



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

Date: April 5, 2011

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

Referral to: Honorable Betsy Hodges, Chair Ways & Means/Budget Committee

Subject: **Project Approval and Assessment Public hearing for Lyndale Av S from 56th St W to East-Bound Minnehaha Parkway, Street Reconstruction and Street Lighting Project No. 6745**

Recommendation:

- A. Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$613,075.81 for the Lyndale Av S Street Reconstruction Project.
- B. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$613,080 for the Lyndale Av S Street Reconstruction Project with the bonds to be paid for from special assessments.
- C. Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$197,800 for the Lyndale Av S Street Lighting Project.
- D. Passage of a Resolution requesting the Board of Estimation and Taxation to issue and sell assessment bonds in the amount of \$197,800 for the Lyndale Av S Street Lighting Project with the bonds to be paid for from special assessments.
- E. Passage of a Resolution ordering the City Engineer to abandon and remove any areaways which located in the public right-of-way and which are in conflict with the Lyndale Av S Street Reconstruction and Streets Lighting Projects.
- F. Authorize the appropriate City Officers to execute a Cooperative Agreement with Hennepin County for the reconstruction of Lyndale Ave S. pending satisfactory review by the City Attorney's Office.
- G. Passage of a Resolution ordering the City Engineer to install parking restrictions on Lyndale Ave S between 56th St W and Minnehaha Pkwy W, per the City Council approved layout to meet State Aid Rule 8820

These Resolutions may be authorized for summary publication.

Previous Directives:

- March 10, 2011 Council Resolution 2011R-106 designating the location and streets to be improved in the Lyndale Ave S Street Reconstruction Project
- March 10, 2011 Council Resolution 2011R-107 designating the location and streets to be improved in the Lyndale Ave S Lighting Project
- September 24, 2010 Council Resolution 2010R-449 approving the layout for Lyndale Ave (County State Aid Highway 22) between 56th St W and east-bound Minnehaha Pkwy W.

- April 11, 1997 Council Adoption of Lyndale Avenue Task Force Report, "Lyndale Avenue: A Vision".

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Approved by:

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

Presenters: Jeff Handeland, Project Engineer, Transportation Planning & Engineering

Reviews

Permanent Review Committee (PRC)	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>
Civil Rights	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>
Policy review Group (PRG)	Approval <input type="checkbox"/>	Not applicable <input checked="" type="checkbox"/>

Financial Impact

Special assessment to benefited properties

Community Impact

Neighborhood Notification: Pre-assessment public informational meeting scheduled for March 30, 2011 and public hearing notices sent out 2 weeks prior to public hearing
City Goals: The City's infrastructure will be well-maintained; streets will be destinations.
Comprehensive Plan: Consistent
Zoning Code: Not Applicable

Background/Supporting Information:

Lyndale Avenue South from 56th St W to Minnehaha Parkway Reconstruction Project

Since the early 1990's, the City and County have been developing a reconstruction plan for Lyndale Avenue S. Over the years, extensive efforts were made to solicit input from the surrounding neighborhoods. These efforts have culminated in an approved layout last fall.

On March 10, 2011, the City Council designated the location, streets and improvements proposed to be made in the Lyndale Av S area. The Lyndale Av S Reconstruction Project will be from 56th Street W to east-bound Minnehaha Parkway. Lyndale Av S at this location is County State Aid Route No. 22. The street reconstruction plan includes pavement, curb and gutter, sidewalk, storm drain, signals, signing, striping and related items and work. Construction is anticipated to begin in summer 2011 and occur through the 2011 construction season. The project will be constructed by Hennepin County contractors.

The cost estimate for the Lyndale Av S Reconstruction Project is \$3,600,000. The County's estimated costs to the City are based on their Cost Participation Policy. The City's estimated portion of this project is \$780,000, which is comprised of Municipal State Aid funds and Assessment Bonds. The remainder will be funded from Hennepin County funds. These cost estimated are based upon an engineering estimate given the quantity of materials required to complete the project. The actual project cost will depend upon the bids received to complete

the work. Hennepin County has not yet let bids for this project. The cooperative agreement between Hennepin County and the City of Minneapolis will reflect the estimated cost estimate and will include language that will allow the amount to change once bids are received.

