



Legislation Details (With Text)

File #: 77167 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting Transportation Project Plat Numbers 12777-3 - 4.01 through 12777-3 - 4.11, for the required acquisitions per the Plats of Lands and Interests Required for the East-West Bus Rapid Transit - Mineral Po

Type: Resolution **Status:** Passed

File created: 4/7/2023 **In control:** Transportation Department

On agenda: 5/16/2023 **Final action:** 5/16/2023

Enactment date: 5/19/2023 **Enactment #:** RES-23-00373

Title: Determining a Public Purpose and Necessity and adopting Transportation Project Plat Numbers 12777-3 - 4.01 through 12777-3 - 4.11, for the required acquisitions per the Plats of Lands and Interests Required for the East-West Bus Rapid Transit - Mineral Point Road Segment project. Located along Mineral Point Road between the W Beltline Hwy on the west and S Whitney Way on the east. (9th, 11th and 19th AD's)

Sponsors: William Tishler, Sabrina V. Madison

Indexes:

Code sections:

Attachments: 1. Transportation Proj Plat Numbers 12777-3-4.01 thru 4.11.pdf

Date	Ver.	Action By	Action	Result
5/16/2023	1	COMMON COUNCIL	Adopt	Pass
5/3/2023	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/24/2023	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
4/18/2023	1	BOARD OF PUBLIC WORKS	Referred	
4/18/2023	1	COMMON COUNCIL	Refer	Pass
4/10/2023	1	Transportation Department	Referred for Introduction	

Fiscal Note

The proposed resolution authorizes the acquisition of property and property rights for the construction of planned public street and station improvements for the East-West Bus Rapid Transit (BRT) project. Total right of way acquisition costs are estimated to be \$1.8m and are funded within Transportation's 2022 adopted capital budget within the E-W Bus Rapid Transit program. This East-West Bus Rapid Transit - Mineral Point Road Segment of the project calls for the acquisition fee acquisition areas, permanent limited easements and temporary limited easements as identified on the Transportation Project Plats.

Title

Determining a Public Purpose and Necessity and adopting Transportation Project Plat Numbers 12777-3 - 4.01 through 12777-3 - 4.11, for the required acquisitions per the Plats of Lands and Interests Required for the East-West Bus Rapid Transit - Mineral Point Road Segment project. Located along Mineral Point Road between the W Beltline Hwy on the west and S Whitney Way on the east. (9th, 11th and 19th AD's)

Body

WHEREAS, The City of Madison is proposing to construct the East-West Bus Rapid Transit project (“BRT Project”) primarily along the corridors of East Washington Avenue, the Capitol Square, State Street, Johnson Street, University Avenue, Campus Drive, Whitney Way, Mineral Point Road, and small sections of other streets; and,

WHEREAS, the City of Madison Common Council adopted RES-19-00695, File ID 56913 on July 31, 2019 authorizing the Mayor and the City Clerk to execute a contract with AECOM Technical Services Inc. for planning, 30% preliminary engineering, design and environmental documentation services for the BRT Project; and,

WHEREAS, the City of Madison Common Council adopted RES-20-00156, File ID 59743 on March 3, 2020 supplementing RES-19-00695, File ID 56743 authorizing the Mayor and the City Clerk to execute a contract with AECOM Technical Services, Inc. for continued preliminary planning, engineering, design and environmental documentation services for the BRT Project; and,

WHEREAS, the City of Madison Common Council adopted RES-20-00289, File ID 59665 on March 31, 2020 adopting the recommendations contained in the BRT Downtown Routing and West Side reports and incorporates them into the Locally Preferred Alternative for the East-West BRT Project corridor, and authorizing the BRT Project to enter into project development; and,

WHEREAS, the City of Madison Common Council adopted RES-21-00033, File ID 63184 on January 5, 2021 adopting the recommendations contained in the Revised Locally Preferred Alternative report incorporating them in the revised Locally Preferred Alternative for the East-West BRT Project corridor; and,

