



Ramsey County Regional Railroad Authority.
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John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

AGENDA

Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Tuesday, August 8, 1989

10:30 A.M. - Large Conference Room - 316

1. * Minutes of the July 25, 1989 Meeting.
2. Michael Ehrlichmann, Chairman of the Regional Transit Board, will address the Board.
3. Chairman's Comments.
4. * Ratify partial payment No. 7 to Strgar-Roscoe-Fausch, Inc., in amount of \$118,333.29.
5. * Authorize RCRRA staff to negotiate on behalf of Ramsey County Regional Railroad Authority an agreement with Mn/DOT for use of a portion of the former Northeast BN right-of-way.
6. * Approve resolution requesting additional assessment of federal process for LRT funding.
7. * Approve Agreement No. RCRRA 89-003 in the amount of \$1,398,039, and authorize the Chairman of the Ramsey County Regional Railroad Authority to sign the agreement with BRW, Inc. on its behalf.

* Action is required.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

July 25, 1989

The regular meeting of the Board of Ramsey County Regional Railroad Authority was held on Tuesday, July 25, 1989, at 10:40 A.M. in the Large Conference Room of 316, Court House.

MEMBERS PRESENT: Chairman John Finley
Commissioner Diane Ahrens
Commissioner Ruby Hunt (entered during Item 6)
Commissioner Hal Norgard
Commissioner Donald Salverda
Commissioner Warren Schaber

MEMBERS ABSENT: Commissioner Duane McCarty

Also Present: Karen Tero, James Van Houdt, Ed Glaubitz, Robert Clarkson, Hugh Faville, Lee Aase, Patrick O'Malley, Don Ahern, James Tolaas, Arne Stefferud, Greg Mack, Kenneth Weltzin, Kathryn DeSpiegelaere, David MacMillan represented the County Attorney's Office, Arne Stefferud, Greg Pinney, Frances Glendenning

1. Chairman's Comments

Chairman Finley did not deliver any comments, but thanked Commissioner Norgard for the presentation of the miniature train, a symbol of light rail to come.

2. Minutes - Minutes of the July 11, 1989 Meeting.

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

The Ramsey County Regional Railroad Authority approves the minutes of the July 11, 1989 Meeting as written.

Roll Call: Ayes - 5, Nays - 0
Motion adopted.

3. Quarterly Report of Payments for RCRRA for April - June, 1989

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

WHEREAS, Payments have been made from the Ramsey County Regional Railroad Authority budget for the period April through June, 1989, and a record of these disbursements is attached, and on file, Now, Therefore Be It

RESOLVED, That the report of payment is accepted by Ramsey County Regional Railroad Authority.

R89-40

Roll Call: Ayes - 5, Nays - 0
Motion adopted.

4. Report on Meeting with Urban Mass Transportation Administration

Kathy DeSpiegelaere addressed the Board, two weeks ago three representatives from the UMTA, Chicago and Washington offices, were here to meet with people in the Twin Cities. This is the agency which perhaps could provide Federal funding for light rail transit. What was learned from the meeting is that since the administration has just changed, there is a great deal of uncertainty about what the Federal process is. It was also learned that the Midway Corridor is the most likely candidate in the Twin Cities for Federal funding.

In order to meet Federal requirements, it was learned that additional studies need to be undertaken, and these would be beyond the sort of studies that have to be undertaken to meet State requirements. The implications of that are that if we choose to comply with Federal requirements, it would require more time, more staff, and more funds for studies. There is no certainty of Federal funds. In the past all Federal funds have been earmarked by Congress for Light Rail Systems.

What we intend to do is to do a more detailed assessment of the pros and cons of Federal funding as the first part of the contract which will be brought to this Board on August 8th with BRW for study of the Midway Corridor. The good news is that at least we know some of the pros and cons before we start the process, rather than finding them out afterwards.

Chairman Finley asked if what Ms. DeSpiegelaere is saying, is that are we going to get a better handle on the additional cost for the analysis, and this will come with the contract. Ms. DeSpiegelaere said they would have more information for the Board on August 8th, but it may be that we may want to do some negotiations with UMTA people to tie down specifically what their requirements are, and this might happen subsequent to August 8th.

Commissioner Ahrens asked about the \$24 million for light rail that some of us thought Hennepin was getting is evidently not being received over there with enthusiasm because they would have only this Federal money for their 29 mile section. Is there some thought of the \$24 million not going to Hennepin, that it might be transferred into our corridor instead?

Ms. DeSpiegelaere explained this is one option to consider because the Midway Corridor does extend from downtown Minneapolis to St. Paul, and what they applied for Federal funds is part of that corridor, so there are options to consider there too. It is very difficult, however, to define with certainty exactly how to operate in the Federal parameters and exactly what they are saying.

Commissioner Ahrens said she has heard that Hennepin County is probably not going to ask for that money. Ms. DeSpiegelaere does not know if they have made that decision, it would be heard to walk away from the Federal money.

Chairman Finley explained the question is whether or not this is going to limit them from any further money. Ms. DeSpiegelaere said the letter Hennepin has from UMTA indicates that that is the case, that would be the only money.

Chairman Finley continued, under the plan the whole system would have benefitted from it as it included facilities, etc. so it does have an effect on us as it is a limitation as it affects the total system, the maintenance facilities, as then no one in the system could get the \$24 million, then it would have an effect on the entire metropolitan area.

5. Approve Public Participation Program for Midway Corridor

Chairman Finley said that Ms. DeSpiegelaere has talked to several of the interested parties along the Midway Corridor, and previously we had a Midway Corridor Committee, we felt that we could probably expand it to take in some of the people and representatives of the groups other than just the Community Councils, such as the Capitol Area Architectural Committee, University United, as they are very concerned about where it goes, what it will look like, how are the stops going to affect their businesses, how will it affect the Capitol approach area. Rather than using an existing group, it is suggested that we set up a Task Force just to review the plans, this would not be on a regular schedule.

We will be sending letters out to these groups, asking them to appoint their representative, as opposed to us appointing the members.

Commissioner Ahrens would like to know if this does get at the issue that the St. Paul Chamber of Commerce raised in their letter of July 25th. Chairman Finley explained that their letter goes to the Comprehensive Plan.

Ms. DeSpiegelaere responded that this is two different pieces of work, the letter in question will be addressed under Item 7 on today's agenda.

Commissioner Finley reiterated that this will be the new committee or Task Force for the Midway Corridor first phase on Engineering with BRW. We will be looking to this new Task Force for input.

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

WHEREAS, Ramsey County Regional Railroad Authority will undertake preliminary engineering Phase I and an Environmental Impact Statement for light rail transit for the Midway Corridor; and

WHEREAS, Public participation has been indicated by the Regional Railroad Authority to be desirable because decision makers benefit from hearing the suggestions of many people with diverse views; because suggestions from the public improve planning and implementation of projects; and because a well-informed community can understand and accept why decisions on complex projects are made and how they were made; Now, Therefore Be It

RESOLVED, That Ramsey County Regional Railroad Authority approves the attached program for public participation(which will be on file and made a part hereof) for preliminary engineering Phase I and an Environmental Impact Statement for the Midway Corridor.

R89-41

Roll Call: Ayes - 5, Nays - 0
Motion adopted.

6. Adopt "Analysis of Financing Options for Light Rail Transit" for purposes of public review.

Commissioner Norgard commented that the approach is right, that Ramsey County should not pay for it, there should be an overall system of financing. That is the important part.

Chairman Finley feels that this analysis and the numbers are extremely high as far as construction, but when you correlate it down to a type of tax, what it would cost to pay for it, you get a little different perspective on it. When you think of a 1% sales tax, even on a metro-wide, it takes care of the entire system. What is good about the analysis is that when you get away from what it would cost a homeowner on his property tax, we always are considering this in our budgeting, as this is the only way we can budget is with the property tax. To get away from that to see how much revenue you could get on a sales tax or an MVET fund or gas tax, it gives a totally different perspective as we, as County Commissioners, have never dealt with those other sources of revenue. It is a substantial source of revenue, which is not overpowering in comparison to having a property tax bill go up a few hundred dollars because of one area of government. The analysis is good from that standpoint, bringing it down to the real cost and how you pay for it. If you say one billion dollars, that is astronomical, but when you say you can go twice that amount with 1% sales tax, it is not so astronomical any more.

Commissioner Schaber had recommended that we broaden the initial report to look at statewide options, and would certainly move approval of the analysis as it does not lock us into any option at this time. Commissioner Norgard seconded this motion.

Chairman Finley was glad that Commissioner Schaber had recommended this amendment, as he had not been present at the last meeting, as it gives us another perspective this is important as we need to have some type of state-wide funding.

Commissioner Schaber was concerned because when you consider the metro area, and you get tied into the seven county metro area, which to him is a misnomer in today's world. This is just not the seven county area - this was set up by the Metropolitan Council in the 60's, and today it is much larger. We have to start looking at that and change our thinking on this as well.

Commissioner Ahrens also feels we have to start thinking statewide as the statewide road system is supported by all of us in terms of the taxes that we pay, the metro area residents pay more for roads in greater Minnesota than those who reside in greater Minnesota. Much of the argument that is used for the road system is that the farmers have to get their product to market; well, we have a product of people, and we have to get them to market, to their jobs. It seems to her that we need to talk in those kinds of terms, as this is the way we have been talked to in the past, and this is a transportation system just like the road system in greater Minnesota.

Chairman Finley thinks that what this analysis does because of the assumptions that were built into it at our request that property tax not be used as a major source of revenue, it makes it clear to the other agencies, and should to the State Legislature, and other metro agencies and counties, that we do not have a plan necessarily to fund it, but we know how it can be funded, and we know what we do not want. The negative side is as important as the positive side. There are five ways it can be funded, and there is one way not to be - that is the property tax.

Ms. DeSpiegelaere informed the Board that two members of the House Research Staff are here today, and they are here because of this item on the agenda. Harry Hoffman from Springsted is present should you want additional information on the report.

Chairman Finley appreciated these people coming.

Commissioner Salverda commented, as he had at the last meeting, that when you look at the three options, these are really just three samples of combinations, as there are almost an unlimited number of potential options within those six. With the time constraints in putting together, there may not have been a considerable amount of thinking that went into that. This document now goes out for public review, so there may be other options surface.

Chairman Finley feels that is a good point, as each of them individually may be the only source, and then the combination of several, or one or two. These are samples of a number of variables, it is almost unlimited. We are not locked into, nor the public, in selecting one of the three options presented.

Harry Hoffman, Springsted representative, does not think there is anything to say, these are three possible combinations that were presented to you to give an idea of the magnitude of taxes if these sources were used.

Commissioner Norgard asked if any other counties, Hennepin, Anoka, Dakota, do they have a financial plan similar to this.

Mr. Hoffman replied that his firm works for Anoka County, and they did not produce an analysis of financing options. Springsted produced for them a much more abbreviated analysis to go in their comprehensive plan, as they relied principally on the property tax, and a few other sources, but it was not an area wide or state wide or comprehensive review of alternatives to the property tax in Anoka County. From what he has seen of the Hennepin report, and he has not read the whole report, they did not do a full analysis either, they did something similar, this was prepared for them similar to what Price Waterhouse had prepared for Ramsey County. This was a broad overview but did not provide alternatives, but relied on property tax. Ramsey County has a very different approach.

Commissioner Norgard feels that this should be carried over to the other major players, the important thing is that we are showing the rest of our communities that we want to be competitive and we want to be there. It is good for Ramsey County to have all the plans that we have. It is important, the time and money that we have put into these plans.

Commissioner Schaber thinks this particular financial analysis is extremely important as he does not think the Legislature has had any basic document like this presented to them as to what these costs are. This is just Phase I, we are only talking about one line now, not an overall master plan with several lines. When you look at the cost and the ability to raise money, this report is going to be very beneficial to the Legislature as they are going to have to consider some sort of state appropriation, it has to come that way, as this is a transportation system, and has to be looked at. He hopes that this information will get to the proper people and committees at the State who will be involved in making decisions.

Commissioner Hunt entered the meeting during the discussion of this item. She feels that this is an excellent report.

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

WHEREAS, The Ramsey County Regional Railroad Authority has received information on financing light rail transit as part of the development of the draft Comprehensive Light Rail Transit Plan for Ramsey County in the form of a report prepared by Springsted; Now, Therefore, Be It

RESOLVED, That a summary of the financial information will be incorporated in the draft Comprehensive LRT Plan before it is distributed; and Be It Further

RESOLVED, That the Analysis of Financing Options for Light Rail Transit be adopted for the purposes of public review.

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

P89-42

7. Adopt Draft Comprehensive Light Rail Transit Plan for Ramsey County for purposes of public review.

Chairman Finley believes that all Board members received a copy of the letter to BN, and their concerns, and how we might adjust that in the report. They were concerned that we are implying by the maps that the entire line of BN would be available for light rail transit, so we have made it clear in this report, we acknowledge that large segments may not be available, and that we will be looking at the other alternatives which had been suggested by Commissioner Schaber that we look at Pierce Butler and that area, as this is close proximity to the rail lines. On Page 36 of the report we are addressing the concerns and the language that he had suggested in the letter to BN. In this plan today this is included, and he asked that it be corrected to read "Pierce Butler Road" not Butler Road. However, it is correct on the map.

Ms. DeSpiegelaere explained that this is the preliminary copy, and this will be revised after today's meeting. The correction requested has been made.

Commissioner Schaber mentioned in their letter they say the only part of the line available is Lexington to Dale.

Chairman Finley informed the Board that Ed Doggett had been in the hospital with back surgery, and this letter came over his signature. This may or may not be correct, that is why we are going to be looking at it from an engineering standpoint with their people. The biggest concern, and it always has been from day one, has been that hub area around Snelling, then extensions out from that area, and the exact locations of which will be looked at from the engineering. We know that it is not going to be available in that area, and that was pretty much a given from earlier discussions. As Mr. Doggett points out, he probably would not have worded the letter exactly that way had he drafted it. It is clear at this point that the engineering should not be spending too much time around the hub as it is not going to be available, and the time should be spent looking at alternatives in that area, whether coming over Pierce Butler, where it would come over, at Lexington, possibly at Hamline, or wherever. They did a rail line ride, and Mr. Doggett told Chairman Finley on the phone that they are going to continue to work with us.

Commissioner Salverda feels that the letter from Mr. Doggett is not really what he is saying. Chairman Finley explained that Mr. Doggett is satisfied with the way we have handled the report. It is satisfactory to him, to leave it broad at this point as we are not sure of the exact location, but we do know that it is not going to be around the hub for use, and whether or not it is just Dale to Lexington, or it might be Western, or some other area, is going to depend on the engineering, which has been Mr. Doggett's consistent feelings all along. Chairman Finley thinks that we can pretty much count on the fact that west of Snelling, and possibly somewhere west of Lexington is not going to be available, but that is all right, that is where it starts going north after Snelling.

Commissioner Ahrens understands that Chairman Finley feels confident that as our engineering study proceeds with BN that we are going to get the kind of answers we need from them, so that the engineering study does not come in with something that will be turned down by BN.

Chairman Finley thinks that is exactly right, he would envision that we had better know exactly where it could be better utilized from an engineering standpoint. There may be that there will not be enough left to continue that particular route at the end.

Commissioner Ahrens does not want to be spending money needlessly for a proposal that is not going to go any place.

Chairman Finley thinks that they are trying to do that, and the letter that they had had a narrower scope, which would be that area, where engineering could be designed on either side of that area, this is what the engineering study will do. He does not think we should be spending any time west of Snelling for sure from an engineering standpoint.

Commissioner Ahrens had a question, as we get into the study of I94, is the firm going to be working with the Department of Transportation in terms of the feasibility of that section, so that Mn/DOT does not step in and say that they have plans there.

Ms. DeSpiegelaere informed the Board that the staff has already had meetings with the Department of Transportation, they are involved on our Technical Committee and Intergovernmental Committee. We met with them in January about that specific subject, and we have had two subsequent meetings with staff, so that they are aware that this is one of the alignments being considered. As part of the Participation Program that was approved for the Midway Corridor, we will have meetings with all affected agencies, Mn/DOT is an integral player as is Burlington Northern and the City of St. Paul. There are many others, but we do intend to meet regularly with them so that we do not get to the conclusion of this study and find out it is not acceptable.

Commissioner Ahrens understands that in 1992 I94 was going to be torn up, and if 94 is to be considered as an alignment, there is only a two year period which is not much, and whether the State would be willing to say they would put off some of their scheduling so that they could connect with this. This is the indepth kind of consultation she is talking about.

Ms. DeSpiegelaere explained it is hard to guarantee, for example, there are bridges being replaced right now accessing downtown St. Paul that it would have been advantageous to have considered light rail transit in conjunction with that. We cannot mandate what the Department of Transportation would do, but certainly we would make every effort to guarantee that our plans are coordinated. From the information that she has is that because of funding difficulties the 94 plan is on hold for the broad stretch of 94.

Ms. DeSpiegelaere continued, this is one of the major reasons we have done a comprehensive plan so that that kind of coordination can occur. At this point now we have a much better idea of where light rail transit would be reasonable. Had we had this in place two or three years ago, they may have tried to make some accommodations on bridges that are being replaced now.

Chairman Finley informed the Board that we have a letter from Pat Donovan, who represents the St. Paul Area Chamber of Commerce, he is Chair of the Light Rail Task Force. This letter references the draft Comprehensive Plan, suggesting the Work Session, supporting the draft, but there be not only a working session for their Light Rail Task Force, but also to have a public hearing for anyone interested.

Ms. DeSpiegelaere said this subject was brought up with the Commissioners at the last Work Session, and the suggestion was made that we have forums to replace the public hearings. Certainly, if you would like a public hearing that could be done. We do, however, have five public forums scheduled. Ordinarily, one of the Board members would moderate a forum, and we would keep a record of that information, too.

Chairman Finley suggested that we see how the Forums go, and if necessary we could have a public hearing at the end, if it appears at that time that there is anyone wanting to do it, rather than planning it now.

Ms. DeSpiegelaere informed the Board that the City of St. Paul staff has asked if the Mayor could come and speak with the Board about this plan at one of the RRA regular meetings. This would be another option. Certainly if the Board wishes to schedule a formal public hearing, we can do that, but she would suggest that it be before October 12th, which is the date that comments are due. If you wish, we could schedule it in September, or you could schedule a portion of the regular RRA meeting for the Chamber or for anyone else to come and speak to the Board with comments on the plan, you could do that.

Chairman Finley suggested that the meeting with the Mayor be at the regular RRA meeting, and this could be placed on the agenda at any time, after they have had an opportunity to review it.

Commissioner Norgard would like to know how we are going to get the people to come to these forums as all you have are special interest groups. He has attended some of the past forums, and he does not see too many outsiders. Commissioner Ahrens said that is not true in her neighborhood, as there is a great deal of interest in this.

Chairman Finley feels that more and more people are getting interested in this. Commissioner Norgard insisted that we have to get the word out to get participation from the communities.

Commissioner Salverda said there should be major newspaper articles in great detail regarding the Comprehensive Plan which should spark the interest of the public.

Jill Goski addressed the Board, she has done a great deal of work on the planning for these forums, and how they will be publicized. At the last meeting a plan for public review was submitted. In addition to press releases, advertisements, news articles, they intend to distribute flyers on all the MTC buses, they are going to be at the Ramsey County Fair in a booth, and also they are looking into the State Fair, having a booth and distributing flyers.

Ms. DeSpiegelaere informed the Board that 40M fliers ^{will be} printed, 30M will be distributed on MTC buses at no cost to us.

Chairman Finley asked if the Board members had seen in the morning paper where the RTB is bringing in a light rail car for the State Fair, they are getting it from San Jose. There are pictures available at this meeting of this car, and there is a question as to how we want to participate in it. He has not talked about it yet, but one problem is the San Jose car has a low platform, it is very much like a streetcar, it runs like a streetcar, and he is not happy that this will be the one to be shown to the public.

Ms. DeSpiegelaere explained that getting this particular car was convenient, it was on its way here from another location.

Commissioner Hunt asked if we have slides of any of the other systems that we visited that might be helpful at the forums. Ms. DeSpiegelaere said they always show these slides at the forums.

Chairman Finley feels that there are other systems that give a better, cleaner look at light rail transit than San Jose. Ms. DeSpiegelaere will be meeting with the RTB Public Relations people to talk about what will occur, and at point we can make other rail authorities share that viewpoint.

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

WHEREAS, Ramsey County Regional Railroad Authority has completed information for a Comprehensive Light Rail Transit Plan for Ramsey County; Now, Therefore, Be It

RESOLVED, That the Draft Comprehensive Light Rail Transit Plan is approved for purposes of public review and comment.

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

R89-43

Commissioner Hunt discussed the decision on the final report, she feels that we should have all the people come together to make one final public hearing, it would be helpful to have these people who are dealing with all areas, we should not lose sight of the fact that it is an overall benefit to the broader community, and not just those neighborhoods who might be affected where the line is.

Chairman Finley said this had been left with the forums, but he would not be adverse to a public hearing, and asked Ms. DeSpiegelaere would be adverse to that. She would not be. Would you want it in the morning?

The forums end on September 21st, and the Board discussed having a meeting on a Board day, or adjust Committee schedules for one day when we would normally have a light rail meeting. The Executive Director could have a short Board agenda for the regular Board Meeting, and then the Public Hearing could follow that.

Commissioner Hunt would move that the Chairman of the RRA confer with the Executive Director as to what might be available for Public Hearing in September. Her own feeling is that the various Commissioners who are conducting or moderating a session in a particular seminar or neighborhood are not going to have the benefit of the kinds of information that come out at other hearings, and it would be helpful for the County Board to get the big picture by having a hearing.

Commissioner Salverda is concerned as having a meeting during the day may eliminate people who might normally be able to come in the evening.

Commissioner Ahrens feels that the motion proposed allows the Chair and the Executive Director to arrange for the best available time.

Ms. DeSpiegelaere had hoped this issue could be resolved now so that they could add that to the Forum announcement they are having printed shortly, which will be distributed at the Fair.

Commissioner Ahrens commented that this document is so good, would we have enough copies to be distributed to the key players, or can we take certain excerpts from sections. It is so valuable, and it is important that we toot our own horn and let people know that we have done some indepth work on this.

Chairman Finley would like to have the entire report reproduced, as it is so comprehensive, people who are interested should have the full report. We should go through our list of people, key legislators who have shown an interest in light rail at the last session, even though they may not be in Ramsey County, besides our own legislators.

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

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

2

RCRA Originating Department <i>K. L. Spigelauer</i> Authorized Signature Date <i>7/31/89</i>		Board Action Requested Michael Ehrlichmann, Chairman of the Regional Transit Board, will address you at your meeting. DISCUSSION ONLY
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Request Justification

Michael Ehrlichmann has been appointed Chairman of the Regional Transit Board by Governor Perpich. He assumes that position on August 1, as do the 10 newly-appointed Board members. Mr. Ehrlichmann has asked to meet with members of the Ramsey County Regional Railroad Authority at a regular meeting.

Budgeting and Accounting <i>N/A</i> County Attorney Risk Manager Data Processing Previous Action taken on Request		Date / Time Received By
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Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 8, 1989	<i>J. L. Glendonning</i>	8/2/89
Board Date	Signature	Date

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

3

<u>Chairman John Finley</u> Originating Department <u>J.T. Finley /s/</u> <u>8/2/89</u> Authorized Signature Date	Board Action Requested Chairman's Comments
Request Justification	

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

Date / Time
 Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date
August 8, 1989

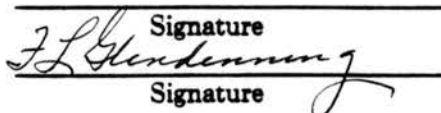
Signature

Date
8/2/89

Board Date

Signature

Date


 J.L. Henderson
 Signature

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

4

RCRRA		Board Action Requested
Originating Department		Ratify Partial Payment No. 7 to
K. DeSpiegelaere /s/	7/18/89	Strgar-Roscoe-Fausch, Inc., in
Authorized Signature	Date	amount of \$118,333.29
		*Action is required

Request Justification

Ramsey County Regional Railroad Authority has contracted the professional services of Strgar-Roscoe-Fausch, Inc. for the purposes of developing a Comprehensive Light Rail Transit Plan. Contract Agreement No. RCRRA-88-002 governs the performance of services and terms of payment. Payment in the amount of \$118,333.29, for the period ending June 30, 1989, has been issued in accordance with contract provisions and Rail Authority Resolution No. R89-16. Payment documentation is being submitted for ratification in compliance with the latter.

- Attachments:
- 1) Accounts Payable form and Partial Payment No. 7
 - 2) SRF Invoice No. 7 and attachments
 - 3) Proposed resolution ratifying payment

Budgeting and Accounting <i>Ed. Glanville</i>	Date / Time
County Attorney <i>Don MacNeil</i>	Received By
Risk Manager _____	
Data Processing _____	
Previous Action taken on Request _____	

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 8, 1989	<i>L. Glendenning</i>	7/19/89
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, The Ramsey County Railroad Authority has contracted for the professional services of Strgar-Roscoe-Fausch, Inc. for the purposes of developing a Comprehensive Light Rail Transit Plan for Ramsey County; and

WHEREAS, Ramsey County Regional Railroad Authority Agreement Number RCRRA-88-002 governs the performance of services and terms of payment to Strgar-Roscoe-Fausch, Inc.; and

WHEREAS, To ensure timely payment for services rendered in accordance with Agreement No. RCRRA-88-002, the Ramsey County Regional Railroad Authority authorized (Resolution R89-16) the Director of Light Rail Transit Planning to process payments to Strgar-Roscoe-Fausch, Inc. for work completed and invoiced in accordance with the agreement; and

WHEREAS, Resolution R89-16 requires submittal of invoice and payment documentation to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation; Now, Therefore, Be It

RESOLVED, Invoice and payment documentation for Partial Payment No. 7 in the amount of \$118,333.29, is in accordance with governing contract provisions and payment in that amount is hereby ratified.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary

ACCOUNTS PAYABLE

(1) CHARGE TO: Dept. REGIONAL RAILROAD AUTHORITY

Date July 18, 1989

(2) Appropriation Item Consulting Services

For Accounting Use Only			
Claim #		Date Paid	
CA	PA 736	1	
1-2	3-7	8	9-14

WARRANT NO.

(3) Code

RFC	Fund	Dept	Object	Amount
	591	59102	020102	\$118,333.29
			Agreement	
			No. PA736	
15-17	18-20	21-25	26-31	32-41

\$118,333.29

Total

(4) PAY TO: $\triangle 2$

8	First Name & Initial	9-22
---	----------------------	------

STRGAR ROSCOE FAUSCH, INC.

Last Name or Firm Name	23-52
------------------------	-------

3 1 Carlson Parkway North, Suite 150

8 Address 9-32

Minneapolis

MN

55447

City	State	33-54
------	-------	-------

State

Zip Code 55-59

Fed Tax ID 60

(5) On Check Stub Put: 

Invoice #7, File#881127-1134 & 1159

9-60



Agreement #RCRRA 88-002

9-60

For Risk Management
Use Only



9-24

Last Name	First Name
-----------	------------

(6) SEND TO:

Address

Use only if Payee and,
Address differs from
Item 4

(7) Attach to the back of this form: Original Invoices, Receipts, Certified Claims or other documents.

Preparer's Signature:

(8) I declare that the above materials and/or services have been received, are for Ramsey County, allowed by law, and approved for payment.

Authorized Signature:

NOTE: The vendor's Social Security Number will be used to report taxable income to the Internal Revenue Service. This data is considered private under Minnesota Statutes 15.165, but we will not be able to process this claim without it.

BA-354 (04 - 88)

FOR INSTRUCTIONS SEE ACCOUNTING SYSTEM PROCEDURES MANUAL

RAMSEY COUNTY REGIONAL RAIL AUTHORITY

PARTIAL PAYMENT NO. 7

PROJECT: COMPREHENSIVE LIGHT RAIL TRANSIT PLAN
CONTRACT AGREEMENT NUMBER RCRRA-88-002

PREPARED BY: 

ENTERED BY:

PROJECT COST CENTER: 59102 AGREEMENT NO: PA 736

DATE: 17 JULY 89

RAMSEY COUNTY REGIONAL
RAILROAD AUTHORITY
316 COURTHOUSE
ST. PAUL, MN 55102

CONTRACTOR: STRGAR-ROSCOE-FAUSCH, INC
ONE CARLSON PARKWAY N., SUITE 150
MINNEAPOLIS, MN 55447

ACCOUNT NUMBER 59102-020102	PERCENT COMPLETED	72.09
TOTAL VALUE OF WORK CERTIFIED - 30 JUNE 89		\$315,047.02
LESS 10% RETAINAGE		\$31,504.70
AMOUNT DUE		\$283,542.32
LESS PREVIOUSLY APPROVED PAYMENTS:		\$165,209.03
ALLOWABLE PAYMENT FOR THIS PARTIAL:		\$118,333.29

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE WORK AND DETAIL OF THE INVOICE, AND FIND THE TASKS LISTED HAVE BEEN COMPLETED IN ACCORDANCE WITH AGREEMENT REQUIREMENTS.

7/18/89 K. Helgeson
DATE DIRECTOR, RC REGIONAL RAILROAD PLANNING

7/21/89 Donald Johnson
DATE CONTRACTOR

PREVIOUS PARTIAL PAYMENTS:

PARTIAL PAYMENT NO. 1	\$6,806.63
PARTIAL PAYMENT NO. 2	\$11,096.78
PARTIAL PAYMENT NO. 3	\$25,484.29
PARTIAL PAYMENT NO. 4	\$30,085.93
PARTIAL PAYMENT NO. 5	\$38,911.95
PARTIAL PAYMENT NO. 6	\$52,823.45
PARTIAL PAYMENT NO. 7	\$118,333.29
PARTIAL PAYMENT TOTAL:	\$283,542.32

SUMMARY OF AGREEMENT

ORIGINAL AGREEMENT AMOUNT:	\$437,700.00
LESS TOTAL PARTIAL PAYMENTS (INCLUDING THIS PAYMENT)	\$283,542.33
AMOUNT REMAINING ON AGREEMENT	\$154,157.67

STRGAR-ROSCOE-FAUSCH, INC.
Consulting Engineers-Land Surveyors
One Carlson Parkway North, Suite 150
Minneapolis, MN 55447

Telephone: (612) 475-0010

Refer to File: 0881127-113

Ms. Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
Room 316 Courthouse
15 West Kellogg Blvd.
St. Paul, MN 55102

Invoice Date: 6/30/89

Invoice No. 7

Period Ending: 6/30/89

re: COMPREHENSIVE LRT PLAN
AGREEMENT NUMBER RCRRA-88-001 (PHASE I)
AGREEMENT NUMBER RCRRA-88-002 (PHASE II)

	NO.	CURRENT PERIOD	PREVIOUSLY BILLED	TO DATE
Task 1 -Phase I	1127	0.00	21,632.26	21,632.26
Task 2 -Standards/Policies	1128	775.00	11,325.50	12,100.50
Task 3 -Corridor Ident./Evaluation	1129	26,355.80	85,105.69	111,461.49
Task 4 -Downtown St. Paul Alignment	1130	2,829.38	13,423.65	16,253.03
Task 5 -LRT Staging Plan	1131	2,966.25	2,250.00	5,216.25
Task 6 -Operating/Financial Plan	1132	11,517.77	6,932.05	18,449.82
Task 7 -Draft & Final LRT Plans	1133	4,360.48	1,997.14	6,357.62
Task 8 -Community/Agency Particip. *	1134	16,662.12	54,087.04	70,749.16
Total Labor and Overhead		65,466.80	196,753.33	262,220.13
Direct Non-Salary Costs - Phase I	1127	0.00	573.18	573.18
Direct Non-Salary Costs - Phase II	1159	66,014.63	8,444.52	74,459.15
TOTAL FEE EARNED		131,481.43	205,771.03	337,252.46
LESS 10% RETAINAGE - PHASE II		13,148.14	18,356.56	31,504.70
TOTAL		118,333.29	187,414.47	305,747.76
TOTAL AMOUNT DUE THIS INVOICE		118,333.29	=====	

* TASK 8

Community/Agency Participation	4,767.50
Newsletter/Presentation Materials	7,754.62
Special Meetings/Preparation	4,140.00
TOTAL	16,662.12

COMMISSION # 881128
LRT PLAN - STANDARDS & POLICIES
PERIOD ENDING JUNE 30. 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
P. Fausch	Principal	80.00	5.0	400.00
F. Robinson	Prinicipal	75.00	5.0	375.00
----- TOTALS -----			10.0	775.00

COMMISSION # 881129
LRT PLAN - CORRIDOR IDENTIFICATION
PERIOD ENDING JUNE 30, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Strgar	Principal	85.00	11.0	935.00
P. Fausch	Principal	80.00	16.5	1320.00
F. Robinson	Principal	75.00	34.5	2587.50
C. Zimmer	Principal	75.00	23.0	1725.00
D. Eyler	Principal	75.00	77.0	5775.00
N. Heuer	Sr. Engineer	62.70	38.4	2407.68
A. Warner	Trans. Planner	65.00	10.5	682.50
F. Loetterle	Trans. Planner	41.25	203.5	8394.38
C. Kennedy	Sr. Technician	36.30	8.0	290.40
A. Tassoni	Technician	33.49	1.3	43.54
K. Ehrlichman	Technician	30.53	7.5	228.98
L. Williams	Technician	26.40	6.0	158.40
B. Bersie-Ashfeld	Word Processor	37.95	42.8	1624.26
J. Lubarda	Word Processor	37.95	4.5	170.78
K. Dooley	Clerical	24.75	0.5	12.38
----- TOTALS -----			485.0	26355.80

COMMISSION # 881130
LRT PLAN - DOWNTOWN ST. PAUL ALIGNMENT
PERIOD ENDING JUNE 30, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Robinson	Principal	75.00	17.5	1312.50
D. Eyler	Principal	75.00	9.5	712.50
F. Loetterle	Trans. Planner	41.25	19.5	804.38
-----	TOTALS -----		46.5	2829.38

COMMISSION # 881131
LRT PLAN - LRT STAGING PLAN
PERIOD ENDING JUNE 30, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Robinson	Principal	75.00	39.0	2925.00
F. Loetterle	Trans. Planner	41.25	1.0	41.25
----- TOTALS -----			40.0	2966.25

COMMISSION # 881132
LRT PLAN - OPERATING & FINANCIAL PLAN
PERIOD ENDING JUNE 30, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
P. Fausch	Principal	80.00	12.0	960.00
F. Robinson	Principal	75.00	33.0	2475.00
J. Kern	Associate	75.00	87.5	6562.50
W. Gardner	Trans. Planner	57.92	6.0	347.52
A. Tassoni	Technician	33.49	1.5	50.24
B. Bersie-Ashfeld	Word Processor	37.95	7.5	284.63
J. Lubenda	Word Processor	37.95	16.1	611.00
G. Bartus	Clerical	33.00	2.0	66.00
K. Dooley	Clerical	24.75	6.5	160.88
----- TOTALS -----			172.1	11517.77

COMMISSION # 881133
LRT PLAN - DRAFT & FINAL LRT PLANS
PERIOD ENDING JUNE 30. 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
P. Fausch	Principal	80.00	10.0	800.00
F. Robinson	Principal	75.00	44.0	3300.00
C. Zimmer	Principal	75.00	3.0	225.00
J. Kranig	Associate	70.95	0.5	35.48
-----	TOTALS	-----	57.5	4360.48

COMMISSION # 881134
LRT PLAN - COMMUNITY & AGENCY PART.
PERIOD ENDING JUNE 30. 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
P. Fausch	Principal	80.00	16.0	1280.00
F. Robinson	Principal	75.00	46.5	3487.50
-----	TOTALS -----		62.5	4767.50

COMMISSION # 891157
LRT PLAN - NEWSLETTER/PRESENTATION
PERIOD ENDING JUNE 30, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
D. Paulu	Sr. Technician	36.30	90.0	3267.00
J. Hoffman	Technician	36.30	3.1	112.53
V. Martinez	Technician	33.83	59.0	1995.97
A. Tassoni	Technician	33.49	1.5	50.24
K. Ruff	Technician	33.33	44.7	1489.85
A. VonDuyke	Technician	33.00	3.5	115.50
D. Madison	Technical Writer	42.90	11.0	471.90
G. Bartus	Clerical	33.00	2.0	66.00
K. Dooley	Clerical	24.75	7.5	185.63
-----	TOTALS -----		222.3	7754.62

COMMISSION # 891158
LRT PLAN - SPECIAL MEETINGS/PREPARATION
PERIOD ENDING JUNE 30. 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
P. Fausch	Principal	80.00	18.0	1440.00
F. Robinson	Principal	75.00	36.0	2700.00
----- TOTALS -----			54.0	4140.00

DIRECT NON-SALARY COSTS (SUMMARY)
PERIOD ENDING JUNE 30, 1989

LRT PLAN - PHASE II DIRECT COSTS

CAT #	CATEGORY	
1	MILEAGE	523.64
2	PARKING	114.50
8	LONG DISTANCE TELEPHONE	12.24
9	SPECIAL DELIVERY	149.85
10	POSTAGE	112.58
13	IN-HOUSE COPY DUPLICATION	1585.40
14	BLUELINE PRINTS	16.80
16	MYLAR SEPIA PRINTS	4.80
17	PRINTING	1125.07
22	SUPPLIES	194.35
50	CPP8.511 8.5X11 B/W PAPER STAT	71.00
51	CPP1012 10X12 B/W PAPER STAT	1051.05
52	CPP1218 12X18 B/W PAPER STAT	38.50
55	CPPAB1012 10X12 ADH PAPER STAT	88.00
56	CPF1012 10X12 B/W FILM STAT	841.50
58	CPFAB1012 10X12 ADH FILM STAT	252.65
69	CPFAB1218 12X18 ADH FILM STAT	17.50
80	XEROX BOND PRINTS	3.48
83	FAX	0.56

TOTAL DIRECT EXPENSES

6203.67

**KAISER
ENGINEERS**

KAISER ENGINEERS INC.
P. O. BOX 23210
OAKLAND, CALIFORNIA 94623-2321

INVOICE

STRGAR-ROSCOE-FAUSCH, INC.
ONE CARLSON PARKWAY NORTH, SUITE 150
MINNEAPOLIS, MINNESOTA 55447

DATE: 06/14/89
JOB NO: 31-88178

INVOICE NO: 22-06-A055

PLEASE REMIT TO:

KAISER ENGINEERS, INC.
TREASURY
P. O. BOX 24892
OAKLAND, CA. 94623-1892

SERVICES FOR THE MONTH OF MAY, 1989 TO CHARGE YOUR ACCOUNT FOR SERVICES PERFORMED IN CONNECTION WITH COMPREHENSIVE LIGHT RAIL TRANSIT SYSTEM, RAMSEY COUNTY, MINNESOTA.	AMOUNT THIS PERIOD	AMOUNT DUE
MANHOURS		
FULLY BURDENED HOURLY RATES PER AGREEMENT: (SEE SCHEDULE BELOW)		
TOTAL LABOR	149.5	12,281.85 36,820
SUB-TOTAL	12,281.85	36,820
TRAVEL & EXPENSE ACCOUNTS COMMUNICATIONS REPRODUCTION FREIGHT, DUTY & INSURANCE END-USER COMPUTING	51.11 6.96 34.75 6.26	1,487 105 38 48 325
TOTAL BILLING FOR INCURRED COSTS	12,380.93	38,825
TOTAL INVOICED AMOUNT	12,380.93	38,825
LESS RETENTION 10%	1,238.09	
TOTAL AMOUNT DUE	11,142.84	

THIS INVOICE IS DUE AND PAYABLE WITHIN 30 DAYS OF INVOICE DATE. PAST DUE
AMOUNTS ARE SUBJECT TO INTEREST CHARGES AT A RATE OF 12% P.A.

