

# HENNEPIN COUNTY

## MINNESOTA

### FINAL COMMITTEE AGENDA

#### BOARD OF HENNEPIN COUNTY COMMISSIONERS PUBLIC WORKS COMMITTEE

TUESDAY, JUNE 19, 2018  
1:30 PM

Chair: Mike Opat, District 1

Vice-Chair: Peter McLaughlin, District 4

Members: Linda Higgins, District 2  
Marion Greene, District 3  
Debbie Goettel, District 5  
Jan Callison, District 6  
Jeff Johnson, District 7

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#### 1. Minutes From Previous Meeting

- A. 06/05/2018 Public Works Meeting Minutes

#### 2. New Business

##### Routine Items

- A. **18-0247**  
Neg Agmt A188800 with the City of Bloomington for a permanent sidewalk and bikeway easement across a portion of the Oxboro Library site (recv \$1)
- B. **18-0248**  
Neg Agmts PW 10-50-18 and PW 09-06-18 with the cities of Minnetrista and Mound for snow and ice control services on CSAH 44 from TH 7 to CSAH 110 (est. combined county cost: \$10,800 operating budget)
- C. **18-0249**  
Neg Agmts PW 26-17-18 with Plymouth and PW 18-13-18 with Golden Valley for cost participation for pedestrian ramp improvements (CP 2181000 and CP 2181100) (combined county cost: NTE \$70,000 – state aid)
- D. **18-0250**  
Negotiate Agmts PR00000404 with Hopkins Public Schools, PR00000426 with Minneapolis Public Schools, and PR00000398 with Osseo Area Schools to provide school recycling projects, 6/15/18-7/1/20, total combined NTE \$87,100
- E. **18-0251**  
Identify CSAH 5 (Minnetonka Boulevard) bicycle lane project; establish project budget (CP 2180600); transfer funds from Transportation Safety Capital Budget (est. county cost \$150,000)

##### Items for Discussion and Action

- F. **18-0252**  
Neg various agmts with a landscape contractor and the cities of Brooklyn Park, Crystal and Robbinsdale for rehabilitation of the CSAH 81 landscape, 8/15/18–12/31/21, total combined NTE \$1,500,000
- G. **18-0253**  
Neg Agmt PW 19-17-18 with City of Plymouth for cost participation in the replacement of three retaining walls on CSAH 6 (CP 2182700) (county cost: NTE \$300,000–county bonds)
- H. **18-0254**  
Increase project budget for the reconstruction of Pinto Drive/County Road 116 at TH 55 in Medina (CP 2091800); amend project budget \$1,000,000 (est county cost: \$1,000,000–county bonds)

- I. **18-0255**  
Agmt PW 17-40-18 with the State of MN (State Agreement 1030928) and Amd 1 to Agmt PW 39-20-17 with the City of Minneapolis related to improvements to I-35W and to Lake Street (CP 2986402, CP 2150800 and CP 2150900); amend budgets
- J. **18-0256**  
Agmt PW 16-67-18 with Metropolitan Council and City of Minneapolis for operation and maintenance of roads, streets, and related infrastructure near Green Line LRT in Minneapolis (est. annual county cost: \$34,232 operating budget)
- K. **18-0257**  
Authorization to submit grant application to MnDOT to fund enhanced mobility for seniors and individuals with disabilities; authorization to neg agmts with State of MN, 10/1/18-9/30/19, \$120,000 (recv); and U of M, 10/1/18-9/30/19, NTE \$100,000
- L. **18-0258**  
Authorization to apply for 2018 Regional Solicitation funding grants for capital projects at various locations throughout the county
- M. **18-0259**  
Adopt Hennepin County Jurisdictional Transfer Policy
- N. **18-0260**  
Adopt revisions to Hennepin County Ordinance 15 – Solid Waste Management Fee

# HENNEPIN COUNTY

## MINNESOTA

### COMMITTEE MINUTES

#### BOARD OF HENNEPIN COUNTY COMMISSIONERS PUBLIC WORKS COMMITTEE

TUESDAY, JUNE 5, 2018  
1:30 PM

Chair: Mike Opat, District 1  
Vice-Chair: Peter McLaughlin, District 4

Members: Linda Higgins, District 2  
Marion Greene, District 3  
Debbie Goettel, District 5  
Jan Callison, District 6  
Jeff Johnson, District 7

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Commissioner Mike Opat, Chair, called the meeting of the Public Works Committee for Tuesday, June 5, 2018 at 2:06 PM. All Commissioners were present.

#### 1. Public Hearing

- A. Obtain public comment on proposed revisions to Ordinance 15-Solid Waste Management Fee

BE IT RESOLVED,

Dave McNary with Environmental Services made brief comments about the proposed revisions to Ordinance 15-Solid Waste Management Fee.

Commissioner Mike Opat opened the Public Hearing at 2:09 PM. The following individual made public comments:

- 1) Chris Simon

Being no further individuals came forth, Commissioner Mike Opat moved to close the Public Hearing at 2:13 PM and approved

#### 2. Minutes From Previous Meeting

- A. 05/15/18 Public Works Meeting Minutes

#### APPROVED

Commissioner Peter McLaughlin moved to approve the Minutes, seconded by Commissioner Marion Greene and approved - 7 Yeas

#### 3. New Business Routine Items

- A. **18-0201**

Establish a public hearing on Tuesday, July 10, 2018, at 1:30 p.m. to obtain public comment on proposed revisions to Ordinance 22: County Road Right-Of-Way Use

#### CONSENT

Commissioner Jeff Johnson moved to approve, seconded by Commissioner Mike Opat and approved - 7 Yeas

- B. **18-0202**

Release the draft Hennepin County 2040 Comprehensive Plan for the six-month mandatory partner agency review

#### CONSENT

Commissioner Debbie Goettel moved to approve, seconded by Commissioner Marion Greene and

approved - 7 Yeas

C. **18-0203**

Amd and Restatement of Agmt A165074 with the City of Maple Grove for rental space utilized by the HCSO at 11370 89th Ave North, Maple Grove, extending the contract period to 12/31/20 (base rent \$85,000, plus fees)

**CONSENT**

Commissioner Jeff Johnson moved to approve, seconded by Commissioner Peter McLaughlin and approved - 7 Yeas

D. **18-0204**

Neg Amd 2 to Lease Agmt A130735 with The Ackerberg Group for rental space for Health and Human Services at 1001 Plymouth Avenue North, Mpls, 7/1/18–6/30/38 (\$709,014 first year rent/operations)

**CONSENT**

Commissioner Linda Higgins moved to approve, seconded by Commissioner Marion Greene and approved - 7 Yeas

**Items for Discussion and Action**

E. **18-0205**

Neg Lease Agmt A188823 with United Properties for retail space located at 501 5th Street North, Mpls (Target Field Station), for a 10-year period commencing on TBD commencement date (recv \$6,667 first year rent; leasehold improvement allowance NTE \$7,500)

**CONSENT**

Commissioner Peter McLaughlin moved to approve, seconded by Commissioner Linda Higgins and approved - 7 Yeas

F. **18-0206**

Agmt PW 49-20-17 with Mpls for cost participation in traffic signal replacements and pedestrian ramp improvements; establish project budget; transfer funds (CP 2130200, 2130300, and 2130400) (county cost: NTE \$150,000 county state aid)

**CONSENT**

Commissioner Marion Greene moved to approve, seconded by Commissioner Jeff Johnson and approved - 7 Yeas

G. **18-0207**

Recommend Riverview Corridor locally preferred alternative

**PROCESSED**

Commissioner Linda Higgins moved to approve, seconded by Commissioner Peter McLaughlin. After further discussion, Commissioner Mike Opat moved to progress, seconded by Commissioner Jan Callison and approved - 7 Yeas

**4. Old Business**

A. **18-0166**

Submission of Hennepin County Consortium 2018 Action Plan; neg Agmts A188755, A188756, and A188757 w/HUD for the 2018 CDBG, HOME, ESG Programs, 7/1/18-6/30/23, est recv \$4,269,957; neg 32 CDBG agmts, 7/1/18-6/30/23, est NTE \$1,654,950; neg 5 HOME agmts, 7/1/18-6/30/63, est NTE \$1,464,264

**18-0166R1 Revised**

Submission of Hennepin County Consortium 2018 Action Plan; neg Agmts A188755, A188756, and A188757 w/HUD for the 2018 CDBG, HOME, ESG Programs, 7/1/18-6/30/23, est recv \$5,047,754; neg 32 CDBG agmts, 7/1/18-6/30/23, est NTE \$1,761,585; neg 7 HOME agmts, 7/1/18-6/30/63, est NTE \$1,924,236

## **CONSENT**

Commissioner Peter McLaughlin moved to approve, seconded by Commissioner Debbie Goettel and approved - 7 Yeas

## **5. Adjourn**

There being no further business, the meeting of the Public Works Committee for Tuesday, June 5, 2018 was declared adjourned at 2:37 PM.

Yolanda C Clark  
Deputy Clerk to the Board

# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0247

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#### Item Description:

Neg Agmt A188800 with the City of Bloomington for a permanent sidewalk and bikeway easement across a portion of the Oxboro Library site (recv \$1)

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement A188800 with the City of Bloomington for sidewalk and bikeway purposes across the following land:

A permanent easement for sidewalk and bikeway purposes over, under and across that part of Lot 1, Block 1, Second Library Addition, according to the recorded plat thereof, Hennepin County, Minnesota, lying easterly of a line parallel with and 10.00 feet westerly of the most easterly line of said Lot 1 and its southerly extension

in the receivable amount of \$1; and that following review and approval by the County Attorney's Office, the Chair be authorized to sign the agreement on behalf of the county.

#### Background:

**History:** Hennepin County's Oxboro Library is located at 8801 Portland Avenue South. The City of Bloomington has requested a permanent easement to support maintenance and future improvements by the city to an existing public sidewalk along Park Avenue (east side of the library property). Existing permanent 10-foot easements with the city are already in place for the public sidewalks along Portland Avenue (west side) and along Bischoff Lane (south side).

The proposed easement area is approximately 10 feet by 148 feet. (See the attached Exhibit.)

**Current Request:** Authorization to negotiate Agreement A188800 with the City of Bloomington for a sidewalk and bikeway easement at Oxboro Library along the easterly 10 feet of property (adjacent to Park Avenue) to support maintenance and future improvements of a public sidewalk.

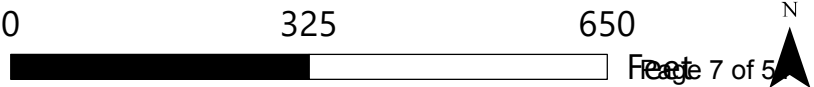
**Impact/Outcomes:** The easement will permit the City of Bloomington to access the public sidewalk for maintenance and future improvements.

#### ATTACHMENTS:

Description	Upload Date	Type
Exhibit: Map of Oxboro Library	6/1/2018	Map

Proposed Sidewalk and Bikeway Easement Agmt No. A188800  
Oxboro Library, 8801 Portland Avenue South, Bloomington 55420

HENNEPIN COUNTY  
MINNESOTA



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0248

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#### Item Description:

Neg Agmts PW 10-50-18 and PW 09-06-18 with the cities of Minnetrista and Mound for snow and ice control services on CSAH 44 from TH 7 to CSAH 110 (est. combined county cost: \$10,800 operating budget)

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 10-50-18 with the City of Minnetrista to provide snow and ice control services on four lane miles on County State Aid Highway 44 (CSAH 44) from south of Priest Bay Bridge to Trunk Highway 7 (TH 7), during the period November 1, 2018 through October 31, 2019, at an estimated annual county cost of \$8,655, be approved; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 09-06-18 with the City of Mound to provide snow and ice control services on one lane mile on CSAH 44 north of Priest Bay Bridge to CSAH 110 (Bartlett Boulevard), during the period November 1, 2018 through October 31, 2019, at an estimated annual county cost of \$2,164, be approved; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed.

#### Background:

**History:** The Metropolitan Council has a \$27,000,000 sanitary sewer replacement project that will require reconstruction of CSAH 44 in the cities of Minnetrista and Mound (Resolution 18-0105). Construction of the project will occur during the 2018, 2019 and 2020 construction seasons. Because a regional interceptor replacement project will occur in this location, the impact on those who rely on the county road will be significant. The Priest Bay Bridge will need close during 2018 through the fall of 2019. County and city staff met to discuss snow and ice control while the bridge is closed. The City of Minnetrista agreed to provide snow and ice control on four lane miles on CSAH 44 from TH 7 south of the Priest Bay Bridge to TH 7 south of the Priest Bay Bridge. The City of Mound agreed to will provide snow and ice control on one lane mile of CSAH 44 from north of the Priest Bay Bridge to Bartlett Boulevard (CSAH 110).

**Current Request:** This request is for authorization to negotiate Agreement PW 10-50-18 and Agreement PW 09-06-18 with the cities of Minnetrista and Mound to provide routine maintenance on 5 lane miles of the Hennepin County Highway System. In accordance with the terms of these agreements, the county will reimburse the cities of Minnetrista and Mound an estimated annual amount of \$8,600 and \$2,200, respectively, based on a three-year average of the county's cost to provide similar maintenance activities. The terms of Agreements PW 10-50-18 and PW 09-06-18 will begin on November 1, 2018 and will remain in effect until October 31, 2019 with annual funding provided by the Transportation Operations Department operating budget.

**Impact/Outcomes:** Approval of Agreements PW 10-50-18 and PW 09-06-18 will ensure that routine maintenance of county roadways located within the cities of Minnetrista and Mound will continue in a timely and cost effective manner.



