



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

Date: October 17, 2002  
To: Transportation & Public Works Committee  
Referral to: None  
**Subject: Minneapolis Street Lighting Policy**

### Recommendation:

1. Direct staff on major policy options.
2. Direct staff to revise the draft Minneapolis Street Lighting Guidelines according to the major policy decisions and return to T&PW on November 14, 2002.
3. Direct staff to arrange council work session and night time tour.

### Previous Directives:

August 1, 2002 – Discussion and direction to seek neighborhood input.  
June 13, 2002 - Discussion of draft Minneapolis Street Lighting Guidelines.  
1999 – A draft Street Lighting Policy was discussed and postponed at Transportation and Public Works Committee.

Prepared: Jon Wertjes, P.E. Phone: 673-2614  
Approved: Brian Lokkesmoe, P.E., City Engineer, Interim Director of Public Works

By: \_\_\_\_\_  
Gregory A. Finstad, P.E., Director, Transportation and Parking Services

Presenters: Jon Wertjes, P.E.

### Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)

Action requires an appropriation increase to the Capital Budget

Action requires an appropriation increase to the Operating Budget

Action provides increased revenue for appropriation increase

Action requires use of contingency or reserves

Other financial impact (Explain):

Request provided to the Budget Office when provided to the Committee Coordinator

### Background/Supporting Information:

At the June 13, 2002 T&PW meeting, a draft Minneapolis Street Lighting Guidelines (Guidelines) was introduced and discussed.

At the August 1, 2002 T&PW meeting, staff was directed to seek neighborhood comment

and report back on October 17, 2002. Staff was also directed not to develop new petitions until after the Guidelines are adopted. Staff was also directed to review the Orfield proposal.

#### **Four Major Policies:**

Four major issues were identified at the June 13 T&PW meeting. Exhibit A – *Street Lighting Policy Discussion* outlines the major issues, the draft Guidelines language, options, and initial staff recommendations.

#### **Neighborhood Response to Policy Options:**

A packet of information was sent to approximately 150 neighborhood groups and business associations regarding the policy options to seek comments. This packet included a draft of the Public Works Street Lighting Guidelines, the Street Lighting Policy Discussion, and a comment form. The comment form asked whether the respondent did or did not supported the policy options. Some comment forms were returned with an answer to each option and others with only affirmative support. Staff received some phone inquiries and also presented the topic at the Hiawatha Lake Business Association meeting. Thirteen written comments were received by September 30, 2002, (Exhibit B – *Street Lighting Comments Overview*). Some of these comment form were returned by citizens and may reflect individual opinion rather than a neighborhood or business groups as a whole.

#### **Staff Recommendations for Policy Options:**

##### Policy Issue 1: Low-Level Street Lighting Process and Implementation

*Staff Recommendation: Option 1a) Petitioning for low-level street lighting is evaluated as a standard component of street improvement (renovation and/or reconstruction) projects only.* Under this option, all City streets would have the opportunity to consider low-level streetlights as a part of a street renovation or reconstruction project only. It is expected that it would take about 25 to 30 years for the entire City to have this opportunity for low-level lighting. The installation of low-level lighting would not be mandatory, it would still require a petition process. A petition process could last 12 to months, with a possibility of a 6 month extension.

Funding for the street lighting would be added to the property owners' assessments as part of the street project. From a resource perspective, the administration of the project would be reduced and the capital costs may be less expensive because the boulevard/sidewalk area may already be under construction. This option would only allow low-level street lighting when the street is due for its street improvement project.

##### Policy Issue 2: City Timelines For Verifying Petitions

*Staff Recommendation: Option 2a) City staff verification of all completed petitions within 90 days.* Require Public Works to verify all petitions within 90 days. The great majority of petition verifications are currently completed within this timeframe. Assuming that petitions are eligible only as a part of a street improvement project, a steadier workflow for verifying the signatures is expected. Option 2a is feasible only with the selection of implementing low-level lighting with street improvement projects, option 1a). This option then creates a more consistent and predictable workload for staff.

### Policy Issue 3: Eligible Parties for Petition Signatures

*Staff Recommendation: Option 3a) Collect property owners' and non-property owners' signatures.*

Revise the petition forms such that signatures delineate their property ownership status. The percentages for property owners and non-property owners will be calculated. The Public Works Department Guideline would remain at 65% of property owner's signatures. This remains as an advisory tool to the Council, but the Council would have a better understanding of the level of community support by all those who live in the area. Projects may be approved with a percentage of less than 65%. The verification process is becomes less reliable in areas with high movement among the non-property owners.

### Policy Issue 4: Petition Signatures For and Against the Street Lighting Project

*Staff Recommendation: Option 4a) Collect signatures both supporting and opposing the street lighting proposal.* Revise the petition form such that signatures delineate support or opposition. Percentages for all will be calculated. The Public Works Department Guideline would remain at 65% of approving property owner's signatures. This remains as an advisory tool for the Council, projects may be approved with a supporting percentage of less than 65%. The Council will have a better understanding of the level of community contact as well as the degree of support and opposition for the project in the community. Such action would allow for a more neutral approach by community members when collecting petition signatures.