The proposed street reconstruction special assessments were determined by applying the 2011 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2011 reconstruction assessment rates are as follows:

\$2.05 – Non-Residential
\$0.77 – Residential

The proposed total assessment amount for the Lyndale Av S Reconstruction Project is \$613,075.81. Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2012 with interest charged on the assessments at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2012 real estate tax statements.

Information has been provided in the notices as to how persons may prepay the special assessments in full without interest if they so choose.

Lyndale Avenue South Street Lighting Project

Per the City of Minneapolis Street Lighting Policy, a City street lighting system will be installed with all street reconstruction projects, unless 70% of the affected properties (in a Pedestrian Priority Corridor) petition out the lighting. Petition forms were mailed to all affected property owners. Signatures representing 66% of the property in the influence zone were returned by the deadline from property owners who were not in support of the project. The proposed street lighting project follows the adopted Minneapolis Street Lighting Policy. Street lights will be installed along Lyndale Avenue South from approximately the north right-of-way line of 56th Street W to the south right-of-way line of east-bound W Minnehaha Pkwy. The proposed street lighting project is for a City street lighting system consisting of fifteen-foot-tall lantern-style lights soldiered with twenty-foot-tall modern shoe box-style lights. The total estimated street lighting cost is \$353,500. Hennepin County has been asked to fund an estimated \$155,700 of the street lighting cost. The maximum amount to be assessed will be \$197,800.

As provided in Chapter 10, Section 8, 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 benefited by and assessed for the Lyndale Av S Street Lighting Project.

The proposed assessment method consists of calculation of land area of benefited parcels located within the street influence zone along the improved streets.

Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2013 (or later, based upon completion of the project with all costs submitted) with interest charged on the assessments at the same rate as the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2013 (or later) real estate tax statements with interest charged on the assessments at the same rate as the City pays in interest for selling assessment bonds.

The lighting levels for this proposed project are classified as standard. The annual maintenance and operation costs are to be paid by property tax revenue and the city-wide street lighting fee which is assessed to non-governmental tax-exempt properties.

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 and street lighting projects. 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. In an effort to minimize delays and potential delay related costs to the project that conflicting areaways may pose, notices were given by the City Engineer that provided the initial notice required in Section 95.9-0 of the Minneapolis Code of Ordinances.

State Aid required parking restrictions

Lyndale Ave S Reconstruction project includes new pavement, curb and gutter, driveways, roadway narrowing, parking lanes, storm drain, sidewalks, and traffic signal modifications. The completed roadway will include a travel lane of varying width (minimum 11 foot) in both the northbound and southbound directions. In addition, a 10 foot parking lane will be provided on both side of Lyndale Ave S. The Lyndale Ave S Reconstruction project includes new turn lanes between 56th St W and east-bound Minnehaha Pkwy W. To meet Municipal State Aid Rule 8820 requirements, prohibiting curbside parking on the easterly and westerly sides of Lyndale Ave S within the right turn lanes is necessary. Accordingly, we recommend the following:

ESTABLISH:

1. No Parking Anytime

Westerly side of Lyndale Ave S beginning at the northerly limits of 56th St W thence extending 156 ft northerly.

2. No Parking Anytime

Easterly side of Lyndale ve S beginning 431 feet northerly of the northerly curb line of 56th St W and thence extending northerly to the northern limits of 55th St W.

3. No Parking Anytime

Westerly side of Lyndale Ave S beginning at the northerly limits of 55th St W thence extending 128 ft northerly.

4. No Parking Anytime

Easterly side of Lyndale Ave S beginning 431 feet northerly of the northerly curb line of 55th St W and thence extending northerly to the northern limits of 54th St W.

5. No Parking Anytime

Westerly side of Lyndale Ave S beginning at the northerly limits of 54th St W thence extending 128 ft northerly.

6. No Parking Anytime

Easterly side of Lyndale Ave S beginning 300 feet northerly of the northerly curb line of 54th St W and thence extending northerly to the northern limits of 53rd St W.

7. No Parking Anytime

Westerly side of Lyndale Ave S beginning at the northerly limits of 53rd St W thence extending 80 ft northerly.

8. No Parking Anytime

Easterly side of Lyndale Ave S beginning 206 feet northerly of the northerly curb line of 53rd St W and thence extending northerly to the northern limits of West Minnehaha Pkwy.

