



Request for City Council Committee Action from the Department of Public Works

Date: May 14, 2013

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Referral to: Honorable Betsy Hodges, Chair Ways and Means/Budget Committee

Subject: **Street Lighting Policy**

Recommendation:

- A. Approve the three framework elements to revise the Street Lighting Policy as presented.
- B. Revise the Street Lighting Policy document consistent with the three framework elements and return with the modified document for City Council adoption.
- C. Apply these revised Street Lighting framework elements for three recent Pedestrian street reconstruction projects -- Nicollet Ave South (Lake to 40th), Riverside Ave Phases 1 & 2 (Franklin to Cedar) and Lyndale Ave S (Minnehaha Creek to 56th). Using the revised Street Lighting funding policy, Public Works shall return with the proper capital appropriations.
- D. Apply these revised Street Lighting framework elements and proceed with street lighting along two Pedestrian corridor street reconstruction projects for Penn Avenue South (50th Street to TH 62) and 46th Street South (Lyndale to Dupont Avenues). Using the revised Street Lighting funding policy, Public Works shall return with the proper capital appropriations.

Previous Directives:

- January 29, 2013 – Staff direction related to Pedestrian Corridors
- January 9, 2009 – Council adopted Street Lighting Policy

Department Information:

Prepared by: Jon Wertjes, Director, Traffic and Parking Services

Approved by: _____

Steven A. Kotke, P.E., Director of Public Works

Presenters in Committee: Jon Wertjes

Reviews

- Permanent Review Committee (PRC): Approval ___ Date _____
- Civil Rights Approval Approval ___ Date _____
- Policy Review Group (PRG): Approval ___ Date _____

Financial Impact

- Other financial impact: Future capital appropriations and future CIP funding are needed.

Community Impact

- Neighborhood Notification
- City Goals
- Comprehensive Plan
- Zoning Code
- Other

Supporting Information

Background

The City Council adopted the Minneapolis Street Lighting Policy in January 2009:

<http://www.ci.minneapolis.mn.us/publicworks/streetlighting/index.htm>

On January 29, 2013 the T&PW Committee passed the following staff direction:

Staff is directed to review the Street Lighting Policy pertaining to pedestrian corridors and recommend changes. The review should include analysis of the funding policy, petition policy, and non-assessable property.

New and Updated Policy Framework

Based on the above staff direction, Public Works has explored and analyzed options to revise the Street Lighting Policy relating to Pedestrian corridors. Public Works recommends these additional/modified policy framework elements for discussion and approvals. The three key framework elements and their recommendations are:

1. Funding Policy

A. Public Works recommends that when a street is reconstructed in a Pedestrian/CBD corridor, the streetlight should be 100% funded by City with no assessments. Public Works has determined the elements of this recommendation are:

- Include City standard streetlights as part of overall street reconstruction project for Pedestrian and CBD corridor streets.
- Based on the future 5 year CIP for street reconstruction projects, the addition of street lighting would result in a future cost of approximately \$1 million per year.
- Streetlights for Pedestrian/CBD reconstruction projects will be paid for by Municipal State Aid, Net Debt Bond or other non-city funds.
- No increase in the uniform street assessment rate for street reconstruction projects for said street lighting.
- Any street lighting requested above the City standard shall continue to be paid for by properties or others for both the capital and the operating/maintenance costs.

B. Public Works recommends that three recent Pedestrian streetlight projects that were started under the current 2009 Policy should be paid for by the City based on this recommended funding change.

- The three recent projects have a total previous assessment about \$900,000.
 1. Nicollet Ave (2012/2013)
 2. Riverside Ave Phases 1 & 2 (2011/ 2012)
 3. Lyndale Ave S of creek (2011/ 2012)
- No payments have been received yet, but some of these projects will begin payment with May 2013 property taxes.
- Public Works will begin to implement this change immediately for the assessable properties. The non-assessable properties will be addressed consistent with item 3 below.

C. Two projects approved for 2013 reconstruction – Public Works recommends action to proceed on these two Pedestrian corridor street light projects using the above revised funding policy:

- Penn Avenue South (50th Street to TH 62) reconstruction
- 46th Street South (Lyndale to Dupont Avenues) reconstruction

D. End of street lighting lifecycle -- When a Pedestrian/CBD street lighting corridor has reached the end of its lifecycle and there is no foreseeable street reconstruction project, Public Works will determine whether to do either major maintenance and/or replacements funded through the CIP program. The above ground pole and fixtures are the two primary street lighting needs that reach their end of lifecycle the earliest.

2. Petition Process

A. The current Policy for Pedestrian/CBD street reconstruction has a 70% opt out percentage for such street lighting. This 70% opt out provisions is no longer needed and will be deleted for the Street Reconstruction for Pedestrian/CBD areas.

B. All other petition processes will be retained including the existing 51% opt out petitions for streetlight when part of residential street reconstruction.

3. Non-Assessable Property

A. Schools, Parks, City, County, State, Federal properties are non-assessable properties. Some college and universities may also be non-assessable.

B. When Opt In petitions are processed for Pedestrian/CBD Corridor streetlight projects outside of a street reconstruction project, then Public Works will tally the assessable properties separately to calculate their percentage.

C. Public Works will present when seeking the appropriate Council approvals, the petition percentages with and without the non-assessable properties along a corridor. Public Works will tally the non-assessable property as supporting street lighting.

D. Along the Pedestrian/CDB Corridors, the lighting for these non-assessable properties would be paid by the City and will not be part of assessable costs. The exception to this City funding provision will be colleges and universities. To have a consistent approach for all college and universities, each institution will be assessable or asked to contribute funds equal to their assessable rate. This is consistent with past practice mostly recently along Riverside Avenue for both the University of Minnesota and Augsburg.

E. Any Opt In petitioned Pedestrian/CBD street lighting project will be scheduled and implemented based on the needed and available City funding. Public Works will consider a reasonable contiguous corridor or area and may increase the minimum project size as part of any future streetlight project recommendation.

F. Currently, Tax-Exempt properties (non-profit, religious, etc.) are and will continue to be assessed an O&M street lighting amount like they are today in lieu of property tax.

Next Steps

Based on the above three framework elements and City Council approval, Public Works will:

- Begin to use and implement the three framework elements.
- Revise the current Street Lighting Policy and return to City Council later this summer 2013 to seek adoption of the revised document.
- Return to Council with the proper capital appropriations to address the 3 past and 2 pending street lighting projects which are part of Pedestrian Corridor street reconstruction projects.