### **“Green” Lighting, Light Source Standards, and Orfield Proposal**

City staff has met to discuss the comments raised regarding the “green” lighting, the light source standard, and the Orfield proposal. Staff concluded that a Council work session and a night-time tour in late October or early November would be helpful to illustrate and discuss these lighting issues.

At a work session staff would present the following:

- History of practices and technology for street lighting in Minneapolis
- Current actions regarding these issues
- Propose on-going or additional efforts
- Comparisons to other cities
- Gain feedback from Council Members

The night-time tour would provide Council Members a chance to see these issues in use out in the field.

Exhibit A – Street Lighting Policy Discussion

Exhibit B - Street Lighting Comments Overview

## Street Lighting Policy Discussion

The City of Minneapolis Public Works Department draft Street Lighting Guidelines (Guidelines) contains a number of policy issues that the Minneapolis City Council is being asked to adopt. Following, are some of those policy issues and different options that were discussed at the August 1, 2002 Transportation and Public Works Committee meeting.

### Policy Issue 1: Low-Level Street Lighting Process and Implementation

Issue: Concerns were raised regarding a potential improved process for initiating and implementing low-level street light projects. Some thought it could be more efficient to standardize the street lighting process and combine with other Public Works street projects. Currently, capital costs for low level street lighting are not General Fund expenditures. Operation and maintenance costs are General Fund expenditures, as long as they do not exceed the City's lighting standards.

#### Draft Public Works Department Street Lighting Guidelines Language:

- *Residential Low-Level Lighting:* "The costs to administer, design and construct the low-level lighting system are considered capital costs. These capital costs are assessed totally to the benefiting property owners, unless other funding sources, such as Neighborhood Revitalization Program funds, are used to reduce the assessable costs." The Draft Public Works Street Lighting Guidelines then details the request for street lighting and the petition process. (This is on page 6 of the Guidelines.)
- *Commercial Low-Level Lighting:* "The costs to administer, design and construct the commercial lighting system are considered capital costs. The requesting individual, developer, organization, district or property owners are responsible for all capital costs, including installation..." (This is on page 10 of the Guidelines.)

#### The following suggested options were identified for further discussion:

Option 1a) *Street Lighting becomes a standard component of Street Improvement (Renovation and/or Reconstruction) Projects Only:* Under this option, all City streets would eventually receive low-level streetlights as a part of a street renovation or reconstruction project. It is expected that it would take about 25 to 30 years for the entire City to have low-level lighting. Funding for the street lighting would be added to the property owners' assessments as part of the street project. From a resource perspective, the administration of the project would be reduced and the capital costs may be less expensive because the boulevard/sidewalk area may already be under construction. This option would only allow low-level street lighting when the street is due for its street improvement project. Also, this option results in the street lighting becoming a typical street construction component and would not require a petition process.

Option 1b) *No Changes to Draft Public Works Department Street Lighting Guidelines Language (as requested and petitioned).*

Option 1c) *Combination of Options 1a and 1b.* Low-level street lighting would be done as part of the 5-year Capital Improvement Projects (CIP) street improvement projects and would be automatically assessed. Streets included in the 5-year CIP will be required to wait until their scheduled improvement date. Low-level lighting on streets not in the 5-year CIP must follow the Draft Public Works Street Lighting Guidelines petition process.

Staff Recommendations: Staff is amenable to all of these options; Option 1c (Combination) would be the most efficient use of staff resources.

## **Policy Issue 2: City Timelines**

Issue: Concern was expressed regarding whether or not there are adequate City resources to address the lighting program, particularly the process efforts to verify the signatures on a lighting petition.

Draft Public Works Department Street Lighting Guidelines Language: Currently there is no language in the Draft Public Works Street Lighting Guidelines on this matter.

The following suggested options were identified for further discussion:

Option 2a) *Verification of Petitions within 90 Days:* Require Public Works to verify all petitions within 90 days. The great majority of petition verifications currently are completed within this timeframe.

Option 2b) *Annually Limit the Number of Petitions:* Annually limit the number of times petitions are sent out to 3 times per year. Petitions will be sent out January 1, May 1, and September 1. The number of petitions sent out may vary based on the size of the proposed projects. A limit totaling 40 blocks may be petitioned at one time (40 x 3 dates = 120 blocks per year). This allows for staff to adequately complete the petition verification process within 90 days.

These 40 blocks may be made up of many small areas or a few larger areas. With the signature collection process now limited to 12 months (with a possible 6 months extension), this will ensure a more orderly workload in terms of working with the neighborhoods on designing a low-level lighting program, and verifying the signatures once they are delivered to Public Works. This timeline would allow for lighting projects to be designed in the current year and be constructed in the following year (unless the 6 month petition extension is granted).

Option 2c) *No Changes to Draft Public Works Department Street Lighting Guidelines Language.*

Staff Recommendations: Staff is amenable to all of these options; Option 2b (Annual Limits) would be the most efficient use of staff resources.

