



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

Date: March 7, 2002
To: Transportation and Public Works Committee
Referral to: Ways and Means/Budget Committee

Subject: 1. Third Avenue S Street Reconstruction Project No. 6538, Project Approval and Assessment Public Hearing

Recommendation: 1(a). Passage of a Resolution ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$346,722.48 for the Third Avenue South Street Reconstruction Project.

1(b). Passage of a Resolution requesting the board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$346,700 for the Third Avenue South Street Reconstruction Project with the bonds to be paid for from special assessments.

2. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Third Avenue South Street Reconstruction Project.

These Resolutions may be authorized for summary publication.

Previous Directives: Project Designation, Resolution No. 2002R-021

Prepared or Submitted by: Suzette R. Hjernstad, RE Investigator II, 673-2401

Approved: David J. Sonnenberg, P. E., City Engineer, Director of Public Works

By: Richard Smith

Presenters in Committee: Suzette R. Hjernstad, RE Investigator II, Kelly Moriarity, Project Engineer

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)

Action requires an appropriation increase to the Capital Budget

Action requires an appropriation increase to the Operating Budget

Action provides increased revenue for appropriation increase

Action requires use of contingency or reserves

Other financial impact (Explain): Special assessment against benefited property owners

Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact (use any categories that apply)

Neighborhood Notification

City Goals

Comprehensive Plan

Zoning Code

Other

Background/Supporting Information Attached

On February 1, 2002 the City Council designated the location, streets and improvements proposed to be made in the Third Avenue S area. The location of the street reconstruction project is Third Avenue S from Washington Avenue to 12th Street S. Third Avenue S at this location is Minnesota State Aid Route No. 305.

1. Third Avenue S Street Reconstruction Project

The cost estimate for the Third Avenue S Street Reconstruction Project is \$9,225,000. The street improvement project will include paving with plant mix asphalt with concrete curb and gutter replacement, traffic signal work, high-level lighting and catch basin work as needed. This project will use city forces and is scheduled to start in April 2002 and completed in 2003. A five-year capital program adopted by the City Council on December 14, 2000 and December 13, 2001 appropriated amounts for Net Debt Bonds, Assessment Bonds and MSA Funds in various fund agencies that are sufficient to cover the cost of this proposed project.

The proposed street reconstruction special assessments were determined by applying the 2002 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street.

The rates are as follows:

Reconstruction – Other – Non-Residential	\$1.02 per sq. ft.
Reconstruction – Other – Residential	\$0.32 per sq. ft.

The proposed total assessment amount for the street reconstruction is \$346,722.48. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2003 real estate tax statements with the interest charged at the same rate as bonds are sold. Assessments of \$150 or less would be collected in their entirety on the 2003 real estate tax statements with interest charged at the same rate as assessment bonds are sold. Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest charges if they so choose.

2. 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. Prior to this public hearing, areaway legal public hearing notices were given by the City Engineer that provided the initial notice required in Section 95.90 of the Minneapolis Code of Ordinances.

At the time this letter was prepared, a local pre-hearing neighborhood information meeting to discuss the above-mentioned items is scheduled for February 27. Council Member Lisa Goodman has not indicated her position on this proposed paving project.

Cc: Council Member Lisa Goodman
Jack Qvale, Secretary, Board of Estimate and Taxation

T&PW – Your Committee recommends passage of the accompanying Resolution ordering the work to proceed and adopting the special assessments for the Third Av S Street Reconstruction Project, Special Improvement of Existing Street Number 6538.

Your Committee further recommends summary publication of the above-described Resolution.

Colvin Roy

**Third Avenue S Street Reconstruction Project,
Special Improvement of Existing Street Number 6538**

Ordering the work to proceed and adopting the special assessments for the Third Avenue S Street Reconstruction Project.

Whereas, a public hearing was held on March 7, 2002 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2002R-021, passed February 1, 2002 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 2002R-021, passed February 1, 2002.

Be It Further Resolved that the proposed special assessments in the total amount of \$346,722.48 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 charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2003 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 2003 real estate tax statements.

Colvin Roy and Johnson

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$346,700 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 Third Avenue S Street Reconstruction Project, Special Improvement of Existing Street Number 6538, 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 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 paving project in the Third Av S Area.

Your Committee further recommends summary publication of the above-described Resolution.

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 project in the Third Av S area.

Whereas, the City of Minneapolis has scheduled the reconstruction improvements during 2002 in the Third Av S 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 7, 2002 in accordance with Chapter 10, Section 6 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 Third Av S (both sides) from Washington Av to 12th St S.