



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

Date: March 18, 2014

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

Subject: **Approval and Execution of Permanent and Temporary Right-of-Way Agreements for the St. Anthony Parkway Bridge over BNSF Northtown Yard**

Recommendation:

- A. Authorize the proper City officers to execute a purchase agreement in the amount of \$185,500.00 for 27,476 square feet of real estate at 211 St. Anthony Parkway with Ellisspec 22329, LLC.
- B. Authorize the proper City officers to execute a purchase agreement in the amount of \$120,000.00 for 23,747 square feet of real estate at 3236 California St. NE with Gust Kempf, Jr. Revocable Trust.
- C. Authorize the proper City officers to execute a temporary easement agreement in the amount of \$54,500.00 for 58,990 square feet of real estate at 211 St. Anthony Parkway with Ellisspec 22329, LLC.
- D. Authorize the proper City officers to execute a temporary easement agreement in the amount of \$13,500.00 for 19,537 square feet of real estate at 3236 California St. NE with Gust Kempf, Jr. Revocable Trust.
- E. Authorize the proper City officers to execute a temporary easement agreement in the amount of \$57,375.00 for 41,243 square feet of real estate at 3147 California St. NE with Ellis Properties, LLP.
- F. Authorize the proper City officers to execute a temporary easement agreement in the amount of \$3,000.00 for 5,482 square feet of real estate at 81 St. Anthony Parkway with G & G Real Estate, LLC.
- G. Authorize the proper City officers to execute an access agreement with the Minneapolis Park and Recreation Board (MPRB) to allow for project related construction activities on MPRB road right-of-way.

Previous Directives:

- February 25, 2014 – Resolution 2014R-XXX Project Designation, Bridge Type and Project Layout Approval
- November 12, 2013 – Authorizing acquisition through negotiations or condemnation of temporary construction easements and permanent easements across the parcels therein for transportation-related uses.
- July 19, 2013 - Authorizing execution of a contract with Short Elliot Hendrickson, Inc. for design services and authorizing signing the Memorandum of Agreement under Section 106 of the National Historic Preservation Act.

- March 7, 2013 - Authorizing a Request for Proposal (RFP) for Engineering Services
- July 2, 2010 - Resolution 2010R-333, 2010R-334 Amending the 2010 Capital Improvement and PW-Transportation Capital Agency Appropriations by \$600,000 upon execution of State Grant Agreement No SG-2009-072.
- July 2, 2010 - Resolution 2010R-331 Authorizing execution of State Grant Agreement No SG-2009-072 between Minneapolis and the Metropolitan Council.
- April 24, 2009 - Resolution 2009R-180 Authorizing proper City officers to submit the St. Anthony Bridge Project application for Member-Designated High Priority Project
- May 5, 2007 Authorization to submit an application for federal funds from the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for the St Anthony Bridge Project with a recommendation to commit City funds should the project be selected per federal requirements.
- December 13, 2004 - Resolution 2004R-582 and Resolution 2004R-583 Request to issue & sell bonds for 2005 Capital Program
- December 13, 2004 - Resolution 2004R-580 Adoption of 2005-2010 Capital Program and fixing the maximum amounts for 2005 to be expended by the various funds
- December 9, 1999 - Resolution 99R -427 Request to issue & sell bonds for 2000 Capital Program
- December 9, 1999 - Resolution 99R -426 Adoption of 2000-2004 Capital Program and fixing the maximum amounts for 2000 to be expended by the various funds

Department Information:

Prepared by: Ole Mersinger, Project Engineer, PW-TP&E

Approved by: _____

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

Presenters in Committee: Ole Mersinger, Project Engineer, PW-TP&E

Financial Impact

Costs are within project budget.

Community Impact

Neighborhood Meetings: Two open house meetings in past four months

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

Supporting Information

Background

Public Works has been working to make improvements to the Northtown Rail Yard Bridge since the late 1980's. The bridge is a Warren through truss bridge originally constructed by a predecessor of the Burlington Northern Santa Fe Railway Co. (BNSF) in 1925 to carry St. Anthony Parkway over the BNSF Northtown Rail Yard. Though the bridge's poor condition has been addressed to ensure public safety, its condition has continued to decline. The bridge is structurally deficient; has a sufficiency rating of 2.0 out of 100; is fracture critical; and is posted for Vehicle Load and Vertical Clearance Restrictions.