15

**KAISER
ENGINEERS**KAISER ENGINEERS INC.
P. O. BOX 23210
OAKLAND, CALIFORNIA 94623-2321

INVOICE

STRGAR-ROSCOE-FAUSCH, INC.
ONE CARLSON PARKWAY NORTH, SUITE 150
MINNEAPOLIS, MINNESOTA 55447DATE: 06/14/89
JOB NO: 31-88178

INVOICE NO: 22-06-A055

PLEASE REMIT TO:

KAISER ENGINEERS, INC.
TREASURY
P. O. BOX 24892
OAKLAND, CA. 94623-1892

			AMOUNT THIS PERIOD	AMOUNT DATE
SCHEDULE OF RATES AND CATEGORY:			M/HR.	
BERGERSON, J. H.	PRINCIPAL	\$125.00	2.0	250.00
ANDERSEN, C. A.	PRINC OR ARCH A	98.45	76.0	7,482.20
BELARDO, R. R.	PRINC OR ARCH A	92.35		
GUSTETICH, I	PRINC OR ARCH A	92.35		
TANKE, T.	PRINC OR ARCH A	91.08		
RYPINSKE, R. E.	PRINC OR ARCH A	100.00		
MARTIN, A.	STENO/CLERICAL	32.20	.5	16.10
WASHINGTON, W.	STENO/CLERICAL	36.03		
TUCKER, L. J.	STENO/CLERICAL	30.64	2.0	61.28
LEATHERS, B. A.	STENO/CLERICAL	37.59		
BEARD, S.	PRINC. ENGR. A	105.77	2.0	211.54
CAVIN, B. C.	PRINC. ENGR. A	83.30	6.0	499.80
LAY, M. T.	PRINC. ENGR. B	68.53	44.0	3,015.32
FAINSTEIN, J.	SENIOR ENGINEER	48.54	12.0	582.48
LEE, M. L.	STENO/CLERICAL	36.65	3.0	109.95
LIEM, J. L.	STENO/CLERICAL	26.59	2.0	53.18
			149.5	12,281.85

THIS INVOICE IS DUE AND PAYABLE WITHIN 30 DAYS OF INVOICE DATE. PAST DUE
AMOUNTS ARE SUBJECT TO INTEREST CHARGES AT A RATE OF 12% P.A.

**KAISER
ENGINEERS**

KAISER ENGINEERS INC.
P. O. BOX 23210
OAKLAND, CALIFORNIA 94623-2321

INVOICE

STIGAR-ROSCOE-FAUSCH, INC.
ONE CARLSON PARKWAY NORTH, SUITE 150
MINNEAPOLIS, MINNESOTA 55447

DATE: 05/23/89
JOB NO: 31-89178

INVOICE NO: 22-05-A13

PLEASE REMIT TO:

KAISER ENGINEERS, INC.
TREASURY
P. O. BOX 24892
OAKLAND, CA. 94623-1892

SERVICES FOR THE MONTHS OF JAN. TO APRIL, 1989
TO CHARGE YOUR ACCOUNT FOR SERVICES PERFORMED IN
CONNECTION WITH COMPREHENSIVE LIGHT RAIL TRANSIT
SYSTEM, RAMSEY COUNTY, MINNESOTA.

AMOUNT
THIS
PERIOD

AMOU
DA

MANHOURS

FULLY BURDENED HOURLY RATES PER AGREEMENT:
(SEE SCHEDULE BELOW)

TOTAL LABOR	287.5	24,538.35	24,538
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SUB-TOTAL		24,538.35	24,538
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TRAVEL & EXPENSE ACCOUNTS		1,487.70	1,487
COMMUNICATIONS		54.40	54
REPRODUCTION		32.00	32
FREIGHT, DUTY & INSURANCE		13.25	13
END-USER COMPUTING		318.74	318

TOTAL BILLING FOR INCURRED COSTS		26,444.44	26,444
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TOTAL INVOICED AMOUNT		26,444.44	26,444
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LESS RETENTION 10%		2,644.44	
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TOTAL AMOUNT DUE		23,800.00	
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THIS INVOICE IS DUE AND PAYABLE WITHIN 30 DAYS OF INVOICE DATE. PAST DUE
AMOUNTS ARE SUBJECT TO INTEREST CHARGES AT A RATE OF 12% P.A.

**KAISER
ENGINEERS**KAISER ENGINEERS INC.
P. O. BOX 23210
OAKLAND, CALIFORNIA 94623-2321

INVOICE

STIGAR-ROSCOE-FAUSCH, INC.
ONE CARLSON PARKWAY NORTH, SUITE 150
MINNEAPOLIS, MINNESOTA 55447DATE: 05/23/89
JOB NO: 31-88178

INVOICE NO: 22-05-A13

PLEASE REMIT TO:

KAISER ENGINEERS, INC.
TREASURY
P. O. BOX 24892
OAKLAND, CA. 94623-1892

		AMOUNT THIS PERIOD	AMOUNT DUE
SCHEDULE OF HOURLY RATES: CATEGORY			
BERGERSON, J. H.	PRINCIPAL	\$125.00 27.0	\$ 3,375.00
ANDERSEN, C. A.	PRINC. OR ARCH. A	98.45 180.0	17,721.00
DELARDO, R. R.	PRINC. OR ARCH. A	92.35 3.0	277.05
GUSTETICH, I.	PRINC. OR ARCH. A	92.35 3.0	277.05
TANKE, T.	PRINC. OR ARCH. A	91.08 3.5	318.78
RYPINSKI, R. E.	PRINC. OR ARCH. A	100.00 4.0	400.00
MARTIN, A.	STENO/CLERICAL	32.20 13.0	418.60
WASHINGTON, W.	STENO/CLERICAL	36.03 14.0	504.42
TUCKER, L. J.	STENO/CLERICAL	30.64 37.0	1,133.68
LEATHERS, B. A.	STENO/CLERICAL	37.59 3.0	112.77
TOTAL		287.5	24,538.38

Price Waterhouse



June 15, 1989

Mr. Peter A. Fausch, P.E.
Senior Vice President
STRGAR-ROSCOE-FAUSCH, INC.
Suite 150, Carlson Parkway North
Minneapolis, Minnesota 55447

RE: WNTS Invoice No. 11-0904/02063-084

Professional services rendered through
June 15, 1989 with respect to the Preliminary
Assessment of Financing Options for Ramsey
County Light Rail Project.

\$17,618.80

Out-of-pocket expenses incurred

3,366.79

Total Amount Due

\$20,985.59

Less 10% Retainage

2,098.56

Please remit payment to: TOTAL AMOUNT DUE

\$18,887.03

Price Waterhouse
Suite 700
1801 K Street, NW
Washington, DC 20006
Attention: Billie Albertson

A self-addressed envelope is enclosed for your
convenience. This invoice is payable when rendered.

Thank you.

MINNESOTA PROJECT

	PW RATES	LOADED RATES	HOURS INCURRED	TOTAL PER PERSON
M. VLAISAVLJEVICH	\$265.00	\$185.50	51	\$9,460.50 ✓
W. WORTLEY	\$183.00	\$128.10	53	\$6,789.30 ✓
R. SPEIZMAN	\$143.00	\$115.00	2	\$230.00 ✓
V. MIESEL	\$71.00	\$67.00	17	\$1,139.00 ✓
TOTAL			123	\$17,618.80 ✓

*TRAVEL EXPENSES INCURRED:

M. VLAISAVLJEVICH	\$787.81
	\$843.17
	\$925.81
W. WORTLEY	\$810.00
TOTAL	\$3,366.79 ✓

*Receipts furnished upon request

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

5

RCRRA		Board Action Requested Authorize RCRRA staff to negotiate on behalf of Ramsey County Regional Railroad Authority an agreement with Mn/DOT for use of a portion of the former Northeast BN right-of-way.
Originating Department <i>K. DeSpiegelaere</i>		
Authorized Signature <i>K. DeSpiegelaere</i>	Date <i>7/13/89</i>	ACTION IS REQUESTED

Request Justification

- See attached:
1. Proposed Resolution.
 2. Memorandum from K. DeSpiegelaere.
 3. Letter from Greg Mack to Terry Schutten.
 4. Previous resolution - RCRRA and Ramsey County.
 5. Map of BN right-of-way.
 6. Letters exchanged with Mn/DOT on topic.

<i>Reviewed by Ed Blawie 8/2/89</i>		Date / Time Received By
Budgeting and Accounting		
County Attorney		
Risk Manager		
Data Processing		
Previous Action taken on Request		

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 8, 1989	<i>J. L. Glendinning</i>	8/2/89
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, the Northeast Burlington Northern corridor from downtown St. Paul to Beam Avenue in Maplewood is currently available for acquisition; and,

WHEREAS, that portion of the right-of-way from Beam Avenue to the north Ramsey County line may be available for acquisition in the future; and

WHEREAS, the Minnesota Department of Transportation is in the process of acquiring the portion of the Burlington Northern right-of-way which crosses Trunk Highway 36 and continues north to Gervais Avenue; and

WHEREAS, the Minnesota Department of Transportation is willing to negotiate an agreement with the Ramsey County Regional Rail Authority and with Ramsey County which will preserve the integrity of the Burlington Northern Railroad right-of-way for future transit and/or recreational uses;

NOW, THEREFORE, BE IT

RESOLVED, Ramsey County Regional Railroad Authority staff is hereby authorized to negotiate a preliminary agreement with the Minnesota Department of Transportation regarding transit and recreational uses of the right-of-way, which agreement shall be subject to the review and approval of the Ramsey County Regional Rail Authority and the Ramsey County Board of Commissioners.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

MEMORANDUM

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere *KD*

SUBJECT: Negotiations with Minnesota Department of Transportation
Re: Burlington Northern Northeast Corridor

DATE: July 27, 1989

The Minnesota Department of Transportation (Mn/DOT) is acquiring property from Burlington Northern along the northeast corridor in the vicinity of T.H. 36. Ramsey County Regional Railroad Authority has an interest in maintaining the potential for light rail transit in this corridor, particularly because the potential for LRT in this area has been analyzed in the Comprehensive LRT Plan for Ramsey County. Mn/DOT has indicated, in response to a letter from the chairmen of Ramsey County Regional Railroad Authority and Ramsey County, a willingness to negotiate an agreement to preserve the continuity of the corridor.

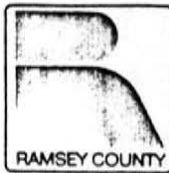
Approval for Ramsey County Regional Railroad Authority (RCRRA) staff to negotiate an agreement, subject to approval of RCRRA, is sought. Similar approval is being sought for Ramsey County Parks and Recreation Department staff and the Ramsey County Executive Director's office from the Board of Ramsey County Commissioners.

Attachments include:

- o Letter from Gregory Mack to Terry Schutten.
- o RCRRA resolution supporting acquisition of BN right-of-way.
- o Ramsey County resolution supporting acquisition of BN right-of-way.
- o Map of BN northeast right-of-way.
- o Letters exchanged with Mn/DOT on this topic.

Recommendation:

- o A resolution for your consideration is attached.



RAMSEY COUNTY

PARKS & RECREATION DEPARTMENT

2015 N. Van Dyke Street
Maplewood, Minnesota 55109-3796

Telephone (612) 777-1707

Gregory A. Mack, Director

June 23, 1989

Mr. Terry Schutten
Executive Director
Ramsey County
286 Court House
Saint Paul, MN 55102

Re: Northeast Burlington Northern Railroad Right-of-way

Dear Mr. Schutten:

On October 4, 1988 the Ramsey County Board of Commissioners adopted a resolution regarding use of the Northeast Burlington Northern Corridor from Downtown Saint Paul to Beam Avenue for a regional trail and future potential use for light rail transit. Attached is a copy of that resolution. A companion resolution was adopted by the Ramsey County Regional Rail Authority on September 27, 1988. A copy of that resolution is also attached.

Subsequently, the Metropolitan Council held a public hearing on reuse of the corridor for regional trail. Based on that public hearing and their findings, the corridor was included as a regional trail corridor within the Regional Recreation Open Space System. Funding for acquisition of the corridor was included in the Metropolitan Council's 1989 request to the Minnesota Legislature. However, there was no bonding bill this session for acquisition and development of regional recreation open space. Ramsey County and the City of Saint Paul were designated as implementing agencies for the regional trail corridor. Accordingly, the City and the County are to prepare a joint master plan for the project and coordinate the trail master plan with the Ramsey County comprehensive light rail transit plan as well as the City of Maplewood's plans for street crossing, storm sewer easements, and an interchange at Highway 36.

Based on conversations with Mr. Bruce Opp, Manager of Property Management, Glacier Park Company, the Minnesota Department of Transportation (Mn/DOT) intends to purchase the Burlington Northern right-of-way from the south side of Highway 36 to a point just north of Gervais Avenue (extended). This parcel, known as BN Parcel 207, is being purchased for the purpose of constructing Gervais Avenue across the trail corridor. The purchase also gives Mn/DOT title to the right-of-way for Trunk Highway 36. Mn/DOT has initiated eminent domain proceedings to acquire this right-of-way.

Mr. Terry Schutten

- 2 -

June 23, 1989

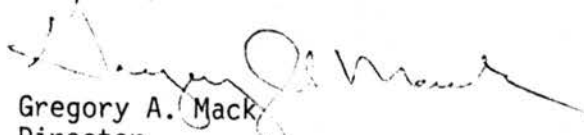
From a regional trail and light rail transit perspective, there is concern that purchase of this parcel by Mn/DOT would fragment the continuous corridor and seriously affect future use for these purposes. Mr. John T. Finley, Chairman of the Ramsey County Regional Rail Authority, expressed his concerns regarding piecemeal acquisitions of the Burlington Northern right-of-way to Mr. Kermit K. McRae, Mn/DOT District 9 Engineer. Mr. McRae responded with a letter dated August 24, 1988, confirming Mn/DOT's intention to purchase BN Parcel 207 and indicated Mn/DOT's willingness to cooperate with future plans for light rail transit and recreational use of the corridor. Attached is a copy of that letter.

Subsequently, Mn/DOT Commissioner Leonard W. Levine wrote to Mr. Truman W. Porter, President of the Friends of Saint Paul and Ramsey County Parks, indicating Mn/DOT's commitment to allow recreational trail use of BN Parcel 207. A copy of this letter is attached. As a follow up to that letter, the Chairman of the Ramsey County Board of Commissioners and the Chairman of the Ramsey County Regional Rail Authority sent a letter to Commissioner Levine indicating the County's and Rail Authority's desire to insure that the right-of-way remains intact throughout its entire length including adequate crossing over public roads and highways such as Highway 36. Attached is a copy of that letter and Mr. Levine's response inviting representatives of the County and the Regional Rail Authority to negotiate an agreement with Mn/DOT.

Access across the right-of-way along the entire length of the corridor is essential for future trail and light rail use. In addition, the ability to cross Highway 36, using the existing bridge, or replacement in the future, is critical. I recommend that Ramsey County and the Regional Rail Authority commence negotiations with Mn/DOT to assure future use of the right-of-way and crossings for trail and light rail transit purposes. I respectfully request that the Ramsey County Executive Director or his designee(s) be authorized to negotiate, on behalf of Ramsey County and the Ramsey County Regional Rail Authority, an agreement with Mn/DOT.

Thank you for consideration of this request.

Sincerely,


Gregory A. Mack
Director

GAM/jm

att.-



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: September 27, 1988

No. R-88-

WHEREAS, The Northeast Burlington Northern Corridor from downtown St. Paul to Beam Avenue in Maplewood is currently available for acquisition; and

WHEREAS, That portion of the right-of-way from Beam Avenue to the north Ramsey County line may be available for acquisition in the future; and

WHEREAS, The Ramsey County Parks and Recreation Department has conducted a recreation assessment of the corridor and the Regional Railroad Authority will conduct an assessment of the light rail transit (LRT) potential of the corridor in its comprehensive LRT plan for the County; and

WHEREAS, The City of St. Paul has applied to the Metropolitan Council for parks funding for acquisition of the corridor; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority is supportive of acquisition of the Burlington Northern corridor with Metropolitan Council parks funds and of trail use of the corridor at this time; and Be It Further

RESOLVED, That the usual provision of a restrictive covenant as a condition of acquisition with parks funds is not acceptable for this corridor because the potential for light rail transit use in this corridor, either singly or in joint trail/LRT use, must not be discounted nor obstructed but rather be specifically permitted and must be a part of the park trail planning process from its inception; and Be It Further

RESOLVED, That because the abandoned portion of the corridor encompasses two cities and its extension encompasses five cities and one township in Ramsey County, the question of ownership is an issue that needs to be resolved to ensure coordinated planning, maintenance and implementation of any potential use and that Ramsey County should be a part of that process from its inception to completion of the project.

John T. Finley, Chairman

By Warren W. Schaber
Warren W. Schaber, Secretary

5

Resolution

Board of
Ramsey County Commissioners

Presented By Commissioner McCarty Date October 4 1988 No. 88-547
Attention:

Budget & Accounting
Greg Mack - Director, Parks & Recreation
Metro Council

WHEREAS, The Northeast Burlington Northern Corridor from downtown St. Paul to Beam Avenue in Maplewood is currently available for acquisition; and

WHEREAS, That portion of the right-of-way from Beam Avenue to the north Ramsey County line may be available for acquisition in the future; and

WHEREAS, The Ramsey County Parks and Recreation Department has conducted a recreation assessment of the corridor and the Regional Railroad Authority will conduct an assessment of the light rail transit (LRT) potential of the corridor in its comprehensive LRT plan for the County; and

WHEREAS, The City of St. Paul has applied to the Metropolitan Council for parks funding for acquisition of the corridor; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners is supportive of acquisition of the Burlington Northern corridor with Metropolitan Council parks funds and of trail use of the corridor at this time; and Be It Further

RESOLVED, That the usual provision of a restrictive covenant as a condition of acquisition with parks funds is not acceptable for this corridor because the potential for light rail transit use in this corridor, either singly or in joint trail/LRT use, must not be discounted nor obstructed but rather be specifically permitted and must be a part of the park trail planning process from its inception; and Be It Further

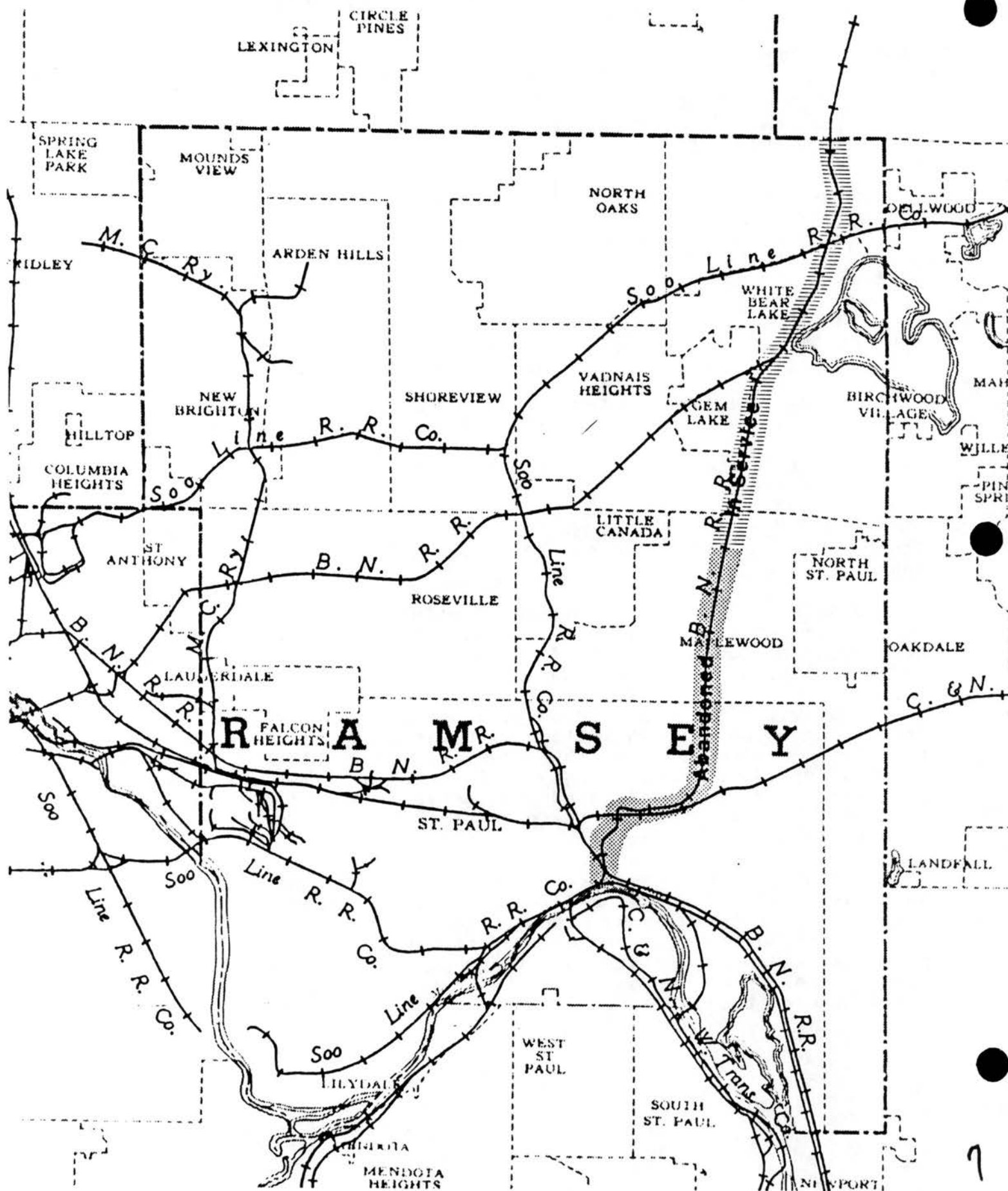
RESOLVED, That because the abandoned portion of the corridor encompasses two cities and its extension encompasses five cities and one township in Ramsey County, the question of ownership is an issue that needs to be resolved to ensure coordinated planning, maintenance and implementation of any potential use and that Ramsey County should be a part of that process from its inception to completion of the project.

WARREN W. SCHABER, Chairman

By

Donna C. Schaber
Chief Clerk - County Board

Northeast Corridor Study Area





Minnesota
Department of Transportation
District 9
3485 Hadley Avenue North
Oakdale, Minnesota 55109

Telephone 779-1178

August 24, 1988

Mr. John T. Finley, Chairman
Ramsey County Regional Railroad Authority
Room 316 Courthouse
15 West Kellogg Boulevard
St. Paul, Minnesota 55102

Dear John:

You are correct in your understanding that Mn/DOT's purchase of B.N. right of way, near Highway 36, will not preclude the construction of LRT along the B.N. in the future. We certainly support B.N. corridor use for transportation. This is why we tried to get the B.N. corridor into public ownership in 1986. Furthermore, this purchase will not preclude any recreational use in the corridor.

Mn/DOT is purchasing the fee title to the B.N. Parcel 207 as shown on the attached right of way map. This is for the purpose of constructing a M.S.A.S., Gervais Avenue, across the rail corridor. A cut in the rail bed will be necessary to construct Gervais Avenue to the west.

Parcel 207 would also give Mn/DOT title to the right of way for Trunk Highway 36. The railroad bridge crossing Trunk Highway 36 is deficient in both height and width and presents a major hazard to the highway user. Eventually, the removal of this structure needs to be considered. Obviously, if LRT goes in the B.N. corridor, a new bridge, higher and longer would be needed.

Your concerns about accommodating reuse for LRT, and the piecemeal acquisitions of rights of way may be appropriate for some other agency or private individuals. That is not the case with Mn/DOT. We are supportive of LRT planning, and will work with your Authority to accommodate the construction of LRT in this corridor.

Sincerely,


Kermit K. McRae, P.E.
District Engineer

Attachment



Minnesota
Department of Transportation
Transportation Building
St. Paul, Minnesota 55155

RE
1



LEONARD W. LEVINE
COMMISSIONER

(612) 296-3000

March 29, 1989

Mr. Truman W. Porter
Friends of the Park
1621 Beechwood Avenue
St. Paul, Minnesota 55116

Dear *Truman* Porter:

Assistant Commissioner Larry McNamara, and District Engineer, Kermit McRae, have briefed me regarding their discussion with you, Ms. Peggy Lynch, and Mr. Samuel Morgan, concerning the Burlington Northern railroad corridor in the vicinity of Trunk Highway 36. They were encouraged over the discussion and feel a new level of understanding was reached. I trust you share this conclusion.

It is my understanding that you acknowledged the Minnesota Department of Transportation's (Mn/DOT's) need to acquire the railroad rights to access the new Central Laboratory and the need to clear up title for the Trunk Highway 36 right-of-way. This process is underway and it was agreed should continue.

If the Burlington Northern corridor comes into public ownership, your concern is that our acquisition does not sever this corridor as a recreational trail. As stated at the meeting, Mn/DOT makes a commitment that a permit to allow recreational trail use over the portion we are acquiring will be issued to that public agency having jurisdiction.

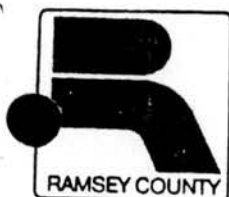
The progress to date, through the Metropolitan Council, is very encouraging. Hopefully, funding for acquisition can be secured through the legislative process and the trail will become a reality.

Sincerely,

LEONARD W. LEVINE
Commissioner

cc:

Congressman Bruce Vento
Representative Phyllis Kahn
Bob Piram - St. Paul Parks and Recreation
Greg Mack - Ramsey County Parks and Recreation



Ramsey County Board of Commissioners

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

Diane Ahrens
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

May 2 , 1989

Mr. Leonard W. Levine, Commissioner
Minnesota Department of Transportation
Transportation Building
St. Paul, Minnesota 55155

Dear Len:

Gregory Mack, Director of Ramsey County Parks and Recreation, has provided each of us with a copy of your March 29, 1989 letter to Mr. Truman Porter regarding the Department of Transportation's (Mn/DOT) acquisition of the Burlington Northern corridor in the vicinity of Trunk Highway 36 in Maplewood. A copy of the letter to Mr. Porter is attached for your reference.

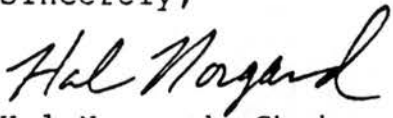
As you know, both the Ramsey County Regional Railroad Authority and Ramsey County are interested in preserving the Burlington Northern right-of-way for light rail transit and recreational trail use. These uses require not only the use of the right-of-way itself but also adequate and continuing assurances that where the right-of-way crosses busy public highways an adequate overpass structure will exist. If these overpasses do not exist, the line is segmented and of little value for trail or transit use. We need to insure that the right-of-way remains intact throughout its length including adequate crossing over public roads and highways such as Highway 36. We are pleased to see that Mn/DOT continues to agree with these goals.

In your letter to Mr. Porter, you discussed Mn/DOT's desire to issue a permit for such use to the public agency with jurisdiction over the use. The Ramsey County Regional Railroad Authority and Ramsey County are interested in pursuing further discussions with you in this regard.

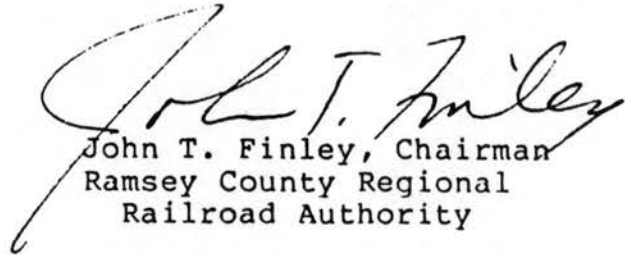
May 2, 1989
Page 2

Thank you for giving us this opportunity. Hopefully we can negotiate an agreement in the very near future which will satisfy all of our interests.

Sincerely,



Hal Norgard, Chairman
Ramsey County Board of
Commissioners



John T. Finley, Chairman
Ramsey County Regional
Railroad Authority

cc: Kermit K. McRae
Truman Porter
Bruce Opp
Terry Schutten
Gregory Mack
Kathryn Despiegelaere



Minnesota
Department of Transportation
Transportation Building
St. Paul, Minnesota 55155

LEONARD W. LEVINE
COMMISSIONER

(612) 296-3000

May 30, 1989

Mr. Hal Norgard, Chairman
Ramsey County Board of Commissioners
316 Court House
15 West Kellogg Boulevard
St. Paul, Minnesota 55102

Mr. John T. Finley, Chairman
Ramsey County Regional Railroad Authority
316 Court House
15 West Kellogg Boulevard
St. Paul, Minnesota 55102

Hal John
Dear Messrs. Norgard and Finley:

Thank you for your recent letter regarding the Burlington Northern corridor along Trunk Highway 36.

I would like to emphasize again the commitment of the Minnesota Department of Transportation (Mn/DOT) to preserve the integrity of the Burlington Northern Railroad right of way in future transit or recreational uses. Mn/DOT will issue a permit to allow recreational use over the portion which we are organizing.

Mn/DOT Assistant Commissioner, Larry McNamara, and District Engineer Kermit McRae have been working with this matter for some time and are very familiar with it. Please arrange to have your representative meet with them to negotiate an agreement.

Again, thank you for letting us know your concerns.

Sincerely,

LEONARD W. LEVINE
Commissioner



RAMSEY COUNTY PARKS
& RECREATION DEPT.

19 JUL 3 AM 10:15

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
FAX 298-5316

MEMORANDUM

TO: Kathryn DeSpiegelaere
Gregory Mack
David MacMillan

FROM: Kris Wendorff *KW*

DATE: June 29, 1989

RE: Northeast Burlington Northern Railroad Right-of-Way

Attached is a Proposed Resolution for use by both the Railroad Authority and the County Board. It authorizes Railroad Authority staff, Parks staff and the Executive Director to negotiate an agreement with Mn/DOT, subject, of course, to the approval of the respective boards. Kathy and Greg-will you please have the proposed resolution prepared on the appropriate resolution stationary for your use in your agenda items?

If you have any comments, questions or suggested changes, please let me know.

13

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

6

RCRRA		Board Action Requested
Originating Department		Approve resolution requesting additional assessment of federal process for LRT funding.
Authorized Signature	Date	
<i>K. DeSpiegelaere</i>	<i>7/31/89</i>	ACTION IS REQUESTED

Request Justification

- See attached:
1. Proposed Resolution.
 2. Memorandum from K. DeSpiegelaere.
 3. Process and Timeline Chart.

Reviewed by	<i>Ed Glantz</i>	<i>8/3/89</i>
Budgeting and Accounting	<i>Ed Glantz</i>	
County Attorney	<i>Ed Glantz</i>	
Risk Manager		
Data Processing		
Previous Action taken on Request		
		Date / Time Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 8, 1989	<i>J L Glendinning</i>	<i>8/2/89</i>
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

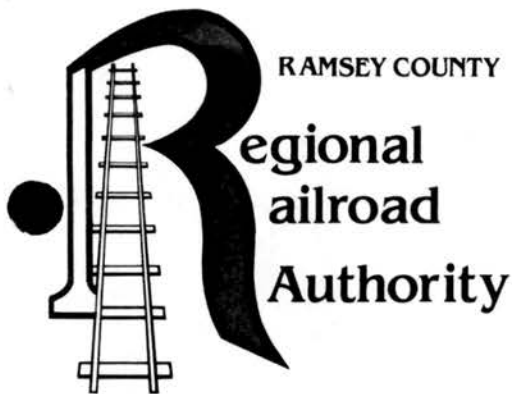
WHEREAS, Ramsey County Regional Railroad Authority is beginning preliminary engineering and a Draft Environmental Impact Statement for LRT for the Midway Corridor; and,

WHEREAS, A decision on whether or not to initiate work to meet Urban Mass Transportation Administration (UMTA) requirements, in addition to state requirements, would benefit from additional assessment at the beginning of the work process;
NOW THEREFORE BE IT

RESOLVED, That Ramsey County Regional Railroad Authority requests additional analysis and discussion of the implications of following federal procedures before deciding in September whether or not to follow UMTA procedures for light rail transit work in the Midway Corridor.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *JD*

SUBJECT: Federal Funding for Midway Corridor

DATE: July 31, 1989

Ramsey County Regional Railroad Authority (RCRRA) commissioners will be requested at a September meeting to decide if reports to fulfill federal funding requirements should be prepared for the Midway Corridor. At this time, there are two options in regard to federal funding for your consideration:

1. Proceed with light rail transit work for the Midway Corridor in a manner that meets state, but not federal, requirements.
2. Explore in greater detail the implications of following both the state and federal process for the Midway Corridor light rail transit work.

BACKGROUND

The Urban Mass Transportation Administration (UMTA) of the United States Department of Transportation provides a limited amount of funding for capital costs for light rail transit. Because the requests for funds far exceed the amount of funding available, a rigorous screening process is required before funds are allocated. In addition, all federal funds awarded in recent years for rail projects have been earmarked by Congress.

In the Twin Cities region, the Midway Corridor is one of the most likely candidates for federal funds. UMTA criteria include only two parameters in considering where to award funds:

1. Congestion, as measured by the number of people LRT can attract from private vehicles.
2. Improved service to existing transit riders, as measured by travel time.

These measures are assessed by completing an Alternatives Analysis, a report which compares buses to rail transit.

Although an alternative Analysis/Draft Environmental Impact Statement was prepared in 1982-84 for LRT for University Avenue and Hennepin County's Southwest Corridor, the report was not finalized. A revised report would be required, RCRRA staff have been told, to meet federal procedures. Exactly how much additional work is required would be negotiated with UMTA. We will complete a Draft Environmental Impact Statement (DEIS) to meet state guidelines but an Alternatives Analysis is not required for the state process. The state and federal EIS process is similar, and although it differs slightly, it is the Alternatives Analysis which requires consideration at this time. The additional cost of an Alternatives Analysis could be \$200,000 to \$300,000 in consultant fees and \$30,000 in Ramsey County Regional Railroad Authority staff time. The Alternatives Analysis is completed at the same time as the federal and state Draft Environmental Impact Statement and would add perhaps three months to the estimated 14-month schedule. It is well, however, to keep in mind the uncertainties of the federal process, the need for review time by UMTA that is beyond the control of RCRRA staff and the likelihood of delays.

ADVANTAGES AND DISADVANTAGES OF FEDERAL PROCESS

The advantage of following the UMTA process is that it is the only way to be considered for federal funding for LRT capital costs. Hennepin County has negotiated outside this process a special offer of \$24 million from UMTA, but that is quite unusual, and the path followed by Hennepin County has not been smooth.

The disadvantages of following the UMTA process are:

TIME

Attachment one is a chart illustrating the UMTA process and timeline. Fast track is five to eight years; average is nine to twelve years from commencement to beginning of LRT construction. Following the state process, construction of LRT could begin in the Midway Corridor in three to four years. Since Ramsey County is perceived as being "behind" in the LRT process, following federal procedures when Hennepin County moves far more quickly through the state process is a consideration for RCRRA Commissioners. An alignment decision now for the Midway Corridor would not decrease the length of time required to complete the federal work, and it is the environmental impact statement process which is to yield the alignment decision. The alignment decision would probably take longer if the federal process is followed than the state process.

MONEY

It will cost more in both consultant fees and staff time to follow the federal process. Because it takes longer to reach the time of construction, capital costs are likely to be greater with the additional years. Light rail vehicle purchase prices, for example, have increased at approximately nine percent per year. If 25 vehicles are required and costs average \$1.5 to \$2 million per vehicle, the additional time could add considerably to the cost.

UNCERTAINTY

There is no certainty that the federal process will not change nor that federal funding for LRT will be available if the process is followed. Federal funds for LRT could increase or decrease, depending upon Congress and the Administration. There is no certainty about the percentage of federal funds that could apply. Traditionally, federal funds supplied 75 percent or more of capital costs for rail systems when awarded. Hennepin County is being offered a match of approximately five percent federal funds. There is no certainty about the amount of time it will take to follow the federal process.

ADDITIONAL CONSIDERATIONS

COMMITMENT

Once an initial commitment is made to follow the federal process, stronger justification would be required for a decision to be made to extricate from the process.

REGIONAL PERSPECTIVE

The Midway Corridor is a high priority candidate in the Twin Cities region for federal funding for LRT. If RCRRA chooses not to follow the federal process for this corridor, other corridors with less potential than the Midway Corridor would have less likelihood for federal funds.

CONGRESSIONAL SUPPORT

Since federal funds for rail projects have been earmarked by Congress, assessment of this region's support in Congress for LRT funding should be considered.

OTHER COUNTIES

Anoka County and Hennepin County are negotiating with UMTA to determine what would need to be done to meet UMTA requirements for the Anoka/Hennepin Northeast Corridor.

Hennepin County has not yet determined if the \$24 million UMTA grant for 29 miles of LRT will be accepted. Hennepin County would have to backtrack to follow the Alternatives Analysis process on its LRT corridors and at this time has expressed no inclination to do that. Although a small portion of the Midway Corridor is in Hennepin County, since the major portion is in Ramsey County, the decision about following the UMTA process for the corridor is of greater impact to Ramsey but should be discussed with Hennepin County.

RECOMMENDATION

At the beginning of this memo, two options were presented for your consideration:

1. Proceed with light rail transit work for the Midway Corridor in a manner that meets state, but not federal, requirements.

2. Explore in greater detail the implications of following both the state and federal process for the Midway Corridor light rail transit work.

