



## Legislation Text

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**File #:** RES PH 22-10, **Version:** 2

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Considering the application of Timothy J. O'Connor, General Services Administration, for an exception to the general hours of operation for pedestrian skyway bridges which would close pedestrian skyway bridge #35 between the Pioneer Endicott Building and the W.E. Burger Federal Building and US Courthouse to the general public during a high profile trial.

WHEREAS, Timothy J. O'Connor, General Services Administration submitted an Exception to General Hours of Operation Application on December 29, 2021 (herein incorporated as Exhibit 1) and an amended application January 4, 2022, (herein incorporated as Exhibit 2) both of which lay out the rationale behind the request for an exception to the general hours of operation for pedestrian skyway bridge #35 which serves the W.E. Burger Federal Building and US Courthouse, and

WHEREAS, pedestrian skyway bridge #35 crosses over 4th Street; and

WHEREAS, the buildings on either side of skyway #35 are the Pioneer Endicott Building, 141 4<sup>th</sup> Street E. and the W.E. Burger Federal Building and US Courthouse, 316 Robert St. N.; and

WHEREAS, the applicant requests that the hours of operation for skyway bridge #35 which connects the Pioneer Endicott Building, 141 4<sup>th</sup> Street E. and the W.E. Burger Federal Building and US Courthouse, 316 Robert St. N. be reduced to zero and the bridges be closed to the general public during a high profile trial at the W.E. Burger Federal Building and US Courthouse; and

WHEREAS, the Application for Exception to General Hours of Operation is supported by the Saint Paul Police Department, per the attachment (herein incorporated as Exhibit 3); and

WHEREAS, members of the Skyway Governance Advisory Committee were contacted about the request electronically by Chair, Bill Handley who sent the committee members an email (herein incorporated as Exhibit 4) on December 30, 2021 which asked them to electronically agree or disagree with the application for an exception to the skyway hours; and

WHEREAS, per an email sent by Skyway Governance Advisory Committee Chair Bill Handley on January 4, 2022 (herein incorporated as Exhibit 4) the committee considered this application and all members were in agreement with the application for an exception to the skyway hours; and

WHEREAS, the Skyway Governance Advisory Committee Members did request that the timeframe of the closure be strictly limited to the trial timeframe; and

WHEREAS, the Skyway Governance Advisory Committee Members also requested that notices related to

current information on the closures are posted; and

WHEREAS, the Department of Safety and Inspections does not object to the Application for Exception to General Hours of Operation, per the attachment (herein incorporated as Exhibit 5); and

WHEREAS, Chapter 140.10(b) states that the council “shall refer the petition to the skyway governance/advisory committee for a recommendation. The skyway governance/advisory committee shall forward their recommendation to the city council within thirty (30) days. The council shall then hold a public hearing to consider the petition for alternative hours.”; and

WHEREAS, Chapter 140.10(b) of the Saint Paul Legislative Code gives the council the power to grant such exceptions and lays out the criteria for council to consider; and

WHEREAS, the council held a public hearing on the application for the exception on January 12, 2022; and

WHEREAS, the council considered the following:

- (1) Whether the portion of the skyway system petitioning for alternative hours leads to another portion of skyway system that has the general hours of operation;
- (2) Whether security such as a metal detector or photo identification is required to gain access to the portion of the skyway system requesting the alternative hours;
- (3) Whether there is a contract or other legal document between the property and the city outlining alternative hours that cannot be altered by ordinance;
- (4) Whether retail or other business activities take place within the skyway system and the difficulty of closing off those business areas from the ingress/egress area;
- (5) The reasonableness of the alternative proposed hours;
- (6) Other logistical or financial hardship imposed on the building if it is not granted alternative hours; now, therefore, be it

RESOLVED, that the Council hereby finds that there is sufficient basis to support the request of Timothy O'Connor to close skyway bridge #35 to the public from the date that the high profile trial begins up until the end of the high profile trial. The closure may not last longer than eight (8) weeks from the start of the trial; and be it

FURTHER RESOLVED THAT the Council requires that information regarding the closure must be posted at least one week in advance in order for skyway bridge #35 to be closed; and be it

FINALLY RESOLVED, that the application for the Exception to the General Hours of Operation is approved subject to the above conditions.

A copy of this resolution, as adopted, shall be sent by first class mail to the applicant.