**ATTACHMENTS:**

Description

BAR Map PW 09-06-18 and PW 10-50-18

Upload Date

6/4/2018

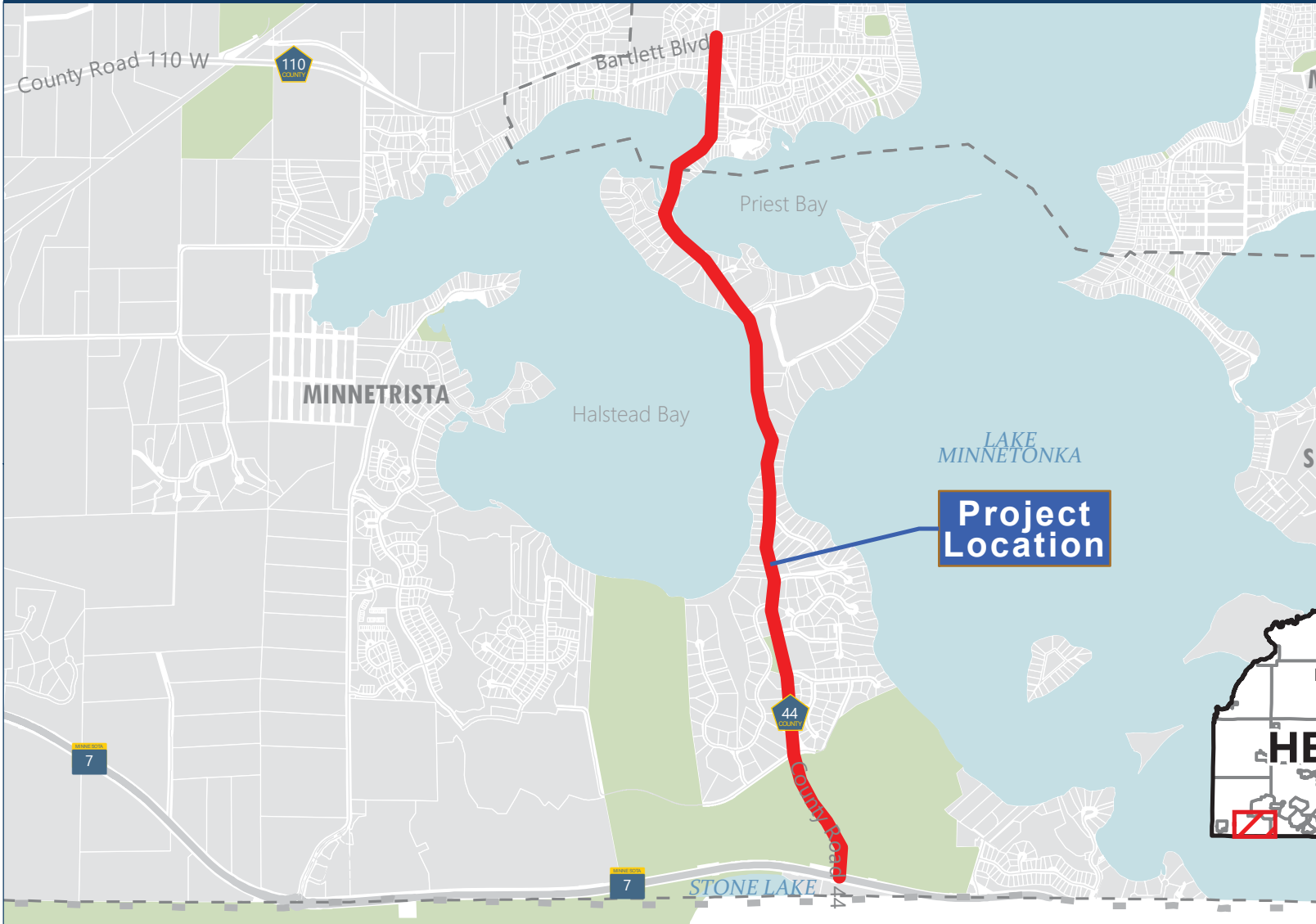
Type

Backup Material

# CSAH 44 Minnetrista-Mound Snow Removal

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PW 10-50-18 & PW 09-06-18



Hennepin County Pu

# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0249

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#### Item Description:

Neg Agmts PW 26-17-18 with Plymouth and PW 18-13-18 with Golden Valley for cost participation for pedestrian ramp improvements (CP 2181000 and CP 2181100) (combined county cost: NTE \$70,000 – state aid)

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 26-17-18 with the City of Plymouth for cost participation in pedestrian ramp upgrades with an amount not to exceed \$40,000; that CP 2181000 be identified as a project in the 2018 Capital Budget with a project budget of \$40,000; that \$40,000 in state aid be transferred from capital budget line item Pedestrian Ramps (CP 2999965) to CP 2181000; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the controller be authorized to transfer and disburse funds as directed; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 18-13-18 with the City of Golden Valley for cost participation in pedestrian ramp upgrades with an amount not to exceed \$30,000; that CP 2181100 be identified as a project in the 2018 Capital Budget with a project budget of \$30,000; that \$30,000 in state aid be transferred from capital budget line item Pedestrian Ramps (CP 2999965) to CP 2181100; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the controller be authorized to transfer and disburse funds as directed.

#### Background:

**History:** The City of Golden Valley planned partial reconstruction of the intersection at Winnetka Avenue ((County State Aid Highway (CSAH) 156) and Plymouth Avenue. As part of the county's Americans with Disabilities Act (ADA) Transition Plan, the county requested the city complete the entire intersection agreeing to cover the additional costs for compliant ramps and Accessible Pedestrian Signals (APS), in an amount not to exceed \$30,000.

The City of Plymouth plans to reconstruct the pedestrian ramps and APS at the intersection of Rockford Road (CSAH 9) and Fernbrook Lane. The total cost is estimated to be \$80,000 of which the county will participate at a 50 percent level for a total not to exceed amount of \$40,000.

**Current Request:** This request is for authorization to negotiate agreements PW 26-17-18 with the City of Plymouth with a not to exceed amount of \$40,000, and PW 18-13-18 with the City of Golden Valley with a not to exceed amount of \$30,000 for cost participation in pedestrian ramp and APS improvements on county roadways. In both agreements, the cities will be responsible for the development of the plans and specifications and will be the lead agency on the projects. The county will approve the plans and specifications.

To provide for the county's cost participation, staff recommends that CP 2181000 be identified as a project in the 2018 Capital Budget with a project budget of \$40,000, that CP 2181100 be identified as a project in the 2018 Capital Budget with a project budget of \$30,000 and that \$70,000 be transferred from line item

Pedestrian Ramps (CP 2999965) to fund the projects.

The cost participation for the project is in accordance with “Policies for Cost Participation between Hennepin County and Other Agencies for Cooperative Highway Projects” (Resolution 12-0058).

**Budget Table 1: New CP 2181000**

<b>Revenues</b>	Budget to Date	Current Request	Future CIP Requests	Total Project
State Aid – County	-	40,000	-	40,000
<b>Total</b>	-	<b>40,000</b>	-	<b>40,000</b>
<b>Expenditures</b>				
Construction	-	40,000	-	40,000
<b>Total</b>	-	<b>40,000</b>	-	<b>40,000</b>

**Budget Table 2: New CP 2181100**

<b>Revenues</b>	Budget to Date	Current Request	Future CIP Requests	Total Project
State Aid – County	-	30,000	-	30,000
<b>Total</b>	-	<b>30,000</b>	-	<b>30,000</b>
<b>Expenditures</b>				
Construction	-	30,000	-	30,000
<b>Total</b>	-	<b>30,000</b>	-	<b>30,000</b>

**Impacts/Outcomes:** Establishing the projects and participating in the costs to improve the pedestrian facilities will help implement the county’s Americans with Disabilities Act (ADA) Transition Plan, adding ADA compliant ramps and APS to our roadways.

# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0250

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#### Item Description:

Negotiate Agmts PR00000404 with Hopkins Public Schools, PR00000426 with Minneapolis Public Schools, and PR00000398 with Osseo Area Schools to provide school recycling projects, 6/15/18-7/1/20, total combined NTE \$87,100

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreements PR00000404 with Hopkins Public Schools with the amount not to exceed \$23,500; PR00000426 with Minneapolis Public Schools with the amount not to exceed \$50,000, and PR00000398 with Osseo Area Schools with the amount not to exceed \$13,600 to provide school recycling projects during the period of June 15, 2018 through July 1, 2020, that following review and approval by the County Attorney's Office, the County Administrator be authorized to sign the Agreements on behalf of the county; and that the controller be authorized to disburse funds as directed.

#### Background:

**History:** The county has a goal to recycle 75 percent of waste by 2030. To help reach this goal, the county offers grants to schools as a financial incentive to implement projects that reduce, reuse, recycle or compost waste. Since 2003, 134 projects have been funded totaling \$1.8 million of support for school recycling programs.

It is estimated that recyclable materials and organic materials make up approximately 78 percent of waste generated at schools located within Hennepin County. Top performing public schools have a recycling rate of 37 percent and an organics recycling rate of 27 percent. A common theme is that schools that add organics recycling programs have a higher recycling rate than do schools that just have recycling programs and not an organics recycling program. A recent survey indicated that 48 percent of schools within Hennepin County collect organic materials.

The county's school recycling grant program is available to public and private K-12 schools. The county released a request for proposals in February 2018, and nine proposals were received and recommended for funding. Approval of grant agreements with Hopkins Public Schools, Minneapolis Public Schools, and Osseo Area Schools requires board approval because each school district has executed contracts with the county that exceed \$50,000. The remaining six grant agreements will be approved through the Request for Administrator Approval process. These six grants total \$85,000 and are with the following schools: Calvin Christian School (Edina), ISD 287 (locations in Brooklyn Park, Minnetonka, New Hope, Plymouth, and Richfield), Minnetonka Public Schools, Nativity of Mary Catholic School (Bloomington), Noble and Nompeng Academy (Brooklyn Park and Brooklyn Center), and Prairie Seeds Academy (Brooklyn Park).

**Current Request:** This request is for authorization to negotiate three agreements for school recycling grant projects during the period of June 15, 2018 through July 1, 2020, with the total combined amount not to exceed \$87,100, as follows.

- **Hopkins Public Schools (Independent School District 270) - \$23,500.** The district will improve organics and recycling collection in all school cafeterias by getting sorting stations to help direct the

students when disposing of their waste.

- **Minneapolis Public Schools (Special School District 1) - \$50,000.** Minneapolis Public Schools will implement projects at 11 schools.
  - The following schools will start an organics program:
    - Anishinabe Academy/Anne Sullivan Communication Center
    - North High School
  - Eight schools will improve their organics program by getting sorting stations for the cafeteria to help direct students where items go:
    - Anthony Middle School
    - Dowling Elementary School (plus expand programs throughout the school)
    - Hiawatha Community School
    - Jefferson Community School (plus expand programs throughout the school)
    - Kenwood Community School
    - Lake Nokomis Community School—Keewaydin Campus
    - Northeast Middle School
    - Pillsbury Community School
  - Justice Page Middle School will add outdoor recycling containers
- **Osseo Area Schools (Independent School District 279) - \$13,600.** The district will add organics recycling at Fair Oaks Elementary.

**Impact/Outcomes:**

Improving recycling and expanding organics recycling at schools helps meet the county's goal to recycle or compost 75 percent of waste by 2030. During the development of the most recent Solid Waste Management Master Plan, public engagement efforts confirmed that support of school recycling continues to be a priority. Residents, community group representatives, elected officials and business members all noted the importance of organics recycling in schools as a way to teach youth who can then bring the behavior home and continue the practice throughout their lives.

# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0251

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#### Item Description:

Identify CSAH 5 (Minnetonka Boulevard) bicycle lane project; establish project budget (CP 2180600); transfer funds from Transportation Safety Capital Budget (est. county cost \$150,000)

#### Resolution:

BE IT RESOLVED, that CP 2180600 be identified as a project within the 2018 Capital Budget with a project budget \$150,000; that \$150,000 be transferred from the capital budget line item "Transportation Safety" (CP 2999973) to CP 2180600; and that the Controller be authorized to transfer, disburse, and receive funds as directed.

#### Background:

**History:** The creation of bicycle lanes on Minnetonka Boulevard between Highway 169 and Highway 100 will align with the vision developed by the Hennepin County 2040 Bicycle Transportation Plan released in 2015. The project will provide an additional connection across a key corridor in St. Louis Park and connect to existing off-street trail segments at both the east and west termini. In 2008, the City of St. Louis Park released its Active Living – Sidewalks and Trails Plan depicting Minnetonka Boulevard as an important bicycle link to the Cedar Lake Regional Trail along with complimenting the city's vision for its on-street bicycle routes.

County staff is performing a mill and overlay project in 2018 on Minnetonka Boulevard from Dakota Avenue to Highway 100, representing approximately 25 percent of the bicycle lane project's length on the eastern end. The mill and overlay project includes new pavement and striping. In order to install bicycle lanes on Minnetonka Boulevard for the entire project length (Highway 169 to Highway 100), additional funding is required to remove the remaining pavement markings; restripe with new markings beyond the mill and overlay project; paint bike lane symbols throughout; provide additional signage, video detection and signal mast arm extensions at intersections; adjust storm sewer frames; and install bicycle friendly storm sewer grates. The labor for the project will be performed by the Transportation Operations Department.

**Current Request:** Identify CP 2180600 as a project in the 2018 Capital Budget with a project budget of \$150,000 and transfer \$150,000 from the capital budget line item "Transportation Safety" (2999973) to CP 2180600. The \$150,000 will provide for removal of pavement markings, restriping, signage, signal upgrades, storm sewer frame adjustments, and bicycle friendly storm sewer grates.

Budget Table: CP 2180600 Minnetonka Boulevard bicycle lane project from Highway 169 to Highway 100

Revenues	Budget to Date	Current Request	Future CIP Requests	Total Project
Wheelage Tax	-	150,000		150,000
Total	-	150,000		150,000

<b>Expenditures</b>				
Construction	-	<b>150,000</b>		150,000
Total	-	<b>150,000</b>		150,000

**Impact/Outcomes:** Approval of these actions will support the county’s Bicycle Transportation Plan by improving bicycle safety and transportation options on Minnetonka Boulevard.

