



Legislation Details (With Text)

**File #:** 65898      **Version:** 1      **Name:** Approving Plans, Specifications, And Schedule Of Assessments For University Avenue Assessment District - 2022.

**Type:** Resolution      **Status:** Passed

**File created:** 6/9/2021      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 7/6/2021      **Final action:** 7/6/2021

**Enactment date:** 7/12/2021      **Enactment #:** RES-21-00456

**Title:** Approving Plans, Specifications, And Schedule Of Assessments For University Avenue Assessment District - 2022. (5th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. Univ Ave (Shore-Univ Bay Dr) Exhibit.pdf, 2. BPW mailing University Ave.pdf, 3. 11168\_UniversityAve Assessments.pdf, 4. CC mailing University Ave.pdf, 5. 7-6-21 Written Public Comment 65898.pdf, 6. 2107096\_Common Council Registrants Report.pdf, 7. adopted cc mailing leg 65898.pdf

Date	Ver.	Action By	Action	Result
7/6/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25, and Close the Public Hearing	Pass
6/16/2021	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING	Pass
6/9/2021	1	Engineering Division	Refer	

**Fiscal Note**

The proposed resolution approves plans, specifications, and a schedule of assessments for the University Avenue Assessment District - 2022 at an estimated cost of \$32,170,000, including \$12,710,000 in federal funds, \$12,890,000 from the City of Madison, \$5,170,000 from the Village of Shorewood Hills, and \$1,400,000 from Madison Metropolitan Sewerage District,. Funding is available to support the City of Madison share in the following Munis accounts:

- 11168-402-170 (Street) - \$2,000,000
- 11168-402-171 (Bridge) - \$700,000
- 11168-402-174 (Street-Storm) - \$250,000
- 11168-402-176 (Signals) - \$250,000
- 11168-402-177 (Lighting) - \$60,000
- 11168-84-174 (Storm Sewer) - \$7,600,000
- 11168-83-173 (Sanitary Sewer) - \$830,000
- 11168-86-179 (Water) - \$1,200,000
- Assessments: \$203,880

No additional appropriation is required.

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For University Avenue Assessment District -

2022. (5th AD)

**Body**

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of University Avenue Assessment District - 2022 pursuant to a resolution of the Common Council, RES-21-00398, adopted 6/1/2021 which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

The roadway geometry for the reconstruction of University Avenue from Shorewood Boulevard to University Bay Drive was approved by the Common Council on April 21, 2020, File ID 59953, RES-20-00298.

The agreement with the State of Wisconsin Department of Transportation for construction cost sharing defines the terms under which the City is awarded Federal funds and the agreement requires that the City indemnify the State of Wisconsin Department of Transportation. City APM 1-1 requires Common Council Approval whenever the City indemnifies another party.

The proposed indemnification language has been reviewed by the City's Risk Manager. The City's risk exposure is increased by this clause, but the exposure is covered by the City's insurance policies, subject to their terms and conditions.

**BE IT RESOLVED:**

1. That the City at large is justly chargeable with and shall pay the sum of \$12,686,120 of the entire cost of said improvement.
2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
4. That the Common Council determines such special assessments to be reasonable.
5. That the work or improvement be carried out in accordance with the reports as finally approved.
6. That such work or improvement represents an exercise of the police power of the City of Madison.
7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved.
8. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
9. That the due date by which all such special assessments shall be paid in full is October 31<sup>st</sup> of the year in which it is billed, or,
10. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 2.0 percent per annum, except those special assessments paid in full on or before October 31<sup>st</sup> of that year.
11. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
12. That the City indemnifies the State of Wisconsin Department of Transportation.
13. That the Mayor and City Clerk are hereby authorized to enter into agreements and revised agreements with the State of Wisconsin Department of Transportation, Village of Shorewood Hills, Madison Gas and Electric (MG&E) and Madison Metropolitan Sewerage District for cost sharing of the project.

**INSTALLMENT ASSESSMENT NOTICE**

Notice is hereby given that a contract has been (or is about to be) let for University Avenue Assessment District - 2022 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed

to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 2.0 percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."