



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

Date: October 21, 2014

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

Subject: **Public Hearing: Public Sidewalk Repair and Construction**

Recommendation:

Pass a Resolution to adopt the assessments in the total amount of \$710,508.64, levy the assessments, adopt the assessment roll and direct the City Clerk to transmit certified copies of the assessment roll to the Hennepin County Auditor.

Previous Directives:

August 19, 2014 – Set a public hearing in T&PW committee to be held on October 21, 2014

Department Information:

Prepared by: Suzette Hjermsstad, Supervisor, PW Special Assessment Office, 673-2401
Dan Bauer, Supervisor, Sidewalk Inspections 673-2420
Michael Kennedy, P.E., Director, Transportation Maintenance & Repair

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

Presenters in Committee: Dan Bauer, Supervisor, Sidewalk Inspections

Financial Impact

Other financial impact: Special assessment against benefited properties

Community Impact

Neighborhood Notification: Public hearing notices sent on October 6, 2014
City Goals: Natural and built spaces work together and our environment is protected.

Supporting Information

In August, 2010, City Council approved an Administrative Hearing Process for both Sidewalk Repair and Sidewalk Snow and Ice Removal assessments. This process enables Sidewalk Inspections to work directly with the property owner to set a hearing date and time with the Administrative Hearing Officer.

An assessment letter was sent instructing the property owner to contact Public Works Sidewalk Inspections in writing if they had an issue with their assessment. Sidewalk Inspections then contacted the property owner to discuss their concerns regarding the pending assessment. This allowed Sidewalk Inspections and the property owner to agree upon resolution in many of the cases, eliminating the need to proceed further.

Sidewalk Assessments to be Levied

The properties on the list to be assessed, dated September 26, 2014, as on file in the Office of the City Clerk and with the City Engineer's Special Assessment Office, had sidewalk repair and construction work done during 2013 by the City's sidewalk contractors.

The amount to be assessed as special assessment principal is the cost of the work plus the sidewalk administrative fee which is 10% of the cost of the work, with a cap of \$50 on the administrative fee. The total principal amount of the proposed assessments on the list of properties to be assessed, less pre-payments received and adjustments by the Administrative Hearing Officer, is \$710,508.64.

Assessments of more than \$1,500 would be collected over 10 years beginning on the 2015 real estate tax statements with interest. Assessments of more than \$150 up to \$1,500 would be collected over 5 years beginning on the 2015 real estate tax statements with interest, with the exception of the property located at 2900 38th Av S, PID 31-029-23-34-0085 in the amount of \$791.80 shall be collected over 10 years as ordered by the Administrative Hearing Officer. Assessments of \$150 or less would be collected in their entirety on the 2015 real estate tax statements with interest. The interest rate will be determined by the assessment bond sale.

The amount of assessments proposed to be collected over 1, 5 and 10 years are:

1 year	\$ 9,415.01
5 years	\$392,671.94
10 years	\$308,421.69

Information was provided to property owners/taxpayers, as to how persons may prepay the assessments in full without interest charges if they so choose.

The Minneapolis City Council has passed Resolutions whereby a deferment of special assessment may be obtained by showing hardship for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability.

Notice translations were included with each mailing to accommodate non-English speaking residents and provided them with a phone number for a translator they could call for more information.

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties dated September 26, 2014 as on file in the Office of the City Clerk and with the City Engineer’s Special Assessment Office.

Reich

Adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties dated September 26, 2014, as on file in the Office of the City Clerk and with the City Engineer's Special Assessment Office.

Whereas, preliminary to the public hearing, an Administrative Hearing was held to consider any objections or comments regarding unpaid charges for sidewalk repair and construction; and

Whereas, a public hearing was held on October 21, 2014 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the proposed assessment roll, dated September 26, 2014, as on file in the Office of the City Clerk and with the City Engineer's Special Assessment Office and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties in the total amount of \$733,067.49 as shown on the proposed assessment roll dated September 26, 2014, as on file in the Office of the City Clerk and with the City Engineer's Special Assessment Office and reduced to \$710,508.64 due to payments received, are hereby adopted and levied.

Be It Further Resolved that the assessments of more than \$1500 be collected in ten (10) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest.

Be it Further Resolved that the assessment for property identified as PID 31-029-23-34-0085, at 2900 38th Av S in the amount of \$791.80 be collected in ten (10) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest as ordered by the Administrative Hearing Officer.

Be It Further Resolved that the assessments of more than \$150 up to \$1500 be collected in five (5) successive equal annual principal installments beginning on the 2015 real estate tax statements with interest.

Be It Further Resolved that the assessments of \$150 or less be collected in one (1) installment on the 2015 real estate tax statements with interest.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of the assessment rolls to the Hennepin County Auditor.