



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

Date: January 16, 2007
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Subject: Revision to the Municipal State Aid Street System

Recommendation:

- a) Passage of the accompanying Resolution requesting the Minnesota Commissioner of Transportation to make additions to the Municipal State Aid Street System of the City of Minneapolis upon release of CSAH 17 France Ave. from Lake St. W. to Cedar Lake Ave.

Previous Directives:

- T&PW action passed Nov. 12, 1993 and approved Nov. 18, 1993 approving a cooperative agreement (PW 24-20-93) signed Dec. 12, 1993 transferring jurisdiction of various county and municipal state aid routes.

Prepared by: Rhonda Rae, Director of Engineering Services, 673-3627
Greg Schroeder, P.E., Capital Project Coordinator, 673-3718

Approved by:

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

Presenters: Greg Schroeder, P.E., Capital Project Coordinator

Permanent Review Committee (PRC) Approval _____ Not applicable X

Policy review Group (PRG) Approval _____ Not applicable X

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget (If checked, go directly to Background/Supporting Information)

Action requires an appropriation increase to the Capital Budget

Action requires an appropriation increase to the Operating Budget

Action provides increased revenue for appropriation increase

Action requires use of contingency or reserves

Business Plan: Action is within the plan. Action requires a change to plan.

Other financial impact (Explain): This action will maximize the mileage we are allowed to designate on our State Aid System, thereby increasing our annual State Aid allocation from state gas tax funding.

___ Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

Community Impact

Neighborhood Notification: N/A

City Goals: N/A

Comprehensive Plan: N/A

Zoning Code: N/A

Background/Supporting Information

The purpose of this letter is to recommend action that is necessary for the City to remain in compliance with the rules governing the Municipal State Aid (MSA) street system and maximize the City's benefit from the Municipal State Aid allocation. This is consistent with the City's defined goals in that it will help maintain the physical infrastructure while maximizing outside funding sources to ensure a healthy, vital and safe city.

The state aid system of streets is determined by totaling all local streets, approximately 900 miles in Minneapolis, and multiplying this by 20%. The 20% figure, approximately 180 miles, is allowed as a maximum by state aid rules with certain exceptions. The exceptions are called trunk highway and county highway turn backs. These turn backs are allowed to be placed in total on a city's state aid system above the 20% base mileage, but only at the time of the turn back and must remain on the system to keep this turn back designation.

