



Legislation Text

File #: 38413, **Version:** 1

Fiscal Note

No fiscal Impact. Minor utility fund balance of approximately \$10,700 shall be transferred to the Madison Sewer Utility, but those funds shall be used for minor repairs deemed necessary to bring the sewers to normal acceptable operating condition

Title

Authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement Relating to the Acquisition of Burke Utility Districts #2 and #6 With the Town of Burke.

Body

WHEREAS, the Town of Burke created Burke Utility District #2 (BUD #2) on June 9, 1971 and Burke Utility District #6 (BUD #6) on January 23, 1981, to to provide sanitary sewer service to designated lands in Burke; and,

WHEREAS, on May 4, 2007 the "Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan" (the Plan) became effective, which Plan will cause Burke to cease to exist on October 27, 2036, with the lands being served by BUD #2 and BUD #6 (the "Districts") to be attached to Madison at that time, unless attached to Madison earlier by intermediate attachment as set forth in the Plan; and,

WHEREAS, Burke and Madison have expressed mutual interest about Madison taking over the Districts from Burke, including transferring all assets and liabilities of the Districts to Madison, at which point Madison would assume ownership of utility district facilities and continue to provide sanitary sewer service to the Burke properties within the Districts presently being served by the Districts; and,

WHEREAS, the Madison sewer utility has found that the Districts' infrastructures are in adequate condition and that assumption of the Districts' assets and liabilities and continuing service to the Burke properties connected to the Districts services is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED that Common Council approves the terms and conditions of the Intergovernmental Agreement Relating to the Acquisition of Burke Utility Districts #2 and #6, attached hereto and incorporated by reference; and,

BE IT FURTHER RESOLVED, that the Mayor and the City Clerk are authorized to execute the Intergovernmental Agreement Relating to the Acquisition of Burke Utility Districts #2 and #6 with the Town of Burke, and any and all additional documents that may be required to complete this transaction, on a form and in a manner that has been approved by the City Attorney and the Risk Manager; and,

BE IT FURTHER RESOLVED, that the Common Council finds that upon acquisition of the property of BUD #2 and BUD #6 it is in the City's best interests to provide sanitary sewer service to the town properties within the Districts, pursuant to Madison General Ordinances Sec. 35.02(4)(b).