



Legislation Text

File #: 63448, **Version:** 1

Fiscal Note

The proposed resolution authorizes a fixed condominium association fee for the Fire Administration Building. The Fire Administration Building is part of the Ovation Condominium Association and the 2021 fee is \$30,000. The 2021 Adopted Operating Budget includes sufficient funding for this fee (MUNIS 30110-54210). No appropriation is required.

Title

Authorizing a Fixed Condominium Association Fee for the Fire Administration Building as part of the Ovation Condominium Association.

Body

WHEREAS, the City owns two condominium units for the Madison Fire Administration space and associated parking space (the "City Condo") within the condominium development at the property known as the Ovation (the "Building"); and

WHEREAS, as part of the documents drafted and recorded to create the condominium form of ownership (the "Condo Documents") the City has paid a share of costs related to the operation and maintenance of the Building (the "General Assessments") and parking garage (the "Parking Garage Area Assessments"); and

WHEREAS, in accordance with the Condo Documents a board has been established among the owners of the units within the Building for the purpose, in part, of creating a budget for the costs of the Building (the "Condo Board"); and

WHEREAS, since purchasing the City Condo, the City's Office of Real Estate Development and Fire Department have disagreed with the apportionment of costs to the City; and

WHEREAS, on December 1, 2020, the Condo Board adopted a resolution creating a fixed fee with an annual escalator as described herein which the Fire Department believes to be reasonable.

NOW THEREFORE BE IT RESOLVED, that the Common Council hereby authorizes an amendment to the Condo Documents to establish a fixed fee for the City Condo's share of the association's annual expenses materially on the following terms:

The General Assessments and Parking Garage Area Assessments for the City Condo (excluding amounts for replacement reserves) shall be a total flat fee amount of \$30,000.00 commencing with the 2021 calendar year, and shall increase annually at rate of two percent (2%) or the CPI Adjustment, whichever is greater. "CPI Adjustment" means, as of September of each year, the cumulative increase over the past 12 months of the "All Urban Consumers (CPI-U), Chicago-Naperville-Elgin, IL-IN-WI," not seasonally adjusted, in the Consumer Price Index" (1982-1984 = 100) of the Bureau of Labor Statistics of the United States Department of Commerce.

BE IT FURTHER RESOLVED, that the Mayor, City Clerk, and authorized designees under the Condo Documents, are hereby authorized to execute, deliver and record documents necessary to carry out the

purposes of this resolution in a form approved by the City Attorney.