

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: April 19, 2024

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy D. Smith, Executive Director, Milwaukee County Parks

Subject: Lease Agreement with UW-Extension for community gardens.

File Type: Action Report

REQUEST

From the Executive Director of Milwaukee of County Parks, requesting authorization to enter into a Lease Agreement with UW-Extension for community gardens within Oak Creek Parkway, Kohl, Rainbow, Cupertino, and Underwood Parkway Parks.

POLICY

§ 59.17(2)(b)3., Wis. Stats., states that the “county board may continue to exercise the authority under s. 59.52(6) with regard to land that is zoned as a park...”. In the law of property, authority over “land” includes authority over all rights appurtenant to the land.

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| Wisconsin State Statutes: | 59.17(2)(b)3 |
| Milwaukee County Code of General Ordinances: | |
| Specific Adopted Budget: | |
| Specific Adopted Budget Amendment: | |
| Specific Adopted Capital Project: | |

BACKGROUND

Milwaukee County Parks (Parks) and the UW-Extension community gardens programs have partnered for years to provide gardens that are available to the public. In 2018, Parks and UW Extension entered into an overarching Lease Agreement (Lease) that sought to memorialize the relationship between the two parties at various locations.

Since the original agreement was executed in 2018, UW-Extension has undergone changes in its organizational structure. Later that same year, UW Extension joined UW Madison and became UW Madison Extension. In addition, UW Board’s policy is for all agreements to be five years terms, although five-year extensions are allowed if defined in the contract. The 2018 agreement with Parks was for 10 years, which thus requires a new agreement to be created.

The locations that are included are portions of the following, and are also described in the Lease:

- Forest Hill – 9 acres located in the Oak Creek Parkway at 1800 East Forest Hill Avenue in Oak Creek
- Kohl Park – 46.8 acres located at 7603 West County Line Road in Milwaukee
- Rainbow Park – 0.5 acres located at 700 South 119th Street in West Allis
- Cupertino Park – 1,630 square feet located at 2000 East Iron Street in Milwaukee
- Firefly Ridge – 9 acres located in Underwood Parkway at 10261 Underwood Parkway in Wauwatosa

Two sites that were in the 2018 agreement are not included in this new lease. The site at Moody Park is now managed by COA Youth & Family Centers under a separate agreement. The site at Sherman Park was abandoned by UW Extension in 2020 and was removed by UW Extension in 2022 after Parks determined the site was not compliant with certain provision of the 2018 agreement.

The proposed Lease between Parks and UW-Extension is attached to this file. For reference, the general terms are as follows:

- Use – UW-Extension would operate the community garden program in the same manner as is done under the existing 2018 agreement.
- Term – 5 years with three (3) additional 5-year extensions if both parties agree.
- Fees
 - UW-Extension will offer educational programs to Milwaukee County residents.
 - UW-Extension will pay water costs and tractor depreciation/maintenance costs to Parks
- Annual Report – UW-Extension will provide the County with an annual report of activities at the lease locations no later than March 1 of each term year.
- Litter – UW-Extension will be responsible for the daily upkeep of all sites, including trash and litter removal.

Under this relationship, Parks and UW-Extension would continue to collaborate on programming to ensure that all members of the public have access to community garden resources.

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| Related File No's: | 18-316 |
| Associated File No's (Including Transfer Packets): | |
| Previous Action Date(s): | 6/21/2018 |

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

- 1B: Create and nurture an inclusive culture across County government
- 3B: Enhance the County's fiscal health and sustainability

FISCAL EFFECT

- No fiscal impact to the County

VIRTUAL MEETING INVITES

Martin Ventura, Urban Ag and Community Gardens Outreach Specialist, UW Madison
Division of Extension (mkventura@wisc.edu)

Jerry Braatz, Area Director, UW Madison Division Extension (jerold.braatz@wisc.edu)

PREPARED BY:

Peter Bratt, Director of Operations and Skilled Trades, Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks *Guy Smith*

ATTACHMENTS:

- Resolution
- Fiscal Note
- A1 Lease Agreement
- A2 Maps of Lease locations
- A3 Presentation

CC:

David Crowley, County Executive

Mary Jo Meyers, Chief of Staff, County Executive's Office

Comm on Parks & Culture Chair

Comm on Parks & Culture Members

Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors

Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk

Aaron Hertzberg, Director, Department of Administrative Services

Joseph Lamers, Fiscal & Budget Director, DAS

Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS

Pamela Bryant, Capital Finance Manager, Comptroller's Office

Justin Rodriguez, Capital Finance Analyst, Comptroller's Office

Allyson R. Smith, Committee Coordinator, Office of the County Clerk

Ciara Miller, Research & Policy Analyst, Office of the Comptroller

Anthony Rux, Budget & Management Analyst, DAS-PSB