



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

Date: October 26, 2010

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

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

Subject: **Assessment Public Hearing for Areaway Abandonment and Removal for properties in the 3rd Ave N (Washington Ave N to 5th St N) Reconstruction Project No 9882.**

Recommendation:

- A. Passage of a Resolution adopting special assessments for the areaway abandonment and removal in the 3rd Ave N (Washington Ave N to 5th St N) Reconstruction Project No 9882 for the benefited properties at:
 - i. 250 3rd Ave N, PID 22-029-24-42-0072, in the amount of \$312,175.51.
- B. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$312,170 for the areaway abandonment and removal in the 3rd Ave N (Washington Ave N to 5th St N) Reconstruction Project No 9882 with the bonds to be paid for from special assessments.

Previous Directives:

- April 10, 2009 Council Resolution 2009R-150 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 3rd Ave N (Washington Ave N to 5th St N) area.
- September 24, 2010 Council Action receiving the final costs for areaway abandonment and removal and setting the public hearing.

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Suzette 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: Beverly Warmka, P.E., Project Engineer, Transportation, Planning & Engineering
Suzette Hjermstad, Special Assessments Office

Reviews:

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

Financial Impact

Special Assessments against benefited property

Background/Supporting Information:

On February 20, 2009, the City Council designated the location, streets and improvements proposed to be made in the 3rd Ave N area. A public hearing was held on March 31, 2009 that included the areaway abandonment and removal of any conflicting areaways within the 3rd Ave N area street reconstruction and streetscape project in accordance with Section 95.90 of the Minneapolis Code of Ordinances.

As the street reconstruction project work proceeded in 2009, the City contacted the property owners along 3rd Ave N regarding their areaways that were in conflict with the project. The project manager worked with the property owner of 250 3rd Ave N regarding the abandonment of the areaway associated with that property. The project engineer and the property owner worked together through the areaway abandonment process. The assessment amount comprises the labor, material and equipment rental fees in addition to a 5% administrative fee for the City of Minneapolis.

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 a 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
Craig Troutman, Finance
Suzette Hjermstad, Special Assessments Office
Jack Qvale, Estimate and Taxation

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

1. Adopting and levying the assessment for the Areaway Abandonment and Removal for property at 250 3rd Av N, PID 22-029-24-42-0072 in connection with the 3rd Ave N (Washington Ave to 5th St N) Reconstruction Project, Special Improvement of Existing Street No. 9882.
2. Requesting the board of Estimate and Taxation to issue and sell bonds in the amount of \$312,180 for certain purposes other than the purchase of public utilities.

Colvin Roy

Adopting and levying the assessment for the unpaid charge for the areaway abandonment and removal from the property known as 250 3rd Av N, PID 22-029-24-42-0072, as set forth in Petn No. _____.

Whereas, a public hearing was held on October 26, 2010 in accordance with Chapter 8, Section 12 and 13, Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 and 95.90 of the Minneapolis Code of Ordinances 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 property at 250 3rd Av N, PID 22-029-24-42-0072 and legally described as:

Lots 4 & 5, Town of Minneapolis and Hoag's Addition to Minneapolis according to the recorded plats thereof, together with that part of abandoned 3rd Street North that accrued by reason of Stipulation and Court Order filed as Document No. 5482816

set forth in Petn No. _____ in accordance with the Areaway Abandonment and Removal Project in connection with the 3rd Av N (Washington Av N to 5th St N) Street Reconstruction Project, Special Improvement of Existing Street No. 9882 as ordered by Resolution 2009R-150 in the total amount of 312,175.51 and as shown on the proposed assessment roll on file in the office of the City clerk be and hereby is 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 fixe3d at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessment to begin on the 2011 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 Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$312,180 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 250 3rd Av N, PID 22-029-24-42-0072 in accordance with the 3rd Av N (Washington Av to 5th St N) Street Reconstruction Project, Improvement of Existing Street No. 9882, to be assessed against said benefited property 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.