**ATTACHMENTS:**

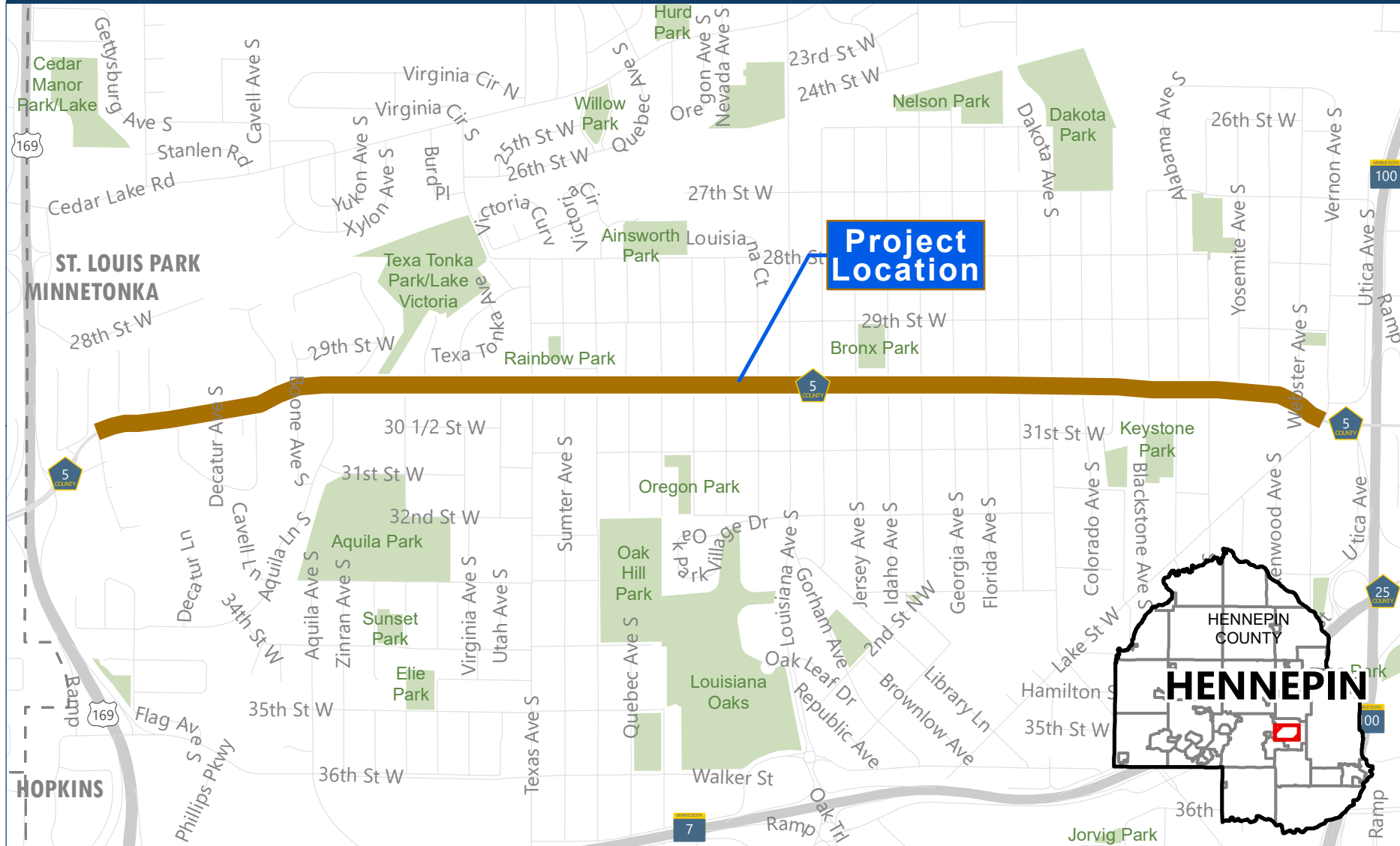
Description	Upload Date	Type
Map of Minnetonka Boulevard	4/23/2018	Map



# Minnetonka Boulevard (CSAH 5)

On-Street Bikeway (CP 2180600)

HENNEPIN COUNTY  
MINNESOTA



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0252

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#### Item Description:

Neg various agmts with a landscape contractor and the cities of Brooklyn Park, Crystal and Robbinsdale for rehabilitation of the CSAH 81 landscape, 8/15/18–12/31/21, total combined NTE \$1,500,000

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate an agreement to rehabilitate and maintain the landscape of County State Aid Highway (CSAH) 81 in the cities of Brooklyn Park, Crystal and Robbinsdale under Capital Project 1002318 at a county cost not to exceed \$1,500,000 from the date of contract execution through December 31, 2021; that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate separate agreements with the cities of Brooklyn Park, Crystal and Robbinsdale for the ongoing maintenance of the CSAH 81 landscape; that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreements on behalf of the county; and that the Controller be authorized to disburse funds as directed.

#### Background:

**History:** The five-mile segment of CSAH 81 extending from the Minneapolis city limits to the Interstate 694 interchange was reconstructed in three separate segments between 2008 and 2014 (capital projects 2011700, 2011800, and 2011900). As part of each of these projects, landscaping was installed within the right-of-way and maintained by a county contractor during a warrantied maintenance period. Upon successful completion of the warrantied maintenance period, continued landscape maintenance was turned over to the cities pursuant to separate cooperative agreements.

Since that time, the landscape in the corridor has struggled for a variety of reasons, including inconsistent watering, use of plant material with low salt tolerance, poor soils, and the harsh corridor environment. In addition, the landscape lacks a consistent design due to the varying wishes of the three cities and because the three segments were landscaped separately.

To improve the appearance of the corridor and the sustainability of the landscape, the county contracted with Stantec Consulting Services, Inc. to evaluate the existing conditions and to develop plans to rehabilitate the landscaping in this segment of the CSAH 81. In collaboration with Public Works staff, the consultant developed a plan that includes soil amendments, installation of irrigation and replacement of turf grass in the corridor medians with a mixture of hardy shrubs, grasses and perennials. The plan has been reviewed with city staff and presentations of the landscape rehabilitation plan were made to each city council.

Bids for the implementation of the landscape rehabilitation by a qualified landscape contractor will be solicited through the county's public bidding process. The new landscape is planned for installation by the contractor in the fall of 2018. The landscape rehabilitation contract will include warrantied maintenance by the contractor for up to three years after installation.

Bottineau Light Rail Transit (LRT) Community Works Capital Improvement Project Funds will be allocated for the project at a cost not to exceed \$1.5 million. The CSAH 81 landscaping project is consistent with the goals and geography of the Bottineau Community Works Program (enhance livability in the corridor by improving public spaces, supporting the creation of healthy communities, and connecting people to key destinations) and the Multijurisdictional Program (community corridor connections, corridor planning, creation of green space).

**Current Request:** This request seeks approval for the county administrator to negotiate and enter into a contract with a qualified landscape contractor selected through the county’s public bidding process at a cost not to exceed \$1,500,000 to install the CSAH 81 landscape rehabilitation plan. The landscape contractor will install the landscape in the fall of 2018 and will be contracted to provide warranted maintenance for up to three years after installation. Bottineau LRT Community Works Capital Improvement Project funds (Project 1002318) will be allocated to complete this project.

Approval also is requested for the county administrator to negotiate and enter into separate landscape maintenance agreements for CSAH 81 with the cities of Brooklyn Park, Crystal and Robbinsdale that will go into effect once the landscape contractor’s warranted maintenance period ends.

**Impact/Outcome:** Approval of these agreements will improve the appearance of the CSAH 81 corridor and the sustainability of the landscape, and will enhance the livability of the neighboring communities.

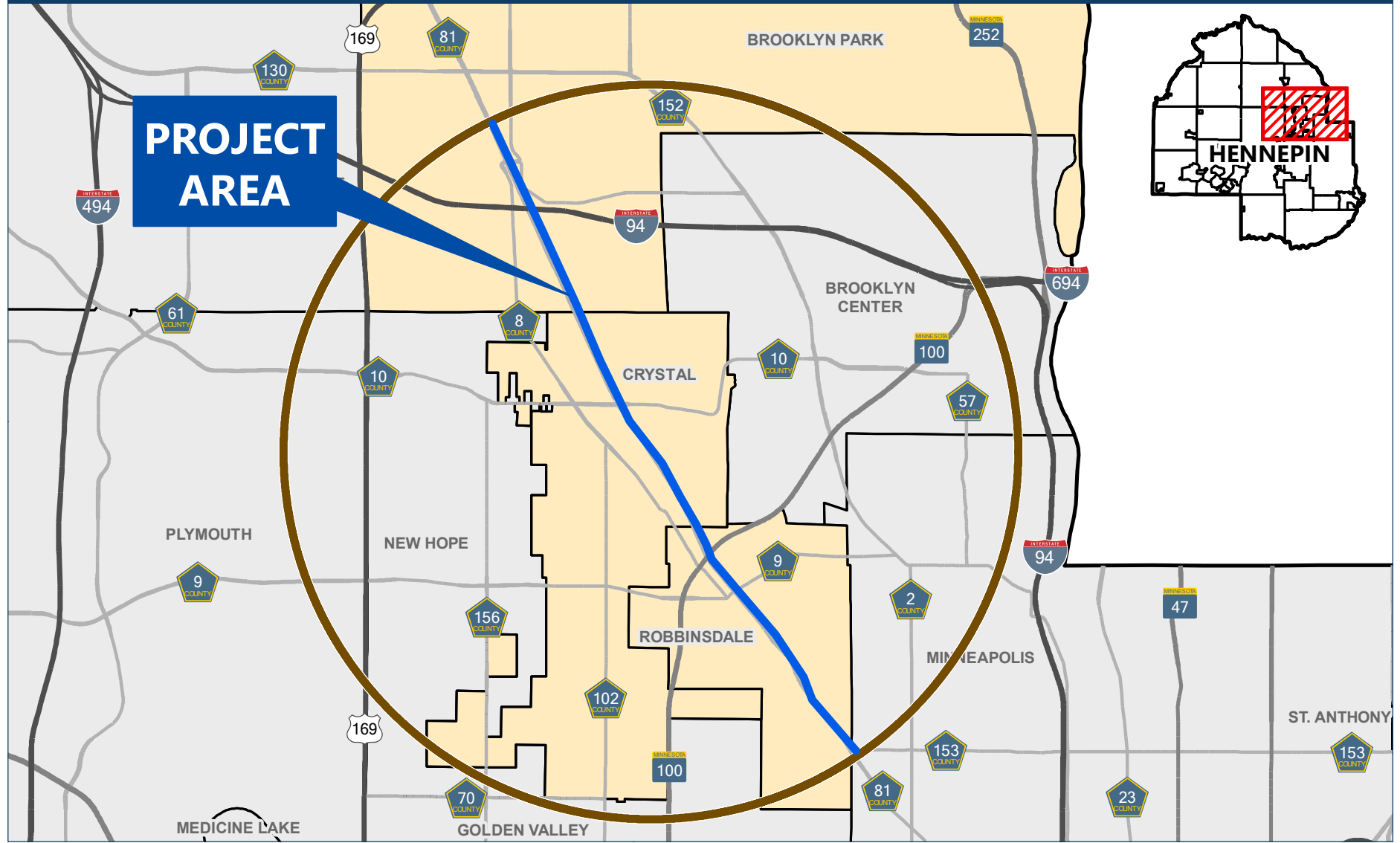
**ATTACHMENTS:**

Description	Upload Date	Type
CSAH81 map	6/7/2018	Map

# CSAH 81 Landscape Rehabilitation

Cities of Brooklyn Park, Crystal, and Robbinsdale

HENNEPIN COUNTY  
MINNESOTA



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0253

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#### Item Description:

Neg Agmt PW 19-17-18 with City of Plymouth for cost participation in the replacement of three retaining walls on CSAH 6 (CP 2182700) (county cost: NTE \$300,000—county bonds)

#### Resolution:

BE IT RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 19-17-18 with the City of Plymouth for cost participation in the replacement of three retaining walls on County State Aid Highway (CSAH) 6 between Dunkirk Lane and Vicksburg Lane with an amount not to exceed \$300,000; that CP 2182700 be identified as a project in the 2018 Capital Budget with a project budget of \$300,000; that \$300,000 in county bonds be transferred from capital budget line item Transportation Asset Preservation (CP 2999974) to CP 2182700; that following review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and the Controller be authorized to transfer and disburse funds as directed.

#### Background:

**History:** In the early 1990's, as part of Capital Project No. 8642, three modular block retaining walls were constructed on CSAH 6 between Dunkirk Lane and Vicksburg Lane. The walls prematurely deteriorated due to susceptibility to road salt inherent in the fabrication process. The fabricator was sheltered from all claims state-wide because their process technically followed the Minnesota Department of Transportation (MnDOT) standards. MnDOT has since modified these standards.

Prior to 2017, the city requested wall improvements. It has been the county's practice that the maintenance of retaining walls is the cities' responsibility, unless they are required to maintain the operation of the county roadway. However, the original project's cooperative agreement PW 15-17-90 was silent with respect to the city's responsibility to maintain these particular retaining walls.

**Current Request:** This request is for authorization to negotiate Agreement PW 19-17-18 with Plymouth for cost participation in the replacement of three retaining walls along CSAH 6 between Dunkirk Lane and Vicksburg Lane. The city will prepare necessary plans and specifications, enter into a construction contract and administer the contract for the replacement of the retaining walls. The county has agreed to fund the replacement of the walls and in return the city has agreed to own and maintain the walls at their cost once reconstructed.

To provide for the county's cost participation, staff recommends that CP 2182700 be identified as a project in the 2018 Capital Budget with a project budget of \$300,000 and that \$300,000 be transferred from line item Transportation Asset Preservation (CP 2999974) to CP 2182700.

**Impacts/Outcomes:** Approval of this action will enable the county to work with the City of Plymouth for asset replacement along our county roadway system and establish the city's ownership and maintenance responsibility of the three walls.

