

Ramsey County Regional Railroad Authority. Records.

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Version 3
August 20, 2018

Ramsey County Board of Commissioners

316 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-4145

Diane Ahrens, Chairperson
District 4
John T. Finley
District 3
Ruby Hunt
District 5
Duane W. McCarty
District 1
Hal Norgard
District 7
Donald E. Salverda
District 2
Warren W. Schaber
District 6
Terry Schutten
Executive Director

AGENDA

ORGANIZATIONAL MEETING

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Monday, June 15, 1987

9:45 A.M. - City Council Chambers

1. ELECTION OF OFFICERS - Chairman, Vice-Chairman, Secretary and Treasurer.

2. INFORMATIONAL MATERIAL - Informational material is being furnished with this agenda for the members to review prior to a meeting which we will schedule for June 22, 1987, immediately following the County Board Meeting, at which time Board and Staff questions can be addressed.

ATTACHMENTS:

A. Regional Railroad Authorities Act
A-1. Senate Journal - Committee Conference Report
B. Resolutions 87-230, 87-231
B-1. State Incorporation Certificate
B-2. Memo from T. Schutten June 11, 1987
C. Memo J. Van Houdt -June 10, 1987
D. Memo D. Kapler June 10, 1987
E. Memo Patrick O'Malley June 9, 1987
F. Legal Opinion, Elaine Ashbaugh June 4, 1987
G. Letter - Kiki Sonnen,June 2, 1987 with council resolutions
H. Memo Kathy DeSpiegelaere June 4, 1987
I. Long Range Transit Analysis - Metropolitan Council

Kathy DeS.

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RECEIVED

APR 16 1987

RAMSEY COUNTY
PUBLIC WORKS

AGENDA

Board of

Ramsey County Commissi

K. Weltzin, Director
Public Works Department
270 LMA

APRIL 20, 1987

PUBLIC WORKS, PARKS & RECREATION COMMITTEE - 8:00 a.m., Council Chambers
HEALTH, HUMAN SERVICES & CORRECTIONS COMMITTEE - 8:30 a.m., Room 316, Court House
ENVIRONMENTAL SERVICES COMMITTEE OF THE WHOLE - 9:00 a.m., Council Chambers

* *

ROLL CALL and Call to Order - 10:00 a.m., Council Chambers

AGENDA for the April 20, 1987 Board meeting.

MINUTES of the April 13, 1987 Board meeting are presented for approval.

PUBLIC HEARINGS

1. PUBLIC HEALTH - **GENERATOR FEE SCHEDULE.** Public Hearing regarding new generator fee schedule and consider approval. Environmental Service Committee recommendation: proceed with the new schedule.

2. BOARD POLICY - **RAIL AUTHORITY.** Public Hearing regarding Rail Authority and consider establishment of rail authority Board resolution 87-132, intent to establish.

WRITTEN REQUESTS OF CITIZENS/COMMUNICATIONS

3. APPEARANCE - **SHARON ANDERSON** regarding property taxation, homestead and market value.

POLICY AGENDA

OLD BUSINESS

FINANCE, PERSONNEL & MANAGEMENT COMMITTEE OF THE WHOLE:

4. EXECUTIVE DIRECTOR - **DOWNTOWN SERVICE CENTER.** Authorize the Executive Director to issue a Request for Proposals to develop a County services facility on one of two previously selected sites. (Laid over from April 13, 1987 Board meeting).

ENVIRONMENTAL SERVICES COMMITTEE:

5. PUBLIC WORKS - **GRANT APPLICATION.** Authorize the Public Works Department to submit a Supplemental Grant Application to the Minnesota Pollution Control Agency for expanded work on the Lake Como Restoration Project. Committee recommendation: approval - modified.

NEW BUSINESS

6. BOARD POLICY - **DISTRICT COURT.** Proclaim week of April 27 as Crime Victim's Rights Week.

FINANCE, PERSONNEL & MANAGEMENT COMMITTEE

7. BOARD OF RAMSEY COUNTY COMMISSIONERS - **BUDGET ADJUSTMENT.** Approve budget adjustment of $20,000 to provide funds for furnishing the Conference Rooms and open areas in Room 316. Committee recommendation: approval.

8. DATA PROCESSING/COUNTY ATTORNEY - **BUDGET TRANSFER.** Approve budget transfer of $288,200 from Data Processing 1987 Contingent Fund to County Attorney's Office for development of Phase I of a Case Management and Tracking System. Committee recommendation: approval.

9. PERSONNEL - **NEW CLASSIFICATION.** Allocate new classification, Management Analysis Supervisor (CHS Department) to Schedule 02A/S, Grade 32. Committee recommendation: approval.

10. PROBATE COURT - **BUDGET COMPLEMENT INCREASE.** Approve addition of .3 Court Commissioner/Referee, one full time Law Clerk/Probate; approve budget transfer $52,824 to fund these positions and purchase of $1,975 of office equipment. Committee recommendation: approval.

11. PUBLIC HEALTH - **CONTRACT.** Approve and execute contract with Equity Services, Inc. for home health aide/homemaker services. Committee recommendation: approval.

- OVER -

12. TAXATION & RECORDS ADMIN. - **TAX FORFEITED LAND.** Approve sale of tax forfeited land for street purposes and surface water control to the City of North St. Paul. Committee recommendation: approval.

13. TAXATION & RECORDS ADMIN. - **TAX FOREFEITED LAND.** Approve withdrawal of parcel of tax forfeited land from public sale on April 24, 1987, as requested by the Attorney General's office. Committee recommendation: approval.

LEGISLATIVE COMMITTEE OF THE WHOLE:

14. LEGISLATIVE COMMITTEE - **MICA - LEGISLATION '87.** 911 Telephone board legislation submitted for approval. Committee recommendation: approval.

15. LEGISLATIVE COMMITTEE - **SHOREVIEW LAND EXCHANGE - LEGISLATION '87.** Approve Chapter 13 of the legislation regarding Shoreview land exchange. Committee recommendation: approval.

15a. COMMISSIONER AHRENS and CHIEF JUDGE MARSDEN - **COURT CONSOLIDATION** issue: proposed agreement.

CONSENT AGENDA

FINANCE, PERSONNEL & MANAGEMENT COMMITTEE:

16. EXECUTIVE DIRECTOR/BUDGET & ACCOUNTING - **REPORT OF CONTRACTS AND FINAL PAYMENTS,** Month of March, 1987. Committee recommendation: accepted.

17. JOB TRAINING - **JTPA TITLE III AT&T/CWA DISLOCATED WORKER** - Acceptance of Modification No. 1 to the JTPA Title III McLean Trucking/Teamsters Dislocated Worker Project to add workers laid off from Dealer's Supply and extend the term date to December 31, 1987. Committee recommendation: approved.

18. JOB TRAINING - **JTPA TITLE III MCLEAN TRUCKING/TEAMSTERS DISLOCATED WORKER PROJECT** - Acceptance of Modification No. 1 to the JTPA Title III AT&T/CWA Dislocated Worker Project to add workers laid off from NCR Comten and extend the termination date to December 31, 1987. Committee recommendation: approved.

* *

EXECUTIVE SESSION - (CLOSED TO PUBLIC) Imm. following Board Mtg., Room 316, Court House
Re: Cartrette vs. Ramsey County Civil Service Commission personnel litigation.

POLICY & PLANNING COMMITTEE- Imm. following Executive Session. Room 316, Court House.

ADMINISTRATIVE UPDATE - 2:00 p.m., Room 300 Commerce Bldg., Personnel Dept. Conf. Room.

* *

April 20, 1987 - 10:00 a.m., Council Chambers
April 27, 1987 - 10:00 a.m., Council Chambers
May 4, 1987 - 10:00 a.m., Council Chambers

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AGENDA

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Monday, June 22, 1987

Immediately following County Board

1. Minutes - of the June 15, 1987 Organizational Meeting of the Regional Railroad Authority.

2. Funding/Legal Opinion - Request $25,000 Loan from Ramsey County. *Proposed Resolution and Request to Board is attached. See Memo Elaine Ashbaugh, dated 6/4/87, Att. F.

3. Citizen Participation Process -*See attached memo From Judy Karon, 6/12/87. with proposed application forms for Committee appointment. Att. J-1,2,3,4

4. Staff Support - Memo from T. Schutten dated 6/11/87 (Att. B-2)

5. Fiscal/Budget & Accounting - Memo from J. Van Houdt dated 6/10/87 (Att. C-1, 2)

6. Risk Management - See D. Kapler memo 6/10/87 (Att. D.)

7. Property Issues - See memo P. O'Malley dated 6/9/87 (Att. E)

8. City of St. Paul - See K.Sonnen letter 6/2/87 to Mayor Latimer Att. G-1,2,3,4

9. Metropolitan Council - Long Range Transit Analysis

*The items marked with asterisk are new attachments, which were not included with your packet of June 15th.

We are not attaching the previous documentation which has already been furnished. If you are in need of copies, these will be available.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

MEETING

June 15, 1987

The Organizational Meeting of the Ramsey County Regional Railroad Authority was held at 9:45 A.M. in the City Council Chambers on Monday, June 15, 1987.

Members Present:
Commissioner Diane Ahrens
Commissioner John Finley
Commissioner Ruby Hunt
Commissioner Duane McCarty
Commissioner Donald Salverda
Commissioner Warren Schaber
Commissioner Hal Norgard

Also Present:
Michele Timmons represented the County Attorney's Office, John Velin, Frances Glendenning

Commissioner Finley opened the meeting, as the County Board had elected him to be Chairman of this Regional Railroad Authority. However, we have received the legal opinion from the County Attorney, and the Authority is to meet and appoint officers. Therefore, the Authority Members must vote for the election of the Chairman.

Commissioner Norgard moved the following recommendation, seconded by Commissioner Ahrens.

The Ramsey County Regional Railroad Authority nominates Commissioner John T. Finley for the office of Chairman. There being no further nominations, the vote was taken.
Roll Call:
Ayes - 7, Nays - 0
Motion carried.

Chairman Finley said that Commissioner Duane McCarty is involved in the Ad Hoc Committee, and he would like to nominate Duane McCarty for office of Vice-Chairman.

Commissioner Norgard moved the following recommendation, seconded by Commissioner Hunt.

The Ramsey County Regional Railroad Authority nominates Commissioner Duane McCarty for the office of Vice Chairman. There being no further nominations, the vote was taken.
Roll Call:
Ayes - 7, Nays - 0
Motion carried.

Chairman Finley said he would like to suggest that Commissioner Ruby Hunt and Commissioner Warren Schaber serve in either one of the capacities of Secretary and Treasurer, as both of these Commissioners have possible railways that we could be looking at in their particular districts.

Commissioner Norgard moved the following recommendation, seconded by Commissioner McCarty. There were no further nominations.

The Ramsey County Regional Railroad Authority nominates Commissioner Warren Schaber as Secretary, and Commissioner Ruby Hunt as Treasurer.

Roll Call: Ayes - 7, Nays - 0
Motion carried.

Chairman Finley had asked everyone to try to accumulate and raise any issues that we should be looking at. Several people have been contacting him in the last few weeks, inquiring as to where we are in our process, he has attended meetings in the last week. At this meeting the question was raised on the Port Authority and City Representatives, regarding Shepherd Road and the possible realignment, and the railway right of ways. Downtown Council is concerned, as if we do nothing, downtown St. Paul can be affected by the actions of Minneapolis and Hennepin County. Hennepin County is very willing to work with coordinated efforts. Hennepin already has a staff person on board just dealing with railroad matters. From Ramsey County we do not have any coordinated perspective, and it is difficult to respond to the constitutents' questions.

This data that we have accumulated includes issues raised regarding budgeting, administrative, and we should make an effort to review these items within the next week. We will need to get some money over to the Railroad Authority, so even if we have County staff/certain things at the present time, which may be a good deal, there should be a reimbursement formula for that time. We have Kathy DeSpiegelaere who has done a great deal of work for the Public Works Department, and we have Pat O'Malley in the CED Office who would be involved if we even start talking to the railways about any acquisition or plans for abandonment. We have Michele Timmons in the County Attorney's Office as someone is going to have to be involved if we go further. These are all things that have to be set in our minds whether or not we should have a person initially on a contractual relationship to tie all this together, whether we should borrow someone from own staff. Chairman Finley views from three different fronts; one, we should find out what the other counties are doing, and he has somewhat of a handle on that from the top of it, but he does not know what they are doing as far as staff is concerned. Anoka and Hennepin both have railroad authorities. Washington County is looking at the railway authority as part of the East Metro Partnership Deal. They want to be coordinated with us, as does Hennepin County because of the link of the two downtown areas, and the link to the airport. The second area is just the functions within our County ourself, where are we, where are the lines, what may be used, what is being considered for abandonment, what is being abandoned within our County and how does that relate to rail lines that are in counties adjacent to us, such as Washington, Anoka, Hennepin.

The third area is what is the relationship to the other entities, the governments that are not in the railway business, such as the City of St. Paul, the Metropolitan Council who has review power over acquisitions, and fourth, the studies that have been done by all these entities and how they relate to overall traffic patterns within Ramsey County. Some Board members have been involved in different phases, as well as certain staff in our own County have been involved in some phases.

Chairman Finley would like to have the Board crystalize the issues for next week's meeting which will follow the County Board meeting on June 22, 1987.

Commissioner Hunt asked if at that time the Board should be prepared to address the points raised by Kiki Sonnen, and there were some City Council resolutions which were sent. She feels this should be looked at to see how this can be worked into our procedures, asthere was some offer of staff help.

Chairman Finley agrees with this, as we did provide in the initial resolution the advisory process.

Terry Schutten said we have completed the staff work on that, he received it last night. He will change the face sheet, and send this out to all members this week so that will be complete also.

Commissioner Ahrens discussed the process where we would have to announce the fact that we want to exercise the power to tax, and then all of the municipalities have to be informed of that. If the Board does not have any money, there is the question of how it would be paid back to the County. This needs to be addressed very quickly, and get Ms. Timmons opinion on that as to how we can go about that.

Chairman Finley explained that we would not levy until 1988. We have the opinion from Elaine Ashbaugh that we can borrow the money; if we request it, the County can loan us the money. We cannot levy until we are able to collect, which would be for next near's taxes, but we have to get the process going. No one has the authority to stop us from levying the two mills.**The people have the right to a reverse referendum to negate the levy action if they should elect to do so.**
Commissioner McCarty referred to the documentation, F-4, as the conclusion given is that the County Board has the authority to loan or donate the $25,000 upon request by the Authority. Therefore, there should be no problem.

Michele Timmons said there are two issues, there is very clear authority to donate the money, as well as to lend the money, so this should not be a problem with the County giving money under either circumstance to the Regional Authority. Also, the point is well taken that if we do wish to establish authority for the Regional Rail Authority to levy a tax, we should begin that process as it would take a minimum of nine weeks under the law to establish that authority, assuming that there is no petition, and that we do not have to take it to a vote; this would be the minimum period. Chairman Finley does not feel that we are at the point where all of a sudden we should be sending a notice out regarding the levy, as we do not have enough information to know what we would do with the funds. We would be opening ourselves to many questions that we would not be able to answer. He would like to wait on

**Amended, see minutes of June 22, 1987 meeting.

this issue and deal with it as a small loan to get us in a position to decide whether or not we should even proceed to levy anything for 1988. We need to get our advisory process in place, and still have ample time to do it.

Commissioner Schaber agreed with what Chairman Finley was saying, but what he is concerned with is the coordination and the pragmation that we do have the Port Authority, City of St. Paul, St. Paul has sewer lines along the railroad lines and they do have easements for that. We are going to have to get someone on board on a full time basis to be doing this, and the County Attorney's Office is going to have to assign someone specifically to do this, as what we do hinges on the legality, and how we set these functions up.

Chairman Finley will proceed to set up the agenda, specifically addressing the attached information, as well as what will be provided regarding Citizen Participation, and we will act upon the Request for the Loan, whether we are going to be setting up the account, and whether or not it will be an enterprise fund, or whatever. This meeting will be held on June 22 following the Board.

Chairman Finley asked that Ms. Timmons and Mr. Van Houdt discuss how they would suggest this, how would it be easiest to administer if we set up an account.

There being no further matters to come before the Board, Chairman Finley declared the meeting adjourned.

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AGENDA

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Monday, July 27, 1987

Conference Room - Room 316

Immediately following the
County Board Meeting

1. Minutes - of the Regional Railroad Authority Meeting of June 22, 1987.

2. Status Report on Regional Railroad Authority Advisory Committee Prepared by Pat O'Malley.

3. Summary of Activities relevant to the Ramsey County Regional Railroad Authority - prepared by Kathryn DeSpiegelaere.

4. Activities of the Hennepin County Regional Rail Authority - prepared by Kathryn DeSpiegelaere.

5. Report on Rights of Way - Ramsey County - prepared by Pat O'Malley.

6. Joint Powers Agreement between Ramsey County and the Ramsey County Regional Railroad Authority - Draft.

7. Taxing Authority - Discussion.

8. City of St. Paul - Public Hearing held July 22, 1987 - Resolutions by City Council.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

MEETING

June 22, 1987

The meeting of the Ramsey County Regional Railroad Authority was held on Monday, June 22, 1987, in the City Council Chambers. Chairman Finley called the meeting to order at 11:05 A.M.

Members Present: Chairman John Finley
Commissioner Diane Ahrens
Commissioner Ruby Hunt
Commissioner Hal Norgard
Commissioner Donald Salverda
Commissioner Warren Schaber

Members Absent: Commissioner Duane McCarty

Also Present: Michele Timmons represented the County Attorney's Office
Frances Glendenning

1. Minutes - of the June 15, 1987 Organizational Meeting of the Regional Railroad Authority.

Commissioner Ahrens suggested that the minutes be clarified, on Page 3, the seventh paragraph, that the statement, "No one has the authority to stop us from levying the two mills", be expanded upon. The people have the right to a reverse referendum to negate the levy action if they should elect to do so. (this will be included in paragraph.)

Commissioner Norgard moved the following recommendation, seconded by Commissioner Hunt.

The Ramsey County Regional Railroad Authority approves the minutes of the Organizational Meeting held on June 15, 1987, as written with the revision.

Roll Call: Ayes - 6. Nays - 0
Motion carried.

2. Funding/Legal Opinion - Request $25,000 Loan from Ramsey County.

Chairman Finley discussed the Legal Opinion from the County Attorney's Office with regard to funding, which can be inthe form of a loan from Ramsey County, the Rail Authority will present this request to the County Board for consideration at the next Board meeting.

Michele Timmons advised the Committee that the proposed resolution was prepared by the County Attorney and Budget and Accounting Offices. This will cover the establishing of the appropriate account.

Chairman Finley said that all expenditure of funds will come back to the Regional Railroad Authority before disbursement.

Commissioner Ahrens moved the following recommendation, seconded by Commissioner Hunt.

The Ramsey County Regional Railroad Authority requests that the Ramsey County Board of Commissioners adopt the proposed resolution approving the loan of $25,000 to the Regional Railroad Authority as follows:

WHEREAS, the Ramsey County Board of Commissioners has established the Ramsey County Regional Railroad Authority and the Regional Railroad Authority needs to gather the information and studies which have been done on the Railroad Authority corridors within Ramsey County and corridors outside of Ramsey County which may affect the Ramsey County Transit System, Now, Therefore, Be It

RESOLVED, that the Ramsey County Board of Commissioners authorizes the Executive Director to advance from Fund Balance in the County Revenue Fund to the Ramsey County Regional Railroad Authority, the amount of $25,000; and Be It Further

RESOLVED, that this sum so advanced by the County shall be charged to the Regional Railroad Authority and shall be repaid with interest at a rate equal to the average yield on County investment during the life of the loan. In the event that the Regional Railroad Authority does not obtain power to tax, the $25,000 shall be considered a donation and repayment shall not be required.

RESOLVED, that the Executive Director shall establish the appropriate account for depositing and expending funds for the Ramsey County Regional Railroad Authority. All claims for payment will be approved by the Regional Railroad Authority before disbursement.

Roll Call: Ayes - 6, Nays - 0
Motion carried.

3. Citizen Participation Process

Chairman Finley discussed the memo prepared by Judy Karon, that there be two citizens selected from each Commissioner District, and the application form which was adopted by the County Board today for any Ramsey County Committees or Task Force. The form which the Board adopted today he is recommending that the Rail Authority use to recruit applicants.

