



Legislation Details (With Text)

File #: 56454 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required to construct storm water management facilities to alleviate flooding issues in the western portion of the Hawks Landing subdivision,

Type: Resolution **Status:** Passed

File created: 6/24/2019 **In control:** Engineering Division

On agenda: 7/16/2019 **Final action:** 7/16/2019

Enactment date: 7/22/2019 **Enactment #:** RES-19-00521

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required to construct storm water management facilities to alleviate flooding issues in the western portion of the Hawks Landing subdivision, in the City of Madison, Dane County, Wisconsin. (1st AD)

Sponsors: Barbara Harrington-McKinney

Indexes:

Code sections:

Attachments: 1. Project_Overview_11857.pdf, 2. Vicinity_Map_Hidden_Hill_Flood_Mitigation.pdf, 3. Hawks_Landing_Flood_South_Relocation_Order_signed.pdf

Date	Ver.	Action By	Action	Result
7/16/2019	1	COMMON COUNCIL	Adopt	Pass
7/8/2019	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
7/3/2019	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/2/2019	1	BOARD OF PUBLIC WORKS	Referred	
7/2/2019	1	COMMON COUNCIL	Refer	Pass
6/24/2019	1	Engineering Division	Referred for Introduction	

Fiscal Note

The proposed resolution adopts a relocation order for land acquisition estimated to cost \$200,000. Funding for the land acquisition is budgeted within the 2019 adopted capital budget for Stormwater Utility via the Citywide Flood Mitigation program, funded by Stormwater supported GO Borrowing.

MUNIS:

11857-84-110 - Hawks Landing Flood Mitigation South - 2019.

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required to construct storm water management facilities to alleviate flooding issues in the western portion of the Hawks Landing subdivision, in the City of Madison, Dane County, Wisconsin. (1st AD)

Body

PREAMBLE

WHEREAS, the plat of Hawk’s Landing Golf Club (the “Plat”) was conditionally approved by the City of

Madison Common Council on the 16th of May, 2000, by Enactment Resolution Number 57301, File ID No. 27453 and those conditions of approval were fulfilled on the 1st of June, 2000; and

WHEREAS, the Plat was subsequently recorded upon the satisfaction of the conditions of approval on the 7th of June, 2000 in Volume 57-1505B of Plats on pages 605-614, as Document Number 3219695, Dane County Register of Deeds; and

WHEREAS, there have been flooding events due to stormwater discharged overland from the Hawks Landing West Ponds lying within the Hawks Landing Golf Course. The overland discharge occurs upon the existing storm sewer pipes filling beyond their capacity during large storm events. The overland discharge has flooded, on multiple occasions, the intersection of Shadow Point Drive and Hidden Hill Drive and surrounding Lots within the Hawk's Landing Golf Club subdivision. The flooding has caused damage to public and private properties and improvements; and

WHEREAS, Resolution RES-17-00750, File ID 48319, adopted on September 19, 2017 by the City of Madison Common Council authorized a contract with MSA Professional Services to provide survey and design services to mitigate these and other additional drainage problems on the west side of Hawk's Landing Golf Club subdivision. First Addendum to the contract (#7833) authorized by RES-18-00012, File ID 49701, adopted January 2, 2018. The second Addendum to the contract authorized by RES-18-00801, File ID 53678, adopted November 20, 2018 and the third Addendum to the contract authorized by RES-19-00370, File ID 55400, adopted April 30, 2019; and

WHEREAS, the City of Madison Engineering Division has established Engineering Project No. 11857, Hawks Landing Flood Mitigation South - 2019, Contract No. 8421, to provide a flood mitigation plan to alleviate flooding near the intersection of Shadow Point Drive and Hidden Hill Drive and the surrounding Lots within the Hawk's Landing Golf Club subdivision; and

WHEREAS, MSA Professional Services has completed, and the City of Madison Engineering Division has approved, plans for a box culvert storm sewer and drainage swale to be constructed beginning at southwest corner of the Hawks Landing Golf Course progressing southwesterly to a point of discharge into an existing drainageway near the southwesterly corner of the Hawk's Landing Golf Club subdivision. The stormwater management facilities are designed mitigate flooding of the intersection of Shadow Point Drive and Hidden Hill Drive and surrounding Lots within the Hawk's Landing Golf Club subdivision. The plans and specifications have been approved and authorization for the Board of Public Works to advertise and receive bids has been provided by the Common Council of the City of Madison by Resolution RES-19-00442, File ID 55945, adopted on June 11, 2019. The project overview of the plan being attached and made part of this resolution; and

WHEREAS, the City of Madison Office of Real Estate Services has established a Master File / Project No. 11949 to facilitate and administer the acquisition of required land interests required for the construction and maintenance of the stormwater management facilities to be constructed; 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 STORMWATER MANAGEMENT FACILITIES", PART OF UNPLATTED LAND IN THE SW ¼ OF THE SW ¼ OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 8 EAST OF THE 4TH P.M., CITY OF MADISON, DANE COUNTY, 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 Land Interests Required for construction and maintenance of the stormwater management facilities; and,

WHEREAS, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 11857-84-110 Hawks Landing Flood Mitigation South - 2019.

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 water management facilities for Engineering Project No. 11857.
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 Land Interests Required on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public storm water management facilities.
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 water management facilities associated with Engineering Division Project Number 11857, Hawks Landing Flood Mitigation South - 2019, 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 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. Also, 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. 11949.
6. That the City of Madison Office of Real Estate Services 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.