Budget Table: new CP 2182700

Revenues	Budget to Date	Current Request	Future CIP Requests	Total Project
Hwy Capital-Bonds	-	300,000	-	300,000
<b>Total</b>	-	<b>300,000</b>	-	<b>300,000</b>
Expenditures				
Construction	-	300,000	-	300,000

<b>Total</b>	-	<b>300,000</b>	-	<b>300,000</b>
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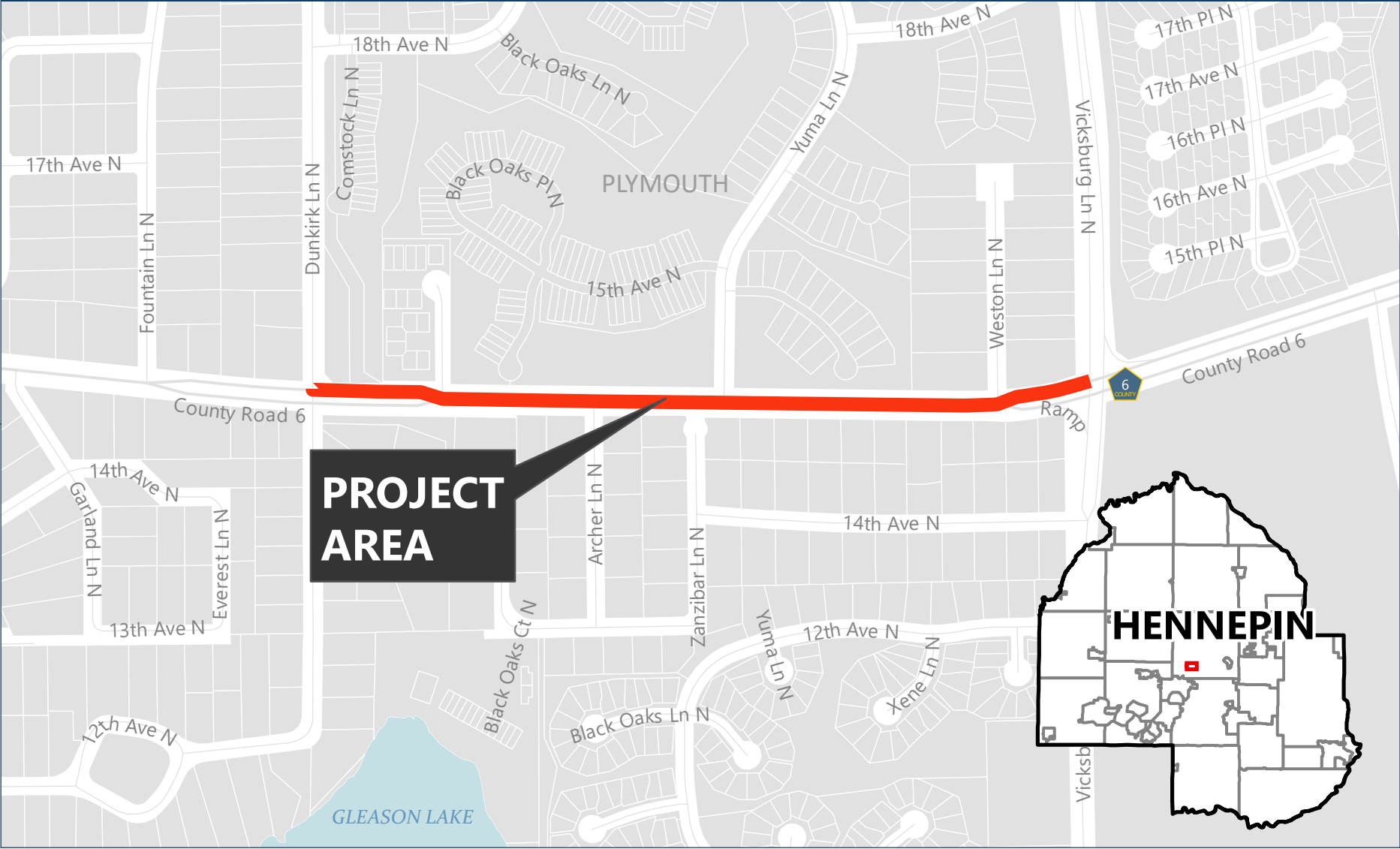
**ATTACHMENTS:**

Description	Upload Date	Type
BAR Map - CP 2182700	6/4/2018	Backup Material

Retaining Wall Replacements along CSAH 6 (County Road 6)

CP 2182700

HENNEPIN COUNTY  
MINNESOTA



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0254

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#### Item Description:

Increase project budget for the reconstruction of Pinto Drive/County Road 116 at TH 55 in Medina (CP 2091800); amend project budget \$1,000,000 (est county cost: \$1,000,000—county bonds)

#### Resolution:

BE IT RESOLVED, that a right of way budget increase of \$1,000,000 with the reconstruction of County State Aid Highway (CSAH) 115 (Pinto Drive)/County Road 116 at Trunk Highway (TH) 55 in Medina (CP 2091800) be approved; that the capital project budget be increased by \$1,000,000 from \$5,140,000 to \$6,140,000; that \$1,000,000 county bonds made available from CP 2986402 - I-35W at Lake Street (CSAH 3) be transferred to CP 2091800 and that the Controller be authorized to disburse funds as directed.

#### Background:

**History:** The City of Medina, in coordination with the county and the Minnesota Department of Transportation (MnDOT) developed a project to increase capacity and improve safety and operations at the intersection of Trunk Highway (TH) 55 and Pinto Drive (CSAH 115/CR 116). Improvements include roadway reconstruction with a new traffic signal system, intersection channelization, access modification, railroad crossing upgrades and pedestrian and bicycle facilities.

In early 2018, settlements and awards were reached on several parcels as part of the project right of way acquisition, which increased the projected right of way acquisition costs to \$1,677,000, and exceeded the right of way acquisition and contingency budget. The majority of the parcels are located on the north side of TH 55, along County Road 116 (locally known as Pinto Drive). Since this is not a County State Aid Highway (CSAH), county bonds are needed as a funding source as opposed to state aid funds.

As outlined in agreement PW 67-36-16, the city will reimburse the county for 50 percent of the final cost of the additional right of way costs required to construct the project (Resolution 17-0080). Federal funds made available to finance the project proportionally reduced the city's share of the right of way costs that were eligible for federal cost participation in the amount of \$202,328. The city's share is estimated at \$636,172.

**Current Request:** This request is to increase the right of way acquisition and overall project budget by \$1,000,000, resulting in a total right of way acquisition budget of \$1,677,000 and overall total project budget of \$6,140,000.

This request also seeks authorization for the use of \$1,000,000 in county bonds funds for CP 2091800 right of way costs, which are made available by CP 2986402, "CSAH 3 – Construct Lake St ramps @ I-35W – Phase II," in the city of Minneapolis.

Budget Table: CP 2091800, "CSAH 115 & CR 116 – Reconstruct from TH 55 to Clydesdale"

Revenues:	Budget to Date	Current Request	Future CIP Requests	Total Project



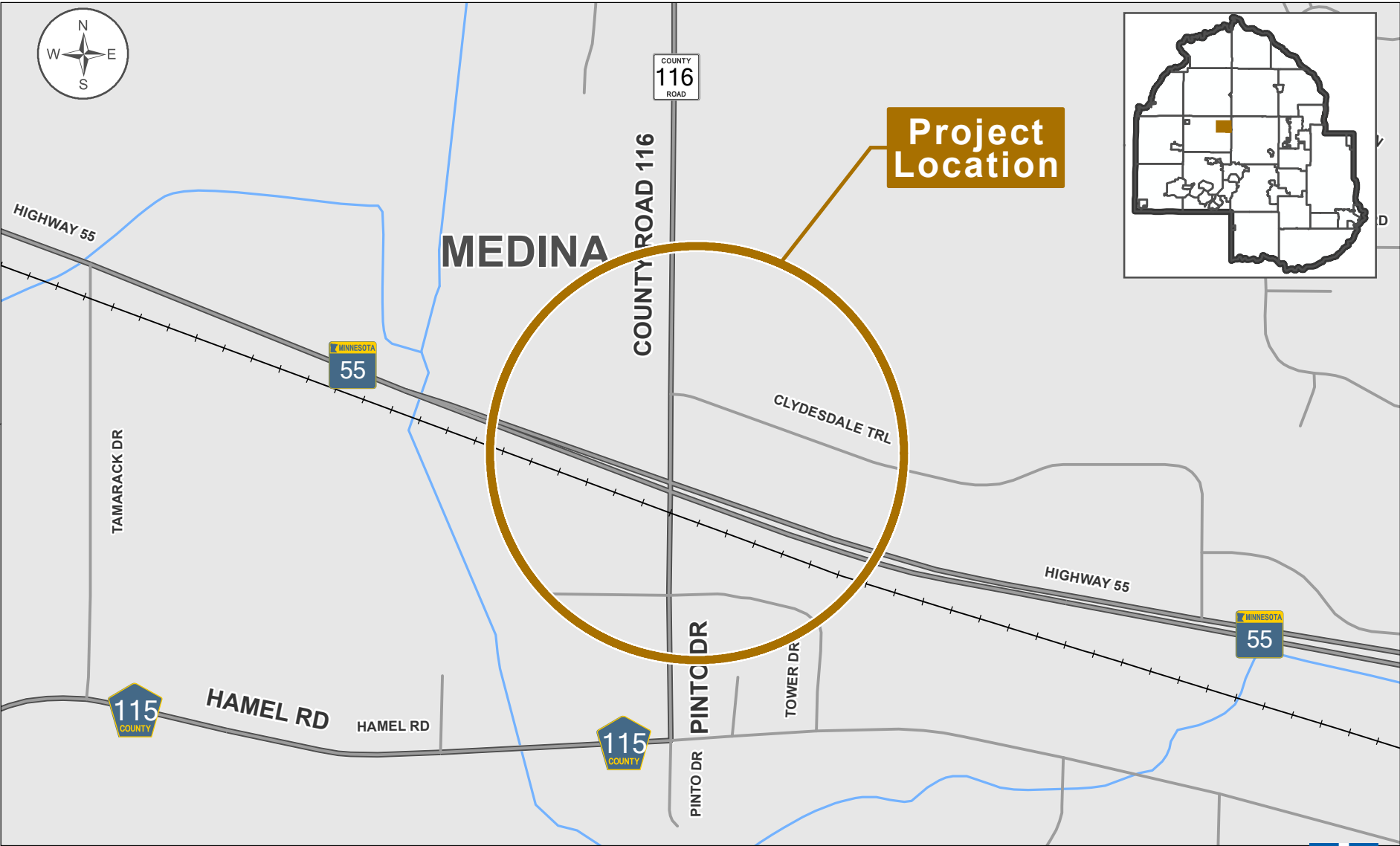
Property Tax	65,000			65,000
County Road Bonds	2,253,070	<b>1,000,000</b>		3,253,070
State Aid	1,297,719			1,297,719
MnDOT	198,500			198,500
Federal	549,013			549,013
Medina	776,698			776,698
<b>Total</b>	<b>5,140,000</b>	<b>1,000,000</b>		<b>6,140,000</b>
<b>Expenditures:</b>				
Consulting	733,403			733,403
Construction	2,750,409			2,750,409
ROW Acquisition	677,000	<b>1,000,000</b>		1,677,000
Railroad	522,939			522,939
Contingency	456,249			456,249
<b>Total</b>	<b>5,140,000</b>	<b>1,000,000</b>		<b>6,140,000</b>

**Impact/Outcomes:** Approval of these actions will allow for the timely completion of the CSAH 115 (Pinto Drive)/County Road 116 at TH 55 in Medina.

#### **ATTACHMENTS:**

Description	Upload Date	Type
Map of Pinto Drive/County Road 116 at TH 55 (CP 2091800)	6/5/2018	Backup Material

# CSAH 115 & CR 116 (CP 2091800)



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0255

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#### Item Description:

Agmt PW 17-40-18 with the State of MN (State Agreement 1030928) and Amd 1 to Agmt PW 39-20-17 with the City of Minneapolis related to improvements to I-35W and to Lake Street (CP 2986402, CP 2150800 and CP 2150900); amend budgets

#### Resolution:

BE IT RESOLVED, that the Chair of the Board be authorized to execute State Agreement 1030928 (Agreement PW 17-40-18) with the State of Minnesota establishing conditions of grant acceptance/use for the improvement of access to Interstate 35W in the vicinity of County State Aid Highway (CSAH) 3 (Lake Street) ((Capital Project (CP) 2986402)) and improvements along CSAH 3 between Blaisdell Avenue and Fifth Avenue (CP 2150800 and CP 2150900) in south Minneapolis; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that consistent with Minnesota Statutes, section 174.52, subdivision 5, Hennepin County will pay any additional amount that CP 2986402, CP 2150800 and/or CP 2150900 project costs exceed the state grant amount, and will return to the Minnesota State Transportation Fund any amount available for the projects and not required; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to negotiate Amendment 1 to Agreement PW 39-20-17 with the City of Minneapolis regarding the city's receipt of state grant funds made available to Hennepin County under Agreement PW 40-40-17 for CP 2986402, CP 2150800 and CP 2150900; that upon review and approval by the County Attorney's Office, the Chair of the Board be authorized to execute the Amendment on behalf of Hennepin County; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the authorized \$47,000,000 budget for CP 2986402, "CSAH 3 – Construct Lake St ramps at I-35W - Phase II," be amended to reflect the revenue sources as follows:

- County Bonds: reduced from \$4,199,503 to \$2,887,092
- Federal: remain unchanged at \$12,026,209
- State Aid: remain unchanged at \$2,551,000
- State: reduced from \$25,000,000 to \$23,750,000
- City of Minneapolis: increased from \$3,223,288 to \$5,785,699; and

BE IT FURTHER RESOLVED, that the authorized \$5,700,000 budget for CP 2150800, "CSAH 3 - Reconst Lake St fr Blaisdell to 1<sup>st</sup> & 3<sup>rd</sup> to 5<sup>th</sup>," be amended to reflect the revenue sources as follows:

- Federal: remain unchanged at \$3,334,640
- State Aid: reduced from \$1,457,643 to \$833,860
- State: increased from \$0 to 1,000,000
- City of Minneapolis: reduced from \$907,717 to \$531,500; and

BE IT FURTHER RESOLVED, that the authorized \$1,500,000 budget for CP 2150900, "Landscape Lake St fr Blaisdell to 1<sup>st</sup> & 3<sup>rd</sup> to 5<sup>th</sup>," be amended to reflect the revenue sources as follows:

Federal: remain unchanged at \$758,400

State Aid: reduced from \$393,031 to \$268,031

State: increased from \$0 to \$250,000

City of Minneapolis: reduced from \$348,569 to \$223,569

### **Background:**

**History:** On June 27, 2017 the board took a series of actions intended to fund the local share of the Interstate 35W (I-35W) Transit/Access Project under CP 2986402 and the Lake Street (CSAH 3) reconstruction and streetscaping between Blaisdell Avenue and Fifth Avenue, CP 2150800 and CP 2150900 respectively (Resolution 17-0246). A key component of the local funding package was a \$25,000,000 grant from the state to finance a majority of the local costs. Upon award of a construction contract by the Minnesota Department of Transportation (MnDOT) for all work to be completed along I-35W between approximately 43<sup>rd</sup> Street and the Interstate 94 Commons and Lake Street, state staff has collaborated with county staff to identify all costs eligible for state grant funding. During the collaboration, state staff advised that the county must enter into two state agreements outlining local costs eligible for state grant reimbursement, one for eligible right of way costs and one for all other costs. Insofar as the board has already authorized the negotiation and execution of one agreement, a second authorization is required.

