



Legislation Text

File #: 21-0812R, **Version:** 1

RESOLUTION AUTHORIZING LICENSE AGREEMENT WITH ZVAGO COOPERATIVE AT LAKE SUPERIOR AND LAKESHORE, INC. FOR IMPROVEMENT AND USE OF SEWER STRUCTURE AS A PEDESTRIAN BRIDGE.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into an agreement with Zvago Cooperative at Lake Superior and Lakeshore, Inc., a copy of which is attached hereto as Exhibit A, granting a license to said parties to make improvements to and to use a sewer structure located at approximately 39th Avenue East between London Road and Lake Superior for use as a pedestrian bridge.

STATEMENT OF PURPOSE: The purpose of this resolution is to authorize an agreement between the city and Zvago Cooperative on Lake Superior and Lakeshore, Inc. to allow said parties to make improvements to a sanitary sewer structure over a drainage ravine between their properties and to continue to use it as a pedestrian access between the properties.

Lakeshore, Inc., formerly known as Lakeshore Lutheran and now generally referred to as Ecumen, is located at about 40th Avenue East on Lake Superior. Zvago is a housing cooperative located just west of Ecumen. The properties are separated by a drainage ravine.

In about 1932 when the city was extending sanitary sewer service to the residents on the south side of London Road, it constructed an encased sewer structure over the ravine which included some facilities that made it usable as a pedestrian bridge over the ravine. The structure's primary purpose from the city's standpoint is that of a sewer and related structure; it is not connected to any city trail system and serves no city purpose as a pedestrian bridge. As a sanitary sewer it continues to serve the city's needs.

It was recently brought to the city's attention that in order to continue to function as a pedestrian bridge over the ravine, some maintenance and repairs are necessary. The city's needs could be adequately met by closing it to pedestrian access but Zvago and Lakeshore requested that they be allowed to continue to use the structure as a pedestrian bridge and indicated that they were willing to take responsibility for repairs and maintenance related to that use.

Consequently, this agreement grants them a license to use the structure as a pedestrian bridge subject to their making the necessary repairs to the structure, related to that use, with the approval of the director of public works and utilities and to thereafter maintain it in a safe condition and insure its use, all at their cost. Repairs related to its sewer function would continue to be the city's responsibility and, if it should become necessary to do so in the future, the city could demolish the structure.