



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

Date: April 6, 2010
To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee
Referral: Honorable Betsy A. Hodges, Chair Ways & Means Committee
Subject: **University of Minnesota Trail, Phase III, Authorization to Negotiate and Execute Inter-agency Agreement**

Recommendation:

1. Passage of a resolution authorizing the execution of an inter-agency agreement with the Minnesota Department of Transportation (MnDOT) for Federal Participation in the Acquisition of Right-of-Way for the University of Minnesota Trail Project (City Project No. 9847) pending satisfactory review by the proper City Officers.

Previous Directives:

- Resolution 2010R-057 (February 12, 2010) Authorization to record Right-of-Way Plats for the University of Minnesota Trail Project (U of M Trail).
- Council Action (February 12, 2010) Authorizing the proper City officers to negotiate and execute a License and Memorandum of Understanding (MOU) agreement with the University of Minnesota for the trail
- Council Action (February 12, 2010) Approval of the U of M Trail Project alignment.
- Resolution 2007R-512 (August 8, 2008) Authorizing the execution of two inter-agency agreements with the Minnesota Department of Transportation (MnDOT) for Federal Participation in Design Engineering (Agreement No 92693) and for Federal Participation in Right-of-Way Engineering (Agreement No 92905) for the U of M Trail.
- Council Action (October 5, 2007) Authorizing the proper City officers to accept a Non-Motorized Transportation Pilot Program grant award for the U of M Trail.
- Resolution 2007R-512 (October 5, 2007) Appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept grants for the Non-Motorized Transportation Pilot (NTP) Program.
- Council Action (April 13, 2007) Authorization to submit U of M Trail Project for federal (NTP) Project grant.
- Resolution 2004R-580 (December 13, 2004) Project adopted into the 2005-2009 Capital Program.
- Council Action (December 28, 2001) Authorization to acquire property rights from BNSF for the U of M Trail, Phase III.

Prepared by: Jack Yuzna, P.E., Principal Project Engineer, 673-2415
Paul W. Ogren, P.E., Superintendent of Environmental Engineering, 673-2456

Approved by:

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

Presenters: Jack Yuzna, P.E., Principal Project Engineer,
Department of Public Works, Transportation Planning & Engineering Division

Reviews

Permanent Review Committee (PRC):	Approval	NA	Date
Civil Rights Affirmative Action Plan	Approval	NA	Date
Policy Review Group (PRG):	Approval	NA	Date

Financial Impact

No Financial Impact

Community Impact

Neighborhood Notification: Not Applicable

City Goals: The city's infrastructure will be well-maintained, people will feel safe in the city.

Comprehensive Plan: Not Applicable

Zoning Code: Not Applicable

Background/Supporting Information

The U of M Trail, Phase III was conceived in the mid 1990s. Its intent was to provide an off-road bicycle and pedestrian trail between downtown Minneapolis and the University of Minnesota's Minneapolis & St. Paul campuses. The project limits are the east approach of Bridge #9 to the intersection of 5th Street SE and Oak Street SE. The project will also provide additional trail access at East River Road and at 17th Avenue SE / 5th Street SE.

In 2007, the City of Minneapolis sought and received \$2,500,000 in Non-motorized Transportation Pilot (NTP) program funds for the U of M Trail. The NTP funds are eligible to be used for design engineering, right of way engineering, right of way acquisition and construction costs. However, before any project expenditures are eligible for reimbursement, the City needs to enter into inter-agency agreements to have MnDOT act as its agent. MnDOT will then be able to accept and distribute the federal funds to the City for the project. Council previously authorized the execution of design and right of way engineering inter-agency agreements.

Public Works is preparing to make an offer to the BNSF for the acquisition of temporary construction and permanent trail easements. Before the offer can be made, the MnDOT inter-agency right-of-way acquisition agreement must be executed. Therefore, Public Works is requesting passage of the accompanying resolution authorizing the execution of the inter-agency agreement pending satisfactory review by the proper City Officers.

Funding:

Project funding includes:	2007 Federal NTP grant:	\$2,500,000
	Net Debt Bonds:	\$ 398,000
	Sewer Revenue:	\$ 115,000
	Total Project Funding:	\$3,013,000

