the Project Plan, among other things, is to attract and retain business and employment in the area generally bounded by Packers Ave, First Street, Fordem Ave, and Aberg Ave; and

WHEREAS, Little Tibet Market & Café will operate its businesses out of this location and the improvements will create a specialty ethnic grocery store, a production house for wholesale frozen dumplings, and restaurant. The market will retail a wide range of Indian and southeast Asian inspired goods at affordable prices from different brands. Little Tibet Market & Café will also serve freshly prepared restaurant dishes for takeout or delivery with a juice bar; and

WHEREAS, Little Tibet Market & Café would utilize Small Cap TIF program funds to assist with the real estate improvements for the property located at 1113 North Sherman Avenue, hereby meeting the requirements of the Small Cap TIF program; and

WHEREAS, the program guidelines stipulate through these funds borrowers may receive zero-percent (0%) loans, not to exceed \$250,000, for the purpose of purchasing real estate, financing real estate improvements or not to exceed \$150,000 for purchasing capital machinery and equipment and for each anniversary year of the Common Council authorization of the Loan, 20% of the original principle of the Loan is forgiven until the entire balance is forgiven at the end of five (5) years; and

WHEREAS, the City of Madison has a service contract with Madison Development Corporation (MDC) to market the Program to eligible small businesses and MDC shall qualify all Borrowers for eligibility and credit-worthiness; and

WHEREAS, MDC created a loan summary report and the MDC Loan Committee has recommended an investment of \$125,000 of TID 54 Small Cap TIF loan program funds using TID #54 incremental revenue to this project.

NOW, THEREFORE BE IT RESOLVED, that the Common Council authorizes a \$125,000 TID 54 Small Cap TIF loan program using TID #54 incremental revenue to Little Tibet Market & Café and/or its assigns for real estate improvements to the property at 1113 North Sherman Avenue; 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.



**CITY OF MADISON – TID #54 - SMALL CAP LENDING PROGRAM
CREDIT REQUEST
August 28, 2024**

BORROWER: Tendrel Foods, LLC (Operating) & Bongrum LLC (Real Estate Holding)

BUSINESS: Little Tibet Market & Café

ADDRESS: 1113 N Sherman Ave, Madison WI

PRINCIPALS: Namgyal Ponsar

CREDIT REQUEST: \$125,000 from TID #54 Small Cap TIF

AMORTIZATION: 5-year maturity, fully amortized

RATE: Small Cap TIF - 0% Fixed – No closing fee

PURPOSE: Real estate improvements.

COLLATERAL: Second real estate mortgage on 1113 N Sherman Ave. Second position Blanket Security Agreement on business assets of Tendrel Foods, LLC and Bongrum LLC. Unlimited Personal Guarantees of Namgyal Ponsar and Thinley Tenzing.

DISADVANTAGED BUSINESS

 X MBE
 X WBE
 L-M-I Ownership
 Other _____

TYPE OF BUSINESS

_____ Basic
 X Neighborhood
 Years in Operation: 0

LOCATION

Census Tract # 0021.00

 No Targeted L-M-I Census Tract

CDBG ENVIRONMENTAL REVIEW

Required: Yes X No _____

Date Requested: TBD

JOB IMPACT

 6 Number of Jobs Created

OTHER FUNDING

- Forward Community Investments, Owner Cash Infusion

	<u>Job Classification</u>	<u>Salary</u>	<u>#Hrs/Week</u>
1.	Dumpling Production	\$18/hr	40+
2.	Cashier	\$18/hr	40+
3.	Cook	\$18/hr	40+



BACKGROUND

Tendrel Foods LLC is a family-owned company that was established in 2022 and operates under the name Little Tibet Market & Cafe. It is located at 1113 N Sherman Avenue Madison WI 53704.

Namgyal Ponsar, along with her siblings, launched the first Tibetan-owned food cart in Madison in 2016, and opened Little Tibet restaurant in 2019. The real estate at 1113 N Sherman Ave was purchased by Namgyal Ponsar and her sister, Kelsang Chokey in 2022 through their real estate holding company, Bongrum LLC. There are no mortgages or liens on the building, currently.

Namgyal and her siblings left their homeland Tibet 20 years ago because of political oppression. They arrived in this country as refugees with limited resources, and devoted themselves to achieving the American Dream, which is to achieve a better quality of life for themselves and their children. After working and saving for several years, they entered the Tibetan food business, Little Tibet. The family currently operates a thriving restaurant, food cart, and catering services.

Ponsar describes their Tibetan cuisine “an expression of their culture and is a fundamental part of our identity. Tendrel Foods will provide us the opportunity to continually showcase and represent our underrepresented cuisine and maintain our cultural identity through the medium of food and hospitality.”

PROJECT DESCRIPTION

Tendrel Foods will make improvements to a building located at 1113 N Sherman Ave, Madison, WI. After project completion, Little Tibet Market & Cafe will operate as a specialty ethnic grocery store, a production house for wholesale frozen dumplings, and restaurant. The market will retail a wide range of Indian and southeast Asian inspired goods at affordable prices from different brands. Little Tibet Market & Café will also serve freshly prepared restaurant dishes for takeout or delivery with a juice bar.

Located in the established Northgate strip mall, Little Tibet Market & Café will serve the large Asian community in the neighborhood and surrounding areas. Ponsar, the owner, has been building a strong business brand in the Madison area for the last 7 years and is hopeful that her loyal customers will continue to return to the Little Tibet Market & Café.

Little Tibet Market & Café will operate 6 days a week, offering ten hours of business per day. The principals have extensive knowledge and experience in the restaurants business in Madison, and established collaboration with food distributors. The average markup for other Indian groceries in Madison is 47%, and Little Tibet Market & Café will set their average markup at a competitive 45% to attract customers. If the sales forecast for the first year is met or exceeded, the markup could be increased to 46% in the second year and 47% in year 3.

Based on previous sales at Little Tibet Restaurant and assumptions specific to ethnic grocery stores startups, Little Tibet Market & Café is expected to generate \$450k in sales in year one of operations and increase 33% per year over in years 2 and 3.



This credit request of \$125,000 to the City of Madison’s Small Cap TIF Program represents a piece of gap financing for the project, which is estimated to cost \$830,000. The project is expected to create at least 6 full-time jobs within the first 24 months of operation.

BUDGET

Little Tibet Market & Café	
All Stock Holders	
For improvements to 1113 N Sherman Ave, Madison TID #54	
The breakdowns are as listed below:	
Real Estate Purchase.....	\$ -
Real Estate Improvements.....	540,000
Equipment.....	135,000
Fixtures	60,000
Momo Dumpling Machine.....	80,000
Signage.....	15,000
Total Costs	\$ 830,000
Less: Owner Contribution	\$ 60,000
Total Costs	\$ 770,000
Forward Community Investments	\$ 545,000
Madison Building Improvement Grant.....	50,000
Madison Development Corporation (BLP).....	50,000
Small Cap TIF - Lending Program.....	125,000
Total	\$ 770,000
Submitted By: Namgyal Ponsar	

MANAGEMENT

Namgyal Ponsar, Founder – In 2016, Namgyal decided to turn her family’s business idea into reality. Together with her family, they opened the first and only Tibetan food cart in Madison and successfully added a second food cart in 2017. She opened a restaurant in 2019 and in 2022 she invested in a building to launch the next venture “Little Tibet Market & Café”; which will service as a specialty market, café, and Momo (Tibetan dumpling) production house. Namgyal is an ambitious individual who possesses and entrepreneurial spirit along with multiple skills. She is a committed single mother, a compassionate registered nurse, a self-taught cook, and a certified organic grower. Her extensive experience has enabled her to develop a unique set of skills necessary for sustainable food business management. Namgyal, who owns 60% of the company, will oversee personnel, policies, marketing, and financial progress for the restaurant. She has a Bachelor of Arts from Delhi University in India, an Associate Degree in Nursing from Madison College, and has completed WWBIC Business Plan Training and the WARF Upstart entrepreneurship program.

Thinley Tenzing, Co-owner & Chef – Thinley developed his passion for cooking at a young age while spending time in his mother’s kitchen. Before moving to the United States, he worked in India as a cook,



farmer, and artist. Thinley has gained experience by working with several renowned chefs in numerous restaurants and gained valuable culinary experience under the guidance of some great chefs in India. Thinley's background in farming adds creativity and flavor to his cooking. Tenzing, who owns 40% of the company, will be responsible for working in the kitchen and preparing most of the food using recipes.

Tharten Ponsar, Manager – Tharten always had a passion for cooking. He attended culinary school and worked as a head chef in a successful restaurant in India. Besides his passion for food, Tharten is greatly interested in Tibetan religious mural carving and painting. After moving to the United States, Tharten worked in various restaurants where he did multiple jobs such as dishwashing, bussing tables, kitchen assisting, delivery and serving. Tharten gained valuable experience in both the front and back of the house working at a restaurant. He understands the value of teamwork, trust, and customer care. Currently, Tharten serves as a manager and operates the Little Tibet food cart and catering. Tharten will be responsible for overall day-to-day operation, Momo production, inventory management, and managing payroll. He is a graduate of the Food & Craft Institute in Chandigarh, India.

OWNERSHIP STRUCTURE

Namgyal Ponsar has 60% ownership of Tendrel Foods LLC and Thinley Tenzing has 40% ownership. Bongrum LLC, the real estate holding company, is owned by Namgyal Ponsar and Kelsang Chokey, 50% each.

SUMMARY OF FINANCIAL STATEMENTS

Historical financials were not available for this project as it will be a new business.

Projection financials were provided for the years 2025-2027. 2025 is the first year the project is expected to be fully operations. Estimated revenues and net income are sufficient to cover debt service requirements from year 1. The property as stabilized would provide an estimated loan to value ratio of ~96% and debt service coverage ratio of 1.61.

ECONOMIC IMPACT

<u>Total New Positions</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Full-Time Positions	6	8	8

The project is expected to create 6-8 new full-time positions within the first two years. These are expected to be hourly positions and will include cashiers, cooks, dishwashers, and dumpling production staff.

RISKS

Economic conditions, changes in consumer preferences and unforeseen events can impact revenues.

A portion of the building owned by Bongrum LLC is leased to the Cash Store. Vacancy or issues with the tenant could pose a risk to the owners. However, rents from the Cash Store are not necessary to the success of Little Tibet Market & Café, nor are they included in projections.



The MDC loans will be secured by the same assets as Forward Community Investments with similar terms. However, MDC and the City of Madison will hold a junior position on collateral available.

COLLATERAL

Second real estate mortgage on 1113 N Sherman Avenue. Blanket Security Agreement on business assets of Tendrel Foods LLC. Unlimited Personal Guarantees of Namgyal Ponsar and Thinley Tenzing.

A review of Ponsar and Tenzing's personal credit histories shows no delinquent accounts nor reason for concern.

TID-54 INTENT AND PURPOSE

The City of Madison established that the health of the Madison area economy is vital. It intends to continue to expand, stabilize and diversify its economic base. Madison also recognizes that the area encompassing the Pennsylvania Ave industrial corridor is an essential part of the greater community.

In 2023, the City of Madison in collaboration with MDC established a lending program to review, underwrite, and provide recommendations for applicants. The program is structured as a forgivable loan program for qualifying businesses for the purposes of real estate purchases, improvements, and machinery. Loans are to be structured with 0% over a 5-year term. Eligible businesses are required to remain and keep ownership of the facility for at least 5 years. Whereas 20% of the principal amount is decreased each year.

RECOMMENDATION

Based on the company's business plan, collateral available, job creation, and owner's credit history, the project meets the criteria and goals for the Small Cap TIF Lending Program. Staff recommends approval of \$125,000. This recommendation is contingent on final approval by the City of Madison legal review and City of Madison Common Council. The recommendation is also contingent upon approval of a business loan by Forward Community Investments or



City of Madison

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

Master

File Number: 85782

File ID: 85782

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/22/2024

File Name: Authorizing the Mayor and City Clerk to enter into a contract amendment with Trapeze Software Group, Inc. to the System Supply & Maintenance Agreement entered into on February 10, 2016

Final Action:

Title: Authorizing the Mayor and City Clerk to enter into a contract amendment with Trapeze Software Group, Inc. to the System Supply & Maintenance Agreement entered into on February 10, 2016 to extend coverage for Trapeze back-office software that went out of warranty at the end of 2024 through 2025. The cost of this contract amendment will not exceed \$276,376 in the Transit Utility 2025 operating budget.

Notes:

Sponsors: Dina Nina Martinez-Rutherford

Effective Date:

Attachments: Trapeze 2025 CHANGE ORDER.pdf, Trapeze Software Group - Non-Competitive Selection Request - CC Approval Required October 2024.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: sharnish@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Metro Transit	10/22/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE	11/18/2024		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.						
1	FINANCE COMMITTEE	11/18/2024	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 85782

Fiscal Note

The proposed resolution amends a contract with Trapeze Software Group, Inc. to extend coverage for software utilized by Metro Transit and includes Trapeze Standard Data Exchange (TSDE) Statement of Work. This software supports Metro operational activities including route/schedule development and real-time schedule information. The costs will not exceed \$276,376 in 2025 and is funded within Metro's 2025 Adopted Operating Budget. No additional appropriation required.

Title

Authorizing the Mayor and City Clerk to enter into a contract amendment with Trapeze Software Group, Inc. to the System Supply & Maintenance Agreement entered into on February 10, 2016 to extend coverage for Trapeze back-office software that went out of warranty at the end of 2024 through 2025. The cost of this contract amendment will not exceed \$276,376 in the Transit Utility 2025 operating budget.

Body

The proposed resolution amends the current System Supply & Maintenance Agreement between Metro Transit and Trapeze Software Group, Inc. to extend coverage for software that ends December 31, 2024, including extended coverage for Trapeze back-office software including Trapeze OPS and associated modules through 2025. The cost of this agreement amendment will not exceed \$276,376 in the Transit Utility 2025 operating budget.

The modules provided by Trapeze Software Group support several of Metro's operational activities including route development, schedule development, electronic data communication tools, vehicle parking assignments, real-time schedule information, etc.

An agreement was executed between the City of Madison and Trapeze Software Group, Inc. on February 10, 2016 for system supply and software maintenance. The current software is out of warranty and is needed for Metro to run operations on a daily basis. Metro is in the process of implementing new operational software, and the existing vendor contract is needed until the end of 2025, while the new software is being implemented.

WHEREAS, Metro Transit uses a variety of Trapeze software modules; and

WHEREAS, Metro Transit would like to extend the existing system supply and software maintenance agreement with Trapeze to keep all software in good working order;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to enter into a contract amendment with Trapeze Software Group, Inc. to the System Supply & Maintenance Agreement entered into on February 10, 2016 to extend coverage for software going out of warranty in 2024, extend coverage for Trapeze back-office including Trapeze OPS and associated modules software through 2025. The cost of this contract amendment will not exceed \$276,376 in the Transit Utility 2025 operating budget.

CHANGE ORDER
to
System Supply and Maintenance Agreement

This Change Order, made and entered into by Trapeze Software Group, Inc. ("Trapeze") and the City of Madison Metro Transit ("City" or "Metro Transit") shall become effective upon execution of the Mayor of the City of Madison.

WITNESSETH

1. On February 10, 2016, the City and Trapeze entered into a System Supply and Maintenance Agreement setting forth the terms and conditions for the provision of equipment, software, software licenses, and/or software maintenance services.
2. Exhibit C to the System Supply and Maintenance Agreement set maintenance prices for the years January 1, 2015 – December 31, 2020 for Trapeze products used by Metro Transit.
3. Section 15 of the System Supply and Maintenance Agreement includes a process for changing any price, schedule or statement of work for services to be performed under the System Supply and Maintenance Agreement.
4. Pursuant to Section 15.1.1 of the System Supply and Maintenance Agreement, the parties extended the Agreement and established maintenance pricing for Trapeze products used by Metro Transit from January 1, 2021 to December 31, 2023.
5. Pursuant to Section 15.1.1 of the System Supply and Maintenance Agreement, the Parties extended the Agreement and established maintenance pricing for Trapeze products used by Metro Transit from January 1, 2024 to December 31, 2024.
6. Pursuant to Section 15.1.1 of the System Supply and Maintenance Agreement, the City requested that Trapeze remove INFO Agent and INFO WEB from the Services provided under the System Supply and Maintenance Agreement with such removal being effective January 1, 2025.
7. Pursuant to Section 15.1.2 of the System Supply and Maintenance Agreement, Trapeze provided the City, at the City's request, with a detailed proposal including updated maintenance pricing from January 1, 2025 to December 31, 2025 for Trapeze products used by Metro Transit, attached hereto as Schedule C.
8. The parties now wish to enter into this Change Order in order to set new maintenance prices from January 1, 2025 to December 31, 2025 for Trapeze products used by Metro Transit as provided in attached Schedule C.
9. The parties agree that pursuant to Section 15.1.4 of the System Supply and Maintenance Agreement that this Change Order shall be subject to the terms and conditions of the System Supply and Maintenance Agreement.

NOW, THEREFORE, in consideration of the following mutual covenants and conditions, including the above recitals, which are made part of this Change Order, the parties hereto covenant and agree with each other as follows:

1. The attached Schedule C shall be added to Exhibit C of the System Supply and Maintenance Agreement entered into between the City and Trapeze on February 10, 2016.
2. This Change Order shall be subject to the terms and conditions of the System Supply and Maintenance Agreement entered into between the City and Trapeze.

IN WITNESS WHEREOF, the parties hereto have duly executed this Change Order by affixing their signatures below.

TRAPEZE SOFTWARE GROUP, INC.

By: _____

Signature: _____

Date: _____

CITY OF MADISON, WISCONSIN

By: _____

Satya Rhodes-Conway, Mayor

Date: _____

By: _____

Maribeth Witzel-Behl, City Clerk

Date: _____

APPROVED

By: _____

Eric Veum, Risk Manager

By: _____

David Schmeidicke, Finance Director

APPROVED AS TO FORM

By: _____

Michael Haas, City Attorney

Schedule C

Madison Metro - Maintenance Schedule

Product	Period	Operational Characteristics	Value	Notes
FX	January 1, 2025 - December 31, 2025	up to 200 peak fixed route vehicles and 5 w/s	\$ 61,103	
Blockbuster	January 1, 2025 - December 31, 2025	up to 200 peak fixed route vehicles and 1 w/s	\$ 23,904	
PASS	January 1, 2025 - December 31, 2025	up to 899 booked trips per day and 5 w/s	\$ 38,562	
FX MON	January 1, 2025 - December 31, 2025	up to 200 peak fixed route vehicles	\$ 20,730	
Mapmaker	January 1, 2025 - December 31, 2025	up to 200 peak fixed route vehicles	\$ 7,842	
OPS Vehicle Import	January 1, 2025 - December 31, 2025	up to 382 total drivers	\$ 3,392	
OPS/OPS MON	January 1, 2025 - December 31, 2025	up to 382 total employees	\$ 74,474	
OPS SIT	January 1, 2025 - December 31, 2025	up to 382 total employees	\$ 6,369	
2025 Total			\$ 236,376	

*This forecasted pricing is for informational purposes only and is not legally binding or an offer. It may change without notice and should not be relied upon.
The pricing and terms in this document are for discussion purposes only and do not create obligations or liabilities.
Actual pricing, availability, and terms will be determined separately.*



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 10/17/2024

Requisition Number: (8 characters)

Requestor Name: Mick Rusch

Requestor Phone Number: 608-266-6532

Requestor Email: mrusch@cityofmadison.com

Fund: 2150 METRO TRANSIT

Agency: 85 METRO TRANSIT

- 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: \$276,736.00

Vendor Name: Trapeze Software Group

Product/Service Description: Ongoing software maintenance and transition support for 2025

- ☐ **\$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.

Metro Transit has used Trapeze software for the bus system for many years, and the annual support and maintenance can only be purchased from them. A new vendor (Clever) was selected in 2022 and implementation is currently underway; however, Trapeze software will need to continue to be used in 2025 during the implementation. Also, transitional support for proprietary data files will be required specifically from Trapeze.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has paid Trapeze \$5.6M since 2015 for support, maintenance, and other related expenses. Trapeze was the provider of software for the Madison bus system for several decades, but all of the monies paid to them since 2015 were non-competitively selected on the basis of their being the sole source of support and maintenance of our existing product, and then for the last few years as we needed to continue in transitional support during the implementation of the new software from Clever.

Date:

Submit



City of Madison

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

Master

File Number: 85784

File ID: 85784

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/22/2024

File Name: 10379 - 3030 Darbo Dr Acquisition and Lease

Final Action:

Title: Authorizing the City's execution of a Purchase and Sale Agreement and Lease between the City of Madison and The Salvation Army or their successors and assigns, for the purchase of the property located at 3030 Darbo Drive in the City of Madison, and leaseback period subsequent to closing. (District 15)

Notes:

Sponsors: Satya V. Rhodes-Conway, Dina Nina
Martinez-Rutherford And Marsha A. Rummel

Effective Date:

Attachments: 10379 Lease -3030 Darbo.pdf, 10379 PSA 3030
Darbo.pdf

Enactment Number:

Author: Melissa Hermann, Real Estate Specialist

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	10/22/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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.						
1	FINANCE COMMITTEE	11/18/2024	RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER				Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Currie, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.						

Text of Legislative File 85784

Fiscal Note

The proposed resolution authorizes the purchase of the property located at 3030 Darbo Dr. Acquisition costs are estimated at \$3.0 million. Funding for the proposed acquisition and associated expenses are available in two capital programs. The Community Development Division's 2022 Adopted Capital Budget included \$2.5 million of American Rescue Plan Act (ARPA) funds for the Salvation Army Darbo Site (Munis project 13775). The Economic Development Division's Land Banking capital program will fund the remaining \$500,000 (Munis project 12640). The proposed resolution further authorizes the execution of a lease agreement for the property after closing of the sale to The Salvation Army for \$1 a year through December 31, 2026 with two successive 1-year extension options. No additional City appropriation is required.

Title

Authorizing the City's execution of a Purchase and Sale Agreement and Lease between the City of Madison and The Salvation Army or their successors and assigns, for the purchase of the property located at 3030 Darbo Drive in the City of Madison, and leaseback period subsequent to closing. (District 15)

Body

WHEREAS, The Salvation Army ("Seller") is the owner of the property located at 3030 Darbo Drive which contains 2.57 acres of land and all improvements thereon ("Property"), legally described as follows:

LOT 2 OF CERTIFIED SURVEY MAP 7652, RECORDED NOVEMBER 15, 1994 IN VOLUME 40, PAGES 47-49 AS DOCUMENT NO. 2645258 AND BEING CORRECTED BY AFFIDAVIT RECORDED JUNE 10, 1996 IN VOLUME 33141, PAGE 73 AS DOCUMENT NO. 2799665, BEING LOCATED IN THE NORTHEAST ¼ AND NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, BEING OUTLOT A, LOTS 1-4 AND 9-19 EXCEPT THE NORTHERLY 5 FEET OF LOTS 16-19, ALL IN DARBO'S ADDITION.

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 4229987 AND FURTHER EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN INSTRUMENT RECORDED IN DOCUMENT NO. 5424962.

WHEREAS, the City of Madison ("City") desires to purchase the Property from the Seller to provide the Seller with funding to redevelop the Seller's shelter for Women and Children on E. Washington Avenue, to landbank a property that is proximate to Bus Rapid Transit in order to support continued provision of essential community services and to provide the City with an additional site for creating the Darbo Dream; and

WHEREAS, the Mayor directed the City's Office of Real Estate Services to pursue the purchase of one or more properties suitable for such use, and the terms of the Property's purchase are being negotiated; and

WHEREAS, pursuant to that certain Lease being negotiated by the City and the Seller, the City agrees that the Seller may lease the Property from the City after closing, at no cost to the Seller, until such time as the Seller's new facility is completed.

NOW, THEREFORE, BE IT RESOLVED that the City's Common Council hereby authorizes the City's execution of a Purchase and Sale Agreement, as Buyer, for the purchase of the Property with a purchase price of \$3,000,000 subject to certain prorations and closing costs, and on substantially the same the terms and conditions contained in the Purchase and Sale

Agreement attached hereto; and

BE IT FURTHER RESOLVED that the City's Common Council hereby authorizes the City's execution of a lease for \$1 a year with the Seller for the continued use of the Property after closing on substantially the same the terms and conditions contained in the Lease attached hereto; and

BE IT FURTHER RESOLVED that City Staff are authorized to solicit and enter into contracts to pay for holding costs including, but not limited to, grass cutting, snow removal, and general maintenance, after the Seller's lease has expired and the Property has been vacated; and

BE IT FINALLY RESOLVED that the Mayor and Clerk are hereby authorized to sign, accept, and record any and all documents and legal instruments required to complete the transactions contemplated in this resolution, on a form and in a manner that has been approved by the City Attorney.

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 on this _____ day of _____, 2024 ("Effective Date"), by and between the **City of Madison**, a Wisconsin municipal corporation, ("City"), and **The Salvation Army**, an Illinois corporation ("Lessee").

WITNESSETH:

WHEREAS, the City is the owner of the property at 3030 Darbo Drive, located in the City of Madison, Dane County, Wisconsin, which is legally described on attached Exhibit A and depicted on attached Exhibit B ("Property"); and

WHEREAS, the Lessee was the prior owner of the Property, and City and the Lessee (together, the "Parties") agreed that upon conveying the Property to the City, the Lessee could continue to occupy the Property, pursuant to this Lease, for the continued operation of their business during Lessee's construction of replacement shelter and office facilities on the property owned by Lessee and located at 630 East Washington Avenue in Madison, Wisconsin (the "Project"); and

NOW, THEREFORE, the Parties mutually agree as follows:

1. Leased Premises. The City hereby leases to the Lessee the Property, also referred to as the "Leased Premises" in this Lease.
2. As Is, Where Is. The City leases the Leased Premises to the Lessee in "as is", "where is" condition with all faults and City makes no representations or warranties, either express or implied, as to the condition of the property or any improvements thereon, as to the suitability or fitness of the property or any improvements thereon, as to any law, or any other matter affecting the use, value, occupancy, or enjoyment of the property, or, except as set forth elsewhere herein, as to any other matter whatsoever.
3. Term. This Lease shall commence on the Effective Date and expire on December 31, 2026 ("Initial Term"), subject to extension and Early Termination pursuant to the terms of this Lease.

The Lease shall automatically terminate prior to the expiration of the Initial Term or any subsequent Renewal Option, 60 days following the Project receiving a final certificate of occupancy permit and all other required approvals from the City necessary for Lessee's occupancy and use of the Project ("Early Termination").

Return to: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251/0710-052-1005-1

4. Option to Renew. Lessee shall have two (2) successive options to extend this Lease (each defined as a "Renewal Option"; collectively the "Renewal Options") for additional terms of one (1) year each, under the same terms and conditions provided in the original term of this Lease. If the Lessee desires to renew this Lease, the Lessee must give notice in writing to the City a minimum of one hundred twenty (120) days prior to the expiration of the Initial Term or any Renewal Term, pursuant to the notice provisions set forth in Paragraph 23. In addition, City shall have the right to declare Lessee's exercise of a Renewal Option null and void if Lessee is in default under the terms of this Lease beyond any applicable notice and cure periods on the date Lessee exercises a Renewal Option or at any time thereafter until the commencement of the applicable Renewal Term for which the Renewal Option was exercised. Except as otherwise provided for in this Paragraph, any applicable Renewal Options shall expire or terminate under the same terms and conditions as the Initial Term.
5. Rent. "Base Rent" shall be One Dollar (\$1.00) per year, or any portion thereof. All payments are to be made payable to the City Treasurer, and sent or personally delivered to the Economic Development Division at the address specified in Paragraph 23, or to the address of a property manager, as designated by the City.
6. Use. The Lessee shall use the Leased Premises solely for the purpose of operating The Salvation Army and activities related thereto, which may include use of the Leased Premises by other community organizations provided such use does involve leasing or subleasing any portion of the Property and does not otherwise conflict with the terms of this Lease, and for no other purposes whatsoever without the City's prior written consent. The City may withhold such consent in its sole discretion.
7. Utilities. The Lessee shall be responsible for and promptly pay all charges for heat, gas, electric, sewer, storm sewer, water service and any other utility used upon or furnished to the Leased Premises. The Lessee shall also be responsible for arranging the stoppage of any internet, television, cable and telephone service furnished to the Leased Premises, and all costs related thereto, upon the termination or expiration of this Lease.
8. 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.
9. Alterations and Construction. Except as authorized by this Paragraph 9 or as may be required to satisfy Lessee's obligations under Paragraph 10, no construction, modification, improvement, alteration, redecoration, or remodeling of the Leased Premises shall be undertaken without prior written approval from the Director of the City Economic Development Division, which approval shall not be unreasonably withheld, conditioned or delayed. Any such construction, modification, improvement, alteration, redecoration, or remodeling shall be at the expense of the Lessee and remain for the benefit of the City, unless otherwise provided in such written approval. In all cases, the Lessee is responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any construction activity.

At the Lessee's sole cost, from and after the execution of this Lease by the Parties, the Lessee may replace and/or repair the finished flooring surface, paint walls, replace and/or repair lighting fixtures throughout the Leased Premises without the City's prior written approval.

10. Lessee's Maintenance Responsibilities. The Lessee shall, at its own expense, keep and maintain the Leased Premises and every part thereof, and any fixtures, facilities or equipment contained therein, including exterior and interior signs; paving; general repairs; removal of garbage and debris; snow removal; landscape upkeep; parking enforcement; light fixtures, including replacement of light bulbs and ballasts; all plumbing fixtures and accessories; sinks and drains, including unclogging; interior walls including drywall, plaster, and other wall surfaces that may be present; and finish flooring materials and surfaces, in substantially the same condition and repair as exists on the Effective Date, ordinary wear and tear excepted, and 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. In the event any of the items listed in this Paragraph 10 need to be replaced, whether at the time the Lessee takes occupancy of the Leased Premises or at any time while this Lease is in effect, such replacement(s) shall be at the Lessee's sole expense.
11. Liens and Title.
- 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, 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.
 - c. The Lessee shall in no way encumber, or allow to be encumbered, the City's title to the Leased Premises.

12. Taxes and Assessments. The City and the Lessee are a tax-exempt entities. 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 shall be liable for all such real estate taxes and assessments in relation to the Property during the term of this Lease. The Lessee shall be responsible for all personal property tax on its personal property.
13. Indemnification. The Lessee shall be liable to and agrees to indemnify, defend and hold harmless the City, and its officers, officials, agents, and employees, against all loss or expense (including liability costs and attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officers, officials, agents or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the acts or omissions of the Lessee or its officers, officials, members, agents, employees, assigns, guests, invitees, sublessees or subcontractors, in the performance of this Lease, whether caused by or contributed to by the negligence of the City, its officers, officials, agents, or employees. This paragraph shall survive termination and assignment or transfer of this Lease.
14. 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 occurring on or after the Effective Date 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.
15. Insurance.
 - a. The Lessee shall carry commercial general liability insurance covering as insured the Lessee and naming the City, its officers, officials, agents and employees as additional insureds, with a minimum limit of \$1,000,000 minimum per occurrence as may be adjusted occasionally by the City of Madison's Risk Manager, but in no event shall the minimum limit exceed \$2,000,000 minimum per occurrence. This policy shall also be endorsed for contractual liability in the same amount, apply on a primary and noncontributory basis, and provide the City thirty (30) days advance written notice of cancellation, non-renewal or material changes to the policy during the term of this Lease. As evidence of this coverage, the Lessee shall furnish the City with a certificate of insurance on a form approved by the City, such approval not to be unreasonably withheld, and, if requested by the City Risk Manager, the Lessee shall also provide copies of additional insured endorsements or policy. If the coverage required above expires while

this Lease is in effect, the Lessee shall provide a renewal certificate to the City for approval.

- b. The Lessee shall be solely responsible for carrying property insurance sufficient to cover loss of all stock-in-trade, trade fixtures, furniture, furnishings, equipment or personal property on the Leased Premises. The City shall not be liable for any damage to, or loss of property of the Lessee or others located on the Leased Premises. In addition, the Lessee agrees to provide a waiver of subrogation in favor of the City.
- c. Throughout the term of this Lease, the City will, at the City's expense, carry property insurance on the Leased Premises. Such property insurance will be the same as what is carried on other City-owned properties.

16. Defaults, Remedies, and Termination.

- a. Defaults: The occurrence of any of the following events shall constitute a default and breach of this Lease by the Lessee:
 - (1) The abandonment by the Lessee of the Leased Premises;
 - (2) The use of the Leased Premises for an illegal purpose;
 - (3) In the event the Lessee ceases its business operations at the Leased Premises.
 - (4) In the event the Lessee defaults in the performance of any other term or condition of this Lease.
- b. City's Remedies. If any default by the Lessee shall continue uncured after thirty (30) days written notice of default from City to the Lessee, the City has the following remedies, in addition to all other rights and remedies provided by law or equity, to which the City may resort cumulatively or in the alternative.
 - (1) Termination of Lease. The City may at the City's election terminate this Lease by giving the Lessee notice of termination while such default remains uncured. On the giving of the notice, all further obligations of City under this Lease shall terminate, the Lessee shall surrender and vacate the Leased Premises in a broom clean and sanitized condition, and the City may take possession of the Leased Premises and eject all parties in possession or eject some and not others or eject none. Termination under this paragraph shall not relieve the Lessee from the payment of any sum then due to the City or from any claim for damages previously accrued or then accruing against the Lessee.
 - (2) Diligent Efforts. Notwithstanding anything to the contrary in this Paragraph, in the event of the Lessee's default under Paragraph 16.a.(4), if such default is not a health or safety violation and cannot, because of the nature of the default, be cured within the thirty (30) days after City's notice thereof, 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.

- (3) City May Perform. City shall have the right at any time, after ten (10) days notice to the Lessee (or in case of emergency or a hazardous condition or in case any fine, penalty, interest or cost may otherwise be imposed or incurred), to make any payment or perform any act required of the Lessee under any provision in this Lease, and in exercising such right, to incur necessary and incidental costs and expenses, including reasonable attorneys' fees. Nothing herein shall obligate City to make any payment or perform any act required of the Lessee, and this exercise of the right to so do shall not constitute a release of any obligation or a waiver of any default. All payments made and all costs and expenses incurred in connection with any exercise of such right shall be reimbursed to the City by the Lessee.
- c. Lessee's Remedies. If any default by the City shall continue uncured after thirty (30) days written notice of default from Lessee to City, Lessee has the following remedies, in addition to all other rights and remedies provided by law or equity, to which Lessee may resort cumulatively or in the alternative:
 - (1) The Lessee may terminate this Lease by giving the City notice of termination. On the giving of the notice, all further obligations of under this Lease shall terminate, Lessee shall surrender and vacate the Leased Premises in a broom clean and sanitized condition, and the City may take possession of the Leased Premises and eject all parties in possession or eject some and not others or eject none.
 - (2) Lessee may take any actions necessary to cure a default by making repairs or replacements required by City under this Lease and offset such expenses by reducing Lessee's rent.

If the City shall fail to perform any covenant, term or condition of this Lease to be performed by City, if any, and if as a consequence of such default, the Lessee shall recover a money judgment against City, such judgment shall be satisfied only out of the proceeds of sale received upon execution of such judgment and levied thereon against the right, title and interest of City in the Leased Premises and out of income from such property receivable by City, or out of the consideration received by City from the sale or other disposition of all or any part of City's right, title and interest in the Leased Premises, and City shall not be personally liable for any deficiency.

17. 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, 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.

18. City Right of Entry. For the purposes of maintaining the Leased Premises, the City or its representatives reserve the right to enter and access the Leased Premises 24 hours per day, 7 days per week, with 48-hour notice to the Lessee, for the following non-emergency purposes:
- a. To make any necessary repairs/replacements to the Leased Premises for which the City is responsible under the terms of this Lease.
 - b. To conduct any periodic inspections of the Lessee's maintenance obligations herein, that it may deem expedient to the proper enforcement of any term or condition of this Lease or in the exercise of its municipal powers.

For the purposes of remedying an emergency situation, the City may enter the Leased Premises 24 hours per day, 7 days per week, without notice to the Lessee.

19. Rights upon Expiration or Termination; Removal and Disposal of Personal Property. Upon the expiration or termination of this Lease for any cause, the Lessee's rights in the Leased Premises shall cease, and the Lessee shall immediately surrender the Leased Premises. Prior to such expiration or termination, the City and the Lessee shall discuss and determine which of the Lessee's furniture, fixtures, equipment and personal property shall remain at the Leased Premises following such expiration or termination. The Lessee shall remove all personal property from the Leased Premises that the Parties agree that the Lessee is required to remove and leave the Leased Premises in a broom clean and sanitized condition. If any personal property is abandoned 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.
20. 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, such holding over shall be deemed to constitute a tenancy from month to month, upon the same terms and conditions as herein provided, however, in no event shall the tenancy be deemed to be year to year.
21. 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.
22. 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.
23. 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 either electronic mail or 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: Office of Real Estate Services
 Economic Development Division - City of Madison
 P. O. Box 2983
 215 Martin Luther King, Jr. Blvd., 3rd Floor

Madison, WI 53701-2983
Email: mhermann@cityofmadison.com and
ores@cityofmadison.com

With a copy to: City Attorney's Office
Attn: Matthew Robles
City County Building, Room 401
210 Martin Luther King Jr. Blvd. Madison, WI 53703
Phone: (608) 267-4925
Email: mrobles@cityofmadison.com

For the Lessee: The Salvation Army
Attn: Tracy Habermehl, Divisional Property
Administrator
11315 W. Watertown Plank Road
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.

24. Counterparts, Electronic Signature and Delivery. This Lease may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Lease may be exchanged between the Parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Lease 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 Lease may be delivered by facsimile or email or similar technology and upon receipt will be deemed original and binding upon the Parties, whether or not a hard copy is also delivered. Copies of this Lease, fully executed, shall be as valid as an original.
25. Non-Discrimination. In the performance of its obligations under this Lease, the Parties agree not to discriminate 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 Parties further agree 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.
26. 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.
27. Signs. Any signs on the Leased Premises shall be in conformity with the provisions of City of Madison General Ordinance Chapter 31, Sign Control Ordinance. Lessee shall pay the cost to create, install and maintain any signage.

28. 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.
29. Entire Agreement. All terms and conditions with respect to this Lease are expressly contained herein, and the Parties agree that neither Party has made any representations or promises with respect to this Lease not expressly contained herein. No alteration, amendment, change, or addition to this Lease shall be binding upon the Parties unless in writing and signed by them.
30. Damage and Destruction. In the event the Leased Premises is damaged by any peril covered by standard policies of fire and extended coverage insurance to an extent which is less than fifty percent (50%) of the cost of replacement of the Leased Premises, 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: (a) the Leased Premises is damaged to the extent of fifty percent (50%) or more of the cost of replacement of the Leased Premises; or (b) the building is damaged to the extent of fifty percent (50%) or more of the cost of replacement; or (c) any damage to the Leased Premises occurs during the last one-third (1/3) of the primary term of this Lease or at any time during any renewal term or hold over period thereof, 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, the Lease term shall be extended for a period equal to the period of repair. If the City is required or elects to repair the Leased Premises, the Lessee shall repair or replace its stock-in-trade, trade fixtures, furniture, furnishings, equipment and personal property in a manner and to at least a condition equal to that prior to its damage or destruction, and the proceeds of all insurance carried by the Lessee shall be held in trust by the Lessee for the purpose of such repair and replacement.
31. 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.

32. Brokerage Costs. The Parties are not responsible for any brokerage costs in connection with the Lease.
33. Public Record. This Lease will be recorded at the office of the Dane County Register of Deeds after it is executed by the Parties.

Signatures begin on following page.

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

The Salvation Army,
an Illinois corporation

By: _____

State of Illinois)
)ss.
County of Cook)

Personally came before me this ____ day of _____, 2024, the above named
_____ (name), as _____ (title)
of The Salvation Army, an Illinois corporation, known to me to be the person who executed the above
foregoing instrument, and acknowledged that they executed the foregoing instrument as such
_____ (title) as the deed of said corporation, by its authority.

Notary Public, State of Illinois

Print or Type Name
My Commission expires: _____

CITY OF MADISON

By: _____
Satya Rhodes-Conway, Mayor

By: _____
Maribeth L. Witzel-Behl, City Clerk

AUTHENTICATION

The signatures of Satya Rhodes-Conway, Mayor, and Maribeth Witzel-Behl, Clerk, on behalf of the City of Madison, are authenticated on this ____ day of _____, 2024.

Matthew Robles, Assistant City Attorney
Member of the Wisconsin Bar

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 Enactment No. RES-24-00____, 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

Real Estate Project No. 10379

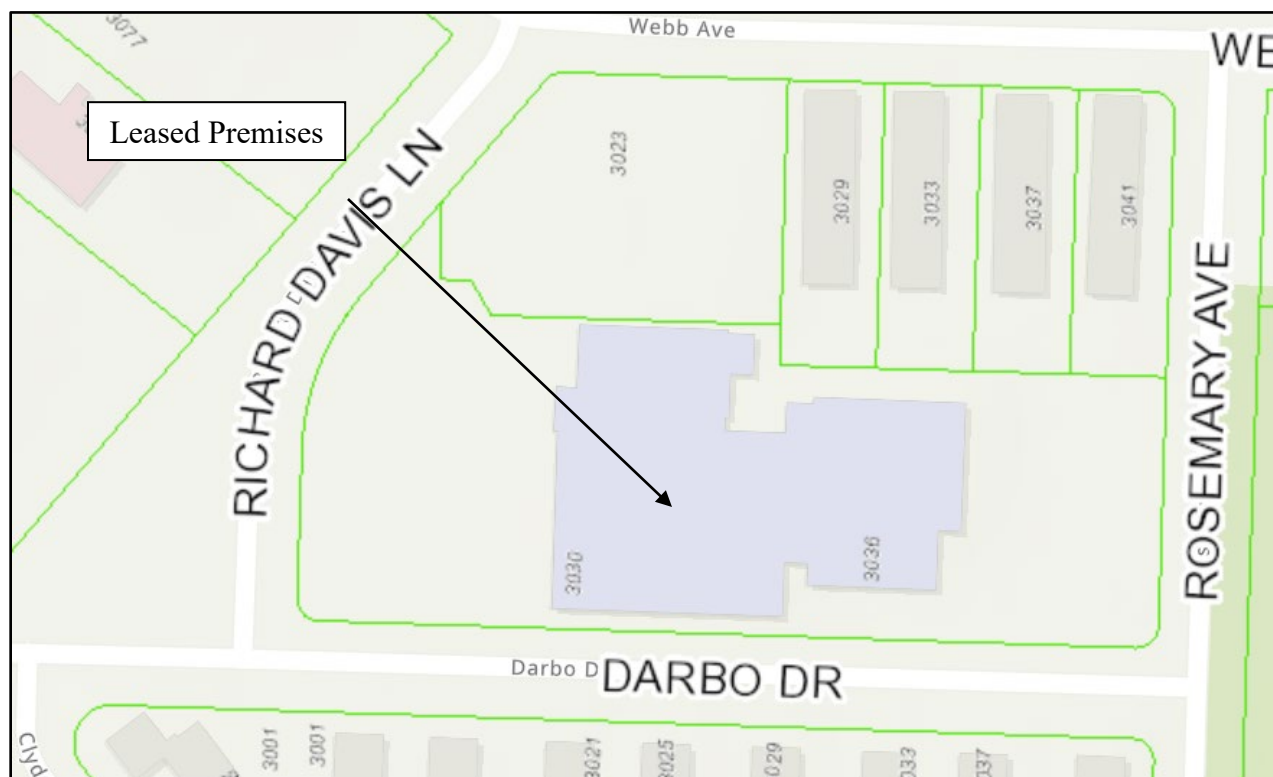
EXHIBIT A

Legal Description of the Property

LOT 2 OF CERTIFIED SURVEY MAP NO. 7652, RECORDED NOVEMBER 15, 1994 IN VOLUME 40, PAGES 47-49 AS DOCUMENT NO. 2645258 AND BEING CORRECTED BY AFFIDAVIT RECORDED JUNE 10, 1996 IN VOLUME 33141, PAGE 73 AS DOCUMENT NO. 2769665, BEING LOCATED IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, BEING OUTLOT A, LOTS 1-4 AND 9-19 EXCEPT THE NORTHERLY 5 FEET OF LOTS 16-19, ALL IN DARBO'S ADDITION.

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 4229987 AND FURTHER EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN INSTRUMENT RECORDED IN DOCUMENT NO. 5424962.

EXHIBIT B
Depiction of the Property/Leased Premises



31784055.4

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (“Agreement”) is entered into as of the ____ day of _____, 2024, by and between the **City of Madison**, a Wisconsin municipal corporation (“Buyer”) and **The Salvation Army**, an Illinois corporation (“Seller”).

In consideration of the covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Buyer and the Seller (together, the “Parties”) hereto covenant and agree as follows:

1. The Property. The Seller is the owner of the real property legally described in Exhibit A, located at 3030 Darbo Drive in the City of Madison, Wisconsin (the “Property”). At Closing, the Buyer shall purchase and the Seller shall sell and convey by Special Warranty Deed (“Deed”) fee simple ownership of Seller’s interest in the Property, together with all rights, easements and appurtenances pertaining thereto and all improvements, trees, bushes, landscaping, and foliage.
2. Effective Date. The “Effective Date” shall be the date first stated above.
3. Purchase Price. The total purchase price of the Property (“Purchase Price”) shall be Three Million and no/100 (\$3,000,000.00) which amount shall be payable in cash at Closing, as defined herein, subject to the adjustments and prorations herein provided.
4. Personal Property. The transaction contemplated by this Agreement will not include any personal property.
5. Delivery of Documents.
 - a. The Seller shall, within (10) business days after the Seller’s execution of this Agreement, provide the Buyer with complete copies of all documents in the Seller’s actual possession or control relating to the physical and environmental condition of the Property. Seller has previously provided to the City copies of appraisals received by Seller regarding the Property.

- b. Within five (5) business days after the Seller's execution of this Agreement, the Seller shall order a title insurance commitment ("Title Commitment") from the First American Title Company ("Title Company") with a policy amount of not less than the Purchase Price. The commitment shall include all supporting documents including, but not limited to, recorded declarations, use restrictions and annexation agreements. If the Title Commitment discloses any conditions, restrictions, liens, encumbrances, easements or covenants which in the Buyer's reasonable opinion would adversely affect the Buyer's intended use, Buyer shall notify the Seller in writing within prior to the expiration of the Due Diligence Period (as defined below) of such matters ("Title Objection Notice"), and the Seller shall have thirty (30) days from the date it receives the Title Objection Notice (the "Cure Period") to (i) cure those defects that it elects to cure, provided Seller shall have no obligation to cure any matters objected to in the Title Objection Notice except for monetary liens, which the Seller shall satisfy at or before Closing, and (ii) cause the Title Company to furnish an updated Title Commitment showing such defects cured or removed. If all defects set forth in the Title Objection Notice are not cured within the Cure Period, the Parties may either agree to extend the initial thirty (30) day Cure Period, or the Buyer may, at its option, within ten (10) business days following the initial thirty-day Cure Period terminate this Agreement by written notice to the Seller.
6. Limited Representations and Warranties; AS-IS Condition. Except as otherwise provided in this Agreement, the Buyer shall purchase the Property in "AS-IS, WHERE-IS" condition and "with all faults," and shall agree that it relied upon no warranties, representations or statements by the Seller, its agents or employees, in entering into this Agreement or in closing the transaction described therein. The Buyer's Closing on the acquisition of the Property shall constitute conclusive evidence that the Buyer is satisfied with the condition of and title to the Property.
7. Due Diligence Period.
 - a. The Buyer shall have thirty (60) days after execution of this Agreement by the Parties ("Due Diligence Period") to review, test and inspect all aspects of the Property, at its sole cost and expense, subject to the provisions of this Section 7. In the event said review, inspections or tests disclose matters which would make the Property unsuitable for the Buyer's intended use, the Buyer may terminate this Agreement by written notice to the Seller prior to the expiration of the Due Diligence Period. If the Buyer does not provide written notice terminating this Agreement on or prior to the sixtieth (60th) day of the Due Diligence Period, this Agreement shall remain in full force and effect, the Buyer shall accept the Property as-is, and the Parties shall proceed to Closing.
 - b. Notwithstanding the foregoing, the Buyer may not perform any Phase 2 Environmental Site Assessment or any testing of the air, soil or water at the Property without the prior written consent of the Seller, which consent may be withheld in Seller's sole discretion.

- c. Should the Buyer desire to waive its contingencies under this Agreement and close prior to the end of the Due Diligence Period, the Buyer may provide the Seller with written notice of its intent to do so. The provision of such notice by the Buyer shall not affect the covenants and Closing requirements contemplated in this Agreement, except that the Closing shall occur on or before fifteen (15) days from the date the Seller receives such notice, unless the Parties agree in writing to another date.
 - d. The Due Diligence Period in this Agreement may be extended only upon written agreement of the Parties.
8. Access to the Property.
- a. The Buyer and the Buyer's authorized agents, contractors, and engineers shall be permitted access to the Property for the purpose of conducting inspections and testing, including but not limited to, including a Phase 1 or 2 Environmental Site Assessment report ("ESA") and related testing, soils testing and any other inspections or testing deemed necessary by the Buyer and approved by Seller as set forth in Paragraph 7(b). Access shall be at reasonable times with at least forty-eight (48) hours advance notice to the Seller.
 - b. In the event Buyer's Phase 1 ESA recommends a Phase 2 ESA, and the Seller consents as set forth in Paragraph 7(b), the Buyer may notify the Seller in writing of its desire to extend the Due Diligence Period if necessary to conduct such investigation. If the Parties are unable to agree on an extension of the Due Diligence Period, the Buyer may declare this Agreement null and void by providing written notice of termination to the Seller prior to the expiration of the Due Diligence Period. In no event shall the Seller be required to cure any matter to which the Buyer objects relating to the condition of the Property or any improvements located thereon. The Buyer shall repair, at its sole cost and expense, all damages caused by any of its assessments and inspections so that the condition of the Property is returned to as good or better condition as existed prior to the assessment(s) and inspections, which obligation shall survive any termination of this Agreement.
 - c. Seller may have one or more representatives present during any period of access by the Buyer or the Buyer's agents. The Buyer and the Buyer's agents shall follow the Seller's reasonable safety and welfare rules during any period of access to the Property.
9. Title Insurance. Seller shall order a Title Commitment from the Title Company as set forth in Paragraph 5(b) of this Agreement, and any objections to matters shown on the Title Commitment shall be addressed as set forth in Paragraph 5(b).
10. Survey. Any survey of the Property including, but not limited to, an ALTA/NSPS Land Title Survey that meets the Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys effective February 23, 2021 that is required to eliminate all survey related exceptions to the title insurance policy, certified as of a current date in favor of the Buyer

and the Title Company providing the title insurance described in Paragraph 9 shall be at the sole cost and expense of the Buyer. Any objections by the Buyer to matters shown in any such survey shall be delivered by the Buyer to the Seller in a written notice on or before the expiration of the Due Diligence Period, provided the Seller shall have no obligation to cure any such objections.

11. Commissions. The Seller represents that it has not entered into any contracts with any brokers or finders nor has the Seller obligated itself to pay any real estate commissions or finders' fees on account of the execution of this Agreement or the close of the transaction contemplated therein. The Buyer represents that it has not entered into any contracts with any brokers or finders nor has the Buyer obligated itself to pay any real estate commissions or finders' fees on account of the execution of this Agreement or the close of the transaction contemplated therein. The provisions of this Paragraph 11 shall survive any expiration or termination of this Agreement and shall not merge into any deed delivered and accepted upon the closing of the transaction therein contemplated.
12. Closing.
 - a. Subject to the outside date set forth in Paragraph 13(d)(4), closing ("Closing" or the "Closing Date") shall occur on or before fifteen (15) days from; (a) the expiration of the Due Diligence Period; or (b) the date of the Seller's receipt of notice from the Buyer requesting an earlier date of Closing; or (c) such other date agreed to in writing by the Parties, either in escrow or at the office of the Title Company issuing the commitment for title insurance, unless the Parties agree in writing to an alternate Closing location.
 - b. The Seller agrees to execute and deliver to the Buyer at or before Closing the Deed, conveying the Property to the Buyer free and clear from all liens and encumbrances, excepting the following: Municipal and zoning ordinances and agreements entered under them; recorded easements for the distribution of utility, municipal services; and other encumbrances agreed to by the Buyer.
 - c. The Buyer shall pay all recording/filing fees except that the Seller shall pay the recording/filing fees for such documents as are required to be recorded/filed in order to cause title to the Property to be in the condition called for by this Agreement.
 - d. Real estate taxes, if applicable, in the year of Closing shall be prorated between the Buyer and the Seller as of the date of Closing based upon the latest known assessment and latest known mill rate.
 - e. The Seller shall be responsible for the payment of any existing special or area assessments, sewer interceptor charges, or any other charges payable to any municipality or utility with regard to the Property as of the date of Closing.
 - f. The Seller shall pay any fees related to the Wisconsin Real Estate Transfer fee.

- g. The Title Company shall prepare and deliver at Closing the Wisconsin Transfer Return due in connection with conveyance of the Property.
 - h. All costs charged by the Title Company to facilitate Closing shall be prorated between the Parties.
 - i. Prior to Closing, the Buyer shall obtain authorization from the City of Madison Common Council for the approval and execution of this Agreement by the Buyer.
13. Representations, Covenants, and Conditions. The City hereby acknowledges Seller's desire to remain in occupation of the Property following Closing on substantially the same terms described in Exhibit B (the "Post-Closing Lease").
- a. Seller Representations. Seller represents and warrants to Buyer as follows:
 - i) No Prior Right to Purchase. No other party has any option, right of first refusal agreement with respect to the purchase or sale of the Property.
 - ii) No Adverse Possessors. There are no parties in possession of any portion of the Property as tenants at sufferance or trespassers.
 - iii) No Lessees. The Seller represents that the Property is not leased or occupied by any third party and the Seller agrees that it shall not enter into any lease or rental agreement for the Property, or any portion thereof, during the Buyer's Due Diligence Period, as described in Paragraph 7, and through the date of Closing, without the prior written consent of the Buyer.
 - iv) The Seller has not received any uncured notice that the Property is currently in violation of any applicable statutes, ordinances, codes, and rules and regulations of any governmental authority having jurisdiction over the Property.
 - v) There are no actions, suits, proceedings or claims pending or, to the best of Seller's knowledge, threatened with respect to or in any manner affecting any of the Property or the ability of the Seller to consummate the transaction contemplated by this Agreement.
 - vi) There are no threatened condemnation or similar proceedings affecting any of the Property and, to the best of Seller's knowledge, no such proceeding is contemplated by any governmental authority.
 - vii) The entering into and consummation of the transactions contemplated hereby will not conflict with or, with or without notice or the passage of time or both, constitute a default under, any contract, lease or other agreement, including, without limitation, the contracts to which Seller is a party or by which Seller may be bound or any law, rule, license, regulation, judgment, order or decree governing or affecting Seller or the Property.

- b. Operation of the Property. Until the earlier of the Closing or the termination of this Agreement, Seller shall:
- i) Not do anything, or permit anything to be done, that would impair or modify the status of title as shown on the Title Commitment other than releasing liens and curing any title matters that the Seller elects to cure under Paragraph 5(b); provided the foregoing shall not prevent the Seller from granting any new easement or other title matter required by any governmental authority or organization that has condemnation authority.
 - ii) Maintain the Property in the same manner as immediately prior to the Effective Date, reasonable wear and tear excepted.
 - iii) Not enter into any contract that, following Closing, will be binding upon Buyer or the Property without, in each instance, obtaining the prior written approval of Buyer.
 - iv) Not cause or permit transfer, conveyance, sale, grant of easement, assignment, pledge, mortgage, or encumbrance of any of the Property.
- c. Advise Buyer. Until the earlier of the Closing or the termination of this Agreement, Seller shall notify City in writing promptly upon learning or receiving notice of:
- i) Any violation of any law, ordinance, regulation or law that would or might materially affect any of the Property.
 - ii) Any pending or threatened litigation that affects any of the Property or that could affect the transaction contemplated hereby.
- d. Conditions. City shall not be obligated to close the transaction contemplated hereunder unless each of the following conditions shall be satisfied on the Closing Date.
- i) The Title Company shall issue (or commit unconditionally to issue) to the Buyer an owner's policy of title insurance in the condition called for in this Agreement.
 - ii) The representations and warranties of Seller in this Agreement shall be true and correct in all material respects on and as of the Closing Date with the same force and effect as though such representations and warranties had been made on and as of the Closing Date.
 - iii) Seller shall have performed all covenants and obligations and complied with all conditions required by this Agreement to be performed or complied with by Seller on or before the Closing Date.

- iv) Notwithstanding any extension of the Due Diligence Period or the fifteen (15) day period set forth in Paragraph 12(a), Closing must occur on or before December 23, 2024. If Closing does not occur on or before said date, then the City may choose to exercise any of its options outlined in Subparagraph 13(f). and the City's obligation to Close shall be conditioned upon the City of Madison Common Council authorizing a budget amendment allowing for the City's purchase of the Property.
- e. Notwithstanding anything to the contrary set forth elsewhere herein, each Party's obligation to proceed with the closing of the transaction contemplated by this Agreement is conditioned upon the simultaneous execution of the Post-Closing Lease.
- f. If any condition specified herein is not satisfied on or before the Closing, then at Buyer's option, (a) Buyer may waive such condition either at the time originally established for Closing or at any time thereafter, or (b) Buyer may terminate this Agreement by written notice thereof to Seller, either at the time originally established for Closing.

14. Miscellaneous.

- a. No Obligations to Third Parties. Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, nor obligate any of the Parties hereto, to any person or entity other than the Parties.
- b. Benefit and Burden. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, personal representatives, successors, and assigns.
- c. Entire Agreement. This Agreement contains the entire agreement between the Parties and any modification, alteration or addendum to this Agreement shall be valid only when written and executed by the Parties.
- d. Counterparts and Transmittal of Signatures. This Agreement may be executed in one or more counterparts, and all such executed counterparts shall constitute the same Agreement. A signed copy of this Agreement transmitted by facsimile electronic scanned copy (.pdf) or similar technology and shall be as valid as original. This Agreement 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 Agreement may be delivered by facsimile, email or similar technology and upon receipt will be deemed original and binding upon the Parties, whether or not a hard copy is also delivered. Copies of this Agreement, fully executed, shall be as valid as an original.

- e. Severability. If any non-material part, paragraph, or article of this Agreement is determined to be invalid, or otherwise unenforceable, the validity of all the remaining parts, paragraphs, and articles shall not be affected thereby. Any such non-material parts, paragraphs, or articles shall be deemed severable.
 - f. Choice of Law, Venue, and Forum Selection. This Agreement shall be governed by and construed, interpreted, and enforced in accordance with the laws of the State of Wisconsin, without regard to conflict of law principles. For any claim or suit or other dispute relating to this Contract that cannot be mutually resolved informally, the venue shall be Dane County, Wisconsin, and the parties agree to submit themselves to the jurisdiction of a court of competent jurisdiction in said venue, to the exclusion of any other forum that may have jurisdiction over such a dispute according to any law.
 - g. Headings. The headings in this Agreement will be for reference purpose only and shall not in any way affect the meaning or interpretation herein.
15. Seller Contingency. Seller's obligation to conclude the transaction contemplated by this Agreement shall be contingent upon obtaining the approval of the Board of Directors, The Salvation Army, Territorial Headquarters, Hoffman Estates, Illinois. If Seller does not terminate this Agreement within twenty-one (21) days after the Effective Date by Seller sending written notice to Buyer within such period, then this contingency shall be deemed waived and satisfied. If Seller terminates this Agreement within the time period provided, then this Agreement shall be deemed null and void and neither party shall have any further obligations to the other hereunder.

[Signature pages to follow]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the date first above written.

BUYER: CITY OF MADISON

By: _____ Date: _____

Name: Satya Rhodes-Conway
Title: Mayor

By: _____ Date: _____

Name: Maribeth Witzel-Behl
Title: City Clerk

Approved:

David Schmiedicke, Finance Director Date

Approved:

Eric Veum, Risk Manager Date

Approved as to form:

Michael Haas, City Attorney Date

Execution of this Agreement by the City of Madison is authorized by Resolution Enactment No. RES-24-_____, File I.D. No. _____, adopted by the Common Council of the City of Madison on the _____ day of _____ 2024.

Drafted by the City of Madison Office of Real Estate Services

Project No. 10379

Signatures continue on the following page

SELLER: The Salvation Army

By: _____ Date: _____
(Signature)

By: _____
(Print name and title)

By: _____ Date: _____
(Signature)

By: _____
(Print name and title)

State of Illinois)
) ss.
County of Cook)

Personally came before me this _____ day of _____, 2024, the above named
_____(name), _____(title) and
_____(name), _____(title), each acting in said
capacity and known by me to be the person(s) who executed the foregoing instrument and
acknowledged the same.

Notary Public, State of Illinois

(print or type name)

My Commission expires: _____

EXHIBIT A
Legal Description of the Property

LOT 2 OF CERTIFIED SURVEY MAP 7652, RECORDED NOVEMBER 15, 1994 IN VOLUME 40, PAGES 47-49 AS DOCUMENT NO. 2645258 AND BEING CORRECTED BY AFFIDAVIT RECORDED JUNE 10, 1996 IN VOLUME 33141, PAGE 73 AS DOCUMENT NO. 2799665, BEING LOCATED IN THE NORTHEAST $\frac{1}{4}$ AND NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, BEING OUTLOT A, LOTS 1-4 AND 9-19 EXCEPT THE NORTHERLY 5 FEET OF LOTS 16-19, ALL IN DARBO'S ADDITION.

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 4229987 AND FURTHER EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN INSTRUMENT RECORDED IN DOCUMENT NO. 5424962.

Tax Parcel Number: 251/0710-052-1005-1
Address: 3030 Darbo Drive

EXHIBIT B
Form of Post-Closing Lease

(starts on following page)

31784054.4

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 on this _____ day of _____, 2024 ("Effective Date"), by and between the **City of Madison**, a Wisconsin municipal corporation, ("City"), and **The Salvation Army**, an Illinois corporation ("Lessee").

WITNESSETH:

WHEREAS, the City is the owner of the property at 3030 Darbo Drive, located in the City of Madison, Dane County, Wisconsin, which is legally described on attached Exhibit A and depicted on attached Exhibit B ("Property"); and

WHEREAS, the Lessee was the prior owner of the Property, and City and the Lessee (together, the "Parties") agreed that upon conveying the Property to the City, the Lessee could continue to occupy the Property, pursuant to this Lease, for the continued operation of their business during Lessee's construction of replacement shelter and office facilities on the property owned by Lessee and located at 630 East Washington Avenue in Madison, Wisconsin (the "Project"); and

NOW, THEREFORE, the Parties mutually agree as follows:

1. Leased Premises. The City hereby leases to the Lessee the Property, also referred to as the "Leased Premises" in this Lease.
2. As Is, Where Is. The City leases the Leased Premises to the Lessee in "as is", "where is" condition with all faults and City makes no representations or warranties, either express or implied, as to the condition of the property or any improvements thereon, as to the suitability or fitness of the property or any improvements thereon, as to any law, or any other matter affecting the use, value, occupancy, or enjoyment of the property, or, except as set forth elsewhere herein, as to any other matter whatsoever.
3. Term. This Lease shall commence on the Effective Date and expire on December 31, 2026 ("Initial Term"), subject to extension and Early Termination pursuant to the terms of this Lease.

The Lease shall automatically terminate prior to the expiration of the Initial Term or any subsequent Renewal Option, 60 days following the Project receiving a final certificate of occupancy permit and all other required approvals from the City necessary for Lessee's occupancy and use of the Project ("Early Termination").

Return to: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251/0710-052-1005-1

4. Option to Renew. Lessee shall have two (2) successive options to extend this Lease (each defined as a "Renewal Option"; collectively the "Renewal Options") for additional terms of one (1) year each, under the same terms and conditions provided in the original term of this Lease. If the Lessee desires to renew this Lease, the Lessee must give notice in writing to the City a minimum of one hundred twenty (120) days prior to the expiration of the Initial Term or any Renewal Term, pursuant to the notice provisions set forth in Paragraph 23. In addition, City shall have the right to declare Lessee's exercise of a Renewal Option null and void if Lessee is in default under the terms of this Lease beyond any applicable notice and cure periods on the date Lessee exercises a Renewal Option or at any time thereafter until the commencement of the applicable Renewal Term for which the Renewal Option was exercised. Except as otherwise provided for in this Paragraph, any applicable Renewal Options shall expire or terminate under the same terms and conditions as the Initial Term.
5. Rent. "Base Rent" shall be One Dollar (\$1.00) per year, or any portion thereof. All payments are to be made payable to the City Treasurer, and sent or personally delivered to the Economic Development Division at the address specified in Paragraph 23, or to the address of a property manager, as designated by the City.
6. Use. The Lessee shall use the Leased Premises solely for the purpose of operating The Salvation Army and activities related thereto, which may include use of the Leased Premises by other community organizations provided such use does involve leasing or subleasing any portion of the Property and does not otherwise conflict with the terms of this Lease, and for no other purposes whatsoever without the City's prior written consent. The City may withhold such consent in its sole discretion.
7. Utilities. The Lessee shall be responsible for and promptly pay all charges for heat, gas, electric, sewer, storm sewer, water service and any other utility used upon or furnished to the Leased Premises. The Lessee shall also be responsible for arranging the stoppage of any internet, television, cable and telephone service furnished to the Leased Premises, and all costs related thereto, upon the termination or expiration of this Lease.
8. 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.
9. Alterations and Construction. Except as authorized by this Paragraph 9 or as may be required to satisfy Lessee's obligations under Paragraph 10, no construction, modification, improvement, alteration, redecoration, or remodeling of the Leased Premises shall be undertaken without prior written approval from the Director of the City Economic Development Division, which approval shall not be unreasonably withheld, conditioned or delayed. Any such construction, modification, improvement, alteration, redecoration, or remodeling shall be at the expense of the Lessee and remain for the benefit of the City, unless otherwise provided in such written approval. In all cases, the Lessee is responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any construction activity.

At the Lessee's sole cost, from and after the execution of this Lease by the Parties, the Lessee may replace and/or repair the finished flooring surface, paint walls, replace and/or repair lighting fixtures throughout the Leased Premises without the City's prior written approval.

10. Lessee's Maintenance Responsibilities. The Lessee shall, at its own expense, keep and maintain the Leased Premises and every part thereof, and any fixtures, facilities or equipment contained therein, including exterior and interior signs; paving; general repairs; removal of garbage and debris; snow removal; landscape upkeep; parking enforcement; light fixtures, including replacement of light bulbs and ballasts; all plumbing fixtures and accessories; sinks and drains, including unclogging; interior walls including drywall, plaster, and other wall surfaces that may be present; and finish flooring materials and surfaces, in substantially the same condition and repair as exists on the Effective Date, ordinary wear and tear excepted, and 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. In the event any of the items listed in this Paragraph 10 need to be replaced, whether at the time the Lessee takes occupancy of the Leased Premises or at any time while this Lease is in effect, such replacement(s) shall be at the Lessee's sole expense.
11. Liens and Title.
- 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, 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.
 - c. The Lessee shall in no way encumber, or allow to be encumbered, the City's title to the Leased Premises.

12. Taxes and Assessments. The City and the Lessee are a tax-exempt entities. 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 shall be liable for all such real estate taxes and assessments in relation to the Property during the term of this Lease. The Lessee shall be responsible for all personal property tax on its personal property.
13. Indemnification. The Lessee shall be liable to and agrees to indemnify, defend and hold harmless the City, and its officers, officials, agents, and employees, against all loss or expense (including liability costs and attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officers, officials, agents or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the acts or omissions of the Lessee or its officers, officials, members, agents, employees, assigns, guests, invitees, sublessees or subcontractors, in the performance of this Lease, whether caused by or contributed to by the negligence of the City, its officers, officials, agents, or employees. This paragraph shall survive termination and assignment or transfer of this Lease.
14. 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 occurring on or after the Effective Date 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.
15. Insurance.
 - a. The Lessee shall carry commercial general liability insurance covering as insured the Lessee and naming the City, its officers, officials, agents and employees as additional insureds, with a minimum limit of \$1,000,000 minimum per occurrence as may be adjusted occasionally by the City of Madison's Risk Manager, but in no event shall the minimum limit exceed \$2,000,000 minimum per occurrence. This policy shall also be endorsed for contractual liability in the same amount, apply on a primary and noncontributory basis, and provide the City thirty (30) days advance written notice of cancellation, non-renewal or material changes to the policy during the term of this Lease. As evidence of this coverage, the Lessee shall furnish the City with a certificate of insurance on a form approved by the City, such approval not to be unreasonably withheld, and, if requested by the City Risk Manager, the Lessee shall also provide copies of additional insured endorsements or policy. If the coverage required above expires while

this Lease is in effect, the Lessee shall provide a renewal certificate to the City for approval.

- b. The Lessee shall be solely responsible for carrying property insurance sufficient to cover loss of all stock-in-trade, trade fixtures, furniture, furnishings, equipment or personal property on the Leased Premises. The City shall not be liable for any damage to, or loss of property of the Lessee or others located on the Leased Premises. In addition, the Lessee agrees to provide a waiver of subrogation in favor of the City.
- c. Throughout the term of this Lease, the City will, at the City's expense, carry property insurance on the Leased Premises. Such property insurance will be the same as what is carried on other City-owned properties.

16. Defaults, Remedies, and Termination.

- a. Defaults: The occurrence of any of the following events shall constitute a default and breach of this Lease by the Lessee:
 - (1) The abandonment by the Lessee of the Leased Premises;
 - (2) The use of the Leased Premises for an illegal purpose;
 - (3) In the event the Lessee ceases its business operations at the Leased Premises.
 - (4) In the event the Lessee defaults in the performance of any other term or condition of this Lease.
- b. City's Remedies. If any default by the Lessee shall continue uncured after thirty (30) days written notice of default from City to the Lessee, the City has the following remedies, in addition to all other rights and remedies provided by law or equity, to which the City may resort cumulatively or in the alternative.
 - (1) Termination of Lease. The City may at the City's election terminate this Lease by giving the Lessee notice of termination while such default remains uncured. On the giving of the notice, all further obligations of City under this Lease shall terminate, the Lessee shall surrender and vacate the Leased Premises in a broom clean and sanitized condition, and the City may take possession of the Leased Premises and eject all parties in possession or eject some and not others or eject none. Termination under this paragraph shall not relieve the Lessee from the payment of any sum then due to the City or from any claim for damages previously accrued or then accruing against the Lessee.
 - (2) Diligent Efforts. Notwithstanding anything to the contrary in this Paragraph, in the event of the Lessee's default under Paragraph 16.a.(4), if such default is not a health or safety violation and cannot, because of the nature of the default, be cured within the thirty (30) days after City's notice thereof, 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.

- (3) City May Perform. City shall have the right at any time, after ten (10) days notice to the Lessee (or in case of emergency or a hazardous condition or in case any fine, penalty, interest or cost may otherwise be imposed or incurred), to make any payment or perform any act required of the Lessee under any provision in this Lease, and in exercising such right, to incur necessary and incidental costs and expenses, including reasonable attorneys' fees. Nothing herein shall obligate City to make any payment or perform any act required of the Lessee, and this exercise of the right to so do shall not constitute a release of any obligation or a waiver of any default. All payments made and all costs and expenses incurred in connection with any exercise of such right shall be reimbursed to the City by the Lessee.
- c. Lessee's Remedies. If any default by the City shall continue uncured after thirty (30) days written notice of default from Lessee to City, Lessee has the following remedies, in addition to all other rights and remedies provided by law or equity, to which Lessee may resort cumulatively or in the alternative:
 - (1) The Lessee may terminate this Lease by giving the City notice of termination. On the giving of the notice, all further obligations of under this Lease shall terminate, Lessee shall surrender and vacate the Leased Premises in a broom clean and sanitized condition, and the City may take possession of the Leased Premises and eject all parties in possession or eject some and not others or eject none.
 - (2) Lessee may take any actions necessary to cure a default by making repairs or replacements required by City under this Lease and offset such expenses by reducing Lessee's rent.

If the City shall fail to perform any covenant, term or condition of this Lease to be performed by City, if any, and if as a consequence of such default, the Lessee shall recover a money judgment against City, such judgment shall be satisfied only out of the proceeds of sale received upon execution of such judgment and levied thereon against the right, title and interest of City in the Leased Premises and out of income from such property receivable by City, or out of the consideration received by City from the sale or other disposition of all or any part of City's right, title and interest in the Leased Premises, and City shall not be personally liable for any deficiency.

17. 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, 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.

18. City Right of Entry. For the purposes of maintaining the Leased Premises, the City or its representatives reserve the right to enter and access the Leased Premises 24 hours per day, 7 days per week, with 48-hour notice to the Lessee, for the following non-emergency purposes:
- a. To make any necessary repairs/replacements to the Leased Premises for which the City is responsible under the terms of this Lease.
 - b. To conduct any periodic inspections of the Lessee's maintenance obligations herein, that it may deem expedient to the proper enforcement of any term or condition of this Lease or in the exercise of its municipal powers.

For the purposes of remedying an emergency situation, the City may enter the Leased Premises 24 hours per day, 7 days per week, without notice to the Lessee.

19. Rights upon Expiration or Termination; Removal and Disposal of Personal Property. Upon the expiration or termination of this Lease for any cause, the Lessee's rights in the Leased Premises shall cease, and the Lessee shall immediately surrender the Leased Premises. Prior to such expiration or termination, the City and the Lessee shall discuss and determine which of the Lessee's furniture, fixtures, equipment and personal property shall remain at the Leased Premises following such expiration or termination. The Lessee shall remove all personal property from the Leased Premises that the Parties agree that the Lessee is required to remove and leave the Leased Premises in a broom clean and sanitized condition. If any personal property is abandoned 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.
20. 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, such holding over shall be deemed to constitute a tenancy from month to month, upon the same terms and conditions as herein provided, however, in no event shall the tenancy be deemed to be year to year.
21. 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.
22. 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.
23. 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 either electronic mail or 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: Office of Real Estate Services
Economic Development Division - City of Madison
P. O. Box 2983
215 Martin Luther King, Jr. Blvd., 3rd Floor

Madison, WI 53701-2983
Email: mhermann@cityofmadison.com and
ores@cityofmadison.com

With a copy to:

City Attorney's Office
Attn: Matthew Robles
City County Building, Room 401
210 Martin Luther King Jr. Blvd. Madison, WI 53703
Phone: (608) 267-4925
Email: mrobles@cityofmadison.com

For the Lessee:

The Salvation Army
Attn: Tracy Habermehl, Divisional Property
Administrator
11315 W. Watertown Plank Road
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.

24. Counterparts, Electronic Signature and Delivery. This Lease may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Lease may be exchanged between the Parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Lease 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 Lease may be delivered by facsimile or email or similar technology and upon receipt will be deemed original and binding upon the Parties, whether or not a hard copy is also delivered. Copies of this Lease, fully executed, shall be as valid as an original.
25. Non-Discrimination. In the performance of its obligations under this Lease, the Parties agree not to discriminate 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 Parties further agree 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.
26. 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.
27. Signs. Any signs on the Leased Premises shall be in conformity with the provisions of City of Madison General Ordinance Chapter 31, Sign Control Ordinance. Lessee shall pay the cost to create, install and maintain any signage.

28. 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.
29. Entire Agreement. All terms and conditions with respect to this Lease are expressly contained herein, and the Parties agree that neither Party has made any representations or promises with respect to this Lease not expressly contained herein. No alteration, amendment, change, or addition to this Lease shall be binding upon the Parties unless in writing and signed by them.
30. Damage and Destruction. In the event the Leased Premises is damaged by any peril covered by standard policies of fire and extended coverage insurance to an extent which is less than fifty percent (50%) of the cost of replacement of the Leased Premises, 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: (a) the Leased Premises is damaged to the extent of fifty percent (50%) or more of the cost of replacement of the Leased Premises; or (b) the building is damaged to the extent of fifty percent (50%) or more of the cost of replacement; or (c) any damage to the Leased Premises occurs during the last one-third (1/3) of the primary term of this Lease or at any time during any renewal term or hold over period thereof, 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, the Lease term shall be extended for a period equal to the period of repair. If the City is required or elects to repair the Leased Premises, the Lessee shall repair or replace its stock-in-trade, trade fixtures, furniture, furnishings, equipment and personal property in a manner and to at least a condition equal to that prior to its damage or destruction, and the proceeds of all insurance carried by the Lessee shall be held in trust by the Lessee for the purpose of such repair and replacement.
31. 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.

32. Brokerage Costs. The Parties are not responsible for any brokerage costs in connection with the Lease.
33. Public Record. This Lease will be recorded at the office of the Dane County Register of Deeds after it is executed by the Parties.

Signatures begin on following page.

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

The Salvation Army,
an Illinois corporation

By: _____

State of Illinois)
)ss.
County of Cook)

Personally came before me this ____ day of _____, 2024, the above named
_____ (name), as _____ (title)
of The Salvation Army, an Illinois corporation, known to me to be the person who executed the above
foregoing instrument, and acknowledged that they executed the foregoing instrument as such
_____ (title) as the deed of said corporation, by its authority.

Notary Public, State of Illinois

Print or Type Name
My Commission expires: _____

CITY OF MADISON

By: _____ By: _____
Satya Rhodes-Conway, Mayor Maribeth L. Witzel-Behl, City Clerk

AUTHENTICATION

The signatures of Satya Rhodes-Conway, Mayor, and Maribeth Witzel-Behl, Clerk, on behalf of the City of Madison, are authenticated on this ____ day of _____, 2024.

Matthew Robles, Assistant City Attorney
Member of the Wisconsin Bar

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 Enactment No. RES-24-00____, 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 Real Estate Project No. 10379

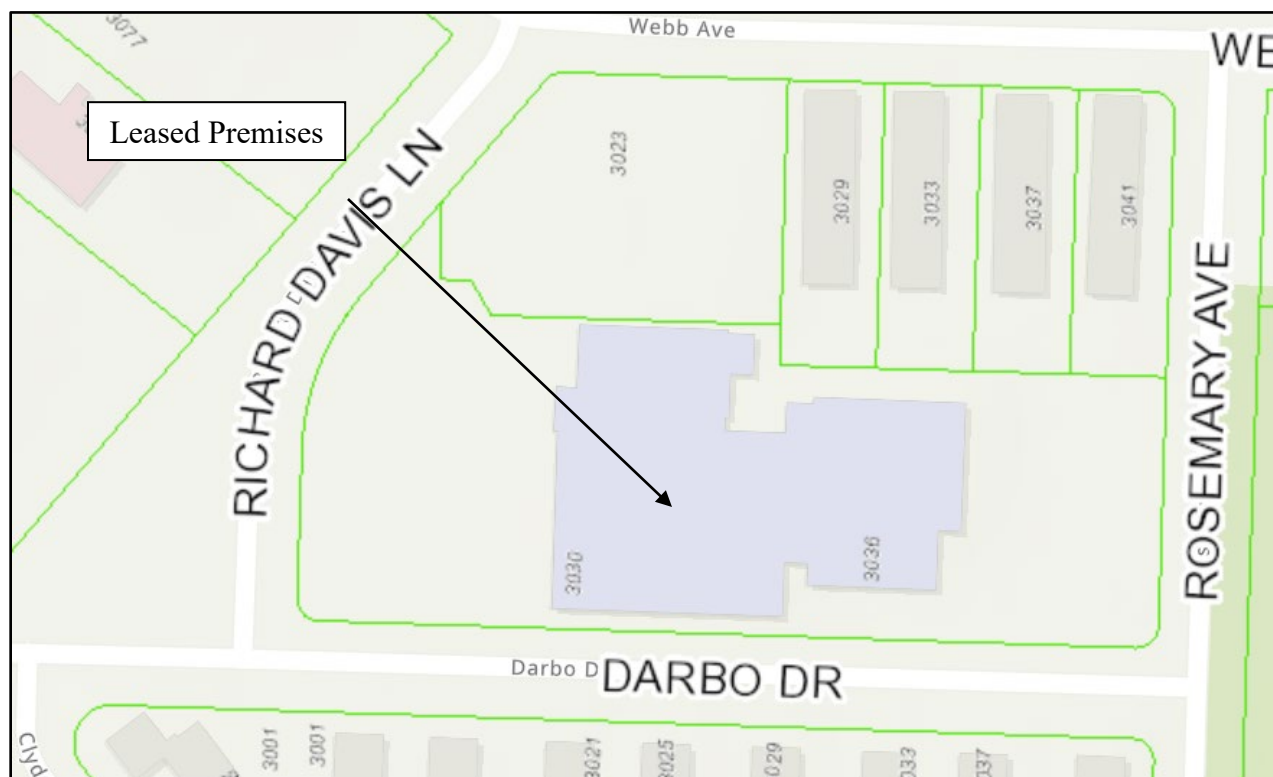
EXHIBIT A

Legal Description of the Property

LOT 2 OF CERTIFIED SURVEY MAP NO. 7652, RECORDED NOVEMBER 15, 1994 IN VOLUME 40, PAGES 47-49 AS DOCUMENT NO. 2645258 AND BEING CORRECTED BY AFFIDAVIT RECORDED JUNE 10, 1996 IN VOLUME 33141, PAGE 73 AS DOCUMENT NO. 2769665, BEING LOCATED IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, BEING OUTLOT A, LOTS 1-4 AND 9-19 EXCEPT THE NORTHERLY 5 FEET OF LOTS 16-19, ALL IN DARBO'S ADDITION.

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 4229987 AND FURTHER EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN INSTRUMENT RECORDED IN DOCUMENT NO. 5424962.

EXHIBIT B
Depiction of the Property/Leased Premises



31784055.4



City of Madison

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

Master

File Number: 85796

File ID: 85796

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/22/2024

File Name: Create new or modify existing classifications for position placement in the 2025 operating budget as adopted by the Common Council.

Final Action:

Title: Create new or modify existing classifications for position placement in the 2025 operating budget as adopted by the Common Council.

Notes:

Sponsors: Director of Human Resources

Effective Date:

Attachments: PBMemo 2025 Budget Summary Analysis.pdf, AdmSrvsSup 10-2024.docx, Field Operations Supervisor DRAFT 2024.doc, Financial and Administrative Manager DRAFT 2024.doc, Fleet Operations Manager DRAFT 2024.doc, Fleet Program Manager DRAFT 2024.doc, Golf Course Superintendent 1-3 10-2024 DRAFT.doc, Parking Division Director DRAFT 2024.doc, PKG Admin & Finance Manager PD draft.docx, PKG Administrative Services Supervisor PD draft.docx, PKG Field Operations Supervisor PD draft.docx, PKG Tech Ops Asst PD draft.docx, Technology Operations Assistant DRAFT 2024.doc

Enactment Number:

Author: Emaan Abdel-Halim, Human Resources Services Manager

Hearing Date:

Entered by: jortiz@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	10/22/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Personnel Board (11/4/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Personnel Board.						
1	FINANCE COMMITTEE	10/29/2024	Referred	PERSONNEL BOARD		11/04/2024	

Action Text: This Resolution was Referred to the PERSONNEL BOARD

1	PERSONNEL BOARD	11/04/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
---	-----------------	------------	---	-------------------	------------	------

Action Text: A motion was made by Nash, seconded by Benishek-Clark, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.

1	FINANCE COMMITTEE	11/18/2024	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 85796

Fiscal Note

The proposed resolution creates new classifications and modifies existing classifications in the 2025 Operating Budget adopted by the Common Council.

Parks Division

Recreate the classification of Parks Financial and Administrative Manager (H153) as Finance and Administrative Manager in Comp Group/Range (CG/R) 18/12 and reallocate position #4506 to the new position. There is no fiscal impact to this change.

Golf Enterprise

Recreate the classifications of Greenskeeper 1-3 (F075/F076/F077) as Golf Course Superintendents 1-3 in CG 16, Range 12-14, respectively; and recreate positions #1519 and #1549 as Golf Course Superintendent 1; position #1560 as Golf Course Superintendent 2; and position #1541 as Golf Course Superintendent 3. The change is in title only and there is no financial impact to the Golf Fund. There is no fiscal impact to this change.

Parking Division

Includes several classification changes that are part of a larger agency reorganization within the 2025 budget. Parking's overall reorganization lowers the number of authorized positions by 9.25 FTE and reduces personnel costs by \$557,600.

Fleet Service

Modify the classification of Fleet Program Manager (H078) to include additional higher-level duties which warrants a one range increase for placement in CG 18, Range 13 and reallocating position #3274 to the new position. The estimated cost in the 2025 Operating Budget is \$6,712. The Fleet Service fund is approximately 80% General Fund supported.

Modify the classification of Fleet Operations Manager (H077) to include additional higher-level duties which warrants a one range increase for placement in CG 18, Range 13 and reallocating position #1159 to the new position. The estimated cost in the 2025 Operating Budget is \$8,441. The Fleet Service fund is approximately 80% General Fund supported.

Title

Create new or modify existing classifications for position placement in the 2025 operating budget as adopted by the Common Council.

Body

Resolution to create or modify classification specifications for placement into the salary tables to classify new positions in the respective agencies' 2025 operating budgets as adopted by Common Council, therein.

Detailed Text:

Whereas the proposed 2025 operating budget includes multiple positions which require classifications or modification to existing classifications, and placement into the salary schedules; and

Whereas the classification of Parks Financial and Administrative Manager (H153) be recreated as a Finance and Administrative Manager in CG18, Range 12; and position #4506 be recreated in the new classification and the employee (J. Stoiber) is reallocated to the new position; and

Whereas the classifications of Greenskeeper 1-3 (F075/F076/F077) be recreated as Golf Course Superintendents 1-3 in CG 16, Range 12-14, respectively; and positions #1519 and #1549 (E. Disch) be recreated as Golf Course Superintendent 1; position #1560 (J. Jushka) be recreated as Golf Course Superintendent 2; position #1541 (S. Barstow) be recreated as Golf Course Superintendent 3; and the three impacted employees are reallocated to their respective positions; and

Whereas the classification of Assistant Parking Utility Director (H242) is deleted, and a new classification of Parking Division Director is created in CG 18, Range 17; position #1275 is recreated in the new classification; and the employee (S. Cox) is reallocated to the new position; and

Whereas the Parking Division's proposed operating budget includes a new position to serve as the agency's Administrative and Finance Manager; and this position shall be classified as a Finance and Administrative Manager in CG 18, Range 12; and

Whereas the Parking Division is recreating position #1054 of Administrative Supervisor (H358) into the updated classification of Administrative Services Supervisor (H047) in CG 18, Range 6; and the employee will underfill the position until the restructure is complete; and

Whereas the Parking Division is recreating positions #1300, #1304, & #1314 into the new classification of Field Operations Supervisor in CG18, Range 10; underfill the new positions until the restructure is complete and the positions are filled through a recruitment or reclassification process; and

Whereas the Parking Division is recreating position #1301 of Parking Operations Assistant (J055) into a new classification of Technology Operations Assistant in CG20, Range 17; and reallocate the employee (J. Cottom) into the new position; and

Whereas the Fleet Division modified the classification of Fleet Program Manager (H078) to include additional higher-level duties which warrants a one range increase for placement in CG18, Range 13; recreating position #3274 in the new classification; and reallocating the employee (R. Darken) to the new position; and

Whereas the Fleet Division modified the classification of Fleet Operations Manager (H077) to include additional higher-level duties which warrants a one range increase for placement in CG18, Range 13; recreating position #1159 in the new classification; and reallocating the employee (R. Koch) to the new position; and

Now Therefore Be It Resolved that the Common Council approves and adopts the additions and modifications to the classifications and salary schedules as outlined above, and the proper officers are authorized and directed to take all actions necessary to place the positions into the

classification and salary schedules.

TO: Personnel Board

FROM: Emaan Abdel-Halim, HR Services Manager

DATE: 8 October 2024

SUBJECT: New 2025 Budget Positions Classification Summary Analysis

At the request of Human Resources Director Erin Hillson, and on behalf of all department heads of agencies with new positions/classifications proposed in the 2025 operating budget, Human Resources strives to improve efficient service to our internal customers. Several 2025 position requests require new classifications to be created or existing classifications to be modified, which are reviewed and analyzed below for proper placement in the compensation plan and salary schedules. As a result, this memo provides a summative analysis for the proposed new positions in order to classify these positions as part of the budget approval process.

Currently there is a citywide compensation plan study underway, and consideration will be given to make any necessary adjustments to any of the new or modified classifications as a result that final analysis. It is also worth noting that none of the requested modifications and placements will be impacted by the upcoming referendum on the ballot, as these are all included in both versions of the Mayor's executive operating budget.

Title Changes

Parks Division – Parks Finance and Administrative Manager (CG18/R12)

New Classification Title: Finance and Administrative Manager

This classification was created to be an agency level classification comparable to an Accountant 4, with high-level professional, administrative and supervisory work supporting the development, analysis and administration of agency budgets, financial reporting, statistical analysis, policy level recommendations for operations, and supervision over human resources, payroll and purchasing activities.

In order to encompass other agencies' similarly high level financial and administrative needs, we recommend retitling this classification to Finance and Administrative Manager. Positions within this classification will serve as an agency's main budget contact with financial oversight and policy administration responsibility, which includes compliance with federal, state and related regulatory requirements for each agency's specific programmatic and contract management needs, in addition to providing staff supervision. Therefore, we recommend the position of Parks Financial and Administrative Manager (PCN# 4506; H153) be recreated with the title of Financial and Administrative Manager, and the employee (J. Stoiber) be reallocated accordingly with the adopted 2025 Parks Division operating budget.

**Attachments: Updated Class Spec*

Parks Division – Greenskeeper 1-3 (16/I2-I4)

New Classification Title: Golf Course Superintendent 3 (CG16/R12-I4)

The Parks Division has requested the classification of Greenskeeper be retitled to Golf Course Superintendent to better align and reflect industry standards. The outdated term Greenskeeper was

replaced by the golf industry shortly before World War II, and this shift is long overdue for the City's Greenskeeper classifications. The specific roles within the classification series are not substantially changing, so there will not be any change to the compensation group or ranges for these positions. Therefore, we recommend the classification series of Greenskeeper 1-3 (F075/F076/F077) be retitled in the salary schedule as Golf Course Superintendent 1-3 in CG16, Range 12-14, respectively; positions #1519 and #1549 (E. Disch) be recreated as Golf Course Superintendent 1; position #1560 (J. Jushka) be recreated as Golf Course Superintendent 2; position #1541 (S. Barstow) be recreated as Golf Course Superintendent 3; and the three impacted employees are reallocated to their respective positions.

**Attachments: Updated Class Spec*

Parking Division – Assistant Parking Utility Director (CG18/R17)

New Classification Title: Parking Division Director

In 2018, when the Department of Transportation was created, there was a separation of Traffic Engineering and Parking into two agencies. At that time, the classification of Assistant Parking Utility Manager was created in CG18, R17, to oversee operations of the Parking Division, which also acquired the transfer of parking enforcement into the agency. It is appropriate to retitle this classification as Parking Division Director to reflect the agencywide managerial responsibility for developing the operating and capital budgets for the Parking Division, for serving as the agency appointing authority, and for directing the programs and services of the Parking Division. At this time, the position will remain in CG18, R17, like the Housing Operations Manager position, which performs similar responsibilities for the City's Housing Operations and has a similar reporting structure. Therefore, we recommend the position of Assistant Parking Utility Manager (PCN#1275; H242) be recreated with the title of Parking Division Director, and the employee (S. Cox) be reallocated accordingly in the adopted 2025 Parking Division operating budget.

**Attachments: Updated Class Spec*

New Positions or Upgrade to Existing Classifications

Parking Division – Administrative and Finance Manager

Classification: Finance and Administrative Manager (CG18/R12)

In the 2025 budget, the Parking Division will finalize the agency's reorganization, which consists of restructuring services and creating a staffing model and management structure that improves efficiencies and increases employee support. Among the managerial positions created as part of the restructuring, this position oversees the Finance and Administration Unit and plays a key role in budget development, managing various revenues and expenditures, developing related policies and procedures, and coordinating work among lower-level supervisors and administrative staff.

For the Parking Division, is responsible professional, managerial, administrative, and supervisory work. This position provides professional staff support in the development, analysis, and administration of the division's budget; in the development and analysis of various programs, operations, and functions; overseeing and developing the full range of centralized administrative support functions (e.g. payroll, purchasing and contracts, and administrative support activities). Under the general supervision of the Parking Division Director, this position functions as an integral member of the Parking Division Leadership Team by providing expertise in areas of staff analysis, management, and administration.

The parallels to the aforementioned positions in Parks and Community Development make it appropriate to also classify this position as a Financial and Administrative Manager. Again, these positions have agencywide scope, with high level of fiscal and administrative programmatic and policy responsibilities, as well as staff supervision. Therefore, we recommend this new proposed managerial position be classified as a Finance and Administrative Manager in the adopted 2025 Parking Division operating budget.

**Attachments: Class Spec and PD*

Parking Division – Administrative Services Supervisor (CGI8/R6)

The Parking Division requested the reclassification of position #1054 of Administrative Supervisor (CGI8/R03) as an Administrative Services Supervisor position in CGI8, Range 06. The position is responsible for managing multiple programs, assisting with contract agreements, and supervising the administrative section of the Parking Division. This work requires the exercise of judgment and discretion in the application of pertinent regulations; the development and administration of appropriate recordkeeping systems and procedures; and in the effective assessment, integration, and application of related technologies. This position actively participates in formulating parking policies and resolving management issues.

Under the general supervision of the Administrative and Finance Manager, this is responsible professional, administrative, and supervisory work in the development, implementation, and operations of the Parking Division Customer Service Unit, which includes public communication, permit management, assisting with parking leases and contracts, customer billing, and management of the Department of Transportation's front office. The work involves the ongoing assessment, development, and maintenance of unit processes and procedures in context of departmental policy, improving efficiencies, billing systems, and customer service needs.

The position will continue supervising the Department of Transportation front desk staff. Recently, the position began performing higher level policy administration work, developing work policies and processes for the work unit, taking an active role leading several agency programs which will include new duties related to the parking enforcement work unit, and assisting with contract compliance and payments. Therefore, we recommend recreating position #1054 in the updated classification of Administrative Services Supervisor (H358) in CGI6, Range 17, and reclassifying the employee (S. Briggs) once the structural reorganization is finalized.

**Attachments: Class Spec and/or PD*

Parking Division – Field Operations Supervisor (CGI8/R10)

As part of the Parking Division's structural reorganization, the agency has included in their 2025 operating budget reclassifications for the following positions: Parking Revenue Supervisor (H149, CGI8/R6, PCN #1300), Parking Maintenance Supervisor (H146, CGI8/R7, PCN #1304), and Parking Operations Supervisor (H231, CGI8/R9, PCN #1314). This request is to create a new classification of Field Operations Supervisors in CGI8, Range 10. This work unit of the Parking Division has historically been divided into two sections: Revenue and Maintenance. The new positions will allow the agency to merge the two sections and provide increased support, workload management, and cross-training among staff.

This is responsible supervisory work in directing and coordinating the work of a large group of permanent and hourly field and administrative staff in the Parking Division's Field Operations Unit. The work involves organizing, planning, and implementing daily work assignments and longer-term work projects through operational lead workers, skilled and semi-skilled staff, mechanical personnel, and customer service staff. The work is performed under the general supervision of the Parking Field Operations Manager, classified in the proposed 2025 budget as a Traffic Operations Manager in CG18, Range 15. It is characterized by the exercise of independent judgment and discretion to determine work methods, procedures, and problem solutions and is reviewed through reports, observation, and periodic discussions. Employees in this classification will be expected to perform manager-on-duty responsibilities as assigned during non-work hours.

The goal of this classification is to create a unified work unit, increase cross training and advancement opportunities for staff, and improve supervisory coverage across the whole section. The proposed classification of Field Operations Supervisor is comparable to a Public Works General Supervisor which work in the City's public works agencies of Water, Fleet, and Parks, and Streets. Therefore, we recommend the creation of a new classification of Field Operations Supervisor in CG18, Range 10; recreate position #1300, #1304, #1314 as Field Operations Supervisors, and the employees will underfill these new positions while a recruitment or reclassification process is complete.

**Attachments: Class Spec and PD*

Parking Division – Parking Operations Assistant (CG20/R17)

New Classification: Technology Operations Assistant

The position performs various information technology activities that support the development, implementation, and maintenance of automated systems specific to parking applications and networks. This is responsible paraprofessional work in the planning, development, implementation, operation and maintenance of diverse automated systems specific to the functions of the Parking Utility Division. This position selects vendors for routine purchases, identifies needs, and makes recommendations relative to hardware and software purchases. Furthermore, this position coordinates activities and oversees select projects relating to the division's technology needs. The employee is the City's primary contact and troubleshooter for problems on the parking servers. This position assists in the daily operations of the Revenue Section, and in the general operation of the Maintenance Section as it relates to the automated and cashiered operations of the Parking Division. The work is performed under the general supervision of the Field Operations Supervisor and in cooperation with the Parking Analyst relative to computer activities.

This position has increasingly advanced technical skills for the various software systems that operate within the parking facilities including the administration of the software and warrants a one range increase in alignment with the new organizational structure within the Parking Division. Therefore, we recommend the classification of Parking Operations Assistant (J055) be recreated in CG20, Range 17; position #1301 is recreated in the new range and the employee (J. Cottom) is reallocated to the new position.

**Attachments: Class Spec and PD*

Fleet Division – Fleet Program Manager (CG18/R13)

The position performs responsible and professional work in developing and directing the Fleet Service Division programs and services. The position acts as Fleet Service Superintendent in the Superintendent absence, and manages all aspects of the fleet programmatic and budgetary responsibilities.

This position effectively integrates technical (fleet equipment) and professional (analytic) skills in the development of an effective fleet service management program. This program incorporates the preparation of technical equipment specifications and capital asset purchasing, the development of program repair/maintenance standards and protocols, and the distribution/allocation of associated costs to users. The position is responsible for all aspects of Fleet policy and budget development and implementation in alignment with Mayoral sustainability goals. Under the general supervision of the Fleet Service Superintendent, the employee exercises considerable judgment and discretion in meeting operational objectives through the coordination of various division-wide special services. This position works closely with the Fleet Operations Manager ensuring the seamless integration of equipment into the operating fleet.

The Fleet Program Manager and Fleet Operations Manager have been given additional responsibilities related to policy development and implementation, budget management and administration, labor relations, and sustainability program support. The purpose of these changes has been to create a more balanced structure for the leadership team and to provide consistent managerial coverage. Given these additional duties a one range increase is appropriate. Therefore, we recommend the classification of Fleet Program Manager (H078) be recreated in CG18, Range 13; position #3274 be recreated in the new classification, and the employee (R. Darken) is reallocated to the new position.

**Attachments: Class Spec*

Fleet Division – Fleet Operations Manager (CG18/R13)

This is responsible supervisory and professional work in developing and directing Fleet Service Division programs and services both directly and through lower-level supervisors. This position effectively develops and manages a comprehensive and diverse, service, parts and supply program (at multiple sites) in support of the City's centralized fleet. Under the general supervision of the Fleet Service Superintendent, the employee exercises considerable judgment and discretion in identifying cost effective and utilitarian methods of procuring, stocking, issuing, and inventorying fleet parts and related supplies. This position is responsible for full Fleet staffing oversight including hiring, developing, and evaluating staff, as well as completing all aspects of employee and labor management relations. This position works closely with the Fleet Program Manager ensuring the seamless integration of equipment into the operating fleet.

The Fleet Program Manager and Fleet Operations Manager have been given additional responsibilities related to policy development and implementation, budget management and administration, labor relations, and sustainability program support. The purpose of these changes has been to create a more balanced structure for the leadership team and to provide consistent managerial coverage. Given these additional duties, a one range increase is appropriate. Therefore, we recommend the classification of Fleet Operations Manager (H077) be recreated in CG18, Range 13; position #1159 be recreated in the new classification, and the employee (R. Koch) is reallocated to the new position.

**Attachments: Class Spec*

The necessary Resolution has been prepared to implement these recommendations.

Editor's Note:

Effective Date: January 1, 2025

Compensation Group/Range	2024 Annual Minimum (Step 1)	2024 Annual Maximum (Step 5)	2024 Annual Maximum (+12% longevity)
20/17	\$66,878.50	\$76,346.40	\$85,508.02
18/06	\$68,834.48	\$81,047.46	\$90,773.28
18/10	\$81,047.46	\$97,404.58	\$109,093.14
18/12	\$88,600.72	\$106,964.26	\$119,799.94
18/13	\$93,004.60	\$111,881.90	\$125,307.78
18/17	\$111,881.90	\$134,930.12	\$151,121.62

cc: Mayor Satya Rhodes-Conway
David Schmiedicke – Finance Director
Christine Koh - Budget Manager, Finance
Erin Hillson - Human Resources Director
Kurt Rose - Employee and Labor Relations Manager
Matt Watcher - DPCED Director
Jim O'Keefe - Community Development Division Director
Tom Lynch – Department of Transportation Director
Stephanie Cox – Parking Director
Charlie Romines – Public Works Team Lead & Streets Superintendent
Mahanth Joishy – Fleet Superintendent
Eric Knepp - Parks Superintendent
Lisa Laschinger - Assistant Parks Superintendent
CJ Ryan - Assistant Parks Superintendent
Dan Rolfs – President, MPSEA
Rick Marx – Staff Rep, Local 6000
Greg Gotzion – President, Local 6000

COMPTROLLER'S OFFICE ADMINISTRATIVE SUPPORT SERVICES SUPERVISOR

CLASS DESCRIPTION

General Responsibilities:

This is responsible professional administrative and supervisory work in the Office of the Comptroller. The position provides professional staff support for the entire department, oversees and/or performs a full range of centralized administrative functions, supervises and administers several City-wide clerical service programs (the Administrative Support Team, including claim intake and administration in the City's risk management activities, and Document Services), and performs and/or coordinates a variety of special projects and activities with City-wide impact. Work involves such responsibilities as the development and administration of the department's budget, the supervision of staff, program administration, and participation as a member of the Comptroller's Management Team. The work is characterized by the regular exercise of independent judgment and is performed under the general supervision of the Comptroller.

Examples of Duties and Responsibilities:

Perform professional, administrative and supervisory work in support of the department's functions and operations. Oversee and/or perform a full range of centralized administrative functions (e.g., process and manage claims against the City and implement risk management processes, purchase materials, supplies, services and fixed assets; develop and maintain central filing systems, policies and procedures manual, personnel records and Affirmative Action Plan; hire and allocate hourly staff; process payroll and personnel documents; coordinate telephone system maintenance, changes and replacement; oversee reception and clerical support functions, including secretarial services for the Comptroller; coordinate department-wide projects such as office renovations).

Function as a member of the Comptroller's management team. Prepare department budget, monitor expenses and implement corrective action. Provide expertise in the areas of administrative and clerical support functions, personnel processing, affirmative action, departmental policies and procedures and other related areas. Represent the Comptroller at various meetings. Participate in programmatic and administrative planning activities.

Prepare the department's annual budget. Collect information, as necessary, from other staff members and incorporate into budget request. Monitor accounts, approve expenditures, inform the Comptroller of potential overruns or other budgetary problems, and recommend corrective actions.

Hire, train, assign and supervise staff assigned to the Administrative Support Team, Document Services, and general receptionist and clerical staff. Coordinate work assignments, evaluate progress, periodically check work for accuracy and take corrective action when necessary. Handle employee grievances and work with supervisors in other agencies to resolve conflicts, as necessary.

Oversee the City's Administrative Support Team function. Coordinate work assignments between various agencies, determine priorities and assign staff. Coordinate the temporary assignment of accommodated workers and provide necessary liaison. Deal with problem situations which may arise. Ensure that appropriate amounts are budgeted for this activity and determine when agencies should be billed for services. Develop necessary policies and procedures and communicate them to agency users.

Oversee the City's centralized Document Services Unit. Develop policies and procedures and communicate to users. Coordinate schedules so work is completed on a timely basis. Work with agencies to determine word processing needs and types of services required. Upgrade hardware and software when needed.

Oversee the department's receptionist function and the provision of secretarial services to the Comptroller. Maintain and update a training manual for receptionist and other related functions.

Administer all activities relating to garnishments and State and Federal tax levies. Determine repayment schedules in accordance with State and Federal regulations. Prepare all related correspondence (Clerk of Courts, defendants, attorneys, the IRS, etc.). Communicate with affected parties and their attorneys.

Prepare the City's semi-annual Official Statement used in the sale of general obligation bonds. Ensure that all materials are updated and presented in proper format. Determine necessary timeframes for preparation, send memo to other agencies to obtain necessary data, make assignments to other staff members, and coordinate the efforts necessary to produce a final product. Review materials submitted and drafts for consistency of information, accuracy of figures and appropriateness of format. Coordinate the printing and distribution of the final document.

Review requests for fiscal notes, absence from City approvals, transfer of funds requests, incoming contracts and "Requests to Fill Vacancies." Distribute to staff for review and/or approve requests as appropriate. Develop procedures to ensure proper and timely processing of all requests and maintenance of records and logs.

Calculate fees and prepare Industrial Revenue Bond and housing bond receipts for the City Attorney.

Prepare and process materials (Certification Hiring Request, Position Description) to fill vacancies. Coordinate the process and communicate with Human Resources Department and Department of Civil Rights staff relative to announcements, recruitment procedures and testing processes.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills and Abilities:

Thorough knowledge of administrative, risk management and office management principles, procedures and techniques. Knowledge of business management and public administration principles and practices relating to budgeting, purchasing, personnel, public financing, affirmative action, etc. Ability to hire, train, assign and supervise clerical and other support employees. Ability to develop, administer and monitor administrative policies and procedures. Ability to develop and monitor departmental budgets. Ability to analyze problems and recommend effective solutions. Ability to prepare and present clear and concise reports. Ability to coordinate a variety of diverse activities. Ability to evaluate centralized administrative support services and recommend and implement changes. Ability to communicate effectively, both orally and in writing. Ability to counsel employees and effectively intervene in conflict situations. Ability to make accurate calculations, assess the accuracy of figures provided by others, and perform necessary payroll, personnel and billing functions. Ability to establish and maintain effective working relationships with staff, other City agencies, outside agencies and the general public. Ability to maintain adequate attendance.

Training and Experience:

Two years of responsible office management, professional staff support, and/or program administration experience including at least one year of direct supervisory responsibilities. Such experience would normally be gained after graduation from a college or university with a degree in business or public administration or a related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Department/Division	Comp. Group	Range
All Agencies	18	06

Approved: _____
Brad Wirtz
Human Resources Director
Date

FIELD OPERATIONS SUPERVISOR

CLASS DESCRIPTION

General Responsibilities:

This is responsible supervisory work in directing and coordinating the work of a large group of permanent and hourly field and administrative staff in the Parking Division's Field Operations Unit. The work involves organizing, planning, and implementing daily work assignments and longer-term work projects through operational lead workers, skilled and semi-skilled staff, mechanical personnel, and customer service staff. The work is performed under the general supervision of the Parking Field Operations Manager. It is characterized by the exercise of independent judgment and discretion to determine work methods, procedures, and problem solutions and is reviewed through reports, observation, and periodic discussions. Employees in this classification will be expected to perform manager-on-duty responsibilities as assigned during non-work hours.

Examples of Duties and Responsibilities:

Direct and supervise a large staff of permanent and seasonal/hourly employees, including lead workers and skilled and semi-skilled employees. Interview, recommend for hire, train, evaluate, and discipline technical, skilled, and administrative staff.

Plan, direct, schedule and review the work of assigned staff, both directly and through lead workers. Develop, coordinate, review, and approve scheduled work hours, shifts, assignments, and locations for field staff.

Develop work priorities; coordinate and assign work field and administrative staff. Monitor assignments for efficiency, quality and timeliness. Develop and administer training for personnel relative to operating procedures, administrative requirements, maintenance and repair, revenue collection, and other related activities.

Interview, hire, evaluate, and terminate seasonal/hourly employees. Manage employee grievances, disciplinary issues, and performance issues, making effective recommendations to the Parking Field Operations Manager. Oversee cross-training within the Parking Division to cover absences and develop employees' skill sets for future promotional opportunities.

Recommend and implement new procedures, policies, and standards for better utilization of equipment and employees.

Coordinate and supervise building mechanical and structural repairs and construction projects, and preventive maintenance programs at the parking ramps and garages. Compute estimates and actual costs of factors such as materials, labor, or outside contractors.

Direct the operations and programs of the operations and maintenance staff, including the project management of facility customer readiness, tracking what parts and assets are needed and ensuring new garage construction way finding, and signage is completed on a timely basis.

Examine assets, systems, or facilities and analyze information to determine needed installations, services, or repairs. Compile operational records, such as time and production records, inventory data, repair or maintenance statistics, or test results.

Direct, manage and coordinate the work and activities of contractors hired by the Field Operations Unit (security, snow removal, repair and maintenance).

Develop, implement, and oversee policies and procedures for security, collection, counting and reporting of revenues. Identify and investigate revenue discrepancies related to collections. Work directly with staff to determine and resolve errors.

Maintain accurate records of overages and shortages in revenues. Participate in potential theft investigations. Assist in developing operational traffic and parking plans related to special events that impact garages and lots.

Develop, review, and implement special event staffing and revenue collection plans. Determine staffing needs during high-demand times at facilities.

Administer Field Operations uniform guidelines and list of approved items. Work directly with contracted vendors on ordering and billing issues. Manage Operations section's access and key inventory and handling procedures.

Conduct needs assessment of equipment and materials. Oversee ordering of supplies for the Operations Section. Manage related office staff and functions.

Serve as contact for vendors regarding service, equipment upgrades, and other issues related to Field Operations.

Perform related work as required.

QUALIFICATIONS

Training and Experience:

Generally, positions in this classification will require:

Three years of supervisory experience involving the supervision of unskilled, semi-skilled and skilled labor and equipment operations in areas directly related to the duties of the position. Such experience would normally be gained after graduation from an accredited college or university with a Bachelor's degree in Business Administration, Public Administration, or a related field. Four additional years of related advanced level

maintenance, or directly related leadership experience over public works maintenance crews supplemented by post-high school coursework in maintenance/repair activities may be substituted for the degree requirement. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Knowledge, Skills and Abilities:

Thorough knowledge of the principles, techniques, methods, equipment, tools and materials commonly used in the area of responsibility. Thorough knowledge of and ability to use computer software applicable to the duties of the position. Thorough knowledge of the staffing requirements and efficient utilization of equipment and staff resources. Thorough knowledge of the safety hazards of the work and methods of promoting a safe work environment. Thorough knowledge of the full range of supervisory principles and practices, labor relations and personnel management. Thorough knowledge of maintenance and repair methods and materials applicable to parking facilities and equipment, such as concrete repair, painting, hardware installation, parking meter and gate installation and repair, sign installation, snow and ice removal, etc. Working knowledge of building systems, such as security, emergency power, fire suppression and fire alarm control panels. Working knowledge or familiarity with or experience in building mechanical (HVAC), electrical and plumbing. Working knowledge of budgeting and program administration principles and practices. Ability to manage a large staff of skilled and semi-skilled workers. Ability to hire, train, assign, evaluate and discipline employees. Ability to plan, supervise and inspect the work of lower-level supervisors and employees and maintain effective employee relations. Ability to respond to and adjust employee grievances and perform other labor relations administration activities. Ability to coordinate resources in normal and emergency situations to obtain desired results. Ability to represent program interests in a variety of committees. Ability to develop and implement operational policies, procedures, general practices and work standards. Ability to prepare necessary reports and to maintain records and inventories as required. Ability to communicate effectively, both orally and in writing. Ability to work with persons of varying cultural and ethnic backgrounds where communication may sometimes be challenging. Ability to establish and maintain effective working and public relationships. Ability to interpret blueprints and diagrams. Ability to maintain adequate attendance.

Necessary Special Qualifications:

Ability to meet the mobility and transportation requirements of this position.

Physical Requirements:

Employees will be expected to occasionally work outside of regular work hours, including evenings and weekends, to provide supervisory coverage for all shifts.

Employees will be expected to physically access and inspect parking facilities, including garages, lots and street parking.

Department/Division	Comp. Group	Range
Parking Division	18	10

Approved: _____
Erin Hillson
Human Resources Director

Date

FINANCIAL AND ADMINISTRATIVE MANAGER

CLASS DESCRIPTION

General Responsibilities:

This position is responsible for high-level professional, administrative and supervisory work within a division or department. As the Financial and Administrative Manager, the employee provides high-level professional staff support in the development, analysis and administration of various budgets and in the development and/or analysis of departmental programs, operations, and functions; provides regulatory oversight support, supervises the payroll, human resources, and purchasing functions for the agency; coordinates the agency's information technology program; provides oversight and analysis of worker's compensation, wage insurance and general payroll distribution; prepares detailed reports and complex statistical analysis, incorporating policy level recommendations for both internal operations and as it relates to. Under the general supervision of an agency head, this position requires considerable high-level professional expertise, independent judgement and discretion in meeting program objectives and serves on the leadership team. This position may serve as agency liaison to the Finance, Human Resources and Information Technology Departments.

Examples of Duties and Responsibilities:

Develop, coordinate, analyze, and monitor Capital and Operating and serve as an information resource person on these budgets. Perform budgetary planning and cost benefit analysis. Meet with managers and staff to discuss budget narratives and related data, and to determine budget impacts of program and policy decisions. Keep managers informed of budget related matters. Monitor and make recommendations regarding annual borrowing needs. Provide professional analytic expertise.

Prepare and present reports relating to budget requests and/or analysis. Develop justifications and provide statistical data and necessary rationale for budget requests and amendments, resolutions, and policies and procedures. Prepare financial reports for the agency head, Boards, Committees, Commissioners, the Mayor's Office, and Finance Department. Prepare reports and submit data required by external entities.

Provide day-to-day control over a large variety of expenditures and revenues. Evaluate requests for funding in relationship to the budget plan and other constraints. Provide interpretation of financial problems and situations and formulate recommendations for appropriate courses of action. Develop, coordinate, and monitor cash management policies and procedures for Division revenues. Ensure compliance with required accounting practices.

Maintain a high level of expertise in all aspects of the City's current financial system and other management systems applicable to position. Develop and implement improvements to various accounting processes, internal fiscal control systems, and reporting processes.

Provide support, guidance and shared oversight related to the administration and monitoring contracts. Stay current on changes/modifications to administrative and regulatory

requirements related to Federal, State and City funding and communicate such with affected parties. Establish and implement policies, processes, procedures, templates, and systems related to City-administered funds and non-compliance. Ensure effective data and reporting for compliance purposes.

Manage the monitoring and oversight of loan portfolio. Oversee the calculation and collection of loan payoffs, subordinations and verifications of mortgages. Manage the annual risk assessments for all outstanding loans. Serve as primary liaison with external tracking systems and ensure all requirements are met.

Supervise the payroll, human resources, and purchasing functions. Act as the Division's appointed authority for approval of purchase requisitions, contracts, hiring requisitions, payroll, and account management. Manage, oversee, and develop Division policies relating to P-Card purchasing. Process Workers Compensation claims and assist in the investigation of claims. Oversee and supervise payroll and wage insurance and hiring processes. Process FMLA paperwork. Coordinate training needs of staff and provide training in areas of responsibility. Serve as liaison on affirmative action matters; recommend initiatives for outreach and recruitment of under-represented groups.

Develop and interpret Division policies and procedures within assigned areas. Participate as a member of the leadership team. Help formulate and execute policies and strategies that advance agency goals and objectives. Coordinate team efforts on administrative matters and special projects as assigned. Evaluate and recommend policy and procedural changes in areas such as program budgeting, goal development and long-range planning, program and budget development, and expense control. Review programs and problems in individual sections and develop recommended courses of action to remedy problematic situations.

Design and implement administrative and operational analysis studies. Utilize statistical methods, cost-benefit analysis, computer assisted data manipulation, and other techniques of analysis to conduct research. Organize data into meaningful reports and recommend changes in policies, procedures, work assignments and programs based on findings. Coordinate, evaluate and report on assigned projects/programs of a special and/or ongoing nature. Coordinate and conduct efficiency studies to determine the effectiveness of these and other programs. Audit impact fee revenue collection and verify project impact fee utilization, developing reports in accordance with current legislative requirements. Coordinate responses to internal audit reviews and financial monitoring.

Manage and supervise the administrative functions of the agency. Provide expertise and consultation to managers in interpretation of City administrative policies and operating practices. Develop internal administrative systems and controls. Oversee the resolution of operational or systems problems.

Hire, onboard, train, lead, evaluate, coach, and discipline assigned staff in coordination with the agency head. Prioritize and assign work. Perform investigations and respond to grievances.

Participate in reviews and provide analysis regarding computers and business systems development for the Division and review implementation and ongoing maintenance.

Serve as liaison with the City Finance Department, Human Resources Department, Information Services, and other City departments in efficiently conducting division business.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills and Abilities:

Thorough knowledge of professional accounting theory, principles, and practices. Thorough knowledge of various accounting systems and their applicability to municipal financial operations. Thorough knowledge of and ability to use computer software applicable to the duties of the position, including accounting systems. Working knowledge of public administration principles and practices. Working knowledge of information systems and their application to accounting and administrative systems. Ability to apply accounting theory, critical thinking and problem solving techniques to a wide array of operational problems. Ability to use independent judgement in challenging situations. Ability to prepare complex budgets, financial statements and reports. Ability to prepare comprehensive financial statement and reports. Ability to gather, tabulate, and prepare various statistical reports. Ability to supervise and perform high risk financial and management audits. Ability to perform human resources investigations. Ability to advise and assist in the resolution of accounting and general management problems or issues. Ability to follow written and/or oral instructions. Ability to develop and maintain effective working relationships with a wide variety of City and external business contacts. Ability to perform accurate calculations. Ability to organize work to be accomplished, and delegate tasks to staff. Ability to lead or supervise administrative or paraprofessional staff. Ability to communicate effectively both orally and in writing. Ability to work effectively with multicultural populations. Ability to advise and assist both internal and external managers on the resolution of accounting problems or issues. Ability to maintain adequate attendance.

Training and Experience:

Three (3) years of directly related financial management experience incorporating the management of related service programs. Such experience will normally be gained after obtaining a Bachelor's degree in Accounting or Finance. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Department/Division	Comp. Group	Range
Various	18	12

Approved: _____
Erin Hillson
Human Resources Director

_____ Date

FLEET OPERATIONS MANAGER

CLASS DESCRIPTION

General Responsibilities:

This is responsible supervisory and professional work in developing and directing Fleet Service Division programs and services both directly and through lower-level supervisors. This position effectively develops and manages a comprehensive and diverse, service, parts and supply program (at multiple sites) in support of the City's centralized fleet. Under the general supervision of the Fleet Service Superintendent, the employee exercises considerable judgment and discretion in identifying cost effective and utilitarian methods of procuring, stocking, issuing, and inventorying fleet parts and related supplies. This position is responsible for full Fleet staffing oversight including hiring, developing, and evaluating staff, as well as completing all aspects of employee and labor management relations. This position works closely with the Fleet Program Manager ensuring the seamless integration of equipment into the operating fleet.

Examples of Duties and Responsibilities:

Manage the Service and Parts Departments. Direct day-to-day activities of the division through lower-level supervisors. Manage and coordinate the operations of satellite garages and related office staff functions. Manage the utilization and maintenance of vehicles, facilities and stores inventory. Hire, train, assign, evaluate and discipline staff through lower-level supervisors. Respond or assist supervisors in responding to employee grievances and concerns. Establish operational priorities and respond to unusual or emergency conditions, as required. Schedule inspection, service and repair of equipment and provide close customer support.

Create and/or coordinate the development and implementation of divisional policies. Assess overall impact of policies and procedures within Fleet Service. Ensure consistent application of policies and contractual provisions by lower-level supervisors. Perform long- and short-range planning activities. Under the direction of the Fleet Superintendent, participating in development, and responsible for implementation of the annual work planning process for Fleet.

Develop, recommend, and justify operating and capital budgetary requests. Oversee budget administration. Attend staff or committee meetings to represent Fleet Service, as assigned.

Plan and direct Fleet Service parts functions (at multiple sites) to include procurement, delivery/receiving, inventory control and issuance of parts. Identify products and vendors based on cost effective criteria and utility. Prepare product and service specifications.

Develop and/or policy enhancements. Communicate with other agencies policy and procedural changes related that may impact agencies or the Fleet Division. Develop, improve, and maintain standard operating procedures for full fleet operations.

Oversee and supervise the programs, activities and staff for maintenance of the operations of the Fleet Service. Hire, train, assign, counsel and evaluate skilled and semi-skilled automotive repair personnel. Develop and maintain effective employee relations and receive and respond to employee grievances. Oversee the FMLA and Worker's Compensation programs within Fleet Services. Monitor employee FMLA and other leave use, CDL requirements, and drug/alcohol testing processes. Oversee development and implementation of new training and skill development necessary with implementation of new technologies, including training related to performance of staff.

Perform all labor management related activities including grievance handling, meeting and conferring with Association or Union related staff. Provide guidance to centralized Human Resources staff on memorandums of understanding and implications of handbook impacts or needed modifications. Develop and maintain contacts with vendors; order or oversee the ordering of parts for stock; and process appropriate requisitions, invoices, etc. Maintain orderly flow of related documents with other City agencies such as Purchasing and Finance. Prepare related correspondence and reports.

Oversee development, maintenance and training of the computerized information management system. Act as liaison with Information Technology for hardware, software, network support and infrastructure for fleet operations. Provide technical expertise in formulating and manipulating a specialized information management system in order to establish cost-effective processes and operational efficiencies.

Assist in the development of preventive maintenance levels of service based on vehicle or equipment type, manufacturers' recommendations and maintenance history. Communicate information to appropriate staff.

Work with other agencies to address issues across the organization related to use of vehicles in alignment with GPS program.

Review all material/supply purchases for Fleet Service, including LPOs and purchase order transactions. Review all purchase card transactions. Reconcile and approve monthly purchase card statements. Oversee management of hundreds of new invoices kept onsite monthly. Reconcile petty cash receipts, create and monitor annual purchase orders for ongoing services from vendors who don't accept credit cards. Collect, document, manage and disseminate information on new vehicles and equipment.

Represent the Fleet Service before public and administrative boards. Participate in management staff meetings, labor management meetings and contract negotiation meetings. Conduct periodic staff meetings.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills and Abilities:

Thorough knowledge of the principles, techniques, equipment, tools and materials utilized in the maintenance and repair of automotive and construction equipment. Working knowledge of fleet maintenance operations, inventory management and administrative considerations. Working knowledge of related trade standards, vendor agreement considerations and warranty administration. Working knowledge of the full range of supervisory principles and practices, including labor relations and human resource management. Working knowledge of and ability to use computer applications/systems relevant to fleet management. Working knowledge of business management and public administration principles and practices relating to budgeting, purchasing, personnel, public financing, affirmative action, etc. Ability to plan, assign, supervise, coordinate and evaluate automotive maintenance and repair services at diverse sites. Ability to develop and implement operational policies, procedures, general practices, and work standards. Ability to develop, promote and coordinate in-house safety activities. Ability to prepare necessary reports and to maintain records and inventories as required, including using related computer applications. Ability to communicate effectively both orally and in writing. Ability to establish and maintain effective working relationships with co-workers, lower-levels, vendors, customers and the public. Ability to maintain adequate attendance.

Training and Experience:

Generally, positions in this classification will require:

Four years of responsible and varied supervisory experience in overseeing advanced level automotive maintenance activities. Such experience would normally be gained after graduation with a Bachelor's degree in Business Administration, Management, Public Administration, or related degree. However, possession of a vocational or technical school degree in automotive repair or a related degree and an additional two years of advanced level automotive maintenance experience may be substituted for the four-year degree requirement. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Necessary Special Qualifications:

Possession of a valid driver's license or the ability to meet the transportation requirements of this position.

Physical Requirements:

Employees in this classification will be expected to lift objects weighing up to 25 pounds on a regular basis and up to 75 pounds on occasion or with another employee. Work takes place in a automotive garage setting with loud noises present. The employee will have an office and will be expected to use standard office equipment such as computer, telephone, fax machine, and copier.

Department/Division	Comp. Group	Range
Fleet Service	18	13

Approved: _____
Erin Hillson
Human Resources Director

_____ Date

FLEET PROGRAM MANAGER

CLASS DESCRIPTION

General Responsibilities:

This is responsible supervisory and professional work in developing and directing Fleet Service Division programs and services both directly and through lower-level supervisors. This position effectively integrates technical (fleet equipment) and professional (analytic) skills in the development of an effective fleet service management program. This program incorporates the preparation of technical equipment specifications and capital asset purchasing, the development of program repair/maintenance standards and protocols, and the distribution/allocation of associated costs to users. The position is responsible for all aspects of Fleet policy and budget development and implementation in alignment with Mayoral sustainability goals. Under the general supervision of the Fleet Service Superintendent, the employee exercises considerable judgment and discretion in meeting operational objectives through the coordination of various division-wide special services. This position works closely with the Fleet Operations Manager ensuring the seamless integration of equipment into the operating fleet.

Examples of Duties and Responsibilities:

Prepare technical specifications for the purchase of a wide variety of City fleet equipment and supplies, and oversee the entire purchasing process for capital assets. Meet with users and equipment suppliers to determine equipment needs. Maintain an awareness of related technological advancements and service implications. Conduct related tests and analytic studies to establish pertinent standards and to achieve measurable efficiencies and cost savings. Utilize information technology methods in an ongoing assessment of fleet service programs and the development of pertinent strategies. Maintain awareness of emerging technology and recommend appropriate strategies to take advantage of new technology.

Create and/or coordinate the development and implementation of divisional policies. Assess overall impact of policies and procedures within Fleet Service. Ensure consistent application of policies and contractual provisions by lower-level supervisors. Under the direction of the Fleet Superintendent, participating in development, and responsible for implementation of the annual work planning process for Fleet.

Perform long- and short-range planning activities. Develop, recommend, and justify operating and capital budgetary requests. Oversee budget administration. Oversee accounting for any budgetary impacts and appropriate costing both in planning and implementation of the budget. Present implications of budgetary decisions including assessing and advising on operational impacts to agencies to ensure Fleet operational charges are clearly communicated to decision makers. Project future budget needs to

ensure organizational and agency needs are met and provide projection information through the budget process.

Work closely with user agencies in identifying program requirements. Provide liaison and coordination between user agencies and Fleet Service personnel, i.e., working with the Operations Manager for special order parts and stocking levels for parts and supplies. Develop and implement effective processes and procedures to meet user maintenance requirements. Develop and/or policy enhancements. Communicate with other agencies policy and procedural changes related that may impact agencies or the Fleet Division. Develop, improve, and maintain standard operating procedures for full fleet operations.

Oversee Fleet Service administration. Oversee training requirements for all division staff and maintain related records. Coordinate Division training needs with Human Resources. Evaluate and recommend the purchase of special tools, equipment and OEM computer software needed for fleet maintenance. Serve as primary contact for activation of emergency call-in procedures. Coordinate equipment warranty claims. Serve as Safety Program Coordinator for the Fleet Service, and coordinate fleet preventative maintenance program follow through and enhancement. Oversee development and implementation of new training and skill development necessary with implementation of new technologies, including training related to performance of staff.

Coordinate the new vehicle check-in process and installation of additional equipment required. Collect, document, manage and disseminate information on new vehicles and equipment.

Under the general oversight of, or in the absence of the Fleet Superintendent, oversee and approve all hiring, firing, administrative actions, promotions, staffing, disciplinary decisions. Further perform all labor management related activities including grievance handling, meeting and conferring with Association or Union related staff. Provide guidance to centralized Human Resources staff on memorandums of understanding and implications of handbook impacts or needed modifications.

Work closely with vendors. Get cost estimates and quotes. Facilitate warranty repairs, process requisitions, and purchase orders. Inspect vendor repairs for adequacy.

Work with the Mayor's Office and Sustainability staff to ensure Fleet Division alignment with initiatives and goals around sustainability.

Manage a wide variety of City fleet equipment and supplies. Prepare technical specifications for the purchase of equipment and supplies. Conduct related tests and analytic studies to establish standards and achieve measurable efficiencies and cost savings.

Oversee fueling system. Communicate and resolve issues with the fueling system vendor, maintain reports and act as site manager for all fuel questions and concerns.

Oversee building maintenance and repairs including phone system. Manage facility planning.

Coordinate and oversee GPS program. GPS including development of the GPS program policies and impacts. Serve as contact for questions and concerns and act as liaison between user and vendor. Work with other agencies to address issues across the organization related to use of vehicles in alignment with GPS program.

Oversee Fleet Service billing. Prepare, review, and submit internal and external billings. Prepare and design computer-generated reports, as required.

In the absence of the Fleet Superintendent, provide responses to media inquiries and ensure external communications of Fleet projects and successes/

Represent the Fleet Service before public and administrative boards. Participate in management staff meetings, labor management meetings and contract negotiation meetings. Conduct periodic staff meetings.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills and Abilities:

Thorough knowledge of the principles, techniques, equipment, tools and materials utilized in the maintenance and repair of automotive and construction equipment. Working knowledge of fleet maintenance operations, inventory management and administrative considerations. Working knowledge of related trade standards, vendor agreement considerations and warranty administration. Working knowledge of the full range of supervisory principles and practices, including labor relations and human resource management. Working knowledge of and ability to use computer applications/systems relevant to fleet management. Working knowledge of business management and public administration principles and practices relating to budgeting, purchasing, personnel, public financing, affirmative action, etc. Ability to plan, assign, supervise, coordinate and evaluate automotive maintenance and repair services at diverse sites. Ability to develop and implement operational policies, procedures, general practices, and work standards. Ability to develop, promote and coordinate in-house safety activities. Ability to prepare necessary reports and to maintain records and inventories as required, including using related computer applications. Ability to communicate effectively both orally and in writing. Ability to establish and maintain effective working relationships with co-workers, lower-levels, vendors, customers and the public. Ability to maintain adequate attendance.

Training and Experience:

Generally, positions in this classification will require:

Four years of responsible and varied supervisory experience in overseeing advanced level automotive maintenance activities. Such experience would normally be gained after graduation with a Bachelor's degree in Business Administration, Management,

Public Administration, or related degree. However, possession of a vocational or technical school degree in automotive repair or a related degree and an additional two years of advanced level automotive maintenance experience may be substituted for the four-year degree requirement. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Necessary Special Qualifications:

Possession of a valid driver's license or the ability to meet the transportation requirements of this position.

Physical Requirements:

Employees in this classification will be expected to lift objects weighing up to 25 pounds on a regular basis and up to 75 pounds on occasion or with another employee. Work takes place in a automotive garage setting with loud noises present. The incumbent will have an office and will be expected to use standard office equipment such as computer, telephone, fax machine, and copier.

Department/Division	Comp. Group	Range
Fleet Service	18	13

Approved: _____
Erin Hillson
Human Resources Director

Date

GOLF COURSE SUPERINTENDENT 1
GOLF COURSE SUPERINTENDENT 2
GOLF COURSE SUPERINTENDENT 3

CLASS DESCRIPTION:

The Golf Course Superintendent series is utilized to describe specialized leadership work in the maintenance and care of municipal golf courses. This series is applicable to positions at the Glenway, Monona, Odana Hills, and Yahara Hills courses. This work is characterized by independent judgment in the technical aspects of golf course maintenance. Work is performed under the general supervision of the Golf Operations Director, who reviews the work periodically (through inspection and/or administrative review) for compliance with program objectives.

Positions are allocated to a specific level within the Golf Course Superintendent series based on the size of the golf course and complexity of the work. It is not anticipated that employees will automatically progress to a higher level. Rather, movement to a Golf Course Superintendent 2 or 3 will generally be accomplished through a competitive process.

Golf Course Superintendent 1

This is entry-level greenskeeping work on small municipal golf courses (9 holes). Employees are expected to perform a wide-range of greenskeeping functions in terms of maintaining greens, trees, fairways, roughs, and related course areas. Employees may oversee a small hourly staff of approximately 5 employees and are expected to independently perform the required functions of the position.

Golf Course Superintendent 2

This is intermediate-level greenskeeping work on large municipal golf courses (18 holes). In addition to performing the wide range of greenskeeping functions, employees may have increased scheduling and planning responsibilities and oversee a larger hourly staff of approximately 15 employees.

Golf Course Superintendent 3

This is advanced-level greenskeeping and planning work on large municipal golf courses (36 holes). Employees are expected to perform a wide variety of greenskeeping functions and also have responsibility for planning and maintenance activities. In conjunction with the Golf Operations Director, employees plan for overall course needs and maintenance activities, and the employee oversees a large staff of permanent and hourly (25+) employees.

Examples of Duties and Responsibilities:

Golf Course Superintendent 1

Oversee and participate in the mowing, watering, and maintenance of greens, tees, fairways, roughs and related course areas. Make determinations regarding watering requirements, vertical mowing, aerification, and top dressing of greens and tees.

Oversee and participate in fertilizer and pesticide application (including fungicides, insecticides and herbicides).

Inspect the course on a scheduled basis to determine its proper operation and upkeep. Provide related written reports and suggestions for improvement.

Plan, schedule, lay out, perform, and monitor course maintenance activities. Assign and monitor the work of lower-level staff. Participate in the hiring, training, and evaluation of assigned lower-level staff.

Identify and respond to irrigation system problems. Perform routine irrigation system programming. Report and/or refer more technical problems as appropriate.

Order and maintain related supplies and materials. Maintain related operational records.

Prepare periodic and ongoing reports as required. Participate in the development of budget estimates and maintain expenditure records.

Maintain effective communications with the general public, league representatives, golf professionals, and clubhouse staff regarding course maintenance and playing conditions.

Oversee operator maintenance on assigned equipment. Refer equipment for repair.

Perform the work of a Parks Maintenance Worker as assigned.

Perform related duties as required.

Golf Course Superintendent 2

Perform all the duties assigned to the Golf Course Superintendent 1 level with increased planning and scheduling responsibilities, primarily as a reflection of course size (18-hole course) or course complexity (assistant role at 36 hole course).

At Yahara, oversee field operations in the absence of the Golf Course Superintendent 3.

Perform related work as required.

Golf Course Superintendent 3

Perform all the duties assigned to the Golf Course Superintendent 1 and 2 levels.

Perform complex planning and scheduling of course maintenance as typical of a 36-hole course, with a high degree of play and special events.

Oversee course maintenance of a relatively larger staff, including a Golf Course Superintendent 2.

Oversee and participate in the maintenance and repair of course equipment.

Administer an Aquatic Pesticide Program.

Plan for and support large golf and non-golf events.

Perform administrative duties of the Golf Operations Director as required.

Perform related work as required.

QUALIFICATIONS

Knowledge, Skills, and Abilities:

Golf Course Superintendent 1

Working knowledge of the principles, practices, and methods specific to golf course maintenance. Working knowledge of turf and green considerations relative to course play. Working knowledge of the proper application of fertilizer and pesticides (including fungicides, insecticides, and herbicides). Working knowledge of manually and automatically controlled irrigation systems as utilized in golf course maintenance. Working knowledge of golf rules and play considerations. Working knowledge of and ability to use computer software applicable to the duties of the position. Ability to lay out and participate in the full range of golf course maintenance. Ability to plan, organize, and prioritize work of assigned hourly workers. Ability to maintain effective working relationships with golf professionals, the general public, league representatives, and fellow employees. Ability to maintain routine records and reports. Ability to operate related equipment. Ability to recommend course improvements. Ability to work independently in carrying out assigned functions. Ability to maintain adequate attendance.

Golf Course Superintendent 2

Thorough knowledge of the principles, practices, and methods specific to golf course maintenance. Thorough knowledge of turf and green considerations relative to course play. Thorough knowledge of the proper application of fertilizer and pesticides (including fungicides, insecticides, and herbicides). Thorough knowledge of manually and automatically controlled irrigation systems as utilized in golf course maintenance. Thorough knowledge of golf rules and play considerations. Thorough knowledge of and ability to use computer software applicable to the duties of the position. Ability to lay out and participate

in the full range of golf course maintenance. Ability to plan, organize, and prioritize work of assigned hourly workers. Ability to maintain effective working relationships with golf professionals, the general public, league representatives, and fellow employees. Ability to maintain routine records and reports. Ability to operate related equipment. Ability to recommend course improvements. Ability to work independently in carrying out assigned functions. Ability to perform more complex maintenance planning and scheduling work consistent with an incrementally larger course with a higher degree of play. Ability to maintain adequate attendance.

Golf Course Superintendent 3

Thorough knowledge of the principles, practices, and methods specific to golf course maintenance. Thorough knowledge of turf and green considerations relative to course play. Thorough knowledge of the proper application of fertilizer and pesticides (including fungicides, insecticides, and herbicides). Thorough knowledge of manually and automatically controlled irrigation systems as utilized in golf course maintenance. Thorough knowledge of golf rules and play considerations. Thorough knowledge of and ability to use computer software applicable to the duties of the position. Ability to lay out and participate in the full range of golf course maintenance. Ability to plan, organize, and prioritize work of assigned hourly workers. Ability to maintain effective working relationships with golf professionals, the general public, league representatives, and fellow employees. Ability to maintain routine records and reports. Ability to operate related equipment. Ability to recommend course improvements. Ability to work independently in carrying out assigned functions. Ability to perform more complex maintenance planning and scheduling work consistent with an incrementally larger course with a higher degree of play. Ability to schedule, oversee and perform equipment maintenance considerations associated with major non-golf special events. Ability to administer an Aquatic Pesticide Program. Ability to lead a diverse staff engaged in the maintenance of a large course and associated equipment maintenance. Ability to maintain adequate attendance.

Training and Experience:

Generally, positions in this classification will require:

Golf Course Superintendent 1

Three (3) years of semi-skilled work experience in the general care and maintenance of a golf course involving some leadership responsibility. Such experience would normally be supplemented by completion of college coursework in turf management and/or soil science. Possession of a 4-year degree from an accredited college or university in a field such as turf management, soil science, or a related field may be substituted for the experience requirements. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills, and abilities necessary to perform the duties of this position will also be considered.

Golf Course Superintendent 2

One (1) year of specialized experience in the maintenance and care of golf courses, equivalent to that gained as a Golf Course Superintendent 1 with the City of Madison. Such experience would normally be supplemented by three (3) years of semi-skilled work experience in the general care and maintenance of a golf course involving some leadership responsibility and completion of college coursework in turf management and/or soil science, or possession of a 4-year degree from an accredited college or university in a field such as turf management, soil science, or a related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills, and abilities necessary to perform the duties of this position will also be considered.

Golf Course Superintendent 3

Two (2) years of specialized experience in the maintenance and care of golf courses, equivalent to that gained as a Golf Course Superintendent 1 with the City of Madison. Such experience would normally be supplemented by three (3) years of semi-skilled work experience in the general care and maintenance of a golf course involving some leadership responsibility and completion of college coursework in turf management and/or soil science, or possession of a 4-year degree from an accredited college or university in a field such as turf management, soil science, or a related field. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills, and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Necessary Special Qualifications:

Possession of a valid driver's license or ability to meet the transportation requirements of the position.

Possession of or ability to obtain a Wisconsin Pesticide Certification within the probation period and to maintain certification. Failure to obtain the certification within the required time period may result in forfeiture of the position, absent extenuating circumstances.

Physical Requirements:

Employees must be able to perform manual labor and lift objects weighing up to 50 pounds. Employees must be able to physically access all golf course areas in order to oversee staff and monitor work that is performed; this includes traversing all types of terrain, including uneven, wet, muddy, or snowy terrain. Employees are expected to work with pesticides and must use appropriate safety techniques. Finally, work is performed in all types of weather conditions, including sunny, rainy, snowy, windy, etc.

Department/Division	Classification	Comp. Group	Range
Public Works/Parks	Golf Course Superintendent 1	16	12

Public Works/Parks	Golf Course Superintendent 2	16	13
Public Works/Parks	Golf Course Superintendent 3	16	14

Approved:

Erin Hillson
Human Resources Director

Date

DRAFT

PARKING DIVISION DIRECTOR

CLASS DESCRIPTION

General Responsibilities:

This is highly responsible professional and managerial work in supervising, planning, directing, coordinating and implementing the finances, programs, operations, and administration of the Parking Division. The Parking Division is primarily responsible for city-wide public on-street and off-street parking programs, including the operation, maintenance and building of Parking Division-owned parking facilities. This position assists the Director of Transportation and City Traffic Engineer in policy development in conformance with the City's objectives and related Land Use and Transportation planning processes and recommends and implements related processes and procedures. Reporting to the Director of Transportation, work is characterized by independence of action in a broad range of assignments.

Examples of Duties and Responsibilities:

Direct the programs, activities and staff of the Parking Division and provide programmatic supervision as required. Supervise the activities of all Division staff, both directly and through lower-level supervisors.

In conjunction with the Director of Transportation, develop work programs and implement parking/transportation plans, programs and priorities. Develop and oversee programs including on- and off- street parking facilities; residential parking permits; curb management policies, parking enforcement; Transportation Demand Management; and other Division responsibilities such as disabled parking and loading; monthly parking; street sweeping; alternate side parking; special event parking; parking leases; security, snow plowing, and sweeping of parking facilities; and Division marketing programs.

Develop and maintain financial plans for the Parking Division. Recommend changes, as appropriate, to other City plans, policy documents and planning processes.

In conjunction with the Director of Transportation, oversee the financial activities of the Parking Division. Develop and recommend the operating and capital budgets for the Division. Monitor budget expenditures throughout the year. Recommend methods to increase Parking Division revenues consistent with City objectives, while promoting sustainable transportation practices.

Promote sustainability and equity throughout the work of the Division, and support citywide goals pertaining to racial equity, social justice, and climate change.

Develop and coordinate reports, presentations, and resolutions of the Parking Division to the Transportation Commission and Common Council as requested. Represent the Division at policy-level meetings and present or respond to issues under consideration. Work with the Transit General Manager and City Traffic Engineer to staff the Transportation Commission.

Review and make recommendations regarding private and public proposals for major parking facility development. Coordinate parking-related matters with enforcement activities. Provide for response to diverse inquiries, concerns and/or complaints.

Supervise, and review parking studies, and data collection activities. Develop recommendation for policy and program changes.

Participate on city teams that address land acquisitions/sales, and public-private partnerships affecting the Parking Division. Develop public parking policies regarding pricing, permits, and long-term leases that support City goals and objectives. Work with the City Attorney's office to prepare leases for parking facilities.

Prepare and recommend contracts for consultants and for equipment purchases. Review plans and specifications of repairs for parking facilities. Manage capital improvements and repairs for parking facilities.

Review alternatives and specifications for new revenue, maintenance and enforcement equipment. Recommend equipment changes consistent with emerging technology, such as garage revenue equipment street meters, and enforcement equipment, etc. Serve as liaison with vendors regarding equipment.

Perform related work as required.

QUALIFICATIONS

Training and Experience:

Generally, positions in this classification will require:

Five years of business or government supervisory and/or management experience. Such experience would normally be gained after graduation from an accredited college or university with a Bachelor's degree in public or business administration, economics, urban/regional planning, transportation planning, civil engineering or a related field; or relevant experience in one of these areas. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Knowledge, Skills and Abilities:

Thorough knowledge of the principles and practices of public and business administration and management. Thorough knowledge of the full range of supervisory principles and practices and personnel management. Thorough knowledge of directly related budgetary, financial, accounting and recordkeeping systems, principles and practices relating to public administration and/or a revenue-generating operation. Knowledge of related contract administration. Working knowledge of computers and ability to use computer software applicable to the duties of the position. Knowledge of basic sustainability principles, particularly as relevant to transportation. Ability to manage a diverse staff, both directly and through lower-level supervisors. Ability to hire, train, assign, evaluate and discipline employees. Ability to develop and justify budgetary requests and control budget

expenditures. Ability to research, analyze, develop, recommend and implement effective programs and procedures. Ability to maintain effective working relationships with co-workers, staff, other City employees and the public. Ability to work effectively with multi-cultural populations. Ability to represent the agency or work unit to the public and before administrative review boards. Ability to communicate effectively, both orally and in writing. Ability to develop, organize, and analyze financial and other data and present written and oral reports. Ability to prepare clear and concise reports and plans. Ability to manage parking facility operation and maintenance. Ability to maintain adequate attendance.

Necessary Special Qualifications:

Ability to meet the transportation requirements of the position.

Certification as a Certified Administrator of Public Parking (CAPP) issued by the International Parking Institute or a Certified Parking Professional (CPP) issued by the National Parking Association is preferred, but not required.

The employee will be expected to attend meetings of the Common Council and various sub-committees outside of regular working hours, including evenings and weekends.

Physical Requirements:

Work is generally performed in an office environment using standard office equipment such as a computer, telephone, copier, etc. However, the employee will be expected to travel to the various parking facilities in the City as well as the Operations Shop.

Department/Division	Comp. Group	Range
Transportation/Parking Division	18	17

Approved: _____
Erin Hillson
Human Resources Director

_____ Date

CITY OF MADISON POSITION DESCRIPTION

1. Name of Employee (or "vacant"):

Vacant

Work Phone:

2. Class Title (i.e. payroll title):

Parking Division Finance and Administration Manager

3. Working Title (if any):

4. Name & Class of First-Line Supervisor:

Stefanie Cox, Parking Director

Work Phone: 265-147

5. Department, Division & Section:

Transportation, Parking Division

6. Work Address:

215 Martin Luther King Jr. Bvd

7. Hours/Week: 38.75/week

Start time: 8:30a End time: 4:30p

8. Date of hire in this position:

9. From approximately what date has employee performed the work currently assigned:

-
10. Position Purpose: (How this position fits into the overall mission, vision, and goals of your agency and work unit.)

This position oversees the Finance and Administration Unit in the Parking Division. The employee plays a key role in budget development, managing various revenues and expenditures, developing related policies and procedures, and coordinating work among lower-level supervisors and administrative staff.

11. Position Summary:

This position is responsible professional, managerial, administrative, and supervisory work within the Parking Division. This position provides professional staff support in the development, analysis, and administration of the division's budget; in the development and analysis of various programs, operations, and functions; overseeing and developing the full range of centralized administrative support functions (eg payroll, purchasing and contracts, and administrative support activities). Under the general supervision of the Parking Director, this position functions as an integral member of the Parking Division Leadership Team by providing expertise in areas of staff analysis, management, and administration. Work is characterized

by the regular use of independent judgment and discretion. This position shall serve as a liaison to the Finance and Human Resources Departments.

12. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)

- 30% A. Manage and supervise the administrative functions of the Parking Division
 - 1. Provide expertise and consultation to managers in interpreting City administrative policies and operating practices.
 - 2. Develop internal administrative systems and controls.
 - 3. Oversee the resolution of operational or systems problems.
 - 4. Develop and recommend operational and programmatic standards and procedures.
 - 5. Evaluate and recommend policy and procedural changes in areas such as program budgeting, goal development, and long-range planning, program and budget development, and expense control.

- 20% B. Supervisor the payroll, human resources, and personnel functions of the Parking Division.
 - 1. Serve as liaison on affirmative action matters; recommend initiatives for outreach and recruitment of under-represented groups.
 - 2. Oversee and supervise the division payroll, wage insurance, and hiring processes.
 - 3. Coordinate developing, implementing, and maintaining the division's scheduling and payroll system.
 - 4. Provide leadership, policy direction, and expert advice to staff in the functional areas of general accounting, payroll, financial management, and purchasing services.
 - 5. Identify and recommend operating changes to improve the effectiveness and coordination of related functions and operations.

- 20% C. Act as the division's appointed authority to purchase requisitions, contracts, and account management.
 - 1. Manage financials related to contract requirements and lease agreements.
 - 2. Manage, oversee, and develop Division policies relating to P-Card purchasing.
 - 3. Develop processes and procedures for managing the accounts receivables and billing for the Parking Division.
 - 4. Provide day-to-day control over a large variety of revenues and expenditures.
 - 5. Ensure compliance with required accounting practices.
 - 6. Develop, coordinate, and monitor cash management policies and procedures for Division revenues.
 - 7. Provide training to supervisory-level staff in financial management, budget processes, and accounting standards and guidelines.
 - 8. Provide interpretation of financial problems and situations and formulate recommendations for appropriate courses of action.

- 15% D. Assign and monitor the work of employees both directly and through subordinate supervisors.
 - 1. Participate in and/or oversee the hiring, training, evaluation, and discipline of assigned subordinate supervisors, professionals, and administrative staff.
 - 3. Prioritize and assign work.
 - 4. Lead and supervise staff as they implement billing systems.
 - 5. Respond to employee grievances.
 - 6. Evaluate staff performance and develop approaches to improve performance when necessary.

- 15% E. Develop, analyze, and administer the Parking Division's Operating and Capital Improvement budgets.
 - 1. Perform budgetary planning and cost-benefit analysis
 - 2. Provide professional analytic expertise related to finances, contracts, purchasing, and staffing
 - 3. Prepare and present reports relating to budget requests and/or analysis.

4. Maintain a high level of expertise in all aspects of the MUNIS financial system, including budgeting, grant and project management, payroll, purchasing, and billing.
5. Develop and implement improvements to various existing accounting processes, internal fiscal control systems, and/or reporting practices.
6. Evaluate and recommend policy and procedural changes in areas such as program budgeting, goal development and long-range planning, program and budget development, and expense control.

13. Primary knowledge, skills and abilities required:

- Thorough knowledge of business management and public administration principles and practices.
 - Thorough knowledge of various accounting systems and their applicability to municipal financial operations.
 - Thorough knowledge of and ability to use computer software applicable to the position's duties, including accounting systems.
 - Working knowledge of public administration principles and practices.
 - Working knowledge of information systems and their application to accounting and administrative systems.
 - Ability to apply accounting theory, critical thinking, and problem-solving techniques to various operational problems.
 - Ability to use independent judgment in challenging situations.
 - Ability to prepare complex budgets, comprehensive financial statements and reports.
 - Ability to gather, tabulate, and prepare various statistical reports.
 - Ability to supervise and perform high-risk financial and management audits.
 - Ability to perform human resources investigations.
 - Ability to advise and assist in resolving accounting and general management problems or issues.
 - Ability to follow written and/or oral instructions.
 - Ability to develop and maintain effective working relationships with various City and external business contacts.
 - Ability to perform accurate calculations.
 - Ability to organize work to be accomplished and delegate tasks to staff.
 - Ability to lead or supervise administrative or paraprofessional staff.
 - Ability to communicate effectively both orally and in writing.
 - Ability to work effectively with multicultural populations.
 - Ability to advise and assist internal and external managers in resolving accounting problems or issues.
 - Ability to maintain adequate attendance.
 - Thorough knowledge of budgetary, financial, and accounting principles and practices.
 - Thorough knowledge of computerized data systems, including their utilization in accounting, finance, data manipulation, projections, and budget development and monitoring.
 - Thorough knowledge of general office procedures and supervisory principles and practices.
 - Ability to develop, administer, and monitor policies and administrative procedures applicable to Parking Division programs.
-

14. Special tools and equipment required:

15. Required licenses and/or registration:

Three (3) years of directly related financial management experience incorporating the management of related service programs. Such experience will normally be gained after obtaining a Bachelor's degree in Accounting or Finance. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

16. Physical requirements:

17. Supervision received (level and type):

Reports to Director of Parking

18. Leadership Responsibilities:

This position: ☐ is responsible for supervisory activities (Supervisory Analysis Form attached).
☐ has no leadership responsibility.
☒ provides general leadership (please provide detail under Function Statement).

19. Employee Acknowledgment:

☐ I prepared this form and believe that it accurately describes my position.
☐ I have been provided with this description of my assignment by my supervisor.
☐ Other comments (see attached).

EMPLOYEE

DATE

20. Supervisor Statement:

☐ I have prepared this form and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and find that it differs from my assessment of the position. I have discussed these concerns with the employee and provided them with my written comments (which are attached).
☐ I do not believe that the document should be used as the official description of this position (i.e., for purposes of official decisions).
☐ Other comments (see attached).

SUPERVISOR

DATE

Instructions and additional forms are available from the Human Resources Dept., Room 261, Madison Municipal Bldg., calling 266-4615 or visiting cityofmadison.com/employeeenet/policies-procedures/position-descriptions.

CITY OF MADISON POSITION DESCRIPTION

1. Name of Employee (or "vacant"):

Scott Briggs

Work Phone: 267-8750
2. Class Title (i.e. payroll title):

Parking Administrative Supervisor
3. Working Title (if any):
4. Name & Class of First-Line Supervisor:

Vacant, Administrative & Finance Manager

Work Phone: 265-1147
5. Department, Division & Section:

Department of Transportation, Parking Division
6. Work Address:

215 Martin Luther King Jr. Blvd, Suite 109
7. Hours/Week: 38.75

Start time: 8:00 End time: 4:30
8. Date of hire in this position:

2022
9. From approximately what date has employee performed the work currently assigned:

10. Position Summary:

This is responsible professional, administrative, and supervisory work in the development, implementation, and operations of the Parking Division Customer Service Unit, which includes public communication, permit management, assisting with parking leases and contracts, customer billing, and management of the Department of Transportation's front office. The work involves the ongoing assessment, development, and maintenance of unit processes and procedures in context of departmental policy, improving efficiencies, billing systems, and customer service needs. The employee is expected to troubleshoot and resolve all manner of process and system deficiencies, customer service challenges, and intra/interdepartmental requests and concerns, and has the authority to determine whether information may be released in accordance with Wisconsin Public Records Law. Under the general supervision of the Administrative and Finance Manager, this work requires the exercise of judgment and discretion in the application of pertinent regulations; the development and administration of appropriate recordkeeping systems and procedures; and in the effective assessment, integration, and application of related technologies. This position serves as a member of the Parking Division Management Team and actively participates in formulating parking policies and resolving management issues.

11. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)

40% A. **Program and Systems Administration**

1. Supervise the Parking Division's customer billing functions related to various permits, lease agreements, and meter reservations and usage.
2. Supervise, administer, and oversee the Residential Parking Permit Program, including managing permit requests, developing application processes and policies, and overseeing permit sales.
3. Assist in developing educational/informational materials to communicate program policies/procedures and/or program changes to residents and internal and external stakeholders, and coordinate with other staff responsible for updating information on websites and social media.
4. Perform audits on revenue collection and active permits, identify delinquent accounts and maintain detailed records for inventory control and fraud/theft prevention and detection.
5. Analyze, determine, and review customer requests; approve/deny requests; issue refunds.
6. Direct the work of staff responsible for distributing a variety of permits and on-street parking reservation programs.
7. Develop, implement, and review policies, procedures, and guidelines related to on-street reservations and various permit management programs.
8. Supervise and participate in all aspects of the receipt collection processes, including developing policies/rules for cash handling, reconciliation, and remittance processes.

20% B. **Supervise Transportation Office Administrative and Clerical Staff**

1. Plan, direct, schedule and supervise the work of staff comprised of Parking and Traffic Engineering employees in a broad range of activities.
2. Interview and recommend the hiring of staff.
3. Develop, update and maintain training materials for staff, including operating procedures.
4. Develop training schedules and train all staff on operating procedures.
5. Evaluate staff performance and develop approaches to improve the performance when necessary
6. Develop work priorities, coordinate and assign work to support staff, and monitor assignments for efficiency, quality, and timeliness.
7. Provide leadership and direction, respond to questions, and clarify policies, procedures, and interpretations.
8. Receive, investigate, review, and respond to public complaints.

20% C. **Purchasing and Receipts Payable/Receivable Processing for Transportation Department.**

1. Submit purchase requisitions and review staff purchase requests for compliance with City purchasing requirements and available budgets; advise staff of additional requirements needed to submit requisitions. Reconcile monthly P-card statements.
2. Maintain current knowledge of open departmental contracts, project accounts, capital projects and budgets, organizational and object codes to ensure proper allocation of revenues and expenses into the MUNIS financial accounting system.

20% E. **Office Management**

1. Monitor inventory of Transportation office supplies, forms and documents and purchase necessary supplies according to City purchasing guidelines.
2. Oversee agency file system. Establish office procedures and systems, and evaluate existing agency procedures and programs to recommend changes as appropriate.
3. Serve as administrative assistant to Department and Division Head (Transportation Director, City Traffic Engineer & Parking Director).
4. Participate in budget preparation and administration, coordinating purchasing and document administration section expenditures as necessary.
5. Serve as the division's records management coordinator. Review open records requests and determine if the records can be released by applying the balancing test and redacting if necessary.
6. Maintain knowledge of Wisconsin Open Records Law and Freedom of Information Act and work with the City Records Manager on the life cycle of records, e.g., storage and destruction.
7. Perform related work as required.

12. Primary knowledge, skills and abilities required:

- Thorough knowledge of practices, policies, and procedures relating to establishing and overseeing program administration, program evaluation and improvement, customer relations, and staff supervision.
- Working knowledge of labor relations and personnel management theories and techniques.
- Working knowledge of supervisory principles and techniques.
- Working knowledge of methods and practices used in financial, billing, revenue collection, and cash handling processes.
- Working knowledge of budgeting procedures and practices.
- Working knowledge of the full range of supervisory principles and practices, including hiring, training, performance management, and discipline.
- Working knowledge of, and ability to use and train others to use, computer software applicable to the duties of the position.
- Knowledge of Public Records laws and standards relating to releasing information and reports.
- Knowledge of related parking and municipal ordinances and statutes.
- Ability to utilize related computer systems and software to compile detailed reports.
- Ability to issue, explain, and follow written and verbal directions, policies, and procedures.
- Ability to provide leadership to unit personnel and the division at large.
- Ability to evaluate and develop systems and procedures and prepare necessary written documentation.
- Ability to prepare detailed and accurate documentation on unit work objectives.
- Ability to plan, develop, and implement programs, operating procedures, policies, and processes with a high degree of judgment and expertise.
- Ability to communicate effectively both orally and in writing.
- Ability to collect, organize and analyze data, maintain accurate records and ensure proper storage and disposal of confidential information.
- Ability to interpret ordinances and regulations and to exercise good judgment when discretionary decisions are required in applying rules, policies, and procedures.
- Ability to exercise discretion in applying rules and procedures.
- Ability to work independently and make sound decisions with little supervision.
- Ability to address, troubleshoot, and de-escalate all manner of customer service challenges in a professional and respectful manner.
- Ability to work effectively with multicultural populations.
- Ability to maintain adequate attendance.

13. Special tools and equipment required:

General office equipment including telephones, copiers, calculators, computers and related software, credit card equipment, fee computer/cash register, scanners, and fax machines.

14. Required licenses and/or registration:

15. Physical requirements:

The position may need to attend meetings outside the normal work schedule, including evenings. Otherwise, work is performed in a traditional office setting.

16. Supervision received (level and type):

Under the general supervision of the Parking Administrative and Finance Manager

17. Leadership Responsibilities:

This position: ☒ is responsible for supervisory activities (Supervisory Analysis Form attached).
☐ has no leadership responsibility.
☐ provides general leadership (please provide detail under Function Statement).

18. Employee Acknowledgment:

☐ I prepared this form and believe that it accurately describes my position.
☐ I have been provided with this description of my assignment by my supervisor.
☐ Other comments (see attached).

EMPLOYEE

DATE

19. Supervisor Statement:

☒ I have prepared this form and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and find that it differs from my assessment of the position. I have discussed these concerns with the employee and provided them with my written comments (which are attached).
☐ I do not believe that the document should be used as the official description of this position (i.e., for purposes of official decisions).
☐ Other comments (see attached).

SUPERVISOR

DATE

Note: Instructions and additional forms are available from the Human Resources Dept., Room 501, City-County Bldg. or by calling 266-4615.

CITY OF MADISON POSITION DESCRIPTION

1. Name of Employee (or "vacant"):

Alan Wedel, Vacant, Vacant

Work Phone:

2. Class Title (i.e. payroll title):

Field Operations Supervisor

3. Working Title (if any):

4. Name & Class of First-Line Supervisor:

Parking Field Operations Manager

Work Phone:

5. Department, Division & Section:

Transportation, Parking, Field Operations

6. Work Address:

1120 Sayle St.

7. Hours/Week: 40/week

Start time: End time:

8. Date of hire in this position:

9. From approximately what date has employee performed the work currently assigned:

-
10. Position Purpose: (How this position fits into the overall mission, vision, and goals of your agency and work unit.)

The Parking Field Operations Supervisors directly oversee lead workers, field staff, maintenance staff, and administrative staff in maintenance, collection, and customer service in city garages, parking lots, and on-street metered parking spaces. Many staff work closely with parking residents and visitors by providing exceptional customer service in response to their parking needs. These positions are responsible for ensuring the Parking Facilities are welcoming, in working order, and safe for our customers.

11. Position Summary:

This is responsible supervisory work in directing and coordinating the work of a large group of permanent and hourly field and administrative staff in the Parking Division's Field Operations Unit. The work involves organizing, planning, and implementing daily work assignments and longer-term work projects through

operational lead workers, skilled and semi-skilled staff, mechanical personnel, and customer service staff. The work is performed under the general supervision of the Parking Field Operations Manager. It is characterized by the exercise of independent judgment and discretion to determine work methods, procedures, and problem solutions and is reviewed through reports, observation, and periodic discussions. Employees in this classification will be expected to perform manager-on-duty responsibilities as assigned during non-work hours.

12. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)

- 50% A. Direct and supervise a large staff of permanent and seasonal/hourly employees, including lead workers and skilled and semi-skilled employees.
 - 1. Interview, recommend for hire, train, evaluate, and discipline technical, skilled, and administrative staff.
 - 2. Plan, direct, schedule and review the work of assigned staff, both directly and through lead workers.
 - 3. Develop, coordinate, review, and approve scheduled work hours, shifts, assignments, and locations for field staff.
 - 4. Develop work priorities; coordinate and assign work field and administrative staff. Monitor assignments for efficiency, quality and timeliness.
 - 5. Develop and administer training for personnel relative to operating procedures, administrative requirements, maintenance and repair, revenue collection, and other related activities.
 - 6. Interview, hire, evaluate, and terminate seasonal/hourly employees.
 - 7. Manage employee grievances, disciplinary issues, and performance issues, making effective recommendations to the Parking Field Operations Manager.
 - 8. Oversee cross-training within the Parking Division to cover absences and develop employees' skill sets for future promotional opportunities.
 - 9. Recommend and implement new procedures, policies, and standards for better utilization of equipment and employees.
- 20% B. Facilities Maintenance and Management
 - 1. Coordinate and supervise building mechanical and structural repairs and construction projects, and preventive maintenance programs at the parking ramps and garages.
 - 2. Compute estimates and actual costs of factors such as materials, labor, or outside contractors.
 - 3. Direct the operations and programs of the operations and maintenance staff, including the
 - 4. Project management of facility customer readiness, tracking what parts and assets were needed and ensuring new garage construction way finding, and signage is completed on a timely basis.
 - 5. Examine assets, systems, or facilities and analyze information to determine needed installations, services, or repairs.
 - 6. Compile operational records, such as time and production records, inventory data, repair or maintenance statistics, or test results.
 - 7. Direct, manage and coordinate the work and activities of contractors hired by the Field Operations Unit (security, snow removal, repair and maintenance).
- 20% C. Revenue and Access Control
 - 1. Develop, implement, and oversee policies and procedures for security, collection, counting and reporting of revenues.
 - 2. Identify and investigate revenue discrepancies related to collections. Work directly with staff to determine and resolve errors.
 - 3. Maintain accurate records of overages and shortages in revenues. Participate in potential theft investigations.
 - 4. Assist in developing operational traffic and parking plans related to special events that impact garages and lots.
 - 5. Develop, review, and implement special event staffing and revenue collection plans.
 - 6. Determine staffing needs during high-demand times at facilities.

- 10% D. Coordinate Equipment Repairs, Inventories, and Ordering of Supplies
1. Administer Field Operations uniform guidelines and list of approved items. Work directly with contracted vendors on ordering and billing issues.
 2. Manage Operations section's access and key inventory and handling procedures.
 3. Conduct needs assessment of equipment and materials.
 4. Oversee ordering of supplies for the Operations Section.
 5. Manage related office staff and functions.
 6. Serve as contact for vendors regarding service, equipment upgrades, and other issues related to Field Operations.

13. Primary knowledge, skills and abilities required:

- Thorough knowledge of the principles, techniques, methods, equipment, tools and materials commonly used in the area of responsibility.
 - Thorough knowledge of and ability to use computer software applicable to the duties of the position.
 - Thorough knowledge of the staffing requirements and efficient utilization of equipment and staff resources.
 - Thorough knowledge of the safety hazards of the work and methods of promoting a safe work environment.
 - Thorough knowledge of the full range of supervisory principles and practices, labor relations and personnel management.
 - Thorough knowledge of maintenance and repair methods and materials applicable to parking facilities and equipment, such as concrete repair, painting, hardware installation, parking meter and gate installation and repair, sign installation, snow and ice removal, etc.
 - Ability to manage a large staff of skilled and semi-skilled workers.
 - Ability to hire, train, assign, evaluate and discipline employees.
 - Ability to plan, supervise and inspect the work of subordinate supervisors and employees and maintain effective employee relations.
 - Ability to respond to and adjust employee grievances and perform other labor relations administration activities.
 - Ability to coordinate resources in normal and emergency situations to obtain desired results.
 - Ability to represent program interests in a variety of committees.
 - Ability to develop and implement operational policies, procedures, general practices and work standards.
 - Ability to prepare necessary reports and to maintain records and inventories as required.
 - Ability to communicate effectively, both orally and in writing.
 - Ability to work with persons of varying cultural and ethnic backgrounds where communication may sometimes be challenging.
 - Ability to establish and maintain effective working and public relationships.
 - Working knowledge of building systems, such as security, emergency power, fire suppression and fire alarm control panels.
 - Working knowledge or familiarity with or experience in building mechanical (HVAC), electrical and plumbing.
 - Ability to interpret blueprints and diagrams.
 - Ability to maintain adequate attendance.
-

14. Special tools and equipment required:

15. Required licenses and/or registration:

Possession of a Wisconsin driver's license or ability to meet the transportation requirements of the position.

16. Physical requirements:

The incumbent will be expected to occasionally work outside of regular work hours, including evenings and weekends, to provide supervisory coverage for all shifts.

Employees in this position will also be expected to physically travel to all city-owned parking garages to oversee operations as well as other City offices.

17. Supervision received (level and type):

Reports to the Parking Field Operations Manager, General Supervision

18. Leadership Responsibilities:

This position: ☒ is responsible for supervisory activities (Supervisory Analysis Form attached).
☐ has no leadership responsibility.
☐ provides general leadership (please provide detail under Function Statement).

19. Employee Acknowledgment:

☐ I prepared this form and believe that it accurately describes my position.
☐ I have been provided with this description of my assignment by my supervisor.
☐ Other comments (see attached).

EMPLOYEE

DATE

20. Supervisor Statement:

☐ I have prepared this form and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and find that it differs from my assessment of the position. I have discussed these concerns with the employee and provided them with my written comments (which are attached).
☐ I do not believe that the document should be used as the official description of this position (i.e., for purposes of official decisions).
☐ Other comments (see attached).

SUPERVISOR

DATE

Instructions and additional forms are available from the Human Resources Dept., Room 261, Madison Municipal Bldg., calling 266-4615 or visiting cityofmadison.com/employeeenet/policies-procedures/position-descriptions.

CITY OF MADISON POSITION DESCRIPTION

1. Name of Employee:

Jonathan Cottom

Work Phone: 608-261-4292
 2. Class Title:

Parking Operations Assistant (20/16)
 3. Working Title (if any):
 4. Name & Class of First-Line Supervisor:

Vacant, Data & Analytics Manager

Work Phone: 608-261-9981
 5. Department, Division & Section:

Transportation, Parking, Data & Analytics
 6. Work Address:

1120 Sayle St.
Madison, WI 53715
 7. Hours/Week: 38.75

Start time: 6:30 a.m. End time: 3:00 p.m.
 8. Date of hire in this position:
 9. From approximately what date has employee performed the work currently assigned:
-
10. Position Purpose: (How this position fits into the overall mission, vision, and goals of your agency and work unit.)

This position is responsible for performing specialized work relative to the Parking Division's management information systems. The position performs a variety of information technology work activities supporting the development, implementation, and maintenance of automated systems specific to Parking applications and networks. Under the general supervision of the Data and Analytics Manager, employees will exercise judgment and professional expertise in supporting the utilization of Parking's computer applications and software, including both internal technical considerations and appropriate staff training. The employee is also responsible for troubleshooting and supporting the Parking Division's security system and telephone systems.
 11. Position Summary:

This is objective level professional work in the development or support of automated management information systems/services within the Parking Division. This work is characterized by the independent application of professional skills in providing standardized developmental and support activities and serving

as a contributing member on more diverse team efforts. This work is normally performed under the general leadership of the DOT IT Specialist 3 and the direct supervision of Data and Analytics Manager.

This is advanced level professional work in the strategic planning, development, implementation, operation and maintenance of diverse automated systems/services within the Parking Division. This position provides coordination and communications with the City of Madison Information Technology (IT) Department and various vendors. In addition, the employee is responsible for providing technical assistance and support to agency staff and identifying and coordinating the response to training needs.

12. Functions and Worker Activities: (Do NOT include duties done on an "Out-of-Class" basis.)

- 50% A. Assist in the coordination and support of Parking Division hardware, software, and application systems
 1. Install, maintain, and resolve problems of parking systems, software, and applications software.
 2. Assist in implementing Parking system networking services (LAN/WAN) as they relate to the Parking's automated environment.
 3. Troubleshoot routine application, hardware, and systems software problems and identify potential causes.
 4. Participate in the planning and coordination of new systems or applications specific to departmental operations.
 5. Implement and troubleshoot various automated Parking applications including telecommunications, network systems and department computer hardware/software.
 6. Assist in implementing system networking services as they relate to the division's automated environment.
 7. Provide liaison to the City Information Technology Department, as required.
 8. Support the installation and implementation of software and general personal computer applications, consistent with the department's needs.
- 20% B. Training and development, and documentation
 1. Provide technological consultation and training to staff as required.
 2. Provide training to staff on Parking computer system functions.
 3. Participate in diverse support efforts in a training capacity in order to gain both technical competency and familiarity with organizational dynamics.
 3. Develop user profile menus, coordinate log-in access, build format screens based on specialized system documentation standards, and perform other related technical activities.
 4. Use work order system to enter and maintain customer requests and hardware/software issues.
 5. Follow/recommend documentation formats and draft proper documentation (e.g., user manuals) for both hardware and software operations.
- 30% C. Support, maintenance, and equipment
 1. Identify and program changes to the various software and systems related to revenue and access control.
 2. Setup new PC's, laptops, tablets, and printers in order to replace end-of-life devices.
 3. Analyze and implement procedures in order to ensure the security and integrity of Parking networks.
 4. Recommend and order technological upgrades/replacements.
 5. Coordinate, implement, and manage technology equipment for Parking Division vehicles, including computers, docking stations, routers, and antennae.
 6. Coordinate, implement, and manage the Parking Division's mobile device, including overseeing wireless and voice cellular accounts.
 7. Actively participate in internal discussions to improve departmental programs and services for customers.
 8. Participate in on-site visits with vendors. Coordinate with and review the work of vendors.
 9. Maintain inventory of all information technology equipment.

10. Perform work as required.

13. Primary knowledge, skills and abilities required:

- Knowledge of desktop and server computer system technology (hardware and software) and its effective application.
- Thorough knowledge of standardized support, maintenance and operation criteria for computer systems.
- Knowledge of computer system design and database programming languages such as Microsoft SQL, Visual Basic, Access, etc.
- Ability to troubleshoot and resolve routine hardware and software computer malfunctions.
- Knowledge of relevant networking considerations.
- Ability to effectively participate in team efforts to improve/develop departmental programs and services.
- Ability to evaluate software and recommend purchase.
- Ability to exercise judgment and discretion in completing assigned tasks.
- Ability to determine customer needs and recommend the scope of projects.
- Ability to provide technical support to users in project development, problem resolution/troubleshooting for routine hardware and software computer malfunctions, and coordination with vendors.
- Ability to readily become familiar with specialized parking computer systems and technological needs.
- Ability to resolve problems in a timely and effective manner, and to maintain an awareness of project deadlines and communicate project status, risks, and other issues.
- Ability to effectively participate in team efforts to improve/develop departmental programs and services.
- Ability to communicate effectively both orally and in writing.
- Ability to develop and maintain effective working relationships.
- Ability to problem solve, apply logic, and perform process identification and systems thinking.
- Ability to work effectively with multicultural populations.
- Ability to maintain adequate attendance.

14. Special tools and equipment required:

15. Required licenses and/or registration:

Ability to meet the transportation requirements of the position.

16. Physical requirements:

Work is primarily sedentary in nature and performed in an office environment. Employees will be expected to use standard office equipment such as a telephone, computer, calculator, copier and fax machine. Employees must have the physical strength, coordination and acuity inherent to set up, install and test computers as assigned. Employees may be expected to visit sites within the City in order to troubleshoot issues.

17. Supervision received (level and type):

General supervision

18. Leadership Responsibilities:

This position: ☐ is responsible for supervisory activities (Supervisory Analysis Form attached).
☐ has no leadership responsibility.
☒ provides general leadership (please provide detail under Function Statement).

19. Employee Acknowledgment:

- ☒ I prepared this form and believe that it accurately describes my position.
☐ I have been provided with this description of my assignment by my supervisor.
☐ Other comments (see attached).

Jonathan Cottom

EMPLOYEE

DATE

20. Supervisor Statement:

- ☐ I have prepared this form and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and believe that it accurately describes this position.
☐ I have reviewed this form, as prepared by the employee, and find that it differs from my assessment of the position. I have discussed these concerns with the employee and provided them with my written comments (which are attached).
☐ I do not believe that the document should be used as the official description of this position (i.e., for purposes of official decisions).
☐ Other comments (see attached).

SUPERVISOR

DATE

Instructions and additional forms are available from the Human Resources Dept., Room 261, Madison Municipal Bldg., calling 266-4615 or visiting cityofmadison.com/employeeenet/policies-procedures/position-descriptions.

TECHNOLOGY OPERATIONS ASSISTANT

CLASS DESCRIPTION

General Responsibilities:

This is responsible paraprofessional work in the planning, development, implementation, operation and maintenance of diverse automated systems specific to the functions of the Parking Division. This position selects vendors for routine purchases, identifies needs, and makes recommendations relative to hardware and software purchases. Furthermore, this position coordinates activities and oversees select projects relating to the department's technology needs. The employee is the City's primary contact and troubleshooter for problems on the Parking Servers. This position assists in the daily operations of the Revenue Section, and in the general operation of the Maintenance Section as it relates to the automated and cashiered operations of the Parking Division. The work is performed under the general supervision of the Field Operations Supervisor and in cooperation with the Parking Analyst relative to computer activities.

Examples of Duties and Responsibilities:

Oversee the computer systems, programs, and activities for the field operations of the Parking Division. Develop or assist with the development, implementation and maintenance of computer systems. Assist the Operations, Revenue and Maintenance Supervisors in identifying problems in parking and systems operations and, when appropriate, coordinate with City IT Department, in the resolution of these problems.

Install, implement, monitor and troubleshoot hardware and software applications for the Parking Division's workstations and servers. Take corrective action, and coordinate and oversee efforts to prevent future problems.

Evaluate agency information systems/service needs, and recommend, coordinate and implement appropriate technological enhancements. Provide technical assistance and support to agency staff with various software programs, hardware, and network issues. Represent Parking Division management and agency staff in coordinating the design, development, implementation and maintenance of customized software applications. Coordinate activities with City IT Department (Department's Authorized Contact).

Coordinate and/or collect, summarize and prepare data for analysis of existing Parking programs/policies and proposed changes or alternatives. Respond to queries from Parking Division Management. Provide computerized summaries of Parking Division activities for application in parking planning decisions primarily related to the Revenue Section.

Delegate and/or generate computerized reports on a periodic basis and upon request for the Parking Division's Management. Review reports for completeness, accuracy and errors.

Develop, and/or implement assigned work procedures for Parking Division employees, in the form of manuals, memos to employees, and logic flow charts.

Evaluate and monitor prospective and existing revenue controls and procedures. Recommend and / or develop methods to improve efficiency and / or security, and investigate new equipment for such purposes.

Provide leadership to Parking Revenue employees at the direction of or in the absence of the Field Operations Supervisor.

Actively participate in internal discussions to improve departmental programs and services for customers.

Assist with orientation and training of Parking Cashiers and other revenue employees.

Maintain the Parking Division's inventory of high security keys. Program employee access to specific keys in the Parking Division's computerized key vaults. Oversee and / or generate various reports upon request.

Order supplies to maintain the office as well as cashiered operations of the Parking Division.

Perform related work as required.

QUALIFICATIONS

Training and Experience:

Generally, positions in this classification will require:

Two years of responsible experience involving substantial utilization of and responsibility for maintaining, developing and operating computer applications in an accounting/revenue/business administration context. Such experience would normally be supplemented by courses in computer science, business, accounting, or other related fields. Other combinations of training and/or experience which can be demonstrated to result in the possession of the knowledge, skills and abilities necessary to perform the duties of this position will also be considered.

Specific training and experience requirements will be established at the time of recruitment.

Knowledge, Skills and Abilities:

Working knowledge of general office methods, practices and equipment. Working knowledge of related positional computer hardware, technology including current and

upgrades of Windows-based computers, LAN (Local Area Network) and Microsoft systems, and multi-use spreadsheet, database, word processing, and various customized software applications, as well as network applications. Working knowledge of computer systems design and maintenance. Knowledge of basic accounting and business math practices and techniques. Knowledge of and ability to install, troubleshoot, and maintain computer hardware and software. Ability to solve problems, apply logic, and perform process identification, and systems thinking. Ability to read and prepare system and program flow charts and documentation. Ability to develop, modify, maintain and operate computer programs. Ability to design, set up, and program an independent database. Ability to evaluate and recommend software, hardware and other related equipment. Ability to provide technical support in problem resolution/troubleshooting and in effectively coordinating and communicating with vendors. Ability to determine needs, select vendors, evaluate, recommend, and purchase software and hardware. Ability to develop financial and statistical reports. Ability to perform mathematic and algebraic computations and to maintain accounting-type records. Ability to communicate effectively, both orally and in writing. Ability to establish and maintain effective working relationships. Ability to work effectively with multicultural populations. Ability to effectively participate in team efforts to improve agency services and programs. Ability to plan, coordinate, and/or oversee projects, and to deal with numerous details simultaneously. Ability to oversee the activities of subordinate staff. Ability to maintain adequate attendance.

Necessary Special Qualifications:

Ability to meet the mobility and transportation requirements of this position.

Physical Requirements:

Employees will be expected to physically access and inspect parking facilities, including garages, lots and street parking.

