

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

Date: January 27, 2009

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

Refer To: The Honorable Paul Ostrow, Chair Ways and Means Committee

Subject: Chicago Av Phase II (Franklin Av to 25th St E and 26th St E to 28th St E)

Reconstruction Project No 6382: Public Hearing

Recommendations:

1a. Passage of a Resolution ordering the City Engineer to proceed with and do the work and adopting special assessments in the amount of \$742,820.69 for the Chicago Av Phase II Street Reconstruction Project.

- 1b. Passage of a Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$742,800 for the Chicago Av Phase II Street Reconstruction Project with the bonds to be paid for from special assessments.
- 2. Passage of a Resolution ordering the City Engineer to install parking restrictions on Chicago Av between Franklin Av and 28th St E per the City Council approved layout to meet State Aid Rule 8820.
- 3. 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 Chicago Avenue Phase II Street Reconstruction Project.

These Resolutions may be authorized for summary publication.

Previous Directives:

- April 4, 2008, Council adopted Resolution 2008R-127 amending the 2008 Capital Improvement Appropriation Resolution to include funds for the reconstruction of Chicago Av (25th St W to 26th St E)
- April 4, 2008, Council adopted Resolution 2008R-128 requesting the Board of Estimate and Taxation for the reallocation of Net Debt Bonds
- April 4, 2008, Council adopted Resolution 2008R-129 designating the Chicago Av street improvement project (25th St E to 26th St E)
- May 2, 2008, Council adopted Resolution 2008R-172 ordering the work to proceed and adopting special assessments for the 2500 block of Chicago Av S.

- May 2, 2008, Council adopted Resolution 2008R-173 requesting the sale of assessment bonds for the reconstruction of the 2500 block of Chicago Av S.
- May 2, 2008, Council adopted Resolution 2008R-174 ordering the City Engineer to install parking restrictions along the 2500 block of Chicago Av S.
- October 10, 2008, Council adopted Resolution 2008R-445 amending the 2008 Capital Improvement Appropriation Resolution by \$25,000 for construction of a pedestrian flasher at Children's Hospital, paid by Children's Hospital
- November 7, 2008, Council adopted Resolution 2008R-512 approving the layout of Chicago Ave S 14th St E to 25th St E and 26th St E to 28th St E
- December 12, 2008 Council Resolution 2008R-572 designating Phase II of project.

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Approved:	Steven A. Kotke, P. E., City Engineer, Director of Public Works		
Presenters:	Ole Mersinger, P.E., Project Engineer		
Reviews			
	Permanent Review Committee (PRC):	Approval	Date
	Civil Rights Approval	Approval	Date
	Policy Review Group (PRG):	Approval	Date

Financial Impact (Check those that apply)

Other financial impact: Special assessments against benefited properties

Community Impact

Neighborhood Notification: Public hearing notices mailed out January 12, 2009 Neighborhood Meetings: Pre-public hearing meeting scheduled for January 20, 2009 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 December 12, 2008, the City Council designated the location, streets and improvements proposed to be made in the Chicago Av S area. The Chicago Av S Phase II Reconstruction Project will be from Franklin Av to 25th St E and 26th St E to 28th St E. Chicago Av S at this location is Minnesota State Aid Route No. 165.

Project/Scope

The reconstruction of Chicago Av S (8th St – 28th St) is a multi-vear project currently in the City's 5 year Capital Improvement Program (CIP) and is proposed to be completed in 2010. Phase II of the Chicago Av Reconstruction Project is in the CIP for 2009.

Schedule and Funding

The construction of this project is scheduled for 2009. The street reconstruction plan includes pavement, curb and gutter, signing, striping and related items and work. The project will be completed by a combination of City workforces and contracted services.

The cost estimate for this project is \$5,420,000, of which approximately \$4,322,200 will be reimbursed by Minnesota State Aid funds, and the remaining budget is funded by approximately \$355,000 Net Debt Bonds and approximately \$742,800 Assessment Bonds.

The proposed street reconstruction special assessments were determined by applying the 2009 Uniform Assessment Rates to the land area of benefited parcels located within the street influence zone along the improved streets. The 2009 Uniform Assessment Rates for reconstruction improvements are as follows:

\$1.82/sq ft - Non-Residential \$0.69/sq ft - Residential

The proposed total assessment amount for the Chicago Av Reconstruction Project is \$742,820.69. Assessments of more than \$150 are to be collected in 20 annual principal installments on the real estate tax statements beginning in 2010 with interest charged on the assessments at the rate the City pays in interest for selling assessment bonds. Assessments of \$150 or less are to be collected in their entirety on the 2010 real estate tax statements with interest charged at the rate the City pays in interest for selling assessment bonds. Information has been provided in the Notices as to how persons may prepay the special assessments in full without interest if they so choose.

