

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	October 12, 2015
	Agenda Item No.	15A
	Roll Call No.	<u>15-1677</u>
	Communication No.	<u>15-542</u>
	Submitted by:	Pamela S. Cooksey, P.E., City Engineer

AGENDA HEADING:

Communication from the City Manager recommending proposed street paving using special assessments on portions of E.32nd Street from Kinsey Avenue to Washington Avenue; and Shawnee Avenue from 14th Street to 15th Street.

SYNOPSIS:

Recommend the City Council proceed with proposed street paving improvements and set November 9, 2015 as the date for the hearing on the proposed Resolution of Necessity, as required by Iowa Code, before the City Council can proceed to utilize special assessments against benefited property owners as part of the method of financing as referenced below. The City Council has received petitions from property owners on both E. 32nd Street and Shawnee Avenue requesting street paving be completed, as identified below. Recommend the City Council authorize the City Engineer to proceed with the actions necessary under the Iowa Code special assessment process and to notify appropriate property owners.

FISCAL IMPACT:

Amount: \$206,000 total City Engineer's Preliminary Estimate for assessment purposes being: \$111,500 for E.32nd Street, and \$94,500 for Shawnee Avenue.

Funding Source:

- E. 32nd Street from Kinsey Avenue to Washington Avenue: 2015-2016 CIP, Page Street-29, Residential Paving Program, ST013, being \$25,293.78 from Special Assessments against benefited property owners, and \$86,206.22 in G.O. Bonds.
- Shawnee Avenue from 14th Street to 15th Street: 2015-2016 CIP Page Street-29, Residential Paving Program, ST013, being \$19,393.76 from Special Assessment against benefited property owners and \$75,106.24 in G.O. Bonds.

ADDITIONAL INFORMATION:

On June 26, 2000, by Roll Call 00-1876, the City Council adopted a policy for paving residential streets in an effort to pave the remaining 50 miles of unpaved streets. This policy specifies that the majority of remaining unpaved streets will be paved by private contractors with permanent paving over an improved sub base. Public Works crews will continue to provide non-assessed residential maintenance paving (formerly known as “interim paving”) where road use, storm water conditions, and available funding are consistent with this reduced life surfacing. By past Council policy, interim

pavement has been limited to construction of a maximum of four (4) inches of hot mix asphalt over the existing street surface and does not include construction of curb and gutter or any storm sewer.

Under said Council policy, the permanent paving is assessed based upon 50% of the actual pavement costs, 50% of the driveway approach costs, and design and inspection costs limited to 10% of the total construction cost. This procedure, along with the existing assessment subsidy program, results in residents typically paying approximately 25% of total project costs.

Petitions for paving the following two (2) streets have been submitted to the Council:

- E. 32nd Street from Kinsey Avenue to Washington Avenue
- Shawnee Avenue from 14th Street to 15th Street.

On December 8, 2014, under Roll Call 14-1891, the City Council received, filed, and referred to the City Manager for review and recommendation, a petition from one (1) property owner requesting street paving be completed on E. 32nd Street from Kinsey Avenue to Washington Avenue. The project would be constructed as part of the 2015-2016 Paving Program. Engineering Department staff have reviewed and tabulated the petition and found that one (1) of a possible 22 property owners within the assessment boundary for the proposed paving project on E. 32nd Street from Kinsey Avenue to Washington Avenue was a valid signature. This represents 4 % of the property owners.

On August 10, 2015, under Roll Call 15-1370, the City Council received, filed, and referred to the City Manager for review and recommendation, a petition from three (3) property owners requesting street paving be completed on Shawnee Avenue from 14th Street to 15th Street. The project would be constructed as part of the 2015-2016 Paving Program. Engineering Department staff have reviewed and tabulated the petition and found that three (3) of a possible 23 property owners within the assessment boundary for this proposed paving project on Shawnee Avenue from 14th Street to 15th Street were valid signatures. This represents 13 % of the property owners.

Upon Council approval of the Resolution of Necessity for paving of E. 32nd Street from Kinsey Avenue to Washington Avenue, and for paving of Shawnee Avenue from 14th Street to 15th Street, the Engineering Department will proceed as outlined below.