Department/Division	Comp. Group	Range
Transportation/Parking Division	20	17

Approved: _____
 Erin Hillson
 Human Resources Director

Date _____



City of Madison

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

Master

File Number: 85798

File ID: 85798

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/22/2024

File Name: Approving the City of Madison's application to the Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) 2023 Energy Innovation Grant Program for the project "Monona Terrace Geothermal Feasibility Study"; authorizing the Mayor and C

Final Action:

Title: Approving the City of Madison's application to the Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) 2023 Energy Innovation Grant Program for the project "Monona Terrace Geothermal Feasibility Study"; authorizing the Mayor and City Clerk to execute the associated grant agreement with the PSC-OEI; amending the 2024 Adopted Capital Budget to accept the grant award of \$50,000 in state funding; and approving the sole source contract with Hammel, Green and Abrahamson, Inc. (HGA) as a grant partner. (District 4)

Notes: Jon Evans, Engineering Division

Sponsors: Satya V. Rhodes-Conway And Michael E. Verveer

Effective Date:

Attachments: HGA - Non-Competitive Selection Request - October 2024.pdf

Enactment Number:

Author: Jim Wolfe, City Engineering

Hearing Date:

Entered by: jjohnson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction		10/29/2024		
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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.						
1	FINANCE COMMITTEE	11/18/2024	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 85798

Fiscal Note

The proposed resolution approves the application for and authorizes the acceptance of a \$50,000 Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) grant and amends the adopted 2024 Sustainability Improvements capital project to increase state funding and expenditures to reflect the grant. The city will contribute a match of \$30,000 in the form of city staff time and a geothermal test bore. The match will be funded by existing appropriation in the Sustainability Improvements and Energy Improvements capital programs. There is no impact on the levy.

As part of the grant application, the city partnered with Hammel, Green and Abrahamson, Inc. (HGA) to provide engineering and consulting services. The resolution authorizes a sole source contract with HGA as a grant partner. The project work will consist of a feasibility study for converting the Monona Terrace Convention Center to a geothermal source HVAC system. Finally, the resolution authorizes the designee of the Finance Director to execute amendments to the contract with HGA for up to an additional \$10,000, if needed, for a total authorization of \$60,000, and/or amendments for extensions to the contract term.

Title

Approving the City of Madison's application to the Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) 2023 Energy Innovation Grant Program for the project "Monona Terrace Geothermal Feasibility Study"; authorizing the Mayor and City Clerk to execute the associated grant agreement with the PSC-OEI; amending the 2024 Adopted Capital Budget to accept the grant award of \$50,000 in state funding; and approving the sole source contract with Hammel, Green and Abrahamson, Inc. (HGA) as a grant partner. (District 4)

Body

WHEREAS, in 2023 the City of Madison along with project partner HGA identified a grant opportunity to conduct a geothermal feasibility study for Monona Terrace that could be partially grant funded through the Public Service Commission of Wisconsin Office of Energy Innovation (PSC-OEI) Energy Innovation Grant Program (EIGP) Docket ID 9709-FG-2023 and, WHEREAS, the City applied for the PSC-OEI EIGP grant in March 2024; and, WHEREAS, in May 2024 the PSC-OEI EIGP awarded the City of Madison a grant in the amount of \$50,000 for the project "Monona Terrace Feasibility Study"; and, WHEREAS, the project work will consist of a feasibility study for converting the Monona Terrace Convention Center to a geothermal source HVAC system; and, WHEREAS, the funding from the grant award will be reimbursed to the City of Madison from the PSC-OEI at the end of the grant period in 2025; and, WHEREAS, as part of the grant application, the City partnered with HGA to provide engineering and consulting services for an initial amount not to exceed \$50,000 for a period of up to 2 years; 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, NOW, THEREFORE, BE IT RESOLVED that a designee of Finance Director is authorized to accept the grant award on behalf of the City of Madison; and, BE IT FUTHER RESOLVED, that the Common Council herby amends the 2024 Capital Budget

to accept \$50,000 in state funding; and,

BE IT FURTHER RESOLVED that the that Mayor and City Clerk are authorized to execute a grant agreement with the Public Service Commission of Wisconsin, Office of Energy Innovation, representing the State of Wisconsin, for receipt and use of these funds; and,

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute a non-competitive service contract with Hammel, Green & Abrahamson, Inc. for the purpose and at the price described above and,

BE IT FINALLY RESOLVED that the Designee of the Finance Director is authorized to execute amendments to the contract with Hammel, Green & Abrahamson, Inc. for up to an additional \$10,000, if needed, for a total authorization of \$60,000, and/or amendments for extensions to the contract term.



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 10/15/2024

Requisition Number: (8 characters)

Requestor Name: Jon Evans

Requestor Phone Number: 608-243-5893

Requestor Email: jevans@cityofmadison.com

Fund: 1100 GENERAL

Agency: 40 ENGINEERING

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: \$50,000.00

Vendor Name: HGA

Product/Service Description: Engineering Feasibility Study as part of OEI Grant for Geothermal System a...

**\$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:

The Grant Application included HGA as our Partner
- ☒ 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.

We applied for a State Office of Energy Independence Grant for the 2024 cycle and were awarded a \$50,000 match to complete a Geothermal Feasibility Study for Monona Terrace. Total project budget is \$80,000 and would be funded by the Mayor's Office Sustainability Account (net \$30,000). Our grant partner is HGA. This request is to contract with HGA as a partner on the study/grant.

Total Budget Breakdown:

HGA Portion

HGA - \$40,000

UW Limnology -\$5,000

Sasaki Planners - \$5,000

Contract with HGA Subtotal: \$50,000 (subject to this request)

City Portion

City Staff - \$5,000

Geothermal Test Bore Subcontractor - \$25,000

TOTAL; \$80,000

REVIEW

For Purchases of \$50,000 or less, a copy of this form, signed by Purchasing Services, will be returned to Requestor.

- ☒ APPROVED

Mary Richards

10/21/2024
- ☐ REJECTED

Submit



City of Madison

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

Master

File Number: 85810

File ID: 85810

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: Authorizing a refinance of a Community Facilities Loan to YWCA Madison, Inc., originally for the sum of \$87,000, and increasing the loan amount by \$91,150 for a total of up to \$178,150 to support facility improvements at 2040 S. Park Street, authorizing t

Final Action:

Title: Authorizing a refinance of a Community Facilities Loan to YWCA Madison, Inc., originally for the sum of \$87,000, and increasing the loan amount by \$91,150 for a total of up to \$178,150 to support facility improvements at 2040 S. Park Street, authorizing the Mayor and City Clerk to sign an agreement for that purpose. (District 14)

Notes:

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre
And Nikki Conklin

Effective Date:

Attachments: City of Madison CFLP Application FINAL - YWCA
Madison EC 2024.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Community Development Block Grant Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE		11/07/2024	
	Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE						

1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
	Action Text: A motion was made by Alder Martinez-Rutherford and seconded by Alder Guequierre to Return to Lead with the Recommendation to Approve Authorizing a refinance of a Community Facilities Loan to YWCA Madison, Inc., originally for the sum of \$87,000, and increasing the loan amount by \$91,150 for a total of up to \$178,150 to support facility improvements at 2040 S. Park Street, authorizing the Mayor and City Clerk to sign an agreement for that purpose. (District 14)					
	Motion passed unanimously.					
1	FINANCE COMMITTEE	11/18/2024	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 85810

Fiscal Note

The proposed resolution authorizes the refinancing of a Community Facilities Loan (CFL) program loan to YWCA Madison, Inc (YWCA). A CFL program loan to YWCA for \$87,000 was originally authorized by the Common Council in June 2023 (file 77544, RES-23-00411). The proposed resolution increases the loan amount by \$91,150 for a total refinanced loan of up to \$178,150. The CFL capital program (Munis project 13672) was originally authorized to utilize \$1.0 million in GO Borrowing in the 2022 Adopted Capital Budget. An additional \$1.0 million in GO Borrowing for the program was included in the 2024 Adopted Capital Budget. No additional City appropriation required.

Title

Authorizing a refinance of a Community Facilities Loan to YWCA Madison, Inc., originally for the sum of \$87,000, and increasing the loan amount by \$91,150 for a total of up to \$178,150 to support facility improvements at 2040 S. Park Street, authorizing the Mayor and City Clerk to sign an agreement for that purpose. (District 14)

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 the City of 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, YWCA Madison, Inc. applied to the CFL Program for assistance to help finance the renovation of their Empowerment Center located at 2040 S. Park Street; and,

WHEREAS, the Common Council authorized an \$87,000 loan from the Community Facilities Loan Program to YWCA Madison, Inc. for its use for improvements at 2040 S. Park Street on June 6th, 2023 (File #77544/RES-23-00411); and,

WHEREAS, YWCA Madison, Inc. applied through the CFL Program to make repairs to the roof, make improvements to the parking lot, updates to fencing, HVAC systems, and signage;

and,

WHEREAS, YWCA Madison, Inc. learned that the roof needed to be replaced and therefore returned to the CFL Program for additional financing; and,

WHEREAS, per the CFL Program guidelines, YWCA Madison, Inc. intends to provide programming and support at the community facility primarily to low- and moderate-income households, and meets all other eligibility requirements of the CFL Program; and,

WHEREAS, YWCA Madison, Inc. presents a total combined project budget of approximately \$354,458 and the CFL Program guidelines limit offers of financial assistance for improvements to not more than the lesser of \$300,000 or 50% of total eligible project costs; and,

WHEREAS, YWCA Madison, Inc.'s existing loan will be refinanced in the amount not to exceed \$178,150; 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 authorizes additional financing of \$91,150 from the Community Facilities Loan Program to YWCA Madison, Inc. for its use for improvements at 2040 S. Park Street Madison; and,

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



COMMUNITY FACILITIES LOAN PROGRAM (CFL)

APPLICATION

- Applicants should read the CFL program guidelines document before completing this application.
- If you need support in a language other than English, please contact Community Development Division: cdd@cityofmadison.com who will help coordinate translation services.
- Applicants must be an already established non-profit corporation (Non-stock Corporation) organized under Chapter 181 of Wisconsin Statutes and in compliance with the Wisconsin Department of Financial Institutions (DFI).

Please note: the CFL program has a budget of \$1,500,000. Once funds are exhausted, applications will no longer be accepted. Applications are considered on a first-come, first-served basis.

Questions can be directed to cdd@cityofmadison.com or to Community Development Grants Supervisor, Linette Rhodes, at lrhodes@cityofmadison.com or 608-261-9240.

Organization Name: YWCA Madison, Inc.

Contact Name: Andrea Zea

Phone: (608) 395-2196

Contact Email: azea@ywcamadison.org

SAM/ Unique Entity Identifier # T5DBX42DJHU3

Please select the option that best describes the nature of your project:

- ☐ Acquisition ☐ New Construction ☒ Rehabilitation- property owned
☐ Rehabilitation- Leased Space (5 year lease) ☐ Rehabilitation- Leased Space (10 year lease)

Project Address: 2040 S. Park Street Madison, WI

Zip Code: 53713

Amount requested: \$ 91,150

Please describe, in detail, the proposed project:

YWCA Madison is seeking additional CFL funds to continue renovations of our owned building at 2040 S. Park Street, also known as the Empowerment Center ("EC"). While we have resided at this space since 2017, we became owners relatively recently, in December of 2022. At the time of purchase, we believed that the EC's roof needed extensive repairs and included roughly \$45,000 in our first CFL application ("CFL #1") to cover these expenses. Then we experienced some unanticipated project delays—stemming from the legal process of subdividing the property and having new parcel numbers issued before execution of the loan agreement was possible—and by the time CFL #1's loan agreement was executed in October 2023, it had become clear that the roof needed to be replaced, not just repaired. After seeking new bids in compliance with our agency procurement policies, the cost to replace the roof came in over \$190,000.

With this second CFL application (CFL #2), YWCA Madison requests funds for a portion of the costs of roof replacement that we could not cover with CFL #1 loan funds (and the required 50% match). In addition to the extra roof-related expenses, we also request CFL funds through this second application to complete the other projects outlined in our first application, including: necessary updates to parking lots' asphalt, replace property's exterior fencing and exterior signage, install energy efficient interior lighting, replace the building's two water heaters, complete minor HVAC repairs. We also are seeking funds in this application to: install laminate flooring in high traffic areas, replace several restroom fixtures, refresh interior painting, purchase furnishings and office equipment for conference rooms and other common areas to make them more multi-purpose for community and staff use, and other items related to successful operations and services.

How will this project affect your organization?

YWCA Madison creates programs that react to community needs. YWCA is dedicated to eliminating racism, empowering women, and promoting peace, justice, freedom, and dignity for all. As community need has grown, so too has our programming grown.

Our residential building at 101 E. Mifflin Street could no longer accommodate the growing number of staff members. Early in 2024, some of our staff members (including our Community Housing team) relocated to the Empowerment Center at 2040 S. Park Street. This move meant that the Community Housing staff have access to more conference rooms and other meeting spaces for client case management meetings related to housing. Additionally, owning this building is an important factor in the stability of YWCA Madison. We no longer have to worry about where we would relocate our staff and programming if the lease was not renewed or the building was sold by a landlord. We also are helping to slow the spread of gentrification on Madison's south side by ensuring that a building that serves the community has a permanent home here.

How will this project impact the community you serve?

YWCA Madison's Empowerment Center has great accessibility; it is located close to many bus lines and Metro's South Transfer Point, has ample parking, and has space conducive to the programming offered to the community. Participants we serve can more easily meet with Community Housing program staff now that they are located at the EC because it is centrally located for those who rely on Madison Metro Transit and we can offer free parking onsite. The community has also come to know the EC as the site for our Employment Services, Driver's License Recovery and Transit programs. The front desk is staffed and we are able to connect walk-ins to either our programs and services or other community resources.

Additionally, there are opportunities to host additional trainings and workshops in Restorative Justice, Race and Gender Equity and Employment Services in our newly purchased space, building upon a tradition of offering growth and learning opportunities to our broader community. We are excited about the new possibilities that ownership and careful stewardship of this building will make happen.

How will this project impact your operations?

The project will impact operations in that we now need more staff time to properly service and maintain the Empowerment Center. Fortunately, with funds from the Community Facilities Loan Program, we are able to make improvements and some major repairs that result in saved time for our Facilities team. In the past 1.5 years of ownership, we have increased knowledge of the building's equipment and functions and needs for maintaining the space that were previously serviced by the landlord. We are confident we have the administrative staffing and support to continue to successfully operate the building.

Project Timeline

Description	Projected Dates (Mo/Yr)
Acquisition/Real Estate Closing	12/30/2022
Rehab/Construction Bid Publishing	Upon funding/loan award notification
Construction/Rehab Start	Upon funding/loan award notification, contingent on weather permitting for some activities
Construction/Rehab Completion	09/30/2025 estimated
Services or Programming Start Date	Ongoing

SOURCES AND USES OF FUNDS

This is a statement of how much money is required to complete the project, its source, and how it will be used. By definition, sources must equal uses.

SOURCES OF FUNDS	Amount	Source: Lender, Grantor, etc.
Permanent Loan:		
Subordinate Loan:		
Subordinate Loan:		
City Financing Requested:	91,150.00	
Project Equity (own funds):	91,150.00	Annual distribution from YWCA of Madison Foundation, Inc.
Other:		
TOTAL SOURCES:	182,300.00	
Construction Financing		
Construction Loan:		
Bridge Loan:		
Other:		
TOTAL:	182,300.00	


USES OF FUNDS	Amount	Source
Purchase Building:		
Build-out (if new purchase):		
Renovations/improvements (existing building):	158,782.00	Contractor bids for roof, fencing, parking lot, signage, and interior renovations (including a 15% contingency)
Equipment purchase:	23,518.00	Office furniture for classrooms and conference rooms; building's two water heaters (including a 15% contingency)
Other:		
TOTAL USES:	182,300.00	

All Applications:

- All applications must submit an Operating Plan, Offer to Purchase or Contractor Bids, and executed Lease, if applicable.
- All applications must submit evidence of other funding sources secured for the project.
- Funded applicants are responsible for complying with all of the terms and conditions outlined in the CFL Program Guidelines.
- Applications to the Community Facilities Loan Program will be considered on a first-come, first-served basis.
- Final approval of funds will be awarded, via a Resolution, by the City's Common Council with recommendations from the CDBG Committee. Timeline for a commitment of funds is contingent upon committee's schedule.

APPLICATION 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 Community Facilities Loan Program and is true and complete to the best of the applicant's knowledge and belief.

Signature 

Date: 9/20/2024

Applications must be submitted to the Community Development Division by email:
cdd@cityofmadison.com

YWCA Madison, Inc. Operating Plan

City of Madison - Community Development Division - Community Facilities Loan

• Overview of programing and activities

YWCA Madison's Empowerment Center is located at 2040 S. Park Street in Madison, Wisconsin, and was constructed in 1950. The organization has been in this location since 2017. This building houses staff and offices from the following Departments of YWCA Madison: Employment Services & Transit, Community Housing, Race & Gender Equity, Restorative Justice, Development, Human Resources, and some administrative staff. Our YWeb Career Academy takes place at the Empowerment Center, where we have a multipurpose space that has many internal and community uses. We also store our Transit fleet of vans in the back parking lot of this building. In 2021, YWCA Madison leased another portion of the space which was available. At the end of 2022, we made the decision to purchase the building at 2040 S. Park Street, and as such, make improvements to the space that will have allowed us to expand programming and provide more space for staff and our participants.

Thanks to funds received through our first Community Facilities Loan (2023), we were able to:

- Create a permanent computer lab for use by program participants.
- Add office spaces with cubicles for more YWCA Madison staff members to conduct private case management and other work with participants.
- Pay for most of the cost of a complete roof replacement and improvements to the drainage system.

We are seeking additional CFL funds to:

- Make necessary updates to the parking lot asphalt, fences, signage, replace the building's two water heaters, make minor HVAC upgrades and complete several other smaller maintenance projects.
- Cover the remaining extra expenses we incurred to replace the roof (not just make repairs, as anticipated at the time of our first CFL application).
- Install laminate flooring in high traffic areas, replace several restroom fixtures, refresh interior painting, purchase furnishings and office equipment for conference rooms and other common areas to make them more multi-purpose for community and staff use, and other items related to successful operations and services.

• Days/Hours of Operation

- The building is already in use Monday through Friday.
- The hours of operation are: 8:30am - 4:30pm Monday through Thursday and 8:30am - Noon on Fridays
- Note: YWCA Madison's Transit program operates 24 hours/day, 365 days a year, providing rides to community members. We have Transit drivers who enter/exit the building in the middle of the night/early morning hours. The building is not open to the public or participants during those times.

• Building Maintenance

The building will be maintained and managed by YWCA Madison's Facilities staff. The facilities team is composed of four people, including a Facilities Manager, IT Manager, and two full-time Maintenance Technicians. In addition, the building is cleaned twice a week by a contracted cleaning service. We also hire licensed, knowledgeable contractors for HVAC, plumbing, and electrical.

• Staffing and Activities

As previously mentioned, the Empowerment Center currently houses the following Departments of YWCA Madison: Employment Services & Transit, Community Housing, Race & Gender Equity, Restorative Justice, Development, Human Resources, and some administrative staff. Thanks to work completed in 2023, in our newly renovated space we house our Community Housing team (those who work with housing programs and participants located throughout the community) and a computer lab.

During hours of operation, we have YWCA Madison staff members in the building who are working and supervising community spaces. Additionally, a front desk receptionist is on staff full-time to answer calls and the front door. As mentioned above, We have Transit drivers who enter/exit the building in the middle of the night/early morning hours. The building is not open to the public or to participants during those times.

• Ongoing financial needs–

Detailed annual budget including both projected expenses and anticipated revenues

Gas - \$8,290

Electrical - \$12,440

Water - \$4,360

Snow Removal - \$10,810

Lawn Care - \$2,530

Building Insurance - \$1,790

Building Maintenance

- HVAC - \$12,480
- Plumbing - \$430
- Cleaning - \$42,000
- Elevator - \$3,170
- Security - \$2,300
- Maintenance Staff - \$13,162
- Other - \$24,210

Total Recurring Annual Costs - \$137,972

Potential repairs/additions that have emerged:

Remaining balance of roof replacement after CFL #1 funds were expended - \$22,070

Fencing - \$20,670

Replace building's two water heaters - \$5,450

Parking Lot (repairs/re-sealing) - \$48,334

Interior Renovations (lighting, flooring, HVAC, painting, etc.) - \$40,000

Signage - \$6,998

Furniture and Office Equipment - \$15,000

+15% Contingency - \$23,778

Total Estimated Repairs & Renovations - \$182,300

We anticipate using the building for office and classroom space, and therefore, do not anticipate generating revenue from this space.

YWCA IS ON A MISSION

September 26, 2024

City of Madison
Community Development Division
Madison Municipal Building, Suite 300
215 Martin Luther King, Jr. Boulevard
Madison, WI 53703

RE: Evidence of Match for YWCA Madison's 2024 Community Facilities Loan Program application

Dear Community Facilities Loan Program Review Committee:

The intent of this letter is to explain the attached evidence of other funding sources secured that will provide the required match for the project proposed in YWCA Madison's 2024 application for the City of Madison's Community Facilities Loan Program (CFL).

In this 2024 CFL application, YWCA Madison is requesting \$91,150 of City financing in the form of an Improvement Loan. The total proposed project cost is \$182,300.

The required 50% project match of \$91,150 will be provided by a combination of unrestricted donations and the annual distribution of a portion of the assets of the YWCA of Madison Foundation, Inc. The YWCA of Madison Foundation, Inc. is organized and operated exclusively for the purpose of supporting the charitable work of YWCA Madison, Inc., and the annual distribution comes from certain investments held by the Foundation that serve as a general endowment to support the mission of YWCA Madison, Inc. and is therefore not donor restricted.

The Foundation's board of directors approves a distribution of a portion of the Foundation's assets each year; the distribution is normally 5% of the average of the preceding twelve quarters with the last quarter being in September. In 2023, the Foundation's annual distribution was \$142,784. Documentation of this distribution amount can be found in the attached report, *YWCA Madison, Inc. 2023 Consolidated Financial Statements* from our independent auditors, Wegner CPAs. Please see page 25, the "Eliminations" column of the Consolidating Schedule

eliminating racism
empowering women
ywca



YWCA IS ON A MISSION

of Activities, Changes in Net Assets Without Donor Restrictions. In 2023, the \$142,784 annual Foundation distribution was used to cover expenses in our Community programs. In 2024, YWCA Madison, Inc. anticipates receiving, at minimum, a similar distribution amount from the Foundation and allocating these funds to provide the match for the proposed 2024 CFL project at our Empowerment Center.

The matching funds to be provided represent at least a dollar for dollar match equal to the CFL Program requirements. This match will not be used to match any other funds.

Please contact Andrea Zea, Grants & Compliance Director, at azea@ywcamadison.org if you have any questions or need additional information about this match.

Sincerely,



Gery Paredes Vásquez
CEO, YWCA Madison

eliminating racism
empowering women
ywca



YWCA MADISON, INC.
CONSOLIDATING SCHEDULE OF ACTIVITIES
Year Ended December 31, 2023

	YWCA	Foundation	Developer	Eliminations	Consolidated Totals
CHANGES IN NET ASSETS WITHOUT DONOR RESTRICTIONS					
REVENUES					
Contributions					
Government grants	\$ 2,764,322	\$ -	-	-	\$ 2,764,322
General contributions	2,033,679	70,867	946	(142,784)	1,962,708
Special events	112,420	-	-	-	112,420
Donated materials and services	25,486	-	-	-	25,486
Program service revenue and other income					
Investment return, net	38,925	508,839	5	-	547,769
Rent income	567,397	-	-	-	567,397
Fee income	780,919	-	-	-	780,919
Change in value of beneficial interest in assets held by Madison Community Foundation	6,237	-	-	-	6,237
Miscellaneous income	20,397	-	-	-	20,397
Total revenues without donor restrictions	6,349,782	579,706	951	(142,784)	6,787,655
EXPENSES AND LOSSES					
Program services					
Permanent residents	1,678,952	-	-	-	1,678,952
Shelter services	442,875	-	-	-	442,875
Employment and training	891,991	-	-	-	891,991
Community based housing	1,073,984	-	-	-	1,073,984
Transportation	585,061	-	-	-	585,061
Community programs	1,394,029	142,784	-	(142,784)	1,394,029
Supporting activities					
Management and general	904,223	989	951	-	906,163
Fundraising	479,549	-	-	-	479,549
Total expenses	7,450,664	143,773	951	(142,784)	7,452,604

The Gardner Company, Inc.

2691 Hwy V
Sun Prairie, WI 53590

608-834-8348

Invoice

Date	Invoice #
6/4/2024	50816

Bill To
YWCA 2040 South Park Street Madison, WI 53713

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Roof on YWCA: Remove existing EPDM. Remove existing wet fiberboard and/or insulation and replace with new. \$65.00 per sheet additional. Install new 1/2" fiber coverboard where needed with screws and plates to meet I-90 code. Install 60 mil TPO fully adhered with heat welded seams. Terminate TPO wall and penetration flashings properly. Install new wall cap with custom painted steel 24 ga. wall cap. Remove river rock with vacuum truck and haul off. Remove and replace shingles where TPO needs to be installed 24" up slope. Install new pipe stand offs.	190,369.00	190,369.00
	BUILDING PERMIT FEE	2,090.00	2,090.00
Thank you for your business-Bill Tomberlin		Total	\$192,459.00

Balance Due

\$167,459.00

Payments/Credits

-\$25,000

329



Contact
Colton Weitzel
(608) 471-0033
colton@doctorasphaltllc.com

Proposal Date 5/28/2024
Project ID 24-0549
Job Site 2040 South Park Street
Madison, WI 53713

Submitted to
YWCA Madison
Derrick Taylor
(608) 572-4545
dtaylor@ywcamadison.org

Services

YWCA of Madison - Partial
Remove and Replace Estimate

Partial Lot Remove & Replace \$48,333.33

Remove And Repave Area 3"

- 1 Remove existing asphalt.
- 2 Provide limestone base as needed to insure area makes grade.
- 3 Finish grade and shape area for proper grade height and drainage.
- 4 Pave driveway using a 12.5mm commercial grade hotmix asphalt, mat to be laid at 3.5" compacted to 3" average.
- 5 Area to be paved is approximately 14,000 square feet.
- 6 Quote does not include any undercutting of clay or soft spots, if required cost is approximately \$2.00 per cubic foot. Quote does not include any base for undercut areas, if required cost is \$42.00 per ton installed.

Striping \$722.22

Job charge for layout & striping of parking lot
Layout and stripe stalls per specs - 47
Lineal feet of 4" line painted - 300'
Handicap symbol painted (No box) - 2
*Priced for one mobilization and one coat of regular traffic paint

Total: \$49,055.55

Acceptance

We agree to pay the total sum or balance in full within 30 days after the completion of work. Residential projects are DUE UPON RECEIPT. I am authorized to approve and sign this project as described in this proposal as well as identified below with our payment terms and options. We agree that a DOWN PAYMENT OF 30% IS REQUIRED TO BE SCHEDULED. We must receive the down payment before scheduling unless waived by a Doctor Asphalt Representative. Projects under \$1,000.00 do not require a down payment.



Derrick Taylor
YWCA Madison
dtaylor@ywcamadison.org

Date

Colton Weitzel
Doctor Asphalt
colton@doctorasphaltllc.com
(608) 471-0033

Additional Service Information

YWCA of Madison - Partial Remove and Replace Estimate

Partial Lot Remove & Replace

Striping

Layout and stripe as existing using DOT approved latex traffic yellow, white and/or blue paint.

Project Documents



Project Documents (cont.)



Project Documents (cont.)



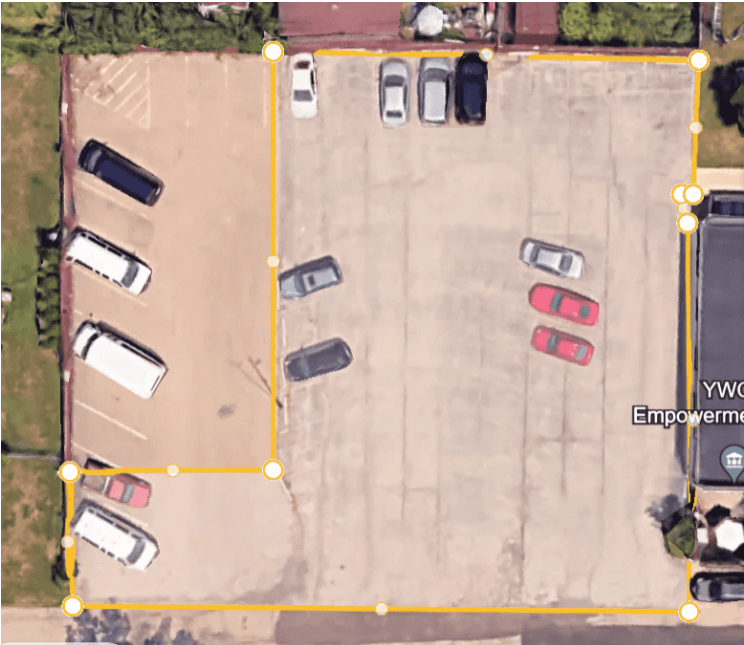
Project Documents (cont.)



Project Documents (cont.)



Project Documents (cont.)



Notes:

Area to be removed and repaved

Project Documents (cont.)

**Notes:**

Area to be Sealcoat, Crackfill, Striped

About us

Doctor Asphalt

EXPERIENCED. TRUSTED. INNOVATIVE.

We spent years listening to clients tell us their challenges and we founded this company with the specific purpose of solving every last one of them.

Our mission as a company is simple, we want to simplify the complicated process of managing pavement assets for our clients.

We do that through a unique proprietary process that provides our clients with every piece of data necessary for them to make informed and educated decisions.

We keep it simple and provide clients with the simple things they all say they want. We operate with integrity, we do what we say we're going to do,

we communicate on a level that works best for each individual client, we answer the phone and respond to emails and texts quickly, and when there is a problem...

WE RUN TO IT not away from it. These are the things that matter most to clients, and we have mastered them.

Oh yeah...and we're EXPERTS at asphalt too.

Other Documents

- [Terms & Conditions.pdf](#)

ASSESSMENT



Jobsite Name: Ywca Madison

Jobsite Address: 2030 S Park St

Description: cf 1450

Powered by:



AREA PHOTOS

Address: 2030 S Park St

Description: cf 1450



Area: A1

Meas. Unit: 175 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:09:41 am



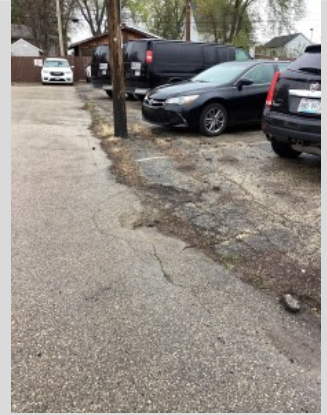
Area: A2

Meas. Unit: 620.5 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:14:42 am



Area: A2

Meas. Unit: 620.5 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:14:43 am



Area: A2

Meas. Unit: 620.5 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:14:43 am



Area: A3

Meas. Unit: 240 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:34:59 am



Area: A4

Meas. Unit: 132 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:37:23 am

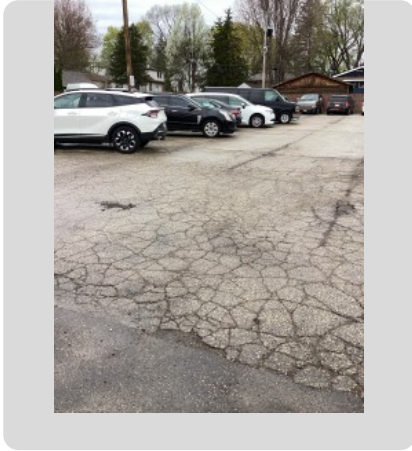
Powered by:



AREA PHOTOS

Address: 2030 S Park St

Description: cf 1450



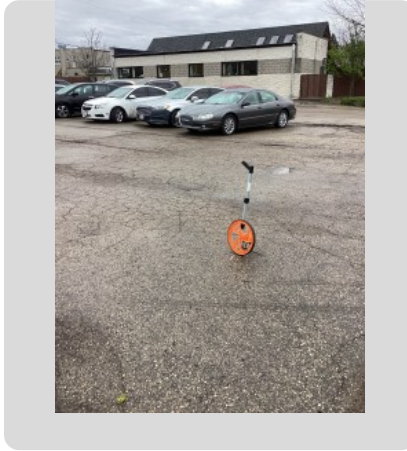
Area: A5

Meas. Unit: 725 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:42:29 am



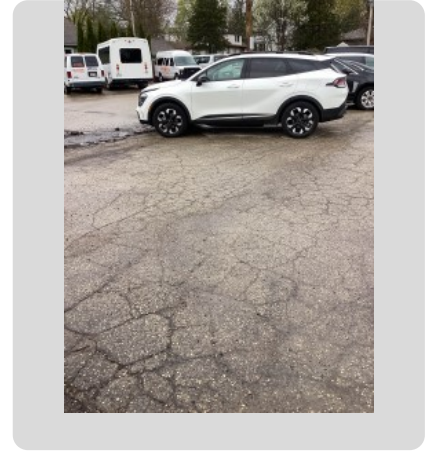
Area: A5

Meas. Unit: 725 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:42:29 am



Area: A5

Meas. Unit: 725 sq feet

Rep. Category: Cut and Patch

User: Colton Weitzel

Timestamp: 04/18/2024 10:42:29 am

Powered by:



SPOT PHOTOS

Address: 2030 S Park St

Description: cf 1450



Area: S1

Meas. Unit: 1 each

Rep. Category: Infrared Patching

User: Colton Weitzel

Timestamp: 04/18/2024 10:15:52 am



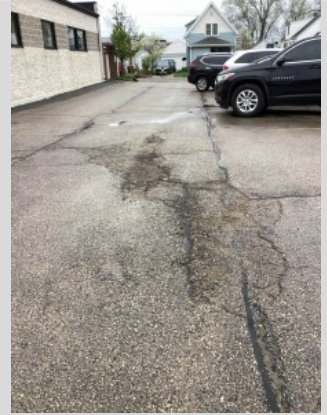
Area: S2

Meas. Unit: 1 each

Rep. Category: Infrared Patching

User: Colton Weitzel

Timestamp: 04/18/2024 10:16:24 am



Area: S3

Meas. Unit: 3 each

Rep. Category: Infrared Patching

User: Colton Weitzel

Timestamp: 04/18/2024 10:17:32 am



Area: S4

Meas. Unit: 1 each

Rep. Category: Infrared Patching

User: Colton Weitzel

Timestamp: 04/18/2024 10:18:22 am



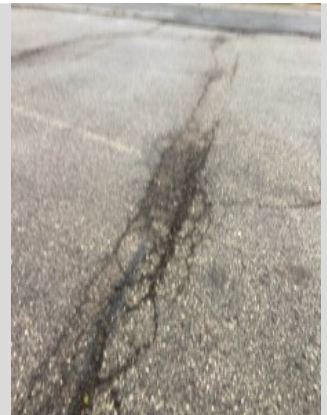
Area: S5

Meas. Unit: 3 each

Rep. Category: Infrared Patching

User: Colton Weitzel

Timestamp: 04/18/2024 10:19:04 am



Area: S6

Meas. Unit: 1 each

Rep. Category: Infrared Patching

User: Colton Weitzel

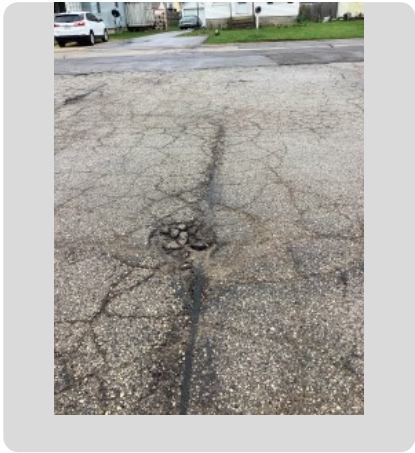
Timestamp: 04/18/2024 10:19:36 am

Powered by:

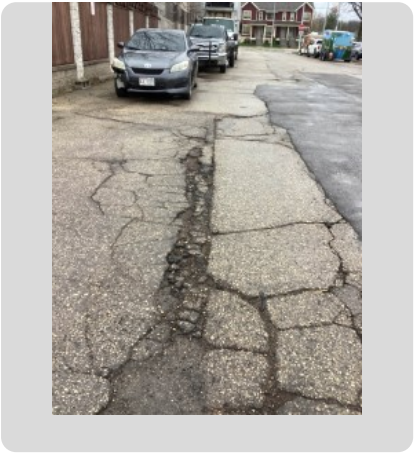


SPOT PHOTOS

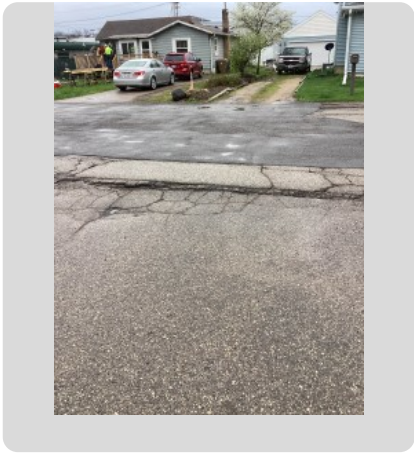
Address: 2030 S Park St
Description: cf 1450



Area: S7
Meas. Unit: 1 each
Rep. Category: Infrared Patching
User: Colton Weitzel
Timestamp: 04/18/2024 10:21:47 am



Area: S8
Meas. Unit: 2 each
Rep. Category: Infrared Patching
User: Colton Weitzel
Timestamp: 04/18/2024 10:45:10 am



Area: S8
Meas. Unit: 2 each
Rep. Category: Infrared Patching
User: Colton Weitzel
Timestamp: 04/18/2024 10:45:10 am

Powered by:



COMMENTS

Address: 2030 S Park St

Description: cf 1450



Area: A1

Colton Weitzel 04/18/2024 10:09:36 am

25x7

Area: A2

Colton Weitzel 04/18/2024 10:14:36 am

6x103

Area: A3

Colton Weitzel 04/18/2024 10:34:54 am

30x8

Area: A4

Colton Weitzel 04/18/2024 10:37:16 am

12x11

Area: A5

Colton Weitzel 04/18/2024 10:42:20 am

25x29

Powered by:





Project Summary

Repair category	# of issues	Quantity	Unit (measurement)
Cut and Patch	5	1892.5	sq feet
Infrared Patching	8	13	each

Powered by:



A name you can trust

Congratulations! With over 15,000 five-star reviews and a stellar 94% satisfaction rating, we are the most highly rated and reviewed fence company in the country.

We are excited to help you build your new fence! Please find your fence package options below, and simply click on the package to select it.

Derrick Taylor

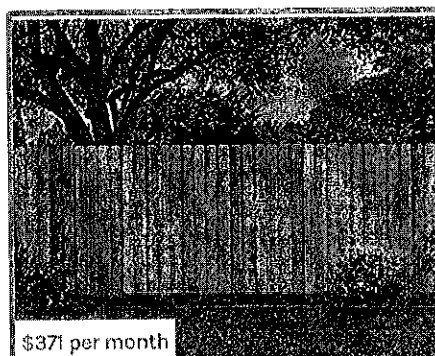
2040 South Park Street
Madison, WI 53713

PAY FOR YOUR PROJECT WITH:



CLICK HERE TO GET A CREDIT DECISION IN SECONDS

Select Package



\$371 per month

☐ 6' Pine Stockade Privacy Fence

6'H Stockade

Natural

Features & Benefits

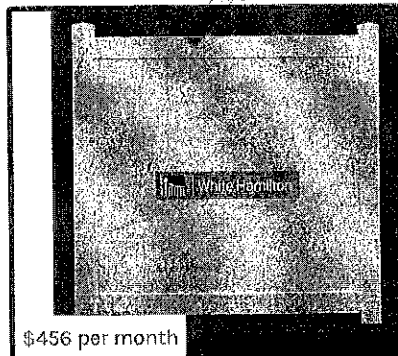
- Superior Wood Specification
- Pressure Treated Posts, Rails and Pickets
- Hot Dipped Galvanized Ring-Shank Nails
- Superior Construction Built from Scratch On-Site

Specifications

- Post: 4" x 4"
- Rail: 2" x 4"
- Picket: 1" x 6"

Warranty

- Minimum 15-year warranty



\$456 per month

☒ 6' Hamilton White Vinyl Privacy Fence

6'H White Hamilton

☐ White

Features & Benefits

- SolarShield
- 43% Stronger Picket
- Fabricated In-House
- Made in America

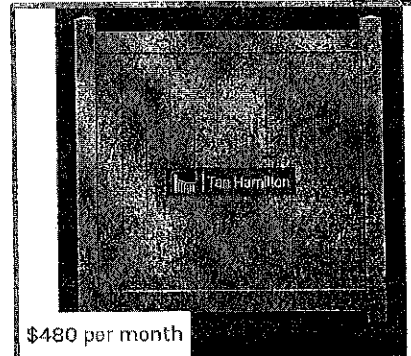
Specifications

- Post: 5" Sq.
- Rail: 1-3/4" x 5-1/2"
- Picket: 6" T&G

Warranty

- Lifetime Transferable Warranty
- 3 Year Workmanship Warranty

Choose this package ↓



\$480 per month

☐ 6' Hamilton Tan Vinyl Privacy Fence

6'H Tan Hamilton

☐ Tan

Features & Benefits

- SolarShield
- 43% Stronger Picket
- Fabricated In-House
- Made in America

Specifications

- Post: 5" Sq.
- Rail: 1-3/4 x 5-1/2
- Picket: 6" T&G

Warranty

- Lifetime Transferable Warranty
- 3 Year Workmanship Warranty

Choose this package ↓

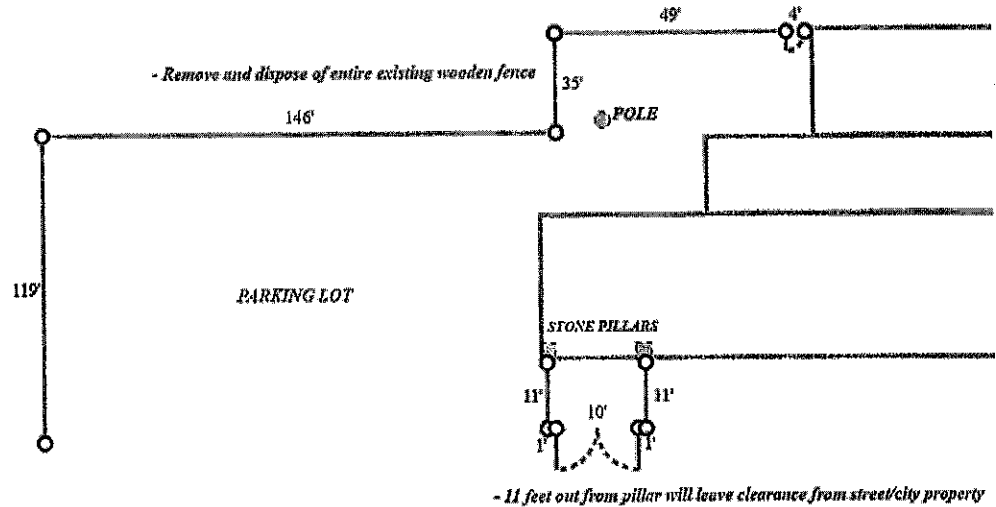
- (up to Lifetime in some areas)
- 3 Year Workmanship Warranty

Choose this package ↓

The image shown is a representation of the style of the fence, and not meant to be a specification of the height, color, or grade.

6' Hamilton White Vinyl Privacy Fence - 373 LF

6'H White Hamilton



FENCE FOOTAGE CONTAINED IN THIS PROPOSAL IS APPROXIMATE BASED ON THE FIELD MEASUREMENTS, FINAL PRICE WILL BE ADJUSTED BASED ON ACTUAL FOOTAGE USED, AS SET FORTH IN THE TERMS AND CONDITIONS.

Included in the job

(1) 10ft DD Standard Gate, Standard Latch. (1) 4ft SS Standard Gate, Standard Latch

353 Linear Feet - Take Down 6'H Wood

353 Linear Feet - Haul Away 6'H Wood

Job Notes

Customer to clear fence line.

"ABOVE AND BEYOND"

This company was a pleasure to deal with from the time we started our project you could tell that customer service was

MSRP	\$21,484.66
Postcard Mailer	-\$500.00
Today's Price: 6' Hamilton White Vinyl Privacy	\$20,984.66

the project to making sure that every deadline was met. I would deal with the company again because they showed great integrity in business.

☆☆☆☆☆
Judith Volger



Choose your payment method

Pay with Financing \$20,984.66

Pay with ACH/E-Check \$20,669.89
Save \$314.77

Pay with Credit Card \$20,984.66

Contact Sales



2810 Syene Road
Madison, WI 53713
(P) 608.838.7794

August 26, 2024

Quote Number: 60551

Billing Address

YWCA Empowerment Center
2040 S Park St
Madison WI 53713

Work Location

YWCA Empowerment Center
2040 S Park St
Madison WI 53713

DP Industries LLC agrees to provide the materials, labor and equipment to perform work in accordance with the following specifications and drawings.

Line	Alt	Top Level Number	Drawing Number	Unit Price	Quantity	Line Total
1		Signage	60551-01-1	\$6,998.00	1.00	\$6,998.00
				(initial)	Accepted _____	Not Accepted _____
<u>Work Description</u>						
Replace existing non-lit letters with raceway-mounted, LED-illuminated channel letters as shown on referenced design drawing.						
Remove and dispose existing letters. Fill holes with silicone; no other fascia restoration or paint included.						
Install new sign as shown.						

Total of Quoted Lines: \$6,998.00

Pricing above does not include permit fees or taxes, if applicable.

Upon acceptance of this proposal, please initial acceptance of each appropriate quote line, sign on the Authorized Representative line at the end of proposal, sign one original copy of the referenced drawing(s), and return to DP Industries LLC with the appropriate down payment. Upon receipt of those items, DP Industries LLC will initiate permitting if applicable and schedule the work in accordance with this proposal.

Terms and Conditions:

Warranty: All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings identified and submitted for the above work and completed in a substantial workmanship manner for the sum of the options selected. DP Industries LLC warrants that our products are free from defects in material or workmanship for a period of one year.

Footings: For the sake of suggesting the proper foundation size and structural steel for sign(s) included on this quote, key necessary assumptions were made concerning vertical bearing soil pressure and lateral bearing soil pressure as well as the type of digging conditions that will be encountered at the time of installation. Depending on the actual soil type a different foundation size or type may be needed from what was assumed for this proposal. A change in the foundation size, type or structural steel requirements, or differing soil conditions may change the price of sign(s). Unless otherwise noted in the quote it is that the footings will be placed in soil that consists of sand, silty sand, clayey sand, silty gravel or clayey gravel with a vertical bearing of 1,500 pounds per square inch (PSI) and a lateral bearing of 150 PSI. It is further assumed that there will be no unusual obstacles or extraordinary circumstances that will impact our ability to augur/dig these footings. If a fixed price which eliminates the risk of incremental time and material charges beyond the amount of our quote is preferred, a soil boring and soil analysis can be conducted by an engineering firm (at the purchaser's cost) so that precise data from the sign site can be used in determining a fixed price for the footings, foundation and structural steel required for your sign(s). Please see our website at www.grantsigns.net for additional details.

Electrical: A licensed electrician must be used to bring feed wires of suitable capacity and approved type to the location of the sign or display, and to make appropriate connections at the sign or display. Pricing does not include charges for electrical connection.

Financial: Terms of this sale require 50% down upon the acceptance of this proposal with balance due upon completion. However, if this sale is under \$1,500, payment in full may be required upon acceptance of this proposal. Purchaser agrees to pay for items purchased under the terms of this proposal on receipt of invoices submitted. In the event payment is not made as agreed, Purchaser shall be in default of this proposal and agrees to pay a service charge on amounts 30 days past due at the rate of one and one-half percent (1 1/2%) per month. In the event this Contract is placed for collection or if collected by suit or through any court, Purchaser agrees to pay Company's reasonable costs and attorney's fees. Any alteration or deviation for the above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. This includes all agreements contingent upon strikes, accidents, and delays beyond our control. The owner is to carry fire, tornado, and any other necessary insurance on the above work.

Property/Ownership: Existing signage being de-installed at the customer's request will become property of DP Industries LLC and removed and disposed of at our discretion unless otherwise stated within this agreement. All signs remain the property of DP Industries LLC until paid for in full including applicable interest. DP Industries LLC reserves the right to place our vendor identification decal on your finished product(s). DP Industries LLC will determine the size, color and placement, which may be different for each sign. All designs & specifications produced by DP Industries LLC are the sole property of DP Industries LLC and they are only for the customers use in connection with a proposed project. Artwork and printed material are not to be used by anyone outside your organization, nor is it to be reproduced, copied or exhibited in any form without the consent of DP Industries LLC.

Quote will expire: 3/10/2023

Accepted By	Rhonda Schemm	YWCA Empowerment Center	Date
-------------	---------------	-------------------------	------

Submitted By	Dan Pietrzykowski	DP Industries LLC	Date
--------------	-------------------	-------------------	------

June 18, 2024

To: Derrick Taylor
YWCA

Re: Park St. Hot Water Heaters

Base Scope Price: \$5,450

Scope of Work

- Labor and Materials to replace (2) hot water heaters at Park St. location
- Includes piping modifications as needed
- Includes insulation of new piping
- Start-up and test
- One-year parts and labor warranty

Notes:

- Work to be done during normal business hours.

Thank you for your consideration on this project. Should you have any questions, please feel free to contact me at (608) 842-3932.

Sincerely,



Pete Rothering
North American Mechanical, Inc.



City of Madison

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

Master

File Number: 85811

File ID: 85811

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: The City of Madison Common Council approved the reservation of up to \$123,000 in federal Community Development Block Grant (CDBG) grant funds for high priority projects evolving from the South Madison Neighborhood Plan as part of the adopted 2023 budget o

Final Action:

Title: Authorizing the use of up to \$123,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Parks and Traffic Engineering Divisions in order to implement neighborhood improvement projects identified in the South Madison Neighborhood Plan (District 14).

Notes:

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre
And Nikki Conklin

Effective Date:

Attachments: Penn Park Lights Plan.pdf, Quann Park Lighting
Project.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Board of Park Commissioners (11/6/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 referrals to Board of Park Commissioners, Community Development Block Grant Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	BOARD OF PARK COMMISSIONER S		11/06/2024	
	Action Text: This Resolution was Referred to the BOARD OF PARK COMMISSIONERS						

1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	
	Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE					
1	BOARD OF PARK COMMISSIONERS	11/06/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
	Action Text: Assistant Superintendent Lisa Laschinger gave overview and was available to answer questions. Funds would be used to put solar lights by Penn Park shelter for better access and install lights along path in Quann Park for increased park access.					
	Renee Callaway of Traffic Engineering was available to answer questions.					
	Motion made by Figueroa Cole, seconded by Probst, to RETURN TO LEAD WITH THE RECOMMENDATION FOR APPROVAL TO THE FINANCE COMMITTEE. Motion passed by voice vote/other.					
1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
	Action Text: A motion was made by Alder Martinez-Rutherford and seconded by Alder Guequierre to Return to Lead with the Recommendation to Approve Authorizing the use of up to \$123,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Parks and Traffic Engineering Divisions in order to implement neighborhood improvement projects identified in the South Madison Neighborhood Plan (District 14).					
	Motion passed unanimously.					
1	FINANCE COMMITTEE	11/18/2024	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 85811

Fiscal Note

The proposed resolution authorizes the use of up to \$123,000 of Community Development Block Grant (CDBG) grant funds for high-priority projects identified in the South Madison Neighborhood Plan. Funds were originally authorized in the 2021 and 2022 Adopted Operating Budgets for the Community Development Division (CDD), and the funds will be included for reauthorization in the 2025 Operating Budget. The proposed resolution further authorizes the Community Development Division (CDD) to enter into Memoranda of Understanding with the Parks and Traffic Engineering Divisions to execute projects specified in the body of the resolution (\$123,000). The funds will remain within CDD's CDBG operating fund 1205 (project 71025) with individual project strings established for Parks and Traffic Engineering projects. No additional City appropriation required.

Title

Authorizing the use of up to \$123,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Parks and Traffic Engineering Divisions in order to implement neighborhood improvement projects identified in the South Madison Neighborhood Plan (District 14).

Body

Background

The Community Development Division (CDD) and Community Development Block Grant (CDBG) Committee, in cooperation with the Planning Division, sponsored a neighborhood planning effort in South Madison. The Plan, adopted by the Common Council in January 2022, via RES-22-0026 (Legistar #68084) included implementation priorities designed to address specific objectives. While engaging in the planning process, neighborhood residents provided feedback on potential capital improvement projects that could be implemented with the use of CDBG funds. The CDD's Adopted 2023 Operating Budget authorized the use of up to \$123,000 of CDBG funds for the implementation of eligible projects in the South Madison plan. In May 2023, the Madison Common Council originally approved, via Res-23-00368 (Legistar #77259), use of these funds to support the Office of Business Resources' Building Improvement Grant (BIG) Program to provide façade improvements to South Madison businesses with a priority on improving ADA compliance to the buildings. The program was available for over a year, with outreach provided through the Economic Development Division. No applications were received for the use of CDBG funds for this purpose and the targeted CDBG program closed.

Staff have reviewed the list of potential CDBG projects identified in the South Madison Plan and recommend the CDBG funds be put toward shovel ready projects to improve pedestrian lighting in Penn Park and Quann Park along pedestrian/bike paths.

To meet U.S. Department of Housing and Urban Development's national objectives, CDBG funds must be used to benefit low- and moderate- income persons residing in the South Madison planning area in order to meet the criteria for Low Mod Area Benefit "LMA" National Objective. Other federal regulations, e.g., Davis-Bacon prevailing wage and Environmental Review requirements, will also apply. These funds must be expended by the end of December 2025.

Body

WHEREAS, the Housing and Community Development Act of 1974 permits the City of Madison to assist agencies in the development and implementation of innovative projects which provide benefits to strategically identified low- and moderate-income areas; and,

WHEREAS, the South Madison Neighborhood Plan, adopted as a supplement to the City of Madison Comprehensive Plan, was enacted on January 4, 2022 (RES-22-00026), and prioritized improvements to pedestrian lighting in Penn Park and Quann Park (CDBG Priority Projects #6 p.74); and,

WHEREAS, up to \$123,000 in federal CDBG grant funds are authorized in the Community Development Division's Adopted 2023 Operating Budget to implement eligible projects in the South Madison neighborhood and that authorization is carried over for use in 2024; and,

WHEREAS, the Community Development Division's CDBG Unit staff have reviewed these proposals and found them consistent with their Program Goals and Priorities and recommend their completion in order to promote further progress under the adopted neighborhood plan; and,

WHEREAS, the CDBG Committee also reviewed the specific funding recommendations from the South Madison Neighborhood Plan and recommended adoption, in order to promote further progress with the adopted Plan; and,

WHEREAS, the Board of Park Commissioners supports the implementation of the aforementioned projects for purposes of improving park use and access; and,

WHEREAS, the Traffic Engineering Division installs and maintains lighting along pedestrian/bike paths; and,

WHEREAS, the Parks Divisions installs and maintains park amenities and facilities located on City park land.

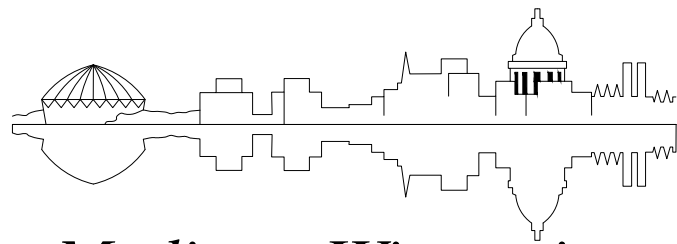
NOW, THEREFORE, BE IT RESOLVED that the Common Council approves the allocation of up to \$123,000 in federal CDBG grant funds for use toward the particular projects and in the amounts identified below:

- City Parks Division: up to \$20,000 for the installation of solar lighting to illuminate the entrance at Penn Park to improve access to Penn Park for recreational purposes;
- City Traffic Engineering Division: up to \$103,000 for lighting installation along the paved bicycle and pedestrian path through Quann Park; and,

BE IT FURTHER RESOLVED, that the Common Council authorizes the Community Development Division to enter into Memorandum of Understanding agreements with the City Parks and Engineering Divisions for purposes of implementing the approved projects by December 31, 2025.



Luminaire Location Summary								
LumNo	Label	X	Y	Z	Orient	Tilt	X-Aimpt	Y-Aimpt
1	SRL-60-65-M-4-G	38	10	30	270	10	38	10
2	SRL-60-65-M-4-G	117	10	30	270	10	117	10

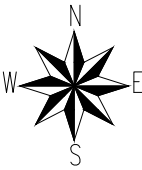


Madison, Wisconsin

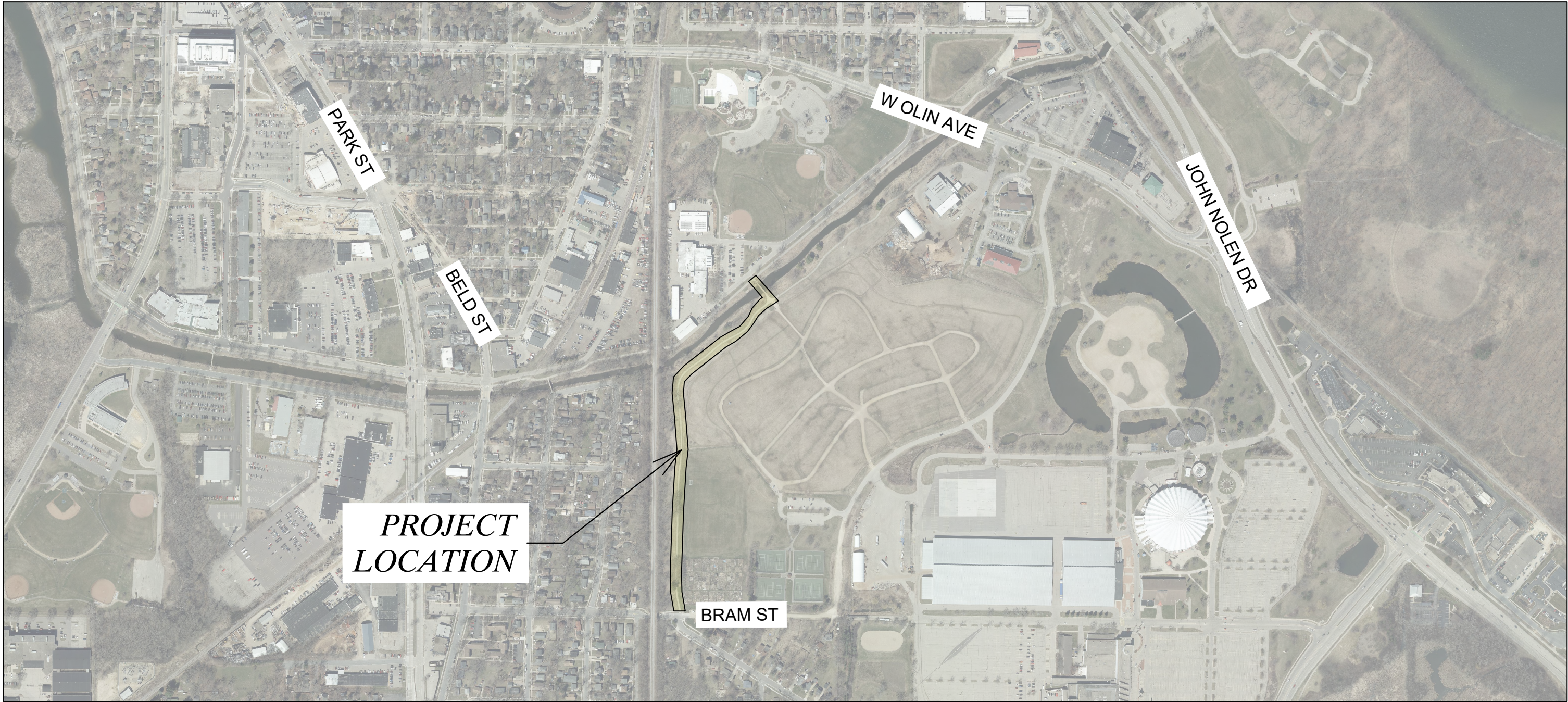
INDEX OF SHEETS

SHEET NO. S1 PLAN

CITY OF MADISON
TRAFFIC ENGINEERING DIVISION
DEPARTMENT OF TRANSPORTATION
PROPOSED IMPROVEMENT



QUANN PARK PATH LIGHTING PROJECT





QUANN PARK PROPOSED LIGHTING		N/A	
SAFE STREETS 2024		MADISON, WI	
S1		CONTRACT NO: N/A	
N/A		S1	
MARK	REVISION	DATE	BY
Designed By: ##	Date: 10/8/2024 4:17 PM	Scale: Custom	

Quann Park Path Lighting Project

Funding: Community Development Block Grant & Traffic Engineering 204 Capital Budget

Lighting of the path in Quann Park was Priority #7 in the [South Madison Neighborhood Plan](#) list of projects that would be eligible for Community Develop Block Grant funds.

Implementation Schedule: Summer/Fall 2025

Project Details:

- Light spacing: 180-200 FT
- Poles: 20 FT tall
- Fixture: Dark Sky Approved (USSL-Petite, standard for paths)

Fixture Style





City of Madison

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

Master

File Number: 85812

File ID: 85812

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: The Council approved the reservation of up to \$250,000 in federal CDBG grant funds for high priority projects resulting from the Hawthorne-Truax Neighborhood Plan as part of the adopted Community Development Division (CDD) 2022 (\$125,000) and 2023 (\$125,0

Final Action:

Title: Authorizing the use of up to \$250,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Madison Metropolitan School District and the Planning, Parks and Traffic Engineering Divisions to implement neighborhood improvement projects identified in the Hawthorne-Truax Neighborhood plan. (District 12)

Notes:

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin And Amani Latimer Burris

Effective Date:

Attachments: Carpenter Ridgeway Park Development Plan.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Board of Park Commissioners (11/6/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 referrals to Board of Park Commissioners, Community Development Block Grant Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	BOARD OF PARK COMMISSIONER S		11/06/2024	
	Action Text: This Resolution was Referred to the BOARD OF PARK COMMISSIONERS						

1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	
	Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE					
1	BOARD OF PARK COMMISSIONERS	11/06/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	
	Action Text: Laschinger gave an overview and was available to answer questions. Funds would be used as part of an approved plan for improving recreational biking in Carpenter-Ridgeway Park.					
	Renee Callaway of Traffic Engineering was available to answer questions.					
	Motion made by Probst, seconded by Figueroa Cole, to RETURN TO LEAD WITH THE RECOMMENDATION FOR APPROVAL TO THE FINANCE COMMITTEE. Motion passed by voice vote/other.					
1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
	Action Text: A motion was made by Alder Martinez-Rutherford and seconded by Alder Guequierre to Return to Lead with the Recommendation to Approve Authorizing the use of up to \$250,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Madison Metropolitan School District and the Planning, Parks and Traffic Engineering Divisions to implement neighborhood improvement projects identified in the Hawthorne-Truax Neighborhood plan. (District 12)					
	Motion passed unanimously.					
1	FINANCE COMMITTEE	11/18/2024	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 85812

Fiscal Note

The proposed resolution authorizes the use of up to \$250,000 of Community Development Block Grant (CDBG) funds for high-priority projects identified in the Hawthorne-Truax Neighborhood Plan. The funds are available in the 2024 Adopted Operating Budget, and the funds have been included for reauthorization in the 2025 Executive Operating Budget. The proposed resolution further authorizes a written agreement between the City and the Madison Metropolitan School District for the installation of exercise equipment at Hawthorne Elementary School (\$110,000), and it authorizes the Community Development Division (CDD) to enter into Memoranda of Understanding with the Parks, Planning, and Traffic Engineering Divisions to execute projects specified in the body of the resolution (\$140,000). The funds will remain within CDD's CDBG operating fund 1205 (project 71025) with individual project strings established for Planning, Parks, and Traffic Engineering projects. No additional City appropriation required.

Title

Authorizing the use of up to \$250,000 of federal Community Development Block Grant (CDBG) funds and authorizing the Community Development Division to enter into agreements with the Madison Metropolitan School District and the Planning, Parks and Traffic Engineering Divisions to implement neighborhood improvement projects identified in the Hawthorne-Truax Neighborhood plan. (District 12)

Body

Background

The Community Development Division (CDD) and Community Development Block Grant (CDBG) Committee, in cooperation with the Planning Division, sponsored a neighborhood planning effort in Hawthorne-Truax neighborhood. The Plan, adopted by the Common Council in March 2023, via RES-23-00270 (Legistar #76399), included implementation priorities designed to address specific objectives. While engaging in the planning process, neighborhood residents provided feedback on potential capital improvement projects that could be implemented with the use of CDBG funds. The CDD's Adopted 2023 Operating Budget authorized the use of up to \$250,000 of CDBG funds for the implementation of eligible projects in the Hawthorne-Truax plan which remain available.

To meet U.S. Department of Housing and Urban Development's national objectives, CDBG funds must be used to benefit low- and moderate- income persons residing in the Hawthorne-Truax planning area in order to meet the criteria for Low Mod Area Benefit "LMA" National Objective. Other federal regulations, e.g., Davis-Bacon prevailing wage and Environmental Review requirements, also apply. These funds must be expended by the end of December 2025.

Body

WHEREAS, the Housing and Community Development Act of 1974 permits the City of Madison to assist agencies in the development and implementation of innovative projects which provide benefits to strategically identified low- and moderate-income areas; and,

WHEREAS, in January 2022 the Common Council approved the CDBG Committee recommendation to select certain block groups in the Hawthorne and Truax area for focus of a Planning Division staffed Concentration Neighborhood Plan; and,

WHEREAS, the Common Council adopted the Hawthorne-Truax Neighborhood Plan as a supplement to the City of Madison Comprehensive Plan on March 21, 2023 (RES-23-00270), and prioritized a series of higher priority community identified projects for implementation to achieve the draft plan's objectives; and,

WHEREAS, up to \$250,000 in federal CDBG funds are authorized in the Community Development Division's Adopted 2023 Operating Budget to implement identified eligible projects in the Hawthorne-Truax Neighborhood Plan and that authorization is carried over for use in 2024; and,

WHEREAS, the Community Development Division's CDBG Unit staff have reviewed these proposals and found them to be consistent with their Program Goals and Priorities and recommend their completion in order to promote further progress under the adopted neighborhood plan; and,

WHEREAS, the CDBG Committee also reviewed the specific funding recommendations from the Hawthorne-Truax Neighborhood Plan and recommended their adoption, in order to promote further progress under the adopted plan; and,

WHEREAS, the Board of Park Commissioners supports the implementation of the proposed projects in the interest of improving park use and access.

NOW, THEREFORE, BE IT RESOLVED that the Common Council approves the provision of

up to \$250,000 in federal CDBG grant funds for the particular projects and in the amounts identified below:

- Madison Metropolitan School District (MMSD) and City Planning Division (PL): up to \$110,000 (MMSD) for exercise equipment stations and public art along a fitness track around the perimeter of Hawthorne Elementary School, which is parkland that is open to the surrounding Hawthorne and Truax neighborhoods;
- City Parks Division: up to \$100,000 for the improvement of off-road bike facilities and related items such as pathways at Carpenter-Ridgeway Park to encourage youth recreation;
- City Planning Division: up to \$10,000 for sound art and related improvements to enhance users' experience in the pedestrian tunnel under East Washington Avenue at Wright Street;
- City Traffic Engineering and Planning Divisions: up to \$25,000 for installation of murals and LED lights to beautify and brighten the space under STH 30 along the Marsh View Path improving users' experience;
- City Traffic Engineering Division: up to \$5,000 to replace LED lights at a number of locations in the Hawthorne Neighborhood; and,

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor and City Clerk to enter into a written agreement with the Madison Metropolitan School District (MMSD) for the purpose of implementing the approved project at Hawthorne Elementary School described above by December 31, 2025; and,

BE IT FINALLY RESOLVED, that the Common Council authorizes the Community Development Division (CDD) to enter into Memorandum of Understanding agreements with the Parks, Planning and Traffic Engineering Divisions for purposes of implementing the other approved projects described above by December 31, 2025.



Park Development Plan Summary

Introduction

Carpenter-Ridgeway Park is part of the City of Madison’s northeast planning area. It is located on county-owned airport land and is maintained by the city via an easement granted in 1999. The park was developed shortly after being granted the easement.

Existing Facilities

Existing park facilities include a playground, drinking fountain, labyrinth, backstop, and kiosk.

Proposed Facilities

This plan does not propose new locations for any existing park features. Existing amenities should be kept on typical maintenance and replacement schedules. When replaced, a paved path should be added to connect the playground to the bike path. Recreational Biking pocket pump track and skills loop is proposed in the north and northeast part of the park (MadBAT recommendation). These features would connect to trails in the Madison College property to the north.

Special Conditions

Must comply with County ordinances and airport rules. No structures allowed greater than 35’ above the ground. Improvements are subject to County approval. There are three separate easements with the County. One easement is for pedestrian and bike access to the park and the second is for the water lateral to the drinking fountain. The last is a city park easement. The original easement term was from 1/1/1999-12/31/2008. After that period the easement is year to year unless either party gives 60 days notice before start of the next year.



City of Madison

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

Master

File Number: 85820

File ID: 85820

File Type: Resolution

Status: Report of Officer

Version: 2

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: Substitute-Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently unco

Final Action:

Title: SUBSTITUTE Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Notes:

Sponsors: Satya V. Rhodes-Conway, Dina Nina
Martinez-Rutherford, John P. Guequierre, Nikki
Conklin And Tag Evers

Effective Date:

Attachments: 85820-version 1.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Community Development Block Grant (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Community Development Block Grant Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE		11/07/2024	

Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
---	---	------------	---	-------------------	------------	------

Action Text: A motion was made by Alder Martinez-Rutherford and seconded by Alder Conklin to Return to Lead with the Recommendation to Approve Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Motion passed unanimously.

1	FINANCE COMMITTEE	11/18/2024	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 85820

Fiscal Note

The proposed resolution authorizes the loan of up to \$10.0 million to the Madison Revitalization and Community Development Corporation (MRCDC), a 501(c)(3) non-profit corporation, to support Phase 1 of the Triangle Redevelopment project. The \$10.0 million loan is funded by two sources: \$5.2 million of uncommitted Federal Emergency Rental Assistance (ERA) program funds available through the American Rescue Plan Act (ARPA) (Munis project 76121) and \$4.8 million of Federal HOME funds available in the Community Development Division's (CDD) 2024 Adopted Operating Budget (Munis projects 72023 and 72024) and what is proposed for authorization in the 2025 Executive Capital Budget (Munis project 72025). Full funding of the HOME loan is contingent upon adoption of the 2025 Capital Budget.

Title

SUBSTITUTE Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Body

Background

The Madison Revitalization and Community Development Corporation (MRCDC) was established in 1998 to invest in, receive, hold, use, and dispose of real or personal property and to engage in related activities to facilitate community redevelopment. The MRCDC is recognized under Wisconsin state law as a non-stock, 501(c)(3) Non-Profit Corporation. While there is overlap between the Madison Community Development Authority (CDA) Board and MRCDC Board, the MRCDC is a legally separate entity from the CDA. MRCDC does not employ staff; it is managed by CDA staff. The MRCDC's primary mission is to facilitate community redevelopment, and in particular, improve the stock of affordable housing in the City of Madison. The MRCDC actions are governed by its corporate bylaws. It seeks to serve and be accountable to low-income persons and communities through representation on its

governing board.

The CDA has prepared a comprehensive redevelopment plan targeting its 12-acre site which is bounded by South Park, Regent Street and W. Washington. The CDA's plans for the site, known as "the Triangle", includes five phases of development that will replace 362 existing housing units, currently subsidized through Public Housing and Section 8 programs, with about 1,200 units of mixed-income housing. Phase 1 includes the redevelopment of approximately 163 units of housing that will replace Brittingham Apartments and the CDA Triangle property management office.

Section 18 of the Housing Act of 1937 authorizes the demolition and disposition of Public Housing, with administrative steps set forth in 24 CFR 970.17(c) prescribed by the U.S. Department of Housing and Urban Development (HUD), including an application process. The Rental Assistance Demonstration ("RAD") Program/Section 18 Blend regulations promulgated by HUD give Public Housing Authorities the ability to combine and utilize a variety of available resources to redevelop properties, and provide predictable ongoing subsidies.

Consistent with the HUD regulations and in keeping with the CDA's Five-Year Plan objective for the period commencing January 2020, CDA staff submitted an application to HUD in March 2023 for the disposition of Brittingham Apartments utilizing a RAD/Section 18 Blend. With RAD and Special Applications Center ("SAC") disposition approvals from HUD, 100% of the resulting Project units will be removed from CDA's public housing inventory and converted to the Section 8 Project-Based Voucher Program. SAC approval provides the added benefit of enabling the CDA to apply for 4% low-income housing tax credits and other public and private funding sources to help finance the Phase 1 redevelopment.

The CDA-controlled LLCs that will be created for Phase 1 and subsequent phases of the redevelopment will be subject to land use restriction agreements (LURAs) and other long-term Low Income Housing Tax Credit (LIHTC) requirements. The overall Triangle redevelopment project will preserve existing affordable housing through the replacement of aging Public and Multifamily Housing units with modern, efficient homes and amenities, and it will significantly expand CDA's housing portfolio at the Triangle site.

The total development cost of all project phases is expected to exceed \$300 million, with the majority of funds coming from Section 42 tax credits, tax-exempt housing bonds, and private debt held by CDA-controlled LLCs that will be created for each building. The total local share of costs for the entire development is still to be determined but is anticipated to draw on a variety of City-administered sources including the Affordable Housing Fund, Federal HOME funds, Tax Increment Financing (TIF), etc. The Common Council previously approved an initial \$4 million contribution from the Affordable Housing Fund via adoption of RES-24-00023, on January 9, 2024.

In August, MRCDC submitted a request in response to the Community Development Division (CDD)'s 2024 Tax Credit Affordable Housing Fund Request for Proposals process, seeking an additional \$15.5 million of financial assistance. This resolution, offering \$10 million of combined Federal HOME and ERA funds, represents the recommended response to that request. In September, the Finance Committee recommended adoption of an amendment to the City's 2025 Capital Budget that contributes an additional \$5 million of TIF financing. It awaits final action by the Council.

Action

WHEREAS, in order to advance the City's objectives of expanding the supply of affordable housing called for in the 2024 Executive Capital and Operating Budgets, the Community Development Division issued a Request for Proposals (RFP) in July 2024 seeking proposals for housing developments seeking Low-Income Housing Tax Credits; and,

WHEREAS, a review team, comprised of staff from the City's Department of Planning, Community, and Economic Development evaluated proposals based on criteria that addressed issues such as the number and mix of housing units; financial viability; gap financing needed; per-unit subsidy requested; incorporation of energy efficiency, renewable energy and other sustainability features; project team experience; readiness to proceed; and history of implementing affordable housing programs; and,

WHEREAS, the Madison Revitalization and Community Development Corporation (MRCDC) proposal is responsive to the goals and requirements set forth in the City's 2020-2024 Five-Year Consolidated Plan, formally adopted by the Common Council on February 25, 2020, which guides the use of U.S. Department of Housing and Urban Development (HUD) funds, including HOME funds; and,

WHEREAS, the primary source of funding to support proposals received in response to that RFP is City Affordable Housing Funds, but City-administered Federal dollars from, for example, the HOME Program may also be available; and,

WHEREAS, the CDD's adopted 2024 Budget includes both uncommitted HOME and ERA funds; and

WHEREAS, the guidance provided to state and local governments by the U.S. Treasury regarding eligible uses of ERA funds has evolved over the life of the program and, in July 2022, was modified to authorize the use of ERA funds to support the construction, rehabilitation and preservation of affordable housing so long as assisted housing units are dedicated to serving households that earn not more than 50% of the County Median Income; and,

WHEREAS, upon review of current federal guidelines, Community Development Division (CDD) staff have determined that the project costs associated with the MRCDC proposal are eligible for support under both the HOME and ERA Programs; and,

WHEREAS, the staff review team recommends awarding \$4.8 million of HOME funds and \$5.2 million of ERA funds which are available in the 2024 Adopted Budget and currently uncommitted; and,

WHEREAS, this funding recommendation will add to the award of \$4 million of City Affordable Housing Funds previously approved by the Council, via RES-24-00023, on January 9, 2024, and \$5 million from TIF funds which is pending as an amendment to the City's 2025 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Common Council approve recommended funding allocations described herein, and subject to review by the CDBG Committee; and,

BE IT FURTHER RESOLVED, that CDD staff is authorized to approve minor alterations to proposals, including to the number and mix of housing units, if such changes are deemed necessary to improve prospects for securing all financing required to complete the project as presented and/or comply with City land use requirements, but may not increase the level of City

financial assistance without Council approval; and,

BE IT STILL FURTHER RESOLVED, that the Council authorizes the Mayor and City Clerk to execute, loan agreements utilizing CDD-administered funds as described below:

Form of Loans

- The ERA financial assistance will be provided in the form of a 0% interest, long-term deferred loan with no shared appreciation, payable upon sale, transfer, or change in the use of the property, in exchange for a commitment to permanent affordability through a recorded LURA; and
- The HOME financial assistance will be provided in the form of a loan which will be amortized over 30 years and payable over 16 years, contingent upon available cash flow, and
- Both loans will be secured by a subordinate mortgage, note(s), and recorded LURA with a commitment to permanent affordability; and
- The developer shall apply the proceeds of the Loan to the expense of constructing the project, including at least the total number of units and units to be designated as affordable housing, with restricted rents and for income-eligible households as specified for each; and
- The loan agreement will remain in full force and effect until the loan is repaid or at the expiration of the respective periods of affordability, whichever is later.

Assignment

- The loan shall not be assigned without permission of the City except for an assignment to an affiliate entity of the developer prior to loan closing.

Closing

- Prior to closing, the developer must submit to the City a standard ALTA commitment for a loan policy of title insurance in the amount of the Loan for such Property, which will be subject only to municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, mortgages, security agreements, assignments of leases and rents, regulatory and land use restriction agreements and an extended use commitment pursuant to Section 42 of the Internal Revenue Code, recorded building and use restrictions and covenants, taxes levied in the year of closing, and any other encumbrances acceptable to the City; and
- Prior to closing, the developer must provide evidence of property insurance as required by the Mortgage, containing a standard loss payee endorsement identifying the City as mortgagee. Developer also agrees to provide evidence of property insurance annually by February 10th or before expiration of existing policy; and,

BE IT FINALLY RESOLVED, that the Mayor and City Clerk are hereby authorized 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



City of Madison

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

Master

File Number: 85820

File ID: 85820

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to

Final Action:

Title: Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Notes:

Sponsors: Satya V. Rhodes-Conway, Dina Nina
Martinez-Rutherford, John P. Guequierre, Nikki
Conklin And Tag Evers

Effective Date:

Attachments:

Author: Linette Rhodes

Enactment Number:

Entered by: mbohrod@cityofmadison.com

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Community Development Block Grant (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Community Development Block Grant Committee.						
1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE		11/07/2024	

Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
---	---	------------	---	-------------------	------------	------

Action Text: A motion was made by Alder Martinez-Rutherford and seconded by Alder Conklin to Return to Lead with the Recommendation to Approve Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Motion passed unanimously.

1	FINANCE COMMITTEE	11/18/2024	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 85820

Fiscal Note

The proposed resolution authorizes the loan of up to \$10.0 million to the Madison Revitalization and Community Development Corporation (MRCDC), a 501(c)(3) non-profit corporation, to support Phase 1 of the Triangle Redevelopment project. The \$10.0 million loan is funded by two sources: \$5.2 million of uncommitted Federal Emergency Rental Assistance (ERA) program funds available through the American Rescue Plan Act (ARPA) (Munis project 76121) and \$4.8 million of Federal HOME funds available in the Community Development Division's (CDD) 2024 Adopted Operating Budget (Munis projects 72023 and 72024) and what is proposed for authorization in the 2025 Executive Capital Budget (Munis project 72025). Full funding of the HOME loan is contingent upon adoption of the 2025 Capital Budget.

Title

Authorizing the allocation of up to \$4.8 million of Federal HOME Partnership Investment Program (HOME) funds and \$5.2 million of Federal Emergency Rental Assistance Program funds, authorized under the American Rescue Plan Act and currently uncommitted, to Madison Revitalization and Community Development Corporation, or an affiliate LLC, to help finance Phase 1 of the redevelopment of the Triangle public housing site, and authorizing the Mayor and the City Clerk to enter into a Loan Agreement. (District 13)

Body

Background

The Madison Revitalization and Community Development Corporation (MRCDC) was established in 1998 to invest in, receive, hold, use, and dispose of real or personal property and to engage in related activities to facilitate community redevelopment. The MRCDC is recognized under Wisconsin state law as a non-stock, 501(c)(3) Non-Profit Corporation. While there is overlap between the Madison Community Development Authority (CDA) Board and MRCDC Board, the MRCDC is a legally separate entity from the CDA. MRCDC does not employ staff; it is managed by CDA staff. The MRCDC's primary mission is to facilitate community redevelopment, and in particular, improve the stock of affordable housing in the City of Madison. The MRCDC actions are governed by its. It seeks to serve and be accountable to low-income persons and communities through representation on its governing board.

The CDA has prepared a comprehensive redevelopment plan targeting its 12-acre site which is bounded by South Park, Regent Street and W. Washington. The CDA's plans for the site, known as "the Triangle", includes five phases of development that will replace 362 existing housing units, currently subsidized through Public Housing and Section 8 programs, with about 1,200 units of mixed-income housing. Phase 1 includes the redevelopment of approximately 163 units of housing that will replace Brittingham Apartments and the CDA Triangle property management office.

Section 18 of the Housing Act of 1937 authorizes the demolition and disposition of Public Housing, with administrative steps set forth in 24 CFR 970.17(c) prescribed by the U.S. Department of Housing and Urban Development (HUD), including an application process. The Rental Assistance Demonstration ("RAD") Program/Section 18 Blend regulations promulgated by HUD give Public Housing Authorities the ability to combine and utilize a variety of available resources to redevelop properties, and provide predictable ongoing subsidies.

Consistent with the HUD regulations and in keeping with the CDA's Five-Year Plan objective for the period commencing January 2020, CDA staff submitted an application to HUD in March 2023 for the disposition of Brittingham Apartments utilizing a RAD/Section 18 Blend. With RAD and Special Applications Center ("SAC") disposition approvals from HUD, 100% of the resulting Project units will be removed from CDA's public housing inventory and converted to the Section 8 Project-Based Voucher Program. SAC approval provides the added benefit of enabling the CDA to apply for 4% low-income housing tax credits and other public and private funding sources to help finance the Phase 1 redevelopment.

The CDA-controlled LLCs that will be created for Phase 1 and subsequent phases of the redevelopment will be subject to land use restriction agreements (LURAs) and other long-term Low Income Housing Tax Credit (LIHTC) requirements. The overall Triangle redevelopment project will preserve existing affordable housing through the replacement of aging Public and Multifamily Housing units with modern, efficient homes and amenities, and it will significantly expand CDA's housing portfolio at the Triangle site.

The total development cost of all project phases is expected to exceed \$300 million, with the majority of funds coming from Section 42 tax credits, tax-exempt housing bonds, and private debt held by CDA-controlled LLCs that will be created for each building. The total local share of costs for the entire development is still to be determined but is anticipated to draw on a variety of City-administered sources including the Affordable Housing Fund, Federal HOME funds, Tax Increment Financing (TIF), etc. The Common Council previously approved an initial \$4 million contribution from the Affordable Housing Fund via adoption of RES-24-00023, on January 9, 2024.

In August, MRCDC submitted a request in response to the Community Development Division (CDD)'s 2024 Tax Credit Affordable Housing Fund Request for Proposals process, seeking an additional \$15.5 million of financial assistance. This resolution, offering \$10 million of combined Federal HOME and ERA funds, represents the recommended response to that request. In September, the Finance Committee recommended adoption of an amendment to the City's 2025 Capital Budget that contributes an additional \$5 million of TIF financing. It awaits final action by the Council.

Action

WHEREAS, in order to advance the City's objectives of expanding the supply of affordable

housing called for in the 2024 Executive Capital and Operating Budgets, the Community Development Division issued a Request for Proposals (RFP) in July 2024 seeking proposals for housing developments seeking Low-Income Housing Tax Credits; and,

WHEREAS, a review team, comprised of staff from the City's Department of Planning, Community, and Economic Development evaluated proposals based on criteria that addressed issues such as the number and mix of housing units; financial viability; gap financing needed; per-unit subsidy requested; incorporation of energy efficiency, renewable energy and other sustainability features; project team experience; readiness to proceed; and history of implementing affordable housing programs; and,

WHEREAS, the Madison Revitalization and Community Development Corporation (MRCDC) proposal is responsive to the goals and requirements set forth in the City's 2020-2024 Five-Year Consolidated Plan, formally adopted by the Common Council on February 25, 2020, which guides the use of U.S. Department of Housing and Urban Development (HUD) funds, including HOME funds; and,

WHEREAS, the primary source of funding to support proposals received in response to that RFP is City Affordable Housing Funds, but City-administered Federal dollars from, for example, the HOME Program may also be available; and,

WHEREAS, the CDD's adopted 2024 Budget includes both uncommitted HOME and ERA funds; and

WHEREAS, the guidance provided to state and local governments by the U.S. Treasury regarding eligible uses of ERA funds has evolved over the life of the program and, in July 2022, was modified to authorize the use of ERA funds to support the construction, rehabilitation and preservation of affordable housing so long as assisted housing units are dedicated to serving households that earn not more than 50% of the County Median Income; and,

WHEREAS, upon review of current federal guidelines, Community Development Division (CDD) staff have determined that the project costs associated with the MRCDC proposal are eligible for support under both the HOME and ERA Programs; and,

WHEREAS, the staff review team recommends awarding \$4.8 million of HOME funds and \$5.2 million of ERA funds which are available in the 2024 Adopted Budget and currently uncommitted; and,

WHEREAS, this funding recommendation will add to the award of \$4 million of City Affordable Housing Funds previously approved by the Council, via RES-24-00023, on January 9, 2024, and \$5 million from TIF funds which is pending as an amendment to the City's 2025 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Common Council approve recommended funding allocations described herein, and subject to review by the CDBG Committee; and,

BE IT FURTHER RESOLVED, that CDD staff is authorized to approve minor alterations to proposals, including to the number and mix of housing units, if such changes are deemed necessary to improve prospects for securing all financing required to complete the project as presented and/or comply with City land use requirements, but may not increase the level of City financial assistance without Council approval; and,

BE IT STILL FURTHER RESOLVED, that the Council authorizes the Mayor and City Clerk to execute, loan agreements utilizing CDD-administered funds as described below:

Form of Loans

- The ERA financial assistance will be provided in the form of a 0% interest, long-term deferred loan with no shared appreciation, payable upon sale, transfer, or change in the use of the property, in exchange for a commitment to permanent affordability through a recorded LURA; and
- The HOME financial assistance will be provided in the form of a loan which will be amortized over 30 years and payable over 16 years, contingent upon available cash flow, and
- Both loans will be secured by a subordinate mortgage, note(s), and recorded LURA with a commitment to permanent affordability; and
- The developer shall apply the proceeds of the Loan to the expense of constructing the project, including at least the total number of units and units to be designated as affordable housing, with restricted rents and for income-eligible households as specified for each; and
- The loan agreement will remain in full force and effect until the loan is repaid or at the expiration of the respective periods of affordability, whichever is later.

Assignment

- The loan shall not be assigned without permission of the City except for an assignment to an affiliate entity of the developer prior to loan closing.

Closing

- Prior to closing, the developer must submit to the City a standard ALTA commitment for a loan policy of title insurance in the amount of the Loan for such Property, which will be subject only to municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, mortgages, security agreements, assignments of leases and rents, regulatory and land use restriction agreements and an extended use commitment pursuant to Section 42 of the Internal Revenue Code, recorded building and use restrictions and covenants, taxes levied in the year of closing, and any other encumbrances acceptable to the City; and
- Prior to closing, the developer must provide evidence of property insurance as required by the Mortgage, containing a standard loss payee endorsement identifying the City as mortgagee. Developer also agrees to provide evidence of property insurance annually by February 10th or before expiration of existing policy; and,

BE IT FINALLY RESOLVED, that the Mayor and City Clerk are hereby authorized 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



City of Madison

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

Master

File Number: 85821

File ID: 85821

File Type: Resolution

Status: Report of Officer

Version: 2

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housing

Final Action:

Title: SUBSTITUTE-Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately ~~275~~270 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)

Notes:

Sponsors: Satya V. Rhodes-Conway, Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin, Charles Myadze And Amani Latimer Burris

Effective Date:

Attachments: AHF-TC 2024 Memo to CDBG Committee Nov 2024.pdf, AHF-TC Funding Recommendations Oct 2024.pdf, 85821-version1.pdf, LTR-Dryden Update 11-12-2024.pdf, Updated_AHF-TC Funding Recommendations Nov 2024.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE		11/18/2024	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 Community Development Block Grant Committee.						

1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	
	Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE					
1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	11/18/2024	Pass
	Action Text: A motion was made by Jones and seconded by Alder Martinez-Rutherford to Return to Lead with the Recommendation to Approve Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)					
	Motion passed unanimously.					
2	FINANCE COMMITTEE	11/18/2024	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 85821

Fiscal Note

The proposed resolution authorizes the award of Affordable Housing Fund loans to support four development proposals submitted as part of the Community Development Division's (CDD) tax credit-eligible Request for Proposal (RFP) process in summer 2024. The four awards total up to \$9.85 million. Funding for the loans is contingent upon adoption of the 2025 Capital Budget in November 2024 (Affordable Housing - Development Projects, project 17110, p. 53 of 2025 Executive Capital Budget). The proposed resolution further authorizes the execution of all necessary documents to achieve the purpose of the resolution. No additional City appropriation is required.

Title

SUBSTITUTE-Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275~~270~~ units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)

Body

Background

The City of Madison's 2025 Executive Capital Budget, scheduled for adoption in November 2024, includes the City's commitment to the Affordable Housing Fund (AHF) at \$14,500,000 in 2025. The Common Council established the AHF in the 2015 Capital Budget to help increase and/or preserve the supply of affordable rental housing. The City's primary strategy in deploying AHF is to leverage other resources, most notably federal Low-Income Housing Tax Credits (LIHTCs), to help achieve the goal of significantly increasing the supply of new affordable rental units.

For purposes of this initiative, affordable rental housing is defined as that which is reserved for

households with incomes at or below 60% of the County Median Income (CMI), and with rents restricted at levels deemed affordable to households at those income levels. Initially, the receipt of AHF funds required developers to commit to a 30-year period of affordability, however, since 2020, the required minimum commitment is 40 years. Furthermore, since 2022, applicants willing to commit to permanent affordability through a recorded Land Use Restriction Agreement (LURA) are eligible for more favorable loan terms.

In Wisconsin, LIHTCs are administered by the Wisconsin Housing and Economic Development Authority (WHEDA). WHEDA allocates credits annually through a competitive statewide process. The review criteria that WHEDA employs favors development proposals that demonstrate significant leveraging of other financial resources.

In determining how to allocate City AHF assistance, CDD conducts its own competitive Request for Proposals (RFP) process. That process is scheduled to align with WHEDA's cycle such that City funds are awarded to benefit developers seeking tax credits from WHEDA. WHEDA's next initial project concept application deadline for competitive awards is December 6, 2024.

This resolution is intended to authorize the commitment of City funds for project proposals selected in this year's RFP process. It is also intended to authorize the Mayor and City Clerk to execute the corresponding loan agreements and other documents necessary to proceed with the approved financial commitments. All commitments of City funds are contingent upon developers securing tax credits and other needed financing, and satisfying all City land use and other requirements.

Action

WHEREAS, as part of ongoing efforts to advance the City's objective of expanding the supply of affordable rental housing, and using City-administered resources in concert with federal Low-Income Housing Tax Credits, the Community Development Division issued a Request for Proposals (RFP) in July 2024 seeking tax credit-eligible development proposals; and,

WHEREAS, in response to the RFP, the City received nine proposals seeking financial assistance, one of which, from MSP Real Estate, was subsequently withdrawn; and,

WHEREAS, a review team, comprised of staff from the City's Community Development, Economic Development, and Planning Divisions as well as the Office of Sustainability evaluated proposals based on criteria set forth in the RFP that addressed issues such as the number and mix of housing units; project locations with respect to nearby amenities such as public transit, especially the current Metro transit network, schools, retail and employment opportunities, etc.; financial viability; gap financing needed; per-unit subsidy requested; incorporation of energy efficiency, renewable energy and other sustainability features; development team experience; likelihood of the developer securing needed land use approvals; conformance with Tenant Selection Plan Standards; and anticipated scores in WHEDA's LIHTC application process; and,

WHEREAS, in addition to this review, the CDD staff team also evaluated each proposal for its consistency with the goals and requirements set forth in the City's 2020-2024 Five-Year Consolidated Plan, formally adopted by the Common Council on February 25, 2020, which guides the use of U.S. Department of Housing and Urban Development funds; and,

WHEREAS, based on these reviews, the City staff team concluded that four projects, described below, were the most responsive to the City's criteria, supported by adopted City

Plans, in position to proceed and, with City financial support, well-positioned to secure WHEDA LIHTCs; and,

WHEREAS, the CDD staff team then formulated recommendations that seek to allocate \$9,850,000 in City AHF funds to support four development proposals as follows:

- Up to \$1,850,000 to Horizon Development Group, Inc., or an affiliate LLC, in partnership with Kaba-Baal, LLC, for CORE on Dryden Senior Apartments, a 55~~1~~-unit rental housing development with 43 units affordable to households with incomes at or below 60% CMI for a period of no less than 40 years
- Up to \$2,500,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Selassie Development, for Merchant Place Senior Apartments, a 60-unit rental housing development with 36 units permanently affordable to households with incomes at or below 60% CMI
- Up to \$3,000,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Dream Lane Real Estate Group, LLC and DCHA United Residences - Madison, LLC for United Residences, an 80-unit rental housing development with 48 units permanently affordable to households with incomes at or below 60% CMI
- Up to \$2,500,000 to Volker Development, or an affiliate LLC, in partnership with Cordon Development Group, Inc., for East Washington & 7th Ave, a 76-unit rental housing development with 40 units permanently affordable to households with incomes at or below 60% CMI; and,

WHEREAS, together these four proposals represent the construction of approximately ~~275~~ 270 units of rental housing, 43 of which will be maintained as affordable for a minimum of 40 years while 124 units will remain permanently affordable; and,

WHEREAS, funding recommendations for Taking Shape B1, also known as “The Triangle Redevelopment”, submitted by Madison Revitalization and Community Corporation (MRCDC), will be addressed via a separate resolution and involve federal funding sources within CDD’s budget; and,

WHEREAS, subject to CDBG Committee review and approval on November 7, 2024, final recommendations will be sent to the Common Council for final action; and,

WHEREAS, following the CDBG Committee’s approval of staff recommendations at its November 7 meeting, and in response to a change in WHEDA’s financing and scoring parameters, Horizon Development proposed changing its proposed unit mix, reducing the total units from 55 to 51 units, maintaining the affordable units at 43, and targeting seniors instead of families; and,

WHEREAS, staff have reviewed this proposal and deem it acceptable; and,

WHEREAS, as development proposals proceed through final design stages and WHEDA’s application process, developers may need to make minor project adjustments, including to the number and mix of housing units, if such changes will improve prospects for success in WHEDA’s application process or are necessary to comply with land use requirements; and,

WHEREAS, the receipt of financial assistance from other funding sources subsequent to adoption of this resolution, including City Tax Increment Financing (TIF), may be used to reduce the financial contribution to the project from AHF, so that AHF funds remain available to

support other projects; and,

WHEREAS, upon securing federal LIHTCs from WHEDA, the developers of these projects, via an affiliate LLC, will be prepared to execute loan agreements and related loan documents with the City.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Common Council approve the recommended funding commitments described herein and authorize the issuance of letters of funding commitments for the identified proposals to align with the deadline for the applicable WHEDA tax credit applications; and,

BE IT FURTHER RESOLVED, that the Council authorizes CDD staff to approve minor alterations to development projects, including to the number and mix of housing units, if such changes are deemed necessary to improve prospects for securing LIHTCs and/or comply with City land use requirements, but staff may not increase the level of City financial assistance without Council approval; and,

BE IT STILL FURTHER RESOLVED, that the Council authorizes the Mayor and City Clerk to execute, for these four developments, loan agreements utilizing CDD-administered funds in terms described below and reflecting any minor adjustments approved by CDD staff or caused by the application of TIF, HOME or other City-administered resources:

Form of Loans

- The City financial assistance will be provided in the form of a loan, up to 50% of which will be amortized over 30 years and payable over 16 years, contingent upon available cash flow, and at least 50% of which will be a 0% interest, long-term deferred loan with shared appreciation, payable upon sale, transfer, or change in the use of the property, unless a waiver of shared appreciation is granted in exchange for a commitment to permanent affordability through a recorded LURA; and
- The AHF loan will be secured by a subordinate mortgage, note(s), and LURA securing a minimum period of affordability of 40 years unless a waiver of shared appreciation is granted in exchange for a commitment to permanent affordability through a recorded LURA; and
- The developer shall apply the proceeds of the Loan to the expense of acquiring the property and/or constructing the project, including at least the total number of units and units to be designated as affordable housing, with restricted rents and for income-eligible households as specified for each; and
- The loan agreement will remain in full force and effect until the loan is repaid or at the expiration of the respective periods of affordability, whichever is later.

Assignment

- The loan shall not be assigned without permission of the City except for an assignment to an affiliate entity of the developer prior to loan closing.

Closing

- Prior to closing, the developer must submit to the City a standard ALTA commitment for a loan policy of title insurance in the amount of the Loan for such Property, which will be subject only to municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, mortgages, security agreements, assignments of leases and rents, regulatory and

land use restriction agreements and an extended use commitment pursuant to Section 42 of the Internal Revenue Code, recorded building and use restrictions and covenants, taxes levied in the year of closing, and any other encumbrances acceptable to the City; and

- Prior to closing, the developer must provide evidence of property insurance as required by the Mortgage, containing a standard loss payee endorsement identifying the City as mortgagee. Developer also agrees to provide evidence of property insurance annually by February 10th or before expiration of existing policy; and,

BE IT STILL FURTHER RESOLVED, that the execution of a loan agreement and disbursement of City funds will be made contingent upon each project developer demonstrating that it has (1) secured financing sufficient to complete the project, including WHEDA LIHTCs; (2) received from the City all necessary land use and permit approvals; and (3) satisfied any other City requirements, including, but not limited to, providing acceptable documentation related to a Tenant Selection Plan and Affirmative Marketing Plan consistent with the Standards published in the RFP; and,

BE IT FINALLY RESOLVED, 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care
Community Resources
Community Development Block Grant
Madison Senior Center

To: Madison Common Council
From: Julie Spears, Community Development Specialist
Date: November 4, 2024
RE: Awarding up to \$9.85M in Affordable Housing Funds via the
2024 Affordable Housing Rental Development – Tax Credit RFP

Background

The Community Development Division (CDD) posted its annual Affordable Rental Housing Development: Tax Credit Request for Proposals (RFP) in July 2024 to support development proposals seeking an allocation of 2025 Low-Income Housing Tax Credits (LIHTCs), administered by the Wisconsin Housing and Economic Development Authority (WHEDA).

The City's 2025 Capital Budget, scheduled for adoption later this month, includes an Affordable Housing Fund (AHF) authorization of \$14,500,000. Since its inception in the 2015 Capital Budget, this annual RFP draws on AHF to advance a primary housing strategy to increase, preserve, or improve the supply of affordable rental housing for Madison's lower-income households by leveraging LIHTC's. To date, this CDD-administered program has been successful in utilizing these funds to:

- Support the development of over 2700 units of affordable rental housing, approximately 2100 of which are income and rent-restricted for households at or below 60% of County Median Income (CMI)
- Complete construction and place in service almost 1900 of these units
- Leverage over \$350 million in equity generated from LIHTCs.

Applicants to this RFP responded to specific goals, objectives, requirements, and preferences previously reviewed by the CDBG Committee and deemed necessary to secure City financial assistance. These included:

- Increasing the supply of 30% CMI units
- Incentivizing permanently affordable units
- Selecting locations well-served by transit
- Incorporating integrated supportive housing for individuals & families experiencing homelessness
- Including design features that maximize sustainability via energy efficiency and renewable energy; and
- Conforming with CDD Tenant Selection Plan Standards to reduce barriers to access.

2024 Rental Housing Development Proposals

CDD received nine rental housing development proposals in response to the 2024 RFP:

1. Element Collective submitted by EC Residential, LLC
2. CORE on Dryden submitted by Horizon Development Group, Inc. in partnership with Kaba-Baal, LLC
3. Taking Shape B1, also known as "The Triangle Redevelopment", submitted by Madison Revitalization and Community Development Corp (MRCDC)

4. Potomac Apartments submitted by MSP Real Estate (This proposal was subsequently withdrawn.)
5. Merchant Place Senior Apartments submitted by Northpointe Development II Corporation in partnership with Selassie Development
6. United Residences submitted by Northpointe Development II Corporation in partnership with Dream Lane Real Estate Group, LLC and DCHA United Residences – Madison, LLC
7. The Conway at Huxley Yards submitted by Preservation Housing Partners in partnership with Lincoln Avenue Capital and Rootstock Capital, LLC
8. The Presley submitted by PreservingUS, Inc. in partnership with Cohen-Esrey Development Group, LLC
9. East Washington & 7th Ave submitted by Volker Development in partnership with Cordon Development Group, Inc.

Staff Recommendations for Consideration

An interdisciplinary City staff team reviewed the development proposals against the goals and objectives outlined in the RFP. Staff recommend a total of \$9,850,000 of City Affordable Housing Funds be awarded to four proposals as summarized below and described in more detail on the attached table:

1. Up to \$1,850,000 to Horizon Development Group, Inc., or an affiliate LLC, in partnership with Kaba-Baal, LLC, for CORE on Dryden, a 55-unit development with 43 units affordable to households with incomes at or below 60% CMI for a period of no less than 40 years
2. Up to \$2,500,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Selassie Development, for Merchant Place Senior Apartments, a 60-unit development with 36 units permanently affordable to households with incomes at or below 60% CMI
3. Up to \$3,000,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Dream Lane Real Estate Group, LLC and DCHA United Residences – Madison, LLC for United Residences, an 80-unit development with 48 units permanently affordable to households with incomes at or below 60% CMI
4. Up to \$2,500,000 to Volker Development, or an affiliate LLC, in partnership with Cordon Development Group, Inc., for East Washington & 7th Ave, a 76-unit development with 40 units permanently affordable to households with incomes at or below 60% CMI.

In total, these four projects propose to add approximately 275 units of rental housing, of which 167 would be affordable to households at or below 60% of the CMI. 43 of the 167 affordable units will be maintained as affordable for a minimum of 40 years through a recorded Land Use Restriction Agreement (LURA), while 124 units will remain permanently affordable.

Furthermore, staff recommend offering up to \$10M of uncommitted federal funds in CDD's 2024 Adopted budget to support Taking Shape B1, also known as "The Triangle Redevelopment", submitted by Madison Revitalization and Community Development Corp (MRCDC). This funding recommendation is the subject of a separate Resolution, introduced as Legistar #85820.

The proposals recommended for funding are those deemed by staff to be most responsive to the goals, objectives and priorities set forth in the RFP.

Final authorization of City funding is contingent upon each developer demonstrating that it has (1) secured financing sufficient to complete the project, including an allocation of WHEDA LIHTCs; (2) received from the City all necessary land use and permit approvals; and (3) satisfied any other City requirements, including, but not limited to, providing acceptable documentation related to a Tenant Selection Plan and Affirmative Marketing Plan consistent with the Standards published in the RFP.

AFFORDABLE HOUSING FUND - 2024 FUNDING RECOMMENDATIONS
CITY OF MADISON
COMMUNITY DEVELOPMENT DIVISION

AHF-Tax Credit 2024 Award Recommendations				Wednesday, October 23, 2024					
DEVELOPER	PROJECT NAME	ADDRESS	LOCATION	Project & WHEDA APP Type	AHF Award Requested	CDD AHF-TC Award Recommendation	CDD Award Per Affordable Unit	TOTAL # UNITS	TOTAL AFFORDABLE UNITS
Horizon Development Group, Inc. & Kaba-Baal, LLC	CORE on Dryden	2902 Dryden Drive	North	Family (4% + 4%)	\$1,850,000	\$1,850,000	\$43,023	55	43
Northpointe Development & Selassie Development	Merchant Place Senior Apts	6702 Odana Road	West	Senior (4%)	\$2,500,000	\$2,500,000	\$69,444	60	36
Northpointe Development & Dream Lane Real Estate Group, LLC, DCHA United – Madison, LLC	United Residences	709 Northport Drive	North	Family (4%)	\$3,000,000	\$3,000,000	\$62,500	80	48
Volker Development & Cordon Development Group, Inc.	East Washington & 7th Ave	2434 E Washington Ave	East	Family (4%)	\$2,500,000	\$2,500,000	\$62,500	76	40
SUB-TOTAL					\$9,850,000	\$9,850,000	\$58,982	271	167
■ RECOMMENDED FOR FUNDING UNDER LEGISTAR #85820									
Madison Revitalization and Community Development Corp	Taking Shape B1	755 Braxton	Downtown	Family (4% + 4% - 2023)	\$15,502,798	\$10,000,000	\$62,112	164	161
TOTAL					\$25,352,798	\$19,850,000		435	328
EC Residential, LLC (Mandel)	Element Collective	5546-5534 Element Way	West	Family (4%)	\$5,296,419	\$0	-	197	144
MSP Real Estate (WITHDRAWN)	Potomac Apartments	6425 Normandy Lane	West	Family (9%)	\$1,512,000	\$0	-	47	36
Preservation Housing Partners, Lincoln Avenue Capital & Rootstock Capital, LLC	Conway at Huxley Yards	905 Huxley Street	North	Family (9% - 2023)	\$1,680,000	\$0	-	50	42
PreservingUS, Inc.& Cohen-Esrey	The Presley	3555 E Washington Avenue	East	Family (4% + 4%)	\$3,000,000	\$0	-	89	76



City of Madison

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

Master

File Number: 85821

File ID: 85821

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 10/23/2024

File Name: Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housin

Final Action:

Title: Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)

Notes:

Sponsors: Dina Nina Martinez-Rutherford, John P. Guequierre, Nikki Conklin, Charles Myadze And Amani Latimer Burris

Effective Date:

Attachments: AHF-TC 2024 Memo to CDBG Committee Nov 2024.pdf, AHF-TC Funding Recommendations Oct 2024.pdf

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	10/23/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (11/18/24), Community Development Block Grant Committee (11/7/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	FINANCE COMMITTEE			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 Community Development Block Grant Committee.						

1	FINANCE COMMITTEE	10/29/2024	Referred	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	
	Action Text: This Resolution was Referred to the COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE					
1	COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE	11/07/2024	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE		Pass
	Action Text: A motion was made by Jones and seconded by Alder Martinez-Rutherford to Return to Lead with the Recommendation to Approve Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)					

Motion passed unanimously.

Text of Legislative File 85821

Fiscal Note

The proposed resolution authorizes the award of Affordable Housing Fund loans to support four development proposals submitted as part of the Community Development Division's (CDD) tax credit-eligible Request for Proposal (RFP) process in summer 2024. The four awards total up to \$9.85 million. Funding for the loans is contingent upon adoption of the 2025 Capital Budget in November 2024 (Affordable Housing - Development Projects, project 17110, p. 53 of 2025 Executive Capital Budget). The proposed resolution further authorizes the execution of all necessary documents to achieve the purpose of the resolution. No additional City appropriation is required.

Title

Awarding up to \$9,850,000 from the Affordable Housing Fund to support four affordable housing development projects, selected through a City Request for Proposals (RFP) process, that will support construction of approximately 275 units of new rental housing in Madison, 167 of which will be affordable, and authorizing the Mayor and City Clerk to execute loan agreements with the developers of those projects (District 12, District 18 and District 19)

Body

Background

The City of Madison's 2025 Executive Capital Budget, scheduled for adoption in November 2024, includes the City's commitment to the Affordable Housing Fund (AHF) at \$14,500,000 in 2025. The Common Council established the AHF in the 2015 Capital Budget to help increase and/or preserve the supply of affordable rental housing. The City's primary strategy in deploying AHF is to leverage other resources, most notably federal Low-Income Housing Tax Credits (LIHTCs), to help achieve the goal of significantly increasing the supply of new affordable rental units.

For purposes of this initiative, affordable rental housing is defined as that which is reserved for households with incomes at or below 60% of the County Median Income (CMI), and with rents restricted at levels deemed affordable to households at those income levels. Initially, the receipt of AHF funds required developers to commit to a 30-year period of affordability, however, since 2020, the required minimum commitment is 40 years. Furthermore, since 2022, applicants willing to commit to permanent affordability through a recorded Land Use Restriction Agreement (LURA) are eligible for more favorable loan terms.

In Wisconsin, LIHTCs are administered by the Wisconsin Housing and Economic Development Authority (WHEDA). WHEDA allocates credits annually through a competitive statewide process. The review criteria that WHEDA employs favors development proposals that demonstrate significant leveraging of other financial resources.

In determining how to allocate City AHF assistance, CDD conducts its own competitive Request for Proposals (RFP) process. That process is scheduled to align with WHEDA's cycle such that City funds are awarded to benefit developers seeking tax credits from WHEDA. WHEDA's next initial project concept application deadline for competitive awards is December 6, 2024.

This resolution is intended to authorize the commitment of City funds for project proposals selected in this year's RFP process. It is also intended to authorize the Mayor and City Clerk to execute the corresponding loan agreements and other documents necessary to proceed with the approved financial commitments. All commitments of City funds are contingent upon developers securing tax credits and other needed financing, and satisfying all City land use and other requirements.

Action

WHEREAS, as part of ongoing efforts to advance the City's objective of expanding the supply of affordable rental housing, and using City-administered resources in concert with federal Low-Income Housing Tax Credits, the Community Development Division issued a Request for Proposals (RFP) in July 2024 seeking tax credit-eligible development proposals; and,

WHEREAS, in response to the RFP, the City received nine proposals seeking financial assistance, one of which, from MSP Real Estate, was subsequently withdrawn; and,

WHEREAS, a review team, comprised of staff from the City's Community Development, Economic Development, and Planning Divisions as well as the Office of Sustainability evaluated proposals based on criteria set forth in the RFP that addressed issues such as the number and mix of housing units; project locations with respect to nearby amenities such as public transit, especially the current Metro transit network, schools, retail and employment opportunities, etc.; financial viability; gap financing needed; per-unit subsidy requested; incorporation of energy efficiency, renewable energy and other sustainability features; development team experience; likelihood of the developer securing needed land use approvals; conformance with Tenant Selection Plan Standards; and anticipated scores in WHEDA's LIHTC application process; and,

WHEREAS, in addition to this review, the CDD staff team also evaluated each proposal for its consistency with the goals and requirements set forth in the City's 2020-2024 Five-Year Consolidated Plan, formally adopted by the Common Council on February 25, 2020, which guides the use of U.S. Department of Housing and Urban Development funds; and,

WHEREAS, based on these reviews, the City staff team concluded that four projects, described below, were the most responsive to the City's criteria, supported by adopted City Plans, in position to proceed and, with City financial support, well-positioned to secure WHEDA LIHTCs; and,

WHEREAS, the CDD staff team then formulated recommendations that seek to allocate \$9,850,000 in City AHF funds to support four development proposals as follows:

- Up to \$1,850,000 to Horizon Development Group, Inc., or an affiliate LLC, in partnership

with Kaba-Baal, LLC, for CORE on Dryden, a 55-unit rental housing development with 43 units affordable to households with incomes at or below 60% CMI for a period of no less than 40 years

- Up to \$2,500,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Selassie Development, for Merchant Place Senior Apartments, a 60-unit rental housing development with 36 units permanently affordable to households with incomes at or below 60% CMI
- Up to \$3,000,000 to Northpointe Development II Corporation, or an affiliate LLC, in partnership with Dream Lane Real Estate Group, LLC and DCHA United Residences - Madison, LLC for United Residences, an 80-unit rental housing development with 48 units permanently affordable to households with incomes at or below 60% CMI
- Up to \$2,500,000 to Volker Development, or an affiliate LLC, in partnership with Cordon Development Group, Inc., for East Washington & 7th Ave, a 76-unit rental housing development with 40 units permanently affordable to households with incomes at or below 60% CMI; and,

WHEREAS, together these four proposals represent the construction of approximately 275 units of rental housing, 43 of which will be maintained as affordable for a minimum of 40 years while 124 units will remain permanently affordable; and,

WHEREAS, funding recommendations for Taking Shape B1, also known as “The Triangle Redevelopment”, submitted by Madison Revitalization and Community Corporation (MRCDC), will be addressed via a separate resolution and involve federal funding sources within CDD’s budget; and,

WHEREAS, subject to CDBG Committee review and approval on November 7, 2024, final recommendations will be sent to the Common Council for final action; and,

WHEREAS, as development proposals proceed through final design stages and WHEDA’s application process, developers may need to make minor project adjustments, including to the number and mix of housing units, if such changes will improve prospects for success in WHEDA’s application process or are necessary to comply with land use requirements; and,

WHEREAS, the receipt of financial assistance from other funding sources subsequent to adoption of this resolution, including City Tax Increment Financing (TIF), may be used to reduce the financial contribution to the project from AHF, so that AHF funds remain available to support other projects; and,

WHEREAS, upon securing federal LIHTCs from WHEDA, the developers of these projects, via an affiliate LLC, will be prepared to execute loan agreements and related loan documents with the City.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Common Council approve the recommended funding commitments described herein and authorize the issuance of letters of funding commitments for the identified proposals to align with the deadline for the applicable WHEDA tax credit applications; and,

BE IT FURTHER RESOLVED, that the Council authorizes CDD staff to approve minor alterations to development projects, including to the number and mix of housing units, if such changes are deemed necessary to improve prospects for securing LIHTCs and/or comply with

City land use requirements, but staff may not increase the level of City financial assistance without Council approval; and,

BE IT STILL FURTHER RESOLVED, that the Council authorizes the Mayor and City Clerk to execute, for these four developments, loan agreements utilizing CDD-administered funds in terms described below and reflecting any minor adjustments approved by CDD staff or caused by the application of TIF, HOME or other City-administered resources:

Form of Loans

- The City financial assistance will be provided in the form of a loan, up to 50% of which will be amortized over 30 years and payable over 16 years, contingent upon available cash flow, and at least 50% of which will be a 0% interest, long-term deferred loan with shared appreciation, payable upon sale, transfer, or change in the use of the property, unless a waiver of shared appreciation is granted in exchange for a commitment to permanent affordability through a recorded LURA; and
- The AHF loan will be secured by a subordinate mortgage, note(s), and LURA securing a minimum period of affordability of 40 years unless a waiver of shared appreciation is granted in exchange for a commitment to permanent affordability through a recorded LURA; and
- The developer shall apply the proceeds of the Loan to the expense of acquiring the property and/or constructing the project, including at least the total number of units and units to be designated as affordable housing, with restricted rents and for income-eligible households as specified for each; and
- The loan agreement will remain in full force and effect until the loan is repaid or at the expiration of the respective periods of affordability, whichever is later.

Assignment

- The loan shall not be assigned without permission of the City except for an assignment to an affiliate entity of the developer prior to loan closing.

Closing

- Prior to closing, the developer must submit to the City a standard ALTA commitment for a loan policy of title insurance in the amount of the Loan for such Property, which will be subject only to municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, mortgages, security agreements, assignments of leases and rents, regulatory and land use restriction agreements and an extended use commitment pursuant to Section 42 of the Internal Revenue Code, recorded building and use restrictions and covenants, taxes levied in the year of closing, and any other encumbrances acceptable to the City; and
- Prior to closing, the developer must provide evidence of property insurance as required by the Mortgage, containing a standard loss payee endorsement identifying the City as mortgagee. Developer also agrees to provide evidence of property insurance annually by February 10th or before expiration of existing policy; and,

BE IT STILL FURTHER RESOLVED, that the execution of a loan agreement and disbursement of City funds will be made contingent upon each project developer demonstrating that it has (1) secured financing sufficient to complete the project, including WHEDA LIHTCs; (2) received from the City all necessary land use and permit approvals; and (3) satisfied any other City requirements, including, but not limited to, providing acceptable documentation related to a

Tenant Selection Plan and Affirmative Marketing Plan consistent with the Standards published in the RFP; and,

BE IT FINALLY RESOLVED, 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



November 12, 2024

Department of Planning and Community & Economic Development
Community Development Division
Madison Municipal Building, Suite 300
215 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3348

Re: CORE on Dryden affordable housing development

Dear CDD staff:

Thank you for your willingness to consider the following changes to the Dryden project. Our goal is to advance a project that is financially feasible, competitive under current LIHTC program guidelines, and rooted in community feedback. We recommend the following updates:

1. **Change from family to senior housing.** Based on feedback received at City and neighborhood meetings, there are concerns about a family property not having a dedicated playground area, adequacy of on-site parking, and ongoing management issues with other affordable housing projects. Family housing was originally proposed to maximize tax credit scoring; however, updated WHEDA guidance allows senior projects without 3-bedroom units to score the same as family. Therefore, a senior housing development achieves the same scoring profile, alleviates the playground concern, lessens the impact of parking and management issues, and addresses community feedback and concerns.
2. **Change from 4% to 9% LIHTC.** Factors outside developer control have recently impacted financial feasibility. Earlier this fall, WHEDA discontinued its tax credit subordinate loan product which was anticipated to provide \$450,000 in funding for this project. Additionally, 2025 WHEDA guidance includes a reduction in maximum annual credit per project from \$1.4M to \$1.2M. Discussions with tax credit equity syndicators also reveal pricing expectations being lowered to \$0.80. These and other modifications have adversely affected the project; switching tax credit underwriting from 4% to 9% allows for additional LIHTC equity to help offset these challenges while maintaining affordability and other project commitments.
3. **Change from 55 to 51 units.** With the maximum annual credit being reduced, the number of units that can be funded through LIHTC is also reduced. Additionally, it is important to note that WHEDA updates have had a negative scoring impact on the project, and we are attempting to maximize items within our control. A slight reduction in the number of units allows the project to maximize the credit request at \$1.2M, potentially allow for additional energy efficiency / solar programming enhancing the project score, and improve average affordability by reducing the number of 80% AMI units.

This has been a unique year given the changes in the tax credit program and we appreciate consideration of these proposed changes.

Sincerely,
Horizon Development Group, Inc.

Scott Kwiecinski, Vice President

AFFORDABLE HOUSING FUND - 2024 FUNDING RECOMMENDATIONS
CITY OF MADISON
COMMUNITY DEVELOPMENT DIVISION

AHF-Tax Credit 2024 Award Recommendations **Wednesday November 13, 2024 (Substitute Leg #85821)**

DEVELOPER	PROJECT NAME	ADDRESS	LOCATION	Project & WHEDA APP Type	AHF Award Requested	CDD AHF-TC Award Recommendation	CDD Award Per Affordable Unit	TOTAL # UNITS	TOTAL AFFORDABLE UNITS
Horizon Development Group, Inc. & Kaba-Baal, LLC	CORE on Dryden Senior Apts	2902 Dryden Drive	North	Senior (9%)	\$1,850,000	\$1,850,000	\$43,023	51	43
Northpointe Development & Selassie Development	Merchant Place Senior Apts	6702 Odana Road	West	Senior (4%)	\$2,500,000	\$2,500,000	\$69,444	60	36
Northpointe Development & Dream Lane Real Estate Group, LLC, DCHA United – Madison, LLC	United Residences	709 Northport Drive	North	Family (4%)	\$3,000,000	\$3,000,000	\$62,500	80	48
Volker Development & Cordon Development Group, Inc.	East Washington & 7th Ave	2434 E Washington Ave	East	Family (4%)	\$2,500,000	\$2,500,000	\$62,500	76	40
SUB-TOTAL					\$9,850,000	\$9,850,000	\$58,982	267	167
■ RECOMMENDED FOR FUNDING UNDER LEGISTAR #85820									
Madison Revitalization and Community Development Corp	Taking Shape B1	755 Braxton	Downtown	Family (4% + 4% - 2023)	\$15,502,798	\$10,000,000	\$62,112	164	161
TOTAL					\$25,352,798	\$19,850,000		431	328
EC Residential, LLC (Mandel)	Element Collective	5546-5534 Element Way	West	Family (4%)	\$5,296,419	\$0	-	197	144
MSP Real Estate (WITHDRAWN)	Potomac Apartments	6425 Normandy Lane	West	Family (9%)	\$1,512,000	\$0	-	47	36
Preservation Housing Partners, Lincoln Avenue Capital & Rootstock Capital, LLC	Conway at Huxley Yards	905 Huxley Street	North	Family (9% - 2023)	\$1,680,000	\$0	-	50	42
PreservingUS, Inc. & Cohen-Esrey	The Presley	3555 E Washington Avenue	East	Family (4% + 4%)	\$3,000,000	\$0	-	89	76

Source: City of Madison



City of Madison

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

Master

File Number: 85965

File ID: 85965

File Type: Report

Status: In Committee

Version: 1

Reference:

Controlling Body: Police Department

File Created Date : 11/05/2024

File Name: Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department

Final Action:

Title: Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department

Notes:

Sponsors:

Effective Date:

Attachments: Common Council Quarterly Report Q3 2024.pdf

Enactment Number:

Author: Shon F. Barnes

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	11/05/2024	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER							

Text of Legislative File 85965

Title

Chief of Police 3rd Quarter Report: Chief Shon F. Barnes, Madison Police Department

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

November 20, 2024

To: City of Madison Common Council Alders

From: Shon F. Barnes, Madison Police Department Chief of Police

Subject: Quarterly Report (3rd, 2024)

Mission Statement of the Madison Police Department

We, the members of the Madison Police Department, are committed to providing high quality police services that are accessible to all members of the community. We believe in the dignity of all people and respect individual and constitutional rights in fulfilling this mission.

Community Policing

At MPD we start with a simple proposition—the police cannot go it alone. We cannot begin to address the complex issues affecting our quality of life without assistance. Assistance in the form of the help and collaboration from many diverse groups who work in and for the community, as well as enlisting the support of all of our community members!

<https://www.cityofmadison.com/police/community/policing/>

This document provides an update on selected MPD topics for the third quarter (July, August, and September) of 2024.

Please consider the data included in this update as preliminary and subject to modification.

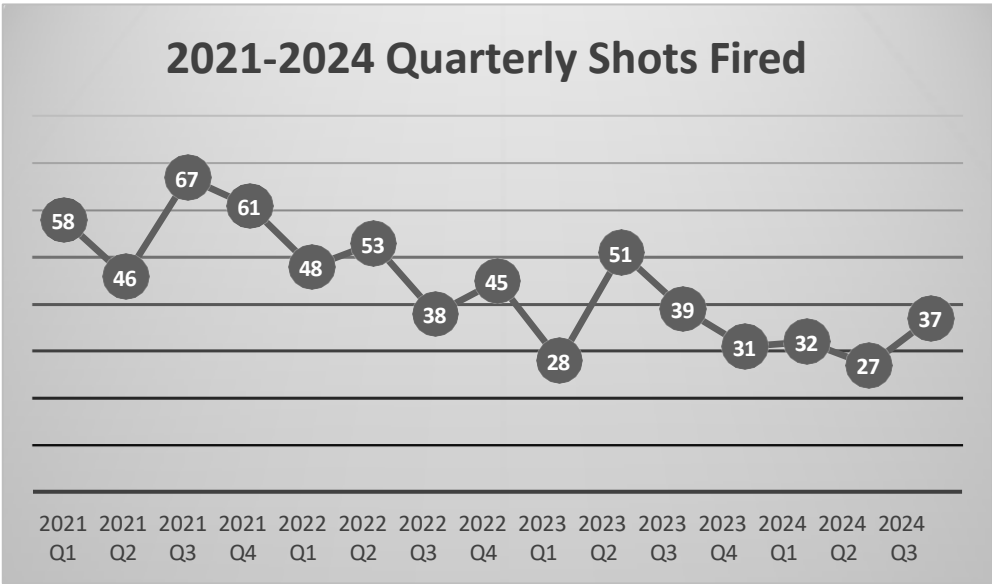
Emergency and Priority Calls

During the 3rd quarter, MPD patrol response was limited to emergency and priority calls about 12.5% of the time. Given the volume of 9-1-1 calls or the severity of calls requiring multiple resources, there were 105 instances where MPD's patrol response was limited. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the city. The 105 instances occurred on 65 dates (some days required limited call response multiple times); this means that at some point on 70.7% of the days during the 3rd quarter MPD patrol response was limited. The 105 instances spanned about 276.2 total hours of limited call response, an average of 2.6 hours per instance.

Significant Incidents

SHOTS FIRED - FIREARM CRIMES ARE SERIOUS AND A THREAT TO LIFE. EVENTS INVOLVING FIREARMS ARE CONSIDERED A SIGNIFICANT INCIDENT WITHIN THE STRATIFIED POLICING CRIME REDUCTION FRAMEWORK. MPD INVESTIGATES ALL 9-1-1 CALLS INVOLVING A FIREARM AND SHOTS FIRED.

There were thirty-seven (37) shots fired incidents in the City from July 1st through September 30th (2024). This represents an **37% increase** from the 2nd quarter of 2024.

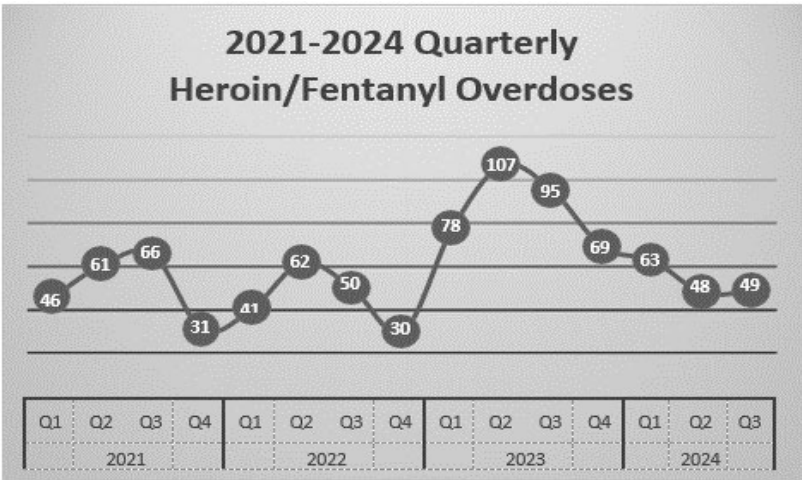


Shots fired are broken into the following categories and the count of casings recovered:

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	9	14	9		32
Subjects Struck by Gunfire*	4	15	3		22
Accidental Discharge	1	1	0		2
Self-Inflicted (intentional)	5	2	3		10
Casings Recovered	44	152	66		262

*Excludes accidental discharge & self-inflicted

Heroin Overdoses – MPD responded to forty-nine (49) known heroin overdoses during the third quarter of 2024. This represents a **2.1% increase** from the 2nd quarter of 2024. [Note that these figures refer to known overdoses. It is likely that many overdoses are occurring without any report to MPD or MFD.]



There were seven (7) suspected overdose deaths during the third quarter of 2024. This is a **16.7% increase** from the 2nd quarter of 2024. [Note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

The Madison Police Department actively seeks opportunities to *divert* and *deflect* individuals from the justice system.

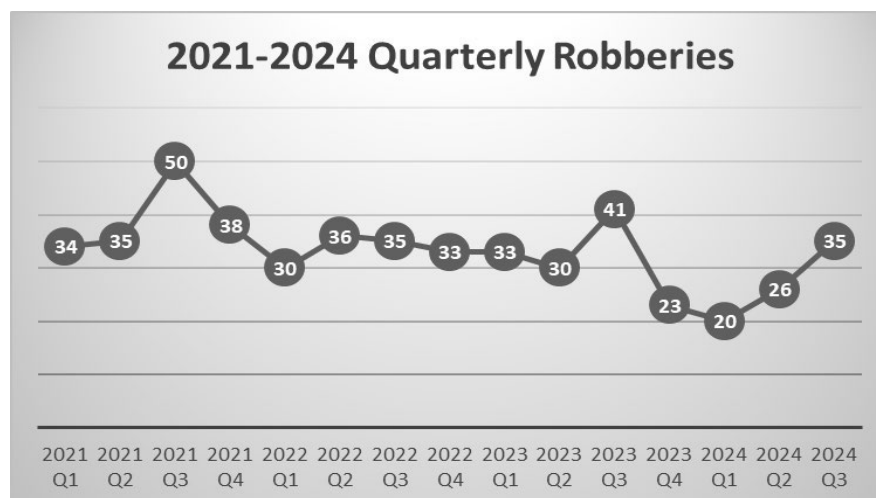
Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community-based help, while avoiding a damaging arrest record.

Deflection is community based and entails no criminal justice system involvement beyond an individual's interaction with a police officer in the field. Police deflection programs aim to reduce crime by connecting people living with mental health struggles or substance use disorder to treatment and recovery resources.

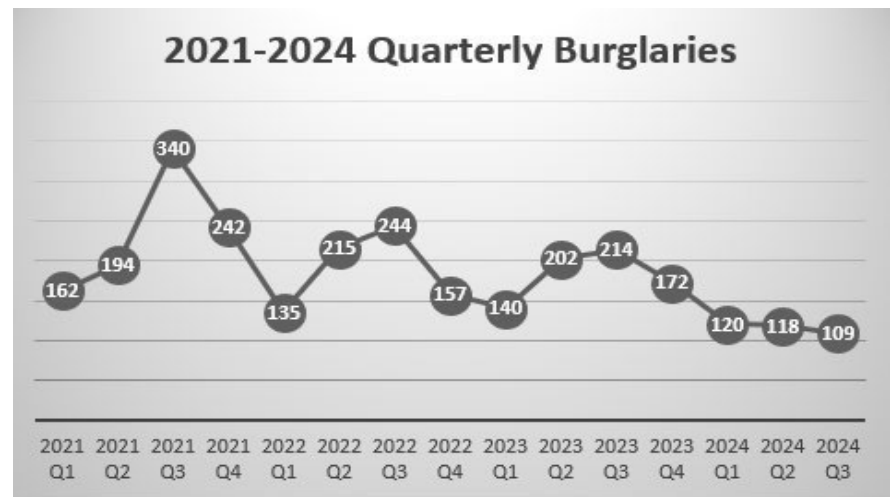
Madison Area Addiction Recovery Initiative (MAARI) is a program for individuals living with substance use disorders who have committed eligible, non-violent offenses stemming from their disease of addiction. The program offers six months of individualized treatment and coaching to participants. Participants must complete the program for non-prosecution of the charges they would have faced. Eligible charges include possession of drug paraphernalia, possession of a controlled substance, retail theft, prostitution, and theft/burglary if the victim of the theft/burglary agrees to the MAARI program being offered.

The **Addiction Resource Team** is multidisciplinary and utilizes a police officer and a Peer Specialist from Safe Communities. The teams follow up with people who have experienced a non-fatal overdose or other precipitating event that brought them into contact with Madison Police or Madison Fire personnel. The purpose is to connect individuals with recovery resources, meet people where they are, and provide harm reduction materials. The team distributes the opioid reversal agent Naloxone and fentanyl test strips on outreach visits.

Robberies – Thirty-five (35) robberies occurred in the City during the third quarter of 2024. This is a **34.6% increase** from the 2nd quarter of 2024.



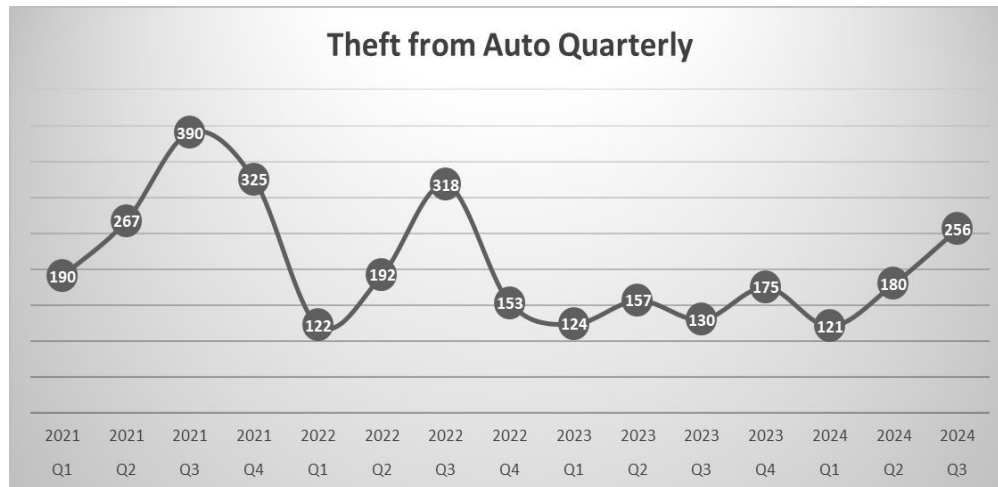
Burglaries – MPD responded to 109 burglaries during the third quarter of 2024. This represents a **7.6% decrease** from the burglaries reported in the 2nd quarter of 2024.



Stolen Autos – MPD investigated fifty-two (52) stolen autos during the third quarter of 2024. This is a **24% increase** from the 2nd quarter of 2024.



Thefts from Vehicles – MPD investigated 256 thefts from vehicles during the third quarter of 2024. From the 2nd quarter of 2024, this is a **38% increase**.



MPD encourages everyone in our community to remove valuables from their vehicle, lock their vehicles, and when possible, park near lights.

Arrest Data

On-view arrests: Law enforcement physically took someone into custody and transported them to jail.

Citations: This is an administrative arrest. The individual is issued a ticket and promises to appear in court.

In the 3rd quarter of 2024, MPD responded to **40,532 calls for service**. Of this total, there were 1,543 on-view arrests and 717 citations issued (Group A and Group B offenses).

Third quarter **on-view arrest** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,106	1,068	1,213		3,387	76.1%
Female	364	370	330		1,064	23.9%
Unknown	1	0	0		1	0.0%
Total	1,471	1,438	1,543		4,452	100.0%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	23	23	19		65	1.5%
African American	679	685	783		2,147	48.2%
Native American	3	5	7		15	0.3%
Other	34	34	30		98	2.2%
Caucasian	732	691	704		2,127	47.8%
Total	1,471	1,438	1,543		4,452	100.0%
Hispanic*	163	139	165		467	10.5%

“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

Third quarter **citation** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	472	435	418		1,325	58.5%
Female	324	316	299		939	41.5%
Unknown	1	0	0		1	0.0%
Total	797	751	717		2,265	100.0%
Race	Q1	Q2	Q3	Q4	Total	%
Asian	40	24	26		90	4.0%
African American	170	192	197		559	24.7%
Native American	4	4	3		11	0.5%
Other	15	17	19		51	2.3%
Caucasian	568	514	472		1,554	68.6%
Total	797	751	717		2,265	100.0%
Hispanic*	53	41	63		157	6.9%

“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

The National Incident Based Reporting System (NIBRS) is used by MPD and follows the standards set by the FBI and Wisconsin Department of Justice. MPD is required to submit incidents and arrests for two different categories. Group A Offenses are reported violations and arrests of state statutes and city ordinances that are grouped into persons crime, property crime, and societal crime categories. Group B Offenses are arrest-only data. Arrests include citations and physical. Group A offenses are more serious crimes such as Murder, Rape, Robbery, etc. Group B offenses tend to be minor in nature, such as Curfew/Loitering/Vagrancy Violations, Disorderly Conduct, Driving Under the Influence, etc. (2023 NIBRS User Manual).

Resources:

<https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home>

<https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>

Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1	7	0		8	0.0%
Arson	1	2	6		9	0.0%
Assault Offenses	669	634	624		1,927	9.6%
Bribery	0	0	0		0	0.0%
Burglary	133	123	131		387	1.9%
Counterfeiting/Forgery	32	16	18		66	0.3%
Damage to Property	307	330	349		986	4.9%
Drug/Narcotic Offenses	317	281	293		891	4.5%
Embezzlement	7	9	9		25	0.1%
Extortion	9	17	21		47	0.2%
Fraud Offenses	322	335	296		953	4.8%
Gambling Offenses	0	0	0		0	0.0%
Homicide Offenses	0	2	1		3	0.0%
Human Trafficking Offenses	0	0	1		1	0.0%
Kidnapping/Abduction	17	21	28		66	0.3%
Larceny/Theft Offenses	1,139	1,161	1,443		3,743	18.7%
Motor Vehicle Theft	100	91	91		282	1.4%
Pornography/Obscene Material	6	9	11		26	0.1%
Prostitution Offenses	0	0	1		1	0.0%
Robbery	20	25	36		81	0.4%
Sex Offenses, Forcible	46	54	36		136	0.7%
Sex Offenses, Non-Forcible	4	1	1		6	0.0%
Stolen Property Offenses	11	5	9		25	0.1%
Weapon Law Violations	53	87	78		218	1.1%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	5	2	10		17	0.1%
Curfew/Loitering/Vagrancy Violations	0	0	0		0	0.0%
Disorderly Conduct	636	727	850		2,213	11.1%
Driving Under the Influence	213	227	195		635	3.2%
Drunkenness	0	0	0		0	0.0%
Family Offenses, Nonviolent	30	22	22		74	0.4%
Liquor Law Violations	61	66	32		159	0.8%
Peeping Tom	0	0	0		0	0.0%
Runaway	0	0	0		0	0.0%
Trespass of Real Property	231	188	208		627	3.1%
All Other Offenses	2,161	2,130	2,090		6,381	31.9%
Total	6,531	6,572	6,892		19,995	100.0%

*More than one charge may be connected to an arrest.

Use of Force Overview

During the third quarter of 2024, MPD officers responded to 40,532 calls for service. In that time, there were seventy-seven (77) contacts in our community in which officers used recordable force during the encounter. This means that in the 3rd quarter, MPD officers used recordable force **0.19%** (less than one quarter of 1%) of the time when engaging with members in our community. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total/%
Calls for Service	34,188	38,202	40,532		112,922
Contacts Where Force Was Used	77	93	77		247
% of CFS Where Force Was Used	.23%	.24%	0.19%		0.22%
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	71	80	62		68.7%
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	9	7	12		9.0%
Taser Deployment	1	8	9		5.8%
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	11	6	13		9.7%
OC (i.e. Pepper) Spray Deployment	2	2	1		1.6%
Baton Strike	0	2	0		0.6%
K9 Bite	3	1	4		2.6%
Firearm Discharged Toward Suspect	0	0	1		0.3%
Impact Munition (firearm delivered projectile launched at a lower-than-normal velocity)	0	3	2		1.6%
Specialty (SWAT/SET)	0	0	0		0.0%
Total	97	109	104		310
Firearm Discharged to Put Down a Sick or Suffering Animal	16	23	11		50

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force: <http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

Third quarter use of force data by district and time of day:

District	Q1	Q2	Q3	Q4	Total	%
West	6	6	6		18	7.3%
Midtown	8	12	15		35	14.2%
South	4	7	9		20	8.1%
Central	25	37	23		85	34.4%
North	14	18	11		43	17.4%
East	19	12	10		41	16.6%
Out of County	0	0	0		0	0.0%
Within County - Assist	1	1	3		5	2.0%
Total	77	93	77		247	100.0%
Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1 st Detail (7am – 3pm)	14	21	17		52	21.1%
3 rd Detail (3pm – 11pm)	40	39	36		115	46.6%
5 th Detail (11pm – 7am)	23	33	24		80	32.4%
Total	77	93	77		247	100.0%

Restorative Justice Data (3rd Quarter, 2024)

The Madison Police Department actively seeks opportunities to *divert* individuals from the justice system.

Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community-based help, while avoiding a damaging arrest record.

Restorative Justice is an approach that focuses on the needs of the victims, respondents, and the affected community. Victims can actively participate in the process, while respondents acknowledge responsibility for their actions.

The goals of restorative justice are to repair harm, reduce the risk of re-offense and rebuild community.

Community Restorative Court (CRC) is a diversion program for 17–25-year-olds who are cited for disorderly conduct, simple battery, obstructing an officer, damage to property, or theft (including retail theft).

In lieu of any municipal citation, youth aged 12-16 are referred to our **Restorative Justice** program run by the **YWCA**. Any time an MPD police officer in the field investigates and has probable cause to write a municipal (forfeiture) ticket, that officer must instead issue a Restorative Justice Referral to the youth.

12–16-Year-Old Youth Data from YWCA	17–25-Year-Old Data from CRC																
Total referrals issued: 52 Opted-in: 23 Opted out: 1 Neither: 3 (these referrals voided due to defendant's age or per officer) Waiting for Opt-in/Opt-out: 25 Offenses: <ul style="list-style-type: none"> • Retail Theft: 4 • Theft: 3 • Trespass: 5 • Disorderly Conduct: 15 • Damage to Property: 1 • Battery: 7 • Resist Or Obstruct: 2 • Underage Possess/Consume off Licensed Premise: 2 • Facsimile Firearm: 1 • Party to Retail Theft: 1 • Engages in violent/abusive behavior: 1 • Public Fornication: 2 	Referrals from July 1st to September 30 th , 2024 Total MPD Referrals = 92 Total MPD Referrals by Offense Type = 94 <i>*Total is more than 92 due to Clients with more than one citation.</i> <ul style="list-style-type: none"> • Direct Referrals = 0 Offenses: <table> <tr> <td>Municipal - Battery</td><td>7</td></tr> <tr> <td>Municipal – Trespass/Trespass to land</td><td>56</td></tr> <tr> <td>Municipal - Disorderly Conduct</td><td>18</td></tr> <tr> <td>Municipal - Resisting/Obstructing</td><td>4</td></tr> <tr> <td>Municipal - Damage to Property</td><td>2</td></tr> <tr> <td>Municipal - Retail Theft/Shoplifting</td><td>4</td></tr> <tr> <td>Municipal – Theft</td><td>3</td></tr> <tr> <td>Total:</td><td>94</td></tr> </table>	Municipal - Battery	7	Municipal – Trespass/Trespass to land	56	Municipal - Disorderly Conduct	18	Municipal - Resisting/Obstructing	4	Municipal - Damage to Property	2	Municipal - Retail Theft/Shoplifting	4	Municipal – Theft	3	Total:	94
Municipal - Battery	7																
Municipal – Trespass/Trespass to land	56																
Municipal - Disorderly Conduct	18																
Municipal - Resisting/Obstructing	4																
Municipal - Damage to Property	2																
Municipal - Retail Theft/Shoplifting	4																
Municipal – Theft	3																
Total:	94																

Traffic

Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the Speeder’s Hotline (608-266-4822). In the 3rd quarter of 2024, MPD received 234 traffic complaints.

Serious/Fatal Crashes

In the 3rd Quarter of 2024, MPD investigated 829 crashes that resulted in 3 fatalities, 42 serious injuries and 298 minor injuries.

Traffic Grants

Traffic Grant Data (3 rd Quarter, 2024)	Number of Grants	Citations Issued	Warnings Issued
Alcohol	15	302	230
Speed	17	344	245
Seatbelt	7	175	99
Ped/Bike	22	410	357

*This number is the total number of citations and warnings issued. Citations and warnings issued in each grant can be for violations other than the violation for which the grant is intended.

Training

Our 2024 Academy Class completed phase 1 and most of phase 2 instruction during the third quarter of 2024. Academy instruction transitions into more hands on training in phase 2 and included time for our recruits to get out into the community. We are on track for academy graduation in November when our recruits will leave the Training Center and begin three months of field training. Our Fall Professional Development training kicked off on September 5th and runs through November. All commissioned personnel will receive training in firearms, defensive tactics, de-escalation, CPR updates and officer wellness. Beyond the academy and professional development, the 2024-25 hiring process is well underway with multiple rounds of testing and oral board interviews. We continue to be impressed with the quality of the candidates we meet who are looking to serve Madison and MPD in the role of police officer.

SOP Updates

A number of MPD SOPs were updated during the quarter. Copies showing the changes are attached to this memo as an appendix. Note that all MPD SOPs are reviewed regularly, with the most critical SOPs being reviewed annually. This process typically results in additional SOP changes/updates.

MPD posts drafts of new/revised SOPs on our website before final implementation, to allow for public review and comment.

Defense Logistics Agency/Law Enforcement Support Office (10-33 program)

MPD did not acquire any property through DLA/LESO during the third quarter of 2024.

2024 – Third Quarter Promotions

Police Officer Justin Borton to Acting Investigator

Lieutenant Diana Nachtigal to Acting Captain

Sergeant Nicholas Eull to Lieutenant

Sergeant Livia Novitzke to Acting Lieutenant

Detective Sergeant Glenn Davis to Acting Lieutenant

Discipline/compliments (links to quarterly PS&IA summaries)

<https://www.cityofmadison.com/police/documents/psiaSummary2024JulSep.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2024JulSep.pdf>

Updated/New SOPs for MPD: July-September 2024

Changes to Code of Conduct and Standard Operating Procedures: 07/09/2024

In-Car Video System: 07/29/2024

Line of Duty Death of an Employee: 09/20/2024

Workforce Telestaff Requirements: 08/19/2024



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Changes to Code of Conduct and Standard Operating Procedures

Eff. Date ~~02/08/2024~~ 07/09/2024

Code of Conduct

The Code of Conduct is based on the values of the Madison Police Department (MPD) and thus it is anticipated that little change will be necessary. Any member of the MPD may recommend a change to the Code of Conduct. The changes must be in writing and show the edits from the most current edition of the Code of Conduct. The written request should be directed to the Assistant Chief of Support and Community Outreach.

It shall be the responsibility of the Assistant Chief of Support and Community Outreach, on the behalf of the Chief, to follow-up on any proposal and to complete any needed action.

Standard Operating Procedures (SOP)

SOP REVIEW

All SOPs shall be subject to regular review. The Police Executive Office Supervisor will initiate the process no later than October 1 of each year. SOPs due for review will be sent to a lead Captain (generally the process owner) to conduct the review. Any revisions to the SOP are due back the Chief's office by November 1 of that year.

By shift change of the following year, the SOP revision process shall be completed, with the posting of the most current SOP and date of revision to the current departmental reference site.

SOPs will be reviewed annually, every other year, or every three years as follows:

Annual Review	Every Other Year	Every Three Years
Active Shooter Incidents	Arson Investigations	Abatement Documentation
Arrest, Incarceration, & Bail – Adults	Back-Up	Alder Notification
Arrest, Incarceration, & Bail – Youth	Bomb Threats	Cellular Telephones – Use of
Barricaded Person Incidents	Court Overtime	Changes to Code of Conduct and Standard Operating Procedures
Calls for Service (CFS) Dispatch Guidelines	Guarding of Persons in Police Custody at Hospitals	City-County Building Access - Non-Business Hours
Civil Actions Against Police Department Employees	Guidelines for Case Assignment and Management	City Owned Property - Use and Care
Crime Scene Response	Hours Worked	Cold Case Review Team
Critical Incident Stress Management	In-Car Video System	Community Rooms
De-Escalation	Interactions with Transgender and Gender Non-Conforming Individuals	Custody of Newborn
Demonstrations & Assemblies	Interviews of Crime Victims	Departmental Awards and Recognition
Detox, JRC, Jail, and Probation and Parole Responses and Conveyances	Intoxicated and Incapacitated Persons	Dignitary Protection
Digital Forensics	Investigation of Cases Involving Officers as Victims of Serious Crimes	Donation of Vacation and Compensatory Time
Domestic Abuse	Investigation of Incidents Involving Shots Fired	Drug Recognition Expert (DRE)
Emergency Vehicle Operations Guidelines	Language Access Services	Employee Assistance Program (EAP)
Enforcement of Immigration Laws	Missing Child	Funerals and Ceremonies of Law Enforcement Officers (LEO)

Annual Review	Every Other Year	Every Three Years
Enforcement of Marijuana Laws	Mobile Fingerprint Readers	Identification of MPD Employees
Evidence-Based Problem Oriented Policing	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	Incident Review Process
Foot Pursuits	Naloxone - Narcan – Protocol	Interns Application and Acceptance Process
General Duties and Expectations of Employees	NIBIN Use	Landlord Tenant Unwanted Guest Criminal Trespass
Handling of Evidence, Contraband, Found, or Lost Property	Overtime Guidelines	Law Enforcement Officer Safety Act (LEOSA) for Former Madison Police Officers
Handling of Informants	Overtime Protocols for Police Report Typists	Life Threat Emergency at Facility Public Windows
Hostage Situation Incidents	Patrol Leave Requests	Lost and Abandoned Property
ICAC Investigations	Patrol Staffing Hold Guidelines, Special Events, and Special Assignment Scheduling	Mendota Mental Health Institute Response
Identification Procedures	Personal Appearance	Military Leave
Interactions with Youth	Police Weaponry	Mobile Data Computers - Use of
K9 Use	Precautionary Measures and Significant Exposure to Infectious Pathogens	Mounted Patrol Use
Labor Disputes and Picketing	Preserve the Peace	MPD Locker Rooms
Line of Duty, Life-Threatening Injury, or Death of an Employee	Probation and Parole Searches	News Media Relations
Major Case Investigations	Recording Suspect Interviews	Off-Duty Officer Responsibilities
Mental Health Incidents and Crises	Reporting Procedure	Outside Employment
Notification of Commanding Officers	Restricted Duty	Peer Support Program
Officer Involved Deaths and Other Critical Incidents	Retail Theft	Personnel File Contents and the Process for Accessing these Records
Professional Standards & Internal Affairs (PSIA) Complaint Investigation	Social Media - Investigative Use	Police Motorcycles
PSIA Discipline Matrix	Social Media – Non-Investigative Use	Police Vehicle Parking
PSIA Electronic Complaint File Management System	Social Media - Off Duty Use	Political Activity
Records Inspection and Release	Special Events Team Specialty Teams	Pre-Employment Candidate Files
Response to Persons with Altered State of Mind	Stratified Policing	Professional Staff Hiring Process
Robberies in Progress and Silent Robbery Alarms	SWAT Body Worn Cameras	Replacement of Lost, Stolen, or Damaged Equipment
Search Warrant Service	System Audits	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Searches	Third Party Database Use and Dissemination	Sex Offender Notifications
Sexual Assault Investigations	Transaction Information for the Management of Enforcement (TIME) System Use and Dissemination of Records	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Stops and Frisks	Traffic and Crash Investigation	Special Duty
Supervision and the Early Intervention System	Uniform Standards	Stolen Vehicle Reporting Guidelines
Threats of Targeted or Mass Casualty Violence	Use of Tire Deflation Devices	Tours, Visitors, and Ride-Alongs
Unmanned Aircraft Systems (UAS)	Workplace Safety	Tuition Reimbursement and Educational Incentive (MPPOA)
Use of Force		U Visa Program Participation

Annual Review		Every Three Years
Use of Force Data Collection		Uniform Accounts
Use of the Superhailer Long Range Communication System		Update of Payroll Status for Promoted Employees
Video and Audio Surveillance		Vehicle Escorts
Video Evidence Retrieval		Vehicle Use, Assignment, and Maintenance
		WI Prescription Drug Monitoring
		Workforce Telestaff Requirements

MID-YEAR ADJUSTMENTS

Any member of the MPD may recommend a change to any SOP or recommend creating a new SOP. The changes must be in writing and show the edits from the most current edition of the SOP. The written request should be directed to the Police Executive Office Supervisor. Members of the public may also suggest changes or provide feedback on existing SOPs.

PROCESS FOR CHANGES

For potential changes, either at the annual review or per a recommendation, the SOP must have the edits visible on the current version. If the recommendations are for major substantive process changes, the drafts will be scheduled for a review at the Field or Support level. Final draft review will be sent to the Management Team in writing for feedback. Minor changes will only be reviewed with a draft showing mark-ups sent to the Management Team.

Once edits have completed the internal review process, public/community input on the changes will be solicited. Any input/feedback received will be shared with the Chief prior to final approval of the changes.

Changes that are time-sensitive may be implemented prior to the formal input process.

Non-substantive changes to an SOP (such as edits to grammar, punctuation, or word usage) that do not have an operational impact are not required to go through the formal change process.

It shall be the responsibility of the Police Executive Office Supervisor, acting as a delegate to Assistant Chief of Support and Community Outreach, to follow-up on any proposal and to complete any needed action.

Nothing in the Code of Conduct or Standard Operating Procedures is intended to create an enforceable legal right or private right of action.

Original SOP: 04/08/2015

(Reviewed Only: 03/01/2016, 01/09/2017, 11/29/2023)

(Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020, 08/31/2021, 03/21/2022, 01/31/2023, 02/23/2023, 06/02/2023, 02/08/2024, 07/09/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



In-Car Video System

Eff. Date ~~12/28/2021~~ 07/29/2024

Purpose

The utilization of the Madison Police Department's (MPD) in-car video system can provide accurate documentation of events, actions, conditions, and statements made during law enforcement contacts. The use of the in-car video system shall be limited to trained employees and be in accordance with MPD procedures and applicable laws. All video files recorded by MPD in-car video systems are official police records which are subject to Wisconsin Open Records laws. Officers are required to select the appropriate Classification Tag and to enter the corresponding case number (or ~~their pd+initials~~ "none" when applicable) in the Case File Number field of the video recording tagging window for each video file they generate during the course of their work shifts.

For the purpose of this Standard Operating Procedure (SOP), the term "officer" means any MPD commissioned employee who has been trained in the use of the in-car video system installed in MPD vehicles.

Procedure

USE AND CARE OF IN-CAR VIDEO EQUIPMENT

1. Officers shall be responsible for the proper care and operation of their individually assigned wireless microphone, charging dock, and optional lapel microphone ~~(if applicable)~~. Microphones shall be properly charged prior to the start of each shift.
2. Officers shall not remove, dismantle, or tamper with in-car video (ICV) equipment and/or microphone(s).
3. At the beginning of each shift or assignment, officers operating a squad equipped with an ICV shall complete the following procedures:
 - a. Log into the ICV application.
 - b. Confirm that the correct date, time, and live video display appear in the ICV application.
 - c. Officers shall synchronize and wear the synchronized wireless microphone (and optional lapel microphone) in a position where it can effectively record audio throughout the duration of the officer's shift. In the event two officers are assigned to a single squad (i.e. Field Training, Special Events), one officer is required to synchronize that officer's wireless microphone to the ICV system of the shared squad.
 - d. Perform a short test to confirm video and audio recording.
4. Officers shall be logged into the ICV application throughout the duration of the shift or assignment. In the event of unexpected application closures or laptop restarts, officers shall log back into the ICV application as soon as practical.
5. If an officer is required to respond to a call ~~in emergency mode~~ prior to being able to complete the steps listed above then the above should be completed at the first available opportunity.
6. Officers who are operating a squad in a non-operational capacity (for example, when using a squad for training, shuttling squads between districts, or shuttling squads to/from Fleet Services) where they are not logging into Mobile/Computer Aided Dispatch (CAD) are not required to utilize the in-car video system.
7. When problems with the in-car video system are identified, officers are required to report the issue to Information Management and Technology (IMAT) by calling the IMAT support line Monday-Friday 8:00am-4:30pm at 608-261-9655 or by sending an email containing the vehicle number and description of the problem to the IMAT support email address, imat@cityofmadison.com. If the identified problem could impact subsequent officers' ability to use a particular squad, officers are encouraged to note the squad number and its identified problem on the appropriate Police District vehicle dry erase marker board.

Officers may operate squads with non-functional in-car video systems when no other squad is reasonably available.

OPERATION OF THE IN-CAR VIDEO SYSTEM

1. The in-car video system is set to automatically start video recordings (including a 30-second video only pre-event) when any of the following actions occur or thresholds are exceeded:
 - a. The squad's emergency lights are activated.
 - b. The wireless microphone's record (REC) button or auxiliary (AUX) button is depressed.
 - c. The record button is depressed on the back of the front camera.
 - d. The record button is selected in the in-car video software on the Mobile Data Computer (MDC).
 - e. The vehicle crash sensor is triggered.
 - f. The vehicle speed trigger threshold has been exceeded (80mph).
2. In-car video equipment shall be used to record the following:
 - a. All emergency vehicle operations.
 - b. All traffic stops.
 - c. All transports of persons either in or out of custody.
 - d. All interviews as required by Wisconsin State Statutes when other established recording facilities are not available, practical, or preferred.
 - e. When an officer attempts to place an individual into physical custody (either criminal or protective) when safe to do so.
 - f. When approaching an individual the officer reasonably anticipates may be taken into custody when safe to do so.
3. In-car video equipment may also be utilized to record any other official police contacts or actions beyond those listed in point #2 above.
4. Officers should make reasonable efforts to position the front squad camera to accurately capture events outlined in #2 above, unless circumstances dictate a different squad positioning for officer safety purposes.
5. Once initiated, video and audio recordings should remain activated until the incident or event has concluded or until deactivation is permissible. The conclusion of an incident or event has occurred when any arrest(s) related to the incident have been made and arrestee(s) have been transported, after a stopped motor vehicle driver is released from a traffic stop, or when no further law enforcement action is likely to occur related to the incident or event. Deactivation of video and audio recordings prior to the conclusion of the incident or event is permissible:
 - a. When an officer is not directly involved in activity related to the incident or event (i.e., blocking traffic at a position not near the scene of an incident); officers not directly involved in the incident or event do not need to complete a report if the purpose is to just document the cessation of their recording;
 - b. When an officer reasonably believes there is no evidentiary value in collecting further video and audio; for transparency purposes, officers shall document in a report or in call notes the assessment for the cessation of any recording.
6. Officers may temporarily mute audio recording of conversations between police personnel for administrative reasons including, but not limited to, the following:
 - a. Employee to employee training (e.g., during Field Training, incident debriefings, etc.);
 - b. Officer to supervisor discussions about incident dispositions and/or charging decisions;
 - c. Employee to employee discussions involving response strategy or tactics; or
 - d. Personal conversations unrelated to the incident or event being investigated.
7. Reasons for any **intentional** interruptions/microphone muting during video recordings shall be audibly noted prior to the muting and documented within official reports, narrative sections of citations, or in call notes. After the purpose of a temporary mute of an audio recording has concluded, officers shall reactivate the audio recording.
8. Upon completion of a recording, **the officer shall select the applicable classification tag** from the available menu options listed in the "Classify Tag" field of the recording window. Officers shall not intentionally close the recording window on the MDC without making a selection from the classification choices. The current classification tag options include the following: Non-Evidence,

- Equipment Check**, Traffic Stop, Arrest/Transport, OWI, Evidence (**default tag**), and Crash/Pursuit. In the event of multiple, successive recordings that result in multiple files to classify and tag, officers shall locate and add tagging information to the untagged files when they can safely do so, but prior to the conclusion of their work day. Exceptions to this shall be approved by the OIC or other supervisor. Officers can locate these files in the Archive area of the Arbitrator program on their MDC prior to the files being uploaded to the server or they can sign into the Back End client on a district workstation.
9. **Officers shall ensure that the “Classify Tag” and “Case File Number” fields of the recording window are filled out properly for each recording.** If there is no case number associated with the recording, officers shall type **their respective pd+initials “none”** in the Case File Field. Officers may enter any additional information (e.g., license plate, name, suspect information, etc.) deemed pertinent to the investigation in the “Note” field. The classification tag, case file number, and additional information entered by the officer will serve as the initial selection for the duration of video retention of each video recording.
 10. Officers are only responsible for tagging the videos that are created when signed into arbitrator during their assigned shifts.

VIDEO TRANSFER AND DOCUMENTATION

1. Video recording(s) shall be transferred at least once during the course of each work shift or assignment. Exceptions to this must be approved by the OIC or other supervisor. Transfer of video may be accomplished by wireless transfer at MPD district stations or other identified wireless access points. Officers can check the status of video files in the Archive area of the Arbitrator program on their MDC or they can sign into the Back End client on a district workstation to confirm upload.
2. Officers should make every attempt to transfer video recording(s) deemed to be evidence prior to the end of their shift. If this process requires the employee to be on overtime, the employee shall obtain prior approval for the overtime from a supervisor or from the OIC. If the video does not transfer, contact IMAT through the support line Monday-Friday 8:00am-4:30pm at **608-261-9655** or send an email containing the vehicle number and description of the problem to the IMAT support email address, imat@cityofmadison.com prior to the end of the employee's shift.

IN-CAR VIDEO MANAGEMENT

1. Evidentiary recordings submitted by officers will be maintained on a secure server within the City of Madison computer network until the case has been adjudicated and/or in accordance with existing MPD policies and procedures for the handling and disposition of evidence. Evidentiary images of recordings may not be duplicated without supervisory authorization.
2. Recordings will be maintained based upon the retention schedule designated for each classification tag.
3. Designated members of the Forensic Services Unit (FSU) and IMAT will be responsible for system administration of recordings.
4. Video recordings may be placed on an administrative hold, preventing their disposal by:
 - a. The Chief of Police or **his/her** designee.
 - b. Professional Standards and Internal Affairs Lieutenant.
 - c. A Command Officer.Any later removal of this hold must be submitted in writing to FSU.
5. If upon receipt of a complaint concerning the conduct of an officer or other employee, the supervisor receiving the complaint determines that the event in question has been recorded, that information shall be forwarded to the District Command Officer, and the Professional Standards and Internal Affairs Lieutenant outlining the details of the complaint.

Tag / Retention	Definition/Use Case
Non-Evidence (180 days)	Not categorized by any other tag
Evidence (30 years) – Default Tag	All other evidence
Equipment Check (7 days)	Lightbar checks at the start of a shift
Crash/Pursuit (30 years)	Squad crashes and vehicular pursuits
OWI (30 years)	OWI incidents
Traffic Stop (180 days)	Standard traffic stops
Arrest/Transport (30 years)	Transporting arrestees to Jail, JRC, Detox, etc.

Original SOP: 02/25/2015

(Reviewed Only: 02/04/2016, 02/05/2024)

(Revised: 12/22/2016, 06/15/2017, 11/30/2017, 04/09/2021, 12/28/2021, 07/29/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Line of Duty Death of an Employee

Effective Date: 1/23/2024 09/20/2024

Purpose

The purpose of this SOP is to outline the Madison Police Department's response to a line of duty death.

The Madison Police Department (MPD) recognizes that a line of duty death will likely have far-reaching affects across the agency and the community, and will require a timely and sensitive response to the needs of the involved officers, surviving family members, the organization, and the community.

The Madison Police Department recognizes that adhering to an incident command model, with clearly defined assignments/roles, will greatly assist the surviving family members and the organization in the aftermath of a line of duty death.

The Madison Police Department recognizes that proper "notification" is a critical component of the survivors' ability to adjust to the loss of a family member.

The Madison Police Department recognizes that ensuring survivor benefits are in order and quickly addressed will assist the surviving family in the aftermath of their loss.

The Chief of Police may institute any part of this policy for a non-commissioned employee of the Madison Police Department, or for any death of a Madison Police Department Public Safety Officer.

Definitions

Public Safety Officer: An individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer.

Line of Duty Death (LODD): Any action, felonious or accidental, which claims the life of a Madison Police Department sworn employee, while on duty. This definition is for the purposes of this policy only. Also:

Pursuant to 34 U.S. Code SUBCHAPTER XI— PUBLIC SAFETY OFFICERS' DEATH BENEFITS, a line of duty death is presumed when a public safety officer dies from a heart attack, stroke, or vascular rupture while engaged in, on duty, or within 24 hours of participating in a non-routine stressful or strenuous physical law enforcement service, or a training exercise involving non-routine stressful or strenuous physical activity.

Survivors: Primary family members of the deceased employee, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé, and/or significant others.

LODD Involved Officer: An officer who is directly involved in the line of duty death of another officer.

Family Liaison Officer: A member of the Madison Police Department who is assigned to the survivors of the officer killed in the line of duty, for the purposes of coordinating communication between the survivors and the involved agency to include funeral arrangements, benefits, and investigative updates. In most cases, this will be a member of the MPD Peer Support Team who has received specialized training in dealing with line of duty deaths and the role of a Family Liaison Officer.

Employee Designated Representative (EDR): A pre-identified person, of the deceased officer's choosing, who can act as a liaison between the survivors, the Family Liaison Officer(s), and the Madison Police Department.

Law Enforcement Death Response Team (LEDR): The Wisconsin Department of Justice Law Enforcement Death Response team is an available resource/team that is trained to assist with all details surrounding the death of a law enforcement officer, regardless of the circumstances. LEDR's response is willing to assist any agency in any manner requested and can include: Death Notification, Critical Incident Debriefings, Peer Counseling, Funeral Service Preparations, Public Safety Officer Benefits (PSOB), Family Support, Media Coordination, and Department logistics. LEDR can be reached 24/7 at: (866) 410-5337.

Notification Team: The personnel responsible for notifying the next of kin of a deceased employee. Ideally, this team consists of the Chief of Police or designee, the person(s) designated in the employee's emergency notification packet, and a representative from the county medical examiner's office, with emergency medical technicians (EMTs) standing by; however, the time necessary to fully assemble and deploy this team must be balanced against the prompt notification of survivors, with special consideration given to any possibility that a survivor might be able to reunite with an employee before their passing.

Procedures

Pre-Incident

1. All employee photographs shall be kept up-to-date.
2. Employees will meet with their supervisor annually to review and edit (if necessary) all paperwork related to critical incidents and emergency notifications.
 - a) In order to make prompt notification to an employee's family, in the case of a death, an Employee Emergency Notification packet is saved to the employee's personnel file in LERMS. This packet will contain a notification sequence for each employee of the Madison Police Department, indicating who should be notified first, second, third etc., their addresses, and phone numbers. Employees should include in this sequence someone who would be able to contact/locate dependents who are in school or additional people to contact. Employees may also identify an Employee Designated Representative. See Employee Emergency Notification Information Packet (Form A).
 - b) All employees are encouraged to make sure they have up-to-date beneficiary designations in place.
 - c) Employee Emergency Notification packets shall only be viewed for official purposes related to a notification, or for administrative purposes by the supervisor responsible to ensure the form has been reviewed annually. Access history to Employee Emergency Notification packets will be audited to ensure that only appropriate access occurs.
3. Peer support officers who can act as Family Liaison Officers should attend training that teaches best practices in dealing with line of duty deaths.

In the Event of a Line of Duty Death

A. Duties of LODD Involved Officer(s)

1. Immediately notify dispatch of incident and location. When practical, any radio communication should be done over an encrypted radio channel.
2. Render first aid and request response by emergency medical services.
3. Officer(s) shall inform a supervisor or the Officer-in-Charge of the incident as soon as possible.
4. Protect and secure the scene until relieved.
5. Identify witnesses for subsequent interviews. The LODD involved officer(s) shall not participate in the interviews of witnesses.
6. Brief the first arriving supervisor of the nature of the incident.

7. Reporting requirements for LODD involved officer(s) will be completed by investigators assigned to the incident. LODD involved officers will not be required to prepare a written report.

B. Duties of the On Scene Supervisor

1. Assume responsibility for the security and preservation of the scene. The involved agency is responsible for the initial response unless relieved by an outside agency lead investigator.
2. Notify the Officer-in-Charge.
3. Ensure that a LODD non-involved supervisor, if not already at the scene, responds immediately to the scene of the incident (A LODD non-involved supervisor is defined as one who has not been involved specifically at the scene, or involved in any tangential fashion, e.g., operation planning, drafting of search warrants, surveillance officers, intelligence gathering, etc.).
4. If necessary, establish a scene command post and give location to the Dane County Public Safety Communications (911 Center).
5. As soon as practical, relieve the officers directly involved in the line of duty death of any further responsibilities at the scene.
6. Identify and separate witnesses until the arrival of the lead investigator and/or other outside investigators.
7. If an outside agency lead investigator is involved, provide all necessary information to the outside agency lead investigator, and then relinquish control of the investigation to the outside agency lead investigator.

C. Duties of the Officer-in-Charge (OIC)

1. The Officer-in-Charge shall retrieve all employee paperwork completed by the deceased officer, which is maintained in the employee's personnel tab in LERMS. The OIC will review the packet for the names of any on-duty officers who are requested to be part of the Notification Team. If possible, those officers will be taken out of service and immediately assigned to the Notification Team.
2. Notify the Officer Involved Critical Incident (OICI) team commander or designee, and the Forensic Services Sergeant.
3. Notify the Chief, the Assistant Chief of Operations, and the Assistant Chief of Investigative and Specialized Services.
4. Notify Commanders of the District where the incident occurred. If the incident occurred outside of the employee's assigned district, the District Commanders of the involved employees should also be notified.
5. In the event of an Officer Involved Death or Other Critical Incident, refer to that SOP.
6. Notify the Captain of the "back-up" District where the incident occurred. For example, West District is backed up by Midtown District. In most cases, this commander will eventually become the Hospital Supervisor.
7. Contact Dane County Public Safety Communications (911 Center) Supervisor to inform on-duty officers of the status of the incident (e.g., injuries to officers and community members, or other important information). This should be done via silent dispatch, utilizing the Mobile Data Computer (MDC) and/or email, and should contain the following information:
 - a. Name of the deceased officer(s);
 - b. Name of LODD involved employee(s) and their status;
 - c. Directive to on-duty officers to refrain from any information sharing outside of MPD, including social media posting;
 - d. Advise on-duty officers it is appropriate to communicate to their own families their current status, but they should refrain from sharing any other information until authorized by a commander. It is critically important that information is not inadvertently shared with survivors.

- e. Advise personnel that they may gather at an MPD facility (such as Midtown or the MPD Training Center) for support; but they shall not assemble at the hospital. Only officers who have been directed to go to the hospital as a result of being assigned a necessary and specific law enforcement task by a supervisor should go to the hospital, and they shall check-in with the Hospital Supervisor upon arrival.
8. Notify the Madison Professional Police Officers Association (MPPOA) or Association of Madison Police Supervisors (AMPS) President, or another member of the MPPOA/AMPS board if the President is not available.
9. Notify the Peer Support Team Coordinator and deploy any on-duty Peer Support Officers to initiate the Critical Incident Stress Management protocol.
10. After formal notification to the involved officer's family has been made and in coordination with the Incident Commander, notify the department, via phone chain, followed by an email (sent to PD Group), that an MPD employee/officer was killed in the line of duty. The OIC will identify the officer by name, rank, and the location of the event, the location for all employees to assemble at if they decide to come in to work for support purposes. This email notification shall direct all employees to refrain from making social media notifications about this incident.
11. All media releases shall be cleared through the Internal Communications Commander and/or the Incident Commander. The name of the deceased employee will not be released to the media by the Department before the immediate family is notified. If the media obtains the employee's name prematurely, the Chief of Police or designee will request the name to be withheld until proper notification can be made to the survivors.

D. Duties of the Notification Team

1. It is the responsibility of the Notification Team to properly notify the next of kin of an employee who has died in the line of duty. Consideration should be given to immediate family, extended family, significant others, and relevant military branches. The deceased employee's *Emergency Notification Packet* must first be consulted. Prompt notification must be balanced with the wishes of the employee, if noted in their packet, with special consideration given to any possibility that a survivor might be able to reunite with an officer before their death. Additionally, expedience is of the utmost concern in consideration of instant social media, instant messaging, and other means in which the survivor family could learn of the tragedy before proper notification can take place.
2. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be immediately available at the time of notification.
3. Notification will be made in person and ideally never alone. At least two vehicles should be used so someone can stay with the family, if necessary.
4. Never make a death notification on the doorstep. Ask to be allowed into the residence and gather the survivors together. If the survivor is at work, the Notification Team should request that the survivor be brought to a private room. Members shall not inform the workplace supervisor of the purpose of the visit other than to indicate that it is a family emergency.
 - a. Inform survivors slowly and clearly of the information that you have.
 - b. If specifics of the incident are known, the Notification Team should relay as much information as possible to the family.
 - c. Be sure to use the deceased officer's name during the notification. Never give the family a false sense of hope. Use words such as "died" and "dead" rather than "gone away" or "passed away." Experience has shown that survivor family members want and need straightforward talk. State the facts as known. Be clear on what information is known and what is not yet known.
5. If the family requests to visit the hospital, they should be transported by police vehicle.
 - a. It is highly recommended that survivors not drive themselves to the hospital.
 - b. If the survivor insists on driving, someone should accompany them in the family car.

- c. If young children are at home, and the survivor's decision is for those children to remain at the home, the Notification Team should arrange for babysitting needs. This may involve a co-worker's family, transportation of children to a relative's home, or similar arrangements.
- ~~6. Survivors will not be discouraged from viewing the deceased.~~
- 7. Do not be overly protective of the family. This includes sharing specific information as to how the employee died, ~~as well as allowing the family time with the deceased employee.~~
- 8. Any promises, such as, "We will promote them him/her posthumously," or "We will retire their his/her badge," shall not be made to the family by any person except the Chief, and even then, strong consideration should be made to withhold such promises and actions until the emotion of the incident is under control.
- 9. Prior to departing for the hospital, the Notification Team should notify the ~~hospital staff and the~~ Hospital Supervisor (by telephone, if possible) that survivors are en route so that arrangements can be made for their arrival.
- 10. The deceased employee's parents should also be afforded the courtesy of a personal notification whenever possible and practical. Be aware of any medical problems of the parents that may exist. If immediate survivors live beyond the Dane County area:
 - a. The Notification Team will ensure that a teletype message is sent to the appropriate jurisdiction, requesting a personal notification.
 - b. The Notification Team may choose to call the other jurisdiction by telephone, in addition to the teletype (TTY) message.
 - c. Arrangements should be made through the notifying agency to facilitate a conference call with the Notification Team, so details of the incident can be relayed directly from the Notification Team to the survivor family.
- 11. During a line of duty death, the external monitoring of police frequencies may be extensive. Whenever possible, communications regarding notifications should be restricted to the telephone ~~or to encrypted channels.~~
- 12. The Notification Team should complete written details specifying the identity, time, and place of the survivor notifications.
- 13. The Notification Team should remain at the hospital while the family is present until adequately relieved by the family liaison(s).

E. Duties of the Hospital Supervisor

- ~~4.~~ 1. The Hospital Supervisor is responsible for coordinating the law enforcement activities at the hospital where the injured or deceased officer has been transported. This on-scene role should be initially filled by the first available supervisor, who may be supplemented by a commander from the back-up district of injured or deceased officer. It is essential this role is filled without delay in order to prevent significant disruption at the hospital. These responsibilities include, but are not limited to the following:
 - A. Announcing to Dispatch over the radio that they have assumed the role of Hospital Supervisor
 - B. As soon as reasonably practical, identify who from the hospital will be MPD's primary point of contact for exchange of information
 - C. Contacting the head of security to ensure patient privacy and the normal functioning of the hospital
 - D. Whenever possible, wearing a traffic vest when in this role, which helps hospital staff know who is in charge from MPD for communication purposes
 - E. Coordinating the arrival of the Notification Team with hospital staff
 - F. Coordinating with the OICI Hospital Supervisor, if applicable
 - G. Limiting the number of MPD personnel at the hospital to only those with a specifically assigned, critical law enforcement task
 - H. Redirecting MPD personnel without an assigned task to the designated place of assembly, like the MPD Training Center. Officers shall not assemble at the hospital.

2. ~~of hospital personnel, the survivor's family, Department personnel, the press, and others. This person is typically a commander from the "back up" District. It is essential this role is filled without delay in order to prevent loss of control at the hospital. These responsibilities include, but are not limited to the following:~~
 - A. ~~Family Receiving Area: Arrangements shall be made with hospital personnel to provide an appropriate, private waiting/receiving area for the family and others invited by the immediate survivors.~~
 - B. ~~Command Receiving Area: Arrangements shall be made for a separate waiting area for the Chief, Command Staff, and other Officials (if needed).~~
 - C. ~~Officer Receiving Area: Arrangements shall be made for fellow MPD officers to assemble (please note that a District Station could be designated as such).~~
 - D. ~~Press Area: Establish a press staging area.~~
 - E. ~~Ensure that the family is updated regarding the incident and the employee's condition upon their arrival at the hospital.~~
 - F. ~~Ensure that medical personnel relay pertinent information regarding an employee's condition to the family on a timely basis and before such information is released to others.~~
 - G. ~~Arrange transportation for the family back to their residence as needed. This should be coordinated with the Family Liaison.~~
 - H. ~~Hospital Security: Contact the head of hospital security to ensure patient privacy and the normal functioning of the hospital. Contemplate the need to designate officer parking protocols for the hospital.~~
 - I. ~~Coordinate with the OIC Hospital Supervisor if relevant.~~
 - J. ~~Implement a squad parking plan around hospital.~~
3. ~~If it is possible for the family to visit the critically injured officer before death, they should be afforded that opportunity. While it may be appropriate to prepare the family for what they are about to see, no attempt should be made to dissuade the family from that final visit due to worry of them witnessing trauma. Evidence is a factor that should be considered and evaluated before contact is allowed. Consideration should be given to processing for evidence a small portion of the critically injured or deceased officer's body (hands, face) so that family members may touch those areas.~~
4. 2. Do not be overly protective of the family. This includes sharing specific information as to how the employee died, ~~as well as allowing the family time with the deceased employee.~~
5. 3. Any promises, such as, "We will promote ~~them~~ ~~him/her~~ posthumously," or "We will retire ~~their~~ ~~his/her~~ badge," shall not be made to the family by any person except the Chief, and even then, strong consideration should be made to withhold such promises and actions until the emotion of the incident is under control.

F. Duties of Assistant Chief of Investigative & Specialized Services

1. Will make the request for an outside agency lead investigator, or outside agency observer. If an outside agency lead investigator is unavailable, MPD will oversee the criminal investigation and assign a lead investigator.
2. Will evaluate the need for an administrative review and/ or the need for Professional Standards & Internal Affairs (PSIA) investigation.

G. Duties of the Investigative Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and is responsible for coordinating investigative resources related to the line of duty death. This person will typically be the Captain of Investigative Services.
2. Contact Assistant Chief of Investigative & Specialized Services and notify them of the line of duty death.

3. In the event of an outside agency criminal investigation, coordinate with the investigating agency to make certain they have access to all necessary MPD resources to conduct the investigation.
4. Make investigative assignments and coordinate investigative efforts.
5. Management of investigative personnel (assignments, monitoring hours worked, etc.).
6. Managing overtime and arranging relief for investigative staff.
7. Communicate investigative updates to the Assistant Chief of Investigative & Specialized Services and the Incident Commander.
8. Designate case as "Extraordinary" for Telestaff/payroll purposes (if appropriate).

H. Duties of the Incident Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and is responsible for coordinating MPD operational resources. This person should not be in charge of any investigation related to the line of duty death. This person will typically be the Operations Captain.
2. Establish and staff a Department Command Post (CP), if necessary, to coordinate information and response to the tragedy.
3. Ensure a Hospital Supervisor has been assigned.
4. Ensure an Honor Guard Commander has been designated and the duties fulfilled.
- ~~6-~~ 5. Ensure that at least one Family Liaison Officer has been designated and the duties fulfilled.
- ~~7-~~ 6. Ensure a Staffing Commander has been designated and the duties fulfilled.
- ~~8-~~ 7. Designate an Internal Communications Commander.
- ~~9-~~ 8. In conjunction with the Honor Guard Commander, ensure the issuance of a teletype message to formally announce the line of duty death. As soon as practical, an initial TTY may be distributed with the announcement and that arrangements are pending. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered. Extreme care should be given to releasing a TTY with information that will need to be changed or withdrawn. A follow-up TTY shall include the following:
 - a) Name of deceased.
 - b) Date and time of death.
 - c) Circumstances surrounding the death.
 - d) Funeral arrangements (state if service will be private or a police funeral).
 - e) Expressions of sympathy in lieu of flowers.
 - f) Contact person and phone number for visiting departments to call to indicate their desire to attend or to obtain further information.
- ~~10-~~ 9. Direct the wearing of badge mourning bands and any other Agency memorials.

