Legislation Details (With Text)

File #:	65094	**Version:**	1	**Name:**	Authorizing the City to execute an agreement with Pontoon Porch LLC to use the surrounding Law Park 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 fo
Type:	Resolution			**Status:**	Passed
File created:	4/14/2021			**In control:**	Parks Division
On agenda:	4/20/2021			**Final action:**	5/18/2021
Enactment date:	5/24/2021			**Enactment #:**	RES-21-00342

Title: Authorizing the City to execute an agreement with Pontoon Porch LLC to use the surrounding Law Park 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 for the years of 2021-2022.

Sponsors: Tag Evers, Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. Pontoon Porch Pier Use Agreement (Law Park) (2021-2022).pdf

Date	Ver.	Action By	Action	Result
5/18/2021	1	COMMON COUNCIL	Adopt	Pass
5/12/2021	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/20/2021	1	COMMON COUNCIL	Refer	Pass
4/14/2021	1	Parks Division	Referred for Introduction	

Fiscal Note

The proposed resolution authorizes an agreement with Pontoon Porch LLC at Law Park from the effective date of this Agreement through December 31, 2021. This agreement may be renewed for one additional one-year period. The agreement sets forth the terms and conditions upon which the City will allow Pontoon Porch LLC to use the surrounding Law Park area and the nearby Monona Terrace property for picking-up and dropping-off passengers as part of the operation of the User's pontoon boat rental business. Pontoon Porch LLC will pay the City up to $23,424 over the lifetime of the agreement ($11,539 in 2021 and $11,885 in 2022). These revenues will be recognized in the Parks Division Operating Budget.

Title

Authorizing the City to execute an agreement with Pontoon Porch LLC to use the surrounding Law Park 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 for the years of 2021-2022.

Body

WHEREAS, the City is the owner of certain park lands in the City of Madison, Dane County, Wisconsin, known as Law Park, which park lies between John Nolen Drive and Lake Monona, from roughly North Shore Drive extended northeast to South Blair Street extended; 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, as shown on attached Exhibit A (“Premises”); 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, in 2013, User and the City entered into a Pier Use Agreement wherein User was allowed to use the Premises for picking-up and dropping-off passengers as part of User’s pontoon boat rental business, which agreement expired December 31, 2017; and,

WHEREAS, in 2018, User and the City entered into a successor agreement to the Pier Use Agreement that expired on December 31, 2020; 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.

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 surrounding Law Park 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 in 2021 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, with the option of renewing in 2022.