

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: May 19, 2023

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

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: From the Executive Director of Milwaukee of County Parks, requesting authorization to enter into certain agreements with The Ability Center for the construction and long-term maintenance of a universal park at Wisconsin Avenue Park, including a 25-year lease of the park clubhouse with two 25-year renewals, and the authority to rename the park to Moss Universal Park in recognition of the generous donation of the George F. Moss Charitable Trust, and the authority to grant utility and/or sewer easements necessary for the project

File Type: Action Report

REQUEST

The Executive Director of Milwaukee County Parks (MCP) is requesting authorization to enter into certain agreements with The Ability Center for the construction and long-term maintenance of a universal park at Wisconsin Avenue Park, including Development Agreements for Phase I and Phase II of construction, necessary maintenance agreements including an endowment for maintenance, a 25-year lease of the park clubhouse with two 25-year renewals, and necessary utility and sewer easements. Additionally, the Executive Director is requesting the authority to rename the park to Moss Universal Park in recognition of the generous donation of the George F. Moss Charitable Trust.

POLICY

Wis. Stat. § 59.17(2)(b)3. 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. Milwaukee County Code of General Ordinances 56.10 requires County Board approval for leases longer than 1 year.

Wisconsin State Statutes:	§ 59.17(2)(b)3
Milwaukee County Code of General Ordinances:	56.10 - Procedures for leasing of county owned land or building space
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

BACKGROUND

Milwaukee County Park (MCP) provided an informational report in September of 2022 in File No. 22-928 and an updated report in March of 2023 in File No. 23-311 regarding the possibility of a partnership with AFAR, Inc. d/b/a The Ability Center (TAC) is a 501(c)(3) nonprofit whose goal is to provide a higher quality of life for people of all abilities by transforming greater Milwaukee into the most universally inclusive recreation destination in the world, to construct a Universal Park at Wisconsin Avenue Park (10300 W. Wisconsin Avenue) within the Milwaukee County Parks system.

This project will create the first entirely accessible park in Southeast Wisconsin. This will make the entire Park – all 17 acres – accessible to EVERY visitor to the Park. This project is a collaborative effort with many partners including GameTime, one of the country's leading recreation industry equipment providers, and the YMCA of Metropolitan Milwaukee. Wisconsin Avenue's Universal Park will set the inclusion standard for future parks and provide accessible equity for Milwaukee, and the entire region.

Progress on this project continues to move forward and MCP is now requesting authorization to enter into agreements with TAC necessary for construction and long-term maintenance of the universal park at Wisconsin Avenue Park including a 25-year lease with TAC with two 25-year renewals and the authority to execute any utility and/or sewer easements necessary for the construction of the project.

The project is proposed to be completed in two phases. The first phase will include a renovated park clubhouse, universal fields, improved and accessible restrooms, and adjacent accessible playground spaces.

Phase two of the proposed project will include a meandering half-mile path through the hardwood forest, fitness stations, activity areas, an inclusive challenge course, and sensory destinations.

The total cost of the project is estimated at \$10M, with all funding being provided by TAC through public and private funders. The George F. Moss Charitable Trust has committed \$2.5 million to the project, \$1,162,325 through the Milwaukee Metropolitan Sewerage District Partnership Program, \$500,000 from the YMCA of Metropolitan Milwaukee, and \$100,000 from the Daniel M. Soref Charitable Trust, \$50,000 from the Anon Foundation, and over \$40,000 in individual donations.

Due to the generous donation of the George F. Moss Charitable Trust, TAC, with support from MCP, is requesting that Wisconsin Avenue Park be renamed the Moss Universal Park.

TAC, in conjunction with MCP, held three public meetings and conducted a public input survey to gauge the support for a universal park and receive input on needed amenities. The community has shown overwhelming support for the project.

A plan for the ceremonial groundbreaking to occur on July 26, 2023, which is the date the Americans with Disabilities Act (ADA) was signed into law.

