



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

Date: May 4, 2004
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Referral to: Honorable Barbara Johnson, Chair Ways & Means Committee
Subject: **Reconstruction of West Broadway Av (West City Limits to GIRRARD Av N)
Project No. 6710 (Hennepin County Project No. 9753 & 9772)**

Recommendation:

- 1(a). Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$935,748.40 for the West Broadway Avenue Reconstruction Project.
- 1(b). Passage of a Resolution requesting the Board of Estimation and Taxation to issue and sell assessment bonds in the amount of \$935,700 for the West Broadway Avenue Reconstruction Project with the bonds to be paid for from special assessments.
- 2(a). Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$771,403 for the West Broadway Avenue Street Lighting Project.
- 2(b). Passage of a Resolution requesting the Board of Estimation and Taxation to issue and sell assessment bonds in the amount of \$771,400 for the West Broadway Avenue Street Lighting Project with the bonds to be paid for from special assessments.
3. Adoption of a Committee Report giving preliminary approval to establish the street lighting project area as Street Lighting District Number 1304.
4. Approval of City/County Cooperative Agreement (County Agreement No. PW 40-20-03) pending satisfactory review by the City Attorney's Office.
5. Passage of a Resolution ordering the City Engineer to abandon and remove the areaways located in the public right-of-way that are in conflict with the West Broadway Avenue Reconstruction and Street Lighting Projects.

Previous Directives:

- Resolution 2002R-307, Approving Hennepin County Department of Transportation's Layout "I", dated May 31, 2002, for County State Aid Highway (CSAH) 81 (West Broadway Avenue) from Girard Avenue N to the West City Limits.
- Resolution 2004R-127 W Broadway Street Reconstruction Project Designation
- Resolution 2004R-127 W Broadway Street Lighting Project Designation

Prepared by: Jack Yuzna, P.E., Engineering Services Division, 673.2415
Approved by:

Klara A. Fabry, P.E., City Engineer, Director of Public Works

Presenters: Jack Yuzna, P.E., Principal Prof. Engineer, Engineering Services

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 assessments to benefited properties
- Request provided to the Budget Office when provided to the Committee Coordinator

Background/Supporting Information:

In June 1998, Hennepin County began working with Minneapolis Public Works to initiate the reconstruct of West Broadway Avenue. Over the next four years, the City and County met with the public, neighborhoods and business associations to develop the layout. Nine layouts were developed and the City Council approved Layout "I" (see attached Resolution 2002R-307). Since the adoption of layout, the County has been completed the design and bid documents.

Using the completed bid documents, The County has drafted a cooperative agreement and cost estimate for City approval. The County's estimated costs to the City is based on their Cost Participation Policy and work that the City's Water Works Division has requested be performed under the contract. The County also agreed to use its Roadside Enhancement Partnership Program (REPP) to underwrite the cost of the street lighting project. Attached are the cooperative agreement's Division of Cost Summary and Accounts Payable/Receivable Summary (Attachment 3) that outlines the City's share of the project cost. The summaries also include payment by the County to the City for work to be performed by the City on behalf of the County.

The estimated total payment to be made by the City to the County for the projects is \$2,558,041.60 of which \$1,448,772.73 is for roadway reconstruction, \$278,951.37 is for street lighting and \$830,317.50 is for watermain construction. Currently the appropriations for this project are as follows:

PV004 CSAH PAVING PROGRAM

Roadway Reconstruction	Funding		
Total Cost	\$7,076,502.00		
County Participation	\$5,627,729.25		
City Participation	\$1,448,772.75	\$935,748.40	Assessment Bonds
		\$513,024.35	Net Debt Bonds

Street Lighting Construction	Funding		
Total Cost	\$771,402.80		
County Participation	\$504,205.85		
City Participation	\$278,951.37	\$278,951.37	Assessment Bonds

WATERMAIN CAPITAL IMPROVEMENT

Watermain Construction	Funding
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Total Cost	\$830,317.50	
County Participation	\$0.00	
City Participation	\$830,317.50	\$830,317.50

On April 2, 2004, the City Council designated the location, streets and improvements proposed to be made in the W Broadway Ave area. The location of the street reconstruction and street lighting project is W Broadway from Girard Avenue North to the West City Limits. W Broadway at this location is County State Aid Route No. 81.

1. W Broadway Reconstruction Project

The cost estimate for the W Broadway Reconstruction Project is \$7,076,502. The proposed street reconstruction special assessments were determined by applying the 2004 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved street. The 2004 reconstruction assessment rates are as follows:

- \$1.12/sq ft - Other - Non-Residential
- \$0.37/sq ft - Other - Residential

The proposed total assessment amount for the street reconstruction project is \$935,748.40. Individual assessments of more than \$150 would be collected over 20 years beginning on the 2005 real estate tax statements with interest charged at the same rate as assessment bonds are sold. Assessments of \$150 or less would be collected in their entirety on the 2005 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. W Broadway Street Lighting Project

This project will install low-level pedestrian-scale streetlights, along with high level lights as selected locations on W Broadway from Girard Av N to the W City Limits. The total cost estimate for street lighting is \$771,403, of which 100% would be assessed. The assessment rate for the lighting is approximately \$0.74 per sq. ft. However, if the total cost is less than the estimate when the project is completed, only the actual cost will be assessed to the benefited properties.

Assessments of more than \$150 would be collected over 20 years beginning on the 2005 real estate tax statements with interest charged at the same rate as assessment bonds are sold. Assessments of \$150 or less would be collected in their entirety on the 2005 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.

The proposed assessment method consists of land area located within the street influence zone along the street receiving improvements for the street lighting portion of the costs, consistent with other lighting assessments throughout the City.

3. Street Lighting District Number 1304

As provided in chapter 431 (Street Lighting) of the Minneapolis Code of Ordinances, the street lighting project area is proposed to be established as Street Lighting District Number 1304. An assessment is recommended for the portion of the street lighting system maintenance and operation costs that are in excess of the standard costs, paid for by the City. Within the W Broadway Lighting Project, there is a business district from 24th Av N to Logan Av N that will receive lighting in excess of City standard. Non-governmental properties exempt from real estate taxes pay for street lighting maintenance and operation costs through special assessments. Chapter 431 provides for a lineal frontage method of assessing these costs. The assessment rate being used in Street Lighting District Number 1304 is \$1.73 per lineal foot, this includes \$0.55 per lineal foot for the lighting above standard and \$1.18 per lineal foot for the base rate.

4. 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 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.

Attachment 1 – Project Map

Attachment 2 - Resolution 2002R-307, Approving Hennepin County Department of Transportation's Layout "I" (dated September 13, 2002)

Attachment 3 –Exhibit "A" (pages 1 & 2) of the City/County Cooperative Agreement

cc: Council Member Don Samuels, Ward 3
Council Member Barbara Johnson, Ward 4
Council Member Natalie Johnson Lee, Ward 5

West Broadway Ave Streetscape

Girard Ave N to West City Limits



— Project