



## Legislation Text

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### Fiscal Note

The 2020 Adopted Capital Budget appropriated \$12.9 million in Metro supported general obligation borrowing to purchase land for Metro's Satellite Bus Facility project. Resolution 64017 enacted March 3, 2021 added an additional \$7.0 million in federal grant funding and changed the existing borrowing authority on the project to be general fund supported general obligation borrowing.

The proposed resolution amends the 2021 Capital Budget to add an additional \$3.7 million in previously awarded federal funding to the Satellite Bus Facility project. Metro had planned to use this \$3.7 million in unused federal awards towards minor renovations of the facility. This resolution instead applies these federal funds to the purchase of the facility by combining them with the \$7 million in federal funding already appropriated through Resolution 64017. Total funding for the Satellite Bus Facility project will be \$23,566,990 (\$12,893,000 city general obligation borrowing and \$10,673,990 federal funds).

### Title

Amending the 2021 Capital Budget to add \$3,673,990 in federal funding to Metro's Satellite Bus Facility project.

### Body

#### PREAMBLE

This resolution amends the 2021 Adopted Capital Budget to add \$3,673,990 in federal funding to Metro's Satellite Bus Facility project.

**WHEREAS**, Resolution 56710 passed on September 6, 2019 Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and accept the \$10.4 million in Federal funding; and

**WHEREAS**, Resolution 60964 passed on August 4, 2020 Authorizing the Transit General Manager to file an application for a Section 5307, 5337 & 5339 Super Grant, public transit capital, capital maintenance, and capital planning grant with U.S. Department of Transportation and accept the \$12.6 million in Federal funding; and

**WHEREAS**, the 2021 adopted capital budget will be amended to add \$3,673,990 of federal funding to Metro's Satellite Facility program. The necessary funding from general obligation borrowing will be used as local match to the Federal grant award; and

**WHEREAS**, Resolution 64017 enacted on March 3, 2021 Authorizing the Transit General Manager to file an application for a Section 5339 Buses and Bus Facilities Discretionary Grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the 13 (c) agreement with Teamsters Local No. 695. Amending the 2021 Capital Budget to add \$7 million in federal funding to Metro's Satellite Bus Facility project and changing project borrowing to General Fund-supported general obligation borrowing; and

**WHEREAS**, The 2020 Adopted Capital Budget appropriated \$12,893,000 in general obligation borrowing for Metro's Satellite Bus Facility project and with Metro Transit's general obligation borrowing planned as the local

match to the Federal grant award; and

**WHEREAS**, the U.S. Department of Transportation's Master Agreement contains a provision which requires the City to indemnify, save and hold harmless the Federal Government against any liability, including costs and expenses, resulting from any willful or intentional violation by the City of Proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the projects; and

**WHEREAS**, pursuant to APM 1-1, the inclusion of such a provision requires the express approval of the Common Council,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON:**

1. That the 2021 adopted capital budget be amended to add \$3,673,990 of federal funding to Metro's Satellite Facility program and use the necessary funding from Metro Transit's general obligations as local match to the Federal grant award.
2. That the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager.
3. That while the indemnification clause increases the City's exposure to risk; the City has coverage for indemnification clauses under its current insurance policy, subject to the policy's terms and conditions.