I. Duties of the Peer Support Commander of the Family Liaison Officers

1. This person will assign and oversee the Family Liaison Officer and will monitor the wellbeing of any designated Employee Designated Representative (EDR) from MPD. Typically, this person will be a lieutenant assigned to the Peer Support program. The Peer Support Commander of the Family Liaison Officers will report directly to the Incident Commander until the completion of ceremonial events related to the line of duty death; the Peer Support Commander will then report to the Commander of Support Services.
2. Designate at least one Family Liaison Officer with consideration not to designate someone so close to the survivor family that they would not be able to handle the responsibilities of this role.
3. Coordinate the schedules of the Family Liaison Officers to provide as much daily availability to survivors as possible.
4. Place the Family Liaison Officers on special assignment in order to fulfill their duties.

5. Ensure that the Family Liaison Officers have department issued cell phones and that the phone numbers are shared with the Incident Commander and the Honor Guard Commander.
6. Work with the Family Liaison Officer to coordinate Employee Assistance Program (EAP) and Critical Incident Stress Management (CISM) responses for the survivors.
7. If an MPD Employee Designated Representative (EDR) is working with survivors, monitor the wellbeing of the EDR with recognition that this is an extremely emotionally taxing role.
8. Place the Critical Incident Partner (CIP) on special assignment in order to fulfill their duties.

J. Duties of the Family Liaison Officer

1. This person is a facilitator between the survivors and the MPD. It is important that this person not be someone so close to the survivor family that they would not be able to handle the responsibilities of this role. This person(s) will report directly to a Peer Support Supervisor.
2. The Family Liaison Officer is not a decision-making position, but a “facilitator” between the survivors and the MPD. It is important that the person(s) assigned this role realize they are not to make decisions on behalf of the MPD. The Family Liaison Officer will have immediate access to the Department Incident Commander, the Honor Guard Coordinator, and the Benefits Coordinator so necessary decisions can be made immediately.
3. In conjunction with the Honor Guard Commander or their designee, assist the survivors with funeral arrangements and making them aware of what the Department can offer if they decide to have a law enforcement funeral.
4. Apprise the survivors of information concerning the death and the continuing investigation.
5. Provide as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town family members, arranging for food for the family, meeting childcare and transportation needs, etc. The Peer Support Commander should contact the MPPOA or AMPS President, or board member if the President is unavailable, to discuss and coordinate financial and other logistics associated with these needs.
6. Work with the Benefits Coordinator to obtain needed information from the family for benefit processing, as well as keeping the family apprised of the progress with the death benefits.
7. Work with the deceased officer's district command to ensure that the officer's personal property is returned to the family.
8. Work with the department coordinator regarding “Donations” to the family.
9. If no court proceedings surround the circumstances of the member's death, the Family Liaison Officer will relay all details of the incident to the family at the earliest opportunity. If criminal violations surround the death, the Family Liaison Officer will:
 - a. Inform the family of all new developments prior to press release.
 - b. Keep the family apprised of legal proceedings.
 - c. Introduce the family to the Dane County Crime Response Program and the Dane County Victim/Witness coordinator.
 - d. Arrange for investigators and prosecutor(s) to meet with the survivors, at the earliest opportunity before and following any trial, to answer all their questions.
10. The Family Liaison Officer acts as a long-term liaison with the survivors to ensure that, if desired, close contact is maintained between the MPD and the survivors and that their needs are met.

K. Role of the Employee Designated Representative (EDR)

1. This person is predetermined and of the deceased officer's choosing.

2. This person is identified when MPD commanders access your Emergency Death Information Packet (Form A), which is stored in the employee's personnel file in LERMS.
3. If an officer did not identify an Employee Designated Representative on the Emergency Notification Form, the department may appoint one if requested.
4. The Employee Designated Representative will coordinate with the Family Liaison Officer.

L. Duties of the Honor Guard Commander

1. This is the person who will oversee and coordinate the planning and implementation of all aspects of the funeral arrangements. The Honor Guard Commander will also be primarily responsible for external communications to the greater law enforcement community. This person will report directly to the Incident Commander.
2. Notify the Law Enforcement Death Response Team (LEDR). This notification can be made by contacting the Wisconsin State Patrol Regional Post, where all contact information for the LEDR Team is maintained. LEDR Team contact information is also located at www.wichiefs.org.
3. Work with the Incident Commander and the Notification Team with regard to timely release of initial information via TTY and email. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered.
4. Coordinate all movement of the deceased in a ceremonious fashion. This includes any procession from the hospital to the morgue.
5. As soon as possible, arrange for a 24-hour guard that is posted to stay with the fallen officer. While this is a function of the Honor Guard, other sworn employees of the agency can be assigned this role. This 24-hour-a-day posting should start at a minimum following the release of the deceased by the Medical Examiner.
6. As soon as feasible and practical, in conjunction with the Family Liaison Officers, meet with the survivors to determine their wishes regarding MPD participation in the preparation of the funeral or services. Any information in the employee packet shall be shared with the family at this time. The family shall be assured that the MPD is willing and able to coordinate all arrangements, but no decisions will be made without their input and approval (Should the family elect to not have a law enforcement funeral, the Chief must consider holding a Department memorial service in recognition of the need for co-workers to grieve and experience some closure to the line of duty death).
7. Work closely with the family-identified Funeral Director and Clergy to develop arrangements. Attention will be given to selecting venues that will be capable of accommodating the large law enforcement response, and in the absence of such venues, developing contingency plans, as needed.
8. In accordance with Honor Guard Policy, ceremonial aspects of the visitation and funeral arrangements will be planned by the Honor Guard Coordinator.
9. Determine what public safety, church, fraternal, and labor organizations will provide in terms of financial assistance for out-of-town family travel, food for funeral attendees following the burial, etc.
10. Evaluate the necessity of reaching out other Honor Guard resources.
11. For the funeral, if necessary:
 - a. Designate a *Logistics Lead* whose responsibilities include the following:
 - I. Arrange for adequate water/food at each venue.
 - II. Arrange for portable restrooms, if needed.
 - III. If deemed necessary, arrange for bus transportation from alternate staging/parking locations to venues.
 - IV. Responsible for copying and distribution of funeral instructions for visiting agencies.
 - V. Responsible for documenting all visiting agencies and dignitaries.
 - VI. If directed, coordinate having someone video record services and document agencies present.
 - b. Designate a *Traffic Coordinator* whose responsibilities include the following:

- I. Coordinate/Manage traffic and parking at each venue including visitation, funeral, cemetery, and any fellowship function.
- II. Collaborate with any involved jurisdictions for needed traffic control for visitation, funeral, and procession.
- III. Under direction of the Honor Guard Commander, direct the assembly of the squad and vehicle procession.
- IV. Pre-plan and designate the procession route in consultation with the Honor Guard Commander.

M. Duties of the Internal Communications Commander

1. This person will coordinate the internal communications related to the line of duty death including, but not limited to, support services updates, investigative updates, and ceremonial activities. This person will report to the Incident Commander, but will also be in regular contact with the Investigative Commander, and the Support Commander and will share and coordinate information from these branches to MPD personnel at regular intervals.
2. Coordinate timely department-wide notifications, releasing factual information with directives regarding confidentiality.
3. This person will coordinate with the Public Information Officer (PIO) regarding external communications.

N. Duties of the PIO

1. This person will be responsible for external communications regarding the incident.
2. This person must coordinate all external releases of information regarding the incident with the Internal Communications Commander.
3. The name of the decedent should be withheld until survivors are notified.
4. If the media learns the identity of the decedent prior to notifications, the PIO will request the name be withheld until proper notification can be made to the survivors.

O. Duties of the Staffing Commander

1. This person is responsible for ensuring the staffing of all critical department assignments through the conclusion of ceremonies related to the line of duty death.
2. If necessary, coordinate deployment of outside law enforcement agencies to cover functions of patrol services at the time of the funeral, if deemed necessary.
3. Coordinate extra patrol of family residence throughout all phases of the planning, visitation, and funeral.

P. Duties of the District

1. Ensure that involved personnel have had appropriate opportunities to contact family members, Union officials, and/or attorneys.
2. Coordinate with the Support Commander to ensure that EAP and trauma services have been offered.
3. Ensure that regular command updates are given to the Chief and Assistant Chief of Operations.
4. If applicable, ensure that the Significant Exposure to Blood Borne Pathogens SOP is followed.
5. Responsible for Community Care tasks.
6. Arrange for the cleaning out of the employee's workspace and/or locker, as well as the delivery of the employee's personal belongings to the family at an appropriate time. This should be coordinated through the Family Liaison Officer.

Q. Duties of the Support Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and will be primarily focused on providing support to commissioned and non-commissioned personnel. This support will come in many forms including, but not limited to, Peer Support, EAP, LEDR, and Finance (Benefits). This person will typically be the Peer Support Captain.
2. Ensure that the Wisconsin Law Enforcement Death Response (LEDR) Team has been contacted at (866)410-5337.
3. Designate a Peer Support Commander of the Family Liaison Officers.
4. Designate an Internally Focused Peer Support Supervisor and ensure that Peer Support is immediately activated.

R. Duties of the Internally Focused Peer Support Supervisor

1. This person is responsible for coordinating MPD's internal EAP, Peer Support, and CISM resources in response to a line of duty death. This assignment reports to the Support Commander.
2. Ensure that police witnesses and other employees, who may be emotionally affected by the death of another employee, will be afforded the opportunity to attend a Critical Incident Stress Management (CISM) debriefing held by a trained mental health professional (EAP).
3. Ensure that services of the LEDR Team, as well as the Department's contracted Employee Assistance Program (EAP) provider is activated immediately.
4. Coordinate all EAP, Peer Support and CISM response.
 - i. EAP responsibilities:
 1. Coordinate a CISM response for the involved officers.
 2. Coordinate a CISM response for MPD command staff.
 3. Provide grief support services for all impacted MPD employees (civilian and commissioned)
 - ii. Peer Support Responsibilities:
 1. Assist EAP staff in identifying impacted MPD personnel and coordinating CISM response.
 2. Provide a supportive presence at the Districts.
 3. Conduct follow up check-ins as requested.
 4. Provide grief support to impacted MPD personnel if/when requested.

S. Duties of the Benefits Coordinator

1. This role will typically be filled the MPD Human Resources Coordinator.
2. This person will work with benefits specialists from LEDR and Concerns of Police Survivors (COPS) to ensure every available survivor benefit is explored.
3. This person will coordinate with the Family Liaison Officer(s) to share benefits information with the appropriate survivors.
4. This person's responsibilities will continue well after the immediate event.
5. This person will report directly to the Department Support Commander.
6. This person will be responsible for the following:
 - a. Filing Workers' Compensation claims and related paperwork.
 - b. Contacting the appropriate agencies immediately to ensure that the beneficiary receives death and retirement benefits, the employee's remaining paychecks, and payment for remaining annual and compensatory time.
 - c. Gathering information on all benefit/funeral payments, to include the Federal Public Safety Officers Benefits Act that is available to the family.

- d. Notifying police organizations, such as Wisconsin Professional Police Association (WPPA), and any other fraternal organizations of which the employee was a member. These organizations may also offer financial assistance with logistical needs of the funeral services.
- e. Preparing a printout of the various benefits/funeral payments that are due to the family, listing named beneficiaries and contacts at various benefits offices and when they can expect to receive payment.
- f. Meeting with the surviving family a few days after the funeral to discuss the benefits they will receive, what has been done, as well as what has yet to be completed. A copy of the prepared printout and any other related paperwork should be given to the family at this time.
- g. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child(ren) may be receiving.
- h. Attention should be given to the revocation of health care benefits. Many providers allow a 30-day grace period before canceling or imposing monthly payments upon survivors.
- i. Continue meeting with the family until benefit applications are well underway. Then, meet with the family in four to six months to ensure they are receiving benefits.

T. Public Safety Officer Death Benefit (PSOB)

1. Public Safety Officer Death Benefit (PSOB) is a program that provides a death benefit to eligible survivors of a public safety officer whose death is the direct and proximate result of a traumatic injury sustained in the line of duty or certain work-related heart attacks or strokes. To receive a death benefit, the claimant must establish that the public safety officer died as the direct and proximate result of an injury sustained in the line of duty. Under the program, it is presumed that a public safety officer who dies from a heart attack, stroke, or vascular rupture, while engaged in, on duty after, or within 24 hours of participating in a non-routine stressful or strenuous physical law enforcement activity, or other emergency response activity, or a training exercise involving non-routine stressful or strenuous physical activity, has died in the line of duty for death benefit purposes. The PSOB program pays a one-time lump sum death benefit to eligible survivors of a public safety officer killed in the line of duty. The amount paid to the officer's survivors is the amount authorized to-be paid on the date that the officer died, not the amount authorized to-be paid on the date that the claim is approved.
2. PSOB death benefits are paid to eligible survivors in the following order:
 - a) If the officer is survived by only a spouse and no children, 100% of the death benefit goes to the spouse.
 - b) If the officer is survived by a spouse and children, 50% of the death benefit goes to the spouse and the remaining 50% is distributed equally among the officer's children.
 - c) If the officer is survived by only children and not a spouse, the death benefit is equally distributed among the officer's children. If the officer is survived by neither a spouse nor children, the death benefit is paid to the individual(s) designated by the officer in the most recently executed designation of beneficiary on file at the time of the officer's death. If the officer does not have a designation of beneficiary on file, the benefit is paid to the individual(s) designated by the officer in the most recently executed life insurance policy on file at the time of the officer's death.
 - d) If the officer is survived by neither a spouse nor eligible children and the officer does not have a life insurance policy, the death benefit is equally distributed between the officer's surviving parents.
 - e) If the officer is survived by neither a spouse, nor eligible children, nor parents, and the officer did not have a designation of beneficiary or a life insurance policy on

file at the time of ~~their~~ ~~his or her~~ death, the benefit is paid to surviving adult, non-dependent, children of the officer.

f) A death or disability benefit will not be paid:

- i. If the fatal or catastrophic injury was caused by the intentional misconduct of the public safety officer or the officer's intention to bring about ~~their~~ ~~his or her~~ death, disability, or injury;
- ii. If the public safety officer was voluntarily intoxicated at the time of ~~their~~ ~~his or her~~ fatal or catastrophic injury;
- iii. If the public safety officer was performing ~~their~~ ~~his or her~~ duties in a grossly negligent manner at the time of ~~their~~ ~~his or her~~ fatal or catastrophic injury;
- iv. If an eligible survivor's actions were a substantial contributing factor to the officer's fatal or catastrophic injury.

U. Continued Support for the Family

1. Members of the Department must remain sensitive to the needs of the survivors long after the member's death. The grief process has no timetable. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.
2. Holidays may be especially difficult for the family, particularly if small children are involved. Increase contact with the survivors, as additional support is important at these times.
3. The Chief of Police or a designee should observe the member's death date with a short note to the family, flowers on the grave, and/or wreath placement at the Wisconsin Law Enforcement Officers Memorial.

Original SOP: 05/13/2015

(Reviewed Only: 03/04/2016, 12/20/2016, 12/26/2017, 02/04/2022)

(Revised: 01/15/2019, 01/28/2020, 01/31/2023, 1/23/2024, 09/20/2024)

(Name Change and Overhaul of SOP: 01/28/2020 – previously known as Line of Duty, Life-Threatening Injury or Death of an Employee SOP)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Workforce Telestaff Requirements

Eff. Date ~~01/31/2023~~ 08/19/2024

Purpose

All members of the Madison Police Department (MPD) have the responsibility of ensuring that Workforce Telestaff accurately reflects their work time.

Procedure

Various work codes have been established in Telestaff to account for how each employee is assigned and the hours that are worked, and it is important that each employee utilizes the correct codes for the work that is performed.

When an employee takes leave time, it is the employee's responsibility to make certain that an entry is made in Telestaff prior to the close of payroll on each payroll Monday at 10 am. When an employee works overtime, the Telestaff entry should be made prior to leaving that day. The note field of the entry should include a case number, where applicable, followed by the name of the approving supervisor. If there is no case number, XX-000000 should be entered where "XX" is the last two digits of the current year, followed by the name of the approving supervisor, and then the reason for the overtime.

If an entry cannot be made at the end of the work period, the entry must be completed in Telestaff during the employee's next work shift, or in extenuating circumstances, prior to close of payroll. Employees are responsible to verify that overtime, leave time, and work hour adjustment entries on their Telestaff calendar are entered on a timely basis and accurately reflect the hours worked.

Members of the MPD are further required to update their current address and telephone listings in the Telestaff within 24 hours of returning to work after any change. This information is located in the My Info area of Telestaff. Members of the MPD are also required to notify the Chief of Police of these changes.

Exigent Leave Telestaff Procedure

The following information outlines the procedure for the use of Exigent Leave Time:

- The employee will provide at least 2 hours notice to notify the shift scheduler, shift Officer in Charge (OIC), or MPD Master Scheduler of the employee's request for an exigent personal leave day with at least 48 hours of notice. The notification will include the type of leave (vacation, comp, etc.) to be used.
- The shift scheduler, shift OIC, or MPD Master Scheduler will enter the appropriate Exigent Leave Work Code on the employee's Telestaff calendar.
- Within 72 hours of the shift, or prior to the close of payroll (whichever comes first), if no overtime is needed on the shift, the employee will notify the shift scheduler, shift OIC, or MPD Master Scheduler of the employee's request to be charged only eight (8) hours of exigent leave.
- The shift scheduler, shift OIC, or MPD Master Scheduler will verify contract conditions have been met, will reduce the exigent leave hours used from twelve (12) hours to eight (8) hours if appropriate, and will send an email to PD Payroll of the change along with the date the employee notified them of the request for reduced hours. At no time will the work code be changed from Exigent Leave to a different type of leave.

- After an exigent personal leave request has been submitted, but prior to the shift in question, the employee may request to cancel the exigent personal leave request. The employee may submit another type of leave request (vacation, comp, etc.), which will be considered in the appropriate sequence with any other leave requests.

Sick Leave Usage

For commissioned personnel, all sick leave usage should be in accordance with Article X, B of the Madison Professional Police Officers Association (MPPOA) contract, or Article IX, A of the Association of Madison Police Supervisors (AMPS) contract. For non-commissioned personnel, all sick leave usage should be in accordance with the appropriate employee handbook. Sick leave beyond three consecutive days should be utilized in conjunction with a doctor's note. Consecutive leave includes leave that encompasses regular days off.

Once an employee has submitted their intention to resign or retire from the department, sick leave cannot be used after that date (even if sick leave was pre-approved by a supervisor prior to the employee submitting their intent to depart) without a respective doctor's note.

Original SOP: 02/25/2015

(Revised: 02/12/2016, 11/04/2016, 12/11/2017, 01/15/2020, 07/12/2022, 01/31/2023, 08/19/2024)



City of Madison

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

Master

File Number: 86141

File ID: 86141

File Type: Report

Status: In Committee

Version: 1

Reference:

Controlling Body: Police Department

File Created Date : 11/18/2024

File Name: Body-Worn Camera Experiment Report: Chief Shon F. Barnes, Madison Police Department

Final Action:

Title: Report on Body-Worn Camera Experiment: Chief Shon F. Barnes, Madison Police Department

Notes:

Sponsors:

Effective Date:

Attachments: Body-Worn Camera Report.pdf

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	11/18/2024	RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER				
Action Text: This Report was RECOMMEND TO COUNCIL TO ACCEPT - REPORT OF OFFICER							

Text of Legislative File 86141

Title

Report on Body-Worn Camera Experiment: Chief Shon F. Barnes, Madison Police Department



CITY OF MADISON POLICE DEPARTMENT



INTER-DEPARTMENTAL CORRESPONDENCE

DATE: November 15, 2024

TO: Mayor and City Council

FROM: Shon F. Barnes, Chief of Police

SUBJECT: **Submission of Body-Worn Camera Experiment Report**

Attached is the Body-Worn Camera (BWC) Experiment Report as requested by the City Council. The report consists of a summary of the experiment and three appendices:

- An outside researcher's evaluation
- Cost estimate for full implementation
- BWC pilot Standard Operating Procedure (SOP)

The report reviews the 90-day experiment and found:

- No charges were added when officers reviewed video
- BWC may aid in building trust, transparency, and legitimacy as one element in a broader plan of community engagement
- Officers did not change their behavior while wearing a BWC, nor did they change the way they interacted with people
- Technology issues related to battery life and video uploading were identified early in the experiment and corrected
- An estimate for staff time to redact video was generated from the experiment and used to calculate future staffing needs.

In 2025, I will make the acquisition of BWCs a priority for the 2026 budget and will work with City Council and the Mayor's office to identify funding opportunities for the full deployment of BWCs. The City of Madison currently qualifies for non-competitive federal grant funding of approximately \$900,000, as well as other funding opportunities including private donations, private foundations, and state grants, and the opportunity to restructure or leverage contracts with vendors.

The benefit of deploying BWC greatly outweighs the costs; Madison community members will be well served to have an additional tool to record events. I look forward to working with the City Council and Mayor on this vital technology need, with the goal of deployment in 2027.

Introduction

In August 2023, Madison City Council passed a resolution authorizing the Implementation of the Body-Worn Camera Experiment Program.¹ The resolution included multiple attachments that provide a history of the body worn cameras (BWC), feasibility reports, example policy, public comments, Alder amendments, legal review, and Chief Barnes' memo requesting approval to conduct the experiment. The resolution represents a culmination of several years of effort by city residents, staff and alders.

The experiment program consisted of technology, research and cost estimates. The technology portion began April 1, 2024, and was completed July 14. The BWC units were worn by officers in the North District. The first two weeks consisted of setting up and assigning units to officers, testing, and training. The use of body worn cameras began in the field on April 15. The BWC units were loaned by MPD's existing dash camera vendor for the duration of experiment.² The research was conducted by an outside researcher; Dr. Broderick Turner at Virginia Tech. Police Director Eleazer Hunt and members of the BWC Committee met with Dr. Turner multiple times to identify needed data and survey questions.

This report includes Dr. Turner's findings (Appendix A) and a budget estimate for implementation (Appendix B). Estimates are based on full deployment of BWC across MPD, the acquisition of hardware, operations/storage needs, peripherals, personnel, and support several years of operation. During the experiment, an interim Standard Operating Procedure (SOP) guided the use of BWC (Appendix C). This SOP is informed by the Police Body-Worn Camera Feasibility Review Committee, MPD's current SOP for dash cameras and audio microphones³, and a review of model policies developed by the International Association of Chiefs of Police and the U.S. Department of Justice.

Findings from the experiment:

- 1- Officers did not change behavior while wearing a BWC
- 2- Charges were not added when officers reviewed video
- 3- Technical issues related to battery life and uploading video were evident in the first half of the experiment and resolved
- 4- Specific situational use of BWC required clarification of the SOP
- 5- The limitations of the experiment included a short duration, a small number of officers participated, there was limited time for analysis (interviews), and no post-experiment analysis
- 6- BWC may help with trust building, legitimacy, and transparency

¹ [https://madison.legistar.com/ViewReport.ashx?M=R&N=Master&GID=205&ID=6259937&GUID=23C374AE-53D0-4B67-88BD-5C7FA20EA4D3&Extra=WithText&Title=Legislation+Details+\(With+Text\)](https://madison.legistar.com/ViewReport.ashx?M=R&N=Master&GID=205&ID=6259937&GUID=23C374AE-53D0-4B67-88BD-5C7FA20EA4D3&Extra=WithText&Title=Legislation+Details+(With+Text))

² The vendor, along with other vendors, provide try-before-you-acquire programs to test and evaluate systems. This program is utilized for the pilot.

³ MPD has been using BWC for several years for SWAT and the motorcycle traffic team. These two units do not conduct routine patrol operations.

- 7- Public Records requests impacted staff time to research, redact, and provide videos to requestors.

Calendar

Based on finalizing contracts with the researcher, the vendor loaning the equipment, and refining the SOP, the calendar developed for the experiment was:

January – April.....	Contract for equipment and develop research objects and methodology to include survey instruments and data needs
April 1 – 14	Equipment installed and tested; BWC SOP training conducted
April 15	Experiment Begins; Survey of North and South District Officers begins
May 30.....	Mid experiment (45 day) survey of Officers
July 14	Use of BWC ends. Post-experiment officer survey initiated
July 15 – 17	BWC equipment collected
August 1	Case Processing checks that all North District reports are in the system
August 1	Identify budget analysis team and start costing research
August 8	Data team extracts data, reviews, and sends to Dr. Turner
September 4	Dr. Turner’s last day of interviewing officers and community members
October 4	Dr. Turner’s report finalized and submitted to MPD
October - November	Write report and finalize cost estimates
November 15	Deadline to submit City Council

Research

MPD is committed to continuous improvement using evidence-based research. MPD has a history of research, innovation, and collaboration.⁴ The importance of research is incorporated into the MPD Vision statement.⁵ Working with outside researchers, developing research methodology, and evaluating outcomes to improve service and respond to Madison resident’s needs are central components of MPD’s mission. To assist other cities and researchers with this topic, the research will be made publicly available and/or published.

Evidence-based research may utilize outside researchers partnering on specific projects. There are several benefits to these partnerships. First, an outside researcher is not associated with the organization, and they are not biased for or against the organization. Second, an outside researcher has expertise in the area as well as methodological and statistical knowledge beyond the knowledge and resources of the agency. Third, they act as an outside evaluator seeking to understand methods, data, processes and to identify gaps.

The outside researcher for the BWC experiment is Professor Broderick L. Turner, Jr. (Ph.D., MS; Marketing, Kellogg School of Management, Northwestern University). He is an Assistant Professor of Marketing at the Pamplin College of Business at Virginia Tech and a racial equity fellow at the

⁴ MPD worked closely with University of Wisconsin Law School’s Herman Goldstein in developing Problem-Oriented Policing. This research-informed crime reduction model is now used internationally.

<https://popcenter.asu.edu/>

⁵ <https://www.cityofmadison.com/police/about/mission.cfm>

Harvard Business School. He is the founder of the Technology, Race and Prejudice (TRAP) lab, which considers how racialized consumers interact with technology. His research framework has been used by multiple firms to reduce harms to minority communities. His research has been published twice in the Proceedings of the National Academy of Sciences (PNAS), Journal of Marketing, Current Opinion of Psychology, Association of Consumer Research Proceedings, American Marketing Association Proceedings, and the Behavioral Science and Policy Forum. He is the co-editor of a special issue on Artificial Intelligence at Current Opinion of Psychology. He has researched and published on the topic of body-worn cameras.

Dr. Turner in conjunction with MPD staff developed a set of research questions, methodology, and analysis tools.

Research Question:

What is the effect of BWC adoption on safety in Madison?

To consider this question, the research aimed to uncover the following:

- What is the effect of BWC adoption day-to-day on officers in terms of usage?
- What is the effect of BWC adoption on officer knowledge and beliefs?
- What is the effect of BWC adoption on community sentiment?
- What is the effect of BWC adoption on community and officer behavior?

Determining the effect of BWC adoption on day-to-day officer usage

To determine the impact of BWC on officer usage, Dr. Turner utilized the daily technology use survey. This survey was completed each day at the end of the shift for the 46 officers in the North district who are enrolled in the experiment. This survey captures self-reported problems that officers experience with the BWC, uncertainty about the SOP, and notes about interactions with the community as it relates to BWC usage. Since only officers in the North District completed this survey, Dr. Turner used a variety of descriptive statistics for each survey question and provided a summary of findings from this survey.

Determining the effect of BWC adoption on officer knowledge and beliefs

To determine the impact of BWC adoption on officer knowledge and beliefs, a collaboratively designed research instrument was used that captures officer knowledge about BWC as well as beliefs about BWC's, community, and policing. This survey instrument was provided to all officers in the North District on the first full day of the experiment (April 14, 2024), on the 45th day of the experiment, and the 90th day of the experiment. Additionally, all the officers in the South District received the same survey on the same days as the North District. The Southern District thus serves as a quasi-control group from which to compare changes between these officer groups. A repeated measures ANOVA using the responses from each time period with district (North vs. South) was applied as a fixed factor to predict each measure in the survey.

Determining the effect of BWC adoption on community sentiment

To determine the impact of BWC adoption on community sentiment, the existing SPIDR Tech survey data is used.⁶ SPIDR Tech is a survey that is sent to every community member via text or email after an interaction with the police in Madison. This survey includes questions that assess satisfaction with officers and Madison PD as a whole. To determine if the BWCs had an effect, three models were applied to compare changes in satisfaction. First, the North District was compared during the experiment to the same period in the previous year in which BWCs were not worn. A predictive model that includes officer demographics and number of calls for service was used as a control. Second, using a similar model, these satisfaction scores from the experiment in the North District were compared to the other districts in Madison that are not in the experiment. Third, Dr. Turner compared the previous 90 days before the experiment in the North District to the 90-day experiment period.

Determining the effect of BWC adoption on community and officer behavior

To determine the impact of BWC adoption on community and officer behavior, the following data was used:

- Number of calls for service
- Number of reports written
- Number of citations and charges
- Type of calls for service
- Type of charges and citations

Using the analytical model from the previous section, this experiment determined if BWC had an effect on the North District during the experiment and the same time-period in the previous year in which BWC were not worn. Second, it compared each of these data sets during the experiment in the North District to the other districts in Madison that are not in the experiment. Finally, the experiment compared the previous 90 days before the experiment in the North District to the 90-day experiment period.

The data used for analysis and provided to Dr. Turner included:

- Daily technology usage survey data.
- The officer knowledge and beliefs survey conducted pre, during, and post the experiment period.
- All survey data from April 1, 2023 – August 10, 2024.
- Access to data related to city-wide 9-1-1 calls, incidents, citations, charges and reports from January 1, 2023 – August 10, 2024.

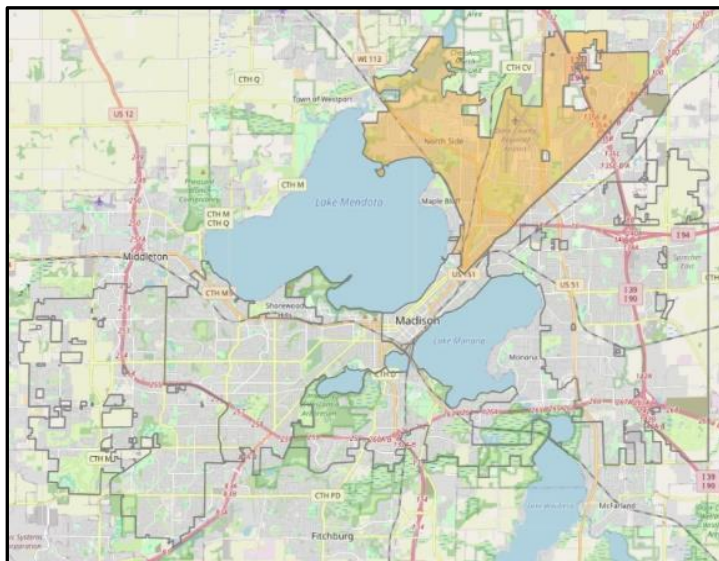
In addition to the data, time was provided to meet with community members and officers for interviews.

⁶ It has been in use for two years by MPD. For an example report:

<https://www.cityofmadison.com/police/documents/QuarterlyDigestJulSep2024.pdf>

Body Worn Camera Implementation and Deployment

BWC units were deployed in the North District (see Map 1). A single unit was assigned to each of the 41 patrol officers and sergeants.⁷ Officers had the opportunity to try different mounting options during the experiment. A room was setup with a computer and docking stations to upload the video, recharge the units and label videos. Each unit has a replaceable battery and extra batteries were provided. A phone application (app) was available for officers to review or label video clips.



Map1: North District

Officer daily process during the experiment:

- 1- Retrieve unit, check battery charge, and test
- 2- Attach to uniform (see Figures 1 and 2)
- 3- Throughout shift, activate the unit as guided by policy
- 4- By end of shift, digitally label each video clip with the case number
- 5- Dock the unit in the charger and validate the videos are uploading (see Figures 3 and 4)
- 6- Complete the online survey at end of shift

⁷ One officer resigned from the agency part way through the pilot study.



Figure 1 BWC Attached to Uniform



Figure 1 BWC Mounting Options



Figure 3 Docking Stations and Cameras



Figure 3 Camera in Docking Station

During the experiment, North District officers occasionally responded to answer 9-1-1 calls, assisted other officers, and responded as part of a special team outside of the North District. Conversely, officers from the five other districts may have assisted in the north district. When doing so, the North District officers continued to use their BWC. This occurred very infrequently, however, and had minimal impact on the data collected.

Information from the Daily Survey

The daily survey provided feedback on technology, use, and interactions with people. The total number of entries at the conclusion of the experiment totaled 896.

During the time range of the experiment, North Officers and Sergeants were dispatched to 9,579 emergency and non-emergency 911 calls for service and self-initiated on 1,059 calls; this totaled

10,638 calls.⁸ The daily survey summarizes the number of calls assigned to an officer each day. Table 1 only lists the categories with 100 or more calls and does not, therefore, total 10,638.

Table 1: 100 or more 9-1-1 per Category

9-1-1 Call Category	Dispatched	Self-Initiated	Total
Check Person	954	2	956
Stratified Policing	124	760	884
Check Property	695	52	747
Disturbance	740		740
Assist Citizen	450	2	452
Domestic Disturbance	452		452
Assist EMS/Fire	353		353
Information	317	2	319
Traffic Stop	296		296
Noise Complaint	274		274
911 Call Unintentional	266		266
Disturbance Unwanted Person	246		246
Phone Call	240	1	241
Safety Hazard	238		238
Assist Police	216	4	220
Attempt To Locate Person	212		212
Problem Solving Property	3	204	207
Follow-Up	202		202
911 Abandoned Call	188		188
Alarm	178		178
Preserve the Peace	143		143
911 Disconnect	142		142
911 Call Silent	138		138
Threats Complaint	136		136
Suspicious Vehicle	124	4	128
Accident Property Damage	118		118
Weapons Offense	117		117
Trespass	110		110
Suspicious Person	105		105
Adult Arrested Person	100	4	104
Theft	101		101

Technology

The experiment used two questions on the survey to assess the reliability of the BWC technology - specifically whether the officers were experiencing malfunctions. 94% of the respondents identified that no malfunction occurred while using the unit. 52 respondents did have reliability issues related to the BWC units' batteries/charging, mounting/the unit fell off their uniform, accessibility of locating the correct button(s), uploading video, or "other." The largest percentage of the equipment malfunctions was related to the units falling off. This occurred primarily with

⁸ There are over 100 categories of 9-1-1 call types, from accident to weapons, officers respond to.

magnetic mounts, when officers switched to another mount type these malfunctions no longer occurred.

Battery/Charging and uploading video malfunctions also occurred with a greater frequency at the beginning of the experiment. Working with the vendor, City Information Technology and MPD Information Management and Technology made several technical changes that reduced these issues. For example, it was determined that a continuous Bluetooth connection to a smartphone reduced battery life to less than eight hours. In response officers were encouraged to disconnect from the BWC app when it was not being actively used.

Did a malfunction occur while on-duty?		
Answer Choices	Percent	Count
Yes	5.83%	52
No	94.17%	840
	Answered	892
	Skipped	4

If a malfunction occurred, was it related to any of the following:		
Answer Choices	Percent	Count
Battery/Charging	23.40%	11
Mounting/Fell off Uniform	34.04%	16
Accessibility (locating and using buttons)	19.15%	9
Uploading Video	27.66%	13
Other - provide a brief explanation		37
	Answered	47
	Skipped	849

Officer Observation: *Just FYI- using the app, at the end of my 8 Hour shift, I had only 5% battery left, today, I used the app, but disconnected it while I was not actively tagging and after 9 Hours, I had 15% battery left, seems a good option.*

Officer Observation: *Video uploading took me past my 42 [end of shift] for a late call that was an arrest/priority. Took 30+minutes to upload 3 videos.*

Officer Observation: *Battery did not last 12 hour shift.*

Interacting with the Public and Reporting

The SOP created for the BWC experiment included several areas regarding the operation of BWCs while interacting with the public (Appendix C). This included privacy, complying with requests from the public, when and when not to record, and muting while recording.

During the experiment when officers interacted with the public there were seldom instances when a victim, witness, or community member asked an officer to turn off the BWC. These amounted to less than one percent of interactions and officers complied with these requests.

During the experiment, video was reviewed 88 times (10%) prior to writing a report. Officers did not rely on video review to assist with reporting.

Was the body-worn camera reviewed to assist in crafting your police report?		
Answer Choices	Percentage	Count
Yes	9.94%	88
No	90.06%	797
		88
	Answered	885
	Skipped	11

One survey question asked if charges were added after review of the BWC by the officer or sergeant. In the 88 instances of review, no charges were added.

Officer Observation: *Due to the chaos of the call, when I got to interviewing students, I took limited or no notes, due to kids talking fast and to make it seem more conversational, and hopefully get more info that way. I confirmed my camera was recording, and was able to fully capture what they were saying, and used the video to help in my report. This helped the interview go faster as I was not pausing to write notes. My report took longer due to this, but was more accurate and saved time on-scene.*

Officer Observation: *Subject was arrested [sic] 15k in his pockets, and BWC gave me peace of mind that if he tries [sic] to say we stole it, that our cameras would say otherwise. He inevitably reported that there was supposed to be 16k there when the jail counted it.*

Muting

BWC video continues recording even when the audio is muted. During the experiment, audio was muted for some duration 413 times (46%) during calls for service. Muting may occur while officers are listening to the radio where the information is not related to the event they are supporting, discussing investigations, conferring with a supervisor, or at a medical facility. There is utility in muting as it saves staff time during the redaction process when audio and video is reviewed and

redacted to comply with Wisconsin open records law. There were no indicators of misuse of the muting option on the BWC's during the experiment.

Standard Operating Procedures and BWC use

Training on the SOP for north district officers was conducted prior to the start of the experiment. As with deploying any new technology or changing procedures, clarification in use may be necessary. This is no different with the experiment. The SOP identifies situations where the camera should be turned off to respect privacy or as requested. One question on the daily survey asked officers if they were unsure whether to keep the BWC recording. 82 times officers indicated they were unsure whether to keep recording. The areas of concern related to: hospitals, nudity, medical events, jail, transporting subjects, or standing on a perimeter at an event.

At any time during the shift were you unsure whether you needed to keep the camera on?		
Answer Choices	Percentage	Count
Yes	9.24%	82
No	90.76%	805
Comments		32
	Answered	887
	Skipped	9

Officer Observation: *Some confusion about use in ER with permission from victim, witnesses. Interviews with subjects were recorded with consent while in emergency rooms - uncertain if this applies to medical staff on ER floor (not specifically in a room)*

Officer Observation: *After an arrest and subject transported to jail in another officer's squad. Wasn't sure I needed to keep my camera recording while en route to jail if I don't have an arrestee in my squad.*

Over the course of the experiment, clarifications were provided to Officers. By late June no additional comments or questions regarding SOP and use were received.

Public Records Requests and Redaction Process

The BWC experiment provides the opportunity to evaluate public interest in viewing the videos through public records requests and additionally, to evaluate redaction capabilities of the video management software. Included as part of the experiment, uploading, storage, and redaction of

videos was trialed. The original and complete video files were saved to the vendor cloud and protected from deletion or editing⁹. Only a copy of the file can be redacted using software tools.

Between April 1, 2024 and October 1, 2024, the public records team received 321 requests for video searches: inclusive of all districts. The timeframe is inclusive of the experiment and several months after the conclusion of the experiment, when requests may occur. Public records requests may continue to be received, there is no time limit to request video.

Of these 321 requests 207 were requests for body camera recordings, excluding dash camera and CCTV records. Every request required staff time to research and locate appropriate files. On average the time per search is roughly 20 minutes per request. This means that staff spent roughly 70 hours searching for videos associated with these requests. This step of the process is completed by a team of 5 Information Clerks.

The redaction process for body cameras is like the redaction process used for dash camera recordings. The Records Team reviews recordings in real time to identify either audio or visual parts of the recording that need to be withheld from release. These items include (but are not limited to) juvenile information, personally identifiable information (addresses, phone numbers, financial information), medical information or images, and unsubstantiated allegations of a crime.

In the BWC software system, videos are tagged with a case number. Records staff search for video using the associated case number. One call can have multiple video recordings depending on the number of officers involved in the call and the length of the call. Once videos are identified, they can be viewed in the BWC system. If redactions are needed, the videos are moved to a special redaction server within the system. Redactions are applied to this copy of the video. The software has tools for masking video (black boxes) or muting audio. This process can be time consuming as staff often need to rewatch the same section of video repeatably to make sure that the redactions have been applied correctly.

In some ways, BWC are very different from dash cameras. Public Records staff have noticed that officers often capture images of a community member's identification card. Another difference is the amount of graphic injury that is captured on film. Dash cameras are stationary and are often at some distance from the events. Body cameras are much closer to the interactions as they happen.

Officer Observation: Subject reported that we planted drugs, and when I pointed out the camera, she reported that she did not know that, and that she does not think now that we planted evidence, and if she had noticed the camera would not have alleged that.

Of the 207 requests 141 of them either resulted in no relevant records (NRR) or the request was a duplicate or withdrawn at some point in the process by the requestor.

⁹ These files will be retained in accordance with Wisconsin Public Records law and City of Madison records retention policy.

Of the remaining 66 requests, four (4) video requests were released in their full unredacted form, 30 video requests required redactions, 15 video requests were denied in accordance with Wisconsin public records laws, and 17 were still in the review process as of October 20th.

Of the 66 requests that went through the review process at least 34 of these requests were viewed in real time – if the video was twenty minutes in length, it was viewed for twenty minutes - to see if redactions were needed. 30 of these requests required redactions. These redactions required the real time viewing of 85 hours of video. When the redaction and administrative time is considered, the redactions require more than 180 hours of staff time. This work is done by a team of four (4) program assistants and the redactions are applied by two (2) lab technicians. This works out to approximately six (6) hours of staff time per request. The inclusion of BWC as a public record has an impact on staff and processing time.

Summary

Research in the use and application of BWC has been occurring at the national level for two decades. Research literature and reports on the topic are abundant.¹⁰ This experiment was developed to answer questions raised by the Madison City Council, residents, and the Police Body-Worn Camera Feasibility Review Committee. MPD takes the concerns and interests of residents seriously. The research question and methodology were designed to understand the affect BWC have on officers and their interactions with people.

With research it is important to identify limitations. The limitations of the experiment are the short duration (90 days), small number of officers (42), evaluation within only one district (North), and the short time to complete the research and analysis and write the report¹¹. This limited the amount of time to complete interviews and further analyze data. There was no opportunity to conduct post-experiment analysis (additional surveys and post experiment data tracking and analysis).¹²

Even with limitations there are several findings.

First, the effect of BWC on safety in Madison based on the research indicates officers carried out their duties without changing behaviors. This may be due to the fact officers currently wear audio recording devices and have dash cameras in patrol vehicles, so the transition to wearing BWCs was not completely new.

¹⁰ For example see: <https://www.justice.gov/iso/opa/resources/472014912134715246869.pdf> or <https://www.urban.org/urban-wire/what-can-policymakers-expect-body-worn-cameras-law-enforcement-after-decade-use> or https://nij.ojp.gov/topics/articles/research-body-worn-cameras-and-law-enforcement?utm_source=google&utm_medium=cpc&utm_campaign=2024search-nij&utm_term=policy%20body%20cameras&utm_content=bodyworncameras&gad_source=1&gclid=EAlaQobChMlufnDis3AiQMvYDcIBR0vWBdvEAMyASAAEgIOr_D_BwE or https://icma.org/articles/pm-magazine/pm-article-body-worn-police-cameras-separating-fact-fiction?gad_source=1&gclid=EAlaQobChMlufnDis3AiQMvYDcIBR0vWBdvEAMyAIAAEgIByfD_BwE or <https://www.tandfonline.com/doi/full/10.1080/15614263.2024.2328664#abstract>

¹¹ The pilot ended on July 14th and the report submitted on November 15th.

¹² Outside of this report there is the opportunity to conduct follow-up research and publish the findings.

Second, when officers or sergeants reviewed video additional charges were not added. Again, this may be due to audio and dash camera technology in place, as well as report writing procedures and training.

Third, technical issues related to battery life and uploading time were addressed and corrected during the experiment. These issues did not significantly impact use by officers. At worse, they were a source of frustration.

Fourth, with existing audio and dash cameras officers currently record sensitive information. The BWC extends this by recording video. Officers expressed concern over privacy and how the SOP guided use at hospital and private home locations.¹³

Fifth, BWC may aid in furthering trust building and providing transparency. Existing audio and dash camera records are accessible via open records requests, they are used to investigate complaints, and by the District Attorney for court proceedings. Trust building and transparency is more than technology; it is built on community engagement, conversations, and understanding the needs of people we serve. MPD does not see BWC as a panacea. Rather BWC should be seen as one element of engagement.

Sixth, the experiment demonstrated an increased workload on Public Records staff to respond to records requests. The estimate of 180 hours of time to process requests reflects only 90 days and one District. Extrapolating this value across a year and for all six districts the time totals to approximately two full time positions. This does not include other needed supporting positions (video forensic specialists or information technology).

Officer Observation: Still absolutely love these things. Literally everyone I've talked to does not want to turn these back in. We'd rather keep them. It's so beneficial in today's policing to have these on every single patrol officer. These are an absolute need for the department and should be the first big purchase the department makes next

Acknowledgements

This report is the result of many people being vested, involved, and contributing; too many to name individually. First, the officers who participated in the experiment by testing the BWC, participating in surveys, and agreeing to be interviewed. Second, members of the BWC steering committee who developed the SOP, participated in research and writing, and developing the cost estimate. Third, Dr. Turner. Fourth, City Council for facilitating the experiment. Fifth, the residents of Madison and

¹³ All SOPs with MPD are systematically reviewed and necessary updating and clarifications made. The BWC SOP would be included in this process. The quarterly report to City Council includes those SOPs that have undergone review and updating during the quarter. If BWCs are adopted in the future, the SOP would be reviewed to address concerns brought forth during the pilot

members of the Police Body-Worn Camera Feasibility Review Committee who are vested in ensuring the technology is evaluated. Thank you.

Appendices

Appendix A: Dr. Turner's report. This report refers to the BWC experiment as a pilot.

Appendix B: Cost Estimate

Appendix C: BWC SOP

Appendix A¹⁴

¹⁴ Note the report was converted from a PDF to a Word document to merge into this report. There are minor formatting changes due to the conversion. The original PDF is available upon request. The page numbers of the report's table of contents do not align with the page number of the full report.

MADISON POLICE DEPARTMENT BODY-WORN CAMERA PILOT

Research and Analysis

Turner, Broderick

Broderick.turner@gmail.com

Table of Contents

<i>Research Summary.....</i>	<i>17</i>
<i>Brief Overview of BWC's and their effects on community and officers.....</i>	<i>17</i>
<i>BWC Pilot Design</i>	<i>18</i>
<i>Data Overview.....</i>	<i>19</i>
<i>Officer Beliefs.....</i>	<i>19</i>
Method	19
Results and Discussion	20
<i>Community Beliefs.....</i>	<i>22</i>
Method	22
Results and Discussion	23
<i>Officer-Community Interaction.....</i>	<i>28</i>
Method	28
Results	29
<i>Qualitative Report.....</i>	<i>31</i>
<i>Limitations and Conclusions.....</i>	<i>32</i>

Research Summary

The following research was prepared by Broderick L. Turner, Ph.D. under a contract with the Madison Police Department. All analysis was done by Broderick L. Turner, Ph.D. independently on data provided by the Madison Police Department in accordance with their data policies unless otherwise noted. The following report is the culmination of more than 18 months of work between Broderick L. Turner, Ph.D. and the Madison Police Department. Broderick Turner, Ph.D. and the Madison Police Department co-designed the BWC pilot over six consultation meetings of one hour each, and travel to Madison twice during the period.

The goal of this research report is to uncover the effect of the Body Worn Camera pilot conducted in Madison's North district from April 1, 2024, till June 30, 2024. In particular, this report aims to isolate if the introduction of Body Worn Cameras (BWC) to patrol officers in Madison's North district has an effect on 1) officer knowledge and beliefs about BWC, 2) community attitudes and beliefs towards the Madison Police Department and BWC, 3) officer and community interactions.

Overall, this research uncovers that the introduction of BWC in the North district does improve officer knowledge about BWC but has limited effect on their beliefs and attitudes about BWC. Second, from post-police interaction surveys, this research finds that there is negligible change to community attitudes and beliefs towards the Madison Police Department due to the pilot. However, focus groups with community members in the North district do reveal that community members have privacy concerns about BWC. Third, in exploring data on cases, arrests, and citations, this research finds that the BWC pilot has no detectable effect on these metrics.

In the following sections this report covers a brief overview of previous BWC research and their effects on community and officers. Next, it goes over the research design. Third, it outlines the available data for analysis. Fourth, provides analysis and interpretations of these data. Fifth, it provides an overview of the qualitative data collected during the pilot. Finally, it provides limitations and considerations for future research.

Brief Overview of BWC's and their effects on community and officers

There is a host of research that has examined the effectiveness of body-worn cameras from a variety of dimensions. This includes the effect of BWC on policing outcomes, which includes measuring changes in use of force, civilian complaints, and officer attitudes¹⁵. The largest study included a large-scale field experiment with more than two-thousand officers over a seven-month period and found that officers randomly assigned to receive body worn cameras or not did not significantly impact police behavior. Researchers have also measured body worn camera effects on citizen perception of officers and their views on privacy. The largest review to date found across 70 empirical papers that BWCs have not had "statistically significant or consistent effects on most measures of officer and citizen behavior or citizens' views of police."¹⁶

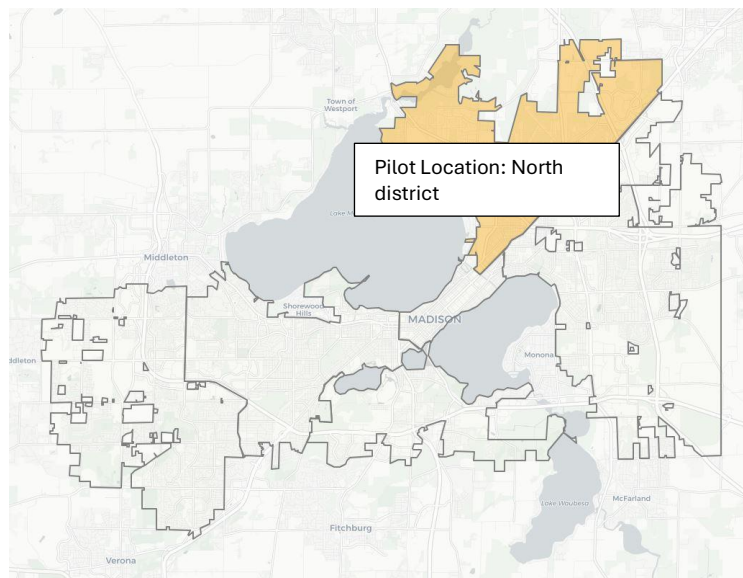
¹⁵ Yokum, D., Ravishankar, A., & Coppock, A. (2019). A randomized control trial evaluating the effects of police body-worn cameras. *Proceedings of the National Academy of Sciences*, 116(21), 10329-10332.

¹⁶ Lum, C., Stoltz, M., Koper, C. S., & Scherer, J. A. (2019). Research on body-worn cameras: What we know, what we need to know. *Criminology & public policy*, 18(1), 93-118.

Experimentally, there is research to suggest that having access to video footage increases the likelihood that officers are held accountable for negative actions¹⁷. However, the type of footage matters, as it is possible that the limited angle of BWC may obscure an officer's body¹⁸. Regardless, the work on body cams and their impact on communities cannot be generalized from community to community. Thus, it was appropriate for Madison to consider how BWC might impact their community.

BWC Pilot Design

The BWC Pilot took place in Madison's North district. The North district covers the Northeast side of Madison and includes Madison College, Warner Park, East High School, and the Dane County Airport. Boundaries of the district are River Rd and Cherokee Wildlife Area to the North, E. Washington Ave (HWY 151) to the South, Lake Mendota, Village of Maple Bluff, and Yahara River to the West, and Anderson Rd and Hoepker Rd to the East. It includes the neighborhoods of Sherman, Brentwood Oaks, Mayfair Park, Carpenter Ridgeway, and Eken Park, among others, is reflective of both the current and growing diversity of Madison. In terms of racial demographics, the North district is 59.9% White, 15.6% Black, 9.4% Hispanic, and 5% Asian. Given the racial and ethnic diversity in the North district, it was chosen as the pilot district as it allows the opportunity to consider if the BWC pilot affects a multiply racialized community. The pilot lasted 90 days starting on April 1, 2024. In total, 41 officers from the North district participated. No new officers joined the North district from other districts or left the North district for other districts during this pilot. This lack of movement is important, as it better allows the research team to isolate any effect of introducing BWC's.



¹⁷ Turner, B. L. (2020). *The Hierarchical Impact of Visual Perspective on Intentionality* (Doctoral dissertation, Northwestern University).

¹⁸ Turner, B. L., Caruso, E. M., Dilich, M. A., & Roese, N. J. (2019). Body camera footage leads to lower judgments of intent than dash camera footage. *Proceedings of the National Academy of Sciences*, 116(4), 1201-1206.

Figure 1. The North district, highlighted in yellow, was chosen as the BWC pilot district.

Data Overview

The following data was provided by the Madison Police Department for analysis in relation to the BWC pilot.

- 1) **Officer Beliefs:** During this BWC pilot participating officers from the North district responded to three surveys about their knowledge and beliefs about BWC. These surveys were provided at the start of the pilot on April 11, 2024, the mid-point of the pilot on May 30, 2024, and after the completion of the pilot on July 15, 2024. To provide a comparison group to isolate the effect of the BWC pilot, officers from the South district were also provided the same survey on these same dates. The South district was chosen as the comparison group as it is the most similar to the North district in terms of geography and demographics¹⁹.
- 2) **Community Beliefs:** Data was provided from the Victim Acknowledgment Message (VAM) Survey. These messages are sent by community engagement research firm, Versaterm SPIDR Tech²⁰ as a text message with survey link 3 days after a police-community member interaction. The analyzed data included survey responses from January 1, 2024, until September 7, 2024, covering 90 days before the pilot, and 69 days after the pilot was complete.
- 3) **Officer-Community Interactions:** Data was provided for the daily arrests, citations, and cases from all districts in Madison from January 1, 2024, till August 28, 2024.
- 4) **Qualitative Officer-Community Beliefs:** Two focus groups were conducted with 5 community members from Madison at the beginning of the pilot on April 18, 2024, and after the completion of the pilot on August 9, 2024. In addition, two one-on-one in-depth interviews with police officers from North district regarding the pilot program on body worn cameras were conducted on August 9, 2024, and August 13, 2024. These officers were selected from several officers who volunteered to be interviewed. The names of the officers selected were not shared with MDP to ensure their anonymity.

Officer Beliefs

Method

A total of 38 officers in the North district and 27 Officers in the South districts participated in this survey. They were provided a survey via their email on three dates, April 11, 2024, May 30, 2024, and July 15, 2024. Participants indicated how knowledgeable they were about BWC (Knowledge; How knowledgeable are you on the use of BWC by police? 1 = Not at all knowledgeable, 2 = Slightly knowledgeable, 3 = Moderately knowledgeable, 4 = Very knowledgeable, 5 = Extremely knowledgeable), and their beliefs about the usefulness of BWC (i.e., BWC are a useful tool for policing), their beliefs about BWC in terms of accountability (Accountability; i.e., BWC improve accountability for police), their beliefs about BWC in terms of improving officer safety (Officer Safety; i.e., BWC improve officer safety), their beliefs about BWC in terms of improving community safety (Community Safety; i.e., BWC improve officer community safety) and beliefs about BWC in terms of changing their behavior as an officer (Behavior Change; i.e., BWC will change my behavior while doing my job). Each of these five measures was measured on a Likert agreement scale (i.e.,

¹⁹ The South District covers the South side of Madison and includes Madison College south, Penn Park, Alliant Energy Center, Veterans Memorial Coliseum, and UW Arboretum. Boundaries of the district are to Lake Wingra and Haywood Dr to the North, Libby Rd and Post Rd to the south, Manitou Way and Seminole Hwy to the West, and Lake Monona and Lake Waubesa to the east. In terms of racial demographics, the North district is 46.7% White, 10.6% Black, 24.5% Hispanic, and 4.2% Asian.

²⁰ <https://www.versaterm.com/spidr-tech>

How much do you agree with the following statements using a scale of 1-5; 1 = Strongly disagree; 2 = Disagree; 3 = Neither disagree or agree; 4 = Agree; 5 = Strongly Agree). For ease of interpretability, all measures were analyzed as continuous.

Results and Discussion

For each measure we conducted an ANOVA with time of survey as a fixed factor (Early, During, Post), district as a fixed factor (North, South) and their interaction predicting each variable (i.e., Knowledge, Usefulness, Accountability, Officer Safety, Community Safety, Behavior Change). Only officer knowledge had a significant interaction ($F(2, 149) = 5.178, p = 0.0067$). In particular, there was no difference in reported BWC knowledge in the South district, ($M_{\text{early}} = 2.56, SD = 0.801, M_{\text{during}} = 2.15, SD = 0.555, M_{\text{post}} = 2.45, SD = 0.887, p_s = N.S.$). However, in the North district, each survey resulted in a higher report of BWC knowledge ($(M_{\text{early}} = 2.87, SD = 0.935, M_{\text{during}} = 3.29, SD = 0.713, M_{\text{post}} = 3.66, SD = 0.721)$), such that those officers in the final survey reported a significant gain in BWC knowledge (TukeyHSD, $\text{diff} = 0.787, p = 0.001$). Given the usage of BWCs in the North District, an increase in BWC knowledge compared to the South district, which was not assigned BWCs, should be expected. Overall, these results suggest that the BWC pilot increased officer knowledge of BWC but did not impact their other beliefs about BWC (Usefulness, Accountability, Officer Safety, Community Safety, Behavior Change).

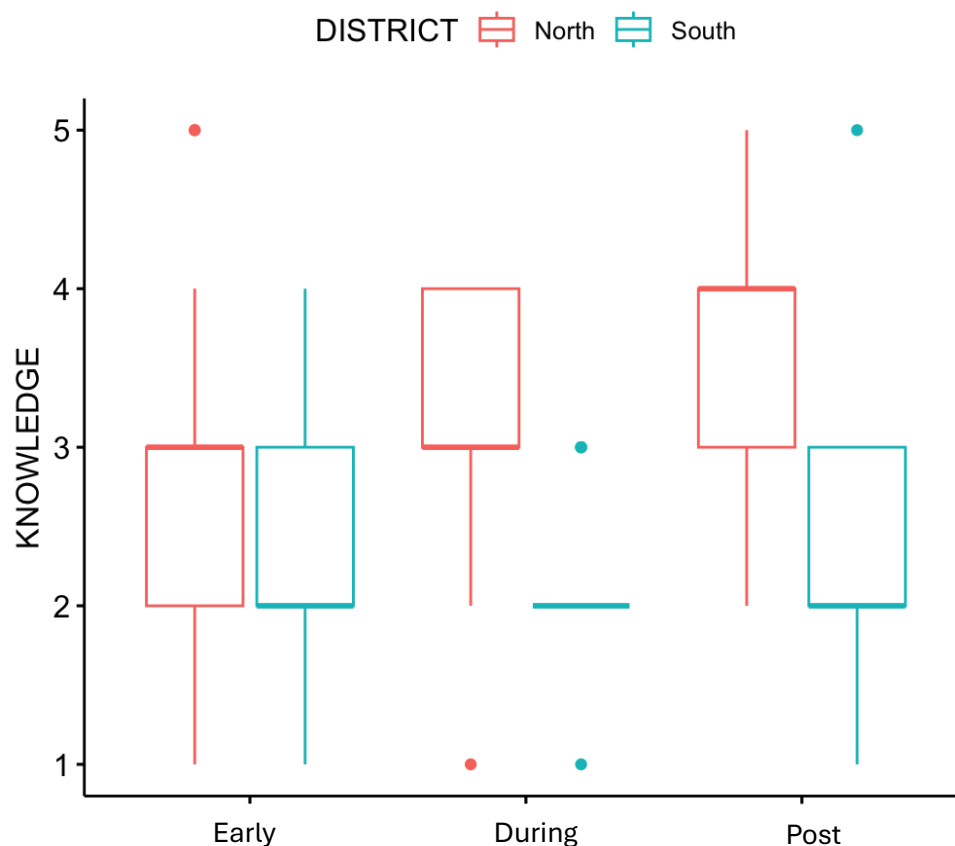


Figure 2. Box and Whisker Plot of change in BWC knowledge by district and time

Table 1A – E, North vs. South District Officer BWC Beliefs

A. Knowledge

	N	early(M)	SD	N	during(M)	SD	N	post(M)	SD
NORTH	38	2.87	0.935	28	3.29	0.713	29	3.66	0.721
SOUTH	27	2.56	0.801	13	2.15	0.555	20	2.45	0.887

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT						
(a)	1	23.43	23.432	36.4	1.22E-08	***
TIME (b)	2	5.05	2.527	3.926	0.0218	*
a X b	2	6.67	3.333	5.178	0.0067	**
Residuals	149	95.92	0.644			

B. Usefulness

	N	early(M)	SD	N	during(M)	SD	N	post(M)	SD
NORTH	38	4.58	0.919	28	4.68	0.612	29	4.69	0.891
SOUTH	27	4.56	0.751	13	4.38	0.65	20	4.4	1.1

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT						
(a)	1	1.19	1.1853	1.674	0.198	N.S.
TIME (b)	2	0	0.0007	0.001	0.999	N.S.
a X b	2	0.67	0.3349	0.473	0.624	N.S.
Residuals	150	106.22	0.7081			

C. Accountability

	N	early(M)	SD	N	during(M)	SD	N	post(M)	SD
NORTH	38	4.29	1.06	28	4	1.16	29	3.83	1.39
SOUTH	27	4.22	1.05	13	3.85	1.14	20	4.05	1.19

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT						
(a)	1	0	0.004	0.003	0.957	N.S.
TIME (b)	2	3.87	1.9349	1.421	0.245	N.S.
a X b	2	0.97	0.4875	0.358	0.7	N.S.
Residuals	150	204.23	1.3615			

D. Officer Safety

	N	early(M)	SD	N	during(M)	SD	N	post(M)	SD
NORTH	38	3.55	1.31	28	3.57	1.23	29	3.52	1.4
SOUTH	27	3.82	1.36	13	3.62	1.04	20	4	1.17

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT						
(a)	1	2.71	2.7083	1.634	0.203	N.S.
TIME (b)	2	0.13	0.0633	0.038	0.963	N.S.
a X b	2	1.22	0.6085	0.367	0.693	N.S.
Residuals	150	248.61	1.6574			

E. Community Safety

	N	early(M)	SD	N	during(M)	SD	N	post(M)	SD
NORTH	38	3.47	1.41	28	3.36	1.25	29	3.48	1.33
SOUTH	27	3.7	1.38	13	3.38	1.39	20	3.85	1.23

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT						
(a)	1	2.23	2.2314	1.256	0.264	N.S.
TIME (b)	2	1.54	0.7687	0.433	0.65	N.S.
a X b	2	0.55	0.2738	0.154	0.857	N.S.
Residuals	150	266.52	1.7768			

Note: Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1 N.S. = non-significant

Community Beliefs

Method

Data was provided from the Victim Acknowledgment Message (VAM) Survey. These messages are sent by community engagement research firm, Versaterm SPIDR Tech as a text message with survey link 3 days after a police-community member interaction. The analyzed data included survey responses from January 1, 2024, until September 7, 2024, covering 90 days before the pilot, and 69 days after the pilot was complete. In total, 2633 messages were sent in this time period. 513 individuals started the survey, and 19% of the total completed the survey.

Participants indicated their overall satisfaction (Satisfaction, i.e., How satisfied are you overall with the Madison Police Department?; 1 = Very dissatisfied, 2 = Dissatisfied, 3 = Neither satisfied nor dissatisfied, 4 = Satisfied, 5 = Very Satisfied), and their satisfaction with the department's professionalism (Professionalism; i.e., How satisfied were you with the professionalism of the Madison Police Department personnel that you interacted with?; 1 = Very dissatisfied, 2 = Dissatisfied, 3 = Neither satisfied nor dissatisfied, 4 = Satisfied, 5 = Very Satisfied).

Participants responded to an agreement scale (Please indicate if you agree with the following statement; 1 = Almost never, 2 = Some of the time, 3 = Most of the time) for items that considered the department's fairness (i.e., Officers in the Madison Police Department treat people fairly), community concern (i.e., Officers in the Madison Police Department show concern for community members), respectfulness (i.e.,

Officers in the Madison Police Department are respectful), and responsiveness (i.e., Officers in the Madison Police Department are responsive to the concerns of the community), and trust (i.e, I trust the Madison police department).

Participants also responded to their perception of safety (Safety Perceptions i.e., How safe do you feel living / being in the city of Madison?, 1 = Not Safe at All, 2 = Not Safe, 3 = Neither Safe or Unsafe, 4 = Safe, 5 = Extremely Safe), their worry about violent crime (i.e., How worried are you with violent crime (batteries, guns, robberies, sexual assaults) in your neighborhood?) and property crime (How worried are you with property crime (burglaries, stolen cars, theft from autos) in your neighborhood?; 1 = Not worried at all, 2 = Somewhat worried, 3 = Very worried).

Participants also indicated whether or not the officer explained themselves (Explain, i.e., The officer sufficiently explained his or her actions and procedures, 1 = Agree, 0 = Disagree); and if the correspondence was helpful (Helpfulness, i.e., Did you find the electronic correspondence sent by the Madison Police Department helpful?, 1 = Yes, 0 = No). For ease of interpretability, all measures were analyzed as continuous.

Results and Discussion

For each measure we conducted an ANOVA with time of survey as a fixed factor (Before the Pilot, During the Pilot, After the Pilot), district as a fixed factor (North as the treatment district, and all other districts as the control) and their interaction predicting each variable (i.e., Satisfaction, Professionalism, Fairness, Community Concern, Respectfulness, Responsiveness, Trust, Safety Perceptions, Worry about Property Crime, Worry about Violent Crime, Explain, Helpfulness). If the BWC pilot had an effect on any of these community belief variables one would expect that there is an interaction effect with the time of the survey and the district in which the survey was administered. However, for none of the collected measures is there a significant interaction of time and district, indicating that the BWC pilot had little to no effect on these measures.

Tables 2A – F, North vs. All Districts VAM survey responses by time

A. Satisfaction									
	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	3.96	1.33	27	3.74	1.35	16	4.25	1.18
East	30	3.63	1.3	25	3.8	1.32	16	4.12	1.2
Midtown	19	4	1.41	12	4.25	0.97	16	4.12	1.2
North	14	3.93	1.14	22	3.91	1.34	9	4.33	1
South	12	3.67	0.78	9	3.78	1.3	20	3.85	1.23
West	20	4.3	1	15	3.8	1.47	12	3.75	1.54

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.3	0.2509	0.16	0.69	N.S.
TIME (b)	2	2.3	1.1351	0.723	0.486	N.S.
a X b	2	0.4	0.2199	0.14	0.869	N.S.

Residuals	312	489.5	1.569
-----------	-----	-------	-------

B. Professionalism

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	4.29	1.04	27	4.26	1.26	16	4.5	0.82
East	30	4.13	1.33	25	4.24	1.2	16	4.25	1.24
Midtown	19	4.32	1.29	12	4.58	0.67	16	4.38	1.26
North	14	4.29	0.91	22	4.18	1.33	9	4.33	1
South	12	4.42	0.79	9	3.89	1.27	20	4.15	1.04
West	20	4.55	0.94	15	4.13	1.41	12	4.17	1.27

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.1	0.0546	0.042	0.838	N.S.
TIME (b)	2	0.4	0.2	0.153	0.859	N.S.
a X b	2	0.1	0.0293	0.022	0.978	N.S.
Residuals	312	409.1	1.3113			

C. Fairness

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	2.67	0.48	25	2.72	0.54	16	2.69	0.6
East	30	2.67	0.61	25	2.8	0.41	15	2.73	0.59
Midtown	19	2.63	0.76	12	2.92	0.29	15	2.73	0.59
North	12	2.75	0.45	22	2.73	0.55	9	2.78	0.44
South	12	2.75	0.62	9	2.56	0.73	18	2.89	0.32
West	20	2.75	0.55	15	2.67	0.72	12	2.67	0.65

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.02	0.01687	0.055	0.815	N.S.
TIME (b)	2	0.21	0.10583	0.344	0.709	N.S.
a X b	2	0.05	0.02258	0.073	0.929	N.S.
Residuals	304	93.42	0.3073			

D. Community Concern

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	2.79	0.41	25	2.56	0.71	16	2.75	0.58
East	29	2.69	0.6	25	2.72	0.54	15	2.87	0.35
Midtown	19	2.74	0.65	12	2.83	0.39	15	2.87	0.35

North	14	2.5	0.65	22	2.73	0.55	9	2.78	0.67
South	12	2.67	0.65	9	2.56	0.53	16	2.81	0.4
West	20	2.8	0.52	15	2.6	0.74	12	2.67	0.65

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.14	0.1412	0.451	0.502	N.S.
TIME (b)	2	0.73	0.3633	1.16	0.315	N.S.
a X b	2	0.73	0.3665	1.17	0.312	N.S.
Residuals	303	94.9	0.3132			

E. Respectfulness

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	2.79	0.41	26	2.69	0.55	16	2.88	0.34
East	28	2.75	0.52	25	2.8	0.41	15	2.87	0.35
Midtown	19	2.63	0.68	12	2.92	0.29	15	2.87	0.35
North	14	2.64	0.5	22	2.82	0.39	9	2.78	0.44
South	12	2.67	0.65	9	2.56	0.53	16	2.94	0.25
West	20	2.8	0.52	15	2.73	0.7	12	2.83	0.39

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.02	0.0235	0.104	0.747	N.S.
TIME (b)	2	0.99	0.4973	2.206	0.112	N.S.
a X b	2	0.27	0.1335	0.592	0.554	N.S.
Residuals	303	68.31	0.2254			

F. Responsiveness

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	23	2.7	0.47	26	2.5	0.71	15	2.67	0.72
East	28	2.54	0.64	25	2.68	0.56	15	2.8	0.41
Midtown	19	2.68	0.67	12	2.67	0.49	15	2.87	0.35
North	14	2.43	0.65	22	2.73	0.63	9	2.67	0.71
South	12	2.58	0.67	9	2.56	0.53	16	2.88	0.34
West	19	2.79	0.63	15	2.67	0.72	12	2.5	0.8

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.08	0.0758	0.209	0.648	N.S.
TIME (b)	2	0.76	0.3819	1.052	0.351	N.S.
a X b	2	0.88	0.4381	1.206	0.301	N.S.

Residuals	300	108.94	0.3631
-----------	-----	--------	--------

G. Trust									
	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	2.71	0.46	26	2.65	0.56	16	2.75	0.58
East	30	2.6	0.67	25	2.6	0.65	15	2.73	0.46
Midtown	19	2.58	0.77	12	2.67	0.49	15	2.8	0.41
North	14	2.5	0.52	22	2.64	0.66	9	2.67	0.71
South	12	2.5	0.8	9	2.44	0.73	17	2.82	0.39
West	19	2.63	0.68	15	2.67	0.72	12	2.67	0.65

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.13	0.129	0.353	0.553	N.S.
TIME (b)	2	1.16	0.5779	1.583	0.207	N.S.
a X b	2	0.14	0.0718	0.197	0.822	N.S.
Residuals	305	111.37	0.3651			

H. Safety Perceptions									
	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	4	1.1	27	3.89	1.19	16	4.06	0.68
East	29	3.72	1	24	3.79	0.66	15	3.53	1.25
Midtown	19	4.05	1.27	12	4.08	0.79	16	4.19	0.75
North	14	3.29	1.07	22	3.77	1.07	9	3.78	0.44
South	12	3.25	1.36	9	3.44	0.73	17	3.82	0.95
West	19	3.89	1.2	15	3.67	1.35	12	3.08	1.16

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	1.3	1.279	1.147	0.285	N.S.
TIME (b)	2	0.2	0.0832	0.075	0.928	N.S.
a X b	2	2.2	1.1199	1.005	0.367	N.S.
Residuals	305	340	1.1148			

I. Worry about Violent Crime									
	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	1.62	0.71	27	1.59	0.64	15	1.67	0.72
East	30	1.87	0.57	24	1.58	0.72	15	2	0.85
Midtown	19	1.63	0.68	12	1.42	0.67	15	1.47	0.64
North	14	2	0.68	22	1.77	0.69	9	1.78	0.67

South	12	1.67	0.78	9	1.78	0.44	17	1.76	0.56
West	19	1.63	0.68	15	1.8	0.77	12	1.67	0.78

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	1.05	1.0498	2.268	0.133	N.S.
TIME (b)	2	0.65	0.3233	0.698	0.498	N.S.
a X b	2	0.3	0.1492	0.322	0.725	N.S.
Residuals	304	140.7	0.4628			

J. Worry about Property Crime

	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD
Central	24	1.88	0.8	27	1.89	0.51	16	1.69	0.6
East	30	2.1	0.4	25	2	0.76	15	2.33	0.62
Midtown	19	1.74	0.73	12	1.92	0.67	15	2	0.65
North	14	2.07	0.73	22	2.09	0.61	9	2.11	0.6
South	12	2.08	0.9	9	2	0.5	17	2.12	0.6
West	19	1.74	0.56	15	2	0.65	12	1.75	0.75

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.77	0.7691	1.801	0.181	N.S.
TIME (b)	2	0.24	0.1213	0.284	0.753	N.S.
a X b	2	0.01	0.0031	0.007	0.993	N.S.
Residuals	306	130.66	0.427			

K. Explain

	Before		During		After	
	AGREE	DISAGREE	AGREE	DISAGREE	AGREE	DISAGREE
Central	21	3	20	5	14	2
East	24	5	21	3	15	0
Midtown	17	2	11	1	12	2
North	10	3	21	1	8	1
South	9	3	7	2	16	0
West	19	0	12	3	8	1

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0	0.00406	0.038	0.846	N.S.
TIME (b)	2	0.24	0.11836	1.1	0.334	N.S.
a X b	2	0.38	0.18939	1.76	0.174	N.S.

Residuals	296	31.85	0.10759
-----------	-----	-------	---------

	L. Helpfulness					
	Before		During		After	
	NO	YES	NO	YES	NO	YES
Central	4	20	5	21	1	15
East	6	23	3	22	1	13
Midtown	2	16	0	12	3	13
North	2	12	1	20	1	7
South	5	7	3	6	1	16
West	1	18	3	12	3	9

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	0.14	0.14343	1.135	0.288	N.S.
TIME (b)	2	0.14	0.07065	0.559	0.572	N.S.
a X b	2	0.09	0.04343	0.344	0.709	N.S.
Residuals	301	38.03	0.12635			

Note: Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1 N.S. = non-significant

Officer-Community Interaction

Method

Data was provided for the daily arrests, citations, and cases from all districts in Madison from January 1, 2024, through August 28, 2024. To isolate the effect of the BWC pilot on these variables we used a difference in differences design. Difference in differences is a statistical technique which attempts to mimic an experimental research design with observational study data²¹. It is often used in econometrics and quantitative research in the social sciences. In a difference in differences, one is able to study the differential effect of a treatment group, in this case the North district, versus a control group, which would be all the other districts in which data is available. Using the difference in differences, we are able to calculate the effect of the BWC pilot by comparing changes overtime. In particular, this research aims to uncover if the number of arrests, citations, or cases per day changes as a result of the BWC pilot. In total, across all the reporting districts in Madison (North, Central, East, Midtown, South, West) there were 9813 citations issued, 5506 cases, 11,514 arrests made. Moreover, it is possible that the inclusion of BWC allows for officers to change the number of citations they are able to write because they would conceivably have the ability to review BWC footage and update their citations. If this is the case, we should be able to detect if this hypothesis is

²¹ Dougherty, C. (2011). *Introduction to econometrics*. Oxford university press, USA.

viable by exploring citations per case across the three time periods with available data – before the pilot, during the pilot, and after the pilot.

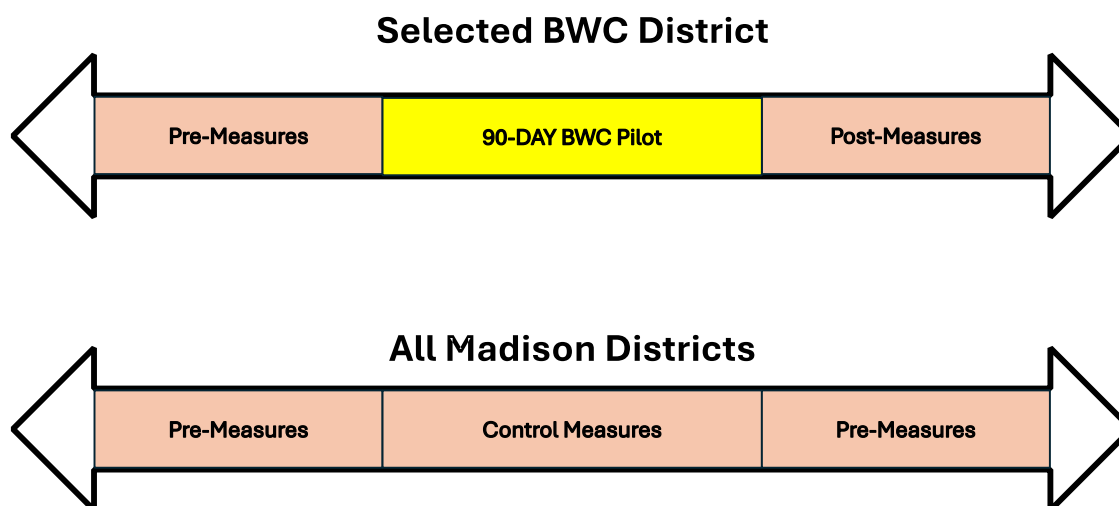


Figure 3. Difference in Difference Design

Results

First, in examining the effect of the BWC pilot (i.e., North district between April 1, 2024, and June 30, 2024) the difference in differences analysis finds that there is no effect of the BWC pilot on arrests, cases, or citations.

Table 3A -B, DiD Results for BWC Pilot

A. Arrests					
	Estimate	Std. Error	t-value	p-value	Sig.
Intercept	7.5879	0.3482	21.792	<0.0001	***
TIME (a)	0.7593	0.5655	1.343	0.18	N.S.
TREATMENT (b)	1.0631	0.8529	1.246	0.213	N.S.
DiD (a X B)	-0.9048	1.3851	-0.653	0.514	N.S.

Residual standard error: 9.504 on 1436 degrees of freedom

Multiple R-squared: 0.00206, Adjusted R-squared: -2.487e-05

F-statistic: 0.9881 on 3 and 1436 DF, p-value: 0.3975

B. Cases					
	Estimate	Std. Error	t-value	p-value	Sig.
Intercept	3.5638	0.1122	31.775	<.0001	***
TIME (a)	0.1813	0.1821	0.995	0.32	N.S.
TREATMENT (b)	1.1544	0.2747	4.202	<.0001	***
DiD (a X B)	-0.0203	0.4462	-0.045	0.964	N.S.

Residual standard error: 3.061 on 1436 degrees of freedom

Multiple R-squared: 0.01993, Adjusted R-squared: 0.01789
 F-statistic: 9.736 on 3 and 1436 DF, p-value: 2.323e-06

C. Citations					
	Estimate	Std. Error	t-value	p-value	Sig.
Intercept	6.50464	0.35457	18.345	<0.0001	***
TIME (a)	1.01405	0.57822	1.754	0.0797	.
TREATMENT (b)	-0.83576	0.86852	-0.962	0.3361	N.S.
DiD (a X B)	-0.03457	1.41633	-0.024	0.9805	N.S.

Residual standard error: 9.743 on 1448 degrees of freedom

Multiple R-squared: 0.003565, Adjusted R-squared: 0.0015

F-statistic: 1.727 on 3 and 1448 DF, p-value: 0.1596

Note: Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1 N.S. = Non-Significant

One concern could be the number of citations per case increase because officers can go back and re-write their reports. If this is the case we would detect a change in the number of citations per case. We explore this possibility by submitting the number of citations per case to an ANOVA with a fixed factor for time of the case (Before the Pilot, During the Pilot, After the Pilot), district as a fixed factor (North as the treatment district, and all other districts as the control) and their interaction. We find that the BWC pilot does not impact the number of citations issued per case.

Table 4, Citations Per Case by Time and District

Citations Per Case										
	N	Before(M)	SD	N	During(M)	SD	N	After(M)	SD	
Central	482	3.33		2	462	3.28	2.01	312	3.18	2.11
East	527	2.94	1.45	491	3.15	1.84	249	3	1.86	
Midtown	293	2.9	1.75	257	2.95	2.03	125	2.83	2.15	
North	433	3.3	2.15	444	3.22	2.15	444	3.22	2.15	
South	187	2.71	1.55	255	2.56	1.32	133	3	1.78	
West	231	3.27	1.68	239	3.4	2.05	116	3.79	2.58	

	Df	Sum Sq	Mean Sq	F	p-value	sig.
DISTRICT (a)	1	24	23.526	6.325	0.0119	*
TIME (b)	2	2	0.875	0.235	0.793	N.S.
a X b	2	4	1.819	0.489	0.6132	N.S.
Residuals	5500	20457	3.719			

Note: Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1 N.S. = non-significant

Qualitative Report

The following qualitative data report is based on two focus groups conducted with five community members from the North district and two one-on-one in-depth interviews with police officers from the Madison Police Department regarding the pilot program on body worn cameras in the North district of Madison, Wisconsin. We aimed to uncover the perceptions on body worn cameras both from the perspective of citizens and police organization, the use of device during the pilot program, identify its benefits and drawbacks and best use cases, understand how, if any, body worn cameras change police officer behavior and shape the relationship between community and police organization, and evaluate the performance of the pilot program. As our discussions with the police organization and community members demonstrate, the pilot program on body worn cameras has been successful. While the incorporation of technology into the officer-citizen encounter has been much welcomed and appreciated, citizens also voiced their concerns. While it is apparent that guidelines on the usage of body worn cameras are clear for the police organization, community members have a lack of knowledge on the subject which leads to confusion and concern.

One of the major findings on the pilot program and the usage of body worn cameras in the police department is that it will change the relationship between police organization and community in positive ways. As all police officers mentioned, the organization witnessed a loss of trust by the citizens - both at the state level and nationwide. One major instance and cause of diminishing trust level and negative portrayal of the police organization is the murder of George Floyd. Following the event, the legitimacy of police organizations has been increasingly questioned by the citizens. This is being amplified by the media portrayal of police officers where there is a particular focus on police brutality. Regardless of the biased nature of media coverage of police-citizen encounters, we have seen from our discussions that police officers agree that the public image of the law enforcement should be improved. The community members believe the incorporation of body worn cameras in the police officers' toolkit would be a helpful strategy for such a purpose. The overall macro-level benefit of implementation of the technology in the organization may have an impact on positive police and community relations as well as an increased police legitimacy in the eyes of the public. The vignette from our interview with a police officer supports this view:

"I think the trust that police have been able to have with the community has diminished, especially within I would say probably the last eight years. And I think that having that added perspective of having audio and video representation of what police are doing when they're in the community and servicing calls and doing police related work, I think that it's an added level to provide that transparency, which I think the community has expected more of with especially within the last eight years."

This vignette is also a segway to another major finding regarding the impact of body worn cameras on evidence collection. Both police officers and community members believe body worn cameras provide a more detailed narrative about an instance. Police officers referenced many times in the interviews that the footage makes the report writing process smooth for police officers since they have access to all interactions with citizens, have their statements recorded, and help to find further evidence on a case (Note: despite this claim, our research does not find evidence that the BWC pilot lead to increased citations per case). Police officers have mentioned some sensitive interactions such as domestic violence and campus protests where body worn cameras have been useful in terms of evidence collection and community-police interaction. While cameras can be valuable for accountability in such cases and helpful for a better representation of police organization by providing the context of police-citizen encounters, community members have shown reluctance and discomfort especially for cases where privacy is a major concern.

Body-worn cameras may have a significant outcome for vulnerable community members - specifically immigrants. One participant, a recent immigrant from Afghanistan, highlighted interracial and interethnic tensions in her neighborhood, some of which led to police calls. While she hesitates to call the police as to not escalate these incidents further, she believes body-worn cameras will help solve the conflict faster and simpler.

The major reason for this hesitation is caused by the fear of facing collective consequences as these tensions arise between groups. She believes that body-worn cameras could help solve these conflicts through detecting the individuals who are responsible since they are more capable at evidence collection than police officers (e.g. providing context). Therefore, it is expected by the community members that conflict between groups will be resolved through detecting the right individuals without suffering from multiple legal sanctions and collective stigmatization of the immigrant population.

In relation to police officer behavior and community-police relationship, we have investigated how body worn cameras shape police-citizen interaction and tried to have a better understanding of their impact on police behavior. Officers interviewed believed that body worn camera and active recording of police-citizen encounters had no significant effect on their behavior (Note: Our empirical analysis may support this belief). Although, cameras can function as a surveillance apparatus recording the interaction, the police officers interviewed claimed that they thought of the cameras as a part of their body and ignored, and even forget, the presence of the device. Therefore, they held that most of the interaction between citizens and officers are natural. These officers also emphasized the role of having good morals and being professional that shapes their behavior and action more than a BWC. Considering the durability of work ethics and higher order values of an individual, a profound change in police behavior due to being recorded will be unlikely. As one police officer has noted, *“if you're an ethical police officer, if you see need, whether there's a camera or not, you're going to investigate whatever is in front of you. So, in my opinion that should not make a difference.”* However, we have found that a slight change in police-citizen interaction can occur, specifically the way conversation between parties unfolds. Police officers in our focus group and in-depth interviews brought out that the dialogues will be less candid and more formal due to the fact that the police officers are aware that they are being recorded. Therefore, they will be following a particular script when they interact with a citizen and keep it formal. This form of interaction may eliminate a major complaint about the organization - police officers are being rude against citizens. As mentioned by a police officer, body worn cameras may encourage them to be nicer and kinder towards citizens since they are being recorded. Since the footage of an encounter will be evidence against a complaint, it is likely that we will see that police and community relations will be moving in a positive direction.

Our focus groups with community members demonstrate to us that the biggest challenge that body worn cameras will face is citizens' privacy concerns. Police officers have highlighted that none of the citizens have asked them to turn off their cameras during the pilot program. However, community members in our focus group have voiced their concern about being filmed and conditions under which citizens are being filmed. Our participants have brought up a possible drawback to the present surveillance of body cams - being in a crime scene that one is not a part of can have consequences for an individual. Moreover, conditions in which one is being filmed has been questioned - specifically for sensitive cases such as mental health crisis or suicide attempts. Our participants have mentioned that one should not be filmed in these conditions as this would be a violation of human dignity. Police officers have addressed these concerns by mentioning that certain guidelines do not allow them to record in particular cases. In addition, some practices such as background blurring would provide more focused evidence collection and take citizens' privacy rights into account. However, we see an information asymmetry between citizens and police organizations. While Standard Operating Procedure and guidelines are perfectly clear for police officers, community members have shown a significant lack of information as to the usage of cameras in an encounter. It may be possible to eliminate this asymmetry by providing citizens with more information. From the police officers' perspective, our participants have informed us about some practical challenges in their daily usage. These challenges would include the short battery life and blocked view through body movements. These concerns should be attended by the organization for increased efficiency of body worn cameras.

Limitations and Conclusions

The preceding report attempts to isolate the effect of BWC on the North district of Madison. Overall, the provided data and analysis reveal that officers in the North district increase their knowledge of BWC, but little else is impacted – including community attitudes and beliefs, arrest, citations, or cases. These results should be considered with some caveats. First, the pilot was both short (90 days) and only involved 42 officers. A longer and more powered pilot would provide even stronger evidence of BWC impact. Also, because of the length of the pilot and the short turn-around time of this report (90 days after the completion of the pilot), it is currently unfeasible to determine if BWC have long term impact on community for interactions with a longer time horizon, such as criminal trials or civil trials. Given a longer time frame more interviews with community members and officers could have been conducted, giving an even richer understanding of the effect of BWCs.

As a whole, the empirical analysis and in-depth conversations with police officers' and community indicate that although there are concerns regarding privacy and practical challenges. However, the pilot program has been effective in demonstrating that body-worn cameras may bring higher police capability on evidence collecting with no significant change on police behavior. We note that community members in our focus groups welcome BWC for their potential to increase transparency and build trust between community and police officers. However, addressing technical challenges and educating the community on guidelines are recommended to maximize BWC effectiveness.

Appendix B

Summary

During the summer of 2024, the Madison Police Department (MPD) completed a limited term (90 day) experiment utilizing body worn cameras (BWCs) in patrol in the North District of the City of Madison. Funding for the one-time experimental program (\$83,000) was included in the police department's adopted capital budget. Most of these funds (approximately \$49,000) were used to contract with an independent researcher, Dr. Broderick Turner, to evaluate outcomes of the experimental program (see report attached). Dr. Turner's evaluation suggests that the broad use of BWCs by the MPD could change relationships between the police and community in positive ways, including increased trust, transparency and legitimacy.

Should the MPD pursue a full implementation plan for BWCs, personnel additions and technology acquisition will be the primary focuses of the plan. While a future operating budget request for BWCs would be considered, grant funding and donations would also be pursued.

Staffing Needs

A full implementation plan for BWC technology could not be realized without the addition of essential professional staff positions to assist with video processing, video redaction, and records, evidence and discovery processing. Moving forward with a full BWC implementation without adding support staff would severely impair the MPD's ability to respond in a reasonable amount of time to requests for video. This includes requests from MPD officers and detectives investigating crimes, as well as requests from the public, the District Attorney's Office, the Office of the Independent Monitor, and MPD's Office of Professional Standards and Internal Affairs. MPD has provided staffing need projections in the past for a full implementation plan and these costs are consistent with past reports.

• Forensic Lab Technician	\$87,434.10
• Management Information Specialist 2	\$87,434.10
• Program Assistant 1	\$66,273.85
• Clerk Typist	\$51,077.43
Required Staffing Total	<u>\$292,219.50</u>

BWC Technology and Accessories

A full implementation plan for BWC technology would equip almost every commissioned officer with a body worn camera. To do this, MPD's full implementation plan would require the acquisition of 450 body worn cameras along with related accessories and software. MPD currently uses Panasonic Arbitrator/iPro BWCs for both the SWAT Team and Motor

Officers in the Traffic Section (approximately 50 cameras are currently in MPD's inventory today).

A full implementation plan would likely require a competitive RFP process, and it is not known if the department would continue with the Panasonic Arbitrator system or not. Moving to a new vendor and system would create additional costs that could be significant since current cameras in MPD interview rooms and squad cars may also have to be replaced (if Panasonic Arbitrator is not chosen) to ensure compatibility. Cost estimates were created by MPD staff based on known unit pricing and take potential collateral/related costs into account. Known unit costs from three major BWC vendors were used to create this estimated cost summary. A competitive RFP would be open to any BWC vendor. Should the MPD pursue a BWC program that broadly deploys BWC technology to all commissioned staff members, the costs to acquire the technology and related accessories and software would range from \$3,200,000 - \$6,700,000. Again, this variance takes into consideration the possibility that the department would move away from the current BWC and in-car video unit vendor and to a new vendor, which would require replacing in-car video units inside squad cars and new software. Total costs for technology, accessories and needed software could be phased over several years to achieve full implementation.

Grant Opportunity

An annual US Bureau of Justice Assistance (BJA) non-competitive grant opportunity does exist for law enforcement agencies to initiate or expand a BWC program through the purchase or lease of BWCs. BJA funding for awards cannot exceed \$2,000 per BWC and the absolute cap on awards is \$2,000,000. However, if an applicant applies for the \$2,000,000 maximum, they must propose to acquire no fewer than 1,000 BWCs (1,000 BWCs * \$2,000). MPD only would pursue purchasing 450 BWCs, so the maximum award that could be awarded to MPD through this BJA federal grant funding would be \$900,000. Other grant opportunities could be announced in future years and MPD would examine every opportunity that comes available if a full BWC implementation plan is pursued.

Estimated Cost Summary for future BWC Full Implementation

• Required Staffing Total	\$292,219.50
• BWC Technology, Accessories, Software	\$3,200,000 - \$6,700,000
• Potential BJA Grant Award	(\$900,000)
Total Estimated Cost for full BWC implementation:	\$2,600,000 – 6,100,000

Appendix C

Madison Police Department
Body Worn Camera Policy
Special Order: Body Worn Camera Pilot Study

PURPOSE:

The primary purpose of this policy is to establish clear procedures regarding the use of body-worn cameras to document incidents involving police officers and the public, while also protecting the privacy rights of all parties who may be recorded and to minimize the misuse of recording capabilities for mass surveillance of individuals or groups.²²

The Madison Police Department authorizes the use of body-worn cameras to record police officer interactions with the public; collect evidence of criminal activity; monitor officer performance and compliance with governing laws and Department policies, procedures, and training; and serve as a training tool.²³

OBJECTIVES:

The Madison Police Department has adopted the use of Body-Worn Cameras during the duration of a pilot study, to accomplish the following objectives:

- Body-Worn Cameras allow for documentation of Police/Public contacts, arrests, and critical incidents.
- Body-Worn Cameras also serve to enhance the specificity of Officer reports and testimony in Court.
- Audio and visual recording enhances the agency's ability to review probable cause for arrest, Officer and suspect interaction, evidence for investigative and prosecutorial purposes, and to provide additional information for Officer evaluation and training.
- The Body-Worn Cameras may also be useful in documenting crime and accident scenes, and other events that include the seizure of evidence or contraband.
- Body-Worn Cameras may be useful as a training tool, for coaching, and communication.

DEFINITIONS:

- **Body-Worn Camera:** An audio/visual recording device, issued and authorized by the Department, that is worn on the Officer's uniform, and is designed to record Officer actions and interactions with the public in the course of their duties. "Body-Worn Camera" may be abbreviated as "BWC" within this SOP.
- **Contact:** An encounter with a member of the public that has no criminal or investigative purpose (i.e.; stopping to say hello to someone or interacting with persons to obtain information that is non-criminal in nature).

²² BWC Feasibility Committee Model Policy, 1-a

²³ BWC Feasibility Committee Model Policy, 1-b

- **Law Enforcement Agency (LEA):** governmental unit of one or more persons employed full time by the state or a political subdivision of the state for the purpose of preventing and detecting crime and enforcing state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority.²⁴
- **Law Enforcement Function:** Any action which may only be performed by a person having the legal authority of a law enforcement officer.
- **Body Worn Camera Administrator:** An assigned member of the Department responsible for:
 - Maintaining user accounts for the remote digital storage of BWC footage
 - Assigning permission levels within the remote digital storage system
 - Overall maintenance of the BWC system and liaison with the vendor
 - Completing departmental randomized audits of BWC footage
 - Redacting or deleting any video
 - Ensuring automation of the retention schedule with the remote digital storage system.
 - Receiving, reviewing, and responding to requests for disclosure of BWC footage

TRAINING:

1. Body Worn Cameras (BWC) will be utilized only by personnel who have been properly trained in their use.²⁵ All officers and supervisors will be provided training in the use of body-worn cameras prior to using the equipment. ²⁶Refresher or remedial training will be provided as determined by the Chief of Police.²⁷
2. The BWC issued by the Department will be the only BWC authorized for use.
3. Recordings created during training or orientation of the BWC program will be retained for no longer than 30 days.
4. To facilitate proficiency with the BWC, for the first 60 calendar days of any Department member first entering an assignment that requires the wearing of a BWC, that/those member(s) shall not be subject to discipline for errors in applying this policy that are not intentional. Subject to approval by the unit commander, a member who is being reassigned to an assignment covered by this directive may request the 60-day period to facilitate proficiency with the BWC. Such approval by shall not be unreasonably denied.
 - a. The Department shall use existing systems for coaching and counseling to address non-intentional errors in applying this policy during the 60-day period.
 - b. Intentional violations of this policy shall be subject to discipline during any time period.

WEAR AND MAINTENANCE

1. Body-worn cameras will only be assigned to officers chosen for the pilot study.

²⁴ Definition from WI Statutes 165.83 (1)(b)

²⁵ Adapted from BWC Feasibility Committee Model Policy, 2-a, and 6-a

²⁶ BWC Feasibility Committee Model Policy, 11-a

²⁷ Adapted from BWC Feasibility Committee Model Policy, 11-a

2. Individual officers are responsible for the use and care of any BWC equipment assigned to them.
3. Any apparent problems with the BWC will be immediately brought to the attention of a supervisor. The officer or supervisor will make contact with the Body-Worn Camera Administrator for any needed troubleshooting or repairs, and to arrange for issuance of replacement equipment if necessary.
4. Officers will wear the BWC mounted in one of the Department-approved methods, utilizing only the mounting equipment provided by the manufacturer of the BWC. It shall be the responsibility of the officer to ensure the BWC remains in a position to allow the recording of an encounter or incident that most closely replicates the perspective of the officer.²⁸
5. Officers shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.²⁹

ACTIVATION OF THE BWC

1. Officers shall activate the BWC to record all interactions with members of the public in the performance of official duties.³⁰
2. The Body Worn Camera (BWC) shall be activated prior to arrival at a call for service, in anticipation of a self-initiated activity, or at the activation of emergency equipment (emergency lights and/or siren), whichever occurs first. This shall also include interactions that are related to or for the purpose of a law enforcement function.
3. Officers will utilize BWC during the initial seizure, counting, or inventorying of seized money or any high value property.³¹
4. It is recognized that officers utilizing a take home vehicle may need to make enforcement stops or respond to a law enforcement need while traveling to and from work, which may result in activities not being recorded. When this occurs the officer shall document their actions and reason for not having their BWC within the CAD notes of the associated event.
5. Certain specialized units may request deviation from the BWC requirements of this policy with the express written approval of the affected personnel's District Commander. The unit's Commanding Officer or his designee must submit the request to deviate from the BWC policy to their respective District Commander. The request should include clear articulation of the necessity to deviate from the policy, how the use of the BWC would negatively impact operations or any other relevant factors for consideration. The District Commander will respond in writing their concurrence or non-concurrence. The written request and response will be attached in the appropriate format to any subsequent case reports in the Records Management System (RMS). Furthermore, the investigating officer should document in the narrative of the case report that approval was given for this special

²⁸ Adapted from BWC Feasibility Committee Model Policy, 2-d

²⁹ Adapted from BWC Feasibility Committee Model Policy, 2-c

³⁰ Adapted from BWC Feasibility Committee Model Policy, 2-f, sub I, 1-16

³¹ Adapted from BWC Feasibility Committee Model Policy, 2-f, sub I, 17

consideration by his Bureau Commander. The request must be made for specific individual operational periods and no wholesale or “blanket” deviation permissions will be allowed.

6. The BWC will be utilized to document encounters where Consent to Search is requested or a Probable Cause search is conducted.³²
7. It is the responsibility of the officer to periodically ensure that the BWC is still recording during the required activation. The indication that the BWC is recording can be confirmed either audibly or visually.
8. The use of any surreptitious recording function or “Stealth Mode” on the BWC is prohibited. At least one of the status indicators must be activated (auditory beeps, indicator light, or vibratory alert).³³
9. If not already activated, the BWC shall be activated to record any contact that becomes adversarial or in any situation that the officer believes its use would be appropriate or valuable to document the incident or encounter.³⁴
10. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made in pursuant to an arrest or search of the residence or the individuals. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.³⁵
11. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document this in an email to his or her supervisor before the end of the shift; why a recording was not made, was interrupted, or was terminated. The supervisor should review the email and determine if the rationale was appropriate.³⁶
12. Members of the public shall not be allowed to review the recordings at the scene unless there is an immediate public safety need.

PROHIBITED RECORDING

Officers shall not intentionally use a BWC to record the following locations or circumstances:

1. Places where privacy expectations are paramount, such as, but not limited to: hospital emergency rooms, locker rooms, and restrooms, except in the following instances:
 - a. When all parties visibly or audibly recorded consent to such recording.
 - b. While conducting an arrest;
 - c. While executing a search warrant;
 - d. When all parties visibly or audibly recorded consent to such recording;

³² Adapted from BWC Feasibility Committee Model Policy, 2-f, sub I, 17

³³ Adapted from BWC Feasibility Committee Model Policy, 2-i

³⁴ Adapted from BWC Feasibility Committee Model Policy, 2-f, sub I, 14

³⁵ Adapted from BWC Feasibility Committee Model Policy, 3-a sub i-1 and 3-b

³⁶ Adapted from BWC Feasibility Committee Model Policy, 2-l

- e. Under any other extraordinary circumstances that are likely to involve confrontations between police and members of the public, such as warrantless entry into a home pursuant to exigent circumstances.³⁷
- 2. While on the grounds of any public, private or parochial elementary or secondary school, except when:
 - a. responding to an imminent threat to life or health,
 - b. during custodial interrogations of juveniles,
 - c. when responding to an otherwise recordable incident involving only individuals known to police to be adults.
 - d. Any inadvertent filming of juveniles shall be redacted;¹⁷
- 3³⁸. Activity that is unrelated to a response to a call for service or a law enforcement/investigative encounter between an officer and a member of the public;³⁹
- 4. The BWC will not be used specifically to record fellow city employees except during an official PSIA investigation or a suspected violation of criminal, traffic, or local law; or during an officer's field training as prescribed by the FTO program.
- 5. Gruesome images, persons nude or exposed, sensitive human areas, but only if the privacy considerations attendant to such images cannot adequately be accommodated by subsequent redaction or pixilation and are so significant that they justify compromising the integrity of the recording by interrupting continuous recording;⁴⁰
- 6. Body cameras shall not be used for any intelligence-gathering efforts involving activities in which subjects are engaging in First Amendment protected speech, associations, or religion, such as but not limited to participation in peaceful protests, attendance at religious services or ceremonies, attending neighborhood or community engagement events or meetings, engaging in normal daily social activities that raise no reasonable suspicion of criminal activity, or delivering or attending a lecture, presentation, debate, or similar events;⁴¹
- 7. Conversations among law enforcement personnel that are not participated in by members of the public, but only when this is not in conflict with the requirement for continuous recording as identified elsewhere in this SOP;⁴²
- 8. Officers will not record any Court proceedings, pre-trial conferences, or any other judicial proceedings, including those at the Magistrate's Office.
 - a. This does not prohibit an Officer, if equipped with a BWC, from activating it when responding to a disturbance or call for service within such a setting.

³⁷ Adapted from BWC Feasibility Committee Model Policy, 3-a sub i

³⁸ Adapted from BWC Feasibility Committee Model Policy, 3-a sub ii

³⁹ Adapted from BWC Feasibility Committee Model Policy 3-a sub iii

⁴⁰ Adapted from BWC Feasibility Committee Model Policy, 3-a sub iv

⁴¹ Adapted from BWC Feasibility Committee Model Policy, 3-a sub v

⁴² Adapted from BWC Feasibility Committee Model Policy, 3-a sub ix

- b. This does not prohibit an Officer, if so equipped, from demonstrating the placement or activation of a BWC when asked to do so as part of Court testimony or questioning.

DEACTIVATION

Once the BWC is activated, officers will continue to record until the conclusion of their involvement in an event. In most situations, conclusion of involvement in an event would be signified by leaving the scene. Only under the following circumstances may an officer deactivate their BWC prior to concluding their involvement in an event:

1. When the officer's on-scene investigation is complete and he/she is prepared to complete a report.⁴³
2. When directed by the on-scene supervisor or with supervisory approval. If a supervisor directs the Officer to cease recording, the supervisor shall complete a report documenting the rationale for this decision.
3. Prior to conducting a strip search, the officer will record a 360-degree video of the location where the strip search will be conducted. During the actual strip search, the BWC shall be utilized to only capture audio of the event by positioning the camera away from the subject of the search.
4. When an officer receives an assignment such as traffic direction, crime scene security, or while awaiting other services such as crime scene processing or medical examiner transportation, etc. It is common for these assignments to last for extended periods of time, with minimal contact with the public. In these situations, the officer may deactivate their BWC without awaiting direction from a supervisor. If the officer becomes engaged in any contact that becomes adversarial they shall activate their BWC.
5. When taking statements from/conducting interviews of persons who are victims of a crime of a sexual nature or medical professionals providing information pertaining to related examination(s) of the victim. Upon completion of the interview, the BWC should be reactivated until completion of the event.
6. When taking statements from juvenile witnesses/victims. Upon completion of the interview, the BWC should be reactivated until completion of the event.
7. When requested to do so by victims or witnesses as a condition of their cooperation prior to beginning an interview, taking a statement, or gathering information (this applies only once the scene is orderly and the situation is under control and NOT to the relaying of initial suspect information to be disseminated to other officers or for the purpose of initial alerts). The individual's request to deactivate the BWC shall be captured on the BWC recording prior to deactivation. Upon completion of the interview, the BWC should be reactivated until completion of the event.⁴⁴
8. If it is determined that the interaction involves a known confidential informant while they are providing information regarding an investigation or potential investigation as an informant.

⁴³ Adapted from BWC Feasibility Committee Model Policy, 2-j, sub j

⁴⁴ Adapted from BWC Feasibility Committee Model Policy, 3-a, sub viii

9. When officers are relaying/discussing information amongst themselves, in the absence of any parties to the incident. The BWC should be reactivated at the conclusion of this interaction.
10. Officers deactivating their BWC for any reason must indicate on the BWC recording their reason for deactivating prior to ending the recording. Additionally, the officer must notify their supervisor of the deactivation and be able to articulate the reason for doing so.⁴⁵

OFFICER REVIEW OF BODY-WORN CAMERA FOOTAGE AND REPORT WRITING

CONSIDERATIONS

1. Officers may review or receive an account of any electronic recording of an incident prior to completing any required initial reports, statements, and interviews regarding the recorded event.
 - a. If an officer is suspected of a violation of Code of Conduct or an SOP, or involved in an officer-involved critical incident or other serious use of force, the Department reserves the right to limit or restrict an officer from viewing the video file.
2. Officers shall not edit, alter, erase, duplicate, copy, share, or otherwise distribute BWC recordings in any manner without prior written authorization and approval of the Chief of Police or his or her designee.⁴⁶
3. Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.⁴⁷
4. Officers shall immediately inform their supervisor of any recordings that may contain illegal activity, a violation of SOP, or excessive use of force by a member of the law enforcement profession.⁴⁸
5. Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

DOWNLOADING OF DATA FROM BWC TO VENDOR-BASED DATA MANAGEMENT SYSTEM

1. Officers shall make every attempt to download any BWC data at the end of their shift
 - a. If this is not possible, Officers shall coordinate with a supervisor to ensure that the download occurs as soon as possible, but in no case shall the download be delayed past the Officer's work week.

⁴⁵ Adapted from BWC Feasibility Committee Model Policy, 2-m

⁴⁶ Adapted from BWC Feasibility Committee Model Policy, 6-c, d, h, edited and condensed

⁴⁷ Adapted from BWC Feasibility Committee Model Policy, 13-a, sub iv

⁴⁸ See MPD Code of Conduct #13: Duty to Intervene

- b. If the Officer's BWC captured any instances of reportable force, the BWC shall be downloaded no later than the end of the Officer's shift.
2. Officers are required to enter any additional required data (such as, but not limited to: Officer identification, call type, case number, etc.) at time of video capture, download, or once available on management system.

COMMUNITY-CREATED CELL PHONE AND OTHER VIDEO RECORDINGS⁴⁹

1. Acceptance and Storage of Community-Created Cell Phone and Other Video Recordings
 - a. For any incident that is subject to recording via police body-worn cameras pursuant to this policy (whether the body-worn cameras were actually activated or not), the Department shall permit members of the public to submit or otherwise upload recordings of the same incident. Such footage shall be treated as if it were also body-worn camera footage, in accordance with all other policies outlined within this document.

RECORDS RETENTION, RELEASE, AND REDACTION

All images and sounds recorded by the BWC are the exclusive property of this Department. Requests for any data associated with the BWC program shall be processed in accordance with State and Federal Law, and the Department's Records Inspection and Release SOP.

1. Retention
 - a. Body camera video footage shall be retained for six (6) months (180 days per MPD approved Records Retention/Disposition Authorization) unless that video is tagged as evidentiary in value, has a pending public records request, is the subject of litigation, or is identified as relevant to a PSIA investigation.⁵⁰
 - b. In such cases where an aforementioned exception applies, the record will be retained in accordance with the prevailing retention schedule for those records.⁵¹
2. Release
 - a. All video footage of an interaction or event captured by a body camera, if that interaction or event is identified with reasonable specificity and requested by a member of the public, shall be provided "as soon as practicable and without delay" to the person or entity making the request to the extent permitted by and in accordance with the

⁴⁹ Adapted from BWC Feasibility Committee Model Policy, 4-a

⁵⁰ Adapted from BWC Feasibility Committee Model Policy, 7-a

⁵¹ Adapted from BWC Feasibility Committee Model Policy, 7-b and c, See also WI Statutes, 165.87(2)

procedures for requesting and providing government records under the Department's Records Inspection and Release SOP, and in accordance with

Wisconsin Public Records Law and related State and Federal laws.⁵²

- b. BWC footage associated with open and active criminal investigations and/or open and active Internal Affairs investigations shall not be released prior to the completion of that investigation.
- c. All video footage taken or received by the Madison Police Department related to a referred criminal investigation shall be forwarded to the District Attorney's Office upon their request in accordance with Wis. Stat. 971.23, or as soon as practicable thereafter.⁵³
- d. BWC footage associated with Officer-Involved Critical Incidents or other incidents which are investigated by an outside Law Enforcement Agency⁵⁴ shall only be released upon consultation with that agency which has investigative responsibility.
 - i. Regardless of the final decision, the Chief of Police, or designee, shall issue a public update on the status of any such OICI within six hours, with a second update to follow twelve hours after the first.
 - ii. In addition, The Chief of Police, or designee, may release BWC footage as soon as reasonably prudent.
- e. Members of the public are not allowed to view BWC recordings outside of the Open Records process unless permission has been obtained from the Chief of Police, in accordance with public records law and as prescribed by Departmental Policy.

3. Redaction

- a. Redactions of Madison Police Department body camera records shall be done in accordance with State and Federal law under Wis Stat. 19.35 and corresponding laws. Additionally, MPD will follow state law regarding law enforcement body camera usage as defined in Wis. Stat. 165.87.
- b. MPD will retain original, unedited, un-redacted versions of any record released, in accordance with MPD Records Retention/Disposition Authorization, and current State and Federal laws.⁵⁵

SUPERVISORY RESPONSIBILITIES (PILOT PROGRAM-SPECIFIC)

- A: Supervisor Responsibilities
 - i. Supervisory personnel shall ensure that officers equipped with BWC devices utilize them in accordance with policy and procedures defined herein.

⁵² Adapted from BWC Feasibility Committee Model Policy, 8-a

⁵³ Adapted from BWC Feasibility Committee Model Policy, 8-e

⁵⁴ WI requires Officer-Involved deaths to be investigated by uninvolved, outside agencies under Statute 175.47

⁵⁵ Adapted from BWC Feasibility Committee Model Policy, 9-c

- ii. Supervisors are responsible for ensuring that affected officers are equipped with a functioning BWC at the beginning of each shift.
- iii. Upon receiving notification of any damage or malfunction of a BWC that would render the camera no longer operational, the supervisor will notify the Body Worn Camera Administrator in order to obtain replacement equipment.
- iv. In the event an officer loses or damages their BWC or any of the issued accessories, the supervisor will initiate a lost equipment memorandum. A copy of this memo should be sent electronically to the Body Worn Camera Administrator. In the case where an officer had or should have had video on the BWC that had not yet been uploaded to the remote digital storage system, the Professional Standards Division may investigate the loss or damage of the BWC, if not already included within another administrative investigation.
- v. Supervisors will ensure that all recorded events are being documented by the officer in the associated reports and citations.
- vi. Supervisors will ensure that any recordings relating to an administrative investigation are downloaded and stored for inclusion in the investigative file prior to their scheduled purge date from the remote digital storage system.

B: Supervisor Review and Auditing vii. All supervisors are expected to routinely review BWC recordings created by their direct subordinates.

- 1. On a monthly basis, supervisors shall audit the BWC footage of their Officers for the previous month, ensuring that videos are being labeled and that the labeling is of the correct formatting.
 - 2. During this review supervisors shall view a minimum of 2 videos from each officer under their supervision, looking at the content of the video. These videos shall be a minimum of 10 minutes each.
 - 3. In addition, supervisors shall review BWC footage (and associated reports) of any uses of force and vehicle/foot pursuits for all officers under their purview
4. While viewing these videos supervisors should be looking for any videos that would be beneficial to other officers in terms of training videos. Any evidence of employee misconduct shall be immediately reported to PSIA.
- viii. Notifications of the existence of recordings which may be beneficial for training purposes shall be forwarded via the chain of command to the Commanding Officer of the Training Division for determination of training value and use. If an involved officer objects to the use of a recording for training purposes, he/she may submit their objection, in writing, via the chain of command to both the Commanding Officer of the Training Division and the Chief of Police to determine whether the training value outweighs the officer's objection.
 - ix. Monthly, the Body Worn Camera Administrator will audit randomly selected videos. The number of videos selected for auditing, and the frequency of

the selection process, will be determined by the Professional Standards Division to ensure that the number of employees audited each month represents a random samples of videos. Minimum of ten (10) percent of the total number of employees eligible for auditing.

- x. In addition to the random auditing process, the Professional Standards Division will review BWC audio and video recordings on an as-needed basis to conduct internal investigations and inquires.



City of Madison

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

Master

File Number: 85000

File ID: 85000

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 08/28/2024

File Name: CSM - 2430-2450 E Washington Ave and 10-16 N
Seventh St

Final Action:

Title: Approving a Certified Survey Map of property owned by Adams Properties, LLC located at 2430-2450 E Washington Avenue and 10-16 N Seventh Street (District 12).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, Application.pdf, Letter of Intent.pdf, Proposed CSM.pdf, Link to Demo File 84997, Link to Rezoning File 85247, Link to Cond Use File 84998

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	08/28/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (10/21/24), Common Council (10/29/24)						
1	COMMON COUNCIL	09/10/2024	Referred	PLAN COMMISSION		11/04/2024	
	Action Text: This Resolution was Referred to the PLAN COMMISSION						
1	PLAN COMMISSION	10/21/2024	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER		11/04/2024		Pass
	Action Text: A motion was made by Solheim, seconded by Guequierre, to RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Solheim, seconded by Guequierre, the Plan Commission recommended that the Common Council re-refer the Certified Survey Map to the November 4, 2024 Plan Commission meeting (November 26 Common Council) pending review of a related item by the Urban Design Commission. The motion passed by voice vote/other.						
1	COMMON COUNCIL	10/29/2024	Re-refer	PLAN COMMISSION		11/04/2024	Pass

Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the PLAN COMMISSION.
The motion passed by voice vote/other.

1	PLAN COMMISSION	11/04/2024	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER	Pass
---	-----------------	------------	--	------

Action Text: A motion was made by Field, seconded by Solheim, to RECOMMEND TO COUNCIL TO ADOPT
WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.

Notes: On a motion by Ald. Field, Seconded by Solheim, the Plan Commission found the standards met and forwarded the
Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and
conditions in the Plan Commission materials. The motion passed by voice vote/other.

Text of Legislative File 85000

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 Adams Properties, LLC located at 2430-2450 E Washington Avenue and 10-16 N Seventh Street (District 12).

Body

WHEREAS a Certified Survey Map of property owned by Adams Properties, LLC located at 2430-2450 E Washington Avenue and 10-16 N Seventh 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 above mentioned documents related to this Certified Survey Map.

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

Demolition, Rezoning, Conditional Use and Certified Survey Map Referral

Location

2430-2450 E Washington Ave & 10-16 N Seventh St

Applicant

Travis Fauchald, Volker Development
Kevin Burow, Knothe & Bruce Architects, LLC
Jim Morrow, JSD Professional Services, Inc.

Requests

- Demolish auto repair business, mixed-use building, single-family residence, and two (2) two-family residences
- Rezone from TR-C4 to TSS
- Construct a five-story mixed-use building with 260 sq. ft. of commercial space and 76 apartments
- Create one lot by CSM

Public Hearing Dates

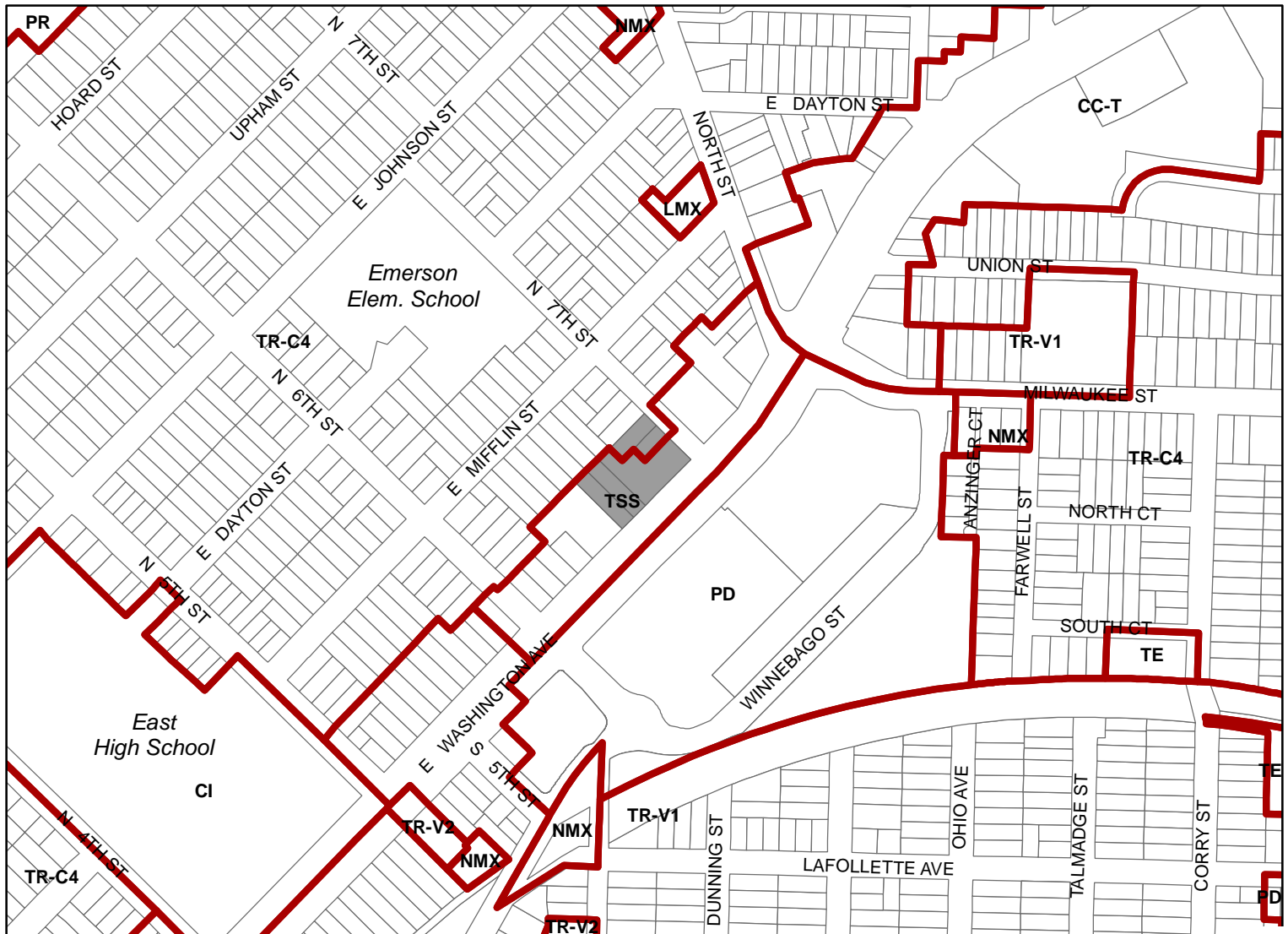
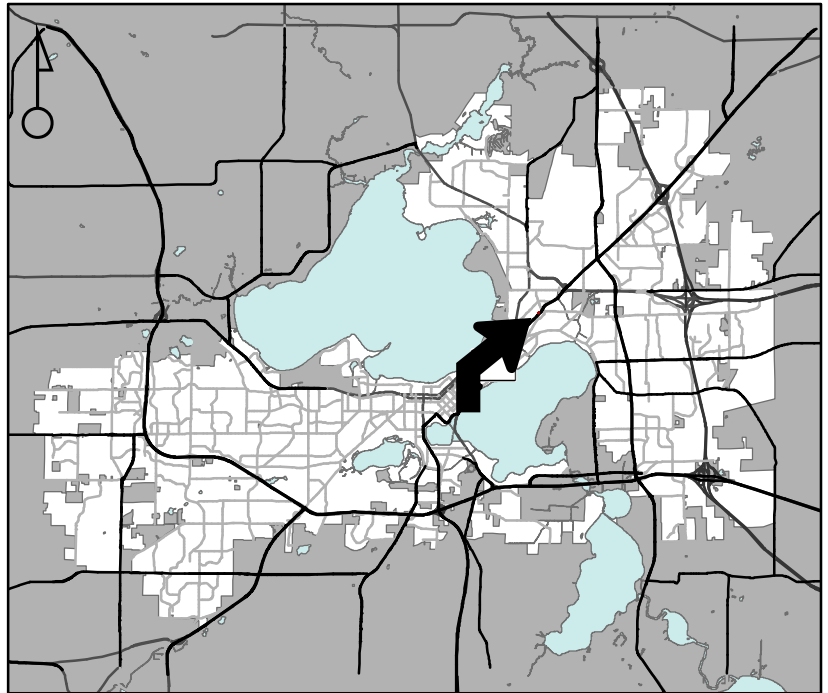
Plan Commission

November 4, 2024

Common Council

November 26, 2024

For Questions Contact: Colin Punt at: 243-0455 or cpunt@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : JC : Date : 10-14-



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



8/26/24 11:43 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: Adams Properties, LLC & Anthony Adams **Representative, if any:** Lindsay Hagens (simplyhomesproperties@gmail.com)
Street address: 4920 Femrite Dr., Madison **City/State/Zip:** Madison, WI 53716
Telephone: 608-692-8246 **Email:** tonygadams83@yahoo.com
Firm Preparing Survey: JSD Professional Services, inc. **Contact:** Jim Morrow
Street address: 507 W. Verona Avenue, Suite 500 **City/State/Zip:** Verona, WI
Telephone: 262-933-4184 **Email:** 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: 16 N 7th St., 10 N 7th St., 2450 E. Washington Ave., 2434 E. Washington Ave., and 2430 E. Washington

Tax Parcel Number(s): 071006119244, 071006119236, 071006119228, 071006119210, and 071006119202

Zoning District(s) of Proposed Lots: TSS & TR-C4 **School District:** Madison Metropolitan School District

- 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		0.902
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			

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: Travis Fauchald Signature: 

Date: 8/22/2024 Interest In Property On This Date: Developer

August 26, 2024

Ms. Meagan Tuttle
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

2450 E Washington Ave
KBA Project #2422

Ms. Meagan Tuttle:

The following is submitted together with the plans and application for the staff, Plan Commission's and the Urban Design Commission's consideration of approval.

Organizational Structure:

Developer:
Volker Development
464 S. Hickory St., Ste C
Fond Du Lac, WI 54935
(952) 334-7294
Contact: Travis Fauchald
t.fauchald@volker.co

Architect:
Knothe & Bruce Architects, LLC
8401 Greenway Blvd., Ste 900
Middleton, WI 53562
(608) 836-3690
Contact: Kevin Burow
kburow@knothebruce.com

Civil Engineer:
JSD
507 W. Verona Ave., Ste 500
Verona, WI 53593
(608) 893-0085
Contact: Matt Haase
Matt.haase@JSDInc.com

Landscape Design:
JSD
507 W. Verona Ave., Ste 500
Verona, WI 53593
(608) 893-0085
Contact: Matt Haase
Matt.haase@JSDInc.com

Introduction:

This proposed multi-family development involves the development of 10 & 16 N 7th Street and 2430, 2434, & 2450 E Washington Avenue located at the corner of N 7th Street and E Washington Avenue. Located within the Emerson East Neighborhood, the site is currently occupied by a former muffler shop and (4) single family rental homes. This application requests removal of the existing buildings for the development of a new 5-story building with 76 multifamily units and 61 vehicle parking stalls. The 10 & 16 N 7th Street addresses on the site are currently zoned TR-C4 and we are requesting a rezoning to TSS zoning for the proposed redevelopment, while the 2430, 2434, & 2450 E Washington Avenue addresses are currently zoned TSS and will remain zoned as TSS.

The development has submitted an application to the City of Madison Community Development Division (CDD) for public subsidy from the City's Affordable Housing Fund (RFP # 13059-2024)

Project Description:

The proposed project is a mixed-use multi-family development consisting of 76 dwelling units. The building is 5 stories tall, and the building steps back at the 5th floor level to serve as a transition to the single-family homes to the north and to comply with the step back requirements of the zoning code.

The building has been placed on the site to anchor the corner while being able to provide space for foundation landscaping plantings to soften the pedestrian experience. The corner of the building has been chamfered to accommodate the vision triangle requirements while providing an opportunity to create a prominent entry facing the inbound traffic. The first-floor units along E Washington Ave will have direct entry porches and these have been raised up above the sidewalk elevation to provide a separation and sense of place for those residents while still activating the façade along this primary arterial street.

Parking is contained at the first-floor level with the majority being located underneath the footprint of the building. Access to the parking is solely off of 7th Street and all existing curb cuts on East Washington Ave will be vacated. A solid fence will be erected along the north property line and the landscaping has been designed to serve as additional screening for the parking areas.

A B-Cycle station will be added to this property which will serve as an amenity for both the residents and the neighborhood and will provide more opportunities to connect to the greater community.

City and Neighborhood Input:

We have met with the City on several occasions for this proposed development including pre-application meetings and attending a DAT meeting. An in-person neighborhood meeting led by Alder Latimer Burris was held on August 5, 2024, and was attended by many neighbors and City Staff. The project was well received with a lot of positive feedback on rejuvenating this site and providing additional housing on this great location that is well connected to the rest of the city via public transportation. It was suggested that less parking would be appropriate, so parking counts have been reduced in order to provide more landscaping and green space. This project was also presented to UDC for an informational presentation and all this feedback has helped to improve this project.

Demolition Standards

The existing commercial building was most recently used as a muffler shop but is now vacant. The existing single-family buildings are most recently used as rental properties. These buildings have served many people over their time but have become outdated and in need of major repairs and updates. We are proposing that the existing buildings be demolished. The site is located on a prominent corner in the city that is currently underutilized and would be better utilized as a mixed-use multi-family property. The existing commercial building is a specialized use and is of a size and shape that a relocation is not financially feasible. The existing rental homes would be made available for relocation if there is an interested party in doing so, however it is not likely that there will be any interest. The demolition standards will be met, and a Re-use and Recycling Plan will be submitted prior to the deconstruction of the existing structures.

Conditional Use Approvals:

The proposed development requires a conditional use to allow for a more than 60 dwelling units in a mixed-use building and a conditional use for the building height at 5 stories. The proposed building's size, scale and use are consistent with the City's Comprehensive Plan for this property, which calls for Community Mixed Use (CMU) development. We have met or exceeded all other standards of the TSS zoning.

Conformance with UDD No. 5 Requirements

The project has been designed to generally conform to the guidelines set in the Urban Design District Number 5 and the following items have been incorporated into the design of the proposed project:

- Off-street parking has been located behind and underneath the building and landscaping has been added to screen the parking from view. The north property line will also have a solid fence to further aid in the screening.
- The terrace along 7th Street is being increased so that additional street tree plantings can occur, and these will be coordinated with City Forestry.
- The structure has been designed to be compatible with the adjacent structures on East Washington Ave and we are using durable and low maintenance materials of masonry and composite sidings. All facades will receive these materials and are considered of equal importance. The roof parapets have also been raised to screen any roof mounted mechanicals and the majority of the roof will be covered with solar panels.
- Landscaping has been designed with plants selected to be compatible with our region and will provide interest to all sides of the property, with more extensive plantings along the north side of the parking area to assist with screening. Foundation plantings have also been included along the street facing facades to enhance the pedestrian experience.
- Exterior lighting has been designed with full cut-off fixtures to avoid any glare onto neighboring properties and the lighting to be installed above the protected parking stalls will be shielded to prevent any adjacent glare as well.

Site Development Data:

Densities:

Lot Area	39,299 S.F. / 0.9 acres
Dwelling Units	76 D.U.
Lot Area / D.U.	517 S.F./D.U.
Density	84 units/acre
Lot Coverage	28,553 S.F. / 73%
Usable Open Space	Not required in TOD Overlay

Building Height: 4 and 5 Stories / 62'-3"

Commercial Area: 260 S.F.

Dwelling Unit Mix:

One Bedroom	26
Two Bedroom	34
Three Bedroom	16
Total	76 D.U.

Vehicle Parking:

Surface parking lot 61 vehicle stalls

Bicycle Parking:

Garage Wall-Mount	21
Garage Floor-Mount	58
Resident Surface	5
Commercial Surface	1
<u>Guest Surface</u>	<u>8</u>
Total	93 bike stalls

Project Schedule:

It is anticipated that construction will start in the Spring of 2025 and be completed in Spring/Summer of 2026.

Thank you for your time and consideration of our proposal.

Sincerely,



Kevin Burow, AIA, NCARB, LEED AP
Managing Member

PRELIMINARY

CERTIFIED SURVEY MAP NO.

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

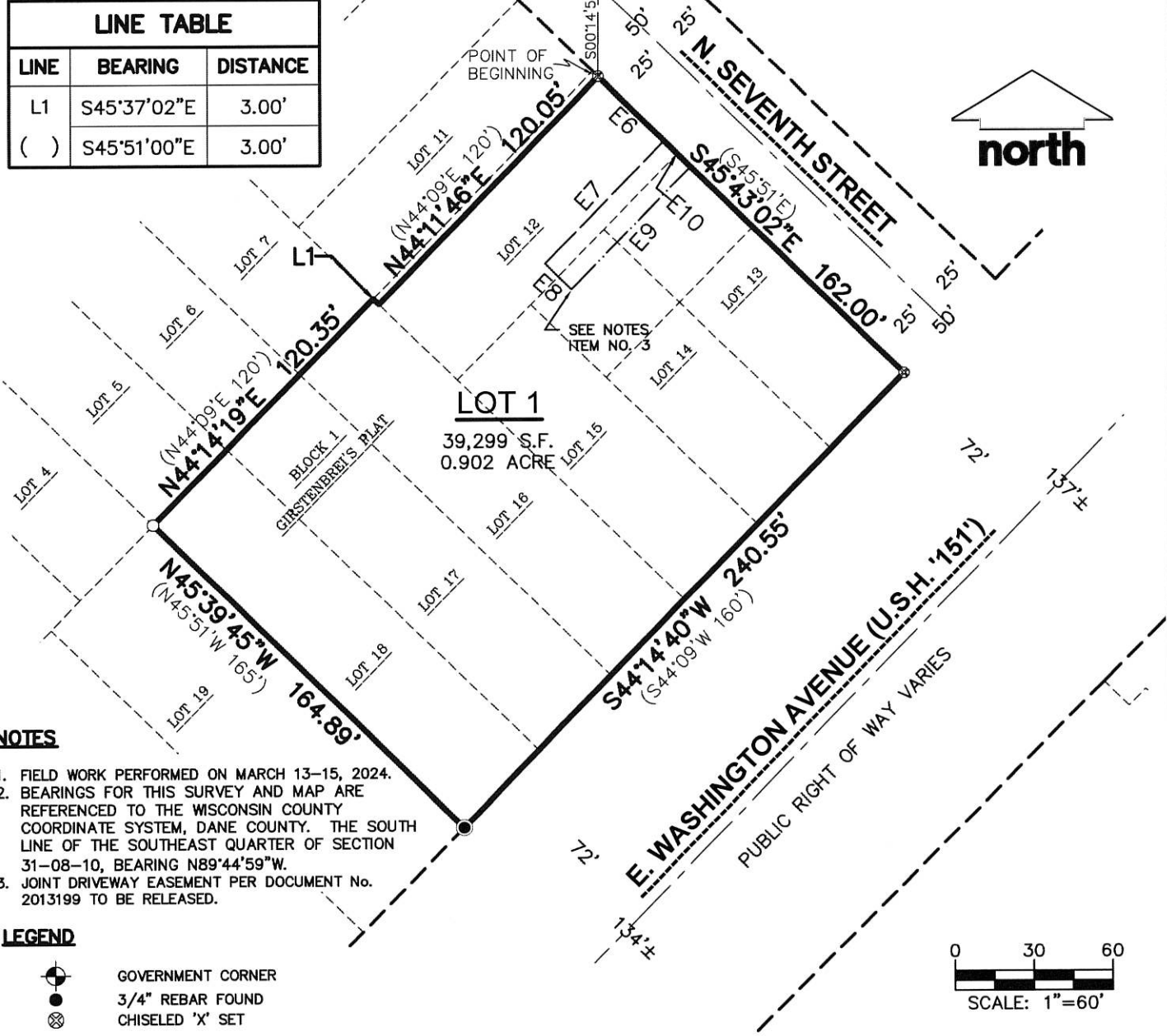
SOUTHWEST CORNER
SOUTHEAST 1/4 OF
SECTION 31, T8N, R10E
FOUND BRASS CAP IN
CONCRETE
N=494,549.42
E=828,891.17

SOUTHEAST CORNER
OF SOUTHEAST 1/4
SECTION 31 T8N, R10E
FALLS ON SANITARY
MANHOLE, FOUND TIES
N=494,537.89
E=831,529.32

NORTHWEST CORNER
NORTHEAST 1/4 OF
SECTION 06, T7N, R10E
FOUND BRASS CAP
MONUMENT
N=494,549.42
E=828,891.17

NORTHEAST CORNER
NORTHEAST 1/4 OF
SECTION 06 T7N, R10E
FOUND BRASS CAP
MONUMENT IN CONCRETE
N=494,537.66
E=831,541.40

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S45°37'02"E	3.00'
()	S45°51'00"E	3.00'



NOTES

- 1. FIELD WORK PERFORMED ON MARCH 13-15, 2024.
- 2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 31-08-10, BEARING N89°44'59"W.
- 3. JOINT DRIVEWAY EASEMENT PER DOCUMENT No. 2013199 TO BE RELEASED.

LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- CHISELED 'X' SET
- SURVEY NAIL FOUND
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE
- () DENOTES RECORD DATA DEPICTING THE SAME LINE ON THE GROUND AS RETRACED BY THIS SURVEY

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E6	S45°44'13"E	35.00'
E7	S44°22'55"W	65.01'
E8	S45°43'02"E	14.00'
E9	N44°22'55"E	64.99'
E10	N45°37'05"W	14.00'

SURVEYED BY:
JSD
MADISON REGIONAL OFFICE
507 W. VERONA AVENUE, SUITE 500
VERONA, WISCONSIN 53593
P. 608.848.5060

SURVEYED FOR:
VOLKER DEVELOPMENT
464 S. HICKORY ST., STE. C
FOND DU LAC, WI 54935

PROJECT NO: 24-14144
FIELDBOOK/PG: -
SHEET NO: 1 OF 6

SURVEYED BY: ZHG
DRAWN BY: CPL

VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

File: \\JSDINC\projects2\2024\2414144\DWG\Survey Sheets\2414144 P-CSM.dwg Layout: Sheet 1 User: jmorrow Plotted: Aug 22, 2024 - 10:53am

PRELIMINARY

CERTIFIED SURVEY MAP NO.

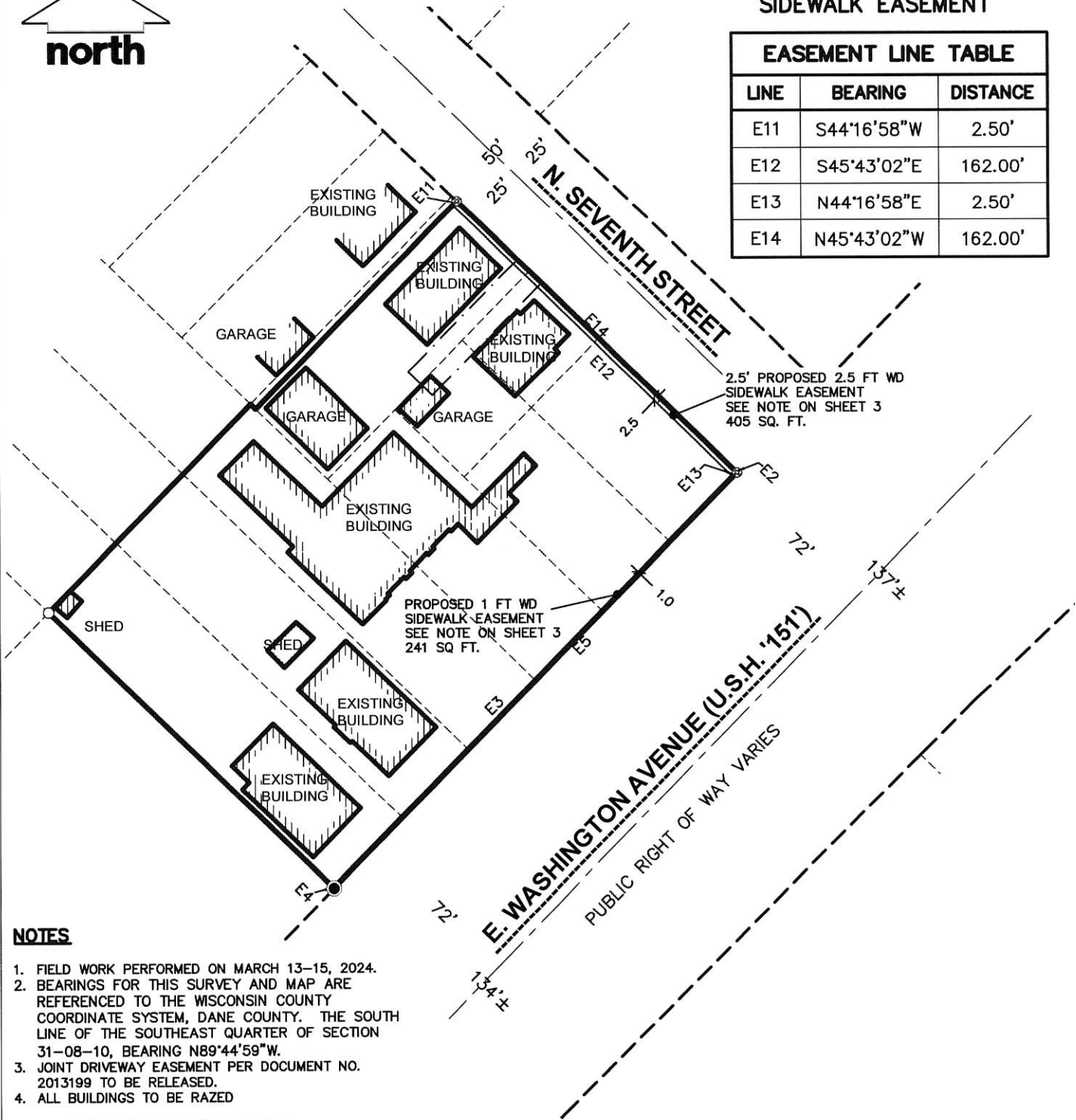
LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



EXISTING BUILDINGS AND EASEMENTS

PROPOSED 2.5 FT WD SIDEWALK EASEMENT

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E11	S44°16'58"W	2.50'
E12	S45°43'02"E	162.00'
E13	N44°16'58"E	2.50'
E14	N45°43'02"W	162.00'

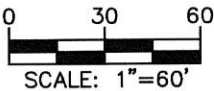


NOTES


- 1. FIELD WORK PERFORMED ON MARCH 13-15, 2024.
- 2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 31-08-10, BEARING N89°44'59"W.
- 3. JOINT DRIVEWAY EASEMENT PER DOCUMENT NO. 2013199 TO BE RELEASED.
- 4. ALL BUILDINGS TO BE RAZED

PROPOSED 1 FT WD SIDEWALK EASEMENT

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E2	N45°45'20"W	1.00'
E3	S44°14'40"W	240.55'
E4	S45°45'20"E	1.00'
E5	N44°14'40"E	240.55'



SURVEYED BY:



MADISON REGIONAL OFFICE
507 W. VERONA AVENUE, SUITE 500
VERONA, WISCONSIN 53593
P. 608.848.5060

SURVEYED FOR:

**VOLKER
DEVELOPMENT**
464 S. HICKORY ST., STE. C
FOND DU LAC, WI 54935

PROJECT NO:

24-14144

FIELDBOOK/Pg:

-

SHEET NO:

2 OF 6

SURVEYED BY:

ZHG

DRAWN BY:

CPL

VOL. _____

PAGE _____

DOC. NO. _____

C.S.M. NO. _____

PRELIMINARY
CERTIFIED SURVEY MAP NO.

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

PUBLIC SIDEWALK 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 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 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.

LEGAL DESCRIPTION

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 31, T08N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN, SAID POINT ALSO BEARING N88°54'33"W 12.08 FEET FROM THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE N88°44'59"W, 1291.47 FEET ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE S00°14'51"W, 2506.72 FEET TO A POINT ON THE SOUTH LINE OF 7TH STREET, SAID POINT ALSO THE POINT OF BEGINNING; THENCE S45°43'02"E A DISTANCE OF 162.00 FEET ALONG SAID SOUTH LINE OF 7TH STREET TO A POINT ON THE NORTH LINE OF WASHINGTON AVENUE; THENCE S44°14'40"W A DISTANCE OF 240.55 FEET ALONG SAID NORTH LINE OF WASHINGTON AVENUE TO A POINT; THENCE N45°39'45"W, 164.89 FEET TO A POINT; THENCE N44°14'19"E, 120.35 FEET TO A POINT; THENCE S45°37'02"E, 3.00 FEET TO A POINT; THENCE N44°11'46"E, 120.05 FEET TO THE POINT OF BEGINNING.


SAID PARCEL CONTAINS 39,299 SQUARE FEET OR 0.902 ACRES.

SURVEYOR'S CERTIFICATE

I, JIM MORROW, PROFESSIONAL LAND SURVEYOR S-2777, DO HEREBY CERTIFY THAT BY DIRECTION OF VOLKER DEVELOPMENT, 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 MORROW, S-2777
PROFESSIONAL LAND SURVEYOR

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>VOLKER DEVELOPMENT</div> <div>464 S HICKORY ST, STE. C FOND DU LAC, WI 54935</div>	PROJECT NO:	24-14144	<div>SURVEYED BY:</div> <div>ZHG</div> <div>DRAWN BY:</div> <div>CPL</div>
		FIELDBOOK/PG:	-	
		SHEET NO:	3 OF 6	

VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

File: \\JSD\INC\projects2\2024\2414144\DWG\Survey Sheets\2414144 P-CSM.dwg Layout: Sheet 3 User: jmorrow Plotted: Aug 22, 2024 - 10:55am

File: \\JSD\INC\projects2\2024\2414144\DWG\Survey Sheets\2414144 P-CSM.dwg Layout: Sheet 4 User: jmorrow Plotted: Aug 22, 2024 - 10:56am

PRELIMINARY

CERTIFIED SURVEY MAP NO.

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE

ADAM PROPERTIES, LLC, A LIMITED LIABILITY 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 ADAM PROPERTIES, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVES THIS _____DAY OF _____, 2024.

ADAM PROPERTIES, LLC.
A WISCONSIN LIMITED LIABILITY CORPORATION

BY: _____
ANTHONY ADAMS, MANAGING MEMBER

STATE OF WISCONSIN) SS
DANE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 2024,
THE ABOVE NAMED REPRESENTATIVES OF THE ABOVE NAMED ADAMS PROPERTIES, LLC
TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND
ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, DANE COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

OWNER'S CERTIFICATE

I, ANTHONY ADAMS, AS OWNER, DO HEREBY CERTIFY THAT I HAVE 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.


WITNESS THE HAND AND SEAL OF SAID OWNERS THIS _____DAY OF _____, 2024.
IN PRESENCE OF:

ANTHONY ADAMS, OWNER

STATE OF WISCONSIN) SS
DANE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 2024,
THE ABOVE NAMED ANTHONY ADAMS TO ME KNOWN TO BE THE PERSONS WHO
EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, DANE COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

<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>VOLKER DEVELOPMENT</div> <div>464 S. HICKORY ST., STE. C FOND DU LAC, WI 54935</div>	PROJECT NO: 24-14144	SURVEYED BY: ZHG	VOL. _____ PAGE _____	
		FIELDBOOK/PG: -	DRAWN BY: CPL		
		SHEET NO: 4 OF 6			
				DOC. NO. _____	
				C.S.M. NO. _____	

File: \\JSDINC\Projects2\2024\2414144\DWG\Survey Sheets\2414144 P-CSM.dwg Layout: Sheet 5 User: jmorrow Plotted: Aug 22, 2024 - 10:57am

PRELIMINARY

CERTIFIED SURVEY MAP NO.

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CONSENT OF CORPORATE MORTGAGEE

LAKE RIDGE BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS MORTGAGEE OF THE LANDS DESCRIBED HEREON, HEREBY CONSENTS TO THE SURVEYING, DIVIDING, AND MAPPING OF THE LANDS DESCRIBED ON THIS MAP, AND DO HEREBY CONSENT TO THE ABOVE CERTIFICATE OF ADAM PROPERTIES, LLC, OWNER.

WITNESS THE HAND AND SEAL OF LAKE RIDGE BANK, MORTGAGEE, THIS DAY OF , 2024.

PRESIDENT OR VICE-PRESIDENT

STATE OF WISCONSIN) SS
DANE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS DAY OF , 2024, THE ABOVE NAMED REPRESENTATIVES OF THE ABOVE NAMED LAKE RIDGE BANK, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, DANE COUNTY, WISCONSIN MY COMMISSION EXPIRES

CONSENT OF CORPORATE MORTGAGEE

LAKE RIDGE BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS MORTGAGEE OF THE LANDS DESCRIBED HEREON, HEREBY CONSENTS TO THE SURVEYING, DIVIDING, AND MAPPING OF THE LANDS DESCRIBED ON THIS MAP, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF ANTHONY ADAMS, OWNER.

WITNESS THE HAND AND SEAL OF LAKE RIDGE BANK, MORTGAGEE, THIS DAY OF , 2024.

PRESIDENT OR VICE-PRESIDENT

STATE OF WISCONSIN) SS
DANE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS DAY OF , 2024, THE ABOVE NAMED REPRESENTATIVES OF THE ABOVE NAMED LAKE RIDGE BANK, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, DANE COUNTY COUNTY, WISCONSIN MY COMMISSION EXPIRES

SURVEYED BY: JSD MADISON REGIONAL OFFICE 507 W. VERONA AVENUE, SUITE 500 VERONA, WISCONSIN 53593 P. 608.848.5060		SURVEYED FOR: VOLKER DEVELOPMENT 464 S. HICKORY ST., STE. C FOND DU LAC, WI 54935		PROJECT NO: 24-14144 FIELDBOOK/PG: - SHEET NO: 5 OF 6	SURVEYED BY: ZHG DRAWN BY: CPL	VOL. PAGE DOC. NO. C.S.M. NO.
--	--	---	--	---	-----------------------------------	-------------------------------------

PRELIMINARY

CERTIFIED SURVEY MAP NO.

LOTS 12, 13, 14, 15, 16, 17, AND 18, BLOCK 1, GIRSTENBREI'S PLAT, LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CITY OF MADISON PLAN COMMISSION APPROVAL

APPROVED FOR RECORDING PER CITY OF MADISON PLAN COMMISSION ACTION OF _____, 2023.

MATTHEW WACHTER,
SECRETARY,
CITY OF MADISON PLAN COMMISSION

DATE

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

<div><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>	<div><div>SURVEYED FOR:</div><div>VOLKER DEVELOPMENT</div><div>464 S. HICKORY ST., STE C FOND DU LAC, WI 54935</div></div>	<div><div>PROJECT NO:</div><div>24-14144</div></div> <div><div>FB/PG:</div><div>-</div></div> <div><div>SHEET NO:</div><div>6 OF 6</div></div>	<div><div>SURVEYED BY:</div><div>ZHG</div></div> <div><div>DRAWN BY:</div><div>CPL</div></div>
--	--	--	--

File: \\JSD\JNC\projects2\2024\2414144\DWG\Survey Sheets\2414144 P-CSM.dwg Layout: SHEET 6 User: jmorrow Plotted: Aug 22, 2024 - 10:58am



City of Madison

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

Master

File Number: 85193

File ID: 85193

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 09/11/2024

File Name: CSM - 619-699 W Mifflin St

Final Action:

Title: Approving a Certified Survey Map of property owned by Wiedenbeck Historic Properties Limited Partnership located at 619 and 699 W Mifflin Street (District 4).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, CSM Application.pdf, Letter of Intent (CSM).pdf, Proposed CSM.pdf, Link to Demo File 85186, Link to Rezoning File 85465, Link to Cond Use File 85187

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	09/11/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/4/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer	PLAN COMMISSION		11/04/2024	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	11/04/2024	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Solheim, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Solheim, Seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve, subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/other.						

Text of Legislative File 85193

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 Wiedenbeck Historic Properties Limited Partnership located at 619 and 699 W Mifflin Street (District 4).

Body

WHEREAS a Certified Survey Map of property owned by Wiedenbeck Historic Properties Limited Partnership located at 619 and 699 W Mifflin 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 above mentioned documents related to this Certified Survey Map.

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

Demolition, Rezoning, Conditional Use and Certified Survey Map Referral

Location
619-699 W Mifflin Street

Applicant
Linda Irving, Trinitas Ventures
Neil Reardon, ESG Architecture & Design
Phil Hees, McBride Companies

Requests

- Demolish two apartment buildings
- Rezone from PD to UMX
- Construct a ten-story, 239-unit apartment building
- Re-divide two parcels by CSM into a lot for new building and a lot for existing apartment building

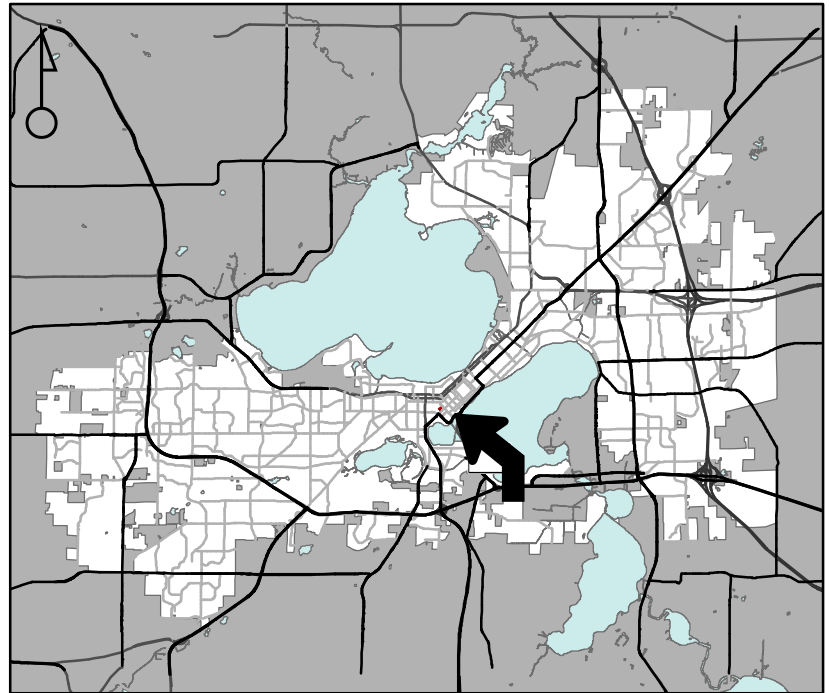
Public Hearing Dates

Plan Commission

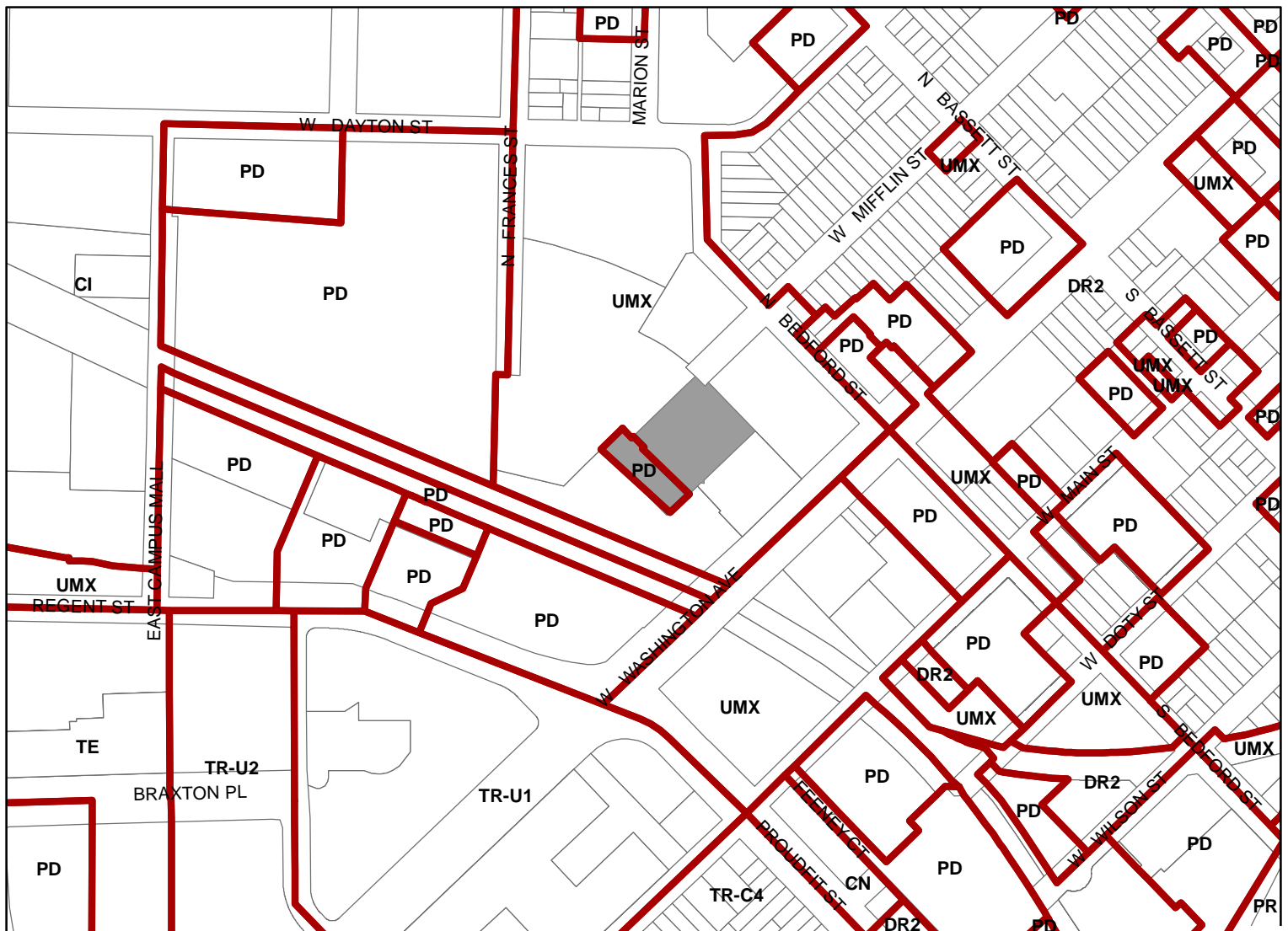
November 4, 2024

Common Council

November 26, 2024



For Questions Contact: Colin Punt at: 243-0455 or cpunt@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : JC : Date : 9-26-



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

9/9/24 12:04 pm



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: _____ Representative, if any: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

Firm Preparing Survey: _____ Contact: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

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: _____

Tax Parcel Number(s): _____

Zoning District(s) of Proposed Lots: _____ School District: _____

- 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			
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			

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: _____ Signature: Joseph Meyer

Date: _____ Interest In Property On This Date: _____

09-09-2024

Letter of Intent – Certified Survey Map
619/699 Mifflin Street
Madison, WI

To whom it may concern,

This letter serves as the letter of intent for the Certified Survey Map for the properties 619 and 699 W. Mifflin Street. Kimley-Horn serves as the Civil Engineering Consultant for ESG Architecture and Design, Architect on this project, and Trinitas Ventures, the developer on this project.

The existing lot consists of two addresses in two zoning districts. The property at 619 W. Mifflin Street is zoned as Urban Mixed Use (UMX) and contains an existing multi-story, multi-family residential building. 699 W. Mifflin Street is in the Planned Development District (PD) and contains an existing Historic Landmark.

The proposed subdivision includes splitting this single lot into two proposed lots. Lot 1 is to be a 1.09-acre lot and Lot 2 is to be a 0.34-acre lot. With the subdivision, there is intent to demolish the existing residential building on Lot 1, and propose a new residential building development with associated underground utilities and underground parking. There is no intent to disturb any portion of Lot 2 or any portion of the existing Historic Building located on Lot 2.

Below are a list of persons involved in the proposed project. Please do not hesitate to contact any of these with any questions.

DEVELOPER

TRINITAS VENTURES
159 N SANGAMAN DR, SUITE 200
CHICAGO, IL 60607
TEL: (765) 807-2737
CONTACT: LINDA IRVING

OWNER

WIEDENBECK HISTORIC PROPERTIES LIMITED
PARTNERSHIP
619 AND 699 W. MIFFLIN STREET
MADISON, WI 53703

CIVIL ENGINEER

KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD RD, SUITE 600
WARRENVILLE, IL 60555
TEL: (630) 487-5550
EMAIL: ANDREW.HEINEN@KIMLEY-HORN.COM
CONTACT: ANDREW HEINEN, P.E.
EMAIL: JOE.MAYER@KIMLEY-HORN.COM
CONTACT: JOE MAYER

ARCHITECT

ESG ARCHITECTURE & DESIGN
500 WASHINGTON AVE SOUTH, SUITE 1080
MINNEAPOLIS, MN 55415
TEL: (612) 524-4218

SURVEYOR

TALARCZYK LAND SURVEYS
517 2ND AVENUE
NEW GLARUS, WI 53574
TEL: (608) 527-5216
CONTACT: BOB TALARCZYK

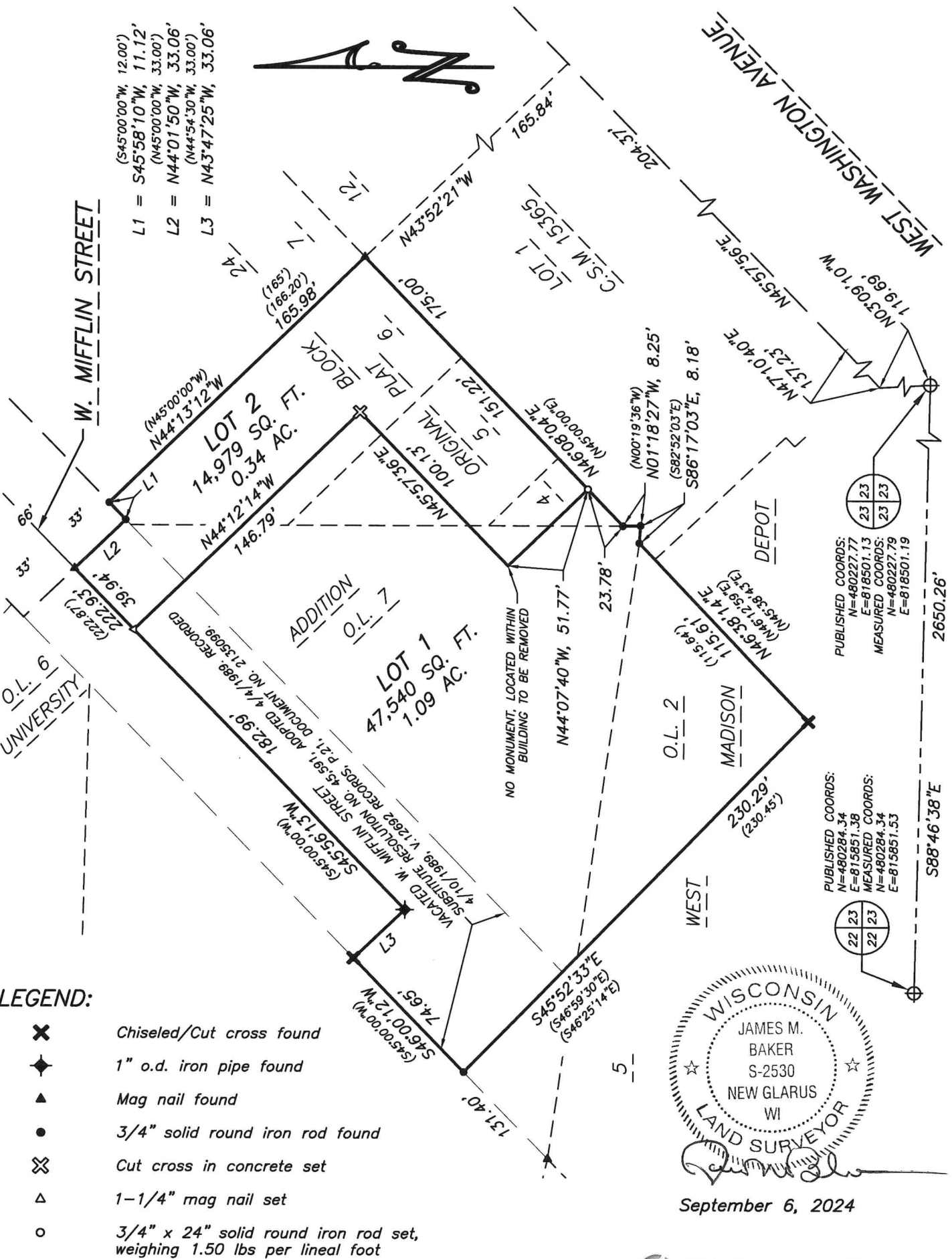
Sincerely,



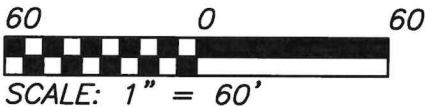
Joseph Mayer
Kimley-Horn and Associates, Inc.
Phone: 630-487-5563
Email: joe.mayer@kimley-horn.com

CERTIFIED SURVEY MAP No. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.



JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB



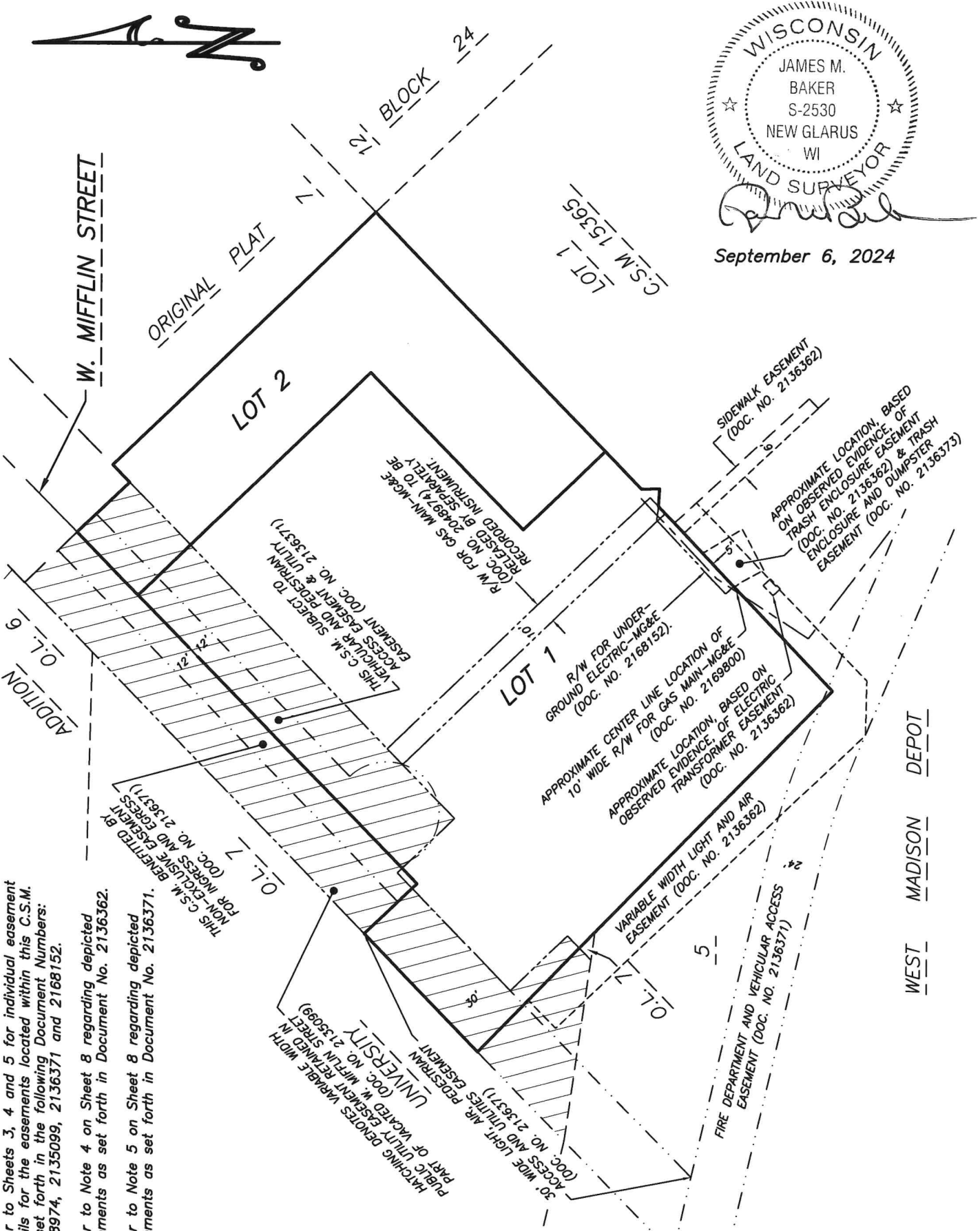
SHEET 1 OF 12

TALARCZYK
LAND SURVEYS
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyklandsurveys.com

CERTIFIED SURVEY MAP No. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

EXISTING EASEMENTS

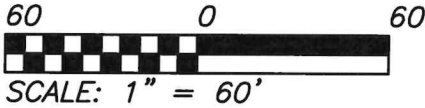


Refer to Sheets 3, 4 and 5 for individual easement details for the easements located within this C.S.M. as set forth in the following Document Numbers: 2048974, 2135099, 2136371 and 2168152.

Refer to Note 4 on Sheet 8 regarding depicted easements as set forth in Document No. 2136362.

Refer to Note 5 on Sheet 8 regarding depicted easements as set forth in Document No. 2136371.

