



**BOLTON
& MENK**

Real People. Real Solutions.

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MEMORANDUM

Date: August 7, 2020
To: Mayor and City Council Members
Elizabeth Mursko, City Administrator
From: Kevin F. Bittner, City Engineer *KFB*
Subject: City Council Action Items
Project No.: R16.120591

Attached is a review of the engineering items for discussion and potential action by the City Council at the upcoming meeting of August 12, 2020:

Hornsby Street NE

The attached Preliminary Engineering Report will be presented to the Council for discussion.

Should the Council decide to continue with the improvement process for Hornsby Street, their action item will be to authorize the development of plans and specifications for the project. The estimated engineering fee for this next phase is an hourly not-to-exceed fee of \$145,000. This fee includes going through the permitting process for stormwater management and wetland mitigation with the Rice Creek Watershed District. We would intend to bring the plans and specifications back to the City Council for approval in November.

Furman Street Improvements

This project is the improvement of Furman Street along the limits of the Thurnbeck Preserve Phase II plat and will also involve the assessment of the improvements to benefitting properties on the east side of the roadway. The length of the improvement is approximately 2,000 feet. The project scope is the shaping and bituminous paving of the existing gravel roadway. Because of the proposed assessments, the Minnesota Statute 429 process must be followed, beginning with the City Council calling for a Feasibility Report. The engineering fee for the Feasibility Report is a lump sum fee of \$3,800.

A resolution calling for the Feasibility Report is attached for action by the Council. The Feasibility Report will be presented to the Council at their meeting of September 23th.

West Freeway Drive North

This project, also referred to as Evers Street North, involves the construction of a new street connection off the north leg of the West Freeway Drive South roundabout and reconstruction of the existing road leading to the Lamprey Pass State WMA. Based on TKDA's preliminary work on the project, the total estimated cost of the project is approximately \$2.5 million, including construction, engineering, legal and contingencies. The City has been notified by the Minnesota DNR of a grant award to the project from the State Park Road Account in the amount of \$1,186,750. In addition, we are waiting action by the Minnesota Legislature, if called back into session, on a bonding bill. The current bonding bill being discussed contains an amendment to reallocate remaining LRIP funds of \$1.2 million to this project. Both

the State Park Road Account funds and the LRIP reallocated funds would only be for construction and right-of-way acquisition. Engineering and other soft costs would be a local responsibility.

Because of wetland issues associated with the project, I recommend beginning preliminary work this fall, which will consist of wetland delineation, topographic survey, soil borings and preliminary layout. This can be accomplished for an hourly fee not-to-exceed \$40,000. Total engineering fees for project design will be approximately \$200,000, which includes the \$40,000 for this preliminary work.

I recommend authorization of the \$40,000 for this initial work. Future project decisions can be made once the outcome of the bonding bill is known.

Zurich Street Extension Right-of-Way

Now that the City has purchased the parcel needed to extend Zurich Street to the north of Lake Drive, I recommend that we plat the parcel to convert it to City right-of-way. The parcel is approximately 160' wide and the needed right-of-way is 100' wide. Therefore, in addition to the platted right-of-way, there would be an outlet with the plat that is 60' wide. This action would appropriately document and record the land according to its use and not strictly as a tax parcel under the ownership of the City.

The cost to develop the plat for the right-of way is a lump sum fee of \$6,000.

RESOLUTION NO. 20-__

**CITY OF COLUMBUS
COUNTY OF ANOKA
STATE OF MINNESOTA**

RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT

WHEREAS, it is proposed to improve the segment of Furman Street that abuts the Thurnbeck Preserve Phase II development, by shaping the existing gravel roadway and paving with bituminous pavement, commencing at a point approximately 1,525 feet south of Broadway Avenue and terminating at a point approximately 3,525 feet south of Broadway Avenue, and to assess the benefited properties for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBUS, MINNESOTA:

That the proposed improvement be referred to the City Engineer for study and is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Passed and Adopted by the City Council of the City of Columbus this 12th day of August 2020.

By: _____

Jesse H. Preiner

Its: Mayor

ATTEST:

Elizabeth Mursko, City Administrator



STATE OF MINNESOTA

Office of Governor Tim Walz

75 Reverend Dr. Martin Luther King Jr. Blvd. ♦ Suite 130 ♦ Saint Paul, MN 55155-1611

July 31, 2020

Via email

Representative Melissa Hortman
Speaker of the House
463 State Office Building
St. Paul, MN 55155

Representative Kurt Daudt
House Minority Leader
267 State Office Building
St. Paul, MN 55155

Senator Paul Gazelka
Senate Majority Leader
3113 Minnesota Senate Building
St. Paul, MN 55155

Senator Susan Kent
Senate Minority Leader
2227 Minnesota Senate Building
St. Paul, MN 55155

Re: Local Jobs and Projects Plan

Dear Legislative Leaders,

As you know, from the beginning of this year I have advocated for making investments in the state's infrastructure and creating jobs. On January 15, I gave the Legislature a \$2.6 billion bonding proposal, my Local Jobs and Projects Plan.