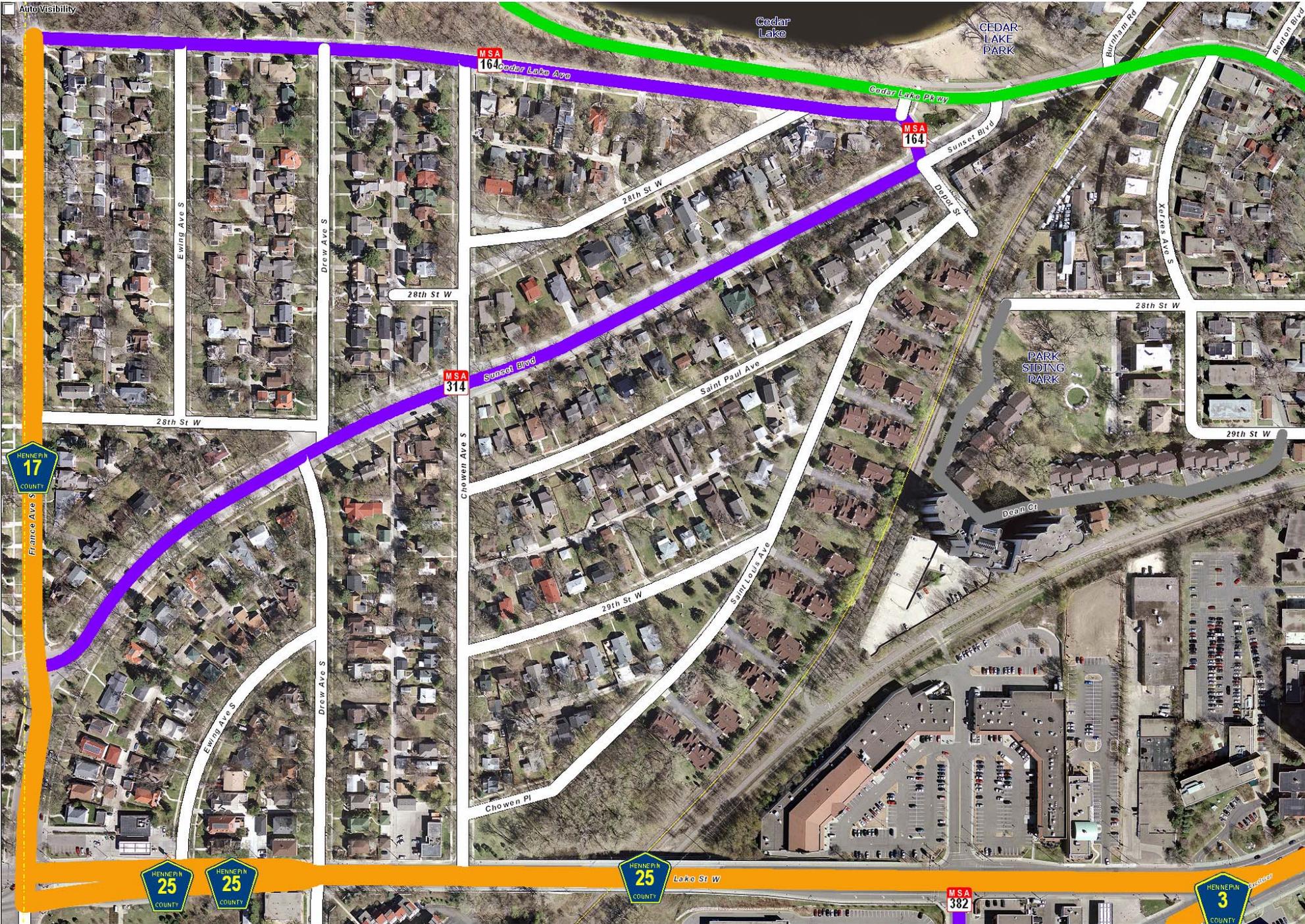
In 1993 the City of Minneapolis entered into an agreement with Hennepin County to allow exchanges of jurisdiction of various city and county MSA roadways. As part of the agreement the city agreed to a turn back of France Ave. from Lake St. W. to Wayzata Blvd. At the time of the route transfer, Hennepin County did not reach agreement with the cities of St. Louis Park and Golden Valley for their part of the route to be turned back. Recently, Hennepin County has reached agreement with those cities and the remaining part is for the City of Minneapolis to designate France Ave. from Lake St. to Cedar Lake Ave. as an MSA roadway. This designation will be a county road turn back and will allow us to maintain Cedar Lake Ave. and Sunset Blvd. as MSA routes, as this is a border route with St. Louis Park it also allows St. Louis Park to keep W. 26th St. on their MSA system. The designation of this route will have no effect on our current state aid system as the turn back mileage is allowed by statute to be designated fully to the state aid system.

Att.: *Map of Revision*
Copy of agreement PW 24-20-93

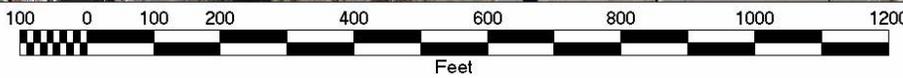
The street proposed for addition to the MSA system is due to the revocation of county state aid designation on France Ave. (CSAH 17) in the city. As a former CSAH route, this route is eligible to be designated to our system of MSA streets over the 20% limit as a county highway turn back.