WHEREAS, the City of Madison Common Council adopted RES-21-00691, File ID 67432 on October 5, 2021 supplementing RES-19-00695, File ID 56743 authorizing the Mayor and the City Clerk to execute a contract with AECOM Technical Services, Inc. for Phase 3A 60% and 90% design engineering services associated with the BRT Project; and,

WHEREAS, the City of Madison Common Council adopted RES-22-00108, File ID 68976 on February 22, 2022 authorizing the Mayor and the City Clerk to execute an agreement with HNTB Corporation for Construction Management Services for the East-West BRT Project; and,

WHEREAS, the City of Madison Common Council adopted RES-22-00580, File ID 72431 on August 2, 2022 authorizing the Mayor and the City Clerk to execute a contract with AECOM Technical Services, Inc. for Phase 3B and Phase 4 construction and design support services associated with the BRT Project; and,

WHEREAS, the City of Madison Common Council adopted RES-22-00302, File ID 70618 on April 19, 2022, approving the 60% roadway and station geometry for the BRT Project, including the East-West Bus Rapid Transit - Mineral Point Road Segment (“Mineral Point Road Segment”) The approved geometry, thereby provided the information necessary to commence determining the land and interests required to accommodate the construction and/or reconstruction of public improvements and ADA pedestrian improvement upgrades necessary for the said Mineral Point Road Segment of the BRT project; and

WHEREAS, the City of Madison Common Council adopted RES-22-00596, File ID 73148 on September 6, 2022 Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for E-W Bus Rapid Transit Main Bid Package. The project spans from the west terminus on Junction and Mineral Pt Road and travels easterly through the Isthmus to the Sun Prairie Park and Ride. This approval excluded the Mineral Point Road Segment public improvements; and,

WHEREAS, previous relocation orders of Transportation Project Plat Numbers 12777 - 1 - 4.01 through 12777 - 1 - 4.11 and also Transportation Project Plat Numbers 12777 - 2 - 4.01 through 12777 - 2 - 4.15, have been completed and recorded providing the land and interest needs for the E-W Bus Rapid Transit Main Bid

Package, leaving the land and interests required for the Mineral Point Segment of the BRT project remaining yet to be acquired; and,

WHEREAS, 100% plans were completed for the Mineral Point Road Segment of the BRT Project per the contract with AECOM Technical Services, Inc. and reviewed by City of Madison Engineering and Traffic Engineering staff. The 100% plans have provided additional information necessary to determine the land and interests required to accommodate the construction, reconstruction and placement of public improvements required for the said Mineral Point Road Segment of the BRT project; and

WHEREAS, the City of Madison Engineering Division has established Project Number 12777 for the design review and construction of the BRT Project; and,

WHEREAS, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Real Estate Project No. 12270 to facilitate and administer the land and interest acquisitions required for the East - West Bus Rapid Transit - Mineral Point Road Segment as identified in Relocation Order - Transportation Project Plat Numbers 12777-3 - 4.01 through 12777- 3 - 4.11; and,

WHEREAS, a copy of the Relocation Order of the East - West Bus Rapid Transit - Mineral Point Road Segment Transportation Project Plat Numbers 12777- 3 - 4.01 through 12777-3- 4.11, Bus, are attached hereto and made part of this resolution.

NOW THEREFORE BE IT RESOLVED, that the City of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 these acquisitions are determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of planned public improvements of the Mineral Point Road Segment of the BRT Project.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land and interests from the properties/parties as identified in the Schedule of Lands & Interests Required and Utility Interests Required on the attached Relocation Order Maps and such acquisitions are required to allow for the construction of said public 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 construction of planned public improvements associated with Engineering Division Project Number 12277 Mineral Point Road Segment of the BRT Project, consisting of the attached Relocation Order Maps 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 and any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. 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 acquisitions.
5. That the City of Madison Office of Real Estate Services Division of the Economic Development Division shall administer the acquisition of all land interests by Real Estate Master Project No. 12270.

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 compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.
7. That the Mayor and City Clerk are hereby authorized to sign all necessary documents to accomplish the acquisitions.