



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

Date: September 14, 2010

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

Subject: **Assessment for Areaway Abandonment and Removal Project No 2276 for property in the 2nd Ave S Reconstruction Project (PV053): Set Public Hearing.**

Recommendation:

Adoption of a Committee Report receiving the final costs, directing the City Engineer to prepare a proposed Areaway Abandonment and Removal Assessment and directing the City Clerk to give notice of an Assessment Public Hearing to be held on October 26, 2010 before the Transportation and Public Works Committee for the benefited property at 625 2nd Ave S, PID 27-029-24-11-0031, in the amount of \$22,476.53.

Previous Directives:

- July 31, 2009, Council Resolution 2009R-359 increasing appropriation for CPV053 \$50,000 for assessments.
- July 17, 2009 Council Action – Accepting the low bid of Construction Results Corporation. in the amount of \$8,900 to furnish & deliver all labor, materials, equipment and incidentals necessary to complete the areaway abandonment at 625 2nd Ave S for the City of Minneapolis PW Department.
- June 6, 2008 Council Resolution 2008R-222 – Ordering the City Engineer to abandon and remove the areaways located in the public street r/w that is in conflict with the 2nd Ave S & Marquette Ave Transit Project areas.
- April 4, 2008, Council Resolutions 2008R-132, Areaway Project Designation

Prepared by: Suzette R. Hjermsstad, Public Works Special Assessment Office, 673-2401
Don Elwood, P.E., Director Transportation Planning & Engineering

Approved by:

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

Presenters: Christopher M. Engelmann, P.E., Project Manager

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 Assessments against benefited property

Community Impact

Neighborhood Notification: Not Applicable

Neighborhood Meetings: Not Applicable.

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 April 4, 2008, the City Council designated the location, streets and improvements proposed to be made in the Marquette Ave and 2nd Ave S Reconstruction Project (MARQ2). A public hearing was held on May 20, 2008, that included the areaway abandonment and removal of any conflicting areaways within the MARQ2 project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction and streetscape project work proceeded during 2008 and 2009, the City began working with the property manager (Michelle Nichols, Colliers Turley Martin Tucker, 625 2nd Ave S, Minneapolis, MN 55402) and taxpayer on record (Infinity Media Corporation C/O WCCO Radio, Colonial Warehouse, 212 Third Avenue N, Suite 478, Minneapolis, MN 55401) for the 625 2nd Ave S property. A letter was sent to the taxpayer on December 2, 2008, explaining that an areaway was found and ordered the areaway to be abandoned. The letter also stated if the property owner/taxpayer did not comply with the order to abandon the City of Minneapolis would perform the work and have it assessed to the property.

The taxpayer representative elected to not perform the areaway abandonment. Upon confirmation neither the property manager nor the tax payer would perform the areaway abandonment the project manager initiated the abandonment design. The project manager contacted the structural engineering firm, Bonestroo, Inc. to evaluate the areaway and prepare construction documents for public bid. The project was publicly bid and a contract awarded to Construction Results Corporation in the amount of \$8,900.00. The project had one change order that resulted in a decrease to the contract in the amount of \$899. The changes were a result of coordinating the work with the MARQ2 project to provide savings to the property.

The project costs are as follows:

Consulting Design and Construction Oversight	\$11,484.16
Construction	\$7,901.00
City Expenses	\$3,091.37
Total	\$22,476.53

City expenses include labor (including project management; coordination with property representative, consultant, and contractor; oversight of consultant and contractor; and bidding set up and management), administration, and overhead.

The assessment public hearing procedure is in accordance with Section 95.90 of the Minneapolis Code of Ordinances which provides the authority for the City Engineer to abandon and remove an areaway in conflict with capital improvement project in the City's right-of-way and a public hearing for the assessment of the cost of removal to be held at a later date.

CC: Council Member Lisa Goodman Ward 7

T&PW – Your committee recommends adoption and summary publication of the accompanying Committee Report, receiving a final cost for areaway abandonment and removal and giving notice of an Assessment Public Hearing for the property at:

625 2nd Ave S, PID No. 27-029-24-11-0031, final cost of \$22,476.53.

in conjunction with the 2nd Av S and Marquette Av Street Reconstruction and Streetscape Project, Special Improvement of Existing Street No. 6739.

T&PW – Your Committee having received final costs for the Areaway

Abandonment and Removal at the following property:

625 2nd Av S, PID No. 27-029-24-11-0031, legally described as that part of Lots 1, 2 and 3, Block 219, Brown & Jackins Addition to Minneapolis described as follows:

Beginning at the most Westerly corner of Block 219, thence Southeasterly along the Southwesterly line of said block a distance of 165 feet, thence Northeasterly parallel with 2nd Ave S a distance of 100 feet, thence Northwesterly parallel with 7th St S a distance of 65 feet, thence Southwesterly parallel with 2nd Ave S a distance of 30 feet, thence Northwesterly parallel with 7th St S a distance of 100 feet to 2nd Ave S, thence Southwesterly a distance of 70 feet to the point of beginning.

in accordance with the Areaway Abandonment and Removal Project No 2276 in conjunction with the 2nd Av S and Marquette Av Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6739, as ordered by Resolution 2008R-222, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 26, 2010 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter, to consider the amount proposed to be assessed to the benefited property.