**Minneapolis MSA Route 453, France Ave. from Lake St. W. to Cedar Lake Ave.
(0.36 miles)**

This proposed addition would be added to the MSA system replacing the designation of CSAH 17. Add 0.36 miles



THE CITY OF MINNEAPOLIS ASSUMES NO LEGAL RESPONSIBILITY FOR THE INFORMATION REPRESENTED HERE. COPYRIGHT © 2006 CITY OF MINNEAPOLIS



3586

APPROVED BY CITY COUNCIL

NOV 12 1993

Agreement No. PW 24-20-93
City of Minneapolis
County of Hennepin

AGREEMENT FOR TRANSFER OF ROADS

AGREEMENT, Made and entered into this 12th day of December, 1993 by and between the County of Hennepin, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the "County", and the City of Minneapolis, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH;

WHEREAS, The County and the City agree that certain roads under the jurisdiction of each agency should be transferred to the jurisdiction of the other agency; and

WHEREAS, The County and the City for some time have been negotiating to bring about said road transfer; and

WHEREAS, A smooth and orderly implementation of said road transfer is in the best interests of the users of these roads, the County, and the City.

NOW THEREFORE, IT IS HEREBY AGREED:

I

The County shall transfer to the City's jurisdiction, the following County State Aid Highways (CSAH):

CSAH	Street(s)	Termini
5	Franklin Avenue	Hennepin Avenue to Lyndale Avenue South
16	Ewing Ave, Cedar Lake Rd, Cedar Lake Parkway	West Minneapolis Border to Cedar Lake Road
✓ 17	France Avenue South	Excelsior Boulevard to TH 12
20	West 44th St, Upton Ave, Sheridan Ave, West 39th St, Richfield Rd, West 36th St, Hennepin Avenue	France Avenue So. to Groveland Terrace
27	Stinson Boulevard	New Brighton Blvd to St. Anthony Blvd
31	Xerxes Avenue South	44th Street to West 50th Street

Agreement No. PW 24-20-93

32	Penn Avenue South	TH 62 to West 50th Street
37	Oak Street SE	4th Street SE to University Avenue SE
38	West 36th St, Bryant Ave So, West 38th St.	Hennepin Avenue to Minnehaha Avenue
46	East 46th Street	28th Avenue South to Hiawatha Avenue
48	Nawadaha Blvd. & Minnehaha Ave	Hiawatha Avenue to East 46th Street
48	25th Avenue S, Riverside Ave	Franklin Avenue to Cedar Avenue
52	Nicollet Avenue South	West 61st Street to Lake Street
54	28th Avenue South	East 58th Street to Hiawatha Avenue
57	Fremont Avenue North	West Broadway to 44th Avenue North
58	Emerson Avenue North	West Broadway to Fremont Avenue North

The above County routes will be conveyed to the jurisdiction of the City under the provisions of Minnesota Statutes, Section 162.02.

The City shall transfer to the County's jurisdiction the following City streets:

<u>Street(s)</u>	<u>Termini</u>
44th Avenue N, Webber Parkway, Lyndale Avenue N, 41st Avenue N, Washington Ave, Minnehaha Ave, Cedar Ave	Fremont Avenue North to TH 62
46th Street	Lyndale Avenue S to Cedar Ave
East 42nd Street	Cedar Ave to Minnehaha Ave
Lagoon Avenue	Lake Street to Dupont Ave S
Broadway Street NE	Central Ave NE to Stinson Blvd
Lake Street	Lyndale Ave S to Hiawatha Ave
Lyndale Avenue South	W. 50th Street to Lake Street
Huron Blvd SE (Motley Bypass)	Oak St SE to University Avenue SE

The above City routes will be taken into the County's County State Aid Highway system under the provisions of Minnesota Statutes 162.02

The County and the City agree to accept such conveyances subject to existing encumbrances such as permits and easements.

The above described County State Aid Highways and City streets are shown on the maps attached hereto, marked Exhibit "A" and Exhibit "B", attached hereto and by this reference made a part hereof.

Agreement No. PW 24-20-93

II

Upon approval of this agreement, the County will request that the Commissioner of the Minnesota Department of Transportation remove the above identified County roads from the County State Aid Highway System and request that the Commissioner of the Minnesota Department of Transportation designate the above identified City streets as County State Aid Highways. The City, by this agreement, concurs in this change of designation and jurisdiction.