**Current Request:** To accommodate the state requirement that two state grant agreements be executed, and to recognize how the state grant funding will be distributed to the county and City of Minneapolis, the county needs to take the following actions:

- Enter into Agreement PW 17-40-18 (State Agreement 1030928) establishing conditions for acceptance of up to \$2,425,400 by the county for eligible right of way acquisition costs incurred under CP 2986402, CP 2150800 and CP 2150900
- Enter into Amendment No. 1 to Agreement PW 39-20-17 with the city to accommodate the city's receipt of state grant funding through the county (as a pass through)
- Amend the project budgets for CP 2986402, CP 2150800 and CP 2150900

Following are highlights of the agreement, amendment and budget revisions:

### **Agreement PW 17-40-18 (State Agreement 1030928) with State of Minnesota**

This agreement identifies right of way acquisition costs that are eligible for state bond fund reimbursement pursuant to applicable state laws and federal codes. Collaboration between state and county staff has yielded a determination that \$2,425,400 in such costs are eligible for reimbursement as follows:

CP 2986402 - \$2,106,500

CP 2150800 - \$146,174

CP 2150900 - \$172,726

As stipulated in Agreement PW 39-20-17 with the City of Minneapolis, the reimbursement will be evenly split between the county and city.

### **Amendment No. 1 to Agreement PW 39-20-17 with Minneapolis**

This amendment establishes the means by which state reimbursement for eligible I-35W improvement costs is transferred to the city. Under the terms of the agreement, the city may receive state reimbursement for eligible I-35W improvement costs it incurs over and above the maximum reimbursement the county/city partnership may receive and the \$25,000,000 state fund availability for the I-35W and Lake Street improvements. Based upon collaboration between county and city staff, it has been estimated that the county/city partnership is eligible to receive \$22,500,000 in state reimbursement for the I-35W Transit/Access Project and Lake Street improvements leaving \$2,500,000 available to the city. Although the city has a separate agreement with MnDOT for various I-35W improvements (that is, replacement of the 40<sup>th</sup> Street pedestrian bridge and I-35W storm drainage improvements at 42<sup>nd</sup> Street), which are eligible for state reimbursement, the agreement for state reimbursement of eligible costs is between the state and county. Thus, proposed Amendment 1 to Agreement PW 39-20-17 allows the county to receive the state reimbursement of eligible costs and pass the reimbursement along to the city.

Budget reconciliation: To accommodate the various actions contemplated in Agreement PW 17-40-18 with the state and Amendment No. 1 to Agreement PW 39-20-17 with the city, staff recommends the project budgets for CP 2986402, CP 2150800 and CP 2150900 be amended as follows:

Budget Table 1: CP 2986402, "CSAH 3 – Construct Lake St ramps at I-35W - Phase II"

<b>Revenues</b>	Budget to Date	Current Request	Future CIP Request	Total Project
County Bonds	\$4,199,503	(1,312,411)		\$2,887,092
County State Aid	2,551,000	No change		2,551,000
Federal	12,026,209	No change		12,026,209
State Bonds	25,000,000	(1,250,000)		23,750,000
City	3,223,288	2,562,411		5,785,699
<b>Total</b>	<b>47,000,000</b>	<b>0</b>		<b>47,000,000</b>
<b>Expenditures</b>				
Consulting	2,184,694	(40,993)		2,143,701
Construction	27,308,678	1,987,586		29,296,264
ROW Acquisition	8,239,700	4,367,900		12,607,600
Contingency	9,266,928	(6,314,493)		2,952,435
<b>Total</b>	<b>47,000,000</b>	<b>0</b>		<b>47,000,000</b>

Budget Table 2 CP 2150800, "CSAH 3 - Reconst Lake St fr Blaisdell to 1<sup>st</sup> & 3<sup>rd</sup> to 5<sup>th</sup>"

<b>Revenues</b>	Budget to Date	Current Request	Future CIP Request	Total Project
County State Aid	1,457,643	(623,783)		833,860
Federal	3,334,640	No change		3,334,640
State Bonds	0	1,000,000		1,000,000
City	907,717	(376,217)		531,500
<b>Total</b>	<b>5,700,000</b>	<b>0</b>		<b>5,700,000</b>
<b>Expenditures</b>				
Consulting	940,906	(35,747)		905,159
Construction	3,948,827	(312,802)		3,636,025
ROW Acquisition	215,753	(5,162)		210,591
Other Costs	68,000	No change		68,000
Contingency	526,514	353,711		880,225
<b>Total</b>	<b>5,700,000</b>	<b>0</b>		<b>5,700,000</b>

Budget Table 3: CP 2150900, "Landscape Lake St fr Blaisdell to 1<sup>st</sup> & 3<sup>rd</sup> to 5<sup>th</sup>"

<b>Revenues</b>	Budget to Date	Current Request	Future CIP Request	Total Project
County State Aid	393,031	(125,000)		268,031
Federal	758,400	No change		758,400
State Bonds	0	250,000		250,000
City	348,569	(125,000)		223,569
<b>Total</b>	<b>1,500,000</b>	<b>0</b>		<b>1,500,000</b>
<b>Expenditures</b>				
Consulting	195,350	(23,307)		172,043
Construction	879,376	(213,207)		666,169
ROW Acquisition	224,747	45,862		270,609

Other Costs	50,000	No change		50,000
Contingency	150,527	190,652		341,179
<b>Total</b>	<b>1,500,000</b>	<b>0</b>		<b>1,500,000</b>

A review of the three proposed project budgets indicates the total county cost share has decreased by \$2,061,194.

**Impact/Outcomes:** Authorization to execute the agreement with the state and agreement amendment with the city will allow for wider distribution of state funding to the I-35W Transit/Access Project and Lake Street improvements, saving the county over \$2,000,000.

#### ATTACHMENTS:

Description	Upload Date	Type
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# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0256

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#### Item Description:

Agmt PW 16-67-18 with Metropolitan Council and City of Minneapolis for operation and maintenance of roads, streets, and related infrastructure near Green Line LRT in Minneapolis (est. annual county cost: \$34,232 operating budget)

#### Resolution:

BE IT RESOLVED, that Agreement PW 16-67-18 with the Metropolitan Council and the City of Minneapolis for operation and maintenance of county roadways, city streets, and related infrastructure along and in the vicinity of the Central Corridor Light Rail Transit (Green Line LRT) alignment at an estimated annual county cost of \$34,232 be approved; that the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to transfer and disburse funds as directed.

#### Background:

**History:** The Metropolitan Council has constructed the Central Corridor Light Rail Transit project (Green Line LRT) running between downtown Minneapolis and downtown St. Paul, generally via Washington Avenue ((County State Aid Highway 122 (CSAH 122)) and University Avenues (CSAH 36). The council owns, operates and maintains the Green Line LRT and has engaged the City of Minneapolis and the county to define each party's roles and responsibilities with respect to the operation and maintenance of their respective infrastructure in support of the Green Line LRT.

**Current Request:** This request is for approval of Agreement PW 16-67-18 with the council and the city for operation and maintenance of county roadways, city streets, and related infrastructure along and in the vicinity of the Green Line LRT. As stipulated in the agreement, the county is responsible for all operations and maintenance related to two lane miles county roadways and infrastructure including traffic signals, roadway maintenance, fences, railings, and retaining walls. The agreement also establishes communication procedures to be followed when either party performs routine work that may affect the movement of vehicles or Green Line LRT along the LRT corridor and when an emergency necessitates immediate action by either party.

The county's operations and maintenance activities along and in the vicinity of the Green Line LRT are included in the Transportation Operations Department operating budget.

**Impact/Outcomes:** Approval of the agreement will establish the roles and responsibilities for each party and clarify maintenance and operational needs for various pieces of infrastructure. In addition, the agreement will recognize the importance of a well-managed transportation system, and support the goal to provide quality regional transportation.

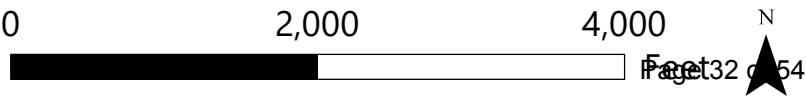
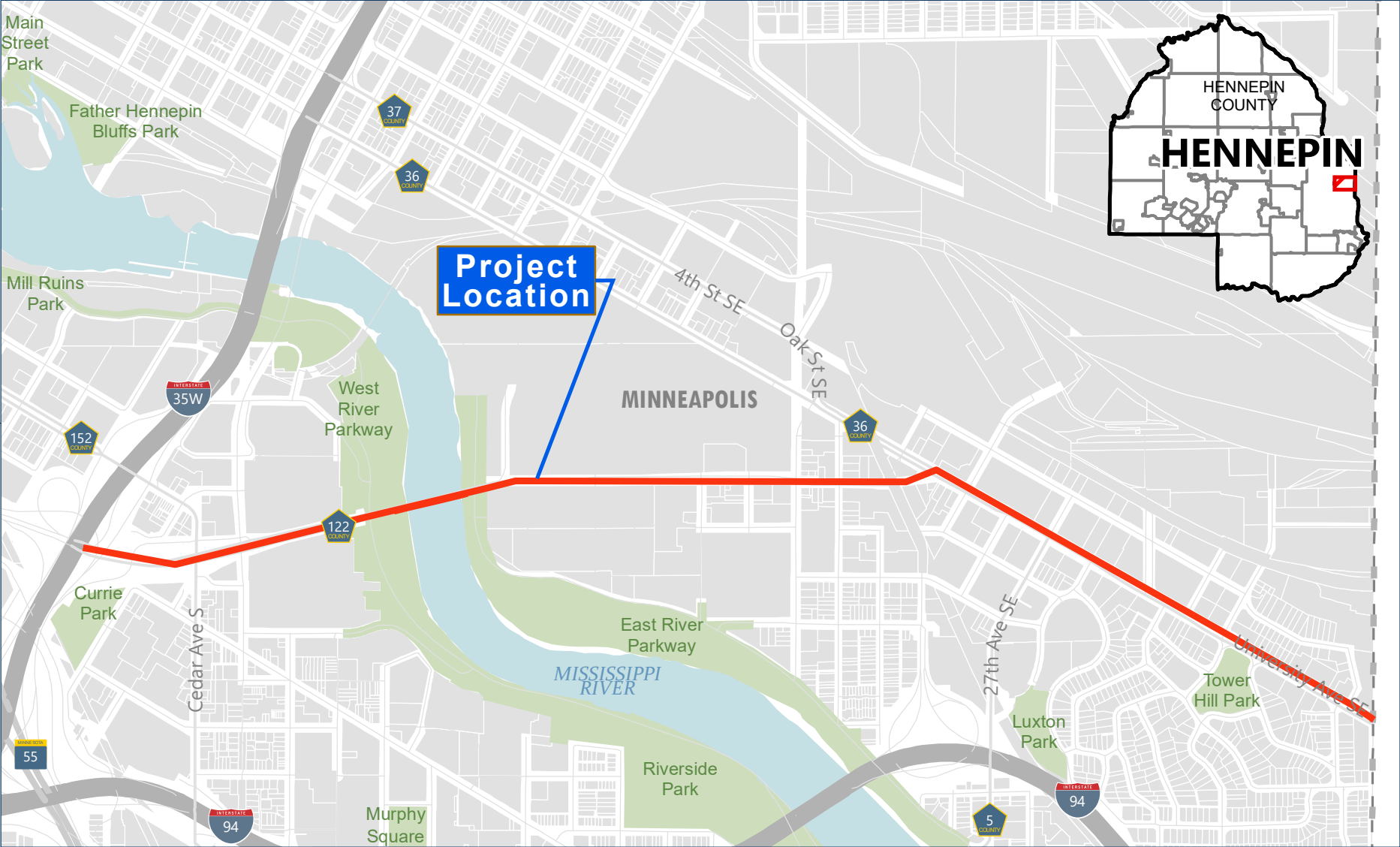
#### ATTACHMENTS:

Description	Upload Date	Type
Map of Green Line LRT in Minneapolis for PW 16-67-18	6/5/2018	Backup Material

# Green Line LRT Maintenance and Operation

PW 16-67-18

HENNEPIN COUNTY  
MINNESOTA





# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0257

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#### Item Description:

Authorization to submit grant application to MnDOT to fund enhanced mobility for seniors and individuals with disabilities; authorization to neg agmts with State of MN, 10/1/18-9/30/19, \$120,000 (recv); and U of M, 10/1/18-9/30/19, NTE \$100,000

#### Resolution:

BE IT RESOLVED, that Hennepin County Public Works and Human Services and Public Health Business Lines be authorized to submit a grant application to the Minnesota Department of Transportation (MnDOT) for the Enhanced Mobility for Seniors and Individuals with Disabilities-Section 5310 Program, for the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$120,000; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate an agreement with the State of Minnesota and any amendments necessary to receive an Enhanced Mobility for Seniors and Individuals with Disabilities-Section 5310 grant to improve access to provide transportation services and public transportation alternatives to seniors and persons with disabilities, during the period October 1, 2018 through September 30, 2019, in a receivable amount not to exceed \$120,000, that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement and any amendments necessary on behalf of the county; and that the Controller be authorized to receive and disburse funds as directed; and

BE IT FURTHER RESOLVED, the Section 5310 Program requires a 20 percent local match that Hennepin County Public Works Business Line will fund if the grant is awarded; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate an agreement with the University of Minnesota to develop a multi-year strategy for improving transportation access in the county as the key deliverable for the Section 5310 funds, during the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$100,000, that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that sponsorship and acceptance of grant funding for the program by the Hennepin County Board of Commissioners does not imply a continued commitment by Hennepin County for this program when grant funds are no longer available.

