



**Request for City Council Committee Action
From the Department of Public Works**

Date: January 29, 2013

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Refer To: Honorable Betsy Hodges, Chair Ways & Means/Budget Committee

Subject: **Penn Avenue S Phase I (MN-62 to 100 feet north of 54th Street W)
Reconstruction Project No 6748: Public Hearings**

Recommendation:

- A. Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$913,568.16 for the Penn Avenue Phase I Street Reconstruction Project.
- B. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$913,570 for the Penn Avenue Phase I Street Reconstruction Project with the bonds to be paid for from special assessments.
- C. Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$600,000 for the Penn Avenue Phase I Street Lighting Project.
- D. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$600,000 for the Penn Avenue Phase I Street Lighting Project with the bonds to be paid for from special assessments.
- E. Passage of a Resolution ordering the City Engineer to install parking restrictions on Penn Avenue between MN-62 and 100 feet north of 54th St W per the City Council approved layout to meet State Aid Rule 8820.
- F. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that is in conflict with the Penn Avenue Phase I Street Reconstruction Project.

These Resolutions may be authorized for summary publication.

Previous Directives:

- April 13, 2012: Council adoption of the T&PW Committee report approving the layout of Penn Ave S MN-62 to 50th Street W
- November 15, 2012: Council Resolutions 2012R-608 and 609 for Phase I of the project designating, receiving cost estimates, and identifying the list of benefitted properties for the street reconstruction and lighting projects and setting the public hearings for each of those projects and for the abandonment and removal of areaways in conflict with the project all for January 29, 2013.

Prepared by: Suzette R. Hjermstad, R.E. Investigator II, 673-2401
Lonn Koranda, Engineer Technician III, 673-5726
Jeff Handeland, P.E., Project Engineer, 673-2363
Don Elwood, P.E., Director, Transportation Planning and Engineering, 673-3622

Approved by:

Steven A. Kotke, P.E., City Engineer, Director of Public Works

Presenters: Jeff Handeland, P.E., Project Engineer

Reviews

Permanent Review Committee (PRC)	NA
Civil Rights	
NA	
Policy Review Group	NA

Financial Impact

Action is within current department budget
Special Assessments against benefitted properties

Community Impact

Neighborhood Notification: The pre-hearing neighborhood meeting scheduled for January 22 will be the fourth project meeting with the neighborhood.
City Goals: The City's infrastructure will be well-maintained; people will feel safe in the city; streets will be destinations.
Comprehensive Plan: Not Applicable
Zoning Code: Not Applicable

Background/Supporting InformationStreet Reconstruction

On November 15, 2012, the City Council designated the location, streets and improvements proposed to be made in the Penn Avenue S area. The Penn Avenue S Phase I Reconstruction Project will be from MN-62 to 100 feet north of 54th St W. Penn Avenue at this location is Minnesota State Aid Route No. 426.

The reconstruction of Penn Avenue from MN-62 to 100 feet north of 54th St W is the first phase of a multi-year project. Phase II will reconstruct Penn Avenue from 100 feet north of 54th St W to 50th St W. Penn Ave was last reconstructed in 1955 and has an average pavement condition index of 43. This segment of Penn Avenue (MN-62 to 100 feet north of 54th St W) is 0.98 miles long. The portion south of 60th Street has an average existing Average Daily Traffic (ADT) count of 12,500 (vehicles) and an average future ADT estimated at 13,800. The portion north of 60th Street has an average existing Average Daily Traffic (ADT) count of 7,300 (vehicles) and an average future ADT estimated at 8,000.

The current roadway width varies from 40 to 44 feet wide and carries two lanes of traffic (one lane each direction) and parking lanes on both sides of the roadway. The proposed roadway width varies from 32 to 46 feet and has one moving lane in each direction. The proposed roadway also has a northbound left turn lane at 60th St W. The proposed roadway has parking on one side near MN-62, near 60th St W, and between 58th St W and 56th St W. The rest of the proposed roadway generally has parking on both sides. The layout for this segment of Penn Avenue S was approved by City Council as noted in the previous directives section of this document. Traffic signals will be upgraded at 60th St W, 58th St W, 56th St W and 54th St W.

