



## Legislation Text

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**File #:** 54417, **Version:** 1

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### **Fiscal Note**

No appropriation required.

### **Title**

Authorizing the City Engineer to make certain assurances to secure federal disaster funding arising from the 2018 flooding.

### **Body**

WHEREAS, the federal government approved Major Disaster Declaration 4402-DR for the State of Wisconsin for Severe Storms, Tornadoes, Straight-line Winds, and Flooding occurring the incident period August 17, 2018 through September 14, 2018; and,

WHEREAS, this disaster declaration authorized FEMA Public Assistance Program funds for 14 counties including Dane County; and,

WHEREAS, the FEMA Public Assistance Program provides varying levels of reimbursement to local governments for their incident related emergency response and protective measures and repairs to publicly owned infrastructure and facilities damaged during the covered incident period; and,

WHEREAS, the City of Madison is an eligible subrecipient of the Program and incurred costs eligible for FEMA Public Assistance Program funding; and,

WHEREAS, all such funds are administered by Wisconsin Department of Military Affairs, Wisconsin Emergency Management Division; and,

WHEREAS, as a condition to receiving such funds, the City must submit "Attachment G-Assurances for Federal Construction Programs, Federal Audit Requirements and State Assurances of Disaster Application for Subrecipients" (the "Assurances"), which document outlines that the City has completed or will complete the eligible work in accordance with applicable laws and regulations; and,

WHEREAS the Assurances require the City to indemnify and save and hold the Department of Military Affairs, Wisconsin Emergency Management Division, its agents and employees harmless from all claims or causes of action arising from the performance of the grant by the City or the City's agents or employees; and,

WHEREAS, APM 1-1 requires Risk Manager and Common Council approval before the City indemnifies another party,

NOW, THEREFORE, BE IT RESOLVED, that the that the City Engineer, on behalf of the City, is authorized to execute any documents necessary to secure federal funding related to Disaster Declaration 4402-DR, after review and approval of the City Attorney, including "Attachment G-Assurances for Federal Construction Programs, Federal Audit Requirements and State Assurances of Disaster Application for Subrecipients"; and,

BE IT FURTHER RESOLVED that the Common Council approves, as a condition to securing federal disaster funding, the indemnification of the Wisconsin Department of Military Affairs and the Wisconsin Emergency Management Division as set forth in the Assurances.