The two (2) projects are collectively referred to as the 2015-2016 Paving Program. Council Communication No. 15-082, which was attached to Roll Call No. 15-0280, dated February 23, 2015, regarding paving of E 32nd Street from Kinsey Avenue to Washington Avenue; and Council Communication No. 15-468, which was attached to Roll Call No. 15-1406, dated August 24, 2015, regarding paving of Shawnee Avenue from 14th Street to 15th Street; all which outlined the procedure to be used to establish the 2015-16 Paving Program, have now been updated to the current status and scheduled dates below:

1. Council authorization to proceed with preliminary work.
 - E. 32nd Street from Kinsey Avenue to Washington Avenue on December 8, 2014 Roll Call No. 14-1891, and
 - Shawnee Avenue from 14th Street to 15th Street on August 10, 2015 Roll Call No. 15-1370.
2. Informational mailing – Upon Council approval of the tentative program, each assessed property owner will be sent a mailing from the City Engineer. The mailing will contain general information about the paving project and each owner's estimated assessment.

3. Opportunity to address City Council – Notice will be given to all affected property owners so that they may have the opportunity to express their views to City Council before the expense of right-of-way acquisition and the preparation of final plans is incurred.
4. Decision to proceed with preparation of design plans and specifications – At the meeting where affected property owners are given opportunity to address City Council, the City Council should decide whether the street should be deleted from the program or should direct the City Engineer to prepare final plans on the paving project.
5. Adoption of Resolution of Necessity – The Resolution of Necessity will be presented to Council shortly after the meeting where affected property owners are given opportunity to address City Council. (The proposed Resolution of Necessity will be presented on this Agenda for Council to set the date for the Hearing on the Resolution of Necessity as November 9, 2015 at 5:00 p.m.).

The policy of taking alternate bids for hot mix asphalt or Portland cement concrete will again be utilized for the non-arterial streets included in the program.

Recommend the City Council proceed with the following improvements and direct Staff to take the necessary actions under the Iowa Code special assessment process for Council consideration as required by Iowa Code to assess a portion of the cost on the following improvements:

- Street paving 26-foot wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt 7-1/4-inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities on E. 32nd Street from Kinsey Avenue to Washington Avenue, Activity ID 06-2015-010, Schedule No. 2015-01;
- Street paving 26-foot wide B/B with Portland Cement Concrete six (6) inches thick with integral curb, or with Hot Mix Asphalt 7-1/4-inches thick with Portland Cement Concrete curb and gutter, driveway approaches, surface restoration and other incidental items, together with the necessary drainage facilities on Shawnee Avenue from 15th Street to 14th Street, Activity ID 06-2016-010, Schedule No. 2015-02.

PREVIOUS COUNCIL ACTION(S):

Date: August 24, 2015

Roll Call Number: [15-1406](#)

Action: [Authorization](#) to proceed with an assessed paving project on Shawnee Avenue from 14th to 15th Street. ([Council Communication No. 15-468](#)) Moved by Hensley to adopt. Motion Carried 7-0.

Date: August 10, 2015

Roll Call Number: [15-1370](#)

Action: [Petition](#) from property owners requesting paving on Shawnee Avenue from 14th Street to 15th Street. Moved by Gatto to receive, file, and refer to the City Engineer for review and recommendation. Motion Carried 7-0.

Date: February 23, 2015

Roll Call Number: [15-0280](#)

Action: [Authorization](#) to proceed with an assessed paving project on E. 32nd Street from Kinsey Avenue to Washington Avenue. ([Council Communication No. 15-082](#)) Moved by Coleman to adopt. Motion Carried 7-0.

Date: December 8, 2014

Roll Call Number: [14-1891](#)

Action: [Receipt](#) of petition in favor of paving E. 32nd Street from Kinsey Avenue to Washington Avenue. Moved by Mahaffey to receive, file, and refer to the City Manager and City Engineer for review and recommendation. Motion Carried 7-0.

Date: June 26, 2000

Roll Call Number: 00-1876

Action: Approving Assessment Policy for Residential Street Paving. ([Council Communication No. 00-288](#)) Moved by McPherson to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Normal Council actions on special Assessments and construction contracts.

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