



Legislation Details (With Text)

File #: 44729 **Version:** 1 **Name:** Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution File Number 43533. Private Contract N

Type: Resolution **Status:** Passed

File created: 10/10/2016 **In control:** BOARD OF PUBLIC WORKS

On agenda: 11/1/2016 **Final action:** 11/1/2016

Enactment date: 11/2/2016 **Enactment #:** RES-16-00823

Title: Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution File Number 43533. Private Contract No. 7766 (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. Willows II Phase Map .pdf

Date	Ver.	Action By	Action	Result
11/1/2016	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
10/19/2016	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	
10/10/2016	1	Engineering Division	Refer	

Fiscal Note

In the adopted 2016 capital budget Engineering-Major Streets has budgeted \$4.027 million in the Rural to Urban Streets program (MUNIS 10204) for the reconstruction of streets with substandard pavement rating. The minor project for Park Frontage reimbursements for private development projects is established with sufficient funding for the work specified in the proposed resolution. Funding is from GO borrowing and the costs are reimbursable to the city via the private developer.

The proposed resolution approves plan documents at an estimated cost not to exceed \$25,000.

MUNIS:

11125-402-170: 54410 (96339)

Title

Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution File Number 43533. Private Contract No. 7766 (9th AD)

Body

WHEREAS, the developer, TRMcKenzie, Inc., has received the City of Madison's conditional approval to create the subdivision known as The Willows II; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public improvements necessary to serve the subdivision; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances allows the developer to install the improvements in construction phases provided that a Declaration of Conditions, Covenants, and Restrictions is executed for those lots included in future construction phases until such time as surety is provided to the City to guarantee the installation of the public improvements to serve said lots; and,

WHEREAS, the developer received approval for the project on August 8, 2016 by Resolution File Number 43761; and,

WHEREAS, the contract number listed in the project approval on August 8, 2016 by Resolution File Number 43761 was incorrectly given as 7733; and,

WHEREAS, the correct contract number for The Willows II - Phase 3 contract is 7766; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 56-68 as Phase 3.

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 That Will be Accepted by the City of Madison For The Willows II - Phase 3, with TRMcKenzie, Inc.
2. That the plans and specifications for the public improvements necessary to serve this phase of the subdivision 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. That Resolution File Number 43761 is hereby rescinded.