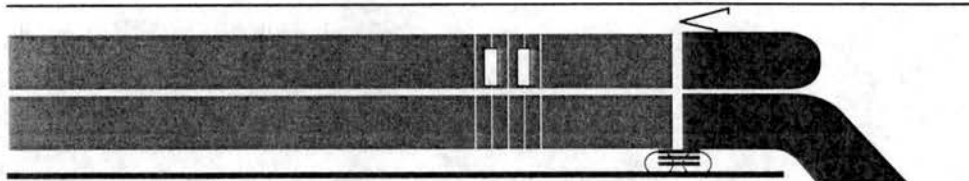




Ramsey County Regional Railroad Authority.
Records.

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Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Agenda

Regional Railroad Authority Meeting

March 28, 2000

1:30 p.m.

Third Floor Council Chambers Courthouse

1. * Approve minutes of the February 22, 2000, RCRRA meeting
2. Phalen Berm Removal
3. * Approve contract with Himle Horner for the Central Corridor community education in the amount not to exceed \$250,000
4. * Northstar Corridor, Central Corridor and Red Rock Corridor Connection
5. * Approve extension of contract with Parsons Brinckerhoff Quade & Douglas, Inc. for completion of Riverview Corridor Major Investment Study through October 2000 at no additional cost
6. * Approve extension of contract with Davis Communications for community education for the Riverview Transit Corridor through October 2000 at no additional cost
7. * Corridor update
8. * Legislative update
9. * Ratify Partial Payments No. 13 in the amount of \$112,619.20 and No. 14 in the amount of \$58,147.27 to Parsons Brinckerhoff Quade and Douglas, Inc. for professional consulting services for the Riverview Corridor Major Investment Study.

* Action is requested



Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY MEETING

February 22, 2000

The Ramsey County Regional Railroad Authority met on Tuesday, February 22, 2000, in Council Chambers, 3rd Floor Courthouse.

MEMBERS PRESENT: Chair Tony Bennett
Commissioner Dino Guerin
Commissioner Susan Haigh
Commissioner Victoria Reinhardt
Commissioner Janice Rettman
Commissioner Jan Wiessner

MEMBERS ABSENT: Commissioner Rafael Ortega

OTHERS PRESENT: Kathy DeSpiegelaere, Paul Kirkwold, David MacMillan, Tom Oertel, Alicia Vap, Jane McClure, Karen Tero, Mary Ann Palmer, Bonnie Jackelen, Joan Fabian, Harley Nelson, Gary Davis, Kris Longhenry

Chair Bennett called the meeting to order at 11:05 a.m.

1. Approve minutes of the February 15, 2000 RCRRA meeting and February 15, 2000 RCRRA Worksession.

Motion by Commissioner Rettman, seconded by Commissioner Reinhardt with some minor changes to the minutes, to accept the minutes of the February 15, 2000 RCRRA meeting and February 15, 2000 RCRRA Worksession.

Ayes - 6, Nays - 0
Motion accepted.

2. Federal appropriations requests for FY 2001.

Kathy DeSpiegelaere commented that federal transit appropriations for the next fiscal year are due in Congress in March. The resolution enclosed in the documentation takes three steps:

- * Advocate for funding of the Riverview Corridor in the amount of \$10 million for design and engineering. This is not specific to mode.
- * Seek funding from the State in subsequent year to match federal funds if received.
- * Seek Federal appropriations for the Rush Line Corridor in the amount of \$2 million for transit improvements.

Commissioner Haigh asked if the Rush Line Corridor is identified as a federally designated corridor. Kathy DeSpiegelaere answered that a part of the Corridor located in Chisago County is mentioned in the 6 year transportation bill. Commissioner Haigh noted that the reason for not asking for funding for the Central Corridor is because it is not a federally authorized corridor.

Motion by Commissioner Wiessner, seconded by Commissioner Reinhardt to accept the resolution identifying appropriation requests.

Ayes - 6, Nays - 0
Motion accepted.

WHEREAS, Federal transit appropriations may be sought for Fiscal Year 2001; and

WHEREAS, The Riverview Corridor is the authorized federal transit corridor for Ramsey County; Now, Therefore Be It

RESOLVED, That federal FY 2001 appropriations will be sought for the Riverview Corridor for design and engineering in the amount of \$10 million; and Be It Further

RESOLVED, That funding will be sought from the State Legislature to match the federal Riverview funds in the 2001 session of the Legislature; and Be It Further

RESOLVED, That federal FY 2001 appropriations will be sought for the Rush Line Corridor from St. Paul to Rush City through a special appropriation for the 8th Congressional District in the amount of \$2 million for implementation of transit improvements in the Rush Line Corridor.

Commissioner Reinhardt presented new information on the Red Rock/Northstar Corridor connection. She noted that through discussions with Anoka County Commissioners, Anoka County agreed to study the creation of Harrison Street Station which would make it possible to connect the Red Rock Corridor and the Northstar Corridor without having to go into Minneapolis to transfer to St. Paul from the Northstar Corridor.

Commissioner Haigh asked how we know this is a done deal. Commissioner Bennett responded that this is the discussion/planning stage and Anoka County agreed to work with us on this verbally.

Commissioner Rettman added that this means we acknowledge help with funding this station connection.

Kathy DeSpiegelaere commented that this should be included in the Northstar, Central and Rush Line Corridors draft EIS and Final EIS.

Commissioner Bennett stated that a letter should be sent to the Ramsey County Legislative delegation, the Red Rock Corridor representatives and the Rush Line Corridor representatives noting that we are having verbal discussions on this.

The meeting adjourned at 11:15 a.m.

2

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. Longhewy
Authorized Signature

3/20/00
Date

Board Action Requested

Phalem Berm Removal

DISCUSSION ONLY

Request Justification

Discussion will occur at the meeting.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

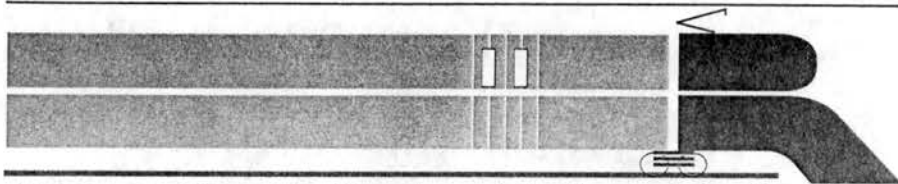
March 28, 2000

Board Date

Kristine A. Longhewy
Signature

3-20-00

Date



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority Commissioners
Paul Kirkwold, County Manager

From: Kathryn DeSpiegelaere *KD*

Subject: Phalen Berm Removal

Date: March 17, 2000

St. Paul staff requested in 1994 that a berm on Ramsey County Regional Railroad Authority property that may eventually be used for light rail transit near Maryland Avenue in St. Paul be removed. Subsequent written requests were also received by the Rail Authority from St. Paul in 1995 (Stacy Becker letter) and 1997 (Pamela Wheelock and Stacy Becker letter).

The Phalen Village Small Area Plan recommended berm removal.

There were many lengthy discussions on the topic at Rail Authority meetings from 1994 to 1998. Background documents, including the letters of request, are attached.

The Rail Authority had so much discussion on the topic because of concerns that a grade separated station on the berm was preferable from a rail operating standpoint to having trains cross Maryland Avenue at grade and because some adjacent property owners had concerns about the berm removal.



Because of St. Paul's desire to use the soil in the berm and to have no grade crossing at Maryland Avenue, Ramsey County Regional Railroad Authority on July 14, 1998 approved removal of the berm. The part of the berm north of Maryland Avenue has been removed. The part south of Maryland Avenue is to be removed by December 1, 2001.

Senator Randy Kelly has recently requested Ramsey County Commissioners that the berm south of Maryland Avenue remain in place.

Commissioner Dino Guerin requested that a policy discussion occur on this subject at a Regional Railroad Authority meeting. Senator Kelly and Council President Dan Bostrom have been invited to attend the meeting. St. Paul staff who prepared the Phalen Village Small Area Plan have also been invited to attend the meeting.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

The Ramsey County Regional Railroad Authority met on Tuesday, February 8, 1994, at 10:30 a.m., in Room 220 of the Ramsey County Courthouse.

MEMBERS PRESENT: Chairman John T. Finley
Commissioner Hal Norgard
Commissioner Dick Wedell
Commissioner Brenda Thomas
Commissioner Ruby Hunt
Commissioner Warren Schaber (entered during Item #2)

MEMBER ABSENT: Commissioner Diane Ahrens

OTHERS PRESENT: Hugh Faville, Bob Piram, Allan Torstenson, Helen Welter, James Sazevich and Adult Education Group, Greg Mack, Karen Tero, Terry Schutten, Vern Wehlage, Mary Lou Grahek, Fran Sontag, Jill Goski, David Sipila, Kathryn DeSpiegelaere, and Bette Kurysh.

Chairman Finley called the meeting to order at 10:40 AM.

1. Minutes of the Ramsey County Regional Railroad Authority Board Meeting of January 25, 1994.

Commissioner Hal Norgard moved the following recommendation, seconded by Commissioner Dick Wedell.

The Ramsey County Regional Railroad Authority approves the minutes of the regular meeting of the Ramsey County Regional Railroad Authority Board Meeting of January 25, 1994 as written.

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

Kathryn DeSpiegelaere introduced a group from St. Paul Adult Community Education, who is touring the Courthouse to learn more about government in action. Ms. DeSpiegelaere introduced Jim Sazevich as the tour leader.

Chairman Finley introduced himself as well as the other Commissioners of the Ramsey County Regional Railroad Authority. Chairman Finley briefly explained to the group that the Rail Authority is planning the development of light rail transit throughout the metropolitan area.

Mr. Sazevich thanked the Ramsey County Regional Rail Authority Commissioners and those present for allowing the adult education group to be present during the Rail Authority Board meeting.

2. Presentation on Phalen Area Proposals.

Chairman Finley said that the Ramsey County Regional Railroad Authority purchased the Burlington Northern right of way that runs from downtown St. Paul to Maplewood. Chairman Finley also said that the Rail Authority is working with the City of St. Paul regarding the use of this right of way in the interim until light rail becomes available in this corridor.

Ms. DeSpiegelaere said that approximately a year ago the Ramsey County Regional Railroad Authority (RCRRA) purchased 6-1/2 miles of right of way, approximately 100 feet wide, from the Burlington Northern. After the purchase, the RRA became aware of proposals that may impact the use of the right of way. An agreement has been prepared and adopted by RCRRA and the City of St. Paul, which indicates that the long term use would be for light rail transit and there would be a bike trail along the right of way as a joint use. There are also proposals by the City of St. Paul for use of a portion of this right of way for roadway and other uses.

Chairman Finley introduced Allan Torstenson from the City of St. Paul Planning and Economic Development (PED) Department.

Mr. Torstenson introduced Bob Piram from St. Paul's Parks and Recreation Department. Mr. Torstenson said that the St. Paul Parks Division has been working on plans for a bicycle and pedestrian trail for the corridor.

Mr. Torstenson said that the City and Rail Authority staff recently met to discuss the relationship of plans for the Phalen Village Area and the relationship of these plans to the Rail Authority property in the area and also plans for eventual light rail in that corridor. Where the Rail Authority property crosses Maryland is a likely station location when LRT is developed. St. Paul's plans for redevelopment of that commercial core are to coordinate redevelopment plans with transit. One of the neighborhood's big goals for that area is to make the area more transit oriented and to redevelop the area that supports transit in the long run. It's a long term process.

Mr. Torstenson said that at the same meeting business interests and development of the new road were discussed.

Mr. Torstenson said that he is prepared to discuss the Phalen Village Small Area Plan that has come out of District 2. Mr. Torstenson said that Al Lovejoy, who was to have discussed the Phalen Corridor Plan, is unable to be here this morning. However, Bob Piram is available to answer questions relating to the Phalen Corridor.

Mr. Torstenson said that the Phalen Village Small Area Plan was undertaken at the request of the District 2 Community Council and also Senator Randy Kelly, Representatives Farrell and McCollum, whose districts include part of the study area around Phalen Center. They have also been very supportive and involved in this effort. St. Paul PED staff has also worked very closely with City Councilmembers.

Mr. Torstenson said one of the unique parts of developing the Small Area Plan has been a collaboration with the College of Architecture and Landscape Architecture

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

Page 3

of the University of Minnesota. The students and staff of the University of Minnesota have been of great assistance to the neighborhood task force in developing some of the ideas and recommendations in the plan.

Mr. Torstenson said the draft small area plan is the recommendation of a neighborhood task force, which is made up of representatives of the business community, property owners, homeowners, and renters in the area. The plan has now been reviewed and recommended by the District 2 Community Council. It is currently before the St. Paul Planning Commission for review and comment before it goes to the Mayor and City Council for adoption.

Mr. Torstenson said that the Phalen Village Small Area Plan task force was created in 1991 to recommend strategies to reverse the decline of the Phalen Center area. He said that in recent years, the commercial area around the Phalen Center as well as some of the large apartment complexes have declined and are in a state of repair. It is a major concern for the neighborhood, and it's beginning to negatively affect property values.

Chairman Finley asked what area specifically is being discussed? Is it essentially Maryland, Johnson Parkway, and where from there?

Mr. Torstenson said the area east to Roosevelt Public Housing Projects, west to Phalen Lake and park, north to Ivy, and south to the Chicago and North Western tracks.

Mr. Torstenson showed slides of the area involved: Phalen Center parking lot and apartment complexes in the area. Mr. Torstenson said that the shopping center was developed around an auto orientation so the area has a lot of pavement. The task force recommendations are to get at the social and economic roots of the problem, not just deal with a face lift of the area.

Mr. Torstenson said that the attempt is to transform the Phalen Village area into a community that works, is safe, stable, and a desirable community that's an asset to the overall area. He said they are trying to facilitate and help build a sense of community in the area, a sense of ownership and pride among the residents and business people in the area.

Mr. Torstenson said there are some major amenities and opportunities. At the top of the list as an asset is the lake and the park.

Mr. Torstenson said that one of the problems with the Phalen Village area, east of the berm, is the commercial and high density housing area that is cut off from the lake and park. It's been noted by several people on the task force that when you cross from one side of the railroad berm to the other, you go from a high amenity area with the park to a low amenity area. The plan recommends removing the berm, creating bikeway, walkway, and greenway connections from the park into the heart of the Phalen Village area.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

Page 4

Mr. Torstenson showed slides of the marsh at the south end of Lake Phalen, East Shore Drive, and Wheelock Parkway. Mr. Torstenson said that the marsh is actually lower than the lake level. He showed slides looking east from the railroad berm and said that the entire area was built on what used to be marsh and ponds. It is also lower than the average lake level. The plan recommends restoring some of the natural landscape in the area.

Mr. Torstenson said that in the 1960's, the Phalen Center was built as a large auto oriented shopping center at a time when a major highway was expected to be routed nearby. The highway was never built and because of that, the Phalen Shopping Center never attracted business similar to other shopping centers in the area.

Mr. Torstenson said that the plan recommends creating a compact, mixed-use, more neighborhood/pedestrian, and transit oriented Phalen Village commercial center. It recommends doing this along Maryland, already an existing bus route, and focusing the commercial area at the corner of Clarence and Prosperity at Maryland. The plan also recommends realignment of Prosperity.

Mr. Torstenson said that the plan recommends creating a small neighborhood transit hub south of Maryland along newly re-routed Prosperity. Small neighborhood circulator buses would link the neighborhoods with this area. There has also been talk about the need for express transit service in the Northeast Corridor between downtown St. Paul and Maplewood Mall. Certain parts of this service will be handled by light rail transit (LRT). If this happens in the future, the neighborhood circulator base will be established for this express service.

Mr. Torstenson pointed out a conceptual plan done by University of Minnesota students that shows wetland where part of the rail right of way exists. He said that the Rail Authority has indicated that a wetland cannot be placed anywhere near the rail right of way. Mr. Torstenson said that the language in the draft plan does not call for the rail right of way to be replaced with wetland. It calls for the berm to be removed. St. Paul staff will be very careful in the final plan to show that the conceptual plans do not affect the rail right of way.

Mr. Torstenson said that the plan also recommends working with education, recreation, health and human service providers to improve access to community services, especially to develop a neighborhood medical clinic and child care center near the transit hub.

Mr. Torstenson showed slides of dense apartment complexes that are oriented to parking lots with very little yard space. Currently, very large families live in these complexes with the only play area being the parking lots.

Mr. Torstenson said that the plan recommends rezoning the apartment buildings from an RM2 to RM1, which means less density and provides for more yard space. The plan also calls for developing new housing that takes advantage of the natural landscape, improving the relationship to Phalen Park, and housing that adds to the diversity of housing types, price ranges, and ownership options in the area.

6

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

Page 5

Mr. Torstenson said that the plan is recommending a special design district for Phalen Village to promote quality construction and to implement measures to control crime through environmental design.

Mr. Torstenson said that at the meeting with Rail Authority staff, RRA staff raised a number of concerns about the possible effects of the removal of the berm and the re-establishment of a wetland area on Rail Authority property.

Commissioner Brenda Thomas asked what is the population of this area?

Mr. Torstenson said 2,000 units of low-income housing.

Commissioner Dick Wedell asked how much will it cost and when will St. Paul come up with funding?

Mr. Torstenson said that there is not a simple answer to that question. The City of St. Paul is putting together a comprehensive list of elements and timelines. They have developed some costs and are pursuing funding for some of the housing rehabilitation.

Chairman Finley asked if St. Paul staff has any cost estimates? Do they have a design of the roadway?

Mr. Torstenson said that it has not been completed yet; however, there may be some roadway changes that will be done at the same time as the clinic project. With the housing rehab, there are some street changes that will be done to reduce density. There is a lot of room for redesign and response to market forces.

Commissioner Dick Wedell said it is his understanding that there is work on developing a bikeway from Beam Avenue to Larpenteur. Commissioner Wedell asked Mr. Piram if funds are now available?

Mr. Piram responded yes, they hope to be building this year.

Commissioner Wedell said that it appears the County and City are ready to build and it appears only piece meal things will be done not related to the right of way.

Mr. Torstenson said that Mr. Piram was responding to the development of a trail outside of the Small Area Plan study but along the rail corridor between Phalen Center and downtown St. Paul. This should be underway in a few months. The trail stops at Johnson Parkway and would not follow the rail corridor north from Johnson Parkway at this time.

Mr. Torstenson said that the City of St. Paul, District 2, and people in the neighborhood feel that these recommendations are critical for the long term health and stability of this neighborhood. He said St. Paul needs Ramsey County's support and they look forward to working with Ramsey County in making these significant changes.

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

Page 6

Mr. Torstenson said that there are two recommendations in the plan that directly relate to the Rail Authority: (1) removal of the railroad berm and (2) improving connections to the lake and park. These are major and key recommendations in the plan. Also, there are recommendations for creating a more transit oriented commercial core that's directly related to plans for light rail and a station at this location.

Mr. Torstenson said that the Rail Authority has decided on a right of way or alignment for LRT, but there hasn't been any station area planning done by the Rail Authority at this point. For major transit investment to work, it requires coordination between transit planning and land use and redevelopment planning. Even though station area planning has not been done by the Rail Authority, St. Paul staff felt it was necessary to address that issue in the small area plan. St. Paul staff has suggested that when a station is developed, that the location be between Maryland and Johnson Parkway and that it should be at-grade and be developed as part of the commercial area. That's a key recommendation and a key issue that needs response from RCRRA.

