



Legislation Text

File #: 44450, **Version:** 1

Fiscal Note

The proposed resolution authorizes that the Wisconsin Air National Guard 115 (ANG) shall transfer \$625,755 to the Madison Sewer Utility to pay for needed repairs at Truax Field. This federal funding is properly reflected in the 2017 executive capital budget for the Sewer Utility within the Sewer Reconstruction program (MUNIS 10267).

ANG shall make annual payments to the Madison Sewer Utility for Operations and Maintenance of their privately owned sewer system. These payments total approximately \$868,511 for the years 2017 thru 2050. \$8,981 is expected for 2017.

ANG will continue to pay established sanitary sewer rates for its discharge.

The Madison Sewer Utility may realize a small net revenue from the agreement.

Title

Authorizing the City of Madison to formally take over the Operation and Maintenance of the Wisconsin Air National Guard 115 Truax Field sanitary sewer system.

Body

WHEREAS, The Wisconsin Air National Guard 115 (ANG) is a branch of the Federal Government and for several years they been in discussions with the Madison Sewer Utility on their desire for Madison to take over operation and maintenance of their privately owned sewers at their Truax Base, located adjacent to Pearson Street and Pierstorff Street, and;

WHEREAS, The Engineering Division completed an assessment of the ANG sewers and made a proposal to take over operation and maintenance, with requirements for ANG to bring the sewers up to an acceptable condition and to provide an annual stipend for continued maintenance, and;

WHEREAS, ANG is now desiring to proceed with a transfer as proposed by the Engineering Division thru a Federal process that allows for this type of transaction, and;

WHEREAS, the City Engineer and the City Attorney are formulating the final transfer conditions, provisions, and arrangements including the need for insurance and / or Self Insurance, and;

WHEREAS, the Federal conditions will require the City to indemnify and hold the Government harmless against any and all judgments, expenses, liabilities, claims, and charges of whatever kind or nature that may arise as a result of the activities of the City, whether tortious, contractual, or other, except to the extent such claim or charge is cognizable under the Federal Tort Claims Act, or, in regard to indemnification, to the extent the City is prohibited from doing so by Federal or state law.

NOW, THEREFORE, BE IT RESOLVED that the City of Madison is hereby authorized to formally take over the Operation and Maintenance of the Wisconsin Air National Guard 115 Truax Field sanitary sewer system.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute any documents applicable to this transaction after review and approval of the City Engineering, Risk Manager and the City Attorney.

BE IT STILL FURTHER RESOLVED, that the Common Council approves indemnification as required of the Wisconsin Air National Guard 115 as set forth in the transfer documents pertinent to this transaction.