III

The City agrees that it will not adopt any resolution, rule or law restricting or prohibiting truck or transit vehicle traffic on those roadways transferred to the County via this agreement or on any roadways on the County road system within the City without consensus of both the County Engineer and the City Engineer for any such restriction or prohibition.

IV

CSAH 17 from Excelsior Boulevard to Trunk Highway 12 is along the border of or within other municipalities. The transfer of CSAH 17 between the County and the City, shall be effective upon completion of transfer arrangements as specified in Minnesota Statutes 162.02 between the County and the other municipalities adjoining CSAH 17.

The City agrees to accept jurisdiction of those portions of CSAH 17 identified herein Section I, which are within the corporate limits of the City, segmentally as transfer requirements are completed.

V

Transfer of the roadways hereinbefore identified in Section I shall occur and become effective on the first day of the month immediately following the approval of CSAH designation changes by the Commissioner of the Minnesota Department of Transportation as hereinbefore set forth in Section II.

VI

The City and the County shall provide the other with the following information and records, to the extent that they are available for the routes to be transferred.

1. As-built construction plans, and microfilm records.
2. Bridge inspection reports and ratings.
3. Inventory data.
4. History of most recent betterments.

VII

Upon transfer to the County of those routes hereinbefore identified in Section I, the City hereby agrees to do and perform all roadway, bridge, traffic signal and other routine maintenance as provided for in the current Road Maintenance Agreement between the parties. Future annual road maintenance agreements between the parties shall incorporate the roadways transferred herein.

Similarly, upon transfer to the City of those routes hereinbefore identified in Section I the City hereby agrees to do and perform all roadway, bridge, traffic signal and other maintenance at its sole cost and expense.

VIII

Responsibility for bridge inspections in accordance with Minnesota Statutes 165.03 on the roadways hereinbefore identified in Section I shall be assumed on January 1, 1994, by the agency which will eventually have jurisdiction.

IX

It shall be the responsibility of the City to design and reconstruct that portion of Lyndale Avenue from West 50th Street to Lake Street at some future appropriate date. The County will participate in 50% of the engineering, right of way and construction costs of said reconstruction up to a maximum of Two Million Five Hundred Thousand Dollars and No Cents (\$2,500,000.00). It is hereby understood and agreed that said County participation is to be funded with State Aid funds and therefore the new roadway shall be designed to appropriate County State Aid Highway standards. It is further understood and agreed that said Lyndale Avenue reconstruction shall not occur until such time that Lyndale Avenue, as described herein, is officially designated as a County State Aid Highway and the use of County State Aid funds on said reconstruction has been authorized by the Commissioner of the State of Minnesota, Department of Transportation.

This route exchange and partial funding of Lyndale Avenue South improvements, does not commit the County for making or not making other capital improvements within the City, nor does it provide justification for the County for making or not making other capital improvements within the City.

X

It is further agreed that each party to this agreement shall not be responsible or liable to the other or to any other person whosoever for any

claims, damages, demands, judgements, fines, penalties, expenses, actions, or causes of actions of any kind or character arising out of or by reason of the negligent performance of any work or part hereof by the other in connection with the roadway jurisdictional transfers herein provided for; and each party further agrees to defend at its sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising in connection with or by virtue of past and future work performed by it on said transferred roadways.

XI

It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. All items referred to in this Agreement are incorporated or attached and are deemed to be part of this Agreement. No consideration other than herein provided for shall be exchanged in connection with the transfer of the aforesaid roadway jurisdictions.

XII

Before this agreement shall become binding and effective, it shall be approved by resolution of the County Board of said County, and City Council of said City and the Commissioner of the Minnesota Department of Transportation shall have approved the CSAH designation changes referenced herein.

IN TESTIMONY WHEREOF, The City and the County have caused these presents to be executed by their respective officers as of the date first above written.