The Federal Highway Administration has given initial approval and work is ongoing for a replacement structure. The replacement structure consists of three spans with the westerly span being a 305-foot truss structure. The new bridge will consist of two 14-foot drive lanes, a 14-foot multi-use trail on the south side of the bridge and a 10-foot sidewalk on the north side of the bridge.

In addition to replacing the bridge, Main St NE and California St NE will be realigned to improve sight lines at each end of the bridge. To facilitate the realigned roadway and construction activities the purchase of fee parcels and acquisition of temporary easements is necessary. A summary of the proposed acquisitions is as follows:

Parcel 2

Parcel 2 is owned by G & G Real Estate, LLC and is located northwest of the west bridge abutment at 81 St. Anthony Parkway. The City and G & G Real Estate, LLC have come to terms on a temporary easement agreement for the use of 5,482 square feet of real estate to provide access and staging for bridge construction activities. The agreed upon value of this temporary easement is \$3,000.00.

Parcel 7

Parcel 7 is owned by Ellisspec 22329, LLC and is located northeast of the east bridge abutment at 211 St. Anthony Parkway. The City and Ellisspec 22329, LLC have come to terms for the purchase of fee parcel for the right-of-way of the proposed realigned Main St. NE. The agreed upon value of the 27,476 square feet of real estate need for Main St. NE is \$185,500.00.

In addition to the right-of-way needed for the realigned Main St. NE, the City and Ellisspec 22329 have come to terms on a temporary easement agreement for the same parcel. The temporary easement will be used to facilitate construction of the proposed Main St NE roadway and as a staging area for the bridge work. The terms for this temporary easement agreement are \$54,500.00 for 58,990 square feet of real estate.

Parcel 9

Parcel 9 is owned by the Gust Kempf, Jr. Revocable Trust and is located southwest of the west bridge abutment at 3236 California St. NE. The City and the Gust Kempf, Jr. Revocable Trust have come to terms for the purchase of fee parcel for the right-of-way of the proposed realigned California St. NE. The agreed upon value of the 23,747 square feet of real estate needed for California St. NE is \$120,000.00.

In addition to the right-of-way needed for the realigned California St. NE, the City and the Gust Kempf, Jr. Revocable Trust have come to terms on a temporary easement agreement for the same parcel. The temporary easement will be used to facilitate construction of the proposed California St NE roadway and associated retaining wall. The terms for this temporary easement agreement are \$13,500.00 for 19,537 square feet of real estate.

Parcel 10

Parcel 10 is owned by Ellis Properties, LLP and is located south of the west bridge abutment at 3147 California St. NE. The City and Ellis Properties, LLP have come to terms on a temporary easement agreement for the use of 41,243 square feet of real estate to provide access and staging for bridge construction activities. The agreed upon value of this temporary easement is \$57,375.00.

Minneapolis Park and Recreation Board

St. Anthony Parkway is a roadway that falls under the jurisdiction of the MPRB. Due to the limited access to the rail yard underneath the existing bridge, the bridge design team has determined the most effective way to replace the existing bridge is to slide the existing trusses along the bridge alignment to St. Anthony Parkway where it can be safely dismantled. Similarly, the new bridge would be constructed on St. Anthony Parkway and slide over the rail yard and into place. The MPRB agreement will allow the use of St. Anthony Parkway between Columbia St. NE and approximately University Ave. NE for construction activities. All Park Board infrastructure including the roadway pavement, sidewalk, trails, light fixtures, sod and trees removed or damaged during construction will be restored at the completion of the project. There is no direct cost implication with this agreement.

Cost Estimate and Schedule

The total project costs for these agreements is \$433,875.00 and is within the project budget. Agreements are anticipated to be executed in April 2014.

Attachments – Maps and Parcel Agreement Details