



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

Date: January 4, 2011

To: Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee

Subject: **Riverside Avenue Reconstruction - Resolution Holding State of Minnesota Harmless**

Recommendation:

- a. Passage of the accompanying Resolution holding harmless the State of Minnesota from actions that may arise from granting of a variance that would permit the reconstruction of Riverside Avenue between Cedar Avenue and Franklin Avenue with parking lanes of 8 feet wide rather than the 10 feet wide as required by State Aid Rules.

Previous Directives:

- December 10th, 2010: Approval of the Riverside Ave Reconstruction Project layout and authorize Public Works to negotiate to acquire and execute easements and additional right of way.
- November 5th, 2010: Resolution 2010R-534, Transportation & Public Works Committee directed the City Engineer to proceed with a Variance Request for Riverside Ave to be reconstructed with eight foot parking lanes.

Prepared by: Christopher M. Engelmann, Project Engineer 673-3274

Approved by:

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

Presenters: Christopher M. Engelmann, Project Engineer, Department of Public Works, Transportation Planning and Engineering

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: A SAFE PLACE TO CALL HOME: 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 proposed one mile long project will reconstruct Riverside Avenue between Cedar Avenue and Franklin Avenue. Riverside Avenue was constructed in the late 1950's. It is a Municipal State Aid roadway with a Pavement Condition Index of 48 to 65 (poor to fair condition). The project will be constructed in 2011 and 2012. The first phase will be 23rd Avenue South to Franklin Avenue and the second phase from Cedar Avenue to 23rd Avenue South. The project will consist of removing the existing road, and replacing the paving, base, curb, gutter, signage and striping, traffic signals, storm drains, stormwater management technologies, drives, sidewalks, boulevards, and landscaping.

Hold Harmless Resolution

The Public Works Department requests the City Council adopt a resolution that indemnifies, saves, and holds harmless the State of Minnesota and its agents and employees from any action arising out of the reconstruction of Riverside Avenue in any manner than is in accordance with Minnesota Rule 8820.9936 which requires a ten foot parking lane rather than the 8 foot parking lane as asked in the variance.

On November 5th, 2010, Council passed a resolution (2010R-534) which directed the City Engineer to proceed with a variance request from Minnesota Rules Chapter 8820.9936 to permit construction of Riverside Ave with a narrower parking lane than is required by the Minnesota Rules

In response to that direction, we have submitted and received conditional approval of that variance by the Commissioner of Transportation. As a condition of granting this Variance, the State requires City Council to adopt a standard form resolution with language as specified in Minnesota Administrative Rules 8820.3300.

Cc: Council Member Cam Gordon, Ward 2