Commissioner Hal Norgard said that there is a basic concern with the Phalen watershed district, which extends from White Bear to the Mississippi River, which is very important and should be the first thing that should be done in the whole area. The swamp needs to be drained and fixed as was the Battle Creek area. This is a very big project as a special taxing district.

Commissioner Dick Wedell said that the cost and management is an issue that has been previously discussed. The funding sources and total costs are yet to be defined.

Chairman Finley asked Mr. Piram about the timetable and what direction the St. Paul Parks and Recreation Department is taking in cooperation in this corridor for the bike trail.

Mr. Piram responded that the Rail Authority, County Board, and City of St. Paul adopted a master plan, which lays out how LRT and trail will work together in this corridor and in this alignment. The County has received a grant, as has the City, to implement the trail portion. The City is waiting to go, but they need design drawings submitted to the Minnesota Department of Transportation (Mn/DOT) by May 1. The City has been working with people along the corridor and most recently with the businesses in one of the narrowest portions near 3M, Arcade Street, Swede Hollow, and the Payne Avenue area trying to work on an alignment.

Mr. Piram said that regarding the roadway, an idea is to extend the roadway from Prosperity (the southern edge of the small area plan) down along the alignment and as it gets down toward Arcade/Payne Avenues, branch off to the west and connect with the freeway system. The businesses have indicated the importance of the roadway in that it impacts economic stability. The City is attempting to incorporate the needs of the business community with the plans for the bike trail. However, there is not enough land in the alignment to accommodate the LRT needs, the bike needs, and the roadway.

8

MINUTES

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

February 8, 1994

Page 7

Mr. Piram said that the St. Paul Planning and Economic Development Department (PED) is in the process of looking at how much land needs to be acquired and its location.

Mr. Piram asked the authority for the assistance and availability of Rail Authority staff to work with St. Paul PED and Parks staff as they work on this alignment. It is realized that there is not enough land for all three uses and additional land will need to be acquired, but it cannot be done without help from Rail Authority staff. The City does not want to plan anything incompatible with LRT and that it's much better if City and County can work together.

Commissioner Wedell said that the County co-shares with the Parks Department and the Rail Authority a person who is working with this property.

Ms. DeSpiegelaere said that Dave Sipila is working for the Rail Authority and the Parks Department. At this point, he is primarily working with the Rail Authority on right of way issues, attending meetings, working with property owners, and City staff.

Ms. DeSpiegelaere said that the Rail Authority staff is very anxious to attend City staff meetings and that early notification and involvement are necessary.

Commissioner Schaber asked about the incompatibility between the St. Paul PED plan and the Parks plan at this point.

Mr. Piram responded that there is no incompatibility because the alignment for the roadway, LRT, and the path is not finalized. He said he does not see it as being incompatible. It's a matter of design and being able to acquire enough land to add to the alignment to make it work.

Chairman Finley asked about the station stop at Maryland and the former railroad bridge and if St. Paul's transit hub is proposed to be about 1/2 mile away.

Mr. Torstenson said that it may be a quarter of a mile or so. Mr. Torstenson said that that's the direction an express bus would travel.

Chairman Finley asked if Clarence Street would remain.

Mr. Torstenson said yes and that the conceptual plans are to improve Rose west of Clarence and add a connection to Maryland along the Rail Authority right of way. He said they need to do more station area planning.

Chairman Finley said that station area planning should be done during the early stages of planning, whether it be bus, LRT, or bike trail, and that this should be a joint effort.

Commissioner Schaber said he does not support the line for LRT as it currently exists. He said that 35E is the most logical light rail transit line, and to remember if this line is built, it will be a minimum of 20 years from now before that occurs. A lot of planning may be done for naught.

Ms. DeSpiegelaere said that Mr. Torstenson requested comments on a proposed station area. She said that Rail Authority staff met with City Staff and have laid out eight or nine issues that needs addressing: 1) A proposal that would preclude the development of LRT would not be acceptable, but must accommodate LRT; 2) If a wetland is established on the property, which was a previous proposal, that it would be difficult to use it for another purpose in the future; 3) There may be restrictions on usage depending upon the funding source; 4) Removal of the berm and how it will affect the entire corridor and travel time for LRT, safety and liability issues, and maintenance; 5) Rail Authority staff has asked for a memo from St. Paul Public Works addressing whether or not they would fund an at-grade crossing of light rail transit at Maryland acceptable. These are just a few of the concerns. A written list of issues has been given to the City of St. Paul so they may properly address them.

Mr. Greg Mack said that the County has funding to construct a trail at Frost Avenue north to Beam Avenue. The City has funding from Johnson Parkway south. The Master Plan shows the trail going in two directions: one link over to Phalen Park and the other going north to make the connection. The County received its grant earlier with no assurance of anything south of Frost Avenue. An extension of the trail south to Larpenteur is possible with the grant money.

Chairman Finley asked when construction would begin?

Mr. Piram said construction would probably take place late fall. The City has to have the plans to Mn/DOT by May 1.

3. Central Corridor Update.

Chairman Finley commended Jill Goski's presentation at the Central Corridor Hearing at St. Luke's School. Chairman Finley said the presentation was excellent and informative with many people making favorable comments.

Chairman Finley said that he and Bob Winter from Mn/DOT met with Mr. Steve Dornfeld of the Pioneer Press regarding the Central Corridor hearings.

Chairman Finley said that Congressman Sabo has requested an appropriation of \$10 million dollars for the continuation of the final design. Representative Sabo, Chairman of the House Budget Committee, has made a request for \$470 million to be authorized for the actual construction of the Central Corridor. Representative Sabo's staff asked Congressman Vento for his support. Congressman Vento sent a letter to the Chairman of Public Works requesting that funds be appropriated per Congressman Sabo's request. Congressman Oberstar will follow suit.

Chairman Finley said that from the standpoint of Minnesota, LRT is in a very strong position at the federal level. Chairman Finley said the key now is to get the State Legislature to authorize an appropriation to match the federal money.

1

Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY
BOARD MEETING

March 28, 1995

The Ramsey County Regional Railroad Authority met on Tuesday, March 28, 1995, at 11:00 a.m., in Room 220 of the Ramsey County Courthouse.

MEMBERS PRESENT: Chairman John T. Finley
Commissioner Susan M. Haigh
Commissioner Hal Norgard
Commissioner Rafael E. Ortega
Commissioner Brenda Thomas (entered during item #2)
Commissioner Dick Wedell (entered during item #2)

MEMBERS ABSENT: Commissioner Warren Schaber

OTHERS PRESENT: Eddie Maddox, Hugh Faville, Terry Schutten, Jim Van Houdt, Marlen Johnson, Karen Tero, Dave MacMillan, Darwin Lookingbill, Kathryn DeSpiegelaere, Dave Sipila, and Committee Coordinator Bette Kurysh.

Chairman Finley called the meeting to order at 11:20 a.m.

1. Minutes of the Ramsey County Regional Railroad Authority Board Meeting of February 28, 1995.

Commissioner Hal Norgard moved the following recommendation, seconded by Commissioner Rafael Ortega.

The Ramsey County Regional Railroad Authority approves the minutes of the Board Meeting of February 28, 1995, as written.

Roll Call: Ayes - 4, Nays - 0
Motion Adopted.

2. Update on Legislation.

Mr. DeSpiegelaere said that many bills are being considered at the Legislature, however, there has been an impasse regarding transportation until now. The Senate Transportation Finance Subcommittee passed two bills: 1) Senator Chmielewski's bill which includes a gas tax increase of five cents per gallon and which changes the county's state aid highway (CSAH) formula (AMC formula); and 2) Senator Flynn's bill, which resulted from the Major Projects Study Commission. Senator Flynn's bill has several provisions: a five cents per gallon gas tax increase, 1/2 cent metro sales tax to be imposed by the Metro Council for transit (this would replace the property tax funds currently used for transit) and congestion pricing.

11

Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

March 28, 1995

Page 2

Chairman Finley asked if Senator Flynn's bill would replace the state funds which were designated for transit with metro funds. Except for metro mobility and greater Minnesota transit services, it would.

Ms. DeSpiegelaere responded yes with the exception of Metro Mobility. Another provision of the bill is to look at congestion pricing for the long term for the megaprojects such as 35W and 494. There is support for this bill from both urban and rural legislative members.

Chairman Finley introduced Jerry Seck from the law firm of Larkin Hoffman Daly & Lindgren, who serves as the Rail Authority's legislative representative.

Mr. Seck informed the Rail Authority that in conversation with Senator Langseth, there is interest in getting more money for transit, however, it is not certain if the Governor will support it. Mr. Seck said that he had indicated to Senator Langseth that there may be an interest in having a meeting between Senator Flynn and him and representatives of the Rail Authority to discuss concerns regarding the transportation funding package, especially the light rail transit provision.

Chairman Finley asked if Senator Moe is on board regarding the total transportation funding package.

Mr. Seck said no. Senator Moe said that in principle, he would favor funding, but the voters' message is no new taxes. Senator Moe feels that if the bill made it to the Senate floor, it would pass because many feel that there is a need for more transportation funding.

Mr. Seck said that Senator Flynn's strategy is that no funding will be available for major highways or other transit until basic funding needs are met. Senator Flynn's transportation funding package will take care of these needs.

Chairman Finley asked if it is fair to have the metro area pick up the whole cost for metro-wide transit. There is a disproportionate benefit to the outstate people.

Ms. DeSpiegelaere responded that Senator Flynn has tried unsuccessfully for many years to get transit funding and feels she needs to make this concession in order to move ahead. Ms. DeSpiegelaere further commented that the Rail Authority has not taken a position on Senator Flynn's bill. The approach has been to assure that any major transportation bill that passes includes funding for light rail. There currently are state and federal funds for the preliminary engineering phase of the Central Corridor. There is also state and federal funding for the subsequent phase, which is final design. There is no funding for construction. Senator Flynn's bill would provide approximately \$10 million per year which is not designated for a specific project.

Mr. Seck said that during the Senate Transportation Committee, Senator Dick Day indicated the need for a long term transit vision. Besides light rail, there are proponents for high speed rail, and their statements have commonalties with those of LRT proponents.

12

3. Update on Northeast Corridor

Ms. DeSpiegelaere said that some of the guiding principles that influence what occurs with the Northeast Corridor are the Joint Powers Agreement with the City of St. Paul and Ramsey County and the Northeast Corridor Management Plan. One of the issues is that the Parks Departments are nearing construction of a trail on portions of this corridor, which should be completed this summer. An easement with the City and County will be brought before the Board for review and approval relating to the trail.

Mr. Dave Sipila discussed an additional piece of property adjacent to a portion of the Rail Authority's right of way. He said the parcel is a gap of property located adjacent to the Northeast Corridor between Earl and Atlantic Streets in St. Paul. This gap of property resulted from differing legal descriptions between the Northeast Corridor itself and the northerly and adjacent platted Trillium addition. The gap is approximately 14 feet wide and is owned by Burlington Northern. This property may be of value to the Rail Authority in conjunction with its current property because the Northeast Corridor narrows in this area to a minimum width of 65 feet. There is also less than 100 feet width for over 600 feet of length in this area. Combining this gap property with the current land holdings may alleviate future development problems.

Mr. Sipila said also related to this issue are some unpaid special assessments that were levied against the current Northeast Corridor property. The Rail Authority staff has been discussing this issue with Burlington Northern (BN) and BN has agreed to pay a majority of these assessments. There is, however, an amount of \$11,666 that was paid by the Rail Authority that should have been paid by BN. An arrangement is being discussed wherein the Rail Authority would forgive BN's obligation to pay these assessments in exchange for title to the gap property. An estimate of the value of this property is over \$40,000. This is still in the preliminary stages and any agreement would be returned to the Rail Authority for discussion and approval.

Commissioner Norgard said that this is a good idea. Chairman Finley told Mr. Sipila to proceed with this plan.

Chairman Finley said that the City is addressing certain issues in the Rail Authority's Northeast Corridor with its Phalen Area Small Corridor plan. One of the issues is the removal of the berm near Johnson Parkway and Maryland Avenue making it an at-grade crossing.

Commissioner Wedell said that the City has not taken the Rail Authority's plans and concerns into consideration regarding berm removal with regard to their corridor project.

Ms. DeSpiegelaere said that the City is aware of the Rail Authority's concerns and a letter has been sent to the City asking for a request in writing relating to the berm removal.

Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

March 28, 1995

Page 4

Mr. Dave Sipila informed the Rail Authority that there are three leases in the discussion phase regarding right of way use. They are with Ray Anderson and Son, Gladstone Lumber Mart, and Wanless Construction. They will be brought to the Rail Authority for approval when negotiations are concluded.

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

14

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere
Authorized Signature

4/18/95
Date

Board Action Requested

In response to a request from the City of St. Paul Public Works Dept. to change the grade and remove soil from a portion of Northeast Corridor right of way, authorize staff to draft an agreement to address issues relating to the request for review and approval by involved parties.

ACTION IS REQUESTED

Request Justification

See attached:

- 1) Proposed resolution
- 2) Memorandum from K. DeSpiegelaere with attachments

Budgeting and Accounting Mark Johnson 4/18/95

County Attorney D. H. Smith

Risk Manager _____

Documentation certified complete for:

April 25, 1995
Board Date

Bob Kuryak
Signature

4/20/95
Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The City of St. Paul Public Works Department has requested the removal of soil and changing of the grade owned by Ramsey County Regional Railroad Authority between Johnson Parkway and Arlington Avenue; and

WHEREAS, The right of way is the location of a trail to be constructed by Ramsey County Parks Department to complement other segments of trail already constructed; and

WHEREAS, Prosperity Avenue and Maryland Avenue in the vicinity of this site are county state aid highways; and

WHEREAS, Coordination of issues to be addressed in granting this request has occurred with Ramsey County Parks and Recreation and Ramsey County Public Works Departments; Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority staff is authorized to develop an agreement that includes, but is not limited to, addressing the following items:

- Light rail transit
- Termini
- Soil conditions
- Wetland plans
- Maximum grades
- Affected property owners
- Costs
- Johnson Parkway
- At-grade crossings
- LRT station
- Restrictions with federal funds
- Staging

and Be It Further

RESOLVED, That the agreement that is developed should be reviewed and approved by:

The Board of Ramsey County Regional Railroad Authority
Minnesota Department of Transportation
St. Paul Parks Department
St. Paul City Council and Mayor
Ramsey County Parks and Recreation Department
Board of Ramsey County Commissioners.

John T. Finley, Chairman

By: _____
Warren W. Schaber, Secretary

16

John T. Finley, Chairman
District 3

Dick Wedell, Vice Chairman
District 1

Warren W. Schaber, Secretary
District 6

Susan M. Haigh, Treasurer
District 4

Hal Norgard
District 7

Rafael E. Ortega
District 5

Brenda C. Thomas
District 2

Ramsey County Regional Railroad Authority

220 Courthouse, St. Paul, Minnesota 55102 612/266-8350 / FAX 266-8370

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, County Manager

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

SUBJECT: Request from City of St. Paul to change the grade and
remove soil from section of Northeast Corridor right of
way

DATE: April 18, 1995

The City of St. Paul Public Works Department has requested removal of soil and changing of the grade owned by Ramsey County Regional Railroad Authority between Johnson Parkway and Arlington Avenue. This area is illustrated in Attachment 1. The letter of request from Stacy Becker, Director of St. Paul Public Works Department, is Attachment 2.

Background:

This property was part of a purchase from Burlington Northern by Ramsey County Regional Railroad Authority in 1992. Ramsey County purchased 6.5 miles of right of way between Kellogg Boulevard and Beam Avenue.

The Northeast Corridor Light Rail Transit Alignment Study, adopted by Ramsey County Regional Railroad Authority, designates this right of way as one of two potential locations for light rail transit. The other alternative for LRT is I-35E, and St. Paul staff has in the past opposed LRT in freeway alignments. The Northeast Corridor is not the highest potential corridor for light rail transit and it is likely that LRT in this area is at least ten years in the future. Direction given by RCRRA to staff has been to ensure that the corridor is preserved for light rail transit use in the future.

The purchase of the right of way was accomplished with half property tax levy funding and the remaining half was supplied by the Minnesota Department of Transportation State Rail Bank funds. Because of the financing, Mn/DOT has an interest in the property, and would be consulted about an agreement that is developed pertaining to removal of soils from the area.

Ramsey County Regional Railroad Authority, Ramsey County, and the City of St. Paul have signed a joint powers agreement addressing the entire right of way and an easement for trail use will be brought to the City and County in the next month. The Parks and Recreation Departments of St. Paul and Ramsey County are developing trails along the right of way from Kellogg Boulevard to Beam Avenue. At this point in time, the trail does not yet extend between Johnson Parkway and Frost Avenue. The master plan adopted by Ramsey County and the City of St. Paul for the trail does include this section, however. An application for federal funds to construct the trail in 1998 in this location has been completed and is being reviewed through the Transportation Advisory Board at the Metropolitan Council. A letter from Greg Mack relating to the Parks issues is Attachment 3.

The response to the City Public Works Department request has also been coordinated with Ramsey County Public Works Department. Paul Kirkwold's response is Attachment 4.

Reasons for Request:

According to the letter from Stacy Becker, the request for changing the grade of the right of way is being made for two primary reasons:

- (1) To use the fill for three projects, two of them private, in the vicinity, and
- (2) To provide for an at-grade LRT station and crossing at Maryland Avenue.

Although the letter does not indicate these as primary reasons for requesting the grade change/soil removal, previous discussions have referenced wetland restoration on either side of the RCRRA right of way and "opening of the viewscape" as primary benefits of the modification. According to a March 14 memo from Allan Torstenson (Attachment 5), the Phalen Village Small Area Plan, which has not yet been adopted by the City, and extends only to Ivy, not northerly to Arlington, recommends removal of the railroad berm to the level of Maryland Avenue and Johnson Parkway to:

Create a stronger connection between Phalen Village and its primary asset, Phalen Park/Lake Phalen, and thus enhance property values, create a stronger market for redevelopment/reinvestment in both Phalen Village housing and the commercial area, and build community stability.

Provide for an at-grade LRT station immediately south of Maryland, with good pedestrian and bicycle access, good access for transfers from buses, and direct connections to the Phalen Village commercial core.

Physical Characteristics:

The right of way owned by Ramsey County Regional Railroad Authority is 100 feet wide. Slides illustrating the area will be shown at the Regional Railroad Authority meeting.

The property on either side of the berm is not a uniform elevation.

Some areas on the berm are heavily wooded with plant materials. Some areas have trees and other vegetation on the property next to RCRRA right of way.

Advantages/Disadvantages for light rail transit:

Advantages to LRT if the grade change is allowed:

The bridges at Maryland and Arlington have been removed. The bridge at Johnson Parkway remains. Its suitability for LRT has not been assessed. If the grade is not changed, new bridges would have to be constructed over Maryland and Arlington for LRT when it is constructed.

The grade change would allow direct access by passengers to LRT from the street level. This advantage is viewed more favorably by St. Paul planning staff than Ramsey County Regional Railroad Authority staff. Rail systems in other cities operate well with grade-separated stations. Examples: Union Station in St. Louis and Washington D.C. National Airport. Rail stations in residential and commercial areas in many cities are at different grades than the surrounding area.