Commissioner Schaber commented that what Ms. Karon has suggested is fine for the overall County, however, for any particular proposal coming from the Regional Railroad Authority, he does not believe it goes far enough if a line is going through a certain district. We should involve other people in the process, so that in that particular area we would have the kind of input we need.

Commissioner Schaber suggested that we have a special committee for particular areas, that a membership of seven people would be appropriate for any particular line to allow them the right to become involved as his sense of feeling is that people want to become involved in this issue. This committee would only have the ability and authority to make comments on that particular issue, and not on all issues. We have to permit the people to become involved in specific areas and get their input.

Chairman Finley agreed that this is a good suggestion, so we could advise the members of the Advisory Committee that these seven people would be appointed to a task force, we could reserve the right to appoint the task force on a particular line, but their recommendation could be reserved for the Advisory Committee, as the Advisory Committee may want to look at it for the total county viewpoint. At this point we would not be usurping what the Advisory Committee would be thinking. Chairman Finley said he would be able to support this.

Commissioner Hunt said she was going to suggest that the task force approach, but the recommendation should go through the overall Advisory Committee so that it would have total County perspective. Basically, this recommendation is good, it addresses the type of input that we should have. Commissioner Hunt recommends that we adopt the application, and the process but add to it the task force committee by the Regional Railroad Authority if the need arises.

Chairman Finley said if we are going to adopt this, we should have no more than seven on the task force committee, and if we set the ground rules in the beginning, it will not be so unwieldly.

Commissioner Schaber agrees on the overall, but is concerned that we have specific input for those people on a particular line, and can support what we are saying in basic conceptual, but would like to have this cleaned up by the next meeting, so we can proceed with the Advisory Committee.

Commissioner Hunt's concern is that maybe a seven member task force might not be enough to encompass the area involved. Commissioner Schaber feels that the specific number should be set, as if we don't do this we may have pressure from community organizations.

In response to Commissioner Schaber's question, Chairman Finley said the members of the Advisory Committee should not be a part of the Task Force Committee.

Commissioner Salverda said he feels this should be an open sub-committee, the membership of seven is fine.

Commissioner Hunt moved the following recommendation, seconded by Commissioner Schaber.

The Ramsey County Regional Railroad Authority approves the following process for the selection of the Advisory Committee:

The Committee be comprised of fourteen persons, one from each district will be appointed to serve for a two-year term, and the other would be a four year term. Following the completion of the first two year term, future members will be appointed to four year terms, A task force or sub committee consisting of seven members may be appointed by the Railroad Authority to consider certain areas which may be involved in light rail transit, said task force will provide the input to the Advisory Committee for overall County consideration. The application form for recruiting members to the Advisory Committee is approved. The CED is to suggest a format for the Task Force, to be brought back.
Roll Call: Ayes - 6, Nays - 0
Motion carried.

4. Staff Support

The Regional Railroad Authority Board discussed the memo from Mr. Schutten of June 11, 1987

Mr. Schutten recommended that Patrick O'Malley would be the appropriate person to act as a liason in the area, and that Kathy DeSpiegelaere from Public Works could work on designated areas with him.

Commissioner Hunt moved, seconded by Commissioner Schaber, the following recommendation.

The Regional Railroad Authority approves the recommendations from the Executive Director Terry Schutten that Patrick O'Malley be appointed as the liason person to work with the Regional Railroad Authority, and that Kathy DeSpiegelaere of the Public Works Department will work with Mr. O'Malley on designated areas.

Roll Call: Ayes - 6, Nays - 0
Motion carried.

Chairman Finley discussed a memo received regarding the Hennepin County Rail Authority, dated June 18, as can be seen they are proceeding, and they are a little more definitive as to plans and designs. They are doing some of the same things that we are deciding to do, and from the looks of this they are still accumulating data, and they may not be as far along as we thought since the acquisition of the corridor.

5. Fiscal/Budget & Accounting
6. Risk Management

Chairman Finley discussed the memo prepared by James Van Houdt, that the Regional Railroad Authority could be treated as a separate department.

Mr. Van Houdt said they could draft an agreement between the Railroad Authority and Ramsey County emcompassing the areas of budget and accounting, risk management, County Attorney, personnel, and would plan on bringing this back to both the Authority and the Board for approval.

Commissioner Schaber commented about Hennepin County as he understands th are still researching the possibility of the Enterprise Fund. Mr. Van Houdt said Anoka County is considering this also.

Terry Schutten commented that it could be both enterprise fund and a department.

Mr. Van Houdt discussed the disbursements, they would come to the Railroad Authority to be ratified, and then the Budget and Accounting would disburse the funds.

Commissioner Schaber moved the following recommendation, seconded by Commissioner Salverda.

The Regional Railroad Authority requests the Budget Accounting and County Attorney Office to draft an appropriate agreement between the Regional Railroad Authority and the Ramsey County Board dealing with the matters of budgeting and accounting, county attorney, risk management, data processing, personnel services, and this proposed contract be brought back to this Board for approval, and approval by the Ramsey County Board of Commissioners.

Roll Call: Ayes - 6, Nays - 0
Motion carried.

7. Property Issues

Chairman Finley said Pat O'Malley has been assigned by the CED Office to work with the Railroad Authority, and the important issue will be property. Surface property is a concen, he will have to find out what is being abandoned, and where it is in the process, also from a legal standpoint as to what they plan to abandon, and then we would have to submit an application to the State.

Michele Timmons said there is an opportunity for public authorities to acquire the property with certain time deadlines which we will have to check into.

Chairman Finley does not feel there is any sense in spending time on items which are not of urgent importance, as there are other matters which may be more urgent. Commissioner Schaber commented that we have to prioritize our own concerns also. He is not even convinced that light rail is some thing that we should do, he will still have to be convinced that is is worthwhile, he does not even know if this is the proper mode to even look at. There may be some uses and the E-W corridor is one.

Chairman Finley commented that the E-W corridor might be the only one that could be self-supporting. However, we should look at the options, but he is not convinced either that anything other than the E-W corridor makes any sesne at all but we should have the opportunity to consider all options.

Chairman Finley asked the Board if we feel comfortable to get a report back as to where we are, as to what tracks are available.

Commissioner Salverda moved the following recommendation, seconded by Commissioner Hunt.

The Regional Railroad Authority requests that data be accumulated, and a report be made as to the railroads, proposed abandonments, rights of way, and this be brought back to this Board.

Roll Call: Ayes - 6, Nays - 0
Motion carried.

8. City of St. Paul

Chairman Finley informed the Board that Councilperson Sonnen's proposed resolution to the City Council has been laid over until July 22nd, with the plan to have a public hearing on that date. This deals with the task force and the Burlington Northern line.

9. Metropolitan Council

Chairman Finley said we have dealt with this in asking Pat O'Malley and the staff to look into the surface areas, abandonments, etc.

Commissioner Salverda asked how often does this Board plan on Meeting.

Pat O'Malley said it may take a month to obtain the information requested.

Chairman Finley suggested that July 27, 1987 be set as the date for the next meeting, immediately following the County Board.

There being no other matters to come before this Board, Chairman Finley declared the meeting adjourned.

REQUEST FOR BOARD ACTION RAMSEY COUNTY

2

Department Summary
To be completed by Originating Department

Regional Railroad Authority
Originating Department

Patrick T O'Malley — 7-17-87
Authorized Signature — **Date**

Board Action Requested

Status report on the Regional Railroad Authority Advisory Committee.

Request Justification

See attached memo from Pat O'Malley dated 7/17/87 regarding Citizen Participation process.

Executive Director Summary
To be completed by County Executive Director's Office

Budgeting and Accounting	N/A
County Attorney	N/A
Risk Manager	N/A
Data Processing	N/A

Previous Action taken on Request

Date / Time Received By County Executive Director

Comments / Recommendation

Documentation certified complete for:
REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 7/27/87	J L Glendenning — Signature	7/21/87 — Date
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

RAMSEY COUNTY

Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

County Commissioners
Diane Ahrens
John T. Finley
Ruby Hunt
Duane W. McCarty
Hal Norgard
Donald E. Salverda
Warren W. Schaber

M E M O R A N D U M

TO: Commissioner Ahrens
Commissioner Finley
Commissioner Hunt
Commissioner McCarty
Commissioner Norgard
Commissioner Salverda
Commissioner Schaber
Terry Schutten

FROM: Pat O'Malley

DATE: July 17, 1987

RE: Regional Railroad Authority Status

The following information is to update you on the status of matters concerning the Regional Railroad Authority.

A press release was issued June 30, 1987, requesting applications for the Regional Railroad Authority Advisory Committee. As of July 16, 1987, 26 applications have been mailed out for the committee. Of the 26 mailed out, six have been filled out and returned.

After July 31, 1987, the applications that have been received will be distributed to each Commissioner; each Commissioner will select two members to serve on the Regional Railroad Advisory Committee.

The City of Maplewood is planning to submit a resolution to its city council on July 27, 1987, advising the Regional Railroad Authority on its recommendations concerning the Burlington Northern line between St. Paul and White Bear Lake.

Please let me know should you have any questions.

PTO/cam

REQUEST FOR BOARD ACTION RAMSEY COUNTY

REGIONAL RAIL AUTHORITY

3

Department Summary
To be completed by Originating Department

Ramsey County Public Works
Originating Department

Authorized Signature — Date: 7/17/87

Board Action Requested

Discussion Item:

Summary of activities relevant to the Ramsey County Regional Railroad Authority.

Request Justification

Discussion has occurred at previous Regional Rail Authority meetings concerning past activities of Ramsey County regarding rail abandonments and development of light rail transit. Attached is a synopsis of these events prepared by Kathy DeSpiegelaere of the Public Works Department. Ms. DeSpeigelaere will be available on any of the items as requested.

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Pat O'Malley 7-22-87

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
REGIONAL RAILROAD AUTHORITY
Committee / Meeting Date 7/27/87

F L Glendenning — Signature — 7/21/87 Date

Committee / Meeting Date — Signature — Date

County Board Date — Signature — Date

CB-21

SUMMARY OF ACTIVITIES
RELEVANT TO
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Prepared July, 1987, by Kathryn DeSpiegelaere

SUMMARY OF ACTIVITIES RELEVANT TO RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

The purpose of this report is to summarize actions of relevance to the Ramsey County Regional Railroad Authority which have occurred since 1980, when state legislation was enacted permitting establishment of regional railroad authorities by counties and when federal legislation deregulated the railroads.

Railroad Abandonments in Ramsey County

Deregulation of the railroad industry has resulted in abandonment by railroad companies in recent years of many miles of track. Ramsey County has not advocated the abandonment of rail lines in the County, but has monitored that activity because of its impact on County responsibilities.

Three abandonments have occurred in the 1980's in Ramsey County. They are:

- Soo Line tracks from Trout Brook Junction in St. Paul to I-694 in Oakdale were abandoned in 1982. (Figure 1). That right of way was purchased in 1984 by the Minnesota Department of Natural Resources for a nonmotorized recreational trail. The trail has not been developed to date. Commissioner Hal Norgard was a member of a task force considering reuse of the corridor in 1982.

- Burlington Northern tracks from White Bear Lake to Stillwater were abandoned in 1982. Most of that line was in Washington County. A portion of the right of way (Figure 2) is owned by the Minnesota Transportation Museum. Adjacent residents own other portions of the right of way and some remains in ownership by Burlington Northern.

- Burlington Northern tracks from Kellogg Boulevard near downtown St. Paul to Beam Avenue in Maplewood were in the abandonment process in 1987 (Figure 3). The potential ownership and use has not been determined. Commissioner Duane McCarty was a member of a committee discussing the abandonment.

Transit Planning in the Twin Cities

Alternatives to buses were considered since the mid 1960's by the Minnesota Highway Department, Metropolitan Transit Commission, Metropolitan Council and others.

One alternative that has been considered in the Twin Cities is light rail transit (LRT). LRT uses rail cars powered by electricity from an overhead wire. It operates with a driver in mixed traffic or on its own exclusive right of way.

The state legislature in 1980 directed the Metropolitan Council to study the feasibility of LRT in the Twin Cities. Two of the corridors studied, University Avenue and St. Paul Northeast, were in Ramsey County. The study determined that LRT could be feasible in the Twin Cities and that the University Avenue corridor had the highest potential of all alignments considered. The report, called, "The Feasibility of Light Rail Transit in the Twin Cities Metropolitan Area," was issued in 1981.

In 1982 the Metropolitan Council began preparation of a transportation study, an "Alternatives Analysis and Draft Environmental Impact Statement" for the University Avenue and Southwest (Hennepin County) corridors (Figure 4). An additional transit corridor, Hiawatha (Hennepin County) was added to the report while it was in progress. LRT was one alternative analyzed. Commissioners Diane Ahrens and John Finley served on the steering committee for the project.

The detailed study included a citizen participation process. In Ramsey County, advisory committees were formed for the downtown St. Paul and University Avenue areas.

Results of the study gave priority to transit investments in the University Avenue corridor. Although some agencies favored LRT in the corridor, the spacing of stations was an unresolved issue. Ramsey County has not taken a position on the study. The study has not yet been approved for hearing purposes by the federal Urban Mass Transportation Administration, although it was completed by staff in 1985.

The Regional Transit Board's plan in 1985 to begin preliminary engineering for LRT in the University Avenue corridor was halted by the state legislature.

A study completed in 1986, the "Long Range Transit Analysis," was also conducted by the Metropolitan Council. This study examined the entire Twin Cities area for major transit capital investments, including LRT. In Ramsey County, the Central corridor, consisting of University Avenue (LRT or busway) or I-94 (preferential access), was in the highest priority category. Four other Ramsey County corridors radiating north, west, southwest and northeast from downtown St. Paul ranked in the third priority category for major transit capital investments.

Regional Railroad Authority Legislation

Chapter 616, Laws of 1980, provided for the establishment of regional railroad authorities by counties to preserve and improve local rail service, particularly in the case of abandonment of local rail lines.

Hennepin County formed a regional rail authority, acquired abandoned rail right of way in the southwest corridor and has actively proposed its use for LRT.

In 1982, through the Metropolitan Inter County Association, Hennepin County proposed that all seven metropolitan-area counties form a Minnesota Metropolitan Regional Rail Authority. Although Ramsey County passed a resolution of agreement, not all seven counties took that action. The Authority, therefore, never was constituted.

Subsequent legislation allowed cities to form regional railroad authorities if counties do not do so and decreased the levy power from four mills to two mills annually of a regional railroad authority in the metropolitan area.

Ramsey County formed a regional railroad authority in 1987, as have other metropolitan-area counties.

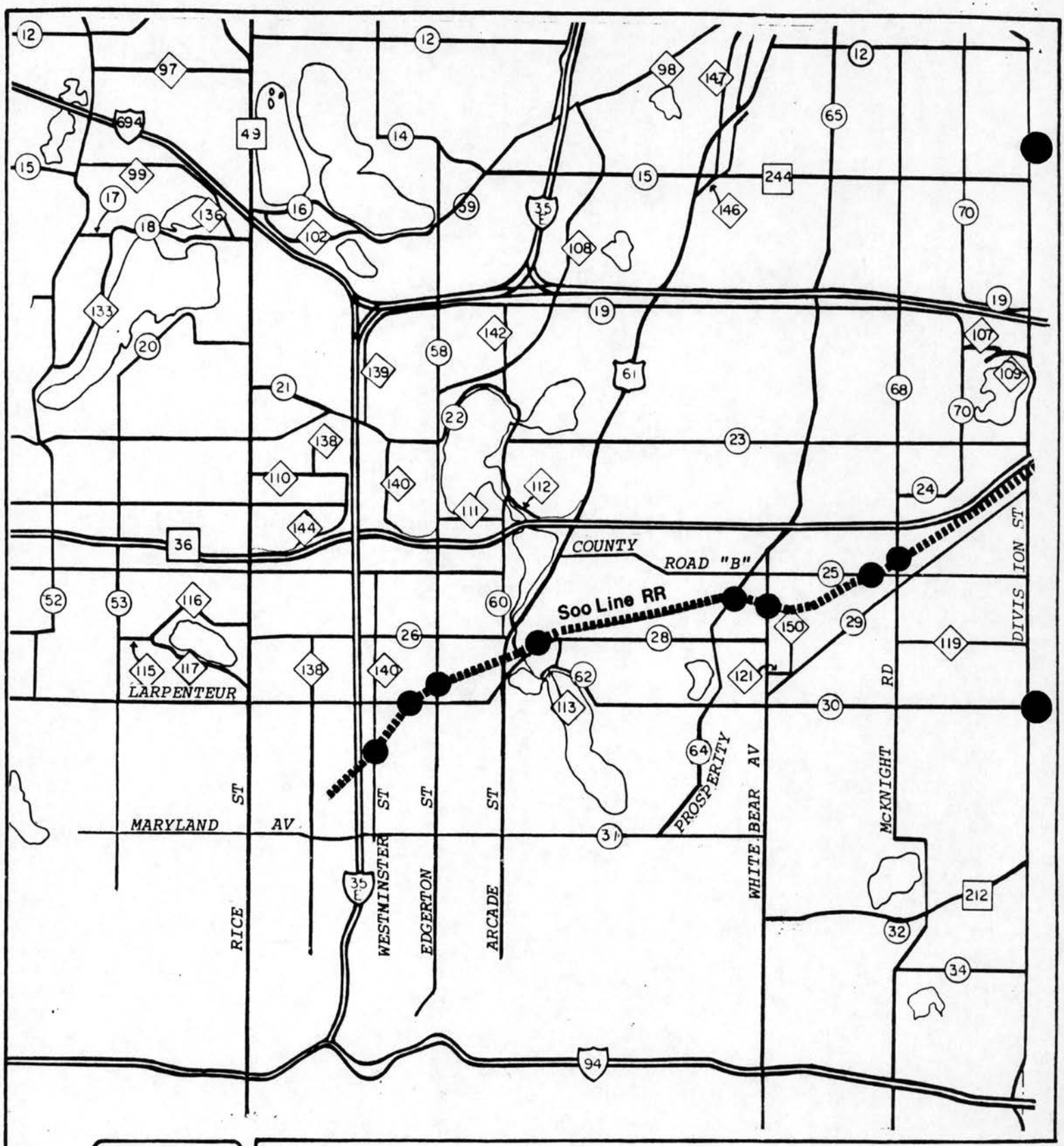
Actions by Ramsey County

The appendix of this report contains resolutions regarding these activities passed by the Board of Ramsey County Commissioners.

Additional Information

Additional information on items outlined in this report may be obtained from Kathryn DeSpiegelaere, Ramsey County Public Works Department, 484-9104.