Throughout the regular session and two special sessions, I have been prepared to reach an agreement with the Legislature on the size and terms of a bonding bill. In the second special session, I supported the \$1.8 billion bonding bill that was negotiated by the House and Senate. I made it clear that I would have signed that bill even though it fell short of my original proposal. That bonding bill, however, was rejected by the House Republicans.¹

In spite of the actions of the House Republicans, we must nevertheless all work together to pass a bonding bill that serves the interests of Minnesota. I am prepared to meet and discuss a bonding bill agreement at any time. My phone is always on. That said, the timing for actually passing a bonding bill, once agreed to by all parties, is more complex.

As Commissioner Frans explained to each of you during the second special session, House Republicans' failure to act sets up a restricted time frame to pass a bonding bill. That is due to Minnesota's long-standing practice to sell bonds every August to raise needed cash for ongoing construction projects from bonding bills passed in previous legislative sessions. We must sell bonds

¹ As outlined in my [July 20 letter](#) to Leader Daudt, my team and I have offered significant concessions to the House Republicans on the state's COVID-19 response. They have unnecessarily tied the COVID response to the bonding bill. We have done as much as we can on that front; we need to be able to keep people safe and healthy. Now is the time to finalize a bonding bill that creates jobs and improves the lives of countless Minnesotans.

to raise cash for next year's projects. Moreover, the current market conditions appear favorable for a sale of the state's general obligation bonds in August.

The process to sell bonds is similar to any sale of a security. About two to three weeks before the bond sale, the state presents its official financial statement to credit agencies and then publishes the financial statement for potential investors. This process is underway, and once we publish our financial statement and until after the bond sale has closed and the blackout time has expired, we cannot legislatively enact any budget changes under federal securities law disclosure requirements. That means any special legislative session to pass a budget bill or a bonding bill would have to take place in late September, not August.

In short, I am ready to discuss a final bonding bill agreement at any time. But we cannot pass that agreement until late September. As always, please contact me, my staff, or Commissioner Myron Frans, with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Walz", written in a cursive style.

Tim Walz
Governor

CC: Members of the Minnesota House of Representatives
Members of the Minnesota Senate



CONSTRUCTION COST SHARING AGREEMENT

THIS CONSTRUCTION COST SHARING AGREEMENT (the "Agreement"), dated as of _____, 20____, is by and between The City of Columbus, Minnesota whose address is 16319 Kettle River Blvd, Columbus, MN 55025 ("Owner"), and Midcontinent Communications, a South Dakota general partnership, whose address is 3901 North Louise Avenue, Sioux Falls, SD 57107 ("Midco").

- A. Owner is the owner of that certain real estate as shown in the diagram attached as Exhibit 1 within the City limits of Columbus, MN,

which real estate shall herein be referred to as the "Property."

- B. Owner and Midco desire to enter into this Agreement to set forth the terms and conditions of Midco providing service to the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Construction of Cable Plant. Subject to the terms and conditions of this Agreement, Midco will install cable and other equipment necessary to provide its video, data and telephone service to the residence at the address and home listed above. Construction must be completed by December 31, 2020.

2. Cost Sharing. In consideration of Midco's agreement to install facilities to provide such services, Owner shall pay to Midco on the date of this Agreement SEVENTY THOUSAND DOLLARS (\$70,000.00) (the "Cost Share Amount"), which represents the owners share of the costs to be incurred by Midco to finish its design, installation and construction activities to provide service to the Property.

3. Easement Rights. Owner acknowledges that Midco shall be entitled to install and construct its cable and other equipment over and under the Property.

4. Severability. If any provision of this Agreement, or the application of such provision to any party or circumstance, is found to be illegal or unenforceable for any reason, such provision will be modified or severed from this Agreement to the extent necessary to make such provision enforceable against such party or in such circumstance. Neither the unenforceability of such provision nor the modification or severance of such provision will affect the enforceability of any other provision of this Agreement.



CONSTRUCTION COST SHARING AGREEMENT

5. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of Minnesota, without regard to its conflict of laws principles.

6. Entire Agreement; Amendment. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and there are no other representations, warranties or agreements except as herein provided. This Agreement may be amended only by a written instrument signed by the parties.

IN WITNESS WHEREOF, the parties have entered into this Agreement effective as of the date first written above.

CITY OF COLUMBUS, MINNESOTA

By: _____

Print Name: _____

Title: _____

MIDCO

MIDCONTINENT COMMUNICATIONS
By: MIDCONTINENT COMMUNICATIONS
INVESTOR, LLC, Its Managing Partner

By: _____

Name: _____

Title: _____



CONSTRUCTION COST SHARING AGREEMENT

EXHIBIT 1



Midco is an Equal Opportunity/Affirmative Action Employer M/F/D/V

City of Columbus Calendar of Meetings

August 2020

Sunday	Monday	Tuesday	Wed.	Thursday	Friday	Saturday
9	10	11 Election Day State Primary	12 6:00 pm EDA Mtg. 7:00 pm CC Mtg	13	14	15
16	17	18	19 6:00 p.m. PC & CC Joint Mtg.	20	21	22
23	24	25	26 4:00-6:00 pm Workshop Mtg. 7:00 pm CC Mtg	27	28	29