



Legislation Details (With Text)

File #: 30435 **Version:** 1 **Name:** Approving plans & specs for public improvements necessary for the project known as 309 W Johnson St & 316 W Dayton St PUD & authorizing constr to be undertaken by the Developer, Private Contract #2324 & rescinding RES-13-00013, ID #28522.

Type: Resolution **Status:** Passed

File created: 5/31/2013 **In control:** BOARD OF PUBLIC WORKS

On agenda: 6/18/2013 **Final action:** 6/18/2013

Enactment date: 6/19/2013 **Enactment #:** RES-13-00489

Title: Approving plans and specifications for public improvements necessary for the project known as 309 West Johnson Street and 316 West Dayton Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2324 and rescinding RES-13-00013, ID 28522. (4th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/18/2013	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
6/5/2013	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER	Pass
5/31/2013	1	Engineering Division	Refer	

Fiscal Note

Est. cost not to exceed \$5,000
Funds available in CS53-58250-810354-00-53B2324

Title

Approving plans and specifications for public improvements necessary for the project known as 309 West Johnson Street and 316 West Dayton Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2324 and rescinding RES-13-00013, ID 28522. (4th AD)

Body

WHEREAS, the developer, Hovde Properties, LLC has received the City of Madison's conditional approval to demolish 2 commercial buildings and Madison Fire Department Administration Building to allow construction of a mixed-use building, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the PUD, and,

WHEREAS, on October 20, 2012 the Common Council approved RES-12-00850, ID 28000 for approving plans and specifications for this project with Hovde Partners, LLC, and,

WHEREAS, on January 8, 2013 the Common Council approved RES-13-00013, ID 28522 and rescinded RES-12-00850, ID 28000, and,

WHEREAS, the Developer has requested that the City modify the entity entering into the Contract For the Construction of Public Improvements to be Accepted by the City of Madison for 309 West Johnson Street and 316 West Dayton Street PUD to Hovde West Johnson, LLC.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements to be Accepted by the City of Madison for 309 West Johnson Street and 316 West Dayton Street PUD to Hovde West Johnson, LLC.
2. That the plans and specifications for the public improvements necessary to serve the PUD are hereby approved.
3. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer, except as follows: Reimbursement not to exceed the statutory limit for the cost of street improvements that benefit the City and abut lands owned by the City, in accordance with Section 16.23(9)(d)(6)(d).
4. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
5. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.
6. Resolution RES-13-00013, ID 28522 is hereby rescinded.