



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

**Date:** September 13, 2011

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

**Referral:** Honorable Betsy Hodges, Chair Ways & Means/Budget Committee

**Subject:** **State of Minnesota, Department of Transportation (Mn/DOT) and the City of Minneapolis Routine Maintenance Agreement**

**Recommendation:**

That the City Council pass a resolution authorizing the proper City Officers to execute Agreement No. 98183 for the Biennial Routine Maintenance Agreement between the State of Minnesota, Department of Transportation and the City of Minneapolis, effective, July 1, 2011 through June 30, 2013.

**Previous Directives:**

July 1, 2011 – Authorize negotiation and execution of an amendment to extend the biennial Mn/DOT Routine Maintenance Agreement, effective July 1, 2011.

July 2, 2010 – Approval of a resolution authorizing proper City Officers to sign and execute a Biennial Routine Maintenance Agreement between the State of Minnesota, Department of Transportation and the City of Minneapolis, effective July 1, 2009 through June 30, 2011.

December 12, 2008 – Approval of a resolution authorizing proper City Officers to sign and execute a Biennial Routine Maintenance Agreement between the State of Minnesota, Department of Transportation and the City of Minneapolis, effective July 1, 2007 through June 30, 2009.

**Prepared by:** Michael D. Kennedy, P.E., Director, Transportation Maintenance & Repair, 673-3759  
Scott Wellan, Management Analyst, Public Works, 673-2646

**Approved by:**

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

**Presenters:** Michael D. Kennedy, P.E., Director, Transportation Maintenance & Repair

**Reviews** Not Applicable

**Financial Impact**

Action is within current departmental budget

**Community Impact**

**Neighborhood Notification:** Nothing required at this time

**City Goals:** The City's infrastructure will be maintained as well as enhancing our environment.

**Comprehensive Plan:** Consistent

**Zoning Code:** Not Applicable

**Background/Supporting Information:**

As afforded the opportunity by State Statute Section 471.59, Mn/DOT is given the authority to enter into agreements with the Cities of the First Class for the routine maintenance of the State Trunk Highways (STH) within the City limits of these specific cities. The Cities of the First Class are Duluth, St. Paul, and Minneapolis.

Historically, the State of Minnesota and the City of Minneapolis have entered into Biennial Routine Maintenance Agreements in regard to the routine maintenance of certain portions of State Trunk Highways and Bridges within the corporate limits of the City of Minneapolis. As dictated by these agreements, the State of Minnesota is responsible for any extraordinary maintenance, betterments, construction, or reconstruction of the state trunk highways.

The previous agreement expired on June 30, 2011, and was extended until September 30, 2011 to allow for completion of negotiations.

Since before that time, the City of Minneapolis continued to negotiate with Mn/DOT for a final agreement to cover the State fiscal biennium. There have been discussions regarding the history and actual service activities, mutual responsibilities, levels of service, long term targets, definitions, and options to the respective scopes of work. All the parties have also been gathering historical information regarding costs and expenditures and how that relates to the level of service provided.

From our negotiation with Mn/DOT, the following progress has been made to implementing changes to previous agreements:

- Language was added in the agreement to define authority to issue permits related to special events, obstructions, and street furniture within the State Trunk Highway right of way.
- Noise Walls have been better defined within the agreement regarding which walls are included, defined maintenance responsibilities, graffiti removal, betterment, and reconstruction responsibilities.
- No change in reimbursement levels for the new agreement are planned as the work performed by the city is being properly reimbursed at this point. Reimbursements for Graffiti removal on sound walls by the city may impact future agreements depending on volume.

Public Works recommends that the Mn/DOT Agreement No. 98183 be executed in order for City forces to be paid for work to date and continue to provide routine maintenance services on State Trunks Highways in Minneapolis. This agreement shall remain in effect until a new agreement is negotiated to replace it, or until it expires on June 30, 2013.

Cc: Steve Kotke  
Heidi Hamilton  
Sue Hartman  
Mike Kennedy  
Jon Wertjes  
Lynn Gustafson  
Scott Wellan  
Lisa Cerney  
Dirk Marshall  
Jeff Jenks

**Colvin Roy and Hodges**

Resolved by the City Council of the City of Minneapolis:

That the City of Minneapolis enters into MnDOT Agreement No. 98183 with the State of Minnesota, Department of Transportation to provide routine maintenance by the City on State Trunk Highways, Bridges, and the Hiawatha Tunnel, as defined in said Agreement.

Be it Further Resolved that the Director of Public Works/City Engineer and the Finance Officer are authorized to execute the Agreement.