Option two is recommended by staff. If this option is approved, RCRRA staff and consultants will obtain additional information from UMTA staff and discuss the subject further with Hennepin County Regional Railroad Authority staff and others. RCRRA Commissioners may wish to discuss the matter with other affected parties, including legislators, Hennepin County, and other transportation agencies. At a September RCRRA meeting, you will be requested to make a decision on whether or not an Alternatives Analysis should be completed for the Midway Corridor.

cc: Commissioner Sam Sivanich, Chairman, HCRRA
Ken Stevens, HCRRA
Commissioner Paul McCarron, Chairman, ACRRA
Tim Yantos, ACRRA
Michael Ehrlichmann, Chairman, RTB
Judy Hollander, RTB
Steve Keefe, Chairman, Metropolitan Council
Nacho Diaz, Metropolitan Council

KD/bk
Attachments

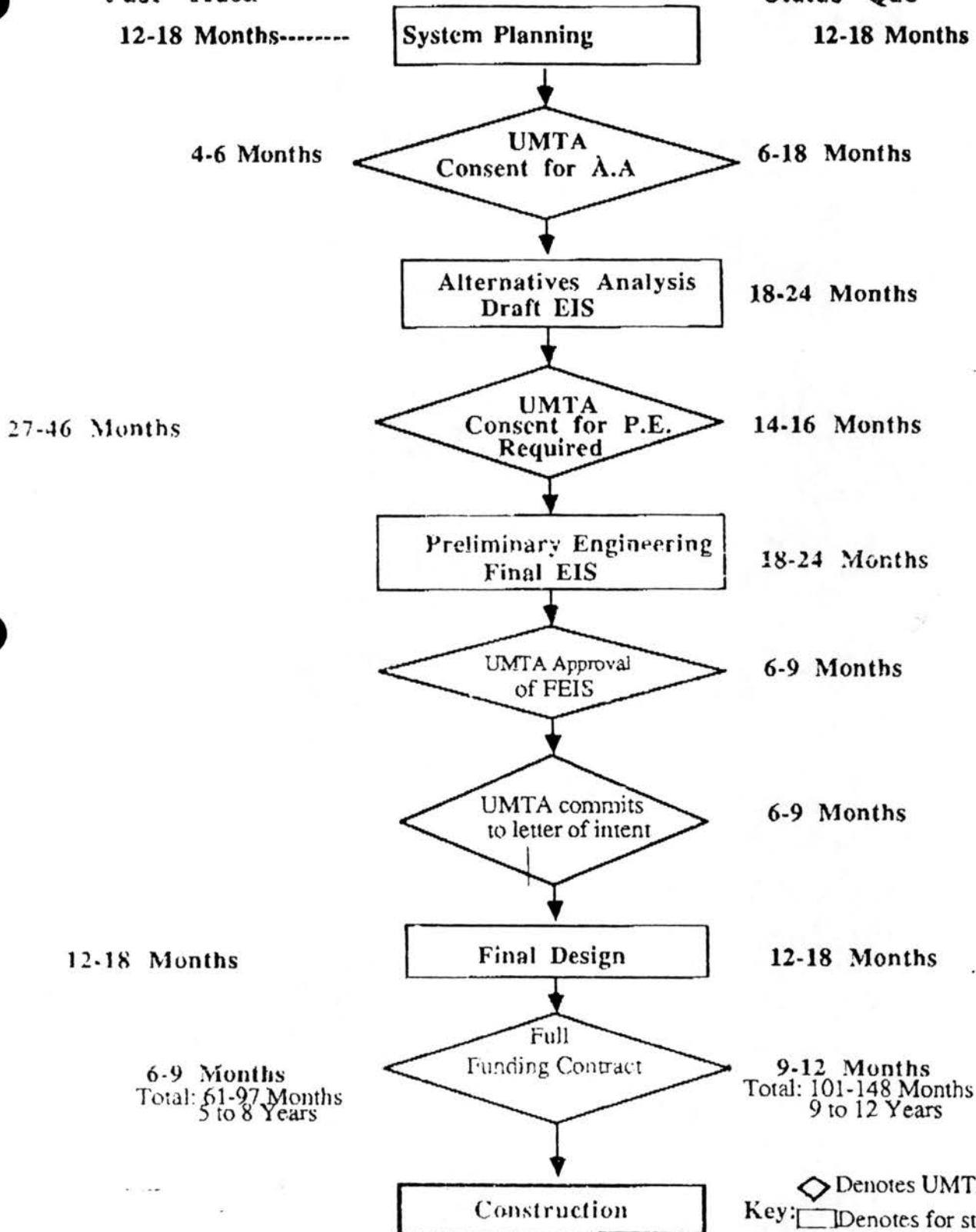
UMTA Project Development Process and Timeline for Major Investments

Fast Track

12-18 Months-----

Status Quo

12-18 Months



Prepared by Supervisor Ted Blanton
Santa Clara County Transit District

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

7

RCRRA		Board Action Requested
Originating Department		Approve Agreement No. RCRRA-89-003 in the amount of \$1,398,039 and authorize the Chairman of the Ramsey County Regional Railroad Authority to sign the agreement with BRW, Inc. on its behalf. **Action is required
Authorized Signature	Date	

Request Justification

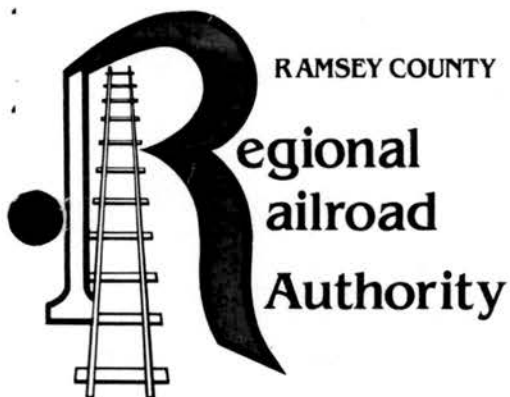
See attached: Memorandum from Kathryn DeSpiegelaere dated August 1, 1989
Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003
Proposed Resolution

Budgeting and Accounting	<i>Ed Blankitz</i> 8/3/89	Date / Time Received By
County Attorney	<i>Don MacMillan</i>	
Risk Manager	<i>Denise H. Kaplan</i> 8-3-89	
Data Processing		
Previous Action taken on Request		

Comments / Recommendation

Documentation certified complete for.

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 8, 1989	<i>F. L. Henderson</i>	8/2/89
Board Date	Signature	Date



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere *KD*

SUBJECT: Professional Services Agreement
Phase I Preliminary Engineering and Environmental
Impact Statement Studies for the Midway Corridor

DATE: August 1, 1989

At your meeting of June 27, 1989, you authorized staff to negotiate a contract with BRW, Inc. for Phase I Preliminary Engineering/Environmental Impact Statement studies for the Midway Corridor. Negotiations have been completed. Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 provides for the completion of the studies sought.

Joint Powers Agreement negotiations are continuing between HCRRA and RCRRA staff. It is anticipated the resulting agreement will be submitted to the Authority at the August 22, 1989 meeting. The recommended award resolution makes the award subject to staff negotiating a joint powers agreement.

A copy of the agreement and insurance documents is attached.

Recommendation:

Approve the agreement with BRW, Inc., subject to Rail staff negotiating an agreement between the HCRRA and the RCRRA and authorize the Chairman of the Regional Railroad Authority to sign on behalf of the Authority.

KD/bk
Attachment



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, the Ramsey County Regional Railroad Authority authorized staff to negotiate a contract for Phase I Preliminary Engineering/Environmental Impact Statement studies on the Midway Corridor with BRW, Inc., a Wyoming Corporation doing business in Minnesota as BRW Planning, Transportation, and Engineering, Inc.; and

WHEREAS, Regional Rail staff have prepared Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003, in the amount of \$1,398,039, for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies; Now Therefore, Be It

RESOLVED, The Ramsey County Regional Railroad Authority approves Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 in the amount of \$1,398,039 subject to RCRRA staff negotiating a joint powers agreement between the Hennepin County Regional Rail Authority (HCRRA) and the RCRRA for the purpose of coordinating LRT planning and engineering initiatives, on the part of both Authorities, during the completion of studies provided for in Agreement No. RCRRA-89-003; and Be It Further

RESOLVED, That the Chairman of the Ramsey County Regional Railroad Authority is authorized to sign the agreement on behalf of the Regional Railroad Authority.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary

TABLE OF CONTENTS

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SECTION II - ADDITIONAL SERVICES OF THE CONSULTANT	3
SECTION III - THE RCRRA'S RESPONSIBILITY	4
SECTION IV - PERIOD OF SERVICES	6
SECTION V - PAYMENTS TO THE CONSULTANT	6
SECTION VI - GENERAL CONSIDERATIONS	8

AGREEMENT FOR CONSULTANT SERVICES BETWEEN
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
AND

BRW, INC., A WYOMING CORPORATION DOING BUSINESS IN THE STATE OF MINNESOTA
AS BRW PLANNING, TRANSPORTATION, AND ENGINEERING, INC.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY AGREEMENT NO. RCRRA-89-003

THIS AGREEMENT, made as of the 11th day of July in the year Nineteen Hundred and Eighty-nine by and between the RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the RCRRA, and BRW, Inc., a Wyoming Corporation doing business in Minnesota as BRW Planning, Transportation and Engineering, Inc., 700 Third Street South, Minneapolis, Minnesota 55415, hereinafter the "Consultant."

WITNESSETH:

WHEREAS, the RCRRA desires professional CONSULTANT services for completion of Preliminary Engineering and Environmental Impact Statement studies for implementation of Light Rail Transit in the "Midway Corridor", the engineering tasks and services, and scope and detail thereof, described herein; and

NOW, THEREFORE, the RCRRA and the CONSULTANT, for the consideration hereinafter set forth, agree as follows:

SECTION I - BASIC SERVICES OF THE CONSULTANT

A. GENERAL

1. The CONSULTANT agrees to perform professional services in connection with Project as hereinafter stated.
2. The CONSULTANT shall serve as the RCRRA's professional representative in the Consulting phase(s) of the Project to which this Agreement applies, and shall give consultation and professional advice to the RCRRA during the performance of his services.

B. PROJECT TASKS

The CONSULTANT shall furnish services to complete the requirements as set forth herein.

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Applicable Statutes, Regulations and Guidelines:

- A. In performance of services specified in this agreement, the CONSULTANT shall give recognition to the requirements of applicable statutes, regulations, and guidelines with respect to LRT location, design, environmental impact, funding, and other planning considerations. Applicable statutes, regulations, and guidelines shall include, but not be limited to:
1. United States Department of Transportation, Urban Mass Transportation Administration Manuals, guidelines, and standards, including -
 - a. Urban Mass Transportation Act of 1964, as amended (Pub. L. 95-599);
 - b. Surface Transportation and Uniform Relocation Assistance Act of 1987 (Pub. L. 100-17); and,
 - c. Department of Transportation regulations, 49 Code of Federal Regulations.
 2. National Environmental Policy Act of 1969, as amended (Pub. L. 91-190).
 3. Council of Environmental Quality NEPA regulations, 40 Code of Federal Regulations.
 4. Section 4(f) of Public Law 89-670
 5. Section 6(f) of Public Law 88-578
 6. Environmental Policy Act of 1973, Minnesota Statutes Chapter 116D.
 7. Environmental Quality Board regulations, Minnesota Rules Chapter 4410, as amended.
 8. Presidential Executive Order No. 11988 (Flood Plain Management).
 9. Presidential Executive Order No. 11990 (Wetlands).
 10. Critical Areas Act of 1973, Minnesota Statutes Chapter 116G and related regulations.
 11. National Historic Preservation Act (Pub. L. 89-185).

Work Plan:

The goals and objectives for the work completed under this agreement include completion of all tasks of the Preliminary Work Plan which

is attached hereto and incorporated herein as Exhibit A. Task 1 will result in a refined, more detailed work plan. When the refined Detailed Work Plan is completed, and approved by both parties, it will be substituted for the Preliminary Work Plan, which is attached hereto and incorporated herein as Exhibit A. The final products of Preliminary Engineering and EIS work performed under this agreement will include a Detailed Work Plan to structure PE/EIS work, a Scoping Document(EAW - Environmental Assessment Worksheet), a Scoping Decision Document, a Draft Environmental Impact Statement(DEIS), a state Final Environmental Impact Statement (FEIS), a Locally Preferred Alternative(LPA) report, a Detailed Work Plan for further PE studies (completion from the 10% to the 30% level), and a variety of technical/results reports, maps, charts, and presentation materials developed in the course of study efforts.

SECTION II - ADDITIONAL SERVICES OF THE CONSULTANT

A. GENERAL

If authorized in writing by the RCRRA, the CONSULTANT shall furnish additional services of the following type:

1. Preparation of applications and supporting documents for government grants, loans or advances in connection with the project. Review and evaluation of the effect on the planning requirements of the project of any statements or documents prepared by others.
2. Additional services due to significant changes in general scope of the Phase I Preliminary Engineering/Environmental Impact Statement Studies as identified in Tasks 1 through 12 of attached Exhibit A (Preliminary Work Plan), including, but not limited to, change of size, and complexity of character.
3. Preparing supporting data and other services in connection with change orders if the change is due to causes beyond the control of the CONSULTANT and is inconsistent with the original planning intent.
4. Providing services after issuance to the RCRRA of the final certificate of payment, except for clarification of information, findings, or recommendations provided in the technical report resulting from execution of this agreement.
5. Providing services of professional consultants for other than the normal consulting services for the project, not otherwise provided for in this agreement.
6. Serving as an expert witness for the RCRRA in any litigation or other proceedings involved in the project.

7. Additional services in connection with the project not otherwise provided for in this agreement.

Payment for these additional services shall be made in accordance with Section V-B.

SECTION III - THE RCRRA'S RESPONSIBILITY

A. THE RCRRA SHALL:

1. Provide information in a timely manner as to its requirements for the project.
2. Assist the CONSULTANT by placing at his disposal available information pertinent to the project. This information shall include but not be limited to technical reports, existing transit/traffic/planning studies and reports, aerial photographs, base maps, layouts, and profiles which RCRRA may have in its possession or immediate access to. All data and documentation thereof shall remain the property of RCRRA and shall be returned to RCRRA when so requested.

A significant information resource will be the Ramsey County Ultimap System. In the Midway Corridor area, the I-94 route, University Avenue route, and the Burlington Northern Southern Mainline/Pierce Butler Route, the following data is available in the mapping system:

A. Planemetric Features

1. Federal rights-of-way
2. State rights-of-way
3. County rights-of-way
4. Municipal rights-of-way
5. Railroad rights-of-way
6. Subdivision names
7. Subdivision boundaries
8. Parcel layout within the subdivisions (lots)
9. Lot numbers
10. Easement lines (Only those as indicated on 1/2 section maps are now available.)
11. Property identification numbers (PIN number)
12. Section lines
13. Quarter section lines
14. Sixteenth section lines

B. Photogrammetric Features

1. Lake water lines
2. River water lines
3. Wetland water lines
4. Stream or creek water lines
5. Water towers
6. Bridges

7. Road edges (physical surface mat edges)
8. Any building--commercial, industrial or residential--larger than 80 sq. ft.
9. Outdoor swimming pools
10. Boulevard trees, sidewalks and curb cuts
11. Railroads

The data will be effective through 1986 if it is parcel data. No further updates are available at this time.

All features in the system obtained from aerial photography will be available through April 1985 with no further updates available at this time.

All ground control data is available in the area.

Not all corridor maps will be edge-matched by taxation at this time. Edge-matching by the contractor will be permitted by special file and under the direction of the systems manager. Those files will not be entered into the master base.

The Supervisor of Property Description Section - Department of Property Taxation and Records Administration shall act as the manager of the Ramsey County Ultimaps system. The Public Works Manager/County Surveyor shall act as the assistant manager. The RCRA Project Manager shall be updated periodically on interaction and coordination between the CONSULTANT and Ultimaps representatives.

In addition, other resources allow interaction with the main frame computer and utilization of existing data such as: ownership, addresses, valuations, parcel areas, census tracts, political districts, watersheds, tax increment financing, school districts, various other polygon processing and other pertinent items such as torrens and abstract property boundaries.

3. Make best efforts to provide access to and make all provisions for the CONSULTANT to enter upon public and private lands as required for the CONSULTANT to perform his work under this agreement.
4. Give prompt written notice to the CONSULTANT whenever the RCRA observes or otherwise becomes aware of any defect in the project.
5. Bear all costs incidental to compliance with the requirements of this Section III.
6. Arrange for publication in local newspapers for all required public notices and hearings, and be responsible for all publication fees.
7. Coordinate Community Participation as identified in Task 2 of attached Exhibit A.
8. Pay the cost of public agency review fees, if applicable.

SECTION IV - PERIOD OF SERVICES

A. PROJECT TASKS

Upon written authorization to proceed from the RCRRA, the CONSULTANT shall proceed with the performance of the services called for in the in this agreement.

The CONSULTANT shall deliver the completed technical reports, supporting documentation, and related materials and all authorized work on the project within the time schedule set forth herein and as further refined in completion of Task 1 of the work plan or as revised or extended in accordance with agreement provisions.

B. GENERAL

Unless sooner terminated as provided in Section VI, this agreement shall remain in force:

1. For a period which may reasonably be required for the completion of all requirements set forth in this agreement, including extra work and any required extension thereto. Unless specifically provided for by supplemental agreement, the contract shall remain in force for a period of 24 months from the date of contract award.

SECTION V - PAYMENTS TO THE CONSULTANT

A. PAYMENTS FOR THE BASIC SERVICES OF THE CONSULTANT UNDER SECTION I.

The CONSULTANT shall be compensated for completion of studies, evaluations, technical and graphics information, and the final technical and planning reports as described in Section I on the basis of established hourly billing rates set forth in Exhibit B. The hourly rates identified in Exhibit B shall remain in effect until March 31, 1990. Prior to March 1, 1990, the CONSULTANT shall provide the RCRRA with a new schedule of rates which, upon approval by the RCRRA, shall become effective April 1, 1990.

Reimbursable expenses incurred in the support of or performance of services described in Section I shall be paid in accordance with provisions of Section V-C.

The CONSULTANT shall be paid monthly, upon receipt of invoice and supporting documentation (Section V-D) by the RCRRA. The CONSULTANT shall prepare an estimate of work completed through the date of invoice. Payment shall not exceed the value of work which is evidenced by maps, drawings, written reports, or other evidence of demonstrably accomplished work through the date of invoice.

Total payments to the CONSULTANT for professional services and reimbursable expenses under Section I shall not exceed \$1,398,039, except as provided for by supplemental agreement to the contract.

B. PAYMENTS FOR SERVICES OF THE CONSULTANT UNDER SECTION II

Compensation for performances of professional services identified in Section II shall be made in accordance with established hourly billing rates set forth in Exhibit B and reimbursable expenses, subject to prior written approval of such services or expenditures by the RCRRA. Total payments to the CONSULTANT for work described in Section II shall not exceed figures authorized by the RCRRA through the date of invoice.

C. REIMBURSABLE EXPENSES

The following reimbursable expenses representing actual expenditures made by the CONSULTANT, his employees, or his professional consultants specifically for the project are not included in Basic Services and shall be paid for as reimbursable expenses subject to the provisions of this agreement and approval of the RCRRA:

1. The actual costs incurred by the CONSULTANT in retaining the services of subconsultants for disciplines which are not available within the CONSULTANT'S firm and are necessary to accomplish the work required by the agreement.
2. Transportation expense, including mileage at the rate of \$0.26 per mile, equal in amount to employee reimbursement up to the current rate allowable under the Minnesota Travel Regulation (1988), for services provided in connection with Sections I and II.
3. Fees paid, in the name of the RCRRA, for seeking approval of authorities having jurisdiction over the project.
4. Graphics, printing, special mailings, aerial photographs, presentation, and reproduction expenses when requested by the RCRRA.
5. Other special travel and expenses connected therewith required in connection with the project and authorized by the RCRRA.

D. INVOICE DOCUMENTATION

1. Professional services fees shall be documented with a payroll cost breakdown including the name of employee, his classification, current hourly billing rate, hours worked, and total cost for each period.
2. Claimed expenses shall be supported with necessary documentation to show that such costs are allocable to the project and reasonable in amount. All major expenses, those in excess of \$1,000 per occurrence, shall be approved by the RCRRA prior to their being incurred.
3. Overtime premium pay for work or services performed by the CONSULTANT or his subconsultants will not be authorized. Hours

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worked in excess of regularly scheduled work days or on holidays will be reimbursed at the regular hourly rates.

E. GENERAL

1. The hourly rate for personnel, as the basis for payment under this section shall mean the cost of salaries and wages paid to principals and employees engaged directly on the project including, but not limited to, planners, engineers, surveyors, technicians, drafters, specifications writers, estimators, stenographers and clerks, including the cost of fringe benefits including, but not limited to, Social Security contributions, unemployment, excise and payroll taxes; Worker's Compensation, health and retirement benefits, incentive compensation, sick leave, vacation and holiday pay applicable thereto, and professional fee.
2. All payments to the CONSULTANT shall be subject to a retainage of not less than 5% nor more than 10% pending final acceptance of technical reports, supporting documentation, and all products identified in Section I-B or Exhibit A. The project manager shall specify the retainage required on any individual payment. It is intended that the minimum retainage amount will be invoked unless CONSULTANT progress, due to actions or circumstances within its control, falls behind anticipated schedules or if the CONSULTANT performs duties and responsibilities in a manner which is considered below standards deemed appropriate to maintain the highest reasonable quality of professional services.
3. If this agreement is terminated upon completion of any element of the CONSULTANT'S services, the monthly progress payments shall be made in accordance with this section. If the CONSULTANT'S services are terminated during an element of the work, the CONSULTANT shall be paid for services performed through the date of termination. Payment for partial completion shall be based on hourly rates as set forth in exhibit B, plus reimbursable expenses as described in Section V-C.

SECTION VI - GENERAL CONSIDERATIONS

A. SERVICES

Services performed by the CONSULTANT under this contract shall be performed in a diligent and competent manner and their performance shall be subject to review and inspection by the RCRRRA and the Minnesota Department of Transportation through their designated agents at all reasonable times. The CONSULTANT acknowledges and understand that the award of this contract to the CONSULTANT is based in substantial part on the skill and expertise of the individuals identified in Exhibit C. The CONSULTANT agrees that it shall assign these personnel to undertake all work on this project

and shall not change or reassign these personnel without the approval of the RCRRA.

B. REUSE OF DOCUMENTS

All documents, including original drawings and specifications, prepared by CONSULTANT pursuant to this agreement are instruments of service in respect to the project. They are not intended or represented to be suitable for reuse by RCRRA or others on extensions of the project or on any other project. Any reuse without written verification or adaptation by CONSULTANT for the specific purpose intended will be at RCRRA's sole risk and without liability or legal exposure to CONSULTANT. The RCRRA shall indemnify and hold harmless the CONSULTANT from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom.

C. ASSIGNMENT

The CONSULTANT shall not assign any interest or obligation in this agreement without the prior written consent of the RCRRA.

The services of the CONSULTANT to be performed hereunder are personal and shall not be assigned, sublet, or transferred unless written authority to do so is granted by the Ramsey County Regional Railroad Authority (RCRRA). Such written authority in no way relieves the CONSULTANT from the primary responsibility for performance of the work. All subconsultant agreements (exceeding \$10,000.00) shall contain all required provisions of this agreement.

Written authority is not required from the RCRRA for subcontracts with the following firms: Bechtel Civil, Inc.; Parsons, Brinckerhoff, Quade & Douglas, Inc.; LTK Engineering Services, Inc.; Richard H. Pratt, Consultant, Inc.; COMSIS Corporation, Inc.; and Barton-Aschmann Associates, Inc.

D. CONTRACT INSURANCE REQUIREMENTS

The CONSULTANT shall purchase and maintain such insurance as will protect the CONSULTANT from claims set forth below which may arise out of, or result from, the CONSULTANT'S operations under the contract, whether such operations be by the CONSULTANT or by any subcontractor or by anyone directly employed by them, or by anyone for whose acts any of them may be liable.

The CONSULTANT shall obtain the following policies and attach certificates of insurance to signed contract.

Workers' Compensation and Employer's Liability Insurance:

1. In accordance with the provisions of Minnesota Statutes Section 176.182 (1986), the CONSULTANT agrees to provide acceptable evidence of compliance with the Workers' Compensation insurance coverage requirement of

Minnesota Statutes Section 176.181, subdivision 2 (1986). Insurance shall include an all states or universal endorsement.

This section shall not be construed to create any liability on the part of the State, the RCRRA, or any governmental subdivision to pay Workers' Compensation benefits or to indemnify the special compensation funds, an employer, or insurer who pays Workers' Compensation benefits.

2. Employer's Liability insurance shall be written for minimum limits of \$500,000 per accident.

Comprehensive General Liability (CGL) Insurance

1. Bodily injury and property damage (CSC)

Minimum limits:

\$1,000,000 per occurrence
\$1,000,000 aggregate

2. The following coverages must be specifically insured and certified with no internal limits:
 - a) Premises and operations.
 - b) Independent Contractor's contingent liability or owner's protective liability.
 - c) Products/Completed operations liability.
 - d) Contractual liability.
 - e) Personal injury liability including coverages a through e and claims related to employment.
 - f) Broad form property damage liability, or deletion of the "Care, Custody, and Control Exclusion".
3. Contractual liability is to be either specially endorsed to acknowledge this contract or on a blanket basis for all written or oral contracts. The CGL policy is to be written on an occurrence basis.
4. Cross Liability Endorsement with Ramsey County named as additional insured.

5. Professional Liability Insurance

Minimum limits:

\$2,000,000 per occurrence

\$2,000,000 aggregate

6. Automobile Liability Insurance:

a) Minimum limits:

\$1,000,000 combined single limit

b) Owned, non-owned and hired auto

7. City or state license as required.

Certificates shall specifically indicate if the policy is written with an admitted or nonadmitted carrier. Best's rating for the insurers shall be noted on the certificate of insurance, and shall not be less than a A+.

All certificates of insurance shall provide that the insurance company shall give the RCRRA 30 days prior written notice of cancellation, non-renewal, or any material changes in the policy. On the certificate, the agency shall certify whether or not it carries errors and omissions coverage.

The above subparagraphs established minimum insurance requirements and it is the sole responsibility of the CONSULTANT to purchase and maintain additional insurance that the CONSULTANT feels may be necessary in connection with this contract.

The CONSULTANT shall not commence work until the CONSULTANT has obtained required insurance and filed an acceptable certificate of insurance with the RCRRA. All insurance policies shall be submitted to the RCRRA upon written request.

Nothing in this contract shall constitute a waiver by the RCRRA of any statutory limits or exceptions on liability.

E. INDEPENDENT CONTRACTOR CLAUSE

For the purpose of this agreement, the CONSULTANT shall be deemed to be an independent contractor and not an employee of the RCRRA. Any and all agents, servants or employees of the CONSULTANT or other persons, while engaged in the performance of any work or services required or provided for under this agreement, shall not be considered employees of the RCRRA, and any and all claims, including those under the Workers' Compensation Act of the State of Minnesota, that may or might arise on behalf of the CONSULTANT, its agents, servants or employees as a consequence of any act or omission on the

part of the CONSULTANT, his agents, servants, employees or other persons shall in no way be the obligation or responsibility of the RCRRA. The CONSULTANT, his agents, servants or employees shall be entitled to none of the rights, privileges or benefits of RCRRA employees/agents except as otherwise may be stated herein.

F. CONFLICT OF INTEREST

CONSULTANT agrees that it is currently unaware of any conflict of interest with any party affected under this Agreement. CONSULTANT agrees that, if any conflict of interest or potential conflict of interest should arise in the future, the CONSULTANT shall immediately inform the RCRRA of the conflict.

G. HOLD HARMLESS CLAUSE

The CONSULTANT agrees to indemnify and hold harmless RCRRA from and against all claims or demands of every nature on account of injury to or death of persons or damage to or loss of property, including attorney's fees, or causes of action, caused by or resulting in any manner from any acts or omissions of the CONSULTANT, its subcontractors or its agents or employees, in performing or failing to perform any of the services, duties, or operations to be performed by the CONSULTANT and its subcontractor(s) under this contract.

H. ALTERATION CLAUSE

Any alteration, variation, modification or waiver of the provisions of this agreement shall be valid only after it has been reduced to writing and duly signed by both parties.

I. NON-CONFORMING SERVICES

The acceptance by the RCRRA of any non-conforming services under the terms, conditions, and covenants of this agreement, or the foregoing by the RCRRA of any of its rights or remedies arising under the terms of this agreement shall not constitute a waiver of the RCRRA's right to conforming services or any rights and/or remedies in respect to any subsequent breach or default of the terms, conditions and covenants of this agreement. The rights and remedies of the RCRRA provided for under the terms of this agreement are cumulative and not mutually exclusive.

J. SET-OFF CLAUSE

Notwithstanding any provisions of this agreement to the contrary, the CONSULTANT shall not be relieved of liability to the RCRRA for damages sustained by the RCRRA by virtue of any breach of this agreement by the CONSULTANT, and RCRRA may withhold any payments to the CONSULTANT for the purpose of set-off until such time as the exact amount of damages due the RCRRA from the CONSULTANT is determined.

K. LIMITATIONS

The CONSULTANT shall not be required to furnish the service required under this contact or any portion thereof in the event of its inability to do so by virtue of a concerted refusal of its employees to work or any strike of any kind or character of its or other employees, including a so-called wild-cat strike or slowdown or stoppage, any riot, civil strife or disturbance, closing of streets, roads or bridges, inclement weather, destruction by any means or methods of any of its property necessary for the performance thereof, flood, fire, act of God or any other cause beyond its control.

L. COMPLIANCE WITH MINNESOTA STATUTES, SECTION 363.073, AND MINNESOTA RULES PARTS 5000.3400 TO 5000.3600

AFFIRMATIVE ACTION

The CONSULTANT hereby agrees that it will comply with Minnesota Statutes, Section 373.073, as amended by Act of April 16, 1988, chap. 600, 1988 Minnesota Laws 917 and Minnesota Rules parts 5000.3400 to 5000.3600 and applicable common law interpretation. The purpose of this legislation is to increase employment opportunities for women, minorities, and disabled individuals by requiring contractors to adopt and implement affirmative action programs approved by the commissioner of Human Rights.

MINNESOTA STATUTES SECTION 363.073 SUBDIVISION 1 (1988)

"No department or agency of the state shall receive, enter into, or accept any bid or proposal for a contract nor execute any contract for goods, services, or the performance of any function, or any agreement to transfer funds for any reason in excess of \$50,000 with any person having more than 10 full-time employees in Minnesota at any time during the previous 12 months, unless the person has an affirmative action plan for the employment of minority persons, women and the disabled that has been approved by the commissioner of Human Rights. Receipt of a certificate of compliance issued by the commissioner shall signify that a person has an affirmative action plan that has been approved by the commissioner. A certificate shall be valid for a period of two years."

RCRRA intends to carry out its responsibilities under this statute. If a certificate of compliance is required, RCRRA may terminate or abridge this agreement because of the suspension or revocation of the certificate based upon a contractor's failure to implement or make a good faith effort to implement an affirmative action plan approved by the Commissioner of Human Rights.

M. EQUAL EMPLOYMENT OPPORTUNITY

The CONSULTANT agrees to comply with all Federal, State and local laws, resolutions, ordinances, rules, regulations and executive orders pertaining to unlawful discrimination on account of race,

color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability or age. When required by law and requested by the RCRRA, the CONSULTANT shall furnish a written affirmative action plan.

N. COMPLIANCE WITH APPLICABLE LAW

The CONSULTANT further agrees to comply with all federal, state and local laws or ordinances, and all applicable rules, regulations and standards established by any agency of such governmental units, which are now or hereafter promulgated insofar as they relate to the CONSULTANT'S performance of the provisions of this agreement. It shall be the obligation of the CONSULTANT to apply for, pay for, and obtain all permits and/or licenses required by any governmental agency for the provision of those services contemplated in the Agreement.

O. ACCESS TO RECORDS/AUDIT

1. The RCRRA, its authorized representatives or the State Auditor shall have full access to all records relating to the performance of this agreement.
2. The CONSULTANT agrees to maintain records relating to all services provided by it under the terms of this agreement and shall retain all such documentation for six (6) years following the termination of this agreement. Such records shall be made available for audit or inspection at any time upon request of the RCRRA or its authorized representatives.

P. INTERPRETATION ACCORDING TO MINNESOTA LAW

This agreement shall be interpreted and construed according to the laws of the State of Minnesota. All litigation regarding this agreement shall be venued in the State of Minnesota.

Q. ENTIRE AGREEMENT CLAUSE

This agreement shall constitute the entire agreement between the parties and shall supersede all prior oral or written negotiations.

R. TERMINATION

- A. With Cause - The RCRRA reserves the right to suspend or terminate this agreement if the CONSULTANT violates any of the terms or conditions of this agreement or does not fulfill in a timely and proper manner its obligations under this agreement as determined by the RCRRA. In the event that the RCRRA exercises its right of suspension or termination under this paragraph, it shall submit written notice to the CONSULTANT specifying the extent of such suspension or termination, the reasons therefor, and the date upon which such suspension or termination becomes effective. Upon receipt of such notice, the CONSULTANT shall take all actions necessary to discontinue

further commitments of funds to the extent that they relate to the suspended or terminated portions of this agreement.

- B. Without Cause - The RCRRA or the CONSULTANT may terminate this agreement without cause and for any reason whatsoever upon giving at least thirty (30) days written notice thereof to the other party. In such event, the CONSULTANT shall be entitled to receive compensation for the services provided in a satisfactory manner up to and including the effective date of termination.

S. DATA PRIVACY

All data collected, created, received, maintained or disseminated for any purpose in the course of contractor's performance of this agreement is governed by the Minnesota Government Data practices Act, Minn. Stat. Ch. 13, (1984), or any other applicable state statutes, any state rules adopted to implement the Act, as well as federal regulations on data privacy. The CONSULTANT agrees to abide strictly by these statutes, rules and regulations.

T. PARTIES' REPRESENTATIVES

RCRRA: Kathryn DeSpiegelaere
Director of Light Rail Transit Planning

James E. Tolaas, P.E.
Project Manager

CONSULTANT: Richard P. Wolsfeld, P.E.
Project Director

David M. Warner, P.E.
Project Manager

RAMSEY COUNTY, MINNESOTA

BY _____
Chairman, Ramsey County
Regional Railroad Authority

Approved as to Form:

County Attorney

Recommended for Approval:

BY Lathyn Desjardins
Director of Light Rail Transit Planning
Ramsey County Regional Railroad Authority

BY James E. Kaplan 8-3-89
County Risk Manager

Funds Available from Account 59103-020102
\$1,476,000

BY Ed Glantz 8/3/89
Budget and Accounting

BRW, INC.

BY Paul D. Webb
Title Vice-Pres

DATE 8/1/89

EXHIBIT A

PRELIMINARY WORK PLAN

TASK 1.0 PROJECT INITIATION ACTIVITIES

OBJECTIVE: To prepare a refined, more detailed project work plan, establish project administrative procedures, and to formulate procedures for interchange of mapping and Computer Aided Design/Drafting (CADD) files.

- 1.1 As directed and assisted by RCRRA staff, the consultant will assess previous studies and the Preliminary Work Plan for compliance with procedures and guidelines set forth by the Urban Mass Transportation Administration of the United States Department of Transportation. The assessment will define additional study and documentation requirements and associated impacts to project cost, project schedule, and additional staffing requirements.
- 1.2 Review proposed work plan, schedule and budget with RCRRA staff. Identify areas where level of effort requires adjustment. Revise work plan, schedule and budget as directed.
- 1.3 Define administrative procedures to be used in project, including progress reporting, billing, and accounting.
- 1.4 Review existing information and reports regarding the Midway Corridor.
- 1.5 Establish Peer Review Panel to review project accomplishments at key points. The panel may include local transportation agency representatives, but should also include outside experts.
- 1.6 Verify and coordinate mapping/CADD capability. The consultant shall assign a lead person to coordinate Ultimap services with the RCRRA and manager representatives with direct access to Ramsey County Ultimap resources. The consultant must meet with the department leaders to establish the process for an exchange of data and transfer procedures. All data transfers dependent upon the Data Exchange Files (DXF) translator will be subject to tests on the software translator within the Ramsey County Ultimap system. LRT timelines and schedules will be presented to the system manager in writing so time schedule planning for mapping may be accomplished. A draft schedule shall be submitted to the RCRRA Project Manager within one week of beginning Project Initiation activities. A final schedule will be submitted within four weeks of beginning Project Initiation. The final schedule shall be subject to written approval by the RCRRA Project Manager.

TASK 2.0 COMMUNITY PARTICIPATION PROGRAM

OBJECTIVE: Conduct activities to facilitate the participation of citizens, technical staff, and elected/appointed officials in the planning process and to conduct activities to communicate the study results to interested parties.

- 2.1 Provide Support Services for the Communication/Participation Program. The CONSULTANT will prepare materials for meetings and forums, assemble and distribute information and minutes for all public meetings and forums, and assist in arranging for meeting facilities.
- 2.2 Prepare and distribute mass communication materials. The CONSULTANT will prepare and distribute, under the guidance and direction of RCRRRA Staff, ten (10) newsletters during the the project. Approximately 1,400 copies of each newsletter will be printed. The CONSULTANT will be responsible for mailing approximately 1,100 copies of each newsletter. The mailing list, and updates to the mailing list, will be provided by the RCRRRA.

The CONSULTANT will provide assistance to RCRRRA Staff with other communications efforts such as press releases, cable TV presentations, etc., as directed by RCRRRA Staff.

- 2.3 Citizen Group Meetings. As directed by RCRRRA Staff, the CONSULTANT will make meeting arrangements, prepare agendas and materials for presentation and discussion at the meetings, staff the meetings, and prepare and distribute summary minutes of the meetings. It is expected that there will be one Citizen Group, and that the group will meet approximately ten times.
- 2.4 Technical Briefings and discussions. As directed by RCRRRA Staff, the CONSULTANT will participate in briefings of and discussions with city council, neighborhood groups, public agencies and staffs, business and civic associates, property owners, etc. with interests in the project. It is expected that there will be about 60 such meetings.
- 2.5 Forums. As directed by RCRRRA Staff, the CONSULTANT will participate in public forums called for the purpose of presentation of study information. The CONSULTANT will make meeting arrangements, prepare materials for presentation at the meetings, staff the meetings, and prepare summary minutes of the meetings. It is expected that there will be three Forums.
- 2.6 Interface with RCRRRA. The CONSULTANT will attend and participate in meetings and conduct briefings as directed by RCRRRA Staff.

- 2.7 Participate in Public Hearings and Meetings. The CONSULTANT will participate in meetings and hearings required as part of the State and Federal EIS processes, and in state-required hearings and meetings relative to the preliminary design plan process within the context of this contract.
- 2.8 Conduct required Agency Coordination. As directed by the RCRRA Staff, the CONSULTANT will interface with agencies involved in the production, review and approval of State and Federal EIS documents, and in the preliminary design plan process within the context of this contract.

TASK 3.0 SYSTEM PLANNING AND ENGINEERING

OBJECTIVE: To identify alternatives to be studied in the PE and EIS process.

- 3.1 Review and evaluate route alignment alternatives and subalternatives both in the corridor and in downtown St. Paul.
- 3.2 Examine interrelationships between corridor alignments, downtown St. Paul alignments and Hennepin County Regional Railroad Authority (HCRRA) University Connector alignment.
- 3.3 Review previous systems and operations characteristics assumptions. This includes vehicles, vehicle performance, system control and communications, fare collection, electrification/traction system, service standards, and maintenance requirements, etc.
- 3.4 Provide preliminary evaluation of feeder bus system characteristics and requirements and other interface requirements of or impacts to bus operations.
- 3.5 Review and expand upon previous work regarding potential station locations.
- 3.6 Develop initial design criteria for significant system elements.
- 3.7 Document above information, identifying potential conflicts. Prepare recommendation regarding alternatives to be studied in Phase I Preliminary Engineering (PE) and Environmental Impact Statement (EIS) process.
- 3.8 Review with RCRRA and finalize alternatives.

TASK 4.0 ROUTE ENGINEERING AND DESIGN

OBJECTIVE: To physically define alternative LRT alignments and alignment combinations and their interrelationships with the community and community facilities in sufficient detail to support environmental analysis and decision-making.