State Aid Required Parking Restrictions

Chicago Ave S Reconstruction project includes new pavement, curb and gutter, driveways, roadway narrowing, parking lanes, storm drain, sidewalks, and traffic signal modifications. The completed roadway will include a travel lane of varying width (minimum 11 foot) in both the northbound and southbound directions. In addition, a 10 foot parking lane will be provided on both sides of Chicago Ave S. To meet Municipal State Aid requirements, prohibiting curbside parking on both sides of Chicago Ave S at the intersections is necessary.

Accordingly, we recommend the following:

ESTABLISH:

1. No Parking Anytime

Westerly side of Chicago Ave S beginning 545 feet northerly of the northerly curb line of 28th St E and thence extending northerly to the southern limits of 27th St E.

2. No Parking Anytime

Easterly side of Chicago Ave S beginning 545 feet northerly of the northerly curb line of 28th St E and thence extending northerly to the southern limits of 27th St E.

3. No Parking Anytime

Easterly side of Chicago Ave S beginning at the northerly limits of 22nd St E thence extending 30 feet northerly.

4. No Parking Anytime

Westerly side of Chicago Ave S beginning 240 feet southerly of the southerly curb line of Franklin Ave E and thence extending southerly to the southern limits of 21st St E.

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. In an effort to minimize delays and potential delay related costs to the project that conflicting areaways may pose, 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 – Map

Cc: Jack Qvale, Secretary, Board of Estimate and Taxation

T&PW – Your Committee recommends passage and summary publication of the accompanying Resolutions ordering the work to proceed and adopting the special assessments and ordering the installation of parking restrictions to meet Sate Aid Rule 8820, for the Chicago Av Phase II Street Reconstruction Project Special Improvement of Existing Street No. 6382.

Colvin Roy

CHICAGO AVENUE PHASE II STREET RECONSTRUCTION PROJECT SPECIAL IMPROVEMENT OF EXISTING STREET NO 6382

Ordering the work to proceed and adopting the special assessments for the Chicago Av Phase II (Franklin Av to 25th St E and 26th St E to 28th St E) Project.

Whereas, a public hearing was held on January 27, 2009 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2008R-572, passed December 12, 2008, 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 2008R-572, passed December 12, 2008.

Be It Further Resolved that the proposed special assessments in the total amount of \$742,820.69 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 be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2010 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 2010 real estate tax statements.

RESOLUTION 2009-R By Colvin Roy

Directing the City Engineer to establish no parking restrictions on the westerly and easterly sides of Chicago Ave S between the limits of 14th St E and 25th St E and the limits of 26th St E and 28th St E.

Whereas, the City of Minneapolis and Hennepin County wishes to reconstruct Chicago Ave S between the limits of 14th St E and 25th St E and the limits of 26th St E and 28th St E; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes and a minimum number of drive lanes, lane widths and parking widths; and

Whereas, to meet State Aid Rule 8820 the County and the City recommend establishing No Parking Anytime at the following locations:

- Westerly side of Chicago Ave S beginning 545 feet northerly of the northerly curb line of 28th St E and thence extending northerly to the southern limits of 27th St E.
- Easterly side of Chicago Ave S beginning 545 feet northerly of the northerly curb line of 28th St E and thence extending northerly to the southern limits of 27th St E.
- Easterly side of Chicago Ave S beginning at the northerly limits of 22nd St E thence extending 30 feet northerly.
- Westerly side of Chicago Ave S beginning 240 feet southerly of the southerly curb line of Franklin Ave E and thence extending southerly to the southern limits of 21st St E.

Whereas, State Aid rules require a certified resolution documenting the requested action:

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.

T&PW and W&M/Budget – Your Committee recommends passage and summary publication of the accompanying Resolution requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the Chicago Av Phase II Street Reconstruction Project Special Improvement of Existing Street No. 6382.

Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$742,800 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 Chicago Av Phase II (Franklin Av to 25th St E and 26th St E to 28th St E) Street Reconstruction Project, Special Improvement of Existing Street No. 6382, 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 and summary publication 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, streetscape and street lighting projects in the Chicago Av Phase II Street Reconstruction Project area.

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 in the Chicago Av Phase II area.

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2009 in the Chicago Av (Franklin Av to 25th St E and 26th St E to 28th St E) 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 January 27, 2009 in accordance with Chapter 10, Section8 of the Minneapolis Code of Ordinances 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 Chicago Av (both sides) from Franklin Av to 25th St E and from 26th St E to 28th St E.