



Legislation Details (With Text)

**File #:** 44930      **Version:** 1      **Name:** Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public storm sewer relief pipe within parcels located at 802 (Metro site) and 2402 S Park S

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

**File created:** 10/25/2016      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 12/6/2016      **Final action:** 12/6/2016

**Enactment date:** 12/9/2016      **Enactment #:** RES-16-00902

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public storm sewer relief pipe within parcels located at 802 (Metro site) and 2402 S Park Street. Located in part of the SE ¼ of the NW ¼ of Section 35, T7N, R9E. (14th AD)

**Sponsors:** Sheri Carter

**Indexes:**

**Code sections:**

**Attachments:** 1. Hughes PI Vicinity Map.pdf, 2. RO 11491.pdf

| Date       | Ver. | Action By             | Action  | Result |
|------------|------|-----------------------|---|--------|
| 12/6/2016  | 1    | COMMON COUNCIL        | Adopt   | Pass   |
| 11/16/2016 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER   |        |
| 11/7/2016  | 1    | PLAN COMMISSION       | Return to Lead with the Recommendation for Approval | Pass   |
| 11/2/2016  | 1    | BOARD OF PUBLIC WORKS | Refer   |        |
| 11/1/2016  | 1    | COMMON COUNCIL        | Refer   | Pass   |
| 10/25/2016 | 1    | Engineering Division  | Referred for Introduction                           |        |

The proposed resolution authorizes the relocation order for the land acquisition needed for Stormwater network improvements from Hughes Place to W. Badger Road at an anticipated cost of \$60,000 funded by Non-GF GO borrowing. This resolution anticipates adoption of a Council Amendment to the 2017 Capital Budget to add a Citywide Flood Mitigation program for improvements to the stormwater network locations which are insufficient during large rain events. The funding and authorization of the work will be dependent on the adoption of that amendment at Common Council on November 14th, 2016.

MUNIS:  
11491-84-130

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public storm sewer relief pipe within parcels located at 802 (Metro site) and 2402 S Park Street. Located in part of the SE ¼ of the NW ¼ of Section 35, T7N, R9E. (14th AD)

**PREAMBLE**

**WHEREAS**, tenants of the Village on Park development, located at 2300 S. Park Street owned by the City of Madison CDA, were damaged by storm water flooding in the spring of 2013 and again on July 21, 2016 due to heavy rainfall events; and

**WHEREAS**, the insurance carriers for the tenants of the Village on Park have confirmed that they will not accept claims from the tenants after 2016 for flood damage unless there is an engineering solution approved by the City of Madison prior to the end of 2016 that is to be constructed in early 2017 to reduce the risk of flooding into the tenant spaces of the Village on Park in the future; and

**WHEREAS**, the City of Madison CDA, with the assistance of City of Madison Engineering, is evaluating the private storm sewer system on within the Village on Park site to determine storm sewer and drainage upgrades within the site to alleviate future flood risk; and

**WHEREAS**, the City of Madison Engineering Division has established Engineering Project No. 11491 - Hughes Place Storm Relief for the design and construction of a relief storm sewer from Hughes Place, southerly to a discharge point located to the south of W. Badger Road. This relief pipe is to convey additional storm drainage to reduce the future risk of flood damage to the properties along the Hughes Place ; and

**WHEREAS**, after the investigation of several options, City of Madison Engineering staff concluded the most practical and cost effective solution is to install a public storm sewer relief pipe from Hughes Place to W. Badger Road along the westerly portions of the properties located at 2402 S. Park Street and the Metro Bus Station site at 802 W. Badger Road; and

**WHEREAS**, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 11174 to facilitate and administer acquisition of required land interests to construct the necessary public storm sewer relief improvements; and

**WHEREAS**, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "Plat of land interests required for the construction and maintenance of improvements for a public storm sewer", located in part of the the SE ¼ of the NW ¼, of Sec 35, T 7 N, R 9 E, in the City of Madison, Dane Co, Wisconsin; and

**WHEREAS**, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Interests Required for the public storm sewer relief improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 11491-84-130 Hughes PI Storm Relief (Easement Acquisition).

**NOW THEREFORE BE IT RESOLVED,**

1. That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that this acquisition is determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of planned public storm sewer relief improvements of Hughes PI Storm Relief, Engineering Project No. 11491.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties/parties as identified in the Schedule of Interests Required on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public storm sewer relief improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire

the necessary land interests required for the installation of public storm sewer improvements associated with Engineering Division Project Number 11491, Hughes PI Storm Relief, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.

4. That the Office of Real Estate Services Division of the Economic Development Division and the City Attorney are hereby authorized to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order, and the Office Real Estate Services is further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition.
5. That the City Of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 11174.
6. That the City of Madison Office of Real Estate Services Division of the Economic Development Division is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.
7. That the Mayor and City Clerk are authorized to sign all necessary documents to accomplish the acquisition.