Related File No's:	22-928 , 23-311
Associated File No's (Including Transfer Packets):	18-869, 19-60, 19-444
Previous Action Date(s):	

ALIGNMENT TO STRATEGIC PLAN

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

This proposal supports the strategic plan of Milwaukee County through objectives:

- 2A: Determine what, where, and how we deliver services to advance health equity
- 2C: Apply a racial equity lens to all decisions
- 3A: Invest “upstream” to address root causes of health disparities
- 3B: Enhance the County’s fiscal health and sustainability
- 3C: Dismantle barriers to diverse and inclusive communities

In Wisconsin, opportunities for children and adults with disabilities to be fit, active and healthy are not only limited, but they leave much to be desired when compared to our surrounding Midwest states (2A). This Park will be a catalyst for change in Milwaukee, Wisconsin, and the country.

In addition to economic difficulties, Greater Milwaukee needs to, and can do, better for a population that comprises 11.5% of the population in Southeast Wisconsin; approximately 247,000 people in this area report a disability. That includes nearly 189,000 people in greater Milwaukee (17,700 children), with about 50% residing in Milwaukee County alone (123,000 including 11,000 school-aged children). This is just those with a disability; statistically 2 out of 7 families are impacted by disabilities and seeking opportunities to play, TOGETHER. These are just some of the tens of thousands of reasons why The Ability Center has forged ahead over the last decade to create inclusive spaces (3C).

This group also sees a significant increase in health disparities across all categories — from physical and mental health to secondary conditions of obesity, diabetes and heart disease. Health care services as a whole are far from equitable. With disability on the rise in America (1 in 4, 26%, 61 million people) and disability-associated health care expenditures accounting for 26.7% of all health care — the need for equitable, DAILY, and hourly access to programs and services that provide an outlet for those with disabilities to be well are vital to a sustainable economy, community, and healthcare system (2C & 3A). 54% of people with disabilities engage in no leisure-time physical activity and youth are leading increasingly sedentary lifestyles, exacerbating existing and future health issues.

Partnerships with organization such as The Ability Center enhance the County's fiscal health and sustainability by providing enhancements to our park system that would not be possible without the partnership. This project is estimated to include \$10M in improvements to Wisconsin Avenue Park and TAC will additionally be providing an endowment fund for the long-term maintenance of the improvements (3B).

FISCAL EFFECT

No use of County funds. Existing staff time will be utilized. TAC is creating an endowment for long-term maintenance of the universal park, which will reduce future budget year's maintenance needs for the park. Depending on the community usage of the park and the increase in amenities, there may be increased operational costs in future budget years, which may be offset by increased revenue from rentals and use of the fields.

TERMS

- Development Agreements (Phase I and Phase II)
 - 18 months to begin construction
 - 36 months to finish construction once started
 - 100% financing required prior to start of construction
 - Maintenance Agreement completed prior to start of construction
 - Endowment funded prior to start of construction
 - Indemnify County, including environmental indemnification
- Lease Agreement
 - 25-year term with two 25-year renewals
 - Renewals based on the continued funding of the maintenance endowment for the universal park
 - Rent of \$1 year
 - Pay proportionate share of utility costs
 - Provide maintenance of leased space and HVAC
 - Public restrooms outside the leased area are the responsibility of MCP

VIRTUAL MEETING INVITES

Guy Smith, Executive Director Milwaukee County Parks

Damian Buchman, Founder and Executive Director, Damian@tacwi.org

Joe Zwier, Universal Community Project Manager, joe@tacwi.org

Courtney K. Rogaczewski, Managing Director, courtney@tacwi.org

PREPARED BY:

Erica Goblet, Contracts Manager, Milwaukee County Parks

APPROVED BY:

Guy Smith, Executive Director Milwaukee County Parks



ATTACHMENTS:

Resolution/Ordinance

Fiscal Note
Lease Term Sheet
DRAFT Development Agreement Phase I
DRAFT Development Agreement Phase II
PowerPoint

CC:

David Crowley, County Executive
Mary Jo Meyers, Chief of Staff, County Executive's Office
Sheldon Wasserman, Supervisor District 3, PEEC Chair
Steven Shea, Supervisor District 8, PEEC Vice Chair
Felesia Martin, Supervisor District 7, PEEC Member
Juan Miguel Martinez, Supervisor District 12, PEEC Member
Steve Taylor, Supervisor District 17, PEEC Member
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
Kelsey Evans, Committee Coordinator, Office of the County Clerk
Ciara Miller, Research & Policy Analyst, Office of the Comptroller
Anthony Rux, Budget & Management Analyst, DAS-PSB