4.1 Assemble and Review Existing Information - Earlier studies have examined the corridor and downtown St. Paul alternatives in varying detail. The CONSULTANT will review all available previous studies and evaluate all usable information, supplement noted information gaps, and identify any inaccuracies or omissions in previous studies. Data collected will include:

- o Alignment studies
- o Right-of-way information
- o Utility inventory
- o Land use information
- o Traffic volumes and forecasts
- o Traffic management plans
- o Railroad activity levels

4.2 Prepare Base Mapping - Drawing on the resources of Ramsey and Hennepin Counties, and others as required, the CONSULTANT will prepare base mapping for each alignment alternative.

4.3 Define Alternatives - Definition of alternatives will be an iterative and interactive process which includes:

- o Design Criteria Formulation - Taking into account work conducted by other agencies, design criteria will be developed which assure that a safe, cost effective, constructable and maintainable system is designed.
- o Typical Cross-Section Development - Typical sections will reflect adopted design criteria and conditions expected to be found along the alignment alternatives. These sections will provide input to the right-of-way needs assessment.
- o Horizontal and Vertical Layout - The layouts will reflect adopted design criteria, refined to fit the specific conditions encountered along each alignment alternative. Layouts will identify all significant structure elements.
- o Railroad Interface Analysis - Determine under what conditions LRT would be able to operate on railroad rights-of-way utilized by the alignment alternatives. If shared-use or joint-use is anticipated, the analysis will determine physical constraints and operating requirements, and assess the impact on existing rail customers.

- o Station Siting and Interface Studies - Establish station siting criteria. Identify general station locations. Review existing land use, land use plans, and access needs and opportunities. Identify specific alternative candidate sites. Determine site impacts and constraints. Evaluate site alternatives with respect to siting criteria. Select specific station sites.
- o Traffic analysis and Traffic Management Plans - Evaluate impacts to existing roadway operations and develop alternatives to reduce or mitigate negative impacts to traffic and related factors.
- o Ridership Forecasts - Prepare forecast of Year 2010 LRT ridership for each of the three alignment alternatives. The forecasts will use the ridership forecasting model developed for the region in the HCRRA Preliminary Engineering Study. The forecasts will produce estimates of average weekday ridership, peak hour maximum load point volume, peak period forecasts, peak hour forecasts, access mode, and station parking demand.
- o Urban Design Considerations - The CONSULTANT will examine the impact and change of character that LRT will have on the urban environment. The analysis will include review of existing conditions, identification and analysis of forces acting within each area, operational characteristics and requirements, and special requirements and characteristics. Preliminary, typical urban design plans will be developed and evaluated.
- o System Considerations - As alignment definitions are developed for each alternative, plans will be reviewed to ensure that systems design criteria can be met, and that electrification, communication and signalization needs can be efficiently and effectively implemented.

TASK 5.0 PROTOTYPICAL STATION ZONE DESIGN

OBJECTIVE: Develop prototypical station zone designs which can be applied to identified station locations along each alignment alternative.

- 5.1 Collect Data Necessary to Identify Existing Site Specific Conditions: This element will result in the collection of all base data needed to support further site specific design efforts. Material will be compiled for each station site reflecting existing topography and drainage patterns, structures present on the site and the surrounding station area, traffic compositions and volumes within the station area, soils and geology, public infrastructure, and pedestrian circulation.

- 5.2 Summarize Site Impacts/Constraints: Previous base data collected will be analyzed relative to their impact on each specific site. The results will be summarized in graphic and tabular form to identify specific impacts and constraints acting on each site. In addition, attention will be given to identifying forces common to more than one site.
- 5.3 Identify and Program Common and Specific Site/Building Requirements: Efforts within this element will be focused on examining both system-wide and station-specific site and building development requirements. Common requirements will be noted for possible incorporation into a system-wide design program to be applied to all stations. More specific requirements unique to particular sites will be identified as well. Particular attention will also be paid to the site and building requirements for corridor stations and Central Business District (CBD) stations. This element will result in a generic program for system-wide site and building requirements.
- 5.4 Prepare Station-Related Design Standards and Guidelines: Work performed within this element will establish design goals and principles that will guarantee high quality station design. This element will result in system-wide design standards and guidelines for station development, and design standards and guidelines reflecting more unique site-specific elements not common throughout the entire system.
- 5.5 Prepare Prototypical Station Designs: The prototypes will incorporate the efforts of the previous four work elements with particular attention paid to site/building programs and station design standards.
- 5.6 Evaluate Station Prototypes and Design Standards/Criteria: Station prototypes and design criteria developed above will be applied to each station site and evaluated relative to fit. Consistent differences will lead to refinement in either station prototype design and/or design criteria.

TASK 6.0 SUPPORT FACILITIES

OBJECTIVE: Identify support facilities needs for Midway Corridor. Coordinate with needs of HCRRA system to ensure that opportunities for efficiencies of scale are realized.

The BRW CONSULTANT has performed several analyses relating to support facilities. The CONSULTANT will explore the issues involved in developing such facilities to serve a regional LRT system under two basic scenarios:

- o Cooperative implementation of a regional system and integration of all major maintenance into a single facility.

- o Construction of the Midway Corridor in Ramsey County as a stand-alone project which must provide its own support facilities.

6.1 Cooperative Implementation of Regional System

The CONSULTANT will review the conclusion that the "Coach Yard" facility is the logical place for the primary Light Rail Vehicle (LRV) operating and maintenance facility. As the regional system and LRV fleet grow, satellite overnight storage yards with cleaning and light maintenance capabilities may become necessary. Potential sites for such a facility will be identified and prioritized according to cost, operations, size, community interaction and other criteria. Evaluation of information contained in RCRRA's comprehensive LRT plan will assist in this effort. The CONSULTANT will make a recommendation to RCRRA as to a most likely site. The CONSULTANT will define functional and operational plans, and prepare conceptual design layouts for the recommended feasible site(s).

6.2 Midway Corridor LRT in Ramsey County Only

Under this option, an initial facility in Ramsey County will be needed to accommodate all operations, LRV storage and system maintenance functions. The CONSULTANT will screen the previously identified sites again to determine which one(s) might be suitable for expansion to a complete central operations and maintenance facility. The CONSULTANT will evaluate and prioritize alternative locations, define functional and operational plans, and prepare conceptual design layouts for the recommended feasible site(s).

TASK 7.0 COST ANALYSIS

OBJECTIVE: To provide cost information to facilitate decision-making and to provide a basis for development of financial plans.

7.1 Capital/Construction Requirements

During the preliminary engineering effort, the BRW CONSULTANT will prepare two capital cost estimates:

- o Conceptual estimates to support the design development process.
- o Preliminary estimate, with final submittal at the end of phase I preliminary engineering.

Generally, capital cost estimates are separated into direct costs and indirect costs. The direct costs consist of actual construction costs including labor, material, construction

equipment, and permanent equipment. Indirect costs consist of contractors' overhead and profit, engineering and construction management costs, start-up costs, escalation, contingency, and owner's costs.

The preliminary cost estimate will be part of the final submittal for the preliminary design stage. This estimate will be of sufficient detail to facilitate decision making and will be consistent with available engineering information.

Contingency - To determine the extent of unknown and unforeseeable impacts, the CONSULTANT will conduct a contingency analysis for major items of work. The contingency will be expressed as a percent, and is inversely proportional to the level of engineering effort.

7.2 Operating and Maintenance Costs

Operating and maintenance cost estimates will be based on the experience of other new LRT projects and the current philosophy and operating experience in the Twin Cities area.

A computer model will be used to make the actual cost estimates. This model will use the outputs of the demand and systems analyses and will be flexible.

TASK 8.0 FINANCE AND MANAGEMENT ANALYSIS

OBJECTIVES: To determine whether LRT is likely to be a feasible means of providing transit service in the Midway Corridor.

- 8.1 Review the Financial Plan and Regional Coordination Plan and interim reports completed by the Regional Transit Board (RTB) as a basis for corridor specific analyses. All CONSULTANT work shall be consistent with RTB criteria. Where possible, the CONSULTANT will build upon RTB work.
- 8.2 Develop a revenue/cost model which responds to assumptions regarding construction, operations, maintenance, construction staging, ridership, financing cost, funding availability from various sources, reliability of those funding sources, and management methodology.
- 8.3 Analyze feasible combinations of circumstances to determine long-term cost of LRT in the Midway Corridor.
- 8.4 Where quantifiable differences exist between Midway Corridor alignment alternatives, identify and estimate those differences.
- 8.5 Evaluate alternative means of finance, ownership and management of the Midway LRT Corridor.

- 8.6 Prepare conceptual plan for the finance, ownership and management of the Midway LRT Corridor.

TASK 9.0 IMPLEMENTATION PLANNING

OBJECTIVE: Prepare an overall implementation plan that addresses work tasks, cost, and time schedule for project implementation and operation.

9.1 Evaluate Alternative Implementation Methods

Using the work completed by the RCRRRA, the HCRRRA, and the RTB, the CONSULTANT will define and evaluate at least four implementation techniques: traditional, design-build, turnkey, and super turnkey, and will assist in the selection of a preferred implementation technique; criteria will include control, risk, cost, funding implementations, and schedule. This work shall be consistent with regional plans set forth by the RTB.

9.2 Identify and Evaluate Joint Development Opportunities

The CONSULTANT will identify the opportunities for joint development and the potential to generate transit-designated revenue. Each potential opportunity will be discussed with the City of St. Paul and the City of Minneapolis. The CONSULTANT will translate the opportunities into specific site concepts consistent with city development goals and objectives, and identify the potential revenue stream, if any.

9.3 Prepare Implementation Plan

The implementation plan will be prepared to include:

- o Preferred implementation method
- o Implementation schedule, with key tasks identified
- o Phase II - Preliminary Engineering work program (developed in Task 12)

TASK 10.0 ENVIRONMENTAL STUDIES

OBJECTIVE: Analyses and documentation of the proposed Midway Corridor LRT alignment alternatives and the No-Build alternative, to identify the environmental implications of each, to select a preferred alternative, and to identify measures to mitigate adverse environmental impacts.

The task will proceed in accordance with guidelines recommended by UMTA in its 1985 "Draft Procedures and Technical Methods for Transit Project Planning," UMTA regulations as amended, and the Minnesota Environmental Quality Board regulations.

10.1 Scoping and Work Plan Refinement

OBJECTIVE: The CONSULTANT will define and implement the scoping process for DEIS as required in federal and state guidelines, establish agreed-upon goals and objectives for the project, and revise the work plan and schedule in accordance with comments received and reviewed during scoping. The CONSULTANT will:

- o Develop in consultation with the RCRRA project manager, optional strategies regarding potential scoping activities.
- o Help the RCRRA organize and hold appropriate scoping meeting(s) and functions, both formal and informal.
- o Prepare a draft summary of the scoping activities and the comments received for review by RCRRA staff and others.
- o Incorporate review comments and prepare a final scoping summary report.
- o Review existing planning documents and meet with agencies, local officials and community leaders to establish goals and objectives.
- o Revise the work plan and schedule in accordance with scoping comments and agreed-upon goals and objectives. Prepare a revised draft for review. Incorporate comments for state agency and UMTA review of revised work plan.
- o Prepare final detailed work plan including state agency and UMTA review and comments.

10.2 Draft EIS Chapter 1: Purpose and Need

The CONSULTANT will assist in the development of a clear understanding among the RCRRA, state and federal representatives, and other interested parties as to the purpose and need of the desired transit improvements prior to initiation of the technical investigations. The draft Purpose and Need chapter will focus on the following:

- o Current and future population, population densities, major employment centers, and population characteristics of the study area.
- o Current and proposed traffic congestion in the corridor and adjacent to it a selected points.

- o Current transit service levels and ridership, and projected transit service and ridership in the corridor, including currently planned long-term service modifications.
- o Current transit speeds on important highway links and bus routes.

A preliminary draft of the purpose and need statement will be circulated among the RCRRRA staff and others as appropriate. After comments have been received, a final draft will be prepared for submission to state and federal representatives. Following this, all necessary revisions will be made incorporating comments received.

10.3 Technical Analysis

Technical analysis of environmental issues will be conducted to conform to federal and state EIS guidelines and to respond to comments received from UMTA and state agency reviewers on the draft of EIS Chapter 1: Purpose and Need. These technical analyses are likely to include assessment of existing conditions, likely impacts of implementation of the No-Build alternative and each LRT alternative, and potential mitigation measures in issue areas including:

- o Transportation
 - Conformance to Established Plans
 - Service to Transit Users
 - Service to Motorists
 - Traffic Impacts
- o Socioeconomics
 - Land Use and Zoning
 - Economic Development
 - Neighborhoods
 - Community Services
 - Business Community
- o Natural Environment
 - Water Resources
 - Visual-Aesthetic Environment
 - Vegetation and Wildlife Habitat
 - Geology and Soils
 - Ecosystems
- o Physical Environment

- Air Quality
- Noise and Vibration
- Parklands and Recreation Areas
- Historic and Cultural Resources

10.4 Draft Environmental Impact Statement and Hearing

The CONSULTANT will prepare all sections of the DEIS, solicit and respond to agency review comments, prepare the document for public circulation and review, and assist with the issuing of formal notices and the holding of public hearings.

10.5 State Final Environmental Impact Statement

The CONSULTANT will prepare a Final Environmental Impact Statement (FEIS) in accordance with all applicable statutes and requirements of the State of Minnesota. The CONSULTANT will prepare all documentation, provide for distribution and circulation, issue all required notices, conduct required hearings and respond to and incorporate all comments on the FEIS in accordance with statutory requirements.

TASK 11.0 SELECT LOCALLY PREFERRED ALTERNATIVE

OBJECTIVE: Identify locally preferred alternatives

11.1 The CONSULTANT will provide technical support to the alternative selection process and to prepare the Locally Preferred Alternative Report for the RCRRA review and approval. The report will inform interested parties of the local decision and to document its underlying rationale, explain the decision process, summarize comments received during DEIS circulation, and demonstrate the cost-effectiveness and financial feasibility of the decision. The contents of this document will generally include: a description of the preferred alternative, including mode, alignment, and the operating plan; a rationale for the selection of the preferred alternative; a summary of comments from DEIS circulation and public hearing, and RCRRA's response to these comments; a description of local government and agency endorsements; and a financing plan for both capital and operating costs.

- o Develop Evaluation Framework Concerning Characteristics of Each Alternative Cost, Service, Impacts
- o Obtain Advice from Advisory Committee on Preferred Alternative
- o Resolve Conflicts
- o RCRRA Select Locally Preferred Alternatives
- o Gain Approvals as Required by State Law

o Prepare Locally Preferred Alternative Report

TASK 12.0 PHASE II PRELIMINARY ENGINEERING WORK PROGRAM

OBJECTIVE: To prepare a Scope of Services, Budget and Schedule for completion of preliminary engineering of the Locally Preferred Alternative at the 30 percent level.

- 12.1 Prepare Scope of Services - In consultation with RCRRA staff, prepare scope of services which describes in detail the tasks and level of effort required to prepare 30 percent engineering design. The 30 percent design will use, as a base, the 10 percent preliminary engineering plans prepared in this project.
- 12.2 UMTA Review - Review draft scope of services with UMTA for conformance with UMTA standards.
- 12.3 Revise Scope of Services - Finalize scope of services in response to UMTA comments.
- 12.4 Prepare Schedule - Prepare a schedule for completion of the 30 percent engineering design.
- 12.5 Prepare Budget - Prepare a budget for completion of the 30 percent engineering design.
- 12.6 Finalize Project Work Program - Combine Scope of Services, Project Schedule and Project Budget and submit to RCRRA.

PROJECT TIMELINE

Ramsey County Regional Railroad
Authority

Light Rail Transit
Preliminary Engineering and
Environmental Impact Statement



Project Initiation Activities

Detailed Work Plan

Community Participation Program

Newsletters

System Planning and Engineering

Route Engineering and Design

Station Zone Design

Support Facilities

Cost Analysis

Finance and Management Analysis

Implementation Planning

Scoping Process

Scoping Document (EAW)

Scoping Decision Document

Environmental Studies

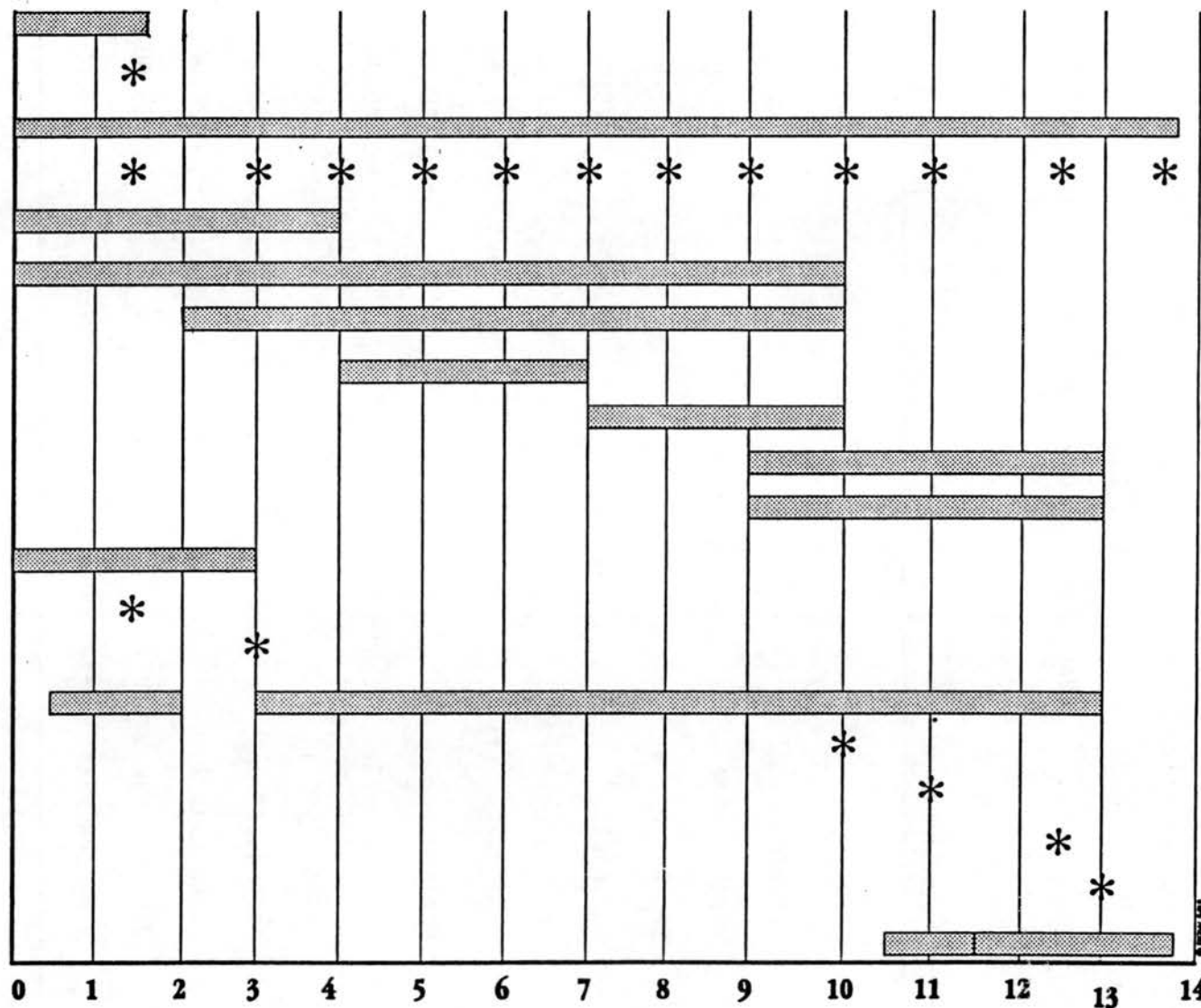
Draft EIS

Public Hearing

Final EIS

Locally Preferred Alternative Report

Phase II PE Work Program



Time in Months

EXHIBIT B

BRW, INC.

VALID THROUGH MARCH 30, 1990

CLASSIFICATION	HOURLY RATE
Principal - I	\$130.00
Principal - II	100.00
Vice President	85.00
Sr. Associate	75.00
Associate	70.00
Sr. Professional	65.00
Professional II	55.00
Professional I	42.50
Supervisor/Sr. Technician	40.00
Technician III	35.00
Technician II	32.50
Technician I	25.00
3-Person Field Party	85.00
2-Person Field Party	65.00

PROJECT TEAM

Ramsey County
Regional Railroad Authority

Ramsey County Regional
Railroad Authority



Richard P. Wolsfeld, PE
Project Director
BRW

David M. Warner, PE
Project Manager
BRW

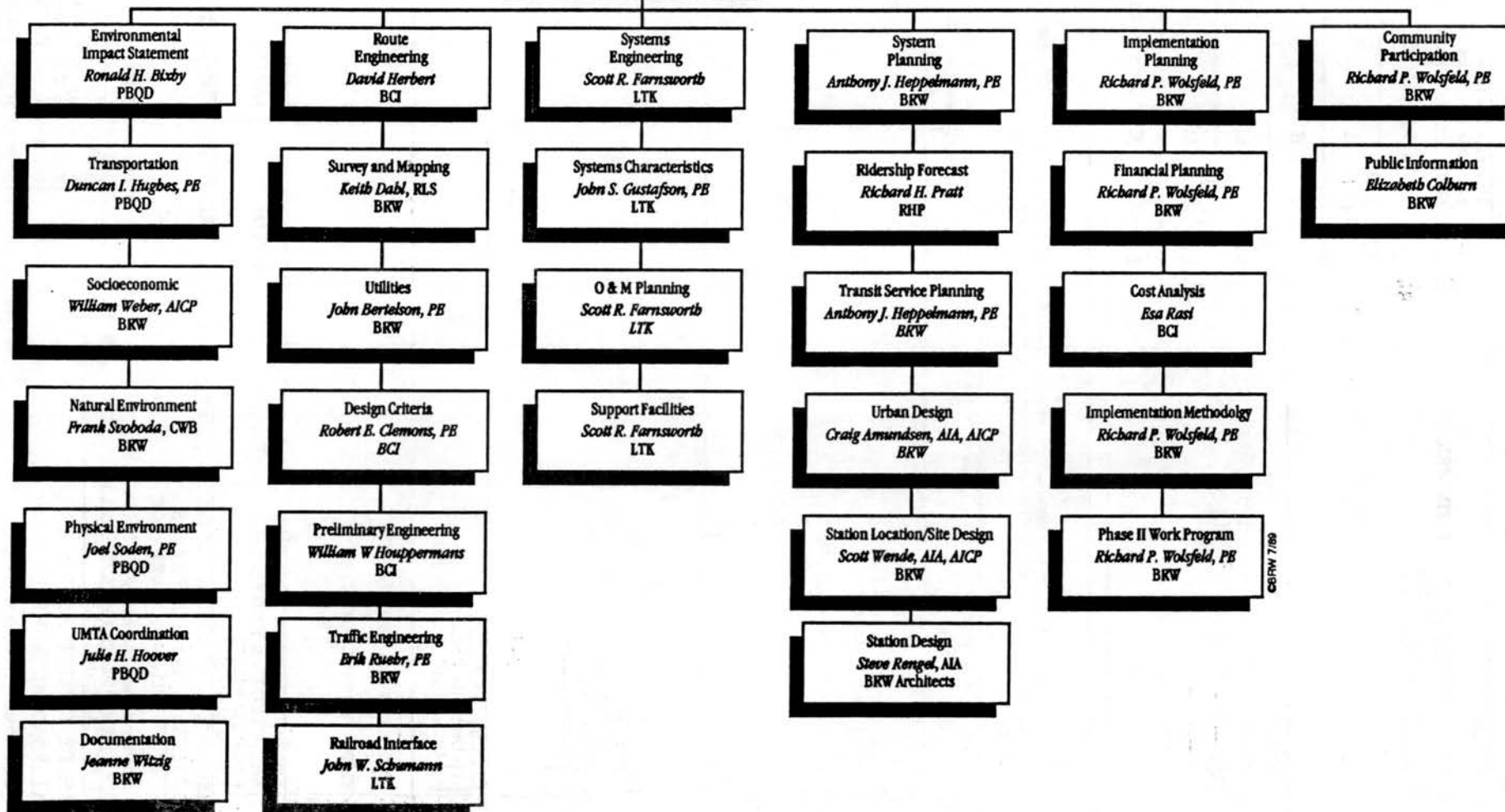


EXHIBIT C

CBRW 7/89

Record

CERTIFICATE OF INSURANCE

7-11-89

PRODUCER

COBB STRECKER DUNPHY & ZIMMERMANN, INC.
100 SO. 5th ST., SUITE 1250
MINNEAPOLIS, MN 55402

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies listed below.

COMPANIES AFFORDING COVERAGE

COMPANY
LETTER ACOMPANY
LETTER BCOMPANY
LETTER CCOMPANY
LETTER DCOMPANY
LETTER E CONTINENTAL CASUALTY COMPANY

INSURED

BENNETT, RINGROSE, WOLSFELD,
JARVIS, GARDNER, INC.; BRW
ARCHITECTS, INC.; BRW, INC
700 Third St. So.
Minneapolis, MN 55415

COVERAGES

This is to certify that policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies. Limits shown may have been reduced by paid claims.

CO LTR	Type of Insurance	Policy Number	Policy Effective Date (mm/dd/yy)	Policy Expiration Date (mm/dd/yy)	Liability Limits	
A	GENERAL LIABILITY				General Aggregate	\$.00
	☐ Commercial General Liability				Products-Comp/Ops Aggregate	\$.00
	☐ Claims Made Occurrence				Personal & Advertising Injury	\$.00
	☐ Owner's & Contractor's Prot.		//	//	Each Occurrence	\$.00
					Fire Damage (Any One Fire)	\$.00
					Medical Expense (Any One Person)	\$.00
B	AUTOMOBILE LIABILITY				CSL	\$.00
	☐ Any Auto				Bodily Injury Per Person	\$.00
	☐ All Owned Autos (Priv Pass.)				Bodily Injury Per Accident	\$.00
	☐ All Owned Autos (Other)		//	//	Property Damage	\$.00
	☐ Hired Autos					
	☐ Non-Owned Autos					
	☐ Garage Liability					
C	EXCESS LIABILITY				Each Occurrence	Aggregate \$.00 \$.00
	☐ Umbrella Form		//	//		
	☐ Other Than Umbrella Form					
D	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY				Statutory	\$.00 (Each Accident)
			//	//		\$.00 (Disease Policy Limit)
						\$.00 (Disease Each Employee)
E	OTHER ARCHITECTS & ENGR'S PROF LIABILITY [Claims Made Basis]	AAE 613 88 13	01/01/89	01/01/90	\$ 2,000,000.00 Any One Claim And In The Annual Aggregate.	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

PROJECT: Phase I PE/EIS
Midway Corridor

Best rating a plus.

This policy covers the PROFESSIONAL SERVICES of the named insured for all projects
& the limit of liability shown shall not be construed to be applied to this project only.

CERTIFICATE HOLDER

RAMSEY COUNTY REGIONAL
RAILROAD AUTHORITY
Courthouse, Room 316
15 W. Kellogg Blvd.
St. Paul, MN 55102

CANCELLATION

Should Any Of The Above Described Policies Be Cancelled Before
Expiration Date Thereof, The Issuing Company Will Mail 30 Days
Written Notice To The Certificate Holder Named To The Left.

AUTHORIZED REPRESENTATIVE

COBB-STRECKER-DUNPHY & ZIMMERMANN
INCORPORATED



CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

7-11-89

PRODUCER

COBB-STRECKER-DUNPHY & ZIMMERMANN, INC.
150 So. 5th St., Suite 2000
Minneapolis, MN 55402

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY
LETTER

A AETNA CASUALTY & SURETY

COMPANY
LETTER

B

COMPANY
LETTER

C

COMPANY
LETTER

D

COMPANY
LETTER

E

INSURED

BENNETT, RINGROSE, WOLSFELD, JARVIS,
GARDNER, INC.; BRW, INC.
700 Third St. So.
Minneapolis, MN 55415

COVERAGES

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	Liability ALL LIMITS IN THOUSANDS	
A	GENERAL LIABILITY	36ACM5571450	1-1-89	1-1-90 <i>D.C. 89 8.3</i>	GENERAL AGGREGATE \$1,000	
	☒ COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OPS AGGREGATE \$1,000	
	☐ CLAIMS MADE ☒ OCCURRENCE				PERSONAL & ADVERTISING INJURY \$1,000	
	☐ OWNER'S & CONTRACTORS PROTECTIVE				EACH OCCURRENCE \$1,000	
	☐				FIRE DAMAGE (ANY ONE FIRE) \$ 50	
					MEDICAL EXPENSE (ANY ONE PERSON) \$ 5	
A	AUTOMOBILE LIABILITY	36FJ808590CCA	1-1-89	1-1-90	CSL	\$ 500
	☒ ANY AUTO				BODILY INJURY (PER PERSON)	\$
	☒ ALL OWNED AUTOS				BODILY INJURY (PER ACCIDENT)	\$
	☒ SCHEDULED AUTOS				PROPERTY DAMAGE	\$
	☒ HIRED AUTOS					
	☒ NON-OWNED AUTOS					
	☐ GARAGE LIABILITY					
A	EXCESS LIABILITY	36XS589906WCA	1-1-89	1-1-90	EACH OCCURRENCE \$ 3,000	
	☒				AGGREGATE \$ 3,000	
A	WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY	36C557924CCA	1-1-89	1-1-90	STATUTORY	
	☐				\$ 100 (EACH ACCIDENT)	
	☐				\$ 500 (DISEASE-POLICY LIMIT)	
					\$ 100 (DISEASE-EACH EMPLOYEE)	
A	OTHER VALUABLE PAPERS COVERAGE	36ACM5571450	1-1-89	1-1-90	Blanket Limit: \$805,000. Deductible: \$500. Causes of Loss: Special	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

PROJECT: Phase I PE/EIS
Midway Corridor

Commercial liability Ramsey County, is
an additional insured. Best rating
of Aetna Casualty is a plus.

CERTIFICATE HOLDER

RAMSEY COUNTY REGIONAL
RAILROAD AUTHORITY
Courthouse, Room 316
15 W. Kellogg Blvd.
St. Paul, MN 55102

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IN NO MANNER BE A WAIVER OF ANY RIGHT OF THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

COBB-STRECKER-DUNPHY & ZIMMERMANN
INCORPORATED



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, the Ramsey County Regional Railroad Authority authorized staff to negotiate a contract for Phase I Preliminary Engineering/Environmental Impact Statement studies on the Midway Corridor with BRW, Inc., a Wyoming Corporation doing business in Minnesota as BRW Planning, Transportation, and Engineering, Inc.; and

WHEREAS, Regional Rail staff have prepared Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003, in the amount of \$1,398,039, for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies; Now Therefore, Be It

RESOLVED, the Ramsey County Regional Railroad Authority approves Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 in the amount of \$1,398,039 subject to RCRRA staff negotiating either a joint powers agreement between the Hennepin County Regional Rail Authority (HCRRA) and the RCRRA or an amendment to the Agreement No. RCRRA-89-003 for the purpose of coordinating LRT planning and engineering initiatives, on the part of both authorities, during the completion of studies provided for in said Agreement; and Be It Further

RESOLVED, That the Chairman of the Ramsey County Regional Railroad Authority is authorized to sign the agreement on behalf of the Regional Railroad Authority.

John T. Finley, Chairman

By _____
Warren W. Schäber, Secretary



John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

AGENDA

Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Tuesday, August 22, 1989

10:30 A.M. - Large Conference Room - 316

1. * Minutes of the August 8, 1989 Meeting
2. Chairman's Comments
3. * Authorize payment in the amount of \$7,689.30 to Springsted Public Finance Advisors for financial analysis of LRT
4. * Approve preparation of grant application to the Minnesota Department of Transportation for an estimated \$1,174,000 for Phase II preliminary engineering for Midway Corridor
5. * Schedule of forums and hearing on Comprehensive LRT Plan
6. * Authorize Regional Rail staff to process payments to BRW, Inc. for work completed and invoiced in accordance with Agreement No. RCRRA-89-003

*ACTION IS REQUESTED.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

August 8, 1989

The regular meeting of the Board of Ramsey County Regional Railroad Authority was held on Tuesday, August 8, 1989, at 10:45 A.M. in the Large Conference Room of 316, Court House.

MEMBERS PRESENT: Chairman John Finley
Commissioner Ruby Hunt
Commissioner Duane McCarty
Commissioner Hal Norgard
Commissioner Donald Salverda
Commissioner Warren Schaber

MEMBERS ABSENT: Commissioner Diane Ahrens

Also Present: Michael Ehrlichmann, James Van Houdt, Ed Glaubitz, Hugh Faville, Robert Clarkson, Donn Dexter, Donna Allan, Ben Sebesta, Dick Wolsfeld, David Warner, Don Ahern, Patrick O'Malley, Terry Lindeke, Karen Tero, Terry Schutten, Greg Mack, James Tolaas, Jill Goski, Toni Baker, Kathryn DeSpiegelaere, David MacMillan represented the County Attorney's Office, Frances Glendenning

1. Minutes - of the July 25, 1989 Meeting.

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

The Ramsey County Regional Railroad Authority approves the minutes of the regular meeting held on July 25, 1989, as written.

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

3. Michael Ehrlichmann, Chairman of the Regional Transit Board, will address the Board.

Chairman Finley introduced Michael Ehrlichmann, the new Chairman of the Regional Transit Board, to the members of the Board and welcomed him to this meeting.

Mr. Ehrlichmann appreciated the opportunity to come here today, to introduce himself as he may not have had an opportunity to meet you the past. The new RTB began yesterday. and he wished to re-emphasize and in some cases renew communication between the municipalities, the counties, who will be involved in transit issues. He sees his role largely as a consensus builder in the

the community, kind of a role that he played prior to the role he has played during the last few years. We are on the verge of making decisions which will impact this community for decades to come. He believes that it is important that while we may not be able to agree on all aspects of the transportation programs, that at least we have confidence in the process by which the decisions will be made. His door will always be open, he will return your calls promptly, as well as his staff.

Mr. Ehrlichmann hopes to present to the RTB soon some ideals on opening up communication between the municipalities, we have well over 100 municipalities, in the metro area, as well as counties, and regional authorities that deal with transit. This will be part of his agenda to make sure that whether you are a Mayor, Commissioner, or member of an Advisory Committee that you have access to the system. This has been an ingredient that has been missing in the past, and this will be an emphasis of his. His presence at the Legislature may be significantly different than in the past. There is a good staff at the RTB, and hopefully the Board as it is presently constituted, as it begins to jell as a body, that they will be able to provide their staff with competent direction, and he thinks they have a good chance of doing that. He is looking forward to working with this Board, he will be available.

Commissioner Hunt is concerned about the timetable established by law as to when RTB has to have something ready, and as to when the Advisory Committee has to have its recommendations in order. She is not fluent on just what the dates are, but it seems to her they are pretty early. She is just wondering how Mr. Ehrlichmann views whether or not that timetable can be met, and whether or not the quality kind of consideration will fit into that kind of timetable.

Mr. Ehrlichmann responded that one of his first concerns at the time he accepted this position, he was concerned about deadlines, January, to present to the Legislature the LRT proposal. Their staff is obviously concerned, but they are confident that if we get under way now that we will be able to present a quality product to the Legislature. As we go down the line, that will be something that we will all watch, and he will expect this body to watch as well. Ramsey County is going to be represented on the RTB in that process. It is a concern, in fact, this afternoon he will be interviewing the second of several candidates for LRT Engineer, which is part of the legislation. He has put a priority on their getting candidates in for that position so that they can get someone under way right now.

Mr. Ehrlichmann continued, the first meeting of the Joint LRT Advisory Committee, will be August 16th, and Commissioners Ahrens and Hunt will be representing Ramsey County on this Committee. The Advisory Committee will be looking at consultants very soon. It is particularly a consideration of other problems they have at the RTB. They have almost the same kind of deadline, in fact, more immediate in Metro Mobility in coming to grips with the fact that they have a \$23 million appropriation. Yet, they know that at all odds they will have to go to the Legislature for a supplemental appropriation this half of the bi-ennium. The challenge is there, he is concerned about it, as they get down the line, if the product is not there, they will have to go to the Legislature and tell them.

Chairman Finley commented that Ramsey County had had a Joint Study with RTB on the Midway Corridor, and we found that the staffs of the RTB were real good working with, he has the same feelings that Mr. Ehrlichmann has.

Mr. Ehrlichmann is going to want to make sure that in addition to the staff that is there now, that whatever consultants the RTB retains for the purpose of the light rail transit are people that Ramsey County and their staff feel comfortable working with. One of the problems in the past is not making sure while we might communicate it is actually more important for personnel that they retain either on a permanent or consultant basis be in a position to communicate. He is going to want the counties particularly to be involved in helping select, being part of that process of selecting whatever people they bring in from the outside. This is something that the Joint Advisory Committee will be dealing with. All of the members of that Committee have been selected, with the exception, and today actually Hennepin County is making their selection. So, he will be asking this Committee to get to work right away.

Commissioner Schaber, even though it is early, one of the concerns he has had is the funding, the construction much less the operation of LRT. He asked if Mr. Ehrlichmann is going to be involved in looking at those kinds of problems as to how we are going to fund this system in our metro area. It is a critical issue, everyone is in favor of light rail, but no one wants to say how they are going to fund it. We have looked at some options already, and he hopes that will be an important ^{part} of Mr. Ehrlichmann's job on a priority basis.

Mr. Ehrlichmann responded, as he has been an employee of Hennepin County for twelve years, a private consultant at the Legislature representing various clients on a fiscal basis, Minneapolis and other governmental bodies, there is not a bag of gold at the Legislature waiting to fall into our laps for LRT. He thinks it was interesting as he began to examine it from a different perspective, we seem to be progressing very nicely on the technical and legal and all the other aspects of LRT; however, we are still in many respects apprehensive about how we start talking about financing, or when we really get serious. Now, we are exploring our options. The question out there is what can we expect from the Federal Government. Everybody somehow hopes that we will be able to get some money from them. But, the likelihood is less than 50%. The question is still out as to what kind of Legislative participation there will be in LRT. He does believe that it is going to be the responsibility of the RTB to examine and come up with creative responses to financing options. Again, it is not simply a responsibility of Ramsey County or Hennepin County, with tax bases and tax structures as such, that from his experience, you could not handle that kind of load. We have to explore all aspects of it in terms of private and public cooperation, development possibilities, this again, is one area where we have not spent a great deal of organized effort in examining financing. You can do all the planning you want, but do you have the money to build it. This will be one of the early questions the RTB Board will have to deal with is directives to the Joint Advisory Committee, set parameters for discussion for that body and whether that will be an integral part of it.

Mr. Ehrlichmann continued, again, it is something that he is not completely familiar with, the revenue sources for RTB. Commissioner Hunt informed him that Ramsey County has some good recommendations for him. Mr. Ehrlichmann does encourage this as they will need this. Hopefully, they will come up with some good answers.

Commissioner Salverda is very appreciative of the fact that Mr. Ehrlichmann came here, and he wished to echo Commissioner Schaber's comments regarding the plans, there has to be more time spent on assessing the fundamental foundation on which the whole system is based on - financing.

