

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IV. I.

**From:** Chad A. Millner, PE, Director of Engineering

**Action**

**Discussion**

**Date:** November 18, 2014

**Information**

**Subject:** Resolution No. 2014-142 Requesting Variance From Standards for State Aid Operation for Valley View Road at Comanche Court

## **Action Requested:**

Review and approve the attached resolution authorizing staff to pursue a variance from the Municipal State Aid (MSA) Variance Committee for a variance on the minimum horizontal curve on Valley View Road at Comanche Court.

## **Information / Background:**

Please recall council conducted the public improvement hearing and approved the referenced project at the October 21 City Council Meeting. The project limits are McCauley Trail to Mark Terrace.

The project is scheduled for reconstruction in 2015. This segment of Valley View Road is designated as a MnDOT State Aid Roadway (MSA). The project involves the reconstruction of approximately 1,800-ft of road, utility improvements, and installation of pedestrian improvements including sidewalks and bike lanes.

The horizontal curve at Comanche Court will not meet the MSA minimum design speed of 30 miles per hour. Therefore we are requesting a variance from MSA to allow the continued operation of the 20 miles per hour horizontal curve. The next MSA Variance Committee meeting is scheduled for December.

Staff recommends approval of Resolution No. 2014-xx authorizing staff to pursue a variance from MSA rules.

## **Attachment:**

- Resolution No. 2014-142

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**RESOLUTION NO. 2014-142  
REQUESTING VARIANCE FROM  
STANDARDS FOR STATE AID OPERATIONS  
VALLEY VIEW ROAD WEST AT COMANCHE COURT**

**WHEREAS**, the City of Edina Engineer is hereby authorized to request a variance from the Minnesota Department of Transportation State Aid Operations, pursuant to Minnesota Rules for State Aid Operations 8820.3300 and 8820.9941, as they apply to the proposed horizontal curve associated with the reconstruction of Valley View Road from McCauley Trail to Mark Terrace, State Aid Project 120-151-016, located in Edina, Minnesota and Hennepin County; and

**WHEREAS**, Minnesota Rules for State Aid Operation 8820.9941 require a minimum 30 miles per hour design speed for horizontal curvature and

**WHEREAS**, the City Council of Edina believes that the minimum design standards set forth by Minnesota Rules for State Aid Operation 8820.9941 as applicable to the proposed horizontal curve on Valley View Road at Comanche Court to meet 30 miles per hour design speed create an undue burden; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Edina, located in Hennepin County, Minnesota, hereby requests a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9941, Minimum Design Standards: On-Road Bicycle Facility for Urban; New or Reconstruction Projects to allow a horizontal curve that achieves a 20 mile per hour design speed in lieu of the 30 mile per hour minimum design speed.

**NOW THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Edina, Minnesota**, hereby indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of, or by reason the use of a 20 mile per hour design speed horizontal curve on Valley View Road at Comanche Court in accordance with Minnesota Rules 8820.9941. The Council further agrees to defend at its sole cost and expense, any action of proceeding commenced for the purpose of asserting any claim arising as a result of the granting of this variance.

Dated: November 18, 2014

Attest: \_\_\_\_\_  
Debra A. Mangen, City Clerk

\_\_\_\_\_   
James B. Hovland, Mayor

STATE OF MINNESOTA        )  
COUNTY OF HENNEPIN     )SS  
CITY OF EDINA             )

**CERTIFICATE OF CITY CLERK**

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of November 18, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Clerk

**ENGINEERING DEPARTMENT**