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB



SHEET 2 OF 12

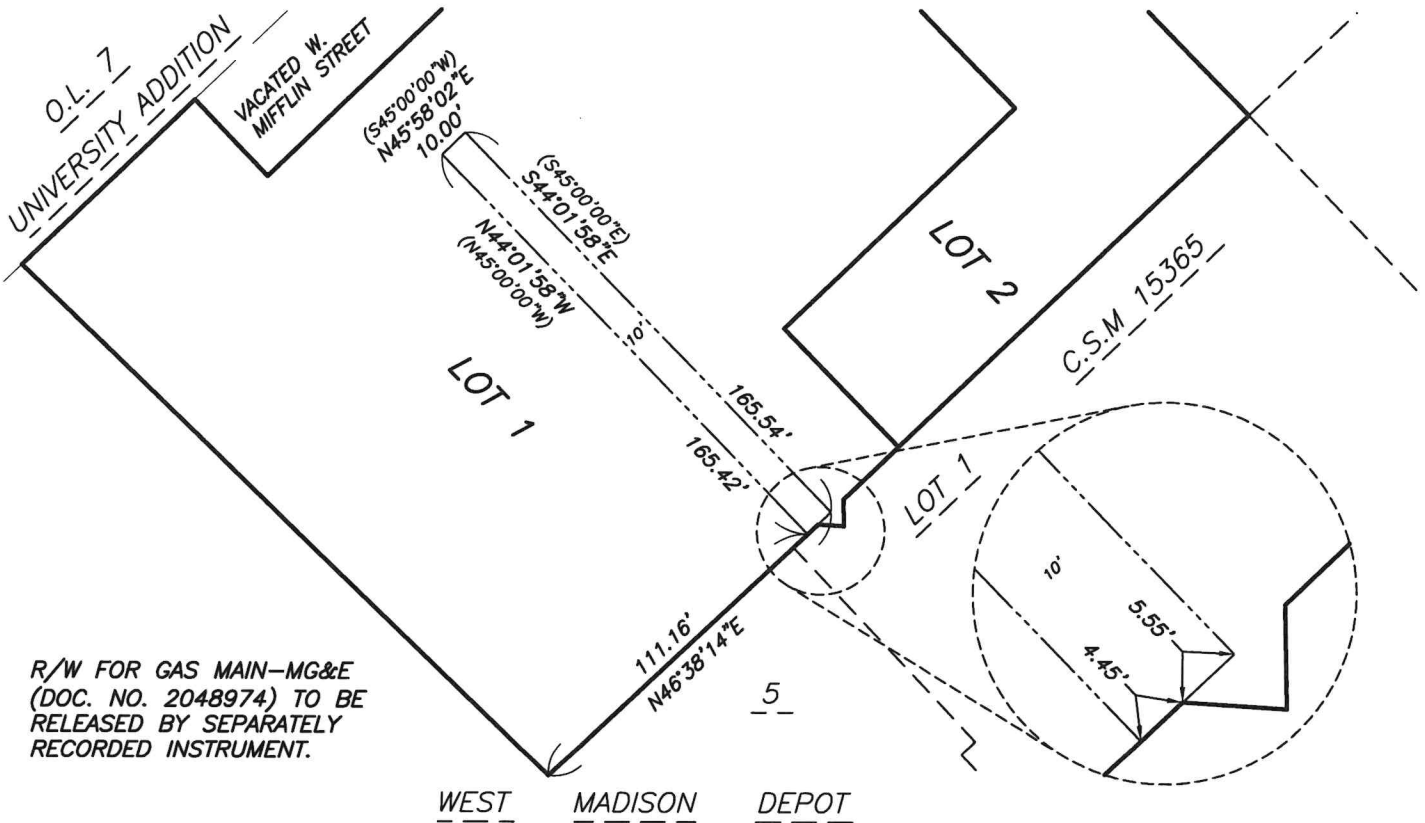
TALARCZYK
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

WISCONSIN
JAMES M. BAKER
S-2530
NEW GLARUS WI
LAND SURVEYOR
September 6, 2024

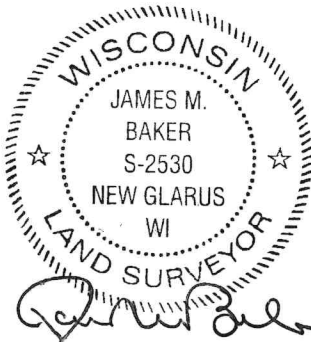
CERTIFIED SURVEY MAP No. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

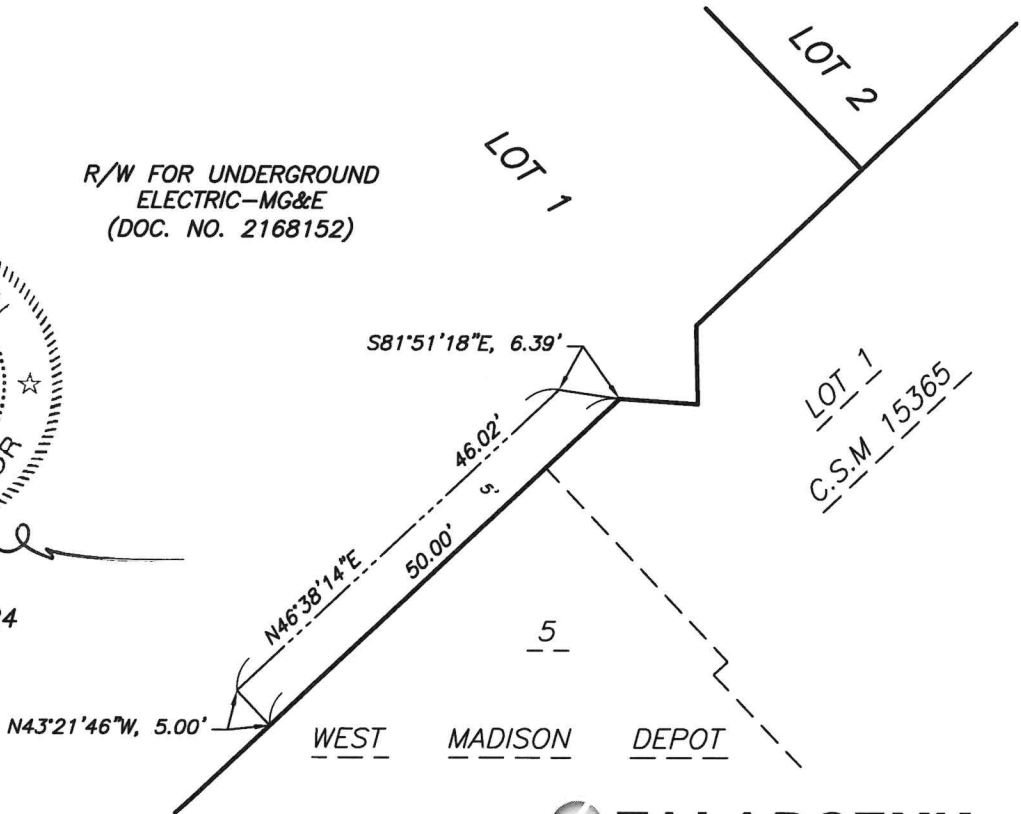
EASEMENT DETAILS



R/W FOR UNDERGROUND
ELECTRIC-MG&E
(DOC. NO. 2168152)



September 6, 2024



TALARCZYK

LAND SURVEYS

517 2nd Avenue
New Glarus, WI 53574
608-527-5216

www.talarczyk-surveys.com

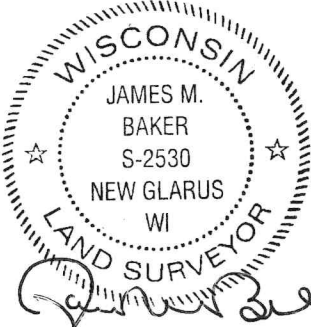
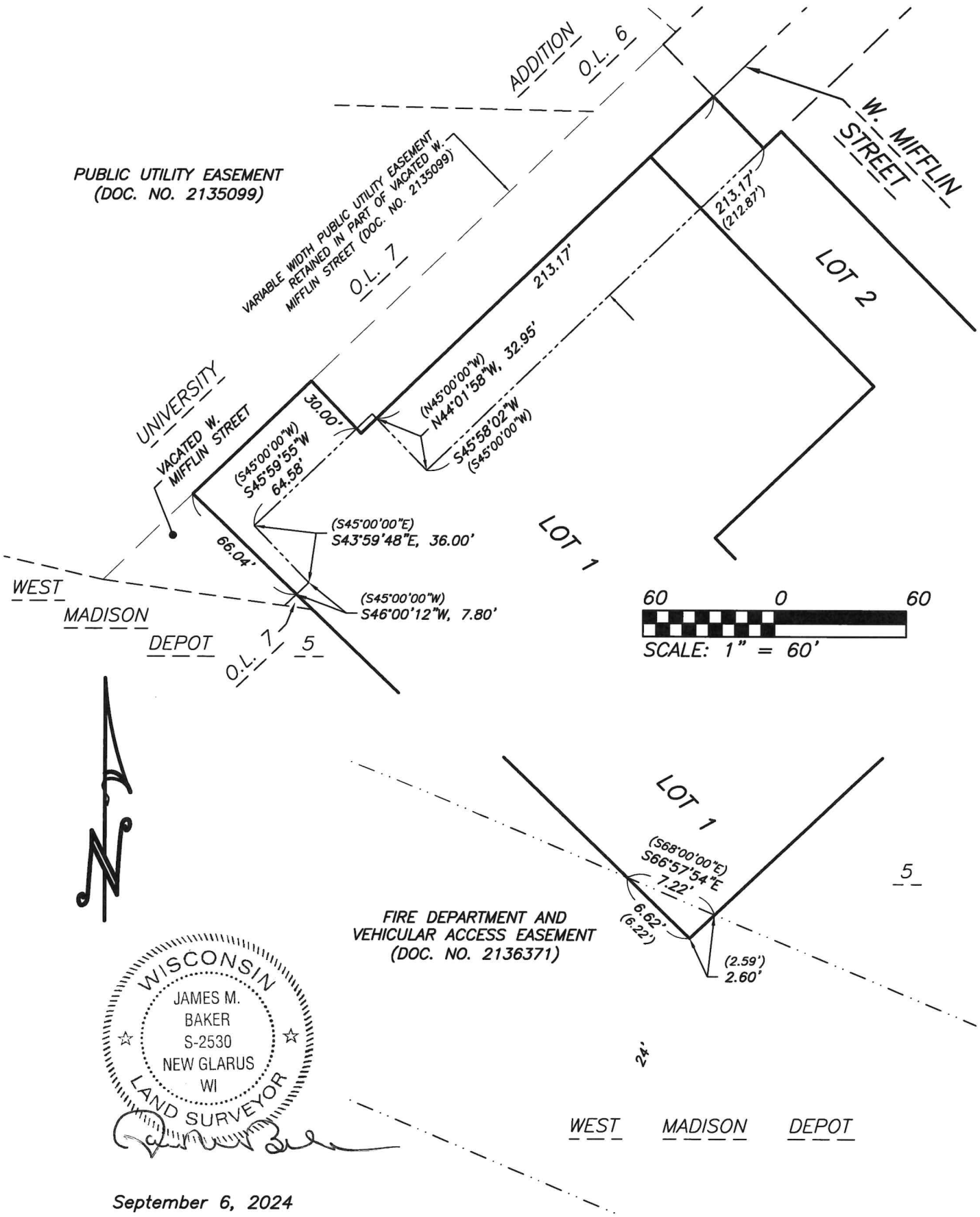
JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

SHEET 3 OF 12

CERTIFIED SURVEY MAP NO. _____

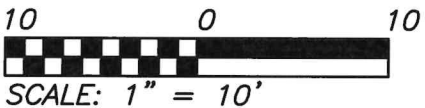
Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

EASEMENT DETAILS



September 6, 2024

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB



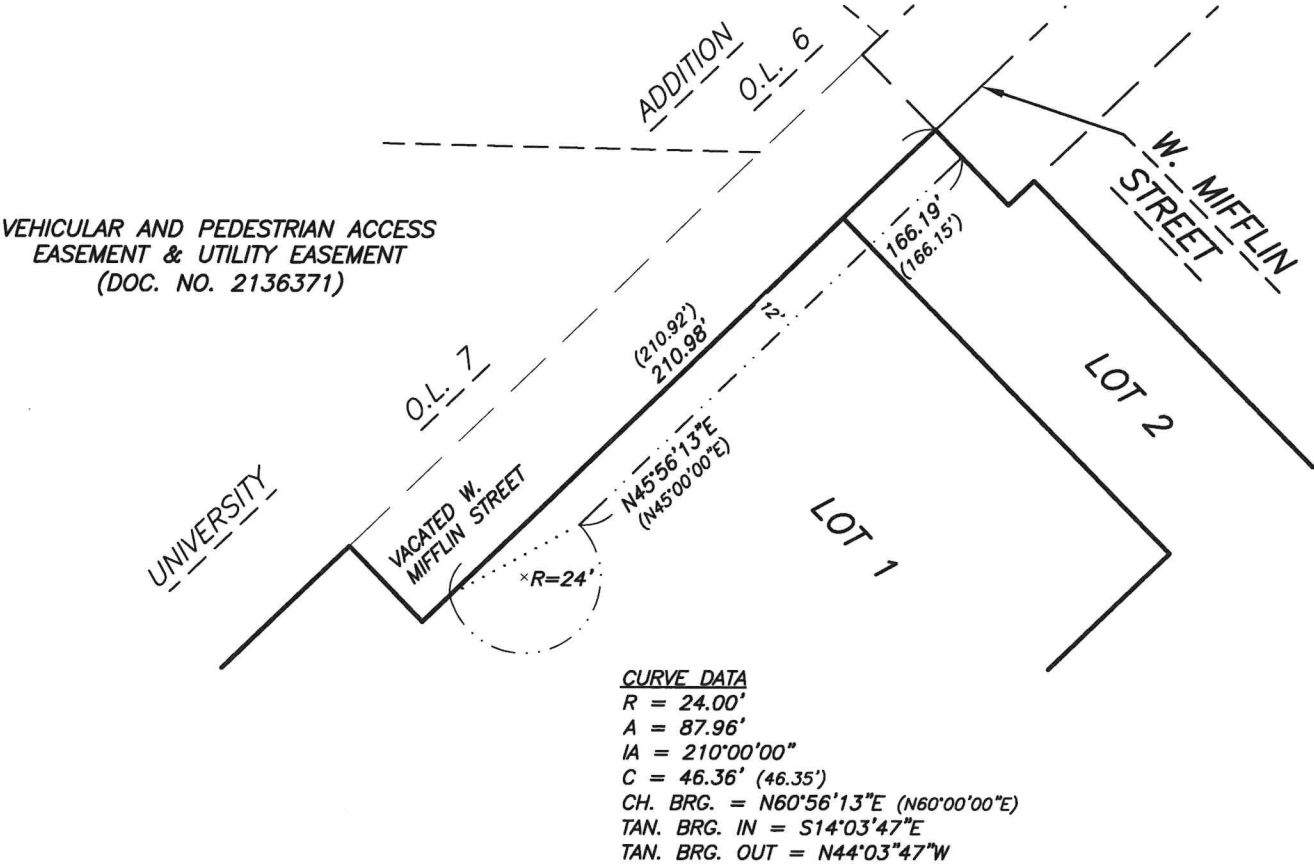
SHEET 4 OF 12

**TALARCZYK**
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyksurveys.com

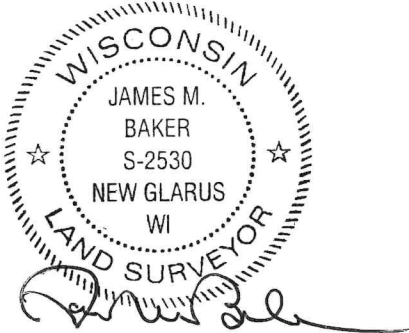
CERTIFIED SURVEY MAP No. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

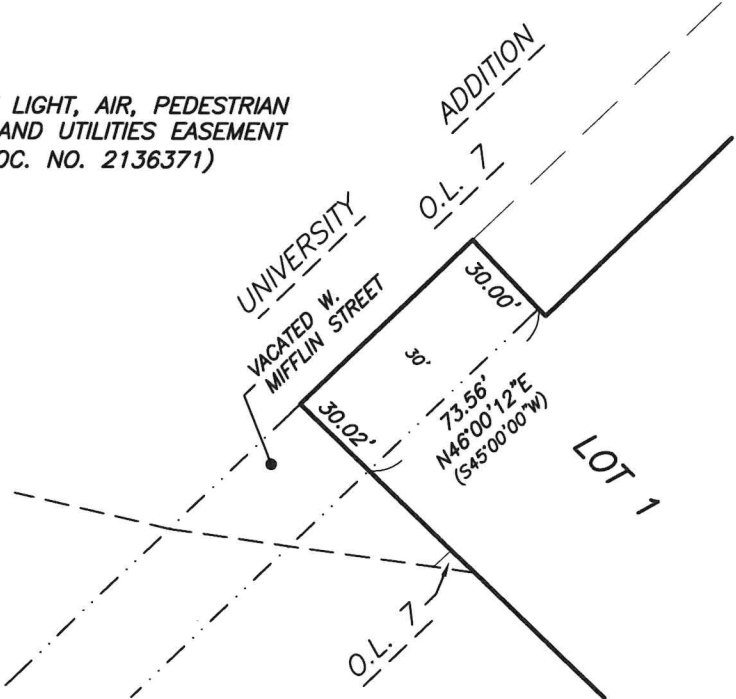
EASEMENT DETAILS



30' WIDE LIGHT, AIR, PEDESTRIAN
ACCESS AND UTILITIES EASEMENT
(DOC. NO. 2136371)

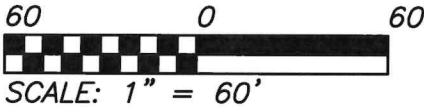


September 6, 2024



TALARCZYK
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

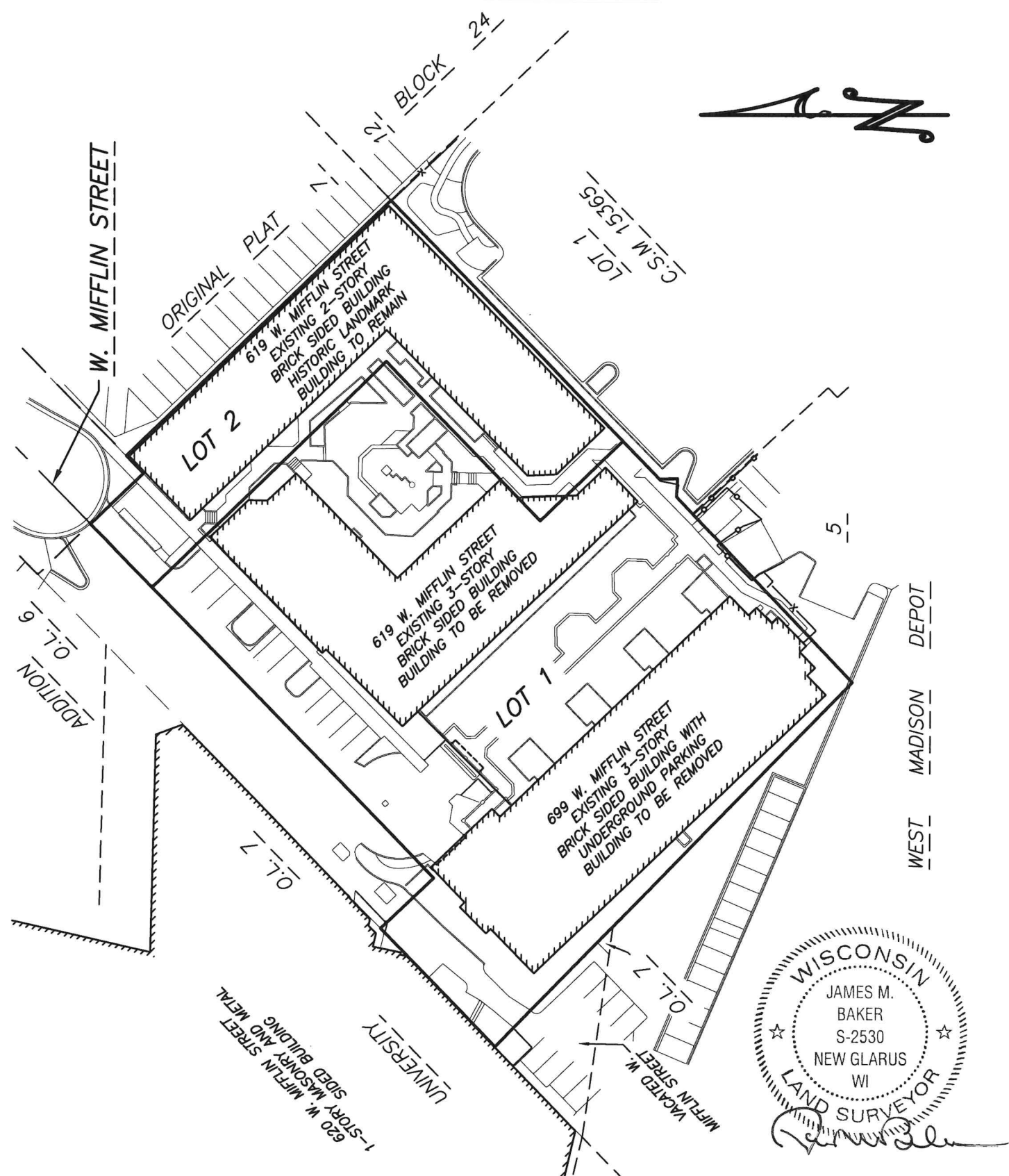


SHEET 5 OF 12

CERTIFIED SURVEY MAP NO. _____

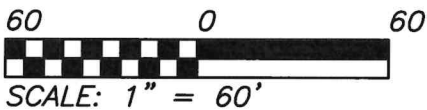
Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

EXISTING IMPROVEMENTS



September 6, 2024

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB



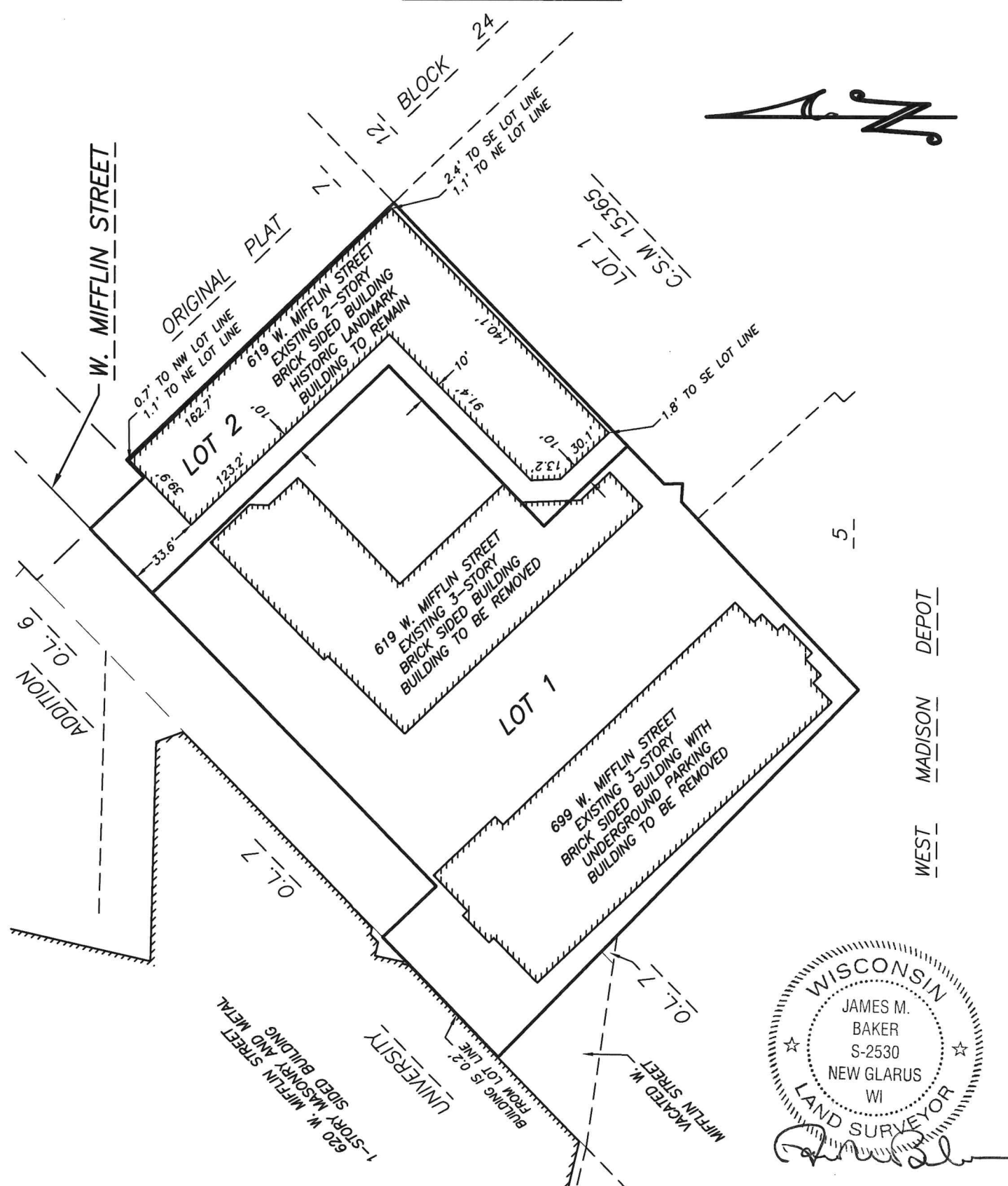
SHEET 6 OF 12

TALARCZYK
LAND SURVEYS, LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyklandsurveys.com

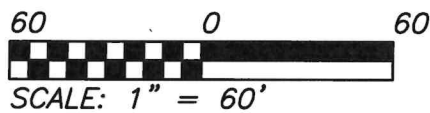
CERTIFIED SURVEY MAP NO. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

BUILDING DETAILS



JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB



SHEET 7 OF 12

TALARCZYK
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyklandsurveys.com

CERTIFIED SURVEY MAP No. _____

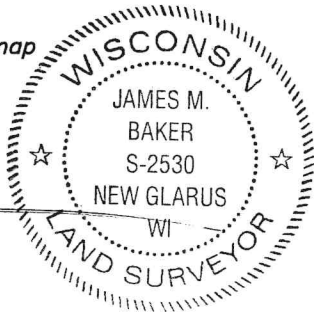
Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

That part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, Outlot 7 of University Addition, Outlot 2 of West Madison Depot and vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin, bounded and described as follows: Commencing at the West 1/4 corner of said Section 23; thence S88°46'38"E along the South line of the Northwest 1/4 of Section 23, 2650.26' to the center of Section 23; thence N03°09'10"W, 119.69'; thence N47°10'40"E, 137.23'; thence N45°57'56"E, 204.37'; thence N43°52'21"W, 165.84' to the most Easterly corner of Lot 6 of Block 24 of the Original Plat of Madison and the point of beginning; thence N44°13'12"W, 165.98' to the most Northerly corner of said Lot 6 and the Southeasterly right of way line of W. Mifflin Street; thence along said right of way line S45°58'10"W, 11.12'; thence along the Southwesterly right of way line of W. Mifflin Street N44°01'50"W, 33.06' to the centerline of vacated W. Mifflin Street; thence S45°56'13"W along said centerline, 222.93'; thence N43°47'25"W, 33.06' to the Northwesterly line of vacated W. Mifflin Street; thence S46°00'12"W along the Northwesterly line of vacated W. Mifflin Street, 74.65' to the intersection with the North line of Outlot 2 of West Madison Depot extended; thence S45°52'33"E, 230.29' to the Southerly corner of said Outlot 2; thence N46°38'14"E, 115.61' to the Northeasterly corner of said Outlot 2; thence S86°17'03"E, 8.18' to the East line of Outlot 7 of University Addition; thence N01°18'27"W along said East line of Outlot 7, 8.25' to the Southeasterly line of Lot 4 of Block 24 of the Original Plat of Madison; thence N46°08'04"E, 175.00' to the point of beginning; subject to any and all easements of record.

I hereby certify that this survey is in compliance with Chap. 236.34 of the Wis. Statutes and the subdivision regulations of the City of Madison, and that I have surveyed, monumented, and mapped the lands described hereon, and that this map is a correct representation thereof in accordance with the information provided.

September 6, 2024


James M. Baker, P.L.S.



NOTES:

- 1.) Bearings are referenced to the Wisconsin County Coordinate System, Dane County Zone, NAD83 (2011), in which the South line of the Northwest 1/4 of Section 23 bears S88°46'38"E.
- 2.) Recorded data, when different than measured, is shown in parenthesis.
- 3.) The lands within this Certified Survey Map are subject to the following:
 - PUD/SIP recorded April 10, 1989, in Volume 12692 of Records, Page 1, as Document No. 2135093.
 - Alteration recorded April 17, 1989, in Volume 12716 of Records, Page 43, as Document No. 2136137.
 - Alteration recorded November 1, 1989, in Volume 13547 of Records, Page 73, as Document No. 2172139.
- 4.) The lands within this Certified Survey Map benefit from the use of easements located in adjacent Outlot 7 of University Addition and Lot 5 of West Madison Depot as set forth in Declaration of Easements, Covenants, Conditions and Restrictions recorded April 18, 1989, in Volume 12722 of Records, Page 25, as Document No. 2136362. The easements are depicted on Sheet 2.
- 5.) The lands within this Certified Survey Map and adjacent portions of Lot 5 of West Madison Depot and vacated W. Mifflin Street are subject to Cross-Easement Agreement recorded April 18, 1989, in Volume 12722 of Records, Page 49, as Document No. 2136371 and Agreement to Join in Easements recorded April 18, 1989, in Volume 12722, Page 71, as Document No. 2136372. The easements are depicted on Sheet 2.
- 6.) The Plaza Easement, Light and Air Easement, Party Wall Agreement & Supplemental Parking Easement set forth in Easement, Garage, Plaza and Party Wall Agreement recorded April 18, 1989, in Volume 12723, Page 1, as Document No. 2136373 have not been shown by virtue of merger of title resulting in one common owner of the lands within this Certified Survey Map. The Trash Enclosure and Dumpster Easement is general in nature as described in the noted document and is located on adjacent Lot 5 of West Madison Depot. The approximate location of the Trash Enclosure and Dumpster Easement is shown graphically on Sheet 2 based on observed evidence.
- 7.) A portion of the lands within this Certified Survey Map is subject to restrictions set forth in City of Madison Landmarks Commission Notice of Designation recorded October 6, 1989, Volume 13401, Page 41, as Document No. 2166044.

PREPARED FOR:
Kimley-Horn
4201 Winfield Road, Suite 600
Warrenville, IL 60555

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

SHEET 8 OF 12

 **TALARCZYK**
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk surveys.com

CERTIFIED SURVEY MAP NO. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

OWNER'S CERTIFICATE OF DEDICATION:

Wiedenbeck Historic Properties Limited Partnership, a Wisconsin limited partnership, as owner, does hereby certify that said partnership caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon. Wiedenbeck Historic Properties Limited Partnership does further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection: The City of Madison.

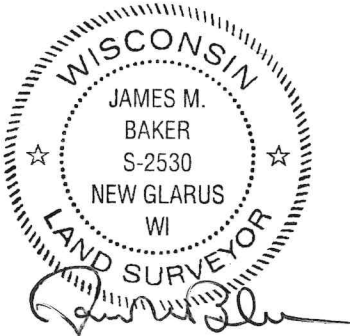
WITNESS the hand and seal of said owner this _____ day of _____, 20_____.
In the presence of:

_____, Partner
Wiedenbeck Historic Properties Limited Partnership

STATE OF WISCONSIN)

_____ COUNTY) SS
Personally came before me this _____ day of _____, 20_____, the above named _____, partner of the above named limited partnership, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

My commission expires _____.



 **TALARCZYK**
LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

September 6, 2024

SHEET 9 OF 12

CERTIFIED SURVEY MAP NO. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

CONSENT OF CORPORATE MORTGAGEE:
Midland States Bank, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described hereon, and does hereby consent to the above certificate of Wiedenbeck Historic Properties Limited Partnership, owner.

IN WITNESS WHEREOF, the said Midland States Bank, has caused these presents to be signed by its authorized representative at _____, this _____ day of _____, 20_____.
In the presence of:

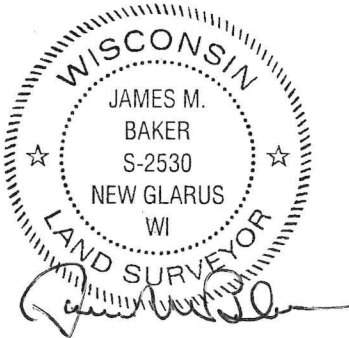
Signature, Authorized Representative

Name

Title

STATE OF _____)
_____ COUNTY) SS
Personally came before me this _____ day of _____, 20_____, the above named _____, authorized representative of the above named Midland States Bank, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

My commission expires _____.



**TALARCZYK**
LAND SURVEYS, LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

September 6, 2024

SHEET 10 OF 12

CERTIFIED SURVEY MAP NO. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

CONSENT OF CORPORATE MORTGAGEE:
Northpoint Capital, L.L.C., a limited liability company organized and existing under the laws of Illinois, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described hereon, and does hereby consent to the above certificate of Wiedenbeck Historic Properties Limited Partnership, owner.

IN WITNESS WHEREOF, the said Northpoint Capital, L.L.C., has caused these presents to be signed by its authorized representative at _____, _____, and its corporate seal to be hereunto affixed this _____ day of _____, 20_____.
In the presence of:

Signature, Authorized Representative

Name

Title

STATE OF _____)
_____ COUNTY) SS
Personally came before me this _____ day of _____, 20_____, the above named _____, authorized representative of the above named limited liability company, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

My commission expires _____.



**TALARCZYK**
LAND SURVEYS, INC.
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

September 6, 2024

SHEET 11 OF 12

CERTIFIED SURVEY MAP NO. _____

Part of Lots 4, 5 and 6 of Block 24 of the Original Plat of Madison, part of Outlot 7 of University Addition, Outlot 2 of West Madison Depot and part of vacated W. Mifflin Street located in the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

MADISON PLAN COMMISSION CERTIFICATE:

Approved for recording per the Secretary of the City of Madison Plan Commission.

Dated this _____ day of _____, _____.

Matthew Wachter, Secretary
City of Madison Plan Commission

MADISON COMMON COUNCIL CERTIFICATE:

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment Number _____, File ID Number _____, adopted on the _____ day of _____, _____; that said enactment provided for the acceptance of those land dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

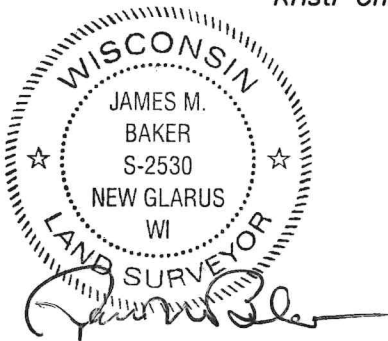
Dated this _____ day of _____, _____.

Maribeth Witzel-Behl, City Clerk, Madison

REGISTER OF DEEDS CERTIFICATE:

Received for record this _____ day of _____, _____ at _____ o'clock _____M., and recorded in Vol. _____ of Certified Survey Maps of Dane Co., on Pages _____.

Kristi Chlebowski, Register of Deeds



 **TALARCZYK**

LAND SURVEYS LLC
517 2nd Avenue
New Glarus, WI 53574
608-527-5216
www.talarczyk-surveys.com

JOB NO. 24009
POINTS 24009
DRWG. 24009_2
DRAWN BY JMB

September 6, 2024

SHEET 12 OF 12



City of Madison

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

Master

File Number: 85415

File ID: 85415

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 09/26/2024

File Name: Prelim Plat - Hill Valley, 1050 S High Point Rd et al

Final Action:

Title: Approving the preliminary plat of the *Hill Valley* on property addressed as 940-1050 S High Point Road, 1051 S Pleasant View Road, and 902 Landmark Trail (District 1).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Subdivision Application.pdf, Hill Valley Plans.pdf, Subdivision Letter of Intent.pdf, Land Use Letter of Intent.pdf, Preliminary Plat.pdf, Link to Rezoning File 85814

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	09/26/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer	PLAN COMMISSION			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	11/18/2024	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER		12/02/2024		Pass
	Action Text: A motion was made by Field, seconded by Sanders, to RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the preliminary plat to the December 2, 2024 Plan Commission meeting (December 10 Common Council) at the request of the applicant and staff. The motion passed by voice vote/ other.						

Text of Legislative File 85415

Fiscal note

No City appropriation is required with the approval of the 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 of the *Hill Valley* on property addressed as 940-1050 S High Point Road, 1051 S Pleasant View Road, and 902 Landmark Trail (District 1).

Body

WHEREAS VH Hill Valley, LLC has duly filed a preliminary plat known as *Hill Valley* on property addressed as 940-1050 S High Point Road, 1051 S Pleasant View Road, and 902 Landmark Trail, City of Madison, Dane County, Wisconsin for approval by the Madison Common Council; and

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 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.

BE IT FURTHER RESOLVED that the Planning Division is authorized to reflect the recorded subdivision in the Comprehensive Plan and any applicable neighborhood plans.

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



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: Hill Valley

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: VH Hill Valley, LLC Representative, if any: Matt Brink
Street address: 6801 South Town Drive City/State/Zip: Madison, WI
Telephone: (608) 226-3000 Email: mbrink@veridianhomes.com
Firm Preparing Survey: D'OnofrioKottke & Assoc. Contact: Brett Stoffregan
Street address: 7530 Westward Way City/State/Zip: Madison, WI 53717
Telephone: (608) 833-7530 Email: bstoffregan@donofrio.cc

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: None
Tax Parcel Number(s): See attached
Zoning District(s) of Proposed Lots: TR-P, TR-U1, CC-T School District: MCPASD, Madison

- 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 inc. ROW	852		165.5
Retail/Office	1		1.1
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use): Mixed use	1		2.0
Outlots Dedicated to the Public (Parks, Stormwater, etc.)		8	42.0
Outlots Maintained by a Private Group or Association		4	3.1
PROJECT TOTALS	854	12	213.7

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:

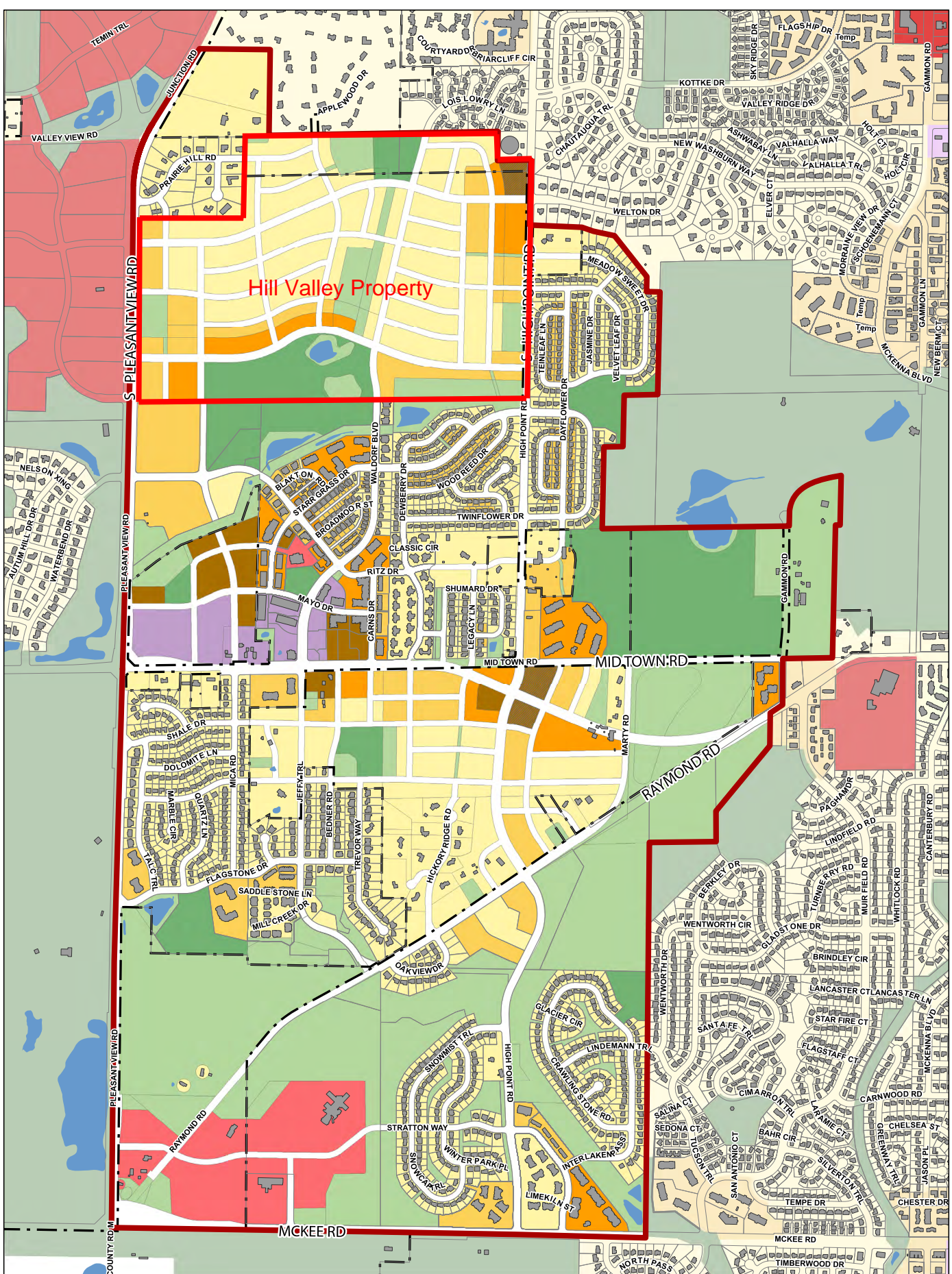
The signer attests that the application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name: Brett Stoffregan Signature: Brett Stoffregan

Date: 9/23/24 Interest In Property On This Date: Surveyor

PARCEL NUMBERS

251-0708-341-0198-6
038-0708-341-8170-7
038-0708-341-8250-0
038-0708-341-8700-5
038-0708-341-9000-0
038-0708-341-9500-5
251-0708-352-0499-5
038-0708-352-8670-9
038-0708-352-9000-7



Map 6:
Future Land Use and Street Plan

High Point - Raymond
Neighborhood Development Plan
Update
August 2017

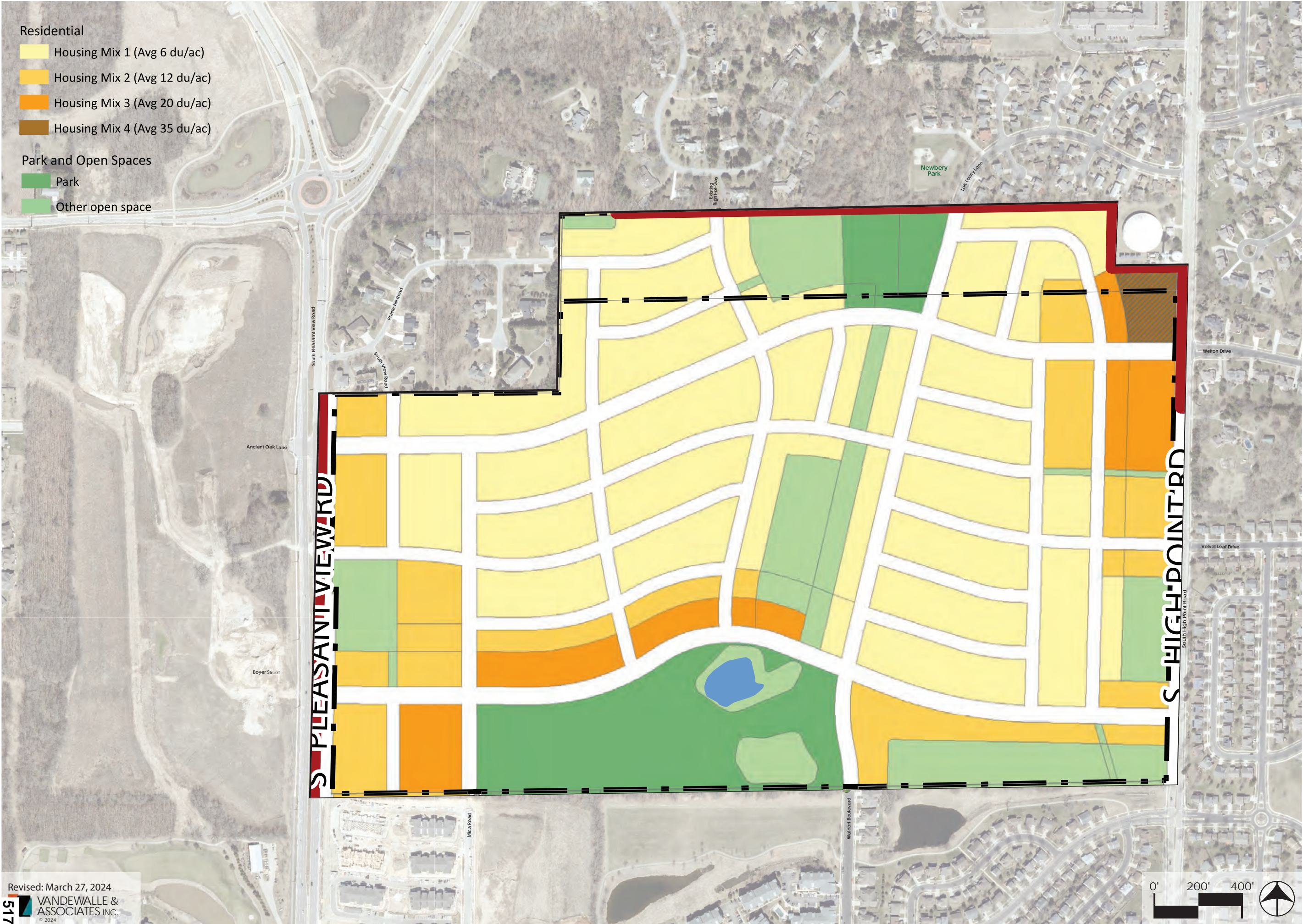
City of Madison Planning Division

<p> High Point-Raymond Planning Area</p> <p> City of Madison Boundary</p> <p> Existing Building Footprints</p> <p> Right of Way</p> <p> Unimproved Right of Way</p>	<p>Residential</p> <p> Housing Mix 1 (Avg 6 du/ac)</p> <p> Housing Mix 2 (Avg 12 du/ac)</p> <p> Housing Mix 3 (Avg 20 du/ac)</p> <p> Housing Mix 4 (Avg 35 du/ac)</p>	<p>Commercial and Mixed Use</p> <p> Neighborhood Mixed Use</p> <p> Potential Mixed Use</p> <p> Employment - Office</p>	<p>Park and Open Spaces</p> <p> Park</p> <p> Other open space</p>
---	--	--	--


0 200 400 800 Feet

Path: M:\Planning\Divisions\Neighborhood Development\Plan\High Point-Raymond\NDP\Amendments\2016\Amendment\Draft Documents\Final_Draft_Plan\Map_6_Future_Land_Use_and_Street_Plan.mxd

Date Printed: 1/30/2022



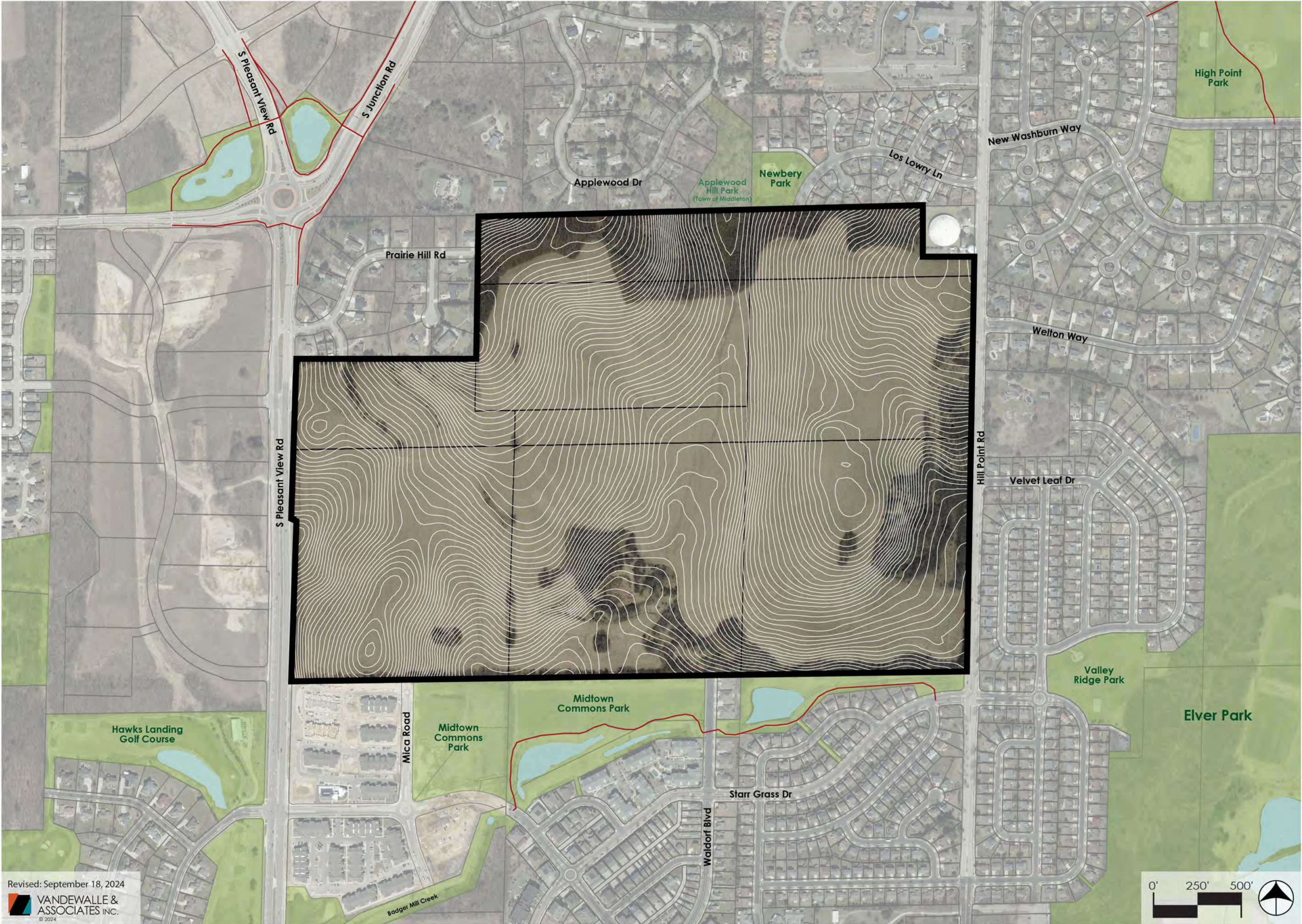
- Residential
- Housing Mix 1 (Avg 6 du/ac)
 - Housing Mix 2 (Avg 12 du/ac)
 - Housing Mix 3 (Avg 20 du/ac)
 - Housing Mix 4 (Avg 35 du/ac)
- Park and Open Spaces
- Park
 - Other open space



VERIDIAN
HOMES

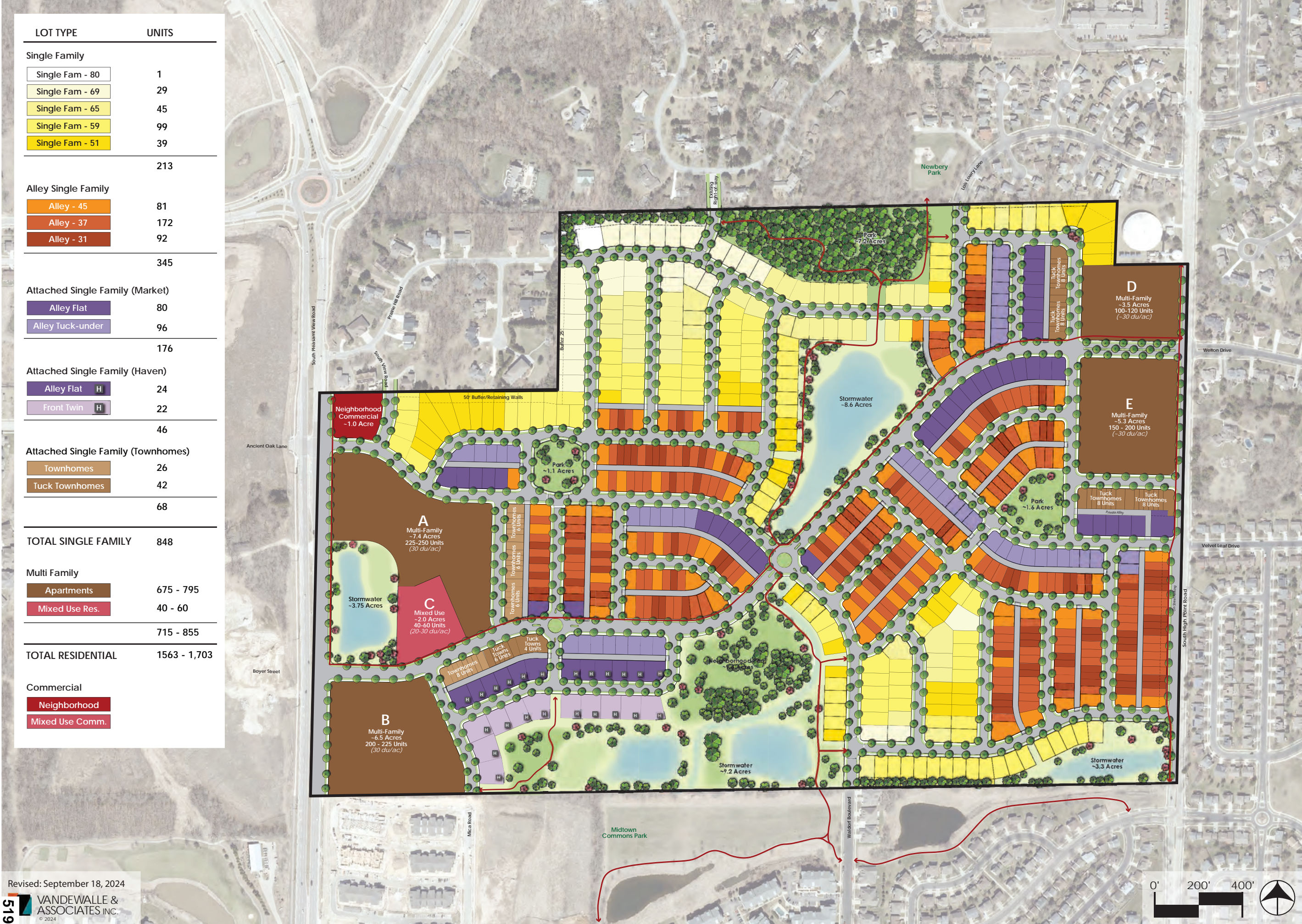
HILL VALLEY
Madison, WISCONSIN

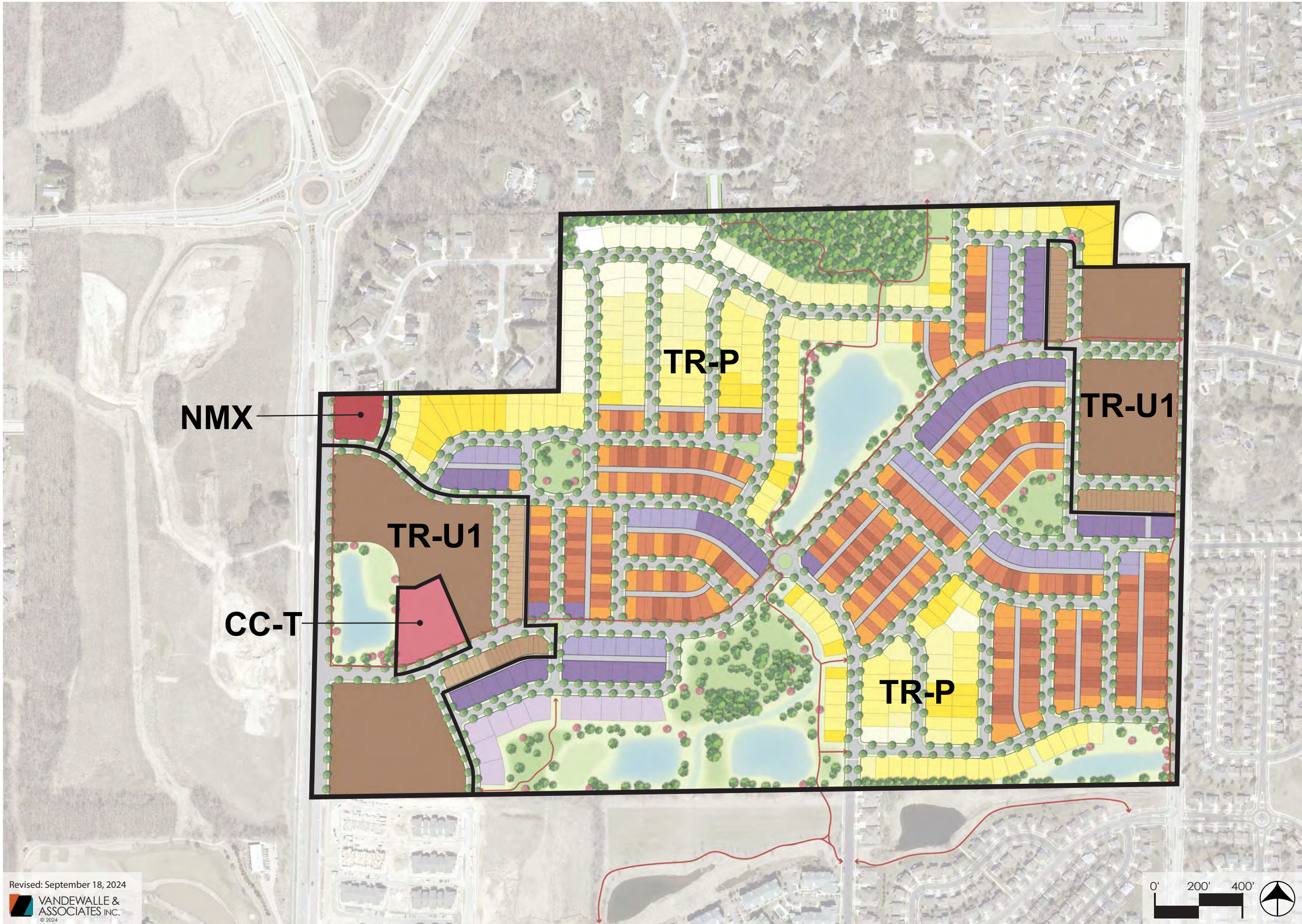
**ADOPTED
NEIGHBORHOOD
PLAN**

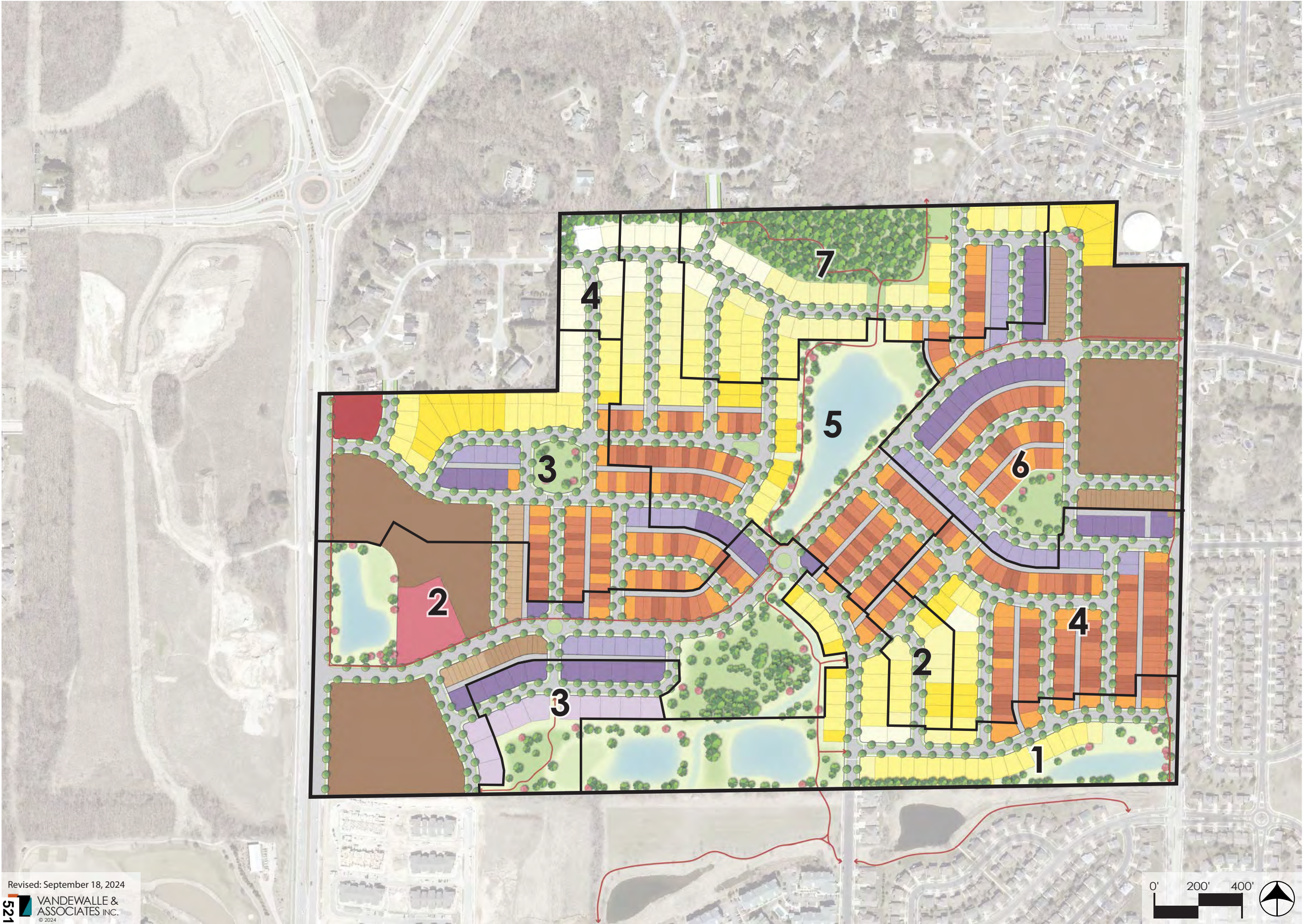


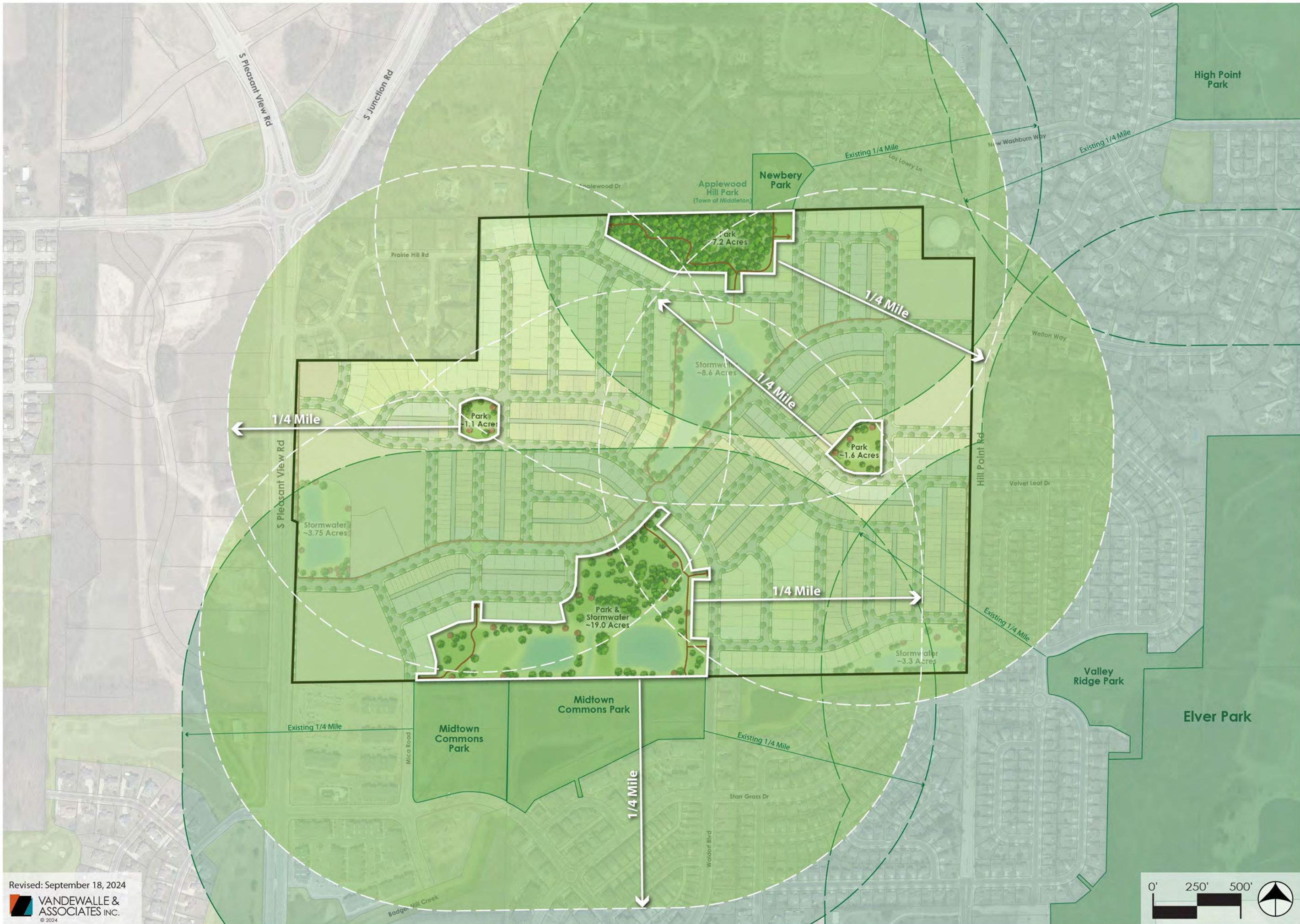
Revised: September 18, 2024

VANDEWALLE & ASSOCIATES INC.
© 2024

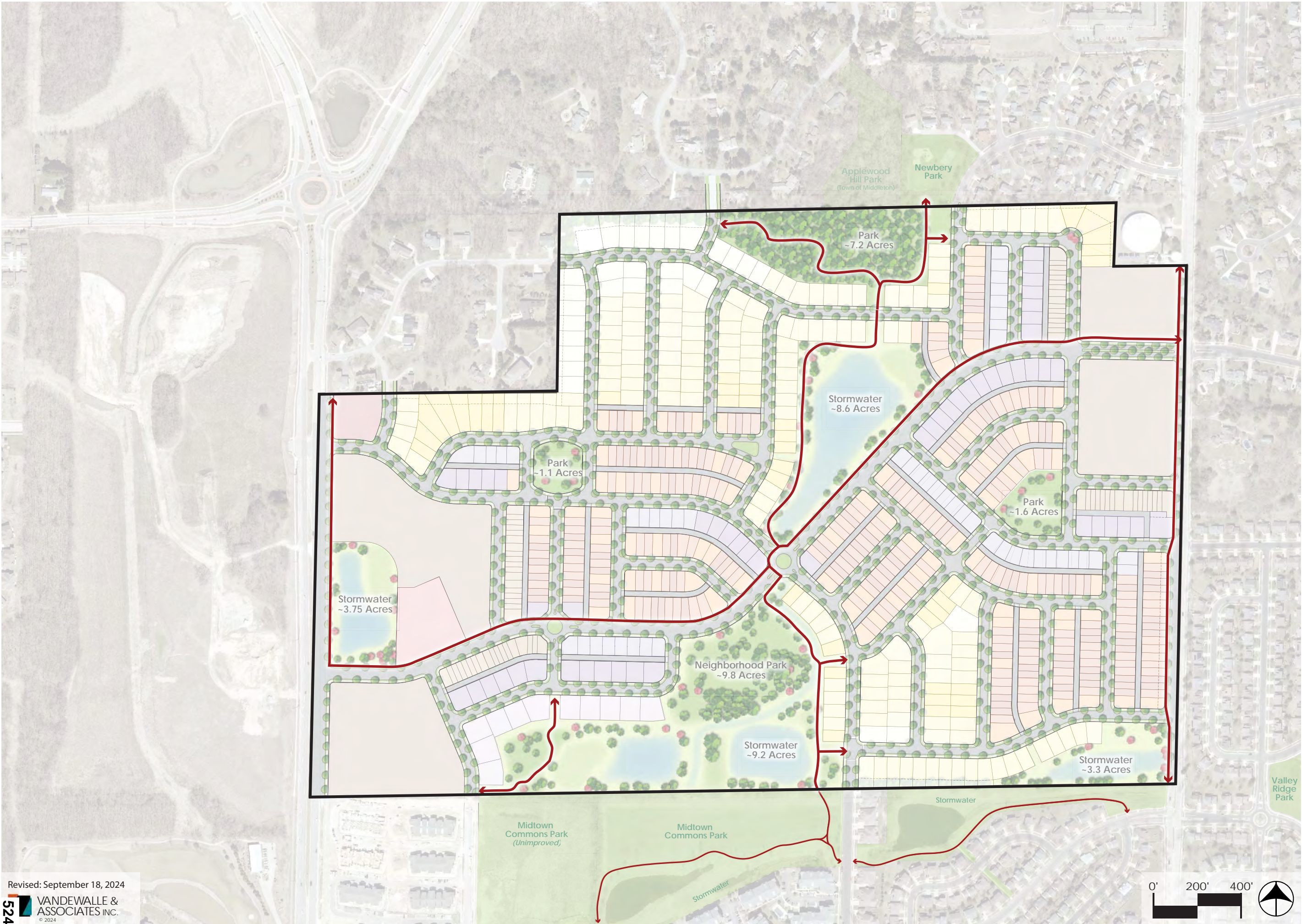


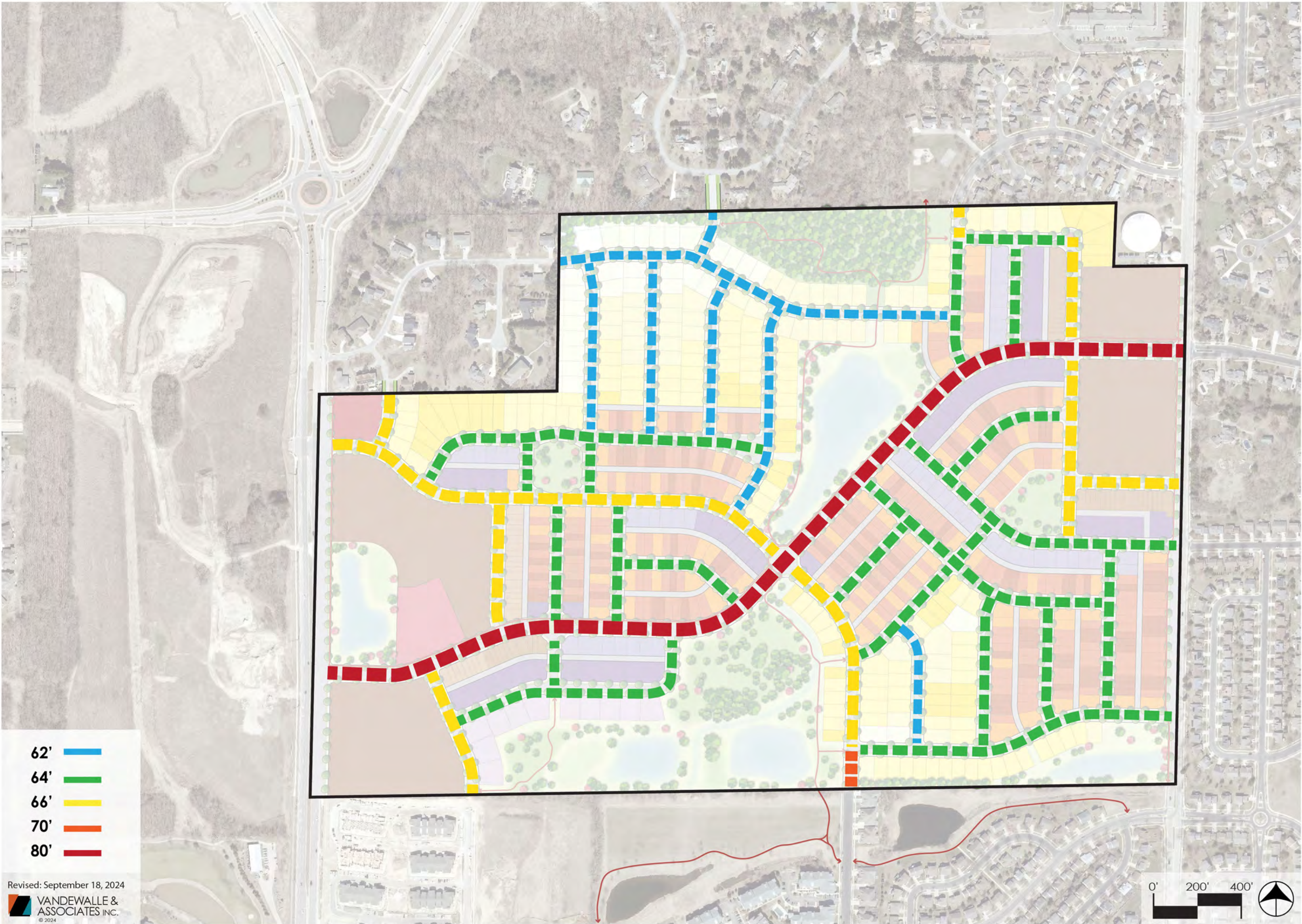










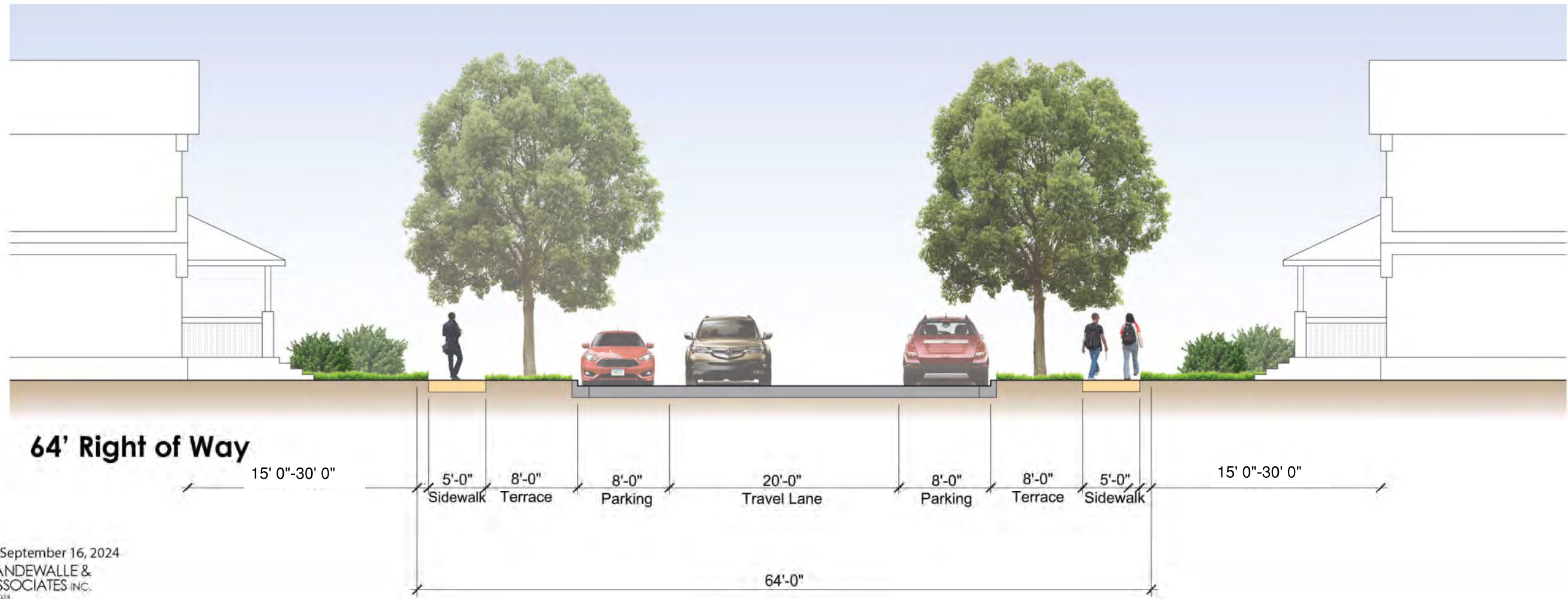
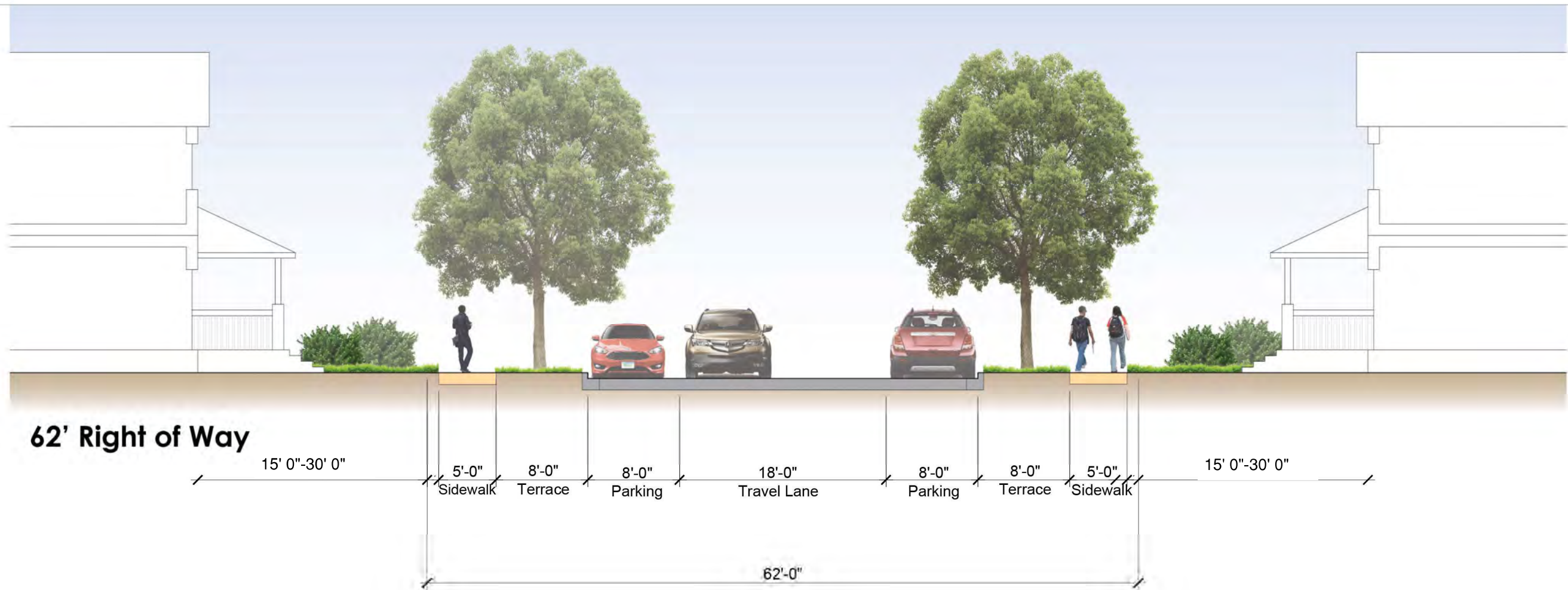


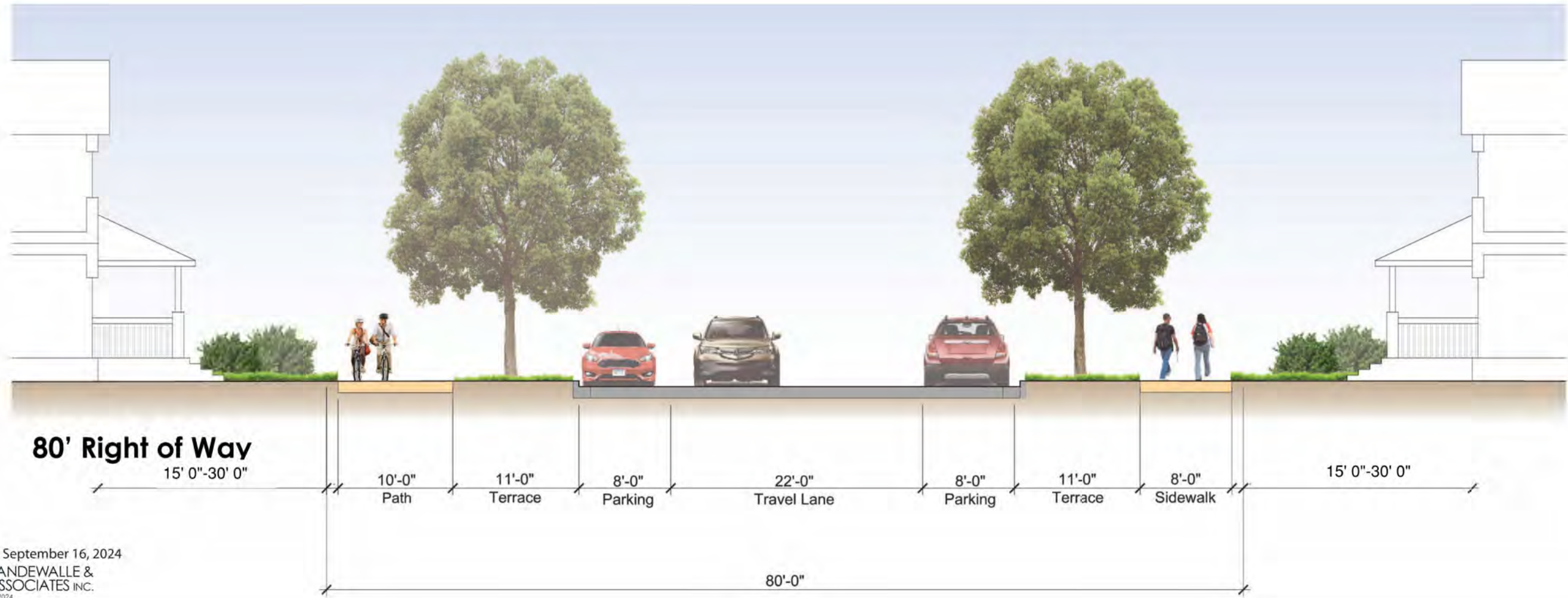
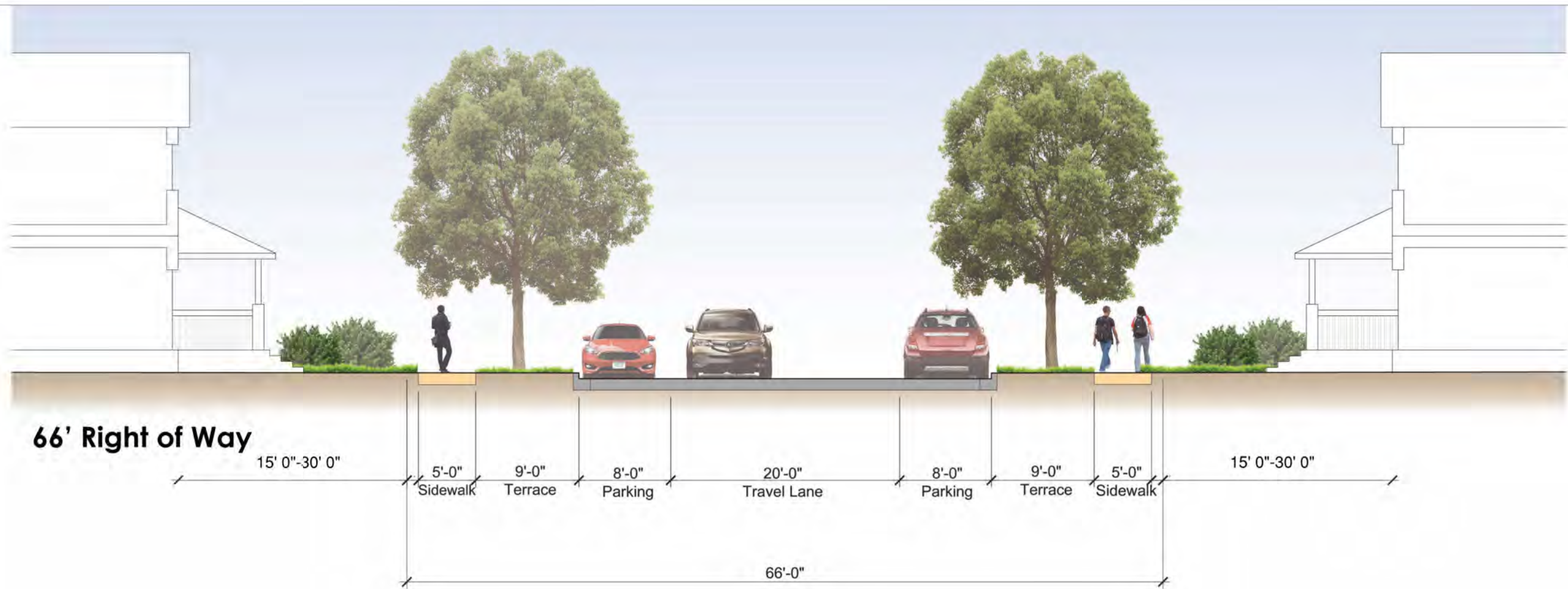
- 62' —
- 64' —
- 66' —
- 70' —
- 80' —

Hill Valley

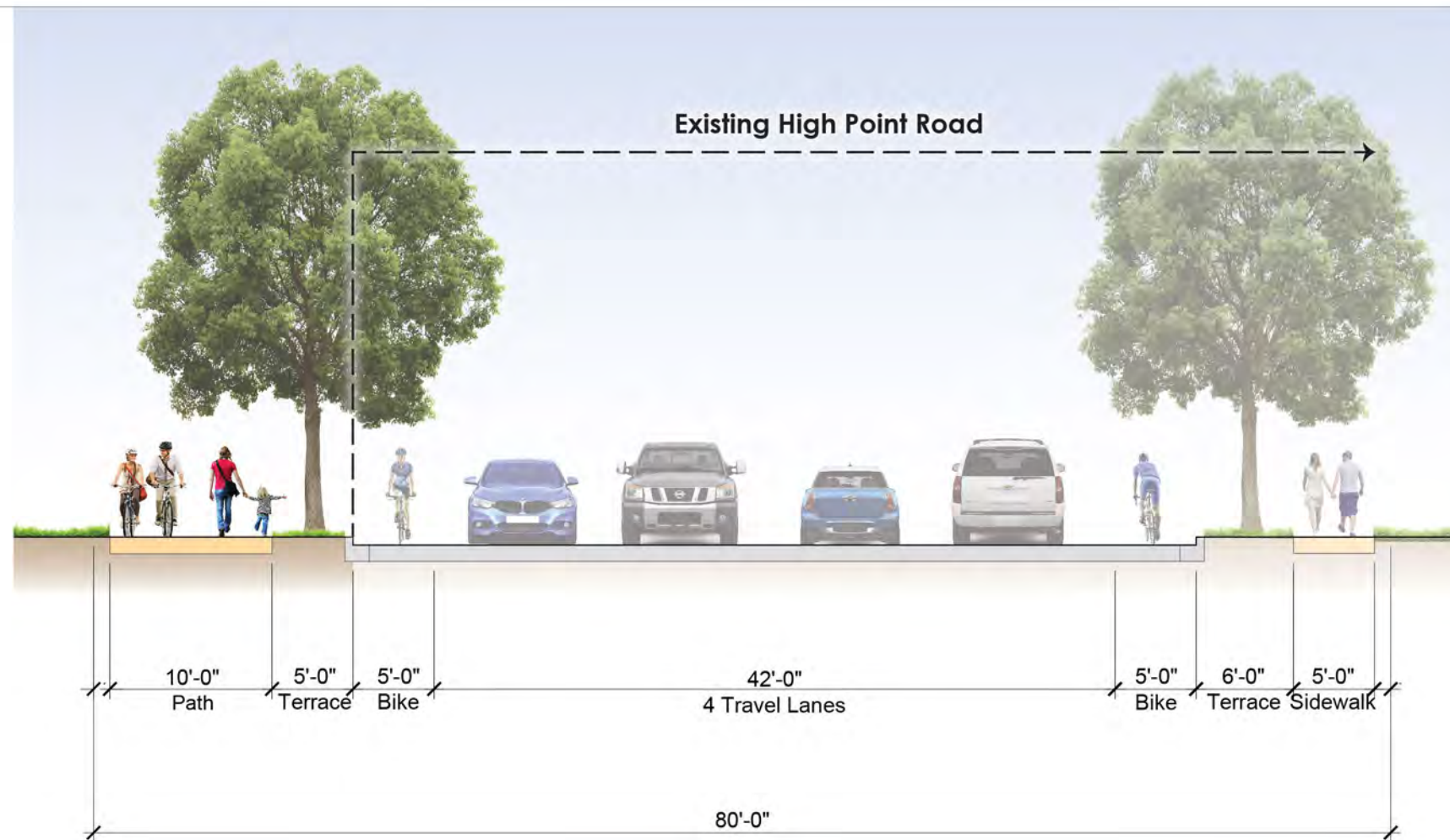
Madison, Wisconsin

RIGHT-OF-WAY
WIDTHS

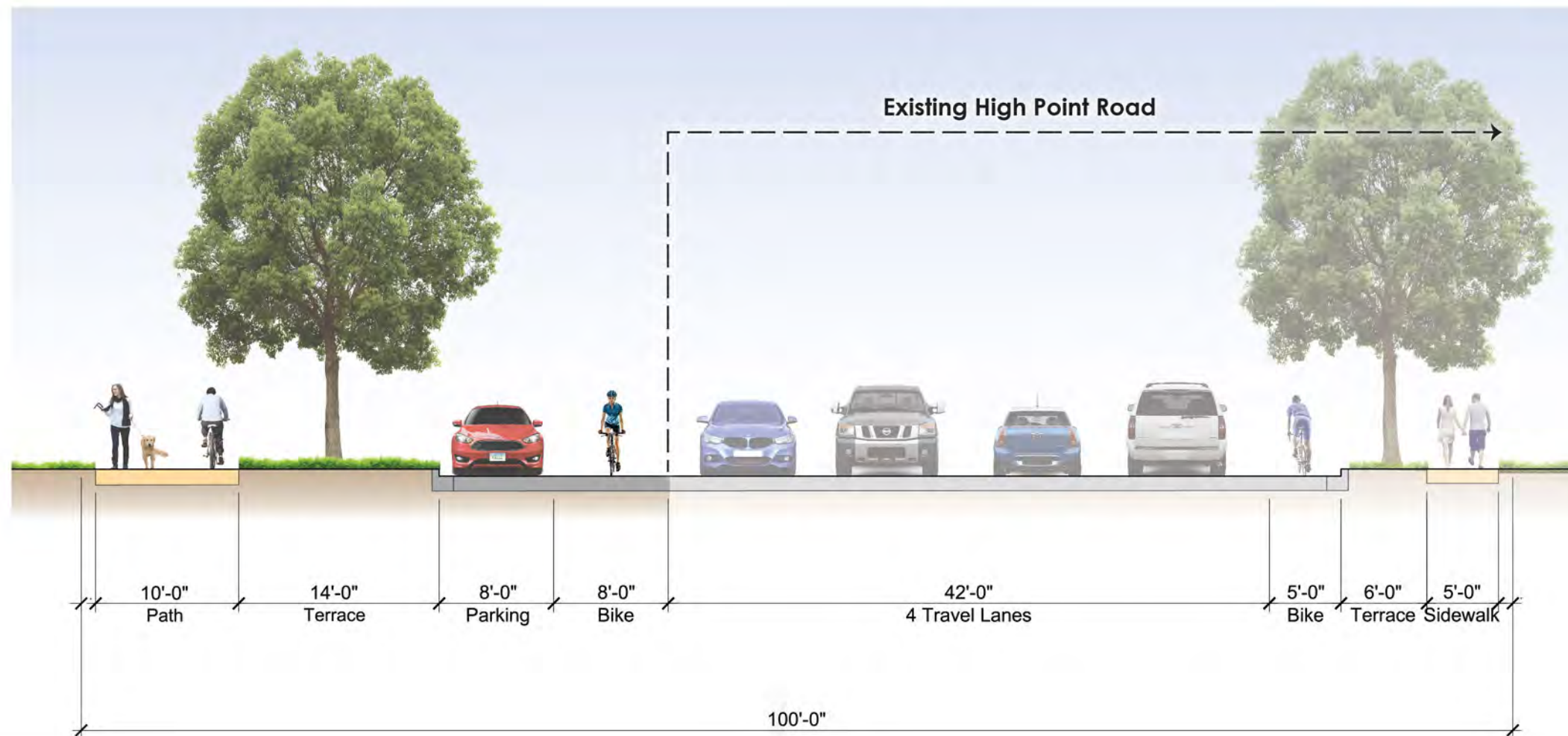


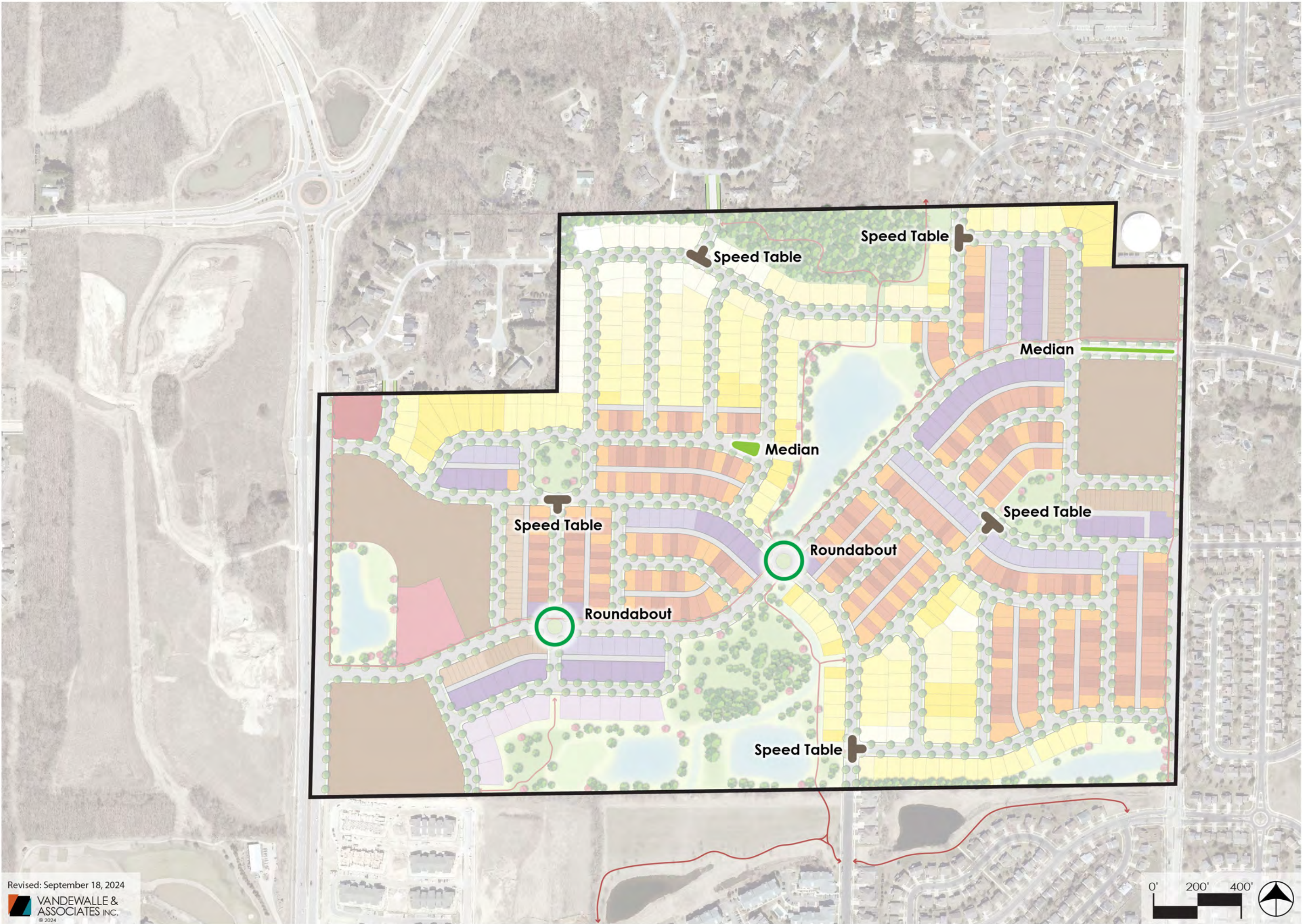


80' High Point Rd
Right of Way



100' High Point Rd
Right of Way





Revised: September 18, 2024



HILL VALLEY

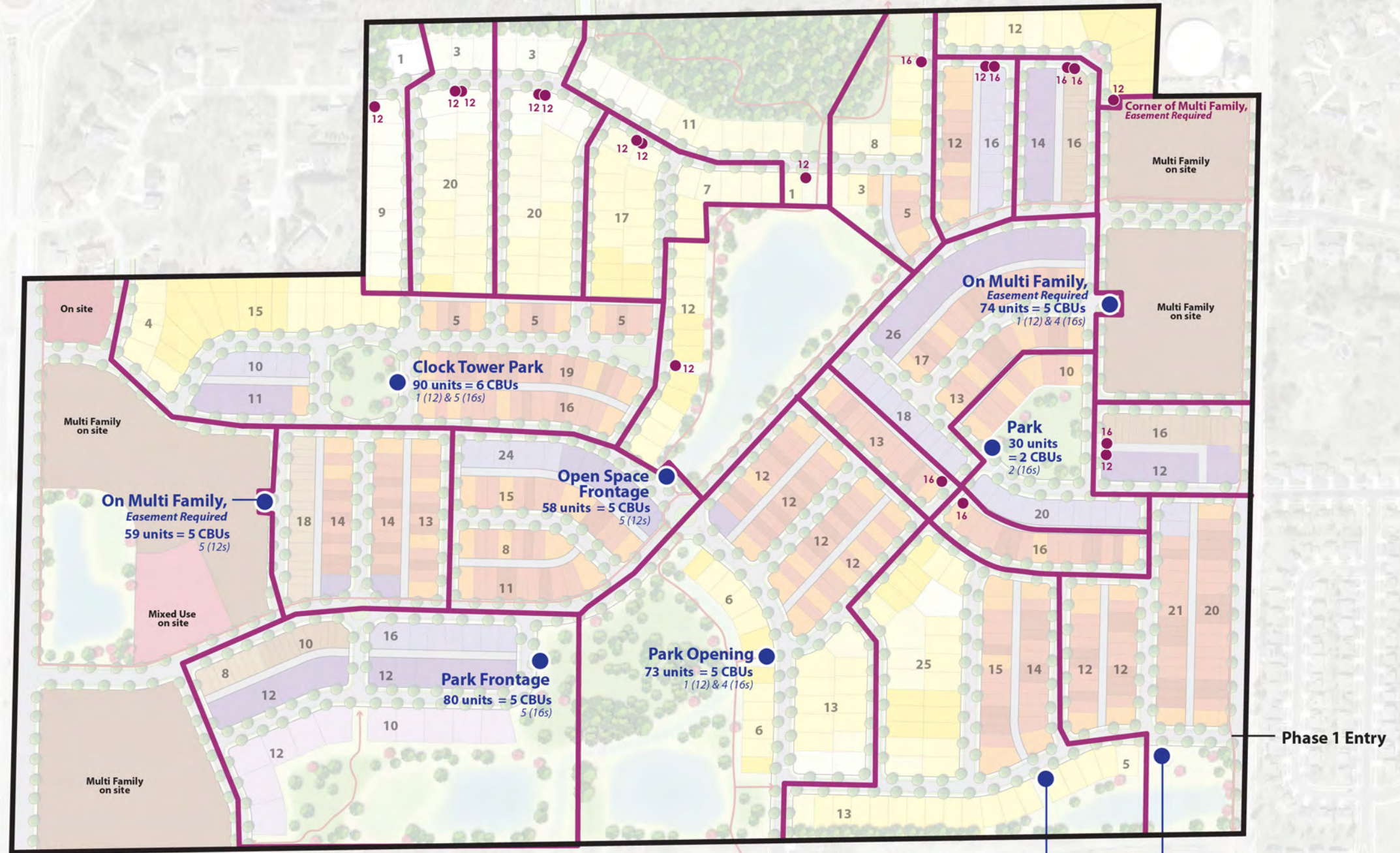
Madison, Wisconsin

TRAFFIC
CALMING

HILL VALLEY

Madison, Wisconsin

POTENTIAL CBU LOCATIONS



September 23, 2024

City of Madison – Planning Department
(via email)

Re: Hill Valley

To whom it may concern,

We are pleased to submit the preliminary plat for Hill Valley, which is located on the 214-acre property located between S. High Point Road and Pleasant View Road on the Southwest side of Madison.

Below is a breakdown of lot/outlot numbers and their designated uses. A separate zoning submittal will follow for a more comprehensive overview of the project.

- Private Outlots: 4 (1 private alley, 3 private open space)
- Public Outlots: 8 (3 park, 5 storm water management)
- Mixed use: 1
- Neighborhood Commercial: 1
- Residential: 852 (848 for single-family use, 4 for multifamily)

Thank you, and we look forward to your feedback.

Sincerely,
D'Onofrio, Kottke & Associates, Inc.



Brett T. Stoffregan, PLS



September 25, 2024

Meagan Tuttle
Planning Division
City of Madison
215 Martin Luther King, Jr. Blvd.
Madison, WI 53710-2985

RE: Hill Valley Neighborhood
Rezoning Request

Dear Megan,

Veridian Homes is pleased to submit the following request for the Hill Valley Neighborhood, a vibrant new addition to the southwest side of Madison. Built from the framework of the adopted plans, this neighborhood is designed to offer a wide range of much needed housing, walkable neighborhood commercial, interconnected streets, sidewalks, off-street trails, and a strong network of parks & open space.

We look forward to working with the City on the review and implementation of this amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Munson".

Brian Munson
Principal

Applicant

VH Hill Valley, LLC.
6801 South Town Drive
Madison, WI 53713
Matt Brink
Phone: 608.226.3100
mbrink@veridianhomes.com

Owner

The High-Spring Limited Partnership
401 N Carroll Street
Madison, WI 53703

Design Team

Engineering:
D'Onofrio Kottke
7539 Westward Way
Madison, WI 53717
Dan Day
Phone: 608.833.7530
dday@donofrio.cc

Planning:
Vandewalle & Associates
120 East Lakeside Street
Madison, WI 53715
Brian Munson
Phone: 608.609.4410
bmunson@vandewalle.com

Existing Condition

Parcels:	
0708-352-0499-5	940 S High Point Road
0708-352-8670-9	NA
0708-352-9000-7	NA
0708-341-0198-6	902 Landmark Trail
0708-341-8170-7	NA
0708-341-8250-0	NA
0708-341-8700-5	NA
0708-341-9000-0	NA
0708-341-9500-5	NA

Total Acreage:	213.714 acres
Existing Zoning:	A, WP-26
Aldermanic District:	District 1: Duncan
Neighborhood Association:	None
Comprehensive Plan:	Low Residential (LR) Low-Medium Residential (LMR)



	Medium Residential (MR)	
	Parks and Open Space (P)	
Neighborhood Plan:	High Point Raymond Road (2017)	
NDP Plan Designations:	Housing Mix 1 (AVG 6 du/care)	
	Housing Mix 2 (AVG 12 du/care)	
	Housing Mix 3 (AVG 20 du/care)	
	Housing Mix 4 (AVG 35 du/care)	
	Potential Mixed Use	
	Public Park	
	Other Open Space	
Notifications:	Alder Duncan	April 18, 2024
	DAT Presentation	June 13, 2024
	Neighborhood Meeting	July 15, 2024

Request

Rezone existing parcels from A to TR-P, TR-U1, NMX, and CC-T.

Project Summary

The Hill Valley Neighborhood builds upon the adopted plan framework and balances the challenges of the existing site topography & market conditions to create a vibrant and diverse neighborhood. Residential uses within the neighborhood offer the full spectrum of housing from first time homeowners to move-up, move-down, and luxury price points in detached single family, twin homes, townhomes, multi-family, and mixed-use formats; offering much need housing to the southwest side of Madison. The residential portions of the neighborhood are accented by a full complement of parks & open spaces, neighborhood commercial destinations, walkable streets and off-street trails.

Carriage Lane Accessed Single Family

Carriage lane homes enhance the variety of housing format/price points while creating unique neighborhood character focused on the front door, porches, and pedestrian scale. These homes are designed with integrated architecture and reduced setbacks which create an unbroken front façade of houses without garages that emphasize a human-based scale and texture.



Conventional Single Family

Conventional single family homes within the neighborhood offer housing options from entry level/first time homebuyer, to luxury, and downsizer opportunities. These homes are designed with garage/home proportions and garage setbacks that focus the architecture on the front door/front façade of the home with setbacks to the garage components to create a more pedestrian oriented streetscape.



Attached Single Family (Twin Homes)

Twin homes within the neighborhood include floor plans and configurations with both flat site and tuck under parking, alley and street accessed garages, owner occupied market rate options, and unique senior oriented components. The attached for sale homes diversify the housing price points while offering attached product choices. The senior targeted “Haven Series” twin homes further diversify the housing options in the project and offer home ownership with a range of support services such as snow removal, lawn care, and other condominium like services; without the complications of condominium ownership models.

*Attached Single Family (Townhomes)*

Townhomes offer attached single family residential options with each unit being designed as individual for-sale lots. These units create key missing middle housing and scale transitions to the multi-family housing. Townhome designs include both flat site and tuck under formats with 2-3 story massing and residential character.

*Multi-Family*

Multi-family housing within the neighborhood is designed to offer rental housing choices with on-site amenities for residents of the building complexes. The multi-family segments of the neighborhood are placed per the adopted plan and will be designed to fit within the residential character of the overall neighborhood. Parking for these buildings will be delivered through a blend of under building parking and surface parking.

*Mixed Use*

The mixed use parcel creates the opportunity for neighborhood serving commercial along Pleasant View Road and the community collector street. This site is designed to have strong regional and local access with a unique setting along the stormwater facility. First floor commercial would offer space for 5-6 stores with uses ranging from services to restaurants and retail tenants.



Neighborhood Commercial

The neighborhood commercial space forms a small scale retail opportunity at the extension of Lone Oak Trail and Pleasant View Drive and could include small scale services or retail, day care, or medical/dental offices.

*Parks & Open Space*

Parks & open space components within the neighborhood deliver a blend of active and passive recreation choices for residents of the neighborhood & region through the creation of a new open space spine from Midtown Commons Park south of the neighborhood to Newbery Park to the north. This central spine is further accentuated by neighborhood greens and trails to offer distinctive open spaces for all users, age groups, and recreational needs.

*Stormwater Management*

Distributed stormwater management systems are placed within each of the sub-watersheds to address both water volume and quality to address the stormwater needs of the neighborhood. These spaces are located adjacent to the park system (separate out lots) to create additional opportunities for trail corridors and extensions of the open space system.

*Mail Delivery*

Mail delivery within the neighborhood will utilize centralized box units (CBU's) in 12 and 16 slot units. Design and placement of these units will work to create several centralized hubs where feasible and some dispersed units with a goal of reducing the number of locations within the neighborhood and creating central community collection points.

*Phasing*

The project will be built in 7-10 phases starting in the southeast portion of the property and proceeding in multiple steps out over the course of the next 10-15 years.



Use Summary*Single Family*

Conventional Single Family	1	80 x 100
	29	69 x 100
	45	65 x 100
	99	59 x 100
	39	51 x 100
Alley Single Family:	81	31 x 95
	172	37 x 95
	92	45 x 95

Attached Single Family (Twin homes)

Market Rate Alley Flat Site	80
Market Rate Alley Tuck Under	96
Haven Alley Flat Site	24
Haven Conventional	22

Attached Single Family (Townhomes)

Alley Townhomes Flat Site	26
Alley Townhomes Tuck Under	42
Total Single Family	848

Multi-Family/Mixed-Use

Apartments	675-795
Mixed Use Residential	40-60
	Commercial

Neighborhood Commercial

Total Project Units:	1,563-1,703
----------------------	--------------------

Park Dedication:

Required:	33.11-35.47 acres
Proposed Dedication/Credit:	19.5 acres



TR-P Requirements

- Three residential housing types exist within the TR-P section of the neighborhood (Single Family Street Accessed, Single Family Alley Accessed, Two-family). Additional housing types (single family attached townhomes, mixed use commercial/residential, and multi-family) are included within the project in other zoning districts
- Attached single family housing comprises 34% of the units within the neighborhood.
- All units within the project are located within 1/4 mile of existing or planned public or common open spaces
- Proposed lot configuration and uses are designed to meet the dimensional requirements of the TR-P district.

TR-P Site Design Standards

Open Space

The neighborhood is served by new parks and open spaces distributed throughout the neighborhood, as well as extensions to the adjoining Newbery Park and Midtown Commons Park. The new parks and open spaces include community, neighborhood commons, and playgrounds designed to offer a variety of active recreation and passive recreation opportunities within the neighborhood.

Several parcels within the project will be owned and maintained as private open space but available for use by the general public. These parcels are seeking public dedication credit, per the City Madison Ordinances MGO 16.23(8)(f)(8), but will be privately installed and maintained. The Home Owners Association (HOA) will be responsible for maintaining these spaces and are precluded from restricting access.

Open Space Dedication Chart

<u>OL</u>	<u>Park</u>	<u>Requested Dedication Credit</u>
3	Private Open Space	1.6 acres
4	Dedicated to the Public for Park Purposes	7.2 acres
7	Private Open Space	1.1 acres
9	Dedicated to the Public for Park Purposes	7.9 acres
<u>11</u>	<u>Dedicated to the Public for Park Purposes</u>	<u>1.7 acres</u>
Total		19.5 acres

Street Layout

The neighborhood is served by a strong grid of neighborhood scaled streets, sidewalks, and off-street connections, including the extension of all adjoining street rights of way. The streets within the neighborhood are designed to meet the standards of the City of Madison Green Streets Policy and are scaled to reflect the adjoining land uses and overall street network needs.

Non-Residential Uses

Neighborhood serving commercial is included in the northwest corner of the site to create opportunities for small scale businesses in support of the neighborhood. Additional neighborhood commercial space is included in the project within the CC-T designated site along Pleasant View Road.

Setbacks

Building setbacks within the neighborhood will be per the TR-P Zoning District standards.



Building Design

Building design within the neighborhood will go through a review process with a neighborhood Architectural Review Committee (ARC). The ARC is tasked with guiding the creation of diverse architectural approaches throughout the neighborhood. Review criteria include site plan/landscape plan configurations, building massing & composition, building orientation and interaction with adjoining streets & uses, and application of appropriate durable materials.

DIMENSIONAL STANDARDS

Building placement will meet the dimensional standards as described in the TR-P Zoning District.

ARCHITECTURAL STYLE

Architecture within the neighborhood will be developed with a variety of American vernacular architectural styles.

MASSING*Rhythms*

In architectural composition, rhythm refers to the regular use of recurrence of building elements. These elements consist of features such as, but not limited to, window locations, columns and piers. Rhythm solidifies the building design and ensures that the overall composition of building elements is balanced.

Roofline Articulation

The roof form establishes the character of a home and terminates the building. Bays and gables are encouraged to break-up the massing of the home into smaller or intimate components. Selection of an appropriate roof form will vary depending on the architectural style.

- Hipped and gabled roofs with a symmetrical pitch shall run between 5:12 and 12:12, as appropriate to architectural style.
- Shed roofs pitched between 5:12 and 7:12 shall be attached to an adjacent building wall and shall not be utilized freestanding buildings. Shed dormers shall have a 3:12 pitch and be utilized only on appropriate styles.
- Hipped and shed porch roofs shall have a pitch between 3:12 and 6:12.
- Roof overhangs may vary from a minimum of 6" to a maximum of 30".

HEIGHT

- Building heights with the TR-P will follow the guidance of the zoning district
- Partially exposed basements shall not constitute a story.

APPROPRIATE WALL MATERIALS

All materials shall be properly utilized based on the precedents of the architectural style of the building.

WALL SIDING/SURFACING

- Brick
- Clapboard Siding
- Cement Board Siding / Composition Siding / Vinyl Siding



- Half-Timbering
- Cast Stone
- Stone
- Stucco and Exterior Insulated Finish System (EIFS)
- Wood, Composition, vinyl or Cement Shingle Siding

DECKS

Decks shall be located only in rear or side yards. Portions of decks visible from the street or projecting in such a manner that it is visible from the front yard, shall be screened with appropriate fencing or landscaping.

PORCHES AND STOOPS

Usable front porches are encouraged as both visual and functional design elements. Minimum dimensions for a usable porch are 6'0" deep and 6'0" wide exclusive of access to front entry.



Exhibits:

Notifications
Property Legal Description
Zoning Legal Descriptions
High Point Raymond Road NDP (Full)
High Point Raymond Road NDP (Site)
Existing Conditions
Illustrative Plan
Zoning Plan
Conceptual Phasing Plan
Park Context Map
Parks & Open Space Plan
Trails Network Plan
Right-of-Way Widths
Street Cross Sections
Traffic Calming
Potential CBU Locations



Exhibit A: Property Legal Description

A parcel of land located in the NW1/4 of the NE1/4, NE1/4 of the NE1/4, SE1/4 of the NE1/4 and the SW1/4 of the NE1/4 of Section 34 and the NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 35, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Beginning at the East 1/4 corner of said Section 34; thence S89°11'12"W, 2546.36 feet along the North line of Lot 37 and Outlot 4, Mid Town Commons, the North right-of-way line of Waldorf Boulevard, the North line of Outlot 2 and Lot 2, Springs at Pleasant View and the North right-of-way line of Mica Road to the East right-of-way line of Pleasant View Road – County Highway "M"; thence N01°07'30"E, 937.61 feet along said East right-of-way line; thence N89°29'17"W, 16.65 feet along and said East right-of-way line; thence N00°49'59"W, 244.49 feet along said East right-of-way line; thence N01°07'30"E, 648.50 feet along said East right-of-way line to the Southwest corner of Lot 1, Certified Survey Map No. 14786; thence N89°38'56"E, 1028.06 feet along the South line of Lots 1-3, Certified Survey Map No. 14786, the South right-of-way line of South View Road, the South line Lots 4, 5 and 12, Block 2, Westview Hills to the Southwest corner of said Lot 4; thence N01°07'45"E, 809.90 feet along the East line of Lots 2, 3 4 and 9, Block 2, Westview Hills and the East right-of-way line of Prairie Hill Drive to the Northeast corner of said Lot 9; thence N89°34'51"E, 239.98 feet to the Northwest corner of the NE1/4 of the NE1/4 of said Section 34, also being the Southwest corner of Lot 20, Applewood Hill; thence N88°25'55"E, 728.71 feet along the South lines of Lots 18, 19 and 20, Applewood Hill and the South right-of-way line to Landmark Trail to the Southeast corner of said Lot 18; thence N88°19'15"E, 583.13 feet along the South line of Lot 18 and Park, Applewood Hill, to the Southeast corner of said Park, also being the Northeast corner of said Section 34; thence N89°00'52"E, 978.23 feet along the South line of Outlot 2, Lots 5, 8, 9, 10 17, 18, 19, 22, Newberry Heights and the South right-of-way line of Lois Lowry Lane to the Northwest corner of Lot 1, Certified Survey Map No. 2202; thence S01°20'34"W, 289.91 feet to the Southwest corner of said Lot 1; thence N89°06'58"E, 333.19 feet along the South line of said Lot 1 and the Easterly extension thereof to a point on the East line of the NW1/4 of the NW1/4 of said Section 35; thence S01°15'12"W, 2357.43 feet along said East line and the East line of the SW1/4 of the NW1/4 of said Section 35 thence S88°56'13"W, 1313.23 feet along the North line of Outlot 4, Valley Ridge and the Easterly extension of said Outlot 4, to the point of beginning. Containing 9,309,382 square feet (213.714 acres).

Exhibit B: Zoning District Legal Descriptions

LAND TO BE ZONED TR-P

A parcel of land located in the NW1/4 of the NE1/4, NE1/4 of the NE1/4, SE1/4 of the NE1/4 and the SW1/4 of the NE1/4 of Section 34 and the NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 35, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Beginning at the East 1/4 corner of said Section 34; thence S89°11'12"W, 1892.77 feet; thence N00°38'54"E, 81.95 feet to a point of curve; thence Northerly along a curve to the left which has a radius of 183.00 feet and a chord which bears N11°15'19"W, 75.49 feet; thence N23°09'32"W, 331.95 feet; thence N66°50'28"E, 351.90 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 337.00 feet and a chord which bears N78°59'07"E, 141.79 feet; thence S88°52'15"E, 59.25 feet; thence N01°07'45"E, 138.00 feet; thence N88°52'15"W, 59.25 feet to a point of curve; thence Westerly along a curve to the left which has a radius of 475.00 feet and a chord which bears S86°14'08"W, 81.04 feet; thence N01°07'45"E, 585.91 feet; thence N88°52'15"W, 316.64 feet to a point of curve; thence Northwesterly along a curve to the right which has a radius of 300.00 feet and a chord which bears N67°38'38"W,



217.24 feet; thence N46°25'01"W, 101.34 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 300.00 feet and a chord which bears N56°48'26"W, 108.21 feet; thence N22°48'09"E, 101.36 feet to a point of curve; thence Northerly along a curve to the left which has a radius of 200.00 feet and a chord which bears N11°42'36"E, 76.96 feet; thence N00°37'04"E, 90.89 feet; thence N89°38'56"E, 759.27 feet; thence N01°07'45"E, 809.90 feet; thence N89°34'51"E, 239.98 feet; thence N88°25'55"E, 728.71 feet; thence N88°19'15"E, 583.13 feet; thence N89°00'52"E, 978.23 feet; thence S01°20'34"W, 289.91 feet; thence N88°44'48"W, 181.69 feet; thence N01°15'12"E, 34.55 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 82.00 feet and a chord which bears N43°44'36"W, 115.96 feet; thence N88°44'24"W, 44.01 feet; thence S01°15'12"W, 498.50 feet; thence S88°44'48"E, 126.00 feet; thence S01°15'12"W, 754.81 feet; thence S88°44'48"E, 514.65 feet; thence S01°15'12"W, 1208.25 feet; thence S88°56'13"W, 1313.23 feet to the point of beginning. Containing 171.258 acres.

LAND TO BE ZONED NMX

A parcel of land located in the NW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 of said Section 34; thence S89°11'12"W, 2300.22 feet; thence N00°48'48"W, 1569.04 feet to the point of beginning; thence Northwesterly along a curve to the left which has a radius of 300.00 feet and a chord which bears N78°02'11"W, 112.83 feet; thence N88°52'30"W, 107.11 feet; thence N01°07'30"E, 232.59 feet; thence N89°38'56"E, 268.79 feet; thence S00°37'04"W, 90.89 feet to a point of curve; thence Southerly along a curve to the right which has a radius of 200.00 feet and a chord which bears S11°42'36"W, 76.96 feet; thence S22°48'09"W, 101.36 feet to the point of beginning. Containing 1.424 acres.

LAND TO BE ZONED TR-U1

A parcel of land located in the NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 35, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the West1/4 corner of said Section 35; thence N88°56'13"E, 1313.23 feet; thence N01°15'12"E, 1208.25 feet to the point of beginning; thence N88°44'48"W, 514.65 feet; thence N01°15'12"E, 754.81 feet; thence N88°44'48"W, 126.00 feet; thence N01°15'12"E, 498.50 feet; thence S88°44'24"E, 44.01 feet to a point of curve; thence Southeasterly along a curve to the right which has a radius of 83.00 feet and a chord which bears S43°44'36"E, 115.96 feet; thence S01°15'12"W, 34.55 feet; thence S88°44'48"E, 181.69 feet; thence N89°06'58"E, 333.19 feet; thence S01°15'12"W, 1149.18 feet to the point of beginning. Containing 14.886 acres.

A parcel of land located in the NW1/4 of the NE1/4 and the SW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 34; thence S89°11'12"W, 1892.75 feet to the point of beginning; thence S89°11'12"W, 653.59 feet; thence N01°07'30"E, 937.61 feet; thence N89°29'17"W, 16.65 feet; thence N00°49'59"W, 244.49 feet; thence N01°07'30"E, 415.91 feet; thence S88°52'30"E, 107.11 feet to a point of curve; thence Southeasterly along a curve to the right which has a radius of 300.00 feet and a chord which bears S67°38'45"E, 217.26 feet; thence S46°25'01"E, 101.34 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 300.00 feet and a chord which bears S67°38'38"E, 217.24 feet; thence



S88°52'15"E, 316.64 feet; thence S01°07'45"W, 585.91 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 475.00 feet and a chord which bears N86°14'08"E, 81.04 feet; thence S88°52'15"E, 59.25 feet; thence S01°07'45"W, 138.00 feet; thence N88°52'15"W, 59.25 feet to a point of curve; thence Southwesterly along a curve to the left which has a radius of 337.00 feet and a chord which bears S78°59'07"W, 141.79 feet; thence S66°50'28"W, 351.90 feet; thence N26°40'54"W, 138.26 feet to a point of curve; thence Southwesterly along a curve to the right which has a radius of 475.00 feet and a chord which bears S75°32'32"W, 143.72 feet; thence N01°15'36"E, 394.16 feet; thence N90°00'00"E, 75.39 feet; thence N66°52'17"E, 125.00 feet; thence S23°09'32"E, 350.93 feet; thence S66°50'28"W, 215.19 feet; thence S26°40'54"E, 138.26 feet; thence S23°09'32"E, 331.95 feet to a point of curve; thence Southerly along a curve to the right which has a radius of 183.00 feet and a chord which bears S11°15'19"E, 75.49 feet; thence S00°38'54"W, 81.95 feet to the point of beginning. Containing 23.828 acres.

LAND TO BE ZONED CC-T

A parcel of land located in the SW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 34; thence S89°11'12"W, 2230.55 feet; thence N00°48'48"W, 553.69 feet to the point of beginning; thence N01°15'36"E, 394.16 feet; thence N90°00'00"E, 75.39 feet; thence N66°52'17"E, 125.00 feet; thence S23°09'32"E, 350.93 feet; thence S66°50'28"W, 215.19 feet; thence Southwesterly along a curve to the right which has a radius of 475.00 feet and a chord which bears S75°32'32"W, 143.72 feet to the point of beginning.

Containing 2.318 acres





DATE: 09-23-24
REVISED:
FN: 24-07-107
Sheet Number:
1 of 2

SCALE: 1"=100'
GRID NORTH
WISCONSIN COORDINATE
REFERENCE SYSTEM
DANE COUNTY NAD83(2011)
E:784040.60

PRELIMINARY PLAT
HILL VALLEY
LOCATED IN ALL 1/4'S OF THE NE 1/4 OF SECTION 34 AND IN THE NW1/4 OF THE NW1/4 AND THE SW1/4 OF THE NW1/4 OF SECTION 35, ALL IN T7N, R8E, CITY OF MADISON, DANE COUNTY, WISCONSIN

D'ONOFRIO KOTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



City of Madison

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

Master

File Number: 85419

File ID: 85419

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 09/26/2024

File Name: CSM - 3322 Agriculture Dr & 5017-5025 Femrite Dr

Final Action:

Title: Approving a Certified Survey Map of property owned by Danisco USA, Inc.
located at 3322 Agriculture Drive and 5017-5025 Femrite Drive (District 16).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, Application.pdf, Proposed
CSM.pdf, CSM Approval Letter.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	09/26/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer	PLAN COMMISSION		11/18/2024	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	11/18/2024	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Field, seconded by Sanders, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Ald. Field, seconded by Sanders, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.						

Text of Legislative File 85419

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 Danisco USA, Inc. located at 3322 Agriculture Drive and 5017-5025 Femrite Drive (District 16).

Body

WHEREAS a Certified Survey Map of property owned by Danisco USA, Inc. located at 3322 Agriculture Drive and 5017-5025 Femrite Drive, 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 above mentioned documents related to this Certified Survey Map.

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 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 land division, and that the Council recognizes and adopts said revised boundaries.

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.

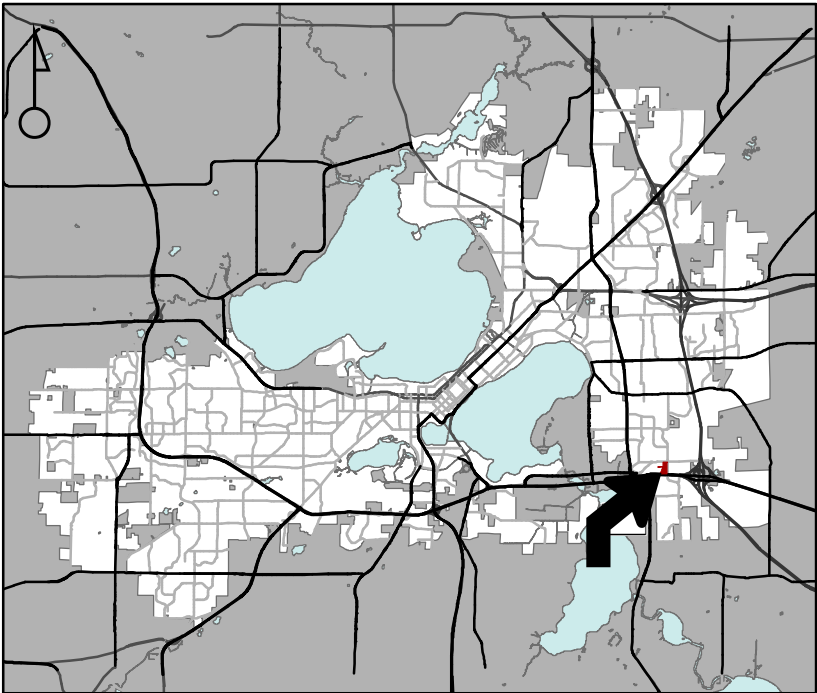


Location
3322 Agriculture Drive
5017-5025 Femrite Drive

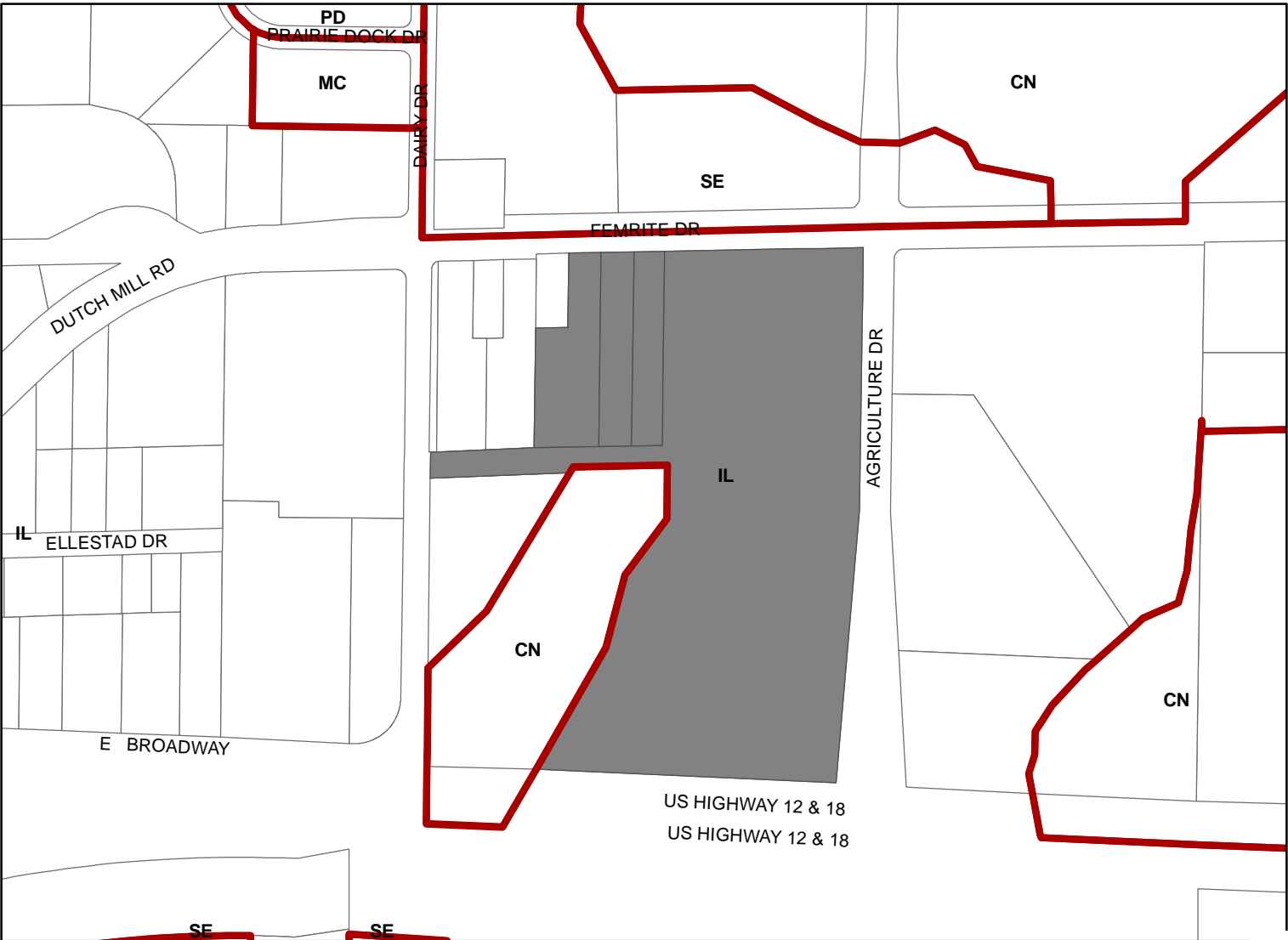
Applicant
Eric Hohol, Danisco USA, Inc. /
Margo Anderson, IFF /
Michelle Burse,
Burse Surveying & Engineering

Request
Create four parcels into one lot by CSM

Public Hearing Dates
Plan Commission
November 18, 2024
Common Council
November 26, 2024



For Questions Contact: Lisa McNabola at: 243-0554 or lmcnabola@cityofmadison.com or City Planning at 266-4635





SUBDIVISION APPLICATION

Danisco 1-Lot CSM

**** 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: _____

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: Danisco, USA **Representative, if any:** Eric Hohol
Street address: 3322 Agriculture Dr **City/State/Zip:** Madison, WI 53716
Telephone: 815-209-8500 **Email:** margaret.anderson@iff.com
Firm Preparing Survey: Burse Surveying and Engineering, Inc. **Contact:** Michelle Burse
Street address: 2801 International Lane, Suite 101 **City/State/Zip:** 53704
Telephone: 608-250-9263 **Email:** mburse@bse-inc.net

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: 3322 Agriculture Drive, 5017 Femrite Drive, 5021 Femrite Drive, 5025 Femrite Drive

Tax Parcel Number(s): 251/0710-224-0120-3, 0710-224-0113-8, 0710-224-0112-0, 0710-224-0111-2

Zoning District(s) of Proposed Lots: IL, W School District: 3269 Madison Metro, 0400 Madison Tech

- 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			
Retail/Office			
Industrial	1		22

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	1		22

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:

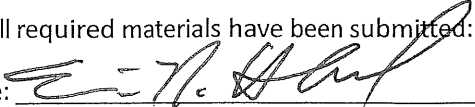
- The Report of Title must have been completed within three (3) months of the submittal date of this application. Title insurance or a title commitment policy are NOT acceptable (i.e. a Preliminary Title Report or a Record Information Certificate).
- The electronic PDF submittal shall include images 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: Eric N. Hohol

Signature: 

Date: Sept 19, 2024

Interest In Property On This Date: Owner's Representative

CERTIFIED SURVEY MAP No.

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



SCALE : ONE INCH = TWO HUNDRED FEET

SEE DETAIL A
SHEET 2

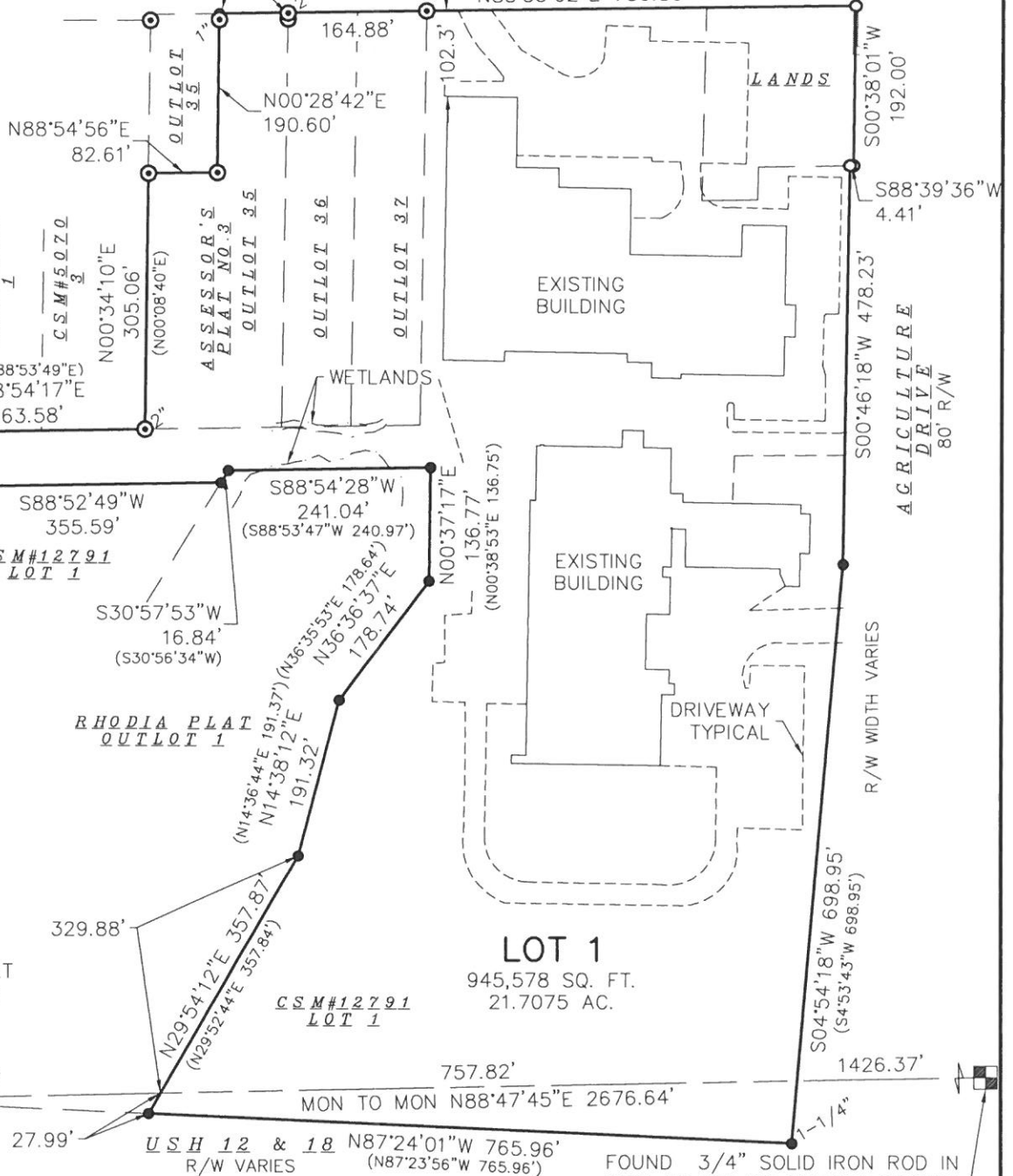
FEMRITE DRIVE

107' R/W

N88°55'02"E 756.80'

GRID NORTH

BEARINGS ARE BASED UPON
WISCONSIN COUNTY COORDINATE
SYSTEM (DANE ZONE 83 1997)
THE SOUTH LINE OF THE
SOUTHEAST QUARTER OF
SECTION 22-07-10 BEARS
N88°47'45"E



FOUND BRASS CAP AT
THE SOUTH QUARTER
CORNER OF SECTION
22-07-10

LOT 1

945,578 SQ. FT.
21.7075 AC.

FOUND 3/4" SOLID IRON ROD IN
PIPE AT THE SOUTHEAST CORNER
OF SECTION 22-07-10

NOTES

- 1) SEE SHEET 2 FOR DETAIL AND NOTES
- 2) SEE SHEET 3 AND 4 FOR EASEMENT DETAILS
- 3) SEE SHEET 5 FOR BUILDING DETAILS.
- 4) SEE SHEET 6 FOR LEGEND

SURVEYED FOR :

Danisco USA Inc.

SURVEYED BY :

Burse

surveying & engineering

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

MAP NO. _____

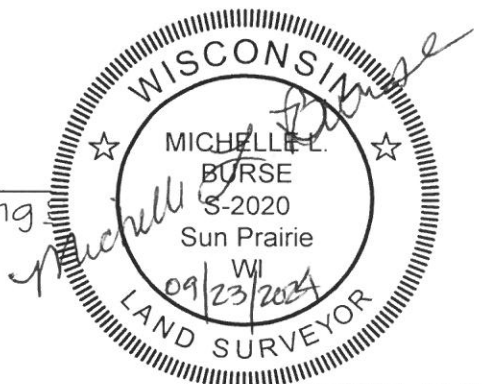
DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: September 23, 2024

Plot View: CSM1

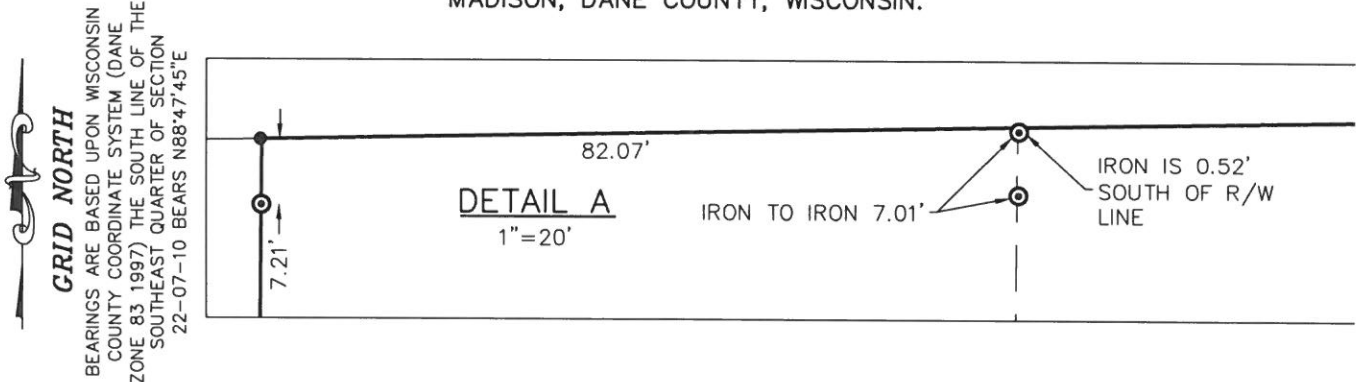
\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg



SHEET 1 OF 8

CERTIFIED SURVEY MAP No. _____

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



NOTES - CONTINUED
5) ACCESS TO USH 12 & 18 IS CONTROLLED BY WISDOT PROJECT F06-2(31)

CITY OF MADISON PLAN COMMISSION CERTIFICATE

Approved for recording by the secretary of the City of Madison Planning Commission.
Dated this ____ day of _____, 202__.

Matthew Wachter, Secretary of the Plan Commission.



MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____
Date: September 23, 2024
Plot View: CSM2
\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg

SURVEYED 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

CERTIFIED SURVEY MAP No. _____

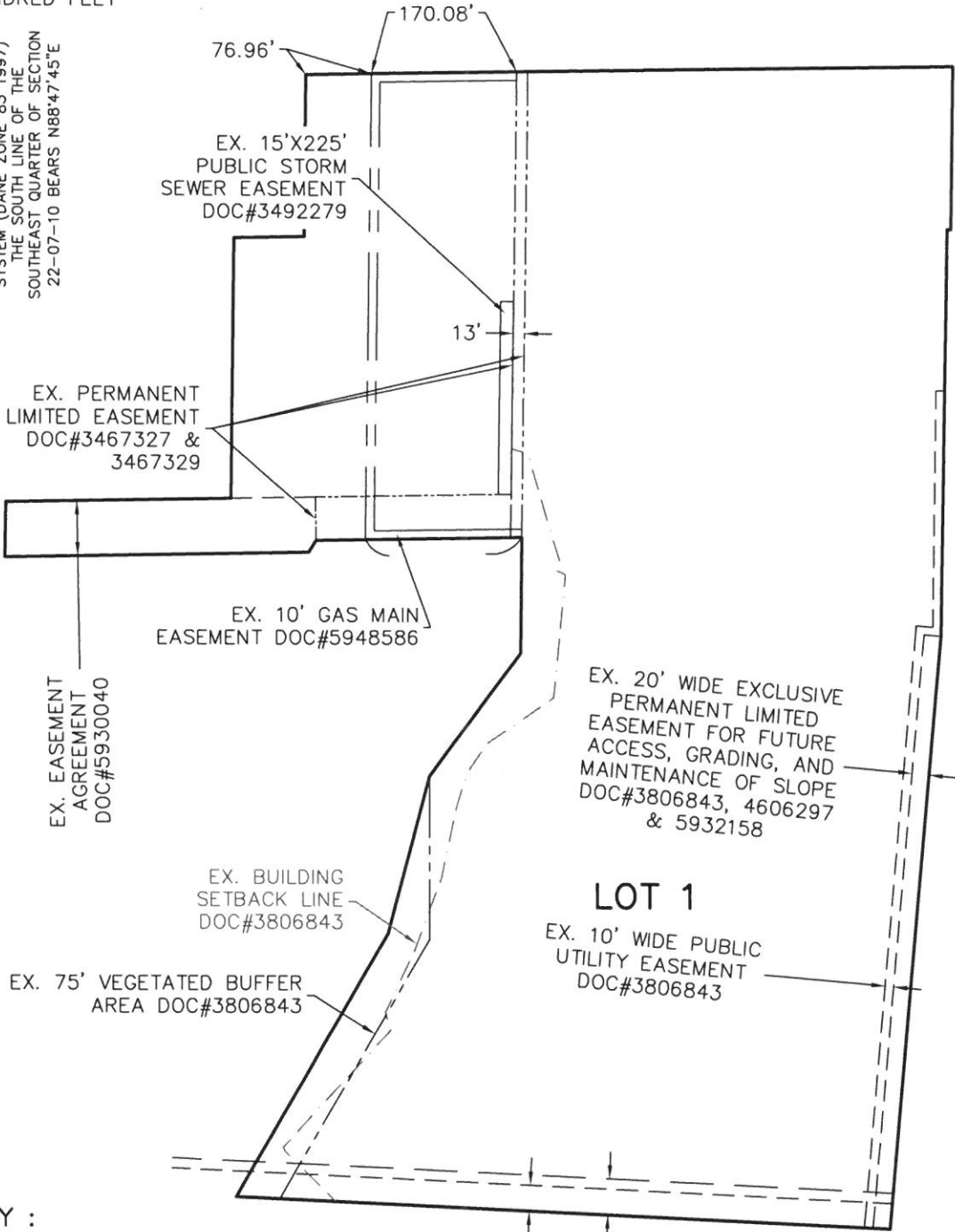
PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



SCALE : ONE INCH = TWO HUNDRED FEET

EASEMENT DETAILS

GRID NORTH
BEARINGS ARE BASED UPON
WISCONSIN COUNTY COORDINATE
SYSTEM (DANE ZONE 83 1997)
THE SOUTH LINE OF THE
SOUTHEAST QUARTER OF SECTION
22-07-10 BEARS N88°47'45"E



SURVEYED 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

MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____

Date: September 23, 2024
Plot View: CSM3
\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg



CERTIFIED SURVEY MAP No. _____

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

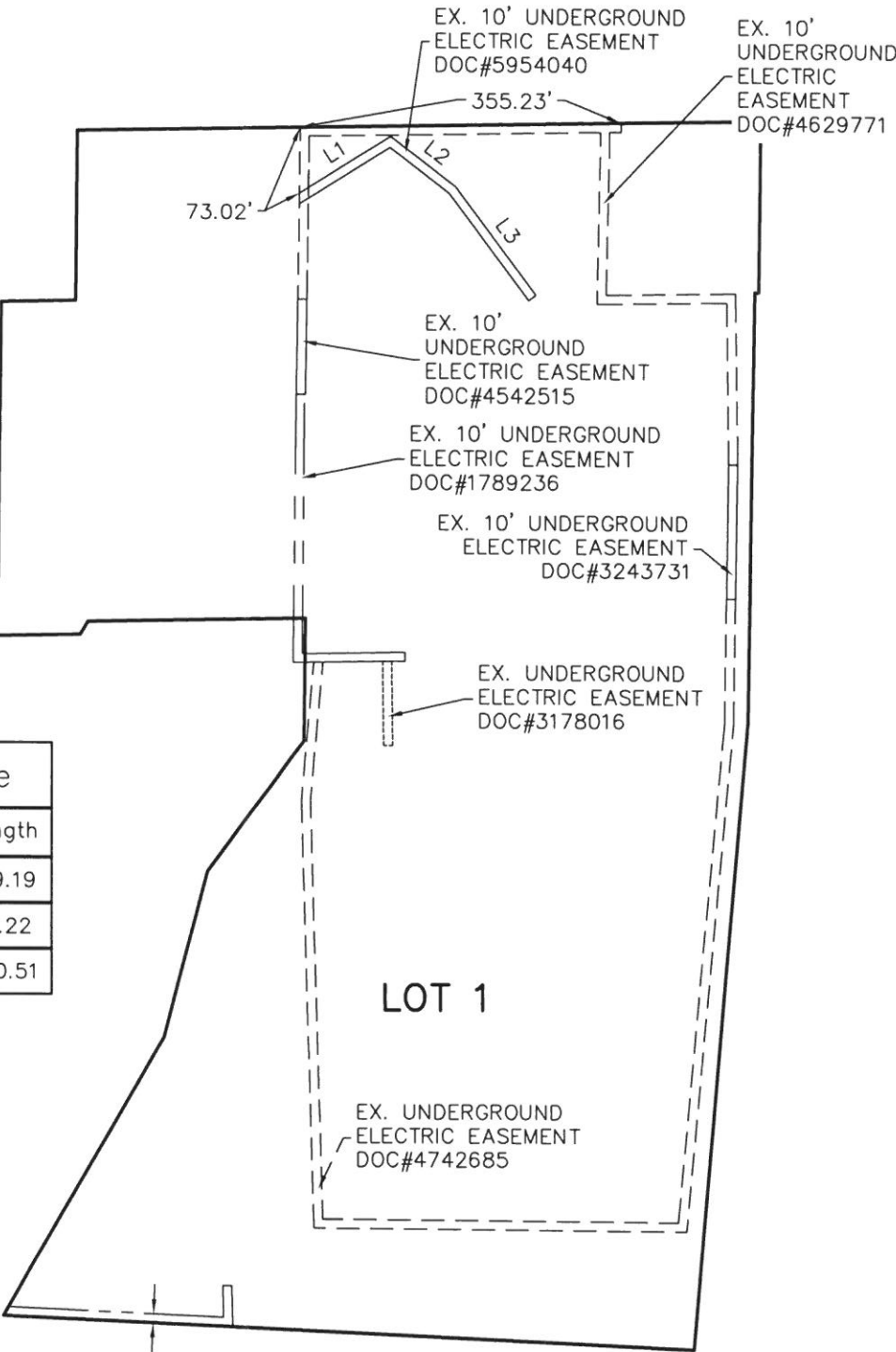


SCALE : ONE INCH = TWO HUNDRED FEET

GRID NORTH
BEARINGS ARE BASED UPON
WISCONSIN COUNTY COORDINATE
SYSTEM (DANE ZONE 83 1997)
THE SOUTH LINE OF THE
SOUTHEAST QUARTER OF SECTION
22-07-10 BEARS N88°47'45"E

ELECTRIC EASEMENT DETAILS

Parcel Line Table		
Number	Direction	Length
L1	N57°54'13"E	119.19
L2	S52°27'35"E	91.22
L3	S36°12'25"E	150.51



SURVEYED 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

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: September 23, 2024

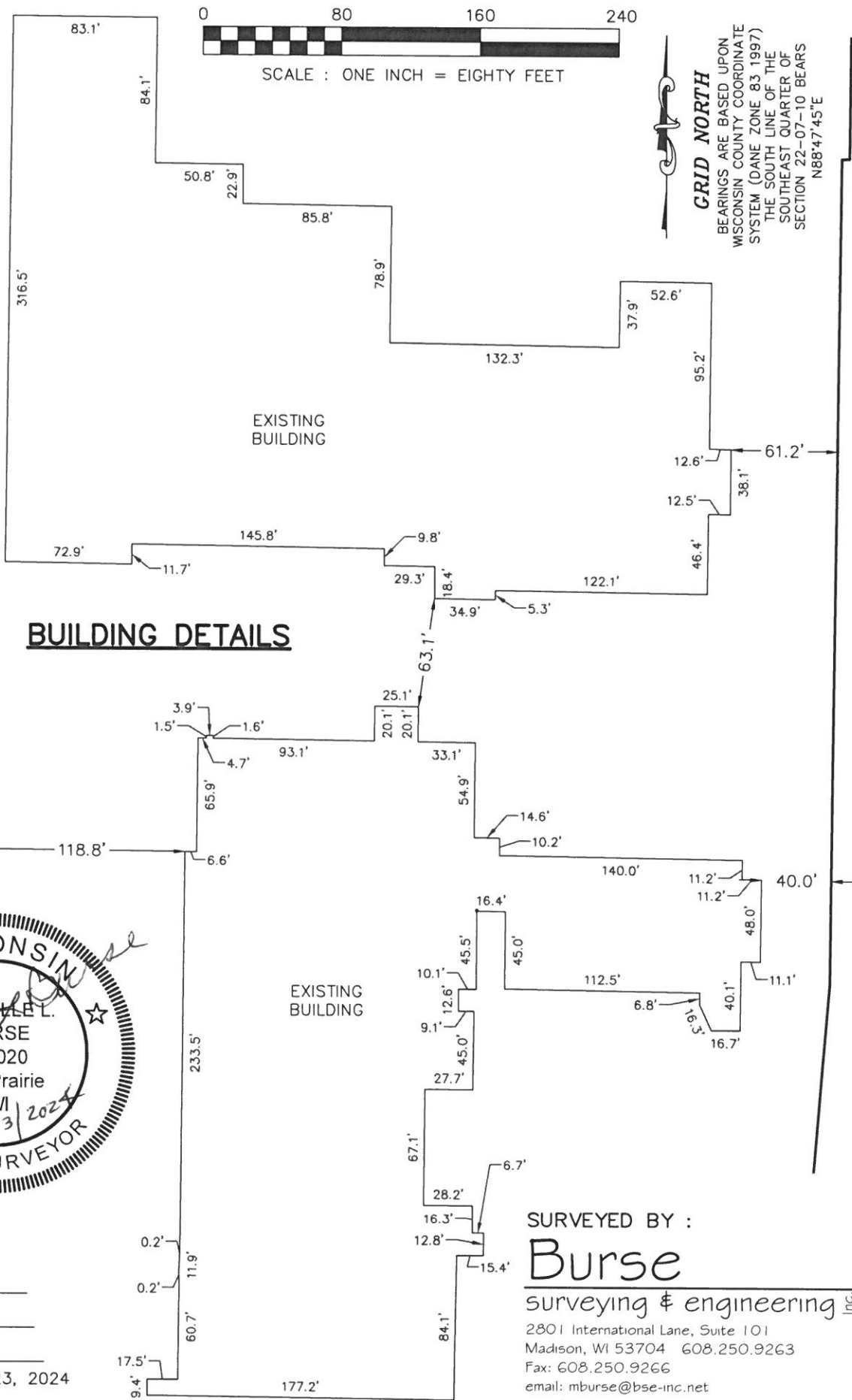
Plot View: CSM4

\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg



CERTIFIED SURVEY MAP No.

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



MAP NO. _____
DOC NO. _____
VOL. _____ P. _____

Date: September 23, 2024
Plot View: CSM5

\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg

SURVEYED 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

CERTIFIED SURVEY MAP No. _____

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

LEGEND

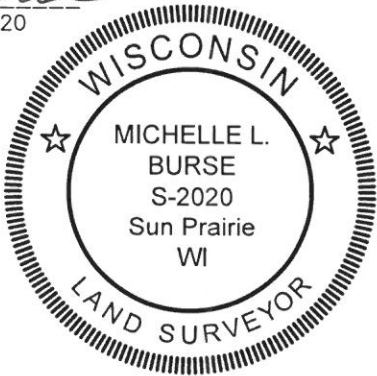
- 1-1/4" IRON PIPE FOUND UNLESS NOTED
- 3/4" SOLID IRON ROD FOUND UNLESS NOTED
- 3/4" X 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
- MAG NAIL FOUND
- FOUND CHISELED "X" IN CONCRETE
- X FOUND NAIL
- INDICATES RECORDED AS
- () DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. BUILDINGS ARE MEASURED TO THE NEAREST TENTH OF A FOOT.

SURVEYOR'S CERTIFICATE:

I, Michelle L. Burse, Professional Land Surveyor No. 2020, hereby certify that I have surveyed, divided, and mapped Part of Lot 1, Certified Survey Map Number 12791, as recorded in Volume 81 of Certified Survey Maps, on pages 64-66, as Document Number 4606297, part of Outlot 35 and all of Outlots 36-37, Assessor's Plat No. 3, as recorded in Volume 13 of Plats, on pages 13-14, as Document Number 777052, Dane County Registry, located in the Southwest Quarter of the Southeast Quarter of Section 22 and located in the Northwest Quarter of the Northeast Quarter of Section 27, all in Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows: Commencing at the South Quarter corner of said Section 22; thence North 88 degrees 47 minutes 45 seconds East along the south line of said Southeast Quarter, 492.45 feet to the Point of Beginning, also to a west line of said Lot 1; thence North 29 degrees 54 minutes 12 seconds East along said west line, 357.87 feet; thence North 14 degrees 38 minutes 12 seconds East along said west line, 191.32 feet; thence North 36 degrees 36 minutes 37 seconds East along said west line, 178.74 feet; thence North 00 degrees 37 minutes 17 seconds East along said west line, 136.77 feet to a south line of said Lot 1; thence South 88 degrees 54 minutes 28 seconds West along said south line, 241.04 feet; thence South 30 degrees 57 minutes 53 seconds West along said south line, 16.84 feet; thence South 88 degrees 52 minutes 49 seconds West, 355.59 feet to the western most west line of said Lot 1; thence North 00 degrees 44 minutes 23 seconds East along said west line, 65.80 feet to the western most northwest corner of said Lot 1; thence North 88 degrees 54 minutes 17 seconds East along a north line of said Lot 1, 263.58 feet; thence North 00 degrees 34 minutes 10 seconds East, 305.06 feet; thence North 88 degrees 54 minutes 56 seconds East, 82.61 feet; thence North 00 degrees 28 minutes 42 seconds East, 190.60 feet to the south line of Femrite Drive; thence North 88 degrees 55 minutes 02 seconds East along said south line, 756.80 feet to the west line of Agriculture Drive; thence South 00 degrees 38 minutes 01 second West along said west line, 192.00 feet; thence South 88 degrees 39 minutes 36 seconds West along said west line, 4.41 feet; thence South 00 degrees 46 minutes 18 seconds West along said west line, 478.23 feet; thence South 04 degrees 54 minutes 18 seconds West along said west line, 698.95 feet to the north line of United States Highways 12 and 18; thence North 87 degrees 24 minutes 01 second West along said north line, 765.96 feet to the eastern most southwest corner of said Lot 1; thence North 29 degrees 54 minutes 12 seconds East along a west line of said Lot 1, 27.99 feet to the Point of Beginning, under the direction of Danisco USA Inc., owner of said land. I further certify that the map on sheet one (1) is a correct representation of the exterior boundaries of the lands surveyed, and that I have fully complied with the provisions of Chapter 236.34 of the State Statutes, and the Land Division Ordinance of the City of Madison in surveying, dividing, and mapping the same.

Dated this 23 day of SEPTEMBER, 2024.

Signed: Michelle L. Burse
Michelle L. Burse, P.L.S. No. 2020



MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____
Date: September 23, 2024
Plot View: CSM6
\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg

SURVEYED BY :
Burse
surveying & engineering
2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

CERTIFIED SURVEY MAP No. _____

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Danisco USA Inc., a 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 caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this Certified Survey Map.

Danisco USA Inc. does further certify that this Certified Survey Map is required by S.236.34, Wisconsin Statutes and City of Madison of Ordinances to be submitted to the following for approval or objection:

City of Madison

IN WITNESS WHEREOF, the said Danisco USA Inc. has caused these presents to be signed by _____, its President on this _____ day of _____, 202__.

Danisco USA Inc.

By: _____
President

STATE OF WISCONSIN)
)ss
County of Dane)

Personally came before me this _____ day of _____, 202__, _____, President of the above named Corporation to me known to be the person who executed the foregoing instrument, and to me known to be such President of said corporation, and acknowledged that they executed the foregoing instrument as such officers and the deed of said corporation, by its authority.

Notary Public, Wisconsin _____
My commission expires _____



SURVEYED BY :
Burse
surveying & engineering llc
2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____
Date: September 23, 2024
Plot View: CSM7
\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg

CERTIFIED SURVEY MAP No. _____

PART OF LOT 1, CERTIFIED SURVEY MAP NUMBER 12791, AS RECORDED IN VOLUME 81 OF CERTIFIED SURVEY MAPS, ON PAGES 64-66, AS DOCUMENT NUMBER 4606297, PART OF OUTLOT 35 AND ALL OF OUTLOTS 36-37, ASSESSOR'S PLAT NO. 3, AS RECORDED IN VOLUME 13 OF PLATS, ON PAGES 13-14, AS DOCUMENT NUMBER 777052, DANE COUNTY REGISTRY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 AND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CITY OF MADISON COMMON COUNCIL APPROVAL

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment Number _____, File I.D. Number _____ adopted on the _____ day of _____, 202____, and that said Enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 202____.

Maribeth Witzel-Behl, City Clerk
City of Madison, Dane County, Wisconsin



SURVEYED 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

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: September 23, 2024

Plot View: CSM8

\\BSE2940\\dwg\\Survey\\BSE2940SurveyV20.dwg

Office of the Register of Deeds

_____ County, Wisconsin

Received for Record

_____, 20____ at

_____ o'clock __M as

Document No. _____

in _____

Register of Deeds



Department of Planning & Community & Economic Development

Planning Division

Meagan E. Tuttle, Director
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, WI 53701-2985
Phone: (608) 266-4635
planning@cityofmadison.com

****BY E-MAIL ONLY****

November 11, 2024

Eric Hohol
Danisco USA, Inc.
3322 Agriculture Drive
Madison, Wisconsin 53716

RE: LNDCSM-2024-00033; ID 85419 – Certified Survey Map – 3322 Agriculture Drive and 5017-5025 Femrite Drive

Dear Eric,

The one-lot Certified Survey Map to combine property located at 3322 Agriculture Drive and 5017-5025 Femrite Drive, Sections 22 and 27, Township 7N, Range 10E, City of Madison, Dane County, Wisconsin, is hereby **conditionally approved**. The property is zoned IL (Industrial–Limited District). The conditions of approval from the reviewing agencies to be satisfied prior to final approval and recording of the CSM are:

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have questions regarding the following four (4) items:

1. Enter into a City/Developer agreement for the required infrastructure improvements. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
2. Construct sidewalk, terrace, curb and gutter, and pavement along Femrite Drive and Agriculture Drive to a plan approved by the City Engineer.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

Please contact Jeffrey Quamme of the City Engineering Division–Mapping Section at (608) 266-4097 if you have questions regarding the following twenty (20) items:

5. The applicant shall dedicate lands on the face of the Certified Survey Map (CSM) along the south side of Femrite Drive along the north line of this CSM to accommodate future public sidewalk improvements. The southerly limits of the dedication shall provide a terrace and pavement width as required by the City of Madison Traffic Engineering and City Engineering Divisions with a minimum one (1) foot strip behind the sidewalk to allow for maintenance. This area of the CSM is subject to an existing City of Madison Official Map Road Reservation per Ordinance No. 2091 adopted August 11, 1966.
6. The applicant shall consider granting a Public Storm Sewer Easement(s) to the City on the face of this CSM to accommodate the proposed future proposed development of the northerly portion of this CSM. Coordinate any proposed realignment of storm sewer with City of Madison Engineering Storm Water staff. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required text and terms for the easement.
7. Dimension each storm sewer easement per Document Nos. 3467327 and 3467329 to clearly show the limits of each easement area (the limits between Document No. 3467327 and 3467329).
8. Note: The Storm Sewer Easements Per Document Nos. 3467327, 3467329 and 3492279 shall be released by separate recorded documents upon the construction any new / future storm sewer bypassing these easement areas. Upon this becoming necessary, coordinate with Jeff Quamme the required exhibits and administrative fees necessary for the Real Estate project to draft, administer and record the release(s).
9. The applicant shall dedicate lands on the face of the CSM along the west side of Agriculture Drive along the east line of this CSM in the northeasterly corner of the CSM to accommodate the existing and recently proposed public sidewalk improvements. The westerly limits of the dedication shall provide a minimum one-foot strip behind the sidewalk to allow for maintenance.
10. The 33 feet within the public right of way areas of Femrite Drive adjacent to the metes and bounds Parcel 4 of the title report 2291069 shall be dedicated by this CSM. The owner would have underlying title to this area and the City wishes to clear title to that area with this CSM.
11. Accurate depiction, labeling and dimensioning of the MG&E right of ways within this CSM are the responsibility of the surveyor to conform with platting statutes. Comprehensive review of this information is not part of the review by the Mapping Section of the City Engineering Division. The surveyor may wish to specifically label the easements that are centered on the facilities as installed where dimensioning would not be possible.
12. The buffer area and building setback lines are coterminous. The limits of both shall be fully dimensioned on the face of the CSM. Correctly dimension and label the Existing Stormwater Management Area for Lot 8 (now this CSM) per the Rhodia Plat.

13. Add a note that this CSM is subject to Declaration of Covenants, Conditions and Restrictions per Document No. 3365759.
14. Add a note that this CSM is subject to Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures per Document Nos. 4609817 and 5895378.
15. Add a note that this CSM is subject to Agreement Regarding Easements, Shared Use, and Declarations of Conditions, Covenants and Restrictions per Document No. 5479110.
16. Show and label the general area of the Consent to Occupy Easement per Document No. 5932158.
17. 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).
18. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations.
19. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format 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.
20. Correctly show Dairy Drive right of way that abuts the west end of the 66' wide strip that extends to the east. Lands were acquired per Doc No's 5554969 and 5550785. Contact Jeff Quamme for a copy of the Relocation Order to correctly show the right of way to the north and the City of Madison future transportation parcel.
21. The No Vehicular Access restriction per Rhodia Plat shall be shown on the map to US Highways 12 and 18. Also, the Access Restriction Clause note from the plat shall be added.
22. All of the applicable notes from Rhodia Plat and CSM 12791 shall be individually added as notes and identified which land division they originated. Notes or items shown on the face of the CSM map shall also have necessary text to correlate it to specific note that that is applicable. (Stormwater, Highway Setback, Buffer Restrictions, Planting Strip restrictions, etc.)
23. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, 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 or early start permits.

24. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject CSM, 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 shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal..

Please contact Luke Peters of the Traffic Engineering Division at (608) 266-6543 if you have any questions regarding the following two (2) items:

25. The applicant shall work with the Traffic Engineering Division on dedicating right of way for the construction of a continuous sidewalk along their frontages on Femrite Drive and Agriculture Drive. Where feasible, desired dimensions are five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance.
26. The applicant shall dedicate right of way for a minimum 15-foot radius at the intersection of the Femrite Drive and Agriculture Drive right of way lines.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have any questions regarding the following item:

27. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required as part of Certified Survey Map review.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following item:

28. The following information shall be noted on the CSM prior to final approval: "The properties are located within Wellhead Protection District—Zone (WP-31). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102."

Please contact Heidi Radlinger of the Office of Real Estate Services at (608) 266-6558 if you have any questions regarding the following six (6) items:

29. Prior to final approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of Office of Real Estate Services (ORES) approval sign-off. If not, the City and the Register of Deeds are now accepting

electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

30. Prior to CSM 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). 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 CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
31. If any portion of the lands within the CSM 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 CSM sign-off.
32. Per 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording.
33. All known special assessments are due and payable prior to CSM approval sign-off pursuant to MGO Section 16.23(4)(f).
34. Pursuant to MGO Section 16.23(4)(f), the owner shall furnish an updated title report to the ORES as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

Note: The Office of Real Estate Services is still reviewing the CSM and title report and may have additional comments to be addressed prior to final sign-off and recording of the CSM.

Please contact my office at (608) 261-9632 if you have any questions regarding the following item:

35. A wetland delineation will be required for this site and the wetlands identified in the delineation and any required setback shall be shown on the final CSM. Submit digital files to the Planning Division and City Engineer prior to final recording of the CSM.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

A resolution approving the Certified Survey Map and authorizing the City to sign it and any other documents related to the CSM will be reviewed by the Common Council at its November 26, 2024 meeting.

In order to commence the process for obtaining the necessary City signatures on the Certified Survey Map, the applicant shall e-mail the revised CSM, updated title report, and any other materials required by

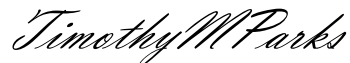
reviewing agencies to the reviewing planner. The reviewing planner will share the updated materials with the relevant commenting City agencies for them to verify that their conditions have been satisfied and that the secretary or designee may sign the Plan Commission approval certificate. Once the Plan Commission certificate is executed, the Planning Division will make the City Clerk's Office aware that the Common Council certificate may be executed.

Once all of the necessary City signatures have been affixed to the Certified Survey Map, the instrument may be recording at the Dane County Register of Deeds Office. For information on recording procedures and fees, please contact the Register of Deeds at (608) 266-4141.

Any appeal from this action, including the conditions of approval, must be filed with the Circuit Court within 30 days from the date of this letter. **The approval of this CSM shall be null and void if not recorded in twelve (12) months from the date of the approving resolution or this letter, whichever is later.**

If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Margo Anderson, IFF
Michelle Burse, Burse Surveying and Engineering, Inc.
Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division—Mapping Section
Luke Peters, Traffic Engineering Division
Trent W. Schultz, Parking Division
Jeff Belshaw, Madison Water Utility
Heidi Radlinger, Office of Real Estate Services



City of Madison

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

Master

File Number: 85420

File ID: 85420

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 09/26/2024

File Name: CSM - 416-446 W Washington Ave et al

Final Action:

Title: Approving a Certified Survey Map of property owned by CRG Acquisition, LLC located at 416-446 W Washington Avenue and 413-417 W Mifflin Street (District 4).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: CSM Application.pdf, Letter of Intent.pdf, Proposed CSM.pdf, Public Comment 11-04-24.pdf, Link to Demo File 85416, Link to Cond Use File 85418

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	09/26/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/08/2024	Refer	PLAN COMMISSION			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	11/18/2024	RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER		12/02/2024		Pass
	Action Text: A motion was made by Field, seconded by Sanders, to RECOMMEND TO COUNCIL TO RE-REFER - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the Certified Survey Map to the December 2, 2024 Plan Commission meeting (December 10 Common Council) to allow the project to be re-noticed. The motion passed by voice vote/ other.						

Text of Legislative File 85420

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 CRG Acquisition, LLC located at 416-446 W Washington Avenue and 413-417 W Mifflin Street (District 4).

Body

WHEREAS a Certified Survey Map of property owned by CRG Acquisition, LLC located at 416-446 W Washington Avenue and 413-417 W Mifflin 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 above mentioned documents related to this Certified Survey Map.

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.

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 **9/23/24 12:30 p.m.**

Planning Division
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.

P.O. Box 2985

Madison, WI 53701-2985



(608) 266-4635 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: _____ Representative, if any: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

Firm Preparing Survey: _____ Contact: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

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: _____

Tax Parcel Number(s): _____

Zoning District(s) of Proposed Lots: _____ School District: _____

- 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			
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			

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: _____ Signature: 

Date: _____ Interest In Property On This Date: _____

September 23, 2024

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

Re: **Mifflin Chapter Apartments – Land Use Application Letter of Intent**

Site Address: 418-446 West Washington Avenue & 413-417 West Mifflin Street, Madison, WI

Dear Planning Division:

This letter is to describe the intent of the Land Use Application for the properties located at 418-446 West Washington Avenue & 413-417 West Mifflin Street. The developer, CRG Acquisition, LLC, intends to raze the existing structures and develop the 1.5-acre site into a 6-story for-rent residential building with approximately 163 units and 511 beds, and approximately 80 parking spaces located in a single level of underground, structured parking. The project was designed to meet the goals and standards identified in both the Madison Downtown Plan and the Mifflandia Plan.

Project Team

Developer:	CRG Acquisition, LLC 35 E. Wacker Drive, Suite 1300 Chicago, IL 60601 (312) 658-0747 Representative: Alison Mills
Architect:	Lamar Johnson Collaborative 35 E. Wacker Drive, Suite 1300 Chicago, IL 60601 (312) 429-0409 Representative: Max Komnenich
Civil Engineer:	Vierbicher 999 Fourier Dr, Ste 201 Madison, WI 53717 (608) 826-0532 Representative: Johnathan Lilley

Existing Conditions

The existing properties include 2-3 story residential structures, paved and gravel parking areas, trees, shrubs, and other vegetation. There are five existing curb cuts onto West Washington and one existing curb cut onto West Mifflin. The properties are zoned DR2 (Downtown Residential 2). The existing buildings have been heavily used over the years and the overall integrity of the structures has been compromised. All existing street trees along West Washington are to be preserved.

Project Schedule

The development team has held several pre-application meetings with Planning and Zoning Staff, has met with the Miffland and Bassett neighborhood groups of Capital Neighborhoods Inc. on multiple occasions, and has also held a neighborhood "postcard" meeting on September 12, 2024 to discuss the development proposal and review concept plans. The project was also presented to the Urban Design Commission for an Informational Meeting on August 14, 2024. Having received and incorporated this feedback into the project, the developer plans to attend the UDC Meeting for Initial & Final Recommendations of Approval on November 6, 2024, the Plan Commission Meeting on November 18, 2024, and the Common Council Meeting for the Certified Survey Map on November 26, 2024. The developer anticipates starting construction in the late third quarter of 2025 to allow existing tenants to stay through the summer of 2025. The project is planned to deliver by Summer 2027.

Proposed Use

The developer intends to build a 6-story for-rent residential building. The lower level will feature approximately 33,000 GSF of parking, bike storage, and utility rooms, while the first floor at grade will feature a residential lobby and leasing office, mail and package rooms, residential amenity rooms, bike storage, utility rooms, and residential units that have front stoops and direct access to West Washington Ave to activate and maintain the residential nature of the street.

Access

To respond to concerns brought forth to the developer from the neighborhood, Alder, planning staff, and traffic engineering, the project is removing all 5 of the existing driveways onto West Washington Avenue, and all vehicular access to the garage and all service access to the building is accomplished through a single driveway along the northeast corner of the site on West Mifflin Street. Trash for the entire building is also managed from West Mifflin Street to maintain the distinctive walkable character and wide terraces of West Washington Avenue.

The project team also engaged KL Engineering to estimate the traffic volume impacts from the development to confirm that the impacts on West Mifflin Street would be of minimal impact to the neighborhood. In addition to improving both the pedestrian and vehicular safety along West Washington Avenue by eliminating the driveways and all left turns across several lanes of traffic, the project is expected to have a negligible impact on West Mifflin Street traffic flow. Currently at peak hour, there are approximately 4-5 cars every 1-2 minutes on West Mifflin Street, and the

project is only expected to generate up to 1 new car every 1-2 minutes during the peak hour (inclusive of deliveries, drop-offs, and estimated resident vehicular traffic). Further, there is currently space for approximately 81 cars to park behind the existing buildings on the site, thus the 80-90 new spaces located in the garage below grade are not expected to generate noticeable traffic or street parking demand.

Along the West Mifflin frontage, the project also has a 6' easement to the benefit of 409 West Mifflin to provide curb cut and driveway access to the rear of that neighboring property. That easement is planned to be preserved at grade for its length (approximately 100' into the project site). Beyond the easement the driveway into the garage is able to ramp below grade under the building to access the residential parking garage for the project. With this single curb cut on West Mifflin, the project is able to leverage the benefits of its site configuration and improve the streetscape on West Washington for the future.

Building Massing

In order to maintain the permeability of the block while improving the safety of the pedestrian experience for residents and visitors, the ground floor of the building erodes in several locations to provide additional access points to the building. The primary entrances to the building are from a residential lobby along West Washington Ave, and a secondary residential lobby along West Mifflin Street. There are two additional entrances to the building in the middle of the structure to provide more convenient access to the western residential units, and to provide essential access for fire protection and utility services. The building will be secured 24/7, and all parking is maintained below grade and active uses front all streets in order to enhance the vibrancy of streetscape. The through-block nature of the building has also allowed the project a unique opportunity to create a vibrant, pedestrian and bicycle path between West Washington and West Mifflin for the wider neighborhood to enjoy.

Building Design

The developer and project team recognize the importance of this block to the neighborhood and the Mifflandia Plan. The development has responded to the specific recommendations proposed in the Mifflandia Plan to create the kind of development envisioned by the neighborhood, as summarized below:

- Page 3&15: the development seeks to enhance the distinctive physical character of West Washington Avenue as a gateway to Downtown by creating an asymmetrical but rhythmic façade with additional semi-public outdoor space, while also providing new high-quality housing for the neighborhood. The project emphasizes the incorporation of porches and wide terraces to bridge the new development with the existing surrounding buildings.
- Page 7&10: the development has been designed to be consistent with the height, setback, and stepback guidelines in the plan. The building is setback 20' from West Washington Ave and 15' from West Mifflin Street, with upper level stepbacks of 30' on West Washington and 15' on Mifflin above the 4th floor. Balconies are added to the West Mifflin frontage to create a rhythm to the façade consistent with the outboard porches

along the block, and additional porches and stoops are created along the West Washington frontage. The modulation of the massing and stepbacks are intended to preserve the neighborhood character while also creating more welcoming semi-public spaces for the neighborhood. At the upper two floors, the color and materiality shift to reduce the mass and scale of those floors, consistent with the intent of the Mifflandia Plan.

- Page 7&13: the project team has a history in Madison of developing inclusive and creative opportunities for the arts and has planned for locations for additional public art in the project.
- Page 11: the project creates the opportunity for a fully complete, interblock path between West Mifflin and West Washington by creating a pedestrian and bicycle path through the building.
- Page 12: the project significantly increases the amount of available housing
- Page 16: material changes in the façade are done with plane changes and are intended to break down the façade visually to maintain the character and diversity of design in the neighborhood. Ground floor units have their own street entrance and building entrances are designed as focal points with canopies, stoops, and distinct pathways to improve the pedestrian rhythm of the street façade.
- Page 17: balconies are included to engage with the façade, and the materiality and color palette of the façade are designed to respond to the visual rhythm of the neighborhood
- Page 18: green roof is incorporated throughout the 4th floor roof to provide a visually appealing and sustainable rooftop
- Page 19&21: the historic trees and canopy along West Washington are all maintained
- Page 19: the project eliminates all curb cuts along West Washington, which also allows service for the entire building to be maintained exclusively from West Mifflin Street, while increasing the desired porosity of the site and the character of West Washington. Particular attention is paid to the patios, plazas, art, and landscape along West Washington.

Overall, the project team believes the design of the project is consistent with the guidelines of the Mifflandia and Downtown Plans, unifying the streetscape while enhancing the neighborhood and human scale of the project by introducing a vertical rhythm to the building. The approach to detailing the façade is rooted in the context and tradition of the neighborhood, but expresses the pedestrian scale of the neighborhood with texture and warmth.

As the population of Madison continues to grow rapidly, the demolition of the existing structures and related components on the property is a critical step to the ultimate redevelopment of the

realcrg.com

property into necessary housing and density for the neighborhood as called for in the Mifflandia Plan. Overall, the developer is excited to have worked collaboratively with the community and local stakeholders on the design and programming of the project and looks forward to a project that supports the needs of the neighborhood and Madison as a whole.

If you have any questions concerning the above information or attached plans, please contact Alison Mills with CRG Acquisition, LLC at millsa@realcrg.com or (314) 412-7390.

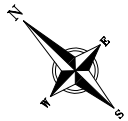
Sincerely,

A handwritten signature in black ink that reads "Alison K. Mills". The signature is written in a cursive, flowing style.

© Vierbicher Associates, Inc.

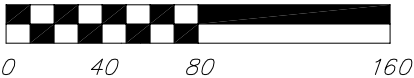
CERTIFIED SURVEY MAP No.

LOT 7 AND LOTS 12-16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.



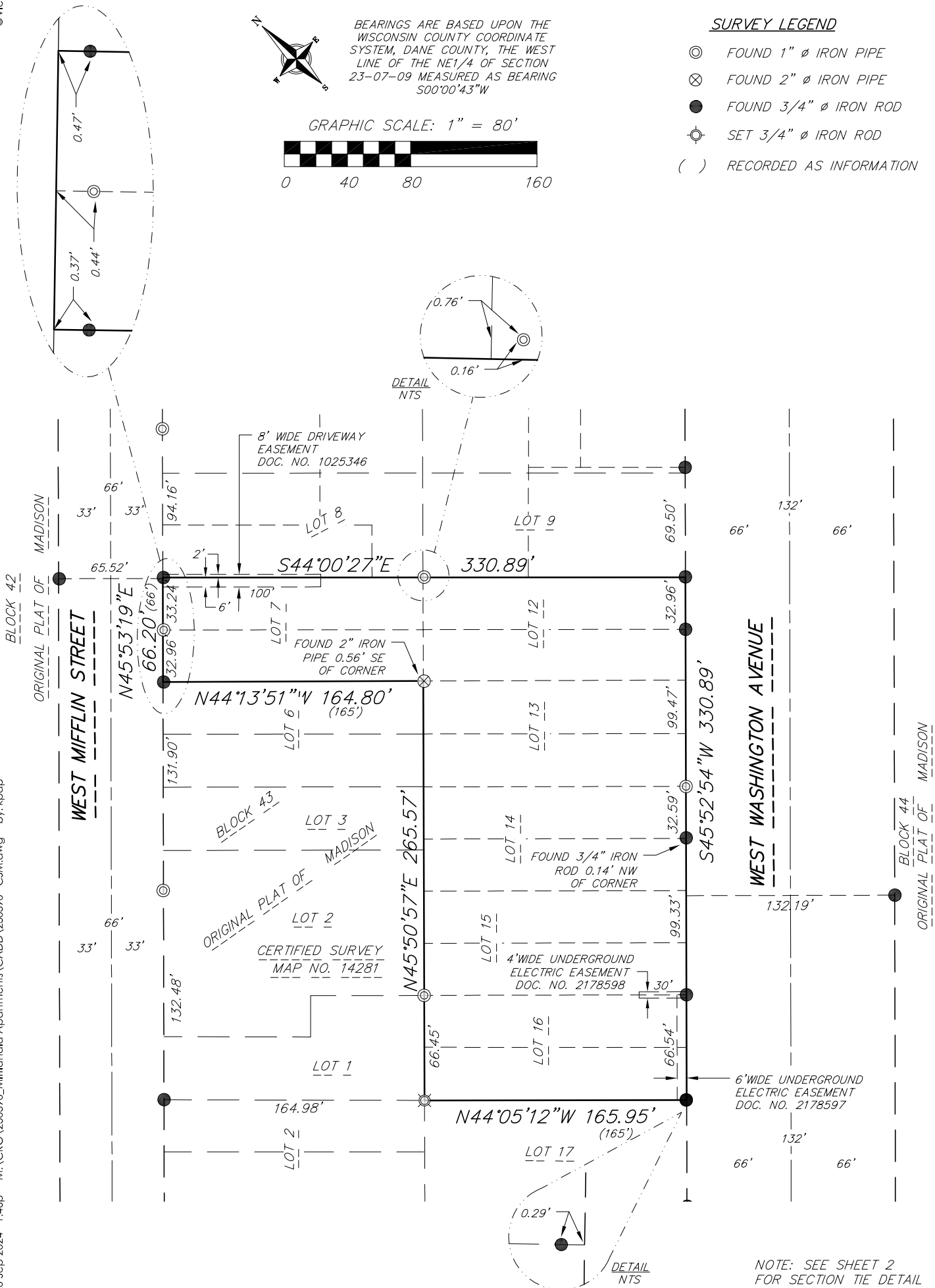
BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NE1/4 OF SECTION 23-07-09 MEASURED AS BEARING S00°00'43"W

GRAPHIC SCALE: 1" = 80'



SURVEY LEGEND

- ⊙ FOUND 1" Ø IRON PIPE
- ⊗ FOUND 2" Ø IRON PIPE
- FOUND 3/4" Ø IRON ROD
- ⊕ SET 3/4" Ø IRON ROD
- () RECORDED AS INFORMATION



NOTE: SEE SHEET 2 FOR SECTION TIE DETAIL

20 Sep 2024 - 1:46p M:\CRG\230390_Mifflandia Apartments\CADD\230390 - CSM.dwg by: kpap

vierbicher
planners | engineers | advisors



Job #: 230390
Date: 09/23/2024
Rev:
Drafted By: KPA
Checked By: MZIE

SURVEYED FOR:
CRG
2199 INNERBELT
BUSINESS CENTER DRIVE
ST. LOUIS, MO 63114

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

SHEET
1 OF 6

© Vierbicher Associates, Inc.
20 Sep 2024 - 9:18a M:\CRG\230390_Mifflandia Apartments\CADD\230390 - CSM.dwg by: kpap

CERTIFIED SURVEY MAP No. _____

LOT 7 AND LOTS 12-16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SECTION TIE DETAIL
(NOT TO SCALE)



N1/4 CORNER OF
SEC. 23-07-09
BRASS CAPPED MONUMENT
OF RECORD FOUND IN
SQUARE MONUMENT BOX
PUBLISHED COORDS:
N=482890.36
E=818501.68

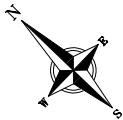
BEARINGS ARE BASED UPON THE
WISCONSIN COUNTY COORDINATE
SYSTEM, DANE COUNTY, THE WEST
LINE OF THE NE1/4 OF SECTION
23-07-09 MEASURED AS BEARING
S00°00'43"W



© Vierbicher Associates, Inc.
20 Sep 2024 - 9:19a M:\CRG\230390_Mifflandia Apartments\CADD\230390 - CSM.dwg by: kpap

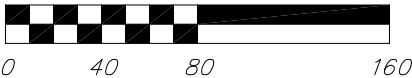
CERTIFIED SURVEY MAP No. _____

LOT 7 AND LOTS 12-16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

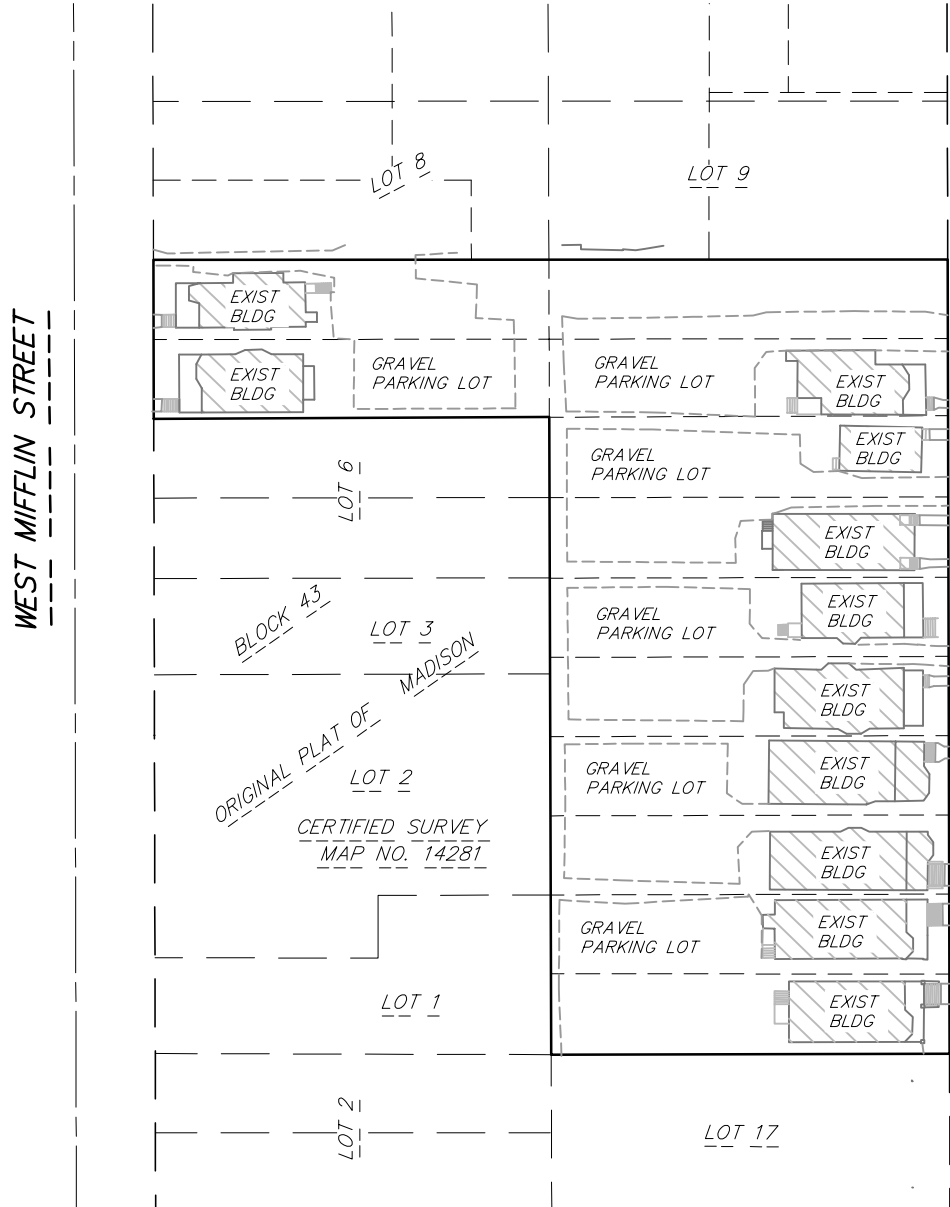


BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NE1/4 OF SECTION 23-07-09 MEASURED AS BEARING S00°00'43"W

GRAPHIC SCALE: 1" = 80'



EXISTING CONDITIONS



© Vierbicher Associates, Inc.
20 Sep 2024 - 9:19a M:\CRG\230390_Mifflandia Apartments\CADD\230390 - CSM.dwg by: kpap

CERTIFIED SURVEY MAP No. _____

LOT 7 AND LOTS 12–16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR’S CERTIFICATE:

I, Kevin J. Pape, Professional Land Surveyor S–2568, do hereby certify that this survey is in full compliance with Chapter 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the City of Madison, Dane County, Wisconsin, and under the direction of the Owners listed hereon, I have surveyed, divided and mapped the land described below and that said map is a correctly dimensioned representation of the exterior boundaries and division of the land surveyed.

Date: September 23, 2024

Signed: **DRAFT**
Kevin J. Pape, Professional Land Surveyor S–2568

DESCRIPTION:

Lot 7 and Lots 12–16, Block 43, Original Plat of Madison, located in the NW1/4 and SW1/4 of the NE1/4 of Section 23, T7N, R9E, City of Madison, Dane County, Wisconsin, described as follows: Commencing at the N1/4 corner of said Section 23; thence S00°00’43”W, 1452.73 feet along the west line of said NE1/4; thence S89°59’17”E, 887.81 feet to the southern–most corner of Lot 1, Certified Survey Map No. 14281, recorded as Document No. 5246331 and the point of beginning; thence N45°50’57”E, 265.57 feet along the southeasterly line of said Certified Survey Map No. 14281 and the northeasterly extension thereof to the eastern–most corner of Lot 6, said Block 43; thence N44°13’51”W, 164.80 feet along the northeasterly line of said Lot 6 to a point on the southeasterly right of way line of West Mifflin Street; thence N45°53’19”E, 66.20 feet along said southeasterly right of way line to the western–most corner of Lot 8, said Block 43; thence S44°00’27”E, 330.89 feet along the southwesterly line of Lots 8 and 9, said Block 43 to a point on the northwesterly right of way line of West Washington Avenue; thence S45°52’54”W, 330.89 feet to the eastern–most corner of Lot 17, said Block 43; thence N44°05’12”W, 165.95 feet along the northeasterly line of said Lot 17 to the point of beginning. Contains 65,816 square feet (1.511 acres).

LOT 7 AND LOTS 12-16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CRG Acquisition, LLC, a Missouri limited liability company duly organized and existing under and by virtue of the laws of the State of Missouri, as owner, does hereby certify that said company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the map hereon.

By: _____

State of Missouri)
)ss.
County of St. Louis)

Notary Public, State of Wisconsin

My Commission expires: _____

© Vierbicher Associates, Inc.
20 Sep 2024 - 9:17a M:\CRG\230390_Mifflandia Apartments\CADD\230390-CSM.dwg by: kpap

CERTIFIED SURVEY MAP No. _____

LOT 7 AND LOTS 12–16, BLOCK 43, ORIGINAL PLAT OF MADISON, LOCATED IN THE NW1/4 AND SW1/4 OF THE NE1/4 OF SECTION 23, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

MADISON PLAN COMMISSION CERTIFICATE:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____
Matthew Wachter, Secretary
City of Madison Plan Commission

CITY OF MADISON COMMON COUNCIL RESOLUTION:

Resolved that the Certified Survey Map located in the City of Madison was hereby approved by Enactment Number RES–_____, File ID Number _____, adopted on the ____ day of _____, 2024, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said certified survey map to the City of Madison for public use.

Dated this _____ day of _____, 2024.

Maribeth Witzel–Behl, City Clerk, City of Madison

REGISTER OF DEEDS CERTIFICATE

Received for recording this _____ day of _____, 20_____,
at _____ o'clock _____m. and recorded in Volume _____ of Certified
Survey Maps on pages _____, as Doc. No. _____.

Kristi Chlebowski,
Dane County Register of Deeds

November 1, 2024

City Planning Division
215 Martin Luther King Jr. Boulevard
Madison, WI 53701

Subject: Proposal for 418-446 W Washington & 413-417 W Mifflin St / UDC November 6, 2024

Commissioners,

The CRG team has attended two Miffland and Bassett District neighborhood meetings, as well as two CNI Steering Committee meetings. We appreciate their respect and cooperation with neighborhood input. We hope this process will help in the success of their project. We recommend approval with conditions as described below.