Street Lighting

The proposed street lighting project is for a City street lighting system consisting of:

- fifteen-foot-tall lantern-style lights soldiered with thirty-foot-tall modern shoe box-style lights between MN-62 and 60th Street W
- fifteen-foot-tall lantern-style lights between 60th Street W and 100 feet north of 54th Street W

The total estimated street lighting cost is \$600,000. The maximum amount to be assessed will be \$600,000.

The proposed assessment method consists of calculation of land area of benefited parcels located within the street influence zone along the improved streets. The lighting levels for this proposed project are classified as standard. The annual maintenance and operation costs are to be paid by property tax revenue and the city-wide street lighting fee which is assessed to non-property tax paying properties.

Per the City of Minneapolis Street Lighting Policy, a City street lighting system will be installed with all street reconstruction projects, unless 70% of the affected properties (in a Pedestrian Priority Corridor) petition out the lighting. Petition forms were mailed to all affected property owners. Signatures representing 63% of the property in the influence zone were returned by the deadline from property owners who were not in support of the project. As of October 26, 2012, signatures representing 69% of the property in the influence zone were returned from property owners who were not in support of the project. Therefore, as stated in the previous directives section of this document, the lighting project was designated and a public hearing was set. As of January 18, 2013, signatures representing 70.4% of the property in the influence zone were returned from property owners who were not in support of the project.

Schedule and Funding

The construction of phase one is scheduled for 2013.

The cost estimate of phase one is \$8,500,000 which will be partially reimbursed by Municipal State Aid funds. The remaining budget is funded by Net Debt Bonds, Assessments and Sewer Revenue.

The proposed street reconstruction special assessments were determined by applying the 2013 Uniform assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2013 Uniform Assessment Rates for reconstruction are as follows:

\$2.39/Sq ft – Non-Residential

\$0.80/Sq ft – Residential

The proposed total assessment amount for the Phase 1 of the Penn Avenue Reconstruction Project is \$913,568.16. Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2014 with interest charged on the assessments at the rate the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2014 real estate tax statements with interest charged at the rate the City pays in interest for selling assessment bonds.

The proposed total assessment amount for the Phase 1 Penn Avenue Lighting Project is \$600,000.00. Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2015 with interest charged on the assessments at the rate the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2015 real estate tax statements with interest charged at the rate the City pays in interest for selling assessment bonds.

Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest if they so choose.

State Aid Required Parking Restrictions

Penn Avenue Reconstruction Project includes new pavement, curb and gutter, driveways, parking lanes, storm drains, and traffic signal modifications. The completed roadway will include a 11-foot-wide travel lane in both the northbound and southbound directions. The existing roadway in Phase 1 has parking lanes on both sides of the roadway. The proposed roadway has parking on one side near MN-62, near 60th St W, and between 58th St W and 56th St W. To meet Municipal State Aid requirements, prohibiting curbside parking on one side of Penn Avenue S near MN-62, near 60th St W, and between 58th St W and 56th St W is necessary.

Accordingly, we recommend the following:

ESTABLISH:

1. No Parking Anytime

Easterly side of Penn Ave S beginning at the northerly curb line of Crosstown Hwy ramps and thence extending 140 ft. northerly.

2. No Parking Anytime

Westerly side of Penn Ave S beginning at the southerly curb line of 60th St W and thence extending 360 ft. southerly.

3. No Parking Anytime

Easterly side of Penn Ave S beginning at the northerly curb line of 60th St W and thence extending 160 ft. northerly.

4. No Parking Anytime

Westerly side of Penn Ave S beginning at the southerly curb line of 56th St W and thence extending 1200 ft. southerly.

