



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

Date: April 2, 2013

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

Referral: The Honorable Betsy Hodges, Chair Ways and Means/Budget Committee

Subject: **Fourteenth Av SE Sanitary Sewer, Sewer Project No 4518: Designation, Cost Estimate and Set Public Hearing**

Recommendation:

- 1a. Passage of a resolution designating the location and improvements proposed to be made in the 14th Av SE Sanitary Sewer Project No 4518.
- 1b. Adoption of a Committee Report receiving the cost estimate of \$129,000 for the 14th Av SE Sanitary Sewer project, the list of benefited properties, directing the City Engineer to prepare proposed Sanitary Sewer Assessments against the list of benefited properties and directing the City Clerk to give notice of Project Approval and Assessment Public Hearings to be held on May 14, 2013 before the Transportation and Public Works Committee.
2. Accept the petitions and appeal waivers from the assessed property owners
3. Amend 2013 Capital Improvement appropriation by increasing the amount for Public Works Capital Improvement Program Fund 07100-9010932 CSA1301 by \$129,000; increase the revenue source 07100-9010932 source 365000 by \$91,884 and authorize the expenditure of this fund.

Previous Directives: None

Prepared by: Suzette R. Hjermstad, R.E. Investigator II, 673-2401
Lisa Cerney, P.E., Director, Surface Water and Sewers, 673-3061

Approved: _____
Steven A. Kotke, P. E., Director of Public Works

Presenters in Committee: Lisa Cerney, P.E, Director, Surface Water and Sewers

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

Financial Impact:

Special Assessments against benefited properties

Community Impact

Neighborhood Notification: Not Applicable – adjacent properties have been involved in meetings

Neighborhood Meetings: Not Applicable

City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe city

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

Background/Supporting Information:

There have been discussions with adjacent property owners regarding the desire for a public sanitary sewer system in 14th Ave SE from the north bridge abutment to the intersection of 4th St SE. Petitions have been signed and received from all of the adjacent property owners. Based on this request the City reviewed the details and proposes to install a new public sanitary main to be owned, operated and maintained by the City of Minneapolis. The cost estimate for the public sanitary sewer in 14th Av SE is \$129,000.

Policy for assessing sanitary sewers is to assess 100% of the costs. However, there are provisions in the Minneapolis City Charter that provide for adjustments. Practice has been to include these adjustments in the assessment calculations with the City paying the costs resulting from these adjustments. The assessment plan prepared by the Public Works Department included adjustments provided for in Chapter 9, Section 4 of the City Charter (see Attachments 1). The assessment rate is calculated on a front foot basis to benefited properties on 14th Av SE.

The total proposed assessment frontage is 348 feet. The proposed assessment primary rate is \$370.64/Fr. Ft. Properties that are corner lots or have access to sanitary sewer from another street have had their proposed assessment rate adjusted to a secondary rate of \$185.32/ Fr. Ft with the City paying the difference.

A summary of the project funding rounded to whole dollars is as follows:

1. Special assessments portion	\$91,844
2. City portion	<u>\$37,156</u>
3. TOTAL PROJECT COST	\$129,000

The 2013 Capital Improvement appropriation needs to be amended by increasing the amount for Public Works Capital Improvement Program Fund 07100-9010932 CSA1301 by \$129,000 and increase the revenue source 07100-9010932 source 365000 by \$91,884 and authorize the expenditure of these funds. The program has the capacity to pay for the City portion of \$37,156.

The sanitary sewer installation work would be done by City forces and completed this summer (2013).

Attachments – Minneapolis City Charter Chapter 9, 10

Map

Petitions and appeal waivers

Cc: Council Member Hofstede, Ward 3
Jack Qvale, Secretary, Board of Estimate and Taxation

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution and its accompanying Committee Report designating the locations and streets to be improved in the 14th Av SE Sanitary Sewer Project No 4518.

Colvin Roy

**FOURTEENTH AV SE SANITARY SEWER
PROJECT NO 4518**

Designating the sanitary sewer work at the location described hereinafter.

Resolved by the City Council of the City of Minneapolis:

That the following existing street within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 9, Sections 4 and 5 and Chapter 10, Sections 6 and 9 of the Minneapolis City Charter, by installing a public sanitary sewer together with all the necessary appurtenances and work related thereto:

Fourteenth Av SE from approximately the centerline of 4th St SE southwesterly approximately 167 feet to the bridge abutment over 14th Av SE (as more particularly described and shown in the plans on file in the Office of the City Engineer).

T&PW – Your Committee having received a cost estimate of \$129,000 for sanitary sewer construction improvements and a list of benefited properties for the 14th Av SE Sanitary Sewer Project No. 4518 as designated by Resolution 2013R-_____, passed April 12, 2013, now recommends that the City Engineer be directed to prepare a proposed Sanitary Sewer Construction Assessment against the list of benefited properties

Your Committee further recommends receiving the Petitions from the benefited property owners on 14th Av SE.

Your Committee further recommends that the City Clerk be directed to give notice of public hearing to be held by the Transportation and Public Works Committee on May 14, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis Code of Ordinances to consider the amount proposed to be assessed to the benefited properties and the amount to be funded by the City.

Minneapolis City Charter*

CHAPTER 9. WATER WORKS

Section 4. Assessment for Sewers. The City Council may in like manner, whenever it shall deem it necessary, lay, relay or extend any sewer, through any street in said City, and levy and assess, and collect the cost thereof, not exceeding the estimated cost of a sewer two feet in diameter, including all necessary catch basins, manholes, lamp holes and flushing valves, by a special assessment upon the property on both sides of such street and abutting upon such improvement, of an equal sum per front foot without regard to a cash valuation. The cost not provided for by such assessment, including the increased cost of larger sewers and constructing the same across streets and against property which is by law exempt from such assessment, shall be paid out of the permanent improvement fund of said city. A sewer two feet in diameter is hereby declared to be an ordinary street sewer within the meaning of this act, for the drainage of abutting property.

CHAPTER 10. LOCAL IMPROVEMENTS – ASSESSMENTS*

Section 9. Discretion as to corner lots. The City Council may, in its discretion, in case where any lot fronting on two streets has been previously assessed and the assessment paid for laying any water main or sewer pipe upon a different street from the one through which such proposed improvement is to be extended, remit from the assessment of such corner lot such portion of such second assessment, not exceeding¹ the amount of assessment for a frontage of sixty-six feet on such lot, as it may deem just under all the circumstances of the case, but the discretion of the City Council in such matter shall be final, and the refusal or failure of said Council to make such remission shall not be ground for setting aside such assessment in any court or proceeding.