CITY OF MINNEAPOLIS

COUNTERSIGNED:

By: [Signature]
City Finance Officer

By: [Signature]
Mayor

Date: _____

Date: _____

APPROVED AS TO LEGALITY:

By: [Signature]
City Attorney

ATTEST:
By: [Signature]
Assistant City Clerk

Date: 11/16/93

Date: _____

COUNTY OF HENNEPIN

ATTEST:

By: [Signature]
Clerk of the County Board

By: [Signature]
Chairman of its County Board

Date: 12-20-93 DEPUTY

Date: 12-14-93

Upon Proper execution, this agreement will be legally valid and binding

And: [Signature]
Associate County Administrator and County Engineer

By: [Signature]
Assistant County Attorney

Date: 12-8-93

Date: 10-21-93

APPROVED AS TO EXECUTION

By: [Signature]
Assistant County Attorney

RECOMMENDED FOR APPROVAL:

By: [Signature]
Director, Dept. of Public Works

Date: 11-26-93

By: 10-22-93

OCT 23 2006

**Hennepin County Transportation Department**1600 Prairie Drive
Medina, MN 55340-5421612-596-0300, Phone
763-478-4000, FAX
763-478-4030, TDD
www.hennepin.us

October 19, 2006

Mr. Mark Gieseke, District State Aid Engineer
Minnesota Department of Transportation
Metro Division
1500 West County Road B-2
Roseville, MN 55113

Re: Revocation of CSAH 17 from CSAH 25 to I-394

Dear Mr. Gieseke:

Hennepin County requests that State Aid revoke the County State Aid Highway status of CSAH 17 (France Avenue) from CSAH 25 to TH 12/I-394 in the Cities of St. Louis Park, Minneapolis, and Golden Valley. This requested action is the final step in the revocation of this road and is the second action in a process originally started in 1999. At that time Hennepin County requested revocation of the non-existent segments of CSAH 17 between CSAH 3 to I-394. Only that portion from CSAH 3 to CSAH 25 was granted, but it was stated by Ken Hoeschen (then State Aid Needs Coordinator) that, at such time as the revocation resulted in a contiguous system, the additional revocation would be granted.

St. Louis Park has previously contacted the State Aid office indicating their willingness to designate France Ave. as an MSA route. This should satisfy the above requirement for a contiguous system.

Attached are a location map of the proposed revocation, a copy of County Board Resolution No. 06-10-538, adopted by the County Board of Commissioners on Oct. 10, 2006, a copy of Agreement No. PW-24-20-93, "Agreement For Transfer Of Roads" between Hennepin County and the City of Minneapolis (see in particular Paragraph IV) dated Dec 14, 1993, a copy of Golden Valley City Council Resolution No. 98-83, adopted October 6, 1998, concurring with the revocation of CSAH 17, a copy of St. Louis Park City Council Resolution No. 06-135, adopted August 21, 2006, concurring with the revocation of CSAH 17, and a copy of St. Louis Park City Council Resolution No. 06-136, adopted August 21, 2006, designating the MSA route.

Concurrent with the approval of this revocation, Hennepin County requests that 1.50 miles be added to Hennepin County's State Aid mileage bank.

If you have any questions about the revocation, please call me at 612-596-0354. If you have any questions about the MSA designation, please contact Mike Rardin at the City of St. Louis Park, 952-924-2551.

Thank you for your assistance.

