City of Madison

Legislation Text

File #: 43730, **Version:** 1

Fiscal Note

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 the City's insurance policies, subject to their terms and conditions. Construction costs are estimated at $20,000 for the work under this permit and are available in the Central Park Project (MUNIS 10798 -51 -130). There is no cost for the permit.

Title

Authorizing the City Parks Superintendent or his designated representative to apply for a Temporary Authorization Permit (TAP) from Wisconsin Department of Transportation for a temporary fence installation within the State-owned rail corridor, including language indemnifying WisDOT and the operating Railroad. (6th AD)

Body
PREAMBLE
The Parks Division is proposing to install a temporary fence within the WisDOT corridor adjacent to Central Park, at the request of the Wisconsin Southern Railroad (WSOR) who operates on the rail. The temporary fence would improve safety for pedestrian and park users and will decrease the amount of trespassing within the rail corridor. The temporary fence will be maintained until such time as a permanent fence can be erected. WisDOT requires the City to obtain their Temporary Authorization Permit (TAP) for work on rail right of way, which includes standard language indemnifying WisDOT and the Railroad. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

NOW THEREFORE BE IT RESOLVED,

That the Common Council approves indemnification of the State of Wisconsin Department of Transportation and the operating Railroad, in a form agreed to by the City Attorney's office and the Risk Manager, as set forth in the Temporary Authorization Permit to occupy the WisDOT rail corridor for a temporary fence installation, and authorizing the City Parks Superintendent or his designated representative to apply for said Permit.