



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

**Date:** September 27, 2005  
**To:** Honorable Sandra Colvin Roy, Chair, Transportation & Public Works Committee  
**Referral to:** None

**Subject:** Update on Progress for Proposed Changes to Courtesy Bench Program

### Recommendation:

Receive and File update on progress for proposed changes to the courtesy bench program.

### Previous Directives:

- August 9, 2005 – Receive and File process to explore opportunities to change the courtesy bench program from a license to a franchise system; and authorize Public Works to issue a Request for Proposals for courtesy bench services.

**Prepared by:** Derek Larson, Project Engineer, 673-2151

### Approved by:

By: \_\_\_\_\_  
Klara A. Fabry, P.E., City Engineer, Director of Public Works

**Presenters:** Jon Wertjes, P.E., Director, Traffic and Parking Services  
Derek Larson, Project Engineer

### 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
- Other financial impact (Explain):
- Request provided to the Budget Office when provided to the Committee Coordinator

### Background/Supporting Information:

The August 9, 2005 Transportation and Public Works Committee authorized Public Works to explore opportunities to change the courtesy bench program to a franchise system and issue a Request for Proposals for courtesy bench services. To accomplish this effort, Public Works proposed a process that includes the following key tasks:

1. Discussions with City Attorney's office regarding legal steps

2. Serve notice to the existing bench vendor that the courtesy bench program may change
3. Obtain courtesy bench comparables from other cities
4. Develop a Request for Proposals (RFP) and a draft franchise agreement
5. Seek City Council approval to issue the RFP
6. Draft new ordinance language as needed to reflect the new bench program

### **Update on Progress and Timeline**

Public Works has had preliminary discussions with the City Attorney's office regarding the proper legal process for this effort and associated timeline to meet a goal that corresponds to the January 1 annual courtesy bench license renewal. Given the timeframe needed to initiate the necessary public hearings for potential ordinance changes and develop a detailed RFP and franchise agreement, it will be necessary to extend the current courtesy bench licenses beyond the January 1, 2006 renewal for a period of six months to July 1, 2006. In addition, this date will also serve as a more convenient renewal date for any field changes that may need to be made by the courtesy bench vendor(s) to avoid winter conditions. Therefore, Public Works will continue to work with the City Attorney's office and the Licensing Division to allow for the six month extension.

The Licensing Division has served written notice to the existing courtesy bench vendor, effectively notifying them as to future changes to the Minneapolis Courtesy Bench Program.

Public Works is continuing its effort to obtain courtesy bench comparables from other cities that operate under the franchise agreement system. Preliminary inquiries indicate that many cities still operate under the permit/license system including Portland, Oregon, Denver, Colorado, and St. Paul, Minnesota.

The Request for Proposals is still under development, with consideration of the courtesy bench comparables and the existing bus shelter franchise agreement. Public Works anticipates finalizing this process by December 1, 2005.

Once the courtesy bench vendor(s) has been selected from the RFP process, Public Works will draft new ordinance language as needed to reflect the new courtesy bench program. Public Works anticipates completing any necessary ordinance language changes by March 31, 2006.

Cc: Joel Fussy, City Attorney Office  
Henry Reimer, Ricardo Cervantes, and Grant Wilson, Regulatory Services