Two CNI Steering Committees were conducted in October. Our discussions were largely centered around two community concerns:

1. The proposed building spans the block, from W Washington Avenue to W Mifflin Street. The Mifflandia Neighborhood Plan did not envision this sized structure, and recommended an "Interblock Mifflin Lane" that would run along the back lots of buildings on Washington and Mifflin, from Broom to Bassett, and possibly to Bedford. It was noted that the lane could:
 1. Provide a unique pedestrian experience.
 2. Facilitate increased on-street parking capacity on W Mifflin and W Washington as individual curb cuts and driveways could be removed.
 3. Fewer driveways could aid tree canopy health and allow for more terrace trees.
 4. Could reduce vehicular/bike conflicts on Mifflin St.

This project will preclude the implementation of the inter-block lane. The CRG team explained that the lane concept is not feasible due to physical obstructions, including utilities. We ask the City for insight into your expectation for the implementation of this feature, and to evaluate if the Interblock Mifflin Lane is infeasible.

The CRG team has alternatively proposed a public mid-block pedestrian route that runs from W Mifflin to W Washington. We believe this feature meets some of the goals for a unique pedestrian experience (Item 1 above). Additionally, this project's configuration facilitates removing a significant number of driveways from W Washington (Items 2 and 3 above). Unfortunately, we remain apprehensive about Item 4 above, which leads to our next concern.

2. All vehicular access to the underground garage is from Mifflin Street so that the broad W Washington terrace can be enhanced with no driveways. Additionally, there is no on-site location for pick-up and drop-off activities. This situation will substantially increase the traffic and double-parking problems that already create unsafe conditions for vehicles and bicycles on West Mifflin. With the Steering Committee's encouragement, the CRG design team is proposing to seek approval of a 50-foot loading zone on West Washington with access to their entry doors. We

believe this zone, as well as the residents' use of W Washington rather than W Mifflin for pick-ups and drop-offs, is imperative to prevent chaotic traffic on W Mifflin.

In summary, our recommendation for approval of this project is subject to the following conditions:

1. The City finds the Mifflandia Plan's Interblock Mifflin Lane is infeasible to implement;
2. The mid-block public pedestrian path from Mifflin Street to Washington Avenue be provided and assured for continued availability by the Conditional Use Permit; and
3. The 50-foot loading zone on West Washington be approved.

Thank you for your attention to our comments.

Best Regards,

Linda K Scott
Chair, Mifflin District, CNI
333 W Mifflin Street
Madison, WI 53703



City of Madison

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

Master

File Number: 85625

File ID: 85625

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 10/09/2024

File Name: CSM - 423-427 W Mifflin St

Final Action:

Title: Approving a Certified Survey Map of property owned by Madison Development Corporation located at 423-427 W Mifflin Street (District 4).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, CSM Application.pdf, Letter of Intent.pdf, Proposed CSM.pdf, Staff Comments.pdf, Link to Demo Permit File 85410, Link to Cond Use File 85411

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	10/09/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	PLAN COMMISSION		11/18/2024	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	11/18/2024	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Heck, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Heck, seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.						

Text of Legislative File 85625

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 Madison Development Corporation located at 423-427 W Mifflin Street (District 4).

Body

WHEREAS a Certified Survey Map of property owned by Madison Development Corporation located at 423-427 W Mifflin 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 above mentioned documents related to this Certified Survey Map.

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

Demolition, Conditional Use, & Certified Survey Map Referral

Location

423-427 W Mifflin Street

Applicant

Kevin Burow, Knothe & Bruce Architects, LLC
Lorrie K. Heinemann, Madison Development Corp.

Request

- Demolish a single-family residence, a two-family residence, and a four-unit apartment building
- Construct a four-story, 40-unit apartment building
- Create one lot by CSM

Public Hearing Dates

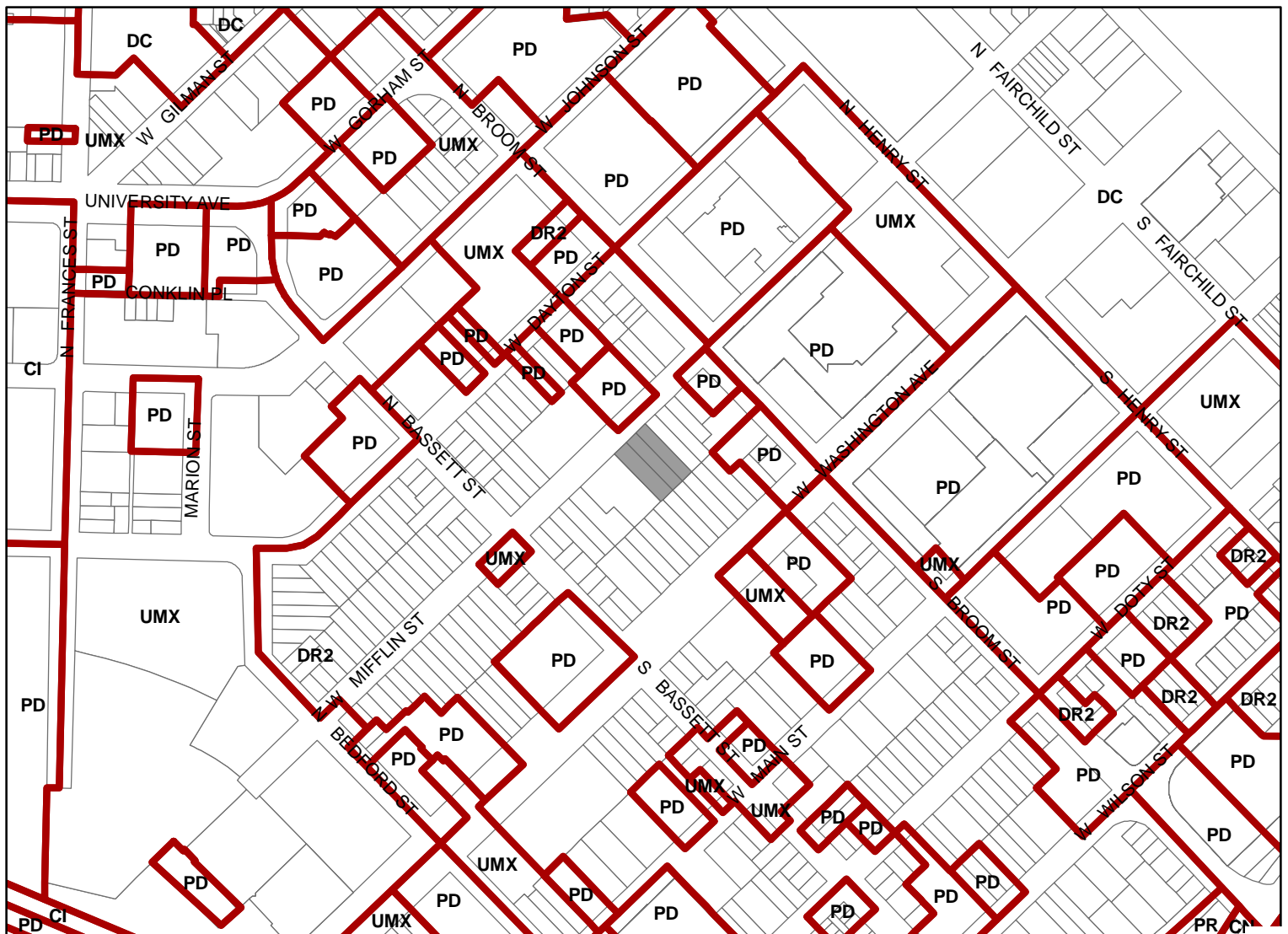
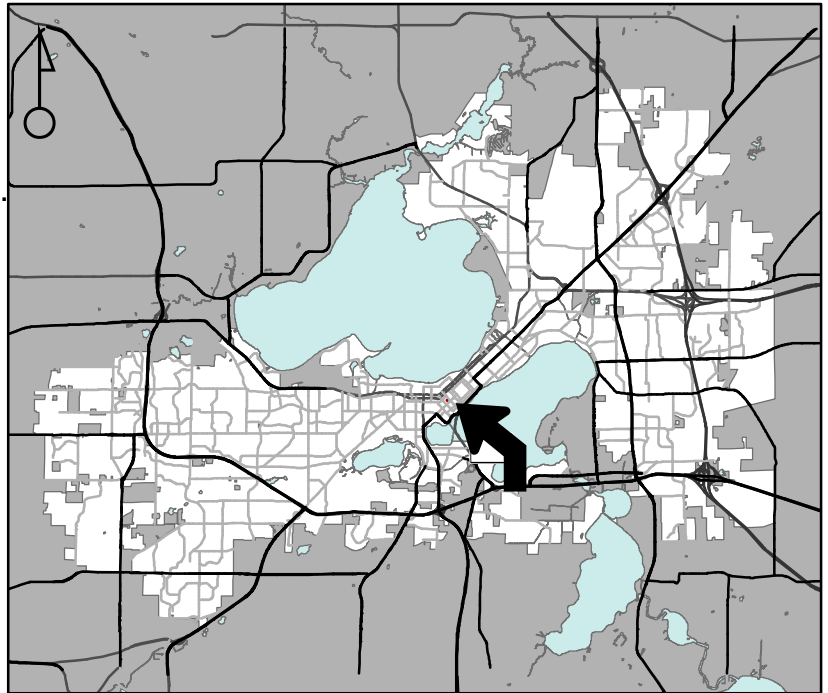
Plan Commission

November 18, 2024

Common Council

November 26, 2024 (CSM only)

For Questions Contact: Lisa McNabola at: 243-0554 or lmcnabola@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



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: Madison Development Corporation **Representative, if any:** Lorrie
Street address: 550 W. Washington Avenue **City/State/Zip:** Madison, WI 53703
Telephone: 608.535-4572 direct **Email:** Lorrie@mdcorp.org

Firm Preparing Survey: Burse Surveying and Engineering, Inc. **Contact:** Michelle L. Burse
Street address: 2801 International Lane, Suite 101 **City/State/Zip:** Madison, WI, 53704
Telephone: 608.250-9263 **Email:** mburse@bse-inc.net

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: 427, 423 and 425 W Mifflin Street, Madison, WI 53703
Tax Parcel Number(s): 251/0709-231-1613-5, 251/0709-231-1611-9 and 251/0709-231-1612-7
Zoning District(s) of Proposed Lots: DR-2 **School District:** Madison

- 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		0.4
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	1		.4

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: Lorrie Heinemann

Signature: 

9/26/2024

Date: _____ Interest In Property On This Date: Owner

September 23, 2024



Ms. Meagan Tuttle
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 and UDC Submittals

423, 425 and 427 W Mifflin Street
KBA Project #2253

Ms. Meagan Tuttle:

The following is submitted together with the plans and application for the staff, Urban Design Commission and Plan Commission's consideration of approval.

Organizational Structure:

Owner:
Madison Development Corp
550 W Washington Avenue
Madison, WI 53703
(608) 535-4572
Contact: Lorrie Heinemann
lorrie@mdcorp.org

Architect:
Knothe & Bruce Architects, LLC
8401 Greenway Blvd., Ste 900
Middleton, WI 53562
(608) 836-3690
Contact: Kevin Burow
kburow@knothebruce.com

Engineer:
Burse Surveying and Engineering
2801 International Ln. #101
Madison, WI 53704
Phone: 608-250-9263
Contact: Peter Fortlage
pfortlage@bse-inc.net

Landscape Design:
Paul Skidmore Landscape Architect
13 Red Maple Trail
Middleton, WI 53717
(608) 826-0032
Contact: Paul Skidmore
paulskidmore@tds.net

Introduction:

This proposed multi-family development involves the redevelopment of 423, 425 and 427 W Mifflin St located on the south side of W Mifflin St in between N Broom St and N Bassett St. Located within the Capitol Neighborhoods, the site is currently occupied by single family homes used as rental properties. This application requests removal of the existing buildings as well as a conditional use for the development of a new 40 unit multi-family building. The site is currently zoned DR-2 and will remain DR-2 zoning for the proposed redevelopment.

Project Description:

The proposed project is a 3-4 story, multi-family development consisting of 40 dwelling units and has been designed to be in compliance with both the zoning standards as well as the desires outlined in the

Mifflandia Neighborhood Plan. The building is set back 15' from the front property line and the front façade is 3 stories tall and then steps back to 4 stories. The adjacent property (531 W Mifflin “the Mifflander”) was redeveloped in 2016 by the same development group. The proposed building’s design is complimentary to the Mifflander both in scale and visual rhythm. The proposed building’s materials are a combination of cream masonry, grey composite siding and wood tone composite siding. The street facing first-floor units will also have larger porches and a direct connection to the sidewalk to be a welcoming addition to the neighborhood.

Parking is provided at the basement level within the building; surface and underground parking is accessed from W Mifflin St. The site is also right around the corner from the nearest public transit stop, allowing for easy access to many areas of the City.

Demolition Standards and Landmarks Commission Input:

The existing buildings have been used as rental properties for many years and they have served many people over their time, but a better use of this property is to provide more dwelling units to help fill the high demand for this area.

In the recent Landmarks Commission meeting on the demolition of these structures, 423 and 425 W Mifflin were found to have historic value related to the vernacular context of Madison’s built environment, but the buildings themselves are not historically, architecturally, or culturally significant. The building at 427 W Mifflin was found to have historic value based on architectural significance as the work/product of an architect of note (Ferdinand Kronenberg). We understand that this structure has importance and have already been in discussions with a local developer that would like to relocate this structure to a lot that he owns near Brittingham Park. We will assist with this effort by allowing him to have this structure and by also contributing to the cost of the relocation at the value that it would have cost to have the building demolished.

In addition to this, we intend to honor the legacy of Ferdinand Kronenberg by naming the new building The Kronenberg and working with Landmarks to provide an appropriate historical acknowledgement of the original house.

The other two structures will have components salvaged prior to demolition. The demolition standards will be met, and a Re-use and Recycling Plan will be submitted prior to the deconstruction of the existing structures.

City and Neighborhood Input:

We have met with the City on several occasions for this proposed development including a Development Assistance Team Meeting (7/11/2024), a Mifflin Neighborhood of CNI Meeting (9/4/24, in-person) and a Pre-Application Meeting (9/16/2024). A Neighborhood meeting inviting the residents surrounding the property is also being held on 10/7/2024. These discussions further reinforced the shared concern for repurposing the structure at 427 W Mifflin St, while the overall tone of the development and the addition of more housing units to this neighborhood was well received. This input has helped shape this proposed development.

Conditional Use Approvals:

The proposed development requires a conditional use to allow for a multi-family building. The proposed building’s size, scale and use are consistent with the City’s Comprehensive Plan for this property, which calls for Medium Residential development in two to five stories. We have met or exceeded all standards of the DR-2 zoning.

Site Development Data:**Densities:**

Lot Area	17,593 S.F. / 0.40
Dwelling Units	40 D.U.
Lot Area / D.U.	440 S.F./D.U.
Density	100 units/acre
Lot Coverage	10,638 S.F. / 60 %
Usable Open Space	2,374 S.F. / 55 SF per Bedroom

Building Height: 3-4 Stories / 47'

Dwelling Unit Mix:

Studio	18
One Bedroom	19
Two Bedroom	3
Total	40 D.U.

Vehicle Parking:

Underground	19
Surface parking lot	6
Total	25 vehicle stalls

Bicycle Parking:

Garage- Long Term:	40
Surface – Short Term*	11 (7+4)
Total	51

* Guest Surface Stalls include (7) relocated surface stalls that are currently on the site serving 431 W Mifflin (the Mifflander) parking along with the required (4) stalls for the new building.

Project Schedule:

It is anticipated that construction will start in August of 2025 and be completed in August of 2026.

Thank you for your time and consideration of our proposal.

Sincerely,



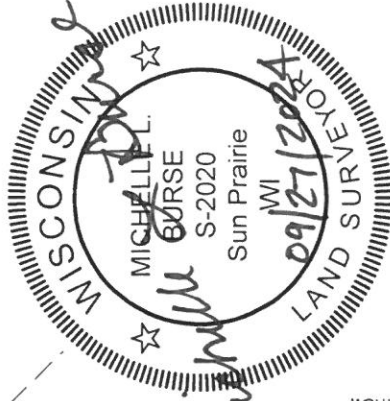
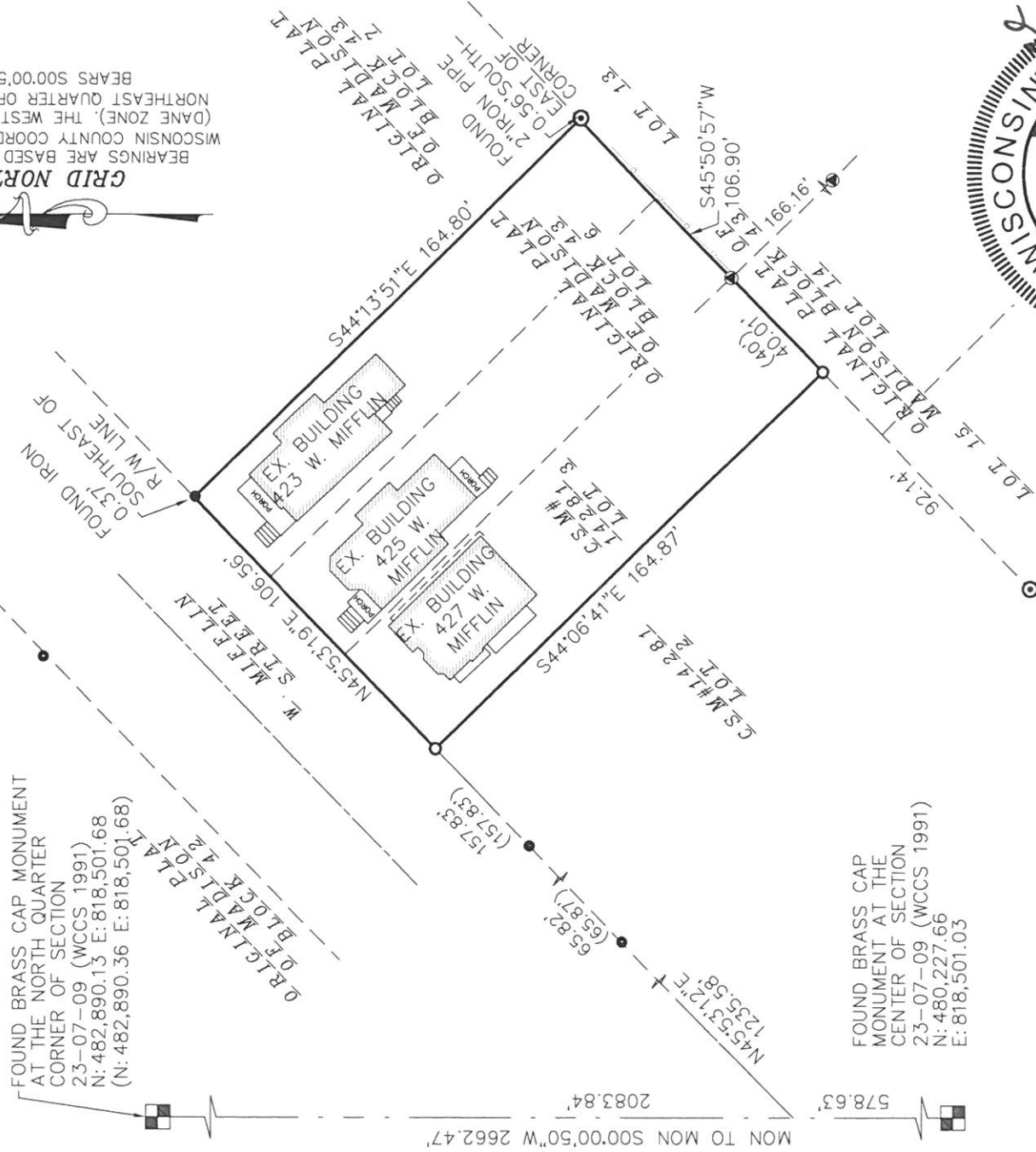
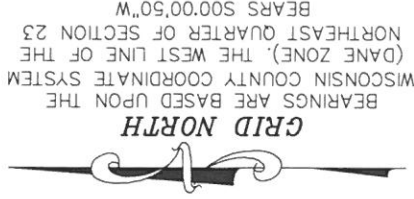
Kevin Burow, AIA, NCARB, LEED AP
Managing Member

CERTIFIED SURVEY MAP No.

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

NOTES:

- 1) SEE SHEET 3 FOR BUILDING DETAILS AND SHEET 5 FOR LEGEND.
- 2) HOUSES SHOWN ON LOT 2 SHALL BE RAZED.
- 3) SEE SHEET 2 FOR EASEMENT DETAILS.
- 4) The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance and a private drainage system exists for the entire site; an agreement shall be provided for the rights and responsibilities of all lot owners. See Declaration of Easements and also Declaration of Conditions, Covenants and Restrictions for Maintenance of Stormwater Management Measures to be recorded separately



SURVEYED FOR :
Madison Development Corporation

SURVEYED BY :
Burse
surveying & engineering, LLC
2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: 06-15-2016
Plot View: CSM
BSE1842\CSM\BSE1842CSM.DWG

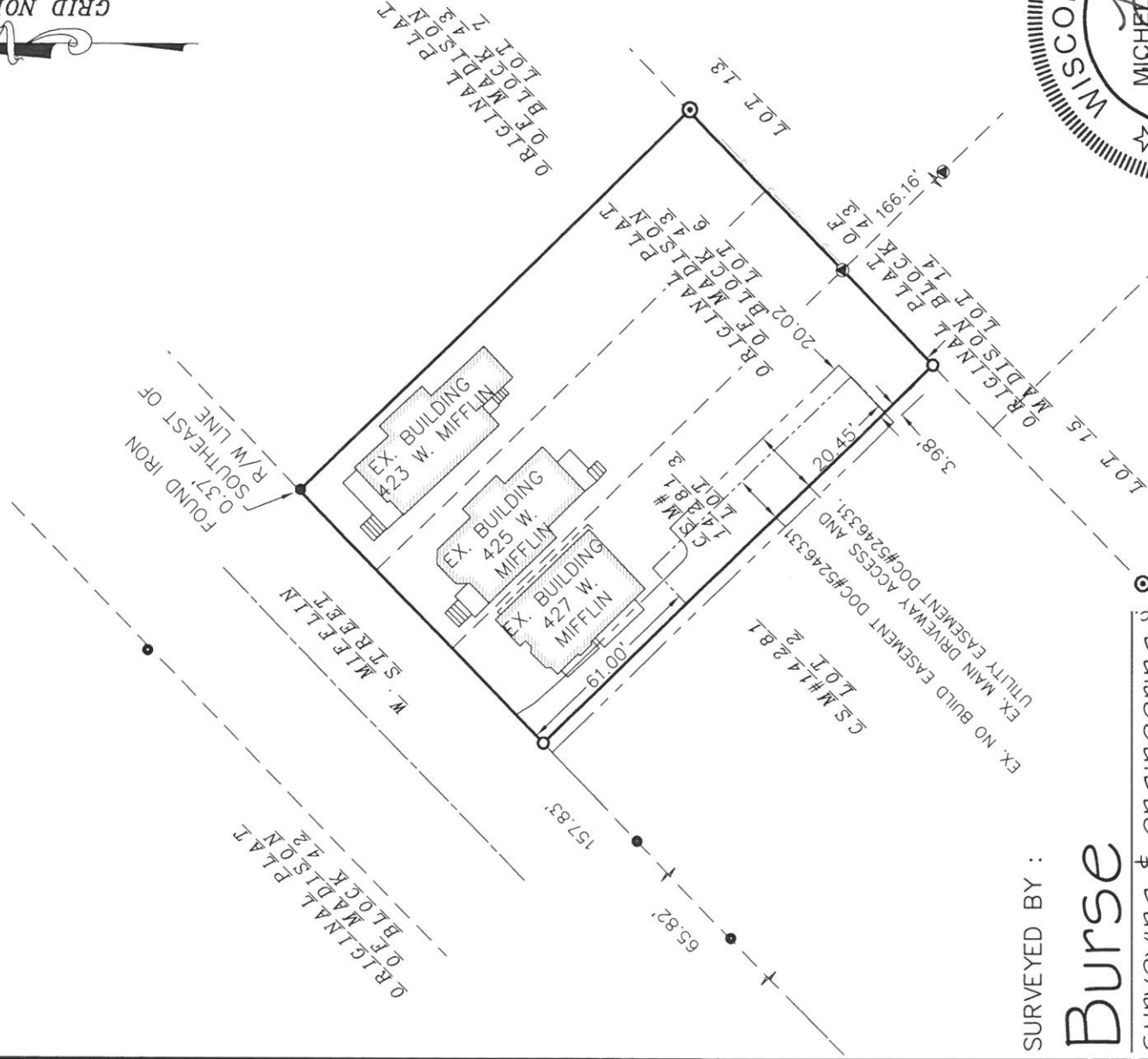
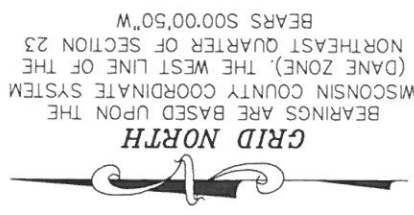
CERTIFIED SURVEY MAP No.:

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

EASEMENT DETAILS



SCALE : ONE INCH = FIFTY FEET



SURVEYED BY :

Burse

surveying & engineering

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyqr.com

MAP NO. _____

DOCUMENT NO. _____

	VOLUME	PAGES
1	1	1-10
2	2	11-20
3	3	21-30
4	4	31-40
5	5	41-50
6	6	51-60
7	7	61-70
8	8	71-80
9	9	81-90
10	10	91-100

Date: 06-15-2016
Plot View: CSM

Plot view: CSM
BSE1842\CSM\BSE1842CSM.DWG



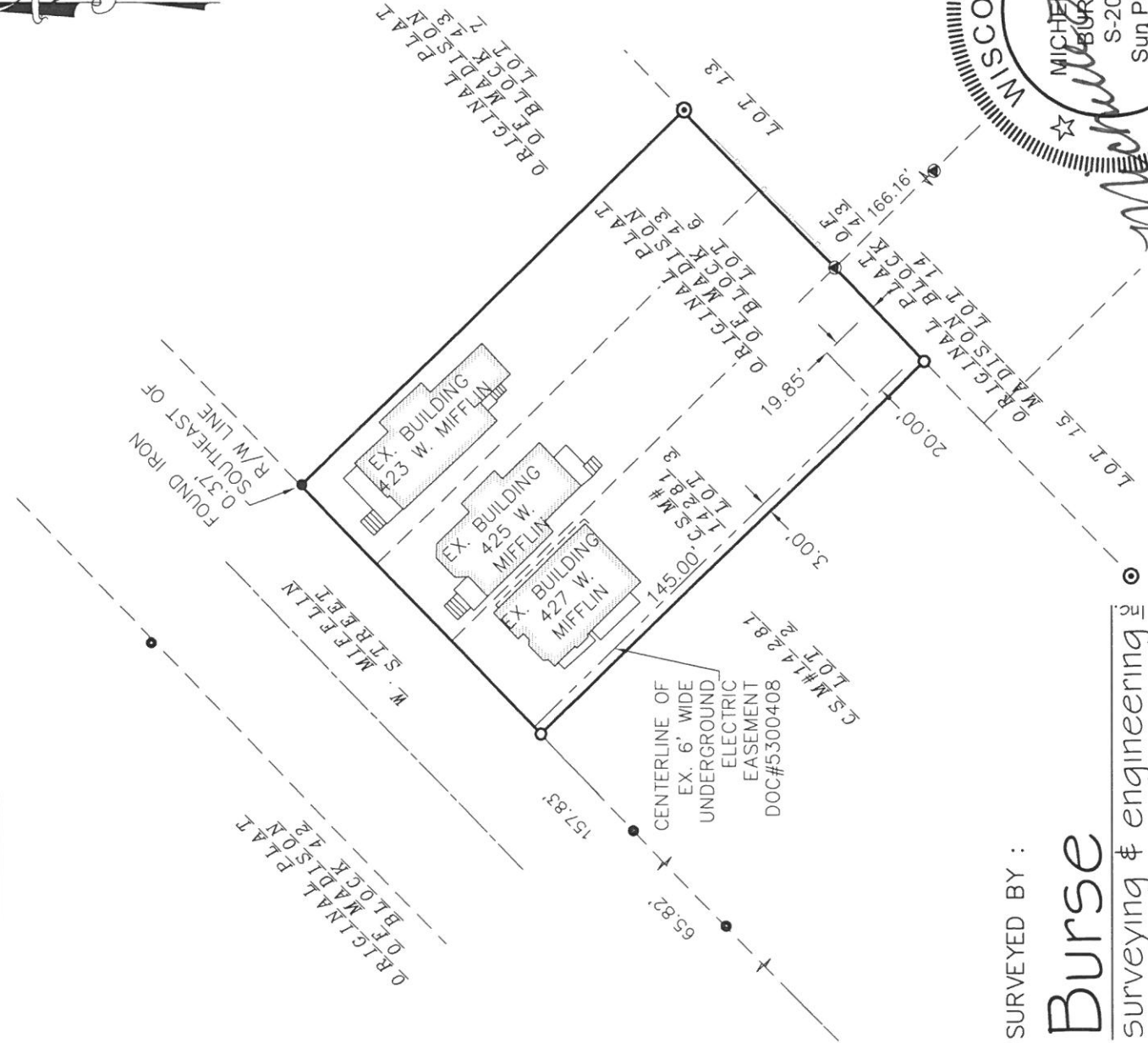
CERTIFIED SURVEY MAP No.

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

EASEMENT DETAILS



CRID NORTH
BEARINGS ARE BASED UPON THE
WISCONSIN COUNTY COORDINATE SYSTEM
(DANE ZONE). THE WEST LINE OF THE
NORTHEAST QUARTER OF SECTION 23
BEARS S00°00'50"W

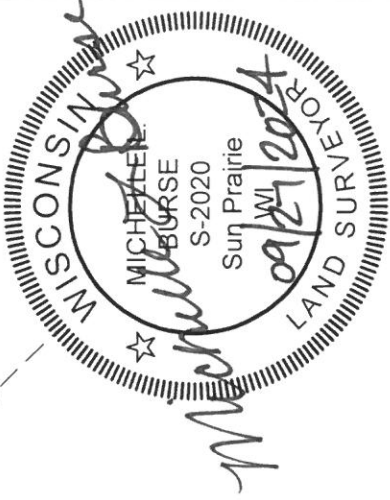


SURVEYED BY :

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



CURVE TABLE

LOT	ARC LENGTH	CENTRAL ANGLE	RADIUS	CHORD LENGTH
C1	6.28	90°00'00"	4.00	S89°06'48"E 5.66
C2	4.66	66°41'07"	4.00	N10°46'14"W 4.40
C3	6.28	90°00'00"	4.00	S89°06'48"E 5.66

MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____

Date: 06-15-2016
Plot View: CSM
BSE1842\CSM\BSE1842CSM.DWG

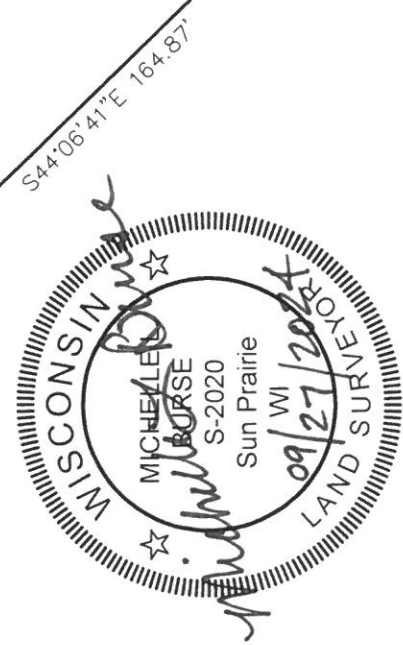
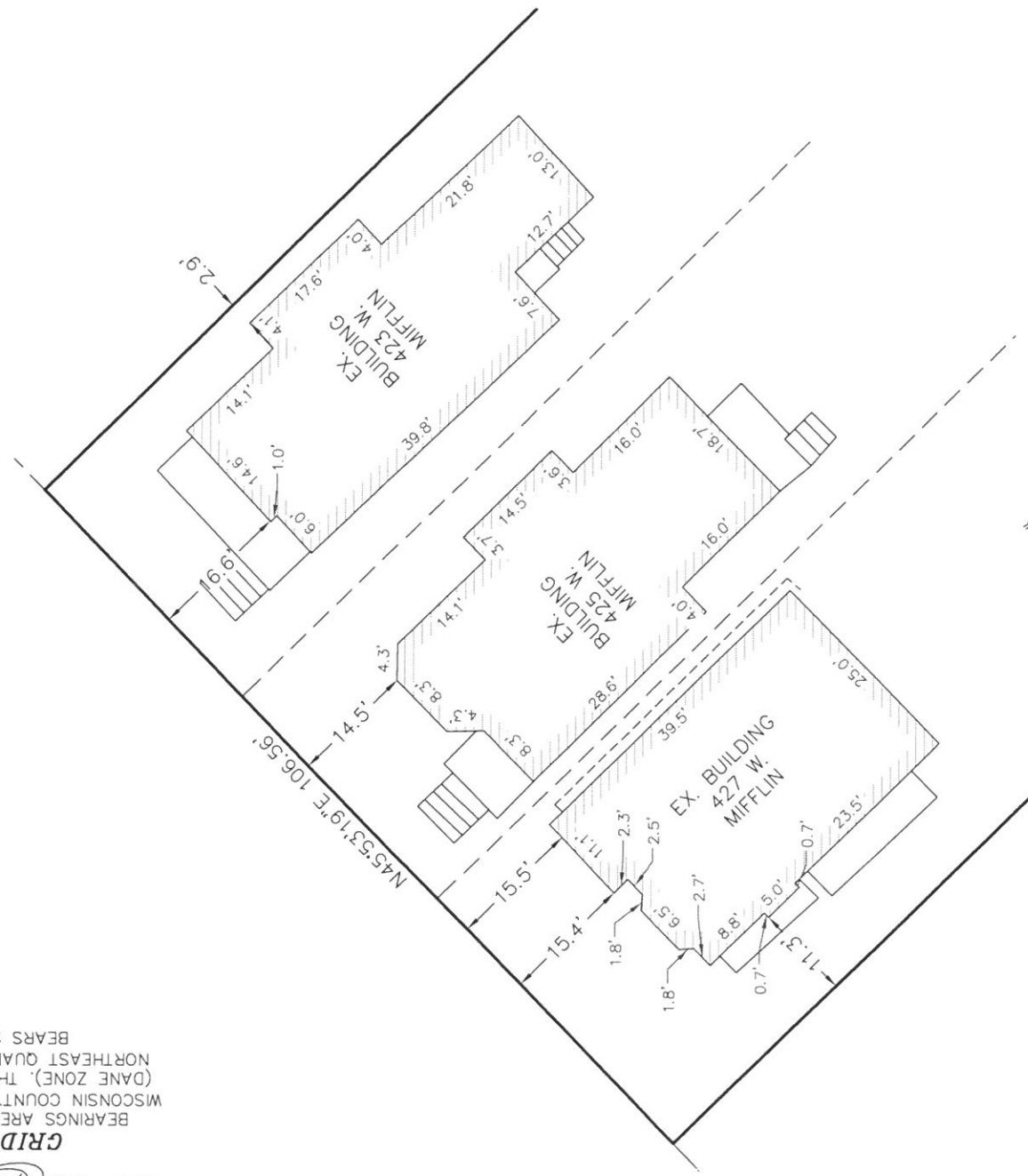
CERTIFIED SURVEY MAP No.

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

GRID NORTH
BEARINGS ARE BASED UPON THE
WISCONSIN COUNTY COORDINATE SYSTEM
(DANE ZONE). THE WEST LINE OF THE
NORTHEAST QUARTER OF SECTION 23
BEARS S00°00'50"W



BUILDING DETAILS



SURVEYED BY :
Burse
surveying & engineering

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

MAP NO. _____
DOCUMENT NO. _____
VOLUME _____ PAGES _____
Date: 06-15-2016
Plot View: CSM
BSE1842\CSM\BSE1842CSM.DWG

CERTIFIED SURVEY MAP No. _____

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

NOTES:

- 1) Date of field work: August–September, 2024.
- 2) In the event of the City of Madison Plan Commission and/or Common Council approve re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.
- 3) No changes in drainage patterns associated with the development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer.
- 4) Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. Surveyor was provided with a Title Commitment Number B-15080652 revision dated June 28, 2016 from Dane County Title Company, which references the following [Surveyor's notes are in brackets]:
H) P.U.D. (S.I.P.) Plans recorded June 19, 2006, as Document No. 4204034.
I) Declaration of Conditions, Covenants and Restrictions for Stormwater Management Measures recorded July 27, 2006, as Document No. 4218368.

CITY OF MADISON COMMON COUNCIL APPROVAL

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment Number _____, File I.D. Number _____, adopted on the ____ day of _____, 202__, and that said Enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 202__.

Maribeth Witzel–Behl, City Clerk
City of Madison, Dane County, Wisconsin

LEGAL DESCRIPTION:

All of Lot 6, Block 43, Original Plat of Madison, as recorded in Volume A of Plats, on page 3, and Lot 3, Certified Survey Map No. 14281, recorded in Vol. 97 of Certified Surveys, on page 142, as Document Number 5246331, Dane County Registry, located in the Northwest and Southwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the North Quarter corner of said Section 23; thence South 00 degrees 00 minutes 50 seconds West along the west line of said Southwest Quarter, 2083.84 feet; thence North 45 degrees 53 minutes 12 seconds East, 1235.58 feet to the point of beginning, to the west corner of said Lot 3; thence North 45 degrees 53 minutes 12 seconds East along the southeast right of way of West Mifflin Street, 106.56 feet to the north corner of aforementioned Lot 6; thence South 44 degrees 13 minutes 51 seconds East along the northeast line of said Lot 6, 164.80 feet to the east corner of said Lot 6; thence South 45 degrees 50 minutes 57 seconds West along the southeast line of said Lot 6 and along the southeast line of aforementioned Lot 3, 106.90 feet to the south corner of said Lot 3; thence North 44 degrees 06 minutes 41 seconds West along the southwest line of said Lot 3, 164.87 feet to the Point of Beginning.

SURVEYOR'S CERTIFICATE:

I, Michelle L. Burse, Professional Land Surveyor No. 2020, hereby certify that I have surveyed, divided, and mapped the above described lands under the direction of Madison Development Corporation, owner of said land. I further certify that the map on sheet one (1) is a correct representation of the exterior boundaries of the lands surveyed, and that I have fully complied with the provisions of Chapter 236.34 of the State Statutes, and the Land Division Ordinance of the City of Madison in surveying, dividing, and mapping the same.

Dated this 27 day of SEPTEMBER, 2024

Signed Michelle L. Burse
Michelle L. Burse, P.L.S. No. 2020

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: 06–15–2016

Plot View: CSM

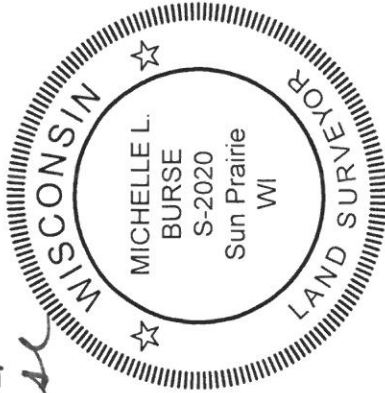
BSE1842\CSM\BSE1842CSM.DWG

SURVEYED BY :

Burse

surveying & engineering

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com



CERTIFIED SURVEY MAP No. _____

ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Madison Development Corporation, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Wisconsin Corporation caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. The owner certifies that this Certified Survey Map shall not have an adverse effect on any of the leasehold or possessory interests (including mortgage holders for fee and leasehold interests) located within the lands mapped hereon.

Madison Development Corporation, does further certify that this Certified Survey Map is required by S.236.34, Wisconsin Statutes and City of Madison Code of Ordinances to be submitted to the following for approval or objection:

City of Madison

IN WITNESS WHEREOF, the said Madison Development Corporation has caused these presents to be signed on this _____ day of _____, 20__.

Madison Development Corporation

By: _____

Name: Lorrie Heinemann

Title: President

STATE OF Wisconsin))ss
County of Dane)

Personally came before me this _____ day of _____, 20__, Lorrie Heinemann, President of the above named Wisconsin Corporation to me known to be the person who executed the foregoing instrument, and to me known to be such president of said Wisconsin Corporation, and acknowledged that he executed the foregoing instrument as such manager and the deed of said corporation, by its authority.

Notary Public, State of _____

My commission expires _____

LEGEND

- 3/4" SOLID IRON ROD FOUND
- ⊙ PIPE FOUND (SIZE DENOTED)
- 3/4" X 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
- + CHISELED X FOUND
- () INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT. BUILDINGS ARE MEASURED TO THE NEAREST TENTH OF A FOOT.

SURVEYED 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

MAP NO. _____

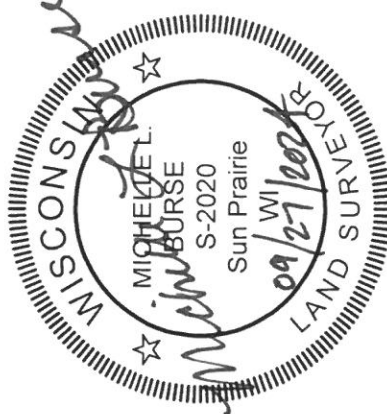
DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: 06-13-2016

Plot View: CSM

BSE1842\CSM\BSE1842CSM.DWG



CERTIFIED SURVEY MAP No. _____

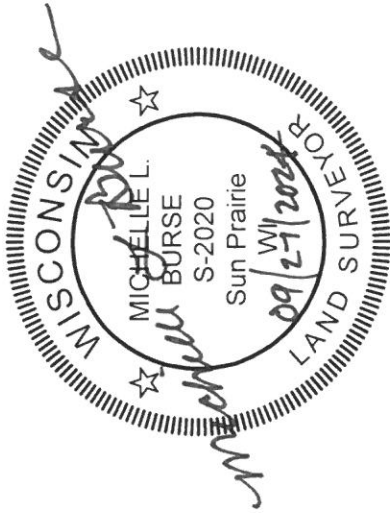
ALL OF LOT 6, BLOCK 43, ORIGINAL PLAT OF MADISON, AS RECORDED IN VOLUME A OF PLATS, ON PAGE 3, AND LOT 3, CERTIFIED SURVEY MAP NO. 14281, RECORDED IN VOL. 97 OF CERTIFIED SURVEYS, PAGE 142, AS DOCUMENT NUMBER 5246331, DANE COUNTY REGISTRY, LOCATED IN THE NORTHWEST AND SOUTHWEST QUARTERS OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

CITY OF MADISON PLAN COMMISSION CERTIFICATE

Approved for recording by the Secretary of the City of Madison Planning Commission.

Dated this ____ day of _____, 202__.

Matthew Wachter , Secretary of Planning Commission.



SURVEYED BY :

Burse

surveying & engineering

2801 International Lane, Suite 101
Madison, WI 53704 608.250.9263
Fax: 608.250.9266
email: mburse@bse-inc.net
www.bursesurveyengr.com

MAP NO. _____

DOCUMENT NO. _____

VOLUME _____ PAGES _____

Date: 06-13-2016

Plot View: CSM

BSE1842\CSM\BSE1842CSM.DWG

Office of the Register of Deeds

____ County, Wisconsin

Received for Record

_____, 20__ at

____ o'clock __M as

Document No. _____

in _____

Register of Deeds



PREPARED FOR THE PLAN COMMISSION

Project Address: 423-427 West Mifflin Street (District 4, Alder Verveer)
Legistar File ID #: [85410](#), [85411](#), [85625](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Owner: Lorrie K. Heinemann; Madison Development Corporation; 550 West Washington Avenue, Madison, WI 53562

Contact: Kevin Burow; Knothe & Bruce Architects; 8401 Greenway Boulevard, Suite 900, Middleton, WI 53562

Requested Actions:

- [85410](#) – Consideration of a demolition permit to demolish a single-family residence, a two-family residence, and a four-unit apartment building;
- [85411](#) – Consideration of a conditional use in the Downtown Residential 2 (DR2) District for a multi-family dwelling with greater than eight (8) units to allow construction of a four-story, 40-unit apartment building; and
- [85625](#) – Consideration of a Certified Survey Map (CSM) to combine three lots into one at 423-427 West Mifflin Street.

Proposal Summary: The applicant proposes to demolish three buildings and construct a four-story, 40-unit multifamily building on one lot at 423-427 West Mifflin Street.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in MGO Section 28.185(7). Standards of approval for conditional uses are found in MGO Section 28.183(6). The process and standards of approval for Certified Survey Maps are found in MGO Section 16.23(5)(g).

Review Required By: Urban Design Commission, Plan Commission, and Common Council (CSM only)

Summary Recommendation: The Planning Division recommends the following to the Plan Commission regarding the applications for 423-427 West Mifflin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- If the Plan Commission can find the approval standards for demolition permits are met for 427 West Mifflin Street, then the Planning Division recommends that it **approve** the demolition of the four-unit apartment building. However, if the Plan Commission cannot find the approval standards met then the related applications cannot move forward as proposed. Based on the findings of the Plan Commission these applications should be either referred or placed on file.
- That the Plan Commission find the approval standards for demolition permits are met for 423 and 425 West Mifflin Street and **approve** the demolition of the two-family residence and single-family residence.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** a four-story, 40-unit multifamily building.

- That the Plan Commission finds the approval standards for Certified Survey Maps are met and forward the Certified Survey Map for 423-427 West Mifflin Street to the Common Council with a recommendation of **approval**.

Background Information

Parcel Location: The project site includes three existing lots that total 17,484 square-feet (.4-acre). It located on the southside of West Mifflin Street between North Broom Street and North Bassett Street. It is located within District 4 (Alder Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Per data from the Assessor’s Office, the property at 423 West Mifflin Street is occupied by a two-unit building constructed in 1880. The property at 425 West Mifflin Street is occupied by a single-family building constructed in 1884. The property at 427 West Mifflin Street is occupied by a four-unit building constructed in 1929. The properties are zoned Downtown Residential 2 (DR2) District.

Surrounding Land Use and Zoning:

Northwest: Across West Mifflin Street, small multi-unit buildings and large multifamily buildings, zoned Downtown Residents 2 (DR2) District and Planned Development District;

Northeast: Small multi-unit buildings, zoned DR2 District and PDDistrict; On December 2, 2024 the Plan Commission is considering an application to redevelop the adjacent properties at 418-446 W Washington Ave and 413-417 W Mifflin Street into a 6-story 162-unit apartment building (Legistar ID [85418](#));

Southeast: Small multi-unit buildings, zoned DR2 District and PD District; and

Southwest: Small multi-unit buildings and large multifamily buildings, zoned DR2 District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Medium Residential (MR) development for the subject property. Adjacent properties are recommended for MR and Downtown Mixed-Use Development. The [Mifflandia Plan](#) (2019) recommends Residential development for the subject site and adjacent properties. The [Downtown Plan](#) (2012) recommends Downtown Mixed-Use for the subject site and adjacent properties.

Zoning Summary: The property is zoned Downtown Residential 2 (DR2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	17,484 sq. ft.
Lot Width	Residential buildings: 30’ Non-residential and mixed-use buildings: 40’	106.56’
Front Yard Setback	10’	15.2’
Side Yard Setback	5’ Lot width<40’: 10%	5.8’ northeast side 20.0’ southwest side
Rear Yard Setback	Lesser of 20% lot depth or 20’	21.8’
Usable Open Space	20 sq. ft. per bedroom	2,374 sq. ft.
Maximum Lot Coverage	80%	60%
Minimum Building Height	2 stories	4 stories/52’11”
Maximum Building Height: See Downtown Height Map	6 stories/88’	4 stories/52’11”
Stepbacks: See Downtown Stepback Map	None	4 th story

Site Design	Required	Proposed
-------------	----------	----------

Number Parking Stalls	Not required: Central Area	19 garage 6 surface (25 total)
Electric Vehicle Stalls	10% EV ready:	3
Accessible Stalls	Yes	2
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (40) 1 guest space per 10 units (4) (44 total)	40 garage 11 surface (including 7 relocated stalls serving 431 W Mifflin St) (51 total)
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building See Comments #(39)(41)(42)

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description, Analysis, and Conclusion

Project Description

The applicant proposes to demolish three buildings to construct a four-story, 40-unit multifamily building. A Certified Survey Map (CSM) would combine the three lots into one.

Per data from the Assessor’s Office, the property at 423 West Mifflin Street is occupied by a two-unit building constructed in 1880. The property at 425 West Mifflin Street is occupied by a single-family building constructed in 1884. The property at 427 West Mifflin Street is occupied by a four-unit building constructed in 1929. The applicant provided demolition photos of the exteriors and interiors of the building. No additional information related to the condition of the buildings was provided.

The applicant provided [revised plans](#) dated October 21, 2024. Revisions include adding a larger porch on the front façade and replacing composite siding with brick veneer on the side and rear facades. These plans have not been reviewed by all reviewing agencies and may be subject to additional review for ordinance adherence.

The building is setback 15 feet from West Mifflin Street. The street facing façade is three stories and the fourth story is stepped back approximately 11.4 feet. There are two ground floor units with elevated entries. The porch is divided between the two units and is 44 feet in length and 6 feet in width. The main building entrance is at the west end of the building. There are 11 bike stalls next to the main entrance. A driveway at the western end of the site provides access to six parking stalls and underground parking that has 19 parking stalls and 40 bike stalls.

The primary building materials are a cream brick veneer and a dark grey composite lap siding, with a wood tone composite lap siding used as an accent material. A light grey composite siding is applied to the fourth story.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Medium Residential (MR) development with a density range between 20-90 units per acre generally recommended. The recommended building height ranges from 2-5 stories. MR areas may include a variety of relatively intense housing types, including townhouses, small multifamily buildings, and large multifamily buildings.

The [Mifflandia Plan](#) (2019) recommends Residential development. It recommends 4 stories with a 2-story bonus if the upper stories are stepped back. It also recommends a maximum 15-foot building setback. The Plan includes various urban design recommendations including but not limited to:

- All ground floor residential units facing the street shall have their own street entrance.
- All buildings with residential units shall have front porches/entry stoops over at least approximately half of its ground floor street frontage.
- All street facing residential entries shall include a sizable, usable front stoop or porch area.
- Buildings wider than 33 feet shall be divided into vertical intervals and incorporate articulation, design and massing to respond to the historic 33 feet wide lot rhythm

The [Downtown Plan](#) (2012) recommends Downtown Mixed-Use for the subject site and adjacent properties. Building heights are recommended to be between 2 and 6 stories in the Mifflin district.

Staff note that the proposed density is 100 units per acre, which is slightly higher than the 20-90 units per acre generally recommended in the [Comprehensive Plan](#). However, the development is generally consistent with the height, scale and urban design recommendations in the adopted plans. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Demolition Permit Standards

The Plan Commission shall consider the seven approval standards in Section 28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. On March 29, 2024 the Common Council adopted Ordinance 24-00019 (Legistar ID [81966](#)) to revise the standards of approval to add the following text to standard 4, "For properties determined by the Landmarks Commission to have any historic value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans."

Regarding standard 1, "The applicant has included information related to any efforts to relocate the building, including but not limited to assessing the costs of relocation, the impact of relocation on city terrace trees, and the structural soundness of the building." In the letter of intent, the applicant notes that a third party is interested in relocating the building at 427 West Mifflin Street, and that they would be willing to give them the structure and contribute to the cost of relocation. Additional information related to the relocation of 427 West Mifflin Street was not provided by the applicant, including the impact on street trees or the structural soundness of the building. In speaking with Alder Verveer, the District Alder, he and the Capital Neighborhoods Neighborhood Association support relocating the structure as it is a historic resource per the findings of the Landmarks Commission. Staff note that the applicant is requesting approval to demolish the building at 427 West Mifflin Street at this time.

Regarding standard 4, "That the Plan Commission has received and considered the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission. For properties determined by the Landmarks Commission to have any historic

value or significance, the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans." At its September 9, 2024 meeting the Landmarks Commission found that the buildings at 423 and 425 West Mifflin Street have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant. The Landmarks Commission found that the building at 427 West Mifflin Street has historic value as the work of noted Madison architect Ferdinand Kronenberg and as an intact example of English Revival style Missing Middle housing in 1920s Madison. See the September 9, 2024 Landmarks Commission [Meeting Report](#) for their discussion of the request (Legistar ID [81161](#)). Regarding the implementation of the City's adopted plans, a discussion on the proposed development's conformance with adopted plans is provided on page 4 of this report. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Regarding standard 7, "The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison." The Plan Commission must consider the required information and advisory recommendations and make findings related to the demolition section's statement of purpose and the overall health, prosperity, safety, and welfare of the City. The statement of purpose states, in part, "The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances..."

For the building at 423 and 425 West Mifflin Street, staff believe the demolition permit approval standards can be found met.

For the building at 427 W Mifflin Street, consideration should be given to advisory report from the Landmarks Commission, however the Plan Commission is the deciding body on the demolition request. Staff also note that the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans when making their decision.

Conditional Use Standards

A residential building with more than eight units is a conditional use in the DR2 District.

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Regarding standard 8, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation." Per MGO Section 28.183, the applicant may choose to go to the Urban Design Commission (UDC) for an advisory recommendation and comment prior to going to the Plan Commission if advised by the Plan Commission Secretary or District Alder. In this case the District Alder advised the applicant to go to the UDC.

As part of that review, the UDC Secretary prepared a [Staff Report](#) for the November 6, 2024 UDC meeting which asked the UDC to provide feedback on the building material palette, landscape plan, and lighting (Legistar ID [85372](#)).

At their November 6, 2024 meeting the UDC recommended approval and found the development proposal to be generally consistent with the recommendations in the Mifflandia Plan. The UDC recommended the following conditions, as noted in the recommended conditions of approval:

- The landscape plan shall be revised to show plantings along the east elevation, including a layering of plant material.
- The landscape plan shall be revised to show shredded hardwood bark mulch.
- The landscape shall be revised to remove the turf lawn along W Mifflin Street; ground cover planting is acceptable.

Staff believe the conditional use approval standards can be found met, subject to the recommended conditions of approval.

Land Division Standards

The proposed Certified Survey Map would combine the three lots associated with 423-427 West Mifflin Street into one lot. Per MGO Section 16.23(3), the Common Council shall act on the land division by December 21, 2024, which is within ninety (90) days of the filing of a complete application. This time can be extended by written agreement with the applicant. Staff believe that all applicable standards for land divisions can be found met, subject to the recommended conditions of approval.

Conclusion

For the building at 423 and 425 West Mifflin Street, staff believe the demolition permit approval standards can be found met. For the building at 427 W Mifflin Street, staff believe that on balance, it is possible to find the demolition permit approval standards met, however careful consideration should be given to advisory report from the Landmarks Commission who found that that building has historic value as the intact work of noted Madison architect. Staff note that Plan Commission is the deciding body on the demolition request. Staff also note that the Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City's adopted plans when making their decision. Staff believe the proposed development is generally consistent with the adopted plan recommendations.

Staff believe the approval standards for conditional uses and land division requests can be found met, subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends the following to the Plan Commission regarding the applications for 423-427 West Mifflin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- If the Plan Commission can find the approval standards for demolition permits are met for 427 West Mifflin Street, then the Planning Division recommends that it **approve** the demolition of the four-unit

apartment building. However, if the Plan Commission cannot find the approval standards met then the related applications cannot move forward as proposed. Based on the findings of the Plan Commission these applications should be either referred or placed on file.

- That the Plan Commission find the approval standards for demolition permits are met for 423 and 425 West Mifflin Street and **approve** the demolition of the two-family residence and single-family residence.
- That the Plan Commission find the approval standards for conditional uses are met and **approve** a four-story, 40-unit multifamily building.
- That the Plan Commission finds the approval standards for Certified Survey Maps are met and forward the Certified Survey Map for 423-427 West Mifflin Street to the Common Council with a recommendation of **approval**.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Land Use Request

Planning Division (Contact Lisa McNabola, 243-0554)

1. The landscape plan shall be revised to show plantings along the east elevation, including a layering of plant material.
2. The landscape plan shall be revised to show shredded hardwood bark mulch.
3. The landscape shall be revised to remove the turf lawn along W Mifflin Street; ground cover planting is acceptable.

Engineering Division (Contact Tim Troester, 267-1995)

4. Informational Comment: The existing sanitary sewer laterals on W. Mifflin St may already be 6' diameter lateral. As-Built for W. Dayton Street is inconclusive.
5. All runoff from the site shall be directed to the public ROW. Further it appears this site needs to accept water from adjacent lands and the plan shall be revised so show how that is being accommodated.
6. 427 W Mifflin has a recorded existing stormwater management system in the SE corner of the site to limit discharge of stormwater to other private lands. The existing document shall be rescinded and a new document recorded for the proposed SWM system on the redeveloped sites. The applicant is reminded that no discharge from the redeveloped site shall be allowed to discharge to private property.
7. 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)

8. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
9. 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))
10. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
11. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
12. 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.
13. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
14. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
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. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
17. 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.
18. 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.
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>

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)

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.

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.

TSS 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 ttroester@cityofmadison.com (West).

Traffic Engineering Division (Contact Luke Peters, 266-6543)

22. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
23. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
24. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
27. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
28. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

29. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
30. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
31. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
32. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
33. The applicant shall provide a clearly defined 5' walkway, from the front door to the public sidewalk, clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
34. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
35. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
36. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
37. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

Zoning (Contact Jenny Kirchgatter, 266-4429)

38. Submit a minor alteration to the existing Conditional Use for 431 W Mifflin St. The buildings located at 427 through 443 W Mifflin St are currently part of a residential building complex. The proposed 40 unit building will alter the existing residential building complex.

39. Update the elevations to reduce the amount of composite lap siding at the ground floor story. Wood or fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material.

40. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

41. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area, and upper story openings shall comprise a minimum of fifteen (15%) of the façade area per story.

42. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

43. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Parks Division (Contact Kathleen Kane, 261-9671)

44. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 24053 when contacting Parks about this project.

Water Utility (Contact Jeff Belshaw, 261-9835)

45. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

46. 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 Timothy Sobota, 261-4289)

47. Metro Transit operates daily all-day transit service along Broom & Bassett Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along State Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).

48. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 304 Weekday & 147 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

49. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

This site conflicts with site plan provided and shown for the existing Stormwater site plan shown in Document No. 5247548 for which there is a blanket easement for, amend this document, this document also has rights about blanket cross use and other items than can be revised as needed to fit the new development. Additionally there is a portion of the proposed new drive that is located on the adjacent parcel that sits outside of any easement that will need an agreement. Provide any revised or new agreements needed to accomplish development as proposed.

50. The adjacent site's Stormwater management plan is based upon the current pond located within the limits of this site. The proposed drive over that pond will alter this plan. Coordinate with the adjacent parcel and provide a new Stormwater Management plan for the adjacent property in place of Document no. 5254019
51. Coordinate and request from the utility companies serving this area the easements required to serve this development.
52. Note on the site plan all of the easements, rights and responsibilities as set forth in document no. 524748
53. Release the Common Drive Easement per Document No. 411854 prior to building permit to allow for proposed development.
54. The proposed new building crosses an underlying platted lot line. Record the concurrent Certified Survey Map (CSM) to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit or Early Start permit.
55. The address of the proposed apartment building is 429 W Mifflin St.
56. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
57. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Parking Utility (Contact Trent Schultz, 246-5806)

58. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed

Fire Department (Matt Hamilton, 266-4457)

59. Provide fire apparatus access as required by IFC 503 2024 edition, MGO 34.503. The aerial apparatus access lanes to not comply with these requirements. Provide revised fire access documentation meeting these requirements.

Forestry (Bradley Hofmann, 267-4908)

60. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apperatus and street tree plan sets. The inventory shall include the following: location, size (diamater at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
61. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
62. City Forestry will issue a street tree removal permit for two trees: 8" diameter Lilac per City Forestry request to re-plant larger canopy tree & a 4" diameter Lilac tree due to driveway installation conflict. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.
63. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper

Land Division Request

Engineering Division (Contact Tim Troester, 267-1995)

64. 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)
65. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
66. 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))
67. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

Parks Division (Contact Kathleen Kane, 261-9671)

68. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 24053 when contacting Parks about this project.
69. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
70. The Parks Division shall be required to sign off on this CSM.

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

71. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

Proposed Concurrent Development on this site conflicts with site plan provided and shown for the existing Storm water site plan shown in Document No. 5247548 for which there is a blanket easement for, amend this document, this document also has rights about blanket cross use and other items that can be revised as needed to fit the new development.

72. In accordance with Chapter 236, Wisconsin Statutes, the Applicant must show the type, location and width of any and all easements on a Plat or CSM. Clearly identify the difference between existing easements (cite recording data) and easements which are being conveyed by the land division. Identify the owner and/or benefiting interest of all easements. Include any and all language required to properly and legally create any easement by this land division.

List and show the rights as provided in Documents 524758 and 411854 in the Title Report. There is a common drive easement not shown per Document No. 411854 This Document shall be released prior to building construction and/or CSM. Note Existing Driveway Access and Utility Easement is further defined in Document No. 5247548. Additionally note the blanket rights the parcel is subject to, for Cross Drainage and Cross Easement for pedestrian and bicycle uses per Document No. 524754

73. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.

74. Note the parcel is subject to Document No. 5254019 or amend with new agreement prior to CSM recording that reflects proposed stormwater management prior to recording and note the new Document on the CSM.

75. 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 any required U.S. public land survey monument record provided to the County Surveyor's Office, or, in instances where a public the monuments and witness ties area recovered under A-E 7.08(1g), the Surveyor shall provide to the City of Madison monument condition reports (with current tie sheet attached) for all Public Land Survey monuments, including center of sections of record, used in this survey, to Julius Smith (JSmith4@cityofmadison.com) of City Engineering, Land Information

76. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address

<https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.

77. 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 Jule Smith (jsmith4@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.
78. Show ("Recorded As") Bearing for both CSM 14281 and the Pritchette Plat along Mifflin Street. Show the ("Recorded As") bearing and distance of the Pritchette Plat along the northeasterly Line of Lot 6. Show the ("Recorded As") bearing of CSM 14281 along the Southeasterly line of the parcel and the measured and ("Recorded As") distance of Lot 6
79. Add the document no. 109, of the Pritchette Plat of Madison the Capital of Wisconsin ... (Original Plat) to both the header caption and the legal description.
80. State the datum and adjustment for the county coordinate system used. I.E. NAD 83 (91), (97) or (2011) per AE- 7.05(11)
81. Show width of W Mifflin Street and Show distance to measured rebar across street.
82. The pending Certified Survey Map 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 or Early Start permits for new construction.
83. Submit to Jule Smith, 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.

Real Estate (Contact Lance Vest, 245-5794)

84. OWNER'S CERTIFICATION

Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis.

Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

When possible, the executed original hard stock recordable CSM 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 CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

85. MORTGAGEE/VENDOR CERTIFICATION

Prior to CSM 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).

86. CERTIFICATE AND CONSENT REQUIREMENTS

City of Madison Plan Commission Certificate: Revise Plan Commission Certificate to replace instances of "Planning" with "Plan". Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____

Matthew Wachter, Secretary of the Plan Commission

87. REAL ESTATE TAXES

As of October 28th, 2024, the 2023 real estate taxes are paid for the subject property.

Per 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 CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off. Payment is made to:

City of Madison Treasurer
210 Martin Luther King, Jr. Blvd.
Madison, WI 53701

88. SPECIAL ASSESSMENTS

As of October 28th, 2024, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

89. TITLE REPORT UPDATE

Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Lance Vest (lvest@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (September 10, 2024) submitted with the CSM application and include all associated documents that have been recorded since the initial title report.

A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

90. ADDITIONAL REQUIREMENTS

- a. Revise Note 1 of Sheet 1 to reference Building Details on Sheet 4.
- b. Revise or remove Note 2 on Sheet 1.
- c. Revise Note 3 on Sheet 1 to reference both Sheets 2 and 3.
- d. Include a reference to the Declaration of Easements recorded as Document 5247548 for the depictions of the No Build Easement and Main Driveway Access and Utility Easement.
- e. Depict, name, and identify by document number all existing easements cited in record title and the updated title report. In particular, the easements recorded as Doc. Nos. 5254019, 411854, 467557.
- f. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Zoning, Fire Department, Forestry, Assessor's Office, Metro Transit, Water Utility



City of Madison

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

Master

File Number: 85653

File ID: 85653

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 10/10/2024

File Name: CSM - 306 S Brearly St

Final Action:

Title: Approving a Certified Survey Map of property owned by Brearly Street Property Group, LLC located at 306 S Brearly Street (District 6).

Notes:

Sponsors: Planning Division

Effective Date:

Attachments: Locator Maps.pdf, Application.pdf, Letter of Intent.pdf, Proposed CSM.pdf, Staff Comments.pdf, Link to Demo Permit File 85636, Link to Cond Use File 85637

Enactment Number:

Author:

Hearing Date:

Entered by: tparks@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Division	10/10/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Plan Commission (11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer	PLAN COMMISSION		11/18/2024	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	11/18/2024	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER				Pass
	Action Text: A motion was made by Heck, seconded by Field, to RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - REPORT OF OFFICER. The motion passed by voice vote/other.						
	Notes: On a motion by Heck, seconded by Ald. Field, the Plan Commission found the standards met and forwarded the Certified Survey Map to the Common Council with a recommendation to approve subject to the comments and conditions in the Plan Commission materials. The motion passed by voice vote/ other.						

Text of Legislative File 85653

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 Brearly Street Property Group, LLC located at 306 S Brearly Street (District 6).

Body

WHEREAS a Certified Survey Map of property owned by Brearly Street Property Group, LLC located at 306 S Brearly 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 above mentioned documents related to this Certified Survey Map.

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.



Location

306 S Brearly Street

Applicant

Dan Schwartz, SARA Investment Real Estate
John Chapman, EUA
Kevin Pape, Vierbicher

Requests

- Demolish multi-tenant commercial building
- Construct six-story mixed-use building with 1,500 square feet of commercial space and 120 apartments
- Create one lot by CSM

Public Hearing Dates

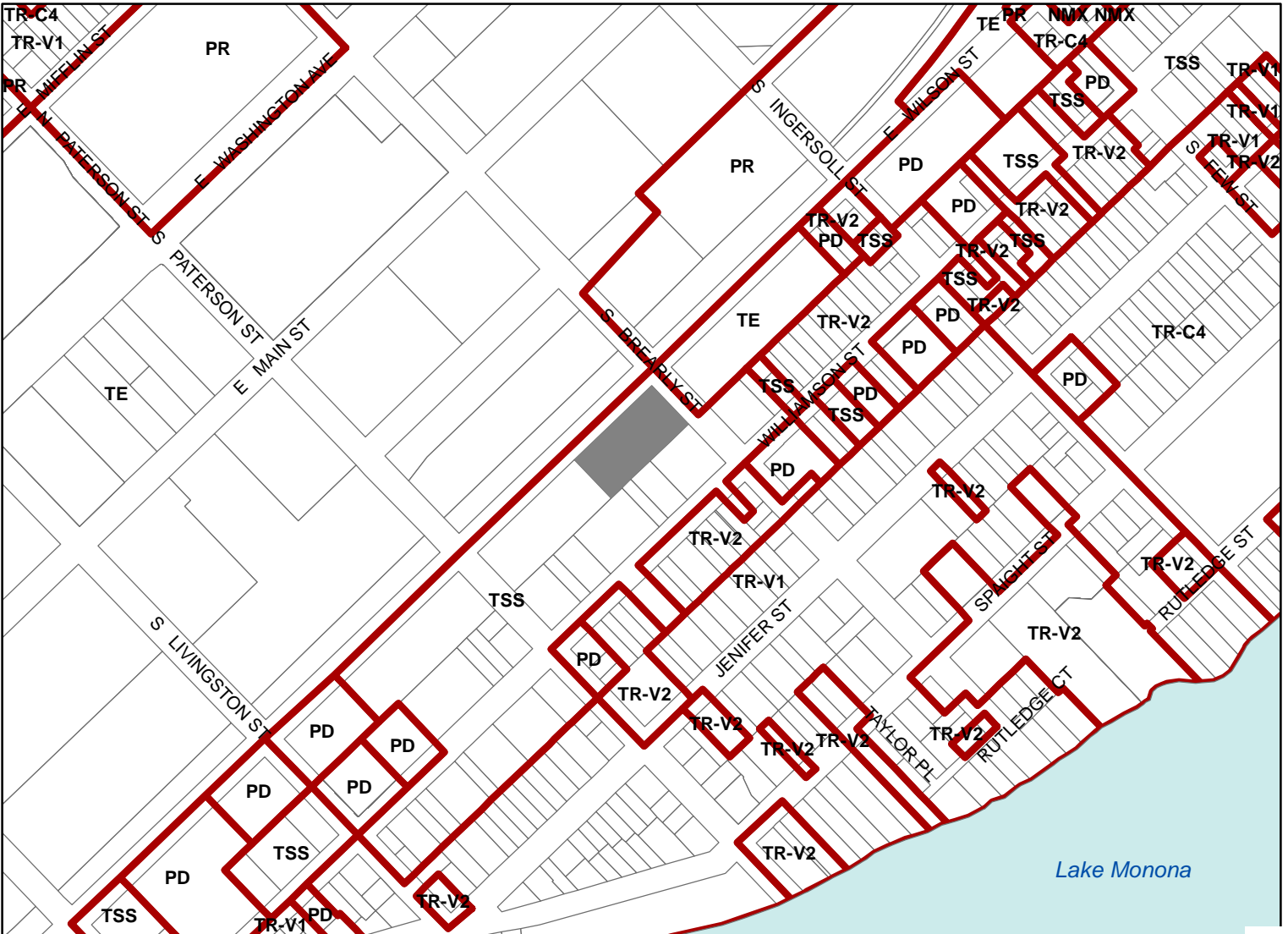
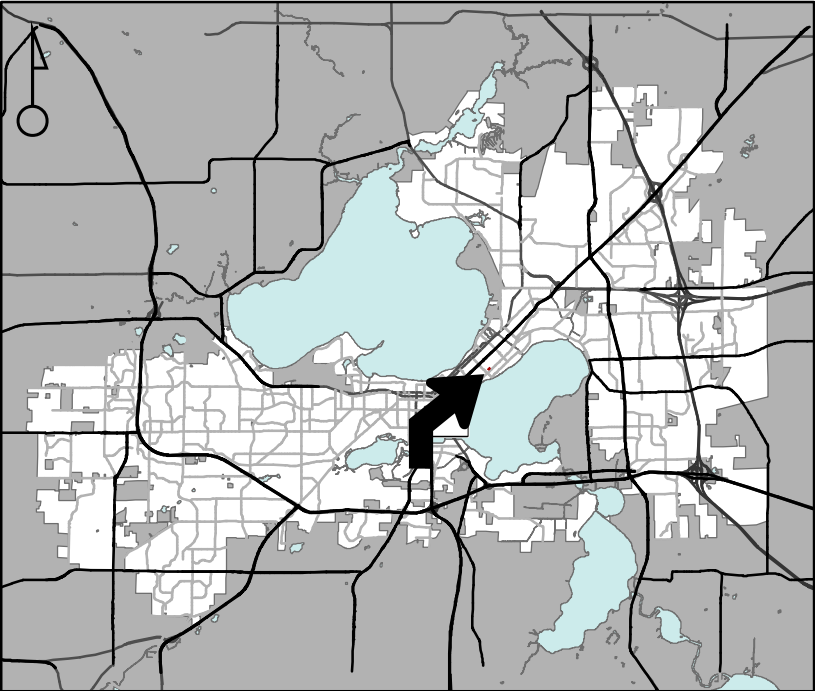
Plan Commission

November 18, 2024

Common Council

November 26, 2024 [CSM Only]

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 interpretar, 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 10/7/24 9:14 a.m.
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: _____

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: _____ Representative, if any: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

Firm Preparing Survey: _____ Contact: _____

Street address: _____ City/State/Zip: _____

Telephone: _____ Email: _____

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: _____

Tax Parcel Number(s): _____

Zoning District(s) of Proposed Lots: _____ School District: _____

- 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			
Retail/Office			
Industrial			

Land Use	Lots	Outlots	Acres
Other (state use): Mixed Use			
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: _____ Signature: 

Date: _____ Interest In Property On This Date: _____



milwaukee : 333 E Chicago St	414.271.5350
madison : 309 W Johnson St, Ste 202	608.442.5350
green bay : 124 N Broadway	920.336.9929
denver : 1899 Wynkoop St, Ste 700	303.595.4500
atlanta : 1401 Peachtree St NE, Ste 300	404.596.8006

eua.com

October 7, 2024

Meagan Tuttle
Director, Planning Division
City of Madison Department of Planning & Community and Economic Development
Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd.
Madison, Wisconsin 53703

Letter of Intent

306 Brearly Street Mixed-Use project
306 Brearly Street, Madison, WI 53703
Land Use – Traditional Shopping Street (TSS).
EUA Project Number: 724155-01

Project description

The proposed building at 306 South Brearly Street is a mixed-use project containing residential, commercial and parking uses. The residential use will provide 120 apartments with a mix of studio, 1-bedroom, and 2-bedroom units. The total bedroom count will be 132 bedrooms. The commercial space will be located on the Northeast corner of the building along South Brearly Street and open up to the bike path to the North of the site. It is anticipated that the commercial space will have up to 2 tenants. At the second floor, there is an outdoor space for building residents. Other resident amenities within the building will include a community room, fitness room, mail room, parcel room, coworking space, pet spa, bike maintenance space and residential storage.

The building will be a six-story structure with an additional level below grade. The lower level and first floor will be constructed using precast concrete and will primarily be for secured parking. There will be some common areas for the residence and commercial space on the first floor. The parking entry will be at the first floor directly off of Brearly Street. The top five levels will utilize a wood framed structure to enclose the residential units and some additional amenity spaces.

Project details are as follow:

- The project will be constructed as a single phase.
- The site has a single story existing building on it which will be demolished.
- The building materials are primarily masonry and fiber cement siding with fiberglass doors and windows.
- Vehicle and bicycle parking will be provided per zoning requirements.
- Mechanical equipment will be provided on the roof of the building but will be limited to small condensing units.
- The site will be designed to comply with storm water management, fire apparatus access and landscape requirements. Vegetative roof covering systems will be utilized in various areas of the building.
- Trash will be collected within the building and kept in carts that will be picked up by the Owner's trash management company on a scheduled basis.

Site and Building Summary	
Site Area of SIP Area	35,050 (0.80 acres)
Building – Footprint Area	28,226 sf
Gross Area	167,650 gsf
Commercial Space	1,500 sf (included in the gross area)
Existing Impervious Area	13,899 sf
Existing pervious area	21,151 sf
Existing Impervious Coverage	38.4%
Proposed Impervious Area	30,984 sf
Proposed pervious area	4,065 sf (not including vegetative roofing)
Proposed Impervious Coverage	88.4%
Unit Count	120
Density	149 units/acre
Building Height	74'
Setbacks	As shown on site plan
FAR	4.78

Parking Stalls SIP Project Area	
Parking Stalls	123 (3 EV stalls in this count)
ADA Stalls	3
Total Stalls	126

Bike Parking Stalls SIP Project Area				
Category	Number	Stalls/Category	Hanging Stalls	Standard Stalls
Units	120	Multi-family	30/25.0%	122/75.0%
Total Long Term Stalls for Residential Units (120 Required)				120
Total Short Term Stalls Provided (12 Required)				12
Total Stalls Provided (132 Required)				132

Design Team

- Parking/Housing Architect: Eppstein Uhen Architects
- Structural Engineers: Pierce Engineers
- Civil Engineering: Vierbicher Engineering
- Landscape design: Vierbicher Engineering

Anticipated Project Schedule

- April/May 2025 – May/June 2026: Construction of New mixed-use building and site updates.

© Vierbichter Associates, Inc.
07 Oct 2024 - 8:57a M:\SARA Investment Real Estate\240467_306 S Brearly St\CADD\240467 - CSM.dwg by: kpap

CERTIFIED SURVEY MAP No. _____

LOTS 6-9, BLOCK 155, ORIGINAL PLAT OF MADISON, LOCATED IN GOVERNMENT LOT 5, SECTION 13, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN



BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, NAD83(2011), THE WEST LINE OF THE SE1/4 OF SECTION 13-07-09 MEASURED AS BEARING N00°37'03"W

GRAPHIC SCALE: 1" = 50'



SURVEY LEGEND

- FOUND 3/4" Ø IRON ROD
- () RECORDED AS INFORMATION

EAST WILSON STREET
(UNIMPROVED)
R/W = 66'

10'x10'
RIGHT-OF-WAY GRANT
UNDERGROUND ELECTRIC
DOC NO 2456738

SOUTH BREARLY STREET
R/W = 66'

LOT 1
35.050 SF.
0.805 AC.

N46°12'28"E 265.01'
(264')

S43°45'23"E 132.40'
(132')

N46°12'28"E 330.66'
(330')

N43°55'52"W 132.34'
(132')

N46°13'12"E 330.79'
(330')

10' WIDE
TELEPHONE REPAIR
EASEMENT
DOC NO 2268192

S46°13'12"W 264.61'
(264')

2.82'
0.24'

DETAIL
NTS

CORNER FALLS
IN TREE

0.25'
0.95'

DETAIL
NTS

NOTE: SEE SHEET 2
FOR SECTION TIE DETAIL

vierbichter
planners | engineers | advisors



Job #: 240467
Date: 10/07/2024
Rev:
Drafted By: KPAP
Checked By: MZIE

SURVEYED FOR:
Brearly Street Property
Group
1955 Atwood Ave
Madison, WI 53704

C.S.M. No. _____
Doc. No. _____
Vol. _____ Page _____

SHEET
1 OF 5

© Vierbicher Associates, Inc.
M:\SARA Investment Real Estate\240467_306 S Brearly St\CADD\240467 - CSM.dwg by: kpap
04 Oct 2024 - 1:40p

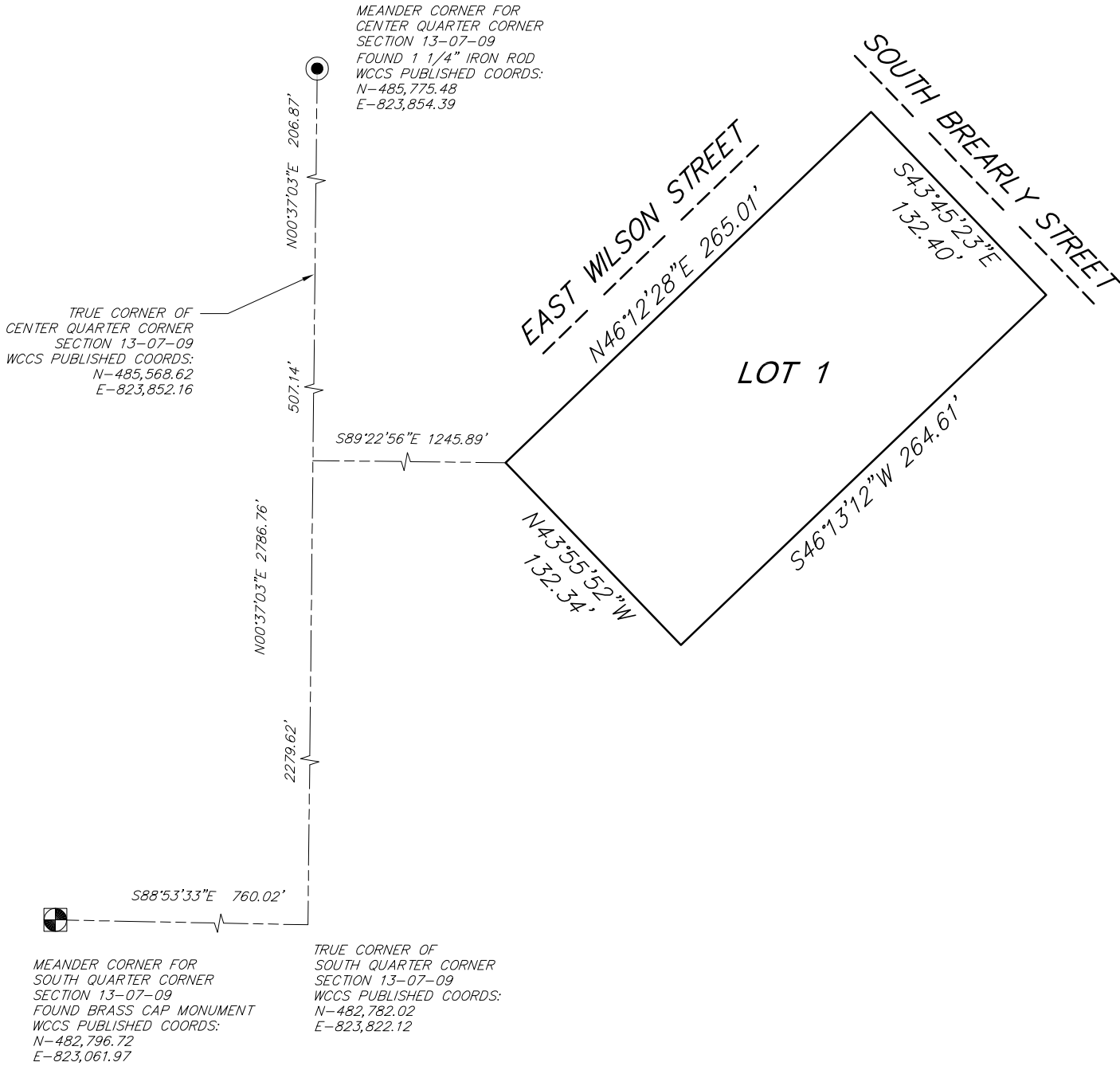
CERTIFIED SURVEY MAP No. _____

LOTS 6-9, BLOCK 155, ORIGINAL PLAT OF MADISON, LOCATED IN GOVERNMENT LOT 5, SECTION 13, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN



SECTION TIE DETAIL
(NOT TO SCALE)

BEARINGS ARE BASED UPON THE
WISCONSIN COUNTY COORDINATE
SYSTEM, DANE COUNTY, NAD83(2011),
THE WEST LINE OF THE SE1/4 OF
SECTION 13-07-09 MEASURED AS
BEARING N00°37'03"W



<div><div>vierbicher</div><div>planners engineers advisors</div></div>		Job #: 240467	<u>SURVEYED FOR:</u> Brearly Street Property Group 1955 Atwood Ave Madison, WI 53704	C.S.M. No. _____	SHEET 2 OF 5
		Date: 10/07/2024			
		Rev: _____			
		Drafted By: KPAP			
		Checked By: MZIE		Doc. No. _____	
				Vol. _____ Page _____	

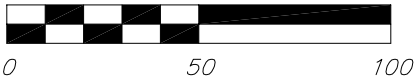
© Vierbicher Associates, Inc.
M:\SARA Investment Real Estate\240467_306 S Brearly St\CADD\240467 - CSM.dwg by: kpap
04 Oct 2024 - 1:41p

CERTIFIED SURVEY MAP No. _____

LOTS 6-9, BLOCK 155, ORIGINAL PLAT OF MADISON, LOCATED IN GOVERNMENT LOT 5, SECTION 13, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN



GRAPHIC SCALE: 1" = 50'



EXISTING CONDITIONS

EAST WILSON STREET
(UNIMPROVED)
R/W = 66'

SOUTH BREARLY STREET
R/W = 66'

BLOCK 174
ORIGINAL PLAT
OF MADISON

LOT 1

LOT 10
FENCE 0.2'
SE OF PROPERTY
LINE

LOT 11
ASPHALT 0.2'
NW OF PROPERTY
LINE
FENCE 0.9'
NW OF PROPERTY
LINE

LOT 12
FENCE CORNER
1.0' SE OF
PROPERTY LINE

LOT 13
FENCE
0.7' SE OF
PROPERTY LINE

LOT 14

LOT 5

FENCE CORNER
1.4' NE OF
PROPERTY LINE
FENCE CORNER
1.2' NE OF
PROPERTY LINE
ASPHALT CORNER
0.8' NE OF
PROPERTY LINE
ASPHALT CORNER
1.1' NE OF
PROPERTY LINE
CONCRETE CORNER
0.7' NW OF
PROPERTY LINE

CONCRETE

CONCRETE

EXISTING
BUILDING

BITUMINOUS

PAVEMENT

CONCRETE

22.6'

23.0'

13.4'

13.5'



© Vierbicher Associates, Inc.
M:\SARA Investment Real Estate\240467_306 S Bready St\CADD\240467 - CSM.dwg by: kpap
04 Oct 2024 - 1:41p

CERTIFIED SURVEY MAP No. _____

LOTS 6–9, BLOCK 155, ORIGINAL PLAT OF MADISON, LOCATED IN GOVERNMENT LOT 5, SECTION 13, T7N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN

SURVEYOR’S CERTIFICATE:

I, Kevin J. Pape, Professional Land Surveyor S–2568, do hereby certify that this survey is in full compliance with Chapter 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the City of Madison, Dane County, Wisconsin, and under the direction of the Owners listed hereon, I have surveyed, divided and mapped the land described below and that said map is a correctly dimensioned representation of the exterior boundaries and division of the land surveyed.

Date: October 7, 2024

DRAFT

Signed: _____
Kevin J. Pape, Professional Land Surveyor S–2568

DESCRIPTION:

Lots 6, 7, 8, and 9, Block 155, Original Plat of Madison, Located in Government Lot 5, Section 13, T7N, R9E, City of Madison, Dane County, Wisconsin. Contains 35,050 square feet (0.805 acres).

MADISON PLAN COMMISSION CERTIFICATE:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____
Matthew Wachter, Secretary
City of Madison Plan Commission

CITY OF MADISON COMMON COUNCIL RESOLUTION:

Resolved that the Certified Survey Map located in the City of Madison was hereby approved by Enactment Number RES–_____, File ID Number _____, adopted on the ____ day of _____, 2024, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said certified survey map to the City of Madison for public use.

Dated this _____ day of _____, 2024.

Maribeth Witzel–Behl, City Clerk, City of Madison

LOTS 6-9, BLOCK 155, ORIGINAL PLAT OF MADISON, LOCATED IN GOVERNMENT LOT 5, SECTION 13, T7N,
R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN

Brearly Street Property Group LLC, a Wisconsin limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said company caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the map hereon.

BREARLY STREET PROPERTY GROUP LLC

PRINT NAME AND TITLE

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 20____, the above named _____, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission expires: _____

Received for recording this _____ day of _____, 20____,
at _____ o'clock _____.m. and recorded in Volume _____ of Certified
Survey Maps on pages _____, as Doc. No. _____.

Kristi Chlebowski,
Dane County Register of Deeds

1. *Lands within this CSM are subject to Easement Deed by Court Order recorded as Document No. 4965434.*



Project Address: 306 South Brearly Street (District 6 – Alder Rummel)

Application Type: Demolition Permit, Conditional Use, Certified Survey Map

Legistar File ID # [85636](#), [85637](#), [85653](#)

Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Dan Schwartz; SARA Investment Real Estate; 1955 Atwood Ave; Madison, WI 53704

Contact: John Chapman; EUA; 309 W Johnson St #202; Madison, WI 53703

Surveyor: Kevin Pape, Vierbicher; 999 Fourier Dr #201; Madison, WI 53705

Owner: Dan Schwartz; Brearly Street Property Group, LLC; 1955 Atwood Ave; Madison, WI 53704

Requested Action: The applicant is seeking approval of:

- A demolition permit for a commercial building;
- A certified survey map creating one new lot; and
- The following conditional uses:
 - Greater than 60 dwelling units in a mixed-use building per §28.065(2) MGO; and
 - Building height exceeding 4 stories/60 feet per §28.065(3)(c) and §28.104(4)(b) MGO.

Proposal Summary: The applicant is seeking approvals to demolish a multi-tenant commercial building to construct a six-story mixed-use building with 1,500 square feet of commercial space and 120 apartments on one lot.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) MGO. Standards of approval for demolition permits are found in §28.185(6) MGO. Standards for certified survey maps are found in §16.23(3) MGO

Review Required By: Plan Commission, Common Council (CSM only)

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 306 South Brearly Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies beginning on page 6.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permits for the building at 306 South Brearly Street; and
- That if the Plan Commission can find that the standards for conditional uses are met, it should **approve** the requested conditional uses for the proposed building at 306 South Brearly Street; and
- That the Plan Commission find the standards for land divisions are met and forward the certified survey map to Common Council with a recommendation to **approve**.

Background Information

Parcel Location: The subject site is 34,848 square feet (0.8 acres) and located at the southern quadrant of the intersection of South Brearly Street and the Capital City Trail, just northeast of Williamson Street. The site is within Alder District 6 (Alder Rummel) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is currently zoned TSS (Traditional Shopping Street district) and occupied by a 3,922-square foot single-story multitenant commercial building and surface parking lot. The building was originally constructed in 1992, with a large addition in 1995.

Surrounding Land Uses and Zoning:

Northeast: Across South Brearly Street, an MG&E facility with surface parking lot zoned TE (Traditional Employment district);

Northwest: Across Capital City Trail and Wisconsin Southern Railroad, warehouse and office buildings zoned TE;

Southwest: Office buildings zoned TSS; and

Southeast: Single-story commercial buildings with surface parking lots and a two-story two-unit residence, all zoned TSS.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU) for the site. The [Williamson Street Design Guidelines & Criteria for Preservation \(BUILD II\)](#) (2004) includes a number of general design guidelines for new construction, including a four-story maximum height.

Zoning Summary: The subject property is proposed to be zoned TSS (Traditional Shopping Street district):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	35,050
Lot Width	None	130
Front Yard Setback	5 ft	5 ft
Max. Front Yard Setback	20 ft (TOD)	5 ft
Side Yard Setback	6 ft	6 ft
Rear Yard Setback	20 ft	20 ft
Maximum Lot Coverage	85%	84% (see Zoning comment 3)
Maximum Building Height	None (with conditional use)	6 stories

Site Design	Required	Proposed
Number Parking Stalls	None	123
Electric Vehicle Stalls	12 EV Ready	15 EV Ready/Installed
Accessible Stalls	3	3
Loading	No	No
Number Bike Parking Stalls	134	132 (see Zoning comment 4)
Landscaping and Screening	Yes	Yes (see Zoning comment 5)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block

Other Critical Zoning Items	Utility Easements, TOD Overlay
-----------------------------	--------------------------------

Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The applicant is seeking approvals to demolish a multi-tenant commercial building to construct a six-story mixed-use building with 1,500 square feet of commercial space and 120 apartments on one lot to be created by CSM.

The [demolition photos](#) submitted by the applicant show an older commercial building with one occupied and maintained tenant space. The two unoccupied tenant spaces appear to lack upkeep or significant modernization. Planning Division staff are unaware of any significant structural issues and have not personally inspected the building.

Upon demolition, the applicant intends to build a six-story building with 1,500 square feet of first-floor commercial space at the northernmost corner of the building, with a door toward the Capital City Trail. The commercial space is anticipated to be split for two tenants. A five-story U-shaped tower of dwelling units stands atop the single-story parking podium, which also houses the commercial space and resident lobby and associated circulation spaces. The opening of the “U” contains a second-story structured resident amenity courtyard facing toward the adjacent Capital City Trail. The residential unit mix is 26 studios, 82 one-bedroom units, and 12 two-bedroom units, for a total of 132 bedrooms. The two uppermost floors are stepped back approximately 6’-4” from South Brearly Street. There is also a narrow (approximately four feet) stepback above the first-floor parking deck on the southeast façade (facing Williamson Street). Most units, including those fifth-floor units at the Brearly Street stepback, have accessible balconies, while a small number of units have juliet balconies, and some units do not have balconies. Resident amenities include a bicycle maintenance space in the lower level; lobby, mail room, parcel room, and pet washing station on the first floor; community room, fitness room, and rooftop terrace on the second floor; and a coworking space on the sixth floor.

The submitted plans account for 122 vehicle parking stalls in a structured first-floor parking podium and one below-grade parking deck, plus four surface stalls under the second floor but outside the access-controlled parking area. Parking access comes directly off South Brearly Street and through the small surface lot. Additionally, the proposal includes 120 indoor long-term bicycle parking stalls and 12 outdoor short-term bicycle parking stalls.

The principal façade material on the first floor and significant portions of the second through fourth floors is a light gray brick. The principal façade materials on the second through sixth floors are a woodgrain-colored and a brown-colored fiber cement siding. Trim and accent materials include cast stone trim and caps, fluted oversized bricks, black prefinished metal railings, prefinished metal canopies, fiberglass window systems, aluminum storefront systems, and aluminum overhead garage doors. The first-floor façade of the parking podium facing the Capital City Trail is shown to be lined with a series of architectural trellises serving as a structure for climbing plants.

Other than a small amount of landscaping in two planting beds at the ground level, which include shrubs and perennials, the majority of landscaping is found on the second floor terraced roof deck. In addition to planting beds on the roof deck, the plans also show approximately 1,600 square feet of green roof plantings. Submitted plans also appear to show sedum trays for green roof plantings on the roof above the sixth floor and within the stepback above the first floor on the southeastern facade, but few details are provided. The landscape plan also identifies plantings at the bases of the architectural trellises to be installed on the northwest façade adjacent to the Capital City Trail.

According to the letter of intent, the applicant intends to commence demolition in Spring 2025 with construction of the new building completed by Summer 2026.

Analysis

This request is subject to the standards for demolition permits, conditional uses, and land divisions. This section begins with a summary of adopted plan recommendations, and includes sections for demolition permit standards, conditional use standards, and finishes with subdivision standards.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU) for the site. The NMU category can include a mix of residential, retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. NMU areas are expected to accommodate buildings two to four stories tall at residential densities of up to 70 dwelling units per acre. The [Williamson Street Design Guidelines & Criteria for Preservation \(BUILD II\)](#) (2004) includes a number of general design guidelines for new construction, but also includes specific criteria for new construction in specific locations. The Plan divides the planning area into subzones and identifies a three-story maximum height for new construction in this zone, but states that four stories may be allowed for projects with affordable housing, preservation, or structured parking. A stepback for the fourth floor at least 30 feet from the Williamson Street property line is recommended by the Plan so the upper stories do not dominate the Williamson Street streetscape. The site is also within the boundaries of the [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) and the [Marquette Neighborhood Center Master Plan](#) (2000), but neither plan provides any specific guidance or recommendations for this site.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove approval of the proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) MGO when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments regarding standard 4, *“That the Plan Commission has received and considered the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”* At its October 7, 2024 meeting, the Landmarks Commission found that the building at 306 South Brearly Street has no known historic value. Staff believes that the Plan Commission can find the applicable standards met and approve the requested demolition permits.

Conditional Use Standards

Regarding the conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) MGO are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings

must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

The applicant is requesting approval of two conditional uses for more than 60 dwelling units in a mixed-use building and a building height exceeding 4 stories/60 feet in the TSS and TOD zoning districts.

Staff provides additional discussion regarding conditional use approval standard 11 as it relates to the proposed building’s height, height transition toward adjacent residential uses, and the general impacts on those neighboring uses. Staff’s primary concern on this request is plan consistency related to the additional height. Standard 11 states that, “When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.”

The proposal is for a six-story building height, while the TSS zoning district within the TOD overlay district allows four stories as a permitted height, with greater heights allowed as conditional uses. Staff notes that the Comprehensive Plan NMU land use recommendation includes heights up to four stories, and the Williamson Street BUILD II Plan recommends that the maximum height for new construction in this area is four stories for projects with affordable housing, preservation, or structured parking. Staff does note that proposal exceeds the setback from Williamson Street as recommended in the Design Guidelines and Criteria for Preservation plan.

In considering the extra height, staff acknowledges the inconsistency with the BUILD II plan. This inconsistency does not preclude this standard from being found met, though careful consideration should be given to the surrounding context and resulting impacts. Staff notes that there is nearby precedence for buildings taller than four stories constructed or being constructed along the Capital City Path and railroad corridor, including 302 S Livingston Street, 722 Williamson Street, and 302 S Paterson St, all of which are five stories tall and within three blocks of the subject site. Further staff believe that the setbacks above the first floor facing Williamson Street and above the fourth floor facing South Brearly Street minimize the visual impact of the additional height. Given the location of the building with reference to the South Brearly Street, the Capital City Path, the railroad corridor, and any nearby residential development, the proposed building would have some shadow impacts on the path, but have minimal (if any) impacts on any nearby residences.

Staff also draws the Commission’s attention to conditional use standard of approval 8, which requires, in part, that “the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with existing or intended character of the area.” One item of note that arises often with regard to multifamily buildings such as that proposed is the presence of HVAC louvers on street-facing facades; none are shown in the current plans and the addition of louvers at a later date may require alteration to an approved conditional use. With the inclusion of that condition, staff believe that standard 8 can be found met.

Staff believe all other conditional use standards of approval can be found met.

Certified Survey Map

With the recommended agency conditions, staff believes that the Plan Commission may find the standards for land divisions (16.23 MGO) approval met for the certified survey map with the staff-recommended conditions. The proposed lot will meet the dimensional requirements of the TSS district, and staff believes that the proposal is consistent with the recommendations for the site in the Comprehensive Plan.

Conclusion

Staff believes that the standards of approval for demolition permits and land divisions can be found met. While staff acknowledges the inconsistency of the requested building height with the adopted plan recommendations, this inconsistency does not necessarily preclude this standard from being found met, and if, after giving careful consideration to the surrounding context and resulting impacts, the Plan Commission should find that standard 11 is met, the Plan Commission should find all other standards met and approve the conditional use.

Public Comment

A neighborhood meeting regarding this proposal was held on October 1, 2024. At time of writing, Staff is unaware of any written comment regarding this land use request received from the public.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 306 South Brearly Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies below.

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition permits for the building at 306 South Brearly Street; and
- That the if the Plan Commission can find that the standards for conditional uses are met, it should **approve** the requested conditional uses for the proposed building at 306 South Brearly Street; and
- That the Plan Commission find the standards for land divisions are met and forward the certified survey map to Common Council with a recommendation to **approve**.

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Demolition Permit & Conditional Uses

Planning Division (Contact Colin Punt, 243-0455)

1. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.
2. That the applicant submit a management and operations plan in the format required by the Zoning Administrator for review or approval by the Zoning Administrator, Planning Director, or their assigns.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

3. The letter of intent states 86% lot coverage not including the green roof, while the plans indicate 84%. Clarify on final plans the correct percentage of lot coverage.

4. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of 2 additional short-term bicycle parking stalls (14 total) located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.
5. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping. Provide adequate foundation plantings per Section 28.142(7) Foundation Plantings.
6. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
7. As proposed, the new rooftop mechanical equipment will not be visible to view. Upon installation, if the new rooftop mechanical equipment is visible, screening will be required per Section 28.142(9)(d).
8. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
9. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

City Engineering Division (Contact Brenda Stanley, 261-9127)

10. 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 852.00'. 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.
11. Based upon the proposed development's projected wastewater flows provided to date by the development team, offsite sanitary sewer improvements will be required as a condition for plan approval.
12. This site abuts an existing storm sewer box in the old RR right of way (now the bike path). The box is planned for removal and replacement. Depending on the schedule of this development the applicant is

made aware that construction maybe on going and that a TLE will be required to be dedicated to the city to allow the box to be removed, maintained or replaced.

13. 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)
14. Construct sidewalk, terrace, curb and gutter, and pavement to a plan as approved by City Engineer
15. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
16. 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))
17. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
18. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
19. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
20. 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.
21. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
22. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
23. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
24. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
25. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

26. 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.
27. 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.
28. 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)
29. Install a property boundary witness markers along the boundary of the public bike path at property corners or in locations that are mutually agreeable to the applicant and Engineering Division.
30. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
31. 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>
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)
32. 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. 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.

33. 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.
TSS 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.
34. 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 ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

35. Grant a 5' wide Temporary Public Storm Sewer Maintenance Easement on the pending CSM along the Northwestern side of the Lot to the City for the maintenance, repair and replacement of the public storm sewer box culvert adjacent to this site. The easement shall terminate December 31, 2026 or upon the construction of the new replacement pipe, whichever occurs first. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required terms and conditions of the easement.
36. The fiber optic lines adjacent to the Northwest line of this CSM may be subject to a 20' wide easement per Document No. 4965434, which would encumber this site. Surveyor for the pending CSM shall determine and any easement areas shall be properly shown on the site plans.
37. The southeast side of this proposed building encroaches into the Telephone Repair Easement per Doc No 2268192. The easement shall be shown on the site plan. Provide relevant information supporting the building encroachment into the easement area.

38. The address of the proposed apartment building is 320 S Brearly St. The addresses of 306 & 310 S Brearly St will be inactivated and archived with the demolition of the existing building.
The site plan and all related plans shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
39. The pending Certified Survey Map 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 or early start permit.
40. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit floor matrix for apartment buildings.
The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering.
Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.
For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Traffic Engineering Division (Contact Luke Peters, 266-6543)

41. Lower level parking is not dimensioned and as such not reviewable at this time; Traffic Engineering reserves the right to make any comment up to and including comments that may require a redesign and cause the applicant to return to Plan Commission if the proposed changes are determined to require a major amendment to the conditional use. The applicant should be aware standard parking stalls are 9 feet by 18 feet with 24 foot of back-up, stall widths shall not be encroached upon by any items including columns.
42. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
43. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

44. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
45. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
46. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
47. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
48. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
49. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer. Current driveway does not appear to meet the vision triangle requirements, please seek a waiver with Traffic Engineering.
50. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
51. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
52. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
53. The applicant shall provide a clearly defined 5' walkway, from the front door to the public sidewalk, clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

54. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
55. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
56. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
57. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
58. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

Fire Department (Contact Matt Hamilton, 266-4457)

59. East stairway exit should have a clear line of vision to the lobby exit from the stairwell exit door.
60. NFPA 14 requires a rooftop hose connection. An acceptable alternative to having control and hose valves on the roof would be a roof access point from a stairwell with a ships ladder and a hose valve adjacent to it.
61. Document the fire access in plan set including aerial access, hose lays, etc showing compliance with the 2024 IFC and MGO requirements

Parks Division (Contact Adam Kaniewski, 261-4281)

62. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 24055 when contacting Parks about this project.

Forestry Section (Contact Brad Hoffman, 267-4908)

63. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, 261-9835)

64. 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.

65. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Metro Transit (Contact Tim Sobota, 261-4289)

66. Metro Transit operates daily all-day transit service along Jenifer Street near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays). Metro Transit operates additional daily all-day rapid transit service along East Washington Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
67. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 222 Weekday & 130 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

68. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Certified Survey Map

City Engineering Division (Contact Brenda Stanley, 261-9127)

1. Based on 1942 and 1950 Sanborn maps, the property historically contained a petroleum storage tank and coal storage. In addition, there are likely buried railroad lines. A Phase 2 environmental site assessment is recommended. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
2. 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)
3. Construct sidewalk, terrace, curb and gutter, and pavement to a plan as approved by City Engineer
4. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))

5. 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))
6. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

7. Grant a 5' wide Temporary Public Storm Sewer Maintenance Easement along the Northwesterly side of the Lot to the City for the maintenance, repair and replacement of the public storm sewer box culvert adjacent to this site. The easement shall terminate December 31, 2026 or upon the construction of the new replacement pipe, whichever occurs first. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required terms and conditions of the easement.
8. The fiber optic lines adjacent to the Northwest line of this CSM may be subject to a 20' wide easement per Document No. 4965434, which would encumber this Certified Survey Map. Surveyor shall determine and properly show any easement per this document within this CSM.
 9. 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)
 10. 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.
 11. Add to the captions at the top of the sheets and to the legal description the NW 1/4 of the SE 1/4 to allow the CSM to be indexed properly at the Register of Deeds.
 12. The legal description shall include a metes and bounds description. The Original Plat of Madison does not have adequate ties to a Quarter line as per statute.
 13. Abbreviate the predirectional of the street names. E. Wilson Street and S. Brearly Street.
 14. This pending Certified Survey Map 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 or early start permit.

15. 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.

Parks Division (Contact Adam Kaniewski, 261-4281)

16. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

17. The Parks Division shall be required to sign off on this CSM.

Office of Real Estate Services (Contact Melissa Hermann, 264-9297)

18. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time

19. All ownership consents and certifications for the subject lands shall conform to Wis. Stats. 236.21(2) and 236.29 by including the language ...surveyed, divided, mapped and dedicated....

20. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off, if said ownership interest meets the criteria set forth by Wis. Stat. Sec. 236.34 and Sec. 236.21(2)(a).

21. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

22. Madison Common Council Certificate: This certificate is required when dedication of land and the conveyance of rights in land are required. For parcels located within the City of Madison, a Madison Common Council Certificate shall appear as follows:

Resolved that this certified survey map located in the City of Madison was hereby approved by
Enactment Number _____, File ID Number _____, adopted on the ____ day of _____,

20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this ____ day of _____, 2024

Maribeth L. Witzel-Behl, City Clerk
City of Madison, Dane County Wisconsin

23. City of Madison Plan Commission Certificate: Pursuant to Madison City Ordinance Section 16.23(7)(d)3 and Wis. Stats. 236.21(2)(a), all CSM's that are subject to the review and approval of the City of Madison shall contain the following certificate of approval:

Approved for recording per the Secretary of the City of Madison Plan Commission.

By: _____ Date: _____
Matthew Wachter, Secretary of the Plan Commission

24. Register of Deeds Certificate: Please include a space for the Register to hand write the recording info on the date of recording, to appear similar to the following:

Office of the Register of Deeds
Dane County, Wisconsin
Received for recording on _____, 20__ at ____ o'clock__ M, and
recorded in Volume ____ of CSMs on page(s) _____, Document No. _____.

Kristi Chlebowski, Register of Deeds

25. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to ORES via email to Melissa Hermann (mhermann@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report.
26. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.

The Planning Division, Office of the Zoning Administrator, Traffic Engineering Division, Fire Department, Forestry Section, City Assessor, Water Utility, Metro Transit, and Parking Utility have reviewed this request and have recommended no conditions of approval.



City of Madison

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

Master

File Number: 85814

File ID: 85814

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: PLAN
COMMISSION

File Created Date : 10/23/2024

File Name: Hill Point Hill Valley Rezone

Final Action:

Title: Creating Section 28.022-00696 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District and creating Section 28.022-00697 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-U1 (Traditional Residential-Urban 1) District and creating Section 28.022-00698 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to NMX (Neighborhood Mixed Use) District and creating Section 28.022-00699 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to CC-T (Commercial Corridor-Transitional) District . (District 1)

Notes: 6090HighPointHillValleyRZ

Sponsors: Planning Division

Effective Date:

Attachments: 940-1050 S High Point Rd et al.pdf, Link to Prelim
Plat File 85415

Enactment Number:

Author: Kate Smith

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	10/23/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Plan Commission (Public Hearing - 11/18/24), Common Council (11/26/24)						
1	COMMON COUNCIL	10/29/2024	Refer For Public Hearing	PLAN COMMISSION			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer For Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.						

1	PLAN COMMISSION	11/18/2024	RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING	PLAN COMMISSION	12/02/2024	Pass
---	-----------------	------------	--	--------------------	------------	------

Action Text: A motion was made by Field, seconded by Sanders, to RECOMMEND TO COUNCIL TO RE-REFER - PUBLIC HEARING. The motion passed by voice vote/other.

Notes: On a motion by Ald. Field, seconded by Sanders, the Plan Commission recommended that the Common Council re-refer the zoning map amendment request to the December 2, 2024 Plan Commission meeting (December 10 Common Council) at the request of the applicant and staff. The motion passed by voice vote/ other.

Text of Legislative File 85814

Fiscal Note

No City appropriation required.

Title

Creating Section 28.022-00696 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-P (Traditional Residential-Planned) District and creating Section 28.022-00697 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to TR-U1 (Traditional Residential-Urban 1) District and creating Section 28.022-00698 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to NMX (Neighborhood Mixed Use) District and creating Section 28.022-00699 of the Madison General Ordinances to change the zoning of a portion of property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District to CC-T (Commercial Corridor-Transitional) District . (District 1)

Body

DRAFTER'S ANALYSIS: This ordinance amendment rezones property located at 940-1050 South High Point Road, 1051 South Pleasant View Road and 902 Landmark Trail from Temporary A (Agricultural) District, TR-P (Traditional Residential-Planned), TR-U1 (Traditional Residential-Urban 1) District, NMX (Neighborhood Mixed Use) District and CC-T (Commercial Corridor-Transitional) District for the proposed "Hill Valley" subdivision.

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

1. Map Amendment 00696 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00696. The following described property is hereby rezoned to TR-P (Traditional Residential-Planned) District.

A parcel of land located in the NW1/4 of the NE1/4, NE1/4 of the NE1/4, SE1/4 of the NE1/4 and the SW1/4 of the NE1/4 of Section 34 and the NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 35, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Beginning at the East 1/4 corner of said Section 34; thence S89°11'12"W, 1892.77 feet; thence N00°38'54"E, 81.95 feet to a point of curve; thence Northerly along a curve to the left which has a radius of 183.00 feet and a chord which bears N11°15'19"W, 75.49 feet; thence N23°09'32"W, 331.95 feet; thence N66°50'28"E, 351.90 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 337.00 feet and a chord which

bears N78°59'07"E, 141.79 feet; thence S88°52'15"E, 59.25 feet; thence N01°07'45"E, 138.00 feet; thence N88°52'15"W, 59.25 feet to a point of curve; thence Westerly along a curve to the left which has a radius of 475.00 feet and a chord which bears S86°14'08"W, 81.04 feet; thence N01°07'45"E, 585.91 feet; thence N88°52'15"W, 316.64 feet to a point of curve; thence Northwesterly along a curve to the right which has a radius of 300.00 feet and a chord which bears N67°38'38"W, 217.24 feet; thence N46°25'01"W, 101.34 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 300.00 feet and a chord which bears N56°48'26"W, 108.21 feet; thence N22°48'09"E, 101.36 feet to a point of curve; thence Northerly along a curve to the left which has a radius of 200.00 feet and a chord which bears N11°42'36"E, 76.96 feet; thence N00°37'04"E, 90.89 feet; thence N89°38'56"E, 759.27 feet; thence N01°07'45"E, 809.90 feet; thence N89°34'51"E, 239.98 feet; thence N88°25'55"E, 728.71 feet; thence N88°19'15"E, 583.13 feet; thence N89°00'52"E, 978.23 feet; thence S01°20'34"W, 289.91 feet; thence N88°44'48"W, 181.69 feet; thence N01°15'12"E, 34.55 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 82.00 feet and a chord which bears N43°44'36"W, 115.96 feet; thence N88°44'24"W, 44.01 feet; thence S01°15'12"W, 498.50 feet; thence S88°44'48"E, 126.00 feet; thence S01°15'12"W, 754.81 feet; thence S88°44'48"E, 514.65 feet; thence S01°15'12"W, 1208.25 feet; thence S88°56'13"W, 1313.23 feet to the Point of Beginning. Said described area contains 171.258 acres."

2. Map Amendment 00697 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00697. The following described property is hereby rezoned to TR-U1 (Traditional Residential-Urban 1) District.

A parcel of land located in the NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 35, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the West1/4 corner of said Section 35; thence N88°56'13"E, 1313.23 feet; thence N01°15'12"E, 1208.25 feet to the Point of Beginning; thence N88°44'48"W, 514.65 feet; thence N01°15'12"E, 754.81 feet; thence N88°44'48"W, 126.00 feet; thence N01°15'12"E, 498.50 feet; thence S88°44'24"E, 44.01 feet to a point of curve; thence Southeasterly along a curve to the right which has a radius of 83.00 feet and a chord which bears S43°44'36"E, 115.96 feet; thence S01°15'12"W, 34.55 feet; thence S88°44'48"E, 181.69 feet; thence N89°06'58"E, 333.19 feet; thence S01°15'12"W, 1149.18 feet to the Point of Beginning. Said described area contains 14.886 acres.

Together with a parcel of land located in the NW1/4 of the NE1/4 and the SW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 34; thence S89°11'12"W, 1892.75 feet to the Point of Beginning; thence S89°11'12"W, 653.59 feet; thence N01°07'30"E, 937.61 feet; thence N89°29'17"W, 16.65 feet; thence N00°49'59"W, 244.49 feet; thence N01°07'30"E, 415.91 feet; thence S88°52'30"E, 107.11 feet to a point of curve; thence Southeasterly along a curve to the right which has a radius of 300.00 feet and a chord which bears S67°38'45"E, 217.26 feet; thence S46°25'01"E, 101.34 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 300.00 feet and a chord which bears S67°38'38"E, 217.24 feet; thence S88°52'15"E, 316.64 feet; thence S01°07'45"W, 585.91 feet to a point of curve; thence Northeasterly along a curve to the right which has a radius of 475.00 feet and a chord which bears N86°14'08"E, 81.04 feet; thence S88°52'15"E, 59.25 feet; thence

S01°07'45"W, 138.00 feet; thence N88°52'15"W, 59.25 feet to a point of curve; thence Southwesterly along a curve to the left which has a radius of 337.00 feet and a chord which bears S78°59'07"W, 141.79 feet; thence S66°50'28"W, 351.90 feet; thence N26°40'54"W, 138.26 feet to a point of curve; thence Southwesterly along a curve to the right which has a radius of 475.00 feet and a chord which bears S75°32'32"W, 143.72 feet; thence N01°15'36"E, 394.16 feet; thence N90°00'00"E, 75.39 feet; thence N66°52'17"E, 125.00 feet; thence S23°09'32"E, 350.93 feet; thence S66°50'28"W, 215.19 feet; thence S26°40'54"E, 138.26 feet; thence S23°09'32"E, 331.95 feet to a point of curve; thence Southerly along a curve to the right which has a radius of 183.00 feet and a chord which bears S11°15'19"E, 75.49 feet; thence S00°38'54"W, 81.95 feet to the Point of Beginning. Said described area contains 23.828 acres."

3. Map Amendment 00698 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00698. The following described property is hereby rezoned to NMX (Neighborhood Mixed Use) District.

A parcel of land located in the NW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 of said Section 34; thence S89°11'12"W, 2300.22 feet; thence N00°48'48"W, 1569.04 feet to the Point of Beginning; thence Northwesterly along a curve to the left which has a radius of 300.00 feet and a chord which bears N78°02'11"W, 112.83 feet; thence N88°52'30"W, 107.11 feet; thence N01°07'30"E, 232.59 feet; thence N89°38'56"E, 268.79 feet; thence S00°37'04"W, 90.89 feet to a point of curve; thence Southerly along a curve to the right which has a radius of 200.00 feet and a chord which bears S11°42'36"W, 76.96 feet; thence S22°48'09"W, 101.36 feet to the point of beginning. Said described area contains 1.424 acres."

4. Map Amendment 00699 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00699. The following described property is hereby rezoned to CC-T (Commercial Corridor-Transitional) District.

A parcel of land located in the SW1/4 of the NE1/4 of Section 34, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 34; thence S89°11'12"W, 2230.55 feet; thence N00°48'48"W, 553.69 feet to the Point of Beginning; thence N01°15'36"E, 394.16 feet; thence N90°00'00"E, 75.39 feet; thence N66°52'17"E, 125.00 feet; thence S23°09'32"E, 350.93 feet; thence S66°50'28"W, 215.19 feet; thence Southwesterly along a curve to the right which has a radius of 475.00 feet and a chord which bears S75°32'32"W, 143.72 feet to the Point of Beginning. Said described area contains 2.318 acres."



City of Madison

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

Master

File Number: 85814

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: 29 October 2024

Referral(s): Plan Commission: 18 November 2024; Common Council: 26 November 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:

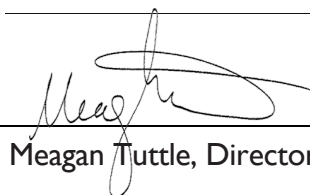
Rezone following property:

Address 940-1050 S High Point Road, 1051 S Pleasant View Road, and 902 Landmark Trail Alder District 1

From Temp. A District To TR-P, TR-U1, NMX, and CC-T District

Proposed Use: Zoning for the proposed 'Hill Valley' subdivision

By Direction Of:


Meagan Tuttle, Director Planning Division

Date: 22 October 2024



City of Madison

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

Master

File Number: 85327

File ID: 85327

File Type: Ordinance

Status: Report of Officer

Version: 1

Reference:

Controlling Body: POLICE CIVILIAN
OVERSIGHT
BOARD

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

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Andrew Schauer

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	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)						
1	COMMON COUNCIL	09/24/2024	Refer	POLICE CIVILIAN OVERSIGHT BOARD			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the POLICE CIVILIAN OVERSIGHT BOARD. The motion passed by voice vote/other.						
1	COMMON COUNCIL	10/08/2024	Re-refer	POLICE CIVILIAN OVERSIGHT BOARD			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the POLICE CIVILIAN OVERSIGHT BOARD. The motion passed by voice vote/other.						

Text of Legislative File 85327

Fiscal Note

No appropriation required.

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: 85168

File ID: 85168

File Type: Claim

Status: Report of Officer

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

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	09/24/2024	Refer	Risk Manager		11/19/2024	Pass
	Action Text: A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.						
1	Risk Manager	11/19/2024	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 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: 85272

File ID: 85272

File Type: Claim

Status: Report of Officer

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

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	09/24/2024	Refer	Risk Manager		11/19/2024	Pass
	Action Text: A motion was made to Refer to the Risk Manager. The motion passed by voice vote/other.						
1	Risk Manager	11/19/2024	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 85272

Title

A. Miranda - Vehicle Damage - \$1,637.52

Body

Claim received 9/16/2024.



City of Madison

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

Master

File Number: 85578

File ID: 85578

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/04/2024

File Name: CLAIM: J. Jewzewski - Property Damage - \$7,429.00

Final Action:

Title: J. Jewzewski - Property Damage - \$7,429.00

Notes: EVL005966

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85578

Title

J. Jewzewski - Property Damage - \$7,429.00

Body

Claim received 10/3/2024.



City of Madison

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

Master

File Number: 85663

File ID: 85663

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/11/2024

File Name: CLAIM: B. Harris - Property Damage - \$60,000.00

Final Action:

Title: B. Harris - Property Damage - \$60,000.00

Notes: EVL005975

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85663

Title

B. Harris - Property Damage - \$60,000.00

Body

Claim received 10/8/2024.



City of Madison

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

Master

File Number: 85666

File ID: 85666

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/11/2024

File Name: CLAIM: Cincinnati Financial Insurance - Vehicle Damage - Amount to be Determined

Final Action:

Title: Cincinnati Financial Insurance - Vehicle Damage - Amount to be Determined

Notes: EVL005976

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85666

Title

Cincinnati Financial Insurance - Vehicle Damage - Amount to be Determined

Body

Claim received 10/9/2024.



City of Madison

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

Master

File Number: 85723

File ID: 85723

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/14/2024

File Name: CLAIM: Secura Insurance - Vehicle Damage -
\$7,119.61

Final Action:

Title: Secura Insurance - Vehicle Damage - \$7,119.61

Notes: EVL005715

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85723

Title

Secura Insurance - Vehicle Damage - \$7,119.61

Body

Claim received 9/30/2024.



City of Madison

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

Master

File Number: 85762

File ID: 85762

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/18/2024

File Name: CLAIM: I. Macias - Property Damage - \$15,423.75

Final Action:

Title: I. Macias - Property Damage - \$15,423.75

Notes: EVL005996

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85762

Title

I. Macias - Property Damage - \$15,423.75

Body

Claim received 10/16/2024.



City of Madison

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

Master

File Number: 85788

File ID: 85788

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/22/2024

File Name: CLAIM: R. Wesley - Vehicle Damage - \$500.00

Final Action:

Title: R. Wesley - Vehicle Damage - \$500.00

Notes: EVL006009

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85788

Title

R. Wesley - Vehicle Damage - \$500.00

Body

Claim received 10/18/2024.



City of Madison

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

Master

File Number: 85791

File ID: 85791

File Type: Claim

Status: Report of Officer

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/22/2024

File Name: CLAIM: J. Thomas - Property Loss - \$400.00

Final Action:

Title: J. Thomas - Property Loss - \$400.00

Notes: EVL006010

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	10/29/2024	Referred	Risk Manager		11/19/2024	
	Action Text: This Claim was Referred to the Risk Manager						
1	Risk Manager	11/19/2024	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 85791

Title

J. Thomas - Property Loss - \$400.00

Body

Claim received 10/21/2024.



City of Madison

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

Master

File Number: 86213

File ID: 86213

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Street Use Permit Review

Final Action:

Title: Amending Sections 10.056, 9.136, 38.07(8), and 33.27 of the Madison General Ordinances to eliminate the Street Use Staff Commission and assign their duties to relevant City staff.

Notes: 6874StreetUsePermitReview

Sponsors: Satya V. Rhodes-Conway, Yannette Figueroa Cole
And Michael E. Verveer

Effective Date:

Attachments:

Enactment Number:

Author: Lara Mainella

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	11/20/2024	Referred for Introduction				
Action Text: This Ordinance was Referred for Introduction							
Notes: Street Use Staff Commission (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86213

Fiscal Note

The proposed ordinance amendment eliminates the Street Use Staff Commission and reassigns review duties for street use permits to relevant staff. There is no anticipated fiscal impact.

Title

Amending Sections 10.056, 9.136, 38.07(8), and 33.27 of the Madison General Ordinances to eliminate the Street Use Staff Commission and assign their duties to relevant City staff.

Body

DRAFTER'S ANALYSIS: Street Use Permits authorize use of a city street for purposes other than vehicle travel, for events such as festivals, block parties, races, runs, rallies, parades, marches and demonstrations. Currently most street use permits must be reviewed and approved by the Street Use Staff Commission, a public body made up of City staff and a representative of the State Capitol Police, with coordination by the Parks Division. This ordinance would eliminate the commission and reassign its review duties to relevant staff. The Parks Division will continue to coordinate. The revised ordinance

would require event applicants to consult with relevant staff such as police, traffic engineering and Metro Transit, to discuss event logistics and make sure they provide sufficient details for a proper review. Input of the Capitol Police, when needed, will be obtained through the Madison Police Department. Applications will continue to be reviewed for compliance with existing "standards of issuance" in subsection (6) and a permit cannot be denied unless one or more of these standards will not be met. Events in the Downtown Zone will continue to be subject to additional standards in subsection (5). This ordinance does not propose to change any of those standards.

Substantive changes to reflect current practice include an exception for all farmers markets from the maximum number of days per year a street can be closed, requiring permits from the State Capitol for events on the state's jurisdiction, and changing the blocks of State Street that cannot be closed on a weekday from 200-600 to 200-300, to reflect current bus routes.

This ordinance also amends sections 9.136, 38.07(8), and 33.27, to remove references to the Commission.

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

1. Section 10.056 entitled "Street Use Permit" of the Madison General Ordinances is amended as follows:

(1) Purpose, Title and Findings. This section shall be known as the "Street Use Ordinance." The streets in possession of the City are primarily for the use of the public in the ordinary way. However, under proper and uniform circumstances special street use may be permitted, subject to reasonable municipal regulation and control. Therefore, this ordinance is enacted to regulate and control the use of streets for purposes other than ordinary uses, pursuant to a Street Use Permit to the end that the health, safety and general welfare of the public and the good order of the City can be protected and maintained, subject to Wis. Stat. § 349.185. The Common Council makes the following findings:

(a) The streets and sidewalks (highway rights-of-way) under the control of the City are intended for use in the ordinary way for travel for motor vehicles, other vehicles, and pedestrians.

(b) The City has a substantial interest in preserving traffic and pedestrian safety, the safe and orderly use of streets and sidewalks, the ability to provide emergency services to all parts of the City, while also encouraging recreation, tourism, celebration, physical exercise, economic vitality of the community and the right to assemble, the right to exercise freedom of speech, expression, and association in a traditional public forum, as guaranteed by the First Amendment to the United States Constitution and Article I, Section 3 of the Wisconsin Constitution.

(c) Street Use Permitted events bring benefits to the City, including cultural, economic, tourism, and the City has a tradition of approving Street Use Permits for festivals, gatherings, athletic events, charity events, demonstrations, parades and other gatherings.

(d) A large street use event or more than one event occurring in the same general area, whether on-street or off-street, causes occupancy levels of adjacent streets and sidewalks to increase, which may create unsafe conditions and strain the City's resources and infrastructure.

(e) The Council further recognizes the appeal of the City's downtown area, including State Street and the State of Wisconsin Capitol square and streets surrounding the square, as a desired location for festivals, demonstrations and activities of all kinds. The unique geographic location and space limitations of the downtown area, as a narrow isthmus between two lakes, presents special challenges if an event closes the streets in the Downtown Zone. Special challenges include but are not limited to impacts on cross-town traffic, including Metro transit Transit service, and impacts upon business, government, and students in the area, especially on weekdays, and impacts on all users and visitors to the area on weekends, therefore the City has adopted the additional standards for the Downtown Zone for weekdays and weekends as stated in that section.

(f) This ordinance allows the City to manage the demands on the streets and sidewalks and strike a balance between the needs of users of the streets and sidewalks for transportation in the ordinary way and the use of such spaces for recreation, tourism, celebration, demonstration, and other non-standard reasons. This ordinance recognizes and balances the needs of City staff including police, fire, traffic engineering, parks and other departments to plan for and staff events occurring with a Street Use Permit and allow for reasonable reimbursement for such services when they are available and a process to deny or modify a permit when they are not, or when the standards of issuance stated herein cannot be met.

(g) The ability to deny or require modifications to a requested Street Use Permit as stated in this ordinance directly furthers the City's interests stated above and allows the City to respond to applications in a way that provides ample alternative channels for speech and without restricting more speech than necessary.

(h) The procedures and standards for approving a Street Use Permit in this ordinance are necessary to ensure safety for all, including event participants, workers, City employees, motor and non-motorized vehicle users, pedestrians, bicyclists, transit customers, and the general public. This ordinance also promotes the welfare of residential and non-residential occupants in areas where a Street Use Permit is issued.

(2) Definitions.

(a) City means the City of Madison.

(b) Person means any person, firm, partnership, association, corporation, company or organization of any kind.

(c) Street means any public way, street, highway, sidewalk, terrace, alley, or public square. For purposes of this ordinance, a bicycle path or bicycle way shall also be considered a street.

(d) State Street Mall-Capitol Concourse or Mall-Concourse for purposes of this ordinance, means those streets or portions of streets located within area described in Sec. 9.13(6)(a) of these Ordinances.

(e) Non-Mall-Concourse means those streets or portions of streets located in any part of the city other than the State Street Mall - Capitol Concourse defined herein.

(f) Downtown Zone (DZ) for purposes of this ordinance is defined as the area bounded by and including the following streets: North Blair Street where it terminates at James Madison Park, South Blair Street, John Nolen Drive, North Shore Drive, Proudfit Street, Regent Street, and Park Street from Regent Street to where it terminates at Lake Mendota. The Downtown Zone does not include the portions of streets forming the Capitol Square, the 100 blocks of each street intersecting with the Capitol Square, or the 200 block of Martin Luther King, Jr. Boulevard.

(3) Street Use Staff Commission City Agency Review.

(a) The voting membership of the Street Use Staff Commission shall consist of a staff representative from each of Applications shall be submitted to and processed by the Parks Division. All applications for street use permit shall be reviewed by the following City departments or divisions:

1. Transportation/Traffic Engineering City Engineering;
2. Parking Utility Fire Department (MFD);
3. City Engineering Metro Transit;
4. Parks Division Parking Division;
5. Parks Division-Mall Maintenance Parks Division;
6. Streets Division Police Department (MPD);
7. Police Department; Risk Management (Finance Director) ; and;
8. Fire Department; Transportation/Traffic Engineering.
9. Risk Management (Finance Director)
10. Metro Transit;
11. Economic Development Division (Street Vending); and
12. A representative from the State Capitol Police Department.

Commission coordination shall be provided by the Parks Division. Membership on this Staff Commission shall not require mayoral appointment or Common Council approval. For the City staff positions, the Department head shall designate an individual to serve on the Commission on a regular basis for an indefinite term. The Department head may assign another individual to attend and vote in the absence of the regularly-assigned staff person.

The Street Use Staff Commission is considered a "full" or "formal" committee under Sec. 33.27, MGO, and subject to all applicable provisions of that section, including Sec. 33.27(2)(a), MGO.

(b) The Street Use Staff Commission may require the applicant or other authorized individual to attend one or more meetings of the Street Use Staff Commission and to provide any additional information which is reasonably necessary to make a fair determination as to whether a permit shall be granted.

(b) Additional Staff Review. Staff from the following agencies shall review applications for street use permits when, as determined by the Parks Division, the application requires their input, typically for the reasons below:

1. Economic Development Division/Street Vending Coordinator (events with vending or impacting licensed street vendors, sidewalk cafes, or roadway cafes).
2. Parks Division Mall Crew (events in the Street Mall/Capitol Concourse Special Assessment Area).
3. Streets Division (events where trash/recycling/clean up plan must be considered, or requesting City

equipment from Streets).

4. Public Health Madison & Dane County (events with food service/food vending, or animals).

5. Wisconsin State Capitol Police (MPD will obtain input from the State Capitol Police for events that use the State Capitol grounds, require a permit from the State, or impact parking or other operations at the State Capitol).

(c) Applicant Consultation with Staff. All applicants are encouraged to discuss their application with the Parks Division prior to applying. Any applicant may be required to meet or consult with one or more of the City agencies identified in this ordinance. Parks staff will identify whether an applicant must, or should, consult with other city agencies to ensure compliance with the standards of issuance in sec. 10.056(6), as follows:

1. Prior to application. Applicants for the following event types shall consult with staff as indicated prior to their application being considered complete, and shall include any details arranged with City staff at that meeting in their final application:

a. An event with a traveling route (defined in Sec. 10.056(5)(i)1.) anywhere in the City, shall consult with MPD, Metro Transit and Traffic Engineering.

b. Any event with a proposed route or footprint event where the proposed route or footprint would require at least one Metro Transit fixed route to detour from its regular route, or would result in a bus stop or BRT station closure during the event, shall consult with Metro Transit.

c. A new event with anticipated attendance of 1,000 or more people shall consult with MFD to discuss an emergency action plan (EAP).

d. Events serving or selling alcohol beverages shall consult with MPD and file the appropriate application for alcohol licensing with the City Clerk to meet the timelines required by Sec. 38.05(9)(e)2.

e. Any other event for which the Parks Division identifies an objective reason based on the standards of issuance in sec. 10.056(6) to consult with a specific agency listed in subs. (3)(a) or (b) above prior to application.

2. Review of Completed Application. Once a completed application is submitted, and any pre-application consultation required by sub. (3)(a) has taken place, all applicants (other than events qualifying for abbreviated review under sec. 10.056(5)(b)5.), shall meet or communicate with city staff identified by the Parks Division as a prerequisite to permit approval and issuance. The purpose of this phase of review is to ensure impacted city agencies have necessary information to plan for the event, gather additional information from applicants, and propose and finalize conditions for permit approval or reasons for denial, consistent with the standards of issuance in sub. (6).

(4) Application.

(a) An application for a Street Use Permit shall be made online, by mail, or in-person at the Parks Division, or using other methods made available by the City (such as online) using the form form(s) provided by the Parks Division. The application shall set forth include the following information (except events subject to abbreviated review under 10.056(5)(b)5.):

1. The name, address and telephone number of the applicant or applicants. The applicant shall be the event sponsor. If the application is being filed completed by someone else on behalf of the event sponsor, that person shall also provide their name, title, address, and phone number.

2. In addition to the information required in subparagraph 1. above, if If the applicant is not an individual, the full name and business or headquarters address of the organizational entity shall be provided. If the applicant is a corporation, limited liability company, or limited partnership, the name and address of the registered agent shall also be provided. If the entity is a general partnership, the name, and address of at least one (1) general partner shall be provided.

3. The name, address and telephone number of the person or persons who will be responsible for conducting and/or managing the proposed use of the street, if different from the individual(s) named in subparagraph 1. or 2. above. This person shall also provide a mobile phone number, pager number, or other means for immediate contact during the event.

4. The exact date or dates, beginning and ending times for which the requested use of the street is proposed to occur, including and set-up and tear-down times. If an event sponsor requests identical street closures for the same location for more than one occasion or event within a twelve (12) month period, each event may be included on a single application.

5. An accurate description of that portion of the street proposed to be used.

6. The estimated number of persons for whom use of who will attend the proposed street use area is requested.

7. The proposed use of the street, described in detail, including a description of all activities planned during the street use such as vending, music, selling or serving of food or alcohol beverages, location and

use of tents, stages, or other equipment, and a detailed plan for clean-up after the event. If any alcohol beverage license(s) will be requested for the event, the applicant shall indicate the type of license(s) requested and whether the applicant will still want a Street Use Permit if the necessary alcohol beverage license(s) are not granted.

8. A detailed description of any recording or sound amplification equipment to be used in connection with the street use, the requested hours for amplification, and if amplification is requested before 8:00 a.m. or after 11:00 p.m., justification for the request and how the amplified sound will not violate the standard of issuance in sub. (6)(i).

9. A designation of any public facilities or equipment to be utilized.

10. Any additional information that the Street Use Staff Commission finds reviewing staff identified in sub. (3) find reasonably necessary to a fair determination as to whether a permit should be issued.

11. Addendum and Attachments Emergency Action Plan. Applicants requesting identical street closures for more than one occasion, or large events expecting over 10,000 attendees, shall include an "Addendum to Street Use Permit" with the application. The Addendum shall include written details regarding transportation management, parking, crowd control, resident access, and an emergency action plan (EAP) that includes details required by the Fire Department.

For events with fewer than 10,000 attendees, applicants shall complete an EAP using a form provided by the Fire Department.

Searches: Additionally, if there will be any extraordinary security measures including searches of persons or vehicles, the applicant shall submit that plan as a separate Attachment to the application.

Private Security: If the crowd control or security plan calls for the hiring of crowd control/security plan or EAP includes private security services, the applicant shall provide the name of and contact information for the security firm.

12. For events that include service of beverages in recyclable containers or the use of corrugated cardboard, a Recycling Plan shall be submitted with the application, using a form that has been prepared for this purpose by the City Recycling Coordinator. The Recycling Plan shall describe the applicant's procedures for collection and recycling of all recyclable materials food or beverage for individual consumption or other significant recycling concerns, applicants shall have a plan for collection of recyclable waste (defined by MGO 10.18(7)(e)) produced by the event, and shall provide, at a minimum, for adequate collection containers, recycling instructions for vendors and other participants, and arrangements for the material collected for recycling as required by MGO 10.18.

The Applicants are encouraged to consult with the City Recycling Coordinator in the Streets Division (or designee) shall review the completed Plan and report their approval or denial of the Plan to the Staff Commission before or at their meeting at which the final decision is made on the application. If the Recycling Coordinator disapproves a plan, they shall work with the applicant to develop an approvable their plan.

13. Accessibility Plan. Applicants shall follow applicable ADA requirements and shall make events accessible for people with disabilities, and may be requested to complete a form provided by the City as part of their application, and/or meet with the City Disability Rights Coordinator for these purposes.

(b) Deadline for Applications.

1. An application to close three (3) or more blocks or to close a street or streets that will require any bus route detours or substantial rerouting of vehicular traffic shall be submitted not less than thirty (30) days prior to the beginning date of the proposed event.

2. An application to close less than three (3) blocks that will not require any bus route detour or substantial rerouting of vehicular traffic shall be submitted not less than fourteen (14) days prior to the beginning date of the proposed event.

3. The deadlines in subs. 1. and 2. above may be waived if, based upon the proposed date, time, place, size, duration, anticipated number of participants, and City services required, there will be sufficient time prior to the event for the Staff Commission to hold a public meeting to objectively to review the application and make a decision under the standards of issuance herein within the timelines required by sub. (5)(f). For an administrative a review under Sec. 10.056(5)(b)5., the application deadline may be waived if there is sufficient time prior to the event for the Parks designee to conduct the administrative review and make a decision within the timelines required by sub. (5)(f). The application deadline for events under sub. 4. below (events with alcohol) may not be waived.

4. An application for an event of any size for which a temporary Class B alcohol license will be requested shall be submitted not less than sixty (60) days prior to the beginning date of the proposed event, to allow for Common Council review as required by Sec. 38.05(9)(e)2.

(c) Petition Required for Certain Events on Local Streets. It is in the public interest to dedicate and use

non Mall/Concourse local, streets for neighborhood-centered activities. If the application is for the use of not more than two (2) blocks of a non Mall/Concourse local street (defined as a street with a speed limit of twenty-five (25) miles per hour or less), the application shall be accompanied by a petition designating the proposed area of the street to be used, the date and times of the proposed use, and the petition shall be signed by an adult resident or occupant over the age of eighteen (18) of not less than seventy-five percent (75%) of all residential dwelling units and non-residential occupancies with a street address on that portion of the street designated for the proposed use. The petition form shall be included with the permit application and completed petitions shall be verified.

(5) Application Process and Permit Requirements.

(a) Processing of Completed Applications. A Street Use Permit Application, the application fee under Sub. (7)(a), a petition, if required, and any additional other supporting materials shall be submitted to the Parks Division. Only complete applications containing all of the information required under sub. (4)(a) shall be considered. The Street Use Staff Commission shall review. When an applicant is required by sec. 10.056(3)(c) to consult with City agencies prior to applying, the application will not be considered complete until those requirements have been fulfilled. The Parks designee shall process all such complete applications within the time limits in sub. (5)(f), if the application was filed within the deadlines in sub. (4)(b), except those applications that qualify for administrative review shall be reviewed by the designee of the Parks Superintendent under sub. (5)(b)5., below.

(b) Permit Review.

1. The Staff Commission Superintendent of Parks, or designee (hereafter, "designee"), shall evaluate the application using the standards found in this ordinance ensure any pre-application consultation required by sub. (3)(c)1. has taken place, refer the application to applicable staff listed in sec. (3)(a) and (b), keep a record of their written comments and evaluate the application using the standards in this ordinance. The Commission designee shall either approve the issuance of a Street Use Permit with conditions or deny the permit for failure to meet one or more standards in this ordinance as articulated by the written comments of one or more staff required by sec. (3)(a) or (b). The reasons for denial shall be set forth in writing and provided to the applicant immediately, unless the applicant is present at the meeting at which the permit is denied within the timelines required by this ordinance to allow a meaningful appeal.

2. Conditions of the an approved permit shall include those required by this ordinance and those determined by the Staff Commission to be other conditions appropriate to ensure the safety of the public and provide for an orderly event as determined by required staff according to sub. (3) applying the standards in sub. (6). The information supplied under in the application required by sub. (4)(a), if approved by the Staff Commission, shall also become conditions of the permit.

3. When approved, the Parks Division shall issue the permit. The permit shall include all information required on the application and any conditions added to the application by the Staff Commission required under the above process.

4. Duration of Permit.

a. General. Each permit shall be valid for the dates and times stated therein. A separate permit shall be required for each separate event or street closure requested. Permits A permit may be issued for a single day, multiple consecutive days, or single-day identical street closures for more than one occasion over the course of twelve (12) months or less ("Serial Events"). A Serial Event shall also be limited to not more than one (1) day per week and not more than fifteen (15) total days per year, except for the Wednesday Dane County Farmers' Market on the 200 block of Martin Luther King Jr. Boulevard farmers' markets where the majority of participants are farmers and growers who sell their own raw agricultural products, consistent with applicable state and local health laws.

b. Business Improvement District Programming. The time limits in sub. a. above do not apply to a permit issued to a Business Improvement District, as defined in Wis. Stat. § 66.1109, if all of the following circumstances are met:

- i. The application is for an event within the Business Improvement District for programmed entertainment and activities open to the public, and the activities comply with all applicable laws;
- ii. The event area is limited to the sidewalk or sidewalk areas, terraces, and pedestrian ways and does not include any portion of the roadway or area that is open to motor vehicle traffic;
- iii. No buses or other vehicle traffic will be re-routed; and
- iv. It shall be a condition of any permit issued under this section that the applicant enter into a contract with the City of Madison setting forth, at a minimum, conditions of the permit, details for allowable programming, payment for the programming and responsibility for costs of any city services associated with the event. City funding for such programming, if any, shall be approved by the Common Council and

authorization to enter into the contract shall be according to applicable City contracting policies.

5. Administrative Abbreviated Review for Certain Applications. The Parks Superintendent or designee may review and approve the following applications may be reviewed and approved administratively by without referral to other staff, and may use a modified designee of the Parks Superintendent application form for such purposes. Such applications shall be approved if the Parks designee finds that the Standards of Issuance and all other applicable criteria under this ordinance have been met, including any insurance that may be required under Sec. 10.056(8). The decision on an application made under this section shall be made within the time limits in Sec. 10.056(5)(f) unless waived by the applicant.

a. Applications for the use of not more than two (2) blocks of a residential, non-Mall/Concourse local street meeting all of the criteria of Sec. 10.056(4)(c), including the petition requirement.

b. Applications for a temporary "No Parking Zone" when the request is for meters or areas on streets that are not completely closed to traffic, as permitted by Sec. 12.1425(3)(a)2., MGO.

6. Changes to Approved Permit. The An approved conditions for a street use event permit cannot be modified except by submitting an amended application for consideration that includes all information determined necessary by the Street Use Staff Commission, following Parks designee. Requests to amend a permit shall follow all the application procedures and deadlines herein., and the permit may only be changed with the approval of the Commission, applying the same The standards as for initial of issuance of the permit shall apply to any changes and as such, may require review by other agency staff. If changes are approved the Parks Division shall issue an amended permit.

(c) Street Vending. The applicant shall describe any proposed street vending activities on the application for a Street Use Permit, however, all street Street Vending activities, as defined in Sec. 9.13(1), MGO, are regulated by Sec. 9.13, 9.135, and 9.136 of these ordinances and may require additional licenses administered by the Street Vending Coordinator. Sec. 9.13(6)(k) 9.136(1)(k) governs the options for a vendor to request suspension of certain vending rules and regulations and requests for "exclusive vending use" including invalidation of other vending licenses during an event. A Special Event Umbrella Vending license covering street vending activities of all vendors in an approved special event is available to event sponsors under Sec. 9.13(2), and administered by the Parks Division.

(d) Alcohol Beverage Licenses. If the applicant requests permission to sell beer or wine within the perimeter of the street use permit area, the applicant must apply for the Stret Use Permit at least sixty (60) days in advance and shall also follow the procedure for a Temporary Class B Picnic License under in Sec. 38.05(9)(e)2. of the Madison General Ordinances. Applications for such temporary license(s) in connection with a Street Use Permit are subject to which requires approval by the Common Council under Sec. 38.05(9)(e)2. The A Street Use Staff Commission has no authority to permit issued under this ordinance does not authorize the sale of any alcohol beverages or possession of open containers; however the Commission may impose conditions for the a Street Use Permit may include conditions not inconsistent with a concurrent alcohol beverage license and applicable laws. If the Commission approves a Street Use Permit is approved prior to the Common Council's approval under Sec. 38.05(9)(e)2., the Commission permit shall indicate whether its approval is conditioned upon the issuance of an alcohol beverage license, and if so, the Commission's approval street use permit shall be conditional and the Street Use Permit shall only be issued after the Council has approved the alcohol beverage license(s). If approval of the requested alcohol beverage license is not a condition of the Street Use Permit, the Permit may be issued prior to the Council taking action on the alcohol license. Under no circumstances shall alcohol beverages of any kind be sold at a street use permitted event without the necessary alcohol beverage license(s) required by law.

(e) Sound Amplification. The amplification of sound and use of related sound amplification equipment may be approved as part of the Street Use Permit; and if approved, a separate permit under Sec. 24.04(3) shall not be required. Any applicable time limits in Sec. 24.04(3) shall not apply to a Street Use Permit. The Staff Commission shall determine the times and conditions for use of amplified sound using shall meet the standards of issuance herein, except that the use of sound. Sound amplification equipment may only be approved between 8:00 a.m. and 11:00 p.m., unless any notification Requests for sound amplification before 8:00 a.m. or after 11:00 p.m. may be considered and granted by the Staff Commission if the Notification or petition required under Sec. 10.056(5)(g) described the proposed hours for amplification; and if the Staff Commission makes a specific finding the applicant demonstrates that the Standards of Issuance, including sub. (6)(i), will not be violated by the use of amplified sound before 8:00 a.m. or after 11:00 p.m.

(f) Time Limit for Decision. The decision to approve or deny a Street Use Permit shall be made within twenty-one (21) days of the date a complete application properly filed under sub. (5)(a) is received, unless the applicant expressly agrees to a longer period of time, or unless the application is for an event for

which alcohol beverage licensing is also requested. Except for applications filed fewer than fourteen (14) days prior to the event under Sec. 10.056(4)(b)3., the decision to approve or deny shall be made no fewer than five (5) calendar days before the beginning of the proposed event, to allow a timely appeal as provided elsewhere in this section. An applicant may choose to voluntarily waive this 5-day decision deadline.

(g) Notification Requirements.

The notices required by this paragraph shall be in addition to any petition which may be required under Sec. 10.056(4)(c), and any street vendor or other notifications required elsewhere in these Ordinances.

1. Notification by the Applicant.

a. Residential Neighborhood Events of Two (2) Blocks or Less. The applicant shall deliver written notices announcing an event for which a permit has been granted, to each occupant on the streets to be closed at least seven (7) days prior to the event, unless a petition is required. The applicant shall provide the Parks Division a sample of any written notice required under this paragraph. If a petition is required under sub. (4)(c), the circulation of the petition shall serve as the only notice required under this paragraph.

b. Large Public Events of Three (3) or More Blocks, 10,000 or More Estimated Attendees, or and Any Event Requiring Bus Detours or Significant Traffic Rerouting. The applicant shall send provide two notices of their event: first, by sending a copy of the application to the alderperson(s) of the alder district(s) where the street closure is requested and to any neighborhood association on file with the Department of Planning and Community and Economic Development, within five (5) days of filing the application. The notification shall include contact information for the applicant. The Parks Division will ensure the alders of the affected district(s) are so notified. The purpose of the notification shall be to exchange information and receive public comment about the details of the event. The applicant shall keep a record of all public comments and provide them at to the Street Use Staff Commission Parks Division meeting when prior to the time when application is reviewed. If a permit is granted, the applicant shall also provide a second notification by sending a written notice announcing the event to each occupant on the street(s) to be closed, prior to the event. The applicant shall also promptly notify any merchants or building occupants identified by the Street Use Staff Commission, upon Parks Division, at their Parks Division request of the Staff Commission. The applicant shall provide the Staff Commission Parks Division a copy of the meeting announcement and other written notice(s) required under this paragraph.

c. 700 and 800 Blocks of State Street. For events on the 700 or 800 blocks taking place during regular business hours, the applicant shall notify all of the business or educational occupants of both the 700 and 800 blocks, and include proof of that notification with their application. A list of occupants can be obtained from the Parks Division.

d. Notice. Notice of an event for which a permit has been granted, when required above, shall be sufficient if provided to the owner or occupant of each building or use with street frontage or driveway access on the street or portion of streets to be closed, unless different means of notification are specified above.

2. Notification by the Street Use Staff Commission Notifying Common Council. The Street Use Staff Commission Parks Division shall regularly report to Common Council members all Street Use Permits granted and denied. The Community Events Coordinator Parks Division shall also notify the Street Vending Coordinator and other pertinent staff of permits that have been granted and denied, as needed.

(h) Animals Prohibited. Under Sec. 23.315, MGO, animals are prohibited in all areas within the perimeter of a street use event when there are a total of ten (10) or more food vendors participating in the event. For purposes of this paragraph and Sec. 23.315, a "food vendor" is any vendor selling food or beverage and required to hold a temporary or permanent food and drink license from the City under Chapter 7, MGO. A food vendor is "participating" in the event if the vendor is either included in event sponsor's special event umbrella vending license, or holds a city street vending license and is allowed to remain within the perimeter of the event. If animals are prohibited under this paragraph, the event sponsor shall provide notice to the public at the entrance to the event that animals are prohibited at the event under Sec. 23.315.

(i) Additional Standards for the Downtown Zone. Beginning with the effective date of ORD-19-00020, applications for a permit for an event that will occur, start, end or pass through the Downtown Zone shall be subject to the following additional standards of issuance which are hereby established to take into account the special impacts on traffic patterns, Metro Transit service, and residential, business and government occupants within this zone:

1. Definitions.

Arterial. A street with a functional classification of "arterial" as classified by the Director of Traffic

Engineering on a map created for that purpose.

City-Sponsored Event. An event where the City of Madison or a department or agency thereof is the applicant, or an event for which the City has a contractual relationship that directly supports the event in question.

Closure. A full closure of the street where all lanes of traffic are closed. This does not include a parking lane closure or single lane closure where motor vehicle traffic is still permitted to move in both directions. "Closure" also includes a cross street being closed to traffic (example: application for State Street that would require closing Gorham Street to motor vehicle traffic where it intersects State Street without allowing such traffic to cross would qualify as a request for a full closure of Gorham Street.) Any request to use the roadway of State Street is considered a full closure because State Street does not have the option for a partial lane closure. However, an event where participants stay on sidewalks and obey all traffic signals at cross streets is not considered a "closure."

Collector. A street with a functional classification of "collector" as classified by the Director of Traffic Engineering on a map created for that purpose.

Downtown Zone. See Sec. 10.056(2)(f).

Legacy Event. Any event that has held a permit in the Downtown Zone on the same date and substantially the same location for at least ten (10) continual years counting backwards from 2018, excluding location changes caused by construction.

Premier Event. An event that meets the base minimum criteria to qualify as a premier event under the process established in Sec. 10.056(5)(j)2.

Traveling Route. A run, race, walk, march, parade, procession or other event where people travel from one location to another or travel along a route that returns to the starting point.

2. A full closure of all lanes of traffic on a street with a functional classification of "arterial" or "collector", as classified by the Director of Traffic Engineering on a map created for that purpose, shall only be approved in the Downtown Zone with the following conditions:

- a. Weekdays. No closure of arterial or collector street Monday through Friday.
- b. Weekends. Arterial or collector streets may only be closed on a weekend as follows:
 - i. Start Time.

Saturday - traveling route must start by 8:00 a.m.

Sunday - traveling route must start by 9:00 a.m. or after 3:00 p.m., with no street closure of any street in the Downtown Zone before 3:00 pm., including for set-up.

ii. Exceptions to Saturday/Sunday Start Times.

A. Events that obey traffic signals and have the capacity to control participants to safely allow motor vehicle traffic to cross on arterials/collectors, and

B. City-sponsored events, defined as an event where the City of Madison or a department or agency thereof is the applicant, or an event for which the City has a contractual relationship that directly supports the event in question.

3. No permit shall be issued for a closure of any part of the 200 thru 600 or 300 blocks of State Street (West Dayton Street to North Lake Street) at any time on the days of Monday through Friday. However, an event that stays on sidewalks and whose participants obey all traffic signals is not considered a "closure" and not subject to this subsection.

4. Any permit to close any part of State Street shall not include the closing of the cross streets of Gorham Street, Johnson Street and Dayton-Fairchild Streets unless:

- a. The closure complies with all provisions of this subsection for the Downtown Zone including those for collectors and arterials in sub. 2. above.
- b. The event organizer agrees to a traffic management plan that meets the requirements of Sec.

10.056(6)(o)3.b., MGO.

5. Beginning in 2019, for new events that have never been issued a Street Use Permit, no permit shall be issued for a closure for an event that includes a race or run with a traveling route that ends at the Capitol Square or crosses any arterial street within the Downtown Zone during the second half of the route, regardless of the start time.

(j) Exceptions to the Standards for the Downtown Zone.

1. Legacy Events.

a. Process. The standards for the Downtown Zone in Sec. 10.056(5)(i) shall not apply to an event that meets the following criteria:

- i. Event is considered a Legacy Event, which is any event that has held a permit in the Downtown Zone on the same date and substantially the same location for at least ten (10) continual years counting backwards from 2018, excluding location changes caused by construction.

ii. Event organizer has worked with the Street Use Staff Commission to reach agreeable conditions for its was issued a Street Use Permit for 2019 (or future year under sub. b.iii.) that complies with the other standards of issuance in sub. (6) and takes into account the stated purpose of the additional standards for the Downtown Zone in sub. (5)(i), and has been issued a permit that includes such conditions.

b. Legacy Exempt Status. An event meeting the criteria of Sec. 10.056(5)(j)1. will be granted Legacy Exempt Status which means:

i. The standards for the Downtown Zone shall not apply to the event, so long as the event has not done anything to lose its Legacy Exempt Status, as set forth in sub.1.e.

ii. The event will be given priority over any other application for its traditionally-requested date for future years, subject to the limits described in sub. 1.f., or other circumstances beyond the control of the City of Madison, and provided it does not lose Legacy Exempt Status as set forth in sub.1.e.

iii. If this ordinance is amended to change or create additional rules for the Downtown Zone beyond those adopted by ORD-19-00020, an event with Legacy Exempt Status may apply for an exception to such new rule(s) using the process in sub. a.ii.

c. Date Priority for Legacy Events That Do Not Violate the Downtown Zone. A Legacy Event that complies with the standards for the Downtown Zone will also be given priority over any other application for its traditionally-requested date for future years, ("Legacy date priority") subject to the limits described in sub. 1.f., or other circumstances beyond the control of the City of Madison, and provided it does not lose Legacy status as set forth in sub. 1.e.

d. Event Date Defined. As used herein, "date" refers, in most cases, to the annual day of the week and/or weekend during which the event has traditionally taken place (e.g. third Saturday in July or third weekend of July). For an event traditionally held on the same calendar date each year (e.g. January 1) "date" refers to the exact date. Moving an event to a different week or weekend or changing the day of the week (Sunday instead of Saturday) may be considered a significant change in date for purposes of losing Legacy status under sub. 1.e., except for the University of Wisconsin-Madison Homecoming parade which is traditionally held on a Friday night in the fall that fluctuates as a result of the university's calendar and the Big Ten Conference football schedule.

e. Loss of Legacy Status. An event will lose Legacy date priority or Legacy Exempt Status under this section and no longer be considered a Legacy Event if any one of the following occur:

i. There is a significant change to any one of the following: date, start time, duration, location, approved route, or other substantial change in the logistics or set-up of the event from that approved for 2019 (or future year if applicable under sub. 1.b.iii.), except that a request to change route or location caused by sub. f. or construction will not cause loss of Legacy status.

ii. The type or nature of the event substantially changes.

iii. There is either a documented violation of a condition of the approved permit or the Standards of Issuance, or a citation or other enforcement action is commenced for another violation of Sec. 10.056, MGO.

f. Limits of Legacy Status, Retention of Rights. Date priority for a Legacy event under sub. 1.c. and Legacy Exempt Status under sub.1.b. will be honored by the City of Madison to the extent it does not conflict with City-owned or City-approved construction projects, public utilities, governmental transportation projects, public transit initiatives including but not limited to Bus Rapid Transit (BRT) routes, or other City rights and obligations with respect to the rights-of-way. Legacy Exempt Status, or the issuance of any Street Use Permit under this ordinance, does not guarantee any permit holder any rights beyond those granted by the permit in question and shall not interfere with the City's rights and obligation to control the use of the highways and rights-of-way under its control.

A change in route or location of any Legacy event, if the change is required by this paragraph f., shall not cause the event to lose its Legacy status so long as all other criteria for such status remains in effect.

2. Premier Event.

a. Purpose and Findings. The City finds that under certain circumstances, an extraordinary event of a caliber that brings significant tourism value to the City will qualify for exceptions to the standards for the Downtown Zone, if the event requires a street closure in the Downtown Zone. Such a premier event will bring significant, positive national or international recognition to the City and an economic benefit to the area that outweighs the negative impacts on the Downtown Zone under certain circumstances. Therefore, the standards for the Downtown Zone in Sec. 10.056(5)(i) shall not apply to an event that has been granted premier status using the following procedure.

b. Staff Internal Review and Criteria. An event sponsor may initiate the process for seeking premier event status by contacting the Mayor's office, who shall refer the event to the Parks Division Events Coordinator for a staff review to determine, first, if the requested street use requires an exception from the

standards for the Downtown Zone, and second, if the overall event will meet certain base minimum criteria to qualify as a premier event. Such criteria shall be developed by the Parks Division and pertinent staff with input from the tourism promotion organization that holds a contract with the City for destination marketing, and made available to the public. Such criteria shall include: minimum hotel room nights; minimum direct spending dollars and/or minimum economic impact dollars as measured by a recognized event impact calculator that measures the economic value of an event; minimum estimated total attendance; and other criteria as appropriate, to determine if the event meets the purposes stated above. The staff review shall also include notification to the alder of the affected district(s) and an estimate of City costs for the street use portion of the event. If staff finds the minimum base criteria can be met, staff shall inform the event sponsor and report the same to the Street Use Staff Commission at the time staff responsible for reviewing the application when the event applies for a Street Use Permit.

c. Application to Commission. Event sponsor may apply for a Street Use Permit under the regular procedures and standards of this ordinance, except that in addition to the standards of issuance in sub. (6), event sponsor must conclusively demonstrate to the Commission that the minimum base criteria in sub. b. above can be met. The Commission shall review the application shall be reviewed as required by this ordinance, except that the Commission may approve a permit that includes may include exceptions to the standards for the Downtown Zone in sub. (5)(i).

3. City-Sponsored Events. The standards for the Downtown Zone in Sec.10.056(5)(i) shall not apply to a City-Sponsored Event.

(6) Standards for Issuance. The following standards established within this subsection, in addition to any other mandatory requirements within Sec. 10.056 or elsewhere in these Ordinances, and as amended from time to time, shall govern the issuance of street use permits. In the case of a street use permit requested solely to facilitate access to an event occurring off the street, the "event" for purposes of these standards shall be those activities reasonably expected to take place within the street(s) to be closed. A Street Use Permit shall be issued to an applicant unless:

(a) The time and size of the event would substantially interrupt the safe and orderly movement of pedestrian and vehicular traffic in the vicinity of the event's location. If the requested location is in the Downtown Zone, the standards set forth in sub. (5)(i) shall also apply; or

(b) The concentration of persons at the event, the proposed event location, or other physical characteristics of the event would unduly interfere with the City's ability to provide proper fire and police protection of, or other emergency service to or through the event, to areas adjacent to the event's location, or to other parts of the City; or

(c) The estimated number of participants or the size or type of event equipment is not sufficient to close a street and there is an alternative channel of communication available; or

(d) The Event for Which the Application is Submitted Conflicts with Other Events or Activities, as Follows event conflicts with other events or activities, as follows:

1. Same Place/Time. Another event at substantially the same time and location has already been issued a Street Use Permit or parade permit; or

2. Same Day/Weekend. Another event on the same date or same weekend has already been issued a street use, parade, or Parks special event permit and, due to the size, location, route, duration, or safety concerns that can be objectively articulated by the Police or Fire Department associated with any of the proposed events, the combination of events would significantly impair traffic flow, Metro Transit service, or the provision of police, fire, or other emergency services; or

3. Other Events/Activities. One or more events or activities are known to be occurring on the same date or same weekend, whether or not such activities require a City permit, and, due to the size, location, route, duration, or safety concerns that can be objectively articulated by the Police or Fire Department, for any of the events or activities, the combination of activities would significantly impair traffic flow, Metro Transit service, or the provision of police, fire, or other emergency services.

(e) The size or time of the event would require so great a diversion of City police, fire and other emergency staff as to prevent normal protection of the City or to prevent adequate protection at another previously scheduled event whether or not that event has been issued a street use permit or other permit from the City; or

(f) The event is reasonably likely to cause injury to persons or property and there is inadequate planning for crowd control of participants; or

(g) Adequate sanitation, clean up, or other necessary Health health facilities will not be available at the event; or

(h) There is an insufficient number of parking places within a reasonable distance or inadequate alternative parking or transportation options to accommodate the number of vehicles expected; or

- (i) The time, size or nature of the event is incompatible with the normal activity at that location so as to impermissibly intrude on the comfort and convenience of residents or non-residential occupants or uses in the vicinity of the event; or
- (j) The proposed use or event will have a significantly adverse environmental impact; or
- (k) (Repealed by ORD-05-00051, Eff. 03-19-05)
- (l) The applicant has provided fraudulent information on the application; or
- (m) The applicant has an outstanding balance owed to the City of Madison for unpaid fees for actual costs of equipment or services related to a previous Street Use Permit, Parade Permit under Sec. 12.87, a Parks special event permit or other permit or procedure of the Parks Division requiring payment or reimbursement for fees; or
- (n) The applicant has failed to satisfy the following permit requirements established elsewhere in this ordinance:
 - 1. Filing of any petition required under sub. (4)(c).
 - 2. Posting of any cash bond or surety required under sub. (7).
 - 3. A valid indemnification agreement required under sub. (8).
 - 4. Proof of insurance, timely submitted and approved by the Risk Manager, as may be required under sub. (8).
 - 5. A valid agreement to pay actual costs of equipment and services as required under sub. (7).
 - 6. Submittal of an "Addendum to Street Use Permit," and Attachment, if required under sub. (4)(a)11.
 - 7. Submittal and approval of a Recycling Plan, if required under sub. (4)(a)12.
- (o) The proposed street use does not comply with the following minimum safety restrictions:
 - 1. At least one (1) emergency vehicle access lane a minimum of twenty (20') wide, free of obstacles, shall be maintained at all times.
 - 2. At least one (1) walkway for pedestrian access at least eight (8) feet wide shall be maintained at all times.
 - 3. Any permit to close any portion of State Street shall not include the closing of the cross streets of Gorham Street, Johnson Street and Dayton-Fairchild Streets unless:
 - a. The closure can be approved under the standards for the Downtown Zone under sub. (5)(i), and
 - b. A traffic management plan that includes all requirements established for this event by City staff for traffic control, traffic detours, barricades, signage, and parking, is approved by the Staff Commission, event organizer agrees to cooperate with all aspects of the plan, and the plan is included as a condition of approval of the permit.
 - 4. A complete closure of all lanes of vehicle traffic on any portion of John Nolen Drive shall not be approved, with the exception of a closure for a City-sponsored event.
- (p) Alcohol beverage licensing has been requested for the event as required by sub. (5)(d), the Commission has made approval of the necessary alcohol beverage licensing is a condition of approval for the Street Use Permit, and the Common Council has not approved the necessary alcohol beverage licensing.
- (q) Any activity to take place within the permitted area is contrary to federal, state or local law, or any vehicle, equipment or other materials to be used within the permitted area will not meet all applicable laws. This provision does not apply to a law that, by its express language, may be suspended or rendered non-applicable by the issuance of a Street Use Permit.
 - 1. Events taking place on both City and State Capitol jurisdiction and the event organizer has not or will not obtain the applicable state permit(s) required by State law or regulation.
- (r) Student Move-In Dates. The proposed street use includes a run, walk, parade or similar traveling route that closes any lane of traffic in the Downtown Zone on any date from August 13 through the Sunday of the third full weekend of August, or any of the move-in dates for residence halls and apartments operated by the University of Wisconsin-Madison's University Housing department, as those dates are established by the University. Notwithstanding the foregoing, the Commission may exercise flexibility and approve a traveling route with a traffic lane closure in the Downtown Zone on one of the dates listed above may be approved if, for a certain year, due to the sequence of move-in dates and proximity in time or location to other events around that time, the Commission finds reviewing staff make a finding that the other standards of issuance can be met while approving the event on that date. Such approval shall apply only for the year in question and shall not entitle the event sponsor to future approval on the same or similar date in the future.
- (7) Fees.
 - (a) Application Fee. The application fee for a one-day event reviewable under Sec. 10.056(5)(b)5. (i.e. block party) is fifty dollars (\$50), the application fee for all other one-day events is one hundred dollars

(\$100). If the application is for an event that requires street closure for two (2) or more consecutive days, the fee shall be two hundred dollars (\$200). If the application is for a Serial Event under Sec. 10.056(5)(b)4.a. or a BID event under Sec. 10.056(4)(a)4.b., the application fee shall be three hundred dollars (\$300). An additional twenty-five dollars (\$25) for each block or portion thereof in which any special vending approval under Sec. 9.13(6)(k)1. is requested shall be added to the application fee. All application fees shall be submitted with the application and are non-refundable. The application fee includes the administrative costs of processing the application. For events in the 700-800 blocks of State Street and residential neighborhood events of not more than two (2) blocks, the fee shall also include minimal use of City equipment and services. However, additional fees for actual costs of services and equipment provided may be incurred for any event, under Par. (c) below. All applications under this paragraph except for events reviewed under Sec. 10.056(5)(b)5. are subject to a two hundred and fifty dollar (\$250) additional late fee if the application is submitted after the deadlines in Sec. 10.056(4)(b).

(b) Cash or Bond Deposit for Certain Events. Prior to issuing a Street Use Permit for any portion of the Capitol Square or closure of more than three (3) blocks city-wide, the applicant shall post a minimum of three thousand dollars (\$3,000) cash, certified check, or a surety bond in a form approved by the Risk Manager or the City Attorney to guarantee payment of the actual cost of City equipment and the City services provided. The cash or bond shall be delivered to the Parks Division.

(c) Fees for Equipment Rental and Additional Services. Event sponsors may rent equipment or arrange for services from the City as available. Additionally, if the street use results in more than the minimal use of any City equipment or any City services, whether or not such use was requested or expected, the event sponsor shall pay the actual costs for use of that equipment and services in accordance with a schedule determined by each department/division that bills for services and/or provides equipment for an event. The applicant shall agree to pay, within 20 days of billing, any additional actual costs, such as additional barricades or trash barrels, incurred by the City by the occasion of the event and its participants for City services and use of City-owned equipment.

(8) Insurance and Indemnification.

(a) All applicants for a street use permit shall agree, as a condition of the permit, to indemnify, defend, and hold the City and its officers, officials, employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the City on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted.

(b) The requirement of insurance and applicable minimum limits shall be determined by the City Risk Manager according to objective standards including but not limited to the size and nature of the event, the number of expected participants, and the potential for physical injury or property damage caused by participants.

(c) If insurance has been determined to be required for an event under sub. (b) above, the applicant shall furnish a Certificate of Insurance providing evidence of Commercial General Liability coverage with minimum limits of one million dollars (\$1,000,000) per occurrence or a higher limit if determined by the City Risk Manager to be necessary on a case by case basis. Such Commercial General Liability coverage shall include coverage for contractual liability and list the City of Madison, its officers, officials, employees and agents as additional insureds. The certificate of insurance shall provide a thirty (30) days' written notice to the City upon cancellation, nonrenewal, or material change in the policy. If insurance is determined to be required for an event, the applicant shall provide the Certificate of Insurance described above no less than five (5) days prior to the event.

(9) Appeal Procedure. Any applicant may appeal the denial of a Street Use Permit to the Administrative Review Board. Appeal procedures shall be as provided in Section 9.49, Madison General Ordinances, Review of Administrative Determinations, except that all timelines in Section 9.49(6)(a) and (b), other than the thirty (30) day deadline for the person aggrieved to file a Notice of Appeal, shall be shortened as necessary to provide a meaningful appeal whenever possible prior to the first requested date of the proposed street closure.

(10) Severability. Each provision or requirement of any portion of this subsection shall be considered separable, and the invalidity of any portion of this subsection by a court of competent jurisdiction shall not affect the validity or enforceability of any other portion.

(11) Termination of a Street Use Permit.

(a) In Advance of an Event. A Street Use Permit for an event that has not yet commenced may be terminated by the Chief of Police or the Fire Chief or their respective designees, upon consultation with the Superintendent of Parks, if termination is a reasonable and necessary response in the face of imminent danger or threat to public safety.

(b) During an Event. A Street Use Permit for an event in progress may be terminated by the Chief of

Police or the Fire Chief, or their designees, if termination is a reasonable and necessary response in the face of imminent danger or threat to public safety. Additionally, the Chief of Police or designee may terminate a Street Use Permit for an event in progress if the safety of the public is imminently endangered by activities generated during the event, if the participants engage in violent or destructive behavior causing injury to persons or damage to property, or if there is a violation of any condition of the permit such that the standards of issuance are no longer met. A Street Use Permit for an event in progress may be terminated by the Superintendent of Parks, or designee, if there is a violation of any condition of the permit such that the standards of issuance are no longer met, or if the applicant, sponsor, or other person affiliated with the event has violated Sec. 9.13 (Street Vending), the regulations adopted thereto, or any resolution adopted pursuant to Sec. 9.13(6)(k) (Vending and Exclusive Vending Rights During Special Events) within the perimeter of the event.

(12) Penalty. Any person who shall do any of the following may be subject to a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each violation:

- (a) Hold, sponsor, initiate, commence, or be in charge of any activity for which a Street Use Permit is required without having been issued a valid Street Use Permit for said activity or after a Street Use Permit has been terminated pursuant to Subsection (11).
- (b) Violate any condition placed upon a Street Use Permit; encourage others to do the same; or, as the applicant or sponsor of an event for which a Street Use Permit has been issued, permit or allow a violation of a condition of the Permit. The applicant or sponsor is considered to have permitted or allowed a violation of a condition if the applicant or sponsor was issued a permit with the conditions listed, or a letter thereto, and a violation of any listed condition occurs during the event.
- (c) Provide false or inaccurate information on a written application for a Street Use Permit.
- (d) Participate in an activity for which a street use permit is required without a valid street use permit having been granted or after a permit has been terminated pursuant to Subsection (11), above.
- (e) Violate any other subsection of this ordinance.

2. Subparagraph d. entitled "700-800 Blocks of State Street - Suspension of Rules" of Paragraph 1. entitled "Special Event Vending Approvals" of Subdivision (k) entitled "Vending During Street Use Events" of Subsection (1) of Section 9.136 entitled "Street Vending on the State Street Mall/Capitol Concourse" of the Madison General Ordinances is repealed.

3. Subparagraph c. of Paragraph 2. entitled "Special Approvals Process" of Subdivision (k) entitled "Vending During Street Use Events" of Subsection (1) entitled "700-800 Blocks of State Street - Suspension of Rules" of Section 9.136 entitled "Street Vending on the State Street Mall/Capitol Concourse" of the Madison General Ordinances is amended as follows:

"c. The Common Council shall consider the requested approvals not less than fourteen (14) days prior to the event start date. If license invalidation is requested under Sec. 9.136(1)(k)1.a., the applicant shall provide at least one (1) week



City of Madison

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

Master

File Number: 86175

File ID: 86175

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Meet & Confer 2024

Final Action:

Title: Amending Sections 3.54 (19) and 3.54 (20) of the Madison General Ordinances to reflect the 2024 Meet and Confer changes for General Municipal Employees.

Notes: 6919MeetConfer2024

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author: Patricia Lauten

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	11/19/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Committee on Employee Relations (12/3/24), Common Council (12/10/24)						

Text of Legislative File 86175

Fiscal Note

These ordinance changes reflect the agreements reached between the City and its employee associations during the yearly meet and confer process. Below is a list of those changes that have a fiscal effect.

- Standby Pay Increase: Increased to \$2.00/hour; Anticipated total cost of \$49,615 in 2025
- Out of Class Pay Increase: Increased to \$0.75/hour; Anticipated total cost of \$16,023 in 2025

Title

Amending Sections 3.54 (19) and 3.54 (20) of the Madison General Ordinances to reflect the 2024 Meet and Confer changes for General Municipal Employees.

Body

DRAFTER'S ANALYSIS: This Ordinance reflects the 2024 Meet and Confer changes for General Municipal Employees. The companion Resolution is 86160.

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

1. Subsection (20) entitled "Standby Pay" of Section 3.54 entitled "Compensation Plan" of the Madison General Ordinances is amended as follows:

"(20) Standby Pay. ~~Any~~ Beginning January 1, 2025, any permanent employee assigned to be on standby duty for technical, maintenance, or repair work during hours outside the employee's general work schedule shall be compensated at the rate of ~~one dollar and fifty-two cents (\$1.52) per hour for such assignment. Beginning on January 1, 2024, this amount will increase by twelve cents (\$.12) each calendar year until reaching a maximum of two dollars per hour (\$2.00) per hour for such assignment.~~ An employee who is on standby duty shall be immediately accessible by telephone and/or by portable radio and/or by pager as determined by the employer. An employee who cannot be immediately contacted while on standby duty or who does not report to the work site within a reasonable period after time of having received notice shall not be eligible for standby pay for that day. Standby duty shall not be counted as hours worked. Employees called in for overtime work from standby duty shall be compensated for such time worked pursuant to applicable contract provisions and ordinances and for such period of time worked shall not receive standby pay. This subsection shall not apply to employees in Compensation Group 21 or to employees in Compensation Groups 18 and 44, Range 14 and above."

2. Subsection (19) entitled "Out-of-Class Pay" of Section 3.54 entitled "Compensation Plan" of the Madison General Ordinances is amended as follows:

"(19) Out-of-Class Pay. Employees eligible to receive overtime, who by assignment perform work in a position of a classification that falls in a pay range which is higher than the pay range of the employee's classification, shall receive an additional compensation of ~~fifty cents (\$.50)~~ seventy-five cents (\$.75) per range per hour of work. This subsection shall not apply to employees in Compensation Groups 21, 23, 18, or 44."



City of Madison

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

Master

File Number: 81155

File ID: 81155

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/15/2024

File Name:

Final Action:

Title: Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$20,232,335 grant from the U.S. Environmental Protection Agency (U.S. EPA) if awarded; authorizing the Mayor and City Clerk to execute the associated grant agreement with the U.S. EPA if awarded; authorizing the Mayor and City Clerk to contract with sub-recipients Sustain Dane, Project Home, Urban Triage, and Operation Fresh Start if awarded, to implement the Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air Quality, and Green Jobs in Madison, Wisconsin project.

Notes:

Sponsors: Satya V. Rhodes-Conway, John P. Guequierre, MGR
Govindarajan And Nikki Conklin

Effective Date:

Attachments:

Enactment Number:

Author: Jessica Price

Hearing Date:

Entered by: jprice2@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	11/15/2024	Referred for Introduction				
Action Text:		This Resolution was Referred for Introduction					
Notes:		Finance Committee (12/2/24), Common Council (12/10/24)					

Text of Legislative File 81155

Fiscal Note

The proposed resolution amends the Sustainability Improvements Program capital budget to reflect the acceptance of a \$20,232,335 grant, if awarded, from the U.S. Environmental Protection Agency (U.S. EPA) and authorizes the associated grant agreement with the U.S. EPA. If the grant is awarded, the resolution also authorizes non-competitively selected contracts with Sustain Dane (\$10,564,940), Project Home (\$3,565,135), Urban Triage (\$1,163,842), and Operation Fresh Start (\$2,356,814) as sub-recipients to implement the Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air Quality, and Green

Jobs in Madison, Wisconsin project. The remaining funding will cover staff time and contracts with local organizations for community engagement which will be determined through an RFP process at a later date. There is no city match requirement with the grant and no impact on the levy.

Title

Amending the 2024 Adopted Mayor's Office Sustainability Improvements Project Capital Budget to accept a \$20,232,335 grant from the U.S. Environmental Protection Agency (U.S. EPA) if awarded; authorizing the Mayor and City Clerk to execute the associated grant agreement with the U.S. EPA if awarded; authorizing the Mayor and City Clerk to contract with sub-recipients Sustain Dane, Project Home, Urban Triage, and Operation Fresh Start if awarded, to implement the Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air Quality, and Green Jobs in Madison, Wisconsin project.

Body

WHEREAS, in March of 2017, the Common Council adopted RES-17-00213 which called on the City to establish a goal for City of Madison operations and community to reach a goal of 100% renewable energy and net-zero greenhouse gas emissions; and,

WHEREAS, in March 2019, the Common Council of the City of Madison adopted RES-19-00267 the 100% Renewable Madison Report and set the goal of reaching 100% renewable energy and net zero carbon emissions for City operations by 2030 and community-wide by 2050; and,

WHEREAS, residential buildings are the source of nearly one fifth of community-wide greenhouse gas emissions in Madison in 2022; and,

WHEREAS, improving energy efficiency of residential buildings is a key strategy for cutting greenhouse gas emissions while reducing energy burden and improving affordability for Madison households; and,

WHEREAS, the City of Madison and local community-based organizations have a strong foundation of collaboration to advance energy-efficient, healthy, and resilient affordable housing through programs such as the Efficiency Navigator and Home Rehabilitation Programs; and,

WHEREAS, the City of Madison and local partners also have a demonstrated track record of providing early-career training to grow the local workforce with the skills and experience necessary to improve energy efficiency and decarbonizes buildings; and,

WHEREAS, the U.S. Environmental Protection Agency's Environmental and Climate Justice Community Change Grants program (Community Change Grants) aims to fund community-driven projects that address climate challenges and reduce pollution while benefiting disadvantaged communities; and,

WHEREAS, in April 2024, the Common Council adopted RES-24-00277 to support an application to the Community Change Grant program and enter into a statutory partnership agreement with Urban Triage in order to be eligible to apply to the program; and,

WHEREAS, in May 2024, the City submitted an application to the Community Change Grant program titled, "Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air

Quality, and Green Jobs in Madison, Wisconsin" (Climate Resilience Starts at Home); and,

WHEREAS, the Climate Resilience Starts at Home project will, if funded, provide energy-efficiency and healthy home upgrades to both single- and multi-family housing serving low-income residents, provide green workforce training, and create a robust network of ambassadors to facilitate community members' participation in this and other energy efficiency programs; and,

WHEREAS, this proposed project will use Community Change Grant funding to: 1) provide retrofits to improve energy efficiency and indoor air quality in single and multifamily affordable housing, 2) support green workforce training, and 3) create a robust network of ambassadors to facilitate community members' participation in this and other energy efficiency programs; and,

WHEREAS, project partners Sustain Dane, Project Home, Urban Triage, and Operation Fresh Start collaborated to develop the grant proposal and are committed to their roles and actions as described in the grant proposal; and,

WHEREAS, the City of Madison has successfully worked with all project partners in various capacities in the past; and,

WHEREAS, under MGO 4.26(4) a contract for purchase of services of more than \$50,000 that was not competitively selected must be approved by the Common Council, and these contracts meet the exception in MGO 4.26(4)(a) 2 for a particular service is available from only one firm, because these contractors are identified by name in the approved grant application to the funding agency, so in order for the City to comply with the terms of the grant, only those firms can do this work; and,

NOW, THEREFORE, BE IT RESOLVED, that, if awarded, the Common Council hereby authorizes the Mayor and City Clerk to execute an agreement and related paperwork with U.S. EPA and formally accept the \$20,232,335 award described above.

BE IT FURTHER RESOLVED, that, if awarded, Mayor's Office Sustainability Improvements Project 2024 Adopted Capital Budget is amended to appropriate \$20,232,335 for implementation of the Climate Resilience Starts at Home: Growing Energy Efficiency, Indoor Air Quality, and Green Jobs in Madison, Wisconsin project.

BE IT FURTHER RESOLVED, that, if awarded, the Common Council authorizes the Mayor and City Clerk to enter into a non-competitive contract with Sustain Dane, Inc. for the amount of \$10,564,940 for the duration of the project period to provide services for the Climate Resilience Starts at Home project and funded by the U.S. EPA Community Change Grant award.

BE IT FURTHER RESOLVED, that, if awarded, the Common Council authorizes the Mayor and City Clerk to enter into a non-competitive contract with Project Home, Inc. for the amount of \$3,565,135 for the duration of the project period to provide services for the Climate Resilience Starts at Home project and funded by the U.S. EPA Community Change Grant award.

BE IT FURTHER RESOLVED, that, if awarded, the Common Council authorizes the Mayor and City Clerk to enter into a non-competitive contract with Urban Triage, Inc. for the amount of \$1,163,842 for the duration of the project period to provide services for the Climate Resilience Starts at Home project and funded by the U.S. EPA Community Change Grant award.