Disadvantages to LRT if the grade change is allowed:

From an operational standpoint, it is preferable to have LRT in its own right of way to minimize conflicts with other vehicles. Maryland Avenue is narrow and has a high volume of traffic. A grade-separated crossing would be preferable from a safety and traffic perspective.

Although operating LRT at grade between Johnson Parkway and Arlington Avenue is possible, it may increase objections from neighbors to its construction because of aesthetic and noise concerns.

LRT travels at speeds of 55 miles per hour maximum. Having LRT crossing streets at grade, even though the crossing would be gated, may slow its speed through this area, and may require the sounding of warning horns or bells. Decreasing speed increases operating costs for the overall system.

It would be less costly to lower the grade when LRT is constructed than it would be to raise the grade when LRT is constructed, if it is determined that the current grade is more desirable.

Recommendation:

Removal of the soil and changing the grade of the right of way in a portion of this area would not preclude operation of light rail transit on the right of way.

Because of the lengthy time before LRT may be implemented in this location and the ability to operate LRT even if the grade of the right of way is modified, and in the interest of a cooperative relationship with the City of St. Paul, removal of the soil is recommended if an agreement can be reached to address issues of Ramsey County Regional Railroad Authority relative to the soil removal.

The procedure recommended is that staff be authorized to develop an agreement to be reviewed and approved by:

Board of Ramsey County Regional Railroad Authority
Minnesota Department of Transportation
St. Paul City Council and Mayor
Board of Ramsey County Commissioners
St. Paul Parks Department
St. Paul Public Works Department
Ramsey County Parks Department
Ramsey County Public Works Department

Areas to be addressed in the agreement should include both the items in the letter from Stacy Becker and additional items, including but not limited to:

Light rail transit -- Reaffirmation of the potential light rail transit line on this right of way would be part of the agreement.

Termini -- The specific areas where soil is to be removed will need to be discussed. There is likely to be more soil in the right of way between Arlington and Johnson Parkway area than necessary for the projects mentioned in Stacy Becker's letter. In addition, there may be areas of the right of way, such as north of Maryland, where it is preferable from a Parks Department perspective and other perspectives for the berm to remain as is in perpetuity.

Soil conditions -- It would be necessary to test for contaminated soil, ascertaining suitability of soil which would remain for light rail transit and trail construction and specify conditions of restoration of area where soil is removed.

Wetland plans -- The agreement should specify the necessity of no interference with short- and long-term uses of the right of way for trail and LRT.

Maximum grades -- Maximum grades for light rail transit and for trail use should be specified. A grading plan review and approval should be required.

Affected property owners -- Contacts before modifications to RCRRA right of way would need to be made with each affected property owner jointly by St. Paul and RCRRA staff.

Costs -- Assignment of costs for removal and restoration will need discussion as will the charge RCRRA would request for the fill -- based on quantity and quality, and based on an assessment of fair market value.

Johnson Parkway -- Conditions for removal of the bridge would need resolution.

At-grade crossings -- This is one of the major issues for Ramsey County Regional Railroad Authority. There would need to be assurances that at-grade crossings for trail (short and long term) and light rail (long term) are acceptable from safety and operating perspectives.

LRT station -- Provision of space for an LRT station, auto pickup and drop-off and bus interchange with LRT at Maryland would need to be assured.

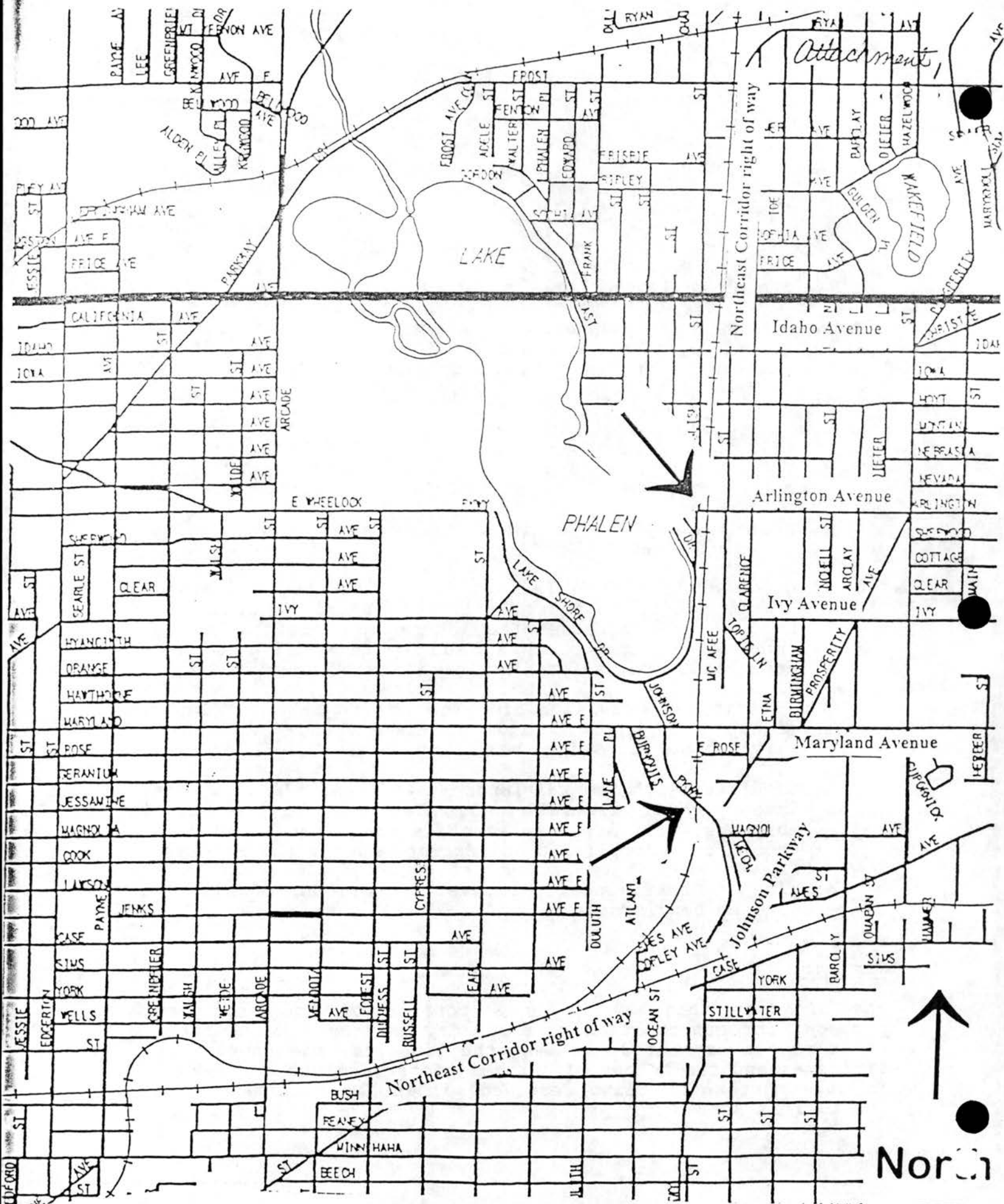
Restrictions with federal funds -- 4(f) and 6(f) issues come into play if federal funds are used for recreational purposes. If legal research is needed on this item, it should be accomplished and documented for the agreement.

Staging -- The timing for removal of portions of fill would need to be discussed.

Timing:

The projects that would use a portion of the soil are proposed for construction this summer. Although RCRRA staff would make every effort to meet the timeline, the complexity of issues and the number of jurisdictions involved may result in this matter not being resolved within the timeframe when the fill is needed.

KD/blk



AREA OF REQUEST FOR SOIL REMOVAL AND GRADE CHANGE

22



CITY OF SAINT PAUL
Norm Coleman, Mayor

*Division of Planning
25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 612-266-6565
Facsimile: 612-228-3314*

ISSUE PAPER

DATE: March 14, 1995
FROM: Allan Torstenson *ART*
RE: Phalen Village Small Area Plan - Railroad Berm Removal

A key recommendation of the draft Phalen Village Small Area Plan is to remove the abandoned railroad berm (on right-of-way formerly owned by Burlington Northern Railroad and now owned by the Ramsey County Regional Railroad Authority for eventual use for light rail transit) down to the level of Maryland Avenue and Johnson Parkway to accomplish the following:

- Provide for an at-grade LRT station immediately south of Maryland, with good pedestrian and bicycle access, good access for transfers from buses, and direct connections to the Phalen Village commercial core; and
- Create a stronger connection between Phalen Village and its primary asset, Phalen Park/Lake Phalen, and thus enhance property values, create a stronger market for redevelopment/reinvestment in both Phalen Village housing and the commercial area, and build community stability.

Removal of the railroad berm is a central recommendation that is critical for the success of other key recommendations in the small area plan for:

- A compact, mixed-use, more neighborhood-, pedestrian-, and transit-oriented "Phalen Village" commercial area along Maryland, with quality commercial development and redevelopment that takes advantage of the improved relationship to Phalen Park and access to transit, meets neighborhood commercial needs, and is an asset to the overall area; and
- Quality residential development and redevelopment that takes advantage of the natural landscape and improved relationship to Phalen Park, and adds to the diversity of housing types, price ranges and ownership options in the area.

The most cost-effective way to remove the berm is to use it as a source of cheap fill when needed for nearby projects over time so that when LRT is constructed an appropriately graded right-of-way will already be available to accommodate an at-grade LRT station immediately south of Maryland. Use of the berm as a source of fill for three projects to be constructed in the Phalen Village area this summer (Walgreens Drugstore, Phalen Clinic, and Prosperity Realignment/Rose Reconstruction) would go a

long way toward achieving that end. A decision to use the berm as a source of fill for these projects is needed this spring. A discussion of related issues and rational follows.

I. At-grade LRT station immediately south of Maryland

To make the most of LRT as a tool to strengthen the neighborhood and support local redevelopment efforts, and to make the most of local redevelopment efforts for the success of LRT, the following is needed:

- appropriate planning and zoning to allow more intensive mixed-use (residential as well as commercial) development around the station;
- strategic targeting of city, metropolitan, state, and federal public investment and economic development incentives in the Phalen Village area to reverse the decline of the commercial area and to improve deteriorated apartment complexes;
- location and design of the LRT station as an integral part of the Phalen Village commercial core in a way that is respectful and complementary to the area, builds on local initiatives, and helps to create a truly remarkable public place that contributes towards realization of community development goals;
- direct, convenient pedestrian access from the commercial core to the station that is safe and comfortable for all people, and does not require using bridges or undercrossings; and
- station design and location that provides for integration with bus routes, with safe and convenient access for transfers to and from buses.

In planning for LRT, much is made of the importance of the relationship between LRT and surrounding land use and development. Transit-supportive land use and development around LRT stations is clearly a key to the success of LRT. For its own success, then, LRT should be designed to support such land use and development. More importantly, especially in a transit corridor like this, the primary reason for investing in LRT in the first place is to strengthen the neighborhood and support local development goals.

The Phalen Village Small Area Plan Task Force, made up of representatives of residents, property owners and business interests in the area, has gone through an extensive urban design and planning process for the Phalen Village area around the proposed Phalen Village LRT station. As a result of this process, the task force has developed a theme for Phalen Village as a special place that is a more pedestrian- and transit-oriented urban village with balanced housing options and neighborhood-oriented businesses, a stronger connection to Lake Phalen and the natural landscape, and a wetland park and public open space system that provides a neighborhood signature amenity and identity. While the land use, design and redevelopment plans developed by the Phalen Village Small Area Plan Task Force will contribute to the



CITY OF SAINT PAUL

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success of LRT, it is also very important that LRT be designed to support the development goals and special theme for the area envisioned by the task force. Removal of the railroad berm and an at-grade LRT station are key.

The Phalen Village Small Area Plan and 40-Acre Study recommends rezoning property adjacent to the proposed LRT station B-2 Community Business. This would best provide for a transit-oriented mix of commercial and residential uses compatible with this LRT station location.

The City is targeting public infrastructure investment in the area to projects such as the realignment of Prosperity at Maryland to improve traffic safety and circulation, to improve access and visibility for commercial sites, and to encourage development of a more neighborhood- and transit-oriented commercial area along Maryland. As a result, Health East is planning 1995 construction of a 12,000 sq. ft. clinic on the SW corner of the new intersection, and Walgreens is planning 1995 construction of a 13,500 sq. ft. drug store on the NW corner. These projects will help to change the declining image of the area, improve surrounding residential as well as commercial property values, and encourage additional transit-oriented redevelopment.

The City is also targeting significant housing rehabilitation and development funds to improve deteriorated housing complexes and develop new housing alternatives in the area. Not only are some of the existing blighted apartment buildings vacant or underused, they are a blighting influence on other property in the area. Housing rehabilitation and redevelopment is critical to the stability of Phalen Village, and to making the most of eventual investment in LRT.

The State of Minnesota has given preliminary approval for a \$115,000 LCMR grant for the first phase of the Phalen Wetland restoration project to create a stronger connection to Lake Phalen and the natural landscape. This project will improve the market for housing and commercial redevelopment in the area, and it will create a beautiful corridor for LRT. To make the most of this investment, the railroad berm should be removed and LRT should come through the area at grade.

The LRT station must be at-grade for convenient pedestrian access, for convenient access for transfers to and from buses on Maryland (the area's primary bus route), and for the station to be an integral part of the Phalen Village commercial core in a way that is respectful and complementary to the area and builds on local initiatives. East bound buses could stop on Maryland for convenient bus-LRT transfers. West bound buses would pull off of Maryland to an access road parallel to the station (see "Mixed Use Commercial Area Concept Plan" contained in the Phalen Village Small Area Plan) so that passengers could transfer without crossing traffic.

An at-grade LRT station offers an opportunity to create a truly remarkable public place that complements the assets and natural amenities of the area, links the station both to the Phalen Village core and to Lake Phalen/Phalen Park, really tells a story about the place, and contributes to realization of community goals.

II. At-grade LRT crossings of Maryland, Johnson and Arlington

While grade-separated LRT crossings of Maryland Avenue, Johnson Parkway, and Arlington Avenue would be desirable from a strictly traffic flow point of view, grade-separated crossings are not necessary. North of Arlington, LRT is planned to have at-grade crossings of streets such as Larpeur and Frost. In the Central Corridor, LRT is planned to have an at-grade crossing of the intersection of John Ireland Boulevard/Rice Street/12th Street/St. Anthony Avenue, an intersection with very complex traffic movements and a traffic volume in the neighborhood of 20,000 vehicles per day. It is also planned to cross University Avenue at-grade just west of Highway 280 where there are about 24,000 vehicles per day. There are about 15,000 vehicles per day where LRT would cross Maryland, 7000 vehicles per day on Johnson Parkway, and 3500 vehicles per day on Arlington; none of these streets have any unusual traffic movements where LRT would cross.

Compared with the Central Corridor, LRT in the Northeast Corridor would have relatively low frequency. Headways in the Northeast Corridor will likely never be shorter than 15 minutes, or 1 crossing every 7 1/2 minutes at the most. Fifteen minute headways are likely to occur only during peak periods. A two to three car LRT train would take only a few seconds to cross a street. With the relatively low frequency of LRT in this corridor, and with moderate traffic volumes on streets it would cross, grade separated crossings do not need to be a priority.

Without removal of the railroad berm, new bridges would have to be constructed for LRT over Maryland and Arlington at substantial cost both for initial construction and for ongoing maintenance, plus additional liability associated with bridges. At much lower cost, crossing signals with arms that lower before arrival of LRT trains could be used so that trains would cross these streets without slowing down; LRT travel times would not be affected.

III. Opportunity for no-cost berm removal this spring

With the Walgreens, Phalen Clinic and Prosperity realignment projects planned for this construction season, and with likely redevelopment of residential and commercial property adjacent to the railroad right-of-way, we have significant opportunities to facilitate partnering and promoting co-investment to achieve mutual transit and development goals. The City and private developers can prepare the railroad corridor for development of an at-grade LRT station, reducing the cost of LRT development while saving money on their own projects, by using the existing railroad berm as a convenient source of fill for nearby projects.

There are roughly 100 sq. yards in the berm cross section that would be removed to bring the grade down to the level of Maryland, Johnson and Arlington. The Walgreens project needs about 10,000 cubic yards of fill, or about 300 feet of berm. The Phalen Clinic project needs about xx,xxx cubic yards of fill, about xxx feet of berm. The Prosperity realignment/Rose reconstruction project needs about 18,000 cubic yards of fill, about 540 feet of berm.

success of LRT, it is also very important that LRT be designed to support the development goals and special theme for the area envisioned by the task force. Removal of the railroad berm and an at-grade LRT station are key.

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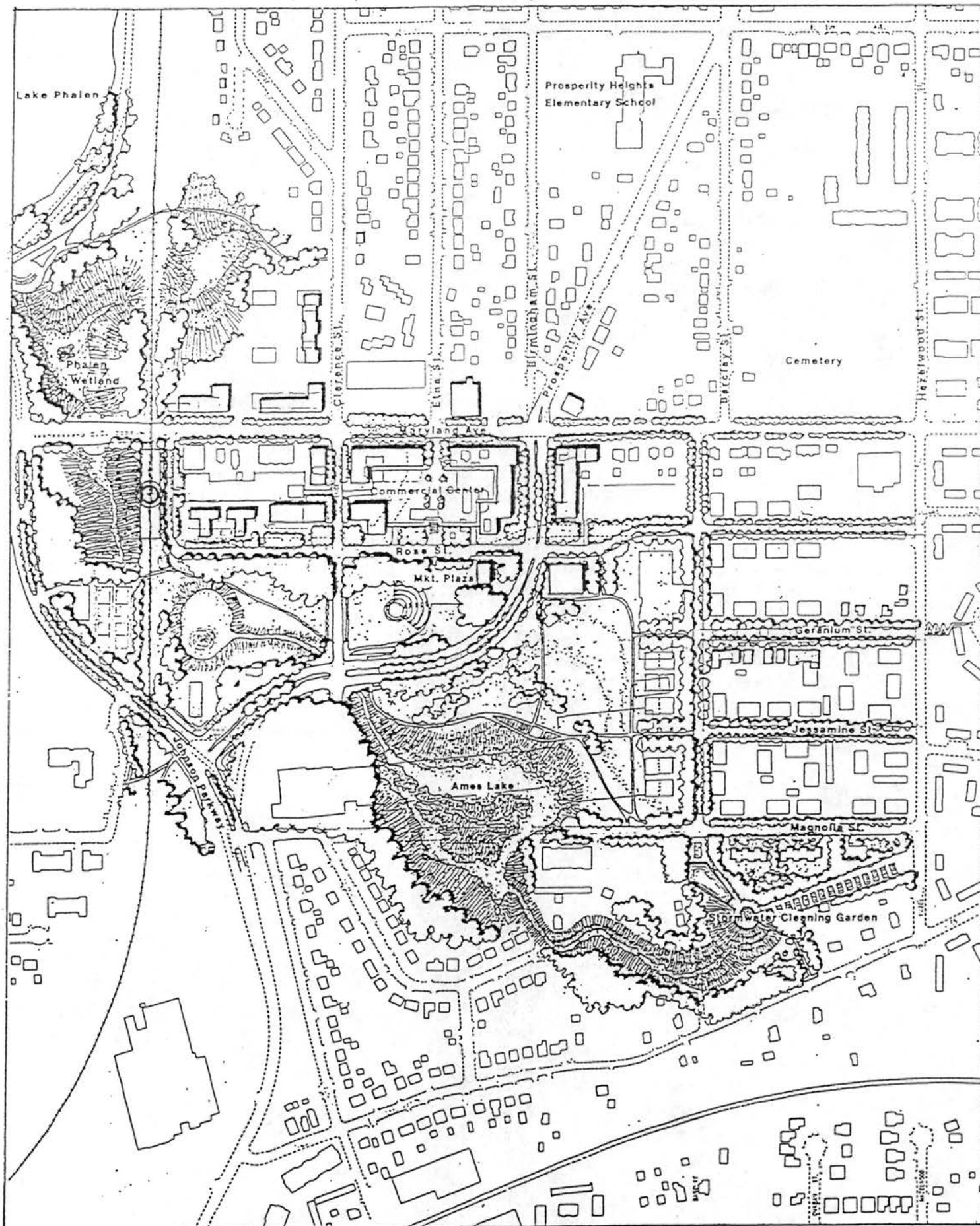
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IV. Compatibility of berm removal with trail development

The new Phalen Creek Trail to be constructed this year on the old Burlington Northern right-of-way between Seventh Street and the south end of Phalen Park will use the existing bridge over Johnson Parkway, and cross Maryland at-grade at the traffic signal at Johnson and Maryland. When LRT is built, the trail will no longer be able to use the existing bridge over Johnson Parkway. A new trail bridge could be built, the trail could cross Johnson at a new traffic signal at a reconfigured Johnson-Prosperity intersection, and/or the trail could follow the west side of Johnson and cross Maryland at-grade at the traffic signal at Johnson and Maryland.