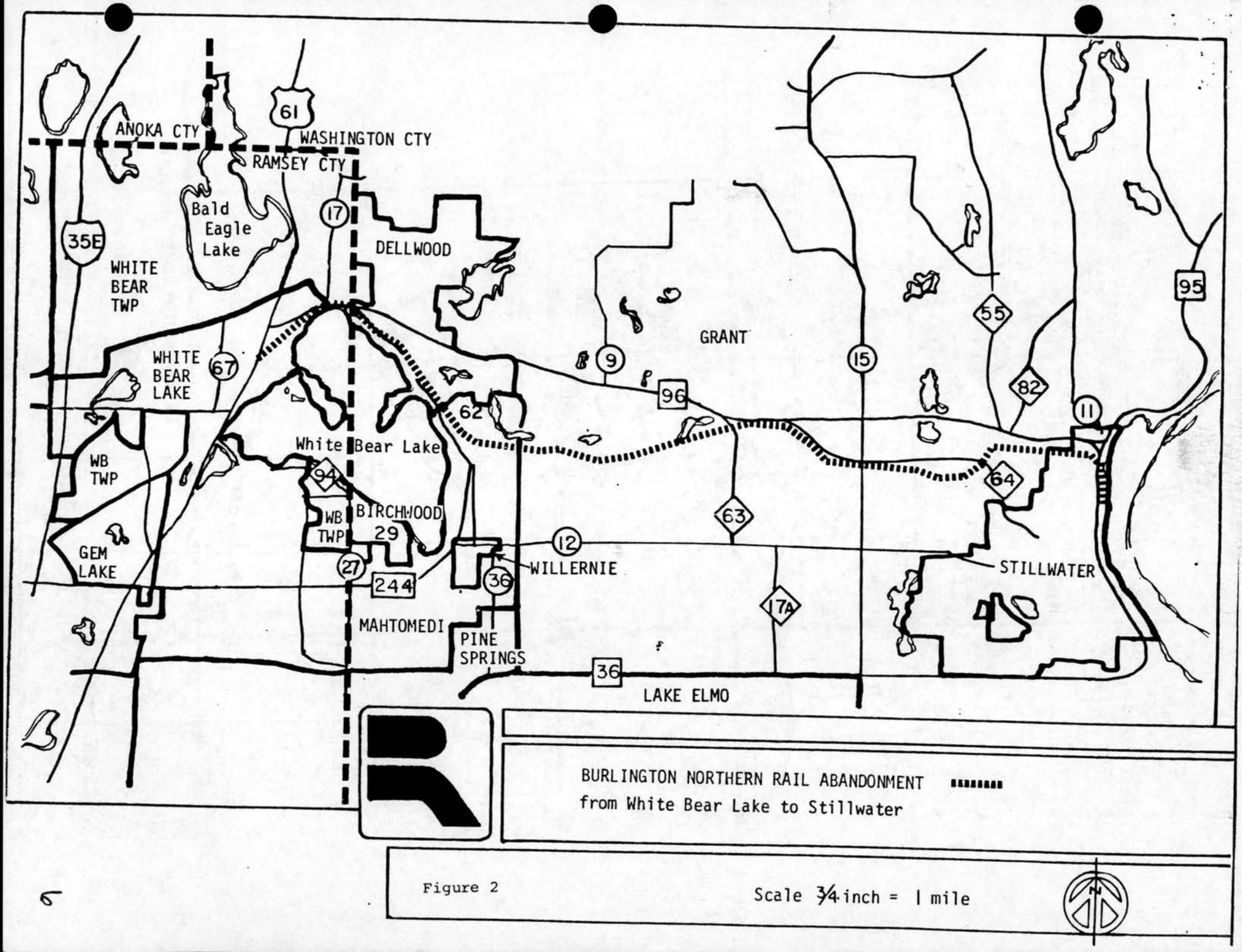
Illustrations



Intersections of County State Aid Highways with Soo Line RR Corridor

Figure 1

N


ANOKA CTY
WASHINGTON CTY
RAMSEY CTY
61
Bald Eagle Lake
17
DELLWOOD
35E
WHITE BEAR TWP
WHITE BEAR LAKE
67
9
GRANT
15
55
95
96
82
11
62
White Bear Lake
WB TWP
94
64
63
BIRCHWOOD
29
WB TWP
12
GEM LAKE
27
244
36
WILLERNIE
STILLWATER
17A
MAHTOMEDI
PINE SPRINGS
36
LAKE ELMO
BURLINGTON NORTHERN RAIL ABANDONMENT
from White Bear Lake to Stillwater
Figure 2
Scale 3/4 inch = 1 mile
N

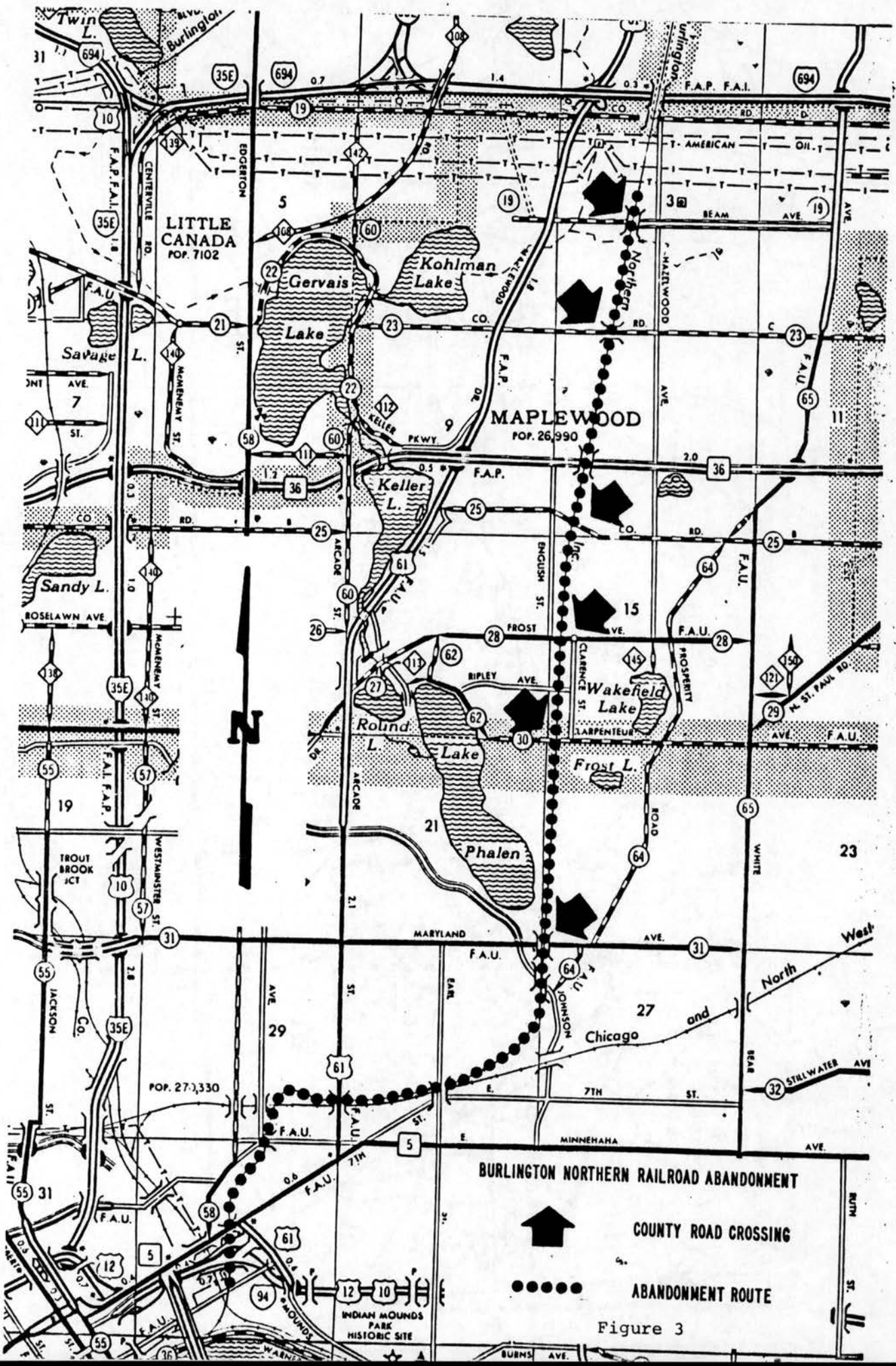

LITTLE CANADA
POP. 7102
MAPLEWOOD
POP. 26,990
Gervais Lake
Kohlman Lake
Keller L.
Savage L.
Sandy L.
Round L.
Wakefield Lake
Frost L.
Phalen
Twin L.
Burlington
Northern
North and Chicago
West
TROUT BROOK JCT
INDIAN MOUNDS PARK HISTORIC SITE
BURLINGTON NORTHERN RAILROAD ABANDONMENT
COUNTY ROAD CROSSING
ABANDONMENT ROUTE

Figure 3

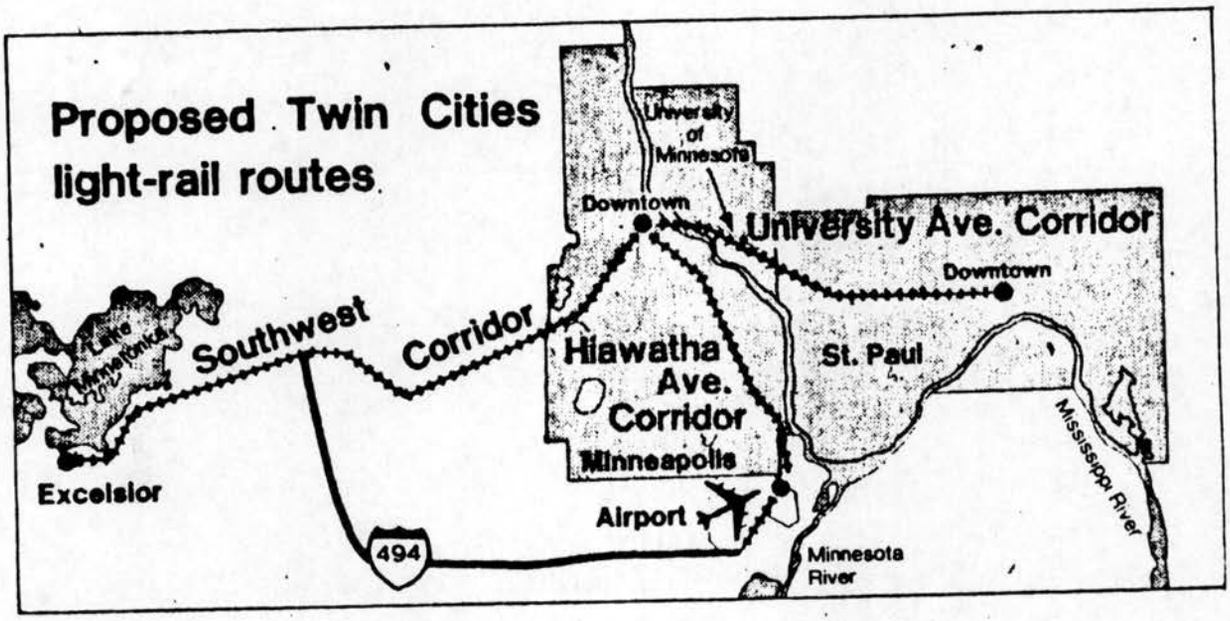

Proposed Twin Cities light-rail routes
University of Minnesota
Downtown
University Ave. Corridor
Downtown
Southwest
Corridor
Lake Minnetonka
Hiawatha Ave. Corridor
Minneapolis
St. Paul
Mississippi River
Excelsior
Airport
494
Minnesota River

Figure 4

Appendix

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Danna Date May 11, 1981 No. 81-396
Attention:

Budget & Accounting; K. Weltzin, Public Works;

WHEREAS, The railroad industry's financial problems have resulted in a desire to abandon unprofitable sections of track with more than 15% of the 7,200 miles of rail line in Minnesota currently being classified as subject to abandonment; and

WHEREAS, There is approximately 28 miles of track within Ramsey County subject to abandonment within the next two years; Now, Therefore, Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby authorizes the Director of the Ramsey County Public Works Department to send a letter to the Minnesota Department of Transportation in support of the State Rail Bank Program; and Be It Further

RESOLVED, That the Board of Ramsey County Commissioners hereby further authorizes the Director of the Public Works Department to contact cities, including St. Paul, and agencies affected by proposed rail abandonments for recommendations regarding the corridors to be abandoned; and Be It Further

RESOLVED, That the Board of Ramsey County Commissioners further authorizes the Public Works staff to further evaluate funding possibilities for acquiring abandoned rail right of way, analyze right of way needs on specific rail corridors and examine the tax implications of acquiring railroad right of way.

NAME	COPY
K. E. W.	
P. F. S.	
G. G. J.	
M. D.	
G. L.	
W. R. L.	
D. G. S.	
	PK
FILE	

PFS 5-13-81 PK 5-14-81 KD 5/14/81

[illegible] J. ORTH, Chairman

By [signature] Chief Clerk - County Board

10

Resolution

Board of

Ramsey County Commissioners

Presented By Commissioner Schaber Date January 25, 1982 No. 82-117

Attention:

Budget & Accounting; Larry Brown, Executive Director;

All Municipal Clerks in Ramsey County; All Mayors in Ramsey County;

Vic Miller - MICA;

WHEREAS, The Metropolitan Inter-County Association Board of Directors unanimously approved a draft resolution and by-laws supporting the creation of the Minnesota Metropolitan Regional Rail Authority which would provide the counties with an opportunity to acquire abandoned rail lines; and

WHEREAS, A resolution must be passed by each county board establishing a date for a public hearing on the formation of the authority and mailed to the governing body of each municipality and county, at least thirty days before the hearing; Now, Therefore Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby gives public notice that a public hearing will be held at 10:00 o'clock a.m. on Monday, March 8, 1982, in the Council Chambers on the third floor of the Court House & City Hall Building at Fourth and Wabasha Streets in the City of St. Paul. The hearing will continue until all wishing to be heard have had an opportunity to express their views on the creation of the Regional Rail Authority.

	COPY
K. E. W.	
P. F. S.	
G. G. J.	
J. B. K.	
G. L. L.	
J. R. L.	✓
D. G. S.	
Kathy D	✓
FILE	

ROBERT J. ORTH, Chairman

By _____
Chief Clerk - County Board

11

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Norgard Date January 25, 1982 No. 82-121
Attention:

Budget & Accounting; Ken Weltzin, Public Works;

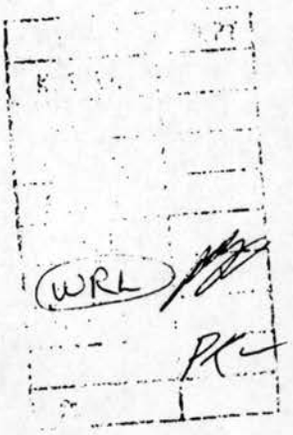
WHEREAS, the Soo Line Railroad Company has filed an application for a certi-cate permitting the abandonment of a railroad line extending from St. Paul to Oakdale, No. AB-57 (Sub-No. 11), with the Interstate Commerce Commission, and

WHEREAS, the majority of this rail line is within Ramsey County; and

WHEREAS, Ramsey County is evaluating potential public use of this corridor for transportation and recreation purposes; and

WHEREAS, Ramsey County would like an opportunity to negotiate with the Soo Line Railroad Company for public use of this corridor; Now, Therefore, Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby requests a 180 day public use negotiation period be granted by the Interstate Commerce Commission for the Soo Line rail line from St. Paul to Oakdale, as discussed in 49 C.F.R. 1121.39.



P/C 2-1-82

ROBERT J. ORTH, Chairman

By Chief Clerk - County Board

12

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Finley Date March 8, 1982 No. 82-250
Attention:

Budget & Accounting; Vic Miller, Executive Director, Metropolitan Inter-County Association; Larry Brown, Executive Director;

WHEREAS, The Laws of 1980, Chapter 616 provide that a Regional Rail Authority may be organized by resolution or joint resolution adopted by the governing body or bodies of one or more counties under the Regional Rail Authorities Act as a political subdivision and local government unit of Minnesota; and

WHEREAS, Railroad right-of-ways are being abandoned in the Metropolitan area periodically with a limited time being provided in the law after abandonment to begin negotiations for purchase of the property; and

WHEREAS, The Metropolitan Counties feel that a structure should be in place which could assure a timely response to abandonment announcements by the Railroads. This could avoid right-of-way sales in which the property is purchased and sub-divided, resulting in a loss to the public of land that should be retained intact for future transportation needs; and

WHEREAS, The Board of Directors of the Metropolitan Inter-County Association approved a Joint Resolution for the Minnesota Metropolitan Regional Rail Authority and By-Laws which create the Minnesota Regional Rail Authority and urged their adoption by the County Boards of each of the seven Metropolitan Counties; Now, Therefore Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby expresses its support for the creation of the Regional Rail Authority pursuant to Minnesota Laws 1980, Chapter 616 and approves the five (5) page Joint Resolution for the Minnesota Metropolitan Regional Rail Authority which is made a part hereof by reference and is on file in the Office of the Board of Ramsey County Commissioners; and Be It Further

RESOLVED, That this resolution is approved subject to changing the last sentence of Section 6 C on Page 3 of the Joint Resolution to read, "The exercise of any of the above powers under this provision shall be done only after approval of each County Board represented by the service area."

ROBERT J. ORTH, Chairman

By James E. Markell
Chief Clerk - County Board

13

Kathy O

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Schaber **Date** April 26, 1982 **No.** 82-416

Attention: Budget & Accounting; M. Thorpe, Exec.Asst.; M. Timmons, Asst. County Atty.; K. Weltzin, Public Works; P. Kirkwold, Public Works; ~~K.~~ DeSpiegelaere, Pub.Wks.; B. Edmonds, Pks. & Rec.; Cities of: Maplewood, North St. Paul, Oakdale, St. Paul; Washington County; Metro Council; Minn. D.N.R.; Minn. D.O.T.;

WHEREAS, The Soo Line has received approval from the Interstate Commerce Commission to abandon a 7.86 mile rail line which runs approximately from Interstate 35-E and Arlington Avenue in St. Paul to Interstate 694 and County 68 in Oakdale; and

WHEREAS, The Interstate Commerce Commission has granted a 120-day public use negotiation period, during which public bodies only may negotiate for purchase of the corridor; and

WHEREAS, Staff from nine governmental units, including Minnesota Department of Natural Resources, Minnesota Department of Transportation, Ramsey County, Washington County, City of Maplewood, City of North St. Paul, City of Oakdale, City of St. Paul, and Metropolitan Council, have reviewed the corridor and made a preliminary determination that there is potential for public use of approximately 60% of the corridor; and

WHEREAS, If no action is taken by the governmental units during the 120-day period, it is likely that the corridor will become a "no man's land" in which undesirable activities will develop, as has occurred in other areas; and

WHEREAS, If no action is taken during the 120-day period, it is likely that small parcels in the corridor will be sold to separate parties, rendering impossible any future continuous use of the corridor; and

WHEREAS, It is not feasible to develop a comprehensive land use plan for the corridor and for each governmental unit to obtain the funds necessary to acquire portions it may wish to use during the short 120-day negotiation period; and

WHEREAS, The Soo Line has indicated informally that it would prefer to work with a single purchaser for the corridor; and

WHEREAS, The most practical approach to a planned use of the corridor would be a joint effort of the several governmental units to purchase the entire corridor, develop a comprehensive, coordinated plan, and then resell to the individual units and to private parties the appropriate parcels for various uses; and

WHEREAS, Considerable work as to legal and financial feasibility will be required before this approach can be implemented; Now, Therefore, Be It

RESOLVED, By the Board of Ramsey County Commissioners that:

(Continued)

ROBERT J. ORTH, Chairman

By _____
Chief Clerk - County Board

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Schaber Date April 26, 1982 No. 82-416
Attention:

1. Ramsey County will participate in further development of this approach and will appoint one or more elected officials of staff persons to represent it on a working task force, the recommended composition of which will be developed by staff and presented to the Board of Ramsey County Commissioners when all of the participating entities have acted on this proposal;

2. Staff of Ramsey County is authorized to participate in initial discussions and negotiations with the Soo Line in order to determine the available options;

3. Staff of Ramsey County is authorized to participate in seeking funds and assistance from outside sources for purposes of undertaking the initial legal and financial feasibility work;

4. This resolution does not constitute any commitment by Ramsey County to provide any funds for development of this approach to acquisition of the corridor nor any commitment to acquire any portion of the corridor. It is understood that the task force to be created will present the results of the discussions and investigations herein authorized to the Board of Ramsey County Commissioners for further action when completed.

ROBERT J. ORTH, Chairman

By Kenneth E. Marshall
Chief Clerk - County Board

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Norgard Date September 7, 1982 No. 82-731
Attention:

Budget & Accounting; ~~Ken~~ Weltzin, County Engineer;

Charles Weaver, Chairman, Metro Council;

WHEREAS, The Metropolitan Council completed a Light Rail Transit Feasibility Study in 1981 which examined light rail transit in five metropolitan corridors, including the Southwest/University Avenue corridors; and

WHEREAS, Ramsey County has been requested to commit a minimum of $18,000 in staff resources to the transportation study for a two year period beginning October 1, 1982; and

WHEREAS, A letter of committment of Ramsey County resources is needed at the Metropolitan Council by September 10, 1982; Now, Therefore Be It

RESOLVED, That the Board of Ramsey County Commissioners hereby supports the submission of a grant application to the Urban Mass Transportation Administration by the Metropolitan Council to fund a study of alternatives and preparation of a Draft Environmental Impact Statement for transportation services in the Southwest/University Avenue Corridors and commits $18,000 in staff resources from October 1, 1982 to December 31, 1984 to the transportation study for this corridor.

