



Legislation Details (With Text)

**File #:** 42597      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-16-00292, File Number 42312. Priv

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

**File created:** 4/20/2016      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 5/17/2016      **Final action:** 5/17/2016

**Enactment date:** 5/19/2016      **Enactment #:** RES-16-00373

**Title:** Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-16-00292, File Number 42312. Private Contract No. 7651. (9th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. The Willows II - Phase 1 (REVISED).pdf

Date	Ver.	Action By	Action	Result
5/17/2016	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
5/4/2016	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	
4/25/2016	1	Engineering Division	Refer	

**Fiscal Note**

In the adopted 2016 capital budget Engineering Major Streets has budgeted \$4 million for the reconstruction of streets with substandard pavement quality via the Rural to Urban Streets program (MUNIS 10204). Within this major program, the Park Frontage 2016 project (MUNIS 11125) is established for work associated with various improvements pertaining to the construction site of the proposed resolution.

The proposed resolution approves plan documents for the construction of the specified work for an estimated amount not to exceed \$25,000.

MUNIS:  
11125-402-170: 54410 (96339)

**Title**

Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as The Willows II and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-16-00292, File Number 42312. Private Contract No. 7651. (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 April 22, 2016 by Resolution RES-16-00292, File Number 42312; and,

WHEREAS, the developer has requested a decrease in the size of this plat phase that was approved for the project on April 22, 2016 by Resolution RES-16-00292, File Number 42312; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 1-11, and 43-45 as Phase 1.

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 1, 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 RES-16-00292, File Number 42312 is hereby rescinded.