Development of a trail further north on the old Burlington Northern right-of-way is a long way off. If LRT and a trail were both to be built in the right-of-way with the berm in place, substantial fill and retaining walls as well as several new bridges would be required, all at very high cost. Without the berm, those costs would be avoided. Removing the abandoned railroad berm down to the level of Maryland, Johnson and Arlington would make development of a trail further north on the old Burlington Northern right-of-way much less expensive, and therefore much more likely. Liability associated with trail retaining walls and railings would be avoided. Trail crossings of Maryland and Johnson could safely and conveniently be made at traffic signals. The trail crossing of Arlington is much less of an issue because of the low traffic volume. An at-grade trail would be more accessible to the neighborhood.



Phalen Village Small Area Plan
Conceptual Plan

DEPARTMENT OF PUBLIC WORKS
Stacy M. Becker, Director



CITY OF SAINT PAUL

Walter Coleman, Mayor

600 City Hall Annex
Saint Paul, MN 55102

Telephone: 612-266-6070
Facsimile: 612-262-7857

April 4, 1995

Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
Ramsey County Regional Railroad Authority
665 Ramsey County Government Center-West
50 West Kellogg Boulevard
St. Paul, Minnesota 55102

Dear Kathy:

RE: Phalen Village Railroad Berm Removal

This is written to request use of the RCRRA-owned railroad berm in the Phalen Village area as a source of fill for the Prosperity Realignment Project at the intersection of Prosperity Avenue and Maryland Avenue. Prosperity will be a Ramsey County road. The realignment project is being undertaken by the City this summer to coordinate with two private development projects: Health East construction of a 12,000 sq. ft. clinic on the SW corner of the new Prosperity-Maryland intersection, and a new 13,500 sq. ft. Walgreens drug store on the NW corner of the intersection. The private developers of both of these projects are also interested in use of the berm as a source of needed fill.

About 18,000 cubic yards of fill are needed for the Prosperity Realignment project. We understand that an additional 20,000 cubic yards of fill are needed for the Health East/Phalen Clinic project, and about 10,000 cubic yards of fill are needed for the Walgreens Drugstore project. Construction for these three projects is planned to begin in June 1995 and be complete by October 1995.

While I understand St. Paul staff have responded verbally to specific concerns about removal of the railroad berm you raised at a January 18, 1994, meeting with City and RCRRA staff and again at a March 14, 1995, meeting with Commissioner Schaber, it may be useful to respond to each of them again here:

Issue 1: Any actions which would preclude the development of LRT on this property are not acceptable, and any proposal must allow LRT to be accommodated on the property at no additional cost to RCRRA.

RESPONSE: The City supports LRT and does not intend to take any action to preclude or increase the cost of its eventual construction. Removal of the berm would provide for

31

Kathryn DeSpiegelaere

Page 2

April 4, 1995

development of LRT on this property in a way that best supports local redevelopment efforts, makes the most of local redevelopment efforts for the success of LRT, and substantially reduces the cost to RCRRA of development of LRT in this area.

The need to construct new bridges for LRT over Maryland and Arlington, which could be the most costly part of LRT development in this area, would be eliminated (see *Issue 8*). My staff estimates these bridges would cost roughly \$4 million; gated crossings at Arlington, Maryland and Johnson would cost roughly \$500,000, a savings of about \$3.5 million. Gated crossings would also save the cost of eventually having to replace the old concrete bridge over Johnson Parkway, and would save the cost of difficult and expensive handicapped access to a station on top of the berm. Removal of the berm would provide for an at-grade LRT station immediately south of Maryland, with good pedestrian and bicycle access, good access for transfers from buses, and direct connections to the Phalen Village commercial core.

If the old railroad bridge over Johnson Parkway remains, the slope down to an at-grade station would be within the grade requirements for LRT. This is relatively easy because Johnson Parkway dips down to go under the railroad bridge; there isn't much grade difference to make up. The slope could be the same as that required for the interim trail use of the right-of-way.

Issue 2: If a wetland is established on the property, it will be very difficult (impossible) to use the same for any other purpose in the future.

RESPONSE: A wetland will *not* be established on the RCRRA right-of-way. We are planning to begin a project this summer to restore wetland areas on City-owned property along the RCRRA-owned right-of-way just north of Maryland. Because of the hydrology of the area, stormwater currently flows from the area east of the berm to a storm sewer west of the berm via a pipe under the berm. This will continue, and an additional pipe under the RCRRA right-of-way may be needed. The RCRRA right-of-way will not be affected by the wetland restoration project in any other way.

The purpose of the wetland restoration project is to restore the site's natural stormwater cleaning function, reduce nonpoint source pollution, enhance wildlife habitat and stormwater detention, expand our understanding of how to achieve biodiversity in restored wetlands, and provide an environmental education resource. It will create a neighborhood signature amenity and a stronger connection between Phalen Village and its primary asset, Lake Phalen/Phalen Park, and thus enhance property values, create a stronger market for redevelopment/reinvestment in both Phalen Village housing and the commercial area, build community stability, and create a beautiful corridor for LRT. Housing and commercial reinvestment, and the stability of the area, are crucial for making the most of eventual investment in LRT. Removal of the berm would help to make the most of our investment in the wetland project as an asset to spur reinvestment in the area.

32

Kathryn DeSpiegelaere
Page 3
April 4, 1995

Issue 3: Will the establishment of a wetland on the property create restrictions for LRT to use its right-of-way under 4(f) and 6(f) provisions of federal law?

RESPONSE: This is *not* an issue because a wetland will *not* be established on the RCRRA property.

Issue 4: How will the removal of the berm in this area affect the topography of the corridor as a whole? Will the berm areas to the north and south of the small area plan also be removed?

RESPONSE: If LRT is to cross Johnson and Arlington at grade, then the berm would have to be regraded both south of Johnson and north of Arlington to meet the LRT requirement for grades less than 6%. Currently, the berm gradually disappears going a few hundred feet south from Johnson and going a few hundred feet north from Arlington.

Until LRT is developed in this corridor, the right-of-way will be used for a bike trail, and grading the corridor more for this interim use than for final LRT use may be appropriate. This is something that Public Works and RCRRA staff should perhaps discuss with St. Paul and Ramsey County Parks staff working on the bike trail.

St. Paul Parks staff are planning summer 1995 construction of a bike trail that would use the existing bridge over Johnson Parkway and gradually go down to grade north of Johnson. Our use of the berm for fill should be coordinated with this trail project, and could perhaps reduce the cost of trail development in this area.

Ramsey County Parks staff recently submitted an application for federal ISTEA funding for a continuation of this trail north from Johnson Parkway to Frost in 1997. Their proposal includes the possibility of bike bridges over Maryland and Arlington that would be removed when LRT is built. Use of the berm for fill and regrading of the RCRRA right-of-way should be coordinated with this trail project. When LRT is built, the trail will no longer be able to use the bridge over Johnson Parkway, and any bike bridges over Maryland and Arlington would have to be moved or removed. If LRT and a trail were both to be built in the right-of-way with the berm in place, substantial fill and retaining walls as well as several new bridges would be required, all at very high cost. Without the berm, those costs would be avoided.

When we cut through the berm in two different places to install new storm sewers a couple of years ago, we found the berm to be made up of good granular fill. It is the kind of fill that would be useful for the Prosperity Realignment, Phalen Clinic, and Walgreens Drugstore projects this summer. It is also the kind of fill that should be easy to sell if more must be removed for final LRT grades in the future.

Kathryn DeSpiegelaere

Page 4

April 4, 1995

Issue 5: How will the removal of the berm and two bridges over Johnson and Maryland affect proposed travel times for LRT? Will there be any added safety or liability issues incurred if this is done?

RESPONSE: North bound LRT trains coming out of an LRT station immediately south of Maryland could be delayed about 4 to 8 seconds (enough time for pedestrians to clear the track). For south-bound crossings at Maryland and for all LRT crossings at Arlington and Johnson, the gates could be timed so that LRT would cross at full speed under normal circumstances. Emergency vehicles could occasionally preempt the signals and gates.

There are liability issues associated both with bridges and with at-grade crossings, with no particularly significant cumulative difference. We have approved Preliminary Design Plans for LRT in the Central Corridor that include a number of at-grade crossings (some at streets with far higher traffic volumes and more complex traffic movements than Arlington, Johnson, and Maryland), and that also include some grade-separated crossings.

Issue 6: Will the removal of the berm impact maintenance responsibilities for RCRA?

RESPONSE: Removal of the berm and construction of LRT at-grade would eliminate the cost of maintaining three bridges, as well as the high cost of building 2 to 3 new bridges in the first place. Removal of the berm will not have significant impact on maintenance responsibilities in the shorter term, before LRT is built, although it should be somewhat easier to maintain flat property than the steep slopes of the berm.

Issue 7: Will the removal of the berm, bridges, and required alterations to other portions of the corridor make LRT less acceptable to adjoining property owners?

RESPONSE: Neighborhood representatives who live on property adjoining the berm have indicated that removal of the berm would make LRT more acceptable to adjoining property owners. They have indicated concern about people looking down into their yards and homes from the berm.

Issue 8: At-grade crossings of LRT are an issue. A memo from St. Paul Public Works staff was requested by RCRA to address the street crossings.

RESPONSE: While grade-separated LRT crossings of Maryland Avenue, Johnson Parkway and Arlington Avenue would be more desirable from a safety and traffic flow point of view, based on what we know about traffic volumes and movements in this area, and what we expect for LRT, at-grade crossings would be acceptable.

34

North of Arlington, LRT is planned to have at-grade crossings of streets such as Larpenier and Frost. In the Central Corridor, LRT is planned to have an at-grade crossing of the intersection of John Ireland Boulevard Rice Street/ 12th Street/St. Anthony Avenue, an intersection with very complex traffic movements and a traffic volume in the neighborhood of 20,000 vehicles per day. It is also planned to cross University Avenue at-grade just west of Highway 280 where there are about 24,000 vehicles per day. There are about 15,000 vehicles per day where LRT would cross Maryland, 7000 vehicles per day where LRT would cross Johnson Parkway, and 3500 vehicles per day on Arlington; none of these streets have any unusual traffic movements where LRT would cross.

Compared with the Central Corridor, LRT in the Northeast Corridor would have relatively low frequency. Headways in the Northeast Corridor will likely never be shorter than 15 minutes, or 1 crossing every 7 1/2 minutes at the most. Fifteen minute headways are likely to occur only during peak periods. A two to three car LRT train would take only a few seconds to cross a street. With the relatively low frequency of LRT in this corridor, and with moderate traffic volumes on streets it would cross, grade separated crossings do not need to be a priority. After reviewing the issues that pertain to this specific area, it appears that at-grade crossings provide enough benefits to this area and the City to allow Public Works to support the at-grade crossings at these locations.

Issue 9: A bus hub on Maryland should be integrated with LRT.

RESPONSE: Bus routes in this area currently come together at the intersection of Prosperity and Maryland. During the relatively long interim period until LRT is built, this is the where most transfers will take place and is the most appropriate place for relatively modest transit infrastructure investments such as bus shelters.

When LRT is built, bus routes will be modified to connect with the LRT station. An at-grade station would help provide for convenient access for transfers to and from buses. Maryland is the area's primary bus route, and a pull-out could be added to Maryland adjacent to the LRT station so east-bound buses could stop for convenient bus-LRT transfers. West-bound buses could pull off of Maryland to an access road parallel to the station (see attached "Conceptual Plan" contained in the draft Phalen Village Small Area Plan) so that passengers could transfer without crossing traffic.

The proposed realignment of Prosperity is a long-standing goal formally adopted by the City Council in 1979 as part of Comprehensive Plan elements for Streets and Highways (pp. 1, 21) and for District 2 (pp. 12-13). The Transit Plan element of the St. Paul Comprehensive Plan, adopted by the City Council in 1981, calls for further evaluation of LRT in the Northeast Corridor (p. 15); it makes no recommendation as to whether LRT should come through the Phalen Village area at-grade or on the berm (either would be generally consistent with the Transit Plan). Principal St. Paul goals for LRT

Kathryn DeSpiegelaere

Page 6

April 4, 1995

are to support local development goals and opportunities, to be a catalyst for development and revitalization, and to strengthen neighborhoods (Transit Plan, p. 14; City Council Resolution 91-310). To help to meet these goals in the Phalen Village area, removal of the berm is strongly supported by the District 2 Community Council and by Councilmember Grimm.

The most cost-effective way to remove the berm is to use it as a source of convenient fill for nearby projects over time so that when LRT is constructed an appropriately graded right-of-way will already be available to accommodate an at-grade LRT station immediately south of Maryland. Use of the berm as a source of fill for the Walgreens, Phalen Clinic and Prosperity realignment projects this summer would go a long way toward achieving that end. It would reduce the cost of future LRT construction while also reducing the cost of obtaining fill needed for these projects.

Removal of the berm should be staged and coordinated with bike trail development over Johnson Parkway this summer, and therefore the southern termini of berm removal at this time should be Johnson Parkway. The berm could be regraded so the trail would gradually slope down to grade north of the bridge over Johnson Parkway, and coordination of these projects could reduce the cost of trail development in this area.

Because Johnson Parkway dips down to go under the railroad bridge, most of the remaining berm near Johnson Parkway could be used to fill in the dip in Johnson Parkway and achieve an even grade in this area sometime in the future when LRT is built, when the Johnson-Prosperity intersection is rebuilt, or when Phalen Boulevard is connected to the Johnson-Prosperity intersection.

Going north from Johnson Parkway, berm removal should be coordinated with the Ramsey County Parks bike trail project, both in staging and grading. If the bike trail bridges over Arlington and then slopes down to grade, for example, the northern termini of berm removal at this time should probably be Arlington. The remaining berm, which gradually returns to grade in the three blocks north of Arlington, could be removed and sold for fill anytime before LRT is built.

In determining the amount of fill to be removed between Arlington and Johnson in the next couple of years, grades desired for the bike trail project should be considered. If the berm is removed all the way down to the grade of Maryland, Johnson and Arlington (roughly 100 sq. yards in the cross section), the three projects needing fill this summer would use roughly half of the berm between Arlington and Johnson. However, removing somewhat less of the berm (not all the way down to the eventual LRT grade) is probably more desirable for the trail projects (needs to be coordinated with City and County Parks). If removal of more of the berm is desired before construction of the trail north of Johnson Parkway in 1997-1998, it is likely that additional fill will be needed by other Phalen Village area projects such as stage 2 of the Prosperity realignment, housing redevelopment just east of the berm, and additional commercial redevelopment along Maryland and Rose.

36

Kathryn DeSpiegelaere

Page 7

April 4, 1995

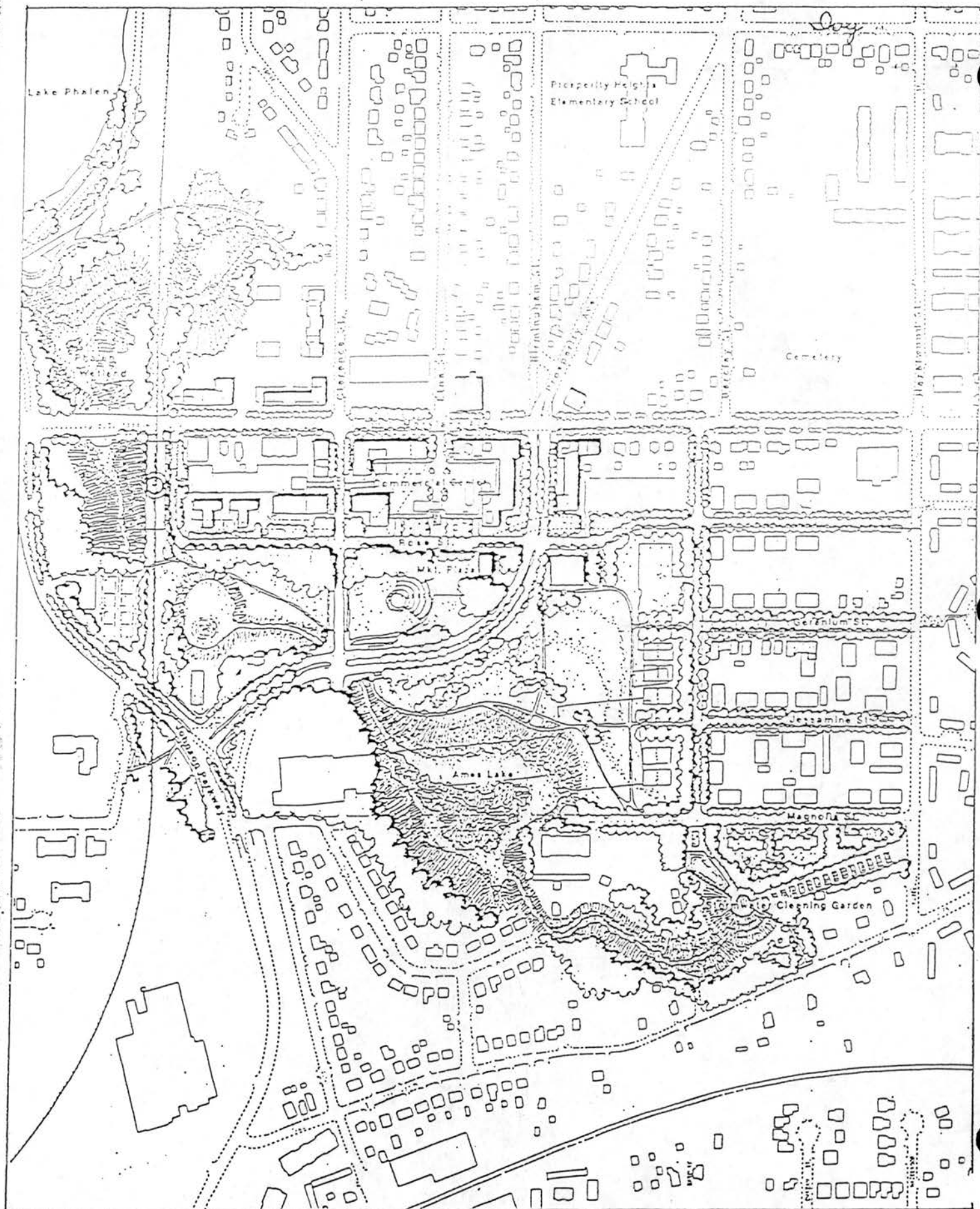
I appreciate your willingness to prepare an agreement to be reviewed by the City and Regional Railroad Authority in response to this request to use the RCRRA-owned railroad berm as a source of fill for the Prosperity Realignment Project. I believe we should move ahead with this as quickly as possible, and should at the same time meet with City and County Parks staff to coordinate berm removal with the bike trail projects. I hope I have adequately addressed your questions and concerns, and we can expedite this. Please let me know if you have any additional questions. Questions might also be directed to City staff involved: Allan Torstenson in the Planning Division, Mike Kassin in the Sewer Engineering Division (wetland project), and Paul St. Martin in the Street Engineering Division (Prosperity Realignment Project).

