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Resolution No. 2015R-484

City of Minneapolis

File No. 15-01416

On motion duly made, seconded, and carried on the vote shown below, the attached resolution directing the City Engineer to proceed with a variance request from State Aid Rules per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including amendments adopted through February 4, 2013, to the Minnesota Commissioner of Transportation for the reconstruction of 7th St N between 1st Ave N to 2nd Ave N was adopted.

Committee: TPW Public Hearing: N/A Publication: 11/28/2015

RECORD OF COUNCIL VOTE				
MEMBER	AYE	NAY	ABSTAIN	ABSENT
REICH	X			
GORDON	X			
FREY	X			
B. JOHNSON	X			
YANG	X			
WARSAME	X			
GOODMAN	X			
GLIDDEN	X			
CANO	X			
BENDER	X			
QUINCY	X			
A. JOHNSON	X			
PALMISANO				X
DATE:	NOV 20 2015			

APPROVED VETOED



 MAYOR HODGES
 NOV 23 2015

 DATE

Certified an official action of the City Council
 ATTEST:


 CITY CLERK

**RESOLUTION
of the
CITY OF
MINNEAPOLIS**

By Reich

Directing the City Engineer to proceed with a variance request from State Aid Rules per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including amendments adopted through February 4, 2013, to the Minnesota Commissioner of Transportation for the reconstruction of 7th St N between 1st Ave N to 2nd Ave N.

Whereas, the City of Minneapolis wishes to reconstruct 7th St N between 1st Ave N to 2nd Ave N; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820.9941 (Design Standards, Urban; New or Reconstruction Projects) per Administrative Variance to State Aid Operation Rules, Chapter 8820, effective October 1, 2011, require "New or reconstruction projects for urban roadway must meet or exceed the minimum dimensions indicated in the following design chart;" and

Whereas, the design chart has design speed indicated for Collectors or Locals with Average Daily Traffic (ADT) greater than 10,000 vehicles and Arterials; and

Whereas, the urban streetscape limits the right-of-way available to accommodate a horizontal profile meeting a minimum design speed of 30 miles per hour (MPH) on 7th St N between 1st Ave N to 2nd Ave N without reducing the available pedestrian space; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

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

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for variance from MnDOT State Aid Rule 8820.9941 per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective 2011, including Amendments adopted through February 4, 2013, for Collectors or Locals with Average Daily Traffic (ADT) greater than 10,000 vehicles and Arterials to permit the reconstruction of 7th St N between 1st Ave N to 2nd Ave N with a horizontal profile that meets a design speed of 25 MPH instead of 30 MPH as required by Rule 8820.9941.

Be It Further Resolved that the City Council of the City of Minneapolis hereby indemnifies, saves, and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reconstruction of 7th St N between 1st Ave N to 2nd Ave N in accordance with Minnesota Rules 8820.9941 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.