NAME	COPY
K. E. W.	
P. F. S.	
G. G. J.	✓
M. D. K	
G. L. L.	
W. R. L.	
D. G. S.	
	PK
FILE	

ROBERT J. ORTH, Chairman

By _____
Chief Clerk - County Board

16

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Norgard Date January 10, 1983 No. 83-18
Attention:

Budget & Accounting; Commissioner Ahrens; Commissioner Finley;
G. Isaacs, Chairman, Metropolitan Council; ~~K.~~ Weltzin, Public Works;

RESOLVED, That the Board of Ramsey County Commissioners hereby ratifies the appointment by the Chairman of Commissioners Ahrens and Finley to serve on the Steering Committee for the Metropolitan Council Light Rail Transit on the Southwest/ University Avenue Corridors which shall be the policy-making body for the project.

NAME	COPY
K. E. W.	
P. F. S.	
G. G. J.	
M. D. K.	
G. L. L.	
W. R. L.	
D. G. S.	
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WARREN W. SCHABER, Chairman

By _____
Chief Clerk - County Board

17

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Norgard Date September 26, 1983 No. 83-714
Attention:

Budget & Accounting; K. Weltzin, Public Works;

WHEREAS, It is in the public interest for public agencies to cooperate for mutual benefit; and

WHEREAS, Ramsey County and the Minnesota Department of Natural Resources as well as other interested parties have recently cooperated in successfully supporting legislation which authorizes the Department of Natural Resources to acquire the abandoned Soo Line railroad grade between Saint Paul and Oakdale; and

WHEREAS, The Department of Natural Resources' use of the grade, a recreational trail, is supported by the County, but is jeopardized by the present owner's need to divest it in timely fashion; and

WHEREAS, It is a key feature of this effort that several of the interested parties in this venture, including Ramsey County, have need of various parcels of the railroad grade for various public improvements, which improvements must be implemented without delay in the interests of public safety and welfare; and

WHEREAS, The authorizing legislation (Laws of Minnesota, 1983, Chapter 344, Section 23) provides for conveyance to other interested parties after acquisition by the Department of Natural Resources; and

WHEREAS, The law specifies that bonds for this acquisition may not be sold prior to July 1, 1984 unless an exception is granted by the State Commissioner of Finance; Now, Therefore Be It

RESOLVED, That the Board of Ramsey County Commissioners does hereby request that the Commissioner of Finance grant an exception as provided by law and arrange for sale of bonds sufficient to make available the appropriation as provided by law for the acquisition of the railroad grade in question, and Be It Further

RESOLVED, That this exception and sale take place at the earliest possible time.

NAME	COPY
K.E.W.	
P.F.S.	
G.G.J.	
M.D.K.	
G.L.L.	
W.R.L.	
D.G.S.	
FILE	

KD 9/30/83

WARREN W. SCHABER, Chairman

pf

By _____
Chief Clerk - County Board

18

Resolution

Board of

Ramsey County Commissioners

Presented By Commissioner McCarty **Date** December 22 1986 **No.** 86-843

Attention:

Budget & Accounting; Ken Weltzin, Tony Crea, Judy Karon, Dave MacMillan, Co. Attorney

---

RESOLVED, The Board of Ramsey County Commissioners authorizes continued County staff involvement in discussions and consideration of abandoned rail line acquisition.

RECEIVED

JAN 05 1986

RAMSEY COUNTY
PUBLIC WORKS

NAME	COPY
K. E. W.	
G. G. J.	
P. L. K.	
G. L. L.	
W. R. L.	
R. H. P.	
D. G. S.	
J. E. T.	
KD	✓
FILE	

Diane Ahrens, Chairperson

By _____
Chief Clerk - County Board

19

KD

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Finley **Date** March 2, 1987 **No.** 87-132
Attention:

Budget & Accounting; All Commissioners; Dave MacMillan, Ass't County Attorney

WHEREAS, Substantial interest has been expressed in the use of abandoned railroad land, and various meetings have concluded there is a need for some official entity to deal with pertinent questions and problems; Now, Therefore, Be It

RESOLVED, The Board of Ramsey County Commissioners hereby declares it is the intention of Ramsey County to constitute the Board of Commissioners as a Regional Rail Authority and requests the County Attorney to prepare the necessary documents for implementation and to advise on the need for public hearings and other appropriate actions.

RECEIVED
APR 29 1987
RAMSEY COUNTY
PUBLIC WORKS

NAME	COPY
K. E. W.	
G. G. J.	
P. L. K.	
G. L. L.	
W. R. L.	
R. E. P.	
D. C. S.	
J. F. T.	
KD	✓
FILE	

PK
Diane Ahrens, Chairperson

By _____
Chief Clerk - County Board

20

NAME	COI
K.E.W.	
G.G.J.	
P.L.K.	
G.L.L.	
W.J.P.	
R.G.S.	
D.T.	J
Ramsey KD	
FILE	

Resolution
Board of
Ramsey County Commissioners

KD

Presented By Commissioner Salverda **Date** April 20, 1987 **No.** 87-230

Attention:

Budget & Accounting; Terry Schutten, Executive Director

RESOLVED, That the Board of Ramsey County Commissioners hereby organizes a regional railroad authority, pursuant to Minnesota Statutes Chapter 398A, to be known as the Ramsey County Regional Railroad Authority ("Authority");

a) That this authority is organized under the regional railroad authorities act as a political subdivision and local government unit of Minnesota, to exercise thereunder part of the sovereign power of the state;

b) That this Authority shall be known as the Ramsey County Regional Rail Authority;

c) That the governing body adopting this organization resolution is the Board of Ramsey County Commissioners;

d) That this Authority shall be governed by a board of seven commissioners; that said commissioners shall be appointed by the Board of Ramsey County Commissioners; that the names and addresses of the members of the first board of commissioners are as follows:

1. Diane Ahrens, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
2. Ruby Hunt, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
3. Duane McCarty, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
4. Hal Norgard, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
5. Donald Salverda, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
6. Warren Schaber, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102
7. John Finley, 316 Court House, 15 W. Kellogg Blvd., St. Paul, MN. 55102

e) That the registered office of this Authority shall be situated in St. Paul, County of Ramsey, Minnesota;

f) That neither the State of Minnesota, the County of Ramsey, nor any other political subdivision is liable for obligations of the authority;

g) That there will be an appropriate citizen participation component, including municipalities, in the rail authority process and the staff is directed to develop such a process, circulate the proposed process for review and comment, and present the process for consideration and approval by the County Board.

RECEIVED

APR 29 1987

RAMSEY COUNTY
PUBLIC WORKS

Diane Ahrens, Chair

By John R Vetsch
Chief Clerk - County Board

21

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Salverda **Date** April 20, 1987 **No.** 87-231
Attention:

Budget & Accounting; Terry Schutten, Executive Director

RESOLVED, The Board of Ramsey County Commissioners hereby appoints Commissioner John T. Finley as the Chair of the Ramsey County Regional Railroad Authority.

RECEIVED

APR 29 1987

RAMSEY COUNTY
PUBLIC WORKS

NAME	COPY
K. E. W.	
G. G. J.	
P. L. K.	
G. L. L.	
W. R. L.	
R. H. P.	
D. G. S.	
J. E. T.	
KD	✓
FILE	

P/L yes Diane Ahrens, Chair

By John R Vesley
Chief Clerk - County Board

22

REQUEST FOR BOARD ACTION RAMSEY COUNTY
REGIONAL RAIL AUTHORITY

4

Department Summary
To be completed by Originating Department

Ramsey County Public Works
Originating Department

Authorized Signature

7/17/87
Date

~~Board Action Requested~~
Discussion Item:

Activities of the Hennepin County Regional Rail Authority.

Request Justification

At the request of the Ramsey County Regional Rail Authority Chair, Ms. Kathy DeSpeigelaere of the Public Works staff has attended meetings and contacted Hennepin County staff regarding recent actions of the Hennepin County Regional Rail Authority. The attached memo from Ms. DeSpeigelaere summarizes these events. She will be available to elaborate on any of the items as requested.

Budgeting and Accounting
County Attorney
Risk Manager
Data Processing
Previous Action taken on Request

Date / Time
Received By
County Executive
Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 7/27/87	Signature	Date 7/21/87
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

MEMORANDUM

To: Ramsey County Regional Railroad Authority
Commissioners Finley, Ahrens, Hunt, McCarty,
Norgard, Salverda and Schaber
Executive Director Terry Schutten

From: Kathryn DeSpiegelaere

Subject: Hennepin County Regional Railroad Authority Resolutions

Date: July 17, 1987

At Commissioner Finley's request, I attended a meeting on June 17 of Hennepin County staff and elected officials discussing what action the Hennepin County Regional Railroad Authority (HCRRA) should take. As a result of that meeting, several resolutions were considered by the HCRRA on June 30. I have obtained copies of the resolutions from Janet Leick, Administrative Assistant, Hennepin County Department of Transportation. The resolutions:

- Request a public use negotiation period for the HCRRA to negotiate purchase of a rail right of way between Hopkins and Chaska (15)

- Request that a comprehensive plan be developed for a light rail transit system in Hennepin County by July, 1988; that cost estimates be developed; that the consultant review rail abandonments with respect to the LRT system (16)

- Direct staff to develop a communication process with other metro regional railroad authorities (17)

- Direct that a contract be negotiated with the consulting firm of BRW to assist in preparing the comprehensive plan and to provide other services (18)

- Direct that actions to establish unencumbered title to lands owned by HCRRA be taken (19)

- Express appreciation to legislators authoring the bill requested by HCRRA (20)

- Urge the Metropolitan Council and Minnesota Department of Transportation to give preference to light rail transit in the I-35W corridor (22)

- Direct negotiations to purchase rail right of way between Second Street South and Cedar Avenue in Minneapolis (23)

A resolution which was layed over authorized appointment by each Commissioner of two people to the HCRRA Citizens Advisory Committee and authorized committee members to inspect light rail transit systems at HCRRA expense.

Recommendation:

For your information.

KD:m

RESOLUTION NO. 15-HCRRA-87

The following resolution was offered by Commissioner Johnson, seconded by Commissioner Derus:

WHEREAS, The Chicago and NorthWestern Transportation Company has declared its intent to file an application for abandonment of its railroad operations between Hopkins and Chaska; and

WHEREAS, The eleven-mile corridor holds considerable potential for future public use as a light rail transit corridor; and

WHEREAS, The Interstate Commerce Commission will review the pending application and render a decision on the appropriateness of the abandonment application; and

WHEREAS, The Interstate Commerce Commission review procedure includes a provision whereby a public body may request that a time period be established to allow the railroad (CNW) and the public body (HCRRA) to negotiate the sale of the abandoned right of way for public use.

BE IT RESOLVED, That the Hennepin County Regional Railroad Authority staff is directed to request that the Interstate Commerce Commission declare a Public Use Negotiation (PUN) period to enable HCRRA to pursue negotiations with CNW for purchase of the CNW right of way subject to abandonment between the cities of Hopkins and Chaska; and

BE IT FURTHER RESOLVED, That HCRRA staff is directed to obtain initial appraisals of the value of the subject right of way.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X	—	—
Randy Johnson	X	—	—
John Keefe	X	—	—
E. F. Robb, Jr.	X	—	—
Sam S. Sivanich	X	—	—
Mark Andrew	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: _____
Sam S. Sivanich, Secretary

RESOLUTION NO. 16R2-HCRRA-87

The following resolution was offered by Commissioner Derus, seconded by Commissioner JOhnson:

WHEREAS, On October 21, 1980 the Hennepin County Board established the Hennepin County Regional Railroad Authority in accordance with the provisions of chapter 616, Laws of Minnesota for 1980; and

WHEREAS, Senate File 282/House File 416, known as Light Rail Transit bill was signed by the Governor on June 18, 1987, outlining the process by which the HCRRA can proceed with planning and development of a light rail transit system; and

WHEREAS, The Statute requires the HCRRA to develop a comprehensive plan by July 1, 1988 for the development of a light rail transit system in Hennepin County which considers at least three primary corridors, including the Southwest corridor, a northern corridor, and a southern corridor.

BE IT RESOLVED, That the County Administrator be directed to outline a comprehensive plan for the development of a light rail transit system in Hennepin County, to be completeled by July 1, 1988 in accordance with the Statute,

BE IT FURTHER RESOLVED, That the County Administrator be directed to develop a public participation process, to be operational during all phases of the project; and

BE IT FURTHER RESOLVED, That the County Administrator be directed to come back to the Board with estimates on how far costs might range in order to achieve various levels of results; and

BE IT FURTHER RESOLVED, That the LRT consultant be directed to review those abandonments which staff has been directed to negotiate for purchase with respect to the total LRT system and make recommendations to the Board.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X	—	—
John Keefe	X	—	—
E. F. Robb, Jr.	X	—	—
Sam S. Sivanich	X	—	—
Mark Andrew	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: _____
Sam S. Sivanich, Secretary

RESOLUTION NO. 17-HCRRA-87

The following resolution was offered by Commissioner Derus, seconded by Commissioner Johnson:

WHEREAS, On October 21, 1980, the Hennepin County Board established the Hennepin County Regional Railroad Authority in accordance with the provisions of Chapter 616, Laws of Minnesota for 1980; and

WHEREAS, The HCRRA has exercised its powers as a railroad authority to buy and preserve right of way for future transit use and to plan for development of light rail transit; and

WHEREAS, Other counties in the metropolitan area have either established regional rail authorities or are in the process of doing so; and

WHEREAS, It is in the best interest of all metropolitan regional railroad authorities to communicate their activities so that a coordinated effort of their individual activities will occur.

BE IT RESOLVED, That staff is directed to develop a process for communication with the various metropolitan county regional railroad authorities.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X	—	—
John Keefe	X	—	—
E. F. Robb, Jr.	X	—	—
Sam S. Sivanich	X	—	—
Mark Andrew	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: Sam S. Sivanich
Sam S. Sivanich, Secretary

RESOLUTION NO. 18-HCRRA-87

The following resolution was offered by Commissioner Andrew, seconded by Commissioner Spartz:

WHEREAS, On October 21, 1980 the Hennepin County Board established the Hennepin County Regional Railroad Authority in accordance with the provisions of chapter 616, Laws of Minnesota for 1980; and

WHEREAS, Senate File 282/House File 416, known as Light Rail Transit bill was signed by the Governor on June 18, 1987, outlining the process by which the HCRRA can proceed with planning and development of a light rail transit system; and

WHEREAS, The Statute requires the HCRRA to develop a comprehensive plan by July 1, 1988 for the development of a light rail transit system in Hennepin County which considers at least three primary corridors, including the Southwest corridor, a northern corridor, and a southern corridor; and

WHEREAS, The Statute requires the HCRRA to consider the ridership potential, the development cost, and the public benefit to be derived from each corridor; and

WHEREAS, Several light rail studies have been done in the Twin Cities Metropolitan area over the past 20 years; and

WHEREAS, The three most recent light rail transit studies, namely, "Light Rail Transit Alternatives in Minneapolis CBD," March 1985, for the Metro 2000 Committee and the Downtown Council of Minneapolis, "Light Rail Transit Implementation Planning Program," March 1985, for the LRT Implementation Committee, and "Long-Range Transit Analysis: A Study of Potential Transit Capital Investments in Twin Cities Corridors," December 1986, for the Metropolitan Council involved technical work by BRW, Inc., Minneapolis.

BE IT RESOLVED, That the County Administrator be directed to negotiate a contract with BRW, Inc., Minneapolis, to assist the HCRRA in completing the light rail transit comprehensive plan required by Minnesota Statute by July 1, 1988, and to provide other services as directed by the HCRRA.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X	—	—
John Keefe	X	—	—
E. F. Robb, Jr.	X	—	—
Sam S. Sivanich	X	—	—
Mark Andrew	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: Sam S. Sivanich
Sam S. Sivanich, Secretary

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RESOLUTION NO. 19R-HCRRA-87

The following resolution was offered by Commissioner Keefe, seconded by Commissioner Johnson:

WHEREAS, The Hennepin County Regional Railroad Authority has purchased the right of way of the Chicago and NorthWestern Transportation Company (CNW) between the cities of Minneapolis and Victoria; and

WHEREAS, The property was transferred to HCRRA from CNW via Quit Claim Deed; and

WHEREAS, Legal staff has determined that bonding for improvements within the corridor requires more stringent proof of ownership than is provided by quit claim deed,

BE IT RESOLVED, That the County Attorney is directed to proceed with actions necessary to establish the unencumbered title to lands owned by the HCRRA and, where appropriate, register title to such lands;and

BE IT FURTHER RESOLVED, That no payments in excess of $1000 shall be made to any entity claiming an ownership interest in any property owned by the Regional Railroad Authority to clear the title without specific approval of the Regional Railroad Authority Board.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X		
John Keefe	X		
E. F. Robb, Jr.	X		
Sam S. Sivanich	X		
Mark Andrew	X		
John E. Derus, Chairman	X		

RESOLUTION ADOPTED JUNE 30, 1987.

ATTEST: Sam S. Sivanich
Sam S. Sivanich, Secretary

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RESOLUTION NO. 20-HCRRA-87

The following resolution was offered by Commissioner Keefe, seconded by Commissioner Spartz:

WHEREAS, Senate File 282/House File 416, known as the Light Rail Transit bill was signed by the Governor on June 18, 1987; and

WHEREAS, The new legislation enables the Hennepin County Regional Railroad Authority to proceed with planning and development of light rail transit; and

WHEREAS, The authors in the Senate are: William Luther, Phyllis McQuaid, Carl Kroening, Clarence Purfeerst, and Roger Moe; and

WHEREAS, The authors in the House of Representatives are: Ken Nelson, Gloria Segal, Sally Olsen, Henry Kalis, and Thomas Osthoff.

BE IT RESOLVED, That the HCRRA hereby expresses its recognition and appreciation for the efforts extended by the authors of the legislation enabling the HCRRA to regain its authority to proceed with planning and development of LRT in Hennepin County.

The question was on the adoption of the resolution and there were 6 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY	YEA	NAY	OTHER
Jeff Spartz	X	—	—
Randy Johnson	X	—	—
John Keefe	X	—	—
Mark Andrew	X	—	—
E. F. Robb, Jr.	—	—	ABSTAIN
Sam S. Sivanich	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: Sam S. Sivanich
Sam S. Sivanich, Secretary

RESOLUTION NO. 22R-HCRRA-87

The following resolution was offered by Commissioner Johnson seconded by Commissioner Derus:

WHEREAS, The Minnesota Department of Transportation and the Metropolitan Council are the joint lead agencies in a study to determine highway and transit needs on I-35W between downtown Minneapolis and Burnsville; and

WHEREAS, Planning and design guidelines for the study include a provision that requires all "build" alternatives to include a transit component; and

WHEREAS, Light rail transit has been identified as one of the transit components eligible for consideration during the study,

BE IT RESOLVED, That the Hennepin County Regional Railroad Authority hereby strongly urges the Minnesota Department of Transportation and the Metropolitan Council as joint lead agencies to adopt light rail transit as the preferred transit component to be included in any improvement of the I-35W corridor; and

BE IT FURTHER RESOLVED, That the location of the transit improvement component be expanded beyond the right of way of I-35W to include adjacent areas which would serve the same purpose of improving transportation within the general corridor of I-35W.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X		
John Keefe	X		
E. F. Robb, Jr.	X		
Sam S. Sivanich	X		
Mark Andrew	X		
John E. Derus, Chairman	X		

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: Sam S. Sivanich
Sam S. Sivanich, Secretary

RESOLUTION NO. 23-HCRRA-87

The following resolution was offered by Commissioner Derus seconded by Commissioner Johnson:

WHEREAS, The Chicago and NorthWestern Transportation Company (CNW) has applied to the Minnesota Transportation Regulation Board (TRB) for authority to retire and remove Main Lines, Industry Tracks, and Yard Tracks, located north of Second Street South and west of Cedar Avenue in Minneapolis; and

WHEREAS, The proposed abandonment includes approximately 0.6 miles of right of way which is an integral link in a riverside alignment for light rail transit; and

WHEREAS, Approval of the application by the TRB will enable CNW to remove trackage and negotiate sale of their property holdings,

BE IT RESOLVED,, That Hennepin County Regional Railroad Authority staff is directed to negotiate with the CNW for purchase of the CNW right of way located between Second Street South and Cedar Avenue in Minneapolis subject to TRB approval of File No. D-5515, Order No. R-4146.

