

CITY OF WAUWATOSA
MEMO



To: **Government Affairs Committee**

From: **David Simpson, Director of Public Works**

Date: **May 22, 2023**

Subject: **Memo from the Director of Public Works recommending approval of an agreement with Tosa Tonight for use of the Rotary Performance Pavilion at Hart Park**

A. Issue

Tosa Tonight has been utilizing the Rotary Performance stage at Hart Park since the facility was constructed. The current agreement has some requirements that are not desirable for Tosa Tonight as well as the City so some changes to the existing agreement are being proposed at this time.

B. Background/Options

Tosa Tonight has been an amazing asset to Hart Park and they have done a wonderful job with the Wednesday night concert series and we are excited to see their continued success. The current agreement with Tosa Tonight was established in 2019 and it expires at the end of 2024. There are a few items included in the current agreement that have not been working well for Tosa Tonight and/or the City so we are proposing modifications to the agreement. The main item relates to storage and the fact that Tosa Tonight is using a storage container which is unsightly and not ideally located because it is in the floodplain. City staff have offered to allow Tosa Tonight to utilize the dressing rooms for storage if they are able to remove the shipping container, which they have agreed to. Also, the City has installed an active ventilation system in the dressing rooms in order to ensure that rooms do not experience high humidity, which was a problem in the past. We have also asked Tosa Tonight if they would be willing to help with maintenance project costs and they have agreed to create a fund that they will manage for that purpose which is reflected in the draft agreement. The Police Department has also asked for some language to allow them to charge for some of the time they spend patrolling the events and Tosa Tonight has agreed to the proposal so that language has been added as well. Other minor modifications are included in the attached redline documents for your review.

Attached you will see a redline version and a clean version of the draft agreement that has been recommended for approval by the Board of Parks and Forestry Commissioners.

C. Strategic Plan (Area of Focus)

Priority 5: Quality of Life

D. Fiscal Impact

Creation of a maintenance fund by Tosa Tonight, to be held and managed by Tosa Tonight.

E. Recommendation

Approval of the attached Usage Agreement Between the City of Wauwatosa, the Wauwatosa Board of Parks and Forestry Commissioners, and Tosa Tonight, Inc., for the Rotary Performance Pavilion at Hart Park.