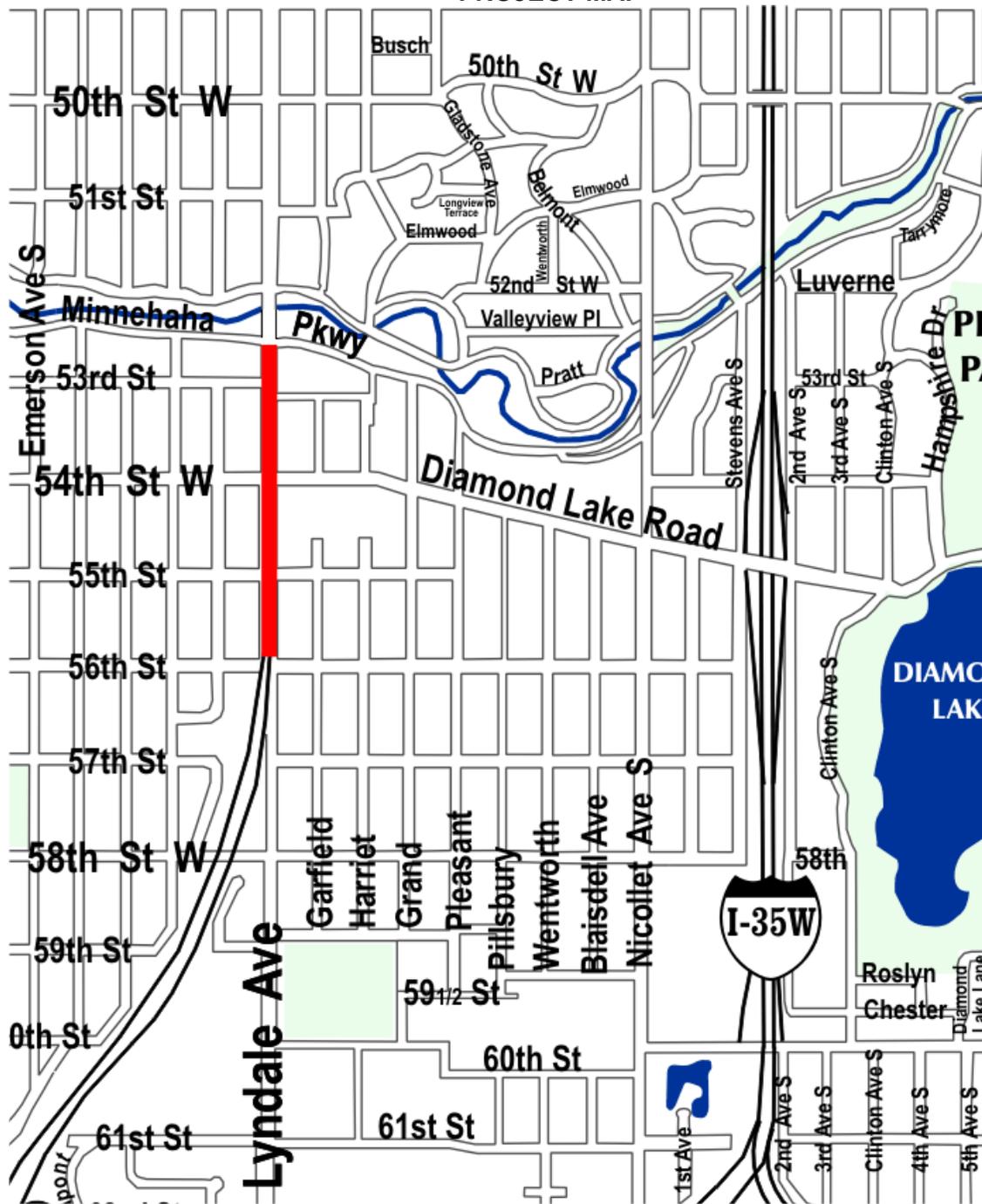
These parking restrictions are to become effective upon reconstruction of the street. Also note that Public Works staff has worked with the Fire Marshall to determine that the easterly side of the 5500 block of Lyndale Ave S between and north of the driveways at 5517 Lyndale Avenue S should become a fire lane. Public Works staff recommends the above parking restrictions with the understanding that the Fire Marshall will dedicate the aforementioned fire lane.

Attachment 1 – Project Map

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation

ATTACHMENT 1

PROJECT MAP



 Project



T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution ordering the work to proceed and adopting the special assessments for the Lyndale Av S (from Minnehaha Parkway to 56th St W) Street Reconstruction Project, Special Improvement of Existing Street No 6745.