The question was on the adoption of the resolution and there were 7 YEAS and 0 NAYS as follows:

BOARD OF COMMISSIONERS
HENNEPIN COUNTY REGIONAL
RAILROAD AUTHORITY

	YEA	NAY	OTHER
Jeff Spartz	X		
Randy Johnson	X	—	—
John Keefe	X	—	—
E. F. Robb, Jr.	X	—	—
Sam S. Sivanich	X	—	—
Mark Andrew	X	—	—
John E. Derus, Chairman	X	—	—

RESOLUTION ADOPTED JUNE 30, 1987

ATTEST: Sam S Sivanich
Sam S. Sivanich, Secretary

Published in Finance and Commerce Saturday, July 4, 1987

RAMSEY C
PUBLIC WOR
JUL 10 1987

Minneapolis, MN
June 30, 1987

The Board of Commissioners of the Hennepin County Regional Railroad Authority met in the Hennepin County Government Center on Tuesday, June 30, 1987. The meeting was called to order by Chair Derus at 12:30 p.m. All Commissioners were present.

The following business was transacted:

1. Approve Minutes of June 17, 1987
   Moved by Commissioner Spartz, seconded by Commissioner Johnson. There were 7 YEAS; 0 NAYS. Motion adopted.

2. Request the Interstate Commerce Commission to declare a Public Use Negotiation period to enable HCRRA to pursue negotiations with CNW for purchase of right of way between Hopkins and Chaska (15-HCRRA-87)
   Moved by Commissioner Johnson, seconded by Commissioner Derus. There were 7 YEAS; 0 NAYS. Motion adopted.

3. Request staff to negotiate with CNW for purchase of right of way located between Second Street South and Cedar Avenue in Minneapolis (23-HCRRA-87)
   Moved by Commissioner Derus, seconded by Commissioner Johnson. There were 7 YEAS; 0 NAYS. Motion adopted.

4. Development of a comprehensive plan for a light rail transit system and a public participation process (16R-HCRRA-87)
   Moved by Commissioner Derus, seconded by Commisisoner Johnson.
   Commissioner Spartz moved to amend the resolution by adding a fourth resolving clause to read "BE IT FURTHER RESOLVED, That the LRT consultant be directed to review those abandonments which staff has been directed to negotiate for purchase with respect to the total LRT system and make recommendations to the Board." Commissioner Derus accepted this as a friendly amendment. There were 7 YEAS; 0 NAYS. Motion as amended adopted.

5. Communication process with the various metropolitan county regional railroad authorities (17-HCRRA-87)
   Moved by Commissioner Derus, seconded by Commissioner Johnson. There were 7 YEAS; 0 NAYS. Motion adopted.

6. Negotiation of a contract with BRW, Inc., to assist in completing the LRT comprehensive plan required by Minnesota Statute (18-HCRRA-87)
   Moved by Commissioner Andrew, seconded by Commissioner Spartz. 7 YEAS; 0 NAYS. Motion adopted.

7. Direction to County Attorney to proceed with actions necessary to establish unencumbered title to lands and register title (19-HCRRA-87)
   Moved by Commissioner Keefe, seconded by Commissioner Johnson.
   Commissioner Johnson moved, seconded by Commissioner Spartz, to amend the resolution by adding a second resolving clause to read as follows: "BE IT FURTHER RESOLVED, That no payments in excess of $1000 shall be made to any entity claiming an ownership interest in any property owned by the Regional Railroad Authority to clear the title without specific approval of the Regional Railroad Authority Board." The amendment was approved unanimously. The vote on the main motion was 7 YEAS; 0 NAYS. Motion as amended adopted.

8. Commendation of authors of LRT legislation (20-HCRRA-87)
Moved by Commissioner Keefe, seconded by Commisisoner Spartz. There were 6 YEAS; Robb ABSTAIN. Motion adopted.

9. HCRRA urge MnDOT and Metropolitan Council to adopt LRT as preferred transit component to be included in any improvements of the I-35W corridor (22R-HCRRA-87)
Moved by Commissioner Johnson, seconded by Commisisoner Derus. There were 7 YEAS; 0 NAYS. Motion adopted.

9. Commissioner Johnson offered the following resolution, seconded by Commissioner Andrew:
WHEREAS, the Hennepin County Board of Commissioners is desirous of receiving meaningful community input during the consideration of a light rail transit system;
BE IT RESOLVED, That each Hennepin County Commissioner is authorized to appoint two people to the Hennepin County Regional Railroad Authority Citizens Advisory Committee, and members of the Committee may inspect light rail transit systems at Rail Authority expense upon receiving prior written authorization from the Authority's Executive Director.
Commissioner Derus moved to lay the item over to the next Board meeting, seconded by Commissioner Spartz. Motion to lay over unanimously approved.

There being no further business to come before the Railroad Authority, the meeting was adjourned at 12:45 p.m.

Sam S. Sivanich, Secretary

REQUEST FOR BOARD ACTION RAMSEY COUNTY

5

Department Summary
To be completed by Originating Department

REGIONAL RAILROAD AUTHORITY
Originating Department

PAT O'MALLEY
Authorized Signature

7/21/87
Date

Board Action Requested

REPORT ON RIGHTS OF WAY - RAMSEY COUNTY

Request Justification

See attached memo from Patrick O'Malley dated July 14, 1987 status of railroad rights of way, abandonment. etc.

See attached letter to Commissioner Jergens, Washington County from J. T. Finley dated 7/13/87

See attached letter to Commissioner Finley from John Jergens, 6/10/87

Budgeting and Accounting
County Attorney
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time Received By
County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 7/27/87		F L Glendenning **Signature**	7/21/87 **Date**
Committee / Meeting Date		**Signature**	**Date**
County Board Date		**Signature**	**Date**

CB-21

RAMSEY COUNTY

Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

County Commissioners
Diane Ahrens
John T. Finley
Ruby Hunt
Duane W. McCarty
Hal Norgard
Donald E. Salverda
Warren W. Schaber

M E M O R A N D U M

TO: Commissioner Ahrens
Commissioner Finley
Commissioner Hunt
Commissioner McCarty
Commissioner Norgard
Commissioner Salverda
Commissioner Schaber
Terry Schutten

FROM: Patrick O'Malley

DATE: July 14, 1987

RE: Regional Railroad Authority
Railroad Abandonments

At the last Regional Railroad Authority meeting of Ramsey County, I was asked by members of the Board to pursue discussions with the railroads that have operating rights-of-way within Ramsey County to check on the railroads' plans for future use of the rights-of-way. Summarized below are the results of my discussions.

Burlington Northern

Burlington Northern has filed for and received permission to abandon railroad property in Ramsey County (see Example 1, attached map). The rail line abandoned is the same line which parallels T.H. 61. In Ramsey County, this track involves the municipalities of St. Paul, Maplewood, White Bear Township, Vadnais Heights, White Bear Lake and the border of Gem Lake.

Burlington Northern would like to sell this property. Local communities and adjoining property owners have also shown interest in buying this land. Burlington Northern would like Ramsey County to lease the property. This would keep the property off the market until future decisions are made. However, this might not be a good idea, as Ramsey County would be responsible for liability and maintenance of the line.

All other lines that run within Ramsey County owned by Burlington Northern are not available for sale, nor are there any plans to abandon other property at this time.

Soo Line

Soo Line acquired the Milwaukee Road approximately two years ago. Both the Soo and the Milwaukee Road have rail lines running through Ramsey County. Example 2 on the attached map was recently sold to the DNR. The DNR intends to use this line for recreational purposes. The remaining lines as shown on the map operated by the Soo are not for sale, nor does Soo intend to abandon any of its operating property within the next several years. However, the Soo Line might be interested in working out a joint track agreement. Joint track agreements involve sharing the use of the track with the railroad. (Amtrak currently has a joint track agreement with Soo.)

This idea could save the County a considerable sum of money in property acquisition costs. The downside of this plan is if a derailment occurs, the track could be closed and service delayed until the derailment is cleared.

Chicago Northwestern Railroad

Chicago Northwestern has rights-of-way in southern Ramsey County. (See attached map.) The Chicago Northwestern also has an operating right-of-way running east from St. Paul through Hudson, Wisconsin. Like the Soo, Chicago Northwestern may be interested in talking about joint track agreements with the Railroad Authority.

In 1980, Hennepin County purchased from the CNW an operating right-of-way (consisting of 23 miles) for approximately $3 million. This is the line running from Minneapolis to Hopkins. The purchase arrangements included a track agreement with the railroad, allowing both operations to use the right-of-way. The light-rail transit has priority use of the line, and the railroad provides maintenance of the line.

If the Regional Railroad Authority makes a decision to use existing rights-of-way, joint track agreements would have to be negotiated with the railroads. Light-rail transit under this operational plan would be subject to railroad rules of operation. The light-rail transit system would also have to be designed to operate on heavier gauge rail. The main lines of most railroads are not in heavy traffic corridors; however, they serve major metropolitan zones. Stations and pick-up zones for passengers would have to be designed and property would still have to be acquired.

Summary

At this time, it appears that none of the railroads are planning to abandon any additional tracks within Ramsey County. Some railroads would be willing to discuss using their main lines and rights-of-way by means of a joint track agreement. Within Ramsey County, most of the railroads operate under track warrant conditions, or yard limit rules, which reduce the speeds of trains operating in the area. The speed of the LRT would be 40 MPH and, in some cases, less than that. Speeds would be limited, though the LRT would operate on a path of least resistance.

In evaluating future criteria for the operation of LRTs, I would suggest the following:

1) LRTs should be able to operate at speeds of 50 MPH.

2) The Railroad Authority should have exclusive use of rights-of-way.

3) There should be few stops.

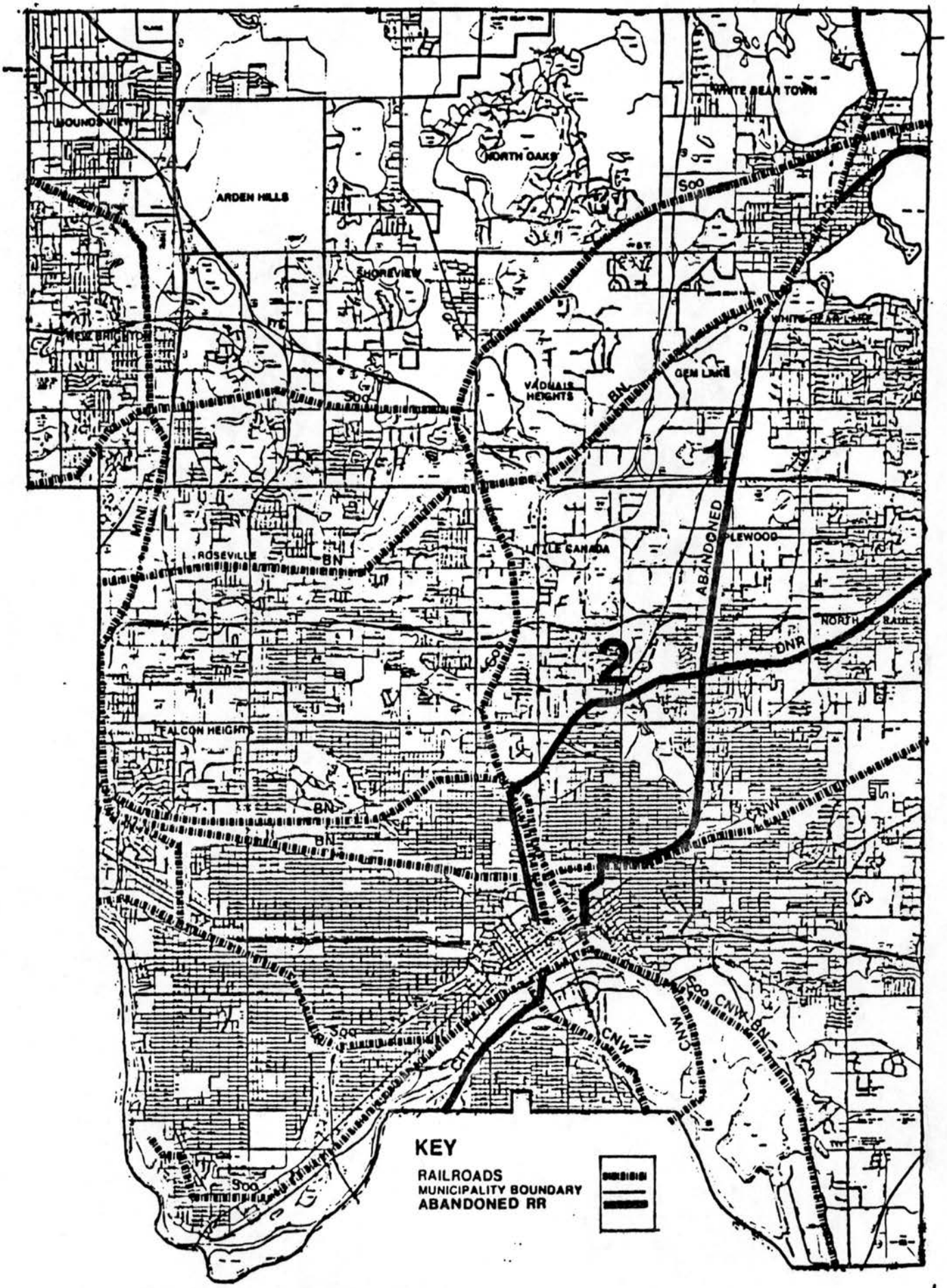
4) The system should be constructed in corridors that are available, rather than corridors for best ridership.

Recommendations

At this time, there does not appear to be a great opportunity to purchase additional rights-of-way, except the Burlington Northern line through White Bear. I would suggest that discussions continue with members of the Railroad Authority concerning purchasing the line; optional corridors are created where corridors are available, rather than corridors of best ridership; other alternative corridors may be created by further discussions with the railroad concerning joint track agreements for east-west traffic patterns.

It is also recommended that we coordinate with other counties concerning LRTs so systems, lines and rights-of-way are compatible as LRT systems may serve more than one metro area.

PTO/cam



RAMSEY COUNTY

CHAIRMAN-
Finance, Personnel & Management
VICE CHAIRMAN-
Waste to Energy Project Board
MEMBER-
Law Library Board of Trustees
Metropolitan Mosquito Control District
Health, Human Services & Corrections

John T. Finley

DISTRICT 3
BOARD OF RAMSEY COUNTY COMMISSIONERS
SUITE 316 CITY HALL and COURT HOUSE
Phone 298-4145



July 13, 1987

Commissioner John Jergens
Washington County Government Center
14900 - 61st Street North
Stillwater, Minnesota 55082

Dear John:

As you know, Ramsey County just set up the railway authority and we are interested in preserving railroad corridors for the possibility of light rail use sometime in the future. We have been dealing with Hennepin County so far which has also set up a railway authority and hope that we can have a total coordination of all efforts throughout the metropolitan area once each of the counties gets their railway authority established. Ramsey County would certainly look forward to working with Washington County in any acquisitions, especially since our joint efforts for coordination in the past have turned out to be so successful.

I am looking forward to working with you and the other members of the Washington County Board on light rail transit.

Yours very truly,

John T. Finley
Ramsey County Commissioner
District #3

JTF/clm

cc Commissioner
Tony Schaller

5

WASHINGTON COUNTY
BOARD OF COMMISSIONERS
GOVERNMENT CENTER
14900 61ST STREET NORTH, P.O. BOX 6 • STILLWATER, MINNESOTA 55082-0006
612/779-5401

John V. Jergens
District 1
Russ Larkin
District 2
Sally Evert
District 3/Chairman
Phillip R. McMullen
District 4
Donald G. Scheel
District 5

June 10, 1987

Mr. John Finley
Ramsey County Board of Commissioners
316 Courthouse
St. Paul, MN 55101

Dear John:

Tom Spence suggested I get in touch with you regarding the Burlington Northern Railroad abandonment in Washington County.

Burlington Northern proposes to abandon the Burlington line between Hugo and Forest Lake and it is apparent that additional abandonments will follow.

Our Board is interested in preserving the corridor for possible future uses and Washington County has filed a comment with the Interstate Commerce Commission asking that the right-of-way be transferred to Washington County for interim trail use under the National Trails Systems Act.

A number of people including Tom Spence believe that the Burlington Northern corridor from St. Paul to Duluth should be preserved for possible light rail use sometime in the future and if you agree with that perhaps some coordination should be initiated between the counties involved.

Please drop me a line or give me a call at your convenience to discuss the possibilities.

Cordially yours,

John V. Jergens

JVJ:smd

Washington County does not discriminate on the basis of race, color, national origin, sex, religion, age and handicapped status in employment or the provision of services

REQUEST FOR BOARD ACTION RAMSEY COUNTY

6

Department Summary
To be completed by Originating Department

REGIONAL RAILROAD AUTHORITY
Originating Department

Authorized Signature — Date: 7/22/87

Board Action Requested

JOINT POWERS AGREEMENT BETWEEN RAMSEY COUNTY AND THE RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY DRAFT

Discussion.

Request Justification

See attached copy of agreement

Budgeting and Accounting
County Attorney — Reviewed by Beth Sullivan
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 7/27/87	J L Glendenning	Signature	7/22/87 Date
Committee / Meeting Date		Signature	Date
County Board Date		Signature	Date

CB-21

REQUEST FOR BOARD ACTION RAMSEY COUNTY

7

Department Summary
To be completed by Originating Department

REGIONAL RAILROAD AUTHORITY
Originating Department

Authorized Signature

7/22/87
Date

Board Action Requested

TAXING AUTHORITY - DISCUSSION

Request Justification

See attached memo to T. Schutten from V. Wehlage dated 7/21/87

Subd. 8 of the Regional Railroad Authorities Act.

Proposed Budget for 1988 for Regional Railroad Authority

Budgeting and Accounting
County Attorney
Risk Manager
Data Processing
Patricia T. Kelley 7-22-87
Previous Action taken on Request

Date / Time
Received By
County Executive
Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:

REGIONAL RAILROAD AUTHORITY	F L Glendenning	7/22/87
Committee / Meeting Date 7/27/87	Signature	Date
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

DEPARTMENT: 59101 - RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

ACTIVITY: 59100 - REGIONAL RAILROAD AUTHORITY

DEPARTMENT HEAD: John T. Finley, Chairman, Ramsey County Regional Railroad Authority

LOCATION: 316 Court House PHONE: 298-5792

MISSION

To provide for preservation of railway corridors for future public transit use and to provide for the preservation and improvement of local rail service for agriculture, industry, or passenger traffic when determined to be practicable and necessary for the public welfare, particularly in the case of abandonment of local rail lines.

ADDITIONAL INFORMATION

The Ramsey County Regional Railroad Authority was organized by Resolution 87-230, April 20, 1987, Board of Ramsey County Commissioners, pursuant to Minnesota Statutes, 1986, Chapter 398A, as a political subdivision and local government unit of Minnesota, to exercise thereunder part of the sovereign power of the state.

The registered office of this Authority shall be situated in St. Paul, County of Ramsey, Minnesota.

Neither the State of Minnesota, the County of Ramsey, nor any other political subdivision is liable for obligations of the Authority.

There will be an appropriate citizen participation component, including municipalities, in the rail authority process.

The corporate existence was created and filed with the Secretary of State, Minnesota, on June 9, 1987.

ORGANIZATION

The Ramsey County Regional Railroad Authority consists of the seven Ramsey County Commissioners.

GIONAL RAILROAD AUTHORITY: Draft budget for 1988

BUDGET DETAIL - COMMENTS AND DATA

060000 - CONTINGENT

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVE
06XXXX	REGIONAL RAILROAD AUTHORITY			500,000			
		-	-	500,000	0	0	

EXPLANATION: To provide for payment of services furnished by Ramsey County; payment for services of independent consultants; payment of legislative services, attorney's fees and other expenses not known at this time.