#### Background:

**History:** The Moving Ahead for Progress in the 21st Century (MAP-21) was enacted in 2012 and provides federal funding for surface transportation programs. The legislation includes the Federal Transit Administration Section 5310 Program. The MnDOT Office of Transit coordinates the Rural, Small Urban and Large Urban Section 5310 Programs and makes funding allocations on an annual, competitive basis.

The goal of the Section 5310 Program is to enhance the mobility of seniors and individuals with disabilities, to promote statewide planning and regional coordination between entities that provide service to people with disabilities and seniors, and to provide capital and operating resources to these entities and

communities throughout the state of Minnesota. The Section 5310 funds can be used to purchase vehicles used to serve seniors and persons with disabilities, for mobility management of transportation services for seniors or persons with disabilities, agency personnel cost to administer the program, and transportation training and education.

MnDOT has strongly encouraged Hennepin County to apply for a Section 5310 grant. The county must adopt a resolution authorizing the submission of an application and subsequent execution of a contract with the state of Minnesota, which must be submitted with the application. The 2018 solicitation deadline for proposals is June 29, 2018. Awards will be announced in the fall.

Grant recipients are expected to provide a 20 percent local match, which will be funded by the Public Works Business Line if the grant is awarded.

Hennepin County proposes to partner with the University of Minnesota to conduct an assessment and develop a multi-year strategy for improving transportation access for individuals with disabilities and seniors in the county. This will be achieved by performing the following activities:

1. Assess current transportation access, barriers, limitations, and possibilities for older adults, people with disabilities, and low-income individuals within the county.
2. Identify the costs of special transportation to the county, including how the lack of transportation access affects other county services.
3. Learn from other groups and studies including GoDakota (Dakota County's Transportation Coordinating Collaborative), Scott/Carver County, Washington County, Greater MN Regional Transportation Coordinating Council assessments and plans, Transportation Network Company pilots, youth employment best practices, and localities in other states.
4. Identify multiple scenarios for the county and assess the benefits and costs of each.
5. Recommend a multi-year strategy for improving transportation access in the county.

**Current Request:** This request seeks the following actions:

1. Authorization to apply for a Section 5310 grant for the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$120,000.
2. Authorization for the county administrator to negotiate an agreement and any amendments necessary with the state of Minnesota to receive a Section 5310 grant to improve access to provide transportation services and public transportation alternatives to seniors and persons with disabilities, during the period October 1, 2018 through September 30, 2019, in a receivable amount not to exceed \$120,000.
3. Public Works shall provide the required 20 percent local match if the grant is awarded.
4. Authorization for the county administrator to negotiate an agreement with the University of Minnesota to develop a multi-year strategy for improving transportation access in the county, during the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$100,000.
5. Continued commitment for the program is not implied when grant funds are no longer available.

**Impacts/Outcomes:** These actions will help:

- Better understand the transportation barriers, limitations, and possibilities for older adults and individual with disabilities who reside in Hennepin County
- Evaluate the costs of special transportation service within the county
- Understand and integrate best practices from others
- Develop a multi-year strategy to improving transportation access and mobility for seniors and people with disabilities.

**ATTACHMENTS:**

Description	Upload Date	Type
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# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0258

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#### Item Description:

Authorization to apply for 2018 Regional Solicitation funding grants for capital projects at various locations throughout the county

WHEREAS, the Metropolitan Council has given notice that funding through the Regional Solicitation is available; and

WHEREAS, a board resolution must be submitted with the application for Regional Solicitation funding;

#### Resolution:

BE IT RESOLVED, that Hennepin County be authorized to apply for funding grants through the Regional Solicitation and recognize its role as the public agency sponsor for the following projects (separated by category), if funding is awarded:

#### Roadway reconstruction/modernization

- Programmed in 2018-2022 CIP
  1. County State Aid Highway 5 (CSAH 5) (Minnetonka Boulevard) from Trunk Highway 100 to France Avenue in Saint Louis Park - CP 2168100
  2. CSAH 152 (Osseo Rd) from CSAH 2 (Penn Avenue) to 49th Avenue in Minneapolis - CP 2174100
  3. CSAH 153 (Lowry Avenue) from Washington Street NE to Johnson Street NE in Minneapolis - CP 1001648 & 2140900
- Project Not Programmed in 2018-2022 CIP
  4. CSAH 23 (Marshall St NE) from 16th Avenue NE to 27th Avenue NE in Minneapolis - CP 2984500

#### Roadway expansion

- Programmed in 2018-2022 CIP
  5. CSAH 109 (85th Avenue) at TH 252 in Brooklyn Park - CP 2167700

#### Bridges

- Programmed in 2018-2022 CIP
  6. CSAH 15 (Shoreline Drive) Bridge #27592 over Tanager Channel in Orono - CP 2163400
- Projects Not Programmed in 2018-2022 CIP
  7. CSAH 152 (Washington Avenue) Bridge #91333 at Bassett Creek in Minneapolis - CP 2176400
  8. CSAH 158 (Vernon Avenue) Bridge #4510 over CP Rail in Edina - CP 2176600

#### Multi-use trails and bicycle facilities

- Programmed in 2018-2022 CIP
  9. Midtown Greenway ramp access between Garfield Avenue and Harriet Avenue in Minneapolis

- CP 0031547
- 10. CSAH 10 (Bass Lake Road) from CSAH 8 (West Broadway Avenue) to Xenia Avenue in Crystal - CP 2172800
- 11. CSAH 52 (Hennepin Avenue/First Avenue) from CSAH 23 (Main Street NE) to Eighth Street SE in Minneapolis - CP 2182100
- 12. CSAH 36 (University Avenue)/CSAH 37 (Fourth Street) from I-35W to Oak Street SE in Minneapolis - CP 2167301
- 13. CSAH 81 (Bottineau Boulevard) from CSAH 109 (85th Avenue) to First Avenue NW in Brooklyn Park and Osseo - CP 2182200

### **Pedestrian facilities**

- Programmed in 2018-2022 CIP
  - 14. Americans with Disabilities Act retrofits at various locations to complement bus rapid transit and light rail transit services - CP 2999965

### **Background:**

**History:** Every two years, the Regional Solicitation process allocates federal funds to locally initiated projects to fund regional transportation needs. The funds assist cities, counties, and the Minnesota Department of Transportation with transportation infrastructure projects on public roadways that include a functional classification status of A-Minor Arterial or higher.

The county has received significant funding through the Regional Solicitation in the past.

The Regional Solicitation has approximately \$200 million for projects to be constructed in 2022 or 2023. The minimum and maximum project awards range from \$250,000 to \$7.0 million and vary significantly across each category. A minimum local match of 20 percent is required for all awarded projects.

The timeline of critical events for the 2018 Regional Solicitation include the following:

- Application deadline: July 13, 2018
- Scores released: October 2018
- Awards announced: January 2019

These projects were selected based on status in the county's 2018-2022 Capital Improvement Program, the county's current need, eligibility to apply and ability to compete for federal funds.

Although staff is still currently working on completing the Enhanced Bikeway Study, the University Avenue NE and Fourth Street NE corridor will most likely be a top recommendation for an enhanced bikeway based on the number of bicycle users, existing traffic volumes, and roadway geometry. Additionally, staff has been working on a feasibility study with the City of Minneapolis and the University of Minnesota, which has led to a preferred concept that includes an enhanced bikeway with minimal impacts to traffic operations on these highly travelled roadways.

Three of the 14 proposed Regional Solicitation projects are not programmed in the county 2018-2022 CIP. If these projects were to be awarded Regional Solicitation funding, the following unprogrammed local funding gap would be needed in order to accept the Regional Solicitation funds. The funding gap for any of these three projects would need to be addressed in the 2022 or 2023 CIP years.

Roadway	Termini	Estimated Total Costs	Estimated Unfunded County Gap
CSAH 158 (Vernon Avenue)	Over CP Rail	\$ 18,000,000	\$ 11,000,000
CSAH 152 (Washington			

Avenue N)	Over Bassett Creek	\$ 3,100,000	\$ 700,000
CSAH 23 (Marshall Street NE)	From 16th Avenue NE to 27th Avenue NE	\$ 10,900,000	\$ 3,100,000

The Washington Avenue Bridge at Bassett Creek and Vernon Avenue Bridge over CP Rail were identified as high priorities from the county's bridge asset inventory. Both bridge structures were first constructed in the 1920s, are currently classified as structurally deficient, and showing signs of advanced deterioration. The Washington Avenue Bridge is not visible and located underneath Washington Avenue. It has a sufficiency rating of 38 on a scale of 100 and had extensive mortar deterioration and erosion near its foundation. The Vernon Avenue Bridge has a sufficiency rating of 24 and is currently load posted, which restricts its ability to accommodate freight vehicles. Both these bridges will require county investment in the next five to seven years due to their sufficiency rating.

Marshall Street NE from 16th Avenue NE to 27th Avenue NE is a key multimodal corridor in Northeast Minneapolis and is a strong candidate for Federal Regional Solicitation. Federal Regional Solicitation funds awarded to any of these three projects would offset the county's CIP outlays in years 2022 and 2023.

**Current Request:** Authorize staff to apply for funding grants through the 2018 Regional Solicitation and recognize the county's role as the public agency sponsor for projects, if funding is awarded.

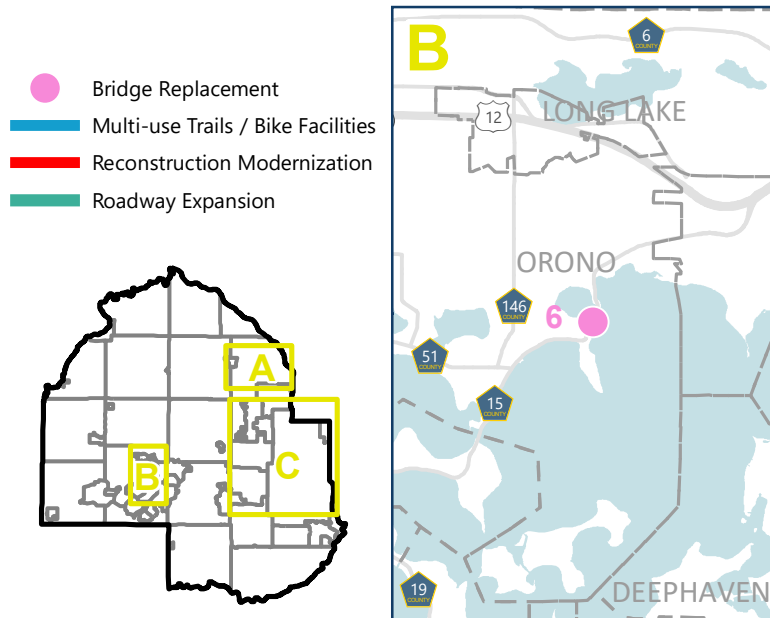
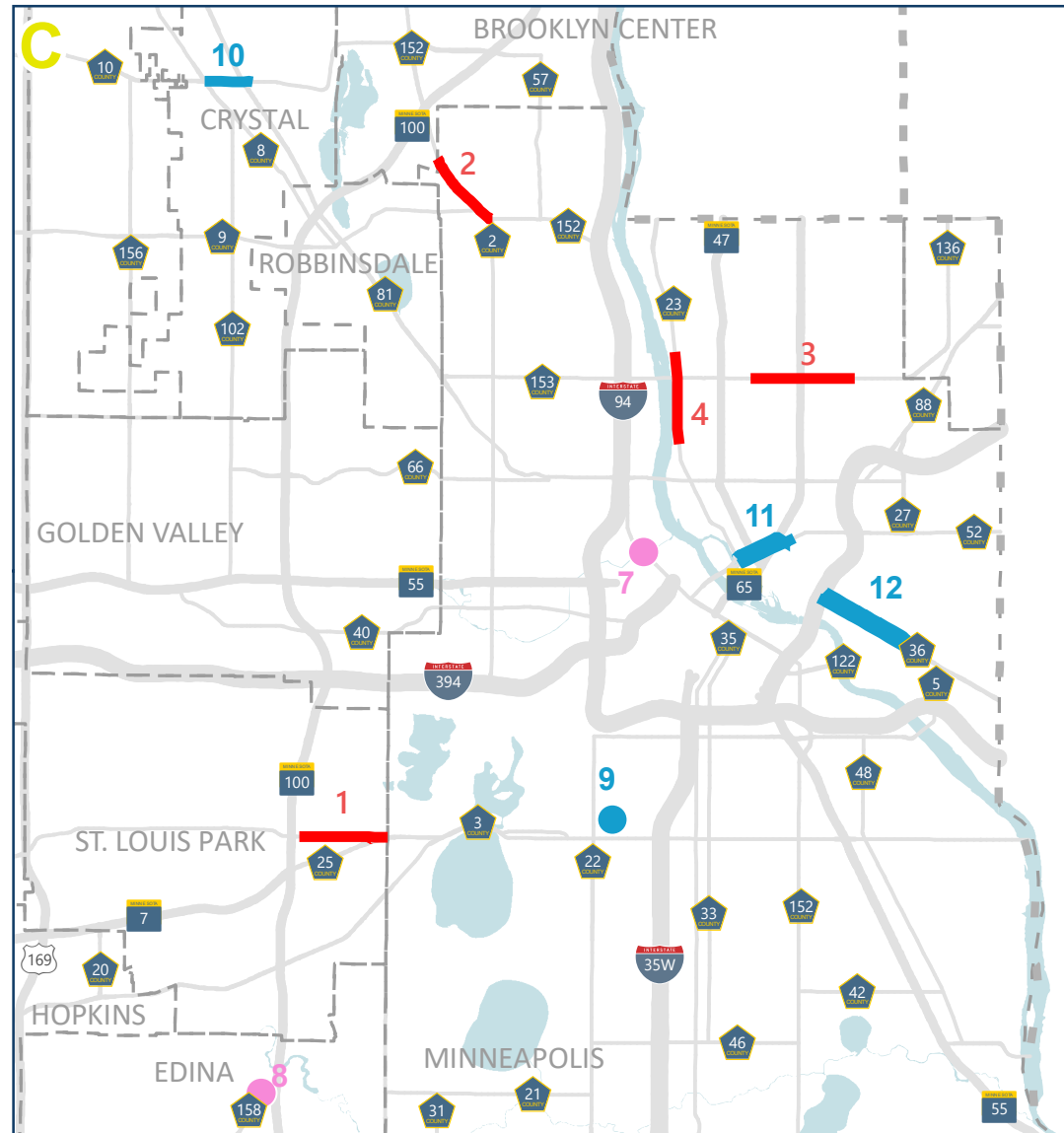
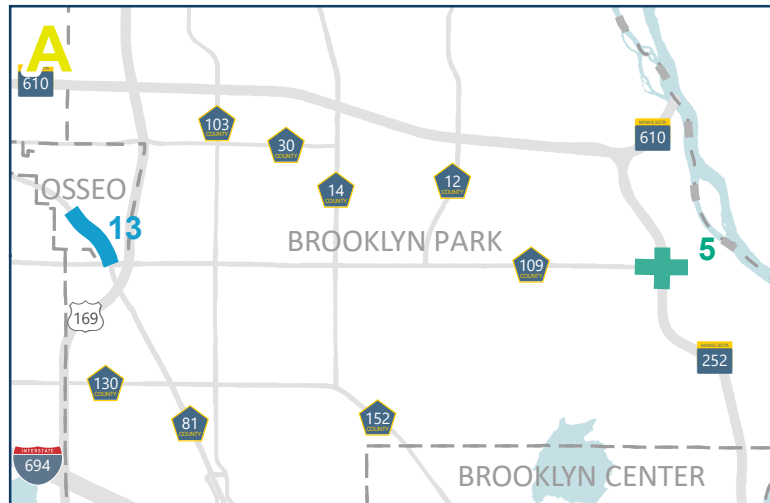
**Impact/Outcomes:** Approval of this request will allow staff to apply for Regional Solicitation funding, which will support transportation projects and reduce State Aid funding allocations.

