



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

Date: March 24, 2002  
To: Transportation and Public Works Committee  
Referral to: Ways and Means/Budget Committee

**Subject:** Project Funding Agreement #5 with Metropolitan Council; Redesign of 54<sup>th</sup> Street and Minnehaha Avenue

**Recommendation:**

That Council Resolution 2001R-563 adopted by the City Council on December 28, 2001 be rescinded and that the proper City Officers be authorized to execute a revised Project Funding Agreement #5 with the Met Council providing for payment by the City to the Met Council of \$335,010.46 reimbursable from MSA funds, as the City share of the cost for reconstruction of 54<sup>th</sup> Street and Minnehaha Avenue to accommodate LRT by increasing the appropriation in the Public Works Paving Construction Capital Agency in the Permanent Improvement Project Fund (4100-937-9372) by \$335,010.46 and increasing the Revenue Source (4100-937-9372 Source 3215) by \$335,010.46.

**Previous Directives:**

**Council Action of February 16, 2001;** Approved layout for the reconstruction of 54<sup>th</sup> Street and Minnehaha Avenue to accommodate LRT through intersection; Authorized negotiation and condemnation if necessary to acquire necessary easements within Minneapolis to permit construction of the project in accordance with the approved layout; Authorized use of Municipal State Aid (MSA) funding for the City share of this project.

**Council Resolution 2001R-063 approved February 16, 2001;** Directed the City Engineer to seek a variance from State Aid Rules from the Commissioner of Transportation to reconstruct this intersection in accordance with approved layout.

**Council Resolution 2001R-563 adopted December 28, 2001;** Authorized the proper City Officers to execute Project Funding Agreement #5 with the Metropolitan Council providing for payment by the City to the Met Council of \$304,363.80, reimbursable from MSA funds.

Prepared or Submitted by: Heidi Hamilton, Engineer III - LRT  
Phone: 612/673-3439

A handwritten signature in black ink, appearing to read "Heidi Hamilton".

Approved: David J. Sonnenberg, P. E., City Engineer, Director of Public Works

Presenters in Committee: Heidi Hamilton

**Financial Impact** (Check those that apply)

- No financial impact (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
- Other financial impact (Explain):
- Request provided to the Budget Office when provided to the Committee Coordinator

**Background/Supporting Information**

The design of the 54<sup>th</sup> Street and Minnehaha Avenue intersection has gone through many revisions that have been debated extensively throughout the development of the LRT design. In February 2001 the City Council approved a layout for this intersection. An agreement to implement this layout was then negotiated and approved by the City and Met Council and included the City paying \$304,363.80 of the \$614,828.80 total cost to implement the change.

As the LRT contractor refined and finalized the design of the intersection, they incorporated superelevation of the LRT tracks through this intersection into the design. This superelevation had been eliminated from the design approved by the City in order to allow a design speed of 25 mph for the crest vertical curve on 54<sup>th</sup> Street. The contractor made this design revision in order to accommodate the 30 mph train design speed criteria. The City approved design, without track superelevation, results in a train design speed of approximately 24 mph through the intersection.

The full impact of incorporating the track superelevation back into the 54<sup>th</sup> Street design was not immediately apparent. Upon full analysis of the revised design it became clear to City staff that the new design was not acceptable to the City for two reasons:

1. The revised design replaces the one vehicle landing area for westbound traffic at the crossing gate by a 7% grade. A 7% grade is too steep to safely stop in icy conditions. An ideal design would have a 2% landing area to accommodate several vehicles, which is not feasible due to adjacent development. City staff believes it is important to have as much of a landing area as is feasible.
2. The revised design reduces the crest vertical curve design speed from 25 mph to 19 mph. Although the immediate impact of this is not very significant since a four-way stop is planned for the intersection the long-term implications could be significant. The State Aid office has reported that they will not require a variance for the crest vertical curve as long as the planned stop signs are in place on 54<sup>th</sup> Street. However, if this intersection were ever signalized, a variance would be necessary in order for 54<sup>th</sup> Street to remain an MSA route. It is extremely unlikely that a variance would be granted for a 19 mph vertical curve. Constructing the track with superelevation will be likely to eliminate either the possibility of a future signal at this intersection or maintaining the street as an MSA route.

As the City evaluated the revised design and held discussions with State Aid, the LRT contractor proceeded with final design of the intersection including super-elevation of the tracks. To revert back to the City approved design at this time the LRT contractor will charge \$30,646.66. The Hiawatha Project Office (HPO) has indicated they will only implement the change if the City agrees to fully fund the re-design costs. The City has not yet executed project Funding Agreement #5 due to the unresolved design issues.

The additional funds are available from the MSA funds City Council previously authorized to implement changes in the LRT project.

Due to the construction schedule, it is imperative that this issue is resolved immediately with a decision as to how the intersection will be constructed. Upon resolution, the City has yet to acquire right-of-way to allow construction to proceed. The only design solution acceptable to City staff is the elimination of the track superelevation. In consideration of the significant financial constraints facing the LRT project, I recommend the most reasonable way to quickly achieve resolution of this issue with a design that is satisfactory to the City is to agree to fund the change.

cc: Council Member Colvin Roy  
Ed Hunter, Hiawatha Project Office  
Jurgen Sumann, Hiawatha Project Office  
Robert Morgan

**PROJECT FUNDING AGREEMENT NUMBER FIVE**

This Project Funding Agreement Number Five is between the City of Minneapolis, a home rule charter City (City), and the Metropolitan Council, a public corporation and political subdivision of the State of Minnesota (Council).

