



Legislation Details (With Text)

File #: 76460 **Version:** 1 **Name:** Authorizing the City to execute an agreement with Pontoon Porch LLC to use the Law Park area, the nearby Monona Terrace property, and Olin Park boat launch for picking-up and dropping-off passengers as part of the operation of User's pontoon boat rental b

Type: Resolution **Status:** Passed

File created: 2/27/2023 **In control:** Parks Division

On agenda: 3/21/2023 **Final action:** 3/21/2023

Enactment date: 3/24/2023 **Enactment #:** RES-23-00263

Title: Authorizing the City to execute an agreement with Pontoon Porch LLC to use the Law Park area, the nearby Monona Terrace property, and Olin Park boat launch for picking-up and dropping-off passengers as part of the operation of User's pontoon boat rental business for the years of 2023-2026.

Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. Pontoon Porch Pier Use Agreement (Law Park) (2023-2026).pdf

Date	Ver.	Action By	Action	Result
3/21/2023	1	COMMON COUNCIL	Adopt Unanimously	Pass
3/13/2023	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/8/2023	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
3/7/2023	1	FINANCE COMMITTEE	Refer	
3/7/2023	1	COMMON COUNCIL	Refer	Pass
2/27/2023	1	Parks Division	Referred for Introduction	

Fiscal Note

The proposed resolution authorizes an agreement through December 31, 2023, with Pontoon Porch LLC which allows them to use areas surrounding Law Park, Olin Park, and the nearby Monona Terrace property for picking-up and dropping-off passengers as part of the operation of a pontoon boat rental business. The agreement may be renewed for three additional one-year periods. Pontoon Porch LLC will pay the City up to \$50,600 over the lifetime of the agreement (\$12,200 in 2023, \$12,500 in 2024, \$12,800 in 2025, and \$13,100 in 2026). The 2023 revenue is included in the Parks Division operating budget. No additional appropriation is required.

Title

Authorizing the City to execute an agreement with Pontoon Porch LLC to use the Law Park area, the nearby Monona Terrace property, and Olin Park boat launch for picking-up and dropping-off passengers as part of the operation of User's pontoon boat rental business for the years of 2023-2026.

Body

WHEREAS, the City is the owner of certain park lands in the City of Madison, Dane County, Wisconsin, including Law Park; and,

WHEREAS, within Law Park the City of Madison Parks Division (“MPD”) has provided certain amenities to encourage the use of Law Park and the enjoyment of the urban lakeshore, including an accessible pier located in the lakeshore area immediately southwest and adjacent to the Monona Terrace Community and Convention Center (“Monona Terrace”) roughly at South Fairchild Street extended and approximately 100 feet northeast of the Monona Terrace driveway off of John Nolen Drive, (“Premises”); and,

WHEREAS, within Olin park, the MPD operates a public boat launch, which launch includes piers and a parking area for launch users; and,

WHEREAS, User operates a commercial pontoon boat rental operation where small groups are able to rent an accessible double-decker pontoon boat for private outings on Lake Monona for two to three hours at a time, with the User provided operator transporting the customers to various locations on Lake Monona to allow the customers to engage in recreational activities such as swimming and fishing from the pontoon, or simply to enjoy the Lake; and,

WHEREAS, there are limited private points of access on Lake Monona that can accommodate the loading and unloading of passengers for a commercial boat rental operation; and,

WHEREAS, since 2013, User and the City have entered into a series of Pier Use Agreements wherein User was allowed to use the Premises for picking-up and dropping-off passengers as part of User’s pontoon boat rental business, the most recent agreement expiring on December 31, 2022; and,

WHEREAS, User and the City desire to renew the pier use agreement to allow for User’s continued use of the Premises as part of User’s pontoon boat rental business; and

WHEREAS, through 2021, the City was not able to allow User to use the City’s piers in Olin Park due to a separate lease agreement that has since expired. User would like to use the Olin Park boat launch piers for loading and unloading purposes on three (3) occasions each contract year, which use is agreeable to the Parks Division.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to enter into a pier use agreement with Pontoon Porch LLC to use the Olin Park boat launch, the Law Park boat launch and surrounding area, and the nearby Monona Terrace property, for picking-up and dropping-off passengers as part of the operation of User’s pontoon boat rental business on a form and in a manner that has been approved by the City Attorney and Risk Manager and on terms consistent with the attached Pier Use Agreement.