BE IT FINALLY RESOLVED, that, if awarded, the Common Council authorizes the Mayor and City Clerk to enter into a non-competitive contract with Operation Fresh Start, Inc. for the amount of \$2,356,814 for the duration of the project period to provide services for the Climate Resilience Starts at Home project and funded by the U.S. EPA Community Change Grant award.



City of Madison

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

Master

File Number: 85499

File ID: 85499

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 10/02/2024

File Name: To approve the 2025 Urban Forestry Special Charge.

Final Action:

Title: Approving the 2025 Urban Forestry Special Charge

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: Attachment A - 2025 Urban Forestry Special Charge
Rates.pdf, MadCAP Memo for UFSC.pdf, Public
Notice Urban Forestry Special Charge 2025.docx,
Legal Notice Proof 2025.pdf

Enactment Number:

Author:

Hearing Date:

Entered by:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Streets Division	10/02/2024	Referred for Introduction				
Action Text:		This Resolution was Referred for Introduction					
Notes:		Finance Committee (12/2/24), Common Council (12/10/24)					

Text of Legislative File 85499

Fiscal Note

The City of Madison's 2025 Executive Operating Budget anticipates \$7,526,956 in revenue from the Urban Forestry Special Charge, an increase of \$452,526 (6.4%) over the 2024 budgeted revenue of \$7,074,431. The proposed resolution sets the charge per dwelling unit at \$7.58 per month in 2025 (\$7.12 in 2024). The 2025 rate recovers the City's costs associated with its urban forestry services. These expenditures are budgeted in the 2025 Streets Division operating budget. Activities supported by these services include stump removal, tree removal and replacement, and general maintenance of the City's urban forest. Additionally, the 2025 Operating Budget includes \$21,083 in General Fund support to cover the Urban Forestry portion of the Mad-CAP program rebate.

Title

Approving the 2025 Urban Forestry Special Charge

Body

Preamble

In 2014, Section 4.095 of the Madison General Ordinance was created to establish an Urban Forestry Special Charge. The ordinance created the urban forestry special charge in the City based upon the authority granted the City by Wis. Stat 66.0627, pursuant to Sec. 4.09(13) MGO. The costs of the program that will be recovered include all urban forestry costs incurred by the City to the City to maintain, protect and grow the City's urban forest. The charge will only recover for services actually performed by the City, and the amount imposed may be adjusted throughout the year to account for greater or lesser expenditures. The urban forestry program serves all real property in the City and the charges are apportioned based upon the Urban Forestry Special Charge Policy, as originally approved on July 7, 2015 by RES-15-00597 (Legislative File ID No. 38644), amended on May 17, 2016 by RES-16-00368 (Legislative File ID No. 42706) and amended on May 15, 2018 by RES-18-00396 (Legislative File ID No. 51421).

WHEREAS, on October 21, 2014, the Common Council adopted Ordinance ORD-14-00162, File 35038, creating Section 4.095 of the Madison General Ordinances, which ordinance established an urban forestry special charge in the City of Madison; and,

WHEREAS, the intent of the urban forestry special charge is to recover the costs to the City to maintain and manage the City's urban forest through its urban forestry program, which program provides a service to all real property in the City; and,

WHEREAS, special charge is administered pursuant to the Urban Forestry Special Charge Policy (2018 Update) (Legislative File ID No. 51421); and

WHEREAS, following the Council's directive in RES-21-00692, the Madison Water Utility sought and obtained approval from the Wisconsin Public Service Commission (PSC) to establish the Madison Municipal Services Customer Assistance Program (Mad-CAP), as a two-year pilot program. Under this program, 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, with the Water Utility, Sewer Utility (including Landfill Remediation), Stormwater Utility, and Streets Division (Urban Forestry and Resource Recovery Special Charges) separately funding a portion of the monthly rebate. Additional information and background about Mad-CAP is contained in a staff memo attached hereto; and,

WHEREAS, the 2025 adopted operating budget calls for \$7,526,956 in net revenue to the City from the Urban Forestry Special Charge; and,

WHEREAS, the Urban Forestry Special Charge rates need to be updated to reflect the net revenue target established with the adoption of the 2025 Operating Budget.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 2025 Urban Forestry Special Charge rates provided in Attachment A are hereby adopted in accordance with Section 4.095 of the Madison General Ordinance and the Urban Forestry Special Charge Policy (2018 Update), based upon the net revenue target established by the 2024 adopted operating budget;
2. That the date by which such special charges shall be paid in full is October 31, 2025; and,
3. That these approved Urban Forestry Special Charge rates shall continue until a new schedule is approved by the Common Council.

BE IT FURTHER RESOLVED that the Madison Municipal Services Customer Assistance Program (Mad-CAP) is hereby extended to the Urban Forestry and Resource Recovery Special Charges in the amounts indicated on the rate schedules attached to this resolution, the Council separately funding that portion of the rebate attributable to these services directly from the general fund.

ATTACHMENT A

2025 Urban Forestry Special Charge Rates

The approved Special Charge net revenue target is \$7,526,956 for 2025. Based on this target, the Urban Forestry Special Charge is calculated and set for each individual parcel as outlined in the most recent policy update:

Customer Type	Number of Customers	% of Street Frontage	Category Total Revenue	Monthly Charge per Customer	Annual Charge per Customer
Commercial/Industrial	2895	10.2%	\$770,038	\$22.17	\$265.99
Government	407	3.8%	\$286,406	\$58.64	\$703.70
Multi Family	2901	6.4%	\$478,508	\$13.75	\$164.95
Residential	53299	64.4%	\$4,845,662	\$7.58	\$90.91
Storm Water	3812	15.2%	\$1,146,342	\$25.06	\$300.72
Grand Total	63314	100.0%	\$7,526,956		

**MADISON MUNICIPAL SERVICES CUSTOMER ASSISTANCE PROGRAM
(Mad-CAP)
Urban Forestry and Resource Recovery Special Charges**

Background:

The City's municipal services bill is made up of several service charges attributable to municipal services provided by the City's Water Utility, Sanitary Sewer Utility (including Landfill Remediation¹), Stormwater Utility, and the Streets Division (the Urban Forestry and Resource Recovery Special Charges). The billing and collection for these utilities and services is performed on a monthly basis and is overseen by the Water Utility.

Affordability of the municipal service bill, in particular for low income households, is a growing concern of City policy makers, particularly as rates increase to account for increased costs and revenue needs. The Water Utility's rates are established by the Wisconsin Public Service Commission. The Storm Water and Sanitary Sewer Utility rates are established by the City Engineer, which rates go into effect upon approval by the Board of Public Works and the Common Council, although they are subject to review by the Public Service Commission.² The Urban Forestry and Resource Recovery Special Charges are established by the Common Council pursuant to Ordinance and adopted policy.³

On October 5, 2021, by RES-21-00692 (File No. [67459](#)), the Council authorized the Water Utility to include the creation of a customer assistance program (CAP) within its 2022 rate case, the goal of the proposed program being to provide financial relief to eligible customers through a means tested program in order to fulfill its commitment to make its services accessible and affordable for all customers. The Council found that the implementation of a means tested CAP was both "Prudent and Reasonable" to accomplish the Utility objectives.

Following the directive by the Council, the Water Utility proposed a CAP as part of its 2022 rate case ([3280-WR-116](#)). Attached to this memo as Exhibit 1 is more detail on the Water Utility's proposal.

On October 27, 2022, the Wisconsin Public Service Commission approved the Water Utility's creation and operation of a two-year pilot Customer Assistance Program (CAP) and a corresponding rate tariff. The Commission authorized the Water Utility to fund its share of the customer assistance program from water rate revenue. Under the PSC's final decision (PSC REF#

¹ The Landfill Remediation charge is established under MGO Sec. 35.025 as a sewer utility charge, although revenue from the charge is treated separately from Sewer Utility revenue and the Landfill program has its own budget. For the purposes of this memo, this charge, which has its own line on the municipal service bill, is being treated as part of the Sewer Utility charge, notwithstanding the separate City treatment on its books.

² Under Wis. Stat. § [66.0821\(5\)\(a\)](#), the PSC may review complaints of unreasonable or unjustly discriminatory rates, rules or practices of municipal sewer or stormwater utilities.

³ The Urban Forestry Special Charge was established by the creation of MGO Sec. [4.095](#) in 2014. The charge is determined pursuant to the adopted Urban Forestry Special Charge Policy (2018 update), as established by RES-18-00396 (Legislative File ID No. [51421](#)). The Resource Recovery Special Charge was established by the creation of MGO Sec. [4.097](#) in 2022. The charge is determined pursuant to the adopted Resource Recovery Special Charge Policy, as established by RES-22-00399 (Legislative File ID No. [71186](#)).

[455440](#)), an excerpt of which is attached to this memo as Exhibit 2, the Commission found that it was reasonable for rate revenue to be used to fund the Water Utility's share of this program and that this program was not unjustly discriminatory. In approving the Water Utility's Mad-CAP proposal, the PSC authorized the CAP-1 tariff for the Madison Water Utility, which tariff is attached to this memo as Exhibit 3. The CAP-1 tariff details the eligibility criteria and application process for the program. The new Water Utility rates, and the Mad-CAP program, went into effect on March 1, 2023.

Creation of Mad-CAP, and Expansion to Other Utilities and Services:

Consistent with the above noted directive of the Council, and in response to the PSC's decision in the Madison Water Utility's 2022 rate case and the effective date of those updated rates, the Madison Municipal Services Customer Assistance Program (Mad-CAP) has been created. Under this program, and based upon the PSC approved tariff, 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 municipal services bill, with the Water Utility, Sewer Utility, Stormwater Utility, and Streets Division separately funding a portion of the monthly rebate. The cost of the monthly rebate has been apportioned to each utility and service included on the municipal service bill based upon a three-year average of their revenues. Attached to this memo as Exhibit 4 is the initial apportionment methodology which details how the \$20 and \$30 Mad-CAP rebate will be applied across the municipal service bill.

In approving the pilot program, the PSC found that it was reasonable for the Water Utility to include its costs to fund its portion of this rebate within its revenue requirement. For the same reasons expressed by the PSC, the Council determined that it is reasonable for the Sewer and Stormwater Utilities to fund their portion of this rebate from utility rates by including this charge within their respective revenue requirements.⁴

The portion of the Mad-CAP rebate that is attributable to the Urban Forestry and Resource Recovery Special Charges (the Streets Division portion) will not be recovered from the established rates for those services since they are special charges, and not utility fees. Rather, this portion of the rebate will be funded directly from the general fund through the operating budget.

⁴ See RES-23-00336, Legislative File ID No. [77264](#), in which the Council determined that "the Madison Municipal Services Customer Assistance Program is hereby extended to and incorporated into the utility rates of the Sewer Utility, the Stormwater Utility and Landfill Remediation..., the Council finding that it is reasonable to include the Utilities' respective costs to fund their share of the rebate within their respective revenue requirements".

EXHIBIT 1
Information on Water Utility
Proposal



www.madisonwater.org • 119 East Olin Avenue • Madison, WI 53713-1431 • TEL 608.266.4651 • FAX 608.266.4426

Public Service Commission of Wisconsin
RECEIVED: 03/18/2022 3:42:11 PM

March 18, 2022

RJ Pire, Water Policy Advisor
Public Service Commission of Wisconsin
Division of Water Utility Regulation and Analysis
4822 Madison Yards Way
Madison, WI 53705

Re: Madison Water Utility Response to Data Request-PSC-Pire-1 / 3280-WR-116

Dear Mr. Pire:

This document serves as our response to Data Request-PSC-Pire-1 dated February 28, 2022.

I want to express my sincere appreciation for the insightful questions included in your Data Request. As a matter of fact, those questions helped the Utility to think through the proposed customer assistance program (CAP) in far more detail and tie up some of the loose ends in our original proposal.

Customer Assistance Program:

PSCW-RJP-1: The Utility proposes using a metric of the entire municipal services bill as a percentage of income for eligible households, with two to three percent as a standard for financial burden. Under the Utility's proposed rates, the portion of a customer's bill attributable to the Utility would be an estimated 0.9 - 1.5 percent of income for eligible households. Please provide supporting information that demonstrates the rationale behind the Utility's determination that there is a need for a customer assistance program (CAP) based on the financial burden specifically created by the Utility's portion of the bill.

The two tier metrics mentioned in your question – a) the municipal services bill as a percentage of income for eligible households at two to three percent and b) the water bill portion of the municipal service bill that would be an estimated 0.9 to 1.5 percent of income for eligible households – primarily reflects the City of Madison policy makers' intention to reduce the *entire* municipal services bill to a point where it is a low to moderate burden on low-income households.

Rather than looking at the water portion of the bill in isolation and determining that the water bill (if considered alone) is less than 2.0 percent of the monthly income therefore no CAP is needed, or conversely determining how much the water bill would need to be reduced to bring

the entire municipal services bill down to 2.0 to 3.0 percent of monthly income, the City will ultimately pursue reducing the entire municipal services bill proportionately across all utilities so that no single utility, or set of rate payers, bears the entire cost of said program.

This strategy towards addressing municipal service bill affordability for low income customers involves reducing the water bill for these customers from 0.9 to 1.5 percent with the proposed rates, to 0.7 to 1.0 percent with the proposed rates and CAP (as shown in the response to

PSCW-RJP-4). Support for this proposed CAP is evidenced by the City of Madison Common Council Resolution No: RES-21-00692, File No. 67459, adopted on October 5, 2021, the relevant provisions of which read:

“...WHEREAS, the Utility desires to provide financial relief to its eligible customers by implementing a means tested CAP to fulfill its commitment to make drinking water accessible and affordable for all customers; and...

WHEREAS, the implementation of a means tested CAP would make rates more affordable for all customers from future rate increases needed to adequately fund the Utility’s CIP; and

WHEREAS, such implementation of a means tested CAP 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...

NOW THEREFORE BE IT RESOLVED BY THE WATER UTILITY BOARD OF THE MADISON WATER UTILITY that they hereby find it is in the best interest of and benefit to the Utility and its rate payers, to... implement a means tested Customer Assistance Program”

PSCW-RJP-2: It is Commission staff’s understanding that the proposed CAP would be funded by different municipal service providers, with the amount of assistance provided by each municipal services provider based on the proportionate size of the service provider’s budget. Please confirm this understanding, and if correct, provide information supporting the use of the Utility’s budget size as the appropriate metric to use in setting the amount of assistance provided to water utility customers.

The CAP proposal in the Utility’s water rate increase application would only apply to the Utility’s portion of the assistance that the City of Madison would be looking to provide. The total amount of customer assistance that is being proposed is a \$30 monthly rebate on the total municipal services bill to families earning 30 percent or less of the median family income, and a \$20 monthly rebate on the total municipal services bill to families earning between 30 percent and 50 percent of the median family income. Hence, to the extent that Commission staff understand that the proposed CAP goes beyond the water utility’s portion of the municipal service bill, the Commission staff’s understanding is correct – the proposed CAP would be funded by different municipal service providers.

However, the amount of assistance the customer ultimately receives will be based on the same metric and goal – keeping the entire municipal services bill as a percentage of income for eligible households at two to three percent, described in the answer to the question PSCW-RJP-1 above, while the cost sharing among the municipal service providers to fund the CAP will be based on the proportionate size of the service provider’s budget.

Thus, the Utility’s budget size is not used as the metric in setting the amount of assistance, rather it is used as the basis for cost sharing among the five municipal service providers. Table – 1 and Table – 2 included in response to PSCW-RJP-7 reflects these two aspects.

Other options were considered for determining how the CAP funding should be apportioned between the municipal service bill providers. Using set percentages (i.e., Water 25%, Sewer 25%, Stormwater 25%, Urban Forestry 25%) would not reflect the respective levels of service provided by these services. Basing the apportionment solely on the average percentage of the total bill attributable to each service would likely be an appropriate way to apportion the costs, but that method would be susceptible to yearly fluctuations based upon factors that have little to do with service levels. Instead, it was felt that basing the apportionment of program costs on an average of the annual budget for each municipal service would best capture the respective share each service’s customer should be responsible for and be the most reasonable and just method for all municipal bill recipients.

PSCW-RJP-3: Does the Utility have proposed language for a CAP tariff schedule? If so, please provide it.

Please see pdf named “Proposed CAP Tariff Language”.

PSCW-RJP-4: Ex.-MWU-Kumar-5 shows a CAP with rebate amounts that are higher than the rebates included in the Utility’s proposal. Please provide a similar chart showing the \$8 and \$12 rebates included in the Utility’s proposal.

A similar chart showing the \$8 and \$12 rebates included in the Utility’ proposal is provided in next page.

	Current Rates	No Expense Depreciation	\$5M Expense Depreciation - \$2.6M Cash Adder	\$5M Expense Depreciation - \$7.3M Cash Adder
Monthly Water Bill	\$29.92	\$32.48	\$32.33	\$34.94
Other Utility Bills	\$66.58	\$66.58	\$66.58	\$66.58
Total Utility Bills	\$96.50	\$99.06	\$98.91	\$101.52
Net Water Bill with \$8 Rebate	\$21.92	\$24.48	\$24.33	\$26.94
Net Water Bill with \$12 Rebate	\$17.92	\$20.48	\$20.33	\$22.94
Net Utility Bills with \$20 Rebate	\$76.50	\$79.06	\$78.91	\$81.52
Net Utility Bills with \$30 Rebate	\$66.50	\$69.06	\$68.91	\$71.52
30% AMI (3 person household)				
Monthly Income	\$2,325	\$2,325	\$2,325	\$2,325
Water Bill as % of Income	1.3%	1.4%	1.4%	1.5%
Net Water Bill as % of Income with \$8 Rebate	0.9%	1.1%	1.0%	1.2%
Net Water Bill as % of Income with \$12 Rebate	0.8%	0.9%	0.9%	1.0%
Total Utility Bill as % of Income	4.2%	4.3%	4.3%	4.4%
Net Utility Bill as % of Income with \$20 Rebate	3.3%	3.4%	3.4%	3.5%
Net Utility Bill as % of Income with \$30 Rebate	2.9%	3.0%	3.0%	3.1%
50% AMI (3 person household)				
Monthly Income	\$3,867	\$3,867	\$3,867	\$3,867
Water Bill as % of Income	0.8%	0.8%	0.8%	0.9%
Net Water Bill as % of Income with \$8 Rebate	0.6%	0.6%	0.6%	0.7%
Net Water Bill as % of Income with \$12 Rebate	0.5%	0.5%	0.5%	0.6%
Total Utility Bill as % of Income	2.5%	2.6%	2.6%	2.6%
Net Utility Bill as % of Income with \$20 Rebate	2.0%	2.0%	2.0%	2.1%
Net Utility Bill as % of Income with \$30 Rebate	1.7%	1.8%	1.8%	1.8%
80% AMI (3 person household)				
Monthly Income	\$5,996	\$5,996	\$5,996	\$5,996
Water Bill as % of Income	0.5%	0.5%	0.5%	0.6%
Net Water Bill as % of Income with \$8 Rebate	0.4%	0.4%	0.4%	0.4%
Net Water Bill as % of Income with \$12 Rebate	0.3%	0.3%	0.3%	0.4%
Total Utility Bill as % of Income	1.6%	1.7%	1.6%	1.7%
Net Utility Bill as % of Income with \$20 Rebate	1.3%	1.3%	1.3%	1.4%
Net Utility Bill as % of Income with \$30 Rebate	1.1%	1.2%	1.1%	1.2%

PSCW-RJP-5: Direct-MWU-Kumar describes utility experience with a CAP in Marin County, California. Did the CAP in Marin County require regulatory approval beyond the municipal level? Were there other statutory or regulatory constraints in place that affected development of the Marin County CAP, and if yes, how did the Utility address them?

The Marin Municipal Water District CAP (Marin County CAP) did not require regulatory approval beyond the municipal level. There were other statutory constraints in place that affected the development of the Marin County CAP, namely, Proposition 218, a constitutional initiative approved by the California voters in November 1996 (Prop-218) which prohibits local governments from charging user fees that exceed the cost of providing the service. Since Marin Municipal Water District had other sources of revenue beyond the water rates paid by its customers, Marin County CAP was not subject to the provisions of Prop-218.

Although the Marin County CAP was not required to be approved by the California's Public Utilities Commission (CPUC), it is worth noting that the CPUC requires the largest privately-owned utilities in California to have low-income assistance programs.

PSCW-RJP-6: Has the Utility considered sources other than ratepayer funding to support the CAP? For example, did the Utility consider use of municipal funding?

The Utility has considered sources of funding for the CAP other than ratepayer funding. The CAP could be funded directly by the City of Madison, who could provide assistance to not just the Utility's portion of the municipal service bill but the entire municipal service bill. However, the City is subject to strict levy limits. The City already taxes nearly up to its levy limit and thus has no ability to raise property taxes to fund this program. Hence, to fund the CAP from the levy the City would need to make corresponding cuts to other programs or services.

City policy makers did not support such a funding mechanism at the time this rate case was prepared and filed. Instead, City policy makers have supported having the Utility explore funding the CAP from the rate payers themselves, which would provide a consistent funding source for this program. The Utility and City policy makers did discuss looking for third party funding sources for the CAP. Unfortunately, there is no outside source of funding that the Utility or the City of Madison was aware of that could be used to adequately fund this program.

PSCW-RJP-7: As stated in Mr. Kumar's testimony, the City of Madison has considered funding CAPs for other municipal services. Please explain how this consideration relates to the Utility's current proposal.

Municipal service bill affordability is about more than just the Water Utility's portion of the bill. The City's municipal service bill is made up of charges attributable to the City's water utility, sanitary sewer utility (including landfill remediation), stormwater utility, and urban forestry program. Hence, the proposed CAP for the Utility is part of a larger program envisaged by the City of Madison (City) to provide relief to low income families on their entire municipal services bill, not just the Utility's portion of the bill. The average residential municipal services bill is currently \$1,158 per year or \$96.50 per month, of which the water bill is \$29.92 for an average household using 4,000 gallons per month.

The Utility's CAP proposal, both the rebate amount and the funding mechanism, would only raise sufficient revenue to pay for the Water Utility's share of the CAP. It would not be appropriate, or reasonable, for Water Utility rate payers to subsidize the entire CAP rebate. Nor would the CAP being proposed in this rate case alone be sufficient to actually make low income customer's municipal service bills more affordable.

It will be necessary for the City to follow up PSC approval by expanding the program to the rest of the municipal service bill. Hence, if the CAP is approved by the PSC for the Utility, it is the intent of the City's sanitary and stormwater utilities, the rates of which are subject to the PSC's review, to update their own rate schedules to also fund their portion of the CAP in like manner as the Water Utility.

In addition, the Urban Forestry Special Charge would be looked at, which funding would likely have to come from the City's general fund, with more forestry services being included in the portion of that program being funded by the special charge. Ultimately, the Utility views the CAP proposal in the current rate case as critical in funding a program that will make low income customer's municipal service bills more affordable.

The City's overall strategy on the CAP is shown on the following tables. Table -1 on page 7 details the 5-year cost implications for offering a CAP rebate of \$30 per month for families earning 30 percent or less of the area median family income and \$20 per month for families earning between 30 and 50 percent of the area median family income. The rebates will reduce the municipal services bill to about 3 and 2 percent of the monthly income for the two groups respectively, which is the objective for the City with the proposed CAP.

The projected 5-year costs in Table – 1 are based on the following assumptions:

- a) Application penetration rate of 10, 20, 30, 40, and 50 percent in each of the first five years of implementation of the CAP
- b) Onetime administrative cost of \$5,000 in test year and a recurring administrative cost of \$5,000 annually in each of the first five years.

Table -1 City of Madison CAP (Mad-CAP) / Projected 5-Year Costs (Amount in \$)					
≤ 30% AMI	Test Year	Year 2	Year 3	Year 4	Year 5
Number of Households – Owner Occupied*	2,530	2,530	2,530	2,530	2,530
Number of Households – Renter Occupied with Water bills in their name (see Table 3)	1,562	1,562	1,562	1,562	1,562
Total Eligible Households	4,092	4,092	4,092	4,092	4,092
Estimated Percent Participating	10	20	30	40	50
Estimated households Participating	409	818	1,228	1,637	2,046
Monthly CAP amount	30	30	30	30	30
Estimated Annual Program Cost	147,312	294,624	441,936	589,248	736,560
>30% AMI and ≤ 50% AMI					
Number of Households – Owner Occupied*	3,010	3,010	3,010	3,010	3,010
Number of Households – Renter Occupied with Water bills in their name (see Table 3)	1,156	1,156	1,156	1,156	1,156
Total Eligible Households	4,166	4,166	4,166	4,166	4,166
Estimated Percent Participating	10	20	30	40	50
Estimated households Participating	417	833	1,250	1,666	2,083
Monthly CAP amount	20	20	20	20	20
Estimated Annual Program Cost	99,984	199,968	299,952	399,936	499,920
Administrative Cost	10,000	5,000	5,000	5,000	5,000
Total Estimated Program Cost	257,296	499,592	746,888	994,184	1,241,480
* See pdf named “Comprehensive Housing Affordability Strategy CHAS data” published by HUD – 2013-17 Average					

The interdepartmental cost allocation among the five departments whose services are billed through the common City of Madison Municipal Services Bill is shown on Table – 2. The cost allocation is based on the 5-year average operating budgets of each of the five service departments, including the Utility.

Table – 2 City of Madison CAP (Mad-CAP) / Interdepartmental Cost Allocation Model (Amount in \$)							
Department	Operating Budget (5-Year Average)	% of Total Budget Amount	Inter-Departmental Allocations				
			Test Year	Year 2	Year 3	Year 4	Year 5
Water	44,733,582	39.3%	101,108	196,321	293,499	390,677	487,856
Sewer	44,135,729	39.7%	99,667	193,524	289,318	385,112	480,905
Forestry	5,558,503	4.9%	12,552	24,373	36,437	48,501	60,566
Stormwater	18,437,568	16.2%	41,636	80,844	120,862	160,879	200,897
Landfill	1,033,074	0.9%	2,333	4,530	6,772	9,014	11,256
TOTAL	113,938,455	100%	257,296	499,592	746,888	994,184	1,241,480

PSCW-RJP-8: In light and consideration of Wis. Stat. § 66.0809, please explain the anticipated benefits, if any, of the proposed CAP in terms of utility bill collection and overall utility revenues. If the CAP is approved, does the Utility anticipate any improvement in the number of customers in arrears and/or arrears amounts? If yes, please provide an estimate, with support, for the estimated financial benefits or reduction in costs.

The anticipated benefits of the proposed CAP in terms of utility bill collection and overall utility revenues include improved utility bill collection and thus a positive impact on the overall utility cash flow. However, the Utility, at this time, does not have an estimate of the amount of anticipated improvement in the number of customers in arrears and/or arrears amount as we don't have an objective basis to come up with that estimate, either internally or from external studies conducted in the past. To the extent we know, there are no rigorous, peer-reviewed studies on the effects of CAP on shutoffs, delinquencies, or overall revenues.

One of the benefits of the proposed CAP also includes developing an understanding of the correlation of these important variables on an objective basis so that the Utility and other water providers can come up with similar estimates in the future with credible backing.

The Utility will rigorously monitor and report the estimated financial benefits and/or reduction in costs attributable to CAP and will include that information as part of the metrics the Utility would use to determine the effectiveness of the program as indicated in response to PSW-RJP-11.

PSCW-RJP-9: Please provide data on arrears and disconnections for residential customers for the last three years. Commission staff can provide a template to assist with the collection of relevant information at the Utility's request.

The data on arrears and disconnections for residential customers for the last three years is in excel file named "MWU Residential Arrears 2019, 2020, 2021". The data in this spreadsheet is as of 12/31 for each year. We are defining arrears as customer unpaid balances that are older than 30 days. Thirty days or less is considered current.

PSCW-RJP-10: The Utility is requesting the CAP as a pilot program. How long is the Utility intending to operate the pilot program? Explain the reasoning for the time period selected.

The Utility intends to operate the program as a pilot for at least two years. Since the Utility is planning to seek another rate increase in two years, the Utility expects that the pilot program would be reviewed by the Commission at that time and the CAP adjusted, if necessary.

PSCW-RJP-11: The Utility states it would provide reporting on the CAP. Please describe the metrics the Utility would use to determine the effectiveness of the program.

Utility's planned metrics will include the following elements:

1. Number of households participating
2. Number of households participating as a percentage of eligible households
3. Reduction in Utility arrears attributable to CAP
4. Annual administrative cost

These elements will be used by the Utility to determine the effectiveness of the CAP and also used to provide reporting on the CAP on an annual basis. The Utility is open to setting up a separate customer class to be named CAP Recipients to better track these metrics.

PSCW-RJP-12: To fund the CAP, the Utility has requested \$650,000, which would fund a program with 100 percent participation by estimated eligible residents in the City of Madison. How many of these residents currently pay for water service directly through a customer bill?

The number of CAP eligible residents currently paying for water service directly through a customer bill is shown in Table – 3 on page 10.

Table -3		
Number of Households that Directly Pay for Water Service		
	≤ 30% AMI	>30% AMI and ≤ 50% AMI
Total Number of Households*	18,955	14,030
Percent of Tenant Occupied Households with Water Bill in Tenants' Name**	8.2%	8.2%
Number of Tenant Occupied Households with Water Bill in Tenants' Name	1,562	1,156
Number of Owner Occupied Households*	2,530	3,010
Total number of Households that directly pay for water service through a customer bill	4,092	4,166
* Please see pdf named "Comprehensive Housing Affordability Strategy CHAS data"		
** There are currently a total of 65,439 customers in the residential, duplex and multifamily classes. Of that, 5,392, or 8.2%, are tenant occupied with the utility account in the tenant's name. The same proportionality was applied to the total number of households in each of the AMI categories to come up with the estimated number of households where the Water bill is in the tenants' name.		

PSCW-RJP-13: The Utility requested funding for a program with 100 percent participation while acknowledging that generating participation will be one of the first challenges of the program. Please provide information on how the pilot program could achieve such high levels of participation in a short timeframe and why the Utility included costs for a program with 100 percent participation in the test year. Does the Utility have an estimate of what percent of eligible families would actually participate in Year 1, Year 3, and Year 5? If so, provide these estimates.

The Utility's current estimate of what percent of eligible families that would actually participate in Test Year through Year 5 respectively is 10, 20, 30, 40 and 50%. While this is an aspirational estimate, the Utility is seriously committed to taking needed actions to accomplish this.

With the identification of the estimated levels of participation for each of the first five years, the Utility would like to amend the requested funding amount in the test year from \$650,000 to \$148,714.

As shown in Table 2, the estimated annual program cost for Water for test year and year 2 are \$101,108 and \$196,321 respectively. As the proposed pilot program is for two years (until the next rate case), the utility is requesting \$148,714 annually (the average of test year and year 2) to properly fund the program for both years. This funding amount can be readdressed in the next rate case based upon actual participation rates and the Utility's experience in implementing the program.

PSCW-RJP-14: The Utility did not include any costs associated with administering the CAP, stating that the Utility's current customer service operations could take on the additional administrative tasks and utilize other municipal service providers as needed. Would the Utility incur any costs from utilizing other municipal services to administer the program? Please provide an estimate of staff time and resources required to operate the CAP and describe how that time will not result in additional administrative costs for the Utility.

The CAP admittedly will result in additional administrative costs for the Utility.

The bulk of the administrative cost, at least in the initial years, will be to communicate this new program to eligible members of the community and enrolling them in the program. The remaining administrative costs relate to processing of the CAP applications, checking eligibility either directly or through sister agencies, and proper billing.

The Utility does not intend to hire new staff or outside personnel to carry out any of these administrative tasks. Instead, the Utility is planning to utilize existing and available bandwidth within the Utility's Public Information Section which comprises of full time Public Information Officer and Community Outreach Specialist. This section currently employs several communication platforms and channels and organizes community meetings to communicate the Utility's existing programs. It is the Utility's intent to use these existing personnel and communication channels to convey information about this new program to its customers. There will be incidental costs for flyers/brochures and initial advertising which is estimated at \$5,000 annually.

Similarly, the Utility's Customer Services Section is comprised of five Customer Service Representatives whose primary responsibility is to interact with customers directly either over the telephone or other means. Often times, the conversation relates to delayed or non-payment of water bills. Those conversations provide a very effective window to communicate this new program to eligible customers with minimal additional administrative costs.

The Utility does not anticipate additional billing and processing costs as the affordability component will be rolled into the existing municipal services billing and accounting programs. There may be an initial cost to integrate the CAP component into the existing billing software which is estimated to be a one-time cost of \$5,000. This one-time cost will be split among the five agencies on the Madison Municipal Services bill. It is the Utility's understanding that the Utility will not incur any cost for receiving assistance from other city agencies to administer the program.

In summary, the Utility anticipates a one-time cost of \$5,000 and an annual recurring cost of \$5,000. The costs of this program will be split among the five agencies on the Madison Municipal Services bill.

The Utility will rigorously account for all direct and incidental costs associated with this program and will include that information as part of the metrics the Utility would use to determine the effectiveness of the program as indicated in response to PSW-RJP-11.

PSCW-RJP-15: The Utility stated that it would require CAP participants to work with Project Home's Water Conservation Program. How will this requirement apply to customers who do not own the relevant property? How will this requirement apply to customers who have already received a toilet rebate, as it appears such a customer would not normally be eligible for the Project Home program?

The Utility would have this requirement only for owners of properties that have not already participated in Project Home or received a toilet rebate (or in other words owners of properties that already participated would be considered to have met this requirement).

Tenants would not be required to meet this requirement.

Please see pdf named "Proposed CAP Tariff Language" for further information on how we propose the CAP program to work.

PSCW-RJP-16: Please describe how participation in Project Home's Home Water Conservation Program is determined and monitored. Will customers be allowed a specific period of time to complete the upgrades recommended by Project Home? Explain. How are customer inquiries and complaints, if any, handled?

Project Home is a local non-profit that provides home improvement and water conservation assistance programs to low-to-moderate income residents in Dane County. When homeowners approach Project Home with a variety of needs, Project Home will determine, among other things, if they are eligible to participate in the Utility's toilet rebate program and offer help with conserving water. If the homeowner cannot afford to replace their toilet, Project Home will fund the toilet replacement and apply with the Utility for the toilet rebate. The Utility notes on the customer account that a toilet rebate has been processed and paid through Project Home.

Eligible customers at addresses that have not previously participated in either the Utility's Home Water Conservation Program or the Toilet Rebate Program will be required to participate in one or the other programs before receiving financial assistance through the Utility's CAP. For additional details, please see pdf named "Proposed CAP Tariff Language".

Customer inquiries and complaints, if any, are handled by the Utility's Customer Service Representatives. They will elevate any complaint necessary to the Customer Service Supervisor and/or to the Finance Manager.

PSCW-RJP-17: Please describe how customers will be notified in the event they do not participate in Project Home's Water Conservation Program and must be removed from the CAP.

As noted in response to PSCW-RJP-16, customers are not allowed to participate in CAP until they have participated in the Home Water Conservation Program or the Toilet Rebate Program. Since this requirement is a condition of the Utility's CAP, there will be no need to remove a participant from the CAP for this reason.

PSCW-RJP-18: Direct-MWU-Schwenn states:

MWU recognizes that some residents of Madison that would qualify for our CAP, based on annual income, do not directly paid [sic] their water bill. The bill is in the landlord's name and their rent payment covers the cost of the utilities. MWU plans on exploring ways to incorporate these residents in our CAP by working with landlords, CDA and non-profit agencies such as The Tenant Resource Center.

Are these Madison residents customers of the Utility, or is the respective landlord the Utility's customer? In these cases, how would billing for utility service interact with the proposed CAP? Does the Utility have proposed tariff language that would address this situation? If so, provide it.

The Utility's CAP, as currently designed, will only include owner occupied households and tenant occupied households where the water bill is in the tenants' name. Hence, the text referred to in Direct-MWU-Schwenn is not applicable. We have no proposed tariff language for this situation as we are not proposing including this in our initial CAP proposal.

PSCW-RJP-19: Will the Utility be updating the area median household income used to determine program eligibility when the Federal Department of House and Urban Development updates its standards? If yes, how frequently will program updates occur?

Yes, the Utility will be updating the area median household income used to determine program eligibility when the Federal Department of Housing and Urban Development (HUD) updates its standards. HUD typically releases its standards annually on April 1. The Utility will update the income eligibility criteria annually following the release of the HUD standards.

PSCW-RJP-19 (20): Is it anticipated that the Tenant Resource Center and other non-profit agencies will incur additional costs as a result of the Utility's proposed program? If yes, how will these additional costs be funded?

It is not anticipated that the Tenant Resource Center and other non-profits would incur any additional costs as a result of assisting MWU with this program. Assisting non-profits would be provided with information about the Utility's CAP so they could provide that information to their eligible clients. Any costs they incur in providing this assistance would be consistent with their stated missions and objectives.

Thank you for this opportunity to respond to your Data Request. I will be glad to provide additional information if you have other questions or need clarifications.

Sincerely,



Krishna Kumar
General Manager, Madison Water Utility
Tel: 608.266.4652 / Email: kkumar@madisonwater.org

EXHIBIT 2
Decision Excerpt

SERVICE DATE Dec 29, 2022
--

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of the City of Madison, Dane County, Wisconsin, as a
Water Public Utility, for Authority to Adjust Water Rates

3280-WR-116

Public Service Commission of Wisconsin
RECEIVED: 12/29/2022 1:05:00 PM

FINAL DECISION

This is the Final Decision in the Class 1 proceeding conducted by the Public Service Commission (Commission) on the application of Madison Water Utility (MWU or applicant) for approval to adjust water rates. Final overall rate changes for the test year ending December 31, 2022 are authorized, consisting of a \$8,499,036 annual rate increase, or an overall increase of 18.22 percent over present revenues, based on a return on net investment rate base of 5.40 percent.

Introduction

On December 8, 2021, MWU filed a revised conventional rate case application seeking an overall increase in annual revenues of \$8,532,664, or 18.19 percent over present revenues. The Commission issued a Notice of Proceeding on April 7, 2022.

([PSC REF#: 434695](#).) On July 20, 2022, Administrative Law Judge (ALJ) Michael E. Newmark issued an Order establishing the issues and schedule and incorporating the Guidelines for Contested Rate Proceedings. ([PSC REF#: 443146](#).)

On September 7, 2022, an audiovisual public hearing was held before ALJ Newmark for members of the public, and a party hearing was held simultaneously for the parties to this proceeding to receive technical information and public comments. ([PSC REF#: 444895](#).) The

provided costs that totaled \$180,000 in conservation program expenditures for the test year.

Commission staff's estimate for the conservation budget is based on costs in accordance with Wisconsin Act 136, and/or costs MWU reported correctly in this account and that are related to conservation. Commission staff included \$133,200 in expenses in the revenue requirement for the 2022 test year total, which consists of a conservation budget of \$163,900, less \$30,700 in underspent conservation activity from previous years. MWU uses escrow accounting and accounts for those expenses in the subaccounts. The Commission finds the staff adjustments reasonable and requires MWU to continue the use of escrow accounting for the toilet rebate program.

Customer Assistance Program

Customer Assistance Program Background

The MWU proposed offering a pilot Customer Assistance Program (CAP) to address water affordability burden for low-income households in the community. MWU proposed to operate the CAP as a pilot program for two years and to provide a bill offset for customers that fall below 30 percent and 50 percent of the City of Madison's (City) median family income and who receive a water utility bill. Customers whose income is below 30 percent of the City's median family income would receive an offset to their water bill of \$12 each month, and those customers whose income is below 50 percent of the City's median family income would receive an offset of their water bill of \$8 each month. The annual program costs based on updated estimates for enrolled participants averaged over two years is \$148,714. The amount requested to fund the pilot program is less than the amount which Commission staff would consider material.

To participate in the program, an eligible customer would be required to submit a written application furnished by MWU. The customer would also need to provide a copy of a driver's license or state-issued identification card and documentation of total annual income for all residents living at the water service address. In addition to the means tested eligibility, customers participating in the CAP would be required to meet water conservation eligibility requirements, which may include completing upgrades through the non-profit organization Project Home. MWU also has an approved toilet rebate program, which would qualify low-income customers as well.¹ Customers who have received a rebate, or who live at a property whose previous owner or occupier received a rebate, would be eligible for the CAP in lieu of participating in the Project Home program. Customers who rent and receive a water bill would be exempt from water conservation eligibility requirements.

MWU requested to fund the CAP program at an estimated annual cost of \$148,714 as an operation and maintenance expense included in customer rates. The applicant proposed in its cost of service study to recover these costs equally through the general service charge collected from all customers. The applicant estimates that the program would add approximately 18 cents to each customer's monthly water bill. The applicant considered other funding methods, including funding as a City program. However, the applicant stated that the City is already taxing nearly to its levy limit and does not have the ability to raise taxes to fund a CAP for water customers. The applicant stated that instead, City policy makers have supported MWU exploring funding the CAP through customer rates, which they contend would provide a consistent funding source for the program, without having to cut funding elsewhere.

¹ The Commission-approved program allows the applicant to provide a \$100 bill credit rebate to customers who replace a low-efficiency toilet with a high efficiency EPA WaterSense-rated toilet.

The bill offset for customers would effectively remove the monthly service charge for qualifying customers. As a result, those customers would still pay for the water used, and particularly in light of the CAP's water conservation eligibility requirements, it is expected that customers will be incentivized to use conservation practices to further control their bills. Reducing the fixed charge of a bill and giving low-income customers greater control over the cost of their water directly related to the amount a customer could not only benefit participants directly, but could benefit the system as a whole by reducing overall water usage. In other CAPs around the country, utilities have made a business case for a CAP by claiming that a successful program would result in decreasing costs for collections, increased payments, and other financial benefits as a result of a reduced number of customers in arrears. The applicant stated that it anticipates seeing improved bill collection and a positive impact on overall cash flow as a result of the CAP.

Commission staff, recognizing the low potential impact on non-participating customers, the difficulty low-income customers face with ongoing rate increases, and the potential of the pilot program to provide the Commission with valuable information, included the costs of the program in the revenue requirement for the Commission's consideration. The Commission agrees. Based on the reasons cited for including the costs in the revenue requirement, as well as the potential cash flow benefits, conservation benefits, and other system-wide benefits, the Commission finds it reasonable to approve the pilot CAP for two years at an annual cost of \$148,714 as an immaterial operation and maintenance expense and include it in the revenue requirement.

In response to suggestions that approval of the pilot CAP raises unjust discrimination concerns, the Commission finds that the CAP does not set a utility rate. Under MWU's proposal, all customers in the residential customer class would be charged the same rate. Those customers who meet the eligibility criteria for the CAP would be charged the same rate as others in the same customer class, but would then be given a fixed monthly credit on their water bill depending upon their income level while participating in the program. Providing such a credit is akin to providing a rebate or other incentive for customer participation in the program—which does not raise concerns of establishing discriminatory rates. In fact, a number of utilities offer rebates, incentives and other credits for participants in Commission-approved programs. For example, MWU administers an approved incentive program that includes a rebate of \$100 per toilet replaced for low to moderate income customers. The investor-owned utilities' voluntary energy efficiency programs also provide budgeted incentives for eligible customers, including rebates. And, the Commission has approved arrears management plans which include utility “match” or “forgiveness” to amounts billed at the filed rate for the residential rate class. The Commission has authority to exercise its discretion and approve the CAP as an incentive, rebate or utility service, pursuant to Wis. Stat. §§ 196.02(2), 196.025, 196.03(1), 196.06, 196.07, 196.19, 196.37, and 196.395.

Further, even if approval of the CAP were somehow to implicate ratemaking, there is no unjust discrimination because all MWU customers would be eligible for the program should their financial circumstances find them below 30 percent or 50 percent of the City of Madison's median family income, and they meet the water conservation eligibility requirements.²

² Notably, this CAP is distinct from *Petition of the City of West Allis for a Declaratory Ruling as to the Legality of Discounted Employee Water Bills*, 68, Wis. PSC 55, docket 6360-DR-100 (January 29, 1985), in which

Moreover, the Commission has found instances in which rates that are preferential to some customers are not necessarily unjustly discriminatory, including economic development rates (EDR) for gas, electric and water, which temporarily treat customers within the same rate class differently. EDRs, like the proposed CAP program, have the potential to provide system-wide benefits. All utility customers are expected to receive a benefit. For the CAP, all utility customers are expected to benefit from a reduction in customer arrears and the costs of collection, and from increased conservation efforts of program participants, who might not otherwise have enrolled or participated in the water conservation programs that are required for CAP eligibility.³ Such preferential rates have withstood judicial scrutiny.⁴

Commissioner Nowak dissents and writes separately (see attached).

The Commission also finds that the reporting conditions that will be required for this two year pilot, as discussed further below, will serve as a useful tool for determining whether there are other characteristics unique to the participants.

CAP Tariff Language

The applicant provided draft tariff language for the implementation of the pilot CAP as Ex.-MWU-Schwenn-4. ([PSC REF#: 444646.](#)) The Commission finds it reasonable to approve the draft tariff language as offered by MWU and received into the record.

Commissioner Nowak dissents and writes separately (see attached).

discrimination was found where only utility employees were eligible for water bill discounts. While not every customer may be hired by MWU, every customer does have the potential of landing in circumstances in which their income falls below the thresholds identified for program participation. There is no hiring process to go through. Rather, any customer who receives a water bill whose income falls below the limits could be eligible.

³ See also Wis. Admin. Code § PSC 185.21(21). Even if the CAP were setting a utility rate, the administrative code explicitly states “[t]he commission may approve rates that promote efficient water use.” The Commission approved a conservation based rate structure for residential water customers in *Application of City of Waukesha Water Utility for Authority to Increase Water Rates*, docket 6240-WR-105 (May 31, 2007). Copy available at Ex.-MWU-Granum-6.

⁴ *Citizens Utility Board v. Public Service Commission*, 10-CV-3536 (2011)

EXHIBIT 3
CAP-1 Tariff

Public Service Commission of Wisconsin

Madison Water Utility

Customer Assistance Program for Low-Income Customers

The Utility has established a Customer Assistance Program to reduce the monthly water bill for low-income residential customers with household income less than or equal to 50 percent of Median Family Income for the Madison Area as established annually by the U.S. Department of Housing and Urban Development (HUD).

A. Program Eligibility

1. A Madison resident is eligible for financial assistance if their household income is equal to or less than 50 percent of the Median Family Income for the Madison Area as established annually by the U.S. Department of Housing and Urban Development (HUD).
2. Eligible residents who own the property at the water service address must participate in the Utility's Home Water Conservation Program, if eligible, or in the Utility's Toilet Rebate Program to receive financial assistance.

Homeowners at water service addresses that have previously participated in the Home Water Conservation Program or Toilet Rebate Program will be considered to have met this requirement.

Eligible homeowners at addresses that have not previously participated in either of these programs will be required to participate before receiving financial assistance.

B. Application

An eligible customer must submit a written application for financial assistance that shall include the following:

- a. A completed application on a form furnished by the Utility and signed by the customer.
- b. Documentation of total annual income for all residents living at the water service address.

After the Utility receives a complete application, the Utility will determine if the customer is eligible for financial assistance. If the applicant is the homeowner, the Utility will also determine if the property at the water service address has previously participated in the Utility's Toilet Rebate Program or Home Water Conservation Program. Such determination will be provided in writing to the applying customer. Applicants that are also homeowners at addresses that have not previously participated in the Toilet Rebate Program or Home Water Conservation Program will receive notice of the requirement to participate and application materials. Customers that qualify for the program will be required to submit documentation of current total annual income for all residents living at the water service address each year.

EFFECTIVE: =TBD=

PSCW AUTHORIZATION: 3280-WR-116

Public Service Commission of Wisconsin**Madison Water Utility****Customer Assistance Program for Low-Income Customers****C. Customer Assistance Program Financial Assistance**

The Utility will offer an eligible customer financial assistance in the form of a rebate on the customer's monthly water bill.

Monthly Bill Credit:

Customers with income \leq 30% MFI:	\$12.00
Customers with income $>$ 30% and \leq 50% MFI:	\$8.00

EXHIBIT 4
Apportionment Methodology

	2020	2021	2022	3 YEAR AVERAGE		\$ 20.00	\$ 30.00
WATER	43,690,686.45	46,868,510.05	46,807,561.36	45,788,919.29	37.66%	\$ 8.00	\$ 12.00
SEWER	42,092,884.58	46,898,769.58	50,485,034.19	46,492,229.45	38.24%	\$ 7.37	\$ 11.04
LANDFILL	883,358.92	729,725.20	661,593.84	758,225.99	0.62%	\$ 0.12	\$ 0.18
STORMWATER	19,174,453.89	21,299,943.63	22,353,380.59	20,942,592.70	17.22%	\$ 3.31	\$ 4.97
URBAN FORESTRY	4,998,945.39	5,564,198.05	5,907,915.83	5,490,353.09	4.52%	\$ 0.87	\$ 1.31
RESOURCE RECOVERY	0.00	0.00	1,058,547.26	2,117,094.52	1.74%	\$ 0.33	\$ 0.50
					121,589,415.04	100.00%	<u>\$ 20.00</u> <u>\$ 30.00</u>

Note:

RR started on 7/1/22. Need to adjust their amount to account for this.
Doubled the 7/22-12/22 revenue and used that for the 3 yr. ave.

PUBLIC NOTICE

PROPOSED 2025 URBAN FORESTRY SPECIAL CHARGE

MADISON WISCONSIN

In accordance with Madison General Ordinances Sec. 4.095(7), notice is hereby given on the proposed approval of the 2025 Urban Forestry Special Charge. The proposed rates will be considered by the City of Madison Common Council, at a regular meeting to be held **December 10, 2024 at 6:30 P.M.**, in the City-County Building, 210 Martin Luther King, Jr. Blvd. Room 201, or virtually via Zoom, and that the City of Madison Common Council will then and there consider said charges. You must register to speak before this matter is considered by the Council.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Office of the Common Council at telephone number (608) 266-4071. Please make contact at least 24-hours prior to the date of this activity, so that we can make proper accommodations.

INTERIM AD DRAFT

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: X5UEWw3qODqofAVoALGw | **Proof Updated: Oct. 29, 2024 at 02:28pm CDT**
Notice Name: 2025 UFSC | Publisher ID: COL-WI-12002051

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	FILING FOR
Streets Division City of Madison hutch@cityofmadison.com (608) 261-4273	Wisconsin State Journal

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	3.04	
Number of Lines:	34	

11/29/2024: General Legal	54.20
Affidavit Fee	1.00

Subtotal	\$55.20
Tax	\$0.00
Processing Fee	\$0.00
Total	\$55.20

PROPOSED 2025 URBAN FORESTRY SPECIAL CHARGE

PUBLIC NOTICE

MADISON WISCONSIN

In accordance with Madison General Ordinances Sec. 4.095(7), notice is hereby given on the proposed approval of the 2025 Urban Forestry Special Charge. The proposed rates will be considered by the City of Madison Common Council, at a regular meeting to be held **December 10, 2024 at 6:30 P.M.**, in the City-County Building, 210 Martin Luther King, Jr. Blvd. Room 201, or virtually via Zoom, and that the City of Madison Common Council will then and there consider said charges. You must register to speak before this matter is considered by the Council.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Office of the Common Council at telephone number (608) 266-4071. Please make contact at least 24-hours prior to the date of this activity, so that we can make proper accommodations.
WSJ: November 29, 2024
COL-WI-12002051 WNAXLP



City of Madison

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

Master

File Number: 85500

File ID: 85500

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 10/02/2024

File Name: Approving the 2025 Resource Recovery Special
Charge

Final Action:

Title: Approving the 2025 Resource Recovery Special Charge

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: 2025 Resource Recovery Rates.pdf, Public Notice
Resource Recovery Special Charge 2025.docx,
MadCAP Memo for RRSC.pdf, Legal Notice Proof
2025.pdf

Enactment Number:

Author:

Hearing Date:

Entered by:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Streets Division	10/02/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 85500

Fiscal Note

The City of Madison's 2025 Executive Operating Budget anticipates \$3,061,802 in revenue from the Resource Recovery Special Charge (RRSC), a decrease of \$308,198. The 2025 rate recovers the City's costs associated with the Streets Division's curbside recycling program, which expenses are budgeted in 2025 in the Streets Division's operating budget. The 2025 RRSC includes \$300,000 in revenue from the City's vendor, Pellitteri, which was not part of the 2024 RRSC. The proposed resolution sets the charge per dwelling unit at \$42.72 in 2025 (\$3.56 per month for 12 months, a decrease of \$0.39 per month). Additionally, the 2025 Operating Budget includes \$12,703 in General Fund support to cover the Resource Recovery portion of the Mad-CAP program rebate.

Title

Approving the 2025 Resource Recovery Special Charge

Body

Preamble

On April 19, 2022, Section 4.097 of the Madison General Ordinance was created to establish a Resource Recovery Special Charge (File No. 70344). The ordinance created the Resource Recovery Special Charge in the City based upon the authority granted the City by Wis. Stat 66.0627, pursuant to Sec. 4.09(13) MGO. This special charge allows the City to recover some of the costs of the Street Division to provide curbside recycling services to certain properties in the City. The special charge will only recover the cost for services actually performed by the City, and the amount imposed may be adjusted throughout the year to account for greater or lesser expenditures. The special charges approved by this resolution are being apportioned consistent with the Resource Recovery Special Charge Policy (Legislative File ID No. 71186).

WHEREAS, on April 19, 2022, the Common Council adopted Ordinance ORD-22-00029, File 70344, creating Section 4.097 of the Madison General Ordinances, which ordinance established the Resource Recovery Special Charge in the City of Madison; and,

WHEREAS, the intent of the Resource Recovery Special Charge is to recover the costs to the City to provide collection, sorting and recycling services as part of its recycling program, which program provides a service to mostly residential, but some commercial, properties in the City; and,

WHEREAS, the Resource Recovery Special Charge is administered pursuant to the Resource Recovery Special Charge Policy (Legislative File ID No. 71186); and,

WHEREAS, following the Council's directive in RES-21-00692, the Madison Water Utility sought and obtained approval from the Wisconsin Public Service Commission (PSC) to establish the Madison Municipal Services Customer Assistance Program (Mad-CAP), as a two-year pilot program. Under this program, 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, with the Water Utility, Sewer Utility (including Landfill Remediation), Stormwater Utility, and Streets Division (Urban Forestry and Resource Recovery Special Charges) separately funding a portion of the monthly rebate. Additional information and background about Mad-CAP is contained in a staff memo attached hereto; and,

WHEREAS, based upon the budgeted amount, the proposed policy, and the requirements of MGO Sec. 4.097(5), the Council is prepared to approve the annual Resource Recovery Special Charge.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 2025 Resource Recovery Special Charge rate, as set forth in Attachment A, shall be \$42.68 per dwelling unit, or \$3.56 per month with collections starting in January, which rate is adopted in accordance with Section 4.097 of the Madison General Ordinances, the Resource Recovery Special Charge Policy, and the 2025 Adopted Operating Budget; and
2. That the date by which such special charges shall be paid in full is October 31, 2025; and,
3. That this approved monthly Resource Recovery Special Charge rate shall continue until a new schedule is approved by the Common Council.

BE IT FURTHER RESOLVED that the Madison Municipal Services Customer Assistance

Program (Mad-CAP) is hereby extended to the Recourse Recovery Special Charge in the amount indicated on Exhibit 4 to the staff memo on Mad-CAP attached to this resolution, the Council separately funding that portion of the rebate attributable to these services directly from the general fund.

ATTACHMENT A

2025 Resource Recovery Special Charge Rates

The approved Special Charge net revenue target is \$3,061,802 for 2025. Based on this target, the Resource Recovery Special Charge is calculated and set for each individual parcel as outlined in the most recent policy update:

Customer Type	Dwelling Units	Dwelling Unit Equivalents	Total Units	Category Total Revenue	Monthly Charge per Unit	Annual Charge per Unit
Agricultural	26	2	28	\$1,195	\$3.56	\$42.68
Commercial	1122	5118	6240	\$266,348	\$3.56	\$42.68
Residential	56969	8495	65464	\$2,794,259	\$3.56	\$42.68
Grand Total	58117	13615	71732	\$3,061,802		

PUBLIC NOTICE

PROPOSED 2025 RESOURCE RECOVERY SPECIAL CHARGE

MADISON WISCONSIN

In accordance with Madison General Ordinances Sec. 4.097(7), notice is hereby given on the proposed approval of the 2025 Resource Recovery Special Charge. The proposed rates will be considered by the City of Madison Common Council, at a regular meeting to be held **December 10, 2024 at 6:30 P.M.**, in the City-County Building, 210 Martin Luther King, Jr. Blvd. Room 201, or virtually via Zoom, and that the City of Madison Common Council will then and there consider said charges. You must register to speak before this matter is considered by the Council.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Office of the Common Council at telephone number (608) 266-4071. Please make contact at least 24-hours prior to the date of this activity, so that we can make proper accommodations.

**MADISON MUNICIPAL SERVICES CUSTOMER ASSISTANCE PROGRAM
(Mad-CAP)
Urban Forestry and Resource Recovery Special Charges**

Background:

The City's municipal services bill is made up of several service charges attributable to municipal services provided by the City's Water Utility, Sanitary Sewer Utility (including Landfill Remediation¹), Stormwater Utility, and the Streets Division (the Urban Forestry and Resource Recovery Special Charges). The billing and collection for these utilities and services is performed on a monthly basis and is overseen by the Water Utility.

Affordability of the municipal service bill, in particular for low income households, is a growing concern of City policy makers, particularly as rates increase to account for increased costs and revenue needs. The Water Utility's rates are established by the Wisconsin Public Service Commission. The Storm Water and Sanitary Sewer Utility rates are established by the City Engineer, which rates go into effect upon approval by the Board of Public Works and the Common Council, although they are subject to review by the Public Service Commission.² The Urban Forestry and Resource Recovery Special Charges are established by the Common Council pursuant to Ordinance and adopted policy.³

On October 5, 2021, by RES-21-00692 (File No. [67459](#)), the Council authorized the Water Utility to include the creation of a customer assistance program (CAP) within its 2022 rate case, the goal of the proposed program being to provide financial relief to eligible customers through a means tested program in order to fulfill its commitment to make its services accessible and affordable for all customers. The Council found that the implementation of a means tested CAP was both "Prudent and Reasonable" to accomplish the Utility objectives.

Following the directive by the Council, the Water Utility proposed a CAP as part of its 2022 rate case ([3280-WR-116](#)). Attached to this memo as Exhibit 1 is more detail on the Water Utility's proposal.

On October 27, 2022, the Wisconsin Public Service Commission approved the Water Utility's creation and operation of a two-year pilot Customer Assistance Program (CAP) and a corresponding rate tariff. The Commission authorized the Water Utility to fund its share of the customer assistance program from water rate revenue. Under the PSC's final decision (PSC REF#

¹ The Landfill Remediation charge is established under MGO Sec. 35.025 as a sewer utility charge, although revenue from the charge is treated separately from Sewer Utility revenue and the Landfill program has its own budget. For the purposes of this memo, this charge, which has its own line on the municipal service bill, is being treated as part of the Sewer Utility charge, notwithstanding the separate City treatment on its books.

² Under Wis. Stat. § [66.0821\(5\)\(a\)](#), the PSC may review complaints of unreasonable or unjustly discriminatory rates, rules or practices of municipal sewer or stormwater utilities.

³ The Urban Forestry Special Charge was established by the creation of MGO Sec. [4.095](#) in 2014. The charge is determined pursuant to the adopted Urban Forestry Special Charge Policy (2018 update), as established by RES-18-00396 (Legislative File ID No. [51421](#)). The Resource Recovery Special Charge was established by the creation of MGO Sec. [4.097](#) in 2022. The charge is determined pursuant to the adopted Resource Recovery Special Charge Policy, as established by RES-22-00399 (Legislative File ID No. [71186](#)).

[455440](#)), an excerpt of which is attached to this memo as Exhibit 2, the Commission found that it was reasonable for rate revenue to be used to fund the Water Utility's share of this program and that this program was not unjustly discriminatory. In approving the Water Utility's Mad-CAP proposal, the PSC authorized the CAP-1 tariff for the Madison Water Utility, which tariff is attached to this memo as Exhibit 3. The CAP-1 tariff details the eligibility criteria and application process for the program. The new Water Utility rates, and the Mad-CAP program, went into effect on March 1, 2023.

Creation of Mad-CAP, and Expansion to Other Utilities and Services:

Consistent with the above noted directive of the Council, and in response to the PSC's decision in the Madison Water Utility's 2022 rate case and the effective date of those updated rates, the Madison Municipal Services Customer Assistance Program (Mad-CAP) has been created. Under this program, and based upon the PSC approved tariff, 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 municipal services bill, with the Water Utility, Sewer Utility, Stormwater Utility, and Streets Division separately funding a portion of the monthly rebate. The cost of the monthly rebate has been apportioned to each utility and service included on the municipal service bill based upon a three-year average of their revenues. Attached to this memo as Exhibit 4 is the initial apportionment methodology which details how the \$20 and \$30 Mad-CAP rebate will be applied across the municipal service bill.

In approving the pilot program, the PSC found that it was reasonable for the Water Utility to include its costs to fund its portion of this rebate within its revenue requirement. For the same reasons expressed by the PSC, the Council determined that it is reasonable for the Sewer and Stormwater Utilities to fund their portion of this rebate from utility rates by including this charge within their respective revenue requirements.⁴

The portion of the Mad-CAP rebate that is attributable to the Urban Forestry and Resource Recovery Special Charges (the Streets Division portion) will not be recovered from the established rates for those services since they are special charges, and not utility fees. Rather, this portion of the rebate will be funded directly from the general fund through the operating budget.

⁴ See RES-23-00336, Legislative File ID No. [77264](#), in which the Council determined that "the Madison Municipal Services Customer Assistance Program is hereby extended to and incorporated into the utility rates of the Sewer Utility, the Stormwater Utility and Landfill Remediation..., the Council finding that it is reasonable to include the Utilities' respective costs to fund their share of the rebate within their respective revenue requirements".

EXHIBIT 1
Information on Water Utility
Proposal



www.madisonwater.org • 119 East Olin Avenue • Madison, WI 53713-1431 • TEL 608.266.4651 • FAX 608.266.4426

Public Service Commission of Wisconsin
RECEIVED: 03/18/2022 3:42:11 PM

March 18, 2022

RJ Pire, Water Policy Advisor
Public Service Commission of Wisconsin
Division of Water Utility Regulation and Analysis
4822 Madison Yards Way
Madison, WI 53705

Re: Madison Water Utility Response to Data Request-PSC-Pire-1 / 3280-WR-116

Dear Mr. Pire:

This document serves as our response to Data Request-PSC-Pire-1 dated February 28, 2022.

I want to express my sincere appreciation for the insightful questions included in your Data Request. As a matter of fact, those questions helped the Utility to think through the proposed customer assistance program (CAP) in far more detail and tie up some of the loose ends in our original proposal.

Customer Assistance Program:

PSCW-RJP-1: The Utility proposes using a metric of the entire municipal services bill as a percentage of income for eligible households, with two to three percent as a standard for financial burden. Under the Utility's proposed rates, the portion of a customer's bill attributable to the Utility would be an estimated 0.9 - 1.5 percent of income for eligible households. Please provide supporting information that demonstrates the rationale behind the Utility's determination that there is a need for a customer assistance program (CAP) based on the financial burden specifically created by the Utility's portion of the bill.

The two tier metrics mentioned in your question – a) the municipal services bill as a percentage of income for eligible households at two to three percent and b) the water bill portion of the municipal service bill that would be an estimated 0.9 to 1.5 percent of income for eligible households – primarily reflects the City of Madison policy makers' intention to reduce the *entire* municipal services bill to a point where it is a low to moderate burden on low-income households.

Rather than looking at the water portion of the bill in isolation and determining that the water bill (if considered alone) is less than 2.0 percent of the monthly income therefore no CAP is needed, or conversely determining how much the water bill would need to be reduced to bring

the entire municipal services bill down to 2.0 to 3.0 percent of monthly income, the City will ultimately pursue reducing the entire municipal services bill proportionately across all utilities so that no single utility, or set of rate payers, bears the entire cost of said program.

This strategy towards addressing municipal service bill affordability for low income customers involves reducing the water bill for these customers from 0.9 to 1.5 percent with the proposed rates, to 0.7 to 1.0 percent with the proposed rates and CAP (as shown in the response to

PSCW-RJP-4). Support for this proposed CAP is evidenced by the City of Madison Common Council Resolution No: RES-21-00692, File No. 67459, adopted on October 5, 2021, the relevant provisions of which read:

“...WHEREAS, the Utility desires to provide financial relief to its eligible customers by implementing a means tested CAP to fulfill its commitment to make drinking water accessible and affordable for all customers; and...

WHEREAS, the implementation of a means tested CAP would make rates more affordable for all customers from future rate increases needed to adequately fund the Utility’s CIP; and

WHEREAS, such implementation of a means tested CAP 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...

NOW THEREFORE BE IT RESOLVED BY THE WATER UTILITY BOARD OF THE MADISON WATER UTILITY that they hereby find it is in the best interest of and benefit to the Utility and its rate payers, to... implement a means tested Customer Assistance Program”

PSCW-RJP-2: It is Commission staff’s understanding that the proposed CAP would be funded by different municipal service providers, with the amount of assistance provided by each municipal services provider based on the proportionate size of the service provider’s budget. Please confirm this understanding, and if correct, provide information supporting the use of the Utility’s budget size as the appropriate metric to use in setting the amount of assistance provided to water utility customers.

The CAP proposal in the Utility’s water rate increase application would only apply to the Utility’s portion of the assistance that the City of Madison would be looking to provide. The total amount of customer assistance that is being proposed is a \$30 monthly rebate on the total municipal services bill to families earning 30 percent or less of the median family income, and a \$20 monthly rebate on the total municipal services bill to families earning between 30 percent and 50 percent of the median family income. Hence, to the extent that Commission staff understand that the proposed CAP goes beyond the water utility’s portion of the municipal service bill, the Commission staff’s understanding is correct – the proposed CAP would be funded by different municipal service providers.

However, the amount of assistance the customer ultimately receives will be based on the same metric and goal – keeping the entire municipal services bill as a percentage of income for eligible households at two to three percent, described in the answer to the question PSCW-RJP-1 above, while the cost sharing among the municipal service providers to fund the CAP will be based on the proportionate size of the service provider’s budget.

Thus, the Utility’s budget size is not used as the metric in setting the amount of assistance, rather it is used as the basis for cost sharing among the five municipal service providers. Table – 1 and Table – 2 included in response to PSCW-RJP-7 reflects these two aspects.

Other options were considered for determining how the CAP funding should be apportioned between the municipal service bill providers. Using set percentages (i.e., Water 25%, Sewer 25%, Stormwater 25%, Urban Forestry 25%) would not reflect the respective levels of service provided by these services. Basing the apportionment solely on the average percentage of the total bill attributable to each service would likely be an appropriate way to apportion the costs, but that method would be susceptible to yearly fluctuations based upon factors that have little to do with service levels. Instead, it was felt that basing the apportionment of program costs on an average of the annual budget for each municipal service would best capture the respective share each service’s customer should be responsible for and be the most reasonable and just method for all municipal bill recipients.

PSCW-RJP-3: Does the Utility have proposed language for a CAP tariff schedule? If so, please provide it.

Please see pdf named “Proposed CAP Tariff Language”.

PSCW-RJP-4: Ex.-MWU-Kumar-5 shows a CAP with rebate amounts that are higher than the rebates included in the Utility’s proposal. Please provide a similar chart showing the \$8 and \$12 rebates included in the Utility’s proposal.

A similar chart showing the \$8 and \$12 rebates included in the Utility’ proposal is provided in next page.

	Current Rates	No Expense Depreciation	\$5M Expense Depreciation - \$2.6M Cash Adder	\$5M Expense Depreciation - \$7.3M Cash Adder
Monthly Water Bill	\$29.92	\$32.48	\$32.33	\$34.94
Other Utility Bills	\$66.58	\$66.58	\$66.58	\$66.58
Total Utility Bills	\$96.50	\$99.06	\$98.91	\$101.52
Net Water Bill with \$8 Rebate	\$21.92	\$24.48	\$24.33	\$26.94
Net Water Bill with \$12 Rebate	\$17.92	\$20.48	\$20.33	\$22.94
Net Utility Bills with \$20 Rebate	\$76.50	\$79.06	\$78.91	\$81.52
Net Utility Bills with \$30 Rebate	\$66.50	\$69.06	\$68.91	\$71.52
30% AMI (3 person household)				
Monthly Income	\$2,325	\$2,325	\$2,325	\$2,325
Water Bill as % of Income	1.3%	1.4%	1.4%	1.5%
Net Water Bill as % of Income with \$8 Rebate	0.9%	1.1%	1.0%	1.2%
Net Water Bill as % of Income with \$12 Rebate	0.8%	0.9%	0.9%	1.0%
Total Utility Bill as % of Income	4.2%	4.3%	4.3%	4.4%
Net Utility Bill as % of Income with \$20 Rebate	3.3%	3.4%	3.4%	3.5%
Net Utility Bill as % of Income with \$30 Rebate	2.9%	3.0%	3.0%	3.1%
50% AMI (3 person household)				
Monthly Income	\$3,867	\$3,867	\$3,867	\$3,867
Water Bill as % of Income	0.8%	0.8%	0.8%	0.9%
Net Water Bill as % of Income with \$8 Rebate	0.6%	0.6%	0.6%	0.7%
Net Water Bill as % of Income with \$12 Rebate	0.5%	0.5%	0.5%	0.6%
Total Utility Bill as % of Income	2.5%	2.6%	2.6%	2.6%
Net Utility Bill as % of Income with \$20 Rebate	2.0%	2.0%	2.0%	2.1%
Net Utility Bill as % of Income with \$30 Rebate	1.7%	1.8%	1.8%	1.8%
80% AMI (3 person household)				
Monthly Income	\$5,996	\$5,996	\$5,996	\$5,996
Water Bill as % of Income	0.5%	0.5%	0.5%	0.6%
Net Water Bill as % of Income with \$8 Rebate	0.4%	0.4%	0.4%	0.4%
Net Water Bill as % of Income with \$12 Rebate	0.3%	0.3%	0.3%	0.4%
Total Utility Bill as % of Income	1.6%	1.7%	1.6%	1.7%
Net Utility Bill as % of Income with \$20 Rebate	1.3%	1.3%	1.3%	1.4%
Net Utility Bill as % of Income with \$30 Rebate	1.1%	1.2%	1.1%	1.2%

PSCW-RJP-5: Direct-MWU-Kumar describes utility experience with a CAP in Marin County, California. Did the CAP in Marin County require regulatory approval beyond the municipal level? Were there other statutory or regulatory constraints in place that affected development of the Marin County CAP, and if yes, how did the Utility address them?

The Marin Municipal Water District CAP (Marin County CAP) did not require regulatory approval beyond the municipal level. There were other statutory constraints in place that affected the development of the Marin County CAP, namely, Proposition 218, a constitutional initiative approved by the California voters in November 1996 (Prop-218) which prohibits local governments from charging user fees that exceed the cost of providing the service. Since Marin Municipal Water District had other sources of revenue beyond the water rates paid by its customers, Marin County CAP was not subject to the provisions of Prop-218.

Although the Marin County CAP was not required to be approved by the California's Public Utilities Commission (CPUC), it is worth noting that the CPUC requires the largest privately-owned utilities in California to have low-income assistance programs.

PSCW-RJP-6: Has the Utility considered sources other than ratepayer funding to support the CAP? For example, did the Utility consider use of municipal funding?

The Utility has considered sources of funding for the CAP other than ratepayer funding. The CAP could be funded directly by the City of Madison, who could provide assistance to not just the Utility's portion of the municipal service bill but the entire municipal service bill. However, the City is subject to strict levy limits. The City already taxes nearly up to its levy limit and thus has no ability to raise property taxes to fund this program. Hence, to fund the CAP from the levy the City would need to make corresponding cuts to other programs or services.

City policy makers did not support such a funding mechanism at the time this rate case was prepared and filed. Instead, City policy makers have supported having the Utility explore funding the CAP from the rate payers themselves, which would provide a consistent funding source for this program. The Utility and City policy makers did discuss looking for third party funding sources for the CAP. Unfortunately, there is no outside source of funding that the Utility or the City of Madison was aware of that could be used to adequately fund this program.

PSCW-RJP-7: As stated in Mr. Kumar's testimony, the City of Madison has considered funding CAPs for other municipal services. Please explain how this consideration relates to the Utility's current proposal.

Municipal service bill affordability is about more than just the Water Utility's portion of the bill. The City's municipal service bill is made up of charges attributable to the City's water utility, sanitary sewer utility (including landfill remediation), stormwater utility, and urban forestry program. Hence, the proposed CAP for the Utility is part of a larger program envisaged by the City of Madison (City) to provide relief to low income families on their entire municipal services bill, not just the Utility's portion of the bill. The average residential municipal services bill is currently \$1,158 per year or \$96.50 per month, of which the water bill is \$29.92 for an average household using 4,000 gallons per month.

The Utility's CAP proposal, both the rebate amount and the funding mechanism, would only raise sufficient revenue to pay for the Water Utility's share of the CAP. It would not be appropriate, or reasonable, for Water Utility rate payers to subsidize the entire CAP rebate. Nor would the CAP being proposed in this rate case alone be sufficient to actually make low income customer's municipal service bills more affordable.

It will be necessary for the City to follow up PSC approval by expanding the program to the rest of the municipal service bill. Hence, if the CAP is approved by the PSC for the Utility, it is the intent of the City's sanitary and stormwater utilities, the rates of which are subject to the PSC's review, to update their own rate schedules to also fund their portion of the CAP in like manner as the Water Utility.

In addition, the Urban Forestry Special Charge would be looked at, which funding would likely have to come from the City's general fund, with more forestry services being included in the portion of that program being funded by the special charge. Ultimately, the Utility views the CAP proposal in the current rate case as critical in funding a program that will make low income customer's municipal service bills more affordable.

The City's overall strategy on the CAP is shown on the following tables. Table -1 on page 7 details the 5-year cost implications for offering a CAP rebate of \$30 per month for families earning 30 percent or less of the area median family income and \$20 per month for families earning between 30 and 50 percent of the area median family income. The rebates will reduce the municipal services bill to about 3 and 2 percent of the monthly income for the two groups respectively, which is the objective for the City with the proposed CAP.

The projected 5-year costs in Table – 1 are based on the following assumptions:

- a) Application penetration rate of 10, 20, 30, 40, and 50 percent in each of the first five years of implementation of the CAP
- b) Onetime administrative cost of \$5,000 in test year and a recurring administrative cost of \$5,000 annually in each of the first five years.

Table -1 City of Madison CAP (Mad-CAP) / Projected 5-Year Costs (Amount in \$)					
≤ 30% AMI	Test Year	Year 2	Year 3	Year 4	Year 5
Number of Households – Owner Occupied*	2,530	2,530	2,530	2,530	2,530
Number of Households – Renter Occupied with Water bills in their name (see Table 3)	1,562	1,562	1,562	1,562	1,562
Total Eligible Households	4,092	4,092	4,092	4,092	4,092
Estimated Percent Participating	10	20	30	40	50
Estimated households Participating	409	818	1,228	1,637	2,046
Monthly CAP amount	30	30	30	30	30
Estimated Annual Program Cost	147,312	294,624	441,936	589,248	736,560
>30% AMI and ≤ 50% AMI					
Number of Households – Owner Occupied*	3,010	3,010	3,010	3,010	3,010
Number of Households – Renter Occupied with Water bills in their name (see Table 3)	1,156	1,156	1,156	1,156	1,156
Total Eligible Households	4,166	4,166	4,166	4,166	4,166
Estimated Percent Participating	10	20	30	40	50
Estimated households Participating	417	833	1,250	1,666	2,083
Monthly CAP amount	20	20	20	20	20
Estimated Annual Program Cost	99,984	199,968	299,952	399,936	499,920
Administrative Cost	10,000	5,000	5,000	5,000	5,000
Total Estimated Program Cost	257,296	499,592	746,888	994,184	1,241,480
* See pdf named “Comprehensive Housing Affordability Strategy CHAS data” published by HUD – 2013-17 Average					

The interdepartmental cost allocation among the five departments whose services are billed through the common City of Madison Municipal Services Bill is shown on Table – 2. The cost allocation is based on the 5-year average operating budgets of each of the five service departments, including the Utility.

Table – 2 City of Madison CAP (Mad-CAP) / Interdepartmental Cost Allocation Model (Amount in \$)							
Department	Operating Budget (5-Year Average)	% of Total Budget Amount	Inter-Departmental Allocations				
			Test Year	Year 2	Year 3	Year 4	Year 5
Water	44,733,582	39.3%	101,108	196,321	293,499	390,677	487,856
Sewer	44,135,729	39.7%	99,667	193,524	289,318	385,112	480,905
Forestry	5,558,503	4.9%	12,552	24,373	36,437	48,501	60,566
Stormwater	18,437,568	16.2%	41,636	80,844	120,862	160,879	200,897
Landfill	1,033,074	0.9%	2,333	4,530	6,772	9,014	11,256
TOTAL	113,938,455	100%	257,296	499,592	746,888	994,184	1,241,480

PSCW-RJP-8: In light and consideration of Wis. Stat. § 66.0809, please explain the anticipated benefits, if any, of the proposed CAP in terms of utility bill collection and overall utility revenues. If the CAP is approved, does the Utility anticipate any improvement in the number of customers in arrears and/or arrears amounts? If yes, please provide an estimate, with support, for the estimated financial benefits or reduction in costs.

The anticipated benefits of the proposed CAP in terms of utility bill collection and overall utility revenues include improved utility bill collection and thus a positive impact on the overall utility cash flow. However, the Utility, at this time, does not have an estimate of the amount of anticipated improvement in the number of customers in arrears and/or arrears amount as we don't have an objective basis to come up with that estimate, either internally or from external studies conducted in the past. To the extent we know, there are no rigorous, peer-reviewed studies on the effects of CAP on shutoffs, delinquencies, or overall revenues.

One of the benefits of the proposed CAP also includes developing an understanding of the correlation of these important variables on an objective basis so that the Utility and other water providers can come up with similar estimates in the future with credible backing.

The Utility will rigorously monitor and report the estimated financial benefits and/or reduction in costs attributable to CAP and will include that information as part of the metrics the Utility would use to determine the effectiveness of the program as indicated in response to PSW-RJP-11.

PSCW-RJP-9: Please provide data on arrears and disconnections for residential customers for the last three years. Commission staff can provide a template to assist with the collection of relevant information at the Utility's request.

The data on arrears and disconnections for residential customers for the last three years is in excel file named "MWU Residential Arrears 2019, 2020, 2021". The data in this spreadsheet is as of 12/31 for each year. We are defining arrears as customer unpaid balances that are older than 30 days. Thirty days or less is considered current.

PSCW-RJP-10: The Utility is requesting the CAP as a pilot program. How long is the Utility intending to operate the pilot program? Explain the reasoning for the time period selected.

The Utility intends to operate the program as a pilot for at least two years. Since the Utility is planning to seek another rate increase in two years, the Utility expects that the pilot program would be reviewed by the Commission at that time and the CAP adjusted, if necessary.

PSCW-RJP-11: The Utility states it would provide reporting on the CAP. Please describe the metrics the Utility would use to determine the effectiveness of the program.

Utility's planned metrics will include the following elements:

1. Number of households participating
2. Number of households participating as a percentage of eligible households
3. Reduction in Utility arrears attributable to CAP
4. Annual administrative cost

These elements will be used by the Utility to determine the effectiveness of the CAP and also used to provide reporting on the CAP on an annual basis. The Utility is open to setting up a separate customer class to be named CAP Recipients to better track these metrics.

PSCW-RJP-12: To fund the CAP, the Utility has requested \$650,000, which would fund a program with 100 percent participation by estimated eligible residents in the City of Madison. How many of these residents currently pay for water service directly through a customer bill?

The number of CAP eligible residents currently paying for water service directly through a customer bill is shown in Table – 3 on page 10.

Table -3		
Number of Households that Directly Pay for Water Service		
	≤ 30% AMI	>30% AMI and ≤ 50% AMI
Total Number of Households*	18,955	14,030
Percent of Tenant Occupied Households with Water Bill in Tenants' Name**	8.2%	8.2%
Number of Tenant Occupied Households with Water Bill in Tenants' Name	1,562	1,156
Number of Owner Occupied Households*	2,530	3,010
Total number of Households that directly pay for water service through a customer bill	4,092	4,166
* Please see pdf named "Comprehensive Housing Affordability Strategy CHAS data"		
** There are currently a total of 65,439 customers in the residential, duplex and multifamily classes. Of that, 5,392, or 8.2%, are tenant occupied with the utility account in the tenant's name. The same proportionality was applied to the total number of households in each of the AMI categories to come up with the estimated number of households where the Water bill is in the tenants' name.		

PSCW-RJP-13: The Utility requested funding for a program with 100 percent participation while acknowledging that generating participation will be one of the first challenges of the program. Please provide information on how the pilot program could achieve such high levels of participation in a short timeframe and why the Utility included costs for a program with 100 percent participation in the test year. Does the Utility have an estimate of what percent of eligible families would actually participate in Year 1, Year 3, and Year 5? If so, provide these estimates.

The Utility's current estimate of what percent of eligible families that would actually participate in Test Year through Year 5 respectively is 10, 20, 30, 40 and 50%. While this is an aspirational estimate, the Utility is seriously committed to taking needed actions to accomplish this.

With the identification of the estimated levels of participation for each of the first five years, the Utility would like to amend the requested funding amount in the test year from \$650,000 to \$148,714.

As shown in Table 2, the estimated annual program cost for Water for test year and year 2 are \$101,108 and \$196,321 respectively. As the proposed pilot program is for two years (until the next rate case), the utility is requesting \$148,714 annually (the average of test year and year 2) to properly fund the program for both years. This funding amount can be readdressed in the next rate case based upon actual participation rates and the Utility's experience in implementing the program.

PSCW-RJP-14: The Utility did not include any costs associated with administering the CAP, stating that the Utility's current customer service operations could take on the additional administrative tasks and utilize other municipal service providers as needed. Would the Utility incur any costs from utilizing other municipal services to administer the program? Please provide an estimate of staff time and resources required to operate the CAP and describe how that time will not result in additional administrative costs for the Utility.

The CAP admittedly will result in additional administrative costs for the Utility.

The bulk of the administrative cost, at least in the initial years, will be to communicate this new program to eligible members of the community and enrolling them in the program. The remaining administrative costs relate to processing of the CAP applications, checking eligibility either directly or through sister agencies, and proper billing.

The Utility does not intend to hire new staff or outside personnel to carry out any of these administrative tasks. Instead, the Utility is planning to utilize existing and available bandwidth within the Utility's Public Information Section which comprises of full time Public Information Officer and Community Outreach Specialist. This section currently employs several communication platforms and channels and organizes community meetings to communicate the Utility's existing programs. It is the Utility's intent to use these existing personnel and communication channels to convey information about this new program to its customers. There will be incidental costs for flyers/brochures and initial advertising which is estimated at \$5,000 annually.

Similarly, the Utility's Customer Services Section is comprised of five Customer Service Representatives whose primary responsibility is to interact with customers directly either over the telephone or other means. Often times, the conversation relates to delayed or non-payment of water bills. Those conversations provide a very effective window to communicate this new program to eligible customers with minimal additional administrative costs.

The Utility does not anticipate additional billing and processing costs as the affordability component will be rolled into the existing municipal services billing and accounting programs. There may be an initial cost to integrate the CAP component into the existing billing software which is estimated to be a one-time cost of \$5,000. This one-time cost will be split among the five agencies on the Madison Municipal Services bill. It is the Utility's understanding that the Utility will not incur any cost for receiving assistance from other city agencies to administer the program.

In summary, the Utility anticipates a one-time cost of \$5,000 and an annual recurring cost of \$5,000. The costs of this program will be split among the five agencies on the Madison Municipal Services bill.

The Utility will rigorously account for all direct and incidental costs associated with this program and will include that information as part of the metrics the Utility would use to determine the effectiveness of the program as indicated in response to PSW-RJP-11.

PSCW-RJP-15: The Utility stated that it would require CAP participants to work with Project Home's Water Conservation Program. How will this requirement apply to customers who do not own the relevant property? How will this requirement apply to customers who have already received a toilet rebate, as it appears such a customer would not normally be eligible for the Project Home program?

The Utility would have this requirement only for owners of properties that have not already participated in Project Home or received a toilet rebate (or in other words owners of properties that already participated would be considered to have met this requirement).

Tenants would not be required to meet this requirement.

Please see pdf named "Proposed CAP Tariff Language" for further information on how we propose the CAP program to work.

PSCW-RJP-16: Please describe how participation in Project Home's Home Water Conservation Program is determined and monitored. Will customers be allowed a specific period of time to complete the upgrades recommended by Project Home? Explain. How are customer inquiries and complaints, if any, handled?

Project Home is a local non-profit that provides home improvement and water conservation assistance programs to low-to-moderate income residents in Dane County. When homeowners approach Project Home with a variety of needs, Project Home will determine, among other things, if they are eligible to participate in the Utility's toilet rebate program and offer help with conserving water. If the homeowner cannot afford to replace their toilet, Project Home will fund the toilet replacement and apply with the Utility for the toilet rebate. The Utility notes on the customer account that a toilet rebate has been processed and paid through Project Home.

Eligible customers at addresses that have not previously participated in either the Utility's Home Water Conservation Program or the Toilet Rebate Program will be required to participate in one or the other programs before receiving financial assistance through the Utility's CAP. For additional details, please see pdf named "Proposed CAP Tariff Language".

Customer inquiries and complaints, if any, are handled by the Utility's Customer Service Representatives. They will elevate any complaint necessary to the Customer Service Supervisor and/or to the Finance Manager.

PSCW-RJP-17: Please describe how customers will be notified in the event they do not participate in Project Home's Water Conservation Program and must be removed from the CAP.

As noted in response to PSCW-RJP-16, customers are not allowed to participate in CAP until they have participated in the Home Water Conservation Program or the Toilet Rebate Program. Since this requirement is a condition of the Utility's CAP, there will be no need to remove a participant from the CAP for this reason.

PSCW-RJP-18: Direct-MWU-Schwenn states:

MWU recognizes that some residents of Madison that would qualify for our CAP, based on annual income, do not directly paid [sic] their water bill. The bill is in the landlord's name and their rent payment covers the cost of the utilities. MWU plans on exploring ways to incorporate these residents in our CAP by working with landlords, CDA and non-profit agencies such as The Tenant Resource Center.

Are these Madison residents customers of the Utility, or is the respective landlord the Utility's customer? In these cases, how would billing for utility service interact with the proposed CAP? Does the Utility have proposed tariff language that would address this situation? If so, provide it.

The Utility's CAP, as currently designed, will only include owner occupied households and tenant occupied households where the water bill is in the tenants' name. Hence, the text referred to in Direct-MWU-Schwenn is not applicable. We have no proposed tariff language for this situation as we are not proposing including this in our initial CAP proposal.

PSCW-RJP-19: Will the Utility be updating the area median household income used to determine program eligibility when the Federal Department of House and Urban Development updates its standards? If yes, how frequently will program updates occur?

Yes, the Utility will be updating the area median household income used to determine program eligibility when the Federal Department of Housing and Urban Development (HUD) updates its standards. HUD typically releases its standards annually on April 1. The Utility will update the income eligibility criteria annually following the release of the HUD standards.

PSCW-RJP-19 (20): Is it anticipated that the Tenant Resource Center and other non-profit agencies will incur additional costs as a result of the Utility's proposed program? If yes, how will these additional costs be funded?

It is not anticipated that the Tenant Resource Center and other non-profits would incur any additional costs as a result of assisting MWU with this program. Assisting non-profits would be provided with information about the Utility's CAP so they could provide that information to their eligible clients. Any costs they incur in providing this assistance would be consistent with their stated missions and objectives.

Thank you for this opportunity to respond to your Data Request. I will be glad to provide additional information if you have other questions or need clarifications.

Sincerely,



Krishna Kumar
General Manager, Madison Water Utility
Tel: 608.266.4652 / Email: kkumar@madisonwater.org

EXHIBIT 2
Decision Excerpt

SERVICE DATE Dec 29, 2022
--

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of the City of Madison, Dane County, Wisconsin, as a
Water Public Utility, for Authority to Adjust Water Rates

3280-WR-116

Public Service Commission of Wisconsin
RECEIVED: 12/29/2022 1:05:00 PM

FINAL DECISION

This is the Final Decision in the Class 1 proceeding conducted by the Public Service Commission (Commission) on the application of Madison Water Utility (MWU or applicant) for approval to adjust water rates. Final overall rate changes for the test year ending December 31, 2022 are authorized, consisting of a \$8,499,036 annual rate increase, or an overall increase of 18.22 percent over present revenues, based on a return on net investment rate base of 5.40 percent.

Introduction

On December 8, 2021, MWU filed a revised conventional rate case application seeking an overall increase in annual revenues of \$8,532,664, or 18.19 percent over present revenues. The Commission issued a Notice of Proceeding on April 7, 2022.

([PSC REF#: 434695](#).) On July 20, 2022, Administrative Law Judge (ALJ) Michael E. Newmark issued an Order establishing the issues and schedule and incorporating the Guidelines for Contested Rate Proceedings. ([PSC REF#: 443146](#).)

On September 7, 2022, an audiovisual public hearing was held before ALJ Newmark for members of the public, and a party hearing was held simultaneously for the parties to this proceeding to receive technical information and public comments. ([PSC REF#: 444895](#).) The

provided costs that totaled \$180,000 in conservation program expenditures for the test year.

Commission staff's estimate for the conservation budget is based on costs in accordance with Wisconsin Act 136, and/or costs MWU reported correctly in this account and that are related to conservation. Commission staff included \$133,200 in expenses in the revenue requirement for the 2022 test year total, which consists of a conservation budget of \$163,900, less \$30,700 in underspent conservation activity from previous years. MWU uses escrow accounting and accounts for those expenses in the subaccounts. The Commission finds the staff adjustments reasonable and requires MWU to continue the use of escrow accounting for the toilet rebate program.

Customer Assistance Program

Customer Assistance Program Background

The MWU proposed offering a pilot Customer Assistance Program (CAP) to address water affordability burden for low-income households in the community. MWU proposed to operate the CAP as a pilot program for two years and to provide a bill offset for customers that fall below 30 percent and 50 percent of the City of Madison's (City) median family income and who receive a water utility bill. Customers whose income is below 30 percent of the City's median family income would receive an offset to their water bill of \$12 each month, and those customers whose income is below 50 percent of the City's median family income would receive an offset of their water bill of \$8 each month. The annual program costs based on updated estimates for enrolled participants averaged over two years is \$148,714. The amount requested to fund the pilot program is less than the amount which Commission staff would consider material.

To participate in the program, an eligible customer would be required to submit a written application furnished by MWU. The customer would also need to provide a copy of a driver's license or state-issued identification card and documentation of total annual income for all residents living at the water service address. In addition to the means tested eligibility, customers participating in the CAP would be required to meet water conservation eligibility requirements, which may include completing upgrades through the non-profit organization Project Home. MWU also has an approved toilet rebate program, which would qualify low-income customers as well.¹ Customers who have received a rebate, or who live at a property whose previous owner or occupier received a rebate, would be eligible for the CAP in lieu of participating in the Project Home program. Customers who rent and receive a water bill would be exempt from water conservation eligibility requirements.

MWU requested to fund the CAP program at an estimated annual cost of \$148,714 as an operation and maintenance expense included in customer rates. The applicant proposed in its cost of service study to recover these costs equally through the general service charge collected from all customers. The applicant estimates that the program would add approximately 18 cents to each customer's monthly water bill. The applicant considered other funding methods, including funding as a City program. However, the applicant stated that the City is already taxing nearly to its levy limit and does not have the ability to raise taxes to fund a CAP for water customers. The applicant stated that instead, City policy makers have supported MWU exploring funding the CAP through customer rates, which they contend would provide a consistent funding source for the program, without having to cut funding elsewhere.

¹ The Commission-approved program allows the applicant to provide a \$100 bill credit rebate to customers who replace a low-efficiency toilet with a high efficiency EPA WaterSense-rated toilet.

The bill offset for customers would effectively remove the monthly service charge for qualifying customers. As a result, those customers would still pay for the water used, and particularly in light of the CAP's water conservation eligibility requirements, it is expected that customers will be incentivized to use conservation practices to further control their bills. Reducing the fixed charge of a bill and giving low-income customers greater control over the cost of their water directly related to the amount a customer could not only benefit participants directly, but could benefit the system as a whole by reducing overall water usage. In other CAPs around the country, utilities have made a business case for a CAP by claiming that a successful program would result in decreasing costs for collections, increased payments, and other financial benefits as a result of a reduced number of customers in arrears. The applicant stated that it anticipates seeing improved bill collection and a positive impact on overall cash flow as a result of the CAP.

Commission staff, recognizing the low potential impact on non-participating customers, the difficulty low-income customers face with ongoing rate increases, and the potential of the pilot program to provide the Commission with valuable information, included the costs of the program in the revenue requirement for the Commission's consideration. The Commission agrees. Based on the reasons cited for including the costs in the revenue requirement, as well as the potential cash flow benefits, conservation benefits, and other system-wide benefits, the Commission finds it reasonable to approve the pilot CAP for two years at an annual cost of \$148,714 as an immaterial operation and maintenance expense and include it in the revenue requirement.

In response to suggestions that approval of the pilot CAP raises unjust discrimination concerns, the Commission finds that the CAP does not set a utility rate. Under MWU's proposal, all customers in the residential customer class would be charged the same rate. Those customers who meet the eligibility criteria for the CAP would be charged the same rate as others in the same customer class, but would then be given a fixed monthly credit on their water bill depending upon their income level while participating in the program. Providing such a credit is akin to providing a rebate or other incentive for customer participation in the program—which does not raise concerns of establishing discriminatory rates. In fact, a number of utilities offer rebates, incentives and other credits for participants in Commission-approved programs. For example, MWU administers an approved incentive program that includes a rebate of \$100 per toilet replaced for low to moderate income customers. The investor-owned utilities' voluntary energy efficiency programs also provide budgeted incentives for eligible customers, including rebates. And, the Commission has approved arrears management plans which include utility “match” or “forgiveness” to amounts billed at the filed rate for the residential rate class. The Commission has authority to exercise its discretion and approve the CAP as an incentive, rebate or utility service, pursuant to Wis. Stat. §§ 196.02(2), 196.025, 196.03(1), 196.06, 196.07, 196.19, 196.37, and 196.395.

Further, even if approval of the CAP were somehow to implicate ratemaking, there is no unjust discrimination because all MWU customers would be eligible for the program should their financial circumstances find them below 30 percent or 50 percent of the City of Madison's median family income, and they meet the water conservation eligibility requirements.²

² Notably, this CAP is distinct from *Petition of the City of West Allis for a Declaratory Ruling as to the Legality of Discounted Employee Water Bills*, 68, Wis. PSC 55, docket 6360-DR-100 (January 29, 1985), in which

Moreover, the Commission has found instances in which rates that are preferential to some customers are not necessarily unjustly discriminatory, including economic development rates (EDR) for gas, electric and water, which temporarily treat customers within the same rate class differently. EDRs, like the proposed CAP program, have the potential to provide system-wide benefits. All utility customers are expected to receive a benefit. For the CAP, all utility customers are expected to benefit from a reduction in customer arrears and the costs of collection, and from increased conservation efforts of program participants, who might not otherwise have enrolled or participated in the water conservation programs that are required for CAP eligibility.³ Such preferential rates have withstood judicial scrutiny.⁴

Commissioner Nowak dissents and writes separately (see attached).

The Commission also finds that the reporting conditions that will be required for this two year pilot, as discussed further below, will serve as a useful tool for determining whether there are other characteristics unique to the participants.

CAP Tariff Language

The applicant provided draft tariff language for the implementation of the pilot CAP as Ex.-MWU-Schwenn-4. ([PSC REF#: 444646.](#)) The Commission finds it reasonable to approve the draft tariff language as offered by MWU and received into the record.

Commissioner Nowak dissents and writes separately (see attached).

discrimination was found where only utility employees were eligible for water bill discounts. While not every customer may be hired by MWU, every customer does have the potential of landing in circumstances in which their income falls below the thresholds identified for program participation. There is no hiring process to go through. Rather, any customer who receives a water bill whose income falls below the limits could be eligible.

³ See also Wis. Admin. Code § PSC 185.21(21). Even if the CAP were setting a utility rate, the administrative code explicitly states “[t]he commission may approve rates that promote efficient water use.” The Commission approved a conservation based rate structure for residential water customers in *Application of City of Waukesha Water Utility for Authority to Increase Water Rates*, docket 6240-WR-105 (May 31, 2007). Copy available at Ex.-MWU-Granum-6.

⁴ *Citizens Utility Board v. Public Service Commission*, 10-CV-3536 (2011)

EXHIBIT 3
CAP-1 Tariff

Public Service Commission of Wisconsin

Madison Water Utility

Customer Assistance Program for Low-Income Customers

The Utility has established a Customer Assistance Program to reduce the monthly water bill for low-income residential customers with household income less than or equal to 50 percent of Median Family Income for the Madison Area as established annually by the U.S. Department of Housing and Urban Development (HUD).

A. Program Eligibility

1. A Madison resident is eligible for financial assistance if their household income is equal to or less than 50 percent of the Median Family Income for the Madison Area as established annually by the U.S. Department of Housing and Urban Development (HUD).
2. Eligible residents who own the property at the water service address must participate in the Utility's Home Water Conservation Program, if eligible, or in the Utility's Toilet Rebate Program to receive financial assistance.

Homeowners at water service addresses that have previously participated in the Home Water Conservation Program or Toilet Rebate Program will be considered to have met this requirement.

Eligible homeowners at addresses that have not previously participated in either of these programs will be required to participate before receiving financial assistance.

B. Application

An eligible customer must submit a written application for financial assistance that shall include the following:

- a. A completed application on a form furnished by the Utility and signed by the customer.
- b. Documentation of total annual income for all residents living at the water service address.

After the Utility receives a complete application, the Utility will determine if the customer is eligible for financial assistance. If the applicant is the homeowner, the Utility will also determine if the property at the water service address has previously participated in the Utility's Toilet Rebate Program or Home Water Conservation Program. Such determination will be provided in writing to the applying customer. Applicants that are also homeowners at addresses that have not previously participated in the Toilet Rebate Program or Home Water Conservation Program will receive notice of the requirement to participate and application materials. Customers that qualify for the program will be required to submit documentation of current total annual income for all residents living at the water service address each year.

EFFECTIVE: =TBD=

PSCW AUTHORIZATION: 3280-WR-116

Public Service Commission of Wisconsin

Madison Water Utility

Customer Assistance Program for Low-Income Customers

C. Customer Assistance Program Financial Assistance

The Utility will offer an eligible customer financial assistance in the form of a rebate on the customer's monthly water bill.

Monthly Bill Credit:

Customers with income \leq 30% MFI:	\$12.00
Customers with income $>$ 30% and \leq 50% MFI:	\$8.00

EXHIBIT 4
Apportionment Methodology

	2020	2021	2022	3 YEAR AVERAGE		\$ 20.00	\$ 30.00
WATER	43,690,686.45	46,868,510.05	46,807,561.36	45,788,919.29	37.66%	\$ 8.00	\$ 12.00
SEWER	42,092,884.58	46,898,769.58	50,485,034.19	46,492,229.45	38.24%	\$ 7.37	\$ 11.04
LANDFILL	883,358.92	729,725.20	661,593.84	758,225.99	0.62%	\$ 0.12	\$ 0.18
STORMWATER	19,174,453.89	21,299,943.63	22,353,380.59	20,942,592.70	17.22%	\$ 3.31	\$ 4.97
URBAN FORESTRY	4,998,945.39	5,564,198.05	5,907,915.83	5,490,353.09	4.52%	\$ 0.87	\$ 1.31
RESOURCE RECOVERY	0.00	0.00	1,058,547.26	2,117,094.52	1.74%	\$ 0.33	\$ 0.50
					121,589,415.04	100.00%	<u>\$ 20.00</u> <u>\$ 30.00</u>

Note:

RR started on 7/1/22. Need to adjust their amount to account for this.
Doubled the 7/22-12/22 revenue and used that for the 3 yr. ave.

INTERIM AD DRAFT

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: 3jJ98pem2Hfeg2nQVgYJ | **Proof Updated: Oct. 29, 2024 at 02:36pm CDT**
Notice Name: 2025 RRSC

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	FILING FOR
Streets Division City of Madison hutch@cityofmadison.com (608) 261-4273	Wisconsin State Journal

Columns Wide:	1	Ad Class: Legals
Total Column Inches:	3.29	
Number of Lines:	37	

11/29/2024: General Legal	58.79
Affidavit Fee	1.00

Subtotal	\$59.79
Tax	\$0.00
Processing Fee	\$0.00
Total	\$59.79

PROPOSED 2025 RESOURCE RECOVERY SPECIAL CHARGE

PUBLIC NOTICE

MADISON WISCONSIN

In accordance with Madison General Ordinances Sec. 4.097(7), notice is hereby given on the proposed approval of the 2025 Resource Recovery Special Charge. The proposed rates will be considered by the City of Madison Common Council, at a regular meeting to be held **December 10, 2024 at 6:30 P.M.**, in the City-County Building, 210 Martin Luther King, Jr. Blvd. Room 201, or virtually via Zoom, and that the City of Madison Common Council will then and there consider said charges. You must register to speak before this matter is considered by the Council.

If you require an interpreter, materials in alternate formats, or other accommodations to access this service, activity, or program, please contact the Office of the Common Council at telephone number (608) 266-4071. Please make contact at least 24-hours prior to the date of this activity, so that we can make proper accommodations.
WSJ: November 29, 2024
WNAXLP



City of Madison

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

Master

File Number: 85825

File ID: 85825

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 10/23/2024

File Name: Amending the Engineering-Major Streets and Stormwater Utility Adopted Capital Budgets to transfer existing GO budget authority from the Stormwater Utility Citywide Flood Mitigation Program to the Mineral Point Road project, and authorizing the Mayor and t

Final Action:

Title: Amending the Engineering-Major Streets and Stormwater Utility Adopted Capital Budgets to transfer existing GO budget authority from the Stormwater Utility Citywide Flood Mitigation Program to the Mineral Point Road project, and authorizing the Mayor and the City Clerk to execute an Amendment to the contract between Madison and Mead & Hunt for additional design engineering services for the Mineral Point Rd. Pavement Replacement Project. (District 9)

Notes: Andrew Zwieg

Sponsors: Nikki Conklin

Effective Date:

Attachments:

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	10/23/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (1/6/25), Board of Public Works (12/18/24), Common Council (1/14/25)							

Text of Legislative File 85825

Fiscal Note

The proposed resolution amends the 2024 Engineering Major Streets Adopted Capital Budget by authorizing a \$125,000 net-neutral transfer of existing Stormwater General Obligation Borrowing (GO Borrowing) authority from the Stormwater Utility Citywide Flood Mitigation Program (Munis #11513) to the Mineral Point Road project (Munis #11131). Additionally, the proposed resolution authorizes an amendment to the existing contract (#8734) with Mead &

Hunt for additional stormwater design engineering services in the amount of \$111,100.00. No additional appropriation is required.

Title

Amending the Engineering-Major Streets and Stormwater Utility Adopted Capital Budgets to transfer existing GO budget authority from the Stormwater Utility Citywide Flood Mitigation Program to the Mineral Point Road project, and authorizing the Mayor and the City Clerk to execute an Amendment to the contract between Madison and Mead & Hunt for additional design engineering services for the Mineral Point Rd. Pavement Replacement Project. (District 9)

Body

PREAMBLE:

The City is proposing a pavement replacement and intersection improvement project from Mineral Point Road from the USH 12/14 W. Beltline Highway east ramp terminals to S. High Point Road as well as a large box culvert/storm sewer installation from Commerce Drive to S. High Point Road and S. High Point Road to 500 feet north to the drainageway in 2026 and 2027. The City entered into an agreement with Mead & Hunt for design services (Original: RES-23-00686).

The City Engineer recommends that additional design services be undertaken by Mead & Hunt. They are:

1. Survey (60 hrs.)
 - a. Additional topographic and utility survey is needed from the USH 12/14 W. Beltline Highway/Mineral Point Road Intersection west to Commerce Drive.
 - b. The existing additional survey will include utilities which may be impacted by the box culvert.
2. Traffic Control Staging (278 hrs.)
 - a. Additional traffic staging is needed for the box culvert construction from Commerce Drive east to the current pavement limits (USH 12/14 W. Beltline Highway/Mineral Point Road Intersection).
 - b. Detours for the USH 12/14 W. Beltline Highway Beltline ramp terminals, Mineral Point Road lane closures, and other staging details will need to be developed for the contractor to complete the box culvert connection at Commerce Drive to the east.
3. Roadway Improvements (Roadway, Pavement Marking, etc.) (294 hrs.)
 - a. The box culvert connection at Commerce Drive east to the original project limits (USH 12/14 W. Beltline Highway/Mineral Point Road Intersection) will need to be detailed with the additional impacts.
 - b. Plan details will be created to replace the pavement, marking, and other items.
 - c. Additional Coordination will also be required with the Wisconsin DOT to coordinate limits, improvements and other aspects.
4. Micro Tunneling Storm Sewer/Box Culvert (40 hrs.)
 - a. With the change in the improvement, location, and what will be included for construction, additional effort is needed.
 - b. Other aspects include transition details from the box culvert to the pipe, access location details, and additional utility coordination for the large pits.
5. Temporary Traffic Signals (105 hrs.)
 - a. The new box culvert will impact the existing signal conduit and wiring at the USH 12/14 W. Beltline Highway ramp terminals.
 - b. Temporary signals will be needed during construction to maintain traffic through the ramp terminals.

Preliminary Design, Environmental Document - \$243,500 (increase of \$42,400) (Increase of 22%)

Final Design, Including PS&E Roadway Plans - \$215,200 (increase of \$63,000) (Increase of 42%)

Structural Design - \$28,800 (increase of \$5,700) (Increase 25%)

Additional If-authorized - \$44,300 (increase of \$0)

Total - \$531,800 (increase of \$111,100) (Increase of 27%) (increase of 777 hrs.)

NOW, THEREFORE BE IT RESOLVED that the 2024 Stormwater Utility and Major Streets Adopted Capital budgets are hereby amended to transfer existing Stormwater borrowing budget from the Citywide Flood Mitigation Program (11513) to the Mineral Point Rd project (11131).

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute an Amendment to the contract between Madison and Mead & Hunt for additional design engineering services for the Mineral Point Road Project.



City of Madison

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

Master

File Number: 85964

File ID: 85964

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/05/2024

File Name: 12846 - Park Badger Redevelopment Master Plan

Final Action:

Title: Adopting the Redevelopment Master Plan and Phasing and Affordability Plan for City-owned properties in the Park and Badger Area, 802, 810 and 818 West Badger Road and 825 Hughes Place. (District 14)

Notes:

Sponsors: Sabrina V. Madison And Tag Evers

Effective Date:

Attachments: Exhibit A - Park Badger Master Plan.pdf

Enactment Number:

Author: Dan Johns, Housing Development Specialist

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	11/05/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 85964

Fiscal Note

The proposed resolution approves the overall site and phasing plans, as well as an initial analysis of the amount and type of affordable housing opportunities to be constructed on the site. It further authorizes CDA to enter into additional contracts with the lead development partner (Alexander Company) and other architecture, engineering and construction firms to design, finance, bid, and construct the components detailed in the Master Plan, subject to additional approvals by the Common Council and CDA Board of Commissioners.

The cost of housing component of each redevelopment phase is highly dependent on the number of units, level of affordability, and subsidy program selected. The Master Plan suggests that Phase 1 of redevelopment may include approximately 250 housing units in two buildings (connected by shared underground parking) and financed by 4% Section 42 tax credits. This number of units is supported by the adopted South Madison Plan and preliminary financial analysis based on the site being located in a Qualified Census Tract. Phase 1 also includes

new Fire Department and Public Health Madison & Dane County (PHMDC) facilities.

The proposed TID 51 Project Plan includes \$15.0 million in funding for CDA activities including redevelopment of the South Transfer Point, development at Village on Park, and land banking. The 2024 Adopted Capital Budget for CDA Redevelopment's South Madison Redevelopment project (Munis project 14431) included \$2.0 million of TID increment donated to TID 51 for predevelopment work. The 2025 Adopted Capital Budget includes \$4.0 million of TID increment donated to TID 51 in 2025 for additional predevelopment work and the estimated Phase 1 gap and \$3.0 million of TID increment donated to TID 51 in 2026 for the estimated Phase 2 gap. To date, the CDA's South Madison Redevelopment capital project has \$9.0 million of funding authorized by the Common Council.

The Fire Department's 2025 Adopted Capital Budget includes \$3.47 million of GF GO Borrowing in 2025 for the Fire Station 6 - W Badger Rd project (Munis project 17040). \$4.4 million for the project was included in the 2021 and 2022 Adopted Capital Budgets. To date, the project has \$7.87 million of funding authorized. PHMDC's 2025 Adopted Capital Budget includes \$15.0 million of GF GO Borrowing in 2025 for the South Madison Public Health Clinic project (Munis project 14878). Phase 2 of the Master Plan includes relocating the South District Police Station and constructing a new property and evidence facility on the site of the former Town of Madison Hall. The Police Department's 2025 Adopted CIP includes funding for this project (Munis project 17044): \$2.0 million of GF GO Borrowing in 2025, and \$38.8 million in GF GO Borrowing and \$2.7 million in federal funding in 2027.

No additional City appropriation required with approval of the proposed resolution.

Title

Adopting the Redevelopment Master Plan and Phasing and Affordability Plan for City-owned properties in the Park and Badger Area, 802, 810 and 818 West Badger Road and 825 Hughes Place. (District 14)

Body

WHEREAS, the City acquired commercial properties at 810 and 818 Badger Road via the Land Banking program, which when combined with existing City-owned properties at 802 West Badger Road (decommissioned Metro South Transfer Point) and 825 Hughes Place (MPD South Station), form a contiguous 4-acre redevelopment parcel (the "Park and Badger Area") suitable for high-quality, urban infill development on a key gateway intersection, consistent with the Guiding Principles of the South Madison Plan and the Comprehensive Plan more broadly; and

WHEREAS, on October 17, 2023, the Common Council designated the CDA as the Master Developer of the City-owned properties within the Park and Badger Area (RES-23-00652, File ID 80082); and

WHEREAS, in its role as Master Developer and in order to apply to the Wisconsin Housing and Economic Development Authority (WHEDA) for tax credits, the CDA is authorized to form development partnerships, create one or more not-for-profit LLCs, and run additional RFQ/RFP processes to hire the professional expertise needed in order to timely file tax credit applications, involving, but not limited to, co-development partners; legal counsel; architectural, engineering, and construction management firms; property management; and financial consultants; and

WHEREAS, the CDA engaged a developer-partner team headed by The Alexander Company to perform professional services related to the preparation of a master plan for development of new affordable housing, public health offices, lab and clinic spaces, fire station, and related

public/private amenities; leadership in the planning, application and project development process; and expertise in leveraging financial tools such as Low Income Housing Tax Credits (LIHTC); and

WHEREAS, City staff and development partners have created and publicly presented preliminary redevelopment concepts for the Park and Badger Area at two neighborhood meetings, which include the replacement of nearby Fire Station #6 and the Madison Dane County Public Health clinic, and approximately 350 total housing units in two phases as depicted and further described in the attached Exhibit A; and

WHEREAS, pursuant to a future Cooperation and Development Agreement to be authorized by the Common Council, the CDA will create and control one or more limited liability corporations (LLCs) through which it will retain ownership of all the land under the Park and Badger Area, ensuring long-term housing affordability, generating a reliable source of long-term operating income for CDA Redevelopment and/or Housing Operations, and improving the delivery of critical public health and fire protection services to the South Madison community.

NOW THEREFORE BE IT RESOLVED that the Common Council hereby approves the Redevelopment Master Plan and Phasing and Affordability Plan for the Park and Badger Area.

BE IT FURTHER RESOLVED that under said future Cooperation and Development Agreement and subject to the allocation of sufficient City budget authority in 2025 and subsequent years, the City shall sell or transfer property to CDA, provide necessary Tax Incremental Financing (TIF) and other general obligation (GO) sources of funding, and finance, construct, own and/or operate both a Public Health Madison Dane County clinic and a condominium for the new Fire Station #6, each to be located within the Park and Badger Area.

BE IT FURTHER RESOLVED, that subject to adopted City capital budget authority in 2025 and subsequent years, the CDA is hereby authorized to negotiate and enter into additional contracts for the redevelopment of the City-owned Park and Badger Area properties between the Alexander Company and/or other qualified contractors, the composition of which partnership(s) shall be determined subject to City purchasing processes administered by the CDA and/or Engineering Division.

BE IT FINALLY RESOLVED, that prior to commencing construction on any component of the Redevelopment Master Plan, the Common Council and CDA Board of Commissioners shall each approve and execute a Cooperation and Development Agreement more specifically enumerating the roles and responsibilities of each party with respect to the redevelopment of the Park and Badger Area.



**PARK
BADGER**
REDEVELOPMENT

MASTER PLAN REPORT



**Alexander
Company**



THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

Table of Contents

Executive Summary	4
Introduction	7
Community and Stakeholder Engagement	21
Master Planning and Placemaking	31
Financial Feasibility	55
Implementation Strategy	59
Conclusion	63
Team and Stakeholder Recognition	67
Appendices	71
Traffic Impact Analysis	72
Public Health Madison & Dane County	78
Madison Fire Station 6	88



Executive Summary

The Park Badger Redevelopment Master Plan sets forth a transformative vision for a four-acre parcel along South Park Street and Badger Road, a key southern gateway to Madison. Adjacent to other community development projects, institutions, and resources, this redevelopment strategically addresses vital community needs, including affordable housing and enhanced public services. Jointly led by the Madison Community Development Authority and The Alexander Company, the plan is rooted in principles of sustainability, equity, and active community engagement.

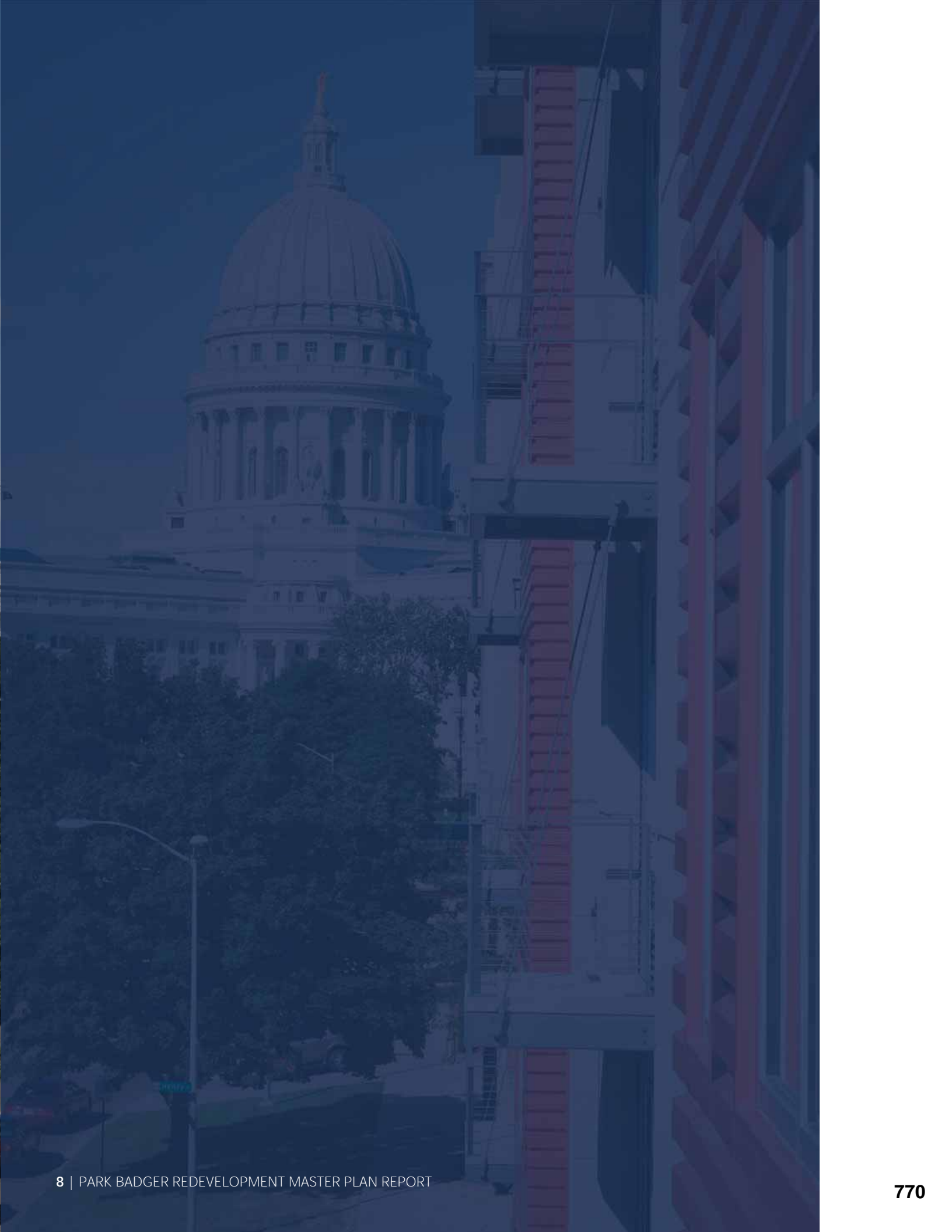
Feedback from the master planning process highlighted strong community support for affordable housing, a modern public health clinic, and a new fire station. The community emphasized the importance of thoughtfully managed density, ample green spaces, and accessible amenities, aiming to blend neighborhood character with innovative, sustainable design elements.

The plan proposes phased development, beginning with two mixed-use buildings for affordable housing and senior housing alongside public health and emergency services. Future phases will add multi-family housing and community spaces, with a strong commitment to sustainability through geothermal heating and solar energy to meet ambitious green standards.

Ultimately, the Park Badger Redevelopment seeks to foster a vibrant, inclusive neighborhood aligned with Madison's goals of resilience and social equity, providing a blueprint for a cohesive, sustainable community that serves the diverse needs of residents now and in the future.

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

INTRODUCTION



Introduction

CDA Description

What/Who is the CDA? What do they do?

The Madison Community Development Authority (CDA) is a key municipal agency dedicated to promoting sustainable community growth and revitalization. The organization focuses on enhancing the quality of life for residents by facilitating affordable housing initiatives, economic development projects, and community engagement programs. The CDA collaborates with local stakeholders, including government entities, businesses, nonprofit organizations, and other community groups, to address public needs and foster inclusive development. Through strategic planning and investment, the CDA aims to strengthen neighborhoods, improve infrastructure, and support the well-being of Madison's diverse populations.

Project Overview

What is this project?

The CDA owns a contiguous, four-acre parcel of land on its south side along South Park Street and Badger Road. Located along an arterial corridor that serves as a southern gateway to the city, the site is also adjacent to several exciting community development projects, established institutions, and accessible resources. This redevelopment is uniquely positioned to offer an opportunity for high-quality urban infill that contributes positively to the evolution and stability of the neighborhood's diverse community.

THE GOALS OF THE CDA

1. Affordable Housing: To increase access to safe and affordable housing for low- and moderate-income residents through development, rehabilitation, and supportive services.

2. Economic Development: To stimulate local economic growth by attracting and retaining businesses, creating jobs, and fostering entrepreneurship within the community.

3. Community Revitalization: To enhance the quality of life in neighborhoods through revitalization efforts, including infrastructure improvements, beautification projects, and public space enhancements.

4. Equity and Inclusion: To promote social equity and inclusion by engaging diverse community members in decision-making processes and ensuring that development benefits all residents.

5. Sustainability: To support sustainable practices in community development, including environmental stewardship and resilience to climate change impacts.

6. Collaboration: To build partnerships with local stakeholders, including government agencies, non-profits, and community organizations, to maximize resources and align efforts for community betterment.

7. Community Engagement: To actively involve residents in planning and development initiatives, ensuring their voices are heard and their needs are addressed.

Introduction

Purpose of the Redevelopment What is the purpose of this project?

The CDA intends to leverage the redevelopment site along South Park Street and Badger Road as a catalyst to provide essential mixed-income housing stock and modernized public facilities, including spaces for Fire Station 6 and Public Health Madison & Dane County (PHMDC). Additional housing options and local resources are necessary for the community and will immediately improve the health, safety, and resiliency of future on-site residents and neighbors. Throughout the project's distinct phases, the revitalization effort is intended to simultaneously advance the City's broader redevelopment objectives that were established as guiding principles to produce a more sustainable, inclusive, and accessible built environment.

Project Objectives What will it accomplish?

Sustainability, both during the construction period and the following operation of the buildings, is a key pillar to the redevelopment efforts on Madison's South Side. This project aims to integrate green infrastructure, such as porous surfaces, native landscaping, and energy-efficient buildings, to reduce environmental impact and enhance urban ecosystems. By prioritizing mixed-use development and placing a denser residential development along the Bus Rapid Transit (BRT) route, the CDA seeks to promote walk-ability and alternative transportation methods to reduce the reliance on cars, thereby lowering carbon emissions and improving air quality.

Engaging with the community to incorporate meaningful, sustainable practices ensures that the development reflects local values and priorities, ultimately fostering a more resilient and equitable environment that aligns with Madison's broader sustainability goals.

Community-driven feedback is significant to this project, considering the historical context of the South Madison Neighborhood, which will be discussed later in this report. As one of Madison's most culturally diverse communities, stakeholder engagement and other participatory planning processes must be prioritized and implemented appropriately to identify and understand the needs from differing perspectives. Ideally, this engagement not only fosters transparency and trust but also allows the development team to tailor aspects of the building to reflect the unique wishes and aspirations of the community. By incorporating feedback into design and planning decisions, the CDA aims to create functional spaces that resonate with the community's identity and values - making it more resilient and empowered. This commitment to inclusivity strengthens community bonds and enhances the overall success and acceptance of the redevelopment efforts, ensuring that the outcomes are aligned with the broader goal of fostering a vibrant and cohesive community.

Increased affordable housing opportunities, stratified across distinct financial thresholds and geographical areas, are essential to maintaining the City's health. Without increasing Madison's diverse housing stock, unchecked market burdens are placed on all residents with a disproportionately high impact on lower socio-economic individuals. This will likely result in greater financial hardship and additional displacement of Madison residents. The Park Badger Redevelopment is a targeted approach to provide a significant supply of attainable and affordable housing. By leveraging the benefits of a public-private partnership, the CDA seeks to use this development to alleviate housing pressures impacting this region and create a more equitable environment.

Introduction

Documents Informing This Project

The Park Badger Redevelopment strategically aligns with implemented city-wide plans and neighborhood objectives. The redevelopment fosters a cohesive integration with surrounding environments by incorporating stakeholder feedback and adhering to the established zoning regulations. The plans that influenced the teams' decision-making and processes are:

- Madison's Comprehensive Plan (2023)
- Madison's Housing Snapshot (2023)
- South Madison Neighborhood Plan (2022)
- Racial Equity & Social Justice Initiative (RESJI) Public Participation Resource Guide (2020)
- 100% Renewable Madison (2018)

Housing in Wisconsin Why is housing important?

Over the past five years, Wisconsin's housing market has seen significant shifts marked by rising prices and declining affordability. According to data from the Wisconsin Housing and Economic Development Authority (WHEDA) and the American Community Survey (ACS), the median home value in the state has increased by approximately 25%, now averaging around \$270,000. This escalation has placed homeownership out of reach for many families, with recent surveys indicating that nearly 40% of Wisconsin households spend more than 30% of their income on housing.

Additionally, Redfin and Zillow report a substantial decrease in housing inventory, with listings down nearly 30%, contributing to a competitive market where homes often sell above the asking price.

The demand for affordable housing options has become increasingly urgent, as many prospective buyers, particularly low- and moderate-income families, are finding themselves priced out.

The rental market in Wisconsin has also faced challenges, with PBS and HUD noting a marked increase in rental prices. The median monthly rent has risen by about 12% over the past five years, now averaging approximately \$1,200 statewide. This increase has led to 32-45% of renters spending over 30% of their income on housing costs, highlighting an affordability crisis. Moreover, AMS reveals that the rental vacancy rate has fallen to around 3%, further intensifying competition for available units.

Although Wisconsin's homeownership rate remains stable at approximately 67%, 2.7% higher than the national average according to the 2022 5-Year ACS, the combination of limited inventory and increasing rental costs underscores the pressing need for comprehensive housing policies and strategies to ensure equitable access to housing for all residents.

Housing in Madison What is important about housing in Madison?

Madison, Wisconsin, has been experiencing one of the most robust growth rates in the Midwest over the past several years.

As the state capital and home to the University of Wisconsin's flagship campus, the city benefits from a robust economy driven by the education, healthcare, and technology sectors. Additionally, Madison's reputation as a hub for cultural diversity, sustainability, recreation, and public services has drawn diverse families and young professionals who are seeking a high quality of life. The 2020 Census confirmed that Madison's population was approximately 510 people short of the Department of Administration's project population for the year 2030. This data demonstrates the intense demands impacting the available housing stock and, ultimately, the overall cost of living in the city.

According to the 2022 5-Year ACS, homeownership trends in Madison are inversely compared to the rest of the nation and state, with only 43.1% of the population identifying as homeowners. Redfin and other real estate sites identify the 2024 median price for for-sale products to be approximately \$400,000, an increase of \$10,400 from 2023 and \$21,000 from 2022. In April of 2024, the Wisconsin Realtors Association reported that with rising prices and mortgage rates, which outpaced family incomes, housing affordability decreased by 10%. The factors of rising prices and an increasingly competitive market explain why Madison's vacancy rate sits at 0.5% in the 2022 5-Year ACS.

The homeownership market illustrates that the increasingly limited affordable options are impacting current and prospective owners' maneuverability in the market. The bottleneck caused by the ownership market stagnation also has a spillover effect of limiting the available units in the rental market.

Madison's recent market trends have been marked by increased demand and rising rental costs. According to the 2022 5-Year ACS, approximately 57% of Madison's households are renters, reflecting an established and robust rental market. The city's vacancy rate is meager, hovering between 3-5%, with some sources reporting that it is well below that range. CoStar reported in 2024 that Madison's multifamily vacancy rate is the second lowest in the nation's top 55 markets, behind only New York City. This is despite a 6.5% year-over-year increase in volume that delivered 4,500 new rental units in 2023. CoStar has indicated that despite the zealous demand for new inventory, the pipeline for new developments is declining for 2024 and the start of 2025.

Limited new supply and increased demand, coupled with pre-existing stress on the existing housing stock, again explains why the gross monthly rent for a one-bedroom unit has risen to approximately \$1,400 per month. Gross rent increases of about 15% year-over-year have led to over 30% of households being cost-burdened (2022 5-Year ACS), which is defined as spending more than 30% of a household's income on housing. With fewer housing options and increasing prices, households, especially low-income ones, are less financially secure and at greater risk of displacement.

Introduction

Historical Context of South Madison

Why is the project happening here?

The South Madison Neighborhood has a rich and diverse history, shaped by waves of migration and the impacts of national and local urban renewal policies. Before those events, like the rest of the city, South Madison was populated by ancestral tribes. Eventually, just as the native peoples were forced out, so were many families from the Greenbush neighborhood who eventually settled in South Madison during the urban renewal of the 1950s. The practices of segregation and redlining caused long-term effects on the neighborhood, creating an environment of inequity characterized by isolation from essential services and economic vulnerability from disinvestment. Brownfields proliferating from former industrial sites that were acceptable during the practice of redlining to be adjacent to “low-grade” residential areas now stand as physical partitions between Madison’s communities.

The City of Madison and diverse community stakeholders took on robust planning efforts in response to these issues. In 2005, a plan was delivered to benefit and enhance the community while ensuring that existing, long-term residents and businesses were the immediate beneficiaries. The South Madison Neighborhood Plan (SMNP) was crafted to guide revitalization efforts, with recommendations surrounding economic development, housing, land use, parks, and transportation-related issues to strategically improve the quality of life and preserve and celebrate the neighborhood’s diverse cultural identities.

The current SMNP, adopted in 2022, is meant to update the 2005 mid-range plan, providing a refreshed vision for the next 15 years that builds on the progress achieved to date. The three guiding principles of the plan are as follows:

- **Anti-displacement and gentrification** - emphasizes the commitment to protecting existing residents from being pushed out of their homes due to rising housing costs and development pressures while ensuring that revitalization efforts promote equitable growth that benefits all community members.
- **Community wealth building** - focuses on creating and sustaining local economic opportunities that empower residents, foster entrepreneurship, and retain financial resources within the community, ultimately enhancing overall economic stability and resilience.
- **Opportunities to thrive** - underscores the commitment to ensuring that all residents have equitable access to resources, services, and opportunities - such as quality education, employment, and healthcare - enabling them to achieve their full potential and improve their quality of life.

These principles provide an opportunity for the document to act as a guide to address dynamic challenges that the community is facing. Central to the plan is the focus on equitable development, ensuring all residents have access to quality housing, essential services, and economic opportunities. The plan emphasizes the importance of community engagement during the process to enhance public spaces and improve infrastructure to achieve safe, healthy, and more accessible environments for everyone. The SMNP aspires to create a resilient community that promotes social cohesion, economic vitality, and empowerment by addressing these interconnected themes.

The CDA's ownership of a former industrial site and the adjacent parcels presents an opportunity for this project to provide additional housing opportunities to the existing community and advance environmental and economic justice. The site's location along the BRT route, next to the beltline, and adjacent to existing and future community resources provides improved mobility, accessibility, interconnectivity, and safety for residents in the area.

The CDA, for these reasons, decided to undergo a process to seek out a development partner that could help them accomplish this mission.

Planning and Development Team Selection Process

How did we get here?

A Request for Qualifications (RFQ) is a procurement process organizations use to assess and shortlist potential vendors or service providers based on their qualifications, experience, and capabilities. Typically employed in complex projects or industries, the RFQ gathers detailed information about a company's credentials, previous projects, technical expertise, and financial stability. By evaluating these factors, organizations can identify the most suitable candidates for further negotiation or bidding, ensuring that only qualified firms are considered for the project's specific needs. This process enhances the likelihood of successful project execution and fosters stronger partnerships.

The CDA issued an RFQ in January 2024 to undertake a project that would revitalize and redevelop city-owned parcels adjacent to the intersection of South Park Street and Badger Road. The RFQ process sought to establish a qualified public-private partnership that could steward the complex planning and future development efforts on the designated site in the South Madison Neighborhood. After receiving six submissions from experienced development teams and an interview process, the CDA chose a joint development team led by The Alexander Company on April 11, 2024.

Introduction

Team Overview

Why were we chosen?

The joint development group comprises a strong team of local businesses who are deeply familiar with Madison's South Side and the complexities involved in the planning and development processes associated with public-private partnerships and brownfield redevelopment. Conceived to represent and mirror the community the team serves, each organization was consciously selected to help provide distinct cultural insights that would lend themselves to advancing inclusion during the planning, design, and development processes. The team envisions the cooperative process of redeveloping this site to foster neighborhood health, safety, accessibility, and interconnectivity to make effective progress toward racial and social equity by leveraging sustainable tools of design justice.

The Alexander Company Lead Developer

As a master developer with expertise in public-private partnerships, The Alexander Company often oversees development's in-house financing, design, construction, marketing, and property management. This strategic focus provides a diverse team of experts and a single point of accountability for owners, investors, and partners. The Alexander Company has built a strong reputation for its ability to conceptualize, structure, entitle, and finance complex public-private partnerships.

The Alexander Company brings over 40 years of affordable multi-family housing experience and an in-depth understanding of Madison's south side - an area the firm calls home. Over the past 10 years, The Alexander Company has thoughtfully transformed a former brownfield site off of Rimrock Road into a \$120M+ master-planned urban infill development now known as Novation Campus. Today, the former fly ash dump offers mixed-income and multi-generational housing options, a complimentary mix of neighborhood-serving amenities and services, and local businesses that employ over 1,300 individuals on site.

With respect to this redevelopment, The Alexander Company will lead the project team alongside the consulting and co-developers from conception to completion. This structure is intentional to ensure adequate development capacity and talent at all stages of the project life cycle and to ensure representation of the myriads of voices who will be served and impacted by this project.

Captains Real Estate Management, Inc. Co-Developer

Captains Inc. is a minority-owned real estate development and management firm with a combined 35 years of real estate experience between its three principals - Gerardo Jimenez, Jeff Mack Jr., and Lee Evans III.

Captains Inc. owns, operates, and manages over 230 affordable and market-rate housing units in Madison and has developed/revitalized over 100 properties.

Captains Inc. is distinguished by its steadfast dedication to fostering positive change within communities through strategic real estate development and management. At the heart of their success is the firm's unparalleled network of connections within Madison, cultivated over years of dedicated engagement and collaboration. These relationships span a wide spectrum of the community, including alums, young professionals, state and local government officials, entrepreneurs, local businesses, and cooperatives. This network, combined with Captains' deep-seated commitment to equity and inclusion, results in an approach that aligns with this project's objectives and enhances the potential for success through strategic partnerships and community integration.

Captains Inc. will be a co-developer in this redevelopment and primarily lead public engagement efforts. Captains Inc. is also open to providing property management upon project completion. Captains Inc. will work alongside The Alexander Company in leading the project team and is eager to grow their expertise and reputation in managing large-scale, complex, public-private partnerships with affordable housing.

New Year Investments Consulting Developer

New Year Investments (NYI) is a woman-owned real estate development and brokerage firm located on the near south side of Madison. Between its two principals, Anne Neujahr Morrison and Sarah Neujahr, NYI draws on over 40 years of combined real estate experience. Both principals of NYI are shareholders of Urban Land Interests, a local asset management company founded in 1974.

NYI focuses on creating thoughtfully designed, mixed-use, urban infill properties in Madison and the surrounding area. With each project, NYI builds its reputation as a developer committed to understanding their surroundings, improving the built environment, and strengthening our community. The firm continues to be recognized for engaging stakeholders early in the process and creating long-lasting developments that enhance those it serves.

NYI will serve as a consulting developer for this redevelopment and enhance public engagement through lived experiences and lessons learned during the Taking Shape, Our Triangle redevelopment of the CDA Triangle Sites. NYI's role will also include ensuring the avoidance of conflict/competition for competitive and scarce financial resources so major CDA projects can be executed harmoniously, facilitating public art, identifying funding sources, setting green goals, and overall project design-look-feel.

Introduction

Potter Lawson Planner + Lead Architect

Potter Lawson is Madison's oldest design firm, with a legacy of innovation, creativity and iconic design. It is recognized as a Woman Owned Business (WBE) in both the State of Wisconsin and the City of Madison. Potter Lawson has an unparalleled reputation in planning, designing and executing landmark projects that influence the quality of life for all those who engage with it. Their long standing commitment to sustainability and to future generations informs every phase of their work.

Potter Lawson's in house services include master planning and placemaking, architecture, interior design, sustainable design, cost estimating and construction administration. Collaboration that fosters creativity is at the core of our design philosophy and pushes our team to grow and innovate, resulting in timeless and thoughtful designs for our clients.

Throughout a project's life cycle, Potter Lawson will wear many hats, including leading master planning visuals, designing Dane County Public Health's facilities, designing buildings, and coordinating with supplemental designers and engineers. Potter Lawson will also be heavily involved in conversations with diverse stakeholders to ensure the placemaking process and the culminating designs are responsive to public comment.

Project Goals How do they align with the South Madison Neighborhood Plan?

To demonstrate the team's commitment to advancing the goals of the South Madison Neighborhood, the group has decided to adopt the goals established in the SMNP as its beacon. This decision ensured that the project outcomes were oriented to address the community's existing needs. Those goals include creating a place that contributes to anti-displacement and gentrification, increasing community wealth, and establishing opportunities for residents and the community to thrive.

The goal of **anti-displacement and gentrification** will be furthered along by the construction of attainable housing that offers a range of unit types and levels of affordability to assist as many people as possible. Affordability levels will be capped for the foreseeable future, allowing consistency and security in a time of exponential rent increases. By ensuring that diverse housing options are available within the community, affordable housing helps maintain the socioeconomic fabric of neighborhoods, allowing long-standing residents to remain in their homes despite market pressures. Additionally, affordable housing development can stimulate local economies by fostering community engagement and stability, ultimately promoting a more inclusive and resilient environment.

The redevelopment is poised to significantly enhance **community wealth building** by creating a mixed-use environment that fosters local businesses and job opportunities. By prioritizing affordable housing in proximity to public services, commercial spaces, and reliable transportation, the project will empower residents to engage economically and better retain financial resources within the community. Furthermore, the redevelopment aims to support facilitating workforce development given the proximity to educational institutions and employment opportunities, ensuring that residents can benefit from the economic growth generated by the revitalization efforts.

The Park Badger Redevelopment aspires to provide sustainable **opportunities** for its new residents and the surrounding neighborhood to thrive. The project will incorporate community-driven spaces and amenities that foster social connections and well-being, encouraging active participation in neighborhood activities and empowering them to thrive within their community.

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

COMMUNITY + STAKEHOLDER ENGAGEMENT

Community + Stakeholder Engagement

In collaboration with the CDA, the Development Team is committed to fostering meaningful public engagement throughout the Park Badger Redevelopment project. This partnership recognizes the importance of listening to and incorporating the community's diverse perspectives to ensure the project addresses the needs and aspirations of all stakeholders. The group's commitment to transparency will involve clear communication and regular updates, providing opportunities for public input during the planning process. Collaboratively, members of the joint effort will also proactively seek feedback from residents, local organizations, and businesses to ensure the redevelopment reflects the values and priorities of the community. The redevelopment team is dedicated to creating a space that enhances the public good, promotes inclusivity, and strengthens neighborhood connections. Through ongoing cooperation, we will ensure that the Park Badger Redevelopment is a sustainable and vibrant asset for Madison's future.

The redevelopment team is committed to integrating Design Justice and Madison's Racial Equity and Social Justice Initiative (RESJI) values and principles throughout the Park Badger Redevelopment. The prioritization of equity, inclusivity, and accessibility will ensure that the design and implementation of this project reflect the needs and voices of historically marginalized communities, fostering a more just and equitable environment for all Madisonians.

Design Justice

Design Justice is a framework that prioritizes and includes underrepresented communities in the design process, ensuring that their voices, needs, and aspirations are central to creating built environments. The Park Badger Redevelopment team was selected, in part, because of its commitment to applying Design Justice principles, with a strong focus on equity, accessibility, and community-driven solutions. This approach aligns with Madison's goals of fostering racial equity and social justice, ensuring that the redevelopment project will serve as a vibrant, inclusive, and sustainable asset for all current and future residents.

The city-selected partnership is united in its commitment to:

Inclusive Decision Making – manufacturing a design process where diverse community stakeholders are prioritized. The team values the insights from various lived experiences that offer multiple perspectives. That knowledge will enable the design team to create spaces that are representative of and beneficial to the community it serves.

Embracing Community Strengths – understanding and leveraging the successful systems that already exist in the community before the development team seeks to implement alternative solutions.

Accountability Through Intentionality

– being collaborative, accessible, and accountable to the stakeholders impacted by this redevelopment. This will be achieved by creating communication tools and opportunities through diverse channels.

Racial Equity and Social Justice Initiative

Madison's Racial Equity and Social Justice Initiative (RESJI) is a comprehensive framework developed by the City of Madison to advance racial equity, social justice, and inclusion across all facets of city governance and community life. It aims to address systemic disparities, reduce racial and social inequities, and promote the fair treatment of all individuals, especially those from historically disenfranchised communities.

Through RESJI, the city and its partners commit to embedding equity and social justice into its policies, practices, and decision-making processes. This initiative is grounded in a recognition that racial and social disparities are deeply embedded in institutional systems and must be actively dismantled to achieve a more just and equitable city. RESJI emphasizes collective responsibility and community-driven solutions, ensuring that all residents can access the opportunities and resources needed to thrive.

RESJI Public Participation Plan

Madison's RESJI Public Participation Plan outlines a framework for engaging community members in a way that prioritizes inclusivity, transparency, and accountability in decision-making processes. By incorporating diverse perspectives and lived experiences, the RESJI Public Participation Plan aims to dismantle structural barriers to equitable participation and foster a culture of equity across city operations. The plan emphasizes **accessible communication, outreach strategies tailored to various community needs**, and a commitment to **building trust and fostering collaborative relationships** with community stakeholders. Adopting this approach has allowed the public-private partnership to create a more inclusive process where all residents can contribute to the conversation.

The development team will follow a structured approach that ensures inclusive, equitable, and transparent community engagement throughout the project. This process is as follows:

- **Define** the goals, stakeholders, and community needs, ensuring alignment with RESJI values and the project's broader objectives.
- **Select** appropriate engagement tools and strategies tailored to diverse community groups, including underrepresented and under-served populations.
- **Implement** the engagement process through accessible meetings, workshops, surveys, and other communication channels to actively involve the community in decision-making.

Community + Stakeholder Engagement

- **Follow up** with stakeholders to provide feedback on how their input has influenced the design and decision-making process, fostering transparency and trust.
- **Evaluate** the effectiveness of the engagement efforts, using data and feedback to assess the impact and identify opportunities for improvement in future engagement activities.

Strategic Implementation

“Define”

The Racial Equity Analysis is a comprehensive tool designed to guide the city's decision-making processes, focusing on promoting racial equity, social justice, and inclusivity. The RESJI Matrix provides a structured approach for evaluating policies, projects, and programs through an equity lens, helping city staff and decision-makers assess potential impacts on marginalized communities. It includes questions and criteria that prompt critical analysis of how proposed actions may contribute to or reduce racial disparities and inequities. By referring to this tool frequently, the team will ensure that racial equity considerations are systematically incorporated into the planning, budgeting, and implementation, making equity a central component of decision-making at all levels.

Leveraging this tool, in conjunction with other community engagement strategies, provided an initial lens for the redevelopment team to reflect on and enhance our goals, identify initial stakeholders, and create assumptions surrounding the needs of the South Madison Community.

As the community engagement efforts, led by Captains Real Estate Management, Inc., advanced over the master planning timeline, the team's community outreach cultivated relationships that produced meaningful dialogue. Working in tandem with the public events that fostered open conversations and immediate feedback, the list of stakeholders naturally expanded, and the specifics of the designs shifted to incorporate and balance diverse needs and address concerns communicated throughout the process.

Stakeholder Identification: The diverse stakeholders of the Park Badger Redevelopment encompass a wide range of individuals and entities. Intentionally, the group attempted to prioritize existing residents and groups that are historically underrepresented or are advocating on behalf of these communities for greater economic development, housing opportunities, and social services in the planning and design processes. Additional stakeholders include local businesses and religious institutions, diverse city and county agencies, elected officials, policymakers, the redevelopment team, environmentalists, future residents, and the broader City of Madison.

“Select”

The redevelopment team recognizes the challenges of time constraints and other resources necessary for community members to consistently engage in master planning efforts. In addition, specific features of the redevelopment, like the Fire Station and PHMDC, must balance code and operational requirements with community preferences for spaces they are interacting with. To foster greater engagement, the team implemented various outreach methods to empower individuals and other community entities to engage with the planning process to varying degrees.

Therefore, the redevelopment team used the International Association for Public Participation (IAP2) Spectrum. This is introduced in the RESJI Public Participation Plan as a tool to help define the community’s role in the engagement process and determine what levels of participation are appropriate for specific portions of the project.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

© AP2 International Federation 2016. All rights reserved. 20161112_v1

RESJI Public Participation (IAP2) Spectrum

The stakeholder engagement process for the City of Madison’s projects, including those guided by the Racial Equity and Social Justice Initiative (RESJI), follows a comprehensive, multi-step approach designed to ensure inclusive and meaningful participation from all relevant stakeholders.

Community + Stakeholder Engagement

Inform: This is the first step of the process, where the community is made aware of critical developments, objectives, and opportunities for involvement. Strategies that were used to accomplish this include:

- Fact Sheets
- Press Releases
- City Website
- Project Website
- Alder Communication Streams
- Posting to the City Calendar of Events
- Individual Conversations
- Flyer Pinning
- Email Messaging
- Postcard Deliveries

Consult: Surveys, public meetings, focus groups, and other strategies are implemented to gather feedback and understand community concerns and priorities.

- Public Comment
- Public Meetings (virtual and in-person)
- Focus Group Meetings
- Individual Conversations
- Online Commenting on the Project website

Involve: This step ensures stakeholders actively engage in discussions, co-design solutions, and contribute to decision-making.

- Second Public Meeting (virtual and in-person)
- Design Charette Exercises
- Small group and individual conversations
- Ongoing conversations with Alders

Collaborate: Elements in this category deepen the relationship between the city and community by working together on project planning, refining strategies, and developing actionable outcomes.

- Weekly Meetings with the Fire Department, PHMDC, and City Agencies

Empower: This step is the culmination of activities in which community members are provided with the tools, resources, and authority to take ownership of specific aspects of the project, ensuring their voices directly shape policies and initiatives. Due to the technical nature of master planning designs and development and the complexity of balancing special requirements from each city agency, it was challenging for the project team to accomplish this level of community engagement. Therefore, it is beneficial that the team's pre-existing connections to the South Side of Madison were prioritized during its conception. They understood that certain levels of community engagement would be challenging, which meant that the team had to be natural stewards and advocates for the communities represented in the neighborhood.

“Implement”

The team, led by Captains Real Estate Management, Inc., applied the principles of RESJI and Design Justice as their guide and leveraged a three-pronged approach to promote community awareness and involvement in the design process.

The strategies included dynamic interactions with community members and businesses and a grassroots “walk the neighborhood” approach to generate awareness of the project and drive interest in attending the public meetings hosted online or at locations in the community. The goal was to engage and acquire public feedback to inform the team’s iterative design process that addressed housing, accessibility, community resources, green space, and other features.

With respect to **dynamic interactions**, Captains Real Estate Management, Inc. initially met with both community Alders on the CDA Board to gain insight into their initial thoughts on developing the site. These conversations provided a baseline of understanding for how the community would initially perceive the redevelopment. In addition, the meetings supplied the team with “best practices” for engaging the diverse community and established connections to community members and entities outside the team’s pre-existing relationships. The Alders were used as sounding boards throughout the process and provided consistent feedback to the design team.

The insights afforded by these conversations led to over 75 conversations with community members and organizations before our first community meeting. This allowed us to develop a robust list of initial thoughts, questions, and concerns surrounding the redevelopment of the project site and its impact on the broader neighborhood. These consultations were also ongoing throughout the process and were vital resources for the team to collect feedback and further involve people in the design process.

The team invested significant time into **grassroots “Walk the Neighborhood”** conversations. Conducted with diverse community stakeholders, these efforts were highly effective and laid the foundation for the listening and visioning process. Our ambition as a team was to cast as wide of a net as possible to capture representation from all parts of the community. These efforts were mainly used before each community meeting to promote attendance.

- Walking through the neighborhood and stopping at local businesses to spread further awareness
- Attending community events, including the opening of Centro Hispano, the Black Community Center, and the Black Business HUB, where we demonstrated our commitment to the community and had conversations with 100+ people
- 5,500 bilingual postcards were sent to neighbors on the south side of Madison
- Over 60 flyers were posted around the community
- Over 600 emails were sent out
- Press Releases
- Posts to the City Website and Calendar
- Launching of Project Website with Events, Articles and Timelines

Community + Stakeholder Engagement

The **two public meetings** hosted by the redevelopment team held the same objective: to collect feedback and ideas for alternative design solutions that would positively impact the community and garner support. To make each of these opportunities accessible to the broader community, the team offered a virtual version during the daytime and an in-person event in the neighborhood that evening. If individuals could not attend either option, the presentations were posted on the project website, allowing them to submit feedback and get information on the next steps if they wanted to stay involved.

The first public meeting was hosted on the evening of June 24, 2024, at the Black Business HUB in the South Madison neighborhood, with a virtual option available earlier in the day. The first meeting was intended to inform the community of the initial ideas for the redevelopment and then collect immediate feedback from the participants through a Q&A session. Thirty people attended the virtual meeting, and the latter, in-person session had 36 attendees. Neither figure accounts for members of formal stakeholder groups in attendance.

The significant feedback themes were as follows:

- Concerns of too much density
- A need for dedicated housing for aging populations
- Housing needs to be affordable and accessible to diverse populations
- Inclusion of ample green spaces
- Diverse amenities for existing and future residents of all ages
- Ample affordable parking for residents and visitors

- Safe pedestrian infrastructure
- Ensure quality design and environmentally friendly features
- Opportunities for homeownership

Following the first meeting, the website received slightly increased traffic. The feedback supplied to the team offered clarity on design adjustments necessary to provide the community with an asset. Several months later, a second meeting was held to refine the vision for the project site further. In the interim, additional conversations with community members, press releases, and other activities were conducted to sustain engagement.

The second public meeting was hosted on the evening of September 23, 2024, at the Catholic Multicultural Center in the South Madison Neighborhood, with a virtual option available earlier in the day. This meeting intended to share the updated design and vision for the site, which was directly influenced by the feedback received after the first community meeting and other community outreach efforts.

Breakout groups following the formal presentation leveraged small group conversations and interactive displays to collect additional input on community space activation, greenspaces, pedestrian safety, and housing opportunities.

Following the second meeting, the website in the next week received 290 individuals on the website, compared to the previous week's total of 21 people.

This increase in volume is likely attributed to the newly tangible nature of the project and the media releases that followed the meeting. Like the previous meeting, people who could not attend either meeting were encouraged to visit the website to engage with the presentation and provide feedback. That direct feedback has been used to influence the design of this redevelopment directly and would not be possible without the participating community members.

“Follow-Up”

Throughout the process, the team tried to prioritize an open line of communication with the neighborhood's immediate community stakeholders and stakeholders at the city level. Whether through one-on-one conversations, group discussions, public meetings, or the comment section on the website, the team values the opinions of the existing community. Following up on discussions and demonstrating that we were listening is paramount to the success of this project, and the project team believes that the adjustments illustrated in each iteration prove that we are committed to the community.

“Evaluate”

Reflecting on the redevelopment team's efforts to meaningfully engage the broader community during the master planning process, the team is encouraged to see that the outreach resulted in meaningful adaptations to programming and the culminating design that lends this redevelopment as a future asset to the community.

Key Takeaways

Through a comprehensive review of the feedback gathered during the vision planning process, the team identified six core themes that have guided our approach.

1. **Community-Centric Design:** Building community trust and fostering collaboration in the design process is essential for gaining buy-in.
2. **Site Density and Building Heights:** The community places significant importance on maintaining the appropriate density levels and building heights that align with their vision.
3. **Affordable Housing:** There is a clear need for diverse and inclusive housing options that cater to a variety of persons and incomes.
4. **Parking Capacity:** Ensuring sufficient parking remains a critical element for the site's functionality and accessibility.
5. **Safety and Security:** Safety is a top priority, with community members emphasizing the need for well-design, secure spaces.
6. **Site Activation:** Activating the site with vibrant, engaging spaces that benefits both current and future residents.

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

MASTER PLANNING + PLACEMAKING

Master Planning + Placemaking

How Community Engagement Shaped the Master Plan

The planning team prioritized responsiveness to the needs and concerns of the surrounding neighborhood, the City of Madison, and future residents. Through the various engagement meetings with community members, the team gathered valuable insights into their priorities. Key concerns included managing density near existing single-family homes, creating amenities for new residents - especially teens - ensuring sufficient parking for all site uses, and fostering inclusivity, particularly for individuals with accessibility needs.

To address these concerns, the design evolved in several significant ways. Recognizing the neighborhood's apprehension about density, the tallest building was strategically positioned along South Park Street on the eastern edge of the site. This approach allows for lower-profile buildings to be located closer to existing single-family homes, preserving the neighborhood's character. Specifically, Buildings 1B and 2C, planned for Phase 2, will be five stories tall, while the westernmost portion of Fire Station 6 will be limited to two stories.

The design also incorporates thoughtfully planned amenities. Each building will feature rooftop podiums - typically one story above ground level - providing secure, accessible spaces for residents. These podiums will include outdoor areas for cooking, dining, lounging, and potentially play equipment, fostering a sense of community within each building. Beyond private spaces, the plan introduces a publicly accessible greenway connecting Hughes Place to Badger Road.

This greenway will serve as a shared outdoor space, offering greenery and patio areas for both new residents and the broader community, including visitors to public service facilities like PHMDC.

Parking, a critical concern for both residents and staff of the Fire Department and PHMDC, will be addressed with two levels of underground parking. This solution minimizes street parking demands while maximizing the site's public green space, ensuring a balance between functionality and community-oriented design.

Through a collaborative and responsive design process, community input directly shaped the master plan, aligning it with local priorities while advancing the City of Madison's broader goals.

Park Badger Redevelopment Conceptual Vision

The Park Badger Redevelopment, located at South Park Street and West Badger Road, is a transformative project aimed at revitalizing the area. Currently, the site hosts the South Bus Transfer Point, the former Centro Hispano, the City of Madison Police Department - South District, and the Badger Building. The redevelopment will feature two new buildings in two phases, with thoughtful integration of residential, civic, and public health facilities.

In Phase 1, the project will feature two buildings, 1A and 1B, supported by a shared underground parking garage that will serve residents, PHMDC employees, and Fire Station 6 personnel. Building 1A (eight stories) will house PHMDC on its lower levels, with affordable housing units above. Building 1B (five stories) will provide a new two-story space for Fire Station 6, while the upper floors will accommodate senior housing. Phase 2 will add Building 2C, a five-story multi-family residence with walk-up units along its ground level, blending seamlessly with the surrounding neighborhood and greenway.

Rooftop terraces across all buildings will provide residents with communal spaces, while the greenway nestled between Building 1A/1B and along the east perimeter of Building 2C will feature seating and a walking path, creating a natural link between new BRT stops and Madison College. Massing views on page 38 illustrate the relationship between the proposed structures and the site's existing context, using color-coded representations to distinguish different building functions.

The greenway design enhances connectivity and accessibility across the site, anchored by a plaza across Madison College on West Badger Road, which invites visitors into the development's central green area. From there, a canopy leads to a meandering walking path stretching from West Badger Road to Hughes Place, which aligns with the new BRT stops.

Master Planning + Placemaking

Building entries have been strategically placed to enhance flow and accessibility. Building 1A features a residential entry at South Park and Badger, while PHMDC has a dedicated entrance further north on South Park. Building 1B offers separate entrances for the fire station and senior residences facing Badger Road. The elevation along West Badger Road demonstrates the gradual scaling down of building heights, ensuring that the denser structures are closer to South Park Street, while the buildings closest to the existing residential areas are less imposing.

Fire Station 6

As part of the Park Badger Redevelopment team, OPN Architects led the City of Madison and Madison Fire Department to identify the current and future needs of Fire Station 6. The Fire Department has a critical role in the development. It was a priority to ensure their goals and needs were addressed and that they blend in seamlessly with the overall development.

Through a series of visioning meetings, the team identified several key opportunities and needs for the new station, including expanding the facility's footprint, incorporating trauma-informed design to address PTSD, ensuring robust decontamination and air filtration, and embedding a new CARES program within the station.

The project scope evolved to accommodate increased demands, including additional dorms, offices, apparatus bays, and expanded facilities for fitness and dining, reflecting the growing needs of the Fire Department. The development will aim to create a firefighter-centric space, enhance community engagement, and ensure future adaptability. Sustainable building systems were also prioritized, aiming for a minimum of LEED V4 Silver certification, with plans for geothermal heating, photovoltaic energy systems, and a backup power generator. The design team visited recently completed fire stations to gather insights on materials, design, and operational functionality. Key takeaways highlighted the importance of natural light, spaciousness, and effective organization of living and operational spaces.

An iterative design process led to several concept layouts, with the final design featuring a two-story station. The fire station will be situated in a T-shaped configuration, with separate areas for apparatus storage and living spaces, including a community/training room that may be accessible to both firefighters and residents. Overall, the redevelopment aims to create a modern, sustainable fire station that meets the needs of the department and fosters community interaction, all while addressing contemporary challenges in fire service operations.

A full narrative regarding the Fire Station 6 planning process including a proposed space needs program and concept plans can be found in the appendix on page 88.

PHMDC

Potter Lawson collaborated with the City of Madison and PHMDC team to create a space needs assessment and test fit floor plan. Potter Lawson toured existing facilities, conducted an online survey of key PHMDC staff, and worked closely with the PHMDC Executive Team to develop a plan to consolidate the majority of PHMDC operations under one roof.

Through multiple meetings, several important themes emerged:

- Bringing multiple departments together into a single space.
- Improved internal efficiencies, collaboration, and communication.
- Enhancing departmental effectiveness for the community.
- Promoting community activity and engagement.

A full narrative regarding the PHMDC planning process including a proposed space needs program and concept plans can be found in the appendix on page 78.

Greenspace, Public Art, and Access

As shown in the Phase 1 Aerial View on page 45, the greenway and rooftop terraces offer outdoor areas, fostering a strong connection between indoor and outdoor spaces. The Phase 2 Site Plan on page 47 extends the green space network further, with walk-up units in Building 2C elevated slightly to maintain privacy from the surrounding public areas.

The project also incorporates art installations to enhance the aesthetic and cultural experience. Potential art placement areas have been designated throughout the development, allowing interactive sculptures and murals, with plans to involve community input on the selection of style, type, and artists - as shown on pages 48-49. A green space aerial view on page 50 highlights the walking paths, seating areas, and patios designed to foster community engagement and enjoyment.

Pedestrian access throughout the site is carefully considered, with bike routes along West Badger Road, and sidewalk paths connecting key locations and bus stops, as demonstrated on page 51. For vehicles, access points ensure smooth movement and parking options for residents and the public, while the fire station incorporates pull-through access to streamline emergency responses, shown on page 52. Finally, site setbacks and easements comply with R-MX zoning standards, ensuring that the development integrates harmoniously within the neighborhood while respecting property boundaries and access requirements, seen on page 53.

Master Planning + Placemaking

This master plan envisions a vibrant, accessible, and community-oriented environment that brings together residential, public service, and civic spaces to enrich the Park Badger Redevelopment.

Sustainability Goals

The Park Badger Redevelopment project represents a collaborative effort to create a forward-thinking, sustainable community. This redevelopment will serve as a model for integrating innovative sustainability practices across multiple areas of design and construction. Below is an overview of key sustainability goals and strategies guiding this project.

Mass Timber Construction

The team is exploring the use of mass timber as a sustainable building material. This approach offers dual benefits of reducing carbon emissions through carbon sequestration and potentially accelerating construction timelines. A cost-benefit analysis will inform final decisions.

All-Electric Systems

The project will feature fully electric systems, excluding essential equipment like the emergency generator and outdoor residential grills. Additionally, pending approval, the Fire Station may utilize a gas cook top for operational needs.

Gray Water Reuse

Stormwater management will prioritize sustainability, with plans to repurpose gray water for irrigation and other practical uses, such as vehicle washing. This approach reduces water consumption and supports environmental stewardship.

Enhanced Insulation and High-Performance Windows

Energy efficiency is a core focus. Building envelopes will incorporate advanced wall systems, leveraging best practices from the Taking Shape, Our Triangle CDA project. High-efficiency windows with thermal barriers will be used to improve performance without compromising natural light, though triple-paned solutions may not be feasible.

Geothermal and Solar Energy

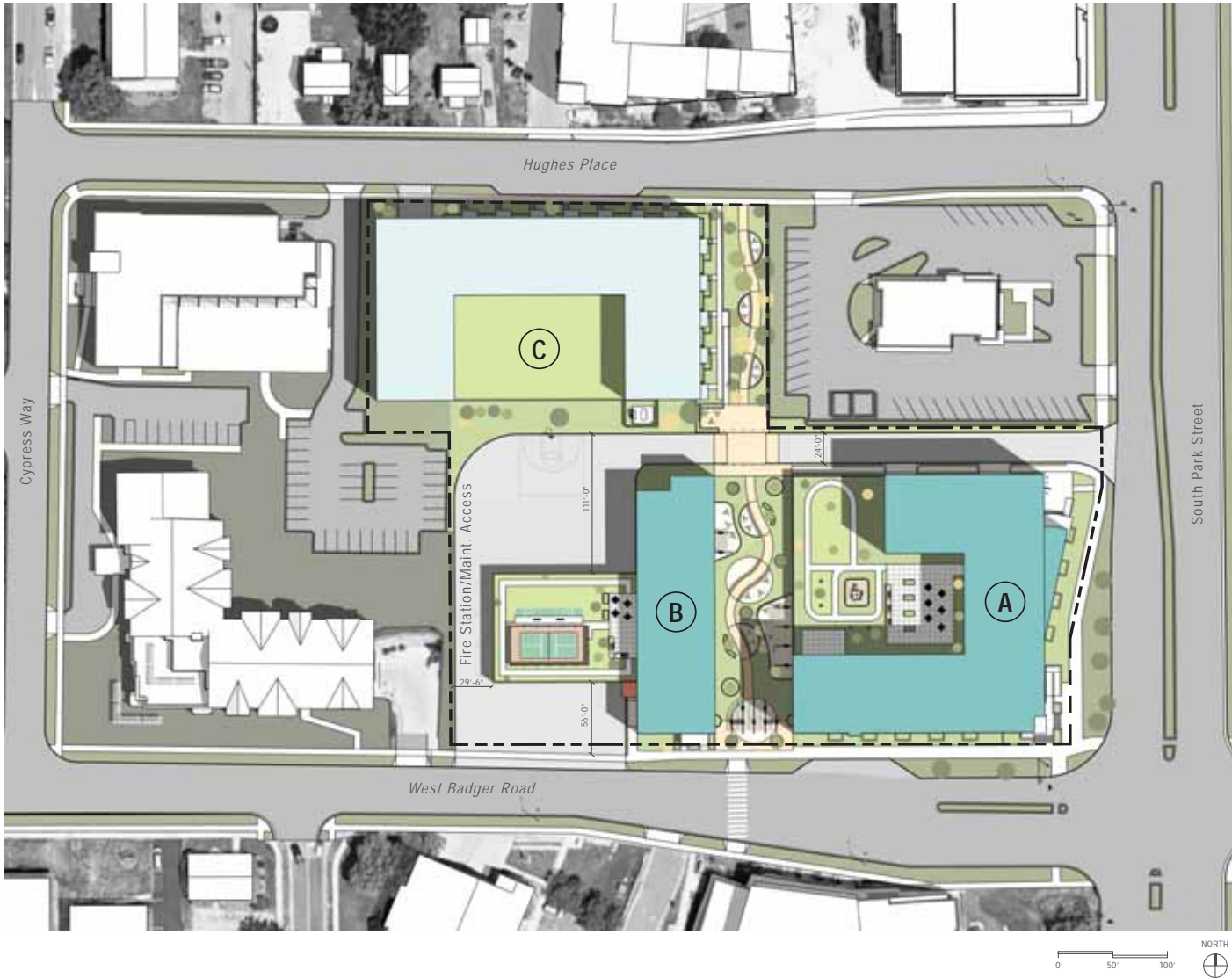
Geothermal systems are under evaluation, with exploratory borings planned to determine site viability. Roof space will be optimized for solar energy, balancing green/blue roofs and mechanical needs. While solar panels may not be installed during initial construction, provisions will allow for future integration under a separate budget.

HVAC Systems and Air Quality

Operable windows will enhance ventilation, allowing for the use of MERV 11 filters to maintain indoor air quality while reducing the frequency of filter replacements.

Green Building Certifications

The Fire Station and PHMDC components aim for LEED Silver accreditation, with the City of Madison covering review fees. The team is also evaluating other green certifications, such as Enterprise Green Communities, to maximize financial incentives and sustainability impact.