Mr. Ehrlichmann said this question has come up already as where we are in the financial area, this concerned him as when we get down to all the planning it is going to be easy for us to agree on what kind of cars we use, alignments, the question will be how do we charge the people for this service, for building, and this will take them the longest to resolve between entities, counties, and the Legislature. In meeting with the Legislators they want to tell him not to expect much, but he is trying to tell them that we will.

Chairman Finley thanked Mr. Ehrlichmann for taking the time to come here, the Ramsey County Regional Railroad Authority looks forward to working with him.

3. Chairman's Comments

Chairman Finley did not have any comments, other than he wished to thank everyone for the personal support given him on getting the appointment to RTB Board. He was appointed, and was sworn in yesterday. He appreciated the help given him with the Metropolitan Inter-County, it was very impressive to the Metropolitan Council membership the broad base of support that came forward in his behalf. Chairman Finley did not realize it much, until they put it altogether in packets, the letters from the Legislators, Counties, and it was very humbling for him. He does appreciate it, all the individual help in that effort.

4. Ratify partial payment No. 7 to Strgar-Roscoe-Fausch, Inc. in the amount of \$118,333.29.

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

WHEREAS, The Ramsey County Railroad Authority has contracted for the professional services of Strgar-Roscoe-Fausch, Inc. for the purposes of developing a Comprehensive Light Rail Transit Plan for Ramsey County; and

WHEREAS, Ramsey County Regional Railroad Authority Agreement Number RCRRA-88-002 governs the performance of services and terms of payment to Strgar-Roscoe-Fausch, Inc; and

WHEREAS, To ensure timely payment for services rendered in accordance with Agreement No. RCRRA-88-002, the Ramsey County Regional Railroad Authority authorized (Resolution R89-16) the Director of Light Rail Transit Planning to process payments to Strgar-Roscoe-Fausch, Inc. for work completed and invoiced in accordance with the agreement; and

WHEREAS, Resolution R89-16 requires submittal of invoice and payment documentation to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation; Now, Therefore, Be It

RESOLVED, Invoice and payment documentation for Partial Payment No. 7 in the amount of \$118,333.29, is in accordance with governing contract provisions and payment in that amount is hereby ratified.

Roll Call: Ayes - 6, Nays - 0 *R89-44*
Motion adopted.

5. Authorize RCRRA staff to negotiate on behalf of Ramsey County Regional Railroad Authority an agreement with Mn/DOT for use of a portion of the former Northeast BN right-of-way.

Chairman Finley discussed the communications which have been back and forth between the State and our staff. This is one of the issues that was mentioned in the paper yesterday. We thought we had resolved some time ago when we went to the Metropolitan Council with a joint resolution of the County Board and the City Council regarding the use of the abandoned rail line. One of the City Council Members may not have been aware of this, and up until this time Chairman Finley thought this was behind us, and we were proceeding forward with the joint use.

Chairman Finley has talked to at least one other member of the City Council, who has been involved in light rail transit, probably more so than the other members, and it was his understanding as well that the use of that line was going to be joint use, and we were proceeding along those lines with the staff of the City of St. Paul and our staff at the RRA level, and with Greg Mack and Ms. DeSpiegelaere, and Commissioner Schaber who was at a meeting last week, and they found that the staffs to be concurring including the St. Paul City Parks staff.

Commissioner Schaber said yes, they understood that it was to be looked at from the joint use standpoint.

Chairman Finley said this is a part of that, that is outside of the City of St. Paul, so really would fall more so in the County as this is at Highway 36, and Ms. DeSpiegelaere said that it was.

Ms. DeSpiegelaere pointed out on a map as to the location, the trestle that goes over Highway 36, just east of 61. This is an area the State of Minnesota is interested in acquiring property for construction of a facility of theirs, and they have been negotiating with BN on this. Our concern is that we want to insure that sufficient right of way is maintained for LRT. We have exchanged correspondence with Commissioner Levine, and they have expressed interest in negotiating with us on that. The resolution today would authorize staff to come back to you regarding whatever agreement is worked out.

Commissioner Schaber informed the Board that the Public Works, Parks and Recreation Committee had this last week, and he evidenced real concern about having more than one unit of government owning the line. It has always been stated that one unit of government should acquire the line for whatever the purpose is going to be, and the future will determine that. Some experiences he has had with Mn/DOT have not always been favorable, and he voted against negotiating as he feels we should, in effect, acquire it. He is very concerned that if they have control of this section and that bridge, that after a lot of talk about what is going to be done, then when construction begins, it is exactly the way they had it from the beginning. As a result, he will not support this, for that reason, as he feels that one unit of government, obviously Ramsey County, should be acquiring the whole thing, and then let us tell them what they are going to do. He is concerned it may end up costing a lot of money. He understands the need for doing it, but he thinks we should acquire it, he will not support it.

Commissioner Hunt said in the Public Works Committee she voted to support it. She agrees with what Commissioner Schaber is saying, but the only catch is that we do not have the money to do it, and this is eminent right now. The best we can come out of it is if we negotiate to protect our interests, and she thinks that is what this resolution does.

Chairman Finley referred to a letter from Kermit McRae in response to an earlier letter, where we expressed our concern on that line that they are going to accommodate LRT, and he thinks this formalizes or at least gives our staff the authority to get this formalized, either monetarily, or by agreement in a formal way with Mn/DOT to provide for LRT there. We have to do something.

Commissioner Hunt commented that is why this Board suggested, and the State Legislature provided that someone from Mn/DOT be involved on the LRT Advisory Committee so that there will be a proper role for a way in which we can work this out.

Chairman Finley wished to say that he was pleased with the attendance of the Mn/DOT representatives at the Intergovernmental Committee which he chaired, they were high echelon which were at all of the meetings, they participated in the meetings on a regular basis, and voted on our Comprehensive Plan. He was impressed by their interest because it appears that they really had not had much interest in LRT until recently.

Commissioner Norgard would like to know if the matching funds are still available. Ms. DeSpiegelaere said they are, 50% of the cost of rail acquisition could be funded through the Minnesota Department of Transportation. Applications will have to be made, and the likelihood is quite good at this time. A letter has been sent asking for a written confirmation of this.

Commissioner Schaber reiterated, we have been talking and planning, spending millions of dollars on planning, and we do not have any money. Here we have supposedly the one line that everybody says is available right now, and we should acquire it, and we are allowing another unit of government to jump in, right in the middle of the line to have ownership of that portion of it which is going to dictate then to us how we are going to move through that particular area. That is why he raised the question with Mr. Ehrlichmann, we are doing a great job of planning, we have more technical expertise, but we do not have any money. If that issue is not resolved pretty quick, this thing is going to continue for other counties.

Commissioner Hunt does not think there is an alternative available at this time, and she would move approval of this item, Commissioner Salverda seconded the motion.

In response to Commissioner Schaber's question as to whether we have any money to acquire the line, Ms. DeSpiegelaere said in discussion of this with the Chairman and Commissioner Schaber, it was suggested that we go ahead with BN, talk about ownership, and possibly develop concrete action until after the approval of the final Comprehensive Plan in November. If you wish, that we move more quickly, we could use the \$200,000 in the Contingent Account for the RRA at this time. It was her intent that an amount be placed in the 1990 RRA budget for acquisition of this line. If you would like us to move more quickly with BN on this, we can move ahead.

Chairman Finley thinks that the negotiations here, we should talk to BN about this.

Commissioner Schaber commented that we are going to put money in the budget for 1990 for acquisition, we are so close to 1990, then have someone jump in right ahead of us and buy a piece of the line.

Commissioner Hunt does not have that distrust of Mn/DOT, she thinks that they are going to cooperate with LRT, and if it can be Mn/DOT funds that are used rather than local tax dollars, she would prefer to see that, preserving some of our ability to finance for future or supplementary acquisitions.

Commissioner McCarty said it was his understanding at last week's Public Works, Parks and Recreation Committee that we were authorizing staff to negotiate with Mn/DOT for dual purposes. This is not authorization for us to negotiate for the right of way, so we are only saying go to Mn/Dot, and if they are acquiring this, make certain that our oars are in the water with them.

Chairman Finley said that we want to have an agreement with Mn/Dot that if they acquire it, that there will be space made available for LRT and trail.

Commissioner McCarty would agree with Commissioner Schaber. He would prefer that we have the control, but we do not have the money.

WHEREAS, the Northeast Burlington Northern corridor from downtown St. Paul to Beam Avenue in Maplewood is currently available for acquisition; and

WHEREAS, that portion of the right of way from Beam Avenue to the North Ramsey County line may be available for acquisition in the future; and

WHEREAS, the Minnesota Department of Transportation is in the process of acquiring the portion of the Burlington Northern right-of-way which crosses Trunk Highway 36 and continues north to Gervais Avenue; and

WHEREAS, the Minnesota Department of Transportation is willing to negotiate an agreement with the Ramsey County Regional Rail Authority and with Ramsey County which will preserve the integrity of the Burlington Northern Railroad right-of-way for future transit and/or recreational uses; Now, Therefore, Be It

RESOLVED, Ramsey County Regional Railroad Authority staff is hereby authorized to negotiate a preliminary agreement with the Minnesota Department of Transportation regarding transit and recreational uses of the right-of-way, which agreement shall be subject to the review and approval of the Ramsey County Regional Rail Authority and the Ramsey County Board of Commissioners.

Roll Call: Ayes - 5, Nays - 1 (Schaber) *R89-45*
Motion adopted.

6. Approve resolution requesting additional assessment of federal process for LRT funding.

Ms. DeSpiegelaere addressed the Board, you received information previously on the UMTA meeting with staff, the information before you indicates that there are really two options, one is to proceed with LRT that would meet State but not Federal requirements, and the other is to explore in greater detail a means of meeting both State and Federal process.

When they met with UMTA staff, it was clear that there are many advantages and disadvantages for following the Federal funding process. The obvious advantage is it is the only way to qualify for Federal funding. Some of the disadvantages need to be pointed out, as these may influence the course which you will follow. There is a definite difference in time in following State process versus the Federal process. Hennepin County and Anoka County

have followed the State, but not the Federal process. If Ramsey County chooses to follow the Federal process for the Midway Corridor, there is a potential for a significant delay. As you know, we in Ramsey County have been criticized for being behind on the LRT process, so she wanted to make this Board aware if we follow the Federal process, that this view may continue, as there is a potential for significant delay. It would cost more in funds to follow the Federal process, both the consultant fees and staff time. In addition, because of a more lengthy period of time, the cost for the LRT (capital costs) would escalate from what they would be if they were constructed sooner.

Ms. DeSpiegelaere wants this Board to be aware of the uncertainties, there is absolutely no guarantee that there will be Federal funds if we follow the Federal process. We do not know what the percentage will be. Traditionally, there has been 75% of the capital costs that were federally funded. There is new overmatch initiated with the new Secretary of Transportation that changes that. In Hennepin County's case the amount that they are being offered is approximately 5% of the cost of the 29 mile system.

Ms. DeSpiegelaere continued, the memo also points that once the commitment to follow the Federal process, it might be more difficult on your part to decide not to continue any longer, as it may be more difficult to justify. It was clear when the UMTA staff was here that the Midway Corridor is one that they viewed very favorable, and it would have the highest priority in the metropolitan area for Federal funding. They have pointed out that support is necessary.

There is uncertainty on the part of other counties as to how to proceed, Hennepin County has not followed the Federal process with the primary impact statement and preliminary engineering work.

The options again are to go ahead to meet state requirements, but not Federal, or to allow the staff to work with the consultant on further negotiations with the Federal staff. She thinks it would also be well for the Board to talk to the other agencies and Legislators about this matter as most people would say why would we want to walk away from Federal funds.

Chairman Finley referred to Attachment 1, they consider the fast track under the Federal would only take five to eight years.

Commissioner Schaber commented that we keep hearing everyone is so far ahead of us, and then to find out that they really are not, they have not done things that they have to do, for example Hennepin and Anoka Counties, where we keep seeing in the media that we are not up to date. However, we find out that they are not very far ahead of us as they still have not done some of these things. What concerns him about the Federal is the fact that there are two items on the front page, as when we talk about University Avenue we are talking about improved travel time.

Commissioner Hunt would like to know how does this work in with coordination with the other counties, if we might be going on different State or Federal process. If we are supposed to have a coordinated approach, shouldn't the RTB be making this kind of a decision, and apply it uniformly to the whole system.

Ms. DeSpiegelaere responded that this discussion has occurred among staff. Personally she feels it should be a regional decision.

Commissioner Salverda feels that we should get more information, lay this over.

Chairman Finley called on Dick Wolsfeld from BRW, Inc. regarding Hennepin County's decision. Mr. Wolsfeld thinks the initial thought was that the Federal was such with competition with over 60 metropolitan areas going for the money, that it was waste of time and effort to go through their early laborious studies and alternatives analyses. They said they were going to build light rail. Both Hennepin and Anoka said they were not going to pursue Federal funding. Then the new Secretary of Transportation in March of 1989 recognizing the problems that there were all these areas that he said that he had a deal for them. The deal is if you ask for only between 25 and 30% of Federal funding, versus the 75% that they can give, they will accelerate the project, we will call you an overmatch corridor, and will treat you differently. We will put you right on top of the list. In fact, as an example of that, we have two places in the country who are thinking about this, one is in Hennepin County, Minnesota, so they were going to give them \$24 million of their \$100 million segment, to show that it was 24%, and as soon as they meet their legal, environmental criteria they will get \$24 million. He thinks the other city was Baltimore.

Mr. Wolsfeld said there has been some talking about this, and the Federal people came out here to Hennepin and talked about the program, and they were inviting people to submit projects that would fall under this overmatch program. He thinks Hennepin and Anoka have concluded that the normal Federal UMTA 75/25/ program is not worth pursuing. There is a very low probability of getting any money, There are \$19 billion in requests, and they have \$400 million per year, so it would be fifty years, so we are at the bottom of the pile. With the new program there was a little more interest sparked, then they said maybe they ought to pursue that, pursue that for the Midway Corridor as this is an overmatch corridor. If you could get \$60 million for this, it might be worth pursuing. There is that issue of what do you do now, and Anoka has the same problem, they cannot fund their portion of the NE corridor entirely from property taxes. They do not have enough to do it, so now they are asking if they could be an overmatch corridor. One part of this overmatch deal is that you can have two corridors going simultaneously. Right now there is confusion.

Chairman Finley said the requirements of UMTA for the 75% match had been determined to be very onerous by Hennepin and Anoka County staff. Are those same requirements required on the overmatch deal, or is there inclined to be less requirements.

Ms. DeSpiegelaere's understanding from the UMTA people is that they are not certain as to how the process will be streamlined, they have asked us to write letters to show them the draft to show their superiors, there are some elements that could be eliminated.

Commissioner McCarty said it appears that if we do not pursue Federal funding for the Midway Corridor, will it affect other corridors, he is not sure he is following the rationale at Federal level.

Ms. DeSpiegelaere feels the Midway Corridor will be the most likely candidate for Federal funding. This corridor is the best corridor for light rail transit.

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

WHEREAS, Ramsey County Regional Railroad Authority is beginning preliminary engineering and a Draft Environmental Impact Statement for LRT for the Midway Corridor; and

WHEREAS, A decision on whether or not to initiate work to meet Urban Mass Transportation Administration (UMTA) requirements, in addition to State requirements, would benefit from additional assessment at the beginning of the work process; Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority requests additional analysis and discussion of the implications of following Federal procedures before deciding in September whether or not to follow UMTA procedures for light rail transit work in the Midway Corridor.

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

R89-46

7. Approve Agreement No. RCRRA 89-003 in the amount of \$1,398,039, and authorize the Chairman of the Ramsey County Regional Railroad Authority to sign the agreement with BRW, Inc. on its behalf.

Chairman Finley informed the Board that just before the meeting Ms. DeSpiegelaere brought up something that Hennepin County has requested that they be a part to the contract, and Michele Timmons had some concerns, David MacMillan had talked to them. He does not know if it makes any difference to BRW as to who is on the contract. Mr. Wolsfeld said it did not.

Chairman Finley said if it makes no difference to BRW, rather than making a decision of whether Hennepin County should be on or off the contract, he believes that on the Anoka -Hennepin contract where both were on it, there was a Joint Powers Agreement behind it.

Mr. Wolsfeld said for the Anoka-Hennepin for the NE Corridor, there was the 1989 special legislation that allowed Joint Powers Agreements between rail authorities. Prior to that they could not, so their contract for the NE Corridor was with Hennepin and Anoka was a three way party, with BRW, Inc. So, you would have the option of the Joint Powers Agreement which would identify the parties.

David MacMillan when he heard about this drafted proposed language to the second resolve in the proposed resolution which would provide that flexibility to negotiate either an amendment to the contract or a Joint Powers Agreement. He has talked with the attorney for HCRRA and some of the reasons which they gave for wanting to be on the contract, Mr. MacMillan felt could be worked out through a Joint Powers Agreement. However, we did not have enough time to really explore this in detail, or whether it could be worked out as an amendment to the contract.

Chairman Finley said from our standpoint we want to control the contract itself as far as what has been negotiated and what we are looking for, even though realizing that part of it is going over to Hennepin County, but we do not want to leave them out of the process either. He asked if BRW is comfortable with the contract the way it is laid out, and Mr. Wolsfeld said that they were.

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

WHEREAS, The Ramsey County Regional Railroad Authority authorized staff to negotiate a contract for Phase I Preliminary Engineering/Environmental Impact Statement studies on the Midway Corridor with BRW, Inc., a Wyoming Corporation doing business in Minnesota as BRW Planning, Transportation and Engineering, Inc.; and,

WHEREAS, Regional Rail staff have prepared Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003, in the amount of \$1,398,039, for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies; Now, Therefore, Be It

RESOLVED, The Ramsey County Regional Railroad Authority approves Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 in the amount of \$1,398,039, subject to RCRRA staff negotiating either a joint powers agreement between the Hennepin County Regional Rail Authority (HCRRA) and the RCRRA or an amendment to Agreement No. RCRRA-89-003 for the purpose of coordinating LRT planning and engineering initiatives, on the part of both authorities, during the completion of studies provided for in said Agreement; and Be It Further

RESOLVED, That the Chairman of the Ramsey County Regional Railroad Authority is authorized to sign the agreement on behalf of the Regional Railroad Authority.

R89-47

Ramsey County Regional Railroad Authority
August 8, 1989

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

Chairman Finley welcomed Dick Wolsfeld and BRW aboard. Mr. Wolsfeld introduced Dave Warner who will be working as Project Management, and said that they look forward to working with Ramsey County.

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

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

2

Chairman Finley
Originating Department

Board Action Requested

J. T. Finley /s/
Authorized Signature

8/18/89
Date

CHAIRMAN'S COMMENTS

Request Justification

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

Date / Time
Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date
August 22, 1989

Board Date

Signature

Signature

Date

8/18/89

Date

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

3

Regional Railroad Authority

Originating Department

K. DeSpiegelaere

Authorized Signature

8/8/89

Date

Board Action Requested

Authorize payment in the amount of \$7,689.30 to Springsted Public Finance Advisors for financial analysis of LRT.

*ACTION IS REQUESTED

Request Justification

See Attached:

- 1) Proposed Resolution
- 2) Memorandum from K. DeSpiegelaere
- 3) Invoice in the amount of \$7,689.30
- 4) Accounts Payable and Supporting Encumbrance Information

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Previous Action taken on Request

Date / Time

Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date

August 22, 1989

Signature

Date

8/18/89

Board Date

Signature

Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, the Ramsey County Regional Railroad Authority contracted the professional services of Springsted Public Finance Advisors for the purpose of correlation and refinement of financial data for capital and operating costs for light rail transit in Ramsey County and evaluation of the impact various funding sources have on Ramsey County taxpayers; and

WHEREAS, all professional services have been completed in accordance with agreement provisions at a total cost of \$7689.30; Now Therefore Be It

RESOLVED, that the Ramsey County Regional Railroad Authority authorizes payment in the amount of \$7689.30 to Springsted Public Finance Advisors.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarthy

District 6

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *KD*

SUBJECT: Payment Authorization to Springsted Public Finance Advisors

DATE: August 8, 1989

On June 27, 1989, the Rail Authority authorized staff to develop an agreement with Springsted Public Finance Advisors for the purpose of correlation and refinement of financial data for capital and operating costs for light rail transit in Ramsey County and evaluation of the impact various funding sources have on Ramsey County taxpayers. The Chairman of the Rail Authority was authorized to sign the agreement.

The financial services have been completed in accordance with agreement provisions. Total cost for services rendered is \$7,689.30, as reflected in the attached invoice documentation.

Recommendation:

The attached resolution has been prepared for your consideration to authorize payment to Springsted.

KD/bk
Attachment

**SPRINGSTED**

PUBLIC FINANCE ADVISORS

85 East Seventh Place, Suite 100
Saint Paul, Minnesota 55101-2143
612-223-3000
Fax: 612-223-3002

DATE: July 28, 1989

TO: Ms. Kathryn DeSpiegelaere, Director
Ramsey County Regional Railroad Authority
Room 316, Ramsey County Courthouse
15 West Kellogg Boulevard
Saint Paul, MN 55102

For Financial Advisory Services Performed from January 17, 1989 through July 25, 1989

Re: Light Rail Transit Study

Senior Officer (42.50 hrs. @ \$125/hr.)	\$ 5,312.50
Officer and Other Professional Staff (67 hrs. @ \$95/hr.)	6,365.00
Word Processing (30 hrs. @ \$35/hr.)	<u>1,050.00</u>

Subtotal	\$12,727.50
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Less Credit for Amount Over Contract Cap	<u>\$(5,527.50)</u>
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Subtotal	\$ 7,200.00
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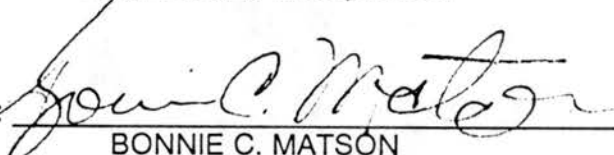
Out-of-Pocket Expenses:

Copies	\$ 486.30
Telecopy	<u>3.00</u>

TOTAL DUE	<u>\$ 7,689.30</u>
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I declare under penalty of law that this account is just and correct and that no part of it has been paid.

SPRINGSTED Incorporated

BY: 

BONNIE C. MATSON

Payment is due on receipt of this billing. After 30 days interest will be charged on any balance at the rate of 1% per month.

Indiana Office:
251 North Illinois Street, Suite 1510
Indianapolis, Indiana 46204-1942
317-237-3636
Fax: 317-237-3639

Wisconsin Office:
500 Elm Grove Road, Suite 101
Elm Grove, Wisconsin 53122-0037
414-782-8222
Fax: 414-782-2904

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

4

RCRRA Originating Department <i>K. DeSpiegelaere</i> <i>8/15/89</i> Authorized Signature Date		Board Action Requested Approve preparation of grant application to the Minnesota Department of Transportation for an estimated \$1,174,000.00 for Phase II preliminary engineering for Midway Corridor. *ACTION IS REQUESTED
Request Justification		

- See Attached:
1. Proposed Resolution.
 2. Memorandum from K. DeSpiegelaere.
 3. Letter from Commissioner Levine to Chairman Finley.

Budgeting and Accounting <i>Reviewed by Mark Jensen 8/15/89</i> County Attorney <i>David M. Miller</i> Risk Manager Data Processing Previous Action taken on Request	Date / Time Received By
---	---------------------------------------

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 22, 1989	<i>J. L. Glendinning</i>	8/18/89
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

Whereas, Ramsey County Regional Railroad Authority has begun the first phase of preliminary engineering and an Environmental Impact Statement for the Midway Corridor; and

Whereas, Additional funds are required to continue preliminary engineering for the Midway Corridor; and

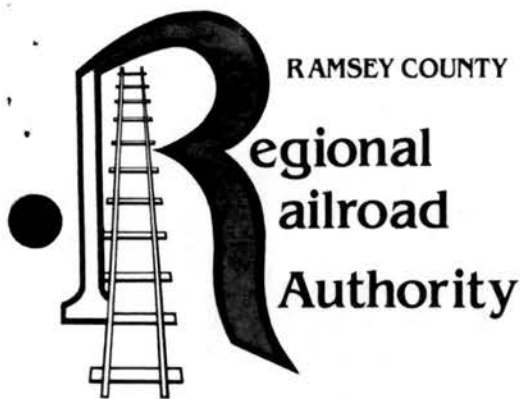
Whereas, the Minnesota Department of Transportation has requested applications for grant funds for light rail transit work; and

Whereas, By resolution adopted August 16, 1988, Ramsey County Regional Railroad Authority authorized submission of a grant application for Phase II of preliminary engineering at an estimated cost of \$2,348,000 and affirmed its commitment to fund fifty (50) percent of the cost of that work estimated to be \$1,174,000

Now Therefore Be It Resolved, That Ramsey County Regional Railroad Authority authorizes the preparation of a grant application for Phase II of preliminary engineering for the Midway Corridor, not funded in the 1988 grant application.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *JD*

SUBJECT: Minnesota Department of Transportation LRT Grants

DATE: August 9, 1989

The Minnesota Department of Transportation (Mn/DOT) has solicited requests for \$3,408,000 for light rail transit grants to metropolitan County regional railroad authorities. The State grants are to be matched with equal amounts of other funds. Applications are due on September 29. No County may receive more than 60 percent of the funds (\$2,044,800). The remaining 40 percent is \$1,363,200. An additional \$3,408,000 will be awarded in 1990.

The purpose of this memorandum is to recommend what Ramsey County Regional Railroad Authority should apply for from the grant funds.

WHAT IS ELIGIBLE?

In Ramsey County, the only project eligible for this round of State funds is Phase II of preliminary engineering for the Midway Corridor.

Ramsey County Regional Railroad Authority (RCRRA) has completed a draft comprehensive light rail transit plan with the assistance of State funds. Funds have been awarded for 50 percent of the cost of Phase I of preliminary engineering and the Environmental Impact Statement for the Midway Corridor. Acquisition of abandoned railroad right of way is not an eligible expense with this grant program, but is eligible for matching State funds through the State Rail Bank program, also administered by Mn/DOT. Preliminary engineering on additional LRT corridors in Ramsey County, such as the Northwest or Northeast, is not eligible for this

round of applications for funding.

The eligible project, Phase II of preliminary engineering for the Midway Corridor, is an extension of Phase I of preliminary engineering, currently being conducted with the assistance of BRW. Phase II would be conducted after the completion of Phase I on a single alignment in the Midway Corridor and would provide more detailed engineering information. The total estimated cost for this project in the 1988 grant application was \$2,348,000. The grant request was for \$1,174,000, 50 percent of the project cost. If a decision is made by RCRRA to prepare a grant application for this project, staff will ask BRW to review the estimated project cost. RCRRA would be required to match the grant if it is received. The tax levy for the RCRRA match would be approximately \$1,174,000.

In awarding funds for the Comprehensive LRT Plan and for Phase I of preliminary engineering, Commissioner of Transportation Levine indicated by letter to Chairman Finley (attached) that in the next round of state fund allocations he would "recommend that Mn/DOT's LRT Committee give very serious consideration to funding Phase II."

APPLICATION PROCESS

Grant applications are due September 29 to the Minnesota Department of Transportation. In 1988 the Regional Transit Board and Metropolitan Council had review, but not approval authority over the grant applications. In 1989, newly adopted legislation provides for review and approval of the requests by the Regional Transit Board. That approval is expected to be completed by November 3, with award of funds on November 13 by the Minnesota Department of Transportation.

Approval of the grant application would be requested at your September 26 meeting.

RECOMMENDATION

The recommendation of staff is that authorization be given by Ramsey County Regional Railroad Authority to prepare a grant application for Phase II of preliminary engineering for the Midway Corridor. Although the exact amount of the work will not be known until the grant application is prepared, it was previously estimated to be \$2,348,000. Ramsey County Regional Railroad Authority would be required to fund 50 percent of the cost of the project if funds are awarded, estimated to be \$1,174,000.



Minnesota
Department of Transportation
Transportation Building
St. Paul, Minnesota 55155

Office of Commissioner

(612) 296-3000

November 14, 1988

John T. Finley
Chairman
Ramsey County Regional Railroad Authority
Room 316 Courthouse
15 West Kellogg Boulevard
St. Paul, Minnesota 55102

Dear John:

Thank you for your recent letter supporting the Ramsey County Regional Rail Authority's request for state Light Rail Transit (LRT) funds. As I indicated in a separate letter to you and to each of the other Regional Railroad Authority Chairman, my allocation decision was made after careful consideration of the recommendation of a Mn/DOT committee comprised of senior department staff. This group reviewed each application's consistency with the state funding guidelines and considered the comments received by the Metropolitan Council, Regional Transit Board, Regional Railroad Authorities, and others including the St. Paul Chamber of Commerce.

Mn/DOT's committee was impressed with Ramsey County's application which included an excellent overview of LRT development in other cities in the U.S. In addition, Randy Halvorson met with Kathy DeSpiegelaere to make certain that we had all pertinent information concerning your funding request.

In recognition of the importance of the Midway Corridor to the overall development of an LRT system in the metro area, I am not only authorizing your full request for planning and Phase I P.E. but also allowing the county the option of conducting these studies concurrently. Unfortunately, I can not authorize Phase II P.E. at this time. However, if Ramsey County successfully completes its comprehensive LRT Plan and Phase I P.E. study, I will recommend that Mn/DOT's LRT Committee give very serious consideration to funding Phase II P.E. in the next round of state fund allocations. Another allocation, of course, assumes the legislature will approve Mn/DOT's request for additional state LRT funding in the next biennium. Mn/DOT's budget recommendation to the Governor currently contains an LRT line item for \$4.17 million in 1990 and \$4.17 million in 1991.

John T. Finley
Page 2
November 14, 1988

It has been a pleasure working with you and your staff during this allocation procedure. I hope we are able to secure a state appropriation which allows a similar association in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonard W. Levine", with a stylized flourish at the end.

LEONARD W. LEVINE
Commissioner

cc: John Finnegan

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

5

RCRRA Originating Department <i>K. DeSpiegelaere</i> <u>3/10/89</u> Authorized Signature Date	Board Action Requested Schedule of forums and hearing on Comprehensive LRT Plan. *ACTION IS REQUESTED
--	--

Request Justification

- See Attached:
1. Proposed Resolution.
 2. Memorandum from K. DeSpiegelaere.
 3. Public forum/hearing announcement.

Budgeting and Accounting <i>Reviewed by: Mark Johnson 4/1/89</i> County Attorney <i>[Signature]</i> Risk Manager _____ Data Processing _____ Previous Action taken on Request _____	Date / Time Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
August 22, 1989	<i>F. L. Henderson</i>	8/18/89
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

Whereas, Ramsey County Regional Railroad Authority has completed a draft Comprehensive Light Rail Transit Plan and will benefit from receiving the comments of citizens and agencies affected by the Plan, Now Therefore Be It Resolved

That, the attached schedule of forums and public hearing is approved.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarthy

District 6

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere *KD*

SUBJECT: Forums and Meetings on Draft Comprehensive LRT Plan

DATE: August 8, 1989

At your request, two additional forums and a public hearing have been scheduled on the draft Comprehensive LRT Plan for Ramsey County. A copy of the announcement of the seven forums and the public hearing on September 26 to be held after the County Board meeting is attached.

Staff will make presentations as requested and as time permits. We have visual material available for your use if you would like to make presentations. Requests have been received to date from the Metropolitan Council (minimum of five presentations to committees during August and September); the University of Minnesota, the Capitol Area Architectural and Planning Board; the St. Paul Area Chamber of Commerce; the City of Roseville; District Councils.

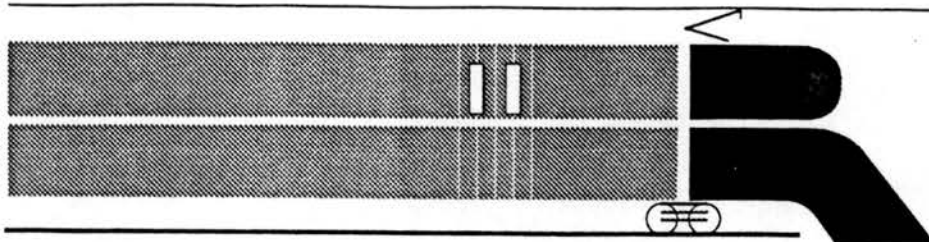
The comment period on the draft plan will extend until October 12.

Recommendation:

A resolution approving the schedule of forums and public hearing has been prepared for your consideration.

KD/bk
Attachment

Final Series Public Forums



Ramsey County Comprehensive Light Rail Transit Plan

A series of public forums sponsored by the Ramsey County Regional Railroad Authority is scheduled to review the draft Comprehensive LRT Plan and provide an opportunity for public discussion of the recommendations. The draft plan, completed on July 25, 1989, includes recommendations on where and when LRT should be constructed throughout Ramsey County. The forums will be held on:

- | | | |
|-------------------|---|------------------|
| Monday, | September 11, 1989 | 7:00 P.M. |
| | Highland Park Library, 1974 Ford Parkway, St. Paul | |
| Tuesday, | September 12, 1989 | 7:00 P.M. |
| | Falcon Heights City Hall, 2077 West Larpentour, Falcon Heights | |
| Wednesday, | September 13, 1989 | 7:00 P.M. |
| | Harding High School, 1540 East Sixth Street, Chorus Room, St. Paul | |
| Thursday, | September 14, 1989 | 7:00 P.M. |
| | Maplewood City Hall, 1830 East County Road B, Maplewood | |
| Thursday, | September 21, 1989 | 7:00 P.M. |
| | Merriam Park Community Center, 2000 St. Anthony (south of I-94), St. Paul | |
| Tuesday, | September 26, 1989 | 7:00 P.M. |
| | Vadnais Heights Elementary School, 3645 Centerville Road, Vadnais Heights | |
| Tuesday, | October 3, 1989 | 7:00 P.M. |
| | St. Adalbert's Church, 265 Charles Street, St. Paul | |

The program for each forum will include a presentation illustrating information on the LRT Plan on specific corridors and downtown alignments and when LRT should be constructed. There will be an opportunity for questions and comments from the audience. Commissioners, staff, and consultants will be available to respond to questions.

This series of forums is part of the public review process for the Comprehensive Light Rail Transit Plan. The public review period will extend from July 25 until October 12. The final report will be completed in November, 1989 and will be prepared taking into consideration comments received from citizens at public forums.

A **public hearing** conducted by the Ramsey County Regional Railroad Authority is scheduled:

- | | | |
|-----------------|--|------------------|
| Tuesday, | September 26, 1989 | 3:00 P.M. |
| | Ramsey County Courthouse, Room 316, St. Paul | |

Questions may be addressed to:

Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
Ramsey County Regional Railroad Authority
316 Court House
St. Paul, Minnesota 55102
612-298-4145

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

6

Regional Railroad Authority

Originating Department

K. DeSpiegelaere
Authorized Signature

8/14/89
Date

Board Action Requested

Authorize Regional Rail staff to process payments to BRW, Inc. for work completed and invoiced in accordance with Agreement No. RCRRRA-89-003.

Request Justification

- See Attached: 1) Memorandum from K. DeSpiegelaere
2) Proposed Resolution

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Previous Action taken on Request

Date / Time

Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date
August 22, 1989

Signature

Date

Board Date

Signature

Date

F. L. Glendonning

8/18/89



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, the Ramsey County Regional Railroad Authority has contracted for the professional services of BRW, Inc. for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies for the Midway Corridor; and

WHEREAS, Contract Agreement No. RCRRA-89-003, in the amount of \$1,398,039 governs the performance of services and terms of payment; and

WHEREAS, the Rail Authority desires to issue prompt payment to BRW, Inc. for work completed in accordance with governing agreement requirements; Now, Therefore, Be It

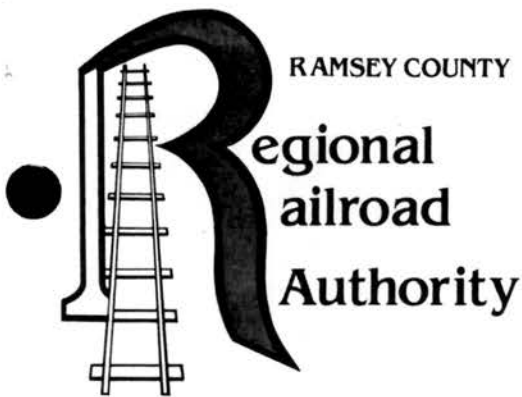
RESOLVED, the staff of the Ramsey County Regional Railroad Authority is authorized to process payments to BRW, Inc. for work completed and invoiced in accordance with agreement requirements; and Be It Further

RESOLVED, the invoice and payment documentation shall be submitted to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation; and Be It Further

RESOLVED, the final payment for services rendered under Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 shall not be issued until approved by resolution of the Rail Authority.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *KD*

SUBJECT: Payments to BRW, Inc. - Agreement No. RCRRA-89-003

DATE: August 14, 1989

At the August 8, 1989 Regional Rail Authority meeting, a contract (Agreement No. RCRRA-89-003) in the amount of \$1,398,039 was awarded to BRW, Inc. for the purpose of Phase I Preliminary Engineering/Environmental Impact Statement studies in the Midway Corridor. Invoices for work completed will be submitted monthly over the anticipated 14 month project period.

To ensure prompt payment to the consultant, we recommend the Authority consider authorizing staff to process payments to BRW, Inc. for work completed in accordance with agreement requirements upon receipt of correct invoice documentation with the stipulation that the invoice and payment documentation be submitted to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation. This arrangement follows the precedent set for the agreement with Strgar-Roscoe-Fausch, Inc. for work on the Comprehensive Plan.

Recommendation:

Authorize staff to process payments to BRW, Inc. and submit documentation to the Authority for ratification.

KD/bk

MINNESOTA DEPARTMENT OF TRANSPORTATION
ALLOCATION OF STATE LRT FUNDS
GUIDELINES - AUGUST 1, 1989

I. TIME SCHEDULE

- | | | |
|----|---|-------------------------|
| 1. | Solicit requests from regional rail authorities | August 1 - September 29 |
| 2. | Review and approval of requests by Regional Transit Board (RTB) | October 3 - November 3 |
| 3. | Distribution of funds by Mn/DOT | November 13 |

II. STATUTORY AUTHORITY

Governor Perpich signed legislation which appropriates \$6,816,000 for the 1990-1991 biennium to the Minnesota Department of Transportation (Mn/DOT) for the following purpose:

1. The law provides that the "commissioner shall request applications from all eligible regional railroad authorities. The commissioner shall establish a reasonable deadline for submittal of applications. The commissioner may not distribute more than 60 percent of the available funds to a single recipient. Before distributing money to any regional railroad authority, the commissioner shall submit the applications to the regional transit board for approval. The commissioner may distribute funds only with the approval of the board. Before approving any applications for funds for construction, the board shall report to the legislature on the use and planned distribution of construction funds."
2. The law provides that the transit board shall adopt a regional light rail transit plan, as provided in this section, to ensure that light rail transit facilities in the metropolitan area will be acquired, developed, owned, and capable of operation in an efficient, cost-effective and coordinated manner as an integrated and unified system on a multicounty basis in coordination with buses and other transportation modes and facilities. To the extent practicable the board shall incorporate into its plan appropriate elements of the plans of regional railroad authorities in order to avoid duplication of effort.