Sincerely,

Stacy Becker

Stacy Becker
Director of Public Works

cc: Mayor Norm Coleman
Councilmember Marie Grimm
Commissioner John Finley
Commissioner Warren Schaber
District 2 Community Council
North East Neighborhoods Devt. Corp.
Phalen Village Business Association
Larry Buegler, PED
Robert Piram, Parks



Phalen Village Small Area Plan
Conceptual Plan



Parks and Recreation Department

Gregory A. Mack, Director

2015 N. Van Dyke Street
Maplewood, MN 55109-8728

Tel: 612-777-1707
Fax: 612-777-0519

April 17, 1995

Ms. Kathryn DeSpiegelaere
Director of LRT Planning
Regional Railroad Authority
665 RCGC-West
50 West Kellogg Boulevard
St. Paul, Minnesota 55102

RE: Phalen Village Small Area Plan -- Berm Removal

Dear Kathy:

The joint powers agreement between the Ramsey County Regional Railroad Authority (RCRRA), Ramsey County and the city of St. Paul provides for ongoing use of the former Burlington Northern Railroad right of way owned by RCRRA for regional trail corridor purposes. The master plan for the Burlington Northern Regional Trail Corridor was adopted by the Ramsey County Board of Commissioners, the St. Paul City Council and the Metropolitan Council. The master plan provides for a continuous recreation and transportation trail that will ultimately extend from the Mississippi River to the northern Ramsey County line following the alignment of the former Burlington Northern Railroad right of way.

Based on the adopted master plan, Ramsey County secured a Federal Intermodal Surface Transportation and Efficiency Act (ISTEA) grant with a matching grant from the Metropolitan Council for construction of the trail segment between Frost and Beam avenues. Shortly after award of this grant, the city of St. Paul secured an ISTEA grant with a matching Metropolitan Council grant to construct the trail between East Seventh Street and Johnson Parkway. Both of the ISTEA grants were awarded based on the explicit understanding that there would be a continuous recreation and transportation trail pursuant to the approved master plan.

In early 1995, the Metropolitan Council solicited grant proposals for ISTEA enhancement projects for the funding period beginning in 1998. Ramsey County staff, in consultation with the St. Paul Parks and Recreation Division staff, submitted a proposal for an ISTEA grant for construction of the regional trail between Maryland and Frost avenues. The Metropolitan Council's Funding and Program Committee and Technical Advisory Committee have recommended that this project be funded with a ranking of 5th out of 11 projects recommended for funding. It is expected that a final funding determination on the project will occur in the summer of 1995.

Ms. DeSpiegelaere
April 17, 1995
Page 2 of 3

The ISTEA project, as proposed, continues the trail along the Burlington Northern Railroad right of way and includes grade-separated bridge crossings at Arlington and Maryland avenues. The Phalen Village Small Area Plan, as proposed for adoption by the St. Paul City Council, calls for revitalization of the area east of the intersection of Maryland Avenue and Johnson Parkway. One of the principle elements of the concept plan is reclamation of wetlands that were previously filled in the area to accommodate commercial and residential development. The concept also suggests that removal of a portion of the berm on the railroad right of way will improve views between the plan area and Lake Phalen. Attached is a copy of the concept plan.

On March 14, 1994, Commissioner Warren Schaber assembled a group of city and county staff, as well as Phalen area residents, to discuss the relationship between the railroad berm and the Phalen Village Small Area Plan. It was clear from that discussion that advocates for the Phalen Village Small Area Plan feel that removal of the berm in the vicinity of Maryland Avenue is a critical first step toward implementation of the small area plan.

On March 31, staff of the Ramsey County Regional Railroad Authority and the Parks and Recreation Departments of Ramsey County and the city of St. Paul conducted a field inspection of the Burlington Northern right of way within the planning limits of the Phalen Village Small Area Plan. Based on this field reconnaissance, it is our belief that a portion of the berm can be removed without negatively affecting the trail experience. However, in order for the trail to effectively serve transportation and recreation uses, deviations from the north-south railroad right-of-way alignment should be minimized. We believe a minor deviation from the railroad alignment in the area of Maryland Avenue is not inconsistent with the master plan or the commitments made in securing ISTEA funding for trail construction.

The city of St. Paul's ISTEA trail project, as designed, routes the trail off of the railroad right of way a few hundred feet north of Johnson Parkway. The trail is then routed north of the tennis courts following a northwest direction to the intersection of Maryland Avenue and Johnson Parkway. From this point, the trail crosses Maryland Avenue at the semiphore-controlled intersection and connects to the trail system on Lake Phalen.

Although the connection to the Lake Phalen trail system provides a quality recreational experience, the trail along the east shore of Lake Phalen does not fulfill the transportation objectives of the trail corridor. The Lake Phalen trail is congested with recreational trail uses, is a one-way system and has a northern terminus more than a half mile away from the Burlington Northern Corridor.

40

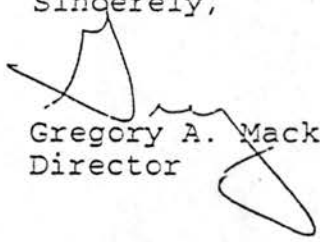
Ms. DeSpiegelaere
April 17, 1995
Page 3 of 3

The Burlington Northern Regional Trail could be routed around the proposed Phalen wetland (north of Maryland Avenue) and back to the original railroad right of way approximately 900 feet north of Maryland Avenue. Using this approach, much of the berm between a point approximately 500 feet south of Maryland Avenue (point where city trail section leaves railroad right of way) and extending to 900 feet north of Maryland Avenue could be removed. From a point approximately 900 feet north of Maryland Avenue, a portion of the berm would be removed in order to achieve a 5% grade between that point and Ivy Avenue. In the future, additional berm area can be removed beyond 500 feet south of Maryland Avenue when the intersection of Johnson Parkway and Prosperity Avenue is realigned and the railroad bridge at Johnson Parkway is removed.

Removal of the berm as described above, from a point 500 feet south of Maryland Avenue to 900 feet north of Maryland Avenue, accommodates implementation of the Phalen Village Small Area Plan. We estimate that the amount of material in the berm in this section is approximately what is required for the Prosperity Avenue reconstruction. However, given the topography of the land adjacent to the berm, complete removal of the berm is not desirable. Final grading will have to blend with adjacent land areas. The specific trail alignment in the vicinity of Maryland Avenue needs to be coordinated with the city of St. Paul Parks and Recreation Division to assure compatibility with surrounding land area, future wetland restoration activity and other trails in the area.

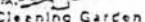
Thank you for the opportunity to review and comment on the proposed berm removal. I believe that removal of a portion of the berm as described above will enable the city of St. Paul to proceed with implementation of the small area plan without compromising the recreational and transportation functions of the Burlington Northern Regional Trail Corridor.

Sincerely,



Gregory A. Mack
Director

GAM/clm
Attachment



Attachment 4



Department of Public Works

Paul L. Kirkwold, P.E., Director and County Engineer

ADMINISTRATION/LAND SURVEY

50 West Kellogg Blvd., Suite 910

St. Paul, MN 55102 • (612) 266-2200 • Fax 266-2615

ENGINEERING/OPERATIONS

3877 N. Rice Street

Shoreview, MN 55126

(612) 484-9104 • Fax 482-6262

MEMORANDUM

TO: Kathy DeSpiegelaere
FROM: Paul L. Kirkwold *[Signature]*
SUBJECT: Burlington Northern Corridor
St. Paul Request to Remove Earthen Berm
DATE: April 17, 1995

Public Works staff have reviewed the City's request to remove the earthen berm that is located within Regional Railroad right-of-way close to Phalen Park and Phalen Village. I have the following comments:

In previous discussions, we have identified the operational and safety issues of at-grade street crossings for trail and future light rail transit service, and the value of earth materials. These issues should be considered with respect to long term rail, park, and street operations as well as community goals and objectives.

Maryland Avenue is a County State Aid Highway and will continue to carry significant traffic volumes. Any mixing of pedestrian or bicycle activity with heavy vehicle movements will present safety issues. Although there are many ways to improve safety, it is difficult to match the safety of a grade-separated crossing.

Light rail transit operations with an at-grade intersection with Maryland Avenue poses both operational and safety issues. Again, design elements including modified preemption for LRT and interconnected signals can help minimize conflicts and maintain acceptable safety and service levels, but congestion will be higher; travel times and delays will be greater for both LRT and motorists with at-grade versus grade-separated operations. Although the significance of these impacts may be subject to debate, there are very real dollar costs associated with them.

Finally, the berm material is likely to be of high quality and will be an important resource to Ramsey County for realigning and reconstructing Prosperity Avenue. The material could also be sold on the open market with the value being tied directly to its quality and proximity to building sites in the area.

Please let me know if you need additional information or assistance.

JET:mk

43



CITY OF SAINT PAUL

Norm Coleman, Mayor

Division of Planning
25 West Fourth Street
Saint Paul, MN 55102

Telephone: (612) 224-4143
Facsimile: (612) 224-4114

ISSUE PAPER

DATE: March 14, 1995

FROM: Allan Torstenson

ART

RE: Phalen Village Small Area Plan - Railroad Berm Removal

A key recommendation of the draft Phalen Village Small Area Plan is to remove the abandoned railroad berm (on right-of-way formerly owned by Burlington Northern Railroad and now owned by the Ramsey County Regional Railroad Authority for eventual use for light rail transit) down to the level of Maryland Avenue and Johnson Parkway to accomplish the following:

- Provide for an at-grade LRT station immediately south of Maryland, with good pedestrian and bicycle access, good access for transfers from buses, and direct connections to the Phalen Village commercial core; and
- Create a stronger connection between Phalen Village and its primary asset, Phalen Park/Lake Phalen, and thus enhance property values, create a stronger market for redevelopment/reinvestment in both Phalen Village housing and the commercial area, and build community stability.

Removal of the railroad berm is a central recommendation that is critical for the success of other key recommendations in the small area plan for:

- A compact, mixed-use, more neighborhood-, pedestrian-, and transit-oriented "Phalen Village" commercial area along Maryland, with quality commercial development and redevelopment that takes advantage of the improved relationship to Phalen Park and access to transit, meets neighborhood commercial needs, and is an asset to the overall area; and
- Quality residential development and redevelopment that takes advantage of the natural landscape and improved relationship to Phalen Park, and adds to the diversity of housing types, price ranges and ownership options in the area.

The most cost-effective way to remove the berm is to use it as a source of cheap fill when needed for nearby projects over time so that when LRT is constructed an appropriately graded right-of-way will already be available to accommodate an at-grade LRT station immediately south of Maryland. Use of the berm as a source of fill for three projects to be constructed in the Phalen Village area this summer (Walgreens Drugstore, Phalen Clinic, and Prosperity Realignment/Rose Reconstruction) would go a

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long way toward achieving that end. A decision to use the berm as a source of fill for these projects is needed this spring. A discussion of related issues and rationals follows.

I. At-grade LRT station immediately south of Maryland

To make the most of LRT as a tool to strengthen the neighborhood and support local redevelopment efforts, and to make the most of local redevelopment efforts for the success of LRT, the following is needed:

- appropriate planning and zoning to allow more intensive mixed-use (residential as well as commercial) development around the station;
- strategic targeting of city, metropolitan, state, and federal public investment and economic development incentives in the Phalen Village area to reverse the decline of the commercial area and to improve deteriorated apartment complexes;
- location and design of the LRT station as an integral part of the Phalen Village commercial core in a way that is respectful and complementary to the area, builds on local initiatives, and helps to create a truly remarkable public place that contributes towards realization of community development goals;
- direct, convenient pedestrian access from the commercial core to the station that is safe and comfortable for all people, and does not require using bridges or undercrossings; and
- station design and location that provides for integration with bus routes, with safe and convenient access for transfers to and from buses.

In planning for LRT, much is made of the importance of the relationship between LRT and surrounding land use and development. Transit-supportive land use and development around LRT stations is clearly a key to the success of LRT. For its own success, then, LRT should be designed to support such land use and development. More importantly, especially in a transit corridor like this, the primary reason for investing in LRT in the first place is to strengthen the neighborhood and support local development goals.

The Phalen Village Small Area Plan Task Force, made up of representatives of residents, property owners and business interests in the area, has gone through an extensive urban design and planning process for the Phalen Village area around the proposed Phalen Village LRT station. As a result of this process, the task force has developed a theme for Phalen Village as a special place that is a more pedestrian- and transit-oriented urban village with balanced housing options and neighborhood-oriented businesses, a stronger connection to Lake Phalen and the natural landscape, and a wetland park and public open space system that provides a neighborhood signature amenity and identity. While the land use, design and redevelopment plans developed by the Phalen Village Small Area Plan Task Force will contribute to the

success of LRT, it is also very important that LRT be designed to support the development goals and special theme for the area envisioned by the task force. Removal of the railroad berm and an at-grade LRT station are key.

The Phalen Village Small Area Plan and 40-Acre Study recommends rezoning property adjacent to the proposed LRT station B-2 Community Business. This would best provide for a transit-oriented mix of commercial and residential uses compatible with this LRT station location.

The City is targeting public infrastructure investment in the area to projects such as the realignment of Prosperity at Maryland to improve traffic safety and circulation, to improve access and visibility for commercial sites, and to encourage development of a more neighborhood- and transit-oriented commercial area along Maryland. As a result, Health East is planning 1995 construction of a 12,000 sq. ft. clinic on the SW corner of the new intersection, and Walgreens is planning 1995 construction of a 13,500 sq. ft. drug store on the NW corner. These projects will help to change the declining image of the area, improve surrounding residential as well as commercial property values, and encourage additional transit-oriented redevelopment.

The City is also targeting significant housing rehabilitation and development funds to improve deteriorated housing complexes and develop new housing alternatives in the area. Not only are some of the existing blighted apartment buildings vacant or underused, they are a blighting influence on other property in the area. Housing rehabilitation and redevelopment is critical to the stability of Phalen Village, and to making the most of eventual investment in LRT.

The State of Minnesota has given preliminary approval for a \$115,000 LCMR grant for the first phase of the Phalen Wetland restoration project to create a stronger connection to Lake Phalen and the natural landscape. This project will improve the market for housing and commercial redevelopment in the area, and it will create a beautiful corridor for LRT. To make the most of this investment, the railroad berm should be removed and LRT should come through the area at grade.

The LRT station must be at-grade for convenient pedestrian access, for convenient access for transfers to and from buses on Maryland (the area's primary bus route), and for the station to be an integral part of the Phalen Village commercial core in a way that is respectful and complementary to the area and builds on local initiatives. East bound buses could stop on Maryland for convenient bus-LRT transfers. West bound buses would pull off of Maryland to an access road parallel to the station (see "Mixed Use Commercial Area Concept Plan" contained in the Phalen Village Small Area Plan) so that passengers could transfer without crossing traffic.

An at-grade LRT station offers an opportunity to create a truly remarkable public place that complements the assets and natural amenities of the area, links the station both to the Phalen Village core and to Lake Phalen/Phalen Park, really tells a story about the place, and contributes to realization of community goals.

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II. At-grade LRT crossings of Maryland, Johnson and Arlington

While grade-separated LRT crossings of Maryland Avenue, Johnson Parkway, and Arlington Avenue would be desirable from a strictly traffic flow point of view, grade-separated crossings are not necessary. North of Arlington, LRT is planned to have at-grade crossings of streets such as Larpenieur and Frost. In the Central Corridor, LRT is planned to have an at-grade crossing of the intersection of John Ireland Boulevard/Rice Street/12th Street/St. Anthony Avenue, an intersection with very complex traffic movements and a traffic volume in the neighborhood of 20,000 vehicles per day. It is also planned to cross University Avenue at-grade just west of Highway 280 where there are about 24,000 vehicles per day. There are about 15,000 vehicles per day where LRT would cross Maryland, 7000 vehicles per day on Johnson Parkway, and 3500 vehicles per day on Arlington; none of these streets have any unusual traffic movements where LRT would cross.

Compared with the Central Corridor, LRT in the Northeast Corridor would have relatively low frequency. Headways in the Northeast Corridor will likely never be shorter than 15 minutes, or 1 crossing every 7 1/2 minutes at the most. Fifteen minute headways are likely to occur only during peak periods. A two to three car LRT train would take only a few seconds to cross a street. With the relatively low frequency of LRT in this corridor, and with moderate traffic volumes on streets it would cross, grade separated crossings do not need to be a priority.

Without removal of the railroad berm, new bridges would have to be constructed for LRT over Maryland and Arlington at substantial cost both for initial construction and for ongoing maintenance, plus additional liability associated with bridges. At much lower cost, crossing signals with arms that lower before arrival of LRT trains could be used so that trains would cross these streets without slowing down; LRT travel times would not be affected.