TOTAL BUDGET	-	-	500,000	0	0	

BUDGET SUMMARY

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPRO
060000	Contingent	-	-	500,000	0	0	
		-	-	500,000	0	0	

ANTICIPATED REVENUE

	1986 REVENUE	1987 ESTIMATE	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPRO

None

TAXES

The Regional Railroad Authority may levy taxes at any annual rate not exceeding two mills on the assessed valuation of taxable property situated within the municipalities named in the organization resolution.

The basis for valuation for 1986 taxes payable in 1987 for Ramsey County was $3,011,000,000. (Property Taxation) Ba upon estimate of one mill = $1.00 for every $1,000 of valuation, the estimated tax could be approximately $6,000,000 1988.

file 2

~~KEH~~ KD

REQUEST FOR BOARD ACTION RAMSEY COUNTY

Department Summary
To be completed by Originating Department

Commissioner McCarty
Originating Department

Commissioner McCarty/s 3/4/87
Authorized Signature — Date

Board Action Requested
Regional Rail Authority.

Public hearing, April 20, 1987 regarding adoption of a resolution organizing a Ramsey County Regional Rail Authority.

Request Justification

See attached material prepared by the County Attorney's Office.

See additional material:
Memorandum, Ashbaugh to Commissioners, dated April 8, 1987 - pages 1 & 1a.
Affidavit of Publication - page 1c.
See: Draft Resolution - pages 7 & 8 of your documentation.

Executive Director Summary
To be completed by County Executive Director's Office

Budgeting and Accounting
County Attorney Elaine Ashbaugh
Risk Manager
Data Processing

Date / Time Received By County Executive Director

RECEIVED
87 APR 33 AM 8 55

Previous Action taken on Request

Please see attached excerpt of Policy & Planning Committee Minutes of 3-2-87.

On 3-2-87, at it's meeting, the County Board adopted the intent to establish a Regional Rail Authority, requesting advice from the County Attorney's office. (Resolution #87-132 attached)

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date: March 9, 1987	Signature: Patti L. Dege	Date: 3-5-87
County Board Date: April 20, 1987	Signature: Patti L. Dege	Date: 4-16-87

CB-21

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

MEMORANDUM

TO: Commissioner McCarty
Commissioner Finley
Board of Ramsey County Commissioners

FROM: Elaine Ashbaugh
Assistant Ramsey County Attorney

DATE: April 8, 1987

RE: Proposed Minnesota Regional
Rail Authority

On Friday, April 3, 1987, I reviewed the Minnesota Regional Rail Authority file at the MICA (Minnesota Inter-County Association) offices. The MICA file indicates that in 1981 and 1982, MICA supported formation of a Minnesota Regional Rail Authority. Records indicate that Hennepin County had already formed a Regional Authority on October 21, 1980, but that they supported the concept of a cooperative, seven-county Regional Rail Authority as well and had requested the other six metro counties "to cooperate and join with Hennepin in studying the advantages and mechanics of establishing a metropolitan Regional Rail Authority". (Hennepin County, Resolution #80-12-1075.)

Each of the seven counties was ultimately asked by MICA to approve a joint resolution forming the Minnesota Regional Rail Authority. The MICA files indicate that Ramsey County adopted the proposed joint resolution on March 8, 1982 (Resolution #82-250.) Scott County also approved the proposed joint resolution on February 9, 1982. Washington County adopted an identical joint resolution on March 2, 1982, after initially passing the resolution with an amendment on February 22, 1982. MICA records indicate that Hennepin County tabled a public hearing resolution relative to the proposed Minnesota Regional Rail Authority on February 16, 1982. On April 13, 1982, the Anoka County Board likewise decided to take no action regarding establishment of a Minnesota Regional Rail Authority. The MICA file does not clearly indicate what action Carver

and Dakota Counties took, but suggests that they too tabled the issue. Without the support of all seven counties, the proposed establishment of a Minnesota Regional Rail Authority came to a standstill.

The MICA file ends with documentation dated in April 1982, the point when the lack of support from all the metro counties became apparent.

Should you have any questions relative to this matter, please feel free to contact me at 292-6599.

EA:lm

cc: ✓John Velin
Kathy De Spiegelaere
Susan Haigh
Michele Timmons

1a

Attachment 2-1

Metropolitan Council
300 Metro Square Building
Seventh and Robert Streets
St. Paul, Minnesota 55101

Telephone (612) 291-6359

March 17, 1987

Representative Tom Osthoff
Room 597 State Office Building
St. Paul, Minnesota 55155

Dear Representative Osthoff:

This letter is in response to the questions you raised at the March 10, 1987 hearing of the Transportation Subcomittee of the Committee on Metropolitan Affairs regarding ridership potential of a Light Rail Transit (LRT) line on the University Avenue Corridor.

There are two different LRT alignments on the University Avenue Corridor. The first route, the University Avenue alignment, starts in downtown St. Paul, serves the Capitol area, follows University Avenue to the vicinity of the University of Minnesota, turns into Washington Avenue through the University of Minnesota(both east and west banks) and approaches downtown Minneapolis in the vicinity of the Metrodome.

The second route, the northern alignment, follows the railroad right-of-way which runs about one mile north of University Avenue and just north of Pierce Butler Rd. This alignment stays in the periphery of downtown St. Paul approaching it from the east side (i.e., the fringes of Lowertown), runs about half a mile north of the Capitol area and the Ramsey Hospital complex, goes through Energy Park, runs about half a mile south of the St. Paul campus of the University of Minnesota, touches on the Minneapolis campus in Dinkytown and enters downtown Minneapolis either on bridge #9 or the Stone Arch bridge or some other river crossing such as the Hennepin Avenue bridge.

The ridership potentials of those two routes, in our planning staff's opinion, are quite different.

- -The University Avenue alignment would serve more directly residential and employment concentrations in the portion of the corridor between the downtowns. Our analysis shows about 32,000 residents and 52,000 employees within a band of about half a mile on either side of the University Avenue alignment and only about 20,000 people and 20,000 employees are located within a similar band on either side of the northern alignment. Such a band is critical in terms of potential walk-in ridership to a transit line.

- -The University Avenue alignment would better serve the Capitol area, the Ramsey Hospital complex and the core of downtown St. Paul.

-The northern alignment would be less accessible from a physical standpoint than the University Avenue alignment because of the industrial and railroad nature of the immediate area surrounding the route versus the residential and commercial nature of the University Avenue route.

-The University Avenue alignment would better serve the Minneapolis campus of the University of Minnesota. According to Metropolitan Council's projections, an alignment on Washington Avenue would carry about 4,000 more riders than a northern alignment serving Dinkytown. Even though the northern alignment is closer to the St. Paul campus, it would still require a fairly significant walk to access the line.

Ridership levels on existing bus routes also give an indication of the ridership potential of the two alignments. The bus line running on University Avenue, 16A, carries about 22,000 passengers per day (January 1986). Line #7A which runs on Thomas Avenue, about 4 blocks north of University Avenue, carries about 1,500 riders in the portion of the route that parallels University Avenue. Another line on Minnehaha Avenue, #34, carries less than 500 riders per day. Finally, Energy Park generates about 120 transit rides a day on line #4U. In other words, the ridership generated in the northern portion of the corridor is less than 2,000 passengers per day.

Another factor frequently mentioned is that a northern route would be faster than one following the University Avenue alignment and would therefore be very attractive for the downtown-to-downtown travelers. However, it must be noted that the downtown to downtown transit market is much smaller than the more localized type of trip along the corridor. At the present time, the express bus route on I-94 carries about 5,000 riders, which is less than 20 percent of the total transit ridership carried in the corridor.In other words, most of the trips are shorter trips to either one of the two downtowns or the University of Minnesota or the Midway area. According to the Metropolitan Transit Commission, about 82 percent of the trips on route 16A both begin and end at one of these four major traffic generators.

Lower ridership potential has obvious implications in terms of farebox revenues. According to Council's estimates, an LRT line on University Avenue could generate enough revenues from fares to pay for operating and maintenance costs. A northern alignment route with lower ridership but similar operating costs would not be able to break even.

Tom, I hope that this discussion has addressed your concerns. If you wish to further discuss this matter, please do not hesitate to contact me or Nacho Diaz, at 291-6341.

Sincerely

Steve Keefe

Steve Keefe
Chair

SK:dpf

REQUEST FOR BOARD ACTION RAMSEY COUNTY
REGIONAL RAIL AUTHORITY

5

Department Summary
To be completed by Originating Department

Ramsey County Public Works
Originating Department

Authorized Signature 8/14/87 Date

Board Action Requested
Information Item:

1987 Legislation relevant to the Ramsey County Regional Railroad Authority.

Request Justification

Attached is a synopsis of additional 1987 Legislation relevant to the Regional Rail Authority prepared by Kathy DeSpiegelaere, Transportation Planner, Public Works Department. Ms. DeSpiegelaere will be available to elaborate on any of the items as requested.

Budgeting and Accounting
County Attorney Michele L. Timmons 8/17/87
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
R.C. REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 8/24/87	Signature	Date 8/18/87
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

Ramsey County
DEPARTMENT OF PUBLIC WORKS
3377 North Rice Street
Saint Paul, Minnesota 55112
(612) 484-9104

Divisions of:
Engineering
Maintenance
Mobile Equipment
Environmental Services

MEMORANDUM

To: Ramsey County Regional Railroad Authority Commissioners
Executive Director Terry Schutten

From: Kathryn DeSpiegelaere KD

Subject: 1987 Legislation

Date: August 11, 1987

On June 4, I sent you a memo summarizing regional railroad authority (S.F. 282) modifications made in the 1987 state legislative session.

An additional legislative action has come to my attention. Chapter No. 400, H.F. 919, of the 1987 session, Page 10-11 (attached) appropriates $2 million "as a grant to the St. Louis and Lake County Regional Rail Authority to acquire and develop abandoned rail line . . . between Duluth and Two Harbors, Minnesota."

Recommendation:

For your information.

KD:rv

required to be paid by Minnesota Statutes, sections 473.315 and 473.341.

$6,000,000 is for the acquisition and betterment of land on Lake Minnetonka for a regional park. No more than $400,000 may be used for staff and independent professional services necessary to acquire and better open space and for the performance of the duties of the metropolitan council under this paragraph.

The acquisition and betterment may include land between Lake Minnetonka and Stone Lake, to assist in connecting the Lake Minnetonka regional park with Carver park reserve. Of the $6,000,000, the sum of $250,000 may be used to develop parking and a pedestrian underpass to support a public access site in the city of Mound.

During the biennium, that part of Minnesota Statutes, section 398.09, paragraph (b), that requires local approval prior to acquiring real estate by purchase or condemnation shall not apply to this acquisition.

Subd. 3. Amateur Athletics 17,700,000

(a) For a stadium, track and field, soccer, velodrome and training center in the city of Blaine 14,700,000

(b) Swimming center 3,000,000

This appropriation is contingent upon designation of the facility as an official training site by the national governing body member of the United States Olympic Committee and upon issuance of the necessary general obligation special tax bonds. The commissioner shall select the location for this facility in cooperation with the Minnesota Amateur Sports Commission.

Subd. 4. Duluth Zoo 4,000,000

Subd. 5. Great River Road Project 3,000,000

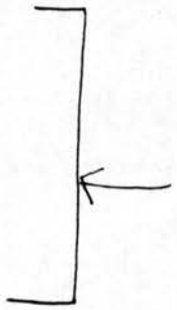
This appropriation is for a grant to the Minneapolis park and recreation board for land acquisition for the Great River Road project in the central Mississippi regional park along the central waterfront area in downtown Minneapolis, provided that the city of Minneapolis issues $3,000,000 in bonds to be used to acquire land for the same project by January 1, 1988.

Subd. 6. Railroad Assistance 2,000,000

This appropriation is from the state transportation fund specified in Minnesota Statutes, sections 222.49 to

2

222.63, and is to be used as a grant to the St. Louis and Lake County Regional Rail Authority to acquire and develop abandoned rail line of the Duluth, Mesabe, and Iron Range Railroad between Duluth and Two Harbors, Minnesota. If the property is acquired and subsequently liquidated, the proceeds up to $2,000,000 shall be paid to the state transportation fund by the St. Louis and Lake County Regional Rail Authority.



Subd. 7. Duluth Port Authority 350,000

for site preparation for two mobile crawler cranes

Subd. 8. Duluth Convention Center 1,200,000

Sec. 9. IRON RANGE RESOURCES AND REHABILITATION BOARD

To the chair of the iron range resources and rehabilitation board for expansion of the Giants Ridge ski center 2,200,000

The appropriation in this section is for facilities at Biwabik. The appropriation for constuction of this facility is contingent upon designation of the facility as an official training site by the national governing body member of the United States Olympic Committee and upon issuance of the necessary general obligation special tax bonds.

Sec. 10. MILITARY AFFAIRS 2,500,000

(a) This appropriation is to the adjutant general to construct a new national guard armory at Camp Ripley. The appropriation is not available until the adjutant general has determined that federal money sufficient to cover approximately 70 percent of the total construction costs has been committed to the project. 2,300,000

(b) Roof repair and replacement 200,000

Sec. 11. VETERANS AFFAIRS

To the commissioner of administration for projects at the Minneapolis veterans home as specified in this section 2,500,000

(a) Renovate food service facilities 500,000

(b) Demolish building number 7 and

3

REQUEST FOR BOARD ACTION RAMSEY COUNTY

6

Department Summary
To be completed by Originating Department

Regional Railroad Authority
Originating Department

Authorized Signature — Date: 8/3/87

Board Action Requested

--INFORMATIONAL ONLY--

Resolution from the City of Maplewood.

Request Justification

See attached letter and resolution from the City of Maplewood.
Resolution dated 7/27/87

Budgeting and Accounting
County Attorney Received by Michele L. Timmons
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
R.C. Regional Railroad Authority

Committee / Meeting Date: 8/24/87	Signature: L. Glendenning	Date: 8/18/87
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

CITY OF
MAPLEWOOD
1830 EAST CO. ROAD B MAPLEWOOD, MINNESOTA 55109
OFFICE OF COMMUNITY DEVELOPMENT 612-770-4560

July 31, 1987

Mr. Pat O'Malley
City Hall and Courthouse
Suite 356
St. Paul, MN 55102

BN CORRIDOR

Please distribute the enclosed resolution to the county light rail transit authority and inform me whether a representative from Maplewood should attend a meeting.

Geoff Olson

GEOFF OLSON, AICP - DIRECTOR OF COMMUNITY DEVELOPMENT

mb

Enclosure
cc: Al Lovejoy

1

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Maplewood, Minnesota, was duly called and held in the Council Chambers in said City on the 27th day of July, 1987.

The following members were present: John Greavu, Mayor; Councilmembers Norman Anderson, Gary Bastian, Frances Juker and Charlotte Wasiluk.

The following members were absent: None.

Councilmember Bastian introduced the following resolution and moved its adoption:

WHEREAS, Ramsey County has established a regional rail authority; and

WHEREAS, this rail authority has the power to acquire abandoned rail corridors; and

WHEREAS the Burlington Northern corridor has been abandoned within the cities of Maplewood and St. Paul; and

WHEREAS, Burlington Northern plans to sell the corridor in sections to private and public interests if a public offer is not made; and

WHEREAS, this corridor should be acquired for public use; and

WHEREAS, the regional rail authority is in the best position to acquire this corridor and represent the multiple agencies and jurisdictions interested in its use.

NOW, THEREFORE, BE IT RESOLVED, that the City of Maplewood urges the regional rail authority to appoint a corridor advisory committee to study and develop a proposal to acquire the abandoned Burlington Northern rail corridor; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this task force include representatives from the City of Maplewood.

Seconded by Mayor Greavu. Ayes - all.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF MAPLEWOOD)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Maplewood, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City of Maplewood, held on the 27th day of July, 1987, with the original on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to abondoned rail corridors.

Witness my hand as such Clerk and the corporate seal of the City this 29th day of July, 1987.

Lucille E. Kuzzens
City Clerk
City of Maplewood, Minnesota

REQUEST FOR BOARD ACTION RAMSEY COUNTY

7

Department Summary
To be completed by Originating Department

Regional Railroad Authority
Originating Department

Authorized Signature

8/17/87
Date

Board Action Requested
INFORMATIONAL ONLY

Presentation of information from Burlington Northern Railroad concerning abandoned right-of-way and use of joint track agreement.

Request Justification

Budgeting and Accounting
County Attorney
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time
Received By
County Executive
Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:

R.C. REGIONAL RAILROAD AUTHORITY Committee / Meeting Date 8/24/87		Signature	Date 8/18/87
Committee / Meeting Date		Signature	Date
County Board Date		Signature	Date

CB-21

RAMSEY COUNTY

Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

County Commissioners
Diane Ahrens
John T. Finley
Ruby Hunt
Duane W. McCarty
Hal Norgard
Donald E. Salverda
Warren W. Schaber

M E M O R A N D U M

TO: Commissioner Ahrens
Commissioner Finley
Commissioner Hunt
Commissioner McCarty
Commissioner Norgard
Commissioner Salverda
Commissioner Schaber

FROM: Patrick T. O'Malley
Director of Property Management

DATE: August 14, 1987

RE: Status Report

At the last Regional Railroad Authority meeting, we were asked to pursue discussions with the Burlington Northern Railroad concerning the following issues.

ITEM: What is the purchase and lease cost of the recently abandoned line running from St. Paul to Maplewood?

RESPONSE: The Burlington Northern has requested that if the County wants to buy this property, they should first have the property appraised. The Burlington Northern does not have a value on the property and would need to know its value before giving the County a purchase price or a rate on leasing.

ITEM: Check into the feasibility of joint track agreements, particularly on the most southerly east-west corridor of the Burlington Northern line.

RESPONSE: The Burlington Northern is willing to pursue discussions concerning using their lines in a joint track agreement. They need to know frequency of use and/or a timetable for track use before giving us information on or commitment on using the line. According to the BN, the line is used frequently by themselves and other railroads.

The Burlington Northern is still pursuing discussions with its staff concerning the impact of a shared track with LRT use. We hope to have more detail information on this at the next meeting. To provide Ramsey County with ideas for sharing use of the track, the Burlington Northern needs to know frequency of use of the line before agreeing to a plan.

PTO/cam

REQUEST FOR BOARD ACTION RAMSEY COUNTY

8

Department Summary
To be completed by Originating Department

Regional Railroad Authority
Originating Department

Authorized Signature — Date: 8-3-87

Board Action Requested

Authorize the Chairman of the Regional Railroad Authority to execute Joint Powers Agreement Between Ramsey County and the Ramsey County Regional Railroad Authority for Administrative Services.

Request Justification

See attached Joint Powers Agreement.

Budgeting and Accounting Reviewed by: Marlo Johnson 8/12/87
County Attorney Beth L. Sullivan 8-13-87
Risk Manager Denise A. Kaplan 8-12-87
Data Processing NA

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
R.C.REGIONAL RAILROAD AUTHORITY
Committee / Meeting Date 8/24/87 — Signature: F L Blendenning — Date: 8/18/87

Committee / Meeting Date — Signature — Date

County Board Date — Signature — Date

CB-21

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

July 29, 1987

Pat O'Malley
Property Manager
356 Courthouse
St. Paul, MN 55102

Dear Mr. O'Malley:

Enclosed please find a revised Joint Powers Agreement between the Regional Rail Authority and the County. The paragraph regarding consultants has been eliminated as requested by the Authority at its July 27, 1987 meeting.

Please let me know if you have any questions.

Very truly yours,

Beth Sullivan

BETH G. SULLIVAN
Assistant Ramsey County Attorney
Telephone: 292-7094

BGS:lcm

Enclosure

JOINT POWERS AGREEMENT BETWEEN RAMSEY COUNTY
AND THE RAMSEY COUNTY REGIONAL RAILROAD
AUTHORITY FOR ADMINISTRATIVE SERVICES

This Joint Powers Agreement is entered into this day of , 1987, by and between Ramsey County ("the County") and the Ramsey County Regional Railroad Authority ("the Authority") pursuant to Minnesota Statute §471.59.

1. Purpose.

The purpose of this Agreement is to define the relationship between and obligations of the parties in the administration and performance of the activities of the Authority. By this Agreement, the County agrees to perform on behalf of the Authority the services and functions described herein, as provided in Minnesota Statute §471.59, Subd. 8.

