



Legislation Text

File #: 38432, **Version:** 1

Fiscal Note

There is no new fiscal impact with this MOU.

Title

Authorizing the Chief of Police to sign a Memorandum of Understanding with the Wisconsin Department of Corrections ("WDOC") for the use of WDOC owned secure transportation vehicles and other necessary equipment.

Body

WHEREAS, the City does not own multiple secure transportation vehicles nor other necessary equipment. In the past, the Chief of Police has signed a Memorandum of Understanding ("MOU") with the Wisconsin Department of Corrections ("WDOC") for the use of WDOC equipment, if needed for large scale events (Halloween and Mifflin Street Block Party); and,

WHEREAS, instead of signing an MOU for every potential event, WDOC has requested that the City sign a MOU that is not specific to an event or date in time and would cover any anticipated or unanticipated heavy attended event; and,

WHEREAS, the MOU provided by WDOC contains a provision which requires the City to indemnify and save harmless WDOC, the State of Wisconsin and all of its agents employees against suits, actions and claims arising from its use, misuse, operation or storage of the equipment in connection with the MOU; and,

WHEREAS, pursuant to APM 1-1, the inclusion of an indemnification provision requires the express approval of the Common Council; and,

WHEREAS, the proposed indemnification language has been reviewed and approved 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; and,

WHEREAS, the proposed MOU has been reviewed and approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED, that the Chief of Police is authorized to sign a Memorandum of Understanding with the Wisconsin Department of Corrections for the purpose of obtaining secure transportation vehicles and other necessary equipment.