



## 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 five recently reconstructed Pedestrian street projects -- Nicollet Ave S (Lake to 40th), Riverside Ave (Franklin to Cedar), Lyndale Ave S (Minnehaha Creek to 56th), and portions of University and Washington Avenues SE reconstructed for Central Corridor LRT. Using the revised Street Lighting funding policy, Public Works shall return with the proper modifications to the 2013 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 modifications to the 2013 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: Not applicable
- City Goals: Maintain the physical infrastructure to ensure a healthy, vital and safe city
- Comprehensive Plan: Not applicable
- Zoning Code: Not applicable
- Other: None

## Supporting Information

### Background

The City Council adopted the Minneapolis Street Lighting Policy in January 2009 which is located at: <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

Improving street lighting on pedestrian corridors supports our Minneapolis Goals and strategic directions. Based on the above staff direction, Public Works has explored and analyzed options to revise the Street Lighting Policy relating to the Pedestrian/CBD 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/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.
  - The uniform street assessment rate for street reconstruction projects will not be increased for this street lighting.
  - Any street lighting requested above the City standard shall continue to be paid for by adjacent properties.

- Any Pedestrian/CBD street lighting project requested through an Opt In Petition process 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.
- B. Public Works recommends that five recently completed Pedestrian corridor streetlight projects that were started under the current 2009 Policy should be paid for by the City based on the above recommended funding policy change.
- The five recent projects have a total previous assessment about \$1,235,000.
    1. Nicollet Ave S (Lake to 40th) in 2012/2013
    2. Riverside Ave (Franklin to Cedar) in 2011/2012
    3. Lyndale Ave S (Minnehaha Creek to 56th) in 2011/2012
    4. University Ave SE (reconstructed for Central Corridor LRT) in 2012
    5. Washington Ave SE (reconstructed for Central Corridor LRT) in 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 by determining the 2013 capital appropriation changes, any proper refund parameters and return for Council funding approvals.
- C. Two projects approved for 2013 reconstruction – Public Works recommends action to proceed on these two Pedestrian corridor streetlight projects using the above revised funding policy:
- Penn Avenue South (50th Street to TH 62) reconstruction
  - 46th Street South (Lyndale to Dupont Avenues) reconstruction
  - Public Works will begin to implement this change immediately by determining the 2013 capital appropriation changes and return for Council funding approvals.
- 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 street lighting when part of residential street reconstruction.

## **3. Non-Assessable Property**

- A. The current Street Lighting Policy assesses taxable private property and Non-Governmental Tax-Exempt properties (non-profit, religious, etc) for the capital construction of street lighting. Minneapolis School District #1, City of Minneapolis,

Park Board, Hennepin County, State of Minnesota and Federal properties are governmental institutions and some are non-assessable properties. The City has typically not assessed or sought street lighting payment from certain governmental properties but has jointly partnered with them on past street lighting projects. Also, college and universities have been requested and have agreed to pay.

- B. When petitions are processed for any streetlight projects, then Public Works will tally the assessable, non-assessable, and governmental properties separately to calculate their percentages.
- C. When seeking the appropriate Council approvals, Public Works will present the petition percentages for each of the property types along a corridor. Public Works will tally the governmental and non-assessable properties as supporting street lighting.
- D. Along the Pedestrian/CDB Corridors, the lighting for these governmental and non-assessable properties would be paid by the City with the continued joint partnerships with public agencies. The exception to this City Street Lighting funding provision will be colleges and universities. To have a consistent approach for all private and public college and universities, each institution will be assessed 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. Currently, Non-Governmental 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 5 recent and 2 pending street lighting projects which are part of Pedestrian Corridor street reconstruction projects.