#### ATTACHMENTS:

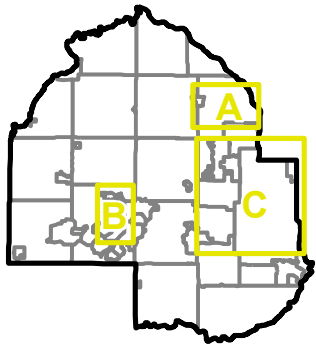
Description	Upload Date	Type
Map for 2018 Regional Solicitation	6/6/2018	Backup Material

# 2018 Regional Solicitation Applications

HENNEPIN COUNTY  
MINNESOTA



- Bridge Replacement
- Multi-use Trails / Bike Facilities
- Reconstruction Modernization
- Roadway Expansion



# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0259

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#### Item Description:

Adopt Hennepin County Jurisdictional Transfer Policy

#### Resolution:

BE IT RESOLVED, that the Hennepin County Board of Commissioners adopts the Jurisdictional Transfer Policy and directs staff to communicate the policy to the Minnesota Department of Transportation (MnDOT) and all cities in Hennepin County.

#### Background:

**History:** Functional classification ultimately guides proper jurisdictional hierarchy. Generally, principal arterials are maintained by MnDOT, minor arterials are maintained by the county, and collector and other local roadways are maintained by municipalities. The function of roadways can change over time due to factors such as increased urbanization, major redevelopment or significant changes to the regional roadway system. Therefore, jurisdictional transfers of roadways between agencies are periodically necessary in order to optimize system connectivity, eliminate system redundancy, and achieve greater consistency in design guidelines and standards. All roadway jurisdictional transfers are governed by Minnesota state statutes and require a formal agreement between the parties involved.

Transfers in the past between the state and county, as well as county and cities, have varied in both process and detail. The board directed staff to develop a policy to provide a more consistent and transparent process as a baseline for any transfer involving a current or future Hennepin County roadway.

**Current Request:** Adopt the jurisdictional transfer policy, on file with the Clerk of the County Board. Drafts of this policy have been reviewed by the board and have been transmitted to the cities for review and comment.

**Impact/Outcomes:** Adoption of the proposed jurisdictional transfer policy will reflect the current county position on the transfer process and provide consistency for future transactions between the county and partner agencies.

#### ATTACHMENTS:

Description	Upload Date	Type
Jurisdictional Transfer Policy bcd 6-12-2018	6/6/2018	Backup Material



# Jurisdictional Transfer Policy

*Department communication to the board on June 12, 2018*

The function of a roadway is ideally aligned with the appropriate jurisdiction. Misclassifications can lead to inefficiencies within the roadway system as well as funding complications for roadway improvements and preservation. A jurisdictional transfer may be necessary to optimize system connectivity, eliminate system redundancy, and achieve greater consistency in design guidelines and standards, all of which help to fulfill the county's broader Transportation vision and goals.

The function of roadways can change over time due to factors such as increased urbanization or significant changes to the regional roadway system. System realignments and adjustments are also prompted by new land development / redevelopment and modifications to the roadway network. These changes in roadway function, system realignment, and land use can prompt a need for a roadway to be transferred between agencies.

Jurisdictional transfers have generally been infrequent, however, the potential exists for a number of transfers to be considered in the near to mid-range future. Transfers between the state and county, as well as county and cities have varied in both process and detail. County leadership has expressed an interest for a more consistent and transparent process in the form of a policy that will ensure mutually beneficial jurisdictional transfer transactions in the future.

## Transfer Requirements

To provide a more consistent approach to jurisdictional transfers, the following elements are required for a jurisdictional transfer involving Hennepin County:

1. A proposed transfer should be consistent with the proper jurisdictional hierarchy and identified long-range expectations of the Hennepin County Transportation Plan.
2. The impact of a proposed transfer should be evaluated within the context of the county's Asset Management Program to ascertain county resources required to maintain the potential addition to the highway system asset inventory. This process will include a review of operational requirements including available County State Aid Highway funds and needed local revenues, as well as any immediate capital equipment, facility, or personnel needs to support the potential roadway system addition.
3. Any proposed transaction involving a County State Aid Highway must have the support of the Minnesota Department of Transportation (MnDOT) State Aid office for consistency with County State Aid and/or Municipal State Aid requirements.
4. Transfers must include a formal agreement between the county and affected city(s) and/or state with mutually agreed upon terms between the parties.
5. The Hennepin County Board of Commissioners must approve all proposed jurisdictional transfers and financial agreements between the county and affected city(s) and/or state.



## Transfer Justification

As potential jurisdictional transfers are considered, the following relationships should be evaluated: the alignment of roadway function and ownership; continuity and roadway spacing within the overall system/network; connectivity and integration with current and future land use; traffic volumes and type of traffic (e.g. freight) using the roadway.

Roadways transferred to Hennepin County from a city or MnDOT need to meet the criteria for County State Aid Highways along with several of the following conditions:

- Road functions as a minor arterial
- System continuity and spacing provide for an integrated and coordinated highway system
- The road connects communities, shipping points, or markets within the county or in adjacent counties
- The road provides access to major activity centers, industrial areas, state institutions, employment clusters, or recreational areas
- The traffic demand is appropriate for an arterial road, including heavy commercial / freight traffic

Roadways transferred to Hennepin County from MnDOT will also need to meet state requirements for trunk highway turnbacks. The county will use MnDOT turnback funds, when available, for reconstruction of former trunk highways. If reconstruction is not an option, restoration of the road will be considered. Additional roadway features, including traffic signal upgrades, pedestrian ramp upgrades, trails, retaining walls, and drainage structures will be evaluated as part of the roadway restoration.

Roadways transferred from Hennepin County to a city will likely need to meet municipal state aid street requirements and may have several of the following conditions:

- The road functions as a collector or non-regional minor arterial
- The road has experienced significant change in character over time (adjacent land development patterns, traffic volumes, access spacing, connections, etc.)
- The road system continuity or spacing of roads has changed where newly constructed or reconstructed roads have diverted traffic away from the county road
- The road serves to connect municipal land uses such as parks, parkways or recreational areas
- Development density along the road has increased substantially

In order for a county road to be transferred to MnDOT, the road's function will need to match the characteristics of a principal arterial such as a trunk highway or expressway.

## Conditions of Transfer

A proposed transfer will be evaluated within the context of the county's Asset Management Program to determine the resources needed as the county works toward ensuring that the transferred roadway has an adequate 15-year service life to avoid burdening the accepting jurisdiction with

undue maintenance needs. The county's intent is to provide a stable road to the accepting agency with adequate time to plan, fund, and ultimately reconstruct the road per its standards, specifications, and vision.

Improvements and resources necessary to meet a 15-year service life may include a new pavement surface such as a bituminous overlay, spot drainage repairs such as curb and catch basin maintenance, pedestrian ramp improvements, accessible pedestrian signal upgrades, pavement markings, and roadside maintenance. Major structures such as culverts and bridges will be evaluated separately for consideration within the transfer agreement.

The county will consider providing a cash equivalent equal to the value of the necessary improvements to bring the roadway up to a 15-year service life. Subject to board approval, the inclusion of additional corridor improvements beyond those mentioned previously may be considered within an agreement. The county will not proceed with a roadway transfer until all parties approve of the agreement terms.

Similar to a transfer of a county roadway to another jurisdiction, asset condition corrections similar to those mentioned previously are expected prior to any transfer to the county.

# HENNEPIN COUNTY

## MINNESOTA

### Board Action Request 18-0260

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#### Item Description:

Adopt revisions to Hennepin County Ordinance 15 – Solid Waste Management Fee

#### Resolution:

BE IT RESOLVED, that the Hennepin County Board of Commissioners adopts the revisions to Hennepin County Ordinance 15–Solid Waste Management Fee; and that the Clerk of the Board be directed to publish the revised ordinance pursuant to Minnesota Statutes, section 375.51, subdivision 3.

#### Background:

**History:** Ordinance 15-Solid Waste Management Fee, was established in 1994 to fund environmental programs that protect human and environmental health. These programs include waste prevention, recycling and organics recycling, as well as environmental education and protection programs. The ordinance requires waste haulers to charge a fee on trash service and remit this fee to the county. Fee revenue is deposited in the Solid Waste Enterprise Fund.

Ordinance 15 was last amended in 1995.

A public hearing on the proposed revision to Ordinance 15 was held before the Public Works Committee of the Hennepin County Board of Commissioners on June 5, 2018. All licensed Hennepin County waste haulers, nonprofit resale stores, and cities that act as billing agents for the purpose of billing and collecting solid waste management fees, were notified of the proposed revision to the ordinance and provided the opportunity to comment at the public hearing or in writing to the board.

**Current Request:** This request is to adopt the amendments to Ordinance 15 – Solid Waste Management Fee. The proposed amendments to Ordinance 15 are detailed below.

1. Add nonprofit resale stores to the definition of residential generators. A “Nonprofit Resale Store” is a nonprofit resale store organized under Section 501(c)3 of the Internal Revenue Code that accepts donated household goods from residential customers. Currently Ordinance 15 would include “Non Profit Resale Stores” as “Nonresidential Generators” under Ordinance 15. There are approximately 20 non-profit resale stores operating in Hennepin County. This definition change would reduce the financial burden on nonprofit resale stores when managing the disposal of waste of donated household goods that are not fit for resale. The financial impact to the county would be a revenue reduction of approximately \$75,000 to \$100,000.
2. Add a definition of billing agent to make the billing and remittance policy easier to implement. A billing agent is an entity other than the hauler that bills and collects for mixed waste services that the hauler provides. The billing agent may not be a licensed hauler but may bill, collect, report and remit solid waste management fees. A good example of a billing agent is a city with organized collection that bills its residents for trash service.
3. Require waste haulers that are licensed to do business in the county to submit a solid waste management fee report every month, including months in which no fees were billed or collected. This would provide evidence that a hauler was not providing solid waste management services to businesses or residents in Hennepin County during that time period and did not need to remit any

fees.

**Impact/Outcomes:** The proposed revisions to Ordinance 15 would reduce the financial burden for nonprofit resale stores thereby more closely aligning Ordinance 15 to the county’s solid waste master plan and waste diversion goals. The proposed revisions would also make the billing and remittance policy for Ordinance 15 easier to implement and ensure fees are collected by all waste haulers providing waste management services in the county.

**ATTACHMENTS:**

Description	Upload Date	Type
Amended Ordinance 15 (changes tracked)	6/4/2018	Backup Material

# Hennepin County Ordinance 15

## Solid Waste Management Fee

Adopted by the Hennepin County Board of Commissioners

On June 6, 1995

Amended \_\_\_\_\_

### PURPOSE

The purpose of this ordinance is to establish authority for a Hennepin County Solid Waste Management Fee to fund environmental programs which protect the health and welfare of Hennepin County citizens pursuant to State mandates governing waste management programs. The Ordinance includes: procedures for establishing a Solid Waste Management Fee for the entire County of Hennepin; the fee payment method; reporting requirements; and penalties for noncompliance with provisions of this Ordinance. This Ordinance is adopted pursuant to Minnesota Statutes, Section 473.811, Subd. 3(a) and Subd. 5, and Section 400.08.

The Hennepin County Board of Commissioners does ordain:

### SECTION 1 DEFINITIONS

For the purpose of this Ordinance, the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.

**Subsection 1 "Billing Agent"** is any Person that collects charges for Hauler Services provided by a Hauler.

**Subsection 1-2 "County"** is Hennepin County, Minnesota.

**Subsection 2-3 "County Board"** is the Hennepin County Board of Commissioners.

**Subsection 3-4 "Department"** is the Hennepin County ~~Department of Public Works,~~  
~~Environmental Management Division Services-Environment and Energy Department.~~

**Subsection 4-5 "Generate"** is the act or process of producing waste.

**Subsection 5-6 "Generator"** is any Person who generates Mixed Municipal Solid Waste in Hennepin County and pays for Mixed Municipal Solid Wwaste collection or disposal services, or any Person who pays for Mixed Municipal Solid Waste collection or disposal services on behalf of a Person who generates Mixed Municipal Solid Wwaste in Hennepin County, and includes residential generators and nonresidential generators.