The regional plan required by this section must be adopted by the board before any regional railroad authority may begin construction of light rail transit facilities and before any authority is eligible for state financial assistance for constructing light rail transit facilities. Following adoption of the regional plan, each regional railroad authority or other developer of light rail transit in the metropolitan area shall act in conformity with the plan. Each authority or proposer shall prepare or amend its comprehensive plan and preliminary and final design plans as necessary to make the plans consistent with the regional plan."

III. APPLICATION PROCEDURES

1. Submit four (4) complete copies of your application no later than 4:30 p.m. on September 29, 1989.
2. Include a cover letter with the application that identifies the name, title, address and telephone number of the person who is to be contacted to address the concerns and questions of persons who will be reviewing applications.
3. Submit applications directly to:

Randy Halvorson
Director, Office of Transit
Minnesota Department of Transportation
815 Transportation Building
St. Paul, Minnesota 55155
4. If you have any questions on these application procedures and guidelines contact Randy Halvorson at 296-1615.

IV. ALLOCATION POLICIES

1. Eligible recipients include any metropolitan regional railroad authority. Any regional railroad authority that received a previous state allocation must have completed the final product identified in its approved first or second round application by October 3, 1989. Applications may not exceed 60% of the fiscal year 1990 appropriation of \$3,408,000.
2. Allowable project expenses incurred between October 3, 1989 and the effective date of the grant agreement will be eligible to be included as project costs. Expenses for LRT related activities incurred after October 3, 1989 can be included as part of the total project cost in applications submitted to Mn/DOT. However, the regional railroad authority will assume the risk that its application may not be approved for funding, or that if approved such costs may not be eligible expenses. Funds will be awarded in a single block grant; state audit requirements will be specified in the grant agreement with each railroad authority.
3. State funds for distribution to regional railroad authorities in the metropolitan area must be matched by other funds on a dollar for dollar basis for planning, preliminary engineering, and design of light rail transit facilities. Staff time and expenses will be eligible costs in determining the railroad authority's local matching funds.
4. State funds made available for LRT by the 1989 Legislature may be used for the purchase of right of way under the final design and construction category. However, state funds available for the purchase of abandoned railroad right of way under the State Rail Bank Program (Minn. Stat. 222.63) may be applied for at any time.

The State Rail Bank (SRB) program may be used for 50 percent of the cost of acquisition of abandoned railroad right of way (property purchase only) by regional railroad authorities. However, the SRB program's highest funding priority is for the rehabilitation of railroad lines that are currently in use. For further information on the SRB program contact Cecil Selness, Director, Office of Railroads and Waterways, Minnesota Department of Transportation, 810 Transportation Building, St. Paul, MN 55155, telephone number 296-4888.

5. Priority rankings for the funding of applications will be 1) preliminary engineering, 2) final design, and 3) planning. Minnesota Statutes stipulate that the Regional Transit Board must adopt a Regional LRT Plan before any regional railroad authority is eligible for state financial assistance for construction light rail transit facilities.
6. Mn/DOT will deliver applications to the Regional Transit Board for review and approval the first working day after the applications are received by Mn/DOT.

V. APPLICATION GUIDELINES

Applications for funds may be submitted in one of three categories; planning, preliminary engineering, and final design. Applications shall include discussions of the analysis processes to be used to perform the activities and produce the final products required for the applicable funding category.

1. PLANNING APPLICATIONS

Applications in this category must address, but are not limited to, the topics that follow:

- * Discussion of the purpose, goals and objectives for LRT within the county and region
- * Discussion of the analysis process that will be used to address each topic listed below
 - planning process which ensures consideration of a regional transportation perspective
 - local transportation needs
 - identification of potential LRT corridors and right of way availability
 - public benefit to be derived from each corridor selection
 - LRT ridership projections for each corridor
 - identification of linkage with other county LRT projects
 - LRT relationship to highway system for each corridor
 - LRT relationship to transit system for each corridor
 - LRT impact on local development for each corridor
 - estimated preliminary engineering costs
 - estimated construction costs
 - estimated operational costs and revenues

- * Discussion of the project management structure including identification of all public jurisdiction, private sector and consultant involvement
- * Discussion of the projected sources of estimated funds to pursue preliminary engineering, design and construction
- * Work plan for comprehensive planning project that illustrates the time frame for completion of tasks
- * Comprehensive plan project budget that at a minimum includes items listed below
 - personnel expenses
 - fringe benefit expenses
 - indirect charges (office, phone, mailing, etc.)
 - consultant/contractual expenses
 - printing/document production expenses
 - travel expenses
 - supply expenses
 - other expenses
 - source and amount of local match
 - amount of state LRT funds
 - total project cost

The final product of a planning project shall be a comprehensive LRT plan that at a minimum includes detailed analyses and discussions of all topics in the planning application guidelines. The comprehensive LRT plan shall be adopted by the regional railroad authority and reviewed and commented on by the Metropolitan Council and Regional Transit Board.

The production of a comprehensive LRT plan may be accomplished in phases. A final comprehensive LRT plan as discussed in the previous paragraph shall be required before a regional railroad authority can apply for funding for a preliminary engineering project.

2. PRELIMINARY ENGINEERING APPLICATIONS

As a prerequisite to receiving preliminary engineering funds, an LRT comprehensive plan must be reviewed by the Metropolitan Council and Regional Transit Board, and adopted by the regional railroad authority.

Preliminary engineering applications shall include discussions of the analysis processes to be used to perform the activities and produce the final products required for preliminary engineering.

Minnesota Statutes define Preliminary Design Plan to mean a light rail transit plan that identifies:

- "(1) preliminary plans for the physical design of facilities, including location, length, and termini of routes; general dimension, elevation, alignment, and character of routes and crossings; whether the track is elevated, on the surface, or below ground; approximate station locations; and related park and ride, parking, and other transportation facilities; and a plan for handicapped access; and
- (2) preliminary plans for intermodal coordination with bus operations and routes; ridership; capital costs; operating costs and revenues; funding for final design, construction, and operation; and an implementation method."

Applications in this category must address, but are not limited to, the following:

- * Identification and resolution of issues raised during review of comprehensive LRT plan
- * Proposed LRT system
- * Specific corridor selection and routes advanced to preliminary engineering
 - corridor and route identification
 - scoping process used to select corridor and routes
- * Identification of required environmental impact/assessment statements
- * Establishment of appropriate government roles and responsibilities (municipal, county, region, state, federal)
- * Discussion of the project management structure
 - identification of all public jurisdiction and private sector involvement
 - identification of all consultant involvement
 - identification of system operator involvement
 - establishment of fiscal and administrative processes
- * Identification of appropriate standards and specifications
- * Identification of system implementation strategy (e.g. traditional, design build, turnkey)
- * Discussion of public participation and special interest group involvement in preliminary engineering

- advisory committee or other types of involvement not stipulated by law
- public hearing requirements for preliminary design plans as provided in Minnesota Statutes.
- * Discussion of the projected sources of estimated funds to pursue final design and construction
 - including preparation of a financial plan sufficient to determine stability of capital and operating fund sources
- * Discussion of the completion of prerequisites for further implementation, such as to meet federal funding requirements, if those funds are anticipated
- * Work plan for preliminary engineering project that illustrates the time frame for completion of tasks
- * Preliminary engineering project budget that at a minimum includes items listed below
 - personnel expenses
 - fringe benefit expenses
 - indirect charges (office, phone, mailings, etc.)
 - consultant/contractual expenses
 - printing/contractual expenses
 - travel expenses
 - supply expenses
 - other expenses
 - source and amount of local match
 - amount of state LRT funds
 - total project cost

The final products of preliminary engineering shall include the documents listed below.

- * Scoping Document
 - identifies but does not evaluate all alternative corridors and/or routes
- * Scoping Decision Document
 - identifies issues and alternatives to be evaluated in environmental impact/assessment statement
- * Draft Environmental Impact/Assessment Statement
- * Final Environmental Impact/Assessment Statement
- * Preliminary Geometric Layout
- * Conceptual Relocation Plan

* Study Report

- including identification of appropriate design standards

3. FINAL DESIGN APPLICATIONS

As a prerequisite for final design funds, applicants must have the following:

- * Final comprehensive LRT plan as discussed as final product of planning application funding category
- * Completed documents listed as final products in preliminary engineering, including all appropriate environmental and regulatory approvals

Minnesota Statutes define Final Design Plan to include:

"Final design plan" means a light rail transit plan that includes the items in the preliminary design plan for the facilities proposed for construction, but with greater detail and specificity. The final design plan must include, at a minimum:

- (1) final plans for the physical design of facilities, including the right-of-way definition; environmental impacts and mitigation measures; intermodal coordination with bus operations and routes; and civil engineering plans for vehicles, track, stations, parking, and access, including handicapped access; and
- (2) final plans for civil engineering for electrification, communication, and other similar facilities; operational rules, procedures and strategies; capital costs; ridership; operation costs and revenues; financing for construction and operation; an implementation method; and other similar matters.

The final design plan must be stated with sufficient particularity and detail to allow the proposer to begin the acquisition and construction of operable facilities. If a turn-key implementation method is proposed, instead of civil engineering plans the final design plan must state detailed design criteria and performance standards for the facilities."

Final design applications shall include discussions of the analysis and engineering processes to be used to perform final design activities.

Applications in this category must address, but are not limited to, the following:

- * Identification and resolution of issues raised during review of preliminary engineering plans
- * Right of Way (acquisition and final relocation plan)
- * Final Geometric Layout
- * Civil engineering (e.g. roadbed, tracks, etc.)
- * Systems (e.g. vehicles, electrification, communications and support services, fare collections, etc.)
- * Stations (e.g. platform, parking, shelters, etc.)
- * Operation (development of operational rules, procedures and strategies)
- * Plan for capital requirements for maintenance and security
- * Discussion of public participation and special interest group involvement in final design and construction
 - advisory committees or other types of involvement not stipulated by law
 - public hearing requirements for final design and construction as provided in Minnesota Statutes
- * Discussion of the projected sources of estimated funds to pursue final design and construction
 - including preparation of a financial plan sufficient to determine stability of capital and operating funds sources
- * Discussion of the completion of prerequisites for further implementation, such as to meet federal funding requirements, if those funds are anticipated
- * Work plan for final design that illustrates the time frame for completion of tasks
- * Final design project budget that at a minimum includes items listed below
 - personnel expenses
 - fringe benefit expenses
 - indirect charges (office, phone, mailings, etc.)
 - consultant/contractual expenses
 - printing/document production expenses

- travel expenses
- supply expenses
- right of way acquisition and relocation expenses
- construction expenses, including personnel, fringe, indirect, consultant/contractual, supplies, equipment expenses
- other expenses
- source and amount of local match
- amount of state LRT funds
- total project costs

The final products of design shall include the products listed below.

- * Final design plans sufficient to construct a light rail transit line



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

AGENDA

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Tuesday, September 5, 1989

****PLEASE NOTE CHANGE OF TIME:**

Immediately following 2:00 P.M. County Board
Meeting - approximately 2:30 P.M.

LARGE CONFERENCE ROOM - 316

1. Minutes of August 22, 1989 Meeting
2. Chairman's Comments
3. Joint Light Rail Transit Advisory Committee
4. * Burlington Northern Northeast Corridor Update -
Authorize staff to prepare proposals for preliminary work
on NE Burlington Northern property for review and approval
by Regional Railroad Authority.

*Action is requested.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

August 22, 1989

The regular meeting of the Board of the Ramsey County Regional Railroad Authority was held on Tuesday, August 22, at 10:50 A.M. in the Large Conference Room of 316, Court House.

MEMBERS PRESENT: Chairman John Finley
Commissioner Diane Ahrens
Commissioner Ruby Hunt
Commissioner Donald Salverda
Commissioner Hal Norgard
Commissioner Warren Schaber
Commissioner Duane McCarty

Also Present: James Van Houdt, Ed Glaubitz, Hugh Faville, James Bower, Donna Allan, Marit Smaby-Nowlin, Karen Tero, James Tolaas, Don Ahern, David MacMillan represented the County Attorney's Office. Frances Glendenning, Kathryn DeSpiegelaere

1. Minutes - of the August 8, 1989 Meeting.

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

The Ramsey County Regional Railroad Authority approves the minutes of the regular Board meeting held on August 8, 1989, as written.

Roll Call: Ayes - 5, Nays - 0
Motion adopted.

2. Chairman's Comments

Chairman Finley informed the Board that the RTB has had three meetings, and two Committee of the Whole meetings since the new RTB was formed.

Information for Commissioners Ahrens and Hunt who will be meeting soon as the Advisory Committee, the RTB approved a contract for an RFP which will be going out for a consultant to start coordinating the plan which the Committee will start reviewing for priorities. This was authorized and will be on the Advisory agendas, so it does not have to go back to the RTB Board. One of the concerns was that it had to be approved by them first, and the selection will be sometime in September, so this does not leave the consultant very much time.

Chairman Finley's concern was that the financial part of the plan is included in the total RFP, so the engineering firms will be getting their own financial people. They felt it would be better than fragmenting the consulting contract

the consulting contract, so they let it go with that in there that way. This will have a financial plan and an analysis of the priority corridors, for all the corridors, they will include our Comprehensive Plan.

3. Authorize payment in the amount of \$7,689.30 to Springsted Public Finance Advisors for financial analysis of LRT.

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

WHEREAS, the Ramsey County Regional Railroad Authority contracted the professional services of Springsted Public Finance Advisors for the purpose of correlation and refinement of financial data for capital and operating costs for light rail transit in Ramsey County and evaluation of the impact various funding sources have on Ramsey County taxpayers; and

WHEREAS, all professional services have been completed in accordance with agreement provisions at a total cost of \$7,689.30; Now, Therefore Be It

RESOLVED, that the Ramsey County Regional Railroad Authority authorizes payment in the amount of \$7,689.30 to Springsted Public Financial Advisors.

Roll Call: Ayes - 7, Nays - 0 *R89-48*
Motion adopted.

4. Approve preparation of grant application to the Minnesota Department of Transportation for an estimated \$1,174,000 for Phase II preliminary engineering for Midway Corridor.

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

WHEREAS, Ramsey County Regional Railroad Authority has begun the first phase of preliminary engineering and an Environmental Impact Statement for the Midway Corridor; and

WHEREAS, Additional funds are required to continue preliminary engineering for the Midway Corridor; and

R89-49
WHEREAS, The Minnesota Department of Transportation has requested applications for grant funds for light rail transit work; and

WHEREAS, By resolution adopted August 16, 1988, Ramsey County Regional Railroad Authority authorized submission of a grant application for Phase II of preliminary engineering at an estimated cost of \$2,438,000 and affirmed its commitment to fund fifty (50) percent of the cost of that work estimated to be \$1,174,000: Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority authorizes the preparation of a grant application for Phase II of preliminary engineering for the Midway Corridor, not funded in the 1988 grant application.

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

5. Schedule of forums and hearing on Comprehensive LRT Plan.

Chairman Finley suggested everyone look at the schedule to make sure it does not conflict with what the Finance Committee did today as we have to have County budget hearings at night or on Saturdays.

Commissioner Schaber explained to the Commissioners that the County budget hearings will be October 17, 24, 31st, and November 7th and will be evening meetings. The County Board budget has to be certified by November 9th.

Commissioner McCarty would like to get a list of organizations or other units who will be receiving this notice of the public forums, so that he does not need to repeat the steps. Ms. DeSpiegelaere will furnish this information to Commissioner McCarty.

Commissioner Hunt asked if it is possible to schedule a meeting at six o'clock on an election day. James Van Houdt had discussed this with Michele Timmons, and she thought the only unit of government that cannot meet on election day is the State. However, he will check with Ms. Timmons again before the matter goes to the Board for consideration.

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

WHEREAS, Ramsey County Regional Railroad Authority has completed a draft Comprehensive Light Rail Transit Plan and will benefit from receiving the comments of citizens and agencies affected by the Plan; Now, Therefore, Be It

RESOLVED, That the following schedule of forums and the public hearing is approved:

September 11, 1989	7:00 P.M.	Highland Park Library 1974 Ford Parkway, St. Paul
September 12, 1989	7:00 P.M.	Falcon Heights City Hall 2077 West Larpenteur, Falcon Heights
September 13, 1989	7:00 P.M.	Harding High School 1540 East Sixth Street, Chorus Room, St. Paul
September 14, 1989	7:00 P.M.	Maplewood City Hall 1830 East County Road B, Maplewood
September 21, 1989	7:00 P.M.	Merriam Park Community Center 2000 St. Anthony, St. Paul
September 26, 1989	7:00 P.M.	Vadnais Heights Elementary School 3645 Centerville Road, Vadnais Heights
October 3, 1989	7:00 P.M.	St. Adalbert's Church, 265 Charles Street, St. Paul

Public Hearing - Tuesday, September 26, 1989 3:00 P.M.
Ramsey County Court House, Room 316, St. Paul

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

R89-50

Ms. DeSpiegelaere advised the Board that she had checked with Mr. Van Houdt if the Regional Railroad Authority has to have a public hearing on the budget.

Mr. Van Houdt is not sure, some of the language applies to the RRA, and some does not. In the vetoed bill, it was not included.

Mr. Van Houdt continued, normally the RRA has adopted its budget and tax levy the same day, it has been historical, he does not know if the RRA has to do it after 5:00 P.M.

Chairman Finley suggested, it it was agreeable with Board members that what we do, being that we have these meetings setup for public forums, we will take the RRA budget during one of those proposed times, and then we do not have to schedule another one. If you have to do it, and you need to publish it, put it in at one of the proposed times for the County Board and it could be considered at one of the four times that the Board has listed. Mr. Van Houdt feels that maybe the RRA will not have to do it, but this is being checked out.

6. Authorize Regional Rail staff to process payments to BRW, Inc. for work completed and invoiced in accordance with Agreement No. RCRRA-89-003.

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

WHEREAS, the Ramsey County Regional Railroad Authority has contracted for the professional services of BRW Inc. for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies for the Midway Corridor; and

WHEREAS, Contract Agreement No. RCRRA-89-003, in the amount of \$1,389,039 governs the performance of services and terms of payment; and

WHEREAS, the Rail Authority desires to issue prompt payment to BRW, Inc. for work completed in accordance with governing agreement requirements; Now, Therefore Be It

RESOLVED, the staff of the Ramsey County Regional Railroad Authority is authorized to process payments to BRW, Inc. for work completed and invoiced in accordance with agreement requirements; and Be It Further

RESOLVED, the invoice and payment documentation shall be submitted to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentaion; and Be It Further

RESOLVED, the final payment for services rendered under Ramsey County Regional Railroad Authority Agreement No. RCRRA-89-003 shall not be issued until approved by resolution of the Rail Authority.

Roll Call: Ayes - 7, Nays - 0 *R 89-51*
Motion adopted.

Commissioner Schaber informed the Board that he attended a District 2 Meeting recently, and they passed a resolution they opposed and rejected as infeasible the project for joint use of the the BN corridor line. The vote was unanimous.

Chairman Finley said this was interested as some members who voted sat on the Citizens Advisory Committee of the RRA and supported this joint use

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

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

2

<u>Chairman Finley</u> Originating Department <u>J.T. Finley /s/</u> <u>8/30/89</u> Authorized Signature Date	Board Action Requested CHAIRMAN'S COMMENTS
Request Justification	

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

Date / Time
 Received By

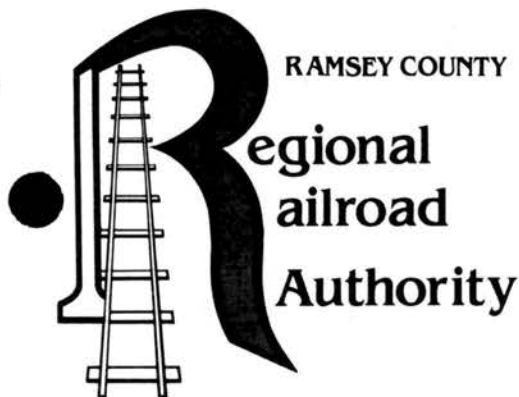
Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date
Committee / Meeting Date
September 5, 1989
Board Date

Signature
Signature
Signature

Date
Date
8/30/89
Date



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *FD*

SUBJECT: Joint Light Rail Transit Advisory Committee

DATE: August 28, 1989

The Joint Light Rail Transit Advisory Committee had its initial meeting on August 23. Members of the committee are:

Chairman - John Derus, Hennepin County RRA
Vice Chairman - Paul McCarron, Anoka County RRA
Diane Ahrens, Ramsey County RRA
Ruby Hunt, Ramsey County RRA
Dan Erhart, Anoka County RRA
Earl Gnan, Carver County RRA
Don Chapdelaine, Dakota County RRA
Sam Sivanich, Hennepin County RRA
John Keefe, Hennepin County RRA
William Konarski, Scott County RRA
Russ Larkin, Washington County RRA
Carolyn Cochrane, Metropolitan Transit Commission
Glen Olson, Metropolitan Transit Commission
Darryl Durgin, Minnesota Department of Transportation

The committee will meet twice per month, the first and third Wednesdays, at 10 AM. The first assignment is to assist the Regional Transit Board in preparing a development and financial plan for light rail transit for the region by January 1, 1990. The second assignment is to prepare a coordination plan for light rail transit by July 1, 1990. The next meeting, to be held on September 6, will include an update of activities by each regional railroad authority and a discussion of federal funding.

Recommendation:

For your information.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

4

RCRRA		Board Action Requested Authorize staff to prepare proposals for preliminary work on NE Burlington Northern property for review and approval by Regional Railroad Authority ACTION IS REQUESTED
Originating Department		
K. DeSpiegelaere /s/	8/29/89	
Authorized Signature	Date	

Request Justification

- See attached:
1. Proposed resolution
 2. Memorandum from K. DeSpiegelaere
 3. Map of NE BN
 4. Letter from Cecil Selness to Kathryn DeSpiegelaere
 5. Mn/DOT policies on State Rail Bank Acquisitions
 6. State Rail Bank Program Rules
 7. Rail Authority legislation

Reviewed by <u>Ed Glautz</u> 8/30/89		Date / Time Received By
Budgeting and Accounting	<u>Michelle L. James</u> 8/30/89	
County Attorney		
Risk Manager		
Data Processing		
Previous Action taken on Request		

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
September 5, 1989	<u>J. L. Glendenning</u>	8/30/89
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, The draft Comprehensive LRT Plan for Ramsey County adopted by Ramsey County Regional Railroad Authority on July 25, 1989, contained a recommendation that, "Ramsey County Regional Railroad Authority should take immediate steps to acquire the Burlington Northern right-of-way in the Northeast Corridor because of the feasibility for light rail transit and the availability of right-of-way in this area. Ramsey County Regional Railroad Authority should conduct preliminary engineering studies on the Northeast Corridor within the next five years, including, but not limited to the issue of the potential for joint use." and

WHEREAS, In order to prepare for negotiations for acquisition of the Northeast Corridor, preliminary work is required, Now Therefore, Be It

RESOLVED, That, staff of Ramsey County Regional Railroad Authority is authorized to prepare specific proposals for preliminary work on title record research, surveying, environmental studies and appraisals for the abandoned portion of the Burlington Northern Northeast Corridor in St. Paul and Maplewood, including an estimated budget for those tasks, and Be It Further

RESOLVED, That these proposals are to be reviewed and approved by Ramsey County Regional Railroad Authority before authorization is given to implement them.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary

In order to make a purchase offer for the abandoned portion at some future date, preliminary work would be required to assist in preparing for negotiations. The cost of the preliminary work could be financed from the Regional Railroad Authority contingency account in the 1989 budget, which has a balance of \$200,000.

Costs for acquisition of the property are potentially eligible for 50% participation from State Rail Bank funds. Attachments Two through Four to this memorandum were received in response from the Minnesota Department of Transportation (Mn/DOT) to my request for additional information on the guidelines for acquisition and on the likelihood of financial assistance with state funds for the acquisition. Attachment Two states that in the estimation of the Director of the Office of Railroads and Waterways, funds will be available in 1990 to assist with this acquisition, although it is difficult to gauge this without specific cost estimates for the line being considered. Mn/DOT would expect Ramsey County Regional Railroad Authority to be the lead agency in acquisition and has public meeting and notification requirements.

Cecil Selness of the Minnesota Department of Transportation has also brought to my attention a revision in the regional railroad authority legislation (Attachment Five) that regional railroad authorities may provide for the preservation of abandoned rail right-of-way for future transportation uses. Bicycle trails may be considered a transportation use. Mr. Selness has been involved in meetings on the Burlington Northern Northeast line, and is aware of its history.

Recommendation:

A resolution has been prepared for your consideration that would authorize staff to prepare proposals for your review and approval of how the surveying, title research, environmental assessment and appraisal tasks could be accomplished, including an estimated budget for those tasks, for the Burlington Northern Railroad property in St. Paul and Maplewood.



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

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District 6

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere *KD*

SUBJECT: Burlington Northern Northeast Corridor - Update and
Request for Approval of Additional Steps

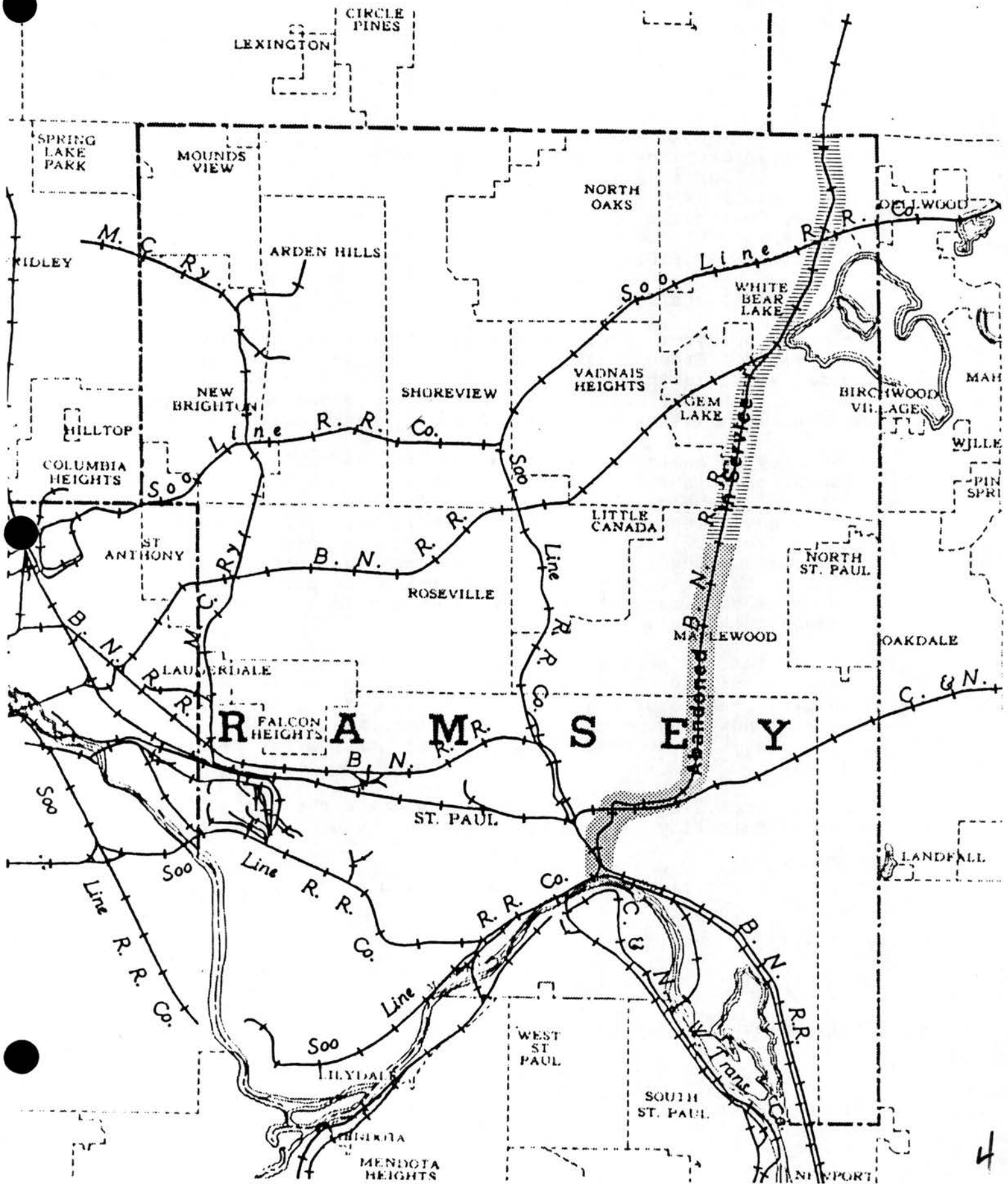
DATE: August 28, 1989

The draft Comprehensive LRT Plan for Ramsey County, adopted on July 25, 1989, contained a recommendation that, "Ramsey County Regional Railroad Authority should take immediate steps to acquire the Burlington Northern right-of-way in the Northeast Corridor because of the feasibility for light rail transit and the availability of right-of-way in this area. Ramsey County Regional Railroad Authority should conduct preliminary engineering studies on the Northeast Corridor within the next five years, including, but not limited to the issue of the potential for joint use."

The purpose of this memorandum is to request authorization to proceed with development of proposals for preliminary work on title record research, surveying, environmental studies and appraisals for the abandoned portion of the Burlington Northern Northeast property, located in Maplewood and St. Paul. Attachment One is a map of the area.

A meeting of Ramsey County Regional Railroad Authority and Ramsey County staff was held with Burlington Northern Railroad property management staff on August 21. Burlington Northern has agreed to supply title records for review to Ramsey County Regional Railroad Authority. Burlington Northern indicated that there are an estimated 100 parcels for the 6.58 mile length of the abandoned area. Burlington Northern was told that the Regional Railroad Authority's interests extend beyond the portion of railroad property that is no longer in use to the north Ramsey County border.

Northeast Corridor Study Area





Minnesota Department of Transportation
Transportation Building, St. Paul, MN 55155



612 296-4888

August 9, 1989

Ms. Kathryn DeSpiegelaere, Director
Light Rail Transit Planning
Ramsey County RRA
Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102

Dear Ms. DeSpiegelaere:

Enclosed, per your request, is a copy of the Minnesota Department of Transportation's (Mn/DOT) guidelines governing acquisition of abandoned rail right of way. I've also enclosed a copy of a Mn/DOT policy statement which guides acquisition of abandoned rail lines in the seven county metropolitan area.

As you may be aware, Mn/DOT is authorized to participate in the purchase of an abandoned rail line to a maximum of fifty (50) percent of the acquisition cost. A contract with an eligible unit of government, as defined in the rules, is required. As for the availability of funds in 1990, I can only speculate. In my estimation funds will be available, though, without cost estimates on the line you are considering for purchase and knowing we have many other projects to consider it is difficult to gauge accurately.

If you intend to seek state financial assistance for purchase of rail right of way, I would suggest it be done as early as possible. Page 3 of the Mn/DOT policy document identifies several conditions which must be met to obtain Mn/DOT assistance. If you need explanation of these areas please contact me.

One last item. This past legislative session the Regional Railroad Authority law was revised. Enclosed is that wording.

I hope this provides you the information you were seeking. If not, or if additional information is required please give me a call.

Sincerely,

Al Vogel
for Cecil Selness

cc: Al Vogel

MINNESOTA DEPARTMENT OF TRANSPORTATION
POLICY ON STATE RAIL BANK ACQUISITIONS IN
TWIN CITIES METRO AREA

In 1980, the State of Minnesota established the State Rail Bank Program (SRB) to acquire and preserve abandoned rail lines or rail R/W corridors for future transportation uses. All future uses must be for public or commercial use and must serve the public by providing passenger or freight transportation or the transmission of energy, fuel, or other commodities.

Rail, electrical transmission lines, transit, highway, and pipeline are the types of transportation and transmission modes that are considered for SRB purposes. For funding, top priority goes to rail lines acquired for preserving rail service. Other priority considerations include the expected benefit to the state from the proposed future use, and if the acquired line will be used for more than one SRB purpose.

Funding for the SRB program is through the Minnesota Rail Service Improvement (MRSI) account. This means that SRB projects share funds with the rehabilitation projects. Mn/DOT administers both the SRB and MRSI programs.

JUL 5 1988

SRB POLICY IN THE METRO AREA

In the past several years, a new initiative has developed in regional planning in the Twin Cities Metro Area: Most of the counties have formed Regional Railroad Authorities (RRA's) and indications are that others will follow. An announced focus of these RRA's is to work for the preservation and re-use of abandoned rail R/W. Several of the RRA's have been in discussion with Mn/DOT about the SRB program.

The SRB program, because it is a state program, can be used for acquisitions in the Twin Cities Metro Area as well as outstate areas, provided the proposed acquisition falls within the criteria stated above. However, several factors exist that require a statement of Mn/DOT's policy regarding acquisitions in the Twin Cities Metro Area. These are (1) the cost, (2) the role of lead agency, and (3) interim use of R/W.

Cost of R/W

Five to ten miles of R/W in the Twin Cities could exceed the cost of 100 miles of R/W in a rural area. Consequently, with the rail rehabilitation projects having priority over SRB projects, each proposed acquisition in the metro area will have to be carefully reviewed. The program can't be used as a substitute for acquisitions by other entities when such acquisitions would be more appropriate or, within Mn/DOT, as a substitute for other programs established for highway projects.

Cost of R/W cont.

In short, metro area acquisitions must be balanced against the availability of funds for rail rehabilitation projects and SRB acquisitions that preserve corridors to critical resources such as mineral deposits and major grain and timber producing areas. Preserving corridors to those areas was the primary intent of the Legislature when it established the program.

Assistance to RRA's

Mn/DOT won't initiate SRB acquisitions in the Twin Cities Metro Area; we'll only operate through a RRA. The following conditions must exist for Mn/DOT's participation:

- . The proposed acquisition is for a future transportation use that will benefit the public and the region, or state, as a whole;
- . The Metropolitan Council agrees that the identified future use fits within Met Council's long range plans;
- . A means exists for maintaining and policing the property while it's banked; and
- . The cost of the acquisition is within the SRB program's funding capabilities and won't displace or prevent carrying out rail rehabilitation projects.

Because the cost of R/W is considerably higher in the Twin Cities Area, Mn/DOT's participation won't exceed 50% of the acquisition costs. The 50% expenditure is inclusive of any trunk highway funds or other state funds used to purchase portions of the R/W for grade crossings or highway purposes.

In utilizing funds, planned rehabilitation projects will receive first priority. SRB acquisitions will be secondary. If sufficient funds aren't allocated to the program at the time, then Mn/DOT's participation in acquisitions may be less than 50%, or possibly none at all.

Mn/DOT's Office of Railroads & Waterways, administrator of the SRB program, will decide the level of participation.

Lead Agency

Proposed acquisitions of R/W in the Twin Cities Metro Area have the potential for engendering more concerns than in rural areas. The agency initiating the proposal may have to respond to a number of special interest groups, neighborhoods, and local governments with diverse views and goals. This will require a strong commitment to arranging public meetings, hearings, and initiating public relation efforts.

Lead Agency

When Mn/DOT assists an RRA in a proposed acquisition, the RRA (or an entity other than Mn/DOT) must assume the role of lead agency. Mn/DOT will, however, participate at the RRA's request in meetings or hearings to provide information about the SRB program.

Interim Use of R/W

State statutes allow for interim use of R/W acquired through the SRB, but any interim use must be compatible with the long range goal for the corridor. Also, Mn/DOT must approve any interim use. The R/W acquired through Mn/DOT assistance must not be encumbered in any way that would prevent establishing, at a future date, the intended transportation use.

Minnesota Department of Transportation
Office of Railroads & Waterways
Rail Planning & Program Development Section

**DEPARTMENT OF TRANSPORTATION
STATE RAIL BANK PROGRAM
MINNESOTA RULES PARTS 8830.5800 TO 8830.5860**

**EXTRACTED FROM
MINNESOTA RULES 1983
as in effect on July 31, 1983**



Prepared by

**THE OFFICE OF REVISOR OF STATUTES
Room 3, State Capitol, St. Paul, Minnesota 55155**

Distributed by

**STATE REGISTER AND PUBLIC DOCUMENTS DIVISION
DEPARTMENT OF ADMINISTRATION
117 University Avenue, St. Paul, Minnesota 55155**

8830.5800 DEFINITIONS.

Subpart 1. Scope. For the purposes of parts 8830.5800 to 8830.5860 the following terms have the meanings given them.

Subp. 2. Acquire. "Acquire" means to purchase a rail line with state funds provided for the state rail bank program.

Subp. 3. Betterments. "Betterments" means required improvements made to acquired property to prepare the property for continued rail use.

Subp. 4. Commissioner. "Commissioner" means the commissioner of the Minnesota Department of Transportation.

Subp. 5. Continued rail operations. "Continued rail operations" means the utilization of a rail line for rail service upon acquisition or in the near or immediate future after acquisition.

Subp. 6. Convey. "Convey" means to sell, lease, or grant an easement for the use of rail bank property for the purposes cited in Minnesota Statutes, section 222.63, subdivision 4.

Subp. 7. Department. "Department" means the Minnesota Department of Transportation.

Subp. 8. Dispose. "Dispose" means to convey property to a governmental subdivision of the state for any of the purposes in Minnesota Statutes, section 222.63, subdivision 4, or to sell the property as provided in Minnesota Statutes, section 222.63, subdivision 5.

Subp. 9. Other uses. "Other uses" means any uses of banked property other than those specified in Minnesota Statutes, section 222.63, subdivision 2b.

Subp. 10. Preserve. "Preserve" means to hold rail bank property during the period of time it is not being utilized for the purposes specified in Minnesota Statutes, section 222.63, subdivision 2b.

Subp. 11. Project. "Project" means any rail line proposed for acquisition, and rail lines actually acquired under the program.

Subp. 12. Program. "Program" means the state rail bank program.

Subp. 13. Rail line. "Rail line" means abandoned railroad roadbeds, right-of-way, track structure, and other appurtenances of railroad right-of-way including public-use sidings, and railroad buildings.

Subp. 14. Railroad. "Railroad" means a rail carrier as defined in the Interstate Commerce Act, United States Code, title 49, section 10102, clauses (4), (18), and (19).

Subp. 15. Utilize. "Utilize" means to use banked rail lines for the purposes cited in Minnesota Statutes, section 222.63, subdivision 2b.

MS s 222.63 subd 7

8830.5810 PROGRAM CRITERIA.

Subpart 1. Eligibility for acquisition and preservation. An abandoned rail line is eligible for acquisition and preservation in the state rail bank if it meets the requirements of Minnesota Statutes, section 222.63 and parts 8830.5800 to 8830.5860.

Subp. 2. Funding criteria. The following criteria will be considered in determining whether a project will be funded:

- A. the availability of program funds;
- B. the probability of the rail line being utilized for the purpose identified;
- C. the likelihood that an alternative rail line right-of-way could not be reestablished in the future;
- D. the adequacy of the title and the costs to cure any defects in the title; and
- E. the likelihood that no other entity will acquire the rail line for an appropriate use.