Abandonment and Removal of Conflicting Areaways

Section 95.90 of the Minneapolis code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street construction. Before the City may abandon and remove conflicting areaways (upon the failure of the abutting property owner to resolve or agree to resolve the conflict) and then later assess the costs, a public hearing must be held. In an effort to minimize delays and potential delay related costs to the project that conflicting areaways may pose, notices were given by the City Engineer that provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment 1 – Project Map

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation
CM Betsy Hodges – Ward 13

Project Map



- 2013 Construction
- 2014 Construction



T&PW – Your Committee recommends passage and summary publication of the accompanying Resolutions ordering the installation of parking restriction to meet State Aid Rule 8820, for the Penn Av Phase I Reconstruction Project.

Colvin Roy

Directing the City Engineer to establish no parking restrictions on Penn Avenue at specific locations between the limits of MN-62 and 54th Street W.

Whereas, the City of Minneapolis wishes to reconstruct Penn Avenue between the limits of MN-62 and 100 feet north of 54th Street W; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes and a minimum number of drive lanes, lane widths and parking widths; and

Whereas, to meet State Aid Rule 8820, the City recommends establishing No Parking Anytime at the following locations:

- Easterly side of Penn Ave S beginning at the northerly curb line of Crosstown Hwy ramps and thence extending 140 ft. northerly.
- Westerly side of Penn Ave S beginning at the southerly curb line of 60th St W and thence extending 360 ft. southerly.
- Easterly side of Penn Ave S beginning at the northerly curb line of 60th St W and thence extending 160 ft. northerly.
- Westerly side of Penn Ave S beginning at the southerly curb line of 56th St W and thence extending 1200 ft. southerly.

Whereas, State Aid rules require a certified resolution documenting the requested action;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby directed to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.

T&PW and W&M/Budget – Your Committees recommend passage and summary publication of the accompanying Resolutions:

- 1a. Ordering the work to proceed and adopting the special assessments for the Penn Av Phase I Reconstruction Project, Special Improvement of Existing Street No 6748
- 1b. Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the Penn Av Phase I Reconstruction Project.
- 2a. Ordering the work to proceed and adopting the special assessments for the Penn Av Phase I Street Lighting Project, Special Improvement of Existing Street No 6748L
- 2b. Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street lighting improvements in the Penn Av Phase I Reconstruction Project

Colvin Roy

**PENN AV PHASE I RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6748**

**Ordering the work to proceed and adopting the special assessments for the
Penn Av Phase I Reconstruction Project**

Whereas, a public hearing was held on January 29, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-608 passed November 15, 2012, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R- 608 passed November 15, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$913,568.16 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2014 real estate tax statements.

Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$913,570 for certain purposes other than the purchase of public utilities.

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Penn Av Phase I Reconstruction Project, Special Improvement of Existing Street No 6748, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Colvin Roy

**PENN AV PHASE I STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6748L**

Ordering the work to proceed and adopting the special assessments for the Penn Av Phase I Street Lighting Project

Whereas, a public hearing was held on January 29, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-609 passed November 15, 2012, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R- 609 passed November 15, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$600,000 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2015 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2015 real estate tax statements.

Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$600,000 for certain purposes other than the purchase of public utilities.

Resolved by the City Council of the City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street lighting improvements in the Penn Av Phase I Street Lighting Project, Special Improvement of Existing Street No 6748L, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction in the Penn Av Phase I project area.

Colvin Roy

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction projects in the Penn Av Phase I area.

Whereas, the City of Minneapolis has scheduled the reconstruction and street lighting improvements starting in 2013 in the Penn Av Phase I area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction; and

Whereas, a public hearing was held on January 29, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now Therefore, Be It Resolved by the City Council of the City of Minneapolis;

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street r/w adjoining the properties along both sides of Penn Av from MN-62 to 100 feet N of 54th St W.