## **Policy Issue 3: Eligible Parties for Petition Signatures**

Issue: There has been confusion in the past with having various models as to who can sign the petition (property owners and/or residents). Property owners are ultimately responsible for any assessment to their property because of a proposed lighting project. Verifying residents' (usually renters) signatures can be difficult because they may live at an address for a very short period of time or they have not officially changed residences (e.g., students). No differentiation is currently made regarding the placement of a standard wood pole because these costs are paid for by the General Fund and not assessed.

The petition process is advisory – it is the Council Member/City Council that has the final authority.

Draft Public Works Department Street Lighting Guidelines Language:

- *Residential Low-Level Lighting:* "Signatures representing at least 65% of the total square footage of the benefiting property owners as calculated by the Public Works Department must be obtained before the project will be considered for Council approval. This

percentage is a Public Works Department Guideline and is advisory to the City Council.” (This is on page 7 of the Guidelines.)

- *Commercial Low-Level Lighting:* “Signatures representing at least 65% of the total square footage of the benefiting property owners as calculated by the Public Works Department must be obtained before the project will be considered for Council approval. This percentage is a Public Works Department Guideline and is advisory to the City Council.” (This is on page 12 of the Guidelines.)

The following suggested options were identified for further discussion:

Option 3a) *Property Owners Signatures and Residents Support:* Revise the petition forms such that signatures delineate their ownership status. Create a petition to include check off boxes to indicate whether a signature belongs to an owner or non-owner (a tenant). Percentages for property owners and non-property owners will be calculated. The 65% of property owners’ signatures would still be used as the Public Works Department Guideline and as an advisory to the Council, but the Council would have a better understanding of the level of community support by all those who live in the area.

Option 3b) *No Changes to Draft Public Works Department Street Lighting Guidelines Language.* Only property owners are eligible to sign the petition.

Staff Recommendations: Staff supports Options 3a or 3b. The verification process is not reliable in areas with high movement among the non-property owners.

#### **Policy Issue 4: Petition Signatures For and Against the Proposed Project**

Issue: There has been community concern about citizens not being contacted or informed regarding a street lighting project. In addition, some community members indicated disapproval of a project but are not allowed to voice their opinion until the public hearing.

Draft Public Works Department Street Lighting Guidelines Language: Currently there is no language in the Draft Public Works Street Lighting Guidelines on this matter.

The following suggested options were identified for further discussion:

Option 4a) *Supporting and Opposing Signatures:* Revise the petition form such that signatures delineate support or opposition. Create a petition to include check off boxes to indicate whether a signature approves or disapproves the project. Percentages for all will be calculated. The 65% of supporting property owners’ signatures would still be used as the Public Works Department Guideline and as an advisory to the Council. The Council will have a better understanding of the level of community contact as well as the degree of support and opposition for the project in the community. Such action would allow for a more neutral approach by community members when collecting petition signatures.

Option 4b) *No Changes to Draft Public Works Department Street Lighting Guidelines Language.* Only supporting signatures would be collected.

Staff Recommendations: Staff supports either option.

## STREET LIGHTING COMMENTS OVERVIEW

We received 13 completed comment forms from neighborhood and business groups and 1 from a Minneapolis resident.

Description	Support	Do Not Support
<b><i>POLICY ISSUE 1 PROCESS &amp; IMPLEMENTATION (Policy Options page 1)</i></b>		
Option 1a) Standardize with Street Improvement Projects	4	3
Option 1b) No change to draft Guidelines language	1	4
Option 1c) Combination of options 1a) and 1b)	10	1
<b><i>POLICY ISSUE 2 CITY TIMELINES (Policy Options page 2)</i></b>		
Option 2a) Verify petitions within 90 days	8	3
Option 2b) Annually limit the number of petitions	7	2
Option 2c) No Changes to draft Guidelines language	1	4
<b><i>POLICY ISSUE 3 ELIGIBLE PARTIES FOR PETITION SIGNATURES (Policy Options page 2)</i></b>		
Option 3a) Property owner signatures and Residents support	9	1
Option 3b) No change to draft Guidelines language	5	4
<b><i>POLICY ISSUE 4 PETITION SIGNATURES FOR &amp; AGAINST THE PROPOSED PROJECT (Policy Options page 3)</i></b>		
Option 4a) Supporting and opposing signatures	6	3
Option 4b) No changes to draft Guidelines language	8	2

### General Comments:

- Support changes to the Guidelines that increase efficiency, but do not negatively impact low-income home owners or renters.
- Might save time if petitioners had access to the city list of licensed rental property owners
- Favor elimination of petitions- contentious neighbor vs neighbor would be eliminated and the result would be a uniform lighting process and project throughout the city. There would be a fixed cost involved. There would be no preferential treatment.
- Change percentages to 80% and eliminate the 6 month extension

### One Comment on ISSUE 1:

- Completing projects as part of the 5 year plan does not seem to provide for citizen approval. Mandated change is not a preference of the committee.