2. Services.

The County shall provide to the Authority administrative and other services necessary or convenient for the performance of the Authority's duties and purposes. These services shall include, but not be limited to:

A. Budgeting and Accounting.

The Ramsey County Budgeting and Accounting Office shall provide budgeting and accounting and related services for the Authority. The Budgeting and Accounting Office shall report all activities performed on behalf of the Authority in accordance with applicable statutes and Ramsey County policy procedures.

B. Data Processing.

The Ramsey County Data Processing Department shall provide data processing and related services for the Authority.

2

C. Risk Management.

The Ramsey County Risk Manager and the Risk Management Department shall provide risk management and related services for the Authority.

D. Property Taxation and Records Administration-Revenue Division.

The Revenue Division shall provide revenue and related services for the Authority, including, but not limited to, receipting, investing and depositing of Authority funds. The Revenue Division shall credit the County with interest earned on its investments in accordance with established Ramsey County policy. The Revenue Division shall report all activities performed on behalf of the Authority in accordance with applicable statutes and Ramsey County policies and procedures.

E. County Attorney.

The Ramsey County Attorney shall provide all legal services for the Authority.

F. Executive Director.

The Ramsey County Executive Director's Office shall provide all executive and related services for the Authority, including, but not limited to, the preparation of requests for County Board and Authority Board action, property management, and policy analysis and guidance.

G. Purchasing.

The joint City-County Purchasing Department shall provide purchasing and related services for the Authority in accordance with applicable statutes and County purchasing policies and procedures.

3. Payment for Services.

The County shall bill the Authority, and the Authority shall reimburse the County, for costs of providing the services described herein.

4. Disposition of Property.

Pursuant to Minnesota Statute §471.59, Subd. 5, upon completion of the purposes of this Agreement, any surplus moneys acquired as the result of this Agreement shall be returned in proportion to the contributions of the parties, and any property acquired as the result of this Agreement shall be disposed of as the parties may decide at such time.

5. Amendment.

This Agreement may be amended upon written agreement by the parties.

6. Termination.

This Agreement shall remain in effect until terminated by either party upon sixty (60) days' written notice or until the purpose of this Agreement has been completed.

RAMSEY COUNTY

By: _____
Chairperson, Ramsey County
Board of Commissioners

Attest: _____
Chief Clerk

Date:

RAMSEY COUNTY REGIONAL
RAIL AUTHORITY

By: _____
Chairperson, Ramsey County
Regional Rail Authority

Attest: _____
Chief Clerk

Date:

Denise A. Kapler
Risk Management

4

REQUEST FOR BOARD ACTION RAMSEY COUNTY

9

Department Summary
To be completed by Originating Department

REGIONAL RAILROAD AUTHORITY
Originating Department

Chairman Finley — 8/18/87
Authorized Signature — Date

Board Action Requested

TAX LEVY AUTHORITY

INFORMATIONAL ONLY

Request Justification

See attached memo to Commissioner Schaber dated August 10, 1987 from Beth Sullivan, County Attorney's Office

Budgeting and Accounting
County Attorney
Risk Manager
Data Processing

Previous Action taken on Request

Date / Time Received By
County Executive
Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:
R.C. REGIONAL RAILROAD AUTHORITY

Committee / Meeting Date 8/24/87	Signature	Date 8/18/87
Committee / Meeting Date	Signature	Date
County Board Date	Signature	Date

CB-21

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

MEMORANDUM

TO: Commissioner Schaber

FROM: Beth Sullivan BSS
Assistant Ramsey County Attorney

RE: Regional Rail Authority Publication of Taxation Notice

DATE: August 10, 1987

On July 31, 1987, Ms. Toni Baker requested answers to the following:

1. Whether the Regional Rail Authority may levy taxes in 1988 for more than the $125,000.00 authorized by the Authority on July 27, 1987; and,

2. Whether the Authority must go through the negative referendum proceeding of Minn. Stat. §398A.04, Subd. 8 for each year it intends to levy taxes.

This letter confirms in writing the legal advice I gave her over the phone on July 31, 1987. Relative to that advice, enclosed please find a copy of the statute and the Notice of Intent to Tax.

1. Regarding the first question, the Authority may not levy taxes in 1988 for more than $125,000.00. The Authority has only authorized a levy up to that amount. The Authority

instructed staff to publish a notice stating that the levy would be for "not more than $125,000.00". The Authority is bound by its representations in the published notice.

Although the Authority may legally increase the levy amount at any time, it must provide nine weeks' notice to voters. Since the 1988 levy must be certified by October 10, 1987, there is no longer time to provide the required published notice of an increase for 1988 taxes.

2. With regard to the second question, the statute does not require published notice each year of an intent to tax. The Authority could at any time publish notice of its intent to tax at any annual rate not exceeding two mills. Nevertheless, the Authority may choose to go through the negative referendum procedure each time it intends to levy taxes. Please note that unless the Authority publishes a different notice stating a different amount in 1988, it will be limited to levying $125,000.00 in 1988 as well.

Please let me know if you have any questions.

BGS:lcm
Enclosure

cc: Pat O'Malley
Jim Van Houdt
Susan Haigh
Tom Foley
Opinion File

NOTICE OF INTENT TO TAX
BY RAMSEY COUNTY REGIONAL RAIL AUTHORITY

Pursuant to Minn. Stat. §398A.04, Subd. 8, the Ramsey County Regional Rail Authority ("the Authority") hereby gives notice of its intent to levy a tax on October 10, 1987, on all taxpayers in Ramsey County to raise not more than $125,000.00 to study acquisition of rail lines in Ramsey County for public purposes and to repay a $25,000.00 loan to Ramsey County. This notice shall be published once each week for six successive weeks in all municipalities in Ramsey County.

Pursuant to Minn. Stat. §398A.04, Subd. 8, if a number of voters in Ramsey County equal to five percent of those who voted for candidates for governor at the last gubernatorial election present a petition within nine weeks of the first published notice to the Secretary of State, Room 180, State Office Building, St. Paul, MN 55155, requesting that the matter be submitted to popular vote, it shall be submitted at the next general election. The question prepared shall be:

"Shall the regional rail authority have the power to impose a property tax?

Yes ....
No....."

If a majority of those voting on the question approve, or if no petition is presented within the prescribed time, the Authority will levy the tax stated herein on October 10, 1987.

liability to the extent provided in chapter 466 and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents, in connection with any threatened, pending, or completed action, suit, or proceeding, as provided in chapter 466, and to the same extent and in the same manner and with the same force and effect as provided in the case of a private corporation by section 300.083. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.

(b) A railroad leasing its tracks and right-of-way to a railroad authority that is created under this chapter and affiliated with a railroad museum is subject to tort liability only to the extent provided for municipalities in chapter 466 as to any claims arising out of fare-paying passenger operations carried on by the railroad authority primarily for the purpose of promoting tourism on tracks and right-of-way leased from the railroad.

Subd. 7. **Grants.** The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.

Subd. 8. **Taxation.** Before deciding to exercise the power to tax, the authority shall give six weeks published notice in all municipalities in the region. If a number of voters in the region equal to five percent of those who voted for candidates for governor at the last gubernatorial election present a petition within nine weeks of the first published notice to the secretary of state requesting that the matter be submitted to popular vote, it shall be submitted at the next general election. The question prepared shall be:

"Shall the regional rail authority have the power to impose a property tax?

Yes .....

No ....."

If a majority of those voting on the question approve or if no petition is presented within the prescribed time the authority may thereafter levy a tax at any annual rate not exceeding ~~four~~ two mills on the assessed valuation of all taxable property situated within the municipality or municipalities named in its organization resolution. Its recording officer shall file in the office of the county auditor of each county in which territory under the jurisdiction of the authority is located a certified copy of the board of commissioners' resolution levying the tax, and each county auditor shall assess and extend upon the tax rolls of each municipality named in the organization resolution the portion of the tax that bears the same ratio to the whole amount that the assessed valuation of taxable property in that municipality bears to the assessed value of taxable property in all municipalities named in the organization resolution. Collections of the tax shall be remitted by each county treasurer to the treasurer of the authority.

Subd. 9. **Municipal agreements.** The authority may enter into agreements with the municipality or municipalities named in the organization agreement, or with other municipalities situated in the counties named in the resolution, respecting the matters referred to in section 398A.06.

Subd. 10. **Bonds.** The authority may issue bonds in the manner and upon the conditions provided in section 398A.07.

Subd. 11. **Contracts for operation and use of facilities.** The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(a) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined;

(b) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(c) Granting the privilege, for compensation as the authority shall determine, of

REQUEST FOR BOARD ACTION RAMSEY COUNTY

10

Department Summary
To be completed by Originating Department

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
Originating Department

8/19/87
Authorized Signature — Date

Board Action Requested

1988 Budget - Regional Railroad Authority

DISCUSSION ONLY

Request Justification

See attached: Memo from James Van Houdt with Draft of Proposed Budget dated August 19, 1987

Memo from M. Timmons - regarding adoption of budget dated August 18, 1987

Budgeting and Accounting See Memo attached 8/19/87 J.VanHoudt

County Attorney See Memo attached 8/18/87 M. Timmons

Risk Manager

Data Processing

Previous Action taken on Request

Date / Time Received By County Executive Director

Executive Director Summary
To be completed by County Executive Director's Office

Comments / Recommendation

Documentation certified complete for:

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY — F L Glendenning — 8/19/87

Committee / Meeting Date 8/24/87 — Signature — Date

Committee / Meeting Date — Signature — Date

County Board Date — Signature — Date

CB-21

RAMSEY COUNTY

Office of
BUDGETING AND ACCOUNTING
Room 36, Court House
St. Paul, Minnesota 55102
298-4196

TERRY SCHUTTEN
Executive Director

JAMES H. VAN HOUDT
Director - Budgeting & Accounting

MARLEN D. JOHNSON
Accounting Manager

VERNON H. WEHLAGE
Budget Manager

MEMORANDUM

DATE: August 19, 1987

TO: Terry Schutten, Executive Director

FROM: JVH James Van Houdt, Director-Budgeting & Accounting

SUBJECT: 1988 Budget - Ramsey County Regional Railroad Authority

We have been asked by the Ramsey County Regional Railroad Authority Committee to prepare a budget for their review. Attached is a copy of the budget we have prepared in accordance with their directions at their last meeting that the budget not exceed $125,000.

Minnesota Statutes, Chapter 398A.04, Subdivision 8, states in part, "Before deciding to exercise the power to tax, the authority shall give six weeks published notice in all municipalities in the region. If a number of voters in the region equal to five percent of those who voted for candidates for governor at the last gubernatorial election present a petition within nine weeks of the first publised notice to the secretary of state requesting that the matter be submitted to popular vote, it shall be submitted at the next general election."

Publishing Schedule:

Weeks	Date of Publishing Notices
1	August 1
2	August 8
3	August 15
4	August 22
5	August 29
6	September 5
7	September 12
8	September 19
9	September 26

It would be our recommendation that the Ramsey County Regional Rail Authority meet on October 5 and adopt a budget along with a tax levy resolution if no petitions are filed pursuant to Minnesota Statutes 398A.04, Subdivision 8.

Taxes are paid May 15 and October 15, and if the Regional Railroad Authority disburses more than $25,000 before May 15, 1988, they may need an additional loan or advance from the County to cover operating expenses.

JVH:dks/xfc
Attachments: Proposed 1988 Budget

DEPARTMENT: 59101 - RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

ACTIVITY: 59000 - REGIONAL RAILROAD AUTHORITY

DEPARTMENT HEAD: John T. Finley, Chairman, Ramsey County Regional Railroad Authority

LOCATION: 316 Court House PHONE: 298-5792

MISSION

To provide for preservation of railway corridors for future public transit use and to provide for the preservation and improvement of local rail service for agriculture, industry, or passenger traffic when determined to be practicable and necessary for the public welfare, particularly in the case of abandonment of local rail lines.

ADDITIONAL INFORMATION

The Ramsey County Regional Railroad Authority was organized by Resolution 87-230, April 20, 1987, Board of Ramsey County Commissioners, pursuant to Minnesota Statutes, 1986, Chapter 398A, as a political subdivision and local government unit of Minnesota, to exercise thereunder part of the sovereign power of the state.

The registered office of this Authority shall be situated in St. Paul, County of Ramsey, Minnesota.

Neither the State of Minnesota, the County of Ramsey, nor any other political subdivision is liable for obligations of the Authority.

There will be an appropriate citizen participation component, including municipalities, in the rail authority process.

The corporate existence was created and filed with the Secretary of State, Minnesota, on June 9, 1987.

ORGANIZATION

The Ramsey County Regional Railroad Authority consists of the seven Ramsey County Commissioners.

DRAFT

59101 - RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

BUDGET SUMMARY

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVED
020000	Other Services & Charges	-	-	25,000	25,000	25,000	
060000	Contingent	-	-	75,000	75,000	75,000	
070000	Transfers	-	-	25,000	25,000	25,000	
		-	-	125,000	125,000	125,000	

TAX LEVY	1986	1987	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVED
Appropriation	-	-	125,000	125,000	125,000	
Revenue	-	-	-	-	-	
Tax Levy	-	-	125,000	125,000	125,000	
Allowance for Uncollectible Tax - 2%			2,500	2,500	2,500	
Net Tax Levy			127,500	127,500	127,500	

DRAFT

59101 - RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

BUDGET DETAIL - COMMENTS AND DATA

020000 - OTHER SERVICES & CHARGES

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVED
(A) 020100	RAMSEY COUNTY STAFF SERVICES	-	-	22,580	22,580	22,580	
(B) 021192	INTEREST-DUE RAMSEY COUNTY	-	-	2,420	2,420	2,420	
				25,000	25,000	25,000	

(A) EXPLANATION: The Joint Powers Agreement, in process of being approved by Ramsey County Board, stipulates that Ramsey County will provide administrative and other services necessary or convenient for the performance of the Authority's duties and purposes. These services include Budgeting and Accounting, Data Processing, Risk Management, Property Taxation and Collection, Legal Services, Executive Director's services, Chief Clerk, and Purchasing services. Due to no prior cost experience, this amount is estimated for 1988.

(B) EXPLANATION: To provide for repayment to Ramsey County of a $25,000 loan received in 1987. Estimated interest is 8% X $25,000 for 12 months; 8% X $12,500 for 5 months. Repayment to Ramsey County to be one-half of principal plus interest on June 1, and November 1, 1988. Executive Director is authorized to make loan repayment on due dates.

061000 - CONTINGENT

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVED
061001	CONTINGENT-APPROPRIATION	-	-	75,000	75,000	75,000	

EXPLANATION: To provide for appropriation for services of independent counsultants; transportation studies; payment for legislative services; outside attorney's fees and other expenses not known at this time. The Ramsey County Regional Railroad Authority will transfer appropriations as necessary from contingent to line accounts during the year.

070000 - REPAY LOAN FROM RAMSEY COUNTY

CODE	TITLE	1986 EXPENDED	1987 BUDGET	1988 REQUEST	1988 LEVY GOAL	1988 PROPOSED	1988 APPROVED
070201	DUE TO RAMSEY COUNTY	-	-	25,000	25,000	25,000	

EXPLANATION: To provide for repayment to Ramsey County of $25,000 loan received in 1987. Estimated interest is 8% X $25,000 for 12 months; 8% X $12,500 for 5 months. Repayment to Ramsey County to be one-half of principal plus interest on June 1, and November 1, 1988. Executive Director is authorized to make loan repayment on due dates.

TOTAL BUDGET	-	-	125,000	125,000	125,000	

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

MEMORANDUM

TO: John T. Finley
Chair, Regional Rail Authority

FROM: Michele L. Timmons
Chief, Civil Division

DATE: August 18, 1987

RE: Regional Rail Authority Budget - Timing of Adoption

A question has been raised about the proper timing for the adoption of a 1988 budget for the Regional Rail Authority. Specifically, may the Regional Rail Authority adopt a budget for 1988 before it is certain that the Authority will have taxing power? Timing is important because the tax levy must be set by early October, but the negative referendum process will not be completed for several weeks.

Under these circumstances, it is my opinion that the Regional Rail Authority may adopt a proposed budget now, subject to obtaining taxing power. Prior to making the tax levy in October, the Regional Rail Authority should make a clear record that the negative referendum process has been completed and formally adopt the budget at that time. This procedure should allow the Authority ample time to consider a budget, but also assure that all legal requirements are met before the tax levy deadline. If for policy reasons the Regional Rail Authority prefers to delay any budget consideration until after the negative referendum is complete, however, that procedure is lawful as well.

cc: Terry Schutten
James VanHoudt
Beth Sullivan

5

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner McCarty Date March 9, 1987 No. 87-147
Attention:

Budget & Accounting; Commissioner McCarty; Elaine Ashbaugh, Assistant County Attorney; Dave MacMillan, Assistant County Attorney

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RESOLVED, That the Board of Ramsey County Commissioners hereby set the date of April 20, 1987 for a Public Hearing regarding the organization of a Ramsey County Regional Rail Authority.

Diane Ahrens, Chairperson

By _____
Chief Clerk - County Board

1b

for April 20 Hearing

DAVIT OF PUBLICATION

RAMSEY COUNTY REGIONAL RAIL AUTHORITY
PUBLIC HEARING NOTICE

Notice is hereby given pursuant to the Regional Rail Authorities Act, Minnesota Statutes Chapter 398A, of a public hearing to be held before the Board of Ramsey County Commissioners at 10:00 a.m., or as soon thereafter as it can be heard, on Monday, April 20, 1987, at the Ramsey County Courthouse, 3rd Floor Chambers, St. Paul, Minnesota, to discuss adoption of a resolution regarding organization of a regional rail authority to be known as the Ramsey County Regional Rail Authority. A copy of a draft resolution is attached and included by reference herein.

JOHN VELIN, Chief Clerk
Board of Ramsey County Commissioners
(Mar. 12)

uly sworn, on oath says that he is the publisher of the
aul Legal Ledger and has full knowledge of the facts

nplied with all of the requirements constituting
'spaper, as provided by Minnesota Statute 331A.02,
s, as amended.

(B) The printed Public Hearing Notice which is attached was cut from the columns of said newspaper and was printed and published once; it was published on Thursday, the 12th day of March, 1987; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice:

abcdefghijklmnopqrstuvwxyz

Samuel E. Lewis, Jr.

Subscribed and sworn to before me this 12th day of March, 1987

C. M. Lewis

C. M. LEWIS
NOTARY PUBLIC -- MINNESOTA
WASHINGTON COUNTY
My Commission Expires Mar. 18, 1989

Rate Information

(1) Lowest classified rate paid by commercial users for comparable space is $_____.

(2) Maximum rate allowed by law for the above publication is $_____.

(3) Rate actually charged for the above publication is $_____.

1c

RAMSEY COUNTY

Office of the Executive Director

286 Court House 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
(612) 298-5980

Terry Schutten, Executive Director

County Commissioners
Diane Ahrens
John T. Finley
Ruby Hunt
Duane W. McCarty
Hal Norgard
Donald E. Salverda
Warren W. Schaber

MINUTES
POLICY & PLANNING COMMITTEE
Monday, March 2, 1987

The Policy & Planning Committee of the Board of Ramsey County Commissioners met on the above date at 9:00 a.m. in Room 316 Court House.

Members Present: Chairman Duane McCarty, Commissioner Hunt.

Members Absent: Commissioner Salverda.

Others Present: Commissioner Diane Ahrens, Terry Schutten, Karen Tero, Tom Ryan, Kiki Sonnen, Mary Lou Grahek, Jan Wiessner, Lois Yellowthunder, Pat Bennett, Elaine Ashbaugh, Michele Timmons, Dave MacMillan, Tom Foley, Don Weigert, Rita During, Ken Weltzin, Paul Kirkwold and Bobbie Boldt.

1. Minutes of the February 17, 1987, Policy & Planning Committee.

Commissioner Hunt moved, seconded by Commissioner McCarty that the minutes of the February 17, 1987, Policy & Planning Committee be approved.

Roll Call: Ayes - 2. Nays - 0.
MOTION CARRIED.

2. Rail Authority. Consideration of regional rail authority.

Kiki Sonnen, City Councilwoman, was in attendance at the meeting to hear discussion on the rail authority at this meeting. She has been a representative on the same ad hoc committee with Commissioner McCarty.