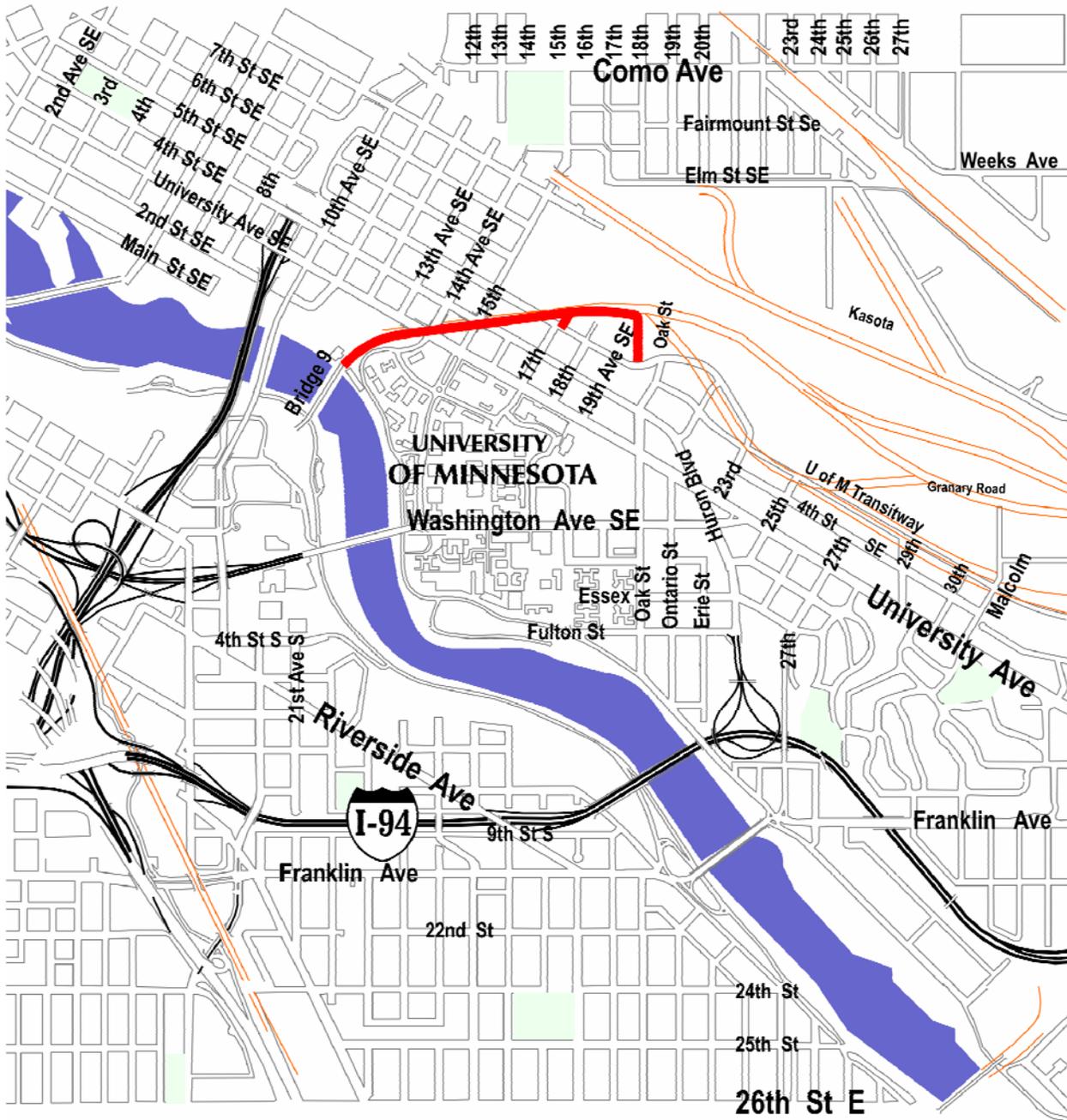
Anticipated Schedule:

May, 2010	Initial plans submitted to MnDOT
June, 2010	ROW acquisition
July, 2010	Advertise for bids
Late, 2010	Begin Construction

Attachment: U of M Trail Project Location Map

cc: Council Member Cam Gordon, Ward 2

U of M Trail



 Project

RESOLUTION 2010R-____
By Colvin Roy

Authorizing the execution of an interagency agreement with the Minnesota Department of Transportation for Federal Participation in Right-of-Way Acquisition for the University of Minnesota Trail, Phase III (City Project No 9847), pending satisfactory review by the proper City officers.

Whereas, in 2007 the City of Minneapolis pursued and received a federal aid grant in the amount of \$2,500,000 to cover costs associated with right-of-way acquisition, design, construction and construction engineering on the University of Minnesota Trail, Phase III; and

Whereas, that pursuant to Minnesota Statute 161.36, Subd. 2, the federal aid funds are distributed to the states through the State Highway Agency, which are then made available to the local agencies for eligible transportation projects; and

Whereas, in the State of Minnesota, the Minnesota Department of Transportation (MnDOT) Commissioner of Transportation is the appointed Agent to distribute these funds; and

Whereas, before the project costs are eligible for reimbursement, the City of Minneapolis needs to enter into an agreement with MnDOT which outlines the use of the funds and the conditions of the agency as prescribed by federal laws; and

Whereas, Agreement is for Federal Participation in Right-of-Way;

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

That the proper City Officers are hereby authorized and directed, on behalf of the City, to execute and enter into an agreement with the MnDOT Commissioner of Transportation prescribing the terms and conditions of said federal aid participation, as set forth and contained in Minnesota Department of Transportation Agency Agreement for Right-of-Way Acquisition.