



Legislation Details (With Text)

**File #:** 58615      **Version:** 1      **Name:** US Navy night vision equipment indemnification - MPD

**Type:** Resolution      **Status:** Passed

**File created:** 12/5/2019      **In control:** Police Department

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**Title:** Authorizing the Madison Police Chief to sign a lease agreement in 2020 with the US Department of the Navy which includes indemnification/hold harmless language, to obtain night vision technology

**Sponsors:** Zachary Henak, Keith Furman

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/21/2020	1	COMMON COUNCIL	Adopt	Pass
1/13/2020	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/8/2020	1	PUBLIC SAFETY REVIEW COMMITTEE		
1/7/2020	1	FINANCE COMMITTEE	Referred	
1/7/2020	1	COMMON COUNCIL	Refer	Pass
12/5/2019	1	Police Department	Referred for Introduction	

**Fiscal Note**

The 2020 Police Department adopted operating budget includes funding to obtain the night vision technology (Service: Police Field - Major-Purchased Services). Future fiscal impact depends on particular claims or suits in which a third parties may seek settlement; in which case the City may have coverage under its current insurance policies subject to the policies terms and conditions.

**Title**

Authorizing the Madison Police Chief to sign a lease agreement in 2020 with the US Department of the Navy which includes indemnification/hold harmless language, to obtain night vision technology

**Body**

WHEREAS, The Department of the Navy is a branch of the Federal Government and offers night vision technology to local law enforcement agencies through an annual lease program; and,

WHEREAS, the City of Madison Police Department desires to enter into a lease agreement with the Department of the Navy to obtain night vision units for use by department personnel for training and tactical deployments; and,

WHEREAS, the cost is anticipated to be up to \$3,000 for a 12-month lease and Madison Police Department has funds budgeted for this equipment lease program with the Department of the Navy; and,

WHEREAS, leasing this equipment is significantly less costly to the City than purchasing it; and,

WHEREAS, the lease terms require the City to indemnify and hold the Federal Government harmless against claims by third parties (including reasonable litigation and settlement expenses) for death, bodily injury or loss or damage to property that may arise as a result of the furnishing of the leased equipment to the City of Madison Police Department; APM 1-1 requires Risk Manager and Common Council approval before the City indemnifies another party; and the City Risk Manager has reviewed this language and approves it insofar as the City has no ability to negotiate these terms with the Department of the Navy.

NOW, THEREFORE, BE IT RESOLVED that the City is hereby authorized to enter into annual equipment lease agreements with the Department of the Navy, Crane Division, Naval Surface Warfare Center for the above-described purposes.

BE IT FURTHER RESOLVED, that the Common Council approves indemnification as required of the Department of the Navy as set forth in the lease agreement pertinent to this transaction.

BE IT FINALLY RESOLVED, that the Chief of Police is authorized to execute any documents applicable to an annual lease agreement after review and approval of the Risk Manager and City Attorney.