Subp. 3. Special priority for funding. Special consideration and priority shall be given to rail lines meeting these criteria. Priority shall be given in the following order:

- A. rail lines that are to be utilized for continued rail operations;
- B. rail lines that are needed as part of the future overall rail system;
- C. rail lines that have an identified future use that will benefit a greater portion of the state; and
- D. rail lines where the identified future utilization includes more than one use.

Subp. 4. Continued rail operations projects. The following information shall be used to establish the priority for continued rail operations projects:

- A. the costs of the project compared to the benefits resulting from the project;
- B. a detailed plan of operations for the rail line; and
- C. a detailed plan providing for financing of the project.

MS s 222.63 subd 7

8830.5820 ACQUISITION OF RAIL BANK PROPERTY.

Subpart 1. Published list of proposed projects. The commissioner shall publish notice in the State Register listing the rail lines proposed to be acquired. The notice shall also be published once a week for two consecutive weeks in at least one newspaper of general circulation in each county where the rail lines included in the list are located. After an initial publication, subsequent lists shall be published as necessary.

The published list shall include the following information:

- A. a statement that the list is published pursuant to Minnesota Statutes, section 222.63, subdivision 3;
- B. the name, length, and owning railroad of each line;
- C. the counties where each line is located;
- D. any identified future uses for each line;
- E. the abandonment status of each line;

F. the name, address, and telephone number of the department's contact person; and

G. other pertinent information.

Subp. 2. Initiation of title search. A title search of the property proposed for acquisition shall be initiated after the procedures under subpart 1 have been completed. For a rail line not yet abandoned, a title search shall be initiated after the owning railroad has filed an abandonment application with the appropriate decision making authority. To inform the public of its action the department shall publish a notice in at least one newspaper of general circulation in each county where the line is located.

Subp. 3. Public information meeting. After the title search has been completed the department shall hold at least one public meeting to provide information and to seek comments from the public. Notice of the meeting shall be given by publication in at least one newspaper of general circulation in each county where the rail line is located. The meeting shall be held at least three days after publication of the notice. At least one meeting shall be held in each county where the rail line is located.

Subp. 4. Decision to acquire. The commissioner shall decide whether or not to acquire a rail line after the public meeting. The decision shall be based upon the program criteria cited in part 8830.5810. The department shall publish notice of the decision in at least one newspaper of general circulation in each county where the line is located.

Subp. 5. Notification to railroads. The department shall send a notice to each railroad that owns a rail line proposed for acquisition at the following times:

A. when the initial and subsequent lists of proposed acquisitions are published pursuant to subpart 1;

B. when the public meeting notices are published pursuant to subpart 3; and

C. when the department publishes notice of its decision pursuant to subpart 4.

Subp. 6. Simultaneous implementation. The commissioner shall simultaneously implement the procedures of parts 8830.5820 to 8830.5840 for acquisition, utilization, or disposition of rail bank property when it is possible. The initial notices which are published in the State Register and newspapers shall include a statement noting which procedures are being implemented simultaneously.

MS s 222.63 subd 7

8830.5830 UTILIZATION OF RAIL BANK PROPERTY.

Subpart 1. Notice to utilize rail bank property. The commissioner shall publish notice in the State Register when the department is considering utilizing banked property. The notice shall also be published once a week for two consecutive weeks in at least one newspaper of general circulation in each county where the property is located.

The published notice shall include the following:

A. a statement that the notice is published pursuant to Minnesota Statutes, section 222.63, subdivision 3;

B. the identifying name, length in miles, and acres of land of the property;

- C. the counties where the property is located;
- D. the purpose of the proposed use and the conditions under which the property would be utilized;
- E. the name, address, and telephone number of the department's contact person; and
- F. other pertinent information.

Subp. 2. Public information meeting. After the procedures under subpart 1 have been completed, the department shall conduct at least one public meeting to provide information on the proposal for utilization and to seek comments. Notice of the meeting shall be given by publication in at least one newspaper of general circulation in each county where the rail line is located. The meeting shall be held at least three days after publication of the notice. At least one meeting shall be held in each county where the property is located.

Subp. 3. Decision to utilize. The commissioner shall decide whether or not to utilize the property as proposed after the public information meeting. The department shall publish notice of the decision in at least one newspaper of general circulation in each county where the line is located.

MS s 222.63 subd 7

8830.5840 DISPOSITION OF RAIL BANK PROPERTY.

Subpart 1. Notice to dispose of rail bank property. The commissioner shall publish notice in the State Register when considering disposing of property pursuant to Minnesota Statutes, section 222.63, subdivision 4, or when required to dispose of property pursuant to Minnesota Statutes, section 222.63, subdivision 5. The notice shall also be published once a week for two consecutive weeks in at least one newspaper of general circulation in each county where the property is located. The published notice shall include the following:

- A. a statement that the notice is published pursuant to Minnesota Statutes, section 222.63, subdivision 3;
- B. the identifying name, length in miles, and acres of land of the property;
- C. the counties where the property is located;
- D. the reasons for and the conditions of the disposal;
- E. the name, address, and telephone number of the department's contact person; and
- F. other pertinent information.

Subp. 2. Public information meeting. After the procedures under subpart 1 have been completed, the department shall conduct at least one public meeting to provide information on the proposed disposition and to seek comments. Notice of the meeting shall be given by publication in at least one newspaper of general circulation in each county where the rail line is located. The meeting shall be held at least three days after publication of the notice. At least one meeting shall be held in each county where the property is located.

Subp. 3. Decision to dispose of property. The commissioner shall decide whether or not to dispose of property after the public meeting. The department shall publish notice of its decision in at least one newspaper of general circulation in each county where the rail line is located.

When the property is to be sold because it has not been utilized, the notice shall include the following:

A. a statement noting the required six-month period which allows owners of private property adjacent to the banked property to make offers to purchase the property from the department; and

B. the name, address, and telephone number of the department's contact person.

MS s 222.63 subd 7

8830.5850 MANAGEMENT OF BANKED PROPERTY.

Subpart 1. Maintenance and other uses during preservation of property. Rail bank property shall be maintained and may be leased for other uses while it is being preserved in the program. Proposed other uses for rail bank property shall be considered if they meet one or more of the following conditions:

A. uses that were in effect prior to department acquisition of the property;

B. uses that minimize maintenance costs and maximize income to the program;

C. uses that are not in conflict with adjacent land uses; and

D. uses that provide a benefit to the state.

Subp. 2. Other uses during utilization of property. Other uses that were in effect while the property was being preserved may be continued while the property is being utilized for the purposes of the program. The other uses shall be continued if they do not interfere with the utilization of the property. Other uses that were not in effect prior to utilization may be allowed if they do not interfere with utilization of the property.

MS s 222.63 subd 7

8830.5860 ADMINISTRATION OF THE STATE RAIL BANK PROGRAM.

Subpart 1. Information for continued rail operations projects. The entity proposing a continued rail operations project shall provide the commissioner with any pertinent information necessary to achieve proper evaluation and adequate administration of a project. The information shall include financial, commodity, cost and operations data, and other similar types of data and information.

Subp. 2. Contracts. Executed written contracts shall be the documents used to commit betterment funds, implement utilization projects, and to authorize other uses of banked property.

Subp. 3. Variance. The commissioner may approve a variance from any of the provisions of parts 8830.5800 to 8830.5860. A variance shall be granted if:

A. the purpose of the rule in question can be accomplished or exceeded by the specific alternate practice proposed for substitution;

B. the application of the rule in question would impose an excessive burden on the person or entity applying for the variance in attempting to carry out the intent of the program; and

C. the granting of the variance will not adversely affect the public health and safety.

The commissioner shall set forth in writing the reasons for granting or denying a variance. The person or entity who is granted a variance shall comply with the alternative practice granted by the commissioner. The person or entity who is granted a variance shall immediately notify the department of any material changes in the circumstances that justified granting the variance.

A variance shall be revoked if material changes occur in the circumstances which justified the variance, or if the person or entity who was granted the variance fails to comply with the alternative practice granted by the commissioner.

MS s 222.63 subd 7

1 excess of the reserve requirements shall be transferred to
2 the rail service improvement account. All proceeds of the sale
3 of abandoned rail lines shall be deposited in the rail service
4 improvement account. ~~The-improvement-account-shall-be-used-only~~
5 ~~for-the-acquisition-and-betterment-of-abandoned-rail-lines-and~~
6 ~~right-of-way.~~ All money to be deposited in these-accounts this
7 rail service improvement account as provided in this subdivision
8 is appropriated to the commissioner of transportation for the
9 purposes of this section. The appropriations shall not lapse
10 but shall be available until the purposes for which the funds
11 are appropriated are accomplished.

12 Sec. 10. Minnesota Statutes 1988, section 398A.02, is
13 amended to read:

14 398A.02 [PURPOSE.]

15 The purpose of the regional railroad authorities act is to
16 provide a means whereby one or more municipalities, with state
17 and federal aids as may be available, may provide for the
18 preservation and improvement of local rail service for
19 agriculture, industry, or passenger traffic and provide for the
20 preservation of abandoned rail right-of-way for future
21 transportation uses, when determined to be practicable and
22 necessary for the public welfare, particularly in the case of
23 abandonment of local rail lines.

24 Sec. 11. [REPEALER.]

25 Minnesota Statutes 1988, section 222.50, subdivision 8, is
26 repealed.



John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

AGENDA

Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Tuesday, September 26, 1989

10:30 A.M. - Large Conference Room - 316

1. * Minutes of the September 5, 1989 Meeting.
2. Chairman's Comments.
3. * Approve submission of grant application to Mn/DOT for \$1,709,000 and affirm commitment of RCRRA to fund remaining \$1,709,000 if funds are received for Phase II PE for LRT in Midway Corridor.
4. * Approve First Amendment to Ramsey County Regional Railroad Authority Agreement RCRRA-89-003 and authorize the Chairman of the Authority to sign on its behalf.
5. Information on Federal Process for Midway Corridor work. Discussion only.
6. * Ratify Partial Payment No. 8 to Strgar-Roscoe-Fausch, Inc. in the amount of \$57,102.29.

* Action is required.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

September 5, 1989

A meeting of the Board of the Ramsey County Regional Railroad Authority was held September 5, 1989, at 2:50 P.M. in the Large Conference Room of 316, Court House.

MEMBERS PRESENT: Chairman John Finley
Commissioner Diane Ahrens
Commissioner Ruby Hunt
Commissioner Donald Salverda
Commissioner Hal Norgard
Commissioner Duane McCarty
Commissioner Warren Schaber

Also Present: James Van Houdt, Karen Tero, Ed Glaubitz, Robert Clarkson, Hugh Faville, Marit Smaby-Nowlin, Peggy Lynch, Paul Gilliland, Patrick O'Malley, Greg Mack, Jill Goski, Rita During, James E. Tolaas, Toni Baker, James Bower, Terry Schutten, Michele Timmons, Kathryn DeSpiegelaere, Frances Glendenning, Earl Carlson

1. Minutes - of the August 22, 1989 Meeting

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

The Ramsey County Regional Railroad Authority approves the minutes of the regular Board meeting held on August 22, 1989, as written.

Roll Call: Ayes - 4, Nays - 0
Motion adopted.

2. Chairman's Comments

Chairman Finley did not have any comments at this time.

3. Joint Light Rail Transit Advisory Committee

Kathy DeSpiegelaere addressed the Board, Commissioners Hunt and Ahrens are members of the Joint Light Rail Transit Advisory Committee. The first meeting was held August 23rd, second meeting will be held September 5th. The Committee will meet twice a month, and the first assignment of the Committee is a Financial and Development Plan for Light Rail Transit. The Committee is working with consultants on that, and the RTB will be making the final decisions on it. This plan is due January 1st, so there will be a lot of work to be done in a short period of time.

Commissioner Hunt informed the Board that the only major item of discussion at their meeting was the question of the adoption of the by-laws and whether or not counties who do not have full representation at the meetings would be allowed to cast votes, for example if you had one of three members present. There were many pros and cons on this, and she was concerned about the small counties who only have one person, and what would happen with their power to vote. A compromise was worked out where you could have a proxy and name a staff person to vote for you. This seems agreeable to all parties.

4. Burlington Northern Northeast Corridor Update. Authorize staff to prepare proposals for preliminary work on NE Burlington Northern property for review and approval by Regional Railroad Authority.

Chairman Finley distributed to the Board members a copy of a letter which he received from Mark Nolan, who represents the Friends of the Park regarding the Northeast Corridor. As you know, the Comprehensive Plan calls for acquisition of the Northeast Corridor, Burlington Northern, and use of that corridor be considered to be a joint use. We passed a resolution last fall recommending joint use for Parks and LRT purposes, this was also passed at the County Board, with the recommendations of our Park Staffs, passed by the Regional Railroad Authority with recommendation of the LRT people, City Council passed a resolution recommending joint use. He attended the City Council meeting this morning, as there has been some question about joint use, and tried to set this straight that we have not changed our position, that we do consider the joint use, LRT funds could be made available through the Rail Bank which would permit park use in the interim period, and possibly if there was room in the acquisition, that there continue to be joint use even if light rail did go in there. This was consistent.

Chairman Finley said that the meeting with Truman Porter and Peggy Lynch last week was productive because they had been informed that we had changed our position, that we were no longer interested in joint use, and he thinks this meeting very much cleared the air, and which was summarized accurately in the letter from Mr. Nolan. He also distributed this letter to the City Council members as we have been consistent throughout, we have never changed it. The Northeast Citizens Advisory Committee for that corridor recommended the acquisition of it, it is part of our comprehensive plan, and was passed upon by the Inter-governmental Committee, and the staff of the Technical Committee which includes Peggy Reichert from the City Planning Staff. The Planning Commission last week suggested that it be acquired for joint use purposes by a governmental entity, it did not say that it should only be for parks or anything else. Some people have remained consistent throughout, we have, and that is why he tried to set the recommendations straight at the City Council Meeting this morning.

Commissioner Hunt noted something which changed the understanding early on, in which we assumed that you could not acquire railroad property, and not have its ultimate use be for transportation, but some place the letter says that bicycle trails would constitute transportation, so there it puts a different complexion on this.

Chairman Finley added that it even broadens the authority in using the Rail Bank funds, even if the ultimate use might not be light rail transit.

Ms. DeSpiegelaere confirmed this, this year at the Legislature a bill was passed that broadens the purposes for which the Regional Rail Authorities can acquire rail corridors, so the ultimate use would not have to be light rail transit, it could be indeed other purposes as mentioned.

Chairman Finley continued, the nice part about our acquiring this, as he tried to point out, is that if the City of St. Paul gets into a bidding war, which is fine, they can jack up the price, but there is no sense of having two different governmental entities owning the property north and south of Larpenteur Avenue. He suggested to the Friends of the Parks if it is only going to be limited to park use to Larpenteur Avenue, then we would probably not have any interest in pursuing this beyond that, because there would be too big of a break in there.

Commissioner Schaber referred to Ms. DeSpiegelaere's memo of August 28, it should be noted for the record that in her letter she states, "Cecil Selness of the Minnesota Department of Transportation has also brought to my attention a revision in the regional railroad authority legislation (Attachment Five) that regional railroad authorities may provide for the preservation of abandoned rail right-of-way for future transportation uses. Bicycle trails may be considered a transportation use. Mr. Selness has been involved in meeting on the Burlington Northern Northeast line, and is aware of its history." He would like to see this specifically noted in the minutes that this is something that is happening.

Chairman Finley thinks that the indication of the Friends of the Park feel that we should be the ones that are acquiring it because it just makes more sense to have to have it continue at least the length of the County than be stopping half way between downtown St. Paul and the north County line. This letter from Mark Nolan he agrees should be part of the record.

Commissioner Schaber has another concern is the fact that on the one hand we are looking at something that we are being suggested to do today which has a specific line in mind, and the Comprehensive Plan really has more than one option within that corridor line, and he needs a clarification. Are we looking at other options, or going with just this one, have we discarded the other options?

Ms. DeSpiegelaere responded that we have not discarded the other options for location for light rail transit in the corridor. As discussed at the Committee meetings on it, however, acquisition of this merely would preserve it for an eventual public purpose. The eventual use, whatever it would be, would not have to be decided at this time, and certainly there would be additional studies that that would be done on other locations for light rail transit in this area, and those would be done with community involvement as previous ones have been done.

Commissioner Schaber asked if we are then restricting what we are doing today to the abandoned line, and not looking at the other alternatives?

Ms. DeSpiegelaere is suggesting that acquisition would not preclude looking at those options, and none of them have been ruled out at this time. Discussion occurred in fact that this particular corridor, if acquired, there might be an opportunity for a trade with the Willard Munger Line for portions of it.

Chairman Finley said that one of the concerns is that it will end up not being acquired and abandoned at the present time, and that is the interest of the City of St. Paul and the interest of both the County and RRA that it be acquired by a public entity, and it has been the position of the Friends of the Park. There were no problems, he thinks everyone was proceeding to that goal, and in fact, we went to the Metropolitan Council, as well as the County Parks and Recreation Department staff, asking for an exception to their rules and regulations that if funds were available on the Parks side, that there could be eventual joint use, or use for LRT. On the other side, if Rail Bank funds are used that they would preclude the use of that for park or trail purposes. Every one was working in unison, and he is hopeful we will get back on track as at the City Council everyone feels hopeful that we will work everything out. We do have a joint meeting set up with them on September 19th where the parks issues are going to be discussed, and this may be a part of that.

Commissioner Schaber has another concern, the fact that we really have not yet dealt with the issue of financing light rail, the overall. We are going out to acquire a line, which in the pecking order is not the highest priority, like University - Midway area is truly the number one, are we going to have enough dollars and are we willing to commit to this line, and let it set for ten years, using it for trails, etc. while we then go looking for another corridor. We still have not come to grips with the financing of the acquisition, construction of light trail in the metro area, much less operation and maintenance. At some point in time we are going to come to a decision on these kinds of issues, how are we going to buy it, how are we going to construct it.

Chairman Finley does not feel that it is a matter that we are unwilling to deal with it, we pretty much feel that property tax should not be the sole source or major source for funding of light rail. Where we are on this particular line is that it is available now, and as part of the comprehensive plan, and if it is going to be acquired either with light rail funds or parks funding, that it could be part of the parks acquisition program.

Greg Mack addressed the Board, the request went to the Metropolitan Council for funding with the broadened authority of the Regional Rail Authority that would be in keeping with their approval, and hopefully that would be funded this next legislative session, and would take care of the park interest. They are in the process of preparing a master plan for that, this considers the joint use as they were directed, and they hope to be coming back to the Public Works, Parks and Recreation Committee on the 19th of September.

Commissioner Norgard would like to know if the Transportation Department is still matching funds on this. Ms. DeSpiegelaere said there is a potential for a 50% match from Mn/DOT for acquisition of the corridors.

Commissioner Schaber would like to know if we acquire for the RRA with the State Rail Bank funds, the other 50% is going to be coming from property tax. Is there any possibility if it was acquired under that scenario that should there be modifications, can we put caveats on, that any dollars that we have expended for acquisition could in effect be reimbursed by the State of Minnesota.

Chairman Finley thinks this is something to keep in mind as Hennepin County has the same concerns with all the output they have had, and they had looked at this, and if it is taken over by some regional agency that somehow be reimbursed for their capital out-of-pocket costs. Some of their Commissioners are concerned about this.

As far as the acquisition of this line, Chairman Finley said it may be with the direction to the staff, what we should be looking at is possible options to buy depending upon surveys, appraisals, and title work, all of which could be done afterwards, but it may be probably in our best interest to try to negotiate an option to buy, so that the work could follow. We would have a price set and the right to buy it. This would probably be the direction, the simplest way to tie up the longest stretch, so that we could extend that beyond the abandoned portion to accommodate Burlington Northern, and accommodate the the interest of the Parks people, our staff and the City, so that we get it in one contiguous piece. If we get people bidding on different parts of the line, that of course will increase the price substantially, whether it is private versus public, or two publics bidding for different parts of the line, it would drive the price up.

At this point Chairman Finley suggested that we should authorize the staff to prepare different proposals, to come back to us, and in the meantime we will be having the joint meeting. He felt that the great majority of the City Council felt that it was not an issue that could not be resolved between ourselves and the City Council for joint use. We could move ahead with that without the commitment for actual purchase, look at alternative methods of acquisition. Ms. DeSpiegelaere said these would come back to the Board for approval before proceeding.

Commissioner Hunt said the staff proposal is what we should really be moving on, and she would move that proposal. Commissioner Norgard seconded this.

Commissioner Schaber understands that this is not for acquisition, but to find out what it is going to cost. Ms. DeSpiegelaere said it is to develop a budget for the work to find out what it would cost. It would not to actually negotiate with BN yet, but develop the budget for surveying, title work, appraisals, etc.

Ms. DeSpiegelaere said what has been suggested that the staff come back to the Board with two options, one is an option to buy, the other is the information that it is recommended by staff, a budget for surveying, title work.

Chairman Finley said we would like to know what it is going to cost, and Ms. DeSpiegelaere said that was not part of the recommendation to negotiate. However, Chairman Finley said we should have an idea of what it is going to cost, or we cannot commit to buy, then we should have an option to purchase. Railroad title is very cumbersome, and it is going to take some time.

Commissioner Schaber understands that staff would like to prepare a budget as to what it would cost for title search, appraisals, etc.

Ms. DeSpiegelaere is learning today something different. First of all, the understanding is that you would want us to explore information not just for the abandoned portion but for the entire portion all the way to the North Ramsey County Line. Secondly, to develop a price for an option for acquisition, and third, to indicate what the price would be for that option itself. Then, to do additional work on the surveying, title research, environmental assessment, and appraisals to let you know how much those would cost. To come back to you with all that information.

Commissioner Hunt would move a modified motion as stated by Ms. DeSpiegelaere.

Commissioner Schaber said if you are asking for a price, how long would the option be for. Ms. DeSpiegelaere said they would be looking for an option price, and the option price could be a not to exceed figure, which is not locking us into a specific amount.

Commissioner Hunt suggested that an option for a year, with an option to extend it for two to three years.

Michele Timmons said basically this is a direction to staff, the only concern she has about coming with a not to exceed price in an option that right now we do not have any appraisals that might support that price, and she is a little bit nervous with that, and would like to explore with staff if there is some way to get a preliminary appraisal or something that would give us a little more data toward that price. Normally, we do have on an acquisition of this size, we would get two full appraisals and normally you would do the survey and title work in advance so that the appraiser would know exactly what property was being appraised. There is an option to do this in a different method, but wants to be sure that we have some reasonable support for price. Option agreement does not necessarily have to state a price, but typically they do. If we put some kind of an acquisition price in the option, she would like to see something in support of it. There is sufficient direction to explore the alternatives and come back to the Board.

The Board studied the map showing the abandoned line on the large sketch, as well as the length of the line going to the North County Line.

Commissioner McCarty discussed the NSP Transfer station, and there was some reason for serving this substation, other the line would have been abandoned all the way out.

Commissioner Hunt would like to know if we would be successful in acquiring this total line, would it be anticipated that it would become a trail until such time as it was necessary to be used for LRT, then would the persons who had access to this trail might not want LRT to go in.

Chairman Finley agreed that is logical, he does not know if all the entire line could be continued to be used for joint trail and LRT. We do not know about the widths in all areas. The interim use, time wise, would certainly be for trail purposes. After that it would continue to be joint use if possible.

Commissioner Hunt pointed out the fact that Legislature has changed the ability to use these abandoned rail lines for bicycle traffic, before this was done, it would not have been a problem, as the previous law it ultimately had to be used for some rail purpose, transportation purpose. Now, they are interpreting that to be bicycle we no longer have that ability to say transportation takes priority over trail use.

Chairman Finley feels they have given us a broadened authority, and Ms. DeSpiegelaere agreed that it broadened the provision for which it can be acquired, and the eventual use that they are not mandating that has to be for bicycle purposes. Neither does it have to be used for light rail either.

Chairman Finley said that down the road the NE Corridor although a high priority, maybe that is not the place for the line to be. The idea is that should be acquired at this time by a public entity, and it would be more appropriate to buy it for someone who has more authority to go beyond only part of the abandoned line, but at least to the County line so that it is in one contiguous piece.

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

WHEREAS, The draft Comprehensive LRT Plan for Ramsey County was adopted on July 25 by Ramsey County Regional Railroad Authority; and,

WHEREAS, the Plan contained a recommendation that, "Ramsey County Regional Railroad Authority should take immediate steps to acquire the Burlington Northern right-of-way in the Northeast Corridor because of the feasibility for light rail transit and the availability of right-of-way in this area;" and,

WHEREAS, the Plan also contained a recommendation that "Preliminary engineering studies on the Northeast Corridor should be undertaken within the next five years, including, but not limited to, the issue of potential for joint use." Now Therefore, Be It Resolved

That Ramsey County Regional Railroad Authority directs staff to develop as quickly as possible:

1. A cost figure for an option for purchase of the Burlington Northern right-of-way in the Northeast Corridor from downtown St. Paul to the north border of Ramsey County for a one-year period with an option for an extension of time;
2. An estimated cost for survey, appraisals, environmental, and title work that would assist in negotiating the purchase price for the property.

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

R89-52

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

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

2

Chairman Finley
Originating Department

Board Action Requested

Chairman's Comments

J. T. Finley
Authorized Signature 9/22/89
Date

Request Justification

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

Date / Time
Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date
September 26, 1989

Signature

Date
9/22/89

Board Date

Signature

Date

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

3

Regional Railroad Authority Originating Department <u>K. DeSpiegelaere</u> <u>9/15/89</u> Authorized Signature Date	Board Action Requested Approve submission of grant application to Mn/DOT for \$1,709,000 and affirm commitment of RCRRA to fund remaining \$1,709,000 if funds are received for Phase II PE for LRT in Midway Corridor. *Action is Requested.
--	---

Request Justification

- See attached:
1. Proposed resolution.
 2. Memo from K. DeSpiegelaere.
 3. Grant application.

Reviewed by Ed Blawie 9/22/89

Budgeting and Accounting _____

County Attorney Don Mac Miller

Risk Manager _____

Data Processing _____

Previous Action taken on Request _____

Date / Time
Received By

Comments / Recommendation

Documentation certified complete for.

Committee / Meeting Date _____

Committee / Meeting Date
September 26, 1989

Board Date _____

Signature _____

Signature J L Glendinning

Signature _____

Date _____

Date
9/21/89

Date _____



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, Ramsey County Regional Railroad Authority has begun the first phase of preliminary engineering and an Environmental Impact Statement for the Midway Corridor; and

WHEREAS, Additional funds are required to continue preliminary engineering for the Midway Corridor; and

WHEREAS, The Minnesota Department of Transportation has requested applications for grant funds for light rail transit work; and

WHEREAS, By resolution adopted August 16, 1988, Ramsey County Regional Railroad Authority authorized submission of a grant application for Phase II of preliminary engineering for the Midway Corridor and affirmed its commitment to fund 50 percent of the cost of that work; Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority authorizes the submission for the 1989 round of light rail transit funds an application for Phase II of preliminary engineering for the Midway Corridor at an estimated total cost of \$3,418,000 and affirms its commitment to fund 50 percent, estimated to be \$1,709,000 if the grant funds are received.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director LRT Planning *KS*

SUBJECT: Grant Application for Light Rail Transit Funds

DATE: September 11, 1989

The Minnesota Department of Transportation (Mn/DOT) has solicited requests for grant applications for light rail transit funds. You previously authorized preparation of a grant application for Phase II of preliminary engineering for the Midway Corridor. An examination of the cost estimate by BRW has resulted in an increased estimate for this project. The previous estimate, made in 1988 by another consulting firm, was \$2,348,000. The BRW 1989 estimated cost is \$3,418,000.

Your authorization for submission of the grant application for \$1,500,000 and commitment to fund 50 percent of the cost of that work (\$1,709,000) is requested.

The amount of funds available in fiscal year 1990 is \$3,408,000. An additional equivalent amount will be available in 1990. Regional railroad authorities are eligible to apply and must match the funds dollar for dollar. No single authority may receive more than 60 percent (\$2,044,800) of the \$3.4 million.

In 1988, Ramsey County received \$1,181,000 through this program for a comprehensive LRT plan, Phase I of preliminary engineering for the Midway Corridor and for an environmental impact statement for the Midway Corridor.

Grant applications are due September 29. They are reviewed and approved by the Regional Transit Board, and funds are to be distributed by Mn/DOT on November 13. It is possible that the requests may exceed the amount of funds available.

A copy of the completed grant application is attached.

Page 2

Recommendation:

Your approval of the attached resolution approving submission of the grant application and affirming the Regional Railroad Authority's commitment to fund 50 percent of the cost of that work (\$1,709,000) is requested.

KD/blk
Attachment

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

4

REGIONAL RAILROAD AUTHORITY

Originating Department

/s/ Kathryn DeSpiegelaere 9/21/89

Authorized Signature

Date

Board Action Requested

Approve First Amendment to Ramsey County Regional Railroad Authority Agreement RCRRA-89-003 and authorize the Chairman of the Authority to sign on its behalf.

Request Justification

- See attached:
- 1) Proposed Resolution
 - 2) Memorandum from K. DeSpiegelaere
 - 3) Attachment A - First Amendment to Agreement RCRRA-89-003

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Previous Action taken on Request

Date / Time

Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date

Signature

Date

September 26, 1989

Board Date

Signature

9/22/89

Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, The Ramsey County Regional Railroad Authority has contracted the professional services of BRW, Inc. for the purpose of completing Phase I Preliminary Engineering/Environmental Impact Statement studies for the Midway Corridor; and

WHEREAS, A portion of the Midway Corridor lies within Hennepin County and engineering and environmental studies must consider compatibility and interaction with proposed LRT system features in Hennepin County; and

WHEREAS, To ensure strong coordination between the Hennepin County Regional Railroad Authority (HCRRA) and the Ramsey County Regional Railroad Authority during LRT studies on the Midway Corridor, negotiations between respective Rail Authority representatives and BRW, Inc. have been conducted and have resulted in formal language amending Ramsey County Regional Railroad Authority Agreement RCRRA-89-003 to include the HCRRA as a party to the Agreement, with rights and obligations as set forth therein; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority approves the First Amendment to Ramsey County Regional Railroad Authority Agreement RCRRA-89-003, as set forth in Attachment A, conditional on formal approval by the Hennepin County Regional Railroad Authority; and Be It Further

RESOLVED, that the Ramsey County Regional Railroad Authority authorizes the Chairman of the Authority to sign the amendment on its behalf.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *KD*

SUBJECT: Amendment to Agreement RCRRA-89-003
Midway Corridor PE/EIS Studies

DATE: September 21, 1989

As you are aware, negotiations between the Hennepin County Regional Railroad Authority (HCRRA) and the Ramsey County Regional Railroad Authority (RCRRA) to establish formal coordination during PE/EIS studies for the Midway Corridor were not complete at the time of contract award to BRW, Inc. In an effort to avoid delays to initiation of these studies, the award resolution included a provision directing Rail staff to complete negotiations with Hennepin County and return to the Authority with the developed agreement for approval at a later date.

The negotiations between HCRRA and RCRRA are now complete. Rather than a stand alone joint powers agreement between the two authorities, the resulting document (attached) is in the form of an amendment to Agreement RCRRA-89-003. Among other provisions, this amendment makes the HCRRA a party to the Agreement. The rights and obligations established in the amendment include financial participation from Hennepin County in the approximate amount of \$210,000. We believe the final language does provide an equitable structure for coordination between the two Counties without undermining the work and schedule already under way.

Recommendation:

Approve the amendment to Ramsey County Regional Railroad Authority Agreement RCRRA-89-003 and authorize the Chairman of the Regional Railroad Authority to sign on behalf of the Authority.

KD/blk
Attachment

FIRST AMENDMENT TO RAMSEY COUNTY REGIONAL RAIL AUTHORITY
AGREEMENT NO. RCRRA-89-003 BY AND BETWEEN THE RAMSEY COUNTY
REGIONAL RAIL AUTHORITY (RCRRA), HENNEPIN COUNTY REGIONAL
RAIL AUTHORITY (HCRRA), COLLECTIVELY THE "AUTHORITIES", AND
BRW, INC., THE "CONSULTANT"

WITNESSETH:

WHEREAS, on the 8th day of August, 1989, the Ramsey County Regional Rail Authority (hereinafter RCRRA) and BRW, Inc. (hereinafter the CONSULTANT) entered into an agreement (hereinafter the AGREEMENT) which provides for consultant services in connection with the planning for the design and construction of a Light Rail Transit (hereinafter L.R.T.) system in the Midway corridor of Ramsey County, and

WHEREAS, one goal of this planning and L.R.T. system is to connect the Ramsey and Hennepin County Regional Rail systems, and

WHEREAS, a portion of the subject Midway corridor lies within Hennepin County, and

WHEREAS, the HCRRA by this Amendment will become responsible for paying a share of the CONSULTANT's studies, and

WHEREAS, Agreement No. RCRRA 89-003 provides in Section VI(H) that modifications to the AGREEMENT shall be in writing,

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and promises herein, it is agreed between the parties as follows:

I. By this Amendment to RCRRA Agreement No. 89-003, the parties agree that the Hennepin County Regional Rail Authority shall become a party to said AGREEMENT, with rights and obligations as hereinafter defined.

II. HCRRA RIGHTS AND OBLIGATIONS

1. The CONSULTANT shall prepare a draft of the Detailed Work Plan, pursuant to Section I(B) of the AGREEMENT, which will be submitted to RCRRA and HCRRA for review prior to approval. RCRRA, HCRRA, and the CONSULTANT shall meet and

confer, if necessary, to discuss proposed changes, modifications, or additions to the plan. The plan shall define and reflect the roles of all parties, and shall define the approximate termini of the Midway L.R.T. corridor. The final Detailed Work Plan must be approved by both Authorities, provided, however, that those portions of the plan which solely affect a portion of the project located within one county need only the approval of that county's authority.

In the event the RCRRA and HCRRA cannot agree on the Detailed Work Plan, either Authority may terminate this Amendment to the AGREEMENT. In the event of such termination, the RCRRA Agreement No. 89-003 between RCRRA and CONSULTANT shall remain in effect, but shall apply only to those portions of the CONSULTANT's work which involve the Midway corridor as it lies within Ramsey County. The CONSULTANT and RCRRA shall, in the event of termination, negotiate any reduction in the CONSULTANT's work and charges caused by said termination. HCRRA shall pay its pro rata share, as defined by paragraph 3 below, of the CONSULTANT's charges and costs for preparation of the Final Work Plan, when it approves said Plan.

2. RCRRA and HCRRA shall each be individually responsible for and have the authority to direct the CONSULTANT on the community participation aspects of the project as they pertain to those portions of the proposed system lying within their respective geographic jurisdiction. To the extent possible, however, both Authorities shall work together to establish a uniform system of community participation. The CONSULTANT shall bill the respective Authorities, pursuant to Section V of the AGREEMENT, for the community participation activities the CONSULTANT performs on behalf of that Authority.
3. The RCRRA, HCRRA and CONSULTANT shall meet and negotiate a percentage formula for allocation of costs of CONSULTANT's services under the AGREEMENT and this Amendment between the RCRRA and the HCRRA. Said allocation shall be based, in part, upon the percentage relationship that the mileage located within each Authority's county bears to the mileage of the entire Midway corridor and, in part, upon the degree of difficulty anticipated for the work to be done within each of the counties. The final cost allocation agreement shall be reduced to writing, signed by all parties, and shall become a part of this Amendment.
4. The RCRRA and HCRRA have the right to obtain any and all data and information collected by the CONSULTANT. Neither the RCRRA or the HCRRA shall have the right to use or disseminate any information concerning the other parties portion of the line without the express written permission of that Authority or until such time as the information becomes a matter of public record.

5. It is understood by the parties that the Midway corridor is of paramount significance and importance to the development of L.R.T. in Ramsey County; that it will affect all future L.R.T. plans for Ramsey County; that the largest segment of the corridor will be located within the boundaries of Ramsey County; and that RCRRA will incur the largest expense in this project. However, it is also understood that HCRRA has done extensive planning for L.R.T. as of the date of this AMENDMENT; that the Midway corridor is of significance to it because of the need for appropriate links from Hennepin County, the City of Minneapolis, and the University connector to the Ramsey County L.R.T.; and that the investment of HCRRA in this project will be substantial. It is further understood that HCRRA will defer to RCRRA with respect to the final selection of the proposed alignment for the Midway corridor within Ramsey County and will agree to allow that alignment selection to govern the selection of the alignment of the portion of the corridor located within Hennepin County. However, with respect to other decisions which have corridor-wide or system-wide implications, it is understood and agreed that the Authorities have equal rights and responsibilities to consult with and direct and control the activities of CONSULTANT. With respect to decisions and activities which affect a segment of the Midway corridor lying solely within the boundaries of one county, the Authority in whose county that segment is located shall perform this function. With respect to decisions and activities which affect the entire corridor, representatives of the Authorities shall confer with one another and shall agree on the direction and control to give the CONSULTANT. In the event that the representatives cannot agree, this AMENDMENT shall be terminated.
6. Additional Services, as defined in Section II of the AGREEMENT, may be requested of the CONSULTANT either jointly by the RCRRA and the HCRRA, in which case the cost of such Additional Services shall be allocated according to the formula established in paragraph 3 above, or separately, by either the RCRRA or HCRRA, in which case the Authority requesting the Additional Services shall negotiate all agreements for and be responsible for all costs associated therewith. Nothing in this paragraph shall give either Authority the right to order Additional Services of the CONSULTANT which will affect the line as it lies in the other Authority's county, or delay completion of the CONSULTANT's Basic Services, as defined in Section I of the AGREEMENT, without the express written consent of said Authority.
7. The Authorities shall, at their expense, have primary responsibility for providing data and documents relevant to those portions of the project which lie within their respective counties. Data and documentation provided by the Authorities shall remain the property of the providing

Authority until such time as the data is incorporated into the work of the CONSULTANT or otherwise becomes public record.

8. The CONSULTANT shall proceed with the work upon joint authorization from the Authorities. Each Authority may authorize the CONSULTANT to proceed with work which affects that portion of the L.R.T. line lying wholly within the limits of its own county. If the CONSULTANT's work on either of the Authorities' individual segments necessarily involves work on the other Authority's segment, then the CONSULTANT shall perform the work on both segments as needed. Any extension of time granted the CONSULTANT must have approval of both Authorities, except as provided above.
9. Payments to the CONSULTANT for services rendered shall be in accordance with the provision of Section V of the AGREEMENT, except as provided below:
 - a) Increases in billing rates of the CONSULTANT must receive approval of both the RCRRA and the HCRRA
 - b) The CONSULTANT shall use its best efforts to allocate costs and expenses in accordance with the terms and formula established by paragraph 3 of this AMENDMENT.
 - c) Both Authorities shall receive a monthly invoice and supporting documentation. The invoice will identify the tasks performed, the percentage allocation to each Authority, and the dollar amount due from each Authority. Each Authority shall pay the CONSULTANT within sixty (60) days of receipt of the invoice. In the event there is a dispute between the Authorities as to their respective share of a payment, each Authority shall pay the CONSULTANT according to the CONSULTANT's invoice. Thereafter, the CONSULTANT shall appoint a neutral third party, not employed by the CONSULTANT or either Authority, who is familiar with the CONSULTANT's billing reasons, who shall determine the proper allocation of the disputed cost between the Authorities. If the neutral third party reallocates the costs, the Authorities shall between themselves adjust the payments. The neutral third party's decision as to cost allocation is binding on the parties and not appealable. The costs of any such third party evaluation shall be borne by the Authority requesting the reallocation.
 - d) The total cost of services provided by the CONSULTANT shall not exceed the amount specified in Section V(A) of the AGREEMENT. The RCRRA estimated share of such total shall be not more than \$1,188,333; the HCRRA estimated share of such total shall be not more than \$209,706. The CONSULTANT shall notify the affected Authorities when its charge for work performed reaches ninety percent (90%) of the above stated maximums. The

CONSULTANT shall not perform additional work on behalf of an Authority which has been so notified in writing unless authorized to proceed by the affected Authority. Additional Services which have been requested by one Authority or both, pursuant to paragraph 6 of this AMENDMENT, shall not be considered when determining whether or not charges to an Authority are at the 90% level. Additional Services requested by the Authorities pursuant to paragraph 6 of this AMENDMENT shall be billed separately by the CONSULTANT.