Site Summary
Park Badger Redevelopment - 2024.22.00
November 01, 2024

PHASE 1	BUILDING A		MIXED-USE		
		SF	Units	Total Units	Parking
	Floor 8	24,000 SF	28	183	
	Floor 7	24,000 SF	28	155	
	Floor 6	24,000 SF	28	127	
	Floor 5	24,000 SF	28	99	
	Floor 4	24,000 SF	28	71	
	Floor 3	24,000 SF	28	43	
	Floor 2	14,150 SF	15	15	
	Floor 2	9,850 SF	PHMDC		
PHASE 1	Floor 1	25,600 SF	PHMDC		20
	Basement 1				150
	Basement 2				150
	TOTAL	193,600 SF	183		320

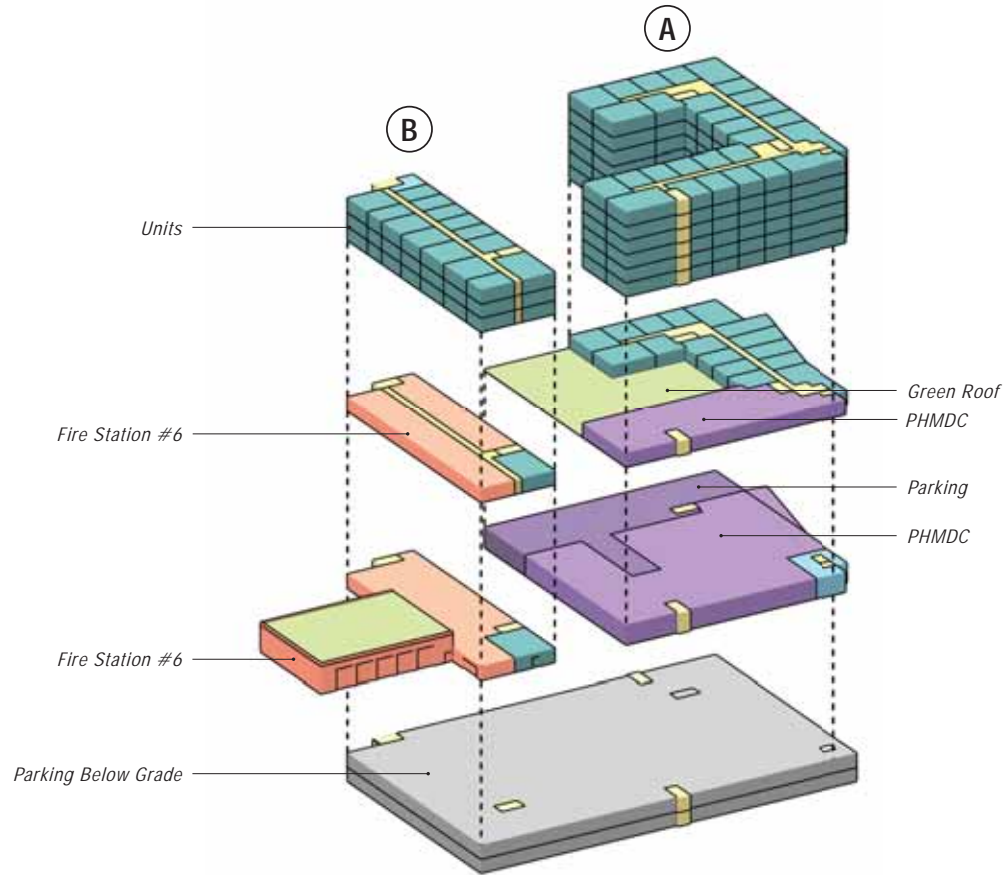
PHASE 2	BUILDING B		SENIOR LIVING		
		SF	Units	Total Units	Parking
	Floor 5	12,100 SF	17	51	
	Floor 4	12,100 SF	17	34	
	Floor 3	12,100 SF	17	17	
	Floor 2	1,450 SF	Residential Space		
	Floor 2	10,650 SF	Fire Station		
	Floor 1	20,100 SF	Fire Station		
	TOTAL	68,500 SF	51		

PHASE 2	BUILDING C		MULTI-FAMILY	
	Up to Five Floors			
	Up to 120 Units			
	Up to 120 Parking Stalls			

SITE SUMMARY		Parking		
	Units	First Floor	Basement	Total
Building A	183	20	300	320
Building B	51			
Building C	120	50	70	120
TOTAL	354	70	370	440



PHASE 1

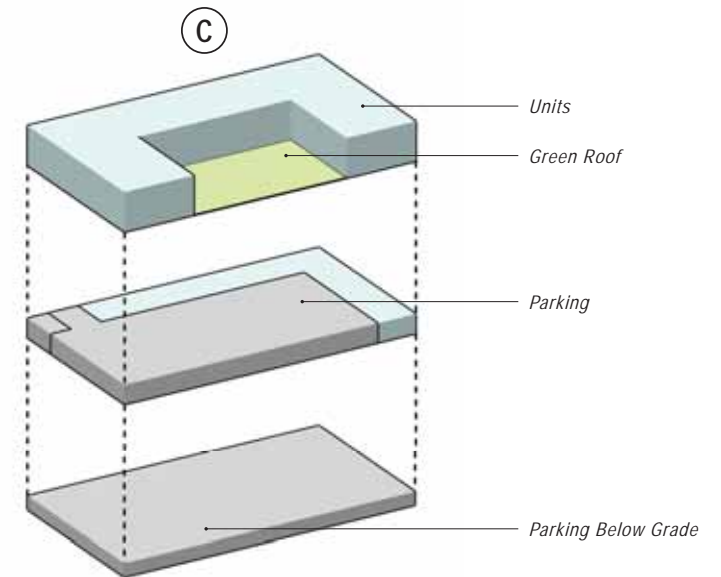


PHASE 1

	SF	Units	Parking
Building A	193,600 SF	183	320
Building B	68,500 SF	51	
TOTAL	262,100 SF	234	320

Expanded Building Diagram
Park Badger Redevelopment - 2024.22.00
November 01, 2024

PHASE 2



PHASE 2

Up to Five Floors
Up to 120 Units
Up to 120 Parking Stalls



SOUTH EAST



SOUTH WEST



NORTH EAST



NORTH WEST

Massing Views
Park Badger Redevelopment - 2024.22.00
November 01, 2024



Green Space Perspective Views
Park Badger Redevelopment - 2024.22.00
November 01, 2024



BUILDING A RESIDENTIAL ENTRY



PHMDC ENTRY



FIRE STATION #6 ENTRY



BUILDING B RESIDENTIAL ENTRY

Entry Views
 Park Badger Redevelopment - 2024.22.00
 November 01, 2024



Ⓐ Building A - 8 Stories

Ⓑ Building B - 5 Stories

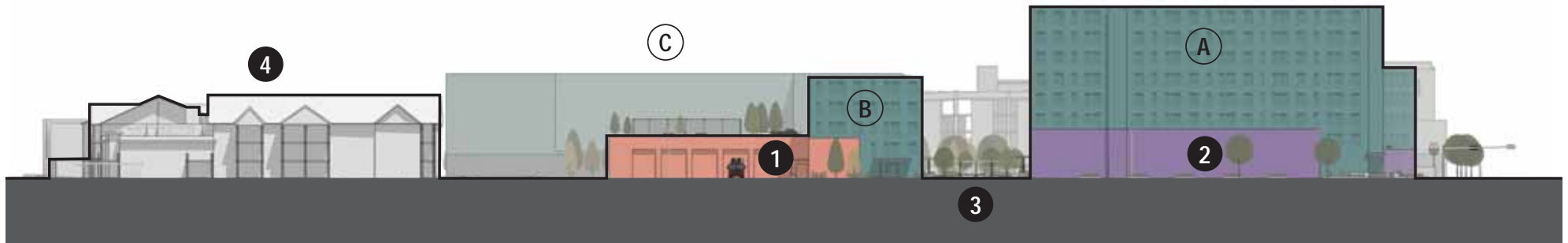
Ⓒ Phase 2

1 Fire Station #6

2 PHMDC

3 Green Space

4 Burr Oaks Senior Apartments



0' 100' 200'

Elevation Along West Badger Road
Park Badger Redevelopment - 2024.22.00
November 01, 2024



Ⓐ Building A - 8 Stories

Ⓑ Building B - 5 Stories

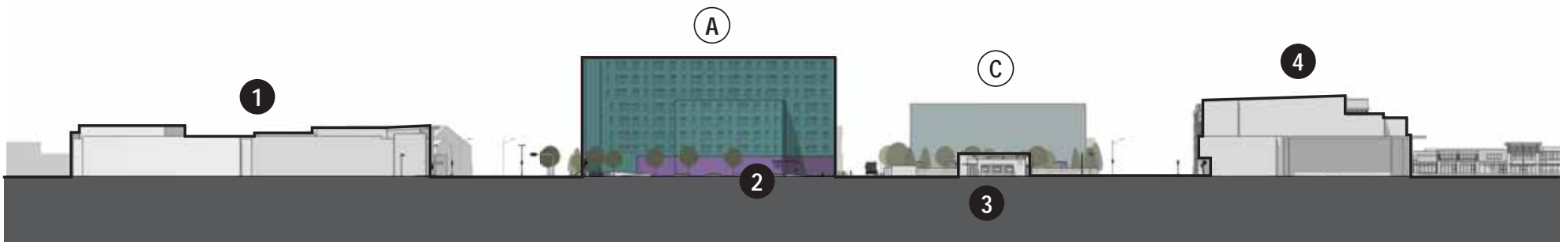
Ⓒ Phase 2

① Madison College South Campus

② PHMDC

③ McDonald's

④ Black Business Hub



Elevation Along South Park Street
Park Badger Redevelopment - 2024.22.00
November 01, 2024





- Ⓐ Building A - 8 Stories
- Ⓑ Building B - 5 Stories
- Ⓒ Phase 2
- 1 Black Business Hub
- 2 Planned Parking Structure
- 3 Police Station
- 4 McDonald's
- 5 Centro Hispano
- 6 Burr Oaks Senior Apartments
- 7 Fire Station #6
- 8 PHMDC
- 9 Madison College South Campus

Site - Phase 1 Aerial
Park Badger Redevelopment - 2024.22.00
November 01, 2024





- Ⓐ Building A - 8 Stories
- Ⓑ Building B - 5 Stories
- Ⓒ Phase 2
- 1 Black Business Hub
- 2 Planned Parking Structure
- 3 Phase 2
- 4 McDonald's
- 5 Centro Hispano
- 6 Burr Oaks Senior Apartments
- 7 Fire Station #6
- 8 PHMDC
- 9 Madison College South Campus

Site - Phase 2 Aerial
Park Badger Redevelopment - 2024.22.00
November 01, 2024

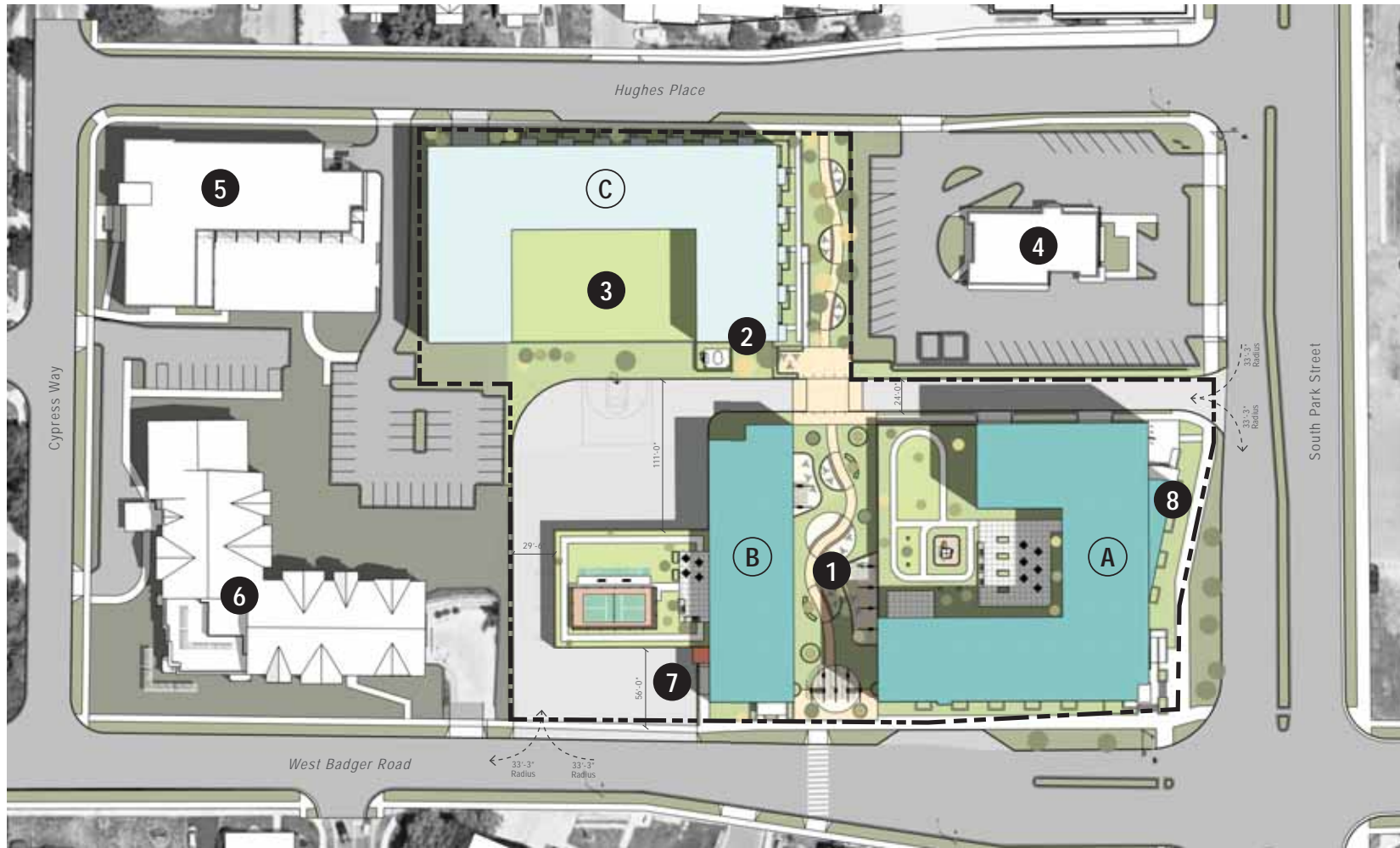




- Ⓐ Building A - 8 Stories
- Ⓑ Building B - 5 Stories
- Ⓒ Phase 2
- 1 Green Space
- 2 Lift Station
- 3 Existing Police Station
- 4 McDonald's
- 5 Centro Hispano
- 6 Burr Oaks Senior Apartments
- 7 Fire Station #6
- 8 PHMDC

Phase 1 Site Plan
Park Badger Redevelopment - 2024.22.00
November 01, 2024



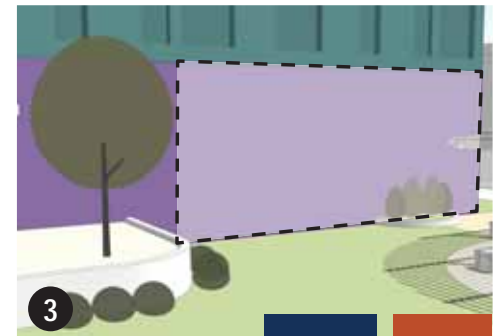
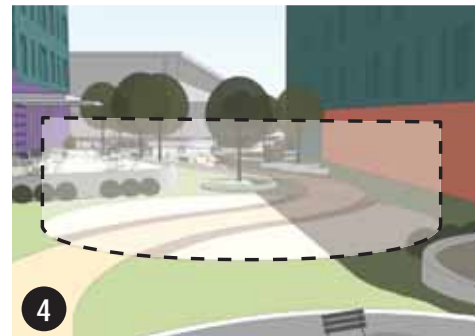
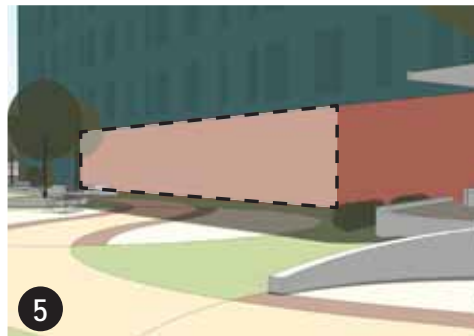
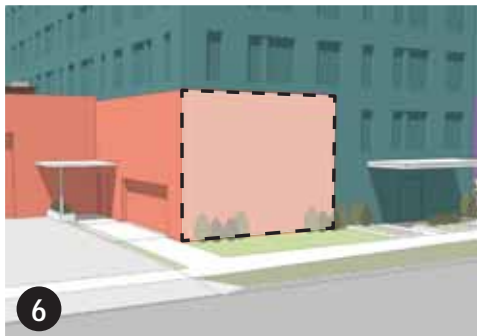
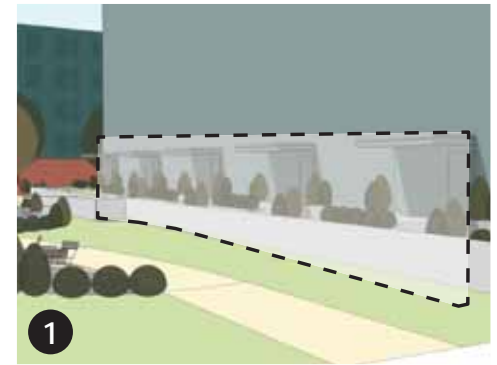
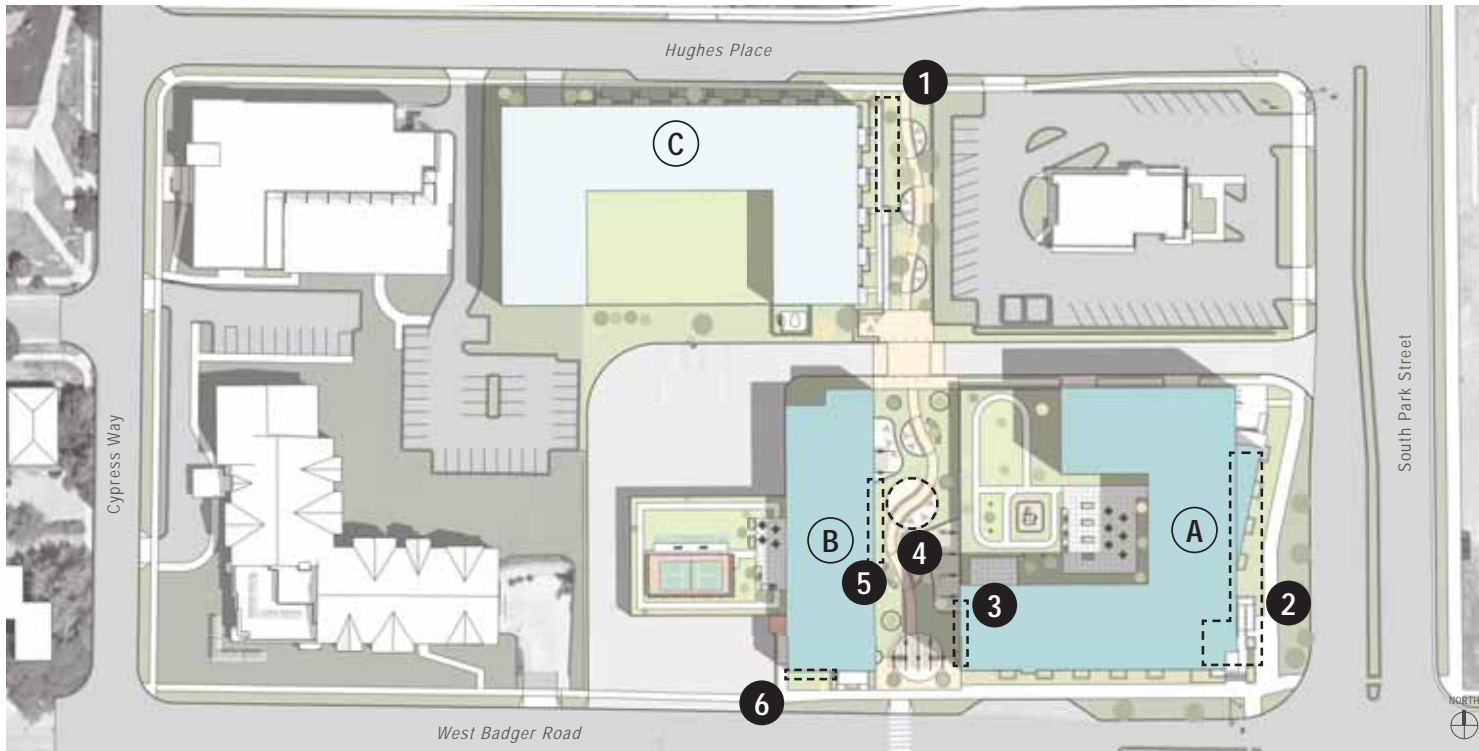


- (A)** Building A - 8 Stories
- (B)** Building B - 5 Stories
- (C)** Phase 2
- (1)** Green Space
- (2)** Lift Station
- (3)** Phase 2
- (4)** McDonald's
- (5)** Centro Hispano
- (6)** Burr Oaks Senior Apartments
- (7)** Fire Station #6
- (8)** PHMDC

TURNING RADII
Ladder Truck

Phase 2 Site Plan
Park Badger Redevelopment - 2024.22.00
November 01, 2024

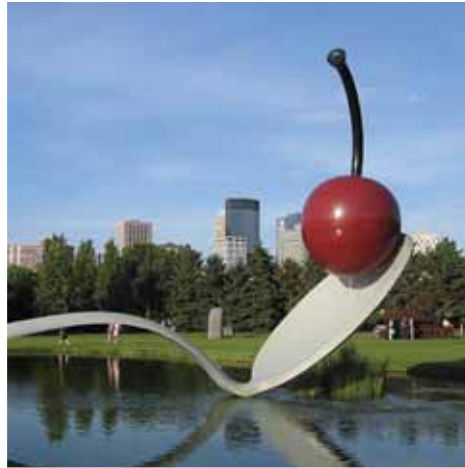




Potential Art Placement Areas
Park Badger Redevelopment - 2024.22.00
November 01, 2024



PAINTED MURAL



LANDMARK SCULPTURE



PAINTED MURAL



LANDMARK SCULPTURE



PAINTED MURAL



LIGHTED SCULPTURE



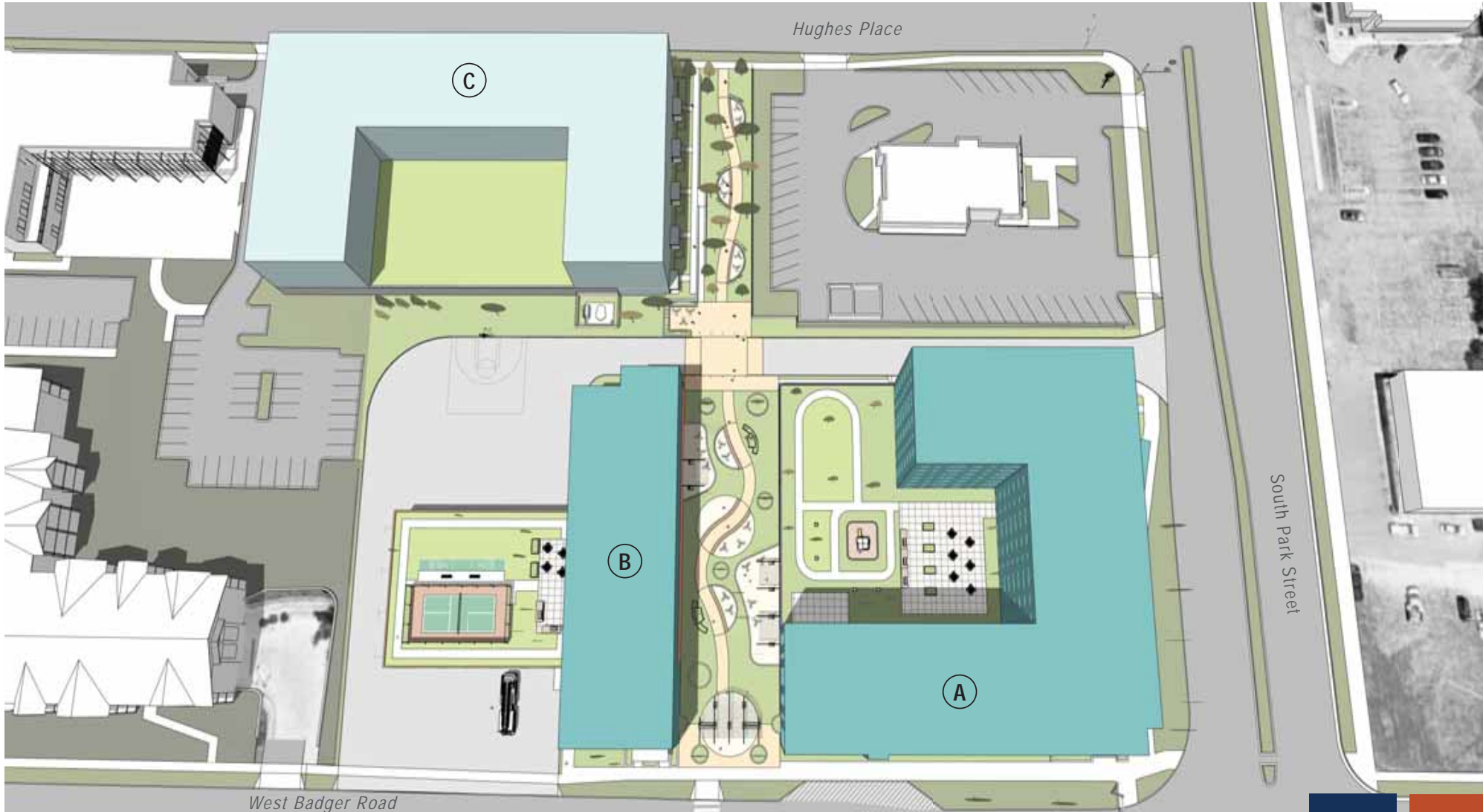
INTERACTIVE SCULPTURE



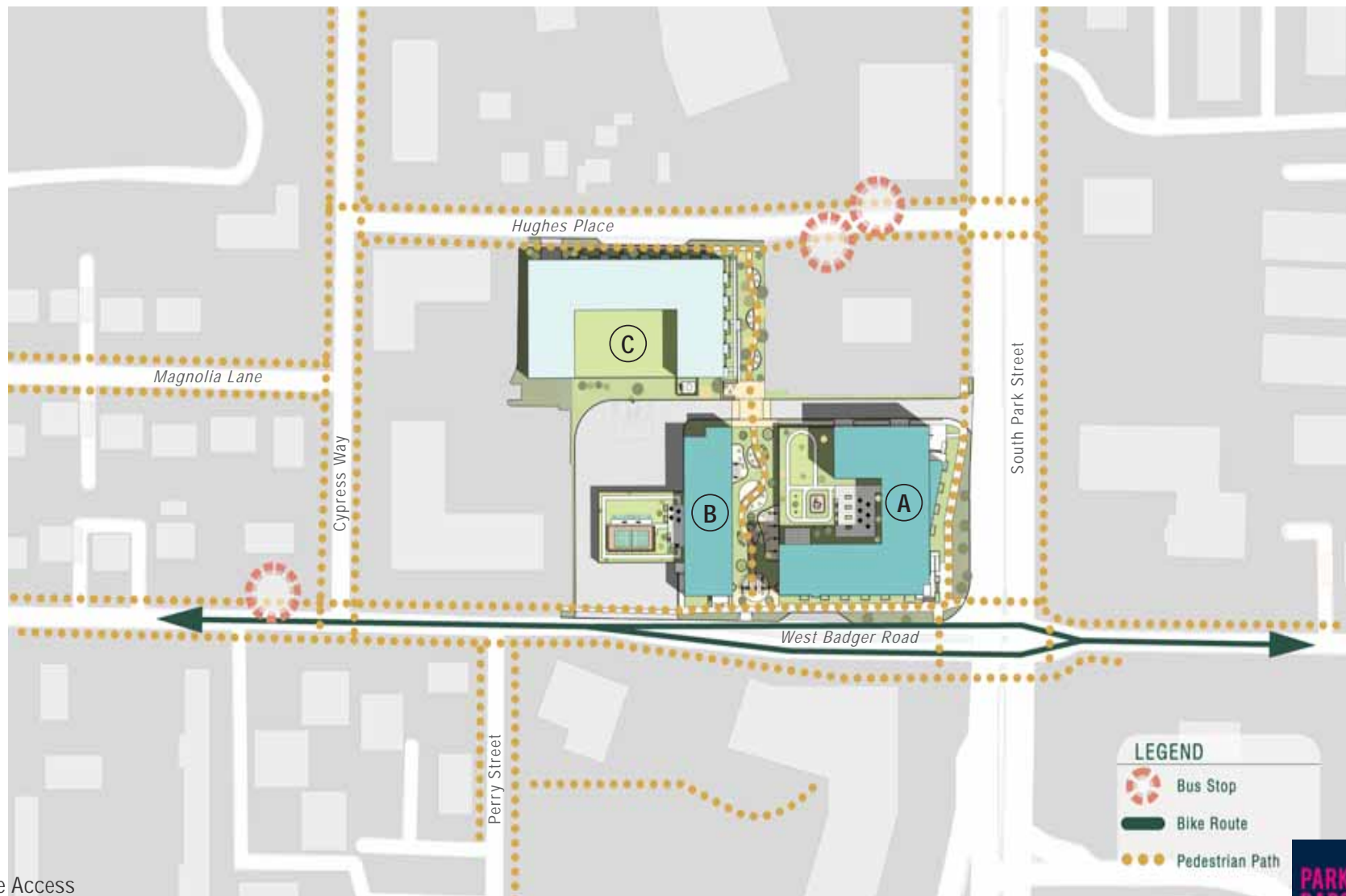
INTERACTIVE SCULPTURE

Art Precedents
Park Badger Redevelopment - 2024.22.00
November 01, 2024



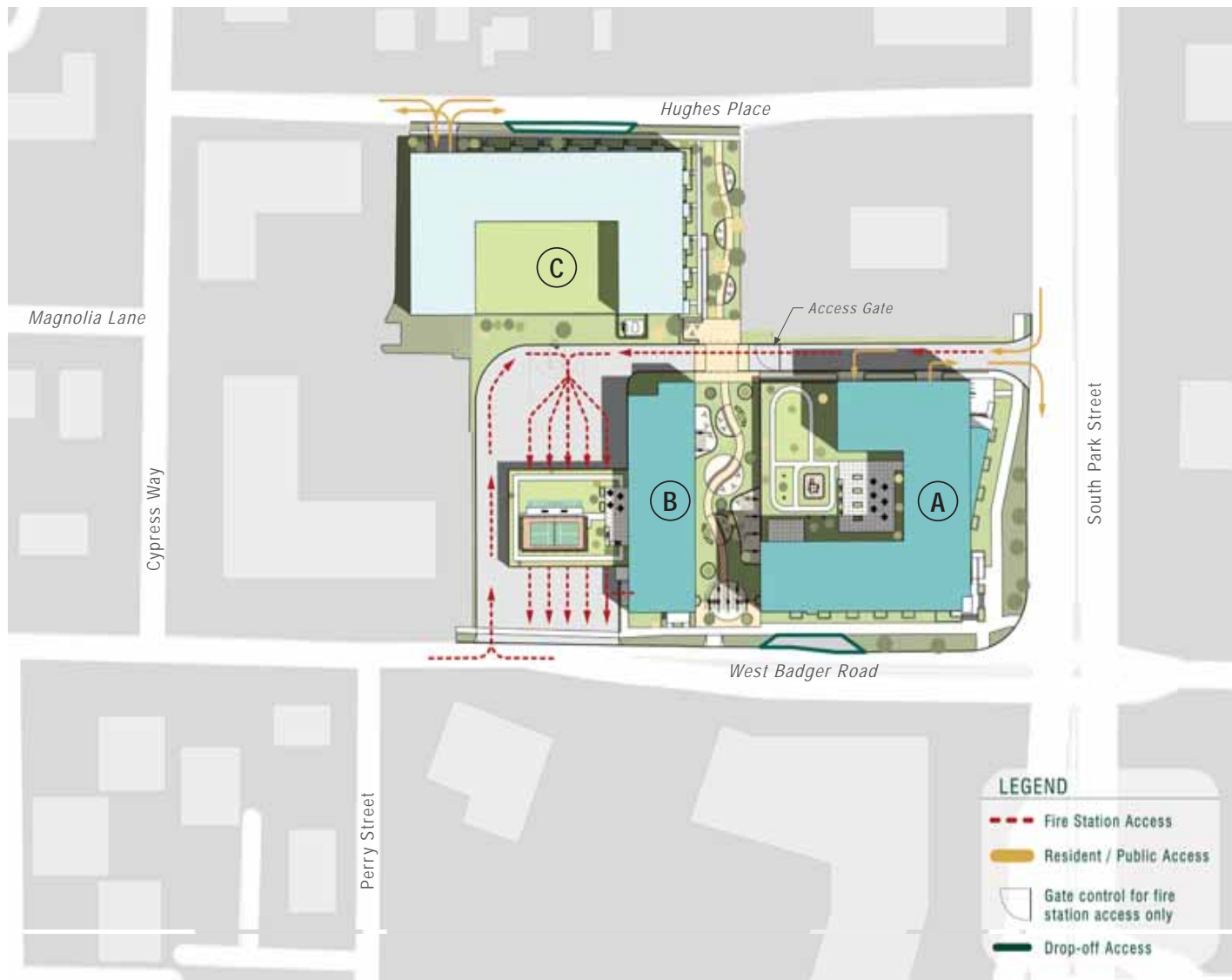


Green Space Aerial
 Park Badger Redevelopment - 2024.22.00
 November 01, 2024



Pedestrian Site Access
 Park Badger Redevelopment - 2024.22.00
 November 01, 2024





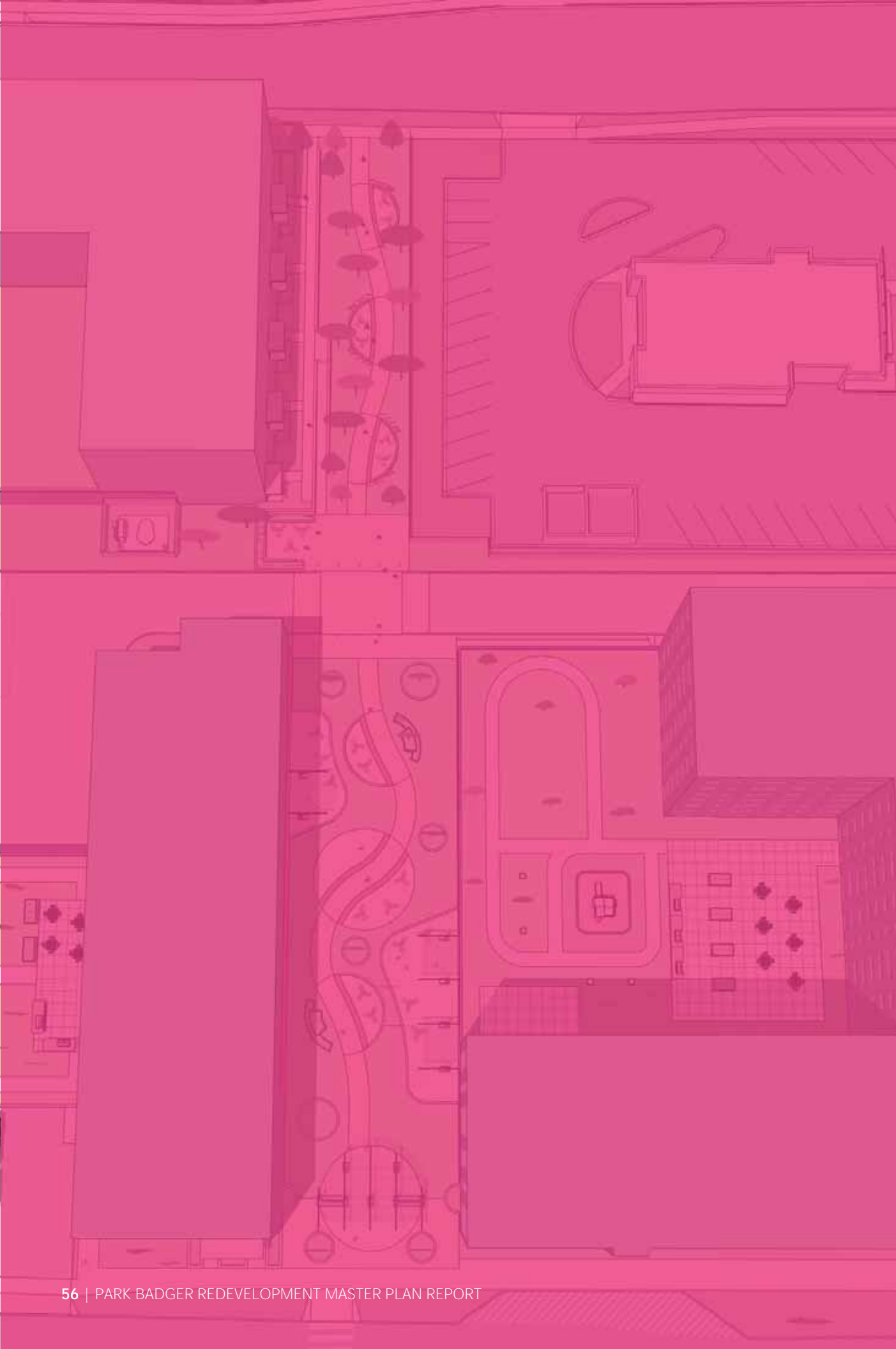
Vehicular Site Access
Park Badger Redevelopment - 2024.22.00
November 01, 2024



Site Setbacks and Easements
 Park Badger Redevelopment - 2024.22.00
 November 01, 2024

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

FINANCIAL FEASIBILITY



Financial Feasibility

The initial phase of the project will be financed and constructed as a single project. Funding will primarily come from a non-competitive 4% Low-Income Housing Tax Credit (LIHTC) award provided by the Wisconsin Housing and Economic Development Authority (WHEDA) and tax-exempt bonds, which represent the largest source of financing. If WHEDA issues the tax-exempt bonds, the project may also qualify for National Housing Trust Funds through WHEDA. Additional contributions will come from the City of Madison, the CDA, and Dane County to support project costs, including the construction of Fire Station 6 and the PHMDC facility. Funding sources from these entities may include general obligation borrowing, tax incremental financing, and loans from the Affordable Housing Fund.

To allow separate ownership of the fire station, the project will be structured under a condominium regime. While the core and shell of the fire station will be covered by the overall project budget, the interior build-out will follow the City of Madison's public works bidding process and will be financed independently.

To optimize tax credit eligibility, the project will be 100% affordable. Building A will offer workforce housing for individuals and smaller families, while Building B will provide senior housing. Rent levels will be set to serve households with incomes at 30%, 50%, 60%, and 70% of the area median income (AMI).

Based on HUD's 2024 rent limits, that would be \$708 for one person at 30% AMI to \$1,653 for one person at 70% AMI. The CDA will also provide project-based vouchers (PBVs) to the development. If the project receives more than eight PBVs, it will be subject to Davis-Bacon prevailing wage requirements, potentially unlocking additional funding opportunities.

The project team intends to apply for the 4% LIHTC award from WHEDA in May 2025, with an expected decision by late summer or early fall. Tax-exempt bonds for the project are anticipated to be applied for through WHEDA shortly after receiving the LIHTC award.

Further funding sources may be available based on the sustainability measures achieved by the project, including 45L credits and the Alternate Energy Credit (ITC). The project team is evaluating the financial and practical feasibility of these sustainability elements. As these measures are refined, eligible funding sources will be confirmed.

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

IMPLEMENTATION STRATEGY

Implementation

The master planning phase for both project phases is expected to conclude in December 2024. Following completion, the project team will collaborate with the City and CDA to establish a development contract for Phase 1, which will include but is not limited to services for securing financing, obtaining government approvals and entitlements, coordinating the financial closing, and overseeing design/engineering, and construction.

In October 2024, the CDA released a Request for Proposals for Construction Manager Services. The CDA and project team will select a qualified firm to provide vital estimating and constructability studies during the design and development phase, allowing for refined cost projections to keep the project within budget.

The structures at 810 and 818 W. Badger Road are slated for demolition in spring 2025 as part of a broader city demolition effort. Demolition of the decommissioned Metro Transit site will occur just prior to the start of construction, and the Madison Police Station at 825 Hughes Place will be razed once the department relocates (anticipated in 2029 or 2030) to the former Town of Madison Town Hall site on Fish Hatchery Road.

Design development for Phase 1 will begin immediately after the master planning stage, with design plans progressing into construction documents throughout 2025. Once the design plans are underway, the project will enter the entitlements phase and is expected to go through several levels of City review, including the Urban Design Commission and Plan Commission. Community updates and engagement will continue accordingly.

As the project advances into the construction document phase, the team will work with the construction manager/general contractor to solicit bids from qualified contractors, with this stage anticipated to start late 2025 and end in early 2026. Once construction bidding is complete, the project team will finalize equity and debt financing and begin demolition of the former Metro Transit South Transfer Point at Park Street and Badger Road. Following demolition, excavation will begin for a two-level, underground parking garage beneath Buildings A and B, marking the start of construction for the project. Construction is expected to last two years and conclude in spring 2028.

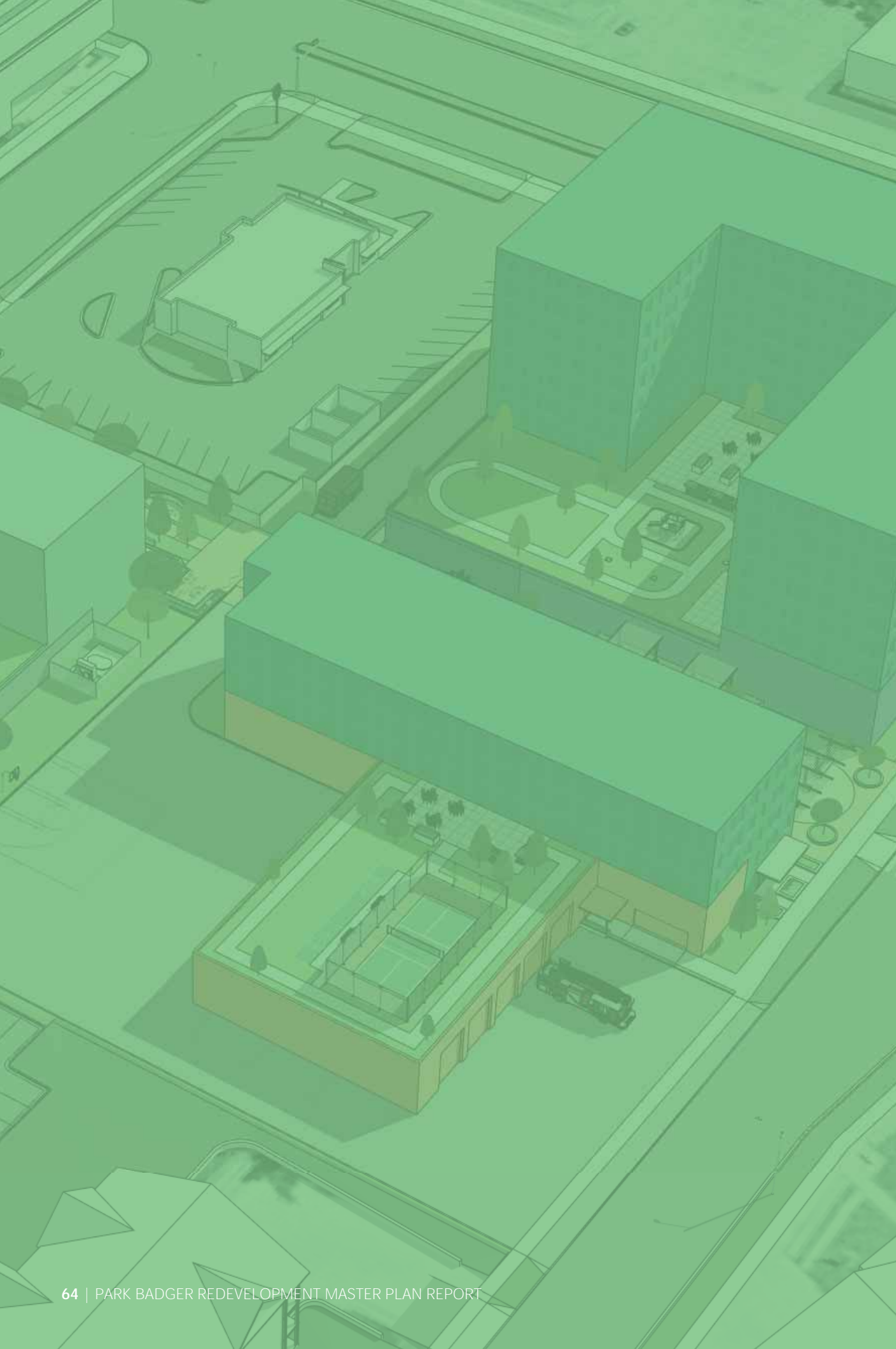
To ensure the long-term vitality of the project, a qualified property management firm will be selected by the project team to manage and maintain the overall success of the project. A quality, professional property management company can effectively manage the safety, maintenance, financial stability, tenant retention, and the overall long-term asset preservation of a property. The project team has three members that perform property management services: CDA, The Alexander Company, and Captains, Inc. All would be qualified to perform these functions for the property, but at this time, a firm has not been selected.

The second phase is planned to include housing for larger households, with the potential for homeownership options. Once the first phase is operational and stabilized, the team will begin the process of design development for the second phase. The project team is dedicated to the same community outreach that it will perform during the first phase.



THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

CONCLUSION



Conclusion

The City of Madison and the CDA provided a path for the Park Badger Redevelopment through a commitment to inclusive public engagement, proactive steps of land banking properties, and a shared vision for community revitalization. Through countless hours of collaboration, Madison's community stakeholders and officials have worked to envision a space that reflects the needs, aspirations, and values of its residents and the community at large. This master plan represents the culmination of these efforts, bringing together diverse voices and perspectives to chart a path forward for a vibrant, resilient community.

Over the past six months, the project team has engaged with the community to refine this vision and create a plan tailored specifically to the area's unique character and needs. Through public meetings and focused discussions, we have gathered insights that have shaped a development framework centered on inclusivity, affordability, sustainability, and long-term prosperity. This master plan is the culmination of community feedback and aligned with the City's strategic objectives to foster affordability, green space, enhanced public health, and robust services.

As we move from master planning to implementation, we remain dedicated to upholding the values and commitments forged in partnership with the CDA and the community. Together, we will bring this vision to life, creating a space that serves as a catalyst for growth and a testament to the power of collaborative planning and shared purpose.

THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

TEAM + STAKEHOLDER RECOGNITION

Team + Stakeholder Recognition

Project Team



The Alexander Company, Inc.
Lead Developer



Captains, Inc.
Co-Developer + Public Engagement/
Outreach Lead



New Year Investments
Consulting Developer



Potter Lawson
Master Planning + Lead Architect



OPN Architects
Fire Station Architect



Saiki Design
Landscape Architect



JSD
Civil/Site Engineer



Design Engineers
Mechanical/Electrical/Plumbing Engineer



Pierce Engineers
Structure Engineers



**JP Cullen
JCP Construction**
Construction Management Services

Madison Community Development Authority

Matt Wachter, Executive Director
Larry Kilmer, Deputy Director
Dan Johns, CDA Redevelopment

City of Madison

Jeff Greger, Planning Division
Jon Evans, Engineering Division
Amy Scanlon, Engineering Division
Bryan Cooper, Engineering Division

Community Development Authority Board

Alder Isadore Knox, Jr.
Alder Tag Evers
Claude Gilmore
DeWayne Gray
Gregory Reed
Madeline O'Connor
Mary Strickland

Madison Fire Department

Christopher Carbon, Fire Chief
Tim Mrowiec, Deputy Chief

Public Health Madison & Dane County

Janel Heinrich, Director of Public Health
Sarah Mattes, Interim Director
of Operations
Carl Meyer, Director of Community Health
Aurielle Smith, Director of Policy,
Planning and Evaluation
Kaileen Mayoh, Public Health Specialist
Melanie Jicha, Public Health Supervisor
(Operations)

Engagement Spaces

Black Business Hub
Catholic Multicultural Center



THIS PAGE INTENTIONALLY LEFT BLANK FOR FORMATTING PURPOSES

APPENDICES

TRAFFIC IMPACT ANALYSIS

DATE: October 28, 2024

FOR: Doug Hursh, AIA, LEED AP
Potter Lawson, Inc.

FROM: Tammi Czewski, P.E., PTOE
Traffic Analysis & Design, Inc.

SUBJECT: **Traffic Impact Analysis**
Park Badger Redevelopment
Madison, WI

INTRODUCTION

A four-acre block at S. Park Street and W. Badger Road ([Exhibit 1](#)) is proposed to be redeveloped to include a new Madison Fire Department station, consolidated offices for Public Health of Madison and Dane County (PHMDC), and a mix of up to 364 multi-family and senior housing residential units. Redevelopment is planned over the next several years.

This traffic impact analysis (TIA) technical memorandum was prepared to document the traffic impacts at study intersections along S. Park Street, W. Badger Road, and Hughes Place. Both existing traffic and build traffic (existing traffic plus future development traffic) was evaluated for the weekday AM and weekday PM peak hour time periods.

STUDY AREA

Study Intersections

The study area for this traffic study includes the following intersections ([Exhibit 2](#)):

- S. Park Street & Hughes Place
- S. Park Street & W. Badger Road
- S. Park Street & Buildings A & B Driveway
- Hughes Place & Building C Driveway
- W. Badger Road & Fire Station Access

The S. Park Street intersections with Hughes Place and W. Badger Road operate with traffic signal control. The proposed Badger Redevelopment access driveways to Hughes Place, S. Park

Street, and W. Badger Road will operate with stop sign control on the driveway approaches. As S. Park Street is divided with a raised median between Hughes Street and W. Badger Road, the proposed Buildings A & B driveway to S. Park Street will operate with right-in/right-out only movements. A transportation detail illustrating existing intersection lane configurations, traffic control, and approximate intersection spacing is shown in [Exhibit 3](#).

Study Area Roadways

S. Park Street is classified as a Principal Arterial and has a north/south four-lane divided cross-section with a 25-mph speed limit in the study area. The speed limit increases to 35 mph south of W. Badger Road. S. Park Street is also designated as USH-151 and has interchange access to USH-12 and USH-14 just south of W. Badger Road. Sidewalks exist along both sides of the road in the study area. The Wisconsin Department of Transportation (WisDOT) reports a 2018 annual average daily traffic (AADT) of 26,900 vehicles per day (vpd) on S. Park Street north of Hughes Place.

W. Badger Road is classified as a Collector roadway and has an east/west two-lane mostly undivided cross-section with a 30-mph speed limit in the study area. Sidewalks exist along both sides of the road in the study area. WisDOT AADT data is not provided on W. Badger Road.

Hughes Place is classified as a local roadway and has an east/west two-lane undivided cross-section with a 25-mph speed limit. Sidewalks exist along both sides of the road in the study area. WisDOT AADT data is not provided on W. Badger Road.

Alternative Modes of Transportation

The City of Madison operates several bus routes that travel along S. Park Street and W. Badger Road in the study area, with stops at the existing transfer station in the northwest corner of S. Park Street and W. Badger Road. This transfer station will be removed with the Park Badger redevelopment plans.

A new Bus Rapid Transit (BRT) route (Route B) also travels through the study area with a stop at the existing transfer station. The BRT system features larger capacity buses, faster fare systems, bus-only traffic lanes and more to move riders more quickly and efficiently through the community. Early preliminary city plans for the BRT route include new stations on Hughes Place and the removal of the northbound and southbound shoulder/lanes to make room for bus-only lanes. Although subject to change, these plans also show the conversion of the eastbound approach to the S. Park Street/W. Badger Road intersection from dual left turn lanes to a single left-turn lane. These early preliminary changes are shown in [Exhibit 4](#) and included in as the base geometrics in the Build traffic analyses in this report.

PROPOSED DEVELOPMENT

The general conceptual site plan for the proposed Park Badger redevelopment is shown on [Exhibit 5](#). Building A is proposed to include 184 multi-family housing units and up to 37,000 square feet for the PHMDC (public health clinic, labs, and offices). Building B is proposed to include 60 senior housing units and a 27,000-square foot fire station. Building C will be constructed in the future and could include an additional 120 multi-family housing units.

Buildings A and C will have underground parking garages. Both Buildings A and B will utilize the parking garage in Building A, which has right-in/right-out access to S. Park Street. Building C will have garage access to Hughes Place, and the fire station will have a few visitor lots near

Building B with access to W. Badger Road only for these visitors, fire station vehicles, and maintenance vehicles.

PEAK HOUR TRAFFIC VOLUMES

Data Collection/Existing Traffic Volumes

Traffic counts were collected at the S. Park Street intersections with Hughes Place and W. Badger Road on October 9 and 10, 2024. Traffic counts were collected on weekdays from 6:00-9:00 a.m. and 3:00-6:00 p.m. These counts were compiled for the AM peak hour (7:15-8:15 a.m.) and PM peak hour (4:15-5:15 p.m.). The peak hour volumes were balanced between intersections as shown on [Exhibit 6](#). The traffic counts are in [Appendix A](#).

Park Badger Redevelopment Trips

Trip Generation

The trip generation for the Park Badger redevelopment land uses were estimated from trip rates and fitted curve equations from the *ITE Trip Generation Manual, 11th Edition*. The use of rates or fitted curve equations was based on procedures from the *ITE Trip Generation Handbook, 3rd Edition*.

Based on ITE, full buildout of the Park Badger redevelopment site generates 3,110 trips during the weekday, with 235 trips in the AM peak hour and 280 trips in the PM peak hour. According to the City of Madison, 30% of the site trips can be discounted for metro bus or BRT ridership. After these reductions, new trips are 2,860 during the weekday, with 165 in the AM peak hour and 195 trips in the PM peak hour. The trip generation table for the Park Badger redevelopment is on [Exhibit 7](#).

Trip Distribution

The distribution of new trips was based on existing traffic patterns through the greater study area, with adjustments based on the proximity to other major roadways (e.g. Fish Hatchery Road to the west), interchanges (e.g. USH 14/18/12/151 interchange south of W. Badger Road) and population centers (e.g. downtown Madison to the north). The trip distribution developed for this study is listed below and also shown below the trip generation tables on [Exhibit 7](#).

- 5% to/from the west on Hughes Place/north on Cypress Way
- 20% to/from the west on W. Badger Road
- 5% to/from the east on W. Badger Road
- 30% to/from the north on S. Park Street
- 40% to/from the south on S. Park Street

The new trips were assigned to the study intersections based on the above trip distribution. Due to the raised median that restricts the Buildings A & B driveway to S. Park Street to right-in/right-out only access, entering or exiting traffic was routed as follows:

- Traffic entering from the south was assigned to either U-turn at the S. Park Street/Ridgewood Way intersection (U-turns are not allowed at closer adjacent intersections) or to travel “around the block” via W. Badger Road, Cypress Way, Hughes Street, and S. Park Street.
- Traffic exiting to the north were assigned to travel around the block via S. Park Street, W. Badger Road, Cypress Way, Hughes Street, and S. Park Street.

These assumptions were assumed to result in a more conservative peak hour traffic assignment and analysis. Once constructed, some traffic may instead choose to approach or leave the site via other routes to avoid recirculating in the study area. The peak hour assignment of new trips is on [Exhibit 8](#).

Build Traffic Volumes

The Park Badger redevelopment new trips ([Exhibit 8](#)) were added to the Existing Traffic Volumes ([Exhibit 6](#)) to generate the Build Traffic Volumes. The Build Traffic Volumes are shown on [Exhibit 9](#).

PEAK HOUR TRAFFIC OPERATIONS & QUEUES

Definition of LOS

The study intersections were analyzed using the Synchro 12 traffic analysis model (outputs based on the Highway Capacity Manual, 7th Edition) and the peak hour turning movement volumes developed for each intersection. The existing conditions analysis was completed with the existing lane geometrics, traffic control types, and traffic signal timings for the study intersections. The build conditions analysis was completed with the early preliminary changes proposed for the BRT.

Intersection operation is defined by “level of service.” Level of Service (LOS) is a quantitative measure that refers to the overall quality of flow at an intersection ranging from very good, represented by LOS ‘A,’ to very poor, represented by LOS ‘F’. For the purposes of this study, LOS D or better was used to define acceptable peak hour operating conditions. The descriptions of each LOS are in the table below.

LOS Descriptions

LOS	Signalized Intersections Control Delay/Vehicle (sec/veh)	Unsignalized Intersections Avg. Control Delay (sec/veh)	Relative Delay
A	≤10	≤10	Short Delays
	Free-flow traffic operations at average travel speeds. Vehicles completely unimpeded in ability to maneuver. Minimal delay at signalized intersections.		
B	> 10 - 20	> 10 - 15	
	Reasonably unimpeded traffic operations at average travel speeds. Vehicle maneuverability slightly restricted. Low traffic delays.		
C	> 20 - 35	> 15 - 25	
	Stable traffic operations. Lane changes becoming more restricted. Travel speeds reduced to half of average free flow travel speeds. Longer intersection delays.		
D	> 35 - 55	> 25 - 35	Moderate Delays
	Small increases in traffic flow can cause increased delays. Delays likely attributable to increased traffic, reduced signal progression, and adverse timing.		
E	> 55 - 80	> 35 - 50	
	Significant delays. Travel speeds reduced to one-third of average free flow travel speed.		
F	> 80	> 50	Long Delays
	Extremely low speeds. Intersection congestion. Long delays. Extensive traffic queues at intersections.		

Source: Highway Capacity Manual, Transportation Research Board, Washington, D.C., 2010

Traffic Operations

The peak hour traffic operations with the existing and build traffic volumes are listed below. The list also indicates the Appendix location for the corresponding Synchro analysis files.

- [Exhibit 10 \(Appendix B\)](#): Existing Traffic Capacity/LOS Analysis
- [Exhibit 11 \(Appendix C\)](#): Build Traffic Capacity/LOS Analysis

With the existing (no development) and build (Park Badger redevelopment) traffic volumes, all movements at the study intersections operate acceptably at LOS D or better during the weekday AM and PM peak hour time periods.

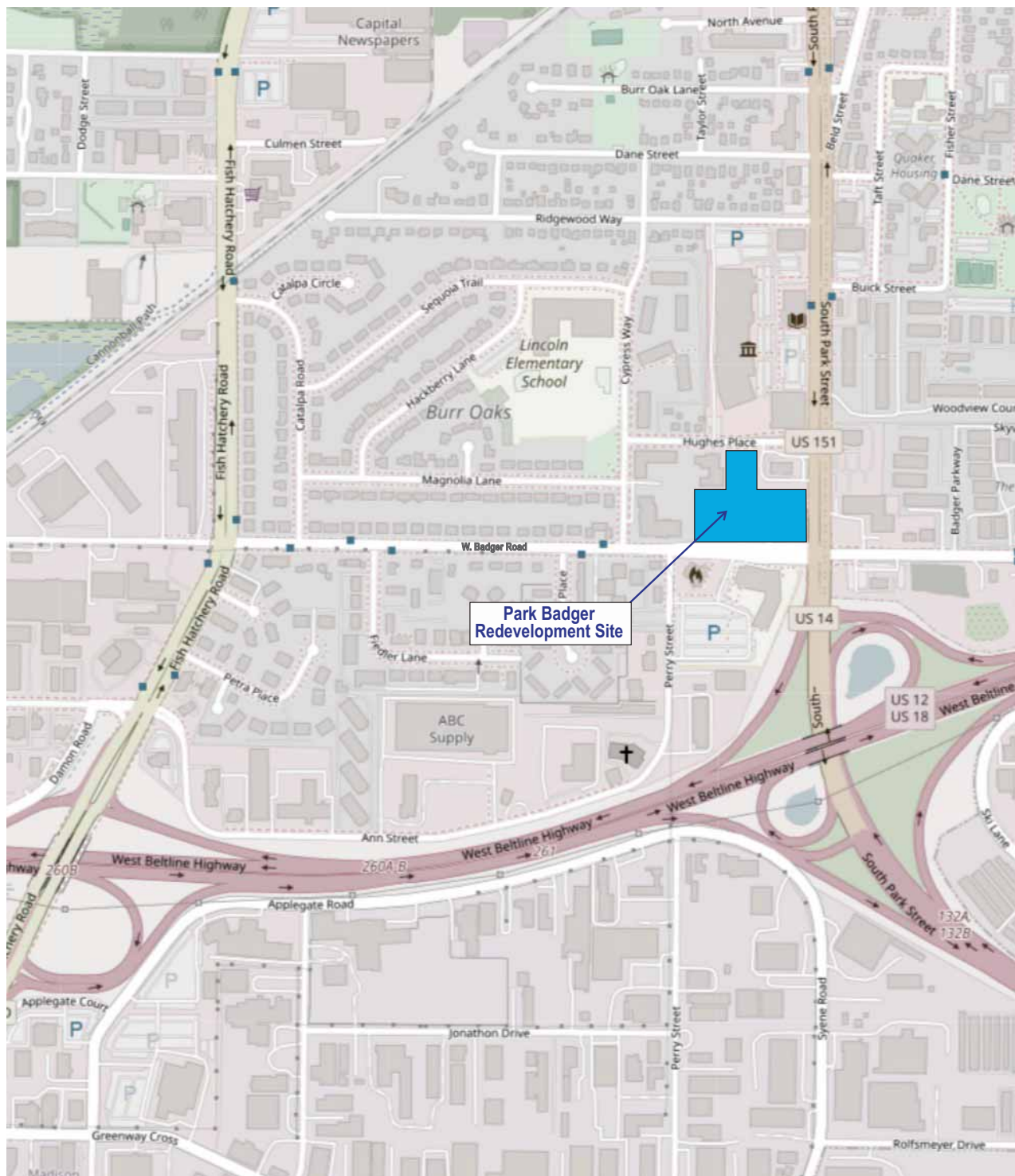
RECOMMENDATIONS/CONCLUSIONS

Recommended modifications are for jurisdictional consideration and are not legally binding. The City of Madison reserves the right to determine alternative solutions.

With the preliminary roadway changes for the BRT system, plus additional traffic from the Park Badger redevelopment, all study intersections operate acceptably at LOS D or better during the peak hours. Therefore, no additional changes are recommended for the study area. The geometrics and traffic control recommended for the proposed Park Badger redevelopment driveways to Hughes Place, S. Park Street, and W. Badger Road are:

- Buildings A & B driveway to S. Park Street: Construct the driveway as shown on the site plan with right-in/right-out only access to S. Park Street. Construct the eastbound driveway approach with a single right-turn lane and stop sign control.
- Building C driveway to Hughes Place: Construct the driveway as shown on the site plan with full access to Hughes Place. Construct the northbound driveway approach with a single shared left-turn/right-turn lane and stop sign control.
- Fire Station access to W. Badger Road: Construct the access as shown on the site plan with full access to W. Badger Road. Construct the southbound driveway approach with a single shared left-turn/right-turn lane and stop sign control.

Note: To condense the size of this report the full traffic study was not included, but remains available upon request.



#3359 - 10/28/24



NOT TO SCALE

EXHIBIT 1 SITE LOCATION MAP

PARK BADGER REDEVELOPMENT TIA - MADISON, WISCONSIN

Public Health Madison & Dane County

Introduction

Potter Lawson collaborated with the City of Madison and the Public Health Madison & Dane County (PHMDC) team to create a space needs assessment and test fit floor plan as part of the Park Badger Redevelopment project. Potter Lawson toured existing facilities, conducted an online survey of key PHMDC staff, and worked closely with the PHMDC Executive Team to develop a plan to consolidate the majority of PHMDC operations under one roof.

Visioning

Through multiple meetings, several important themes emerged:

- Bringing multiple departments together into a single space.
- Improved internal efficiencies, collaboration, and communication.
- Enhancing departmental effectiveness for the community.
- Promoting community activity and engagement.

Program Development

The original RFP from PHMDC provided a preliminary scope for the project, recommending approximately 30,000 square feet for community space, multiple department offices, an environmental lab, and clinic areas. Potter Lawson created an online survey for PHMDC stakeholders to further define the specific space needs of each department. Using this information, Potter Lawson conducted a tour of existing facilities and held multiple meetings with PHMDC stakeholders to create a preliminary space needs assessment for the new PHMDC space.

This more in-depth review refined the preliminary scope to include all specific programmatic elements necessary for the physical planning phase of the project.

PHMDC employs a hybrid work model, allowing both in-office and virtual work based on individual departments and specific roles (73% of surveyed stakeholders have a blend of in-office and virtual work). Each department developed a shared workstation strategy for hybrid workers who may only come into the office a few days a week; these workstations are designed as HS stations in the program. Most offices for department managers will also be shared. Program items from the original RFP to the actual test fit were tracked throughout the process.

Key items include:

- The PHMDC tenant buildout has a total gross need of approximately 33,500 square feet.
- PHMDC requires approximately 20 dedicated visitor parking stalls, with additional visitor parking available in the existing public parking structure on Hughes Place.
- PHMDC needs access to approximately 118 parking stalls for staff use, a portion of which can be shared with the residential component of the Master Plan.
- PHMDC plans for 129 workstations/offices for an anticipated 199 staff, with 76% of the workstations designated as hoteling stations.

Public Health Madison & Dane County
Space Requirement Summary

11/1/2024		Existing 2024		2026 @ SOUTH		2028 @ SOUTH		Comments: Adjacencies	Summary
Program Division - SOUTH	Location	Staff Totals	Space Totals	Staff Totals	Space Totals	Staff Totals	Space Totals		
Exec Team, Epidemiology & Data Science Community Health Division Operations Division Policy, Planning & Evaluation Division Environmental Health Division	CCB	9	993	0	0	0	0	Staying @ CCB	
	SOUTH	135	23,980	117	12,561	120	12,683		
	CCB/ SOUTH	32	5,622	12	685	12	685		
	CCB/ SOUTH/ EWO	39	4,703	17	1,231	17	1,301		
	SOUTH	48	8,286	50	5,201	50	5,201		
Common Areas & Support		0	2,620	0	8,071	0	8,071	Increase from Community Space and Large Gathering Spaces	
Staff Totals		263		196		199		Overall Staff Count for PHMDC	
Space Totals						129		Spaces @ South for Staff use (see chart below)	
Total Net Space			46,203		27,749		27,940		
Total w/ Grossing Factor				1.20	33,298	1.20	33,528	Assuming geothermal. No exterior Wall	

Public Health Madison & Dane County

Planning

Provided with a complete list of departmental spaces, Potter Lawson engaged in a collaborative design process to produce several concept layouts. Using cutouts for each departmental space, the design team worked with PHMDC stakeholders to physically layout their optimal adjacencies in a “Puzzle Play” activity (see Puzzle Play on page 86). The team was able to define critical adjacencies, general space layout, secure area delineations, storage and circulation efficiencies, and gain a comprehensive understanding of the project scope. Based on this collaborative effort, Potter Lawson refined three conceptual layouts, which were presented to the City and PHMDC team for discussion and feedback. Parking and entry points are dictated by the overall master plan, so each concept focused on the relationship between the PHMDC clinic space, Lab location, community space, and the site.

Key items identified during the planning process include:

- PHMDC will need a vehicle loading stall adjacent to the staff entry for loading outreach materials and transporting field samples for the lab.
- A separate staff entry is required.
- The lobby will be separated from the clinic areas by a controlled entry point.
- PHMDC reception needs visual control of the meeting room entry points; after-hours access to the meeting rooms should not provide entry to the main reception area.
- The meeting rooms will serve as conference space for PHMDC, improving overall space efficiency.
- The Clinic access to the reception is a critical adjacency.
- Definition of the secure area.

Test Fit Floor Plan

Working with PHMDC stakeholders, Potter Lawson refined elements of the three conceptual layouts into the current test fit (see First and Second Floor Test Fit on pages 84-85).

Key design components of the test fit include:

- The PHMDC main entry offers good visibility from Park St. and immediate access from visitor parking.
- Reception provides clear visual control of the main entrance, waiting areas, check-in, and community room entrances.
- Meeting rooms on the east side of the building offer excellent visibility along Park Street.
- Meeting rooms have direct access from the building vestibule for after-hours use, secured from PHMDC space.
- Clinic rooms are directly accessible from the reception area, behind controlled entry points.
- Occupied office and lab spaces have direct access to/views of greenspace.
- Second-floor office space has access to daylight and views from all occupied areas.
- The second-floor breakroom has access to an exterior rooftop terrace.
- Storage is consolidated in an internal location for efficiency, with access to both clinic and lab spaces.
- Staff using the below-grade parking can enter directly into the secure portion of the plan.
- Storage and outreach areas have direct access to a loading area via a designated staff entry

- CIRCULATION
- CLINIC
- CONFERENCING
- LAB
- OFFICE
- SUPPORT

*** THIS PLAN IS FOR PROGRAM VERIFICATION
PLANNING ONLY. DIVISION LOCATIONS ARE
NOT FINALIZED.



Public Health Madison & Dane County

LEED Narrative

The project is targeting LEED v4.0 Silver under Interior Design and Construction and is currently tracking 55 credits, with an additional 34 possible credits pending further analysis.

LEED Silver requires a minimum of 50 points. Of the 55 attainable points, certain credit pools are critical for successfully achieving LEED Silver. Enhanced Commissioning, part of the Energy and Atmosphere category, will require additional commissioning practices that tie into water, energy, indoor environmental quality (IEQ), and durability for a total of 5 points, which includes a Regional Priority Credit. Additionally, the Indoor Water Usage credit targets 6 points, necessitating a 35% reduction in water use beyond the initial 20% required by the Water Efficiency prerequisite. Lastly, the Optimized Energy Performance credit aims for a 10% reduction in overall energy usage for 14 points, also accounting for a Regional Priority Credit, making it a critical component for achieving LEED Silver.

Other credits that may contribute, pending further study, include Renewable Energy Production (2 points), Acoustic Performance (2 points), and critically, the Materials and Resources (MR) category, totaling 7 points. Due to the extensive Environmental Product Declaration requirements and total point value for MR, this category is crucial for the current targeted LEED path.

Code Statement

The PHMDC buildout will be a separate mixed-use facility. Occupancies will include:

- Business (B) for office, clinic, and laboratory spaces
- Storage (S1) for storage areas greater than accessory occupancies
- Assembly (A3) for meeting rooms

Fire separations will meet current IBC requirements. One-hour fire barrier separations are anticipated for the meeting room and elevator equipment room. Hazardous and flammable materials associated with lab uses will be stored in flammable cabinets and will not require additional fire ratings.

Structural Design

The PHMDC buildout is not anticipated to require anything beyond typical structural design loads. Specific equipment in the environmental laboratories will be reviewed for vibration sensitivity.

Security

Video surveillance will be provided at PHMDC entry points. Card readers will also be installed at perimeter doors and user-selected interior doors within the suite. Common stairs between PHMDC and residential occupancies will have card readers at each level for secure access.

MEP Systems

Normal power for PHMDC will be served from a dedicated 750kVA transformer, with a distribution panel and panelboards located near the areas they serve. Optional standby backup power will be distributed throughout the space via a dedicated transfer switch and distribution panel connected to the campus generator.

The space will feature LED lighting and modern lighting controls with occupancy sensors throughout. Lobby areas will include specialty architectural lighting, while laboratory areas will have recessed 2'x4' lighting with higher light levels to support research and analysis activities.

Connectivity to data will be provided via a dedicated telecom room in the PHMDC space. Fiber from the campus-wide network will connect to this data room. Hardwired data devices and wireless access points will be installed throughout the facility.

Fire alarm annunciation and fire detection devices will be installed throughout the area, with smoke detectors in corridors and unoccupied spaces and heat detectors in laboratory areas.

The PHMDC tenant fit out will be part of a central mechanical system serving the entire building. The central system is based on a Geothermal system that includes water source pumps, chilled and hot water pumps, and modular chillers.

PHMDC will have two air handling units (20,000 cfm each), serving the clinic, office space and Lab (including a small BSL2 space). The system will have energy recovery units with an energy wheel and energy recovery coil (20,000 cfm each).

- CIRCULATION
- CLINIC
- CONFERRING
- LAB
- OFFICE
- SUPPORT

*** THIS PLAN IS FOR PROGRAM VERIFICATION
PLANNING ONLY. DIVISION LOCATIONS ARE
NOT FINALIZED.

MASTER PLAN TOTALS:

OFFICE - FIRST FLOOR:

Office (Exec) : 0
Office : 5
Workstations : 33
STAFF SPACES: 29

OFFICE - SECOND FLOOR:

Office (Exec) : 3
Office : 11
Workstation : 77
STAFF SPACES: 91

OFFICE - TOTALS:

Office (Exec) : 3
Office : 16
Workstation : 112

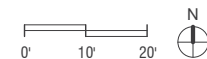
TOTAL STAFF SPACES: 129



PHMDC - TEST FIT - MASTER PLAN - FIRST FLOOR

PHMDC - Badger Rd & Park Street - 2024.22.01

11.01.2024



- CIRCULATION
- CONFERRING
- OFFICE
- SUPPORT

*** THIS PLAN IS FOR PROGRAM VERIFICATION PLANNING ONLY. DIVISION LOCATIONS ARE NOT FINALIZED

MASTER PLAN TOTALS:

OFFICE - FIRST FLOOR:

Office (Exec) : 0
 Office : 5
 Workstations : 33
STAFF SPACES: 29

OFFICE - SECOND FLOOR:

Office (Exec) : 3
 Office : 11
 Workstation : 77
STAFF SPACES: 91

OFFICE - TOTALS:

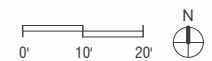
Office (Exec) : 3
 Office : 16
 Workstation : 112

TOTAL STAFF SPACES: 129



PHMDC - TEST FIT - MASTER PLAN - SECOND FLOOR

PHMDC - Badger Rd & Park Street - 2024.22.01
 11.01.2024



Park Badger Redevelopment, PHMDC Clinic
Project No. 2024.22.01
Architectural Systems Summary

B. Shell

B1010 Superstructure

Structure, roof and exterior walls are part of the core and shell building documents.

B1080 Stairs

Cast-in-Place concrete pan stairs with steel structure and standard tube rails and guards. Rubber treads with abrasive edge inserts.

Steel Finish: 1 coat Pro-Cyrl Universal Metal Primer B66-310 Series, 2 coats ProClassic Interior Waterbased Acrylic-Alkyd Semi-Gloss B34W850 Series.

C. Interiors

C1010.01 Partitions

Non-structural metal framing, 5/8" Type X Gypsum, acoustical insulation, built to structure above, with acoustical sealant on all edges. Minimum STC of 50 at all treatment and consultation rooms. High-build primer stipple texture, No- VOC latex paint, Sherwin Williams; ProMar 200.

C1010.02 Ceilings

Bathrooms: Gypsum board ceilings.

Lab spaces: Scrubable, USG; Clean Room Acoustical Panels, 24x24, 9/16" grid.

All Other Areas: Acoustical Ceiling Tile, USG, Mars High-NRC Acoustical Panels, 24x24, 9/16" grid, with incidental gypsum board ceilings.

C1010.03 Floor Finishes

First Floor/Clinical Areas: Welded sheet vinyl, 4-inch rubber base.

First Floor/Community Spaces: Carpet tile, 4-inch rubber base.

First Floor/Vestibule: Walkoff Carpet.

First Floor/Lab Spaces: Epoxy flooring. Sika; SikaFloor Decodur Quartz FX quartz effects system, with integral base.

Second Floor/Office Areas: Carpet Tile, 4-inch rubber base.

C1030 Interior Doors

Painted hollow metal frames

5-ply wood veneered doors.

Commercial mortise hardware.

C1090.25 Toilet Compartments

Phenolic toilet compartments with zero-sightline hinges, strikes and panel joints. ASI Global Partitions; Black Core Phenolic.

C1090.40 Toilet Accessories

Stainless Steel bath accessories. ASI; Roval Collection.

Hand driers: Excel Dryer, Inc; XLERATOR Hand Dryer.

D. Services

D1010.10 Elevators

Machine Room-Less Traction Elevator: Kone; Monospace 300 DX, 2,500 lb, 150 FPM, 4 landings.

Stainless interior with integral lighting. Walkoff carpet tile floor.

D2040.03 Extinguishers

20 lb. ABC Fire Extinguishers with semi-recessed fire extinguisher cabinets.

E. Equipment and Furnishings

E1040.20 Healthcare Equipment

Specimen Pass-Thru Cabinet: Bradley 9813 Series or equivalent, with interlock privacy mechanism.

E2010.30 Casework

Clinic/Reception/Employee Area Casework: Custom Plastic Laminate clad casework with Resinous Solid Surface Tops.

Laboratory Spaces: Steel lab Casework, Kewaunee Scientific; Overlay-Square Edge casework, with Epoxy tops, Durcon; Durcon Classic Top.

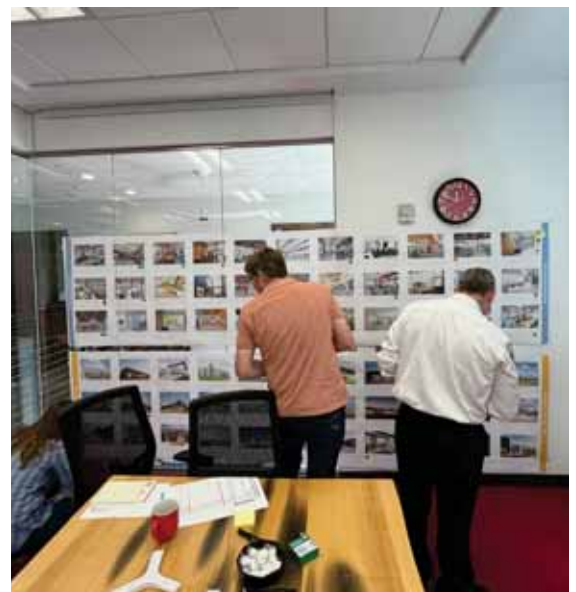
Madison Fire Station 6

Introduction

As part of the Park Badger Redevelopment team, OPN Architects led the City of Madison and Madison Fire Department to reimagine the previous Fire Station 6 Remodel project into a new multi-phase housing and public service development. The current Fire Station 6 at 825 West Badger Road will go offline and a new station will be part of Phase 1 within the new development across the street between West Badger Road and Hughes Place along South Park Street. The Fire Department is a critical requirement of the development and has been communicated as the number one priority for the City of Madison. OPN Architects sought to identify the team's goals, priorities, site, and building requirements to assist the development team with adequate information to appropriately plan for and budget the fire station needs.

Visioning

Through a series of visioning and planning meetings, OPN Architects sought to understand the department's needs, future growth, and changes since the previously planned Fire Station 6 Remodel in 2021. No longer simply a remodel, this project will allow the department to think bigger about how they want their department to operate now and into the future. Aesthetic dot exercises were conducted to help identify the quality and feeling of the new station and aspirational questionnaires were discussed.



The following needs were identified as opportunities to be addressed within the new development:

1. There is an opportunity to spread out and dream bigger as the department is no longer confined to the restraints of an existing building and limiting site.
2. Incorporate trauma-informed design and respond to PTSD within the design.
3. Prioritize decontamination and robust air filtration throughout the facility.
4. Incorporate permanent space for the new CARES program to be embedded within the fire station.

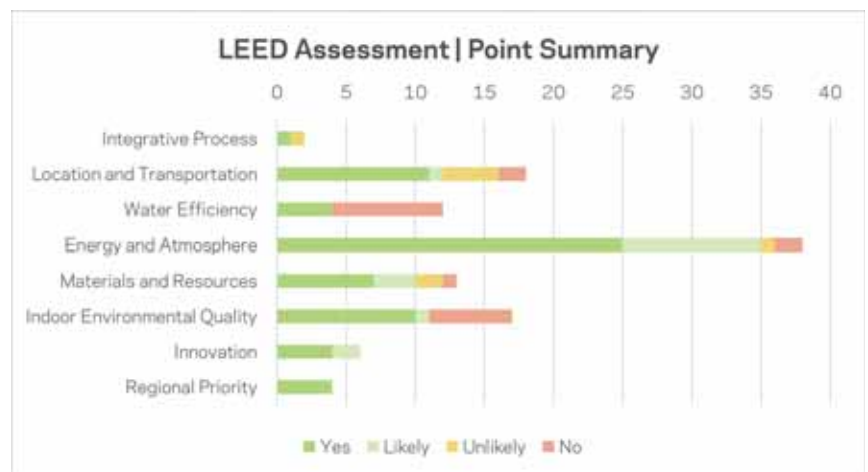
There is no denying the Fire Department's amazing influence and impact on the community. Through discussion, goals were established as guiding principles for the project moving forward. Project Goals:

1. Create a comfortable, fire fighter-centric space
2. Enhance opportunities for community engagement and neighborhood interaction
3. Future proof the building for the next generation

Building systems and sustainability were also discussed and evaluated with the development consultant Design Engineers. Systems goals and criteria were established for the project. Systems Goals:

1. The fire station interior build-out shall meet LEED V4 Silver rating minimum.
2. The fire station shall utilize geothermal heating and cooling system.
3. The fire station shall have access to an on-site photovoltaic renewable energy system on the roof of the structure.
4. The fire station shall be served by a full back-up power generator.

The scope of LEED certification is limited to the interior build-out of the fire station only. LEED v4 for Commercial Interiors was selected as the baseline metric with LEED v4.1 credits substituted where applicable. Based on preliminary review the project is targeting LEED Gold certification. The results of the initial credit identification are outlined on page 94 - Madison Fire Station 6 LEED Checklist. Future design phases will further refine credits to meet the desired outcomes for the project.



Madison Fire Station 6

Benchmarking

As part of the design process the team completed two benchmarking tours of recently completed fire stations to dream bigger and identify future operations and design, health & safety, and functional preferences. Marion Fire Station 1 in Marion, Iowa and Fitchburg Fire Station 3 in Fitchburg, Wisconsin were toured as part of this process. Key takeaways from the tours are summarized below.

Marion Fire Station 1

1. High quality of materials and connection to nature.
2. Abundance of daylight both in living area and apparatus bay.
3. Good access to and opportunity for outdoor spaces.
4. Visual connection from exercise room to outdoors and apparatus bays.

Fitchburg Fire Station 3

1. Spaciousness of station and quantity of storage spaces.
2. Clear organization of turn-out gear and decontamination spaces.
3. Good configuration, size, and robustness of kitchen and dining.
4. Ideal adjacency of separated day room from kitchen and dining.
5. Training mezzanine and opportunity for confined spaces training with "manhole."



Program Development

The RFP outlined a preliminary scope for the project including a single ground floor fire station, mechanical room, and outdoor space(s) in the range of 16,000 to 20,000 square feet. After conducting several pre-design meetings and benchmarking tours with the Fire Department and City of Madison Engineering team, OPN Architects right sized the program to fit the growing demand on the station, and account for the shared site and building restraints of the new development. Additional CARES team dorms, battalion offices and dorms, and additional apparatus bays were added, with subsequent locker, shower, kitchen, dining, and fitness facilities expanded to accommodate the added growth and opportunities for a double company at the station. The results of the programming study are outlined on page 95 - Madison Fire Station 6 Program.

Planning

The design team worked through an iterative design process to produce several concept layouts and massing studies for the development. An internal space planning puzzle play activity was utilized to discuss appropriate apparatus bay locations, adjacencies for decontamination and operational support spaces and how best to locate living spaces adjacent to the apparatus bays and apartment units. These concept layouts and massing studies were presented to the City and Fire Department team for discussion and feedback regarding site access, maneuverability, connectivity, and operations. The result was for the fire station to occupy the first and second floor of Building B on the western side of the site facing Badger Road. Comprised of two bars in a 'T' configuration, the fire station apparatus bays will occupy the two-story bar to the west for use as turn-out gear storage, decontamination, and a mezzanine for training and utilities. The adjacent five-story linear bar on the east will serve a majority of fire station living and community needs on Level 1 and Level 2 with separate apartment units on the floors above. A small area for vehicles will also be placed along Badger Road for back-in Battalion and CARES vehicles adjacent to the front apron.



Madison Fire Station 6

On the site coordinated entry points were provided for vehicles and pedestrians. Fire Department vehicles will have access via a shared two-way drive from South Park Street and a private one-way drive from West Badger Road. These two drives will converge at a large concrete apron to the north (rear) of Building B and provide Fire Department apparatus options for turning and maneuverability to appropriately enter the apparatus bays. To the front of the apparatus bays, along Badger Road a front concrete apron will provide adequate space for Fire Department vehicles to fully exit the building before meeting the public right-of-way for safety and visibility.

The internal living area will be split between two levels with the primary spaces for sleeping being located on Level 1 adjacent to the apparatus bays. The goal will be to provide quick and direct access to the apparatus bays for fire fighters when they are the most vulnerable during the nighttime. Supporting toilet/shower rooms, lockers, watch room and utility spaces will be located on this level with clear physical and air filtration decontamination thresholds between the living area and apparatus bays. Active spaces primarily used during the daytime will be located on Level 2 and will include kitchen, dining, dayroom, office, exercise, and support spaces. Unique to this project will be providing a community/training room and supporting toilet/shower rooms that will be accessed through the public space of the apartment building on Level 2. The goal of fire fighters, residents, and community members all using this space will enhance opportunities for interaction and foster relationships. The results of the preliminary space planning are identified on pages 96-97 – Madison Fire Station 6 Concept Plans.

Summary of Requirements

1. Site Access

- a. Maintain two means of site access – one from S. Park Street and one from W. Badger Road
 - i. Provide street apron curb cuts and drive lanes to allow for passing of two fire apparatus vehicles.
 - ii. No loading or short- or long-term parking should encroach or block drive lane access to the fire station
 - iii. Access from W. Badger Road to be for fire station use or maintenance vehicles only.
- b. Provide gate or means to minimize public traffic of drive lane from S. Park Street between Building A and B to minimize apparatus disruption to fire station

2. Apparatus Bay Access

- a. Maintain 50'-0" concrete apron along entire front of apparatus bays along W. Badger Road between the building and sidewalk to allow for proper vehicle exit and visibility of pedestrian and vehicular right of ways.
 - i. No fire apparatus or vehicles will be permitted to park in or block front apron at any time. Apron will only be used by vehicles when exiting the building.
- b. Maintain 96'-0" concrete apron along entire back of apparatus bays for apparatus access/turning radius to the fire station.
 - i. Fire apparatus and vehicles may park and use rear apron for cleaning and training of vehicles. Additional fire station and public may use apron for training and recreation uses.

3. Parking

- a. A minimum of 28 parking spaces will be provided permanently for Fire Department use within the parking structure.
- b. A minimum of two to four surface parking spaces will be provided adjacent to the Building B fire station for department use only. They shall be located to the west or north of Building B and adjacent to a fire station entrance.

4. Trash

- a. The Fire Department will utilize a shared trash room with the apartment units of Building B and will be provided direct access via their space on Level 1 or sidewalk and exterior door access.
- b. The trash room will be located within the north (rear) side of Building B.

5. Building Entrances

- a. The Fire Department will need both public and private entrances to the building.
 - i. Private Entrances: One entrance should be provided through the parking structure with an interior stair/ elevator that provides direct access to the fire station. One entrance should be provided from rear apron to living area.
 - ii. Public Entrances: One entrance should be provided from W. Badger Road as the main entrance. This entry may be separated or combined with the apartment building entrance. One entrance should be provided to the Community/Training Room for public use.
 - iii. Emergency Entrances/Exits: Additional exterior entry and exit points from the apparatus bays and living area shall be provided to sidewalks that connect to the public right of way for Fire Department convenience and existing requirements within the building. Interior entry and exit points from the living area shall be provided to maintain appropriate egress from the fire station and may access shared public corridors, stairs, and elevators.

6. Services and Utilities

- a. The Fire Department shall be provided with adequate electrical, water, sanitary, and city fiber telecommunications to serve their spaces. Utility entrances are expected to occur on the north side of Building B from the utility corridor beneath the east/west service road from S. Park Street. Water is anticipated to come from West Badger Road.
- b. The fire station shall be provided with access to the site beneath its footprint and apparatus aprons for use as geothermal wells to serve the fire station space.
- c. The fire station shall be provided with adequate roof area for use for a photovoltaic array.

7. Fire Station

- a. Elevator
 - i. An elevator shall be provided that connects all Fire Department levels with the parking structure below. This elevator may be private and internal to the station only or may be shared with the apartment tenants so long as access and security is maintained.
 - 1. Preference by the Fire Department is for a shared building elevator.
- b. Stairs
 - i. Access to the two public stair cores within the building that connect the parking structure to the roof shall be provided.
 - ii. One internal, communicating stair shall be provided between Level 1 and Level 2 within the living area of the Fire Department.
 - iii. One internal, communicating service stair shall be provided between Level 1 apparatus bays and the mezzanine.
- c. Apparatus Bays
 - i. (5) 18'-0"W x 85'-0"L pull through apparatus bays shall be provided that open directly onto W. Badger Road. These will be full lite, four-fold doors.
 - ii. (2) 14'-0"W x 25'-0"L back-in parking stalls shall be provided for standard Fire Department vehicles (non-apparatus) that open directly onto W. Badger Road. These will be full lite, overhead doors.
- d. Outdoor Space
 - i. An outdoor terrace shall be provided on Level 2 along the north or west side of the building for access from the Fire Department kitchen and dining spaces.
- e. Signage
 - i. Space shall be provided along W. Badger Road for fire station exterior signage to include "Fire Station 6" illuminated lettering and halo-lit Fire Department badge.
- f. Flagpole
 - i. Space shall be provided along W. Badger Road for a fire station illuminated freestanding flagpole.

October 2024

Yes		Likely		Unlikely		No	Indoor Environmental Quality					17
10	1	0	6				Prereq	v4	Minimum Indoor Air Quality Performance		Required	
Y							Prereq	v4.1	Environmental Tobacco Smoke Control		Required	
2	2	2	2	2	2	2	Credit	v4	Enhanced Indoor Air Quality Strategies		2	
3	3	3	3	3	3	3	Credit	v4.1	Low-Emitting Materials		3	
1	1	1	1	1	1	1	Credit	v4.1	Construction Indoor Air Quality Management Plan		1	
1	1	1	1	1	1	1	Credit	v4.1	Indoor Air Quality Assessment		2	
1	1	1	1	1	1	1	Credit	v4.1	Thermal Comfort		1	
2	2	2	2	2	2	2	Credit	v4.1	Interior Lighting		2	
						3	Credit	v4.1	Daylight		3	
						1	Credit	v4.1	Quality Views		1	
						2	Credit	v4.1	Acoustic Performance		2	
4	2	0	0	0	0	0	Innovation					6
1							Credit	v4	Innovation: Purchasing - Lamps		1	
1	1	1	1	1	1	1	Credit	v4	Innovation: Designing with Nature, Biophilic Design...		1	
1	1	1	1	1	1	1	Credit	v4.1	Pilot: All-Gender Restrooms		1	
	1	1	1	1	1	1	Credit	v4.1	Pilot: Passive Survivability and Back-up Power or other TBD		1	
	1	1	1	1	1	1	Credit	v4.1	Innovation: Electric Vehicles or other TBD		1	
1	1	1	1	1	1	1	Credit	v4	LEED Accredited Professional		1	
4	0	0	0	0	0	0	Regional Priority					4
1	1	1	1	1	1	1	Credit	v4	Regional Priority: Access to Quality Transit (3 pts)		1	
1	1	1	1	1	1	1	Credit	v4	Regional Priority: Optimize Energy Performance (10 pts)		1	
1	1	1	1	1	1	1	Credit	v4	Regional Priority: Enhanced Commissioning (3 pts)		1	
1	1	1	1	1	1	1	Credit	v4	Regional Priority: Bicycle Facilities (1 pt)		1	
							Credit	v4	Regional Priority: Reduced Parking Footprint (1 pt)			
							Credit	v4	Regional Priority: Green Power and Carbon Offsets (1 pt)			

	66	17	8	19	TOTALS	Possible Points: 110
Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80+						

Madison Fire Station 6 Program

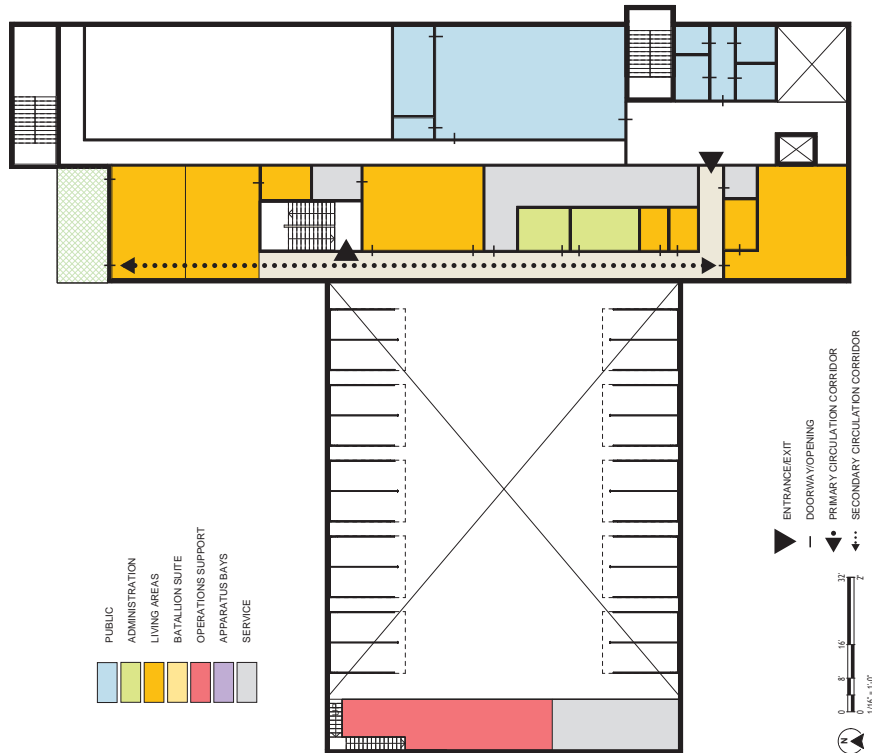
OPN Architects

Oct-24

	# of Spaces	NSF per Space	NSF Subtotal	NSF Total	% of Total NSF
Public (Unsecured)				2,140	10.17%
COMMUNITY/TRAINING ROOM	1	1,200	1,200		
COMM.ROOM STORAGE	2	100	200		
VESTIBULE (PUBLIC ENTRANCE)	1	80	80		
GENDER NEUTRAL RR/SHW	3	80	240		
COATS	1	30	30		
COMFORT ROOM	1	90	90		
LOBBY	1	300	300		
Administration				760	3.61%
OFFICERS OFFICE	1	120	120		
OPEN OFFICE / WATCH	1	300	300		
CARES TEAM OFFICE	1	160	160		
WORKROOM	1	100	100		
VESTIBULE (STAFF ENTRANCE)	1	80	80		
Living Areas				5,015	23.84%
KITCHEN	1	400	400		
PANTRY	1	75	75		
DINING	1	400	400		
DAY ROOM	1	500	500		
EXERCISE	1	550	550		
DORM	13	110	1,430		
COMFORT ROOM	1	70	70		
SINGLE USE RR/SHW	7	80	560		
OFFICER'S DORM	2	110	220		
OFFICER'S RR (JACK AND JILL)	1	120	120		
LOCKER ROOM	1	550	550		
LAUNDRY	1	40	40		
SOILED LINEN	1	50	50		
CLEAN LINEN	1	50	50		
Battalion Suite				460	2.19%
BATTALION CHIEF OFFICE	1	120	120		
BATTALION CHIEF & CHIEF AID USE	1	120	120		
BATTALION CHIEF DORM	1	110	110		
CHIEF'S AID DORM	1	110	110		
Operations Support				1,060	5.04%
DECONTAMINATION	1	150	150		
DECONTAMINATION RR	1	80	80		
WORKSHOP	1	150	150		
TURNOUT GEAR	1	400	400		
EMS STORAGE	1	80	80		
SCBA FILL / STORAGE / COMPRESSOR	1	200	200		
Apparatus Bays (Secured)				9,180	43.64%
APPARATUS ROOM	1	9,180	9,180		
Service				2,420	11.50%
TRASH	1	50	50		
JANITOR	2	100	200		
BUILDING STORAGE	1	100	100		
MECHANICAL	1	1,000	1,000		
ELECTRICAL	1	200	200		
IT	1	70	70		
GENERATOR	1	800	800		
Outdoor					
OUTDOOR PATIO					
MIN. OF 28 PARKING SPACES					
DRIVE SPACE FOR VEHICLES TO DROP OFF					
SUFFICIENT SPACE FOR DELIVERY VEHICLES					
COMMUNITY SPACE					
TRASH ENCLOSURE					
Total Net Assignable Area (EXCLUDING APPARATUS BAYS & SERVICE)				9,435	NSF
Total Net Assignable Area x Circulation Factor (1.25) = Net Occupiable Area				11,794	NOSF
Areas Excluded from Grossing Factor (APPARATUS BAYS & SERVICE)				11,600	NSF
Net Occupiable Area + Areas Excluded from Gross Factor				23,394	GSF
Total Department Area x Building Grossing Factor (1.10) = Total Building Area				25,733	GSF

AREAS EXCLUDED FROM GROSSING FACTOR

Madison Fire Station 6



LEVEL 2 - CONCEPT PLAN



LEVEL 1 - CONCEPT PLAN



City of Madison

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

Master

File Number: 85980

File ID: 85980

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/05/2024

File Name: Approving an extension of a provisional appointment for Jay Schotzko from December 24, 2024, until such time as the position of Parks General supervisor - East is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Final Action:

Title: Approving an extension of a provisional appointment for Jay Schotzko from December 24, 2024, until such time as the position of Parks General supervisor - East is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Chad Hughes

Hearing Date:

Entered by: nmiller@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Parks Division	11/05/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Common Council (12/10/24)							

Text of Legislative File 85980

Fiscal Note

The proposed resolution approves an extension of a provisional appointment for the Parks General Supervisor - East position. The incumbent has been filling the position since June 23, 2024 and this resolution extends the appointment until the position is filled on a permanent basis or until June 24, 2025, whichever is earlier. Funding for the Parks General Supervisor - East position is included in the 2025 Parks Division's Operating Budget. No additional appropriation is required.

Title

Approving an extension of a provisional appointment for Jay Schotzko from December 24,

2024, until such time as the position of Parks General supervisor - East is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Body

WHEREAS, Jay Schotzko has been filling the position of Parks General supervisor - East, on a provisional basis, assuming all responsibilities of the East Parks section since June 24, 2024; and

WHEREAS, it is expected that Mr. Schotzko will continue to perform these duties until the Parks General supervisor - East position is filled on a permanent basis; and

WHEREAS, City Personnel Rules allow for provisional appointments for six (6) months unless further approval is granted by the Madison Common Council; and

WHEREAS, Parks staff is working with Human Resources to fill this position through the open and competitive recruitment process; and

NOW, THEREFORE BE IT RESOLVED, that Mr. Schotzko's provisional appointment be extended from December 24, 2024, with no change to the terms of the current provisional appointment, until the Parks General supervisor - East position is filled on a permanent basis or until June 24, 2025, whichever is earlier.



City of Madison

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

Master

File Number: 85982

File ID: 85982

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/05/2024

File Name: Approving an extension of a provisional appointment for Spencer Werner from December 24, 2024, until such time as the position of Parks Facility Supervisor is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Final Action:

Title: Approving an extension of a provisional appointment for Spencer Werner from December 24, 2024, until such time as the position of Parks Facility Supervisor is filled on a permanent basis or until June 24, 2025, whichever is earlier.

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Chad Hughes

Hearing Date:

Entered by: nmiller@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Parks Division	11/05/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Common Council (12/10/24)						

Text of Legislative File 85982

Fiscal Note

The proposed resolution approves an extension of a provisional appointment for the Parks Facility Supervisor position. The incumbent has been filling the position since June 23, 2024 and this resolution extends the appointment until the position is filled on a permanent basis or until June 24, 2025, whichever is earlier. Funding for the Parks Facility Supervisor position is included in the 2025 Parks Division's Operating Budget. No additional appropriation is required.

Title

Approving an extension of a provisional appointment for Spencer Werner from December 24, 2024, until such time as the position of Parks Facility Supervisor is filled on a permanent basis

or until June 24, 2025, whichever is earlier.

Body

WHEREAS, Spencer Werner has been filling the position of Parks Facilities Supervisor, on a provisional basis, assuming all responsibilities of the Facilities section since June 24, 2024; and

WHEREAS, it is expected that Mr. Werner will continue to perform these duties until the Parks Facilities Supervisor position is filled on a permanent basis; and

WHEREAS, City Personnel Rules allow for provisional appointments for six (6) months unless further approval is granted by the Madison Common Council; and

WHEREAS, Parks staff is working with Human Resources to fill this position through the open and competitive recruitment process; and

NOW, THEREFORE BE IT RESOLVED, that Mr. Werner's provisional appointment be extended from December 24, 2024, with no change to the terms of the current provisional appointment, until the Parks Facilities Supervisor position is filled on a permanent basis or until June 24, 2025, whichever is earlier.



City of Madison

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

Master

File Number: 86063

File ID: 86063

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/13/2024

File Name: Authorizing a non-competitive service contract with Wisconsin Municipal Mutual Insurance Company (WMMIC) for third party administration of the City's workers' compensation claims.

Final Action:

Title: Authorizing a non-competitive selection contract with Wisconsin Municipal Mutual Insurance Company (WMMIC) for third party administration of the City's workers' compensation claims.

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments: Service Agreement.pdf, 2025-2030 POS
Contract.pdf, 2020-30 non-competitive form.pdf

Enactment Number:

Author: Eric Veum, Risk Manager

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	Finance Department	11/13/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86063

Fiscal Note

The proposed authorizes a 5-year non-competitively bid contract with the Wisconsin Municipal Mutual Insurance Company to administer the City's worker compensation fund. The annual cost of the contract is \$160,000. Funds for this contract are included in the Mayor's 2025 Executive Budget.

Title

Authorizing a non-competitive selection contract with Wisconsin Municipal Mutual Insurance Company (WMMIC) for third party administration of the City's workers' compensation claims.

Body

WHEREAS, the City transferred the third party administration of its worker's compensation

claims to Wisconsin Municipal Mutual Insurance Company (WMMIC) in March, 2004, as a result of a competitive RFP; and

WHEREAS, the City and WMMIC have had a successful working relationship in the administration of the City's worker's compensation claims; and

WHEREAS, the City and WMMIC have agreed upon the conditions and terms of payment to WMMIC for a five year agreement from January 1, 2025 through January 1, 2030; and

WHEREAS, the City is an equity owner of WMMIC; and

WHEREAS, after examining the costs and benefits of considering a switch in providers for this service through a new RFP and the exceptional service provided by WMMIC under the existing contract, the City finds it advantageous to continue with a new contract with WMMIC; and

WHEREAS, after checking with other WMMIC members not using not using WMMIC as their workers' compensation TPA, we find that WMMIC's renewal rates are more competitive than what others are paying; and

WHEREAS, continuing with WMMIC gives the City stability in costs and service, while any change in TPA may not provide such advantages, and would inherently involve significant direct and indirect transitional costs; 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;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to execute a service contract with WMMIC for the above described services for five- year term.

SCHEDULE 1 to WMMIC – City of Madison Agreement

WORKERS' COMPENSATION SELF-INSURANCE PROGRAM

CLAIM SERVICE AGREEMENT FOR CITY OF MADISON

This agreement is effective January 1, 2025 and expires 12:01am, January 1, 2030 (5 years) for claims occurring during the agreement period. Wisconsin Municipal Mutual Insurance Company (herein after referred to as WMMIC) agrees to perform services for City of Madison, which is a self-insured employer (herein after referred to as Client).

WMMIC agrees to perform the following services in connection with Client's self-insured status as an employer under the Wisconsin Workers' Compensation Act.

WMMIC agrees to perform the following services:

1. Investigate each reported claim for the purpose of determining whether it is compensable.
2. Contact employees, via letter, that indicated to the Nurse Triage line they are seeking medical treatment within 24 hours of injury during business hours Monday through Friday.
3. Discuss with the Client claims that need further review for determination of compensability. It will be a priority of WMMIC at all times during the term of this contract to recognize as early as possible, claims that require a higher-than-average level of scrutiny and administration. WMMIC will promptly bring to the Client's attention any such claims.
4. To make or authorize payment on behalf of the Client for compensation and treatment benefits for all claims that WMMIC believes are compensable.
5. Attend hearing and court proceedings at WMMIC's expense.
6. Conduct periodic reviews of all claims with Client, including a monthly meeting to discuss claim issues.
7. Periodically review Client's incident reports to ensure that Client is adequately documenting and categorizing incident reports.
8. Establish reserves for claims and periodically evaluate such reserves.
9. Periodically review claims to determine entitlement to non-treatment related expenses such as temporary disability, permanent disability, and retraining benefits, and to compute the amount of such benefits payable.

10. Review treatment bills including medical, hospital and chiropractic bills for reasonableness, necessity of treatment, accuracy, and completeness. To participate in the selection and supervision of outside service providers for detailed review of such bills for usual and customary charges.
11. Monitor medical treatment of injured employees. Participate in the selection and assist in the supervision of medical management, medical examiners and rehabilitation providers.
12. Participate in the selection of and assist in the supervision of claims investigators and attorneys retained to investigate, defend or settle claims.
13. Monitor claims for subrogation. Direct and supervise efforts for the recovery of funds.
14. Provide Client with secure on-line access to Client's claims information and analytic tools for use in claims analysis, loss control and loss prevention efforts. Client is aware there is a per license fee per user and if the Client wants more users than approved by WMMIC Board of Directors, there will be a license fee. WMMIC will provide reports as reasonably requested by Client.
15. Conduct periodic informational and training sessions for Client's employees.
16. Provide monthly reports detailing claims, claimants, and reserves.
17. Provide reports required under the provisions of the Wisconsin Workers' Compensation Act.
18. Comply with the Excess Insurance Carrier's "claim reporting requirements," if any, as outlined in Exhibit "A." WMMIC will pursue the collection of losses covered by any Excess Insurance coverage obtained by Client.
19. Identify and report to Client any suspected fraudulent claims, and facilitate the prosecution of such fraudulent claims. However, WMMIC does not guarantee that it will identify all fraudulent claims.
20. Respond, within 30 days, to any serious problems identified in writing by Client regarding the administration of any claims, and to propose a method of curing the problems identified by Client

Client agrees as follows:

1. To promptly report to WMMIC all injuries and claims of injuries, in accordance with the Wisconsin Workers' Compensation Act.
2. To promptly report to WMMIC all claims that Client may have initially categorized as "incident only," when information becomes known that changes the category to either a "medical only" or "indemnity" claim.

3. To provide information to WMMIC investigators or attorneys handling claims on behalf of the Client, concerning questions which arise regarding claims. To provide prompt and complete access to requested information and permit contact with employees.
4. To pay all sums incurred for the investigation of, management of, or the defense of claims regardless of whether the claims are contested. Such payments include, but are not limited to, medical bill review charges, medical, chiropractic and rehabilitation management, medical examinations, investigative services and attorney's fees, safety/loss control services and special services or administrative costs rendered by WMMIC. The Client will approve all services requested.
5. Client acknowledges that claims arising out of any penalty provisions under the Wisconsin Workers' Compensation Act, including but not limited to Wis. Stat. Sec. 102.57 (safety violation), 102.35(3) (failure to rehire) and 102.81(1)(bp) (bad faith), are to be covered by Client.

Penalties assessed under the Wisconsin Workers' Compensation Act for errors and omissions by WMMIC will be reimbursed only if such errors or omissions are solely caused by WMMIC

6. Accidents occurring prior to the inception date of this agreement are not administered unless otherwise agreed to by Client and WMMIC in writing.
7. The actual fee for claim services will be based upon the following schedule(s) for the agreement period.

WMMIC will administer your claims on an annual flat administrative-fee basis. Payment is made in full each January. Rate is increased by 4 percent annually.

2025 - \$160,000
 2026 - \$166,400
 2027 - \$173,056
 2028 - \$179,978
 2029 - \$187,177

If an Indemnity Claim is open five years from the date the claim was first reported to WMMIC, WMMIC, at its option, may charge annual administration fees equal to \$200 per claim.

Fees will be automatically withdrawn from Client's SIR funds on deposit with WMMIC. WMMIC will account for all payments monthly and the Client shall fund the SIR account to maintain the minimum amount required or quarterly at the discretion of WMMIC.

No individual member of WMMIC shall in any way be liable for performance of WMMIC's duties and obligations hereunder.

EXHIBIT A CLAIMS REPORTING REQUIREMENTS

("You" in the text below refers to the Insured; "We" refers to the Insurer.)

1. You must give us prompt notice of any accident or disease which may result in a claim or suit seeking an amount for loss in excess of your "bodily injury by accident" or "bodily injury by disease each employee" retention. The notice must be made no later than thirty (30) calendar days from the date you are notified of such accident or disease. The notice shall include;
 - a. How, when and where the accident or disease took place;
 - b. The names and addresses of any injured persons and witnesses; and
 - c. Complete details of the injury, disease or death.
2. You must furnish us with:
 - a. Written notification of each claim or suit which has, should have or is likely to have, without regard to liability, a reserve equal to or exceeding fifty percent (50%) of your retention. Written notice must be provided as soon as possible, but no later than fifteen (15) calendar days from the date you have sufficient knowledge of facts surrounding such claim or suit which could put you on notice that such reserve or payment is indicated. Complete files on such claim or suit must be given to us within thirty (30) calendar days from the date we request such files.

Written notification of each claim or suit which involves serious injury. This notice must be provided as soon as possible, no later than ten (10) business days from the date you have knowledge of such claim or suit. Serious injuries include, but are not limited to;

- 1) Cord Injury – paraplegia, quadriplegia;
- 2) Amputations – requiring a prosthesis;
- 3) Brain damage affecting mentality or central nervous system – such as permanent disorientation, behavior disorder, personality change, seizures, motor deficit, inability to speak Aphasia), hemiplegia or unconsciousness (Comatose);
- 4) Blindness;

- 5) Burns – involving over 10% of body with third-degree or 30% with second degree;
 - 6) Multiple fractures – involving more than one member or non-union of any part of the body;
 - 7) Fracture of both heel bones (Fractured or Bilateral OS Calcis);
 - 8) Nerve damage causing paralysis and loss of sensation in arm and hand (Brachial Plexus Nerve Damage);
 - 9) Massive internal injuries affecting body organs;
 - 10) Injury to nerve at base of spinal canal (Cauda Equina) or any other back injury resulting in incontinence of bowel or bladder;
 - 11) Fatalities;
 - 12) Any claim or suit not specified above that presents an unusual exposure to the coverage. Examples include: sexual molestation, AIDS, rape, class actions and bad faith allegations; or
 - 13) Any other serious injury which may involve our liability;
 - 14) Individual written loss reports of all serious injuries must be given to us within thirty (30) calendar days from the date you have knowledge of any claim or suit which involves serious injuries. This report must contain the facts surrounding the claim or suit, a description of injuries, suggested reserves, recommendations for future claims handling.
- b. Any other claim information or reports requested by us.

3. You must:

- a. Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or "suit" or action involving a sum in excess of your retention;
- b. Authorize us to obtain records and other information;
- c. Assist us, upon our request, in the enforcement of any right against any person or organization which may be liable to the insured because of injury or damage to which this insurance applies;
- d. Furnish us and direct defense counsel or others to furnish us with information we may request to evaluate the "accident" or "disease"; and
- e. Attempt to settle the claim or "suit" within your retention.

City of Madison CONTRACT FOR PURCHASE OF SERVICES

1. **PARTIES.**

This is a Contract between the City of Madison, Wisconsin, hereafter referred to as the "City" and Wisconsin Municipal Mutual Insurance Company hereafter referred to as "Contractor."

The Contractor is a: ☒ Corporation ☐ Limited Liability Company ☐ General Partnership ☐ LLP
(to be completed by contractor) ☐ Sole Proprietor ☐ Unincorporated Association ☐ Other: _____

2. **PURPOSE.**

The purpose of this Contract is as set forth in Section 3.

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):

This is a contract for Wisconsin Municipal Mutual Insurance Company (WMMIC) to perform third party administration services for the City's workers' compensation claims. WMMIC will perform its services and obligations as outlined in Schedule 1 and Exhibit A. The City will perform the obligations it has in Schedule 1 and Exhibit A. WMMIC will be paid for its services as noted in Schedule 1.

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.

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, however in no case shall work commence before execution by the City of Madison. The term of this Contract shall be as noted in Schedule 1.

5. **ENTIRE AGREEMENT.**

This Contract for Purchase of Services, including any and all attachments, exhibits and other documents referenced in Section 3 (hereafter, "Agreement" or "Contract") is the entire Agreement of the parties and supersedes any and all oral contracts and negotiations between the parties. If any document referenced in Section 3 includes a statement that expressly or implicitly disclaims the applicability of this Contract for Purchase of Services, or a statement that such other document is the "entire agreement," such statement shall be deemed rejected and shall not apply to this Contract.

6. **ASSIGNABILITY/SUBCONTRACTING.**

Contractor shall not assign or subcontract any interest or obligation under this Contract without the City's prior written approval. All of the services required hereunder will be performed by Contractor and employees of Contractor.

7. **DESIGNATED REPRESENTATIVE.**

Contractor designates Pallin Allen as Contract Agent with primary responsibility for the performance of this Contract. If the Contract Agent resigns, is replaced, or is no longer acting as Contract Agent for any reason, Contractor will notify the City in writing of the change, and propose a replacement Contract Agent within seven (7) calendar days. The City may accept another person as the Contract Agent or may terminate this Contract under Section 25, at its option.

8. **PROSECUTION AND PROGRESS.**

- A. Services under this Agreement shall commence upon written order from the City to the Contractor, which order will constitute authorization to proceed; unless another date for commencement is specified elsewhere in this Contract including documents incorporated in Section 3.
- B. The Contractor shall complete the services under this Agreement within the time for completion specified in Section 3, the Scope of Services, including any amendments. The Contractor's services are completed when the City notifies the Contractor in writing that the services are complete and are acceptable. The time for completion shall not be extended because of any delay attributable to the Contractor, but it may be extended by the City in the event of a delay attributable to the City, or in the event of unavoidable delay caused by war, insurrection, natural disaster, or other unexpected event beyond the control of the Contractor. If at any time the Contractor believes that the time for completion of the work should be extended because of unavoidable delay caused by an unexpected event, or because of a delay attributable to the City, the Contractor shall notify the City as soon as possible, but not later than seven (7) calendar days after such an event. Such notice shall include any justification for an extension of time and shall identify the amount of time claimed to be necessary to complete the work.
- C. Services by the Contractor shall proceed continuously and expeditiously through completion of each phase of the work.
- D. Progress reports documenting the extent of completed services shall be prepared by the Contractor and submitted to the City with each invoice under Section 24 of this Agreement, and at such other times as the City may specify, unless another procedure is specified in Section 3.
- E. The Contractor shall notify the City in writing when the Contractor has determined that the services under this Agreement have been completed. When the City determines that the services are complete and are acceptable, the City will provide written notification to the Contractor, acknowledging formal acceptance of the completed services.

9. **AMENDMENT.**

This Contract shall be binding on the parties hereto, their respective heirs, devisees, and successors, and cannot be varied or waived by any oral representations or promise of any agent or other person of the parties hereto. Any other change in any provision of this Contract may only be made by a written amendment, signed by the duly authorized agent or agents who executed this Contract.

10. **EXTRA SERVICES.**

The City may require the Contractor to perform extra services or decreased services, according to the procedure set forth in Section 24. Extra services or decreased services means services which are not different in kind or nature from the services called for in the Scope of Services, Section 3, but which may increase or decrease the quantity and kind of labor or materials or expense of performing the services. Extra services may not increase the total Contract price, as set forth in Section 23, unless the Contract is amended as provided in Section 9 above.

11. **NO WAIVER.**

No failure to exercise, and no delay in exercising, any right, power or remedy hereunder on the part of the City or Contractor 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 or 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 the City or Contractor therein. A waiver of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition.

12. **NONDISCRIMINATION.**

During the term of this Contract, the Contractor agrees not to 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. Contractor further agrees not to discriminate against any subcontractor or person who offers to subcontract on this Contract because of race, religion, color, age, disability, sex, sexual orientation, gender identity or national origin.

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.)

14. **SEVERABILITY.**

It is mutually agreed that in case any provision of this Contract is determined by any court of law to be unconstitutional, illegal or unenforceable, it is the intention of the parties that all other provisions of this Contract remain in full force and effect.

15. **NOTICES.**

All notices to be given under the terms of this Contract shall be in writing and signed by the person serving the notice and shall be sent registered or certified mail, return receipt requested, postage prepaid, or hand delivered to the addresses of the parties listed below:

FOR THE CITY:

David Schmiedicke, Finance Director

(Department or Division Head)

210 Martin Luther King Jr Blvd, Room 101

Madison, WI 53703

FOR THE CONTRACTOR:

Pallin Allen, Executive director

2418 Crossroads Drive

Suite 1500

Madison, WI 53718

16. **INDEPENDENT CONTRACTOR AND TAX INFORMATION.**

It is agreed that Contractor is an independent contractor and not an employee of the City, and any persons who the Contractor utilizes or provides for services under this Contract not employees of the City of Madison.

Contractor shall provide its taxpayer identification number (or social security number) to the Finance Director, 210 Martin Luther King Jr. Blvd, Room 406, Madison, WI 53703, prior to payment. The Contractor is informed that as an independent contractor, Contractor may have a responsibility to make estimated tax returns, file tax returns, pay income taxes and make social security payments on the amounts received under this Contract. No amounts will be withheld by the City for these purposes and payment of taxes and making social security payments are solely the responsibility and obligation of the Contractor. The Contractor is further informed that they may be subject to civil and/or criminal penalties if they fail to properly report income and pay taxes and social security taxes on the amount received under this Contract.

17. **GOODWILL.**

Any and all goodwill arising out of this Contract inures solely to the benefit of the City; Contractor waives all claims to benefit of such goodwill.

18. **THIRD PARTY RIGHTS.**

This Contract is intended to be solely between the parties hereto. No part of this Contract shall be construed to add, supplement, amend, abridge or repeal existing rights, benefits or privileges of any third party or parties, including but not limited to employees of either of the parties.

19. **AUDIT AND RETAINING OF DOCUMENTS.**

The Contractor agrees to provide all reports requested by the City including, but not limited to, financial statements and reports, reports and accounting of services rendered, and any other reports or documents requested. Financial and service reports shall be provided according to a schedule (when applicable) to be included in this Contract. Any other reports or documents shall be provided within five (5) working days after the Contractor receives the City's written requests, unless the parties agree in writing on a longer period. Payroll records and any other documents relating to the performance of services under the terms of this Contract shall be retained by the Contractor for a period of three (3) years after completion of all work under this Contract, in order to be available for audit by the City or its designee.

20. **CHOICE OF LAW, VENUE, AND FORUM SELECTION.**

This Contract shall be governed by and construed, interpreted, and enforced in accordance with the laws of the State of Wisconsin, without regard to conflict of law principles. For any claim or suit or other dispute relating to this Contract that cannot be mutually resolved informally, the venue shall be Dane County, Wisconsin, and the parties agree to submit themselves to the jurisdiction of a court of competent jurisdiction in said venue, to the exclusion of any other forum that may have jurisdiction over such a dispute according to any law.

21. **COMPLIANCE WITH APPLICABLE LAWS.**

The Contractor shall become familiar with, and shall at all times comply with and observe all federal, state, and local laws, ordinances, and regulations which in any manner affect the services or conduct of the Contractor and its agents and employees.

22. **CONFLICT OF INTEREST.**

- A. The Contractor warrants that it and its agents and employees have no public or private interest, and will not acquire directly or indirectly any such interest, which would conflict in any manner with the performance of the services under this Agreement.
- B. The Contractor shall not employ or Contract with any person currently employed by the City for any services included under the provisions of this Agreement.

23. **COMPENSATION.**

It is expressly understood and agreed that in no event will the total compensation under this Contract exceed the fees noted in Schedule 1.

24. **BASIS FOR PAYMENT.**

A. **GENERAL.**

- (1) The City will pay the Contractor for the completed and accepted services rendered under this Contract on the basis and at the Contract price set forth in Section 23 of this Contract. The City will pay the Contractor for completed and approved "extra services", if any, if such "extra services" are authorized according to the procedure established in this section. The rate of payment for "extra services" shall be the rate established in this Contract. Such payment shall be full compensation for services rendered and for all labor, material, supplies, equipment and incidentals necessary to complete the services.
- (2) The Contractor shall submit invoices, on the form or format approved by the City and as may be further specified in Section 3 of this Contract. The City will pay the Contractor in accordance with the schedule, if any, set forth in Section 3. The final invoice, if applicable, shall be submitted to the City within three months of completion of services under this Agreement.
- (3) Should this Agreement contain more than one service, a separate invoice and a separate final statement shall be submitted for each individual service.
- (4) Payment shall not be construed as City acceptance of unsatisfactory or defective services or improper materials.
- (5) Final payment of any balance due the Contractor will be made upon acceptance by the City of the services under the Agreement and upon receipt by the City of documents required to be returned or to be furnished by the Contractor under this Agreement.
- (6) The City has the equitable right to set off against any sum due and payable to the Contractor under this Agreement, any amount the City determines the Contractor owes the City, whether arising under this Agreement or under any other Agreement or otherwise.
- (7) Compensation in excess of the total Contract price will not be allowed unless authorized by an amendment under Section 9, AMENDMENT.
- (8) The City will not compensate for unsatisfactory performance by the Contractor.

B. **SERVICE ORDERS, EXTRA SERVICE, OR DECREASED SERVICE.**

- (1) Written orders regarding the services, including extra services or decreased services, will be given by the City, using the procedure set forth in Section 15, NOTICES.
- (2) The City may, by written order, request extra services or decreased services, as defined in Section 10 of this Contract. Unless the Contractor believes the extra services entitle it to extra compensation or additional time, the Contractor shall proceed to furnish the necessary labor, materials, and professional services to complete the services within the time limits specified in the Scope of Services, Section 3 of this Agreement, including any amendments under Section 9 of this Agreement.
- (3) If in the Contractor's opinion the order for extra service would entitle it to extra compensation or extra time, or both, the Contractor shall not proceed to carry out the extra service, but shall notify the City, pursuant to Section 15 of this Agreement. The notification shall include the justification for the claim for extra compensation or extra time, or both, and the amount of additional fee or time requested.
- (4) The City shall review the Contractor's submittal and respond in writing, either authorizing the Contractor to perform the extra service, or refusing to authorize it. The Contractor shall not receive additional compensation or time unless the extra compensation is authorized by the City in writing.

25. **DEFAULT/TERMINATION.**

- A. In the event Contractor shall default in any of the covenants, agreements, commitments, or conditions herein contained, and any such default shall continue unremedied for a period of ten (10) days after written notice thereof to Contractor, the City may, at its option and in addition to all other rights and remedies which it may have at law or in equity against Contractor, including expressly the specific enforcement hereof, forthwith have the cumulative right to immediately terminate this Contract and all rights of Contractor under this Contract.
- B. Notwithstanding paragraph A., above, the City may in its sole discretion and without any reason terminate this Agreement at any time by furnishing the Contractor with ten (10) days' written notice of termination. In the event of termination under this subsection, the City will pay for all work completed by the Contractor and accepted by the City.

26. **INDEMNIFICATION.**

The Contractor shall be liable to and hereby agrees to indemnify, defend and hold harmless the City of Madison, and its officers, officials, agents, and employees against all loss or expense (including liability costs and attorney's fees) by reason of any claim or suit, or of liability imposed by law upon the City or its officers, officials, agents or employees for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons or on account of damages to property, including loss of use thereof, arising from, in connection with, caused by or resulting from the Contractor's and/or Subcontractor's acts or omissions in the performance of this Agreement, whether caused by or contributed to by the negligence of the City, its officers, officials, agents, or its employees.

27. **INSURANCE.**

The Contractor will insure, and will require each subcontractor to insure, as indicated, against the following risks to the extent stated below. The Contractor shall not commence work under this Contract, nor shall the Contractor allow any Subcontractor to commence work on its Subcontract, 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

The Contractor shall procure and maintain during the life of this Contract, Commercial General Liability insurance including, but not limited to bodily injury, property damage, personal injury, and products and completed operations (unless determined to be inapplicable by the Risk Manager) 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 non-contributory and list the City of Madison, its officers, officials, agents and employees as additional insureds. Contractor shall require all subcontractors under this Contract (if any) to procure and maintain insurance meeting the above criteria, applying on a primary basis and listing the City of Madison, its officers, officials, agents and employees as additional insureds.

Automobile Liability

The Contractor shall procure and maintain during the life of this Contract 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. Contractor shall require all subcontractors under this Contract (if any) to procure and maintain insurance covering each subcontractor and meeting the above criteria.

Worker's Compensation

The Contractor shall procure and maintain during the life of this Contract statutory Workers' Compensation insurance as required by the State of Wisconsin. The Contractor shall also carry Employers Liability limits of at least \$100,000 Each Accident, \$100,000 Disease – Each Employee, and \$500,000 Disease – Policy Limit. Contractor shall require all subcontractors under this Contract (if any) to procure and maintain such insurance, covering each subcontractor.

Professional Liability

The Contractor shall procure and maintain professional liability insurance with coverage of not less than \$1,000,000. If such policy is a "claims made" policy, all renewals thereof during the life of the Contract shall include "prior acts coverage" covering at all times all claims made with respect to Contractor's work performed under the Contract. This Professional Liability coverage must be kept in force for a period of six (6) years after the services have been accepted by 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 Contractor shall provide the City with certificate(s) of insurance showing the type, amount, effective dates, and expiration dates of required policies prior to commencing work under this Contract. Contractor shall provide the certificate(s) to the City's representative upon execution of the Contract, or sooner, for approval by the City Risk Manager. If any of the policies required above expire while this Contract is still in effect, Contractor shall provide renewal certificate(s) to the City for approval. Certificate Holder language should be listed as follows:

City of Madison
ATTN: Risk Management, Room 406
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

The Contractor shall provide copies of additional insured endorsements or insurance policies, if requested by the City Risk Manager. The Contractor and/or Insurer shall give the City thirty (30) days advance written notice of cancellation, non-renewal or material changes to any of the above-required policies during the term of this Contract.

28. **OWNERSHIP OF CONTRACT PRODUCT.**

All of the work product, including, but not limited to, documents, materials, files, reports, data, including magnetic tapes, disks of computer-aided designs or other electronically stored data or information (the "Documents"), which the Contractor prepares pursuant to the terms and conditions of this Contract are the sole property of the City. The Contractor will not publish any such materials or use them for any research or publication, other than as expressly required or permitted by this Contract, without the prior written permission of the City. The grant or denial of such permission shall be at the City's sole discretion.

The Contractor intends that the copyright to the Documents shall be owned by City, whether as author (as a Work Made For Hire), or by assignment from Contractor to City. The parties expressly agree that the Documents shall be considered a Work Made For Hire as defined by Title 17, United States Code, Section 101(2).

As further consideration for the City entering into this Contract, the Contractor hereby assigns to City all of the Contractor's rights, title, interest and ownership in the Documents, including the right to procure the copyright therein and the right to secure any renewals, reissues and extensions of any such copyright in any foreign country. The City shall be entitled to the sole and exclusive benefit of the Documents, including the copyright thereto, and whenever required by the City, the Contractor shall at no additional compensation, execute all documents of assignment of the full and exclusive benefit and copyright thereof to the City. Any subcontractors and other independent contractors who prepare portions of the Documents shall be required by the Contractor to execute an assignment of ownership in favor of the City before commencing work.

29. **BAN THE BOX - ARREST AND CRIMINAL BACKGROUND CHECKS.** (Sec. 39.08, MGO. Applicable to contracts exceeding \$25,000.)

A. **DEFINITIONS.**

For purposes of this section, "Arrest and Conviction Record" includes, but is not limited to, information indicating that a person has been questioned, apprehended, taken into custody or detention, held for investigation, arrested, charged with, indicted or tried for any felony, misdemeanor or other offense pursuant to any law enforcement or military authority.

"Conviction record" includes, but is not limited to, information indicating that a person has been convicted of a felony, misdemeanor or other offense, placed on probation, fined, imprisoned or paroled pursuant to any law enforcement or military authority.

"Background Check" means the process of checking an applicant's arrest and conviction record, through any means.

B. **REQUIREMENTS.** For the duration of this Contract, the Contractor shall:

- (1) Remove from all job application forms any questions, check boxes, or other inquiries regarding an applicant's arrest and conviction record, as defined herein.
- (2) Refrain from asking an applicant in any manner about their arrest or conviction record until after conditional offer of employment is made to the applicant in question.
- (3) Refrain from conducting a formal or informal background check or making any other inquiry using any privately or publicly available means of obtaining the arrest or conviction record of an applicant until after a conditional offer of employment is made to the applicant in question.
- (4) Make information about this ordinance available to applicants and existing employees, and post notices in prominent locations at the workplace with information about the ordinance and complaint procedure using language provided by the City.
- (5) Comply with all other provisions of Sec. 39.08, MGO.

C. **EXEMPTIONS:** This section does not apply when:

- (1) Hiring for a position where certain convictions or violations are a bar to employment in that position under applicable law, or
- (2) Hiring a position for which information about criminal or arrest record, or a background check is required by law to be performed at a time or in a manner that would otherwise be prohibited by this ordinance, including a licensed trade or profession where the licensing authority explicitly authorizes or requires the inquiry in question.

To be exempt under sec. C.(1) or (2) above, Contractor must demonstrate to the City that there is a law or regulation that requires the hiring practice in question. If so, the contractor is exempt from this section for the position(s) in question.

30. **WEAPONS PROHIBITION.**

Contractor shall prohibit, and shall require its subcontractors to prohibit, its employees from carrying weapons, including concealed weapons, in the course of performance of work under this Contract, other than while at the Contractor's or subcontractor's own business premises. This requirement shall apply to vehicles used at any City work site and vehicles used to perform any work under this Contract, except vehicles that are an employee's "own motor vehicle" pursuant to Wis. Stat. sec. 175.60(15m).

31. **IT NETWORK CONNECTION POLICY.**

If this Contract includes services such as software support, software maintenance, network services, and/or system development services and will require a Network Connection the City Network (as defined in the following link), the City's Network Connection Policy found at this link: <https://www.cityofmadison.com/attorney/documents/posNetworkConnection.docx> is hereby incorporated and made a part of this Contract and Contractor agrees to comply with all of its requirements.

32. **AUTHORITY.**

Contractor represents that it has the authority to enter into this Contract. If the Contractor is not an individual, the person(s) signing on behalf of the Contractor represents and warrants that they have been duly authorized to bind the Contractor and sign this Contract on the Contractor's behalf.

33. **COUNTERPARTS, ELECTRONIC SIGNATURE AND DELIVERY.**

This Contract may be signed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on this Contract may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Contract 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 Contract 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 Contract, fully executed, shall be as valid as an original.

IN WITNESS WHEREOF, the parties hereto have set their hands at Madison, Wisconsin.

CONTRACTOR:

WMMIC

(Type or Print Name of Contracting Entity)

By:

(Signature)

Pallin Allen, Executive Director

(Print Name and Title of Person Signing)

Date: 11/01/2024

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.

NOTE: Certain service contracts may be executed by the designee of the Finance Director on behalf of the City of Madison:

By:

Mary Richards, Procurement Supervisor

Date:

MGO 4.26(3) and (5) authorize the Finance Director or designee to sign purchase of service contracts when all of the following apply:

- (a) The funds are included in the approved City budget.
- (b) An RFP or competitive process was used, or the Contract is exempt from competitive bidding under 4.26(4)(a).
- (c) The City Attorney has approved the form of the Contract.
- (d) The Contract complies with other laws, resolutions and ordinances.
- (e) The Contract is for a period of 1 year or less, OR not more than 5 years AND the average cost is not more than \$100,000 per year, AND was subject to competitive bidding. (If over \$50,000 and exempt from bidding under 4.26(4)(a), regardless of duration of the Contract, the Common Council must authorize the Contract by resolution and the Mayor and City Clerk must sign, per 4.26(5)(b).)

Emergency Service contracts may also be signed by the designee of the Finance Director if the requirements of MGO 4.26(3)(c) are met.

For City Use Only: SIGNATURE INSTRUCTIONS FOR CONTRACT TO BE SIGNED BY FINANCE (PURCHASING):

Obtain contractor's signature first. Attach the contractor-signed contract with all attachments/exhibits and the certificate of insurance to the requisition in MUNIS.

SUBMIT VIEW



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 10/29/2024

Requisition Number: (8 characters)

Requestor Name: Eric Veum

Requestor Phone Number: 608-266-5965

Requestor Email: eveum@cityofmadison.com

Fund: 2220 WORKER'S COMPENSATION

Agency: 76 WORKERS COMPENSATION

- 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: \$160,680.00

Vendor Name: Wisconsin Municipal Mutual Insurance Company

Product/Service Description: Workers' Compensation Third Party Claims Administration

☐ **\$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 City has been using Wisconsin Municipal Mutual Insurance Company (WMMIC) for its TPA services since 2004. Given the costs, time and resources needed to go out for RPF we asked WMMIC for a renewal quote. The quote came in on good terms. In addition to the significant time and cost savings by staying with WMMIC for this service, the City is also an equity owner of WMMIC and costs paid for the TPA services are shared by the City in WMMIC's budget making the costs even lower.

Submit



City of Madison

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

Master

File Number: 86074

File ID: 86074

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/14/2024

File Name: 2024 COSSUP Grant Madison Area Recovery
Initiative MPD \$1,600,000

Final Action:

Title: Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign accept a U.S Department of Justice Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program (COSSUP) grant award of \$1,600,000 to expand the Madison Area Recovery Initiative (MARI) to address substance disuse order.

Notes:

Sponsors: Satya V. Rhodes-Conway, Derek Field And Yannette
Figueroa Cole

Effective Date:

Attachments:

Author: Capt. S Blackamore

Enactment Number:

Entered by: jpowell@cityofmadison.com

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Police Department	11/18/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86074

Fiscal Note

The proposed resolution amends the 2024 Police Department operating budget and authorizes the acceptance of a U.S Department of Justice Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program (COSSUP) grant award of \$1,600,000 to expand the Madison Area Recovery Initiative (MARI) to address substance disuse order.

The grant funds will be used to continue funding the current Program Assistant LTE position to coordinate community outreach by the Resource Team and MPD-specific administrative duties to serve MARI participants; support efforts to provide continuous MARI refresher training for current MPD patrol officers; and to assist in the expansion of the MARI protocol to other

interested agencies in Dane County. The resolution also authorizes pass-through grant funds to MARI partner organizations and purchase of services contracts with: Safe Communities of Madison and Dane County to contract for MARI peer support services (\$441,246); University of Wisconsin Population Health Institute for evaluation services provided by Janae Goodrich and Erin Taber (\$264,811); Dane County Department of Human Services for contingency management and transitional housing recovery services (\$225,395); and JB Public Safety Consulting, LLC, the current MARI coordinator, for continued services (\$124,800). Other grant funds be used for training, harm reduction kits, supplies, project promotion, local transportation for participants, and client intake questionnaire software.

The grant covers the period of 10/01/2024 - 09/30/2027. No city match is required and there is no impact on the levy.

Title

Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign accept a U.S Department of Justice Bureau of Justice Assistance Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program (COSSUP) grant award of \$1,600,000 to expand the Madison Area Recovery Initiative (MARI) to address substance misuse.

Body

PREAMBLE

The Madison Police Department (MPD) and its partners, Dane County Department of Human Services, Safe Communities of Madison-Dane County, Tellurian Behavioral Health and University of Wisconsin Population Health Institute created a Madison Area Initiative (MARI) pre-arrest diversion program, and expanded it to include a Resource Team for outreach to survivors of non-fatal overdose events, and a Naloxone Plus program for the anti-overdose medication.

MARI is a law enforcement-led pre-arrest diversion program for persons suspected of having Substance Use Disorder (SUD). To be eligible, individuals must be 18 and over and have been found by a police officer to have committed a drug-related crime but SUD is suspected to be the at root cause of the criminal behavior. All Madison police officers received training to identify such situations and refer eligible participants to MARI in lieu of arrest and criminal charges. When individuals are referred to the MARI assessment hub by MPD officers, they undergo a comprehensive clinical assessment for their SUD; agree to a six-month treatment and arrest diversion plan in lieu of facing criminal charges; and then are connected with a local SUD treatment provider, other counseling services and peer support. When a participant completes the program, they receive a letter of congratulations from the Police Chief acknowledging this accomplishment and the beginning of their recovery journey. The participant is also officially notified that as a result of their completion of MARI, all MPD charges associated with the initial referral to MARI have been "voided" by the department.

The Resource Team was created in 2021 for outreach to survivors of non-fatal overdose events, as well as a Naloxone Plus program for the anti-overdose medication. Thirty trained MPD officers, along with peer support coaches, contact individuals who have recently overdosed, providing information on available community treatment resources, peer support and naloxone.

MPD will use grant funding to enhance current programming, focusing on expanding MARI to other law enforcement agencies in Dane County, incorporating all elements of the national COSSUP model.

WHEREAS, the Bureau of Justice Assistance in the U.S Department of Justice has created a comprehensive program to identify, respond to, treat, and support those impacted by illicit opioids, stimulants and other drugs, and has awarded the Madison Police Department a three-year grant of \$1,600,000 for its Madison Area Recovery Initiative (MARI) to:

- Expand drug take-back programs in coordination with our grant partner and area law enforcement agencies.
- Expand diversion activities in our evidence-based Madison Area Recovery Initiative (MARI) to include a self-referral pathway; inclusion of probation and parole offenders, and transportation for MARI participants to assessment and treatment.
- Expand our Resource Team (RT) to include juvenile outreach; peer led support groups in the Dane County Jail; expand RT cadre outreach to communities outside of Madison; fatal overdose grief support outreach; and improved narcotics task force search warrant coordination to support impacted household members.
- Improve access to real-time overdose incident information so as to identify emerging drug trends.
- Ensure availability of Naloxone for law enforcement, first responders, jail staff, and other justice system practitioners.
- Create substance use education and prevention program to connect law enforcement with K-12 students.
- Explore pre-booking or post-booking treatment alternative-to-incarceration programs with our Dane County Jail.
- Improve coordination with the District Attorney's Opiate Diversion Program.
- Improve and expedite treatment support and recovery services for Dane County Drug Court.
- Expand evidence-based SUD treatment by coordinating jail transports for MAT screening prior to the booking process.
- Provide SUD funding for assessment, treatment and inpatient beds for MARI participants.
- Explore contingency management and behavioral treatment possibilities for MARI.
- Implement recovery and transitional housing for MARI participants.
- Embed two Peer Support Specialist positions in MPD's Mental Health Unit to better support justice involved individuals in accordance with the Sequential Intercept Model.
- Implement ART cadre outreach and harm reduction support to individuals re-entering the community post incarceration.

NOW THEREFORE BE IT RESOLVED that the Mayor and Chief of Police are authorized to accept a FY2024 Comprehensive Opioid, Stimulant, and Substance Use Site-Based Program (COSSUP) three-year grant award from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for \$1,600,000.

BE IT FURTHER RESOLVED, that the Police 2024 Operating Budget is amended to appropriate any grant funds received to be used for the purposes of the grant, including modifications upon appropriate approvals from the funder, the U.S. Department of Justice

BE IT FURTHER RESOLVED that the Finance and Police Departments are authorized to establish and/or maintain accounts as required for the administration of the grant funds.

BE IT FURTHER RESOLVED that grant funds are to be used to continue funding the current Program Assistant LTE position to coordinate community outreach by the Resource Team and MPD-specific administrative duties to serve MARI participants; support efforts to provide continuous MARI refresher training for current MPD patrol officers; and to assist in the expansion of the MARI protocol to other interested agencies in Dane County.

BE IT FURTHER RESOLVED that the Finance Director or their designee is hereby authorized to pass-through grant funds to MARI partner organizations and enter into purchase of services contracts with:

- Safe Communities of Madison and Dane County to contract for MARI peer support

services (\$441,246)

- University of Wisconsin Population Health Institute for evaluation services provided by Janae Goodrich and Erin Taber (\$264,811)
- Dane County Department of Human Services for contingency management and transitional housing recovery services (\$225,395)
- JB Public Safety Consulting, LLC, the current MARI coordinator, for continued services (\$124,800).

BE IT FINALLY RESOLVED that other grant funds be used for training, harm reduction kits, supplies, project promotion, local transportation for participants, and client intake questionnaire software.



City of Madison

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

Master

File Number: 86075

File ID: 86075

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/14/2024

File Name: 2024 WDHS Opioid Settlement Grant Madison Area
Recovery Initiative (MARI) MPD \$95,935

Final Action:

Title: Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign a Wisconsin Department of Health Services Opioid Abatement Efforts by Law Enforcement grant award contract in the amount of \$95,935 for the Madison Area Resource Initiative (MARI) pre-arrest opioid diversion program.

Notes:

Sponsors: Satya V. Rhodes-Conway, Derek Field And Yannette
Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Capt. S. Blackamore

Hearing Date:

Entered by: jpowell@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Police Department	11/18/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86075

Fiscal Note

The proposed resolution amends the 2024 Police Department operating budget and authorizes a Wisconsin Department of Health Services Opioid Abatement Efforts by Law Enforcement grant in the amount of \$95,935 for the Madison Area Resource Initiative (MARI) pre-arrest opioid diversion program.

The grant funds will be used to continue funding the current Program Assistant LTE position from April through June of 2025. The position coordinates community outreach by the Resource Team and MPD-specific administrative duties to serve MARI participants; supports efforts to provide continuous MARI refresher training for current MPD patrol officers; and

assists in the expansion of the MARI protocol to other interested agencies in Dane County.

The resolution also authorizes passing-through grant funds to MARI partner organizations and enter into purchase of services contracts with: Safe Communities of Madison and Dane County to contract for MARI peer support services (\$14,707); University of Wisconsin Population Health Institute for evaluation services provided by Janae Goodrich and Erin Taber (\$21,727); and JB Public Safety Consulting, LLC, the current MARI coordinator (\$6,000). Remaining grant funds will be used for training, harm reduction kits, project promotion, coordination and client intake questionnaire software. There is no city match and no impact on the levy.

Title

Amending the 2024 Police Department operating budget; and authorizing the Mayor and Chief of Police to sign a Wisconsin Department of Health Services Opioid Abatement Efforts by Law Enforcement grant award contract in the amount of \$95,935 for the Madison Area Resource Initiative (MARI) pre-arrest opioid diversion program.

Body

PREAMBLE

The Madison Police Department (MPD) and its partners, Dane County Department of Human Services, Safe Communities of Madison-Dane County, Tellurian Behavioral Health and University of Wisconsin Population Health Institute created a Pathways to Recovery Madison Dane County program to address opioid overdoses through its Madison Area Recovery Initiative (MARI) pre-arrest diversion program, Resource Team for outreach to survivors of non-fatal overdose events, and a Naloxone Plus program for the anti-overdose medication.

Created in 2017, MARI is a law enforcement-led pre-arrest diversion program for persons suspected of having Substance Use Disorder (SUD). To be eligible, individuals must be 18 and over and have been found by a police officer to have committed a drug-related crime but SUD is suspected to be the at root cause of the criminal behavior. All Madison police officers received training to identify such situations and refer eligible participants to MARI in lieu of arrest and criminal charges. When individuals are referred to the MARI assessment hub by MPD officers, they undergo a comprehensive clinical assessment for their SUD; agree to a six-month treatment and arrest diversion plan in lieu of facing criminal charges; and then are connected with a local SUD treatment provider, other counseling services and peer support. When a participant completes the program, they receive a letter of congratulations from the Police Chief acknowledging this accomplishment and the beginning of their recovery journey. The participant is also officially notified that as a result of their completion of MARI, all MPD charges associated with the initial referral to MARI have been “voided” by the department.

The Resource Team was created in 2021 for outreach to survivors of non-fatal overdose events, as well as a Naloxone Plus program for the anti-overdose medication. Thirty trained MPD officers, along with peer support coaches, contact individuals who have recently overdosed, providing information on available community treatment resources, peer support and naloxone.

MPD will use WDHS funding to enhance current programming, focusing on expanding MARI to other law enforcement agencies in Dane County.

WHEREAS, the Wisconsin Department of Health Services (WDHS) is using \$3 million of Wisconsin’s share of National Prescription Opiate Litigation settlement funds to support law enforcement agencies and solicited applications for community drug disposal systems; medication-assisted treatment education and awareness training; pre-arrest or pre-arraignment deflection programs for people with an opioid use disorder; and treatment for people incarcerated with an opioid use disorder.

WHEREAS, WDHS has awarded the Madison Police Department a grant of \$95,935 for its MARI pre-arrest deflection program and Resource Team outreach.

NOW THEREFORE BE IT RESOLVED that the Mayor and Chief of Police are authorized to accept an Opioid Abatement Efforts by Law Enforcement grant award from the Wisconsin Department of Health Services Department for \$95,935.

BE IT FURTHER RESOLVED, that the Police 2024 Operating Budget is amended to appropriate any grant funds received to be used for the purposes of the grant, including modifications upon appropriate approvals from the funder, the Wisconsin Department of Health Services.

BE IT FURTHER RESOLVED that the Finance and Police Departments are authorized to establish and/or maintain accounts as required for the administration of the grant funds.

BE IT FURTHER RESOLVED that grant funds are to be used to continue funding the current Program Assistant LTE position to coordinate community outreach by the Resource Team and MPD-specific administrative duties to serve MARI participants; support efforts to provide continuous MARI refresher training for current MPD patrol officers; and to assist in the expansion of the MARI protocol to other interested agencies in Dane County.

BE IT FURTHER RESOLVED that the Finance Director or their designee is hereby authorized to pass-through grant funds to MARI partner organizations and enter into purchase of services contracts with:

- Safe Communities of Madison and Dane County to contract for MARI peer support services (\$14,707)
- University of Wisconsin Population Health Institute for evaluation services provided by Janae Goodrich and Erin Taber (\$21,727)
- JB Public Safety Consulting, LLC, the current MARI coordinator, for \$6,000.

BE IT FINALLY RESOLVED that other grant funds be used for training, harm reduction kits, project promotion, coordination and client intake questionnaire software.



City of Madison

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

Master

File Number: 86078

File ID: 86078

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/14/2024

File Name: Authorizing the Mayor and City Clerk to enter a three-year, sole-source contract with Local Initiatives Support Corporation (LISC) for the Associates in Commercial Real Estate (ACRE) program.

Final Action:

Title: Authorizing the Mayor and City Clerk to enter a three-year, sole-source contract with Local Initiatives Support Corporation (LISC) for the Associates in Commercial Real Estate (ACRE) program.

Notes:

Sponsors: Satya V. Rhodes-Conway And Yannette Figueroa Cole

Effective Date:

Attachments: Local Initiatives Support Coalition - Non-Competitive Selection Request - CC Approval Required 2024.pdf

Enactment Number:

Author: Norman D. Davis

Hearing Date:

Entered by: mgibson@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Civil Rights Department	11/19/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86078

Fiscal Note

Ordinance No. ORD-19-00057 (Leg file 54449) passed in 2019, allows the Affirmative Action Division Manager to reach voluntary agreements with contractors who have failed to meet affirmative action plan and/or contract requirements. Under these agreements, contractors provide payments to the City that will be used to support programs that grow Small Business Enterprises, Disadvantaged Business Enterprises, Minority Businesses Enterprises, Section 3 Business Enterprises, and Women's Business Enterprises. Payments from these agreements have totaled over \$637,000 as of 2024.

The proposed resolution authorizes a contract to support the Associates in Commercial Real

Estate (ACRE) program at a total cost of \$225,000 over three years. The \$75,000 for the contract is included in the Department's 2025 Adopted Operating Budget within the Purchased Services major; the same amount will be included in 2026 and 2027 operating budgets. No additional City appropriation required.

Title

Authorizing the Mayor and City Clerk to enter a three-year, sole-source contract with Local Initiatives Support Corporation (LISC) for the Associates in Commercial Real Estate (ACRE) program.

Body

WHEREAS, City loan documents contain provisions related to the hiring of targeted business enterprises, and compliance for those requirements is reviewed by the Department of Civil Rights; and

WHEREAS, as a method of efficient and meaningful settlement for non-compliance, Chapter 39(9)(g)(13) of the Madison General Ordinances states:

The AA Division Manager may reach a voluntary agreement with a contractor claimed to be in violation of this ordinance. The agreement shall provide for payments to the City by the contractor to support a program or programs to enhance the growth of DBE, MBE, WBE or SBE in the greater Madison area, or to enhance the diversity of membership in the apprenticeship and trades.

WHEREAS, the Affirmative Action Division Manager has negotiated settlements and received settlement monies;

WHEREAS, the mission of Local Initiatives Support Corporation (LISC) is to help forge resilient and inclusive communities of opportunity across America-great places to live, work, visit, do business and raise families;

WHEREAS, the Associates in Commercial Real Estate (ACRE) Program is an industry-supported initiative that recruits and retains people of color for careers in commercial real estate;

WHEREAS, the goal of the ACRE program is to expand diversity and inclusion in the commercial real estate industry, including the fields of development, property management, and construction;

WHEREAS, the program offers students the opportunity to expand their knowledge of the industry while creating a valuable network of fellow students, ACRE graduates and industry professionals;

WHEREAS, the program includes working with experienced professionals to provide a better understanding of the real estate industry, as well as a hands-on approach to develop experience;

WHEREAS, the ACRE program started at Marquette University in 2004 as a means to expand opportunity for participants of color in the commercial real estate industry;

WHEREAS, the program has had 13 cohorts totaling 324 graduates;

WHEREAS, LISC requires sponsorship of the ACRE program to proceed;

WHEREAS, the City of Madison wishes to partner with LISC for their ACRE program to ensure that the program is accessible to future Madison participants;

WHEREAS, the partnership seeks to create new connections to Madison that are open to the entire ACRE alumni network and build on the legacy of ACRE with additional alumni events, technical assistance and financial resources;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute a contract 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.



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 11/12/2024

Requisition Number: (8 characters)

Requestor Name: Norm Davis

Requestor Phone Number: (608) 266-4910

Requestor Email: NDavis@cityofmadison.com

Fund: 1100 GENERAL

Agency: 12 CIVIL RIGHTS

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: \$225,000.00

Vendor Name: Local Initiatives Support Coalition

Product/Service Description: Operates the Associates in Commercial Real Estate Program

☐ **\$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 Associates in Commercial Real Estate Program is the only educational program for historically marginalized residents to learn about commercial real estate development and receive seed money for projects, but is based in Milwaukee. The City is partnering with LISC to set aside seats for Madison residents. There are no other programs like it.

COMMENTS REGARDING PURCHASES OVER \$50,000

The City of Madison has paid Local Initiatives Support Coalition a total of \$126,200 since 2019. Of that, \$1,200 was a small purchase under the threshold for competitive selection. The remaining \$125,000 was non-competitively selected. An additional \$75,000 payment is anticipated to be paid in 2024, and is part of the non-competitively selected contract above.

Date:

Submit



City of Madison

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

Master

File Number: 86160

File ID: 86160

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Adopting and confirming modifications to the Employee Benefits Handbooks for the General Municipal Employees, the Madison City Attorneys' Association (MCAA) and the Madison Professional and Supervisory Employee Association (MPSEA) for the period January 1

Final Action:

Title: Adopting and confirming modifications to the Employee Benefits Handbooks for the General Municipal Employees, the Madison City Attorneys' Association (MCAA) and the Madison Professional and Supervisory Employee Association (MPSEA) for the period January 1, 2025 through December 31, 2025.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: 2024 Employee and Labor Relations Manager's Report GME(final).pdf

Enactment Number:

Author: Tameaka Bryant, Employee and Labor Relations Specialist

Hearing Date:

Entered by: kklafka@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Committee on Employee Relations (12/3/24), Common Council (12/10/24)						

Text of Legislative File 86160

Fiscal Note

The proposed resolution would adopt and confirm modifications to the Employee Benefits Handbook for General Municipal Employees, the Madison City Attorneys' Association (MCAA) and the Madison Professional and Supervisory Employee Association (MPSEA) in 2025. Proposed modifications with a fiscal impact include:

- Standby Pay Increase: Increased to \$2.00/hour; Anticipated total cost of \$49,615

- Out of Class Pay Increase: Increased to \$0.75/hour; Anticipated total cost of \$16,023
- MCAA: City to pay for full cost of one specialty bar association or legal affinity group membership for each member; Anticipated total cost of \$1,700

The total impact of the proposed resolution is \$67,338. Expenses would be absorbed in the adopted 2025 operating budget. No additional appropriation is required.

Title

Adopting and confirming modifications to the Employee Benefits Handbooks for the General Municipal Employees, the Madison City Attorneys' Association (MCAA) and the Madison Professional and Supervisory Employee Association (MPSEA) for the period January 1, 2025 through December 31, 2025.

Body

WHEREAS, 2011 Wisconsin Act 10 ("Act 10") and 2011 Wisconsin Act 32 ("Act 32"), removed bargaining rights for general municipal employees and MCAA other than base wages; and,

WHEREAS, the City created the Employee Benefits Handbook for General Municipal Employees which is a general guide for the discussion, application, and enforcement of the provision of benefits to employees within the applicable compensation groups; and,

WHEREAS, the existence of the handbook does not create an expressed or implied contract and is not a collectively bargained agreement; and,

WHEREAS, the handbook will not override the Madison General Ordinances, City Administrative Procedure Memoranda or State and Federal law; and,

WHEREAS, it is the City's intent that the handbook will be modified and updated in cooperation with the employee representatives and approved by the Committee on Employee Relations and the Common Council,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approves and adopts the MPSEA, MCAA and Employee Benefits Handbook for General Municipal Employees created November, 2018, as modified to incorporate language regarding:

- Standby Pay Increase
- Out of Class pay Increase
- Safety Glasses Reimbursement Clarification
- Driver's License Change Reporting Requirement
- Commercial Driver's License acquisition during work time
- MCAA Specialty Bar Allotment

EMPLOYEE/LABOR RELATIONS MANAGER'S REPORT
Presented to City of Madison Common Council
On
November 26, 2024

Re: City of Madison Handbook Changes for 2024

The following is a summary of the modifications to the City of Madison General Municipal Handbook, Madison Professional and Supervisory Handbook, and Madison City Attorney Association Handbook.

1. Modifications Requiring Ordinance Change:

- a. Standby pay: Increased to \$2.00 per hour.
Anticipated cost: Increased by \$49,614.82
- b. Out of class pay: Increased to \$0.75 per hour.
Anticipated cost: Increased by 16,023.46

2. Additional Modifications Agreed Upon Without Needed Ordinance Changes:

- a. Safety Glasses Reimbursement: Add additional information on how employees can access benefit.
- b. Driver's License: If required for job, required to report change in status by next shift worked.
- c. Commercial Driver's License: For those positions that require a CDL, the employee shall be allowed time at the DMV obtain their initial CDL license.
- d. MCAA: The City shall pay the full cost of one specialty bar association or legal affinity group membership for each member.
Anticipated cost: \$1,700



City of Madison

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

Master

File Number: 86161

File ID: 86161

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Submitting the appointment of Bryan P. Mulrooney
for confirmation of a five-year term as the Transit
Chief Operating Officer.

Final Action:

Title: Submitting the appointment of Bryan P. Mulrooney for confirmation of a five-year
term as the Transit Chief Operating Officer.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: Mulrooney Contract Final.pdf

Enactment Number:

Author: Erin Hillson, Director of Human Resources

Hearing Date:

Entered by: kklafka@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86161

Fiscal Note

As stated in the Employment Agreement between the City of Madison and Bryan Mulrooney, the Transit Chief Operating Officer salary will be based on an annualized rate of \$144,000. Funding for this position is available within Metro Transit's adopted operating budget.

Title

Submitting the appointment of Bryan P. Mulrooney for confirmation of a five-year term as the Transit Chief Operating Officer.

Body

WHEREAS, the Mayor has appointed Bryan P. Mulrooney to the position of Transit Chief Operating Officer and has recommended to the Common Council that their appointment be confirmed; and

WHEREAS, the parties have reached an accord on the terms and conditions of an Employment Agreement between the City and Bryan P. Mulrooney;

NOW THEREFORE, be resolved that Bryan P. Mulrooney's appointment to the position of Transit Chief Operating Officer is hereby confirmed, and the Mayor and the City Clerk's office are authorized to execute an Employment Agreement between the City and Bryan P. Mulrooney.

**EMPLOYMENT AGREEMENT BETWEEN
THE CITY OF MADISON
AND
BRYAN P. MULROONEY**

This Agreement made this December 10, 2024, by and between the City of Madison, a municipal corporation of Dane County, Wisconsin (hereafter, the "City") and Bryan Mulrooney, a natural person (hereafter, the "Transit Chief Operating Officer" or "COO").

WITNESSETH;

WHEREAS, the City desires to hire the COO as an employee of the City of Madison to perform the services described herein on its sole behalf as the Transit Chief Operating Officer, and

WHEREAS, the COO possesses the necessary knowledge, skill, abilities and experience to perform such services and is willing to perform such services as the Transit Chief Operating Officer, and

WHEREAS, the COO has been duly selected and has been confirmed for appointment to the position of Transit Chief Operating Officer by the Common Council of the City of Madison on December 10, 2024, and

WHEREAS, the Common Council of the City has authorized the execution of the Agreement by Resolution No. RES _____.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and agreements contained in this document, the receipt and sufficiency of which is mutually acknowledged, the parties agree as follows:

I. TRANSIT CHIEF OPERATING OFFICER HIRED

Bryan Mulrooney is hired as a non-civil service employee of the City, holding the position of Transit Chief Operating Officer pursuant to the terms, conditions and provisions of this Agreement. The COO shall have and exercise full authority and discretion as a Division Head within the City's organizational structure and act as Appointing Authority for employees of the Transit Operations Division in accordance with all appropriate City Ordinances and Mayor's Administrative Procedure Memoranda.

II. FUNCTIONS, DUTIES AND RESPONSIBILITIES OF THE TRANSIT CHIEF OPERATING OFFICER

A. General Responsibilities:

The Chief Operating Officer is an executive level position, reporting to the General Manager, and provides leadership and direction for Metro's directly operated fixed route and contracted paratransit operations to optimize organizational effectiveness. This position is responsible for infusing racial equity, social justice and inclusion goals, principles, and tools, into all aspects of work at Metro Transit and the City of Madison. The position shall exemplify and set the tone for continuous improvement throughout the organization and assure cost-effective use of available resources.

B. Example Duties:

- Provide overall leadership, strategy, coordination and monitoring of the operations and staff of Metro Fixed Route and Paratransit Operations through lower-level managers, supervisors, and front-line staff.
 - Be visible and accessible to employees to maintain strong unit morale and accountability
 - Establish roles, unit priorities, long-term plans, equity approaches and strategies to meet objectives
 - Review, develop, implement and monitor enforcement of policies and procedures through an equity lens necessary for the effective management and operation of these units
 - Evaluate services provided by these units and make adjustments as needed
 - Establish and monitor goals and objectives with lower-level managers
 - Provide necessary coordination between the units and their programs to maximize efficiency and quality of services
 - Develop business management systems, strategic objectives, and key performance indicators; analyze and utilize data to make management decisions and measure organizational performance
- Lead high-level labor relations activities and the implementation of policies and procedures as defined by the GM and the City's Labor Relations Manager.
 - Develop relationships with Union Business Agents
 - Lead negotiations of new contracts
 - Resolve issues where a policy may be unclear and/or procedures are lacking
- Lead the operational planning of major projects, including:
 - Develop operational plans
 - Determine and project staffing, training, and operating budget needs
 - Execute City processes to ensure unit needs are met
 - Develop new processes for specific organizational needs, including equity goals and processes
 - Develop and coordinate purchased or supplemental transportation services
 - Identify grant opportunities and participate in the development of grant applications

- Keep up to date on industry trends, technologies and peer agency projects. Share information with other Metro units.
 - Understand, interpret, and/or act as official accountable executive for a variety of mandatory federal processes and programs, including but not limited to:
 - Public Transit Agency Safety Plan
 - FTA Triennial Reviews
 - National Transit Database
 - Americans with Disabilities Act and ADA Complementary Paratransit
 - Represent and speak on behalf of the division in meetings with various entities, including:
 - The Federal Transit Administration
 - City of Madison Common Council, boards, and commissions
 - Partner cities' Council, boards, and commissions
 - Business partner organizations
 - Neighborhood, community, business, and other special interest groups
 - Coordinate with other City of Madison departments and divisions, including the development of modification of processes.
 - Serve as a member of the Metro Executive Team and act for and on behalf of the General Manager as needed.
- C. The Transit Chief Operating Officer agrees to perform such functions and duties at a professional level of competence and efficiency. The COO shall abide by all requirements of the laws of the State of Wisconsin, and of the ordinances, resolutions, regulations, rules and practices of the City which exist at the time of execution of this Agreement or which may, hereafter, be enacted or amended by the State of Wisconsin or the City in the exercise of their lawful authority. In the event a provision of this Agreement conflicts with any City ordinance, resolution, regulation, rule or policy, the provision of the Agreement shall control, except that nothing herein shall be interpreted as modifying the obligations or terms Madison General Ordinance §3.35 (the Ethics Code).
- D. The Transit Chief Operating Officer shall devote full time to the duties and responsibilities provided herein and shall engage in no pursuit that interferes with them. The Mayor, however, may approve the COO's reasonable time away from the regular duties and responsibilities provided such time is approved in advance and taken as vacation leave or absence without pay. Further, the Mayor may authorize other limited outside professional activities on City time provided that they are determined to be of benefit to the City and the COO is not compensated for such activities. Nothing herein limits the COO from performing outside services for compensation provided such outside services have been approved by the Mayor, are not done on City time, and otherwise comply with City ordinances and rules.

- E. The standard Metro workweek is 40.00 hours. However, the COO shall have reasonable flexibility from this standard to accommodate additional time expended outside regular working hours required by attendance at meetings and the like. Such flexibility is not intended to provide or be used as additional vacation or other paid leave.
- F. The COO shall have no right to make contracts or commitments for or on behalf of the City except as preauthorized by statute, ordinance or express written consent of the City.
- G. Within 18 months of the start of employment, the COO shall establish City of Madison residency and will continue to reside within the City of Madison for the duration of this contract. As a condition of accepting this contract, the COO agrees to waive any right to challenge this residency requirement, by court action or otherwise.

III. COMPENSATION AND BENEFITS

- A. The COO's salary shall be based on an annualized rate of \$144,000 and shall be paid in approximately equal biweekly payments according to regular City payroll practices. Annual salary adjustments during the term of this agreement may be made at the Mayor's discretion, subject to approval of the Common Council, as provided in the City's established managerial pay plan. The COO shall not be entitled to receive any additional overtime compensation, compensatory time off, or bonuses.
- B. The COO shall, in addition to the compensation provided in Paragraph A above, and except as otherwise set forth in the Agreement, be entitled to the following benefits:
 - 1. The COO shall receive the same benefits as all other non-represented professional employees in Compensation Group 44 as may be provided and/or modified by the Madison General Ordinances, Resolution of the Common Council, Administrative Procedure Memoranda or other official City action throughout the duration of this agreement subject to paragraph II. (G) above.
 - 2. The COO shall be entitled to twenty (20) days of vacation in each year of this Agreement. Credited but unused vacation in excess of ten (10) days may be carried forward to the succeeding year with the approval of the Human Resources COO. Except as otherwise provided, the COO shall be paid in full for credited but unused vacation existing at the expiration of this Agreement or upon the COO's retirement, when qualified for receipt of Wisconsin Retirement Fund benefits. If the COO accrues a balance of more

than five weeks from the preceding year(s), the COO may elect to convert up to ten (10) days of their annual vacation to an amount of cash equivalent, calculated on their regular earnings. The COO shall apply for such conversion option in accordance with City procedures, and such amount shall be paid in a manner determined by the City.

3. Sick Leave: If the COO leaves the position before the end of the contract period, the COO shall be entitled to payment in full (100%) of any earned but unused sick leave accumulated during each of the fully completed contract period(s). The COO shall be entitled to one-half (50%) of any earned but unused sick leave accumulated to the day the COO terminated City employment during the contract period. If the City terminates the COO's contract before the end of the contract period or the COO leaves the position at the end of the contract period or the COO retires and qualifies for WRS benefits, they shall be entitled to payment in full (100%) of any sick leave the COO would have earned through the end of that year.
4. The COO shall be eligible to participate at City expense in professional seminars, conferences, workshops and related meetings consistent with the role as COO and in accordance with applicable Administrative Procedure Memoranda.
5. The COO shall be reimbursed for relevant professional association and/or licensure dues.
6. The COO shall be eligible for smart phone with data plan reimbursement up to seventy-five (75) dollars per month for City usage.
7. The Transit Chief Operating Officer shall be reimbursed for relocation expenses for the COO's relocation to the City of Madison in accordance with APM 2-1. The COO is responsible for obtaining three (3) bids for the move and submitting them to the City for authorization. Relocation expenses include: commercial carrier expenses, personal transportation expenses, temporary housing, and temporary storage of household items. The maximum reimbursement is \$12,000 including the fee for the commercial carrier.

If the Transit Chief Operating Officer resigns during the first twelve (12) months, the City shall be reimbursed for the relocation expenses.

IV. TERM: RENEWAL OPPORTUNITY; NON-RENEWAL

- A. This Agreement shall take effect on January 6, 2025, and shall expire on January 5, 2030, unless terminated sooner as provided herein. All salary and benefit changes shall apply upon the employment date, and any wage increases provided to Compensation Group 21 in 2025 will apply to this position.**
- B. The Transit General Manager and Mayor, in their sole discretion, may offer renewal of this Agreement to the COO. The Transit General Manager and Mayor shall notify the COO of the intent to renew the Agreement at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify the COO shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) without change in the COO's anniversary date, and shall not act as a full renewal of the Agreement. Renewal of the agreement and of its provisions shall be subject to the approval of the Common Council. In the event the Common Council does not renew this Agreement, this Agreement will remain in effect for ninety (90) days following the non-renewal action by the Common Council or five (5) years from the date of this Agreement, whichever is later.
- D. The Transit General Manager and Mayor, in their sole discretion, may elect not to offer renewal of this Agreement to the COO. In such event, the Transit General Manager and Mayor shall notify the COO of the intent not to renew the contract at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) and shall not act as a renewal of the Agreement. At the expiration of the Agreement, the parties' rights, duties, responsibilities and obligations shall end. However, the COO will, at the sole discretion of the Transit General Manager and Mayor, be eligible to take a voluntary demotion into any vacant or newly created position for which the COO is qualified.
- E. In the event of non-renewal of this Agreement, under either Paragraph D above, the Transit General Manager and Mayor may, in their sole discretion, terminate this Agreement at any earlier date within ninety (90) days of the expiration of this Agreement, as determined by the Transit General Manager and Mayor. The early termination is to be accomplished by (a) notifying the COO of the date of early termination, and (b) committing to buy out the balance of this Agreement by paying the COO the balance due under this Agreement in a lump sum, including salary and leave benefits (vacation, floating holiday, paid leave, sick leave) earned or to be earned through the original term of this Agreement, together with payment of the City's share of any health insurance premiums or the provision for such payment through the original term of this Agreement.

The buy-out may be for the full period left on this Agreement, or any portion of the final ninety (90) days thereof. If this Agreement is terminated early through the provisions of this buy-out clause, the COO's employment with the City ends as of the date of early termination.

V. PERSONNEL ACTIONS

For a period of twelve (12) months from the effective date of this Agreement, the COO shall serve a probationary period. During the probationary period, the COO serves at the pleasure of the Transit General Manager and Mayor and may be removed at will by the Transit General Manager and Mayor. The Transit General Manager will give the COO four (4) weeks' notice of removal. Following the probationary period, and for any renewal of this Agreement, the COO be removed as otherwise provided herein.

The COO is subject to the Transit General Manager's supervision and is, during the term of this Agreement, subject to the Transit General Manager's authority to impose discipline on or to discharge the COO as is provided in Sec. 9 of the City of Madison Personnel Rules, or as may be renumbered or amended hereafter. The COO shall be entitled to the procedural appeal and provisions contained in such subsection or as may be provided other non-represented employees at the time of imposition of suspension or discharge.

VI. CITY OBLIGATIONS AND RIGHTS

The City shall provide staff, equipment, supplies and space that it deems reasonable, in its sole discretion, for the conduct of the work of the COO. The City retains the sole right to determine the organizational structure and overall functioning of the Metro Transit.

VII. REOPENING THE AGREEMENT

Either party may request that the Agreement be reopened for renegotiation if or when the COO's duties or responsibilities change significantly. A "significant" change in the COO's duties is defined as that degree of change in duties and responsibilities that would qualify a civil service position for reclassification pursuant to standard City personnel practices.

Factors which may be considered include the addition or deletion of duties, changes in Department services or the addition or deletion of programs. If there is no agreement, the original Agreement shall control and shall not be reopened. Agreement changes, if any, and any resulting reclassification of the position shall not be deemed the creation of a new position so as to require competition.

VIII. LIABILITY PROTECTION

The City shall defend and indemnify the COO against and for any and all demands, claims, suits, actions and legal proceedings brought against them in their official capacity or personally for acts performed within the scope of their employment to the extent and only to the extent authorized by the Wisconsin Statutes in effect at the time of the act complained of and as may be provided by any City insurance coverage for employees at such time.

IX. STATEMENT OF ECONOMIC INTERESTS

Pursuant to Madison General Ordinance §3.35 (the Ethics Code), the COO shall file a Statement of Economic Interests with the City Clerk within 14 days of their appointment. Each person required to file a Statement of Economic Interests shall annually file with the Clerk an updated Statement no later than April 30 of each year.

X. DOCUMENTS AND MATERIALS PROPERTY OF THE CITY

All of the documents, materials, files, reports, data and the like which the COO prepares or receives while this Agreement is in effect are the sole property of the City of Madison. The COO will not publish any such materials or use them for any research or publication without attribution to the City other than as work performed pursuant to the terms of this Agreement.

XI. APPEARANCE BEFORE ANY CITY ENTITY FOLLOWING SEPARATION FROM EMPLOYMENT

The COO shall be subject to the provisions of Madison General Ordinance §3.35 (the Ethics Code).

XII. TERMINATION OF AGREEMENT

- A. The COO may elect to terminate this Agreement before the expiration of the contract period. If the COO provides less than forty-five (45) calendar days' notice in writing to the Mayor, the COO forfeits all rights to the cash equivalent of any of the benefits enumerated in Section III. B. of the Agreement. If the COO provides forty-five (45) calendar days' notice, or greater, in writing to the Transit General Manager and Mayor, the benefits enumerated in Section III. B. of the Agreement will be paid according to the terms of the COO leaving during the contract period. These forfeiture provisions do not apply if the COO retires from this position and qualifies for benefits under the Wisconsin Retirement System.
- B. The COO's discharge (as provided for in section 9 of the City of Madison Personnel Rules) during the term of this Agreement shall be deemed a breach of material provision of the Agreement. In the event of a discharge

or other breach of a material provision of the Agreement by the COO, the COO shall forfeit all compensation and benefits from the date of notification of the breach by the City. This action shall not impact the receipt of benefits earned during the total period of employment. In the event of an alleged breach of a material provision of this Agreement by either party, the concerned party shall notify the other party in writing within thirty (30) working days, which shall be followed by a meeting of the parties to resolve the alleged breach. In the event the issue is not resolved, the COO or the City may pursue contract remedies.

- C. The City retains the right, in its sole discretion, to abolish the position of Transit Chief Operating Officer or to reorganize as it deems in the best interest of the City. In the event the City abolishes the position of Transit Chief Operating Officer or reorganizes the Department to the extent that the position of Transit Chief Operating Officer is no longer required, this Agreement shall terminate and all rights, duties and obligations of the parties shall mutually end without recourse ninety (90) calendar days after final approval of such abolishment of position or reorganization by the Common Council, except as provided in Madison General Ordinance §3.35 (the Ethics Code). In such case, all benefits provided in renewal or non-renewal of the agreement apply.

XIII. NO ASSIGNMENT OR SUBCONTRACT

The COO shall not assign or subcontract any interest or obligation under this Agreement.

XIV. AMENDMENT

This Agreement shall be amended only by written Addendum to Agreement of the parties approved and authorized for execution in the same fashion as this original Agreement.

XV. NO WAIVER

No failure to exercise and no delay in exercising any right, power or remedy on either party's part 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.

XVI. ENTIRE AGREEMENT

No agreements, oral or written, express or implied, have been made by either party hereto, except as expressly provided herein. All prior agreements and negotiations are superseded hereby. This Agreement and any duly executed addenda or amendments thereto constitute the entire Agreement between the

parties hereto.

XVII. SEVERABILITY

In the event any provisions of this Agreement are determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement shall remain in full force and effect.

XVIII. GOVERNING INTENT AND LAW

This Agreement shall be interpreted in the first instance in accordance with the spirit and intent of the Substitute Report of the Human Resources Committee Report approved by the Common Council on August 2, 1988 and shall be controlled, construed and enforced in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the day and year contained herein.

CITY OF MADISON
A Municipal Corporation

Witness

Satya Rhodes-Conway, Mayor

Witness

Maribeth L. Witzel-Behl, City Clerk

Witness

Bryan Mulrooney

APPROVED:

APPROVED AS TO FORM:

David P. Schmiedicke
Finance Director

Michael Haas, City Attorney



City of Madison

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

Master

File Number: 86165

File ID: 86165

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: 3929 Third Amendment to Lease

Final Action:

Title: Authorizing the execution of a Third Amendment to Lease and Termination Agreement between the City (the "Lessee") and 910 Mayer LLC (the "Lessor") with respect to the leased land for Metro Transit's north transfer facility and park and ride lot. (District 12).

Notes:

Sponsors: Amani Latimer Burris

Effective Date:

Attachments:

Enactment Number:

Author: Kris Koval, Real Estate Development Specialist IV

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86165

Fiscal Note

The proposed resolution authorizes the execution of the third amendment to the lease and the termination agreement for the leased land holding Metro Transit's former North Transfer Point and park and ride lot. The third amendment to the lease requires the City to pay the prorated portion of the Year 7 Annual Rent Payment within 10 days of execution of the amendment: \$17,504. Once the terms of the amendment to the lease are reached, the lease will be terminated.

Funds for the prorated Year 7 Annual Rent Payment are available in the Economic Development Division's 2024 Operating Budget. The year-end appropriation resolution (Leg file 86200) transfers funds from the Division's Salary major (available via salary savings) to the Purchased Services major to cover the cost.

Title

Authorizing the execution of a Third Amendment to Lease and Termination Agreement between the City (the "Lessee") and 910 Mayer LLC (the "Lessor") with respect to the leased land for Metro Transit's north transfer facility and park and ride lot. (District 12).

Body

WHEREAS, the City and the Lessor are parties to that certain Lease dated October 15, 1997 and recorded on November 7, 1997, with the Dane County Register of Deeds as Document No. 2904822; amended by the First Amendment to Lease on October 4, 2003 and recorded with the Dane County Register of Deeds as Document No. 3868193 on January 30, 2004; amended by an Affidavit of Correction on February 18, 2004 and recorded with Dane County Register of Deeds as Document No. 3881345 on March 8, 2004; as further amended by Second Amendment to Lease dated October 3, 2018, and recorded October 24, 2018 with the Dane County Register of Deeds as Document No. 5450135 (collectively, the "Lease"); and

WHEREAS, the leased Premises is located on the real property in the City of Madison, Dane County, Wisconsin as set forth in the legal description in the attached Exhibit A to the Lease (the "Property"); and

WHEREAS, the lease term expires on October 4, 2028, although the City may terminate the Lease at any time by giving a minimum of 120 days written notice of termination; and

WHEREAS, the City has paid Rent through Fiscal Lease Year 6 that ends on October 4, 2024, but has not paid Rent through Fiscal Year 7, which was due on October 5, 2024; and

WHEREAS, per paragraph B.45 of the Lease, the Lessor delivered an Offer to purchase the Property to the City on September 24, 2024; and

WHEREAS, the City declined the Offer to purchase, subject to the terms listed in this resolution and Common Council approval; and

WHEREAS, the parties desire to amend the Lease to reflect the termination terms described herein.

WHEREAS, for good and valuable mutual consideration by the parties, the delivery and receipt of which is hereby acknowledged by and between the parties, the Lessor and the Lessee agree to amend and thereafter terminate the Lease (the "Agreement") as follows:

1. Paragraph A. 3. is deleted in its entirety and replaced with the following:

Lessor and Lessee wish to enter into this Lease for use of the Premises for a period ending midnight of the Termination Effective Date as defined in Paragraph B.12.

2. Paragraph B.5 is deleted in its entirety and replaced with the following:

The term of the Lease shall be for seven (7) years. The term shall commence on October 5, 2018 (the "Commencement Date") and shall end at 12:00 midnight on Termination Effective Date. The term "Lease Year" shall mean a full one (1) fiscal year period. The First Lease year shall begin on the Commencement Date.

3. The Annual Rent table in Paragraph B.6 is deleted in its entirety and replaced with the following:

Within 10 days of executing this Third Amendment to Lease and Termination Agreement, Lessee agrees to pay the Lessor the amount of Seventeen Thousand Five Hundred and Four 00/100 Dollars (\$17,504), which represents the prorated portion of the Year 7 Annual Rent Payment and corresponds with the Lessee's 120-day termination period provided for under Section 12.b.

The Lessor agrees that the rest of the Annual Rent Payment for Fiscal Lease Year 7 is hereby waived in consideration of the Lessee rejecting the Offer and terminating the Lease.

4. Paragraph B.7 is deleted in its entirety.
5. Paragraph B.12.b is deleted in its entirety and replaced with the following:

The Lessee and the Lessor hereby agree to terminate the Lease with such termination being effective as of the later to occur of (the "Termination Effective Date"): (i) the last date the Agreement is signed by the Lessee; and (ii) the date that the Lessee pays Lessor the amount of 120 days of Rent or Seventeen Thousand Five Hundred and Four 00/100 Dollars (\$17,504.00) (the "Year 7 Prorated Rent").

6. The Lessee is surrendering the Premises in accordance with paragraphs B.23 and B.24 of the Lease, and paragraph B.24 shall not survive the termination of the Lease; and
7. The parties' desires to memorialize the Agreement for the public record; and
8. The Agreement may be executed in counterparts, each of which shall be taken together as a whole to comprise a single document. Signatures on the Agreement may be exchanged between the parties by facsimile, electronic scanned copy (.pdf) or similar technology and shall be as valid as original; and this Lease Agreement 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 the Agreement 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 the Agreement, fully executed, shall be as valid as an original.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the Agreement with OM Land, LLC., substantially, though not exclusively, on the terms and conditions detailed in this resolution.

BE IT FURTHER RESOLVED that the City's Common Council hereby authorizes the Mayor and City Clerk to execute, deliver and record the Agreement and take any further action required to accomplish the purpose of this resolution in a form approved by the City Attorney.



City of Madison

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

Master

File Number: 86166

File ID: 86166

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Submitting the appointment of Jessica Stammer for
confirmation of a five-year term as the Transit Chief
People Officer.

Final Action:

Title: Submitting the appointment of Jessica Stammer for confirmation of a five-year
term as the Transit Chief People Officer.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: Stammer Contract Final.pdf

Enactment Number:

Author: Erin Hillson, Director of Human Resources

Hearing Date:

Entered by: kklafka@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86166

Fiscal Note

As stated in the Employment Agreement between the City of Madison and Jessica Stammer, the Transit Chief People Officer salary will be based on an annualized rate of \$144,500. Funding for this position is available within Metro Transit's adopted operating budget.

Title

Submitting the appointment of Jessica Stammer for confirmation of a five-year term as the Transit Chief People Officer.

Body

WHEREAS, the Mayor has appointed Jessica Stammer to the position of Transit Chief People Officer and has recommended to the Common Council that their appointment be confirmed; and

WHEREAS, the parties have reached an accord on the terms and conditions of an Employment Agreement between the City and Jessica Stammer;

NOW THEREFORE, be resolved that Jessica Stammer's appointment to the position of Transit Chief People Officer is hereby confirmed, and the Mayor and the City Clerk's office are authorized to execute an Employment Agreement between the City and Jessica Stammer.

**EMPLOYMENT AGREEMENT BETWEEN
THE CITY OF MADISON
AND
JESSICA STAMMER**

This Agreement made this December 10, 2024 by and between the City of Madison, a municipal corporation of Dane County, Wisconsin (hereafter, the "City") and Jessica Stammer, a natural person (hereafter, the "Transit Chief People Officer" or "CPO").

WITNESSETH;

WHEREAS, the City desires to hire the CPO as an employee of the City of Madison to perform the services described herein on its sole behalf as the Transit Chief People Officer, and

WHEREAS, the CPO possesses the necessary knowledge, skill, abilities, and experience to perform such services and is willing to perform such services as the Transit Chief People Officer, and

WHEREAS, the CPO has been duly selected and has been confirmed for appointment to the position of Transit Chief People Officer by the Common Council of the City of Madison on December 10, 2024, and

WHEREAS, the Common Council of the City has authorized the execution of the Agreement by Resolution No. RES _____.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and agreements contained in this document, the receipt and sufficiency of which is mutually acknowledged, the parties agree as follows:

I. TRANSIT CHIEF PEOPLE OFFICER HIRED

Jessica Stammer is hired as a non-civil service employee of the City, holding the position of Transit Chief People Officer pursuant to the terms, conditions and provisions of this Agreement. The CPO shall have and exercise full authority and discretion as a Division Head within the City's organizational structure and act as Appointing Authority for employees of the Transit Administrative Division in accordance with all appropriate City Ordinances and Mayor's Administrative Procedure Memoranda.

II. FUNCTIONS, DUTIES AND RESPONSIBILITIES OF THE Transit Chief People Officer

A. General Responsibilities:

Under the direction and as an extension of the General Manager, this position is at the chief level of senior management reporting to the General Manager, and peers with the three other Chiefs. This position is expected to provide multi-disciplinary executive leadership and oversight over the activities and functions of Customer Service, Human Resources, Safety, and Partnership Management for Metro. The role requires strong coordination with administrative departments of the City of Madison to ensure that Metro's administrative units are functioning in accordance with city-wide policies and procedures. The Chief People Officer also is expected to, under the guidance of the General Manager, interact closely with elected officials and staff from Metro's partners, including all surrounding Cities, and University of Wisconsin, and the Madison Metropolitan School District. This position is responsible for infusing racial equity, social justice and inclusion goals, principles, and tools, into all aspects of work at Metro Transit and the City of Madison.

B. Example Duties:

- Provide overall leadership, strategy, coordination and monitoring of the staff of Metro Human Resources, Safety, Customer Service, and Partnership Management units through lower-level managers.
- Identify and implement culture and process improvements across the organization. Consider and incorporate racial equity, social justice, inclusion, and belonging in all facets of work.
- Assist in negotiations of Union Contracts and new policies/procedures.
- Provide oversight to succession planning and mentoring programs.
- Manage Employment Ethics programs and training of employees to ensure a high level of Ethics compliance.
- Oversee lower-level staff in hiring, orientation, leave tracking and paperwork, benefits, discipline, complaint investigations, DBE program establishment and tracking, and training program development and execution.
- Coordinate activities with organizational goals and related city departments and policies.
- Lead Coordination with City of Madison administrative departments:
 - Maintain communications with relevant City of Madison administrative departments
 - Set up regular meetings with relevant departments
 - Tailor city-wide policies and procedures to Metro's use
 - Seek input from city-wide partners
 - Act as Metro representative for helping with city-wide projects and initiatives
- Coordinate with Metro partners:
 - Conduct regular check-ins with partners to ensure satisfaction
 - Prepare and distribute regular reports
- Works as an extension of the General Manager, thinking and operating

strategically:

- Maintains appropriate communications within area of responsibilities
 - Conforms with and abides by all regulations, policies, work procedures and instructions
 - Works collaboratively with other members of the Executive Leadership Team
 - Ensure customer-focused mindset for the Administrative functional units
- C. The CPO agrees to perform such functions and duties at a professional level of competence and efficiency. The CPO shall abide by all requirements of the laws of the State of Wisconsin, and of the ordinances, resolutions, regulations, rules and practices of the City which exist at the time of execution of this Agreement or which may, hereafter, be enacted or amended by the State of Wisconsin or the City in the exercise of their lawful authority. In the event a provision of this Agreement conflicts with any City ordinance, resolution, regulation, rule or policy, the provision of the Agreement shall control, except that nothing herein shall be interpreted as modifying the obligations or terms Madison General Ordinance §3.35 (the Ethics Code).
- D. The CPO shall devote full time to the duties and responsibilities provided herein and shall engage in no pursuit that interferes with them. The Mayor, however, may approve the CPO's reasonable time away from the regular duties and responsibilities provided such time is approved in advance and taken as vacation leave or absence without pay. Further, the Mayor may authorize other limited outside professional activities on City time provided that they are determined to be of benefit to the City and the CPO is not compensated for such activities. Nothing herein limits the CPO from performing outside services for compensation provided such outside services have been approved by the Mayor, are not done on City time, and otherwise comply with City ordinances and rules.
- E. The standard City workweek is 40 hours. However, the CPO shall have reasonable flexibility from this standard to accommodate additional time expended outside regular working hours required by attendance at meetings and the like. Such flexibility is not intended to provide or be used as additional vacation or other paid leave.
- F. The CPO shall have no right to make contracts or commitments for or on behalf of the City except as preauthorized by statute, ordinance, or express written consent of the City.
- G. The CPO shall continue to reside within the City of Madison for the duration of this contract. As a condition of accepting this contract, the CPO agrees to waive any right to challenge this residency requirement, by court action or otherwise.

III. COMPENSATION AND BENEFITS

- A. The CPO's salary shall be based on an annualized rate of \$ 144,500 and shall be paid in approximately equal biweekly payments according to regular City payroll practices. Annual salary adjustments during the term of this agreement may be made at the Mayor's discretion, subject to approval of the Common Council, as provided in the City's established managerial pay plan. The CPO shall not be entitled to receive any additional overtime compensation, compensatory time off, or bonuses.
- B. The CPO shall, in addition to the compensation provided in Paragraph A above, and except as otherwise set forth in the Agreement, be entitled to the following benefits:
 - 1. The CPO shall receive the same benefits as all other non-represented professional employees in Compensation Group 44 as may be provided and/or modified by the Madison General Ordinances, Resolution of the Common Council, Administrative Procedure Memoranda or other official City action throughout the duration of this agreement subject to paragraph II. (G) above.
 - 2. The CPO shall be entitled to twenty-five (25) days of vacation in each year of this Agreement. Credited but unused vacation in excess of ten (10) days may be carried forward to the succeeding year with the approval of the Director of Human Resources. Except as otherwise provided, the CPO shall be paid in full for credited but unused vacation existing at the expiration of this Agreement or upon the CPO's retirement, when qualified for receipt of Wisconsin Retirement Fund benefits. If the CPO accrues a balance of more than five weeks from the preceding year(s), the CPO may elect to convert up to ten (10) days of their annual vacation to an amount of cash equivalent, calculated on their regular earnings. The CPO shall apply for such conversion option in accordance with City procedures, and such amount shall be paid in a manner determined by the City.
 - 3. Sick Leave: If the CPO leaves the position before the end of the contract period, the CPO shall be entitled to payment in full (100%) of any earned but unused sick leave accumulated during each of the fully completed contract period(s). The CPO shall be entitled to one-half (50%) of any earned but unused sick leave accumulated to the day the CPO terminated City employment during the contract period. If the City terminates the CPO's contract before the end of the contract period or the CPO leaves the position at the end of the contract period or the CPO retires and qualifies for WRS

benefits, they shall be entitled to payment in full (100%) of any sick leave the CPO would have earned through the end of that year.

4. The CPO shall be eligible to participate at City expense in professional seminars, conferences, workshops and related meetings consistent with the role as CPO and in accordance with applicable Administrative Procedure Memoranda.
5. The CPO shall be reimbursed for relevant professional association and/or licensure dues.
6. The CPO shall be eligible for smart phone with data plan reimbursement up to seventy-five (75) dollars per month for City usage.

IV. TERM: RENEWAL OPPORTUNITY; NON-RENEWAL

- A. **This Agreement shall take effect on December 22, 2024, and shall expire on December 21, 2029, unless terminated sooner as provided herein. All salary and benefit changes shall apply the pay period following December 10, 2024.**
- B. The Transit General Manager and Mayor, in their sole discretion, may offer renewal of this Agreement to the CPO. The Transit General Manager and Mayor shall notify the CPO of the intent to renew the Agreement at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify the CPO shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) without change in the CPO's anniversary date, and shall not act as a full renewal of the Agreement. Renewal of the agreement and of its provisions shall be subject to the approval of the Common Council. In the event the Common Council does not renew this Agreement, this Agreement will remain in effect for ninety (90) days following the non-renewal action by the Common Council or five (5) years from the date of this Agreement, whichever is later.
- D. The Transit General Manager and Mayor, in their sole discretion, may elect not to offer renewal of this Agreement to the CPO. In such event, the Transit General Manager and Mayor shall notify the CPO of the intent not to renew the contract at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) and shall not act as a renewal of the Agreement. At the expiration of the Agreement, the parties' rights, duties, responsibilities and obligations shall end. However, the CPO will,

at the sole discretion of the Transit General Manager and Mayor, be eligible to take a voluntary demotion into any vacant or newly created position for which the CPO is qualified.

- E. In the event of non-renewal of this Agreement, under either Paragraph D above, the Transit General Manager and Mayor may, in their sole discretion, terminate this Agreement at any earlier date within ninety (90) days of the expiration of this Agreement, as determined by the Transit General Manager and Mayor. The early termination is to be accomplished by (a) notifying the CPO of the date of early termination, and (b) committing to buy out the balance of this Agreement by paying the CPO the balance due under this Agreement in a lump sum, including salary and leave benefits (vacation, floating holiday, paid leave, sick leave) earned or to be earned through the original term of this Agreement, together with payment of the City's share of any health insurance premiums or the provision for such payment through the original term of this Agreement. The buy-out may be for the full period left on this Agreement, or any portion of the final ninety (90) days thereof. If this Agreement is terminated early through the provisions of this buy-out clause, the CPO's employment with the City ends as of the date of early termination.

V. PERSONNEL ACTIONS

For a period of twelve (12) months from the effective date of this Agreement, the CPO shall serve a trial period. During the trial period, the CPO serves at the pleasure of the Transit General Manager and Mayor and may be demoted to their previous position at will by the Transit General Manager and Mayor. The Transit General Manager will give the CPO four (4) weeks' notice of demotion. Following the trial period, and for any renewal of this Agreement, the CPO be removed as otherwise provided herein.

The CPO is subject to the Transit General Manager's supervision and is, during the term of this Agreement, subject to the Transit General Manager's authority to impose discipline on or to discharge the CPO as is provided in Sec. 9 of the City of Madison Personnel Rules, or as may be renumbered or amended hereafter. The CPO shall be entitled to the procedural appeal and provisions contained in such subsection or as may be provided other non-represented employees at the time of imposition of suspension or discharge.

VI. CITY OBLIGATIONS AND RIGHTS

The City shall provide staff, equipment, supplies and space that it deems reasonable, in its sole discretion, for the conduct of the work of the CPO. The City retains the sole right to determine the organizational structure and overall functioning of the Metro Transit.

VII. REOPENING THE AGREEMENT

Either party may request that the Agreement be reopened for renegotiation if or when the CPO's duties or responsibilities change significantly. A "significant" change in the CPO's duties is defined as that degree of change in duties and responsibilities that would qualify a civil service position for reclassification pursuant to standard City personnel practices.

Factors which may be considered include the addition or deletion of duties, changes in Department services or the addition or deletion of programs. If there is no agreement, the original Agreement shall control and shall not be reopened. Agreement changes, if any, and any resulting reclassification of the position shall not be deemed the creation of a new position so as to require competition.

VIII. LIABILITY PROTECTION

The City shall defend and indemnify the CPO against and for any and all demands, claims, suits, actions and legal proceedings brought against them in their official capacity or personally for acts performed within the scope of their employment to the extent and only to the extent authorized by the Wisconsin Statutes in effect at the time of the act complained of and as may be provided by any City insurance coverage for employees at such time.

IX. STATEMENT OF ECONOMIC INTERESTS

Pursuant to Madison General Ordinance §3.35 (the Ethics Code), the CPO shall file a Statement of Economic Interests with the City Clerk within 14 days of their appointment. Each person required to file a Statement of Economic Interests shall annually file with the Clerk an updated Statement no later than April 30 of each year.

X. DOCUMENTS AND MATERIALS PROPERTY OF THE CITY

All of the documents, materials, files, reports, data and the like which the CPO prepares or receives while this Agreement is in effect are the sole property of the City of Madison. The CPO will not publish any such materials or use them for any research or publication without attribution to the City other than as work performed pursuant to the terms of this Agreement.

XI. APPEARANCE BEFORE ANY CITY ENTITY FOLLOWING SEPARATION FROM EMPLOYMENT

The CPO shall be subject to the provisions of Madison General Ordinance §3.35 (the Ethics Code).

XII. TERMINATION OF AGREEMENT

- A. The CPO may elect to terminate this Agreement before the expiration of the contract period. If the CPO provides less than forty-five (45) calendar days' notice in writing to the Transit General Manager and Mayor, the CPO forfeits all rights to the cash equivalent of any of the benefits enumerated in Section III. B. of the Agreement. If the CPO provides forty-five (45) calendar days' notice, or greater, in writing to the Transit General Manager and Mayor, the benefits enumerated in Section III. B. of the Agreement will be paid according to the terms of the CPO leaving during the contract period. These forfeiture provisions do not apply if the CPO retires from this position and qualifies for benefits under the Wisconsin Retirement System.
- B. The CPO's discharge (as provided for in section 9 of the City of Madison Personnel Rules) during the term of this Agreement shall be deemed a breach of material provision of the Agreement. In the event of a discharge or other breach of a material provision of the Agreement by the CPO, the CPO shall forfeit all compensation and benefits from the date of notification of the breach by the City. This action shall not impact the receipt of benefits earned during the total period of employment. In the event of an alleged breach of a material provision of this Agreement by either party, the concerned party shall notify the other party in writing within thirty (30) working days, which shall be followed by a meeting of the parties to resolve the alleged breach. In the event the issue is not resolved, the CPO or the City may pursue contract remedies.
- C. The City retains the right, in its sole discretion, to abolish the position of Transit Chief People Officer or to reorganize as it deems in the best interest of the City. In the event the City abolishes the position of Transit Chief People Officer or reorganizes the Department to the extent that the position of Transit Chief People Officer is no longer required, this Agreement shall terminate and all rights, duties and obligations of the parties shall mutually end without recourse ninety (90) calendar days after final approval of such abolishment of position or reorganization by the Common Council, except as provided in Madison General Ordinance §3.35 (the Ethics Code). In such case, all benefits provided in renewal or non-renewal of the agreement apply.