III. Opportunity for no-cost berm removal this spring

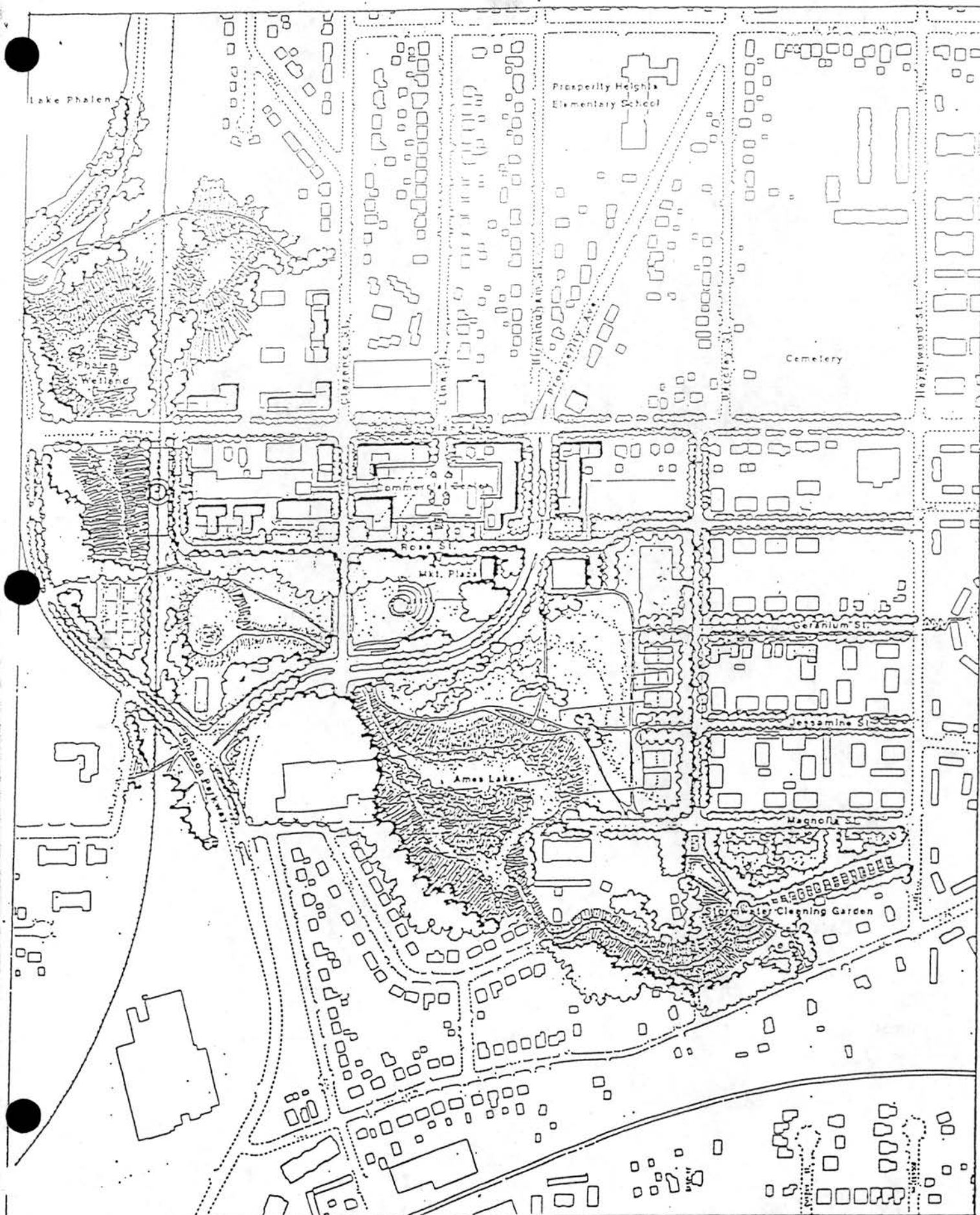
With the Walgreens, Phalen Clinic and Prosperity realignment projects planned for this construction season, and with likely redevelopment of residential and commercial property adjacent to the railroad right-of-way, we have significant opportunities to facilitate partnering and promoting co-investment to achieve mutual transit and development goals. The City and private developers can prepare the railroad corridor for development of an at-grade LRT station, reducing the cost of LRT development while saving money on their own projects, by using the existing railroad berm as a convenient source of fill for nearby projects.

There are roughly 100 sq. yards in the berm cross section that would be removed to bring the grade down to the level of Maryland, Johnson and Arlington. The Walgreens project needs about 10,000 cubic yards of fill, or about 300 feet of berm. The Phalen Clinic project needs about xx,xxx cubic yards of fill, about xxx feet of berm. The Prosperity realignment/Rose reconstruction project needs about 18,000 cubic yards of fill, about 540 feet of berm.

IV. Compatibility of berm removal with trail development

The new Phalen Creek Trail to be constructed this year on the old Burlington Northern right-of-way between Seventh Street and the south end of Phalen Park will use the existing bridge over Johnson Parkway, and cross Maryland at-grade at the traffic signal at Johnson and Maryland. When LRT is built, the trail will no longer be able to use the existing bridge over Johnson Parkway. A new trail bridge could be built, the trail could cross Johnson at a new traffic signal at a reconfigured Johnson-Prosperity intersection, and/or the trail could follow the west side of Johnson and cross Maryland at-grade at the traffic signal at Johnson and Maryland.

Development of a trail further north on the old Burlington Northern right-of-way is a long way off. If LRT and a trail were both to be built in the right-of-way with the berm in place, substantial fill and retaining walls as well as several new bridges would be required, all at very high cost. Without the berm, those costs would be avoided. Removing the abandoned railroad berm down to the level of Maryland, Johnson and Arlington would make development of a trail further north on the old Burlington Northern right-of-way much less expensive, and therefore much more likely. Liability associated with trail retaining walls and railings would be avoided. Trail crossings of Maryland and Johnson could safely and conveniently be made at traffic signals. The trail crossing of Arlington is much less of an issue because of the low traffic volume. An at-grade trail would be more accessible to the neighborhood.



Phalen Village Small Area Plan
Conceptual Plan

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY
<u>K. DeSpiegelaere</u>
Authorized Signature
<u>6/2/95</u>
Date

Board Action Requested

Update on request from the City of St. Paul Public Works Department to change the grade and remove soil from a portion of the Northeast Corridor right of way.

DISCUSSION ONLY

Request Justification

- See attached:
- 1) Portion of minutes of April 25, 1995, Regional Railroad Authority meeting pertaining to this topic
 - 2) Memorandum from K. DeSpiegelaere dated April 18 with attachments

Budgeting and Accounting	<u>M. Johnson</u>	<u>6/5/95</u>
County Attorney	<u>Art Marshall</u>	
Risk Manager		

Documentation certified complete for:

<u>June 13, 1995</u>	<u>Bette Kuysh</u>	<u>6/8/95</u>
Board Date	Signature	Date

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

3

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. H. Spiegel
Authorized Signature

3/20/00
Date

Board Action Requested

Approve contract with Himle Horner for Central Corridor community education in the amount not to exceed \$250,000.

ACTION IS REQUESTED

Request Justification

See information attached.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

John Wallace
Dianna Malt
David G. Kapp

Kirstine A. Longhenny
Signature

3-20-00
Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, Ramsey County Regional Railroad Authority Commissioners authorized staff to negotiate a contract with Himle Horner for Central Corridor community education; Now, Therefore Be It

RESOLVED, That the contract with Himle Horner in the amount not to exceed \$250,000 is approved; and Be It Further

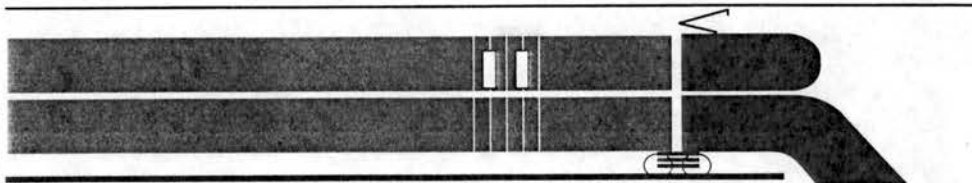
RESOLVED, That the Ramsey County Regional Railroad Authority authorizes it's Chair to execute the contract.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	<u>AYES</u>	<u>NAYS</u>	<u>OTHER</u>
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority Commissioners
Paul Kirkwold, County Manager

From: Kathryn DeSpiegelaere, Director

Subject: Approve contract with Himle Horner for Central Corridor Community
Education in an amount not to exceed \$250,000.

Date: March 22, 2000

Staff was authorized to negotiate a contract with the firm of Himle Horner, Minneapolis, Minnesota, for community education for the Central Corridor. This contract will result in the development of a plan, web site development, newsletters, fact sheets, ads, and meeting materials.

The contract is anticipated to last two years and will be in an amount not to exceed \$250,000. The contract is funded through the Minnesota Department of Transportation.

The contract is attached for your approval.

Recommendation:

Approve contract with Himle Horner and authorize chair of the Rail Authority to execute the contract.



CONTRACT

This agreement is entered into between the **RAMSEY COUNTY REGIONAL RAIL AUTHORITY**, a political subdivision of the State of Minnesota, (hereafter RCRRA) and **HIMLE HORNER INCORPORATED**, 8500 Normandale Lake Boulevard, Suite 720, Minneapolis, Minnesota, 55437 (hereafter Contractor) on this _____ day of _____, 2000.
WITNESSETH:

WHEREAS, the RCRRA desires to obtain professional consulting services to conduct a community education program for transportation improvements in the Central Corridor.

NOW, THEREFORE, the RCRRA and the Contractor, in consideration of the mutual promises and covenants herein set forth, agree as follows.

SECTION I: BASIC SERVICES OF THE CONTRACTOR

1. The contractor agrees to perform professional services in connection with this agreement as hereinafter stated as outlined in the attached Exhibit A.
2. The contractor shall serve as the RCRRA's professional representative in the consulting phase of the project to which this agreement applies, and shall give consultation and professional advice to the RCRRA during the performance of these services.
3. The contractor shall perform the projects tasks identified in Section II hereof, in accordance with the schedule stated therein and in conjunction with the general conditions outlined in section III hereof.

SECTION II: PROJECT TASKS

1. Contractor shall perform all tasks identified in the attached Exhibit A, which is incorporated herein and made a part hereof by reference.

SECTION III: GENERAL CONDITIONS

1. NONASSIGNABILITY

The Contractor shall not assign any interest in this agreement and shall not transfer any interest in the same, whether by subcontract, assignment, or novation, without the prior written consent of RCRRA.

2. INDEPENDENT CONTRACTOR

In the performance of this agreement, the Contractor is an independent contractor, and neither it, its agents, employees, assigns, or other persons, while engaged in the performance of any

work or services required to be performed by RCRRA under this agreement, shall be considered employees of RCRRA. Nothing contained in this agreement shall be construed as creating the relationship of co-partners, joint venturers, or an association between RCRRA and Contractor.

3. **HOLD HARMLESS**

The Contractor agrees to defend, indemnify, and hold Ramsey County, RCRRA, its employees and officials harmless from any claims, demands, actions or causes of action, including reasonable attorneys' fees, arising out of any act or omission on the part of the Contractor, or its subcontractors, partners, or independent contractors or any of their agents or employees, in the performance of or with relation to any of the work or services to be performed or furnished by the Contractor or the subcontractors, partners, or independent contractors or any of their agents or employees, under the terms of this agreement.

4. **ALTERATION**

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.

5. **INSURANCE**

- A. Contractor shall purchase and maintain such insurance as will protect the Contractor from claims which may arise out of, or result from, the Contractor's operations under the contract, whether such operations be by the Contractor or by any subcontractor or by anyone directly employed by them, or by anyone for whose acts any one of them may be liable.
- B. Contractor shall secure the following coverages and comply with all provisions noted. Certificates of insurance shall be issued evidencing such coverage to the RCRRA.

1) **General Liability Insurance**

Commercial General Liability Insurance (ISO CGL)

Minimum Limits:

\$2,000,000 each event limit
2,000,000 general aggregate
2,000,000 products/completed operations total limit

The policy is to be written on an occurrence basis or as acceptable to the County's Risk Manager. Coverage shall include contractual liability coverage either on a blanket basis or specifically covering this agreement. Certificate of Insurance must indicate if the policy is issued on a claims-made or occurrence basis.

2) Automobile Liability Insurance

- a. Minimum Limit:
\$2,000,000 combined single limit
- b. Coverage shall include hired, non-owned and owned automobiles.

3) Worker's Compensation & Employer's Liability

- a. Worker's Compensation per Minnesota State statute
- b. Employer's Liability shall have minimum limits:
 - \$ 500,000 per accident
 - \$ 500,000 per employee
 - \$ 500,000 per disease policy limit

Other States Coverage

4) Professional Liability Insurance (such coverage shall include contractual liability coverage over this agreement)

Minimum Limits

\$1,000,000 per claim
\$2,000,000 aggregate

5) License as required

- C. All certificates of insurance shall provide that the insurance company give RCRRA thirty (30) days prior written notice of cancellation, non-renewal or any material changes in the policy,
- D. The above sub-paragraphs establish minimum insurance requirements, and it is the sole responsibility of the Contractor to purchase and maintain additional insurance that may be necessary in connection with this contract.
- E. The Contractor shall not commence work until the Contractor has obtained the required insurance and filed an acceptable certificate of insurance with the County Risk Manager. Copies of insurance policies shall be submitted to the RCRRA upon request.
- F. Nothing in this contract shall constitute a waiver by the County of any statutory or common law immunities or limitations of liability.
- G. Certificates shall specifically indicate if the policy is written with an admitted or non-admitted carrier. Best's rating for the insurer shall be noted on the certificate, and shall not be less than an A+.

- H. On the certificate, agent shall certify that the agency carries error and omissions coverage.

6. **NON-CONFORMING SERVICES**

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

7. **WASTE REDUCTION**

The Contractor shall participate in a recycling program for at least four broad types of recyclable materials and shall favor the purchase of recycled products in its procurement processes. All reports, publications, and documents produced as a result of this contract shall be printed on both sides of the paper, where commonly accepted publishing practices allow, on recycled and recyclable paper using soy-based inks, and shall be bound in a manner that does not use glue.

8. **SETOFF**

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

9. **EQUAL EMPLOYMENT OPPORTUNITY**

The Contractor 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, sexual preference, disability, or age. When required by law and requested by RCRRA, the Contractor shall furnish a written affirmative action plan.

10. **TERMINATION**

- A. **With Cause.** RCRRA reserves the right to suspend or terminate this agreement if the Contractor 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 RCRRA. In the event that the RCRRA exercises its right of suspension or termination under this paragraph, it shall submit written notice to the Contractor specifying the extent of such

suspension or termination under this paragraph; the reasons therefore, and the date upon which such suspension or termination becomes effective. Upon receipt of such notice, the Contractor 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. RCRRRA may terminate this agreement without cause and for any reason whatsoever upon giving at least 30 days written notice thereof to the other party. In such event, the Contractor shall be entitled to receive compensation for the services provided in a satisfactory manner up to and including the effective date of termination.

11. COMPLIANCE WITH APPLICABLE LAW

The Contractor 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 Contractor's performance of the provisions of this agreement. It shall be the obligation of the Contractor to apply for, pay for and obtain all permits and/or licenses required by any governmental agency for the provision of those services contemplated herein.

12. ACCESS TO DOCUMENTS

- A. The RCRRRA, its authorized representative, or the State Auditor shall have full access to all records relating to the performance of this agreement.
- B. The Contractor agrees to maintain records relative to all services provided by it under the terms of this agreement and shall retain all such documentation for seven (7) years following the termination of this agreement. Such records shall be made available for audit or inspection at any time upon request of RCRRRA or its authorized representative.

13. DATA PRACTICES

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, other applicable state statutes, any state rules adopted to implement the act or other statutes, and any federal statutes and regulations on data privacy. The Contractor agrees to comply strictly with these statutes, rules and regulations.

14. CONFLICT OF INTEREST

Contractor affirms that, to the best of Contractor's knowledge, Contractor's involvement in this contract does not result in a conflict of interest with any party or entity which may be affected by the terms of this contract. Contractor agrees that, should any

conflict or potential conflict of interest become known to Contractor, Contractor will immediately notify RCRRA of the conflict or potential conflict, specifying the part of this contract giving rise to the conflict or potential conflict, and will advise RCRRA whether Contractor will or will not resign from the other engagement or representation.

15. INTERPRETATION OF AGREEMENT; VENUE

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 district court of the County of Ramsey, Second Judicial District, State of Minnesota.

16. TERM

This agreement shall be in force and effect from March, 2000 through March, 2002 or until earlier terminated by the parties hereto pursuant to this agreement.

17. OWNERSHIP OF WORK PRODUCTS

All work products, including but not limited to concepts, ideas, layouts, drawings, maps, models, computer program or simulation, photography, scripts, graphics, reports and recommendations prepared or furnished by the consultant pursuant to this agreement shall be the property of the RCRRA; provided however, that the consultant shall be entitled to retain copies of all such work products. No work products or other information generated under this agreement shall be released by the consultant, employees or agents without the express written approval of the RCRRA's authorized representative.

17. ENTIRE AGREEMENT

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

SECTION IV: PAYMENT

1. As and for payment to Contractor for completion of the project tasks stated in Section II hereof, the RCRRA shall pay to the Contractor no more than Two Hundred Fifty Thousand Dollars (\$250,000.00). In the event this agreement is terminated by either party prior to completion of all tasks in Section II, the Contractor shall be paid for actual work performed on the basis of the hourly rates stated in the attached Exhibit B.
2. The Contractor shall be paid monthly upon receipt of invoice and supporting documentation by the RCRRA. Professional services fees shall be documented with a payroll cost breakdown including the name of the employee, his or her classification, hourly billing rate per Exhibit B, hours worked, and total cost for each period. Overtime or

premium pay for work or services performed is not authorized.

3. All payments to the Contractor shall be subject to a retainage of 5% pending final acceptance of the technical reports, supporting documentation, and products identified in Section II hereof. Upon final approval of Contractor's work by the RCRRA, all sums retained under the provisions of this section shall be remitted to Contractor.
4. The following special conditions apply to payments under this agreement:

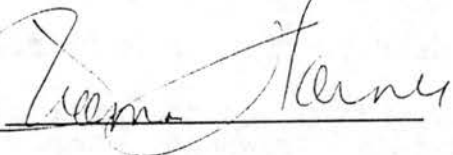
The funding of this contract is primarily through a federal grant to be awarded in two phases, commencing in federal fiscal year 2000 and 2001. The RCRRA has been awarded the first phase of grant funding. The full funding of this contract is contingent on the second phase of the grant being awarded.

**RAMSEY COUNTY
REGIONAL RAIL AUTHORITY**

By: _____

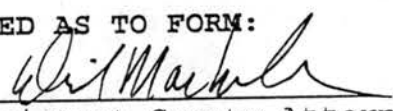
Tony Bennett, Chair
Ramsey County Regional
Railroad Authority

HIMLE HORNER, INCORPORATED

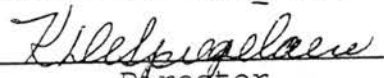
By: 

Its: President

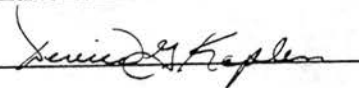
APPROVED AS TO FORM:

By: 
Assistant County Attorney

RECOMMEND FOR APPROVAL

By: 
Director

RISK MANAGEMENT

By: 

BUDGETING & ACCOUNTING

Funds Available: \$250,000.00
Account No. 2000 12501 150180 421501 G205002

By: Vern Wakley 3/23/00

RCRRA SCOPE OF SERVICES

Task 1 – Conduct Research and Develop an Integrated Work Plan

Objective: Conduct research among the constituencies affected by the Central Corridor to identify current attitudes and expectations. Research will build on existing research and will be both qualitative and quantitative. In addition to attitudinal research, a comprehensive profile of the Central Corridor will be created. The research and analysis of findings will become the basis for the final work plan and benchmarks.

- 1.1 Collect and analyze existing research of constituencies and issues affected by the Central Corridor.
- 1.2 Conduct a communications audit of affected audiences. A communications audit is conducted through in-depth, one-on-one interviews with representatives of key audiences. The interviews will be conducted using a guideline, but will be flexible enough to permit those interviewed to raise points important to them. An audit provides information depth, complementing the information breadth that comes from quantitative research. The audit would reflect the corridor's demographic and cultural diversity and would focus on specific constituencies important to the corridor (e.g., the business community) rather than the general public. Approximately 30 to 40 interviews would be conducted.
- 1.3 Conduct a random sample survey of the general public in the Central Corridor area. The survey would focus on the attitudes of individuals and the community toward transportation needs and expectations and the economic, social and environmental opportunities associated with transportation investment in the corridor. The purpose is to develop a thorough understanding of critical issues in order to appropriately reflect the ways in which transit could support solutions to these issues.
- 1.4 Create a comprehensive profile of the Central Corridor, including political, demographic and economic information and databases (throughout the document, a database is understood to be a list of names, addresses and/or phone numbers maintained in electronic format and available to generate mailing or call lists). The databases will be cross-referenced with existing lists from both the city of St. Paul and Ramsey County. Databases will be developed on the following:
 - Neighborhood associations, business and merchant associations, civic organizations, social and service agencies, etc. Significant individual businesses and neighborhood organizations also will be included.
 - Political jurisdictions.
 - Key contacts, including state, county, city and neighborhood political, business and civic leaders.

