

**RESOLUTION  
OF THE  
CITY OF MINNEAPOLIS**

**By Reich**

**Directing the City Engineer to proceed with a variance request from State Aid Rules per Administrative Variance to State Aid Operations rules, Chapter 8820 effective 2011, including amendments adopted through February 4, 2013, to the Minnesota Commissioner of Transportation for the reconstruction of 6th Ave N between 5th St N and Washington Ave N.**

Whereas, the City of Minneapolis wishes to reconstruct 6th Ave N between 5th St N and Washington Ave N; and

Whereas, Minnesota Department of Transportation State Aid Rule 8820.9936 (Design Standards, Urban; New or Reconstruction Projects) per Administrative Variance to State Aid Operation rules, Chapter 8820, effective October 1, 2011, require "New or reconstruction projects for urban roadways must meet or exceed the minimum dimensions indicated in the following design chart."; and

Whereas, the design chart has design speed indicated for Collectors or Locals with Average Daily Traffic (ADT) less than 10,000 vehicles; and

Whereas, mixed development and the urban streetscape limit the ability to accommodate a vertical profile meeting a minimum design speed of 30 miles per hour (MPH) on 6th Ave N between 5th St N and Washington Ave N; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for variance from Minnesota Department of Transportation (MnDOT) State Aid Rule 8820.9936 per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including Amendments adopted through February 4, 2013, for Collectors or Locals with ADT less than 10,000 vehicles to permit the reconstruction of 6th Ave N between 5th St N and Washington Ave N with a vertical profile between Station 10+30 and 10+60 that meets a design speed of 14.7 MPH instead of 30 MPH as required by Rule 8820.9936; and with a vertical profile between Station 21+40 and 21+55 that meets a design speed of 15 MPH instead of 30 MPH as required by Rule 8820.9936.

Be It Further Resolved, that the City Council of the City of Minneapolis hereby indemnifies, saves, and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reconstruction of 6th Ave N between 5th St N and Washington Ave N in accordance with Minnesota Rules 8820.9936 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.