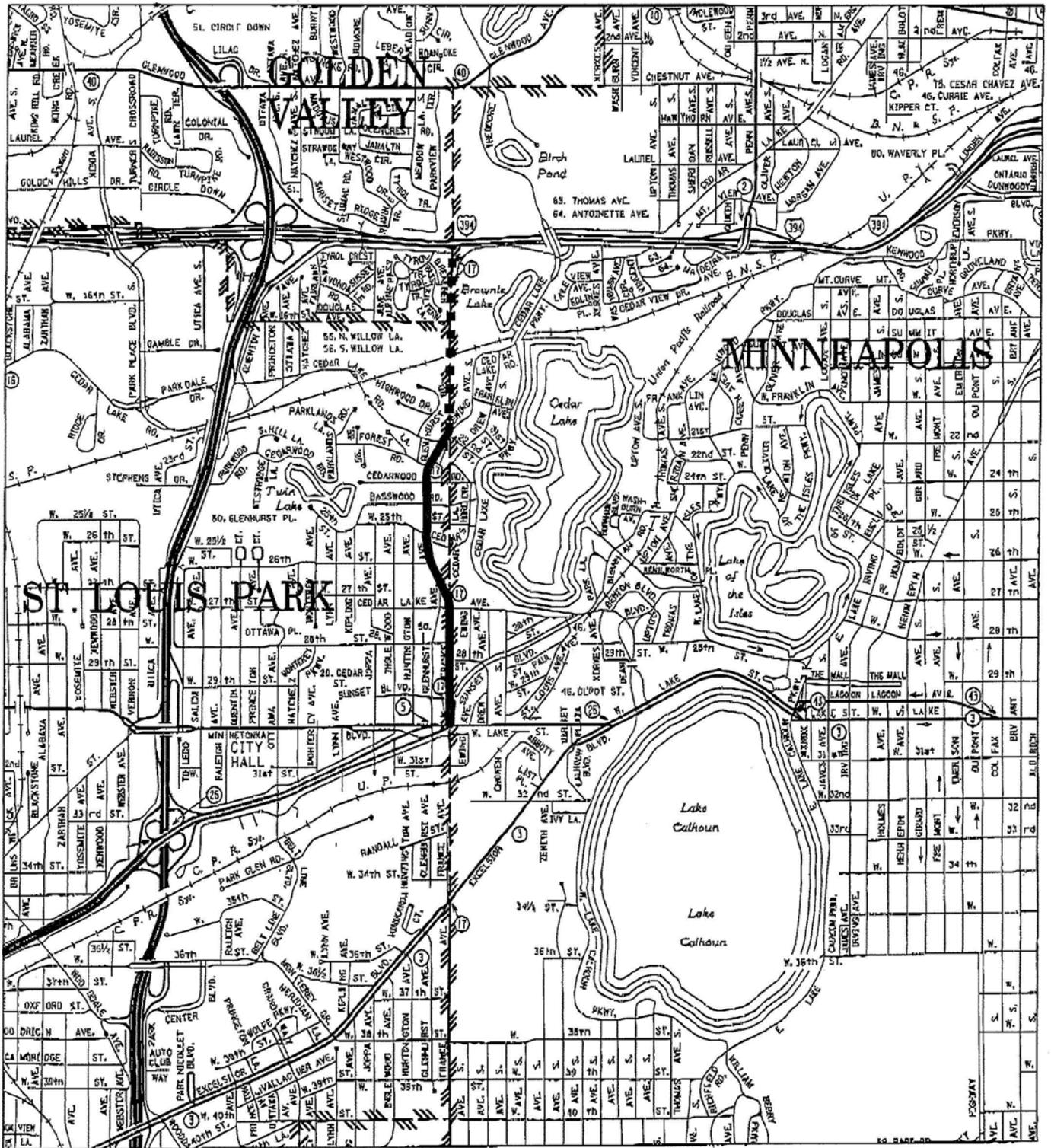
Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Byers'.

Robert H. Byers, P.E.
Senior Transportation Engineer

RQB:BT/rqb
Enclosures

cc: Jim Grube, County Engineer & Director of Transportation
Tom Johnson, Transportation Planning Engineer
Mike Rardin, Director of Public Works, St. Louis Park
Jeff Oliver, City Engineer, Golden Valley
Jon Wertjes, Transportation Director, Minneapolis
Kim DeLaRosa, Mn/DOT State Aid Office



Revocation: CSAH 17

Located in the Cities of Minneapolis,
 St. Louis Park, and Golden Valley
 Hennepin County, Minnesota

————— Revocation Existing CSAH 17- 0.93 Mi

----- Revocation Non-Existent CSAH 17- 0.57 Mi

May 2006