- 1.5 Develop an "opportunity statement." Based on the findings of the research, a statement reflecting the opportunities that transit brings to the Central Corridor region will be developed. This "opportunity statement" will become the platform for the public information and involvement initiative.
- 1.6 Using the research as the base, create a specific work plan. Included in the work plan will be the following:
 - Development of a communications infrastructure, including internal policies and procedures for representing the Central Corridor to the news media and public audiences. A small steering committee under the direction of Dave Verhasselt and Kathy DeSpiegelaere will be created to provide consultation and oversight on critical information/involvement decisions.
 - Creation of streamlined review and approval processes and appropriate reporting mechanisms (it is understood that the public information initiative will be under the supervision of Dave Verhasselt).
 - Develop specific benchmarks for evaluating the information and involvement programs on an on-going basis (in order to refine and adjust the activities) and at the completion of the campaigns.
 - A project-specific budget.
- 1.7 Implementation of the work plan will be managed through regular reports and meetings with RCRRA and participation in team meetings at the request of BRW.
- 1.8 Develop a crisis plan to manage communications during situations that may result in intense media or public scrutiny.

Deliverables:

- Develop summary of existing research.
- Communications audit.
- Survey.
- Central Corridor community profiles and databases.
- Opportunity statement.
- Integrated public information and public involvement work plan with processes, budget, timeline and benchmarks.
- Crisis plan, including identification of scenarios that could produce a crisis.

Task 2 – Information Campaign - Direct Public Communications

Objective: The information campaign will educate and inform key audiences (as defined in the work plan), the general public (focusing mainly on constituencies within the Central Corridor) and local media.

- 2.1 Develop materials in several different media that capture the image of the project and bring to life the different transportation options for the public:
 - Basic collateral material describing the Central Corridor and its importance to the communities.
 - Newsletters, fact sheets and other information material.
 - Develop and maintain a "resource library" of maps, photographs, graphics, etc., related to the Corridor and various design and equipment proposals.
 - Create an educational video that demonstrates the differences among different modes of transit and provides basic educational background on the Corridor and various proposals.
 - Displays and other visual transportation demonstrations for use at community, coalition and other important meetings (in conjunction with BRW).
 - Coordinate translation of materials into non-English languages as necessary and as appropriate.
- 2.2 Identify opportunities for open houses, community forums, hosted events (e.g., Central Corridor presentations hosted by other organizations) and speaking opportunities. Use these public forums to present issues and options related to economic development, design, community issues, transit options and service plans, financial analysis and engineering to the public and engage key audiences in a shared process of reviewing, discussing, revising, enhancing and recommending the options.
 - Develop and manage all logistics for public events, including coordination of possible joint sponsorships, presentations, materials, etc.
 - When appropriate, advertise the forums in local newspapers and through postings in other public places (libraries, city and county offices, etc.)
 - Inform interested parties identified through developed coalitions, stakeholder databases, newsletter mailing lists, web site contacts, etc.
 - Develop and maintain a master calendar of community events and corridor activities.
- 2.3 Develop a "speakers bureau," promoting presentations by credible spokespeople to appropriate organizations.
 - Identify and train a "presentation team" of well-trained and knowledgeable surrogates who are able to communicate to general and targeted audiences.
 - Create speaking opportunities through civic and service organizations, community events, and other public forums.
 - Provide speakers with appropriate materials, including audio/visual support for their speeches (e.g., overheads, PowerPoint presentation, etc.) and informational materials to leave with audiences.

- 2.4 Create and distribute an "Information Campaign in a Box"—that is, informational and educational materials that can be given to community-based organizations for their use on an on-going basis. For example, use the "Campaign in a Box" as a follow-up to a speech, encouraging the organization to adopt the issue and spread the information to their entire service area, not just their members.
- 2.5 Develop and maintain a web site as an informational tool on Central Corridor related issues.
 - Design site infrastructure.
 - Develop content.
 - Coordinate and manage ISP.
 - Track and report on usage.
 - Identify and seek appropriate links to other sites, including community-based sites.

Deliverables

- Communications materials including brochures, newsletters, video, etc.
- Web site.
- Presentation materials and training.
- Creation of public forums (including open houses and speaking opportunities) and support.
- Creation and distribution of "Campaign in a Box."

Task 3 – Information Campaign - Media Relations

Objective: Develop and maintain media relations strategy in conjunction with Dave Verhasselt. The strategy will define processes for maintaining regular communication with major metro media and community media; processes for responding to inquiries; and, strategies for generating on-going coverage of Corridor issues and events.

- 3.1 Identify and train spokespeople if there are to be others beyond Verhasselt.
- 3.2 Create information kits for the media, including graphics and other visuals, timelines, background information, contacts, etc.
- 3.3 Create and maintain Central Corridor media database.
- 3.4 Create specific strategies to identify and seek opportunities to communicate Central Corridor issues through the major metro media and community news media.
- 3.5 Work with supportive community and developed coalition members to prepare letters to the editor, opinion pieces, etc.
- 3.6 Track community and metro-wide media coverage.

3.7 Analyze media coverage for key messages and identify opportunities for response.

Deliverables:

- Media kits.
- Media database.
- New release drafts for dissemination by RCRRA or the appropriate authority.
- Letters to the editor and op-ed drafts as required.
- Media tracking system.

Task 4 - The Public Involvement Campaign

Objective: Engage the public and key constituencies in the Central Corridor.

- 4.1 Identify stakeholders in the Central Corridor (those constituencies that have a vested interest in issues affecting the Corridor). Create the means to inform and engage them in the process of determining the outcome of the Corridor.
- Create a database of interested audiences and audiences that have a stake in the Corridor.
 - Identify appropriate communication channels to inform these audiences of Corridor issues.
 - Create opportunities to engage the audiences in the issues.
- 4.2 Build a coalition around geographic communities and communities of interest. Through the coalition, facilitate dialogue and engage diverse audiences in the involvement campaign.
- Create partnerships with businesses, civic organizations, foundations, service organizations and organizations representing diverse ethnic, racial and social communities.
 - Work with partners to identify issues of importance to the communities they represent, to craft information in ways that are most credible and to develop forums that are most likely to engage their constituencies.
 - Create channels through the partnerships to exchange information and ideas with hard-to-reach audiences. Working in conjunction with the partners will develop vehicles that are credible.
- 4.3 Create advisory committees to guide communication to stakeholders and to promote broad involvement of diverse audiences.

Deliverables

- Database of key stakeholders.
- Create and manage advisory committees.

- Coalition materials – lists, communications materials, etc.

Task 5 - Forging consensus, commitment

Objective: Build consensus among the public and other key audiences on critical Corridor issues.

- 5.1 Host strategic listening sessions in Corridor neighborhoods and with affected audiences.
 - Attendance at these sessions should reflect a broad cross-section of each community. To achieve that goal, attendees should be identified and recruited (rather than issue an open invitation or to host a "town hall" format).
 - Community members should be diverse—business, faith communities, labor, cultural and ethnic groups, etc.
- 5.2 Based on the strategic listening sessions and other public involvement efforts, identify and promulgate critical issues. Solicit public and key audience response to the critical issues through the media and through community and neighborhood -based opportunities.
- 5.3 Based on the public commentary, publish and distribute a report of key findings. Solicit feedback to the report.

Deliverables:

- Develop and host strategic listening sessions.
- Identify and publish critical issues.
- Report of key findings.

Task 6 - Recording public comments

Objective: Maintain a record of the process and activities used to inform and engage the public and key audiences; track and respond to the significant issues identified by the public and key audiences throughout the process.

- 6.1 A final report will be prepared, documenting the processes and results. Included in the final report will be the following:
 - The research findings.
 - An activities report, outlining the tactics used to inform and engage the public and key audiences.
 - Identification of the critical issues raised by the public and key audiences through the process and the responses to the critical issues.
 - A record of media coverage related to the Corridor.
 - Databases of stakeholders and other audiences developed through the process.

Deliverables:

- Final report

SUMMARY PERSONHOUR ASSIGNMENT AND FEE COMPUTATION

Project Title: Himle Horner Inc. Ramsey County Regional Rail Project

Year: March 2000 to March 2001

TASKS	EMPLOYEE CLASSIFICATION												TOTALS		
	PRINCIPAL		SUPERVISOR		SR. ACCT EXECUTIVE		SR. ACCT EXECUTIVE		JR ACCT EXECUTIVE		ADMINISTRATION		HOURS PER TASK	COST PER TASK	AVE. MH RATE
	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE			
Conduct Research/Work Plan	48	190	30	120	48	110	49	110	61	65	114	25	350.00	30,205.00	86.30
Info Campaign/Public Commos	48	190	31	120	49	110	49	110	61	65	114	25	352.00	30,435.00	86.46
Info Campaign/Media Relations	36	190	23	120	36	110	36	110	46	65	114	25	291.00	23,360.00	80.27
Public Involvement Campaign	48	190	30	120	48	110	48	110	60	65	113	25	347.00	30,005.00	86.47
Forging Consensus/Commitment	0	190	0	120	0	110	0	110	0	65	0	25	0.00	0.00	0.00
Recording Comment/Final Report	0	190	0	120	0	110	0	110	0	65	0	25	0.00	0.00	0.00
Project Totals	180	190	114	120	181	110	182	110	228	65	455	25	1,340.00	114,005.00	85.08

Direct Reimbursables	1,200.00
Polling	12,000.00
Printing	6,000.00
Graphic Design	2,500.00
Copying/Printing	1,140.00
Mailhouse Fees/Postage Fees	7,875.00
Open House Ads in Community Papers	2,000.00
Translation	1,000.00
Web Design and Maintenance	11,050.00
Total Vendors	44,765.00

Year 1 Total 158,770.00

17

SUMMARY PERSONHOUR ASSIGNMENT AND FEE COMPUTATION

Project Title: Himle Horner Inc. Ramsey County Regional Rail Project

Year: March 2001 to March 2002

TASKS	EMPLOYEE CLASSIFICATION												TOTALS		
	PRINCIPAL		SUPERVISOR		SR. ACCT EXECUTIVE		SR. ACCT EXECUTIVE		JR ACCT EXECUTIVE		ADMINISTRATION		HOURS PER TASK	COST PER TASK	AVE. MH RATE
	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE			
Conduct Research/Work Plan	0	190	0	120	0	110	0	110	0	65	0	25	0.00	0.00	0.00
Info Campaign/Public Commos	25	190	21	120	32	110	33	110	34	65	64	25	209.00	18,230.00	87.22
Info Campaign/Media Relations	25	190	20	120	32	110	32	110	20	65	65	25	194.00	17,115.00	88.22
Public Involvement Campaign	25	190	20	120	33	110	33	110	34	65	65	25	210.00	18,245.00	86.88
Forging Consensus/Commitment	25	190	21	120	34	110	33	110	5	65	65	25	183.00	16,590.00	90.66
Recording Comment/Final Report	20	190	0	120	0	110	0	110	0	65	80	25	100.00	5,800.00	58.00
Project Totals	120	190	82	120	131	110	131	110	93	65	339	25	896.00	75,980.00	84.80

Direct Reimbursables	1,200.00
Polling	0.00
Printing	2,000.00
Graphic Design	0.00
Copyng/Printing	375.00
Mallhouse Fees/Postage Fees	7,875.00
Open House Ads in Community Papers	2,000.00
Translation	0.00
Web Design and Maintenance	1,800.00
Total Vendors	15,250.00

Year 2 Total	91,230.00
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SUMMARY PERSONHOUR ASSIGNMENT AND FEE COMPUTATION

Project Title: Himle Horner Inc. Ramsey County Regional Rail Project

Year: Total project, March 2000 to March 2002

TASKS	EMPLOYEE CLASSIFICATION												TOTALS		
	PRINCIPAL		SUPERVISOR		SR. ACCT EXECUTIVE		SR. ACCT EXECUTIVE		JR ACCT EXECUTIVE		ADMINISTRATION		HOURS PER TASK	COST PER TASK	AVE. MH RATE
	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE	MH'S	RATE			
Conduct Research/Work Plan	48	190	30	120	48	110	49	110	61	65	114	25	350.00	30,205.00	86.30
Info Campaign/Public Commos	73	190	52	120	81	110	82	110	95	65	178	25	561.00	48,665.00	86.75
Info Campaign/Media Relations	61	190	43	120	68	110	68	110	66	65	179	25	485.00	40,475.00	83.45
Public Involvement Campaign	73	190	50	120	81	110	81	110	94	65	178	25	557.00	48,250.00	86.62
Forging Consensus/Commilment	25	190	21	120	34	110	33	110	5	65	65	25	183.00	16,590.00	90.66
Recording Comment/Final Report	20	190	0	120	0	110	0	110	0	65	80	25	100.00	5,800.00	58.00
Project Totals	300	190	196	120	312	110	313	110	321	65	794	25	2,236.00	189,985.00	84.97

Direct Reimburseables	2,400.00
Polling	12,000.00
Printing	8,000.00
Graphic Design	2,500.00
Copying/Printing	1,515.00
Mailhouse Fees/Postage Fees	15,750.00
Open House Ads in Community Papers	4,000.00
Translation	1,000.00
Web Design and Maintenance	12,850.00
Total Vendors	60,015.00
Budget Total	250,000.00

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

4

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere
Authorized Signature

3/20/00
Date

Board Action Requested

Northstar Corridor, Central Corridor and Red Rock Corridor Connection

ACTION IS REQUESTED

Request Justification

- See attached :
1. Proposed Resolution
 2. Memorandum from K. DeSpiegelaere dated 3/22/00
 3. Northstar Corridor Development Authority Resolution No. 2000-3
 4. Northstar Corridor/Red Rock Corridor Interface Map

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhewy
Signature

3-20-00

Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

(Page 1 of 2)

WHEREAS, The Minnesota Department of Transportation (Mn/DOT) Commuter Rail System Plan ranks corridors for priority for implementation for commuter rail; and

WHEREAS, The Metropolitan Council Regional Master Plan, Transit 2020, proposes commuter rail to be built by 2010 in the Northstar, Central, and Red Rock Corridors; and

WHEREAS, The Northstar Corridor Development Authority (NCDA) has completed a Federal Major Investment Study and a Preliminary Draft Environmental Impact Statement for the Corridor between the City of Rice and downtown Minneapolis; and

WHEREAS, The Red Rock Corridor and Central Corridor are beginning further commuter rail studies; and

WHEREAS, The Central Corridor is conducting a Federal Transit Study which will analyze commuter rail between downtown St. Paul and downtown Minneapolis that includes connections to the Northstar and Red Rock Corridors; and

WHEREAS, A potential connection via existing railroad tracks in the vicinity of Harrison Street in Northeast Minneapolis known as Minneapolis Junction appears to provide an opportunity to create a seamless transit connection between Red Rock – Central – Northstar commuter rail routes; and

WHEREAS, The City of Minneapolis will need to approve all commuter rail stations located in the city; Now, Therefore, Be It

RESOLVED, That, The Executive Committee of the Northstar and Red Rock Corridors, and the Ramsey County Regional Railroad Authority recommend that the Minneapolis Junction/Harrison Street location appears to be an appropriate location for a passenger transfer station to create a seamless transition between Red Rock – Central – Northstar Commuter Rail Corridors; and Be It Further

RESOLVED, That the Northstar, Redrock, and Central organizations will work with the City of Minneapolis, Mn/DOT, and the appropriate metropolitan agencies to determine the viability of the Minneapolis Junction transfer station; and Be It Further

1

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

(Page 2 of 2)

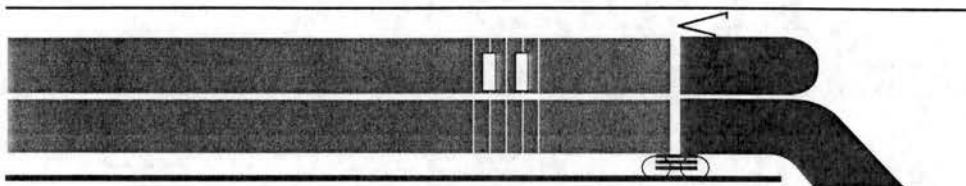
RESOLVED, That the Northstar Corridor Development Authority will organize a joint subcommittee and request one member from the Central Corridor, the Red Rock Corridor, the City of Minneapolis, and Mn/DOT to review and share information regarding the Minneapolis Junction transit station for commuter rail.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	<u>AYES</u>	<u>NAYS</u>	<u>OTHER</u>
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority Commissioners
Paul Kirkwold, County Manager

From: Kathryn DeSpiegelaere, Director

Subject: Connection of Northstar Corridor to Central Corridor

Date: March 22, 2000

At its March 2nd meeting, the Northstar Corridor Development Authority passed a resolution stating its support to create a seamless transit connection between the Red Rock, Central, and Northstar Corridors in the vicinity of Harrison Street in Northeast Minneapolis. The Development Authority also resolved to create a joint subcommittee with one representative each from the Central Corridor, the Red Rock Corridor, the City of Minneapolis, and Mn/DOT to review and share information regarding this transit connection.

Enclosed in the documentation is a resolution for the Ramsey County Regional Railroad Authority regarding this issue and the Northstar Corridor Development Authority resolution.



Northstar Corridor Development Authority

Resolution

2000 - 3

WHEREAS, the Minnesota Department of Transportation (Mn/DOT) Commuter Rail System Plan ranks corridors for priority for implementation for commuter rail, and

WHEREAS, the Metropolitan Council Regional Master Plan, Transit 2020, proposes commuter rail to be built by 2010 in the Northstar, Central and Red Rock Corridors; and

WHEREAS, the Northstar Corridor Development Authority (NCDCA) has completed a Federal Major Investment Study and a Preliminary Draft Environmental Impact Statement for the Corridor between the City of Rice and downtown Minneapolis; and

WHEREAS, the Red Rock Corridor and Central Corridor are beginning further commuter rail studies; and

WHEREAS, the Central Corridor is conducting a Federal Transit Study which will analyze commuter rail between downtown St. Paul and downtown Minneapolis that includes connections to the Northstar and Red Rock Corridors; and

WHEREAS, a potential connection via existing railroad tracks in the vicinity of Harrison Street in Northeast Minneapolis known as Minneapolis Junction appears to provide an opportunity to create a seamless transit connection between Red Rock - Central - Northstar commuter rail routes; and

WHEREAS, the City of Minneapolis will need to approve all commuter rail stations located in the city.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Committee of the Northstar and Red Rock Corridors, and the Ramsey County Regional Railroad Authority recommend that the Minneapolis Junction/Harrison Street location appears to be an appropriate location for a passenger transfer station to create a seamless transition between Red Rock - Central - Northstar Commuter Rail Corridors.

BE IT FURTHER RESOLVED, that the Northstar, Red Rock and Central organizations will work with the City of Minneapolis, Mn/DOT and the appropriate metropolitan agencies to determine the viability of the Minneapolis Junction transfer station.

