



Council Communication

Office of the City Manager

Date

August 11, 2008

Agenda Item No. **5D**
Roll Call No. **08-**
Communication No. **08-496**
Submitted by: **Jeb E. Brewer, P.E.**
City Engineer

AGENDA HEADING:

Ordering construction of the following: Lincoln Avenue Sanitary Sewer - Victoria Drive to 33rd Street - receiving bids, (8-26-08), and setting date of hearing, (9-8-08). (Construction Estimate - \$140,925).

SYNOPSIS:

Recommend the City Council proceed with construction of the improvement and set dates to receive bids and hold a public hearing, as required by Iowa Code, utilizing the method of financing referenced below. In August 2007, the City Council received a petition requesting that sanitary sewer be constructed to serve the south side of the 3200 Block of Lincoln Avenue. On June 9, 2008, the City Council held a public hearing, adopted the Resolution of Necessity to authorize partial funding with special assessments, and directed the City Engineer to proceed with design of the proposed sanitary sewer improvements.

FISCAL IMPACT:

Amount: \$140,925 City Engineer's Estimate

Funding Source: 2008-2009 CIP, Page Sanitary-5, City-wide Sanitary Sewers, SAE054.
\$33,169.37 from Special Assessments against benefited property owners and the remainder in Sanitary Sewer funds.

ADDITIONAL INFORMATION:

On August 20, 2007, under Roll Call 07-1646, the City Council received, filed, and referred to the City Manager for review and recommendation a petition from two property owners requesting that sanitary sewer be constructed to serve their properties on the south side of Lincoln Avenue from the 3200 block to the 3300 block.

Engineering and Public Works Department staff reviewed the petition and investigated the request for sanitary sewer. There are three properties on the south side of Lincoln Avenue in the 3200 Block that have septic tanks that are not connected to a sanitary sewer, and one vacant lot. Topography and the elevation of the existing sanitary sewers in 32nd and 33rd Streets make it impossible to serve these four properties with a typical sanitary sewer located in the Lincoln Avenue right-of-way. Engineering Department staff has also investigated constructing a sanitary sewer from near 32nd Street and Victoria Drive west through the back yards of these properties to provide sanitary sewer service. In November 2007, the property owners were notified that the Engineering Department would be conducting a preliminary survey to determine if it was feasible to construct a sanitary sewer in their back yards to

connect to their sanitary sewer services between their houses and septic tanks. The survey results confirmed that construction of the proposed sanitary sewer in their back yards was feasible.

On April 17, 2008, the Engineering Department held an informational meeting at Monroe Elementary School to discuss the proposed construction of the assessed sanitary sewer project. Notice of this informational meeting was sent to the three property owners (3210, 3222, and 3300 Lincoln Avenue) that would be served by the proposed sewer (the fourth lot is vacant and owned by Polk County), as well as to Morningstar Mission Baptist Church, 3200 Lincoln Avenue, because the sewer will cross church property to get to the properties to be served. Engineering staff explained that the property owners would be assessed for the cost of two manholes and the sanitary sewer proposed to be constructed in their back yards, while the City of Des Moines would pay the remainder of the project cost to construct the sewer from 32nd and Victoria Drive across the church property to their back yards. This cost would be similar to the cost to be assessed if the sanitary sewer could have been constructed in the street as typically done. Two of the four property owners to be assessed attended the meeting, and after staff explained the project and assessment process, both property owners were in favor of proceeding with the project and the next step, which is the public hearing on the Resolution of Necessity.

On May 5, 2008, under Roll Call Number 08-778, the City Council set June 9th, at 5:00 p.m. for the public hearing to receive and consider both written and oral objections and endorsements to the adoption of the proposed Resolution of Necessity for construction of Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St., Activity ID 07-2008-005, Schedule Number 2008-05.

On May 21, 2008, property owners subject to special assessments were sent a mailing which contained general information, the official Notice to Property Owners of the hearing on June 9th, a copy of the May 5, 2008 City Council Communication 08-269 that explained the sanitary sewer assessment policy and provided further background information, a blank petition form that could be used to petition for or against the project, and each owner's preliminary assessment amount.

On June 9, the City Council adopted the Resolution of Necessity for the sanitary sewer construction on Lincoln Avenue Sanitary Sewer - Victoria Dr. to 33rd St. and directed the Engineering Department to proceed with preparation of plans and specifications for Council consideration to establish a bid date so that the proposed new sanitary sewer can be completed this construction season.

The Engineering Department has prepared plans, specifications, form of contract documents, and City Engineer's estimate for the construction of the Lincoln Avenue Sanitary Sewer - Victoria Drive to 33rd Street, 07-2008-005. The improvement includes construction of a new sanitary sewer lateral main to service four properties in the 3200 and 3300 blocks of Lincoln Avenue, Des Moines, Iowa. This project will allow for the abandonment of deteriorated and obsolete septic systems that are located on these properties. This contract includes construction of the sanitary sewer, manholes, restoration of pavement & landscaping, and other incidental items; in accordance with the contract documents including Plan File Nos. 491-075/084.

The estimated construction cost is \$140,925. The proposed plans, specifications, and form of contract documents are available for public inspection in the City Engineer's Office.

PREVIOUS COUNCIL ACTION(S):

Date: June 9, 2008

Roll Call Number: 08-1037

Action: On adoption of the proposed Resolution of Necessity for Sanitary Sewer Improvements for Lincoln Avenue Sanitary Sewer – Victoria Drive to 33rd Street – Staff recommends Council close the public hearing and adopt the Resolution of Necessity for this sanitary sewer. (Council Communication No. 08-339) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: May 5, 2008

Roll Call Number: 08-778

Action: Proposed Resolution of Necessity, Notice to Property Owners of hearing and setting date of hearing. (6-9-08). Moved by Vlassis to adopt. Motion Carried 6-1.

Date: August 20, 2007

Roll Call Number: 07-1646

Action: Petition in favor of proposed sanitary sewer on the south side of Lincoln Avenue from the 3200 block to the 3300 block. Moved by Vlassis to receive and file and refer to the City Manager for review and recommendation. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Anticipated actions include public hearing, receive and file bids, designate lowest bidder, and approve contract and bond; also partial payments to the contractor and final acceptance of work.

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