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

Date: May 20, 2008

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

Referral to: Honorable Paul Ostrow, Chair Ways & Means/Budget Committee

Subject: **Assessment Public Hearing for Areaway Abandonment and Removal for properties in the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Reconstruction Project No 6708.**

Recommendation:

a. Passage of a Resolution adopting special assessments for the areaway abandonment and removal in the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Reconstruction Project No 6708 for the benefited properties at:
   - 701-703 Lake St W, PID 04-028-24-11-0185, in the amount of $3,072.66;
   - 2922 Lyndale Ave S, PID 33-029-24-44-0121, in the amount of $603.34;
   - 3001 Lyndale Ave S, PID 03-028-24-22-0101, in the amount of $3,360.71.

b. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of $7,035.00 for the areaway abandonment and removal in the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Reconstruction Project No 6708 with the bonds to be paid for from special assessments.

Previous Directives:

Resolution 2007R-151, passed March 30, 2007, ordering the City Engineer to abandon and remove the areaways located in the public street r/w that are in conflict with the paving and streetscape project in the W Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) area.

Prepared by: Suzette R. Hjermstad, 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: Jenifer Loritz, P.E., Life Cycle Project Manager

Reviews

• Permanent Review Committee (PRC)	Approval	NA	Date
• Civil Rights Affirmative Action Plan	Approval	NA	Date
• Policy Review Group (PRG)	Approval	NA	Date

Financial Impact (Check those that apply)

_X_ 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
___ Business Plan: __ Action is within the plan. ___ Action requires a change to plan.
_X_ Other financial impact: Special Assessments against benefited property
___ Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

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 January 26, 2007, the City Council designated the location, streets and improvements proposed to be made in the W Lake Street area. A public hearing was held on March 20, 2007 that included the areaway abandonment and removal of any conflicting areaways within the W Lake Street area street reconstruction and streetscape project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction and streetscape project work proceeded in 2007, the City contacted the property owners of 701-703 W Lake Street, 2922 Lyndale Ave S and 3001 Lyndale Ave S regarding their areaways that were in conflict with the project. On May 22, 2007 the project engineer received a fax from the property owner of 2922 Lyndale Ave S asking that the City proceed with abandoning their areaway and assessing all costs. On May 30, 2007 the project engineer received a fax from the property owner of 701-703 Lake St W asking that the City proceed with abandoning their areaway and assessing all costs. On August 28, 2007 the project engineer received an email from the representative of 3001 Lyndale Ave S asking that the City proceed with abandoning their areaway and assessing all costs.

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 Ralph Remington, Ward 10

T&PW – Your committee recommends adoption and summary publication of the accompanying Resolution:

1. Adopting and levying the assessments for the areaway abandonment and removal in conjunction with the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Street Reconstruction and Streetscape Project, Special Improvement of Existing Street No. 6708 for the benefited properties at:

   701-703 Lake St W, PID 04-028-24-11-0185, in the amount of $3,072.66;

   2922 Lyndale Ave S, PID 33-029-24-44-0121, in the amount of $603.34;

   3001 Lyndale Ave S, PID 03-028-24-22-0101, in the amount of $3,360.71.

2. Requesting the Board of Estimate and Taxation to issue and sell bonds in the amount of $7,035.00 for certain purposes other than the purchase of public utilities.

Colvin Roy

Adopting and levying the assessments for the unpaid charges for the areaway abandonment and removal for the benefited properties as set forth in Petition No. _____.

Whereas, a Public Hearing was held on May 20, 2008, in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter to consider the proposed assessment as shown on the proposed assessment roll on file in the Office of the City Clerk 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 assessment against the affected properties at:

701-703 Lake St W, PID 04-028-24-11-0185, in the amount of $3,072.66, legally described as: That part of Lot 1 and of the North 38 feet of Lot 2 lying East of a line running from a point on the North line of said Lot 1, distant 43.75 feet West from the Northeast corner thereof, to a point on the South line of the North 38 feet of said Lot 2 distant 43.43 feet West from the Southeast corner thereof, Auditor's subdivision No. 40, Hennepin county, Minn;

2922 Lyndale Ave S, PID 33-029-24-44-0121, in the amount of $603.34, legally described as: Lot 7, Auditor's Subdivision No. 187, also the South 9 feet of the West 18.2 feet of Lot 6 Auditor's Subdivision No. 187, Hennepin County, Minn;

3001 Lyndale Ave S, PID 03-028-24-22-0101, in the amount of $3,360.71, legally described as: The South 10 6/10 feet of the East 42 feet of Lot 23 and that part of Lots 23 and 24, lying West of the East 42 feet thereof, Block 4, Motor Line Addition to Minneapolis.

As set forth in Petition No. _____ in accordance with the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6708, as ordered by Resolution 2007R-151, in the total amount of $7,036.71 and as shown on the proposed assessment roll on file in the office of the City Clerk be and hereby are adopted and levied.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin the 2009 real estate tax statement.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of $7,035 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 areaway abandonment and removal at 701-703 Lake St W, PID 04-028-24-11-0185, 2922 Lyndale Ave S, PID 33-029-24-44-0121, and 3001 Lyndale Ave S, PID 03-028-24-22-0101 in accordance with the West Lake Street (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Street Reconstruction and Streetscape Project, Improvement of Existing Street No 6708, to be assessed against said benefited properties as estimated by the City Council which assessment shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.