**WHEREAS**, the City and the Council entered into a Light Rail Master Cooperative Funding Agreement (Master Agreement) effective May 25, 1999; and

**WHEREAS**, the City and the Council agreed in the Master Agreement that certain aspects of the Project funding would be determined in this and other Project Funding Agreements.

**NOW, THEREFORE IT IS AGREED:**

- I. **Scope of Agreement.** Re-Alignment 54<sup>th</sup> St and Minnehaha Av  
The Hiawatha Light Rail Transit alignment, roadway design, and traffic control shall be revised per the layout approved by the City Council on February 16, 2001 which is hereby attached and incorporated and constructed by the Council's contractor in accordance therewith.
- II. **Effective Date.** The work identified in I. above includes work on federal land south of the Minneapolis City Limits. The Minnesota Department of Transportation (MnDOT) is negotiating with the federal government to obtain an easement for roadway purposes over the land necessary to perform the work identified in I. above. This Project Funding Agreement shall not become effective until MnDOT or the Metropolitan Council has obtained such property easement(s) required to perform the work identified in I. above.
- III. **Funding.** The City shall pay to the Council an amount not to exceed \$ 335,010.46 as the City's share of the cost of this design and construction effort. The City shall pay the Council upon receipt of progress bills from the Council as allowable costs are incurred and billed by the contractor.
- IV. **Integration.** This Project Funding Agreement is subject to the terms and definitions of the Master Agreement unless expressly agreed otherwise.

**METROPOLITAN COUNCIL**

**CITY OF MINNEAPOLIS**

By: \_\_\_\_\_  
It's Regional Administrator

By: \_\_\_\_\_  
It's Mayor Date

Date \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk Date

Countersigned



T&PW & W/M Budget – Your Committee recommends rescission of City Council Resolution 2001R-563 and the accompanying City Council action directing City Officers to execute Project Funding Agreement #5, adopted by the City Council on December 28, 2001; and that the proper City Officers be authorized to execute a revised Project Funding Agreement #5 between the City and Metropolitan Council providing for reconstruction of 54<sup>th</sup> Street and Minnehaha Avenue to accommodate LRT and providing for payment by the City to the Metropolitan Council of an amount of \$335,010.46 for the City share of the cost.

Amending the 2002 Capital Improvement Appropriation Resolution.

Increasing the appropriation in the Public Works Paving Construction Capital Agency in the Permanent Improvement Project Fund (4100-937-9372) by \$335,010.46 and increasing the Revenue Source (4100-937-9372 Source 3215) by \$335,010.46.

DECEMBER 28, 2001

**T&PW & W&M/Budget** - Your Committee, having under consideration plans for reconstruction of the intersection of 54th St and Minnehaha Av to accommodate light rail transit, now recommends that the proper City officers be authorized to execute Project Funding Agreement #5 with the Metropolitan Council providing for payment by the City of \$304,363.80 (to be reimbursed through Municipal State Aid funds) as the City's share of the reconstruction project.

Your Committee further recommends passage of the accompanying resolution increasing the project appropriation.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-563**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works - Paving Construction Capital Agency in the Permanent Improvement Projects Fund (4100-937-9372) by \$304,364 and increasing the revenue source (4100-937-9372 - Source 3215) by \$304,364.

Adopted. Yeas, 13; Nays none.

Passed December 28, 2001. J. Cherryhomes, President of Council.

Approved December 31, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Near Northside Redevelopment Project and having received a report from the project staff outlining funds that will be received for infrastructure and site preparation from the Metropolitan Council, the federal government and bidder payments and a request for appropriation of some funds, now recommends passage and summary publication of the accompanying resolution:

a) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$1,500,000 (Livable Communities Grant);

b) Increasing the appropriation for the Sewer Construction Capital Agency by \$1,172,356 (interceptor project);

c) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$10,000,000 (boulevard greenway in Bassett Creek Valley area);

d) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$1,200,000 (Middle Mississippi River Watershed Management Organization funds);

e) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$900 (payments by bidders for plan drawings);

f) Increasing the appropriation for the Near Northside Redevelopment Infrastructure Work by \$870,000 (reimbursement by Minneapolis Public Housing Authority for wick drain installations).

Your Committee further recommends that the proper City officers be authorized to execute an amendment to Agreement #14623 dated August 28, 1999 with SRF Consulting Group, Inc. extending the termination date of the agreement to August 27, 2003 and increasing the agreement amount by \$2,024,500 for design and engineering of open space and infrastructure components using appropriated funds.

Your Committee further recommends that the proper City officers be authorized to make a payment to Reliant Energy in the amount of \$262,369 for 16" gas pipe relocation in the Near Northside Redevelopment Project Phase I area, per Near Northside Redevelopment Stage I financing plans approved on August 25, 2000, using previously appropriated Section 108 loan funds (to be reimbursed by 2003 tax increment bonds).

Adopted. Yeas, 13; Nays none.