**Subsection 5-6a "Residential Generator"** is a Generator who pays for mixed municipal solid waste collection or disposal services for a residential building including but not limited

to a single family home, a duplex, a tri-plex, a four-plex, an apartment building, a mobile home, a condominium, a townhouse, a cooperative housing unit, or a residential building on perma-lease; [or a Nonprofit Resale Store.](#)

**Subsection ~~5-6b~~ "Nonresidential Generator"** is a Generator who does not qualify as a Residential Generator.

**Subsection ~~67~~ "Hauler"** is a person engaged in the business of collecting, transporting or disposing of Mixed Municipal Solid Waste generated in Hennepin County.

**Subsection 8 "Hauler Services"** are activities provided by a Hauler and include Mixed Municipal Solid Waste collection, transportation, processing, disposal, and/or container rental.

**Subsection ~~79~~ "Mixed Municipal Solid Waste"** is garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural waste, tires, lead acid batteries, used oil, and other materials collected, processed and disposed of as separate waste streams.

**Subsection 10 -"**[Nonprofit Resale Store" is a nonprofit retail store organized under Section 501\(c\)3 of the Internal Revenue Code that accepts donated household goods from residential customers.](#)

**Subsection ~~1011~~ ~~11~~ "Operating License"** shall mean the license required by Hennepin County Ordinance 17 of all Persons, except individual residents hauling their own household waste, in order to collect or transport Mixed Municipal Solid Waste that is generated within Hennepin County.

**Subsection ~~8121~~ "Ordinance"** is Hennepin County Ordinance 15 – Solid Waste Management Fee Ordinance.

**Subsection ~~9132~~ "Person"** includes, but is not limited to: an individual, business, Hauler, Self-Hauler, public or private corporation, partnership, joint venture, association, trust, unincorporated association, government or agency or political subdivision thereof, landfill operator, generator, any other legal entity, and any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing.

**Subsection 10 -"**~~Self Hauler" is a Person who transports for disposal its own Mixed Municipal Solid Waste.~~

**Subsection 143 "Self Hauler"** means a Person that transports Mixed ~~Municipal~~[Municipal](#) Solid Waste generated by that Person or another Person without compensation and is licensed pursuant to Hennepin County Ordinance No. 17.

~~**Subsection 11 "Operating License"** shall mean the license required of all Persons, except individual residents hauling their own household waste, in order to collect or transport Mixed Municipal Solid Waste that is generated within Hennepin County.~~

**Subsection 1542 "Solid Waste Management Fee"** is the charge established by the County Board, payable by Residential and/or Nonresidential Generators to the County for Solid Waste Management Services.

**Subsection 165.3- "Solid Waste Management Services"** includes all activities provided by the County or by Persons under contract with the County which support the preferred waste management responsibilities, described in Minnesota Statutes 115A.01 et seq, 473 and 400.08 including, but not limited to waste reduction and reuse; waste recycling; composting of yard waste and food waste; resource recovery through Mixed Municipal Solid Waste composting or incineration; land disposal; and management of problem materials, and household hazardous waste.

## SECTION 2 GENERAL PROVISIONS

**Subsection 1 Administration:** This Ordinance shall be administered by the- Department.

**Subsection 2 Compliance:** No Person shall collect, transport or dispose of Mixed Municipal Solid Waste generated in Hennepin County except in full compliance with this Ordinance. This shall not prevent the transportation of Mixed Municipal Solid Waste through Hennepin County by a Hauler.

**Subsection 3 Solid Waste Management Fee:** A Solid Waste Management Fee shall be imposed for Solid Waste Management Services provided by Hennepin County. Generators (owners, lessees, or occupants of property in Hennepin County, or any or all of them) shall pay the Solid Waste Management Fee imposed in the manner set forth herein in amounts as established by the County Board.

**Subsection 4 Procedures for Establishing the Amount of Solid Waste Management Fee:** The County Board shall establish the amount of the Solid Waste Management Fee by resolution, following a public hearing, and shall state the effective date for the enactment of the Solid Waste Management Fee.

**Subsection 5 Procedures for Adjusting the Amount of Solid Waste Management Fee:** The County Board may adjust the amount of the Solid Waste Management Fee by resolution, following a public hearing, and shall state the effective date for the enactment of the adjusted Solid Waste Management Fee. There will be a sixty (60) day period prior to the effective date of such adjustment.

## SECTION 3 SOLID WASTE MANAGEMENT FEE - COLLECTION AND REMITTANCE POLICIES

**Subsection 1 Collection:**



- A. As a condition of its Operating License, each Hauler shall bill and collect the Solid Waste Management Fee from Hennepin County Residential and Nonresidential Generators for whom they haul Mixed Municipal Solid Waste.
- B. Each Hauler shall make reasonable efforts to collect the Solid Waste Management Fee.

**Subsection 2 Remittance:**

- A. The Solid Waste Management Fee collected by Haulers or by a Billing Agent for a Hauler must be remitted to the County. Failure to remit the Solid Waste Management Fee collected may result in the revocation of the Hauler's Operating license issued pursuant to Hennepin County Ordinance No. 17.
- B. Self-Haulers shall pay the Solid Waste Management Fee imposed directly to the County. Failure to pay the Solid Waste Management Fee may result in the revocation of an Operating License issued to any Self-Hauler required to be licensed under Hennepin County Ordinance 17.
- C. If a Generator makes partial payment to a Hauler, the Hauler shall then apply payment to the Solid Waste Management Fee proportionally.
- D. Each Hauler or Self-Hauler shall remit the Solid Waste Management Fee by the 20th day of the month following the month in which the Solid Waste Management Fee was collected by a Hauler or incurred by a Self-Hauler.
- E. The Hauler remains responsible for collecting and remitting the Solid Waste Management Fee to the County together with any late fees due regardless of any arrangement the Hauler has with a Billing Agent or other third party to collect charges for Hauler Services.
- F. A Hauler that uses a Billing Agent to collect charges for Hauler Services shall give prior written notice to the County on a form provided by the County identifying the complete name and address of the Billing Agent that will remit the Solid Waste Management Fee on behalf of the Hauler.
- G. Each Hauler that uses a Billing Agent shall ensure that the Billing Agent complies with all of the requirements of this Ordinance. Failure or refusal of the Billing Agent to comply with any requirement of this Ordinance may result in the revocation of the Operating License of the Hauler using such Billing Agent unless the Hauler has complied or immediately corrects the failure upon notice to the Hauler from the County.
- H. Municipalities that bill and collect for Hauler Services shall bill and collect the Solid Waste Management Fee from the Generators and remit the Solid Waste Management Fee to the County. All the requirements of this Ordinance to which a Hauler is subject apply to such municipalities.

**Subsection 3 Statements:** Consistent with the Hauler's normal billing practices, each Hauler shall separately state and clearly label the Solid Waste Management Fee on each invoice or statement issued to their Residential and Nonresidential Generators for payment of waste collection and disposal services.

**Subsection 4 Reports:** Each Hauler or Self-Hauler shall complete a Solid Waste Management Fee report in accordance with instructions and on forms provided by the Department. The Solid Waste Management Fee report, accompanied by any required Solid Waste Management Fees, must be submitted by the 20th day of the month following the month in which the Solid Waste Management Fee was collected by a Hauler or incurred by a Self-Hauler. The Solid Waste Management Fee Report must be completed and submitted every month, including months in which no Solid Waste Management Fees were billed, collected, or incurred. The Solid Waste Management Fee report may include, but not be limited to, total gross billings and receipts for all collection and disposal services performed within Hennepin County, the number of Residential and Nonresidential Generators within Hennepin County, the number of tons collected within Hennepin County and disposed of within and outside of Hennepin County, and such other information as requested by the Department.

**Subsection 5 Examination of Records:** The Department or its duly authorized agent shall have the right to examine records, including access to computer records, maintained by a Hauler or Self-Hauler. The term "record" shall include, but is not limited to, all accounts of a Hauler. The Department shall be allowed access at all reasonable times to inspect and copy at reasonable cost all business records related to a Hauler's or Self-Hauler's collection, transportation, or and disposal of Mixed Municipal Solid Waste to the extent necessary to ensure that all fees required to be collected or paid have been remitted to the County. This subsection applies whether the records are maintained by a Hauler or a Billing Agent for the Hauler. Such records shall be maintained by the Hauler or Self-Hauler for no less than six (6) years.

**Subsection 6 Late Payment:** A late payment penalty in the amount of 1.5% per month shall be imposed in the following circumstances:

- A. Upon Solid Waste Management Fees collected from the Generator but not remitted by the Hauler to the County on or before the 20th day of the month following the collection; or
- B. Upon the Solid Waste Management Fee incurred by a Self-Hauler but not remitted by the Self-Hauler to the County on or before the 20th day of the month following the month in which it was incurred.

If a Hauler fails to bill and collect the Solid Waste Management Fee from a Generator, the Hauler shall pay the Generator's Solid Waste Management Fee plus a 1.5% per month late payment penalty. The late payment penalty shall be calculated from the date the Solid Waste Management Fee should have been billed.

**Subsection 7 Unpaid Fee:** On or before October 15 each year, the County Board may certify to the County Auditor all unpaid outstanding Solid Waste Management Fees, and a description of the

lands against which the Solid Waste Management Fees arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments, with interest not to exceed the interest rate provided for in Section 279.03, Subd. 1, upon the tax rolls of the County, for the taxes of the year in which the assessment is filed. For each year ending October 15, the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

**Subsection 8 Collection Actions:** Exercise of any remedy under this subsection does not preclude exercise of other remedies.

- A. If a Generator fails to pay the Solid Waste Management Fee to a Hauler in a timely manner, the County may use any available legal remedies to collect the overdue, unpaid Solid Waste Management Fees from the Generator.
- B. If a Hauler has collected Solid Waste Management Fees and failed to remit them to the County in a timely manner, the County may use any available legal remedies to collect the Solid Waste Management Fees from the Hauler.
- C. If a Self-Hauler fails to pay the Solid Waste Management Fee to the County in a timely manner, the County may use any available legal remedies to collect the Solid Waste Management Fee from the Self-Hauler.

## **SECTION 4 VIOLATIONS AND PENALTIES**

**Subsection 1 Misdemeanor:** Any Person who hauls Mixed Municipal Solid Waste and willfully or negligently fails to bill, fails to collect, or fails to pay or remit to the County the Solid Waste Management Fee is guilty of a misdemeanor.

For the purposes of this subsection, a Person who hauls Mixed Municipal Solid Waste for a Generator who subsequently fails to pay its bill has not acted negligently.

This subsection shall not preclude prosecution for any other misdemeanors, gross misdemeanor, or felony under State Minnesota law committed by such Person while hauling Mixed Municipal Solid Waste.

**Subsection 2 Injunctive Relief:** The County may institute appropriate actions or proceedings, including application for injunctive relief, action to compel performance or other appropriate actions to prevent, restrain, correct or abate any violation or threatened violation of this Ordinance.

**Subsection 3 Venue and Prosecution:** The Hennepin County Attorney's Office shall prosecute violations of any provision of this Ordinance. Such prosecutions shall be venued in Hennepin County.

**Subsection 4 Costs and Special Assessments:** The County may recover costs, including staff and other related costs, incurred to enforce compliance with the provisions of this Ordinance. At the discretion of the County Board, the costs may be certified to the County Director of Property Tax and Public Records as a special tax against the real property owned by such Person.

**Subsection 5 Citations:** The Department, its duly authorized representative, or any licensed peace officer shall have the power to issue citations for violations of this Ordinance, but this shall not permit the Department or its representatives to physically arrest or take into custody any violators.

**Subsection 6 Departmental Order:** The Department may issue such Orders as may be necessary for the enforcement of this Ordinance. Each Order shall state the violation and the action and time schedule required for compliance.

## SECTION 5 SEVERABILITY

It is hereby declared to be the intention of the Board of Commissioners of Hennepin County that the provisions of this Ordinance are separable in accordance with the following:

- A. Validity of Provisions: If any court of competent jurisdiction shall rule that any provision of this Ordinance is invalid, other provisions not specifically included in said judgment shall not be affected.
- B. Application to Site or Facility: If any court of competent jurisdiction shall rule that the application of any provision of this Ordinance is invalid to a particular Generator, structure, site, facility, operation, Hauler or Self-Hauler such judgment shall not affect the application of said provision to any other structure, site, facility or operation not specifically included in the judgment.

## SECTION 6 PROVISIONS ARE CUMULATIVE

The provisions in this Ordinance are cumulative and are additional limitations upon all other laws and ordinances covering any subject matter in this Ordinance.

## SECTION 7 REPEAL AND ENACTMENT

The enactment of this Amendment repeals and replaces in its entirety Ordinance Number Fifteen, adopted on ~~November 30, 1993~~ June 6, 1995. All licenses issued and not subsequently revoked or suspended pursuant to that Ordinance shall remain valid until ~~June 30, 1995~~ June 30, 2018.

## SECTION 8 EFFECTIVE DATE

This Amended Ordinance 15 shall be effective ~~July 1, 1995~~ July 1, 2018.

Passed by the Hennepin County Board of County Commissioners ~~this 6th day of June, 1995~~ \_\_\_\_\_.

COUNTY OF HENNEPIN  
STATE OF MINNESOTA

## COUNTY BOARD AUTHORIZATION

Reviewed by the County Attorney's  
Office

\_\_\_\_\_  
Assistant County Attorney

Date: \_\_\_\_\_

COUNTY OF HENNEPIN  
STATE OF MINNESOTA

By: \_\_\_\_\_  
Chair of Its County Board

ATTEST: \_\_\_\_\_  
Deputy/Clerk of County Board

Date: \_\_\_\_\_

By: \_\_\_\_\_  
County Administrator

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Assistant County Administrator  
- Public Works

Date: \_\_\_\_\_

### Recommended for Approval

By: \_\_\_\_\_  
Director,  
Environment and Energy Department

Date: \_\_\_\_\_