Commissioner Hunt referred to the last paragraph in David MacMillan's memo to Commissioner Duane McCarty which said: In conclusion, the Rail Authority would have fairly broad powers with regard to property acquisition, management, and disposition, so long as there is a benefit to local rail service. She asked if it is our intent to establish rail service along a corridor in Ramsey County. She understood from earlier discussions that our intent was not to develop rail service but to attempt to get control of some of the land and this is the only way to do it.

Commissioner McCarty said the only way we can establish ourselves as a rail authority is to use it and preserve it. The County establishment must be for rail purposes, however, there is no time requirement.

Commissioner Hunt said that it would be hard to say that as a policy maker it would be her intent to establish rail service out in that corridor. She said she feels that there is alot of political pressure developing because Minneapolis will be grabbing up all the available money and St. Paul would get the short end.

Commissioner McCarty said that there are additional problems and that this should not go to the Board today. He said that the requirements under the statute constituting a rail authority are very specific. He said the reason that they want a rail authority to the County in some form or another is to preserve the opportunity right now. By constituting the County as a rail authority we can preserve the corridor.

Commissioner McCarty said he has spoken with some members of the ad hoc committee and that there is some concern whether this should be just County Board, or have representatives from the cities involved as to what the rail authority commission will be. He said he asked David MacMillan, of the County Attorney's office, whether we have the opportunity under the statute to have a commission that constitutes not just the County Board but some other entities as well. He said it is his recommendation that the Policy & Planning Committee request further information from the County Attorney's office and that this item not go to the Board today.

Commissioner McCarty said his concern is: What are we 'marrying' into when we constitute ourselves. Can we include more than just the County Board.

Commissioner Hunt asked if some of this land is in the City of St. Paul.

Commissioner McCarty said most of the land is in the City of St. Paul.

Commissioner Hunt asked Kiki Sonnen, how the City of St. Paul is dealing with this.

Kiki Sonnen said the City of St. Paul uses this as a real opportunity because this is a chunk of land that is suddenly becoming available. She said it would have to be purchased; the cost being anywhere between $2-4 million. She said the land stretches from Warner Road in St. Paul north up to White Bear Lake. The interest of St. Paul at this point is to see if there are multiple uses for high volume passengers per vehicle. She said it could be light rail, or exclusive bus-way. She said it could be a very important recreational corridor. She said the corridor seems to be wide enough to provide more than transportation.

Commissioner Hunt asked if there is merit that there might be some form of transportation not necessarily on a rail and asked if this would meet the requirements of the legislation.

Elaine Ashbaugh of the County Attorney's office said the statutes say there needs to be an ultimate goal to have rail transportation.

Kiki Sonnen said the City sees this primarily as an avenue for acquisition and that the rail authority laws seem to give enough flexibility; that more planning and feasibility studies can be done and then if the rail authority must be disbanded then that's what they'll do, but as least we will have captured the land.

Commissioner Hunt asked if this would all be local funds to buy the land.

Commissioner McCarty replied yes. He said that as Kiki Sonnen stated the rail authority part must be done first and then if the County Board decides they no longer want any part of light rail, they can turn it over to MN/DOT. He said no one seems to be excited in quickly getting a light rail transit started, but that they are trying to find a way to preserve it, because if we don't take it, the railroad can sell it piecemeal, to developers, etc. MN/DOT has not been as helpful as Commissioner McCarty had hoped in terms of funding. He said the City of St. Paul has a resolution in favor of this concept, as well as the other municipalities. Each municipality that the line runs through has a representative on the ad hoc committee.

Commissioner McCarty said that clarification is needed, possibly a resolution that would comply with the statute in terms of constituting a rail authority. An opinion is needed as to who the rail authority can be. Can the County Board be a rail authority with joint powers with the City of St. Paul or other cities so that they can have representation on the Board.

Commissioner Hunt said information should be obtained whether it is possible to have a joint powers agreement, and to establish the rail authority through that joint powers agreement. All this information should be incorporated into a resolution. She said a short memorandum should come from the County Attorney's office explaining the responsibilities and the authorities under the statute condensing the documentation for the Board members.

The Policy & Planning Committee requested the County Attorney's office to return to this committee with clarification in the form of a resolution to comply with the statute in terms of constituting a rail authority, with a short memo explaining the responsibilities and the authorities.

Resolution
Board of
Ramsey County Commissioners

Presented By Commissioner Finley Date March 2, 1987 No. 87-132
Attention:

Budget & Accounting; All Commissioners; Dave MacMillan, Ass't County Attorney

---

WHEREAS, Substantial interest has been expressed in the use of abandoned railroad land, and various meetings have concluded there is a need for some official entity to deal with pertinent questions and problems; Now, Therefore, Be It

RESOLVED, The Board of Ramsey County Commissioners hereby declares it is the intention of Ramsey County to constitute the Board of Commissioners as a Regional Rail Authority and requests the County Attorney to prepare the necessary documents for implementation and to advise on the need for public hearings and other appropriate actions.

Diane Ahrens, Chairperson

By _____
Chief Clerk - County Board

5

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

March 4, 1987

TO: Board of Ramsey County Commissioners

FROM: Elaine Ashbaugh
Assistant Ramsey County Attorney

DATE: March 4, 1987

RE: Regional Rail Authority

Attached please find a draft resolution regarding organization of a Ramsey County Regional Railroad Authority, pursuant to the Regional Railroad Authorities Act, Minnesota Statutes Chapter 398A. Prior to approval of a final organization resolution for a regional railroad authority, Ramsey County must hold a public hearing. The following steps are necessary:

1. Notice of hearing must be published in a newspaper of general circulation in Ramsey County.

2. Notice of hearing must be mailed to the governing body of each city or town in the county.

3. Notices to cities or towns must be mailed at least 30 days before the hearing.

Because of the minimum of 30 days notice, we suggest a public hearing date of April 20, 1987. The County Attorney's Office and Chief Clerk request authorization to proceed with statutory notice requirements for an April 20, 1987, public hearing.

EA
Attachment

6

DRAFT RESOLUTION

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
ORGANIZATION RESOLUTION

RESOLVED, That the Board of Ramsey County Commissioners hereby organizes a regional railroad authority, pursuant to Minnesota Statutes Chapter 398A, to be known as the Ramsey County Regional Railroad Authority ("Authority");

a) That this Authority is organized under the regional railroad authorities act as a political subdivision and local government unit of Minnesota, to exercise thereunder part of the sovereign power of the state;

b) That this authority shall be known as the Ramsey County Regional Rail Authority;

c) That the governing body adopting this organization resolution is the Board of Ramsey County Commissioners;

d) That this Authority shall be governed by a board of five commissioners; that said commissioners shall be appointed by the Board of Ramsey County Commissioners; that the names and addresses of the members of the first board of commissioners are as follows:

1. _____
2. _____
3. _____
4. _____
5. _____

e) That the registered office of this Authority shall be situated in St. Paul, County of Ramsey, Minnesota;

f) That neither the state of Minnesota, the County of Ramsey, nor any other political subdivision is liable for obligations of the authority.

OFFICE OF THE COUNTY ATTORNEY
RAMSEY COUNTY
SUITE 400
350 ST. PETER STREET
ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

MEMORANDUM

TO: Commissioner Duane McCarty
Board of Ramsey County Commissioners

FROM: David MacMillan
Assistant County Attorney

DATE: February 23, 1987

RE: Regional Rail Authority

Your memorandum of February 17, 1987, requesting an opinion as to the powers of a Regional Rail Authority to purchase, hold, use, and dispose of real property has been referred to me for review.

You have asked the following questions:

A. What restrictions are placed on land purchased by the Rail Authority?

B. If land is purchased, can it be sold to another governmental body?

C. If the Rail Authority purchased property for transportation purposes, can it be sold for other purposes (i.e., recreation, etc.)?

You have also requested an opinion as to other Regional Rail Authority power.

OPINION

The Regional Railroad Authorities Act, Minnesota Statutes Chapter 398A, provides for the establishment of authorities which in essence become political subdivisions of the State of Minnesota. The general purpose of this authority is defined in M.S. 398A.02 which provides:

The purpose of the regional railroad authorities act is to provide a means whereby one or more municipalities, with state and federal aids as may be available, may provide for the preservation and improvement of local rail service for agriculture, industry, or passenger traffic when determined to be practicable and necessary for the public welfare, particularly in the case of abandonment of local rail lines.

Supplementing this statement of purpose, the act in M.S. 398A.04 outlines some specific powers which an authority would have. These include:

a) The power to sue or be sued, make and perform contracts, and have perpetual succession

b) The power to acquire real and personal property both within and outside its taxing jurisdiction, by purchase, gift, devise, condemnation, conditional sale, lease, lease purchase, or otherwise

c) The power to hold, manage, control, sell, convey, lease, mortgage or otherwise dispose of real or personal property

d) Generally, the power to acquire and operate railroads

e) Obtain permits needed to accomplish its purposes

f) The power of eminent domain

g) The power to establish charges and rents for use or sale of its property

h) The power to accept grants

i) The power to levy up to 4 mils of property tax, provided that certain procedural steps must be taken before this power becomes effective

j) The power to enter into joint powers agreements with municipalities including counties

k) The power to issue bonds

l) The power to enter into contracts for the operation of its facilities

m) The power to lease any facility or space for other commercial purposes, at renatals as may be decided

n) The power to grant, in essence, franchises to persons or organizations to supply goods or services along its rail lines or in or on its property

This is not an exhaustive list of the powers of an authority. It is clear, however, that the scope of this list is such that the legislature intended authorities to have as much power as they need to effectuate the overall purpose defined in M.S. 398A.02, supra. This expansive interpretation to be accorded the Rail authorities power is amplified by M.S. 383A.09, which provides for construction of the statute as follows:

> Sections 398A.01 to 398A.08 shall be construed liberally to effectuate their legislative intent and purpose, as complete and independent authority for the performance of every act and thing authorized, and all powers granted shll be broadly interpreted to effectuate this intent and purpose and not as a limitation of powers. In the event of any conflict or inconsistency with any other law or charter provision, the provisions of sections 398A.01 to 398A.08 shall prevail.

Reading these provisions together, it is my opinion that your specific questions are answered as follows:

1. What restrictions are placed on land purchased by the rail authority?

Assuming that the primary motivation for purchasing the land is consistent with the purpose of the statute, i.e., to promote rail transit, then it appears that once the land is purchased, during its holding period, it can be left unused, leased, mortgaged, sold, or otherwise managed, once again, so long as there is an ultimate benefit to the promotion of rail transit. This means, however, that land could not be purchased if the intent was to turn it into a park or some other use not related to rail transit. A lease to a private enterprise would be appropriate, however, because the rentals could always be used for rail transit purposes.

2. If the land is purchased, may it be sold to another governmental body?

The answer to this question is an unqualified yes, provided that the subsequent sale to another governmental body is an actual sale for market value and is not for merely nominal or no consideration. In effect, the Rail Authority would generally

not have the power to donate or make a gift of its property to another governmental jurisdiction, unless such gift would have a rail transit purpose. For example, the Authority could probably donate lands if they were to be used for passenger terminals, or if they were to be used for highway purposes to improve the safety of a highway crossing as a benefit to the rail line.

3. If the Rail Authority purchased property for transportation purposes, can it be sold for other purposes (i.e., recreation, etc.)?

Once again, the aswer to this question is that a Rail Authority may sell its property to anyone for any purpose, provided it does so for adequate consideration, and Rail transit ultimately benefits.

By these answers I do not wish to imply that a Rail Authority could become a land speculator, purchasing, holding, and then reselling land. When the land is purchased, there must be a nexus between the reason the land is acquired and rail transportation. The use does not have to be an immediate use, and certainly if the Authority's plans change and the land no longer is directly needed for rail purposes, such as road bed, then the authority would have the power to dispose of what would in effect be surplus property. The proceeds of such disposition would then have to be used for rail transit.

Furthermore, there may be reasons why the Rail Authority could not dispose of the land it acquires, which reasons derive from the nature of the interests it acquires, rather than from the statute. For example, some existing railroad right of way is in the form of easements for railroad purpose. The Rail Authority could acquire such easements from the railroads, but would be bound to use them only in a manner consistent with the easement. These situations, however, cannot be addressed by this opinion and would have to be dealt with on a case by case basis.

You have also asked for any additional pertinent information regarding rail authority. Enclosed is a copy of M.S. 398A, which outlines all the relevant powers. A summary of these include:

a) A single county can form a Rail Authority. M.S. 393A.03, subd. 1

b) A rail authority could have taxing powers, M.S. 398A.04, subd. 8

c) A rail authority can issue bonds, M.S. 398A.04, subd. 10 and 398A.07.

In conclusion, the Rail Authority would have fairly broad powers with regard to property acquisition, management, and disposition, so long as there is a benefit to local rail

service.

If you have any additional questions, please call.

RAMSEY COUNTY

Office of
BUDGETING AND ACCOUNTING

Room 36, Court House
St. Paul, Minnesota 55102
298-4196

TERRY SCHUTTEN
Executive Director

JAMES H. VAN HOUDT
Director - Budgeting & Accounting

MARLEN D. JOHNSON
Accounting Manager

VERNON H. WEHLAGE
Budget Manager

MEMORANDUM

TO: Terry Schutten, Executive Director

FROM: VW Vern Wehlage, Budget Manager

SUBJECT: Ramsey County Regional Railroad Authority

DATE: July 21, 1987

The Ramsey County Regional Railroad Authority will be meeting on July 27, 1987. I believe the following items should be considered at that meeting:

1. Publish Notice of intent to exercise the power to tax. Minnesota Statutes, Chapter 398A, Subdivision 8, states in part, "Before deciding to exercise the power to tax, the authority shall give six weeks published notice in all municipalities in the region. If a number of voters in the region equal to five percent of those who voted for candidates for governor at the last gubernatorial election present a petition within nine weeks of the first published notice to the secretary of state requesting that the matter be submitted to popular vote, it shall be submitted at the next general election." A copy of Chapter 398A, Subdivision 8 is attached.

If the Authority is to levy taxes payable in 1988, the six weeks notice should be published by the middle of August to comply with the Statutes.

2. If the Authority approves of publishing a notice, recommend that the Executive Director be authorized to appropriate a portion of the $25,000 loan received from Ramsey County in order to pay for the cost of publishing the notices and staff time involved.

3. The Executive Director's Department is preparing a budget for 1988 for approval by the Authority on October 5th. If there are any specific projects or costs that should be budgeted for 1988, we would request the Authority to inform the Executive Director so that they may be included in the budget.

4. A proposed Joint Powers Agreement between the Regional Railroad Authority and Ramsey County has been prepared, and has been reviewed by the County Attorney's Office. This agreement details the services to be provided by Ramsey County, and provides for reimbursement to the County for those services. A copy of this Agreement is attached.

VW:eg/c:ed
Attachments
cc: J Van Houdt
B Sullivan

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liability to the extent provided in chapter 466 and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents, in connection with any threatened, pending, or completed action, suit, or proceeding, as provided in chapter 466, and to the same extent and in the same manner and with the same force and effect as provided in the case of a private corporation by section 300.083. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.

(b) A railroad leasing its tracks and right-of-way to a railroad authority that is created under this chapter and affiliated with a railroad museum is subject to tort liability only to the extent provided for municipalities in chapter 466 as to any claims arising out of fare-paying passenger operations carried on by the railroad authority primarily for the purpose of promoting tourism on tracks and right-of-way leased from the railroad.

Subd. 7. **Grants.** The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.

Subd. 8. **Taxation.** Before deciding to exercise the power to tax, the authority shall give six weeks published notice in all municipalities in the region. If a number of voters in the region equal to five percent of those who voted for candidates for governor at the last gubernatorial election present a petition within nine weeks of the first published notice to the secretary of state requesting that the matter be submitted to popular vote, it shall be submitted at the next general election. The question prepared shall be:

"Shall the regional rail authority have the power to impose a property tax?

Yes .....

No ....."

If a majority of those voting on the question approve or if no petition is presented within the prescribed time the authority may thereafter levy a tax at any annual rate not exceeding four mills on the assessed valuation of all taxable property situated within the municipality or municipalities named in its organization resolution. Its recording officer shall file in the office of the county auditor of each county in which territory under the jurisdiction of the authority is located a certified copy of the board of commissioners' resolution levying the tax, and each county auditor shall assess and extend upon the tax rolls of each municipality named in the organization resolution the portion of the tax that bears the same ratio to the whole amount that the assessed valuation of taxable property in that municipality bears to the assessed value of taxable property in all municipalities named in the organization resolution. Collections of the tax shall be remitted by each county treasurer to the treasurer of the authority.

Subd. 9. **Municipal agreements.** The authority may enter into agreements with the municipality or municipalities named in the organization agreement, or with other municipalities situated in the counties named in the resolution, respecting the matters referred to in section 398A.06.

Subd. 10. **Bonds.** The authority may issue bonds in the manner and upon the conditions provided in section 398A.07.

Subd. 11. **Contracts for operation and use of facilities.** The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(a) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined;

(b) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(c) Granting the privilege, for compensation as the authority shall determine, of

JOINT POWERS AGREEMENT BETWEEN RAMSEY COUNTY
AND THE RAMSEY COUNTY REGIONAL RAILROAD
AUTHORITY FOR ADMINISTRATIVE SERVICES

This Joint Powers Agreement is entered into this day of , 1987, by and between Ramsey County ("the County") and the Ramsey County Regional Railroad Authority ("the Authority") pursuant to Minnesota Statute §471.59.

1. Purpose.

The purpose of this Agreement is to define the relationship between and obligations of the parties in the administration and performance of the activities of the Authority. By this Agreement, the County agrees to perform on behalf of the Authority the services and functions described herein, as provided in Minnesota Statute §471.59, Subd. 8.

2. Services.

The County shall provide to the Authority administrative and other services necessary or convenient for the performance of the Authority's duties and purposes. These services shall include, but not be limited to:

A. Budgeting and Accounting.

The Ramsey County Budgeting and Accounting Office shall provide budgeting and accounting and related services for the Authority. The Budgeting and Accounting Office shall report all activities performed on behalf of the Authority in accordance with applicable statutes and Ramsey County policy procedures.

B. Data Processing.

The Ramsey County Data Processing Department shall provide data processing and related services for the Authority.

C. Risk Management.

The Ramsey County Risk Manager and the Risk Management Department shall provide risk management and related services for the Authority.

D. Property Taxation and Records Administration-Revenue Division.

The Revenue Division shall provide revenue and related services for the Authority, including, but not limited to, receipting, investing and depositing of Authority funds. The Revenue Division shall credit the County with interest earned on its investments in accordance with established Ramsey County policy. The Revenue Division shall report all activities performed on behalf of the Authority in accordance with applicable statutes and Ramsey County policies and procedures.

E. County Attorney.

The Ramsey County Attorney shall provide all legal services for the Authority.

F. Executive Director.

The Ramsey County Executive Director's Office shall provide all executive and related services for the Authority, including, but not limited to, the preparation of requests for County Board and Authority Board action, property management, and policy analysis and guidance.

G. Purchasing.

The joint City-County Purchasing Department shall provide purchasing and related services for the Authority in accordance with applicable statutes and County purchasing policies and procedures.

3. Payment for Services.

The County shall bill the Authority, and the Authority shall reimburse the County, for costs of providing the services described herein.

4. Consultants.

The Authority may obtain at its expense, such outside consulting expertise as may be necessary or convenient for the performance of the Authority's duties or purposes.

5. Disposition of Property.

Pursuant to Minnesota Statute §471.59, Subd. 5, upon completion of the purposes of this Agreement, any surplus moneys acquired as the result of this Agreement shall be returned in proportion to the contributions of the parties, and any property acquired as the result of this Agreement shall be disposed of as the parties may decide at such time.

6. Amendment.

This Agreement may be amended upon written agreement by the parties.

7. Termination.

This Agreement shall remain in effect until terminated by either party upon sixty (60) days' written notice or until the purpose of this Agreement has been completed.

RAMSEY COUNTY

By:_____
Chairperson, Ramsey County
Board of Commissioners

RAMSEY COUNTY REGIONAL
RAIL AUTHORITY

By:_____
Chairperson, Ramsey County
Regional Rail Authority

Attest: _____
Chief Clerk

Date:

Attest: _____
Chief Clerk

Date: