



## Legislation Text

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**File #:** 24597, **Version:** 1

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### **Fiscal Note**

The \$144,724 in funding to be received from these grants will be deposited into the Citywide Parkland Acquisition Fund (coding below), as this was the funding source for the original purchase. The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by insurance, subject to its terms and conditions. Esther Beach SI32-73216-000000-00-0000000-00000000-00000000.

### **Title**

To authorize the Mayor and City Clerk to enter into a grant agreement with the Wisconsin Department of Natural Resources for reimbursement of expenses incurred for parkland acquisition (Esther Beach).

### **Body**

WHEREAS, Resolution 10-00961 authorized the acquisition of lots 2724 and 2728 Waunona Way for a total cash disbursement of \$996,000 for the expansion of Esther Beach Park ("Esther Beach Park Acquisition") was adopted by the Common Council on December 14, 2010; and

WHEREAS, the acquisition was made using funding from the Citywide Parkland Acquisition Fund; and

WHEREAS, the City Parks Division pursued additional funding for the purchase of the Esther Beach Park Acquisition from the State Stewardship Grant Fund; and

WHEREAS, the Wisconsin Department of Natural Resources has tentatively selected the Esther Beach Park Acquisition to receive a grant in the amount of \$144,724; and

WHEREAS, the grant agreements contain a provision which requires the City to hold harmless, indemnify and defend against liability, damage, claims or suits which arise out of environmental hazards associated with the property covered by this grant agreement; and

WHEREAS pursuant to APM-1-1, the inclusion of such a provision requires the express approval of the Common Council.

NOW THEREFORE BE IT RESOLVED, that the Common Council authorizes the Mayor and City Clerk to sign the above referenced grant agreement with the Wisconsin Department of Natural Resources, each of which includes an indemnification clause.

BE IT STILL FURTHER RESOLVED, that the City Parks Division is authorized to submit an application to the State of Wisconsin Department of Natural Resources and the Dane County Conservation Fund and other sources and complete all administrative materials required for the application as well as to effectuate the receipt of the funds; and

BE IT FINALLY RESOLVED, that the City of Madison will comply with state or federal rules for the Wisconsin Department of Natural Resources Stewardship Grants.