

COUNCIL ACTION FORM

SUBJECT: MORTENSEN ROAD SIDEWALK INFILL UPDATE

BACKGROUND:

At its February 25, 2020 meeting, the City Council directed staff to allow the owners of properties located at 1305 Dickinson Avenue, 4535 Mortensen Road, and 4515 Mortensen Road until July 1, 2021 to complete the installation of their sidewalk/path projects. The Council's direction provided that if the projects were not installed by that date, staff should initiate an assessment project for any path or sidewalk remaining to be installed.

As of July 9, 2021, no sidewalk or path portions have been installed at these properties. The owner of 4515 Mortensen Road (Kum & Go) has submitted sidewalk construction plans to City staff and the plans have been approved. Staff has been unable to confirm recently with Kum & Go's construction manager, but has previously received indications that the sidewalk construction on this property will take place the week of July 19.

The owner of 1305 Dickinson Avenue and 4535 Mortensen Road (Dickson Jensen) submitted sidewalk construction plans to City staff on July 8. City staff returned comments the same day. City staff estimates that minimal design work will be required to address the comments. The property owner indicated to City staff that construction of the sidewalks is planned for these properties the week of July 12.

City staff believes the sidewalk construction for all three properties could take several days to complete, and is dependent upon favorable weather conditions.

Although both property owners have indicated the installation will occur, staff is presenting City Council with the option to authorize the design and installation if the property owners fail to follow through with the installation as promised. The mechanism for the City to get sidewalk installed is the special assessment process. The first step in a special assessment is to solicit proposals for engineering services.

ALTERNATIVES:

1. Authorize staff to solicit proposals and engage professional engineering services for a sidewalk/path infill assessment project at 1305 Dickinson Avenue, 4535 Mortensen Road, and/or 4515 Mortensen Road, **if the property owners have not commenced installation work on or before July 23, 2021.**
2. Do not proceed with the special assessment.

CITY MANAGER'S RECOMMENDED ACTION:

The owners of the three properties have construction plans for the sidewalk and anticipate commencing construction in the next two weeks. However, this timeframe is several weeks after the deadline set by the City Council to complete the construction. If construction does not move forward, the action to authorize staff to solicit proposals and engage a professional engineering firm will allow the assessment process to quickly move forward.

A July 23 deadline to commence construction allows for a reasonable period of time for the property owners to voluntarily complete the work and accommodates any potential rain delays. If the work is not completed by that date, staff will notify the property owners that the special assessment project is proceeding and take the required steps to initiate it. Proceeding with this special assessment project, if needed, will make it possible to provide important bicycle and pedestrian connections for area residents, students and commuters.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.