



Legislation Details (With Text)

File #: 37032 **Version:** 1 **Name:** To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Wingra Canoe and Sailing Center, Inc. at Vilas and Wingra Parks for a ten year period, with the possibility of one additional five year renewal.

Type: Resolution **Status:** Passed

File created: 1/28/2015 **In control:** BOARD OF PARK COMMISSIONERS

On agenda: 3/3/2015 **Final action:** 3/3/2015

Enactment date: 3/5/2015 **Enactment #:** RES-15-00181

Title: To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Wingra Canoe and Sailing Center, Inc. covering boat livery and concession operations utilizing certain lands and buildings at Vilas Park and Wingra Park for a ten year period from 2015 to 2024, with the possibility of one additional five year renewal.

Sponsors: Mark Clear, Joseph R. Clausius, Lucas Dailey

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------------------|---|--------|
| 3/3/2015 | 1 | COMMON COUNCIL | Adopt | Pass |
| 2/25/2015 | 1 | BOARD OF PARK COMMISSIONERS | Return to Lead with the Recommendation for Approval | |
| 2/16/2015 | 1 | BOARD OF ESTIMATES (ended 4/2017) | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 2/3/2015 | 1 | BOARD OF ESTIMATES (ended 4/2017) | Refer | |
| 2/3/2015 | 1 | COMMON COUNCIL | Referred | |
| 1/28/2015 | 1 | Parks Division | Referred for Introduction | |

Fiscal Note

Under the terms of the operating agreement, and in addition to the permit fee required, the permittee will make annual user fee payments throughout the term of the contract. The user fee payments escalate over the ten year term, starting at a \$6,000 annual payment in 2015. The agreement includes a provision for capital investments made to the facility. These improvements will be approved by the City and owned by the City after completion. All such approved, completed and documented expenses up to \$100,000 over the term of the agreement will be eligible for a user fee reduction of 50% of the value of the improvements. The agreement also includes an annual reimbursement of utility costs of \$2,500 towards the cost of utilities for Wingra and Vilas Parks. The reimbursement of expenses and the permit use payments are budgeted for in the 2015 Parks Division Operating Budget. No appropriation is required, nor is any impact upon cost controls anticipated.

Title

To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Wingra Canoe and Sailing Center, Inc. covering boat livery and concession operations utilizing certain lands and buildings at Vilas Park and Wingra Park for a ten year period from 2015 to 2024, with the possibility of one additional five year renewal.

Body

WHEREAS, the City has leased boat livery space to Wingra Canoe and Sailing Center, Inc. for approximately fifty years so that Madison area residents would have the opportunity to public access to Lake Wingra. In 2009, Wingra Canoe and Sailing Center, Inc. expanded its operations to include the Beach House at Vilas Park. The Wingra Canoe and Sailing Center, Inc. desires to continue to lease the same park area and buildings in Vilas Park and in Wingra Park for its boat livery operation. It is determined that the grant of such an operating agreement is in the public interest as it will facilitate Madison area residents with public boating access to Lake Wingra.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to sign an Operating Agreement with Wingra Canoe and Sailing Center, Inc. (the "Permittee) to utilize park areas and buildings in Vilas Park and Wingra Park, as more particularly described and depicted in the Agreement, to maintain and operate a boat livery operation and programs for a term of ten (10) years, and run from April 15, 2015 to April 14, 2024, with the possibility of one additional, five (5) year renewal term; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute any and all additional documents that may be required to execute this agreement; and

BE IT FURTHER RESOLVED that all such agreements shall be in a form approved by the Risk Manager and the City Attorney.