



## Request for City Council Committee Action From the Departments of Public Works

**Date:** March 31, 2009

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

**Referral To:** Honorable Paul Ostrow, Chair Ways and Means/Budget Committee

**Subject:** **3<sup>rd</sup> Ave N (Washington Ave to 5<sup>th</sup> St N) Reconstruction Project No 9882 (PV047): Public Hearing**

### Recommendation:

1. Passage of a Resolution ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$79,524.96 for the 3<sup>rd</sup> Ave N (Washington Ave to 5<sup>th</sup> St N) Reconstruction Project.
2. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$79,520, with the bonds to be paid for from special assessments.
3. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the 3<sup>rd</sup> Ave N Reconstruction Project.

These Resolutions may be authorized for summary publication.

### Previous Directives:

- August 22, 2008 Council Resolution 2008R-376 Approving the project layout
- City Council Resolution 2009R-067, Project Designation adopted February 20, 2009.

**Prepared by:** Jenifer Loritz, P.E., Project Manager, Transp. Planning & Engineering, 673-3625  
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### Approved by:

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

**Presenters:** Jenifer Loritz, P.E., Project Manager, Transportation Planning & Engineering  
Suzette Hjermstad, Special Assessments Office, 673-2401

### Reviews:

Permanent Review Committee (PRC):	Not Applicable
Civil Rights Affirmative Action Plan:	Not Applicable
Policy review Group (PRG):	Not Applicable

### Financial Impact (Check those that apply)

Special assessments against benefited properties.

## **Community Impact**

Neighborhood Notification: Pre-public hearing meeting scheduled for March 23

Neighborhood Meetings:

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**

On February 20, 2009, the City Council designated the location, streets and improvements proposed to be made in the 3<sup>rd</sup> Ave N area. The 3<sup>rd</sup> Ave N street reconstruction project is from Washington Ave to 5<sup>th</sup> St N.

The cost estimate for the 3<sup>rd</sup> Ave N Reconstruction Project is \$1,545,838. The street reconstruction would be paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including sidewalk, signing and striping and other street paving related improvements as needed. The project will be constructed by City crews and is scheduled to begin in early July and be substantially completed by the end of November.

The proposed street reconstruction special assessments were determined by applying the 2009 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street. The 2009 reconstruction rates are as follows:

\$1.82 / sq ft – Non-Residential

\$0.69 / sq ft – Residential

The proposed total assessment amount for the 3<sup>rd</sup> Ave N Reconstruction Project is \$79,524.96. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2010 real estate tax statements with the interest charged at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less would be collected in their entirety on the 2010 real estate tax statements with interest charged at the same rate as 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.

The City Council has passed Resolutions whereby a deferment of the special assessments 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 permanent and total disability.

