



Legislation Text

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The proposed resolution authorizes the City of Madison Finance Department to continue serving as Fiscal Agent for the Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C). The City has served as the Fiscal Agent for the last five years and that contract expires when the fiscal services for 2019 are complete, including the audit. The term of the new contract is for services for fiscal years 2020 - 2024 and MUFN will pay the City \$15,000 for 2020 and \$16,500 for each of the years 2021 - 2024. The revenue is included in the Finance Department's Accounting Service 2020 operating budget (MUNIS 15100-47190).

Authorizing the City of Madison Finance Department to continue serving as Fiscal Agent for the Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C), authorizing the Finance Director to sign a contract with MUFN-C for the same, and authorizing the Finance Director to continue receiving and disbursing funds on behalf of MUFN-C as Fiscal Agent.

WHEREAS, the City is a member of a public-private consortium know as Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C, U.A, or "MUFN-C") whose members include many local institutions, municipalities, and schools such as the University of Wisconsin Division of Information Technology, Madison College, the County of Dane, and Madison Metropolitan School District. The City's membership in MUFN-C was authorized by RES-13-00042 (ID#28545); and

WHEREAS, MUFN-C is a ch. 184 Unincorporated Association, a legal entity separate and distinct from its members. MUFN-C was created as a requirement of a federal broadband technology grant to administer and provide access to a fiber optic communications network created with the federal funds (known as the MUFN network). The City was a subrecipient of this grant. As a condition of the grant the City is obligated to repair and maintain the MUFN network (fiber and conduit) for 20 years, and the City's obligation to maintain the network is memorialized in an agreement between the City and MUFN-C, whereby MUFN-C pays the City a fiber use fee. The fiber use fee is charged per member and pair of fiber. MUFN-C collects fees from its members and then pays the City; and

WHEREAS, MUFN-C is governed by an operating committee and in 2013 the operating committee asked the City's Finance Department to perform these services as Fiscal Agent for MUFN-C:

- Maintaining a completely separate account for MUFN-C
- Issuing invoices in the name of MUFN-C
- Receiving payments on behalf of MUFN-C
- Issuing checks on behalf of MUFN-C
- Contracting for audit and tax preparation services for MUFN-C; and

WHEREAS, The City and MUFN-C entered into Contract for Fiscal Agent Services in 2014 as authorized in RES-13-00887 (ID#32235), renewed the agreement each year since then, and the ability to renew expired as of the end of 2019; and

WHEREAS, the Finance Department is willing and able to continue providing these services and Finance staff seek authorization to negotiate with MUFN-C an updated rate of payment for Fiscal Agent Services and authorization for the City to enter into a new contract with MUFN-C for the same; and

WHEREAS, The Finance Director requires continued authorization to receive and disburse funds and make expenditures from MUFN-C revenues to continue providing the services described above, which will be

defined in the contract.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Finance Department is authorized to continue serving as Fiscal Agent for the Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C) for the purposes described herein; and
2. The Finance Director is authorized to negotiate and execute a contract with the Metropolitan Unified Fiber Network, Unincorporated Association (MUFN-C) to govern the fiscal agent services with fees paid to the City to be negotiated by City Staff, for an initial period to commence 1/1/20 and to continue through the services performed for the 2020 fiscal year and up to five (5) renewal terms of one (1) year each to be exercised at the option of the City; and
3. The Finance Director is authorized to continue receiving and disbursing funds and making expenditures from MUFN-C revenues to provide the services described above, and which will be defined in the contract.