



## Legislation Details (With Text)

**File #:** 30755      **Version:** 1      **Name:** Madison Sailing Center (Krebs) 2013 Agreement  
**Type:** Resolution      **Status:** Passed  
**File created:** 6/26/2013      **In control:** BOARD OF ESTIMATES (ended 4/2017)  
**On agenda:** 7/16/2013      **Final action:** 7/16/2013  
**Enactment date:** 7/22/2013      **Enactment #:** RES-13-00554

**Title:** To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Robert Krebs, d/b/a The Madison Sailing Center. at Warner Park for a period of 3 years with the possibility of two (2) one-year renewals.

**Sponsors:** Joseph R. Clausius, Mark Clear

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/16/2013	1	COMMON COUNCIL	Adopt	Pass
7/10/2013	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/8/2013	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
7/2/2013	1	BOARD OF PARK COMMISSIONERS	Refer	
7/2/2013	1	COMMON COUNCIL	Refer	Pass
6/26/2013	1	Parks Division	Referred for Introduction	

### Fiscal Note

Under the terms of the operating agreement, revenue of \$19,000 is anticipated over the term of the agreement. These revenues will be recognized in the Operating Budget as follows \$3,400 in 2013, \$3,600 in 2014, \$3,800 in 2015, \$4,000 in 2016, \$4,200 in 2017. The permittee will also pay for utilities. Operating lease payments shall be made in thirds, due no later than May 15<sup>th</sup>, July 1<sup>st</sup>, and September 1<sup>st</sup> of each year. All permits shall be paid pursuant to the issuing agency's policies. No appropriation is required, nor is any impact upon the tax levy anticipated.

### Title

To authorize the Mayor and City Clerk to enter into an Operating Agreement between the City of Madison and Robert Krebs, d/b/a The Madison Sailing Center. at Warner Park for a period of 3 years with the possibility of two (2) one-year renewals.

### Body

#### PREAMBLE

The City of Madison has leased space to Robert Krebs, d/b/a The Madison Sailing Center for the past fourteen (14) years for the purpose of allowing Madison area residents to have the opportunity to store their sailing craft. Robert Krebs, d/b/a The Madison Sailing Center desires to continue to the agreement for space in Warner Park to maintain and operate a small sailboat storage area and to provide rentals and instruction for canoe, kayaks and small non-motorized boats as well as to provide concessions. 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 Mendota.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to sign an Operating Agreement with Robert Krebs, d/b/a The Madison Sailing Center (the "Permittee") to utilize park area in Warner Park, as more particularly described and depicted in the Agreement, to maintain and operate a small sailboat storage area and to provide rentals and instructions for canoes, kayaks and small non-motorized boats as well as to provide concessions, to include the following terms, and subject to the conditions contained in the Operating Agreement:

1. The Operating Agreement shall be for a term of three (3) years, with the possibility for two (2) one (1) year extensions, and run from April 15, 2013 to April 14, 2016, with possible one (1) year extensions in 2016-2017 and 2017-2018.
2. The Permittee shall pay to the City annual rent according to the payment schedule in the Operating Agreement. Payments shall be in thirds due no later than May 15, July 1, and September 1, of each permit year.
3. The Permittee shall pay for all utilities and appropriate permits pursuant to the issuing agency's policies .

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 complete this transaction.

BE IT FINALLY RESOLVED, that all such agreements shall be in a form approved by the Risk Manager and the City Attorney, and shall only be effective upon authorization of this agreement by the Board of Park Commissioners.