



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

**Date:** February 2, 2010

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

**Referral:** Honorable Betsy A. Hodges, Chair Ways & Means Committee

**Subject:** **Cedar Lake Trail Amendment #1 to Minnesota Department of Transportation (MnDOT) Agreement No. 92797**

**Recommendation:**

1. Passage of a resolution approving the execution of Amendment #1 to MnDOT Agreement No. 92797 for Federal Participation in Right of Way.

**Previous Directives:**

- Resolution 2010R-009 (January 15, 2010) Approving a trail easement agreement with the Minnesota Ballpark Authority.
- Resolution 2009R-625 (December 18, 2009) Approving Stipulation of Settlement with State of Minnesota and Metropolitan Council for Cedar Lake Trail - Phase III.
- Resolution 2009R-624 (December 18, 2009) Approving Stipulation of Partial Settlement with BNSF Railway Company for Cedar Lake Trail - Phase III.
- Resolution 2009R-622 (December 18, 2009) Approving Trail Easement Agreement for the Cedar Lake Trail Phase III with the Federal Reserve Bank.
- Resolution 2009R-537 (October 30, 2009) Authorizing the acquisition through negotiations or condemnation of temporary construction easements and permanent easements across the parcels therein for trail and other transportation-related uses.
- Resolution 2009R-328 (July 17, 2009) Authorizing the filing of an amendment to the condemnation petition in the City of Minneapolis v. BNSF Railway Company, et al. for the purpose of acquiring temporary construction easements.
- Resolution 2009R-327 (July 17, 2009) Authorizing the filing of an amendment to the condemnation petition in the City of Minneapolis v. Land Partners II, et al. for the purpose of acquiring an additional temporary access easement over Parcel 15 (Duddy Limited Partnership).
- Resolution 2009R-307 (June 26, 2009), Approving a right of entry agreement with Minnesota Ballpark Authority for Cedar Lake Trail - Phase III.
- Resolution 2009R-235 (May 22, 2009), Approving the acquisition of permanent and temporary easements for transportation purposes and authorizing the use of eminent domain proceedings from the owners of Parcels 16; 17;19; 21; and 24.
- Resolution 2009R-079, Approving an agreement with the Hennepin County Regional Railroad Authority ("HCRRA") for the acquisition of permanent and temporary easements for transportation purposes, and authorizing use of eminent domain proceeding.
- Resolution 2008R-320 (July 25, 2008) Authorizing the execution of Amendment No 1 to Metropolitan Council Agreement No. SG-2006-145 (City Contract No. C-23910)
- Resolution 2008R-319 (July 25, 2008) Authorizing the execution of an Inter-Agency Agreement with the Minnesota Department of Transportation for federal participation in right-of-way.
- Council Action (December 7, 2007) Authorization to execute the required documents to acquire a permanent trail easement from 127 Building Partners, LLC.

- Council Action (December 7, 2007) Authorization to execute a Cooperative Agreement with Northstar Corridor Development Authority for the acquisition of a Trail Use Permit.
- Council Action (March 9, 2007) Authorization to enter into negotiations or condemnation for the Cedar Lake Trail Phase III Project.
- Resolution 2006R-634, Authorization to enter into negotiations with abutting property owners for the acquisition of trail easements.
- Resolution 2006R-584, Appropriation Increase to PW- Fund (0600-943-9480) by \$1,800,000 & increasing the revenue source (0600-943-9480-3215) by \$1,800,000; and Increasing the appropriation in PW- Fund (4100-943-9470- BIK01) by \$1,800,000 and increasing the revenue source (4100-943-9470-3215) by \$1,800,000.
- Council Action (November 17, 2006), Authorization to execute a Metropolitan Council Grant Agreement (No. SG-2006-145) in the amount of \$1,800,000 for the Cedar Lake Trail.
- Resolution 2005R-658, 2006-2010 Five Year Capital Budget which included an appropriation of \$583,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Net Debt Bonds
- Resolution 2005R-661, Requesting the issuance and sale of bonds including the Cedar Lake Bike Phase 3 Project
- Resolution 2005R-075, Supporting the completion of the Cedar Lake Bike Phase to the Mississippi River • Resolution 2004R-580, 2005-2009 Five Year Capital Budget which included an appropriation of \$2,160,000 for the Cedar Lake Bike Phase 3 Project with the revenue source being Federal Government
- Council Action (September 28, 2001), Authorizing the expenditure of \$40,000 from the Commuter Bike Fund System (4100-943-9470 - Project A7002990) for a temporary Cedar Lake Trail Phase III bike lanes alignment.
- Council Action (August 24, 2001), Recommendation that the proper City officers apply for a series of federal funds (TEA-21) including \$2,160,000 for Cedar Lake Bike Trail Phase III
- Resolution 2001R-147, Amending the 2001 Capital Improvement Appropriation Resolution which included an increase to the Cedar Lake Bike Trail of \$300,000 with the revenue source being the settlement from the Federal Reserve Bank Project Tax Increment Financing District for off-site public improvements.
- Council Action (March 2, 2001), Directing Public Works to develop a temporary bike route plan for Cedar Lake Trail Phase III due to construction delays caused by other projects in the area.
- Council Action (December 17, 1999), Authorization to enter into two easements for the Cedar Lake Bike Trail Phase III.

**Prepared by:** Jack Yuzna, P.E., Principal Professional Engineer, 673-2415

**Approved by:**

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

**Presenters:** Jack Yuzna, P.E., Principal Professional 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 extension of the Cedar Lake Trail from Royalston Avenue to West River Parkway continues to be a high priority. Construction is scheduled to begin in early 2010 with completion by November 2010.

The City was successful in obtaining a Federal High Priority Project (HPP) Grant to assist in funding the Trail project. Public Works initially intended to use the HPP Grant to help fund right of way acquisition and construction.