Colvin Roy

Lyndale Av S (from Minnehaha Parkway to 56th St W) Street Reconstruction Project, Special Improvement of Existing Street No 6745

Ordering the work to proceed and adopting the special assessments for the Lyndale Av S (Minnehaha Parkway to 56th St W) Street Reconstruction Project.

Whereas, a public hearing was held on April 5, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2011R-106 passed March 10, 2011, to consider the proposed special assessments as 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 2011R-106 passed March 10, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$613,075.81 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 the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2012 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2012 real estate tax statements.

Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$613,080 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 Lyndale Av S (Minnehaha Parkway to 56th St W) Street Reconstruction Project, Special Improvement of Existing Street No 6745, 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.

T&PW - Your Committee recommends passage and summary publication of the accompanying Resolution ordering the work to proceed and adopting the special assessments for the Lyndale Av S (Minnehaha Parkway to 56th St W) Street Lighting Project, Special Improvement of Existing Street No 6745L

Colvin Roy

Lyndale Av S (Minnehaha Parkway to 56th St W) Street Lighting Project, Special Improvement of Existing Street No 6729L

Ordering the work to proceed and adopting the special assessments for the Lyndale Av S (Minnehaha Parkway to 56th St W) Street Lighting Project.

Whereas, a public hearing was held on April 5, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2011R-107 passed March 10, 2011, to consider the proposed special assessments as 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 Resolution 2011R-107 passed March 10, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$197,800 as on file in the Office of the City Clerk are hereby 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 the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2013 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 the interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments on the 2013 real estate tax statements.

Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$197,800 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 Lyndale Av S (Minnehaha Parkway to 56th St W) Street Lighting Project, Special Improvement of Existing Street No 6745L, 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.

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction and street lighting projects in the Lyndale Av S (Minnehaha Parkway to 56th St W) area.

Colvin Roy

Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the street reconstruction and street lighting projects in the Lyndale Av S (Minnehaha Parkway to 56th St W) area.

Whereas, the City of Minneapolis in cooperation with Hennepin County, has scheduled the reconstruction and street lighting improvements starting in 2011 in the Lyndale Av S (Minnehaha Parkway to 56th St W) area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction and streetscape installation; and

Whereas, a public hearing was held on April 5, 2011 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways and 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 Lyndale Av S (both sides) from Minnehaha Parkway to 56th St W.

RESOLUTION 2011-R
By Colvin Roy

Directing the City Engineer to establish no parking restrictions on the westerly and easterly sides of Lyndale Ave S between the limits Minnehaha Pkwy W and 56th St W.

Whereas, the City of Minneapolis and Hennepin County wishes to reconstruct Lyndale Ave S between the limits of Minnehaha Pkwy W and 56th St W; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes and a minimum number of drive lanes, lane widths and parking widths; and

Whereas, to meet State Aid Rule 8820 the County and the City recommend establishing No Parking Anytime at the following locations, effective upon reconstruction of the street:

- Westerly side of Lyndale Ave S beginning at the northerly limits of 56th St W thence extending 156 ft northerly.
- Easterly side of Lyndale Ave S beginning 431 feet northerly of the northerly curb line of 56th St W and thence extending northerly to the northern limits of 55th St W.
- Westerly side of Lyndale Ave S beginning at the northerly limits of 55th St W thence extending 128 ft northerly.

- Easterly side of Lyndale Ave S beginning 431 feet northerly of the northerly curb line of 55th St W and thence extending northerly to the northern limits of 54th St W.
- Westerly side of Lyndale Ave S beginning at the northerly limits of 54th St W thence extending 128 ft northerly.

- Easterly side of Lyndale Ave S beginning 300 feet northerly of the northerly curb line of 54th St W and thence extending northerly to the northern limits of 53rd St W.
- Westerly side of Lyndale Ave S beginning at the northerly limits of 53rd St W thence extending 80 ft northerly.

- Easterly side of Lyndale Ave S beginning 206 feet northerly of the northerly curb line of 53rd St W and thence extending northerly to the northern limits of West Minnehaha Pkwy.

Whereas, State Aid rules require a certified resolution documenting the requested action;

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

That the City Engineer is hereby directed to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.