- e) Reimbursable Expenses in excess of \$1,000, as defined in Section V(C) of the AGREEMENT, must be authorized by both the RCRRA and the HCRRA, if they are to be incurred on behalf of both Authorities. If the expenses are to be incurred on behalf of only one of the Authorities, approval must be obtained from the Authority on whose behalf they are incurred. The Authorities shall either approve or deny such payment within two working days after receipt of the request by the CONSULTANT. Failure to approve or deny shall be deemed to be approval, and the CONSULTANT shall be entitled to incur and be reimbursed for the expense.
 - f) Expenses for graphics, printing, special mailings, aerial photographs, presentation and reproduction expenses shall be charged jointly to the RCRRA and HCRRA if they affect the entire project, and separately to the requesting Authority if they are solely for the benefit of said Authority.
 - g) Fees paid to other authorities pursuant to paragraph V(C)(3) of the AGREEMENT shall be charged jointly to the Authorities unless only one of the Authorities need obtain the approval which causes the fee, in which case said Authority shall be solely responsible for such fees.
 - h) In addition to all invoice documentation required by paragraph V(D) of the AGREEMENT, the CONSULTANT shall provide dates and hours worked for professional services.
 - i) The HCRRA and its agents shall have the right of access to and audit of the CONSULTANT's work and records prior to final payment.
 - j) The CONSULTANT shall comply with the provisions of Minnesota Statutes Chapter 290.97.
10. In the event the AGREEMENT or this AMENDMENT is terminated prior to completion of the project, the CONSULTANT shall deliver to the RCRRA all documents, records, reports, and data generated or in its possession to the date of such

termination. RCRRA will deliver to HCRRA all such documentation which the HCRRA requests.

11. HCRRA must consent, in writing, to any assignment or subcontracting by the CONSULTANT. HCRRA hereby consents to the use of the subcontracting specified in the Agreement.
12. HCRRA shall have the same rights granted to the RCRRA pursuant to paragraph VI(D) of the AGREEMENT. All insurance policies/certificates must be approved by the Hennepin County Risk Manager.
13. With respect to paragraphs VI (G), (I), (J), (O), (R) and (S) of the AGREEMENT, the HCRRA shall have the same rights and obligations as the RCRRA.
14. Any and all litigation in connection with the AGREEMENT and this Amendment shall be venued in either Ramsey or Hennepin County.
15. The CONSULTANT shall not affiliate with or have any interest in any individual, partnership, or corporation which provides supplies or equipment to either Authority in connection with construction or operation of the Midway corridor L.R.T. system.
16. The RCRRA shall be the responsible governmental unit for any state or federally required Environmental Impact Statement or report.
17. The representative for HCRRA shall be Kenneth Stevens, Director of Light Rail Transit.

18. Recycling Program

Consultant agrees to establish an office paper and newsprint recycling program which shall include a written plan available to the HCRRA at the HCRRA's request containing the following: description of the plan; person and position responsible for plan administration; types of paper collected and method of collection and transportation to a recycling center; an annual report summarizing collection efforts

19. Affirmative Action

In accordance with HCRRA's policies against discrimination, no person shall be excluded from full employment rights or participation in or the benefits of any program, service or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, affectional/sexual preference, public assistance status, ex-offender status, or national origin; and no person who is protected by applicable federal or state laws against discrimination shall be otherwise subjected to discrimination.

Further, Consultant and HCRRA agree that: (1) "HCRRA's Appendix Z" forms and is a part of this Amendment No. 1, as though fully set forth herein, (2) Consultant will furnish all information and reports required by the Hennepin County Affirmative Action Policy, and (3) Consultant shall adopt and comply with the HCRRA's Equal Employment Opportunity/Affirmative Action Policies with regard to employment and contracting. if at any time during the contract period the basis of an approved exemption should change, Consultant shall inform the Director in writing within ten (10) calendar days.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers on the _____ day of _____, 1989.

RAMSEY COUNTY
REGIONAL RAILROAD AUTHORITY

By: _____
John T. Finley, Chairman
Dated: _____

HENNEPIN COUNTY
REGIONAL RAILROAD AUTHORITY

By: _____
Sam S. Sivanich, Chairman
Dated: _____

AND

Kathryn DeSpiegelaere
Director, L.R.T. Planning
Dated: _____

Deputy Executive Director
Dated: _____

APPROVED AS TO FORM:

By: David F. MacMillan
David F. MacMillan
Assistant Ramsey County Attorney
Dated: September 22, 1989

APPROVED AS TO FORM AND EXECUTION:

By: _____
Assistant Hennepin County Attorney
Dated: _____

BRW, Inc.

By: _____

Its: _____

Dated: _____

HENNEPIN COUNTY REGIONAL RAILROAD AUTHORITY'S
APPENDIX Z

Consultant shall, with its return of Amendment No. 1, which has been signed by the Consultant, submit to the HCRRA its current, written Affirmative Action Plan (Plan) approved by the federal government, the State of Minnesota, or any governmental jurisdiction located within Hennepin County and also a copy of such governmental jurisdiction's compliance letter or letter of the Plan's approval. The Plan shall be reviewed by the Director of Hennepin County Affirmative Action Program's Department (Director) for approval. The term "Director," as used herein, shall include the Director's designates or representatives.

The requirements of said Plan and the obligations of Consultant contained therein shall apply and extend to Consultant's performance under aforesaid contract to the extent the Director determines that said application is appropriate.

Consultant shall submit the following information to the Hennepin County Affirmative Action Program's Department (Department), A-303 Government Center, Minneapolis, MN 55487-0033:

1. Current Workforce Analysis Form (CC400) shall be submitted by the 10th working day of the month following the end of March, June, September and December. Consultant shall evaluate its utilization or racial minority and non-minority women employees on a quarterly

basis. If the use of such employees falls below the goals established in the Plan, Consultant shall, together with said Workforce Analysis Form, furnish HCRRA with the following written information:

- a. An explanation of the reasons why the goals and timetables were not met; and
 - b. Affirmative actions that were taken to achieve the goals and timetables.
2. A copy of any written communications between Consultant and the governmental jurisdiction which approved said Plan shall be submitted to Hennepin County within ten working days from the date of receipt by Consultant of any said communication or from the date of submission of any said communication by Consultant to any said governmental jurisdiction.
 3. Consultant shall furnish all such other information and reports required by the Department for the purposes of assessing its compliance with the contractual agreement and Affirmative Action Plan.

Consultant is responsible for the accuracy of data submitted to HCRRA.

Consultant's compliance with respect to the Plan shall be monitored by said Director. The Director may, as often and at such times as the Director shall deem desirable, make on-site reviews to ascertain compliance with an approved Plan.

If the requirements of the Plan are not met, the HCRRA will require Consultant to demonstrate that bona fide efforts have been made to meet such requirements. If the HCRRA determines that Consultant has failed to demonstrate the same, the HCRRA may, in its sole discretion, suspend, cancel or terminate, in whole or in part, the aforesaid contract.

Further, if the Consultant has failed to submit reports required by the Director and/or has not made a bona fide effort to meet the requirements of the Plan, the HCRRA may, in its sole discretion, withhold up to 15 percent of the contract price until such time as the Consultant is determined to have submitted the required reports and/or to have made bona fide effort to meet the requirements of the Plan. In the event that withholding a portion of the contract price is not a feasible alternative, the HCRRA, in its sole discretion, may assess the Consultant a daily charge fore each calendar day the Consultant has not filed the required reports and/or has not made a bona fide effort, as aforesaid. Any monies so assessed are not to be construed as a penalty, but a liquidated damages to compensate the HCRRA for Consultant's failure to file said reports and/or make said bona fide efforts.

In any suit involving the assessment or recovery of liquidated damages, the reasonableness of the daily charges shall be presumed.

The daily charge will be based on the original contract amount and will be in the amount in the below set forth schedule of liquidated damages.

Original Contract Amount		Charge per calendar day
<u>From more than</u>	<u>To and including</u>	
\$ 50,000	\$ 100,000	\$200
100,000	500,000	350
500,000	1,000,000	450
1,000,000	2,000,000	550
2,000,000		850

The rights and remedies available hereunder shall be in addition to and not a limitation of any rights and remedies otherwise available under the aforesaid contract, law, statute, equity, or HCRRA rules.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

5

Regional Railroad Authority
Originating Department

K. DeSpiegelaere 9/15/89
Authorized Signature Date

Board Action Requested

Information on Federal Process for Midway Corridor work.

Discussion Only.

Request Justification

- See Attached:
1. Memorandum from K. DeSpiegelaere.
 2. Assessment relating to Midway Corridor.
 3. BRW comparison of federal funding options.

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Previous Action taken on Request

Reviewed by Ed Klagutsky 9/22/89

Date / Time
Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Signature

Date

Committee / Meeting Date

Signature

Date

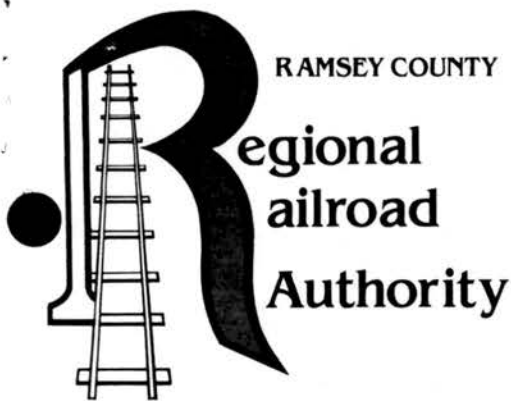
September 26, 1989

Board Date

J.L. Henderson
Signature

9/22/89

Date



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere *KD*

SUBJECT: Federal Process for Midway Corridor LRT Work

DATE: September 15, 1989

Discussions have occurred previously at Regional Railroad Authority meetings about whether or not the federal process should be followed for the Midway Corridor Environmental Impact Statement and related work. You have directed staff to negotiate with the Urban Mass Transportation Administration (UMTA) to determine more precisely what would be required and what the benefits and disadvantages of that work would be so that in September you could decide if the project should be conducted in a manner to meet the federal funding requirements.

The purpose of this memorandum is to provide you with additional information, not to request that a decision be made by you at this time on whether or not to follow federal procedures for the Midway Corridor. Additional negotiations with UMTA are occurring that will be of benefit to you in making the decision. Discussion of this topic as it related to Ramsey, Hennepin and Anoka Counties is also occurring at Joint LRT Advisory Committee meetings.

Information was distributed at a Joint LRT Advisory Committee meeting on the options for federal funding of the Midway Corridor (Attachment 1). The advantages and disadvantages of following the process are described. BRW has prepared an evaluation of alternative approaches to federal funding for the Midway Corridor (Attachment 2).

A meeting was held with UMTA staff and the staff of Ramsey, Hennepin and Anoka Regional Railroad Authorities, Regional Transit Board and the Metropolitan Council on September 14.

We were provided with clearer guidance on how to proceed through the federal process at the meeting and are considering options to present to you at a future meeting.

In the meantime, pending a decision on the federal process, we are working with BRW on the Midway Corridor, setting up the framework for the work we are undertaking. We have requested nominations for a Midway Corridor Task Force.

Recommendation:

For your information.

MIDWAY CORRIDOR FEDERAL LRT FUNDING

Location

Downtown St. Paul to Oak/Washington in Minneapolis;
connects to downtown Minneapolis via University Connector

Estimated Cost

\$175 to \$208 million (1988 dollars)

Federal Funding Options

o Traditional

75% federal; 25% other

Traditional option offers the greatest percentage of federal funds, but the likelihood of receiving federal funds is very small. If this process is followed, only the Midway Corridor in the Twin Cities would be eligible for the federal funding process. The traditional option could add several years to the planning period for an LRT corridor.

o Overmatch 1

31 to 74% federal; 69 to 26% other

Overmatch 1 had greater likelihood of success than the Traditional option, but less than Overmatch 2. If the Midway Corridor is a candidate for the Overmatch 1 process, other LRT corridors in the Twin Cities would not be eligible for the federal process.

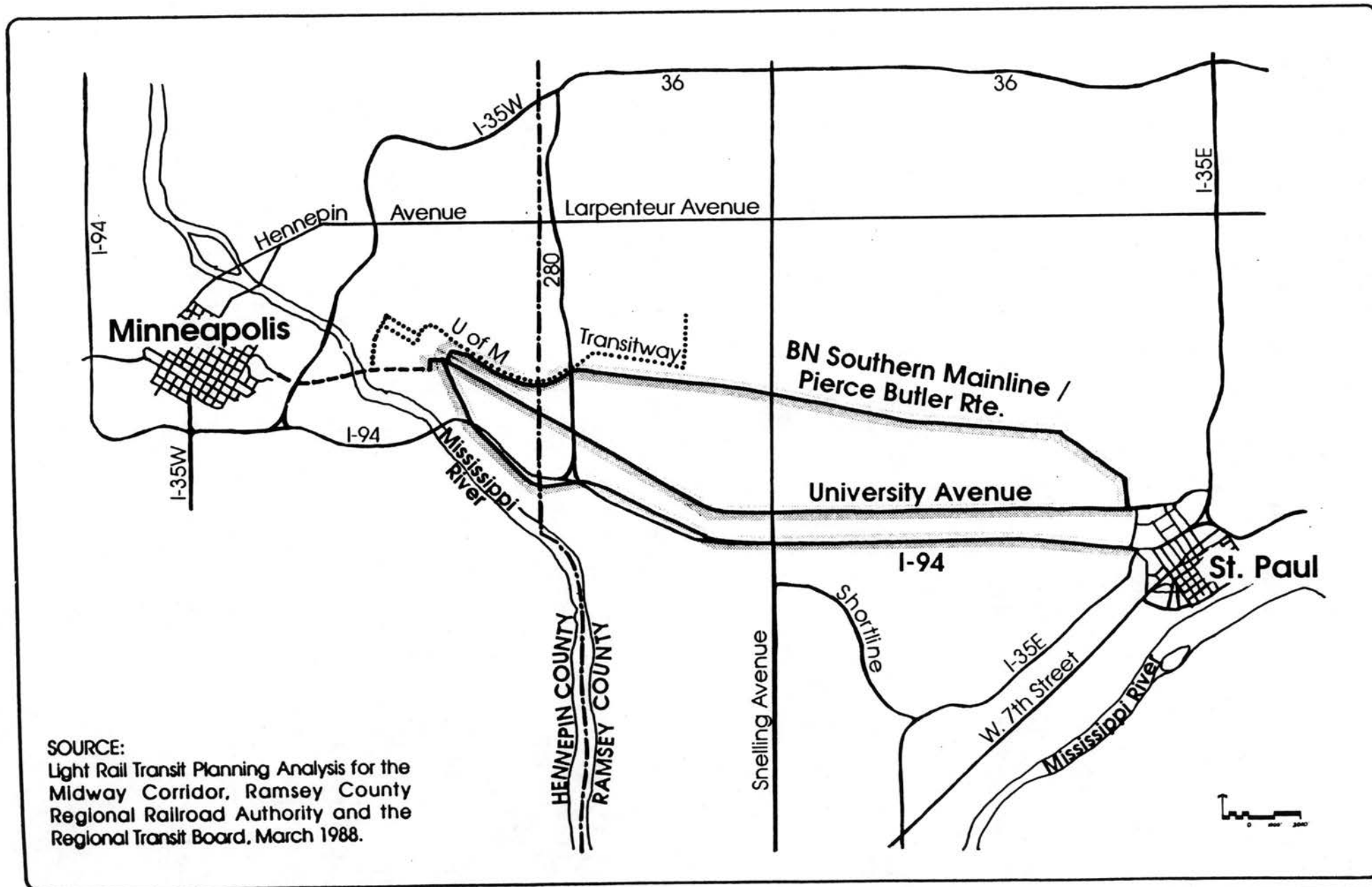
o Overmatch 2

25 to 30% federal; 75 to 70% other

Overmatch 2 provides the least percentage of federal funds but the greatest likelihood of success in obtaining them. Its advantages are: reduction of some study requirements, potential for expedited Urban Mass Transportation Administration (UMTA) reviews, more than one LRT corridor in the region would be eligible for the federal process.

Previous Work

In 1982-84, University Avenue from downtown St. Paul to downtown Minneapolis and Hennepin County's Southwest Corridor were the subject of federal studies for LRT using a traditional option. That work was not finalized, and has not been approved by UMTA.



SOURCE:
Light Rail Transit Planning Analysis for the
Midway Corridor, Ramsey County
Regional Railroad Authority and the
Regional Transit Board, March 1988.

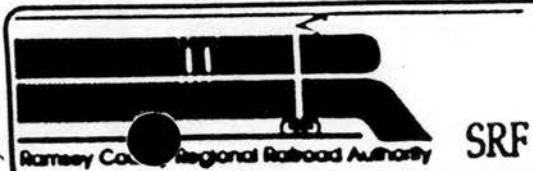


FIGURE 9
RAMSEY COUNTY COMPREHENSIVE LRT PLAN
MIDWAY CORRIDOR ALIGNMENTS

Federal Funding for LRT for Midway Corridor
Assessment of Benefits and Disadvantages
of Following Process Required for Eligibility

Benefits	Disadvantages
- o Qualifies for potential of federal funds - o Midway Corridor is technically the most likely candidate corridor for LRT funds for the region	- o Time - federal process takes longer than state process; construction will be delayed. - o Cost - will require more studies, more consultant and more staff work; increased regulatory requirements; increased construction cost due to time delays/inflation. - o Funds - demand far exceeds supply; no guarantee of success; % match less favorable than in previous years. - o Critical Link - Midway Corridor is critical LRT link for Metro East; all other corridors connect to it.

KD 8/30/89

EVALUATION OF ALTERNATIVE APPROACHES TO FEDERAL UMTA FUNDING
FOR THE MIDWAY CORRIDOR

CHARACTERISTIC	TRADITIONAL (75% Federal)	OVERMATCH 1 (35-70% Federal)	OVERMATCH 2 (30% Federal)	NO PARTICIPATION (0% Federal)
TIME TO COMPLETE AA/DEIS	24 - 36 months	24 - 36 months	17 - 20 months	14 months
TIME TO COMMENCE CONSTRUCTION	6 - 20 years	5 Years $\pm$ 1 Year	48 - 56 months	30 - 36 months
INCREMENTAL CONSULTANT COST FOR AA/DEIS	\$300,000 $\pm$ \$100,000	\$300,000 $\pm$ \$100,000	\$250,000 $\pm$ \$100,000	\$0
INCREMENTAL STAFF EFFORT	+ 30 to 50%	+ 30 to 50%	+ 20 to 30%	0
LEAD AGENCY	UMTA	UMTA	UMTA	RCRRA
PROBABILITY OF SUCCESS	2 - 5%	10 - 20%	40 - 50%	N.A.
APPROVALS	UMTA/RCRRA/RTB	UMTA/RCRRA/RTB	UMTA/RCRRA/RTB	RCRRA/RTB
NUMBER OF PRODUCTS	30	30	25 $\pm$ 2	2
POTENTIAL FEDERAL FUNDING FOR ENGINEERING	Low	High	High	None

NOTE: The "Overmatch" program has been announced, but is not yet an official UMTA program. The above values are estimated based on data available.

Attachment 2

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

6

RCRRA		Board Action Requested
Originating Department		Ratify Partial Payment No. 8 to Strgar-Roscoe-Fausch, Inc. in amount of \$57,102.29
<u>K. L. Spiegel</u>	<u>9/13/89</u>	<u>*Action is required.</u>
Authorized Signature	Date	

Request Justification

Ramsey County Regional Railroad Authority has contracted the professional services of Strgar-Roscoe-Fausch, Inc. for the purposes of developing a Comprehensive Light Rail Transit Plan. Contract Agreement No. RCRRA-88-002 governs the performance of services and terms of payment. Payment in the amount of \$57,102.29, for the period ending July 31, 1989, has been issued in accordance with contract provisions and Rail Authority Resolution No. R89-16. Payment documentation is being submitted for ratification in compliance with the latter.

- Attachments:
- 1) Accounts Payable form and Partial Payment No. 8
 - 2) SRF Invoice No. 8 and attachments
 - 3) Proposed resolution ratifying payment

Budgeting and Accounting <u>Ed Blauitt 9/22/89</u>		Date / Time Received By
County Attorney <u>Don Macmillan</u>		
Risk Manager _____		
Data Processing _____		
Previous Action taken on Request _____		

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date	Signature	Date
Committee / Meeting Date	Signature	Date
<u>September 26, 1989</u>	<u>J L Glendinning</u>	<u>9/22/89</u>
Board Date	Signature	Date



Resolution

Board of

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

Date: _____

No. _____

WHEREAS, The Ramsey County Railroad Authority has contracted for the professional services of Stregar-Roscoe-Fausch, Inc. for the purposes of developing a Comprehensive Light Rail Transit Plan for Ramsey County; and

WHEREAS, Ramsey County Regional Railroad Authority Agreement Number RCRRA-88-002 governs the performance of services and terms of payment to Stregar-Roscoe-Fausch, Inc.; and

WHEREAS, To ensure timely payment for services rendered in accordance with Agreement No. RCRRA-88-002, the Ramsey County Regional Railroad Authority authorized (Resolution R89-16) the Director of Light Rail Transit Planning to process payments to Stregar-Roscoe-Fausch, Inc. for work completed and invoiced in accordance with the agreement; and

WHEREAS, Resolution R89-16 requires submittal of invoice and payment documentation to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation; Now, Therefore, Be It

RESOLVED, Invoice and payment documentation for Partial Payment No. 8 in the amount of \$57,102.29 is in accordance with governing contract provisions and payment in that amount is hereby ratified.

John T. Finley, Chairman

By _____
Warren W. Schaber, Secretary

ACCOUNTS PAYABLE

(1) CHARGE TO: Dept. REGIONAL RAILROAD AUTHORITY Date August 28, 1989
 Appropriation Item Consulting Services

For Accounting Use Only

Claim #		Date Paid	
CA	<u>PA 736</u>	<u>1</u>	

1-2 3-7 8 9-14

(3) Code

WARRANT NO.				
RFC	Fund	Dept	Object	Amount
	591	59102	020102	\$57,102.29

15-17 18-20 21-25 26-31 32-41

\$57,102.29
Total

(4) PAY TO: 2
 8 First Name & Initial 9-22
STRGAR-ROSCOE-FAUSCH, INC.
 Last Name or Firm Name 23-52

 53-76
3 1 Carlson Parkway North, Suite 150
 8 Address 9-32
Minneapolis MN 55447
 City State 33-54 Zip Code 55-59 Fed Tax ID 60-7

(5) On Check Stub Put: 4 Invoice #8, File 0881127-1134 & 1159
 9-60
5 Agreement RCRRA-88-002, PA 736, Acct 59102-020102
 9-60

For Risk Management Use Only 6
 8 9-24
 Last Name First Name

(6) SEND TO: Use only if Payee and/or Address differs from Item 4
 Address

(7) Attach to the back of this form: Original Invoices, Receipts, Certified Claims or other documents.

Preparer's Signature: Bette Kurysh

(8) I declare that the above materials and/or services have been received, are for Ramsey County, allowed by law, and approved for payment.

Authorized Signature: Killedspiegel

NOTE: The vendor's Social Security Number will be used to report taxable income to the Internal Revenue Service. This data is considered private under Minnesota Statutes 15.165, but we will not be able to process this claim without it.

RAMSEY COUNTY REGIONAL RAIL AUTHORITY

PREPARED BY:

ENTERED BY:

AGREEMENT NO: PA 736

DATE: 25 Aug 89

CONTRACTOR: STRGAR-ROSCOE-FAUSCH, INC
ONE CARLSON PARKWAY N., SUITE 150
MINNEAPOLIS, MN 55447

PERCENT COMPLETED 86.5%

\$378,494.01

\$37,849.40

\$340,644.61

\$283,542.32

\$57,102.29

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE WORK AND DETAIL OF THE INVOICE, AND FIND THE TASKS LISTED HAVE BEEN COMPLETED IN ACCORDANCE WITH AGREEMENT REQUIREMENTS.

PREVIOUS PARTIAL PAYMENTS:

PARTIAL PAYMENT NO. 1	\$6,806.63
PARTIAL PAYMENT NO. 2	\$11,096.78
PARTIAL PAYMENT NO. 3	\$25,484.29
PARTIAL PAYMENT NO. 4	\$30,085.93
PARTIAL PAYMENT NO. 5	\$38,911.95
PARTIAL PAYMENT NO. 6	\$52,823.45
PARTIAL PAYMENT NO. 7	\$118,333.29
PARTIAL PAYMENT NO. 8	\$57,102.29
PARTIAL PAYMENT TOTAL:	\$340,644.61

SUMMARY OF AGREEMENT

ORIGINAL AGREEMENT AMOUNT:	\$437,700.00
LESS TOTAL PARTIAL PAYMENTS (INCLUDING THIS PAYMENT)	\$340,644.61
AMOUNT REMAINING ON AGREEMENT	\$97,055.39

STRGAR-ROSCOE-FAUSCH, INC.
Consulting Engineers-Land Surveyors
One Carlson Parkway North, Suite 150
Minneapolis, MN 55447

Telephone: (612) 475-0010

Refer to File: 0881127-1134

Ms. Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
Room 316 Courthouse
15 West Kellogg Blvd.
St. Paul, MN 55102

Invoice Date: 7/31/89
Invoice No. 8
Period Ending: 7/31/89

re: COMPREHENSIVE LRT PLAN
AGREEMENT NUMBER RCRRA-88-001 (PHASE I)
AGREEMENT NUMBER RCRRA-88-002 (PHASE II)

	NO.	CURRENT PERIOD	PREVIOUSLY BILLED	TO DATE
Task 1 -Phase I	1127	0.00	21,632.26	21,632.26
Task 2 -Standards/Policies	1128	0.00	12,100.50	12,100.50
Task 3 -Corridor Ident./Evaluation	1129	9,503.76	111,461.49	120,965.25
Task 4 -Downtown St. Paul Alignment	1130	862.50	16,253.03	17,115.53
Task 5 -LRT Staging Plan	1131	780.00	5,216.25	5,996.25
Task 6 -Operating/Financial Plan	1132	1,888.64	18,449.82	20,338.46
Task 7 -Draft & Final LRT Plans	1133	19,535.48	6,357.62	25,893.10
Task 8 -Community/Agency Particip. *	1134	14,113.26	70,749.16	84,862.42
Total Labor and Overhead		46,683.64	262,220.13	308,903.77
Direct Non-Salary Costs - Phase I	1127	0.00	573.18	573.18
Direct Non-Salary Costs - Phase II	1159	16,763.35	74,459.15	91,222.50
TOTAL FEE EARNED		63,446.99	337,252.46	400,699.45
LESS 10% RETAINAGE - PHASE II		6,344.70	31,504.70	37,849.40
TOTAL		57,102.29	305,747.76	362,850.05
TOTAL AMOUNT DUE THIS INVOICE		57,102.29	=====	

* TASK 8

Community/Agency Participation	1,087.50
Newsletter/Presentation Materials	11,788.26
Special Meetings/Preparation	1,237.50
TOTAL	14,113.26

COMMISSION # 881129
LRT PLAN - CORRIDOR IDENTIFICATION
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Strgar	Principal	85.00	3.0	255.00
N. Heuer	Sr. Engineer	62.70	1.0	62.70
A. Warner	Trans. Planner	65.00	1.0	65.00
F. Loetterle	Trans. Planner	41.25	73.5	3031.88
J. Peake	Sr. Technician	47.85	1.0	47.85
K. Ehrlichman	Technician	30.53	2.0	61.06
D. Madison	Technical Writer	42.90	56.0	2402.40
B. Bersie-Ashfeld	Word Processor	37.95	66.1	2508.50
J. Lubenda	Word Processor	37.95	15.7	595.82
G. Bartus	Clerical	33.00	2.5	82.50
K. Dooley	Clerical	24.75	15.8	391.05
-----	TOTALS -----		237.6	9503.76

COMMISSION # 881130
LRT PLAN - DOWNTOWN ST. PAUL ALIGNMENT
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
D. Eyler	Principal	75.00	11.5	862.50
----- TOTALS -----			11.5	862.50

COMMISSION # 881131
LRT PLAN - LRT STAGING PLAN
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Strgar	Principal	85.00	3.0	255.00
F. Robinson	Principal	75.00	7.0	525.00
----- TOTALS -----			10.0	780.00

COMMISSION # 881132
LRT PLAN - OPERATING & FINANCIAL PLAN
PERIOD ENDING JULY 31. 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Robinson	Principal	75.00	10.5	787.50
J. Kern	Associate	75.00	12.0	900.00
B. Bersie-Ashfeld	Word Processor	37.95	1.5	56.93
J. Lubarda	Word Processor	37.95	3.8	144.21
----- TOTALS -----			27.8	1888.64

COMMISSION # 881133
LRT PLAN - DRAFT & FINAL LRT PLANS
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Strgar	Principal	85.00	3.0	255.00
R. Roscoe	Principal	80.00	1.0	80.00
P. Fausch	Principal	80.00	8.0	640.00
F. Robinson	Principal	75.00	174.5	13087.50
C. Zimmer	Principal	75.00	62.5	4687.50
J. Kern	Associate	75.00	10.0	750.00
J. Kranig	Associate	70.95	0.5	35.48
----- TOTALS -----			259.5	19535.48

COMMISSION # 881134
LRT PLAN - COMMUNITY & AGENCY PART.
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Robinson	Principal	75.00	14.5	1087.50
----- TOTALS -----			14.5	1087.50

COMMISSION # 891157
LRT PLAN - NEWSLETTER/PRESENTATION
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
R. Smith	Sr. Technician	42.90	0.5	21.45
D. Paulu	Sr. Technician	36.30	22.5	816.75
J. Hoffman	Technician	36.30	7.0	254.10
V. Martinez	Technician	33.83	90.0	3044.70
A. Tassoni	Technician	33.49	4.8	160.75
K. Ruff	Technician	33.33	89.0	2966.37
A. VonDuyke	Technician	33.00	43.5	1435.50
L. Wiley	Technician	33.00	12.8	422.40
C. Woidyla	Technician	31.35	1.0	31.35
D. Madison	Technical Writer	42.90	33.5	1437.15
B. Bersie-Ashfeld	Word Processor	37.95	16.3	618.59
G. Bartus	Clerical	33.00	13.8	455.40
K. Dooley	Clerical	24.75	5.0	123.75
-----	TOTALS -----		339.7	11788.26

COMMISSION # 891158
LRT PLAN - SPECIAL MEETINGS/PREPARATION
PERIOD ENDING JULY 31, 1989

EMPLOYEE	CLASSIFICATION	RATE/HR	HOURS	AMOUNT
F. Robinson	Principal	75.00	16.5	1237.50
----- TOTALS -----			16.5	1237.50

891159

DIRECT NON-SALARY COSTS (SUMMARY)
PERIOD ENDING JULY 31, 1989

LRT PLAN - PHASE II DIRECT COSTS

CAT #	CATEGORY	
1	MILEAGE	58.89
2	PARKING	1.50
8	LONG DISTANCE TELEPHONE	19.23
9	SPECIAL DELIVERY	35.70
10	POSTAGE	586.10
13	IN-HOUSE COPY DUPLICATION	249.70
17	PRINTING	14492.91
20	PHOTO GRAPHICS	64.80
22	SUPPLIES	25.44
50	CPP8.511 8.5X11 B/W PAPER STAT	49.70
51	CPP1012 10X12 B/W PAPER STAT	715.00
52	CPP1218 12X18 B/W PAPER STAT	46.20
53	CPP2024 20X24 B/W PAPER STAT	17.30
55	CPPAB1012 10X12 ADH PAPER STAT	58.80
56	CPF1012 10X12 B/W FILM STAT	260.10
58	CPFAB1012 10X12 ADH FILM STAT	81.50
83	FAX	0.48

TOTAL DIRECT EXPENSES

16763.35

STRGAR-ROSCOE-FAUSCH, INC.
Consulting Engineers-Land Surveyors
One Carlson Parkway North, Suite 150
Minneapolis, MN 55447

Telephone: (612) 475-0010

Refer to File: 0891160-1161

Ms. Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
Room 316 Courthouse
15 West Kellogg Blvd.
St. Paul, MN 55102

Invoice Date: 7/31/89

Invoice No. 8

Period Ending: 7/31/89

re: COMPREHENSIVE LRT PLAN
OUT OF SCOPE SERVICES

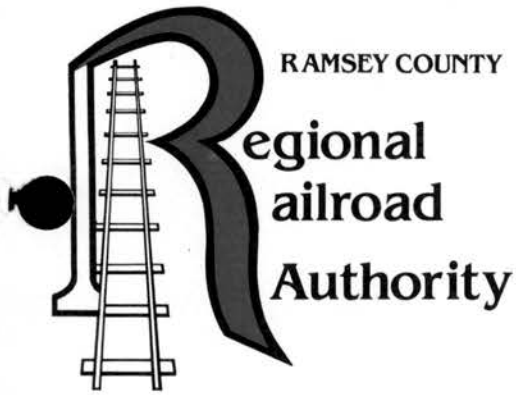
	NO.	CURRENT PERIOD	PREVIOUSLY BILLED	TO DATE
Out of Scope Work Requested	1160	0.00	0.00	0.00
Out of Scope Non-Salary Costs	1161	530.71	6,257.98	6,788.69
TOTAL FEE EARNED		530.71	6,257.98	6,788.69
TOTAL AMOUNT DUE THIS INVOICE		530.71		

DIRECT NON-SALARY COSTS (SUMMARY)
PERIOD ENDING JULY 31, 1989

LRT PLAN - DIRECT OUT OF SCOPE COSTS

CAT #	CATEGORY
18	STENO FEE

TOTAL DIRECT EXPENSES



John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

AGENDA

Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

PUBLIC HEARING

Tuesday, September 26, 1989

3:00 P.M. - Large Conference Room - 316

1. Public Hearing on Draft Comprehensive Light Rail Transit Plan for Ramsey County.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

Regional Railroad Authority

Originating Department

K. DeSpiegelaere 9/15/89
Authorized Signature Date

Board Action Requested

Public Hearing on Comprehensive LRT Plan.

Request Justification

See attachment: Memo from K. DeSpiegelaere.

Affidavit of Notice of Public Hearing Publication.

Budgeting and Accounting

County Attorney

Risk Manager

Data Processing

Previous Action taken on Request

Date / Time

Received By

Comments / Recommendation

Documentation certified complete for:

Committee / Meeting Date

Committee / Meeting Date

September 26, 1989

Board Date

Signature

Date

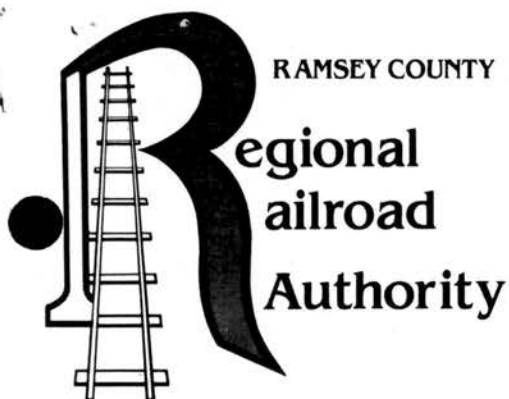
Signature

Date

Signature

Date

9/20/89



Room 316 Courthouse
15 W. Kellogg Blvd.
St. Paul, MN 55102
Phone 298-4145

John T. Finley, Chairman

District 3

Diane Ahrens

District 4

Ruby Hunt

District 5

Duane W. McCarty

District 1

Hal Norgard

District 7

Donald E. Salverda

District 2

Warren W. Schaber

District 6

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, Executive Director

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *KD*

SUBJECT: Public Hearing on Comprehensive LRT Plan
for Ramsey County

DATE: September 11, 1989

A public hearing will be held by Ramsey County Regional Railroad Authority on September 26 on the Draft Comprehensive LRT Plan for Ramsey County.

The draft plan, adopted on July 25, 1989, contains recommendations that include:

- o Six corridors, Midway, Northwest, Northeast, East, South and South/Southwest are recommended for light rail transit in the next 20 years.
- o The Midway Corridor is the first priority for construction of light rail transit.
- o Ramsey County Regional Railroad Authority should take immediate steps to acquire the Northeast Burlington Northern right-of-way and should conduct preliminary engineering studies that include the potential for joint use of the corridor.

Seven forums have been or will be held on the draft plan. Presentations on it have been made to various organizations and groups, in addition to the forums.

The public comment period on the plan will extend until October 12. The final plan, prepared after consideration of the comments, will be adopted in November, 1989.

Recommendation:

For your information.

NOTICE OF PUBLIC HEARING

Ramsey County Regional Railroad Authority will hold a public hearing on Tuesday, September 26, 1989 at 3:00 p.m. in 316 Courthouse, 15 W. Kellogg Boulevard. The purpose of the hearing is to provide an opportunity for public comments on the draft Comprehensive LRT Plan for Ramsey County. A final plan will be adopted in November after the public comments are reviewed.

The Comprehensive LRT Plan provides general information on potential corridors for light rail transit for the next 20 years in Ramsey County. Six regional corridors, Midway, Northwest, Northeast, East, South, and South/Southwest, are indicated to have potential for LRT. The plan contains information on downtown St. Paul streets and how LRT could connect to downtown.

Written comments on the plan will be received until October 12. Copies of the plan are available for review at public libraries in Ramsey County. Questions or comments may be addressed to Kathryn DeSpiegelaere, Director of LRT Planning, Ramsey County Regional Railroad Authority, 316 Courthouse, St. Paul, MN 55102, telephone 612-298-4145.

(Sept. 12)

ST. PAUL LEGAL LEDGER

AFFIDAVIT OF PUBLICATION

State of Minnesota
County of Ramsey

Samuel E. Lewis, Jr., being duly sworn, on oath says that he is the publisher of the newspaper known as the Saint Paul Legal Ledger and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

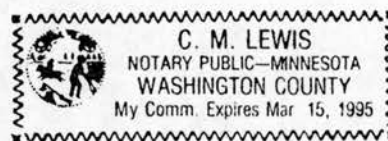
(B) The printed Notice of Public Hearing which is attached was cut from the columns of said newspaper and was printed and published once; it was published on Tuesday, the 12th day of September, 19 89; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby 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 September, 1989

[Signature]



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 \$_____.