XIII. NO ASSIGNMENT OR SUBCONTRACT

The CPO shall not assign or subcontract any interest or obligation under this Agreement.

XIV. AMENDMENT

This Agreement shall be amended only by written Addendum to Agreement of the parties approved and authorized for execution in the same fashion as this original Agreement.

XV. NO WAIVER

No failure to exercise and no delay in exercising any right, power or remedy on either party's part 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.

XVI. ENTIRE AGREEMENT

No agreements, oral or written, express or implied, have been made by either party hereto, except as expressly provided herein. All prior agreements and negotiations are superseded hereby. This Agreement and any duly executed addenda or amendments thereto constitute the entire Agreement between the parties hereto.

XVII. SEVERABILITY

In the event any provisions of this Agreement are determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement shall remain in full force and effect.

XVIII. GOVERNING INTENT AND LAW

This Agreement shall be interpreted in the first instance in accordance with the spirit and intent of the Substitute Report of the Human Resources Committee Report approved by the Common Council on August 2, 1988 and shall be controlled, construed and enforced in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the day and year contained herein.

CITY OF MADISON
A Municipal Corporation

Witness

Satya Rhodes-Conway, Mayor

Witness

Maribeth L. Witzel-Behl, City Clerk

Witness

Jessica Stammer

APPROVED:

APPROVED AS TO FORM:

David P. Schmiedicke
Finance Director

Michael Haas, City Attorney



City of Madison

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

Master

File Number: 86167

File ID: 86167

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Submitting the appointment of Matthew R. Wachter for confirmation of a five-year term as the Director of Planning, Community, and Economic Development (DPCED).

Final Action:

Title: Submitting the appointment of Matthew R. Wachter for confirmation of a five-year term as the Director of Planning, Community, and Economic Development (DPCED).

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments: Wachter 2024 Contract Final.pdf

Enactment Number:

Author: Erin Hillson, Director of Human Resources

Hearing Date:

Entered by: kklafka@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Human Resources Department	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86167

Fiscal Note

As stated in the Employment Agreement between the City of Madison and Matthew R. Wachter, the Director of Planning, Community, and Economic Development's salary will be based on an annualized rate of \$185,000 effective December 22, 2024. Funding for this position is available within PCED Office of the Director and CDA Redevelopment's 2024 adopted operating budgets. The 2025 Adopted Operating Budget includes funding for this 5-year contract as well. Annual salary adjustments may be made during the term of the agreement at the Mayor's discretion, subject to Common Council approval.

Title

Submitting the appointment of Matthew R. Wachter for confirmation of a five-year term as the

Director of Planning, Community, and Economic Development (DPCED).

Body

WHEREAS, the Mayor has appointed Matthew R. Wachter to the position of Director of Planning, Community, and Economic Development and has recommended to the Common Council that their appointment be confirmed; and

WHEREAS, the parties have reached an accord on the terms and conditions of an Employment Agreement between the City and Matthew R. Wachter;

NOW THEREFORE, be resolved that Matthew R. Wachter's appointment to the position of Director of Planning, Community, and Economic Development is hereby confirmed, and the Mayor and the City Clerk's office are authorized to execute an Employment Agreement between the City and Matthew R. Wachter.

**EMPLOYMENT AGREEMENT BETWEEN
THE CITY OF MADISON
AND
MATTHEW R. WACHTER**

This Agreement made this December 10, 2024, and between the City of Madison, a municipal corporation of Dane County, Wisconsin (hereafter, the "City") and Matthew Wachter, a natural person (hereafter, the "Director").

WITNESSETH;

WHEREAS, the City desires to hire the Director as an employee of the City of Madison to perform the services described herein on its sole behalf as the Director of Planning, Community, and Economic Development, and

WHEREAS, the Director possesses the necessary knowledge, skill, abilities and experience to perform such services and is willing to perform such services as the Director of Planning, Community, and Economic Development, and

WHEREAS, the Director has been duly selected and has been confirmed for appointment to the position of Director of Planning, Community, and Economic Development by the Common Council of the City of Madison on December 10, 2024, and

WHEREAS, the Common Council of the City has authorized the execution of the Agreement by Resolution No. RES_____.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and agreements contained in this document, the receipt and sufficiency of which is mutually acknowledged, the parties agree as follows:

I. DIRECTOR OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT HIRED

Matthew R. Wachter is hereby hired as a non-civil service employee of the City, holding the position of Director of Planning and Community and Economic Development pursuant to the terms, conditions and provisions of this Agreement. The Director shall have and exercise full authority and discretion as a Department Head within the City's organizational structure and act as Appointing Authority for employees of the Department of Planning and Community and Economic Development in accordance with all appropriate City Ordinances and Mayor's Administrative Procedure Memoranda.

II. FUNCTIONS, DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

This is highly responsible managerial and administrative work in directing and aligning the diverse programs, activities, and staff of the Department of Planning & Community & Economic Development (DPCED), both directly and through Division Managers. The Department consists of the Planning Division, the Community Development Division, the Economic Development Division, the Building Inspection Division, and the Community Development Authority, which includes the Redevelopment and Housing Authorities for the City of Madison. This work is characterized by considerable judgment and discretion in leading, managing, planning, coordinating and implementing diverse programs. Required knowledge and abilities of critical importance for this position include:

- Thorough knowledge of the principles and practices of planning and community development, real estate development, and economic development;
- Thorough knowledge of the principles and practices of project management; and the
- Ability to lead the development and implementation of complex planning and real estate development projects.

B. Examples of Duties and Responsibilities:

- Establish and monitor annual performance objectives and work plans with Division Directors and establish annual objectives for the Department with the Mayor. Prioritize the Department's Action Plan items. Develop and administer operating and capital budgets and fund accounts in conformance with diverse budgeting and reporting criteria and department information systems.
- Provide direction, leadership, information and recommendations to department staff on diverse programs, projects and improvements to services/procedures, new prototypes and updated Federal and State legislation and regulations. Organize and delegate preparation of issue papers, policies, programs, strategies and plans. Facilitate the accomplishment of multiple and diverse departmental assignments. Hire, train, supervise, coordinate, coach and discipline a diverse staff. Conduct regular performance check-ins with Division heads and perform related management functions in the areas of personnel, affirmative action, labor relations, etc. Effectively respond to all resident, alder, and business/developer inquiries.
- Direct diverse operating divisions engaged in: preparing and implementing the Comprehensive Plan for the City, regulating land use, and related planning activities; promoting community and

economic development through a variety of loan, grant, public finance programs and contracts for service, and purchasing, leasing and selling real estate on behalf of the City; planning for and assisting private entities in the revitalization of target areas; enforcing the building, housing, and zoning codes; administering the Community Development Block Grant, Home, Community Resources and Child Care Programs; providing public affordable housing and rental assistance for low and moderate income households through the administration of federal housing programs, and managing and maintaining related CDA facilities.

- Serve on the Mayor's Management Team and related interdepartmental committees. Serve as project manager for special projects at the direction of the Mayor. Provide advice, counsel and staff services to the Common Council, boards and committees, and other agencies and groups as appropriate.
- With the advice of the City Attorney, interpret ordinances regarding the physical development of land and buildings. Set standards and guidelines for providing various forms of assistance to businesses, individuals and community groups and make policy level decisions as appropriate. Conceptualize, plan, coordinate, implement and manage development, public/private redevelopment, and master planning strategies and programs. Consult with alders, property owners, developers, neighborhood and community groups, and other governmental jurisdictions on City programs, projects, and issues. Under the direction of the Mayor, working with alders and other City departments, negotiate with neighborhood/community groups, developers, property owners, and other jurisdictions on land use, housing and development issues. Negotiate major real estate, financial packages and development deals on behalf of the City.
- Assume lead management of priority projects that cross division responsibilities within the department as needed. Assume lead management of priority projects that cross department responsibilities as assigned by the Mayor.
- Represent the Department and City with the press and the public. Maintain respectful and effective relationships with all elected officials, and Local, State, and Federal agencies. Maintain close working relationships with other City agencies in achieving mutual goals.

- Coordinate and collaborate with the Mayor's Office, Alders, and other City agencies on DPCED-related matters. Serve as the Secretary of the Plan Commission to provide direct staff support and/or delegate staffing needs as appropriate. Serve as the Executive Director of the CDA and/or delegate staffing needs as appropriate.
 - Demonstrate a commitment to the City's racial equity and social justice initiatives (RESJI). Participate in and help lead city-wide and agency efforts toward implementing RESJI principles.
 - Instill a culture of continuous learning and a commitment to ongoing initiatives involving performance excellence systems.
 - Demonstrate and promote organizational values, in everyday work, to further the mission and vision of the City of Madison.
 - Perform related work as required.
- C. The Director agrees to perform such functions and duties at a professional level of competence and efficiency. The Director shall abide by all requirements of the laws of the State of Wisconsin, and of the ordinances, resolutions, regulations, rules and practices of the City which exist at the time of execution of this Agreement or which may, hereafter, be enacted or amended by the State of Wisconsin or the City in the exercise of their lawful authority. In the event a provision of this Agreement conflicts with any City ordinance, resolution, regulation, rule or policy, the provision of the Agreement shall control, except that nothing herein shall be interpreted as modifying the obligations or terms Madison General Ordinance §3.35 (the Ethics Code).
- D. The Director shall devote full time to the duties and responsibilities provided herein and shall engage in no pursuit that interferes with them. The Mayor, however, may approve the Director's reasonable time away from the regular duties and responsibilities provided such time is approved in advance and taken as vacation leave or absence without pay. Further, the Mayor may authorize other limited outside professional activities on City time provided that they are determined to be of benefit to the City and the Director is not compensated for such activities. Nothing herein limits the Director from performing outside services for compensation provided such outside services have been approved by the Mayor, are not done on City time, and otherwise comply with City ordinances and rules.
- E. The standard City workweek is 38.75 hours. However, the Director shall have reasonable flexibility from this standard to accommodate additional

time expended outside regular working hours required by attendance at meetings and the like. Such flexibility is not intended to provide or be used as additional vacation or other paid leave.

- F. The Director shall have no right to make contracts or commitments for or on behalf of the City except as preauthorized by statute, ordinance or express written consent of the City.
- G. The Director shall continue to reside within the City of Madison for the duration of this contract. As a condition of accepting this contract, the Director agrees to waive any right to challenge this residency requirement, by court action or otherwise.

III. COMPENSATION AND BENEFITS

- A. The Director's salary shall be based on an annualized rate of \$185,000 and shall be paid in approximately equal biweekly payments according to regular City payroll practices. Annual salary adjustments during the term of this agreement may be made at the Mayor's discretion, subject to approval of the Common Council, as provided in the City's established managerial pay plan. The Director shall not be entitled to receive any additional overtime compensation, compensatory time off, or bonuses.
- B. The Director shall, in addition to the compensation provided in Paragraph A above, and except as otherwise set forth in the Agreement, be entitled to the following benefits:
 - 1. The Director shall receive the same benefits as all other non-represented professional employees in Compensation Group 18 as may be provided and/or modified by the Madison General Ordinances, Resolution of the Common Council, Administrative Procedure Memoranda or other official City action throughout the duration of this agreement subject to paragraph II. (G) above.
 - 2. The Director shall be entitled to twenty-seven (27) days of vacation in each year of this Agreement. Credited but unused vacation in excess of ten (10) days may be carried forward to the succeeding year with the approval of the Human Resources Director. Except as otherwise provided, the Director shall be paid in full for credited but unused vacation existing at the expiration of this Agreement or upon the Director's retirement, when qualified for receipt of Wisconsin Retirement Fund benefits. If the Director accrues a balance of more than five weeks from the preceding year(s), the Director may elect to convert up to twenty (20) days of their annual vacation to an amount of cash equivalent, calculated on their regular earnings. The Director shall apply for such conversion option in

accordance with City procedures, and such amount shall be paid in a manner determined by the City.

3. Sick Leave: If the Director leaves the position before the end of the contract period, the Director shall be entitled to payment in full (100%) of any earned but unused sick leave accumulated during each of the fully completed contract period(s). The Director shall be entitled to one-half (50%) of any earned but unused sick leave accumulated to the day the Director terminated City employment during the contract period. If the City terminates the Director's contract before the end of the contract period or the Director leaves the position at the end of the contract period or the Director retires and qualifies for WRS benefits, they shall be entitled to payment in full (100%) of any sick leave the Director would have earned through the end of that year.
4. The Director shall be eligible to participate at City expense in professional seminars, conferences, workshops and related meetings consistent with the role as Director and in accordance with applicable Administrative Procedure Memoranda.
5. The Director shall be reimbursed for relevant professional association and/or licensure dues.
6. The Director shall be eligible to be a CARS monitor in the City CARS program.
7. The Director shall be eligible for smart phone with data plan reimbursement up to seventy-five (75) dollars per month for City usage.

IV. TERM: RENEWAL OPPORTUNITY; NON-RENEWAL

- A. **This Agreement shall take effect on December 22, 2024, and shall expire on December 21, 2029, unless terminated sooner as provided herein. All salary and benefit changes shall apply the pay period following December 10, 2024.**
- B. The Mayor, in their sole discretion, may offer renewal of this Agreement to the Director. The Mayor shall notify the Director of the intent to renew the Agreement at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify the Director shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) without change in the Director's anniversary date, and shall not act as a full renewal of the Agreement.

Renewal of the agreement and of its provisions shall be subject to the approval of the Common Council. In the event the Common Council does not renew this Agreement, this Agreement will remain in effect for ninety (90) days following the non-renewal action by the Common Council or five (5) years from the date of this Agreement, whichever is later.

- D. The Mayor, in their sole discretion, may elect not to offer renewal of this Agreement to the Director. In such event, the Mayor shall notify the Director of the intent not to renew the contract at least ninety (90) calendar days before the expiration of this Agreement. Failure to so notify shall extend the term of this Agreement by the time of the delay in actual notification (but in no event for more than ninety (90) days) and shall not act as a renewal of the Agreement. At the expiration of the Agreement, the parties' rights, duties, responsibilities and obligations shall end. However, the Director will, at the sole discretion of the Mayor, be eligible to take a voluntary demotion into any vacant or newly created position for which the Director is qualified.
- E. In the event of non-renewal of this Agreement, under either Paragraph D above, the Mayor may, in their sole discretion, terminate this Agreement at any earlier date within ninety (90) days of the expiration of this Agreement, as determined by the Mayor. The early termination is to be accomplished by (a) notifying the Director of the date of early termination, and (b) committing to buy out the balance of this Agreement by paying the Director the balance due under this Agreement in a lump sum, including salary and leave benefits (vacation, floating holiday, paid leave, sick leave) earned or to be earned through the original term of this Agreement, together with payment of the City's share of any health insurance premiums or the provision for such payment through the original term of this Agreement. The buy-out may be for the full period left on this Agreement, or any portion of the final ninety (90) days thereof. If this Agreement is terminated early through the provisions of this buy-out clause, the Director's employment with the City ends as of the date of early termination.

V. PERSONNEL ACTIONS

The Director is subject to the Mayor's supervision and is, during the term of this Agreement, subject to the Mayor's authority to impose discipline on or to discharge the Director as is provided in Sec. 9 of the City of Madison Personnel Rules, or as may be renumbered or amended hereafter. The Director shall be entitled to the procedural appeal and provisions contained in such subsection or as may be provided other non-represented employees at the time of imposition of suspension or discharge.

VI. CITY OBLIGATIONS AND RIGHTS

The City shall provide staff, equipment, supplies and space that it deems reasonable, in its sole discretion, for the conduct of the work of the Director. The City retains the sole right to determine the organizational structure and overall functioning of the Planning, Community, and Economic Development Division.

VII. REOPENING THE AGREEMENT

Either party may request that the Agreement be reopened for renegotiation if or when the Director's duties or responsibilities change significantly. A "significant" change in the Director's duties is defined as that degree of change in duties and responsibilities that would qualify a civil service position for reclassification pursuant to standard City personnel practices.

Factors which may be considered include the addition or deletion of duties, changes in Department services or the addition or deletion of programs. If there is no agreement, the original Agreement shall control and shall not be reopened. Agreement changes, if any, and any resulting reclassification of the position shall not be deemed the creation of a new position so as to require competition.

VIII. LIABILITY PROTECTION

The City shall defend and indemnify the Director against and for any and all demands, claims, suits, actions and legal proceedings brought against them in their official capacity or personally for acts performed within the scope of their employment to the extent and only to the extent authorized by the Wisconsin Statutes in effect at the time of the act complained of and as may be provided by any City insurance coverage for employees at such time.

IX. STATEMENT OF ECONOMIC INTERESTS

Pursuant to Madison General Ordinance §3.35 (the Ethics Code), the Director shall file a Statement of Economic Interests with the City Clerk within 14 days of their appointment. Each person required to file a Statement of Economic Interests shall annually file with the Clerk an updated Statement no later than April 30 of each year.

X. DOCUMENTS AND MATERIALS PROPERTY OF THE CITY

All of the documents, materials, files, reports, data and the like which the Director prepares or receives while this Agreement is in effect are the sole property of the City of Madison. The Director will not publish any such materials or use them for any research or publication without attribution to the City other than as work performed pursuant to the terms of this Agreement.

XI. APPEARANCE BEFORE ANY CITY ENTITY FOLLOWING SEPARATION FROM

EMPLOYMENT

The Director shall be subject to the provisions of Madison General Ordinance §3.35 (the Ethics Code).

XII. TERMINATION OF AGREEMENT

- A. The Director may elect to terminate this Agreement before the expiration of the contract period. If the Director provides less than forty-five (45) calendar days' notice in writing to the Mayor, the Director forfeits all rights to the cash equivalent of any of the benefits enumerated in Section III. B. of the Agreement. If the Director provides forty-five (45) calendar days' notice, or greater, in writing to the Mayor, the benefits enumerated in Section III. B. of the Agreement will be paid according to the terms of the Director leaving during the contract period. These forfeiture provisions do not apply if the Director retires from this position and qualifies for benefits under the Wisconsin Retirement System.
- B. The Director's discharge (as provided for in section 9 of the City of Madison Personnel Rules) during the term of this Agreement shall be deemed a breach of material provision of the Agreement. In the event of a discharge or other breach of a material provision of the Agreement by the Director, the Director shall forfeit all compensation and benefits from the date of notification of the breach by the City. This action shall not impact the receipt of benefits earned during the total period of employment. In the event of an alleged breach of a material provision of this Agreement by either party, the concerned party shall notify the other party in writing within thirty (30) working days, which shall be followed by a meeting of the parties to resolve the alleged breach. In the event the issue is not resolved, the Director or the City may pursue contract remedies.
- C. The City retains the right, in its sole discretion, to abolish the position of Director of Planning, Community, and Economic Development or to reorganize as it deems in the best interest of the City. In the event the City abolishes the position of Director of Planning, Community, and Economic Development or reorganizes the Department to the extent that the position of Director of Planning, Community, and Economic Development is no longer required, this Agreement shall terminate and all rights, duties and obligations of the parties shall mutually end without recourse ninety (90) calendar days after final approval of such abolishment of position or reorganization by the Common Council, except as provided in Madison General Ordinance §3.35 (the Ethics Code). In such case, all benefits provided in renewal or non-renewal of the agreement apply.

XIII. NO ASSIGNMENT OR SUBCONTRACT

The Director shall not assign or subcontract any interest or obligation under this Agreement.

XIV. AMENDMENT

This Agreement shall be amended only by written Addendum to Agreement of the parties approved and authorized for execution in the same fashion as this original Agreement.

XV. NO WAIVER

No failure to exercise and no delay in exercising any right, power or remedy on either party's part 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.

XVI. ENTIRE AGREEMENT

No agreements, oral or written, express or implied, have been made by either party hereto, except as expressly provided herein. All prior agreements and negotiations are superseded hereby. This Agreement and any duly executed addenda or amendments thereto constitute the entire Agreement between the parties hereto.

XVII. SEVERABILITY

In the event any provisions of this Agreement are determined by any court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all other provisions of this Agreement shall remain in full force and effect.

XVIII. GOVERNING INTENT AND LAW

This Agreement shall be interpreted in the first instance in accordance with the spirit and intent of the Substitute Report of the Human Resources Committee Report approved by the Common Council on August 2, 1988 and shall be controlled, construed and enforced in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the day and year contained herein.

CITY OF MADISON
A Municipal Corporation

Witness

Satya Rhodes-Conway, Mayor

Witness

Maribeth L. Witzel-Behl, City Clerk

Witness

Matthew R. Wachter

APPROVED:

APPROVED AS TO FORM:

David P. Schmiedicke
Finance Director

Michael Haas, City Attorney



City of Madison

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

Master

File Number: 86169

File ID: 86169

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: 7948 & 7949 - Ice Arena Contracts

Final Action:

Title: Authorizing the eventual forgiveness of \$1,613,365 of debt held by Madison Ice Inc. for the Madison Ice Arena (725 Forward Drive) and Hartmeyer Ice Arena (1810 and 1834 Commercial Avenue), authorizing the termination of existing land contracts for both ice arenas with Madison Ice Hartmeyer, LLC and Madison Ice MIA, LLC (Madison Ice, Inc.), authorizing the fee simple sale of Hartmeyer Ice Arena to East Madison Ice Collective and the fee simple sale of Madison Ice Arena to Madison Ice, Inc. for \$1, authorizing a fundraising requirement of approximately \$3 million by East Madison Ice Collective for capital improvements to Hartmeyer Ice Arena, and authorizing additional terms related to the renegotiation of the City's relationship to the ice arenas (District 12 and District 19).

Notes:

Sponsors: Satya V. Rhodes-Conway And John P. Guequierre

Effective Date:

Attachments:

Enactment Number:

Author: Matthew Mikolajewski, Economic Development Director

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86169

Fiscal Note

The proposed resolution authorizes the termination of existing land contracts between the City and Madison Ice MIA, LLC and Madison Ice Hartmeyer, LLC for the ice arenas located at 725 Forward Dr (Madison Ice Arena) and 1810 and 1824 Commercial Ave (Hartmeyer Ice Arena), respectively. The resolution further authorizes the fee simple sale of said properties to Madison

Ice Inc. (Madison Ice Arena) and East Madison Ice Collective (Hartmeyer Ice Arena) for \$1. The resolution further authorizes the restructuring of the existing land contracts with Madison Ice Inc. and East Madison Ice Collective into forgivable loans, such that the existing land contract debt for both facilities and the existing balance of a 2017 capital improvement loan for the Hartmeyer Ice Arena made to Madison Ice Inc. will result in the eventual forgiveness of approximately \$1,613,365. In exchange for this debt forgiveness and land sale, East Madison Ice Collective will be required to raise the equivalent of \$3.0 million for capital improvements to Hartmeyer Ice Arena. No additional City appropriation is required.

Title

Authorizing the eventual forgiveness of \$1,613,365 of debt held by Madison Ice Inc. for the Madison Ice Arena (725 Forward Drive) and Hartmeyer Ice Arena (1810 and 1834 Commercial Avenue), authorizing the termination of existing land contracts for both ice arenas with Madison Ice Hartmeyer, LLC and Madison Ice MIA, LLC (Madison Ice, Inc.), authorizing the fee simple sale of Hartmeyer Ice Arena to East Madison Ice Collective and the fee simple sale of Madison Ice Arena to Madison Ice, Inc. for \$1, authorizing a fundraising requirement of approximately \$3 million by East Madison Ice Collective for capital improvements to Hartmeyer Ice Arena, and authorizing additional terms related to the renegotiation of the City's relationship to the ice arenas (District 12 and District 19).

Body

WHEREAS, the City of Madison historically owned Madison Ice Arena at 725 Forward Drive and Hartmeyer Ice Arena at 1810 and 1834 Commercial Avenue; and,

WHEREAS, in 2004 the City of Madison entered into a 30-year Land Contract at a price of \$1.1 million with Madison Ice Hartmeyer, LLC and Madison Ice MIA, LLC for the ownership and operation of the Hartmeyer Ice Arena and Madison Ice Arena by Madison Ice Inc.; and,

WHEREAS, under the Land Contracts, Madison Ice Inc. was responsible for making Land Contract payments to the City leading to the eventual full repayment of the Land Contracts and full ownership of both ice arenas after 30 years; and,

WHEREAS, the City of Madison refinanced the debt owed on the Land Contracts in 2011 to assist with capital improvements to the arenas (Legistar 21438); and,

WHEREAS, the City of Madison loaned an additional \$1,075,240 to Madison Ice Inc. and refinanced outstanding Land Contract debt in 2017 to assist with additional capital improvements at Hartmeyer Ice Arena (Legistar 47680); and,

WHEREAS, Madison Ice Inc. stopped making payments in 2021 of this outstanding debt and has not made any payments since; and,

WHEREAS, the inability to make payments on this debt was related to the inability to use the ice arenas, and generate income, as a result of the Pandemic; and,

WHEREAS, Hartmeyer Ice Arena is in need of additional capital improvements including a new roof, new HVAC equipment, and upgraded electric transformers; and,

WHEREAS, both of the ice arenas are once again being heavily utilized and the City desires to assist with keeping them open; and,

WHEREAS, although the ice arenas generate enough income to maintain staffing and

operations, they will not generate enough revenue to repay the City's outstanding debt, as well as pay for needed future capital improvements; and,

WHEREAS, a new non-profit organization, East Madison Ice Collective (EMIC) has been established to raise money for capital improvements and assume management responsibility of Hartmeyer Ice Arena; and,

WHEREAS, staff have negotiated a potential restructuring of the Land Contracts and gradual forgiveness of the outstanding debt in a manner that will keep the ice arenas operating, while not requiring an investment of additional new City funding; and,

WHEREAS, this new relationship between the City of Madison and the ice arenas includes the following principal terms:

- a) The City of Madison will terminate its existing Land Contract with Madison Ice MIA LLC (Madison Ice Inc.) for the Madison Ice Arena at 725 Forward Drive and transfer full ownership of the property to Madison Ice Inc. or its assigns for \$1.
- b) The existing Land Contract debt (\$328,753) associated with Madison Ice Arena will be restructured as a forgivable loan to Madison Ice Inc. with no payments or interest. There will be no reduction in the balance for the first five years following closing; for each closing anniversary year 6-15, there would be a 10% reduction in the balance until the loan is fully forgiven. Full payment of any outstanding balance would be required immediately upon the sale or transfer of the property; or, change or discontinuance of the use as an ice arena.
- c) The City of Madison will terminate its existing Land Contract with Madison Hartmeyer LLC (Madison Ice Inc.) for the Hartmeyer Ice Arena (1810 and 1834 Commercial Avenue). Madison Ice Inc. would concurrently transfer full ownership of the property to East Madison Ice Collective or its assigns for \$1.
- d) The existing Land Contract debt (\$328,752) and existing balance of the 2017 capital improvement loan (\$955,860) associated with Hartmeyer Ice Arena will be restructured as a forgivable loan to East Madison Ice Collective with no payments or interest. There will be no reduction in balance for the first five years following closing; for each closing anniversary year 6-15, there would be a 10% reduction in balance until the loan is fully forgiven. Full payment of any outstanding balance would be required immediately upon the sale or transfer of the property; or, change or discontinuance of the use as an ice arena.
- e) Prior to closing on the real estate transactions and loan agreements contemplated in this resolution, within three (3) years following execution of the "Master Agreement" outlined below, East Madison Ice Collective (EMIC) must raise the lesser of (a) \$3 million; or, (b) the actual amounts needed to complete certain agreed upon capital improvements and repairs to Hartmeyer Ice Arena, including a full roof replacement, new

Chiller/HVAC/Compressor equipment, interior/exterior clean-up, locker room repairs, a new Zamboni, and costs to upgrade electrical transformers not covered by Madison Gas & Electric. The fair market value of donations of labor and materials, as well as the fair market value of discounted services, will count towards this requirement.

- f) No payments expected on either the existing Land Contracts or existing 2017 Hartmeyer Ice Arena capital improvement loan are expected by Madison Ice Inc. during the six-month document negotiation period and the three-year fundraising period noted above.
- g) A Deed Restriction will be placed on both properties in perpetuity limiting their use to sport and recreation facilities, a definition of which is to be further negotiated. The City would have the ability to negotiate with one or both of the non-profits to release of the Deed Restriction(s) on one or both of the properties in the future if it becomes clear that an alternative use for the property is warranted.
- h) East Madison Ice Collective and Madison Ice Inc. will each establish a reserve cash fund to cover unexpected expenses. The organizations will target a cash reserve of 25% of their annual operating budget. In the event that funds are drawn from the reserve fund, the organizations will use reasonable efforts to timely replenish back to the target amount.

NOW THEREFORE BE IT RESOLVED that the Common Council authorizes the negotiation, preparation, and execution by the Mayor and City Clerk (when appropriate) of the following:

- 1) A Tri-party "Master Agreement" between City of Madison, Madison Ice, Inc., and East Madison Ice Collective, Inc. outlining the interconnected agreements to move this transaction forward. The City would have two primary contingencies to close on this transaction: successful 3-year fundraising campaign for the capital investments noted above by East Madison Ice Collective, Inc. for the Harmeyer Ice Arena, including upgrading the electric transformers. If the City contingencies are not met within three years following execution of the "Master Agreement," the City has the right to call the outstanding notes and/or renegotiate the transaction. A reference to the need for the reserve cash fund noted above will be included in the "Master Agreement."
- 2) Purchase and Sale Agreement to sell Hartmeyer Ice Arena (1810 and 1834 Commercial Avenue) fee simple from Madison Hartmeyer LLC (Madison Ice, Inc.) to East Madison Ice Collective, Inc. or its assigns for \$1; existing land contract between Madison Hartmeyer LLC (Madison Ice, Inc.) and City of Madison would be concurrently terminated.
- 3) Termination of the land contract between Madison Ice MIA LLC (Madison Ice, Inc.) and City of Madison for Madison Ice Arena at 725 Forward Drive. Madison Ice, Inc., or its assigns, would assume full fee simple ownership of the Madison Ice Arena for \$1.

- 4) Loan Agreement with East Madison Ice Collective, Inc. for a \$1,284,612 (existing \$328,752 Land Contract balance plus \$955,860 2017 capital improvement loan balance on Hartmeyer Ice Arena facility) forgivable loan with no payments and no interest. There will be no reduction in the balance for the first five years following closing; for each closing anniversary year 6-15, there would be a 10% reduction in balance until the loan is fully forgiven. Full payment of any outstanding balance would be required immediately upon the sale or transfer of the property; or, change or discontinuance of the use as an ice arena.
- 5) Loan Agreement with Madison Ice, Inc. for a \$328,753 forgivable loan (outstanding Land Contract debt associated with Madison Ice Arena) with no payments and no interest. There will be no reduction in balance for the first five years following closing; for each closing anniversary year 6-15, there would be a 10% reduction in balance. Full payment of any outstanding balance would be required immediately upon the sale or transfer of the property; or, change or discontinuance of the use as an ice arena.
- 6) A Deed Restriction would be placed on both properties limiting their use to sport and recreation facilities, a definition of which is to be further negotiated. The Deed Restriction would be in perpetuity; however, more likely to be enforceable for the first 30-years that the Deed Restriction would appear on Title Reports. The City would have the ability to negotiate with one or both of the non-profits to release of the Deed Restriction(s) on one or both of the properties in the future if it becomes clear that an alternative use for the property is warranted.
- 7) Forbearance document(s) with Madison Ice, Inc. memorializing City's intent to not collect payment or interest on either the original Land Contracts or 2017 Hartmeyer Ice Arena capital improvement loan during this three-year fundraising period.

BE IT FURTHER RESOLVED that The "Master Agreement" referenced above must be executed within six (6) months following Common Council approval of this resolution; and,

BE IT FURTHER RESOLVED that the City Attorney is authorized, during the course of negotiations with East Madison Ice Collective and Madison Ice Inc., to make modifications to what is outlined in this resolution if it better effectuates the intent of this resolution; and,

BE IT FURTHER RESOLVED that the dollar amounts outlined in this resolution may be adjusted to reflect additional accrued interest at the time a pay-off amount is calculated; and,

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to execute agreements and documents necessary to effectuate this transaction, all of which are subject to the approval of the City Attorney.



City of Madison

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

Master

File Number: 86170

File ID: 86170

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: 13106 Element Collective TIF Loan

Final Action:

Title: Authorizing the Mayor and City Clerk to execute a development agreement and authorizing: 1) a budget amendment to the EDD 2025 Capital Budget (TID 46) to fund a \$930,000 Tax Incremental Finance Loan to EC Residential LLC, or its assigns to construct approximately 197 units of affordable housing and 151 underground parking stalls located at 5546 Element Way in the University Research Park in Tax Incremental District (TID) 46,; and 2) a budget amendment to the EDD 2025 Capital Budget (TID 46) granting \$4,365,000 of tax increments from TID 46 to the Community Development Authority for the purpose of preserving affordability in the Project (District 19).

Notes:

Sponsors: John P. Guequierre And Yannette Figueroa Cole

Effective Date:

Attachments: 13106 Element Collective TIF Report 11-26-24
FINAL.pdf, Exhibit A - Term Sheet.docx

Enactment Number:

Author:

Hearing Date:

Entered by: cklawiter@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86170

Fiscal Note

The proposed resolution amends the Economic Development Division's (EDD) 2025 Adopted Capital Budget to increase expenses in TID 46 by \$5,295,000 for an affordable housing project at 5546 Element Way. The expenses will be incurred in two ways:

- 1) A \$930,000 TIF-guaranteed loan to EC Residential LLC or its assigns. The loan represents

55% of the present value of all incremental taxes anticipated from the Project over the amended TID's 10-year remaining life. The TIF Loan would be repaid through incremental taxes generated by the Project. It is anticipated that the incremental taxes generated by the Project will be sufficient to repay the loan within approximately 6 years; however, the Developer is required to guaranty a minimum payment if sufficient future tax increment is not available. The increment guarantee is secured by a subordinated mortgage on the Property.

2) A \$4,365,000 grant to the Community Development Authority (CDA) for the purpose of providing an incentive to the Developer to maintain housing affordable beyond the mandatory 15-year affordability period. The CDA incentive includes an option for the CDA to purchase the Project after the affordability period expires utilizing this grant.

This funding is also contingent upon the amendment of the Project Plan of TID 46 in 2025.

Title

Authorizing the Mayor and City Clerk to execute a development agreement and authorizing: 1) a budget amendment to the EDD 2025 Capital Budget (TID 46) to fund a \$930,000 Tax Incremental Finance Loan to EC Residential LLC, or its assigns to construct approximately 197 units of affordable housing and 151 underground parking stalls located at 5546 Element Way in the University Research Park in Tax Incremental District (TID) 46,; and 2) a budget amendment to the EDD 2025 Capital Budget (TID 46) granting \$4,365,000 of tax increments from TID 46 to the Community Development Authority for the purpose of preserving affordability in the Project (District 19).

Body

WHEREAS, the City of Madison is in the process of amending TID 46 during 2025; and

WHEREAS, the intent and purpose of the Project Plan, among other things, is to encourage development of a wide range of housing options and attract and retain business and employment in the City of Madison; and

WHEREAS, EC Residential LLC, or its assigns, ("Developer") has proposed to construct 197 affordable housing units and 151 underground parking stalls on the Property at a total estimated development cost of approximately \$63,254,000 ("Project") located at 5546 Element Way, within the University Research Park property in the City of Madison and within the amended boundary of TID 46 ("Property"), subject to an amendment to the Project Plan to TID 46; and

WHEREAS, City staff has conducted an analysis (See Attached Report) of the Project and has determined a financing gap to be approximately \$5,295,000 such that, but for TIF assistance, the Project could not occur; and

WHEREAS, due to the advanced age of TID 46, the Project can only support \$930,000 of the gap as TIF Loan assistance; and

WHEREAS, \$930,000 of TIF assistance to the Project represents approximately 55% of the present value of the estimated tax incremental revenues generated by the Project in conformance to TIF Policy that no more than 55% be made available to a project ("55% Gateway") without prior authorization by the Finance Committee; and

WHEREAS, Developer plans to sell the Project at the end of the 15-year affordability period; and

WHEREAS, it is in the interest of the City of Madison to preserve longer-term affordability on a site that abuts the Bus Rapid Transit (BRT) line; and

WHEREAS, on November 26, 2024, the Board of Commissioners for the Community Development Authority of the City of Madison (CDA) will meet to consider a proposal to purchase a future ownership interest in the Project in Year 16, authorizing a pre-purchase

payment of \$4,365,000 to be secured via a development agreement between the CDA and Developer; and

WHEREAS, the City shall transfer \$4,365,000 of tax increment from TID 46 to the CDA, in the form of a grant, for the purpose of purchasing such future ownership interest in the Project, toward the public purpose of preserving affordable housing; and

WHEREAS, in addition to any other powers conferred by law, the City may exercise any power necessary and convenient to carry out the purpose of the TIF law, including the power to cause project plans to be prepared or amended, to approve such plans, and to implement the provisions that effectuate the purpose of such plans; and

NOW, THEREFORE, BE IT RESOLVED that the City hereby finds and determines that the Project is consistent with the public purposes of Tax Increment Finance Law and the plans and objectives set forth in City of Madison TIF Policy, the City's \$930,000 loan to Developer demonstrates the potential to encourage development of a wide range of housing options in TID 46, thereby accomplishing the public purpose objectives set forth in the Project Plan, TIF Law and City TIF Policy more likely.

BE IT FURTHER RESOLVED that the City hereby finds and determines that the Project is consistent with its goals and objectives concerning the creation and preservation of affordable housing and therefore authorizes a transfer of \$4,365,000 of TID 46 tax increment to the CDA toward purchasing a future ownership interest in the Project.

BE IT FURTHER RESOLVED that the TIF Loan and CDA grant funding shall be on substantially the same terms as the Term Sheet attached as Exhibit A.

BE IT STILL FURTHER RESOLVED that the grant to the CDA and TIF Loan to the Developer is hereby approved and that the Mayor and City Clerk are hereby authorized to execute a development agreement, and other documents as may be necessary to effectuate the transaction, all of which are subject to the approval of the City Attorney.

BE IT STILL FURTHER RESOLVED that the 2025 EDD Capital Budget (TID 46) is amended to authorize \$930,000 of TIF Loan funding to the Project.

BE IT FINALLY RESOLVED that the 2025 EDD Capital Budget (TID 46) is amended to authorize \$4,365,000 of grant funding to the CDA.

MEMORANDUM

TO: Common Council
FR: Joe Gromacki, TIF Coordinator
DATE: November 26, 2024

SUBJECT: TIF REPORT – EC Residential LLC

The Project
197 Affordable Units

Project Description

EC Residential, LLC, (“Developer”) proposes to construct an affordable housing project consisting of 197 apartment units, 100% of which are affordable to households at an approximate average of 60% AMI and 151 underground parking stalls (the “Project”) (see **Figure 1**). The Project is located at 5546 Element Way located in the University Research Park (“URP”) in Tax Incremental District 46 (Research Park) (“Property”) (**Figure 2**).

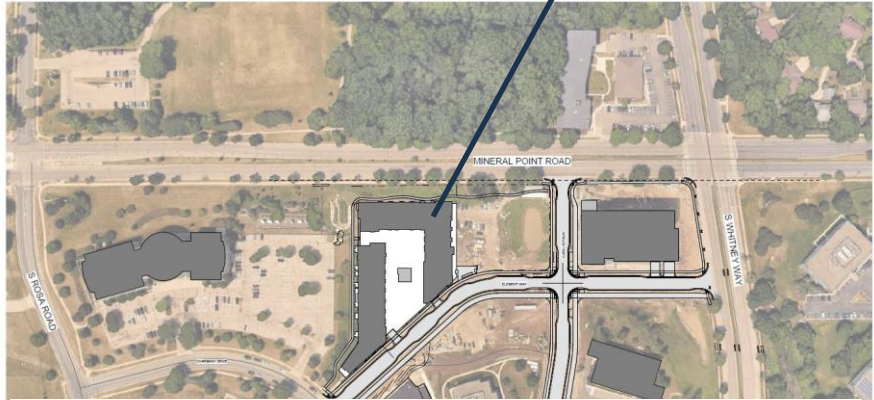


Figure 1

TIF Loan Participation

The Project demonstrated a gap of approximately \$5,295,000 or the difference between total project cost of approximately \$63,254,000 and capital sources of approximately \$57,959,000. Due to the TID’s advanced age and the lower assessed value (see **Paragraph (f) - TID Condition**), the Project supports \$930,000 of TIF at the maximum 55% amount allowed under TIF Policy (55% Gateway).



Figure 2

With a significant gap remaining (\$4,365,000), TIF assistance for 4% LIHTC projects has been customarily provided in tandem with funding from the Affordable Housing Fund (AHF). However, the AHF has exhausted its 2024 Capital Budget allocation and cannot provide additional financial assistance.

TIF staff has been asked to come up with a creative way to fund the remaining gap. In response, TIF staff proposes a financial structure utilizing the Community Development Authority (CDA) as demonstrated below.

CDA Participation

Developer intends to sell the project to other investors after the 15-year affordable period expires. Approximately \$2,400,000 of the remaining \$4,365,000 gap is attributable to Developer pre-paying a 49-year land lease between Developer and URP.

As the City desires to fund the balance of the Project gap and preserve long-term affordability, the CDA will purchase a financial stake in the project, using excess tax increments disbursed from TID 46, toward future ownership after Year 15, at the end of the affordability period, thereby ensuring that the Project

remains affordable. In general terms, the CDA shall make the following investments in the Project as follows:

1. At closing, the CDA shall pre-pay the land lease in the amount of \$2,400,000, receive an assignment of the lease from Developer.
2. In addition, at closing, the CDA will pay for an Option to Purchase the Property in the amount of \$500,000 from Developer and shall pay Developer an additional \$1,465,000 as a pre-payment toward purchase of the Project after Year 15. In Year 15, the purchase price of the project shall be verified by a real estate appraisal to the City and CDA's satisfaction.

TID 46 Project Plan Amendment

The deal structure will require a TID 46 Project Plan amendment in the first quarter of 2025, authorizing the \$930,000 TIF Loan, and a disbursement of \$4,365,000 of excess TID 46 tax increment to the CDA.

2025 Capital Budget Amendment

The deal structure will also require authorization as an amendment to the 2025 Capital Budget, authorizing the TIF Loan and tax increments disbursed to CDA.

TIF Report

The following TIF Report is provided in compliance with Section 3.1 (8) of TIF Goals, Objectives and Process and Section 1 (9) of TIF Loan Underwriting Policy, adopted by the Common Council on February 25, 2014:

(a) <u>Amount Requested:</u>	\$5,295,000	
(b) <u>Type of Project:</u>	Affordable Housing	
(c) <u>Analysis Method:</u>	Gap Analysis	
(d) <u>Tax Credits:</u>	\$23,914,000	
(e) <u>Est. Value and Tax Increments:</u>		
Approximate Project Cost	\$63,254,000	
Estimated Assessed Value	\$21,522,000	
Total Estimated Tax Increments	\$ 1,554,000	
Average Annual Tax Increment*	\$ 163,000	*Average increment until loan repaid.
TIF Supportable at 55%	\$ 930,000	
TIF Loan Recovery:	6 years	

(f) TID Condition:

The Project is located within Tax Incremental District (TID) 46 which the City created in 2015. TID 46 stretches east and west along the West Beltline Highway and Mineral Point Road, bounded by Schroeder Road to the south (**Figure 3**).

TID 46 has about 10 years of life remaining to recover the TIF Loan expenditure with tax increments. The TID has committed over \$20M to fund the East-West BRT. Although generating about \$9.9M per year in estimated tax increment, the TID is also committed to funding over \$9.5M of various public works projects in 2025.

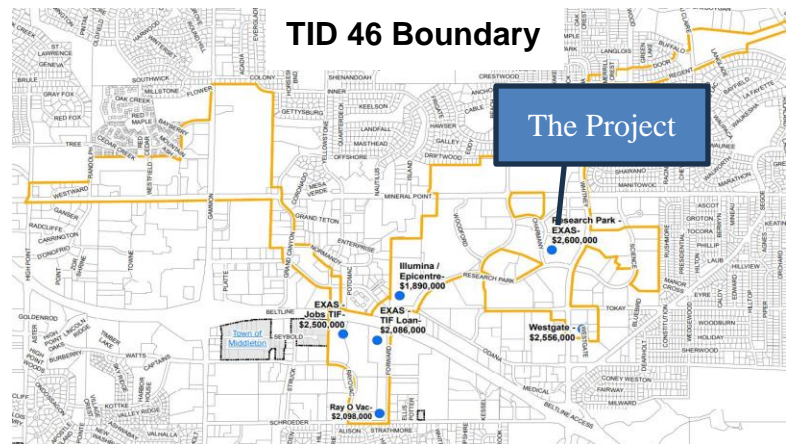


Figure 3

Due to the Project's lower value (about 30% of market) attributed to a considerable number of low-AMI units (50% AMI and below) constructed, the Project can only support \$930,000 at the 55% maximum eligible under TIF Policy. Providing a \$5,295,000 TIF Loan to fund the gap would represent 311% of the TIF generated by the project and would require problematic exceptions to TIF Policy in three areas:

1. All TIF projects must be self-supporting (Self-Supporting Projects Rule)
2. All TIF projects must not exceed the 55% Gateway (55% Gateway)
3. Developers must guarantee the tax increment to recover the amount of TIF provided. In this case, the Developer cannot guarantee more than the Project generates as other projects within in the TID would be generating (or not) tax increment outside of the Developer's control.

Therefore, it is financially and operationally prudent to limit TIF assistance to no more than the maximum amount allowable under TIF Policy (55% Gateway), thus providing financial cushion for the lower incremental value, any market or economic uncertainty and the reduced period to recover the expenditure with project tax increments. In addition, the proposed deal structure, including the CDA's future ownership, preserves affordability longer than the Developer's 15-year proposal, potentially permanently, should the CDA purchase the property after Year 15. The proposed deal structure improves the City / CDA's position in the project by providing taxpayers additional assets (site control via the lease pre-payment, the option to purchase the project, and prepaid funds towards the purchase price) in exchange for the \$4.635M of funding through the CDA. This structure also preserves the City's TIF Policy in the three areas noted above.

(g) TIF Policy Compliance

Developer Equity—Developer equity is approximately \$6,099,000 of deferred developer fee, and \$23,914,000 of Low-Income Housing Tax Credit (LIHTC) and an additional \$1,895,000 of interest income as equity from investors. Developer is providing a corporate guaranty of MGI Security LLC for the Project. This deferred fee amount exceeds TIF Policy that developer equity (i.e., in this case, the deferred developer fee) must be equal to or greater than the amount of TIF assistance and is therefore in compliance.

(h) Other Applicable

- 1) Quantity of living wage jobs created and/or retained.

See TIF Goal Statement (Figure 4.)

2) Quantity of affordable housing units and level of affordability. **See TIF Goal Statement (Figure 4.)**

(i) Amount of TIF to Be Considered

TIF Eligible	\$930,000	55% of TIF
TIF Recommended	\$930,000	55% of TIF

(j) Developer's TIF Goals Statement— TIF Policy requires that Developer provide a statement (**See Figure 4**) as to how the project addresses the following TIF Policy Goals:

- 1) Per Sections 1 and 3.4 of "TIF Goals, Objectives and Process", how does the Project meet City and TID's goals?
 - A) Grows the City's property tax base
 - B) Fosters the creation and retention of family-supporting jobs
 - C) Encourages the re-use of obsolete or deteriorating property
 - D) Encourages urban in-fill projects that increase density consistent with the City's Comprehensive Plan
 - E) Assists in the revitalization of historic, architecturally significant, or deteriorated buildings or enhancement of historic districts.
 - F) Creates a range of housing types, specifically encouraging affordable housing
 - G) Funds public improvements that enhance development potential and improve City's infrastructure
 - H) Promotes superior design, building materials and sustainability features
 - I) Reserves sufficient increment for public infrastructure in both TID Project Plan and TIF underwriting

(k) TIF Policy Exceptions: **None.**

(l) Known Labor Agreement, Law Violations: **None indicated.**

Staff Recommendation: TIF assistance in the amount of \$930,000 or 55% of TIF generated by the project. A 40-year land use restriction agreement (LURA) shall be recorded, requiring the Project to remain affordable for that period.

The City will complete a 2025 Project Plan amendment for TID 46 that authorizes the \$930,000 TIF Loan and a grant of \$4,365,000 of tax increment to the CDA for the purpose of assisting the Project to prepay the 49-year land lease and ensuring the Project's long-term affordability thorough the purchase of a future CDA ownership stake in the Project.

Figure 4: Applicant's TIF Policy Goal Statement



330 East Kilbourn Avenue
Suite 600 South
Milwaukee, Wisconsin 53202
414. 347. 3600
Mandelgroup.com

November 11, 2024

Joseph Gromacki
215 Martin Luther King Drive, 3rd Floor
Madison, WI 53703

RE: Element Collective alignment with TIF Goals and Objectives

Dear Joe,

Mandel Group, Inc., a private real estate developer, through its project-specific affiliate EC Residential LLC ("EC Residential") is developing a \$63+ million affordable workforce housing project (Element Collective) in the University Research Park on Madison's west side.

The development consists of 197 apartments above 151 stalls of underground parking. The apartment rental rates as set by WHEDA target renters earning between 30% and 80% of Area Median Income, averaging to not more than 60%. EC Residential will ground lease the land from the landowner. The development will be financed through a combination of equity proceeds made available through the sale of Low-Income Housing Tax Credits and a permanent loan generated through the sale of tax-exempt bonds. Despite best efforts to secure additional sources of financing, a financing gap of \$5,295,519 remains. EC Residential has applied for a TIF loan or commensurate financial assistance to fill the financing gap and allow the project to move forward. The developer of Element Collective will provide a requisite guaranty to underwrite repayment of any financial assistance provided in the form of a TIF loan..

Developer's TIF Policy Goal Statements

Grows the City's property tax base: The site of Element Collective is vacant today and minimally taxed; so any additional value derived from development of this project represents incremental growth. Element Collective also kicks-off the first phase of a mixed-use development-- future planned phases could create in



330 East Kilbourn Avenue
Suite 600 South
Milwaukee, Wisconsin 53202
414. 347. 3600
Mandelgroup.com

excess of \$100 million in additional development. Importantly the tax base growth is tied to affordable housing and is in immediate proximity to BRT service.

Fosters the creation and retention of family-supporting jobs: URP is an employment-rich environment that surrounds Element Collective. Element Collective is a textbook example of transit-enhanced development creating affordable workforce housing in immediate proximity of a dense cluster of employment opportunities. The property creates walk-to-work and BRT-enabled commutes, reducing the necessity of owning a personal automobile (BLS est. \$12,078/year in costs). The cost of owning and operating a personal auto is 82% of the average annual rent for an apartment at Element Collective. Given the steep inflation that has occurred in the purchase and maintenance of automobiles, non-automotive dependent commutes provide real value to income-constrained households.

Encourages the re-use of obsolete or deteriorating property: Since the inception of URP the development site has been vacant, without access or utility services necessary to support development. URP has invested \$6+ million to provide infrastructure to make the site and surrounding lands developable. No public funds have been used to create this expanded public infrastructure nor for a new 200-year stormwater system that not only serves the site but also 20+ acres of previously developed lands surrounding Element Collective. The project overcomes daunting site challenges such as a 38-foot gradient drop to make the site developable at high densities.

Encourages urban in-fill projects that increase density consistent with the City's Comprehensive Plan: Element Collective is the first phase of a catalytic, in-fill mixed-use anchor for the University Research Park that creatively applies urban design standards to a suburban site. Element Collective is developed to an overall FAR of 2.44; the balance of URP is developed to an approximate 0.26 FAR. This nearly ten-fold increase in density drives enhanced creation of property tax base and collaborative opportunities for URP businesses and employees to reduce reliance on autos.



330 East Kilbourn Avenue
Suite 600 South
Milwaukee, Wisconsin 53202
414. 347. 3600
Mandelgroup.com

Comprehensive Plan goals met by the Element Collective plan include “concentrate(ing) the highest intensity development along transit corridors” and “expand(ing) and improv(ing) the city’s pedestrian and bicycle networks.” The adjoining Mineral Point Road ROW is a key segment of the West Side BRT route.

Creates a range of housing types, specifically encouraging affordable housing: Element Collective represents one of the largest affordable workforce housing projects ever undertaken on the west side of Madison. Units will be offered to renters with qualifying incomes at 30%, 40%, 50%, 60%, and 80% AMI thereby creating a diverse mix of affordable units and sizes to individuals, couples, and families in one of the city’s most concentrated job clusters. Enhanced affordability is achieved through strategic siting and design, specifically walk-to-work and transit-to-work options - the latter supported by the adjoining BRT system.

Funds public improvements that enhance development potential and improve City’s infrastructure: TID 46 supported \$20 million of investment in the City’s BRT system, the single largest non-federal source of BRT funds as detailed in the 2022 Capital Budget. As evidenced by the allocation to BRT capital costs, TID 46 has proved to be a robust economic tool for the City to realize beneficial investments that serve the entire City. The district is in the top 6 of TIDs in the State in total assessed value; a top 10 performer in terms of incremental value added; and has accomplished its growth more cost-effectively than any other district in the City. TID 46’s value to the city will now be fully realized by adding the missing ingredient: affordable housing, to support the city’s Comprehensive Plan with a much in-demand housing type that will anchor the next phase of development at URP.

Promotes superior design, building materials and sustainability features: Element Collective will achieve the sustainability thresholds inherent in Mandel Group projects. The developer works closely with Focus on Energy to achieve Tier 2 enhanced performance and will achieve Green Built Home standards.

Reserves sufficient increment for public infrastructure: While the closure of TID 46 is near-term, the TID has already proven to be a tremendous financial success as evidenced by its recent contributions to the

Mandel Group, Inc. Mandel Development, Inc. Mandel Group Properties LLC Mandel Property Services, Inc.



330 East Kilbourn Avenue
Suite 600 South
Milwaukee, Wisconsin 53202
414. 347. 3600
Mandelgroup.com

city's BRT system. A TIF loan for Element Collective from TID 46 brings the BRT investment full circle, by creating a large supply of affordable housing immediately adjacent to the BRT line it helped create.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Katt", with a long horizontal flourish extending to the right.

Dan Katt
Development Manager
Mandel Group, Inc.

EXHIBIT A Term Sheet

The purpose of this Term Sheet (“Term Sheet”) is to outline the principal terms and conditions of agreements between the City of Madison (the “City”), the Community Development Authority of the City of Madison (the “CDA”) and EC Residential, LLC or its assigns (the “Developer”), for the public purpose of assisting construction and long-term affordability of 197 multi-family affordable housing units and 151 parking stalls (the “Project”) at the property located at 5546 Element Way in the University Research Park (the “Property”), in Tax Incremental District 46 (the “TID”) in the City of Madison.

The terms and conditions of said Tax Increment Finance and CDA financial assistance shall be in the form of the following agreements:

I. Tax Incremental Finance Loan Agreement. The City shall provide a tax incremental financing (TIF) loan in the amount of Nine Hundred Thirty Thousand Dollars (\$930,000) (the “TIF Loan”) upon the terms and conditions of a loan agreement (the “Loan Agreement”) between the City and Developer based materially on the following:

1. The Project. Developer agrees construct upon the Property all of the following:
 - a. Construction of approximately 197 apartment units. Developer agrees that 100% of the units will be dedicated for affordable housing in substantial accordance with the percentages of area median income (as defined by Section 42 of the Internal Revenue Code) shown on the unit mix attached hereto as Exhibit A, consistent with the income restrictions under the Wisconsin Housing and Economic Development Authority’s Low-Income Housing Tax Credit Program, and subject to the Land Use Restriction described in Section 22 herein.
 - b. Approximately 151 underground parking stalls.
2. Form of TIF Assistance. The TIF Loan shall be made to the Developer for the purposes of funding TIF eligible project costs, as defined in Wis. Stat. §66.1105 (the “TIF Law”), incurred for constructing the Project. The TIF Loan shall be repaid in accordance with a note, bearing zero percent (0%) interest. Repayment shall be made first from the tax increment generated on the Property, as defined in TIF Law, or, if sufficient increment is not available, a guaranty payment from Guarantor pursuant to Section 9 herein. A schedule of the projected increment used to calculate the TIF Loan amount shall be attached to the Agreement (“Increment Schedule”). Excess increment, if any, from the Property in any year shall be applied toward future payments until the TIF Loan is repaid.
3. Evidence of Financing, Audit and Clawback Provision. Prior to the TIF Loan closing, Developer shall provide evidence of the sources of funds listed in Exhibit B attached hereto, in the aggregate amount of not less than \$62,324,000 for the Project (“Financing”). For clarity, Financing includes the \$4,365,000 contribution from the CDA outlined in Article II of this Term Sheet. For clarity, the values shown on Exhibit B are approximate, which the City agrees may change but the aggregate value of Financing shall remain the same.

Financing shall be evidenced in the form of (i) a bank commitment letter and evidence that Developer has met all of the lender’s conditions of financing such as commercial pre-leasing requirements, if any; (ii) a letter of intent from a tax credit investor; and/or (iii) a grant award letter from a nonprofit or governmental entity.

Equity investment shall be evidenced by paid invoices or other documentation of prepaid project costs paid by Developer and/or a financial statement demonstrating the financial capacity of Developer and/or its affiliates to invest equity in the Project. The Developer's Equity investment may include equity from the sale of Low-Income Housing Tax Credits, a cash contribution from the Developer to the Project, the Developer's contribution of land, and a deferred developer's fee. In aggregate, Developer's equity investment, as established through financing documents shall not be less than the amount of the TIF Loan at closing.

After closing, the TIF Loan shall be used solely for the purpose of funding the TIF eligible portion of the total project costs as stated in the TIF Application. The total project costs estimated therein are approximately \$63,254,000 ("Project Cost"). Upon completion of the Project defined as issuance of a certificate of occupancy for all residential elements of the Project ("Completion"), Developer shall provide the City with a cost certification of the total Project Cost and Financing ("Audit"), to the City's reasonable satisfaction, for the City's review and approval. If the City does not approve the Developer's Audit of Project Cost, the City may request additional information from the Developer and may perform its own audit of Developer's books and records related to Project Cost and Financing. In the event that the actual financing gap for Project is reduced by a lesser Project Cost as established by the Audit ("Audited Actual Cost") and/or an increase, as established by the Audit, in Financing ("Audited Actual Financing"), the following formula shall apply to determine the clawback payment due to the City ("Clawback"):

The Clawback shall be calculated as follows:

1. "Cost Savings" for the Project = \$63,254,000, minus the Audited Actual Cost; and
2. "Financing Increase" = Audited Actual Financing minus \$62,324,000.

If the sum of (1) Cost Savings and (2) Financing Increase is a negative number, there shall be no Clawback. If the sum is a positive number, Developer shall pay the City Fifty Percent (50%) of such positive number as a Clawback. For clarity, the Clawback cannot exceed \$465,000.

Developer's payment of the Clawback shall be applied as a payment to the tax increment guaranty and shall reduce the outstanding amount of the TIF Loan under Sections 2 and 9.

4. Tax Credit Approval. TIF assistance to the Project is contingent upon Developer receiving an award of Section 42 Low-Income Housing Tax credits ("LIHTC") from the Wisconsin Housing and Economic Development Authority ("WHEDA") in 2024. Prior to closing of the TIF Loan, Developer shall provide the City with a copy of its LIHTC Online Application ("LOLA") provided to WHEDA. The City reserves the right to amend TIF Assistance to the Project, in the event that the financial information provided in the LOLA demonstrates that the financing gap for the Project is less than presented in Developer's TIF Application.
5. Disbursement Method. At closing, the City shall disburse the TIF Loan to a title company selected by Developer to be held in escrow. In order to facilitate the City's review of project cost to confirm eligibility under the TIF Law and Developer's progress toward SBE bidding goals as set forth in Section 12 herein, the City and Developer shall enter into a Disbursement Agreement that authorizes three (3) disbursements of TIF funds to be disbursed as follows: 33% of funds at 30% of total project costs expended; 33% of funds at 60% of total project costs expended; 34% (and any remainder) of funds at 80% of total project costs expended provided that the City Department of Civil Rights has confirmed that the Developer has complied with the applicable provisions of MGO 39.02(9). TIF funds shall be disbursed upon the City's receipt and satisfactory review of a detailed draw request from Developer provided on or about no less than three (3) disbursement dates, to the title company.
6. Authorizing Resolution and 2025 Capital Budget Amendment. Funding for the Nine Hundred Thirty Thousand Dollar (\$930,000) TIF Loan is contingent upon an amendment to the City of Madison 2025

Capital Budget authorizing the expenditure of funds stated herein, which shall be considered by the City's Common Council simultaneously with the approval of the TIF Loan (the "Authorizing Resolution"). Following approval of the Authorizing Resolution, the Developer shall have the right to commence construction on the Project, subject to Section 7.

7. TID 46 Project Plan Amendment. The City shall amend the Project Plan to TID 46 to authorize: (i) the \$930,000 TIF expenditure for the TIF Loan; (ii) a grant to the CDA in the amount of \$4,365,000 for the purposes outlined in Article II of this Term Sheet (the "Project Plan Amendment"). The City shall not make TIF funds available until the date the TIF Joint Review Board approves the Project Plan Amendment. Developer may commence construction in accordance with Section 6, but all construction shall be at its own risk.
8. No TID 46 Project Plan Amendment Certification. In the event that the TID 46 Project Plan Amendment is not approved by the TIF Joint Review Board and certified by DOR on or about May 30, 2025, the City shall make its best efforts to secure TID amendment certification in 2025 and receive such TID certification by DOR no later than on or about May 30, 2026.

In the event that the TID 46 Project Plan Amendment is not approved by the TIF Joint Review Board and certified by DOR on or about May 30, 2026, Developer shall be obligated to repay all TIF Loan funds disbursed by the City and used by Developer as a conventional loan or loans, amortized over ten years, together with the costs of issuance and interest on the unpaid principal balance at a rate equal to the rate of the City's borrowing, plus one hundred basis points (the "City Loan"). For clarity, the amount of the City Loan shall be the same amount as the TIF Loan. Payments of principal and interest shall be made quarterly. All funds not spent or remaining in escrow after Completion shall be returned to the City.

If the TIF Loan is converted to a conventional loan pursuant to this Section 8, Developer shall perform on all requirements of the respective TIF Loan Agreement for the loan funds disbursed to Developer by the City, including but not limited to the Clawback provision (Section 3), as adjusted for the partial funding (for clarity, additional debt or equity to bridge finance any portion of the TIF Loan prior to funding by the City shall not be added to Financing for the purpose of calculating the Clawback), and the Tax Increment Guaranty (Sections 2 and 9). In such event, the City shall credit Developer for the City's portion of annual estimated incremental property taxes levied on the Project, as set forth in the Tax Increment Guaranty provision in Sections 2 and 9, until the City Loan is repaid. If in any year, the actual annual tax levy on the Project is less than the amount set forth in the Increment Schedule, Developer shall pay the City the annual difference as a guaranty payment, which shall be applied to the outstanding principal and interest on the City Loan. Developer shall repay to the City remaining principal on the City Loan, if any, at its ten-year maturity in 2035, less any Clawback payments, which shall be applied to the outstanding principal and interest on the City Loan.

9. Security and Corporate Guaranty. The TIF Loan shall be evidenced by a note executed by Developer, or its assigns, to the City of Madison in the amount of Nine Hundred Thirty Thousand Dollars (\$930,000) bearing zero percent (0%) interest (the "Note"). Developer shall execute a mortgage in favor of the City of Madison securing payment of the TIF Loan (the "Mortgage"). The City agrees, if requested by Developer or Developer's first-mortgage lender, to execute a subordination of mortgage in a form approved by the City Attorney and acceptable to Developer and Developer's lender(s) and said subordinated mortgage shall be in the second mortgage position. Developer and its assigns shall cause to be provided a corporate guaranty of MGI Security LLC (the "Guarantor") of the TIF Loan to the Project. The Guarantor shall be the same entity guaranteeing the tax credits, and shall maintain sufficient assets to pay its obligations under this entire Term Sheet.
10. Tenant Selection Plan. Developer shall conform to the City of Madison's Tenant Selection Plan (TSP) requirements for the Project, as described in the City of Madison Affordable Housing Fund Tax Credit RFP program.

11. Satisfaction. The TIF Mortgage and Agreement shall be satisfied, and the Note cancelled via a recordable release upon full payment of the TIF Loan.

12. Affirmative Action MGO 39.02 (9). Developer and its contractors/subcontractors shall comply with all applicable provisions of the Madison General Ordinance (MGO) 39.02 (9), concerning contract compliance requirements. Prior to commencing construction, Developer shall contact the City's Affirmative Action Division to assure that Developer is in compliance with the aforementioned requirements. Developer shall assist and actively cooperate with the Affirmative Action Division in obtaining the compliance of contractors and subcontractors with such applicable provisions of the Madison General Ordinance. Developer shall allow maximum feasible opportunity to small business enterprises to compete for any contracts entered into pursuant to the contract. The Developer understands that it is obligated to meet the goal set by the Department of Civil Rights or show best efforts to meet the goal based on documented evidence of efforts.

Furthermore, in order to ensure compliance with the above provisions, Developer and its contractor agree to the following:

- a. The general contractor provides a schedule of values as soon as reasonably possible following the execution of this Term Sheet.
- b. A meeting shall take place before loan closing to set affirmative action goals for the project. Additional meetings may be scheduled at the request of DCR and must be held within 10 days of the request.
- c. At 80% Completion, the goal is either met, signed contracts establish that the goal will be met, or documented good faith efforts are shown as to why the goal is not met.

For Purposes of this paragraph, "Completion" shall mean expenditure of total project costs as described in the TIF Application.

13. Accessibility (MGO 39.05). Developer shall submit a written assurance of compliance with Madison General Ordinance 39.05.

14. Equal Opportunity. Developer shall comply with all applicable local, state and federal provisions concerning Equal Opportunity.

15. Ban the Box. Developer shall comply with Madison General Ordinance 39.08 related to job applicant arrest and conviction records.

16. Material Changes. At the time of Closing on the TIF Loan, if any material adverse changes to the size, use or ownership of the Project or Property stated in the TIF Application, including any changes to the number or rent of the affordable units, have been made, this TIF Loan commitment shall be subject to reconsideration by the City. Following Closing, any material change to the Project made without consent of the City shall subject the TIF Loan to immediate repayment. Notwithstanding the foregoing, the City acknowledges that the Developer may, with the prior approval of the City, which approval may not be unreasonably withheld, reconfigure the size and use of the Project to address current market conditions (for example, the number and configuration of parking stalls may be increased or decreased, and certain space designated for office use may be converted to retail use).

17. Project Completion. Developer shall guarantee that the construction of the Project attains Completion (as defined in Section 3 above) by September 30, 2027. Failure to complete the Project by said date will require payment under the increment guaranty in Sections 2 and 9 herein.

18. Property Insurance. Prior to funding, evidence shall be provided that a property insurance policy of the proper type and amount of coverage to protect the City's participation has been obtained. The policy shall name the City of Madison as an additional insured.
19. Title Insurance. Within thirty (30) days of the date of the Loan Agreement, Developer shall provide a commitment for a title insurance policy of the proper type and amount of coverage to the City. The City shall receive a lender's policy in a form to be approved by the City Attorney, which will require, among other things, an updated survey of the Property. Developer shall be responsible for all lending costs and fees.
20. Environmental Assessment. Developer shall provide the City an environmental assessment of the Property which is acceptable to City staff. Developer providing said environmental assessment does not modify the Developer's indemnification obligations described in Section 21.
21. Indemnification.
- a. Developer shall be liable to and hereby agrees to indemnify, save harmless and defend the City, its officers, officials, agents and employees against all loss or expense (including liability costs and reasonable attorney's fees) arising from any and all claims, demands, liabilities and causes of action of whatever kind or nature related to the Property, to the extent occasioned in whole or in part by any act or omission of Developer or its officers, members agents, contractors, subcontractors, invitees or employees, which may now or hereafter be made against them, whether caused by or contributed to by the negligent acts of the City, its agents or employees.
 - b. Developer shall enter into an environmental indemnification agreement with the City, which shall include the following:
 - i. Representations and warranties from Developer regarding Developer's knowledge of the presence of pollutants on the property, history of pollutants on the property, and any existing or possible legal proceedings or actions related to pollutants on the Property.
 - ii. Agreement by Developer to indemnify and save the City harmless from all causes of action, suits, claims, demand, judgments and liabilities arising from pollutants on the Property, failure to perform abatement, removal, etc., or other liabilities otherwise arising from environmental laws with respect to the Property.
 - iii. Agreement by Developer to timely comply with all applicable environmental laws.
 - c. The indemnification provisions described in this Section 21 will survive termination of the Loan Agreement and shall be in addition to any other rights and remedies of the City.
22. Period of Affordability. This Project will have a 40-year affordability period evidenced by a Land Use Restriction Agreement recorded in the first position after the Option Agreement (defined below), unless permanent first mortgage lender is providing financing, then after such lender's permanent first mortgage and related security documents. The Land Use Restriction Agreement will remain in effect even if the Promissory Notes are satisfied before the end of the Period of Affordability.
23. Sale to Tax Exempt Entity – PILOT Payment. Except for a transfer in accordance with the Option Agreement described in Article 2, Section 1, Developer shall be prohibited from selling or transferring the ground lease interest in the Project prior to the Developer's repayment of the TIF Loan without the prior written consent of the City (except for transfers made pursuant to foreclosure of senior loan on the Project). If Developer sells or transfers the Property to a tax-exempt entity ("Tax-Exempt Buyer"), whereupon such ownership renders the Property as property tax-exempt, Tax-Exempt Buyer shall pay the City an annual payment in lieu of taxes (PILOT) in the amount of property tax last levied as of the date of sale to Tax-Exempt Buyer, frozen, through

the remaining term of the TID. The City of Madison shall share said PILOT in proportion with the overlying taxing jurisdictions. Tax-Exempt Buyer shall execute and record a PILOT Agreement, and a mortgage or other security in favor of the City in the amount of the PILOT payments (“Buyer’s Mortgage”) the time of Buyer’s acquisition of the Property. The Buyer Mortgage and PILOT Agreement shall be released and terminated by the City upon the closure of the TID. This obligation will be evidenced by a land use restriction terminable upon closure of the TID.

24. Operating Agreement and Pro Forma. At least seven days prior to closing, Developer shall provide to the City: (a) a copy of the Amended and Restated Operating Agreement between the Managing Member, Investor Member, and Special Member(s), if any, of the entity that shall own, manage and control the Property, with the final copy to be delivered at Closing and before the City makes its first disbursement of the TIF Loan proceeds; and (b) the final 30-year operating pro forma for the Project.
25. Automatic Expiration. The TIF Loan shall be null and void in the event that Developer does not commence construction on the Project, as evidenced by issuance of permits for footings and foundations, by February 22, 2025.

II. CDA Development Agreement—The material elements, terms incorporated into the CDA agreement will be as follows:

1. Agreement. The CDA and the Developer shall enter into an agreement (the “Lease Incentive Agreement”) which shall create a lease assignment and financial incentive structure on substantially the following terms and conditions:
 - a. CDA Financing. In addition to the TIF Loan, the City shall amend the Project Plan of TID 46 to provide a grant of tax increment from TID 46 from the City to CDA in the amount of \$4,365,000 (the “CDA Incentive”) for the purpose of securing long term affordable housing in the Project, as described in the TIF Loan. The CDA Incentive shall be paid from CDA to Developer as follows:
 - i. Simultaneous with the TIF Loan Closing, and contingent upon Developer having executed a ground lease with the University Research Park (the “Ground Lease”), CDA shall provide \$2,400,000 to Developer, for the sole purpose of assisting Developer in making a capitalized payment of all rent due for the initial 49-year term of the Ground Lease (the “Ground Lease Payment”). The Ground Lease Payment represents the present value of a forty-nine (49) year rent payment. Evidence of the Ground Lease Payment shall be provided in the form of a confirmation letter from the URP that base rent payments are fulfilled. For clarity, the Ground Lease Payment shall not affect the payment of any addition fees, costs, or charges generally called “additional rent” related to the operation of the Project.
 - ii. In exchange for an option to succeed to Developer’s leasehold interest in the Property and Project pursuant to Section II(1)(b) below, the CDA shall pay to Developer, at Closing, \$500,000 (the “Option Fee”). The option shall be evidenced by an option agreement recorded against Developer’s interest in the Property and not subordinated to the mortgages financing the Project (the “Option Agreement”). The Option Agreement shall include a complete restriction on transfer of the Ground Lease without CDA’s consent, which shall not be terminated by foreclosure (but shall not restrict Developer’s mortgage financing provided that the Option Agreement shall not be terminated by such foreclosure), and shall include a right to perform on behalf of Tenant in the event of a default by Tenant under the Ground Lease or the mortgage financing. Developer shall provide the CDA a copy of the draft Ground Lease at least 60 days prior to closing, and Developer shall provide the CDA a final copy of the Ground Lease prior to closing. Developer also agrees to insert the following language into the Ground Lease:

The consent of Landlord [University Research Park], is hereby given, and shall not be subject to any further approval for Tenant's [EC Residential, LLC, or its assigns] transfer of this Ground Lease to the Community Development Authority (CDA) of the City of Madison (the "Permitted Transfer"). Landlord confirms that any and all consideration it may be entitled to as a result of this Permitted Transfer was received upon commencement of the Ground Lease, and Landlord shall not be entitled to any additional consideration as a result of the Permitted Transfer. The terms and conditions of the Permitted Transfer are detailed in a separate Option Agreement, a memorandum of which shall be recorded against Tenant's leasehold interest in the Property.

iii. In addition to the Option Fee and Ground Lease Payment, within thirty (30) days of the Approval Date (as defined below), the CDA shall make a payment to the Developer in the amount of \$1,465,000 (the "Purchase Price Deposit"), which shall be a portion of the future value of the ground lease interest, and credited against the Purchase Price (as defined below).

b. Option Terms.

i. The Developer and CDA agree that the Developer anticipates selling the Project in Lease year 18, which is approximately the 15th year of operating the Project (the "Operating Period"). Prior to any sale or transfer of the Project by the Developer, including a transfer resulting from bankruptcy, in any year (but no earlier than the end of the Operating Period unless resulting from an involuntary transfer), the CDA shall have the option to purchase the ground lease interest held by the Developer, in the Property and Project, at a purchase price equal to the Market Price, defined in Section II(1)(b)(iii) below, minus the amount of the Option Fee and Purchase Price Deposit (the "Purchase Price"), but no less than the Minimum Purchase Price (as defined in Section II(1)(b)(iii) below), and subject to normal and customary prorations.

ii. After the end of the Operating Period, if (1) Developer shall notify the CDA in writing of its desire to sell the Project or (2) the CDA shall notify Developer in writing of the CDA's desire to evaluate the option, then the parties shall calculate the Market Price pursuant to Section II(1)(b)(iii) below. CDA will have a period of ninety (90) days after determination of the Market Price and the Minimum Purchase Price to exercise the option and elect to close on the acquisition of the ground lease interest held by the Developer, in the Property and Project. If CDA fails to exercise the option within such period, the option shall expire, the parties shall terminate the Option Agreement of record, the Option Fee shall be retained by Developer and Developer shall refund the Purchase Price Deposit to CDA upon a sale or cash-out refinancing of the Project. If the CDA exercises its rights under the option, then the additional terms and conditions of the purchase and sale shall be set forth in a real estate purchase and sale agreement, wherein: (x) the Purchase Price Deposit shall be returned to the CDA in the event the closing does not occur; and (y) the Purchase Price shall not be less than the Minimum Purchase Price.

iii. The "Market Price" is defined as the fair market value of the Project at the end of the Operating Period, as determined by appraisals engaged by Developer and CDA. In determining Market Price, the appraisers will take into account the land use restrictions, and rent restrictions, outstanding debts or liens on the property, regardless of the holder of such restriction, remaining term of the Ground Lease, and any and all other considerations that may exist. If the appraisers engaged by Developer and CDA are not able to agree on a fair market value, the first two appraisers will engage a third appraiser to determine the fair market value, and the average of the two closest determinations of fair market value shall be binding on the parties as the Market Price. Notwithstanding anything to the contrary, the Purchase Price shall be no less than the amount resulting in a gross residual profit to Developer before taxes of \$4,000,000 (the "Minimum Purchase Price").

- c. Default and Guarantees. Guarantor shall guaranty the following: Project Completion in accordance with the TIF Loan and the reimbursement obligations of Developer under the Lease Incentive Agreement and the Option Agreement and other reasonable guarantees. In the event Developer fails to complete the project in accordance with Article 1, Section 17 above, unless otherwise extended by the CDA, then the CDA shall be reimbursed the Ground Lease Payment and Option Fee. If Developer defaults under the TIF Loan Agreement beyond any applicable notice and cure period, Developer transfers its interest in the ground lease of the Property or the Project to a third-party in violation of the Option Agreement, or the CDA's ability to exercise the Option is in any way diminished or altered by the terms of the Ground Lease, then Developer shall be in default under the Option Agreement and the Developer, as CDA's sole remedy, shall reimburse CDA the entire CDA Incentive, which includes the Ground Lease Payment, Option Fee, and Purchase Price Deposit plus default interest of 12% on funds disbursed, in which event, the Option Agreement shall automatically terminate.
- d. Enforceability. Developer shall provide the CDA a reasonable legal opinion confirming, among other things, the enforceability of the Option Agreement, or, if available, a title insurance policy insuring the Option Agreement. Sufficiency of the documents under the paragraph shall be in the discretion of the City Attorney.
2. 2025 Capital Budget Amendment – CDA. Funding for the CDA shall be contingent upon: (1) the City of Madison's Common Council adopting a 2025 Capital Budget Amendment that authorizes the distribution of TID 46 tax increment in the amount of the CDA Incentive to the CDA; (2) the Joint Review Board approving an amendment to the TID 46 Project Plan authorizing the distribution of the CDA Incentive to the CDA, and the use of the CDA Incentive for the purposes described in this Article 2; and (3) the CDA authorizing the terms and conditions of this Article 2. The date that the last of these three items have been completed is referred to herein as the "Approval Date".
3. No TID 46 Project Plan Amendment Certification. In the event that the TID 46 Project Plan Amendment is not certified by DOR on or about May 30, 2026, the City shall make its best efforts to secure TID amendment certification. If said City effort is unsuccessful in 2026, the CDA Incentive, or portion thereof actually expended, shall be repaid by the Developer in accordance with Article 1, Section 8.
4. Tenant Selection Plan. As a condition of an agreement between the CDA and Developer. Developer shall conform to the City of Madison's Tenant Selection Plan (TSP) requirements for the Project, as described in the City of Madison Affordable Housing Fund Tax Credit RFP program.

III. Cross Default.

A default by Developer under the terms of the TIF Loan Agreement with the City of Madison, beyond all applicable notice and cure periods, shall constitute default under the Lease Incentive Agreement (defined below). A default by Developer under the terms of the Lease Incentive Agreement with the CDA, beyond all applicable notice and cure periods, shall constitute default under the TIF Loan Agreement. The City and CDA shall have the equal right to exercise all of their respective rights or remedies under the Project Documents.



City of Madison

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

Master

File Number: 86177

File ID: 86177

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Authorizing the Traffic Engineering Division to accept a federal grant for \$91,000 to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contracts and State/Municipal Agreements with Wisconsin D

Final Action:

Title: Authorizing the Traffic Engineering Division to accept a federal grant for \$91,000 to maintain and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contracts and State/Municipal Agreements with Wisconsin Department of Transportation. (Citywide)

Notes:

Sponsors: Satya V. Rhodes-Conway, Barbara
Harrington-McKinney And Yannette Figueroa Cole

Effective Date:

Attachments:

Author: Renee Callaway, Assistant Director of Traffic Engineering

Enactment Number:

Entered by: ALarson2@cityofmadison.com

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Traffic Engineering Division	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Transportation Commission (12/11/24), Finance Committee (12/2/24), Common Council (1/14/25)						

Text of Legislative File 86177

Fiscal Note

The proposed resolution authorizes Traffic Engineering to accept a federal grant for up to \$91,000 to maintain and expand a safety education program. Funds from the grant must be spent by June of 2031 and are received on a reimbursement basis. The City match required for the full grant is \$22,775. Traffic Engineering's 2025 operating budget currently includes \$20,400 for the match. Traffic Engineering will pursue an adjustment in the mid-year budget resolution to fund the remaining \$2,375 of match via a transfer from their existing appropriation.

Title

Authorizing the Traffic Engineering Division to accept a federal grant for \$91,000 to maintain

and expand a safety education program and authorizing the Mayor and City Clerk to enter into the grant contracts and State/Municipal Agreements with Wisconsin Department of Transportation. (Citywide)

Body

WHEREAS, the City of Madison Traffic Engineering Division recognizes an increased need to educate children and adults in traffic safety; and

WHEREAS, the pedestrian/bicycle safety section within the Traffic Engineering Division administers this type of program for the City of Madison; and

WHEREAS, the City of Madison is anticipating to receive federal grant funds in the amount of \$91,000 through Wisconsin Department of Transportation (WisDOT) for the purpose of safety education for people walking and biking for 2025; and

WHEREAS, WisDOT's federal contract language requires the City to indemnify and save harmless WisDOT and the Federal Highway Administration (FHWA) from damages to persons or property resulting from negligence of the City in connection with performance of the contract; and

WHEREAS, City APM 1-1 requires Council approval whenever the City indemnifies another party;

NOW, THEREFORE, BE IT RESOLVED that the Traffic Engineering Division of the City of Madison Transportation Department be authorized to accept \$91,000 from Wisconsin Department of Transportation for a bicycle/pedestrian safety education program and the Mayor and City Clerk are authorized to sign Project agreements contracts and State/Municipal Agreements for the years 2025 (5992 -08-50); and

BE IT FURTHER RESOLVED that the City is authorized to indemnify and save harmless WIDOT and the Federal Highway Administration (FHWA) from damages to persons or property resulting from negligence of the City in connection with performance of these contracts.



City of Madison

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

Master

File Number: 86180

File ID: 86180

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name:

Final Action:

Title: Amending the Public Health Budget to Accept Grant Funds from University of Wisconsin and Create a 1.0 Data Analyst Project Position for the Epidemiology & Data Science Team

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: KMayoh@publichealthmdc.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Health Department	11/19/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Board of Health for Madison and Dane County (12/4/24), Common Council (12/10/24)							

Text of Legislative File 86180

Fiscal Note

The proposed resolution amends the Public Health Budget to accept a grant from the University of Wisconsin-Madison and creates a 1.0 FTE limited-term Data Analyst Project Position for the Epidemiology & Data Science Team. The grant is for \$51,556 annually for the next five years and will partially support a Data Analyst position focused on monitoring respiratory and other viral pathogens. Public Health plans to use this funding in combination with funds from the COVID Immunization Supplemental grant and DHS Public Health Infrastructure Grant to fully fund the position as outlined in the body of the resolution.

Title

Amending the Public Health Budget to Accept Grant Funds from University of Wisconsin and Create a 1.0 Data Analyst Project Position for the Epidemiology & Data Science Team

Body

WHEREAS, the University of Wisconsin-Madison is allocating \$51,556 annually for the next

five years to Public Health Madison & Dane County (Public Health) to partially support a Data Analyst position focused on monitoring respiratory and other viral pathogens; and

WHEREAS, Public Health plans to use this funding in combination with funds (see table below) from the COVID Immunization Supplemental grant and DHS Public Health Infrastructure Grant to fund this position; and

WHEREAS, The position will support data management related to the public Dane County respiratory illness dashboard, including the maintenance, analysis, and evaluation of data flowing into the dashboard. The position will optimize workflows, processes, and data handling to continuously improve the dashboard's mission to inform the public of the local respiratory illness landscape. The position will convene and co-host the Dane County Respiratory Pathogens Collaborative, a group of clinical, lab, data, and other partners, that shares information pertinent to the impact of the respiratory illness season on the Dane County community. Finally, the position will serve as a public health liaison to the UW-Madison team studying the feasibility and public health applications of wastewater pathogen detection using metagenomic techniques; and

WHEREAS, The funding streams contributing to this position (salary and benefits, factoring 2.5% increase in salary each year) are as follows:

2025

- COVID Immunization grant - \$44,290 (44%)
- UW-Madison - \$51,556 (51%)
- Public Health Infrastructure grant - \$5,874 (6%)

2026

- UW-Madison - \$51,556 (38%)
- Existing grant funds - \$83,827 (62%)

2027 (through November 30)

- UW-Madison - \$51,556 (37%)
- Existing grant funds - \$68,657 (50%)

NOW, THEREFORE, BE IT RESOLVED, that Public Health will receive \$51,556 annually, for the next five years, for a total of \$257,781 via University of Wisconsin-Madison starting March 1, 2025, and ending November 30, 2029; and

BE IT FURTHER RESOLVED, that this funding will be designated to a 1.0 FTE Data Analyst-Project position starting March 1, 2025 through November 30, 2027; and

BE IT FURTHER RESOLVED, that the continuation of the 1.0 Data Analyst-Project position will be contingent upon identifying additional grant funding after November 30, 2027; and

BE IT FURTHER RESOLVED, that per the Intergovernmental Agreement between the City of Madison and Dane County, Public Health employees are employees of Dane County; and

BE IT FURTHER RESOLVED, that the Director of Public Health Madison & Dane County is authorized to sign the agreement for the amount and purpose outlined above; and

BE IT FINALLY RESOLVED, that upon adoption of this resolution and approval from the

Common Council and Dane County Board, a 1.0 FTE Data Analyst Project Position (P10) will be created in the Public Health Madison & Dane County 2025 Operating Budget, and the position will be noted in subsequent Operating Budgets to reflect that the continuation of the position is contingent upon continued grant funding.



City of Madison

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

Master

File Number: 86181

File ID: 86181

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name:

Final Action:

Title: Authorizing the Mayor and City Clerk to execute the initial 10-year term for the Accela Cloud Hosting Support and Maintenance contract and professional services to migrate to the cloud with Accela, Inc

Notes:

Sponsors: Satya V. Rhodes-Conway And Yannette Figueroa
Cole

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: alythjohan@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Department of Information Technology	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86181

Fiscal Note

The proposed resolution authorizes the execution of the initial 10-year term for the Accela cloud migration and cloud hosting support and maintenance contract. Funding for the contract in 2025 is available through Information Technology's (IT) 2025 Adopted Capital and Operating Budgets. Professional services to migrate to the cloud total \$245,000. This amount will be paid through the 2025 Capital Budget (Munis program 12418/2025 project 15195). The 2025 software maintenance agreement portion of the contract will be split between the 2025 Capital Budget (\$286,340; 2025 project 15195) and the 2025 Operating Budget (\$299,000; account 17700-54335-00000). No additional City appropriation required.

Title

Authorizing the Mayor and City Clerk to execute the initial 10-year term for the Accela Cloud Hosting Support and Maintenance contract and professional services to migrate to the cloud with Accela, Inc

Body

WHEREAS, Accela, Inc. is the provider of the city's enterprise licensing and permitting system, acquired in 2008 after a competitive selection process, and supports more than 250 business process throughout the City managing nearly 200,000 permits and licenses annually, with almost 70% of those occurring online; and

WHEREAS, as a next step in the City's ongoing modernization of technology business solutions, moving to Accela's Software-as-a-Service (SaaS) "Civic Application" platform will provide benefits of reduced hardware and infrastructure maintenance, ensure the City is on the most current releases with less interruption of services, increase system security and improve access to staff working at job sites; and

WHEREAS, as with most software of this nature, the manufacturer, Accela, Inc., is the sole source provider of support, maintenance and professional services of this platform. The first-year maintenance and licensing costs are \$585,340, with a negotiated 4-5% yearly increase for the initial 10-year term of the contract and the professional services to migrate to the cloud are \$245,000; and

WHEREAS, under sec. 4.26(4)(b), of the Madison General Ordinances if the aggregate amount of the fee for services exceeds \$50,000 and the contract was not subject to a competitive bidding process, the contract shall meet one of the other requirements of sec. 4.26(4)(a) and be approved by the Common Council; and

WHEREAS, although the Accela system was selected through a competitive process, an RFP will not be issued to renew the software and maintenance because only Accela, Inc. can support and maintain their proprietary software. Therefore, the proposed contract with Accela, Inc. meets the exception to the bidding process in section 4.26(4)(a)2 which states "The service required is available from only one person or firm";

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Clerk are authorized to execute the initial 10-year term for the Accela Cloud Hosting Support and Maintenance contract and professional services to migrate to the cloud with Accela, Inc.; and

BE IT FURTHER RESOLVED, that the Finance Director or designee is authorized to execute system upgrades, module additions and maintenance contracts with Accela, Inc., on a recurring basis for the useful life of the software pending availability of funds in the budget and in a form approved by the City Attorney.



City of Madison

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

Master

File Number: 86182

File ID: 86182

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name:

Final Action:

Title: Amending the Public Health Operating Budget to Accept Grant Funds from Wisconsin Department of Health Services and Create a 1.0 FTE Communicable Disease Coordinator for the Communicable Disease Program

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: KMayoh@publichealthmdc.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Health Department	11/19/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Board of Health for Madison and Dane County (12/4/24), Common Council (12/10/24)						

Text of Legislative File 86182

Fiscal Note

The proposed resolution amends the Public Health 2025 operating budget to accept a grant from the Wisconsin Department of Health Services and create a 1.0 FTE limited-term Communicable Disease Coordinator for the Communicable Disease Program. The 2025 grant of \$40,500 is for HIV Partner Services (follow-up with individuals diagnosed with HIV and their partners). Public Health plans to use this funding in combination with \$14,000 from the DHS Communicable Disease Grant, \$68,000 from the DHS Supplemental Immunizations Grant and \$13,500 allocated in the budget for a Communicable Disease LTE to create the new 1.0 FTE Communicable Disease Coordinator-Project position.

Title

Amending the Public Health Operating Budget to Accept Grant Funds from Wisconsin Department of Health Services and Create a 1.0 FTE Communicable Disease Coordinator for

the Communicable Disease Program
Body

WHEREAS, the Wisconsin Department of Health Services (DHS) is allocating \$40,500 to Public Health Madison & Dane County (Public Health) in 2025 for HIV Partner Services (follow-up with individuals diagnosed with HIV and their partners); and

WHEREAS, Public Health plans to use this funding in combination with \$14,000 from the DHS Communicable Disease Grant, \$68,000 from the DHS Supplemental Immunizations Grant and \$13,500 allocated in the budget for a Communicable Disease LTE to create a new 1.0 FTE Communicable Disease Coordinator-Project position; and

WHEREAS, this position will be responsible for professional public health work in the development, coordination, and implementation of efforts to reduce the incidence of communicable diseases in the community, specifically HIV and syphilis. This position will serve as the lead worker to program staff and support daily program operations for HIV and syphilis follow-up; and

WHEREAS, the Intergovernmental Agreement creating the joint City-County health department requires approval of both the Dane County Board and the Common Council for the creation of any new positions.

NOW, THEREFORE, BE IT RESOLVED, that Public Health will receive \$40,500 annually from DHS via HIV Partner Services grant starting January 1, 2025; and

BE IT FURTHER RESOLVED, that this funding will be designated to a 1.0 Communicable Disease Coordinator-Project position starting January 1, 2025 through December 31, 2025; and

BE IT FURTHER RESOLVED, that the continuation of the Communicable Disease Coordinator-Project position will be contingent upon continued grant funding after December 31, 2025; and

BE IT FURTHER RESOLVED, that per the Intergovernmental Agreement between the City of Madison and Dane County, Public Health employees are employees of Dane County; and

BE IT FURTHER RESOLVED, that the Director of Public Health Madison & Dane County is authorized to sign the agreement for the amount and purpose outlined above; and

BE IT FINALLY RESOLVED, that upon adoption of this resolution and approval from the Dane County Board, a 1.0 FTE Communicable Disease Coordinator-Project (Range 18A) position will be created in the Public Health Madison & Dane County 2025 Operating Budget, and the position will be noted in subsequent Operating Budgets to reflect that the continuation of the position is contingent upon continued grant funding.



City of Madison

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

Master

File Number: 86187

File ID: 86187

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/19/2024

File Name: Amending the Parks Divisions 2024 Adopted Capital Budget to accept an additional \$150,000 in Private Donations from the Madison Parks Foundation for purposes of constructing a water play feature at Rennebohm Park. (District 11)

Final Action:

Title: Amending the Parks Divisions 2024 Adopted Capital Budget to accept an additional \$150,000 in Private Donations from the Madison Parks Foundation for purposes of constructing a water play feature at Rennebohm Park. (District 11)

Notes:

Sponsors: Bill Tishler

Effective Date:

Attachments:

Enactment Number:

Author: Lisa Laschinger

Hearing Date:

Entered by: nmiller@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Parks Division	11/19/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Board of Park Commissioners (12/11/24), Common Council (1/14/25)							

Text of Legislative File 86187

Fiscal Note

The Parks Division's 2024 Adopted Capital Budget included a privately funded water play feature at Rennebohm Park and authorized the acceptance of \$250,000 of private donations from the Madison Parks Foundation. The project has been designed and is estimated to cost \$550,000. The proposed resolution amends the Parks Division's 2024 Adopted Capital Budget to increase the Park Land Improvements Program (Munis #17421) and accept additional private donations of \$150,000 from the Madison Parks Foundation, increasing the total to \$400,000 of private donations authorized within the project. In addition, existing budgetary authority of \$150,000 from approved projects that have been completed or are no longer planned within the Parks Land Improvements Program will be used to supplement the private

donations. No additional City appropriation is required.

Title

Amending the Parks Divisions 2024 Adopted Capital Budget to accept an additional \$150,000 in Private Donations from the Madison Parks Foundation for purposes of constructing a water play feature at Rennebohm Park. (District 11)

Body

WHEREAS, the City of Madison Parks Division currently offers three splash parks across the parks system, which is not sufficient to meet the long-term recreational needs of the growing community as the region continues to experience more extreme summer weather conditions; and,

WHEREAS, splash parks and water play features provide free recreational activities to youth, which promotes equity and well-being during heat of the summer months; and,

WHEREAS, the Parks Division is encouraged to pursue alternative funding sources to the extent possible in seeking to improve the parks system; and,

WHEREAS, in 2024 the Madison Parks Foundation raised philanthropic funds to support the planning, construction and an ongoing maintenance endowment of a water play feature at Rennebohm Park; and,

WHEREAS, the 2024 Adopted Capital Budget authorized the planning and construction of the project to the amount of \$250,000; and,

WHEREAS, project planning and design is underway to design a quality water play system that can be effectively replicated in other parks using a public/private funding model; and,

WHEREAS, the City of Madison competitively procured a design consultant to create construction and bidding documents to construct the water play feature, which is estimated to cost \$550,000; and,

WHEREAS, the Madison Parks Foundation and Parks Division have agreed to reduce the project's maintenance endowment in order to utilize an additional \$150,000 of the original private donation to fund construction of the project; and,

WHEREAS, the Parks Division has determined sufficient funding remains within the Parks Division's 2024 Adopted Capital Budget from projects completed or since adjusted within the Park Land Improvements Program (MUNIS Major #17421) in the amount of \$150,000 without requiring any additional City appropriation; and,

NOW, THEREFORE, BE IT RESOLVED, that the Parks Division's 2024 Adopted Capital Budget be amended to increase the Park Land Improvements Program (MUNIS Major #17421) to appropriate \$150,000 in additional private donations from the Madison Parks Foundation.



City of Madison

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

Master

File Number: 86196

File ID: 86196

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing modifications to a previously approved amendment to the City's contract with Benevate, Inc., regarding administration of federal Emergency Rental Assistance Program dollars, for the purposes of updating the total contract price payable to Bene

Final Action:

Title: Authorizing modifications to a previously approved amendment to the City's contract with Benevate, Inc., regarding administration of federal Emergency Rental Assistance Program dollars, for the purposes of updating the total contract price payable to Benevate Inc. for the use of its software system, recognizing the agency's name change to Benevate, LLC, and extending the term of the contract to September 24, 2030. (Citywide)

Notes:

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:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86196

Fiscal Note

The proposed resolution modifies a previously approved amendment to the City's contract with Benevate, Inc. (leg file 85282, RES-24-00608). Modifications include:

- 1) changing the name of the contractor to Benevate, LLC to reflect a corporate name change;
- 2) extending the term of the contract to September 24, 2030 to account for obligations to maintain program records for 5 years after the program end date; and,

3) reducing the total cost of the contract amendment to not more than \$312,600, to reflect Benevate LLC's revised pricing structure.

RES-24-00608 amended 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 modifications proposed in this resolution include a reduction in the Dane County portion of the contract expenses from \$237,000 to \$156,300. CDD's operating budget will be amended by this new amount. No additional City appropriation is required.

Title

Authorizing modifications to a previously approved amendment to the City's contract with Benevate, Inc., regarding administration of federal Emergency Rental Assistance Program dollars, for the purposes of updating the total contract price payable to Benevate Inc. for the use of its software system, recognizing the agency's name change to Benevate, LLC, and extending the term of the contract to September 24, 2030. (Citywide)

Body

WHEREAS, in October 2024, the Common Council authorized a Third Amendment with Benevate Inc. (RES-24-00608, Legistar #85282) to account for the need to pay an additional \$486,000 to Benevate Inc. for the use of its Neighborly Software system used to administer ERA program funds, a portion of which was to be paid by Dane County; and,

WHEREAS, upon further negotiation over charges for the use of that system, Benevate Inc. agreed to cap its additional charges at \$312,600, including the option to add additional users to the maintenance portal at an annual cost of \$2,400 per user; and,

WHEREAS, the reduction in additional charges reduced Dane County's pro-rated portion of user fees to access the Neighborly Software system from \$237,000 to \$156,300; and,

WHEREAS, Benevate, Inc. also changed its corporate structure and changed its name to Benevate, LLC, and that name change must be reflected in the amended contract; and,

WHEREAS, as the City is obligated to maintain program records stored in the City's ERA Portal for five (5) years after the conclusion of the ERA program for possible use in future audits by the US Department of Treasury, the contract amendment with Benevate LLC will accommodate five years of data storage and maintenance (called "ERA Maintenance Portal Level 2") at a cost of \$12,000 annually, plus \$2,400 per year to add additional users, for the period from September 25, 2025 through September 24, 2030; and,

WHEREAS, per APM 1-1, the Common Council must authorize the price, duration, and contractor name when authorizing contracts.

NOW THEREFORE, BE IT RESOLVED that the Common Council authorizes the Mayor and City Clerk to execute an amendment to the Benevate, Inc. contract for the purposes described in RES-24-00608, Legistar File No. 85282, with the following modifications: (1) changing the name of the contractor to Benevate, LLC to reflect a corporate name change, (2) extending the term of the contract to September 24, 2030 to account for obligations to maintain program records for 5 years after the program end date, and (3) reducing the total cost of the contract amendment to not more than \$312,600, to reflect Benevate LLC's revised pricing structure.



City of Madison

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

Master

File Number: 86197

File ID: 86197

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the assignment and assumption of a loan, made in 2005 by the City of Madison to Omega School Inc. to help Omega finance the acquisition of 835 West Badger Road, to Literacy Network, which has agreed to acquire Omega School Inc. including this

Final Action:

Title: Authorizing the assignment and assumption of a loan, made in 2005 by the City of Madison to Omega School Inc. to help Omega finance the acquisition of 835 West Badger Road, to Literacy Network, which has agreed to acquire Omega School Inc. including this property, and approving the transfer to Literacy Network of an existing Purchase of Service contract between the City and Omega School, Inc., which supports employment and career development programming. (District 14)

Notes:

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And
John P. Guequierre

Effective Date:

Attachments:

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Community Services Committee (1/22/25), Finance Committee (12/2/24), Community Development Block Grant Committee (12/5/24), Common Council (1/28/25)						

Text of Legislative File 86197

Fiscal Note

The proposed resolution authorizes the execution and delivery of all documents required to achieve the transfer of a \$75,000 CDBG loan for the acquisition of property at 835 W Badger Rd made to Omega School, Inc. to Literacy Network. The original loan to Omega School, Inc.

was authorized by leg file 02327, RES-05-00924. The resolution further authorizes the transfer of the previously-approved Purchase of Services contract in the amount of \$30,000 from the Omega School, Inc. to Literacy Network in 2025. The contract amount is included in the Community Development Division's (CDD) 2025 Adopted Operating Budget (account 67525-54820-00000). No additional City appropriation is required.

Title

Authorizing the assignment and assumption of a loan, made in 2005 by the City of Madison to Omega School Inc. to help Omega finance the acquisition of 835 West Badger Road, to Literacy Network, which has agreed to acquire Omega School Inc. including this property, and approving the transfer to Literacy Network of an existing Purchase of Service contract between the City and Omega School, Inc., which supports employment and career development programming. (District 14)

Body

WHEREAS, in November 2005, the City of Madison Common Council authorized the award of \$75,000 in Community Development Block Grant funds (RES-05-00924, Legistar #02327), to Omega School, Inc. for the acquisition of the property at 835 West Badger Road ("the Property"); and,

WHEREAS, Omega School Inc. executed a Real Estate Mortgage and Deferred Promissory Note with the City for the Property in December 2005; and,

WHEREAS, Omega School Inc. has used the Property to operate community programs serving low- to moderate-income households since acquisition; and,

WHEREAS, Omega School Inc. has notified the City's Community Development Division (CDD) that it will be ceasing operations in 2025 and has identified another community partner, Literacy Network, to which it intends to transfer its community programming and its ownership of the Property; and,

WHEREAS, Omega School Inc. is under contract with the City and receives \$30,000 in City General Purpose Revenue (GPR) annually to support GED Preparedness programming as part of CDD's support for Young Adult Employment and Career Development goals; and,

WHEREAS, CDD staff have considered the competency of Literacy Network in Board and Staff and deem it acceptable to transfer the Purchase of Service contract to that agency's administration; and,

WHEREAS, the commitment of this funding to Literacy Network for the specified uses will continue only until CDD next puts the Employment and Career Development funds out to bid; and,

WHEREAS, the Literacy Network Board of Directors has authorized the assumption of responsibilities associated with both the Property loan and Purchase of Services programming from Omega School, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the assignment and assumption of the secured debt of \$75,000 associated with the property at 835 West Badger Road to Literacy Network as part of its agreement to continue to support programming for low-to-moderate income households served at that location; and,

BE IT FURTHER RESOLVED, that the Council approves the transfer of the \$30,000 Purchase of Services contract for Youth Adult Employment and Career Development with Omega School, Inc. to Literacy Network; and,

BE IT FINALLY RESOLVED, that the Council authorizes the Mayor and City Clerk, on behalf of the City, 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 purpose of this Resolution, in a form or forms approved by the City Attorney.



City of Madison

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

Master

File Number: 86198

File ID: 86198

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the Mayor, on behalf of the City of Madison, to accept and execute grant agreements for two FY23 YHDP grants from HUD; and authorizing the Mayor and City Clerk to execute associated 2025 YHDP contracts with OutReach, Inc., Briarpatch Youth Ser

Final Action:

Title: Authorizing the Mayor, on behalf of the City of Madison, to accept and execute grant agreements for two FY23 YHDP grants from HUD; and authorizing the Mayor and City Clerk to execute associated 2025 YHDP contracts with OutReach, Inc., Briarpatch Youth Services, Inc., Center for Community Stewardship, and Institute for Community Alliances. (Citywide)

Notes:

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And
John P. Guequierre

Effective Date:

Attachments:

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86198

Fiscal Note

The proposed resolution authorizes the execution of contracts with four community agencies utilizing fiscal year 2023 Youth Homelessness Demonstration Program (YHDP) funds authorized in the Community Development Division's (CDD) 2025 Adopted Operating Budget. The authorized funds are in fund 1205 (Community Development Block Grant (CDBG) fund)

within Munis projects 73223 and 73323. No additional City appropriation required.

Title

Authorizing the Mayor, on behalf of the City of Madison, to accept and execute grant agreements for two FY23 YHDP grants from HUD; and authorizing the Mayor and City Clerk to execute associated 2025 YHDP contracts with OutReach, Inc., Briarpatch Youth Services, Inc., Center for Community Stewardship, and Institute for Community Alliances. (Citywide)

Body

BACKGROUND

The Youth Homelessness Demonstration Program (YHDP) is an initiative developed by the U.S. Department of Housing and Urban Development (HUD) to reduce the number of youth experiencing homelessness-both unaccompanied minors and youth ages 18-24. YHDP emphasizes youth voice and leadership. The Madison/Dane County Continuum of Care (CoC)'s Youth Action Board (YAB) provides this leadership. The City of Madison worked with YAB and other community partners to successfully secure the FY2020 YHDP grant in the amount of \$2,293,291 for the initial two-year demonstration period. The City of Madison serves as the Collaborative Applicant and recipient of the grant, subcontracting with agencies recommended by YAB and approved by the CoC Board of Directors.

The YHDP funding will be renewed annually as part of the CoC's Notice of Funding Opportunity (NOFO) application process. The YHDP funding must continue to be used for youth-specific projects. For 2025, the available FY23 YHDP funding amounts are \$360,000 for the Supportive Services Only (SSO) project (which was renamed "Youth & Young Adult (YYA) Connections" for 2025) and \$811,858 for the Joint Transitional Housing Rapid Rehousing (TH/RRH) project.

In 2024, the following agencies were awarded YHDP funds and contracted with the City of Madison for the following activities:

- OutReach, Inc.: Supportive Services Only (system navigation and youth drop-in center)
- Briarpatch, Inc.: Joint TH/RRH
- Urban Triage: Joint TH/RRH
- Center for Community Stewardship (C4CS): YAB member compensation and administrative fee
- nINA Collective Cooperative: Supportive Services Capacity Building (2024 only)

OutReach and Briarpatch plan to continue their services and the CoC Board of Directors agreed to renew each agency's funding in 2025. Urban Triage is not seeking renewal of its TH/RRH grant after its current contract expires on December 31, 2024.

The City of Madison issued a Request for Proposals (RFP) on October 10, 2024 to seek a new provider for TH/RRH services. No proposals were received. However, OutReach and Briarpatch did express interest in operating RRH programming and have agreed to share the RRH programming funds equally, each serving approximately five households. They submitted written proposals to the City, which were subsequently approved by YAB on November 16, 2024, and by the CoC Board of Directors on November 18.

ACTION

WHEREAS, the Common Council has adopted the 2020-2024 City of Madison Consolidated Plan, which identifies homelessness as a critical issue within the community and outlines a set of strategies and priorities to address those problems using community-based groups; and,

WHEREAS, the City's 2025-2029 Consolidated Plan, which is currently in development, likewise identifies homelessness as a critical issue as described above; and,

WHEREAS, the City of Madison has long been integrally involved in local efforts to end and prevent homelessness, and is a member and active participant in the Madison/Dane County Continuum of Care (CoC); and,

WHEREAS, the Madison/Dane County CoC applied for and was awarded \$2,293,291 in FY20 Youth Homelessness Demonstration Program (YHDP) grant funds via a 2021 U.S. Department of Housing and Urban Development (HUD) Notice of Funding Opportunity (NOFO); and,

WHEREAS, on August 2, 2022 (RES-22-00565, Legistar #72663), the Common Council authorized the City of Madison to assume responsibilities as YHDP Lead Agency for the distribution and oversight of YHDP grant funds, however, decisions regarding the use of those funds rest with the YAB and the Dane County CoC Board of Directors; and,

WHEREAS, the available FY23 YHDP funding amounts for 2025 include \$360,000 for the Youth and Young Adult (YYA) Connections project and \$811,858 for the Joint Transitional Housing Rapid Rehousing (TH/RRH) project; and,

WHEREAS, the Dane CoC Board of Directors approved the 2025 YHDP funding plan on November 18, 2024, as follows:

- OutReach, Inc.: up to \$156,707 for RRH and up to \$340,050 for YYA;
- Briarpatch, Inc: up to \$491,258 for Joint TH/RRH;
- Center for Community Stewardship (C4CS): up to \$52,103 for YAB compensation and administrative fee (\$35,753 for Joint TH/RRH and \$16,350 for YYA);
- Institute for Community Alliances (ICA): up to \$11,467 for HMIS administration (\$7,867 for Joint TH/RRH and \$3,600 for YYA).

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to execute, on behalf of the City, two FY23 YHDP HUD grant agreements for TH/RRH and YYA activities described herein; and,

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor and City Clerk to execute 2025 Purchase of Service contracts for the above mentioned agencies and in the specified amounts, upon execution of the HUD FY23 YHDP grant agreements.

BE IT FINALLY RESOLVED, that the Common Council authorizes the Mayor and City Clerk to accept future grant agreements, in a form approved by the City Attorney and Risk Manager, with U.S. Department of Housing and Urban Development for YHDP grants, subject to the receipt of each year's funds being appropriately recognized in the Community Development Division's budget.



City of Madison

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

Master

File Number: 86199

File ID: 86199

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Non-competitive purchase of a special assessment
software from BS&A Software LLC

Final Action:

Title: Authorizing a non-competitive purchase of more than \$50,000 in initial and annual software services from BS&A Software LLC; for the purchase, implementation and ongoing support of special assessment software.

Notes:

Sponsors: Yannette Figueroa Cole

Effective Date:

Attachments: BSA Software - Non-Competitive Selection Request -
CC Approval Required October 2024.pdf

Enactment Number:

Author: Cory Johnson

Hearing Date:

Entered by: ckoh@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Department	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86199

Fiscal Note

The proposed resolution authorizes a non-competitive purchase of \$79,790 in initial and annual software services from BS&A Software LLC; for the purchase, implementation and ongoing support of special assessment software. The contract includes \$25,100 in one-time fees for customizations, implementation, training and a contingency in case additional modifications are needed and \$54,690 in annual software fees. Funding for the one-time costs will be covered by the Enterprise Financial System capital project and the ongoing annual software fees will be covered by the Special Assessment Fund. No additional appropriation is required.

Title

Authorizing a non-competitive purchase of more than \$50,000 in initial and annual software services from BS&A Software LLC; for the purchase, implementation and ongoing support of

special assessment software.

Body

WHEREAS, The City needs special assessment software to accurately assess, bill, track and apply payments for special assessments and special charges; and

WHEREAS, BS&A software is a cloud-based assessment solution for local governments that is used by approximately 1,600 municipalities; and

WHEREAS, the City has negotiated a one-year contract with four optional one-year renewals with BS&A Software LLC that includes \$25,100 in one-time fees for customizations, implementation, training and a contingency in case additional modifications are needed; and

WHEREAS, the annual software fee will be \$54,690 per year; and

WHEREAS, for the reasons explained in the attached Noncompetitive Selection Request Form, BS&A Software LLC is the only vendor that can provide for the specific needs of the City of Madison, without having a separate company build a special assessment software solution from the ground up; and

WHEREAS, MGO 4.26 requires Common Council approval to purchase annual software and technology services of \$50,000 or more per year if the contractor was selected without a competitive process;

NOW, THEREFORE, BE IT RESOLVED, the Common Council authorizes the Mayor and City Clerk to sign a one-year contract with four optional one-year renewals with BS&A Software LLC for purposes and at the price described above; and

BE IT FINALLY RESOLVED that the Designee of the Finance Director is authorized to execute contracts for the optional renewal periods.



CITY OF MADISON • FINANCE DEPARTMENT • PURCHASING SERVICES

Non-Competitive Selection Request

Date: 10/08/2024

Requisition Number: unknown (8 characters)

Requestor Name: Cory Johnson

Requestor Phone Number: 608-261-4286

Requestor Email: cjohnson5@cityofmadison.com

Fund: 1400 CAPITAL PROJECT

Agency: 15 FINANCE

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: \$79,790.00

Vendor Name: BS&A Software

Product/Service Description: This will replace our current progress based special assessment software. T...

☐ **\$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.

IT has advised that our current special assessment system needs to be replaced as soon as possible because if the system crashes, there is a significant risk that we wouldn't be able to recover the data. If this occurred, thousands of City residents would be impacted. In addition, there are only a couple people at the City who can maintain or troubleshoot the current system. Other issues we face is that the owner information is no longer updating from TRTAX, and because of the high risk of the system crashing, we are not able to integrate the software with CAMA.

We have spoken with a number of special assessment software vendors and we have not been able to identify any other options, with BS&A being the only company that can accomodate the City's needs. We have exhausted options and time trying to make this work within Tyler Munis, within the CAMA software, and trying to identify at least one other vendor who can meet our needs.

COMMENTS REGARDING PURCHASES OVER \$50,000

This will be the first purchase the city has made from this vendor.

Date:

Submit



City of Madison

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

Master

File Number: 86200

File ID: 86200

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Year End Appropriation Resolution

Final Action:

Title: BY TITLE ONLY: Year End Appropriation Resolution to amend the 2024 Adopted
Operating Budget ____; and amend the 2024 Adopted Capital Budget ____

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author: Christine Koh

Hearing Date:

Entered by: ckoh@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Department	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86200

Title

BY TITLE ONLY: Year End Appropriation Resolution to amend the 2024 Adopted Operating
Budget ____; and amend the 2024 Adopted Capital Budget ____

Body



City of Madison

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

Master

File Number: 86214

File ID: 86214

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing a five-year, non-competitive service contract between the University of Wisconsin Medical Foundation, Inc. and the City of Madison for the provision of Madison Fire Department Medical Director services.

Final Action:

Title: Authorizing a five-year, non-competitive service contract between the University of Wisconsin Medical Foundation, Inc. and the City of Madison for the provision of Madison Fire Department Medical Director services.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: bsloat@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Fire Department	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86214

Fiscal Note

The proposed resolution authorizes a five-year, non-competitive service contract for Madison Fire Department Medical Director services with automatic annual extensions for up to five more years. The annual contract cost will increase in 2025 by \$5,000 from \$140,300 to \$145,300 but will hold constant at \$145,300 per year through 2029. The new annual payment is included in the Madison Fire Department's adopted operating budget, no additional city appropriation is required.

Title

Authorizing a five-year, non-competitive service contract between the University of Wisconsin Medical Foundation, Inc. and the City of Madison for the provision of Madison Fire Department Medical Director services.

Body

PREAMBLE

The Madison Fire Department (MFD) has been under the medical direction of the UW Medical Foundation for the past 11 years and has built a trusted partnership to oversee the clinical aspects of the largest service line within the department. The trust, transparency, and collaboration with a shared vision for the leadership of medical services is incredibly important. With the fast pace of change and growth, including MFD's community paramedics and CARES programming, it is vital to have a system of medical direction that is competent, progressive, and understands the value of these services to the community and involvement within the organization.

The proposed resolution and contract ensures the continued medical direction of Dr. Megan Gussick and provides a structure for additional support from other physicians and allied health professionals within the UW ALS Consortium and assures quality assurance, research, and data evaluation, as well as continuing education for MFD's EMTs and paramedics. The current contract has been in place for 11 years with the same annual compensation rate of \$140,300 for all 11 years. The proposed contract includes an annual rate of \$145,300 for the next five years. To place this contract out for bid would likely result in an increase in the cost of service for similar programming. The MFD has been pleased with both the high quality and consistency of the UW Medical Foundation and Dr. Megan Gussick and are therefore requesting approval for a non-competitive contract to assure the continuation of our emergency medical services delivery.

WHEREAS, adopted resolution RES-11-00100 (Legistar file 20999) authorized a three-year contract between the University of Wisconsin Foundation, Inc. (UWMF) and the City of Madison Fire Department (MFD);

WHEREAS, UWMF, on behalf of the Department of Medicine, Division of Emergency Medicine of the University of Wisconsin School of Medicine and Public Health, agreed to provide a qualified physician to perform the duties of the Madison Fire Department Medical Director;

WHEREAS, the original contract term was from January 1, 2011 through December 31, 2013 with automatic one-year renewals for no more than 10 years, allowing the contract to extend through December 31, 2023;

WHEREAS, adopted resolution RES-23-00653 (file ID 80098) authorized an extension of this contract UWMF through December 31, 2024 at the original annual rate of \$140,300;

WHEREAS, UWMF and MFD have agreed to terms of a new five-year contract, starting January 1, 2025, with compensation at \$145,300 per year along with automatic annual extensions for up to five more years;

WHEREAS, the annual extensions will include a 3% increase in compensation for each extension year, starting on January 1, 2030, resulting in a maximum compensation of approximately \$168,442 in year 10 (i.e., 2034) of the contract;

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;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and City Clerk are authorized to sign a non-competitive service contract for Medical Director services with the University of Wisconsin Medical Foundation, Inc.;

BE IT FURTHER RESOLVED, the service contract will be for five years, starting January 1, 2025, with automatic annual contract extensions for up to five more years, unless otherwise terminated pursuant to the provisions of the contract.



City of Madison

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

Master

File Number: 86215

File ID: 86215

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the extension of the current firefighter personal protective equipment (PPE) purchase agreement between the Madison Fire Department and Jefferson Fire & Safety, Inc. until a new contract is awarded in 2026.

Final Action:

Title: Authorizing the extension of the current firefighter personal protective equipment (PPE) purchase agreement between the Madison Fire Department and Jefferson Fire & Safety, Inc. until a new contract is awarded in 2026 following testing and a request for bid (RFB) process.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: bsloat@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Fire Department	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86215

Fiscal Note

The proposed resolution authorizes the extension of the Madison Fire Department's (MFD) non-competitive purchasing agreement for firefighter turnout gear through at least 2025. MFD has purchased the same turnout gear from the same vendor for the past 10 years, which was authorized by adopted resolution RES-15-00054. The proposed extension will allow MFD to test new turnout gear in 2025 and run a request for bid (RFB) process in February 2026. Extension of the current agreement will not result in price increases beyond what is specified in the current agreement. Funding for firefighter turnout gear is included in the City of Madison Fire Department's adopted capital budget. No additional City appropriation is required.

Title

Authorizing the extension of the current firefighter personal protective equipment (PPE) purchase agreement between the Madison Fire Department and Jefferson Fire & Safety, Inc. until a new contract is awarded in 2026 following testing and a request for bid (RFB) process.

Body

WHEREAS, adopted resolution RES-15-00054 (file ID 36653) was adopted in 2015 to allow sole source purchasing of firefighter turnout gear from Jefferson Fire & Safety, Inc. (Jefferson Fire) for up to 10 years;

WHEREAS, turnout gear is the personal protective equipment (PPE) worn into a fire and includes the fire coat, pants and suspenders, and boots;

WHEREAS, the City of Madison Fire Department (MFD) has purchased Honeywell/Morning Pride turnout gear from Jefferson Fire, the manufacturer's Wisconsin sales representative, for the life of the agreement;

WHEREAS, Morning Pride meets section 4.25 - Procurement of Items of Apparel of the City of Madison Ordinances (MGO);

WHEREAS, the current agreement following adopted resolution RES-15-00054 expires January 2025;

WHEREAS, an extension is necessary to allow time for a thorough review of new turnout gear specifications following MFD's attendance at an upcoming PPE symposium in March 2025 and the PPE committee's specification finalization process, set to conclude by the end of April 2025;

WHEREAS, new specifications will mark advancement over current gear, with critical updates to Thermal Protective Performance (TPP) and Total Heat Loss (THL), along with improved custom fit and design;

WHEREAS, beginning July 1, 2025, six selected firefighters will field-test custom-fit gear through summer, fall, and winter, completing the evaluation by January 31, 2026;

WHEREAS, this comprehensive testing will inform the PPE Committee's final selection, after which the winning specifications will proceed to bid in February 2026;

WHEREAS, extending the purchase agreement will ensure uninterrupted access to requisite turnout gear throughout this transitional period, including turnout gear for recruit academies starting in January 2025 and January 2026 and any replacement turnout gear during this time;

WHEREAS, these improvements are essential to provide our firefighters with increased thermal protection and breathability, enhancing their ability to perform under extreme conditions and meeting NFPA Standard 1971;

WHEREAS, MGO 4.26(2) requires goods to be purchased using a competitive process approved by the Finance Director, and under the Finance Director's Purchasing Guidelines, Common Council approval is required to purchase goods of \$50,000 or more without a competitive process;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approves the purchase of Honeywell/Morning Pride firefighter turnout gear, as described above, until a new request for bid (RFB) process has been completed and a contract has been awarded in 2026;

BE IT FURTHER RESOLVED, that the Common Council authorizes a non-competitive purchasing contract with Jefferson Fire & Safety, Inc. for the purchase of firefighter turnout gear.



City of Madison

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

Master

File Number: 86216

File ID: 86216

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the double fill of firefighter positions (Local 311) in the City of Madison Fire Department in order to run a recruit academy and maintain full staffing following anticipated retirements in 2025.

Final Action:

Title: Authorizing the double fill of firefighter positions (Local 311) in the City of Madison Fire Department in order to run a recruit academy and maintain full staffing following anticipated retirements in 2025.

Notes:

Sponsors: Satya V. Rhodes-Conway

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: bsloat@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Fire Department	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86216

Fiscal Note

The proposed resolution authorizes the Madison Fire Department (MFD) to double fill 20 firefighter positions, effective January 5, 2025. The double fill authorization will allow MFD to run an academy that can sufficiently absorb up to 20 retirements or resignations in 2025 in order to maintain full staffing in 2025 and instituting a better aligned graduate-retirement cycle. The 2025 adopted operating budget includes enough budget authority for a firefighter recruit class of 24 recruits plus additional recruits for commissioned positions vacant at the time the class begins. Approval of the 20 double fill positions in 2025 will bring regular salaries and overtime more in line with the adopted budget. The double fills ensure MFD will average 5.25 FTE below minimum staffing each day, which will keep minimum staffing overtime within the Fire Department's total overtime budget of \$3.3 million. The 20 double fill positions will also

likely result in MFD ending fiscal year 2025 fully staffed, in turn reducing minimum staffing overtime in 2026. Budgeted salary savings will be realized by natural attrition and turnover.

Title

Authorizing the double fill of firefighter positions (Local 311) in the City of Madison Fire Department in order to run a recruit academy and maintain full staffing following anticipated retirements in 2025.

Body

WHEREAS, the City of Madison Fire Department (MFD) currently has 393 authorized full-time-equivalent positions in Local 311, nine (9) of which are currently vacant;

WHEREAS, MFD is running a recruit academy from January 5, 2025 through June 7, 2025;

WHEREAS, MFD is anticipating 15 retirements in 2025 with some of those retirements effective the same week the academy starts and the rest likely effective by the time those recruits graduate and are placed in the field;

WHEREAS, Local 311 personnel do not need to provide a binding retirement date, making it challenging for MFD to plan the timing and size of academies in order to maintain full staffing levels for an entire year;

WHEREAS, MFD has averaged 20 retirements/resignations the past three years;

WHEREAS, authorizing 20 double filled positions in 2025 will allow MFD to run an academy large enough to absorb up to 20 Local 311 retirements/resignations in 2025 and ending the year fully staffed at 393 employees;

WHEREAS, being fully staffed in 2025 will greatly reduce the need for minimum staffing overtime and will allow MFD's creative staffing model to take effect more often;

WHEREAS, double filling positions beyond 90 days requires Common Council approval per the City of Madison's Personnel Rules;

NOW, THEREFORE, BE IT RESOLVED that the Madison Fire Department is authorized to double fill 20 firefighter positions from January 5, 2025 through December 31, 2025 for recruit class 62.



City of Madison

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

Master

File Number: 86217

File ID: 86217

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Approving the award of loans totaling up to \$250,000 from the Community Development Division's Child Care Facilities Loan Program to three child care providers (Little Genius Bilingual Learning Center, The Playing Field, and Safari Bilingual Learning Cent

Final Action:

Title: Approving the award of loans totaling up to \$250,000 from the Community Development Division's Child Care Facilities Loan Program to three child care providers (Little Genius Bilingual Learning Center, The Playing Field, and Safari Bilingual Learning Center) for use in establishing or expanding child care space and authorizing the Mayor and City Clerk to enter into agreements with those agencies to complete the specified development projects. (District 9, District 12, District 17)

Notes:

Sponsors: Satya V. Rhodes-Conway, Nikki Conklin, Amani Latimer Burris, Sabrina V. Madison, Bill Tishler And Yannette Figueroa Cole

Effective Date:

Attachments: Child Care Facilities Loan Application Little Genius Bilingual Updated.pdf, Child Care Facilities Loan Application Safari Bilingual.pdf, Child Care Facilities Loan Application The Playing Field.pdf

Enactment Number:

Author: Monty Marsh

Hearing Date:

Entered by: kpetershack@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86217

Fiscal Note

The proposed resolution authorizes the award of loans totaling \$250,000 to three child care providers through the Community Development Division's (CDD) Child Care Capital Access

program (Munis program 14969/2024 project 14970). The 2024 Adopted Capital Budget included \$250,000 for the program. Approval of this resolution would expend the authorized amount for 2024. No additional City appropriation required.

Title

Approving the award of loans totaling up to \$250,000 from the Community Development Division's Child Care Facilities Loan Program to three child care providers (Little Genius Bilingual Learning Center, The Playing Field, and Safari Bilingual Learning Center) for use in establishing or expanding child care space and authorizing the Mayor and City Clerk to enter into agreements with those agencies to complete the specified development projects. (District 9, District 12, District 17)

Body

Background

The City of Madison, in line with trends across the country, is experiencing a shortage of available child care. Approximately 2,500 children in Madison are waiting for a spot in regulated child care. Access to child care is particularly scarce in areas of the city considered to be child care deserts. The City has heard from child care providers in these locations that help with funding projects to expand their spaces could help them increase the number of children they are able to serve.

The City of Madison's 2024 Adopted Capital Budget includes up to \$250,000 in funding to support a new Child Care Facilities Loan Program. The Program makes funds available to non-profit and for-profit agencies, as well as individuals, looking to establish or expand a regulated group child care program, particularly within parts of the City where child care is scarce. Funds are available through an application cycle. The first application deadline was October 15, 2024 and the Community Development Division received requests from three agencies with combined total project costs of just over \$5,000,000. This resolution recommends allocating the available funds among the three applicants.

Action

WHEREAS, the City of Madison's 2024 Adopted Capital Budget includes \$250,000 to support the Child Care Facilities Loan Program; and,

WHEREAS, the Child Care Facilities Loan Program provides low-cost financing to support non-residential development projects that involve the acquisition of property, or substantial expansion, redevelopment, improvement, or rehabilitation of property an organization currently owns or leases for use for a child care program; and,

WHEREAS, the Program is available to non-profit or for-profit entities and individuals looking to establish or expand a regulated group child care program, particularly in areas of the City where child care is scarce; and,

WHEREAS, funds under the Child Care Facilities Loan Program are offered to awardees in the form of a zero percent forgivable loan, repayable upon a change of use of an assisted property or the termination of a lease contract unless that change of use or termination occurs less than 5 years from the date of completion of the project; and,

WHEREAS, the City's objective through the Child Care Facilities Loan Program is to create or expand resident access to high-quality child care and increase the available supply of infant

and toddler care for residents; and,

WHEREAS, the Community Development Division received requests for assistance from 3 child care providers for project costs totaling just over \$5,000,000, and staff recommends allocating available funds as follows:

- Little Genius Bilingual Learning Center, up to \$70,000 to establish a child care facility at a property located on East Washington Avenue
- The Playing Field, up to \$100,000 to establish a child care facility at a property located on East Springs Drive
- Safari Bilingual Learning Center, up to \$80,000 to establish a child care facility at a property located on Westward Way

WHEREAS, all of these proposals are consistent with the goals and requirements set forth in the Child Care Facilities Loan Program; and,

WHEREAS, at its September 12, 2024 meeting, the Early Child Care and Education Committee approved the staff funding recommendations; and,

WHEREAS, agencies will be required to follow all Child Care Facilities Loan Program guidelines as well as comply with any applicable City zoning and land use requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby approves the funding allocations as recommended by the Early Care and Education Committee and described herein; and,

BE IT FURTHER RESOLVED, 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.



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

Child Care Facilities Loan Program Application

Request Date 07/01/2024

Contact Name Humberto Franca Phone 608.332.6096

Email littlegeniusblc@gmail.com

Organization Name/Address Little Genius Bilingual Learning Center LLC / 3131

East Washington Ave Madison, WI 53704

Do you or your organization currently operate a regulated child program?

☐ Yes ☒ No

Name/Address of Program Little Genius Bilingual Learning Center / 3131 East
Washington Ave Madison, WI 53704

Has the program or agency been issued a licensing revocation or enforcement notice in the previous 5 years? ☐ Yes ☒ No

Have you or the organization identified an expansion location ☒ Yes ☐ No

Does the program actively participate in YoungStar? ☐ Yes ☒ No

Expansion Location 3131 East Washington AV Madison, WI 53704

Is the property or will the property be owned or leased by you or the organization?

☐ Owned ☒ Leased Initial term of 5 years with the option to extend this lease
for four (4) additional term of three (3) years each.

Do you or your agency agree to complete annual reports on the status of the expanded capacity and staffing until the term of the loan has been completed?

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

☒ Yes ☐ No

Is the building owned by a religious organization? ☐ Yes ☒ No

If you currently own or lease to a regulated child care program, please provide details or describe how to intend to increase staffing levels to meet the increased capacity?

- As of this application, we do not have an operating center/program. 3131 E. Washington Ave will be our first location. That said, once we open and as we grow, we will have more people employed with us.

If you currently operate a regulated child care facility, please describe how you intend to address any licensing violations, enforcements

- As of this application, we do not have an operating center/ program. 3131 E. Washington Ave will be our first location. We work closely with 4C and will stay in regular communication with them and our assigned licenser to learn and keep to date with rules and expectations.

Please attach to this application document or in email the following documentation:

Estimated timeline for construction

A five-year business plan including

- Staff wages and benefit structure
- Plan for licensure and any preclicensing requirements
- Cost estimates for building improvements and/or construction
- Information about potential barriers to completion of the work and areas where the City of Madison can provide Technical Assistance.

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

Child Care Facilities Loan Program Application

Request Date _____

Contact Name _____ Phone _____

Email _____

Organization Name/Address _____

Do you or your organization currently operate a regulated child program?

☐ Yes ☐ No

Name/Address of Program _____

Has the program or agency been issued a licensing revocation or enforcement notice in the previous 5 years? ☐ Yes ☐ No

Have you or the organization identified an expansion location ☐ Yes ☐ No

Does the program actively participate in YoungStar? ☐ Yes ☐ No

Expansion Location _____

Is the property or will the property be owned or leased by you or the organization?

☐ Owned ☐ Leased

Do you or your agency agree to complete annual reports on the status of the expanded capacity and staffing until the term of the loan has been completed?

☐ Yes ☐ No

Is the building owned by a religious organization? ☐ Yes ☐ No

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

If you currently own or lease to a regulated child care program, please provide details or describe how to intend to increase staffing levels to meet the increased capacity?

We will support staff with continuing education to make sure we are providing quality education.

If you currently operate a regulated child care facility, please describe how you intend to address any licensing violations, enforcements

We will make sure staff knows licensing rules to avoid any violations and we will provide proper training.

Please attach to this application document or in email the following documentation:

Estimated timeline for construction

A five-year business plan including

- Staff wages and benefit structure
- Plan for licensure and any prelicensing requirements
- Cost estimates for building improvements and/or construction
- Information about potential barriers to completion of the work and areas where the City of Madison can provide Technical Assistance.

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

Child Care Facilities Loan Program Application

Request Date _____

Contact Name _____ Phone _____

Email _____

Organization Name/Address _____

Do you or your organization currently operate a regulated child program?

☐ Yes ☐ No

Name/Address of Program _____

Has the program or agency been issued a licensing revocation or enforcement notice in the previous 5 years? ☐ Yes ☐ No

Have you or the organization identified an expansion location ☐ Yes ☐ No

Does the program actively participate in YoungStar? ☐ Yes ☐ No

Expansion Location _____

Is the property or will the property be owned or leased by you or the organization?

☐ Owned ☐ Leased

Do you or your agency agree to complete annual reports on the status of the expanded capacity and staffing until the term of the loan has been completed?

☐ Yes ☐ No

Is the building owned by a religious organization? ☐ Yes ☐ No

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____



Department of Planning and Community & Economic Development

Community Development Division

215 Martin Luther King, Jr. Boulevard, Suite 300

Mailing Address:

P.O. Box 2627

Madison, Wisconsin 53701-2627

Phone: (608) 266-6520

Fax: (608) 261-9626

www.cityofmadison.com/cdd

Child Care

Community Resources

Community Development Block Grant

Madison Senior Center

If you currently own or lease to a regulated child care program, please provide details or describe how to intend to increase staffing levels to meet the increased capacity?

If you currently operate a regulated child care facility, please describe how you intend to address any licensing violations, enforcements

Please attach to this application document or in email the following documentation:

Estimated timeline for construction

A five-year business plan including

- Staff wages and benefit structure
- Plan for licensure and any preclicensing requirements
- Cost estimates for building improvements and/or construction
- Information about potential barriers to completion of the work and areas where the City of Madison can provide Technical Assistance.

For City of Madison Child Care Unit

Date Received _____ Received by _____

Request Confirmation Email Date _____

Date Information Request Meeting _____

If you currently own or lease to a regulated child care program, please provide details or describe how to intend to increase staffing levels to meet the increased capacity?

We have been making plans to open this space since 2019. During that time, we have expanded to two temporary locations near our intended building site. This has allowed us to gradually hire and train staff. This is important to our model as we support many children impacted by adversity and our staff require specialized training.

In 2020, we opened two classrooms with four Lead Teachers and two Assistant Teachers (3 staff per room.) In early 2024, we opened two additional rooms. This gave us a total of four trained Lead Teachers to staff four classrooms who could then help to support the mentoring of four new Lead Teachers.

We plan to move to the new building in the middle of 2025. At that time, we should have a total of eight Lead Teachers who have been trained and who are ready to mentor a new co-teacher.

While we can't precisely predict the construction completion, we anticipate a move in date of June or July of 2025. At that time, we plan to move the four existing rooms into the space and open one additional infant-toddler room. (Five rooms total) We anticipate opening additional classrooms in September of 2025 and January of 2026 with the building being fully staffed and enrolled by September of 2026.

In addition to hiring and training Lead Teachers over the last four years, we also started a DWD registered apprenticeship program which is helping Assistant Teachers to qualify for upcoming Lead Teacher roles. We are also committed to hiring family members of enrolled children and provide our parents with priority for hiring.

If you currently operate a regulated child care facility, please describe how you intend to address any licensing violations, enforcements.

Not applicable

Plan for licensure and any precensing requirements.

We will work with our TTA consultant through the pre-licensing phase and child care licensing for the final license. We have opened three locations and we understand the process.

We are currently seeking reviews of the building plans. Construction is expected to begin in early August with completion in April, 2025. We will work with licensing to approve the space and hope to open no later than June 1 with our first, probationary license. We plan to be fully licensed by December of 2025.



City of Madison

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

Master

File Number: 86218

File ID: 86218

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Amending the contract between the City of Madison and Bayview Foundation, Inc. governing the receipt of a grant for \$394,018 from the Dane County Urban Water Quality Grant Program; authorizing the City of Madison to amend its agreement with Bayview Founda

Final Action:

Title: Amending the contract between the City of Madison and Bayview Foundation, Inc. governing the receipt of a grant for \$394,018 from the Dane County Urban Water Quality Grant Program; authorizing the City of Madison to amend its agreement with Bayview Foundation, Inc. by extending its expiration date to June 30, 2025; and authorizing the Mayor and City Clerk to execute agreements with Bayview Foundation, Inc. as appropriate. (District 13)

Notes:

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And
John P. Guequierre

Effective Date:

Attachments:

Author: Linette Rhodes

Enactment Number:

Entered by: mbohrod@cityofmadison.com

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86218

Fiscal Note

The proposed resolution authorizes an amendment to the contract between the City and Bayview Foundation, Inc. for the receipt of a Dane County Water Quality Grant Program grant. The amendment extends the expiration date to June 30, 2025. The funding is available in the Community Development Division's (CDD) other grants fund accounts due to an amendment to

the 2021 Adopted Operating Budget (Leg file 65272, RES-21-00372). No additional City appropriation required.

Title

Amending the contract between the City of Madison and Bayview Foundation, Inc. governing the receipt of a grant for \$394,018 from the Dane County Urban Water Quality Grant Program; authorizing the City of Madison to amend its agreement with Bayview Foundation, Inc. by extending its expiration date to June 30, 2025; and authorizing the Mayor and City Clerk to execute agreements with Bayview Foundation, Inc. as appropriate. (District 13)

Body

BACKGROUND

Bayview Foundation, Inc. is an affordable housing community with the mission to support its culturally diverse, low-income residents in realizing their aspirations by providing quality housing, fostering cultural pride, and building community through the arts, education and recreation. A 2016 capital needs assessment of its "Triangle Neighborhood" properties revealed significant infrastructure deficiencies, most of which would require replacement. Those upgrades are currently underway. Additionally, the neighborhood is affected by its proximity to area lakes and has been vulnerable to flooding.

Starting in 2018, Bayview staff initiated a comprehensive redevelopment planning and engagement process, which included an evaluation of its needs with regard to a development partner and project financing. In keeping with residents' hopes and wishes, Bayview designed a redevelopment plan that maximizes green space, limits the heights of the new buildings, and places much of the parking underground. The new site includes expanded resident gardens and spaces to grow food, as well as new open green space in the middle of the site for children and adults to gather and play.

Through its Community Development Division (CDD), the City of Madison committed Affordable Housing Funds and federal HOME funds to support the Bayview Rental Housing Development (RES-18-00815, Legistar #53633) and, on Bayview's behalf, secured grant funding through Dane County's Urban Water Quality Grant (UWQG) Program to support the development's sustainability goals (RES-21-00372, Legistar #65272). The UWQG Program offers cost-sharing funds to municipalities to improve the quality of urban stormwater runoff, increase public awareness of urban water quality issues and provide public education about urban stormwater quality improvement practices.

Due to project delays, CDD has received approval from Dane County to extend its UWQG contract end date by six months to June 30, 2025. The City seeks to amend its agreement with Bayview Foundation, Inc. commensurately, to reflect that extension.

ACTION

WHEREAS, the Bayview Foundation has undertaken a substantial redevelopment effort focused on the "Triangle" neighborhood, which includes an affordable housing component to which the City of Madison has committed financial support; and,

WHEREAS, the redevelopment includes a variety of strategies and features that qualify for funding through Dane County's Urban Water Quality Grant (UWQG) program, including permeable pavers, community gardens water collection and irrigation, amending soil and adding native plantings, green roof, interpretive/educational signage and stormwater and water conservation artwork; and,

WHEREAS, Dane County's UWQG Program requires a municipality to be the primary applicant for grant funds awarded through the program; and,

WHEREAS, the Common Council authorized the City of Madison to submit an application on behalf of Bayview Foundation, Inc. to the Dane County UWQG program, and to accept the resulting award and execute corresponding agreements with Dane County and Bayview Foundation, Inc. (RES-21-00372, Legistar #65272); and,

WHEREAS, Bayview Foundation, Inc. entered into an agreement with the City of Madison, the

contract term of which ends on December 31, 2024; and,
WHEREAS, Dane County has authorized a six-month extension of its contract with the City to June 30, 2025; and,
WHEREAS, the City is prepared to extend its agreement with Bayview Foundation, Inc. commensurately, to June 30, 2025.
NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to execute an amended contract agreement with Bayview Foundation, Inc., as described herein.



City of Madison

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

Master

File Number: 86219

File ID: 86219

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Awarding up to \$1,136,440 in Community Development Block Grant (CDBG) funds through the Community Development Division's (CDD) Capital Improvements for Nonprofit Housing (CINH) Program to four non-profit housing providers (Bram Hill Apartments/Bram Hill I

Final Action:

Title: Awarding up to \$1,136,440 in Community Development Block Grant (CDBG) funds through the Community Development Division's (CDD) Capital Improvements for Nonprofit Housing (CINH) Program to four non-profit housing providers (Bram Hill Apartments/Bram Hill Institute, Northport Apartments Corporation, The Road Home, and Housing Initiatives) and authorizing the Mayor and City Clerk to enter into agreements with those agencies to implement the specified rehabilitation projects (District 2, District 6, District 10, District 12, District 14, District 18).

Notes:

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford And
John P. Guequierre

Effective Date:

Attachments:

Author: Linette Rhodes

Enactment Number:

Entered by: mbohrod@cityofmadison.com

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Community Development Block Grant Committee (12/5/24), Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86219

Fiscal Note

The proposed resolution authorizes awarding up to \$1,136,440 to four community non-profit housing providers for capital improvements at their residential properties. The resolution also

authorizes the Mayor and City Clerk to execute agreements and take other actions as needed to accomplish the purpose of the resolution. The proposals are consistent with the City's 2020-2024 Five-Year Consolidated Plan and with the 2024 Annual Action Plan approved by the Common Council in March 2024. \$2.0 million of funding for the program is included in the Community Development Division's 2024 Adopted Operating Budget through Community Development Block Grant (CDBG) funds. \$697,000 was approved by Council in October 2024 (Leg file 85520, RES-24-00622) to three organizations who submitted applications through the first application cycle that closed September 15, 2024. No additional City appropriation is required.

Title

Awarding up to \$1,136,440 in Community Development Block Grant (CDBG) funds through the Community Development Division's (CDD) Capital Improvements for Nonprofit Housing (CINH) Program to four non-profit housing providers (Bram Hill Apartments/Bram Hill Institute, Northport Apartments Corporation, The Road Home, and Housing Initiatives) and authorizing the Mayor and City Clerk to enter into agreements with those agencies to implement the specified rehabilitation projects (District 2, District 6, District 10, District 12, District 14, District 18).

Body

Background

The Community Development Division (CDD) has heard from nonprofit agencies that own and operate housing for low- to moderate-income households that financial hardships experienced by tenants during the COVID-19 pandemic depleted maintenance reserves and made it difficult for agencies to maintain their properties.

On March 19, 2024, the Common Council approved the City of Madison's 2024 Annual Action Plan (AAP) (RES-24-00207/ Leg file #82249) which allocates up to \$2 million in Community Development Block Grant (CDBG) funds to support the Capital Improvements for Nonprofit Housing (CINH) Program. The program offers funds to nonprofit housing providers to make certain improvements to residential properties that serve tenants with household incomes at or below 80% of the Dane County Median Income (CMI). Funds were made available through a series of monthly application cycles until the funds were fully utilized. The first application deadline was September 15, 2024. CDD received requests, totaling \$696,786, from three eligible agencies to support rehabilitation work at 25 different properties, and the Council approved awards to those agencies on October 29, 2024 (RES-24-00622, Legistar File #85520). The second application deadline was October 15, 2024, and CDD received requests from seven agencies, totaling over \$2 million. Following review of the proposals, staff recommend allocating the remaining \$1,136,440 to four of those applicants to support rehabilitation work at 18 separate properties.

Action

WHEREAS, the City of Madison 2024 Annual Action Plan (AAP) was adopted on March 19, 2024, which approved the use of up to \$2 million in Community Development Block Grant (CDBG) funds to support the Capital Improvements for Nonprofit Housing (CINH) Program; and,

WHEREAS, following a first application cycle, the Council approved funding allocations to three nonprofit housing providers, totaling nearly \$697,000, for rehabilitation projects; and,

WHEREAS, in a second application cycle, the Community Development Division received requests to support housing rehabilitation from four eligible nonprofit housing providers, totaling about \$1.1 million, and staff have recommended allocating funds as follows, subject to review and approval by the Community Development Block Grant (CDBG) Committee:

- Bram Hill/Bram Institute Corporation, up to \$235,000;
- Northport Apartments Corporation, up to \$500,000;
- The Road Home, up to \$70,000;

· Housing Initiatives, up to \$331,440; and,
WHEREAS, all of these proposals are consistent with the goals and requirements set forth in the City's 2020-2024 Five-Year Consolidated Plan, formally adopted by the Common Council on February 25, 2020, which guides the use of U.S. Department of Housing and Urban Development (HUD) funds; and,
WHEREAS, these proposals are also consistent with the goals and requirements set forth in the City's 2025-2029 Five-Year Consolidated Plan, currently in development; and,
WHEREAS, agencies will need to follow all CINH Program guidelines including, for example, federal regulations such as Davis-Bacon Labor Standards; and,
WHEREAS, these funds are proposed to be offered to agencies in the form of grants;
NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby approves the funding allocations as recommended by the CDBG Committee and described herein; and,
BE IT FURTHER RESOLVED, that the Common 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 purpose of this Resolution, and to comply with and perform the obligations of the City hereunder.



City of Madison

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

Master

File Number: 86220

File ID: 86220

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the Mayor and City Clerk to execute a contract amendment between the City of Madison and the Tenant Resource Center (TRC), utilizing up to \$140,000 in remaining federal Emergency Rental Assistance funds, to sustain efforts to promote housing s

Final Action:

Title: Authorizing the Mayor and City Clerk to execute a contract amendment between the City of Madison and the Tenant Resource Center (TRC), utilizing up to \$140,000 in remaining federal Emergency Rental Assistance funds, to sustain efforts to promote housing stability for eligible households in Dane County through TRC's Eviction Diversion and Defense Partnership. (Citywide)

Notes:

Sponsors: Nikki Conklin, Dina Nina Martinez-Rutherford, John P. Guequierre And Yannette Figueroa Cole

Effective Date:

Attachments:

Enactment Number:

Author: Linette Rhodes

Hearing Date:

Entered by: mbohrod@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community Development Division	11/20/2024	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Finance Committee (12/2/24), Common Council (12/10/24)						

Text of Legislative File 86220

Fiscal Note

The proposed resolution authorizes the utilization of up to \$140,000 in unobligated federal Emergency Rental Assistance 2 (ERA 2) funds (Munis project 76121) to sustain the efforts of the Eviction Diversion and Defense Partnership program operated through the Tenant Resource Center. The amended contract will extend through September 30, 2025. The program has been awarded \$15.0 million of ERA 2 funds thusfar. No additional appropriation is required.

Title

Authorizing the Mayor and City Clerk to execute a contract amendment between the City of Madison and the Tenant Resource Center (TRC), utilizing up to \$140,000 in remaining federal Emergency Rental Assistance funds, to sustain efforts to promote housing stability for eligible households in Dane County through TRC's Eviction Diversion and Defense Partnership. (Citywide)

Body

BACKGROUND

Near the beginning of the COVID-19 pandemic, Congress enacted two pieces of legislation that created funding for Emergency Rental Assistance: the Consolidated Appropriations Act, 2021 (H.R. 133, Public Law 116-260, a/k/a "COVID Relief Act" or "ERA1"), and the American Rescue Plan Act of 2021 (H.R. 1319, Public Law 117-2 a/k/a "ERA2"). These funds were 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 these acts, the City of Madison received approximately \$33 million in ERA1 and \$45.3 million in ERA2 allocations.

Together, these federal Emergency Rental Assistance Program funds, both ERA1 and ERA2, have been used by the City in collaboration with similar allocations received by Dane County. The largest portion of these funds went to support a local rental assistance program known as Dane CORE, created to provide direct assistance to eligible applicants, as well as associated housing stability services, through vendor contracts with local community organizations. In 2023, the Dane CORE program ended, but the Common Council awarded additional ERA funding to support the Eviction Diversion and Defense Partnership (EDDP), operated through Tenant Resource Center, through September 30, 2025, the date by which all ERA funds must be expended (RES-24-00095, Legistar #81628).

Due to unspent funds within other program areas, a small portion of Emergency Rental Assistance funds (approximately \$140,000) remains unobligated within CDD's 2025 Operating Budget. This resolution seeks authorization to amend the City's agreement with the Tenant Resource Center to provide up to \$140,000 in additional ERA2 funding for TRC's Eviction Diversion and Defense Partnership, utilizing the remaining unobligated funds. These dollars will be available to the EDDP program through September 30, 2025, for the provision of legal services for eligible tenants.

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, of which the City accepted roughly \$33 million in ERA1 funds, comprised of a direct allocation from the U.S. Treasury Department and reallocation from the Wisconsin Department of Administration's Division of Energy, Housing & Community Resources; and,

WHEREAS, on March 10, 2021, Congress enacted the American Rescue Plan Act of 2021 (H.R. 1319), which included an additional \$21.5 billion in Emergency Rental Assistance Program funding ("ERA2"), of which the City received roughly \$45 million, comprised of a direct allocation from the U.S. Treasury Department, and a reallocation from the Wisconsin Department of Administration's Division of Energy, Housing & Community Resources; and,

WHEREAS, the City used these funds in collaboration with Dane County, which received its own Emergency Rental Assistance allocations, to establish and support the Dane CORE and CORE 2.0 programs and the Eviction Diversion and Defense Partnership to prevent evictions and promote housing stability in Madison and Dane County; and,

WHEREAS, the Common Council authorized the use of ERA2 funds for continued support, through September 30, 2025, of the services offered under the Eviction Diversion and Defense Partnership, led by the Tenant Resource Center (RES-24-00095, Legistar #81628); and,

WHEREAS, this resolution now seeks Council approval to direct up to \$140,000 in remaining unobligated Emergency Rental Assistance (ERA2) funds to the Tenant Resource Center to sustain the legal services provided through legal partners in the Eviction Diversion and Defense Partnership through September 30, 2025, including administrative costs incurred by the Tenant Resource Center;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor and City Clerk to execute an amendment to the current contract between the City and the Tenant Resource Center to add up to \$140,000 in federal ERA2 funds for the purpose of sustaining legal services offered through the Eviction Diversion and Defense Partnership, and associated administrative costs; and to extend the current contract term through September 30, 2025.



City of Madison

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

Master

File Number: 86221

File ID: 86221

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Censuring Alder Charles Myadze

Final Action:

Title: Censuring Alder Charles Myadze for conduct unbecoming of an alder.

Notes:

Sponsors: MGR Govindarajan, Juliana R. Bennett, Regina M. Vidaver, Derek Field, Yannette Figueroa Cole, Sabrina V. Madison, Marsha A. Rummel, Satya V. Rhodes-Conway, Jael Currie, Michael E. Verveer, Dina Nina Martinez-Rutherford, Nikki Conklin, Tag Evers And John W. Duncan

Effective Date:

Attachments:

Author: Ald. MGR Govindarajan

Entered by: imatthias@cityofmadison.com

Enactment Number:

Hearing Date:

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Common Council (12/10/24)							

Text of Legislative File 86221

Fiscal Note

No appropriation required.

Title

Censuring Alder Charles Myadze for conduct unbecoming of an alder.

Body

WHEREAS, the City of Madison Common Council is committed to fostering a workplace and governance environment free from harassment, intimidation, and unethical conduct, upholding the highest standards of integrity and professionalism; and,

WHEREAS, multiple reports, including the August 9, 2024, independent investigation report

and the October 24, 2024, supplemental investigation report, document concerning actions by Alder Charles Myadze that have undermined confidence in his ability to maintain the professional decorum expected of a public official; and,

WHEREAS, the initial investigation determined that Alder Myadze engaged in conduct that constituted the creation of a hostile work environment, specifically regarding an incident on April 7, 2022, involving intimidating behavior in a private setting against another Council member; and,

WHEREAS, while the supplemental report concluded that the conduct did not meet the legal threshold for a hostile work environment under APM 3-5, it acknowledged that Alder Myadze's actions, including the locking of car doors during the incident and subsequent professional tensions, were deeply concerning and inconsistent with the standards expected of public officials; and,

WHEREAS, such a pattern of behavior, including but not limited to the April 7, 2022, incident reflects poorly on the City of Madison Common Council and diminishes public trust in its elected representatives; and,

WHEREAS, all witnesses and the multiple complainants were deemed as credible, while Alder Myadze was found to be a "less credible witness" due to "selective memory and inconsistencies in his statements"; and,

WHEREAS, the Common Council has a responsibility to address conduct that disrupts the collaborative and respectful environment necessary for effective governance;

NOW, THEREFORE, BE IT RESOLVED that the City of Madison Common Council formally censures Alder Charles Myadze for his conduct described in the investigation report, which failed to meet the professional and ethical standards required of a council member.

BE IT FURTHER RESOLVED that Alder Myadze is encouraged to consider the impact of his continued presence on the Common Council to ongoing City priorities and processes.

BE IT FINALLY RESOLVED that the City of Madison Common Council commends the survivors and individuals who have bravely come forward to share their experiences, recognizes the courage it takes to speak out, and emphasizes the Council's commitment to creating a safe and respectful environment for all.



City of Madison

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

Master

File Number: 86245

File ID: 86245

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/20/2024

File Name: Authorizing the Mayor and City Clerk to enter into an inter-governmental agreement with Dane County for continuation of an ongoing Information and Education Program as part of the Madison Area Municipal Stormwater Permit group (MAMSWaP).

Final Action:

Title: Authorizing the Mayor and City Clerk to enter into an inter-governmental agreement with Dane County for continuation of an ongoing Information and Education Program as part of the Madison Area Municipal Stormwater Permit group (MAMSWaP). (Citywide)

Notes: Phil Gaebler

Sponsors: John P. Guequierre

Effective Date:

Attachments: 2025-2029 MAMSWaP Intergovernmental
Agreement_FINAL 11-20.pdf

Enactment Number:

Author: Jim Wolfe, City Engineer

Hearing Date:

Entered by: hfleegel@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/20/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Board of Public Works (12/18/24), Common Council (1/14/25)							

Text of Legislative File 86245

Fiscal Note

The proposed resolution authorizes the Mayor and City Clerk to enter into an intergovernmental agreement with Dane County for a stormwater information and education program. The estimated annual cost is \$19,337 in 2025, with 5% increases annually. Funds for this contract are available in Stormwater Utility Account 84125-54535-00000. Future year amounts will be included in the annual Stormwater Operating Budget request.

Title

Authorizing the Mayor and City Clerk to enter into an inter-governmental agreement with Dane

County for continuation of an ongoing Information and Education Program as part of the Madison Area Municipal Stormwater Permit group (MAMSWaP). (Citywide)

Body

WHEREAS, the City has previously entered into a joint municipal agreement with Dane County to meet the requirements of its Wisconsin Pollution Discharge and Elimination System (WPDES) Stormwater discharge permit for Information and Education (I&E), as part of a group now addressed as the Madison Area Municipal Storm Water Partnership (MAMSWaP); and

WHEREAS, the County is willing and able to maintain a 75% position (1,560 hours annually), to provide information, education, and outreach services in furtherance of the stormwater management programs conducted under the WPDES permit;

WHEREAS, the City, WDNR, and the other members of the MAMSWaP group have agreed to update the agreement and believe that sharing the cost of I&E is more efficient than each municipality completing the work independently; and

WHEREAS, the I&E work completed by the members of MAMSWaP has been well received by the WDNR; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to enter into an Intergovernmental Agreement with Dane County to provide I&E services as part of the City's WPDES stormwater discharge permit.

**INTERGOVERNMENTAL AGREEMENT TO FUND A POSITION RESPONSIBLE FOR STORM
WATER INFORMATION, EDUCATION AND OUTREACH COORDINATION FOR THE MADISON
AREA MUNICIPAL STORM WATER PARTNERSHIP (MAMSWaP)**

THIS INTERGOVERNMENTAL AGREEMENT, hereinafter referred to as this “Agreement,” made and entered into by, between and among the Cities of Fitchburg, Madison, Middleton, Monona, Stoughton, Sun Prairie and Verona; the Villages of Cottage Grove, Cross Plains, DeForest, Maple Bluff, McFarland, Shorewood Hills, Waunakee and Windsor; the Towns of Blooming Grove, Burke, Middleton and Westport; Dane County; and the University of Wisconsin–Madison, hereinafter referred to individually as “Party” and collectively as the “Parties,” which will include other municipalities that may join after this Agreement has been signed by the Parties listed.

WITNESSETH:

WHEREAS, many of the Parties entered into a Cooperative Agreement to jointly apply for a storm water discharge permit, hereinafter referred to as the “Permit,” under Chapter NR 216 of the Wisconsin Administrative Code in April 2000; and

WHEREAS, this group intends to work cooperatively on storm water information, education and outreach, notwithstanding the fact that there may not be a continuing group Permit; and

WHEREAS, one of the required work elements of each Party’s NR 216 permit is the operation of an information, education and outreach program; and

WHEREAS, many of the Parties previously signed agreements to jointly develop, coordinate and implement an information, education and outreach program from May 2004 through April 2009, May 2009 through December 2013, January 2014 through December 2018 (extended to December 2019), and January 2020 through December 2024; and

WHEREAS, the materials and products that result from this joint effort are expressly developed for the Parties to partially fulfill their information and education permit obligations; and

WHEREAS, the Parties agree, pursuant to sec. 66.0301, and Ch. 36, Wis. Stats. to obtain the services of a 75% employee of Dane County to provide information, education and outreach services to partially meet the requirements and components of each Party’s NR 216 Stormwater Discharge Permit as detailed in the Madison Area Municipal Storm Water Partnership 2025-2029 Storm Water Information, Education and Outreach Plan.

NOW, THEREFORE, in consideration of the above premises and the covenants of the Parties hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged by each Party for itself, the Parties agree to the following:

1. Dane County shall maintain a 75% position (1,560 hours annually or as many hours as funding allows), hereinafter referred to as the “Position,” in its Land & Water Resources Department (LWRD) and a limited term employee to provide information, education and outreach services in furtherance of the storm water management programs conducted under each Party’s permit. If any party fails to make their respective contribution by the due date as required by Exhibit A, the Party may be suspended from receiving services under this agreement and may be subjected to a breach of contract claim by Dane County or any other Party.

The Position shall be funded by the Parties as set forth in Exhibit A. Fees are based on 2020 Census population data. When a municipality wishes to join the information, education and outreach plan effort, it shall pay the amount set forth in Exhibit A based on its population from 2020 Census data. If a municipality joins mid-year, its amount will not be prorated. Additional municipalities' contributions shall not lessen the amount of the Parties' contributions set forth in Exhibit A, but shall be utilized for salary, benefits, and programmatic expenses directly related to the MAMSWaP. The municipality wishing to join the effort shall sign onto this Agreement and be afforded the benefits of the information, education and outreach program that are made available to all Parties.

Dane County shall provide annual documentation of direct and indirect expenses incurred with staffing the I&E position. Costs would include direct salary and benefits of staff and supervisors as well as indirect costs such as work space and support. This report for prior year shall be presented to agreement signatories on or before May 31 annually.

Should the Position become vacant, Dane County shall take all reasonable measures to assure that it is filled or its duties reassigned. During the time the Position is vacant, the LWRD Water Resource Engineering Division Manager shall assign other equivalent staff to complete the duties of the Position and shall notify all Parties in writing.

2. The Parties shall continue to operate and maintain the Information and Education Committee, hereinafter referred to as I&E Committee, previously created under the Madison Area Municipal Storm Water Partnership. The I&E Committee shall provide guidance and oversight to the Position, which is directly supervised by the LWRD Water Resource Engineering Division Manager. The five-year outreach plan developed by the I&E Committee will direct the Position's activities.

The materials and products that result from this joint effort are expressly developed for the Parties to partially fulfill their Information and Education permit obligations.

The I&E Committee shall meet a minimum of four (4) times per year. The I&E Committee shall consist of representatives of the Parties to this Agreement. The Position shall staff the I&E Committee. There is no maximum number of members for the I&E Committee. Any representative of a Party to this Agreement may be a member of the I&E Committee. At a minimum, the I&E Committee shall be comprised of one representative from Dane County, one representative from UW-Madison, one representative from City of Madison, one representative from remaining Party cities, one representative from villages, and one representative from towns (for a total of six (6)). The I&E Committee shall continue to solicit the advice and consultation of the Wisconsin Department of Natural Resources and the University of Wisconsin - Extension.

3. The entire agreement of the Parties is contained herein and this Agreement supersedes any and all oral agreements and negotiations between the Parties relating to the subject matter hereof. The Parties expressly agree that this Agreement shall not be amended in any fashion except in writing, executed by all Parties.
4. Upon execution by all Parties, this Agreement shall become effective, superseding the previous agreement that was in place through December 2024, and shall end December 31, 2029 unless the Parties agree to a longer period. This Agreement may be amended and extended at any time upon the mutual agreement of all of the Parties.

- 5 Dane County shall invoice each of the Parties the amount set forth in Exhibit A commencing January 1, 2025 and every January 1 for years 2026, 2027, 2028, and 2029. Invoices are payable in 30 days.

6. **TERMINATION OF AGREEMENT**

In the event that any Party determines that it is in its best interest to terminate participation in this cooperative agreement with Dane County and all other Parties to this Agreement for storm water information, education and outreach, the Party may do so at any time by taking the following action:

- A) The Party shall send written correspondence to the Dane County LWRD Water Resource Engineering Division Manager and the Wisconsin Department of Natural Resources indicating its desire to terminate participation in this Agreement.

This correspondence shall include an official resolution or documented action indicating that the requested termination has been authorized by a governmental body possessing the legal authority required to terminate this Agreement, and that the signatories to this correspondence are duly authorized to sign a correspondence terminating their participation in this Agreement.

- B) Upon receipt of this correspondence, the Dane County LWRD Water Resource Engineering Division Manager shall deem the requesting party removed from the information and education joint agreement at the end of the year in which the request is made.

7. In the event that a Party withdraws and terminates its participation in this Agreement, the withdrawing Party shall be responsible for its financial contribution with regard to this Agreement until December 31 of the year the Party withdraws. No partial refund based on the date of withdrawal by the Party shall be given.

When a withdrawing Party is no longer financially responsible under this paragraph, the cost shall be re-apportioned among the remaining Parties based upon each Party's respective proportional contribution as set forth in Exhibit A if the termination results in the funding contribution total to be less than \$40,000 for programmatic expenses plus the amount needed to fund the Position's salary and benefits for the year following the time of termination.

8. **NON-DISCRIMINATION**

In performance of services under this Agreement, the parties agree not to discriminate against any employee or applicant 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, political beliefs, or student status.

9. **PERFORMANCE**

Each Party to this Agreement hereby certifies that it possesses the legal authority required to enter into this Agreement, and that the signatories to this Agreement are duly authorized to sign and that its designated representatives are authorized to act in matters pertaining to this Agreement and to provide required reports and file data as may be required.

10. **THIRD PARTY RIGHTS**

This agreement is intended to be solely between the parties hereto. No part of this Agreement shall be construed to add, supplement, amend, or repeal existing rights, benefits or privileges of any third party or parties. Nothing contained herein is intended as a waiver by any party of the defenses and immunities contained within the Wisconsin Statutes, including Sec. 893.80.

11. **EXECUTION IN COUNTERPART**

Each Party to this Agreement acknowledges that this Agreement may be executed in counterparts by duly authorized signatories and that the final contract and the cumulative counterpart signature pages shall be considered an original document with the full force and effect as if one copy of the contract was circulated to all parties for signature.

IN WITNESS WHEREOF, the Cities of Fitchburg, Madison, Middleton, Monona, Stoughton, Sun Prairie and Verona; the Villages of Cottage Grove, Cross Plains, DeForest, Maple Bluff, McFarland, Shorewood Hills, Waunakee and Windsor; the Towns of Blooming Grove, Burke, Middleton, and Westport; Dane County; and the University of Wisconsin–Madison, hereto have caused this Agreement to be executed by their proper officers.

EXHIBIT A
FINANCIAL CONTRIBUTIONS TOWARD POSITIONS RESPONSIBLE FOR STORM
WATER INFORMATION, EDUCATION AND OUTREACH

The contributions per Party listed below along with the MAMSWaP budget assume a 75% (1,560 hours annually) annual salary and benefits package of approximately \$65,000 based on the 2024 rate of pay for the Position and allocates approximately \$25,000 towards an LTE position. Any funds received that are not used for salary and benefits package will be carried forward and available for programmatic expenses in the following year.

The Salary and Benefits paid for the positions shall be based upon an assumed 5% annual increase.

The programmatic budget for implementing the information and education plan is approximately \$45,000 annually, assuming a 5% annual increase.

Billing invoice amounts reflecting salary and benefits and programmatic funds shall be reviewed by the I&E Committee.

Additional increases to the Position salary (in the case of a reclassification of Position incumbent) or programmatic budgets are allowed provided the budget amendment is approved by the I&E Committee and written notice sent to all Parties in this Agreement.

Any proposed changes shall be sent by July 1 of the year preceding the proposed change so that municipalities have adequate time to budget for the additional costs. Additional costs shall be apportioned among the Parties based upon their respective proportional contribution as set forth herein.

The Position shall pursue grant opportunities wherever possible to supplement the programmatic budget and shall be responsible for submittal of those grant requests on behalf of the Parties to this Agreement.

Contribution Categories

Category	2020 Census Population	2025 Contribution
1	>50,000	\$19,337
2	20,000-49,999	\$10,817
3	15,000-19,999	\$7,251
4	10,000-14,999	\$6,020
5	5,000-9,999	\$4,832
6	<5,000	\$2,417

Contribution Schedule

Municipality	2020 Census Population	Contribution Category	2025 Contribution	2026 Contribution	2027 Contribution	2028 Contribution	2029 Contribution
Dane County	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UW Madison	N/A	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
City of Fitchburg	29,609	2	\$10,817	\$11,358	\$11,926	\$12,522	\$13,149
City of Madison	269,840	1	\$19,337	\$20,304	\$21,319	\$22,385	\$23,504
City of Middleton	21,827	2	\$10,817	\$11,358	\$11,926	\$12,522	\$13,149
City of Monona	8,624	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
City of Stoughton	13,173	4	\$6,020	\$6,321	\$6,637	\$6,969	\$7,318
City of Sun Prairie	35,967	2	\$10,817	\$11,358	\$11,926	\$12,522	\$13,149
City of Verona	14,030	4	\$6,020	\$6,321	\$6,637	\$6,969	\$7,318
Town of Blooming Grove***	1,622	6	\$2,417	\$2,538	\$2,664	NA	NA
Town of Burke	3,265	6	\$2,417	\$2,538	\$2,664	\$2,798	\$2,938
Town of Middleton	6,792	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
Town of Westport	4,191	6	\$2,417	\$2,538	\$2,664	\$2,798	\$2,938
Village of Cottage Grove	7,303	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
Village of Cross Plains	4,104	6	\$2,417	\$2,538	\$2,664	\$2,798	\$2,938
Village of DeForest	10,811	4	\$6,020	\$6,321	\$6,637	\$6,969	\$7,318
Village of Maple Bluff	1,368	6	\$2,417	\$2,538	\$2,664	\$2,798	\$2,938
Village of McFarland	8,991	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
Village of Shorewood Hills	2,169	6	\$2,417	\$2,538	\$2,664	\$2,798	\$2,938
Village of Waunakee	14,879	4	\$6,020	\$6,321	\$6,637	\$6,969	\$7,318
Village of Windsor	8,754	5	\$4,832	\$5,074	\$5,328	\$5,594	\$5,874
Total:			\$119,364	\$125,333	\$131,599	\$135,381	\$142,151

* Contribution not based on population.

** The Parties agree that Dane County does not invoice itself, but rather contributes in-kind with office space; phone, computer, printer and other equipment; internet access; Information Management and other staff support; access to vehicles; supervision; and other overhead.

***The Town of Blooming Grove will be completely annexed into the City of Madison on October 31, 2027, and will no longer contribute to MAMSWaP after 2027.

FOR THE CITY OF FITCHBURG

Julia Arata-Fratta, Mayor

Date

Tracy Oldenburg, City Clerk

Date

IN WITNESS WHEREOF, the parties hereto have set their hands at Madison, Wisconsin.

CONTRACTOR:

(Type or Print Name of Contracting Entity)

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 THE CITY OF MIDDLETON

Emily Kuhn, Mayor

Date

William M. Burns, Finance Director

Date

Matthew J. Fleming, City Attorney

Date

FOR THE CITY OF MONONA

Mary K. O’Connor, Mayor

Date

Alene Houser, City Clerk

Date

FOR THE CITY OF STOUGHTON

Tim Swadley, Mayor

Date

Candee Christen, City Clerk

Date

FOR THE CITY OF SUN PRAIRIE

Aaron Oppenheimer, City Administrator

Date

FOR THE CITY OF VERONA

Luke Diaz, Mayor

Date

Holly Licht, City Clerk

Date

FOR THE VILLAGE OF COTTAGE GROVE

John Williams, Village President

Date

Lisa Kalata, Village Clerk

Date

FOR THE VILLAGE OF CROSS PLAINS

Carly Persson, Village Administrator

Date

Bobbi Zauner, Finance Director/Clerk

Date

FOR THE VILLAGE OF DEFOREST

Jane Cahill Wolfgram, Village President

Date

Callista Lundgren, Village Clerk

Date

FOR THE VILLAGE OF MAPLE BLUFF

Kevin O'Driscoll, Village President

Date

Sarah Danz, Village Clerk

Date

FOR THE VILLAGE OF MCFARLAND

_____	Date	_____
Carolyn Clow, Village President		

_____	Date	_____
Cassandra Suettinger, Village Clerk		

FOR THE VILLAGE OF SHOREWOOD HILLS

John Imes, Village President

Date

Brian Mooney, Village Administrator

Date

Julie Fitzgerald, Village Clerk

Date

FOR THE VILLAGE OF WAUNAKEE

Kristin Runge, Village President

Date

Karla Endres, Village Clerk

Date

FOR THE VILLAGE OF WINDSOR

Robert Wipperfurth, Village President

Date

Tina Butteris, Village Administrator

Date

FOR THE TOWN OF BLOOMING GROVE

Ronald P. Bristol, Town Chair

Date

Michael J. Wolf, Town Clerk/Treasurer

Date

FOR THE TOWN OF BURKE

Kevin Viney, Town Chair

Date

PJ Lentz, Administrator Clerk

Date

Steve Berg, Town Supervisor

Date

FOR THE TOWN OF MIDDLETON

Cynthia Richson, Town Chair

Date

Barbara Roesslein, Town Clerk

Date

FOR THE TOWN OF WESTPORT

<hr/> Dean A. Grosskopf, Town Administrator/Clerk-Treasurer	<hr/> Date
---	------------

<hr/> Robert Anderson, Utility, Finance, IS Manager, Deputy Clerk Treasurer	<hr/> Date
--	------------

FOR THE UNIVERSITY OF WISCONSIN - MADISON

Robert G. Cramer, Vice Chancellor for Finance and Administration

Date

FOR THE COUNTY OF DANE

Melissa Agard, County Executive

Date



City of Madison

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

Master

File Number: 86251

File ID: 86251

File Type: Resolution

Status: Council New
Business

Version: 1

Reference:

Controlling Body: COMMON
COUNCIL

File Created Date : 11/21/2024

File Name: Amending the Parks Division 2025 Adopted
Operating Budget to remove the paid parking pilot
and associated revenues and expenditures

Final Action:

Title: Amending the Parks Division 2025 Adopted Operating Budget to remove the paid
parking pilot and associated revenues and expenditures

Notes:

Sponsors: Tag Evers And Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: ckoh@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Department	11/21/2024	Referred for Introduction				
Action Text: This Resolution was Referred for Introduction							
Notes: Finance Committee (12/2/24), Common Council (12/10/24)							

Text of Legislative File 86251

Fiscal Note

The proposed resolution amends the Parks Division 2025 Adopted Operating budget by removing authorization for a paid parking pilot and associated revenues and expenses. The paid parking pilot was adopted by the Finance Committee on October 28, 2024. This amendment anticipated the pilot would cost \$15,100 in staffing, supplies, and equipment, and generate \$39,000 in agency revenues.

Removing the expenses and revenues from the Parks Division budget results in a net reduction of the Parks budget of \$23,900. The total general fund budget for the Parks Division in 2025 is \$17.27 million. The reduction of \$23,900 would be in addition to a 1% budget reduction that is required from all general fund agencies (\$170,440), and a 3% salary savings rate (\$325,810), for a total reduction target of \$520,150. The Parks Division and Finance Department will monitor the budget throughout 2025 to determine how Parks is achieving its reduction targets

and if any transfers are needed.

Title

Amending the Parks Division 2025 Adopted Operating Budget to remove the paid parking pilot and associated revenues and expenditures

Body

WHEREAS, the Finance Committee adopted an amendment to the 2025 Operating Budget on October 28, 2024, to establish a one-year paid parking pilot in the Parks Division; and,

WHEREAS, the Finance Committee amendment anticipated the pilot would cost \$15,100 for staffing, supplies, and equipment, and would generate \$39,000 in agency revenues, for a net revenue of \$23,900; and,

WHEREAS, the Finance Committee amendment was adopted prior to the passage of the municipal property tax levy referendum ("City Referendum") on November 5, 2024, which authorized a \$22 million increase to the property tax levy to support City services; and,

WHEREAS, the passage of the City Referendum resulted in the City avoiding major service reductions and use of one-time funds to balance the 2025 budget; and,

WHEREAS, establishing a paid parking program would be a significant change in how the Parks Division manages City parkland; and,

WHEREAS, removing authorization for the paid parking pilot and associated revenues and expenses would reduce the Parks Division's overall budget by \$23,900.

NOW THEREFORE BE IT RESOLVED that the 2025 Parks Division Operating Budget is amended to remove authorization of the paid parking pilot program and associated revenues and expenses; and,

BE IF FINALLY RESOLVED that the Parks Division will absorb the \$23,900 net revenue loss within their adopted budget without an additional appropriation.



City of Madison

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

Master

File Number: 85851

File ID: 85851

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/24/2024

File Name: CLAIM: Madison Gas and Electric - Property
Damage - \$4,019.94

Final Action:

Title: Madison Gas and Electric - Property Damage - \$4,019.94

Notes: EVL06014

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 85851

Title

Madison Gas and Electric - Property Damage - \$4,019.94

Body

Claim received 10/15/2024.



City of Madison

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

Master

File Number: 85856

File ID: 85856

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/25/2024

File Name: CLAIM: L. Downing - Building Expenses - \$26,357.00

Final Action:

Title: L. Downing - Building Expenses - \$26,357.00

Notes: EVL006016

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 85856

Title

L. Downing - Building Expenses - \$26,357.00

Body

Claim received 10/24/2024.



City of Madison

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

Master

File Number: 85904

File ID: 85904

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/30/2024

File Name: CLAIM: P. OLeary - Personal Injury - \$10,000,000.00

Final Action:

Title: P. OLeary - Personal Injury - \$10,000,000.00

Notes: EVL006027

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 85904

Title

P. OLeary - Personal Injury - \$10,000,000.00

Body

Claim received 10/26/2024.



City of Madison

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

Master

File Number: 85907

File ID: 85907

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 10/30/2024

File Name: CLAIM: Garver Properties LLC - Property Damage -
\$14,558.00

Final Action:

Title: Garver Properties LLC - Property Damage - \$14,558.00

Notes: EVL006028

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 85907

Title

Garver Properties LLC - Property Damage - \$14,558.00

Body

Claim received 10/25/2024.



City of Madison

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

Master

File Number: 86009

File ID: 86009

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/08/2024

File Name: CLAIM: C. Murphy - Vehicle Damage - \$327.37

Final Action:

Title: C. Murphy - Vehicle Damage - \$327.37

Notes: EVL006055

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86009

Title

C. Murphy - Vehicle Damage - \$327.37

Body

Claim received 11/2/2024.



City of Madison

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

Master

File Number: 86017

File ID: 86017

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/08/2024

File Name: CLAIM: A. Thao - Vehicle Damage - \$3,500.00

Final Action:

Title: A. Thao - Vehicle Damage - \$3,500.00

Notes: EVL006057

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86017

Title

A. Thao - Vehicle Damage - \$3,500.00

Body

Claim received 11/6/2024.



City of Madison

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

Master

File Number: 86059

File ID: 86059

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/13/2024

File Name: CLAIM: Progressive for M. Bravo - Personal Injury - \$550.55

Final Action:

Title: Progressive for M. Bravo - Personal Injury - \$550.55

Notes: TMI CLAIM

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86059

Title

Progressive for M. Bravo - Personal Injury - \$550.55

Body

Claim received 11/08/2024.



City of Madison

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

Master

File Number: 86110

File ID: 86110

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/15/2024

File Name: CLAIM: Rural Insurance Company - Vehicle Damage
- \$5,500.00

Final Action:

Title: Rural Insurance Company - Vehicle Damage - \$5,500.00

Notes: EVL006063

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86110

Title

Rural Insurance Company - Vehicle Damage - \$5,500.00

Body

Claim received 11/13/2024.



City of Madison

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

Master

File Number: 86116

File ID: 86116

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/15/2024

File Name: CLAIM: J. Cappaert - Vehicle Damage - \$5,600.00

Final Action:

Title: J. Cappaert - Vehicle Damage - \$5,600.00

Notes: EVL006065

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86116

Title

J. Cappaert - Vehicle Damage - \$5,600.00

Body

Claim received 11/13/2024.



City of Madison

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

Master

File Number: 86119

File ID: 86119

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/15/2024

File Name: CLAIM: M. Hackworthy - Property Damage -
\$68,500.00

Final Action:

Title: M. Hackworthy - Property Damage - \$68,500.00

Notes: EVL006066

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86119

Title

M. Hackworthy - Property Damage - \$68,500.00

Body

Claim received 11/15/2024.



City of Madison

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

Master

File Number: 86156

File ID: 86156

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/19/2024

File Name: CLAIM: T. Boyd - Property Loss - \$3,000.00

Final Action:

Title: T. Boyd - Property Loss - \$3,000.00

Notes: EVL006074

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86156

Title

T. Boyd - Property Loss - \$3,000.00

Body

Claim received 11/15/2024.



City of Madison

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

Master

File Number: 86159

File ID: 86159

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/19/2024

File Name: CLAIM: SubrolQ for A. Carlos - Vehicle Damage - \$3,818.02

Final Action:

Title: SubrolQ for A. Carlos - Vehicle Damage - \$3,818.02

Notes: EVL006076

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86159

Title

SubrolQ for A. Carlos - Vehicle Damage - \$3,818.02

Body

Claim received 11/12/2024.



City of Madison

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

Master

File Number: 86164

File ID: 86164

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/19/2024

File Name: CLAIM: B. Beer - Property Damage/Loss - \$39.99

Final Action:

Title: B. Beer - Property Damage/Loss - \$39.99

Notes: EVL006079

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86164

Title

B. Beer - Property Damage/Loss - \$39.99

Body

Claim received 11/14/2024.



City of Madison

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

Master

File Number: 86173

File ID: 86173

File Type: Claim

Status: Risk Business

Version: 1

Reference:

Controlling Body: Risk Manager

File Created Date : 11/19/2024

File Name: CLAIM: Farmers Insurance for E. Rausch - Vehicle
Damage - \$2,620.56

Final Action:

Title: Farmers Insurance for E. Rausch - Vehicle Damage - \$2,620.56

Notes: EVL006081

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:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File 86173

Title

Farmers Insurance for E. Rausch - Vehicle Damage - \$2,620.56

Body

Claim received 11/18/2024.

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



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: Madison Development Corporation **Representative, if any:** Lorrie
Street address: 550 W. Washington Avenue **City/State/Zip:** Madison, WI 53703
Telephone: 608.535-4572 direct **Email:** Lorrie@mdcorp.org

Firm Preparing Survey: Burse Surveying and Engineering, Inc. **Contact:** Michelle L. Burse
Street address: 2801 International Lane, Suite 101 **City/State/Zip:** Madison, WI, 53704
Telephone: 608.250-9263 **Email:** mburse@bse-inc.net

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: 427, 423 and 425 W Mifflin Street, Madison, WI 53703
Tax Parcel Number(s): 251/0709-231-1613-5, 251/0709-231-1611-9 and 251/0709-231-1612-7
Zoning District(s) of Proposed Lots: DR-2 **School District:** Madison

- 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		0.4
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	1		.4

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: Lorrie Heinemann

Signature: 

9/26/2024

Date: _____ Interest In Property On This Date: Owner