



Legislation Details (With Text)

File #: 80105 **Version:** 1 **Name:** Authorizing the Mayor and City Clerk execute a use agreement with Rutabaga Paddlesports LLC to conduct rental, instructional, non-alcoholic concession and other recreational activities at the Olbrich Beach House for 2024-2030 (District 14 and District 15)

Type: Resolution **Status:** Passed

File created: 9/27/2023 **In control:** FINANCE COMMITTEE

On agenda: 10/17/2023 **Final action:** 10/17/2023

Enactment date: 10/19/2023 **Enactment #:** RES-23-00655

Title: Authorizing the Mayor and City Clerk execute a use agreement with Rutabaga Paddlesports LLC to conduct rental, instructional, non-alcoholic concession and other recreational activities at the Olbrich Park Beach House for the years 2024-2030 (District 14 and District 15).

Sponsors: Dina Nina Martinez-Rutherford, Yannette Figueroa Cole, Isadore Knox Jr.

Indexes:

Code sections:

Attachments: 1. Use Agreement (Rutabaga Olbrich) (2024-2030) (Final).pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------------|---|--------|
| 10/17/2023 | 1 | COMMON COUNCIL | Adopt | Pass |
| 10/11/2023 | 1 | BOARD OF PARK COMMISSIONERS | Return to Lead with the Recommendation for Approval | Pass |
| 10/9/2023 | 1 | FINANCE COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 10/3/2023 | 1 | FINANCE COMMITTEE | Refer | |
| 10/3/2023 | 1 | COMMON COUNCIL | Refer | Pass |
| 9/27/2023 | 1 | Parks Division | Referred for Introduction | |

Fiscal Note

The proposed resolution authorizes up to a 7-year agreement with Rutabaga Paddlesports LLC at Olbrich Park. The agreement will set forth the terms and conditions upon which the City will allow Rutabaga Paddlesports LLC to conduct water sport equipment rental and instructional programs, run day camps, sell non-alcoholic concession products, and related products at the Olbrich Park Beach House. Rutabaga Paddlesports LLC will pay the City an anticipated \$66,704 over the seven (7) years of the agreement and make a minimum of \$5,000 in capital improvements to the City's facilities. These revenues will be recognized in the Parks Division Operating Budget. No additional appropriation is required.

Title

Authorizing the Mayor and City Clerk execute a use agreement with Rutabaga Paddlesports LLC to conduct rental, instructional, non-alcoholic concession and other recreational activities at the Olbrich Park Beach House for the years 2024-2030 (District 14 and District 15).

Body

WHEREAS, for many years, vendors have entered into agreements with the City allowing vendors to provide recreational and concession services to City residents and visitors at City shelters and facilities located at

numerous City parks, which agreements are in the public's interests as they facilitate greater access and enjoyment of the City's parks, lakes, and recreational opportunities; and,

WHEREAS, the vendors provide services to City residents and visitors, such as canoeing, kayaking, and boating lessons, watercraft rentals, kids camps, and food and general concessions, that the City does not, and cannot, otherwise provide at these, or other, locations, but that are in the public's interest, which services help the City with its placemaking efforts at the City's parks; and,

WHEREAS, it is in the City's interest to have only one vendor of these recreational and concession services at each Park to ensure that general public's use of the Park is not interfered with, and that the vendor complies with general standards of safety and care in its dealings with the public; and,

WHEREAS, Permittee is a local company, specializing in outdoor recreation and water sports, that has been operating in the Madison area for forty-five years. In addition to its retail business, Permittee currently has a popular rental and instructional program and believes that it can expand to other locations to better serve the community; and,

WHEREAS, in 2016, following a Request for Proposals Process, Permittee was selected to provide recreational and non-alcoholic concession services at the Olbrich Beach House in Olbrich Park, and has successfully provided these services to the public under the terms of a 2017 Use Agreement that expires on December 31, 2023; and,

WHEREAS, based upon Permittee's performance under the 2017 Use Agreement, the Parties wish to enter into a new agreement to extend Permittee's use of the Olbrich Beach House, and to allow for expended uses of other City park property.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to execute an Agreement with Rutabaga Paddlesports LLC, for recreational and non-alcoholic concession services at Olbrich Beach House in Olbrich Park, for an initial term from January 1, 2024 through December 31, 2026, with two optional renewal terms of two-years each, in a format that is approved by the City Attorney and Risk Manager and that is consistent with the agreements attached hereto.