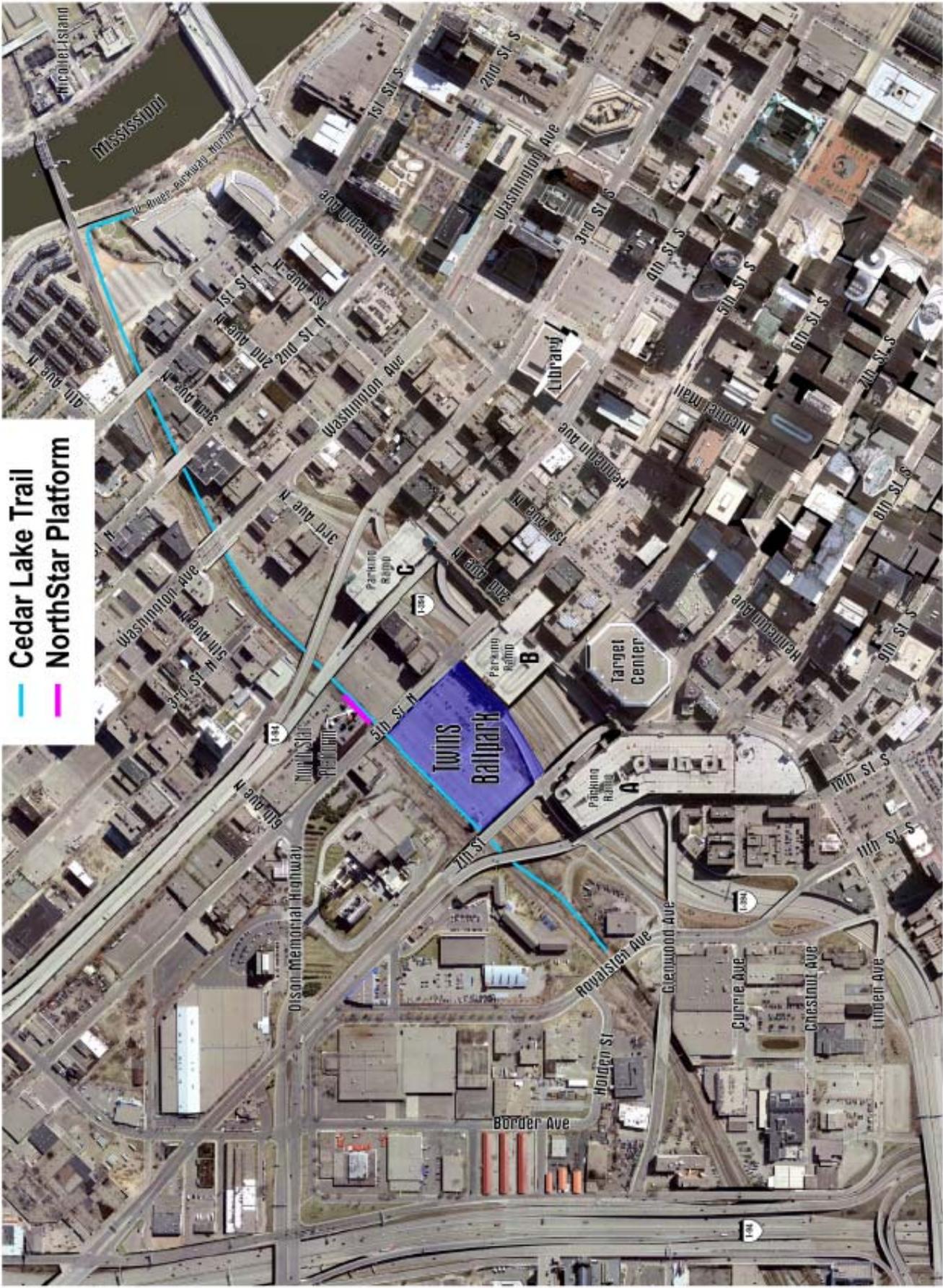
In May of 2008, the City entered into a State of Minnesota Agency Agreement with the Department of Transportation (MnDOT) for Federal Participation in Right of Way (MnDOT Agreement No. 92797). The agreement allocated 40% of the grant for right of way. As project development progressed, the right of way acquisition cost increased and, fortunately, the construction estimate decreased. Public Works therefore requested that 100% of the HPP Grant amount be allocated for right of way acquisition. Amendment # 1 provides for this change.

Attachments Cedar Lake Trail map

Cc: CM Goodman, Ward 7

# Cedar Lake Trail - Phase III

June 18, 2008



— Cedar Lake Trail  
— NorthStar Platform

RESOLUTION 2010R-  
By Colvin Roy

CEDAR LAKE TRAIL PHASE III (CITY PROJECT NO 9844)

Authorizing the execution of Amendment No 1 to Minnesota Department of Transportation (MnDOT Agreement No. 92797) pending satisfactory review by the proper City officers.

Whereas, the City of Minneapolis has included the completion of the Cedar Lake Trail within its capital improvement program; and

Whereas, the City sought and received a Federal High Priority Project (HPP) Grant to help fund the completion of the Cedar Lake Trail; and

Whereas, MnDOT Agreement No. 92797 authorized a portion of the HPP Grant to be used for right of way acquisition; and

Whereas, during project development the cost of right of way cost were higher than anticipated and the estimate for construction cost are lower; and

Whereas, to make best use of the HPP Grant, the City requested and MnDOT concurred that the all the HPP Grant should be allocated for right of way acquisition;

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

That pending satisfactory review, the proper City officers are hereby authorized and directed for and on behalf of the City of Minneapolis to execute Amendment No 1 to Transportation (MnDOT Agreement No. 92797).