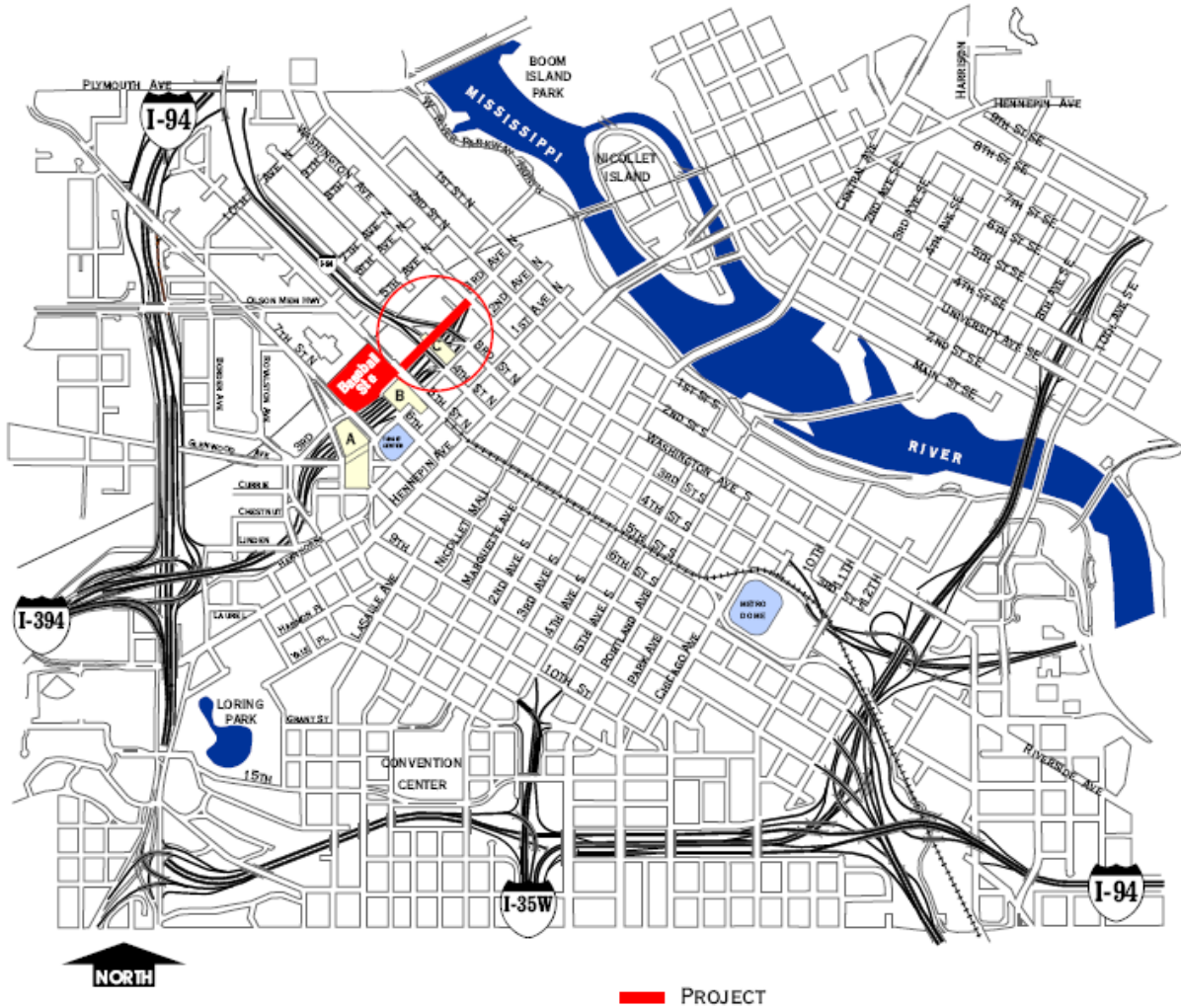
Section 95.90 of the Minneapolis Code of Ordinances provides a procedure for dealing with areaway encroachments that would interfere with public improvements being made in the public right-of-way such as street reconstruction. Before the City may abandon and remove conflicting areaways (upon the failure 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. Prior to the areaway public hearing notices being given, the City Engineer has provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

## **Attachment: Project Location Map**

Cc: Council Member Lisa Goodman, Ward 7

Attachment 1  
Project Location Map

3rd Ave N  
Washington Ave to 5th St N



**T&PW** - Your Committee recommends passage and summary publication of the accompanying Resolutions:

1. Ordering the work to proceed and adopting the special assessments; and
2. Ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the paving project,

for the 3<sup>rd</sup> Ave N (Washington Ave to 5<sup>th</sup> St N) Reconstruction Project, Special Improvement of Existing Street No. 9882.

**By Colvin Roy**

**3<sup>RD</sup> AVE N (WASHINGTON AVE TO 5TH ST N) RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET No 9882**

**Ordering the work to proceed and adopting the special assessments for the  
3rd Ave N (Washington Ave to 5th St N) Project.**

Whereas, a public hearing was held on March 31, 2009 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinance to consider the proposed improvements as designated in Resolution 2009R-067, passed February 20, 2009, to consider the proposed special assessments 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 2009R-067, passed February 20, 2009.

Be It Further Resolved that the proposed special assessments in the total amount of \$79,524.96 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 assessment bonds are sold for with collection of the special assessments to begin on the 2010 real estate tax statements.

Be It Further Resolved that the number of installments by which the special

assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2010 real estate tax statements.

## Colvin Roy

**Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction in the 3<sup>rd</sup> Av N area.**

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2009 in the 3<sup>rd</sup> Av N (Washington Av to 5<sup>th</sup> St N) 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 March 31, 2009 in accordance with Chapter 10, Section 8 of the Minneapolis Code of ordinance 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 3<sup>rd</sup> Av N (both sides) from Washington Av to 5<sup>th</sup> St N.

**T&PW and W&M/Budget** – Your Committee recommends passage and summary publication of the accompanying Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the 3<sup>rd</sup> Av N (Washington Av to 5<sup>th</sup> St N) Reconstruction Project, Special Improvement of Existing Street No 9882.



## Colvin Roy and Ostrow

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$79,520 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 3<sup>rd</sup> Av N (Washington Av to 5<sup>th</sup> St N) Reconstruction Project, Special Improvement of Existing Street No 9882, 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.