



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

**Date:** January 14, 2014

**To:** Kevin Reich, Chair, Transportation & Public Works Committee

**Subject:** **Penn Ave S Phase 2 Reconstruction: Designation, Cost Estimate, and Set Public Hearings (Project No 6748)**

### **Recommendation:**

- A. Pass a Resolution designating the location, streets, and improvements proposed to be made in the second phase of the Penn Ave South Reconstruction Project.
- B. Adopt a Committee Report receiving the cost estimate of \$5,100,000 and the list of benefited properties, directing the City Engineer to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2014 Uniform Assessment Rates and directing the City Clerk to give notice of a Project Approval and Assessment Public Hearing to be held before the Transportation and Public Works Committee on March 18, 2014.
- C. Setting a Public Hearing to be held before the Transportation and Public Works Committee to be scheduled March 18, 2014 to consider the abandonment and removal of areaways in conflict with the street project and directing staff to give notice in accordance with the provisions of Section 95.90 of the Minneapolis Code of Ordinances.

These Resolutions may be authorized for summary publication.

### **Previous Directives:**

- February 8, 2013- City Council Resolution 2013R-053, Order for work to proceed and adopt special assessments
- February 8, 2013- City Council Resolution 2013R-054, Requesting the Board of Estimate and Taxation to issue and sell bonds
- February 8, 2013- City Council Resolution 2013R-055, Direct City Engineer to establish no parking restrictions
- February 8, 2013- City Council Resolution 2013R-056, Order for abandonment and removal of areaways in conflict of the project
- February 8, 2013- Denial of the assessments associated with the Penn Ave S street lighting project
- November 16, 2012- City Council Resolution 2012R-608, Project Designation- Reconstruction

- November 16, 2012- City Council Resolution 2012R-609, Project Designation- Street Lighting
- November 16, 2012- Set Public Hearing for the abandonment and removal of areaways in conflict with the project
- April 13, 2012 – Council Adoption of the T&PW Committee report approving the layout for Penn Ave S (MN-62 to 50<sup>th</sup> St W)

**Department Information:**

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Approved by: \_\_\_\_\_  
 Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Beverly Warmka, Project Engineer, TP&E

**Reviews**

- Permanent Review Committee (PRC): Approval   NA   Date \_\_\_\_\_
- Civil Rights Approval Approval   NA   Date \_\_\_\_\_
- Policy Review Group (PRG): Approval   NA   Date \_\_\_\_\_

**Financial Impact**

- Special Assessments to Benefitted Properties

**Community Impact**

- Neighborhood Notification: Public meetings were held January 10 and March 6, 2012 to solicit input on the project design. A pre-assessment public meeting will be scheduled.
- City Goals: The City’s infrastructure will be well-maintained, streets will be destinations.

**Supporting Information**

The purpose of this letter is to designate the location, streets and improvements and establish the special assessment improvement proceedings for the second phase of the Penn Ave S street reconstruction improvements. The second phase is scheduled for construction in 2014.

Street Reconstruction Project

The location of the street reconstruction project is Penn Avenue S between 100 feet north of 54<sup>th</sup> Street W and 50<sup>th</sup> Street W. Penn Avenue S at this location is a Municipal State Aid Roadway (MSA 426). The proposed street reconstruction plan includes pavement, curb and gutter, storm drain, signals, lighting, signing, striping and related items and work.

As provided in Chapter 10, Section 6 of the City Charter, submitted herewith is a list of parcels with owner’s names, as nearly as can be readily ascertained, which would be benefitted by and assessed for the Penn Avenue S (Phase 2) Street Reconstruction Project.

Also submitted is a cost estimate of \$5,100,000 for Phase 2 of the Penn Avenue S Street Reconstruction Project, which will be partially reimbursed by Municipal State Aid funds. The remaining budget is funded by net debt bonds, assessment bonds and sewer revenue.

The street reconstruction special assessments would be determined by applying the 2014 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street.

### **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. It is our recommendation that this areaway public hearing be held in conjunction with the Penn Avenue S Project. Prior to the areaway public hearing notices being given, the City Engineer will have provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

Attachment 1 – Project Map

Cc: CM Palmisano, Ward 13

Jack Qvale, Secretary, Board of Estimate and Taxation

# ATTACHMENT 1

## PROJECT MAP



-  2013 Construction
-  2014 Construction



**T&PW - Your Committee recommends passage of the accompanying resolution designating the location and streets to be improved in the first phase of the Penn Avenue S (Phase 2) Street Reconstruction Project, Special Improvement of Existing Street No. 6748.**

Reich

PENN AVENUE S (Phase 2) STREET RECONSTRUCTION PROJECT

SPECIAL IMPROVEMENT OF EXISTING STREET No 6748

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Penn Avenue S from 100 feet north of 54<sup>th</sup> Street W to 50<sup>th</sup> Street W

**T&PW** - Your Committee, having received a cost estimate of \$5,100,000 for street construction improvements and a list of benefited properties for the second phase of the Penn Avenue S (100 feet north of 54<sup>th</sup> St W to 50<sup>th</sup> Street W) Reconstruction Project, Special Improvement of Existing Street No. 6748, as designated by Resolution 2014R-\_\_\_\_\_ passed January 23, 2014, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held before the Transportation and Public Works Committee at the last meeting of the Committee to be scheduled for March 4, 2014, to consider approving the above designated street reconstruction project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.