BE IT FINALLY RESOLVED, that the Northstar Corridor Development Authority will organize a joint subcommittee and request one member from the Central Corridor, the Red Rock Corridor, the City of Minneapolis, and Mn/DOT to review and share information regarding the Minneapolis Junction transit station for commuter rail.

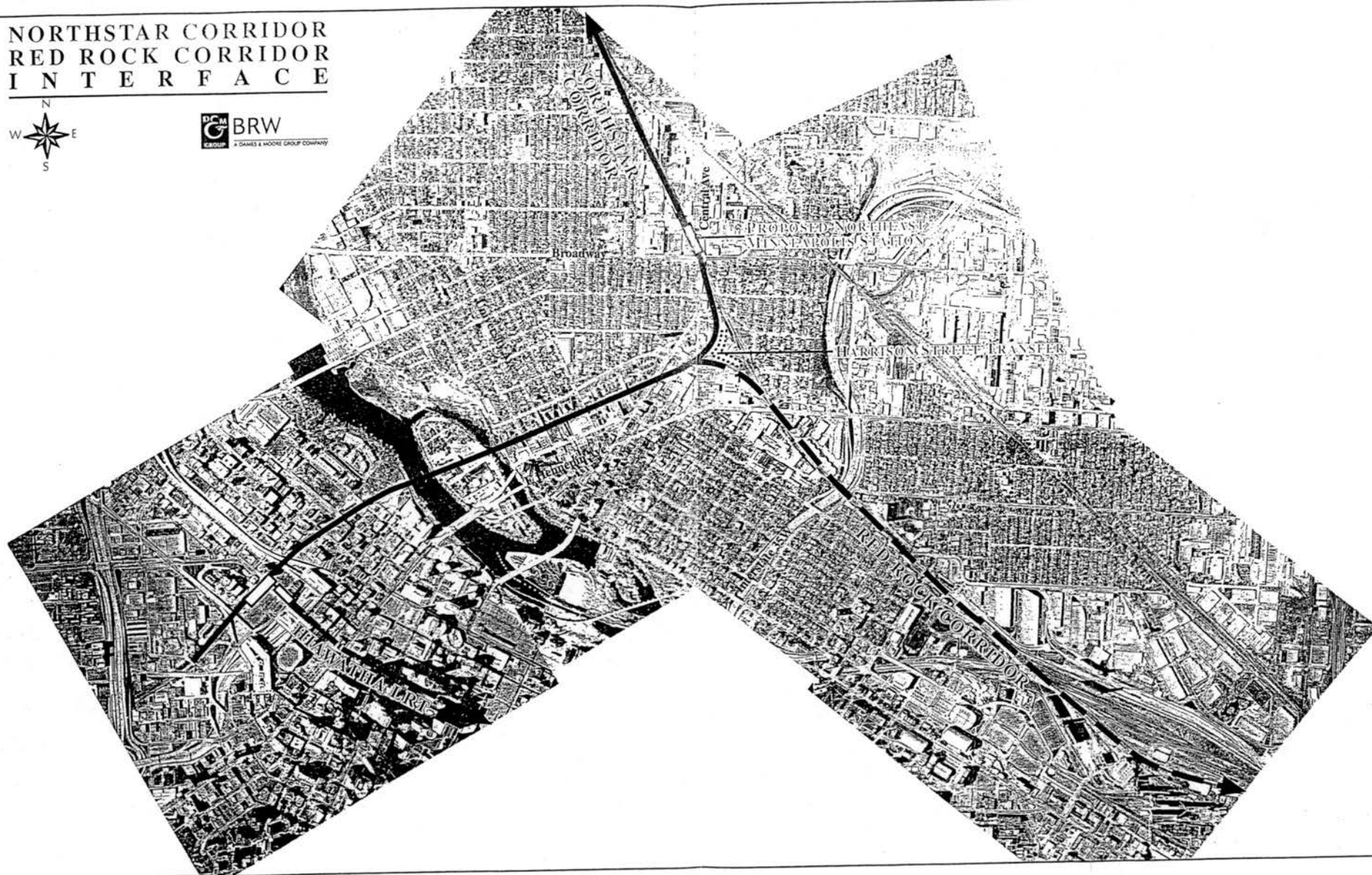

Betsy Wergin, Chairperson


Date

NORTHSTAR CORRIDOR RED ROCK CORRIDOR I N T E R F A C E



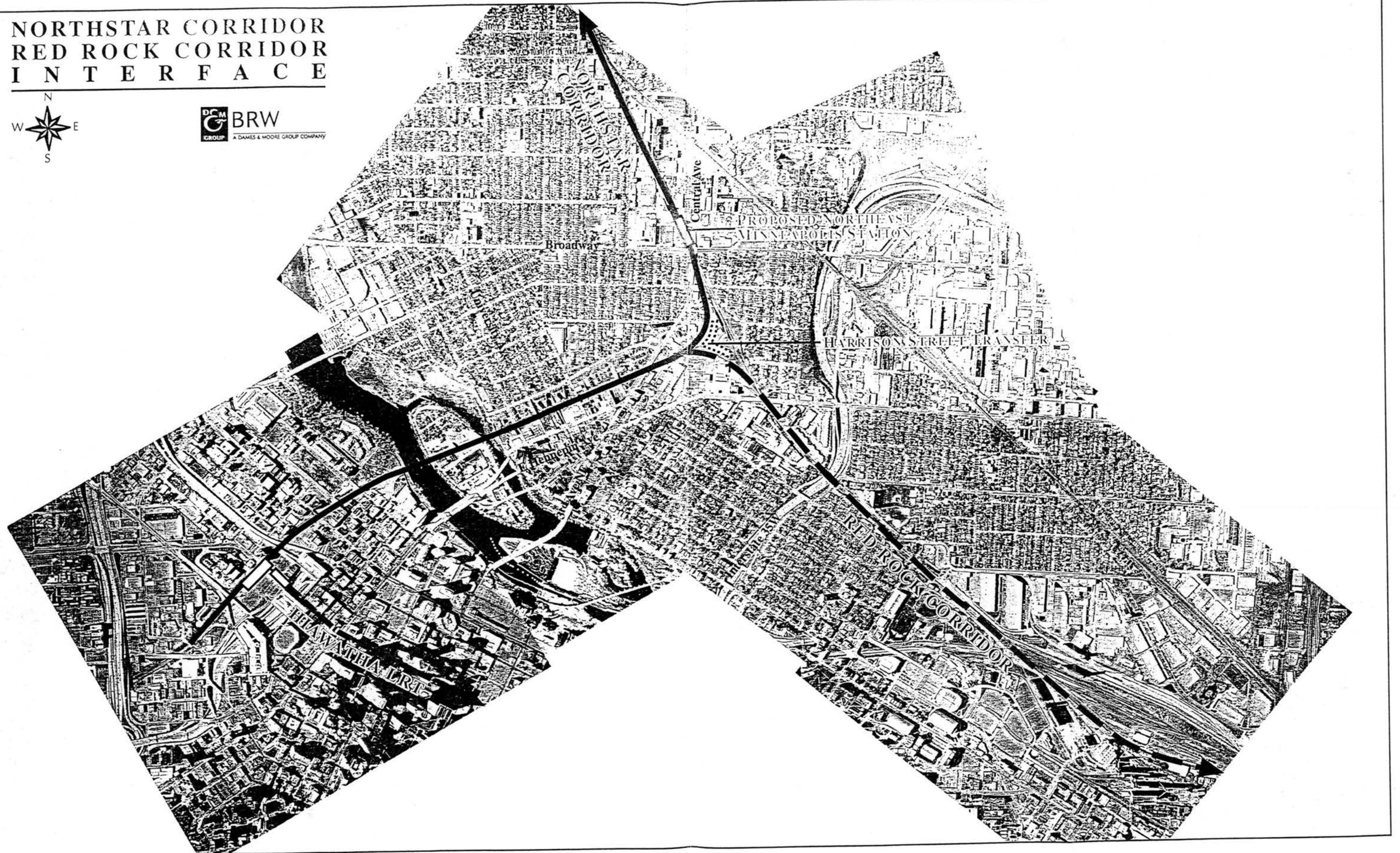
DCM **BRW**
ENGINEERS ARCHITECTS
A DAMEL & MOORE GROUP COMPANY



NORTHSTAR CORRIDOR RED ROCK CORRIDOR I N T E R F A C E



DCM **BRW**
A DAMES & MOORE GROUP COMPANY



RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

6

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere
Authorized Signature

3/20/00
Date

Board Action Requested

Approve extension of contract with Davis Communications for community education for the Riverview Transit Corridor through October 2000 at no additional cost.

ACTION IS REQUESTED

Request Justification

- See attached:
1. Proposed resolution
 2. Memorandum from K. DeSpiegelaere
 3. Addendum

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhenry
Signature

3-2-00

Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The Ramsey County Regional Railroad Authority has contracted for the professional consulting services of Davis Communications for the purpose of community education services for the Riverview Corridor; and

WHEREAS, The contract with Davis Communications expires May 30, 2000; and

WHEREAS, The community education services for this contract will not be completed until October 2000; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority extends the contract with Davis Communications through October 2000 at no additional cost; and Be It Further

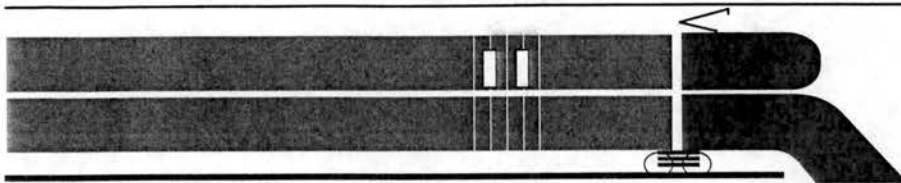
RESOLVED, That the Chair of Ramsey County Regional Railroad Authority is authorized to execute this contract extension.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	AYES	NAYS	OTHER
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority
Paul Kirkwold, County Manager

From: Kathryn DeSpiegelaere

Subject: Davis Communications Riverview Corridor Contract Extension

Date: March 22, 2000

The Ramsey County Regional Railroad Authority had entered into a contract with Davis Communications for community education for the Riverview Transit Corridor. The original terms for this contract were from May 3, 1999 to May 30, 2000. The community education for this contract will not be completed by the end of the contract period, but instead will be completed at the end of October 2000.

Therefore, the Ramsey County Regional Railroad Authority is being requested to extend the contract with Davis Communications through October 2000 at no additional cost.

Recommendation:

A resolution is attached that addresses the information above.

ADDENDUM 3

This agreement is an addendum to Addendum 1 to the contract between Ted Davis and RCRRA dated May 4, 1999.

The parties agree that Addendum 1 of the Agreement shall be amended as follows:

ArticleXX Expiration

The period of this contract is May 3, 1999 to October 31, 2000.

Except as herein agreed, all other terms and conditions of the Agreement shall remain in full force and effect.

RAMSEY COUNTY
REGIONAL RAILROAD AUTHORITY

By: _____
Tony Bennett, Chair

Dated: _____

Davis Communications

By: _____
Contractor SSN: 471-780541

Dated: 2/20/00

By: Kathryn DeSpiegelaere
Kathryn DeSpiegelaere
Director

By: Assistant County Attorney
Assistant County Attorney

By: Risk Management
Risk Management

By: Budgeting and Accounting
Budgeting and Accounting

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

7

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

[Signature]
Authorized Signature

3/20/00
Date

Board Action Requested

Corridor update.

ACTION MAY BE TAKEN

Request Justification

An update will be given at the meeting.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhenry
Signature

3-20-00

Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The Metropolitan Council has approved a Master Plan for Transit that includes the corridor between the two downtowns as the location for a major investment in transit; and

WHEREAS, The University of Minnesota is a major transit destination along this Central Corridor connecting the two downtowns; and

WHEREAS, The University of Minnesota is proposing to reconstruct Washington Avenue in the vicinity of Northrup Mall in order to enhance pedestrian safety, to better accommodate accessibility to transit and to improve the flow of transit vehicles on Washington Avenue; and

WHEREAS, Preparing this roadway now to accommodate a major transit investment in bus or rail transit technology will save several additional millions of dollars of public investment in future years; and

WHEREAS, The University of Minnesota is interested in seeking federal participation in the reconstruction costs of Washington Avenue to better facilitate transit vehicles; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority supports the concept of improving transit accessibility on Washington Avenue; and Be It Further

RESOLVED, That Ramsey County Regional Railroad Authority supports the University of Minnesota's request for federal participation in this project to better accommodate transit for today and the future; and Be It Further

RESOLVED, That Ramsey County Regional Railroad Authority further urges support for improvements to Washington Avenue to better accommodate transit from the Minnesota Department of Transportation, Metropolitan Council, Metro Transit and Hennepin County.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	YEA	NAY	OTHER
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

5

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere
Authorized Signature

3/20/00
Date

Board Action Requested

Approve extension of contract with Parsons Brinckerhoff Quade & Douglas, Inc. for completion of Riverview Corridor Major Investment Study through October, 2000 at no additional cost.

ACTION IS REQUESTED

Request Justification

- See attached:
1. Proposed Resolution
 2. Memorandum from K. DeSpiegelaere
 3. Addendum

Budgeting and Accounting

Vern W. Kelly

County Attorney

Dr. M. A. Smith

Risk Management

Debbie G. Kasper

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhenry
Signature

3-20-00
Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The Ramsey County Regional Railroad Authority has contracted for the professional consulting services of Parsons Brinckerhoff Quade & Douglas, Inc. for the purpose of conducting the Riverview Corridor Major Investment Study; and

WHEREAS, The contract with Parsons Brinckerhoff Quade & Douglas, Inc. expires in April 2000; and

WHEREAS, The technical work for this contract will not be completed until October 2000; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority extends the contract with Parsons Brinckerhoff Quade & Douglas, Inc. through October 2000 at no additional cost; and Be It Further

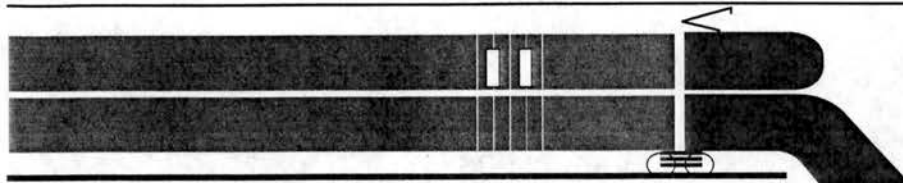
RESOLVED, That the Chair of Ramsey County Regional Railroad Authority is authorized to execute this contract extension.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	AYES	NAYS	OTHER
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (651) 266-2760 / FAX (651) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority
Paul Kirkwold, County Manager

From: Kathryn DeSpiegelaere

Subject: Parsons Brinckerhoff Riverview Corridor Contract Extension

Date: March 22, 2000

The Ramsey County Regional Railroad Authority had entered into a contract with Parsons Brinckerhoff Quade and Douglas for a Major Investment Study for the Riverview Transit Corridor. The original terms for this contract were from October 1998 to April 2000. The technical work for this contract will not be completed by the end of the contract period, but instead will be completed at the end of October 2000.

Therefore, the Ramsey County Regional Railroad Authority is being requested to extend the contract with Parsons Brinckerhoff Quade and Douglas through October 2000 at no additional cost.

Recommendation:

A resolution is attached that addresses the information above.



RECEIVED

FEB 17 2000

PARSONS BRINCKERHOFF
MPLS MIN

ADDENDUM

This agreement is an addendum to to the contract between Parsons Brinckerhoff Quade & Douglas, Inc. and RCRRA dated October 13, 1998.

The parties agree that Section 16 of the Agreement shall be amended as follows:

ArticleXX Expiration

This agreement shall be in force and effect from October, 1998 through October 31, 2000 or until earlier terminated by the parties hereto pursuant to this agreement.

Except as herein agreed, all other terms and conditions of the Agreement shall remain in full force and effect.

RAMSEY COUNTY
REGIONAL RAILROAD AUTHORITY

By: _____
Tony Bennett, Chair

Dated: _____

PARSONS BRINCKERHOFF QUADE
& DOUGLAS, INC.

By: *Kevin M. Warner*
Contractor SSN: 11-153-156-9

Dated: Feb 17, 00

By: *Kathryn DeSpiegelaere*
Kathryn DeSpiegelaere
Director

By: *Will Mahill*
Assistant County Attorney

By: *Kevin G. Kasper*
Risk Management

By: *Vern Wobley*
Budgeting and Accounting

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

8

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. Helgeson
Authorized Signature

3/20/00
Date

Board Action Requested

Legislative update.

ACTION MAY BE TAKEN

Request Justification

An update will be given at the meeting.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhenry
Signature

3-20-00

Date

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

9

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

Will MacMillan
Authorized Signature

3/20/00
Date

Board Action Requested

Ratify Partial Payments No. 13 in the amount of \$112,619.20 and No. 14 in the amount of \$58,147.27 to Parsons Brinckerhoff Quade and Douglas, Inc. for professional consulting services for the Riverview Corridor Major Investment Study.

ACTION IS REQUESTED

Request Justification

Ramsey County Regional Railroad Authority has contracted the professional consulting of Parsons Brinckerhoff Quade & Douglas, Inc. for the purpose of conducting the Riverview Corridor Major Investment Study. Payment in the amount of \$170,766.47 for the period ending January 14, 2000 will be issued upon approval by the Director of Ramsey County Regional Railroad Authority in accordance with contract provisions and Rail Authority Resolution No. R98-26. Payment documentation is being submitted for ratification in compliance with the latter.

See attached :

1. Proposed resolutions ratifying payments
2. Accounts Payable forms and partial payment Nos. 13 and 14
3. Parsons Brinckerhoff Quade & Douglas, Inc. Invoice Nos. 13 and 14 and attachments.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

March 28, 2000

Board Date

Kristine A. Longhway
Signature

3-20-00

Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The Ramsey County Regional Railroad Authority has contracted for the professional consulting services of Parsons Brinckerhoff Quade & Douglas, Inc. for the purpose of conducting the Riverview Corridor Major Investment Study; and

WHEREAS, Parsons Brinckerhoff Quade & Douglas, Inc. has satisfactorily completed portions of the work identified in the referenced agreements, and provided detailed invoice documentation for services and costs accrued through January 14, 2000; and

WHEREAS, submittal of invoices and payment documentation to the Rail Authority for ratification at the next scheduled meeting following staff approval of invoice documentation is required; and

WHEREAS, Parsons Brinckerhoff Quade & Douglas, Inc. Invoice No. 13, Partial Payment No. 13, in the amount of \$112,619.20 and Invoice No. 14, Partial Payment No. 14, in the amount of \$58,147.27 attachments thereto, provide the correct documentation of payments due Parsons Brinckerhoff Quade & Douglas, Inc. through January 14, 2000; Now, Therefore Be It

RESOLVED, Payment to Parsons Brinckerhoff Quade & Douglas, Inc. in the amount of \$170,766.47 for services rendered through January 14, 2000, is hereby ratified.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY	YEA	NAY	OTHER
Tony Bennett	___	___	___
Dino Guerin	___	___	___
Susan M. Haigh	___	___	___
Rafael E. Ortega	___	___	___
Victoria Reinhardt	___	___	___
Janice Rettman	___	___	___
Jan Wiessner	___	___	___

Tony Bennett, Chairman

By: _____
Rafael E. Ortega, Secretary



Business Unit: RRA
Voucher ID: 00000526

VOUCHER
Purchase Order Voucher

Page No. 1
Run Date 06.Mar.2000
Run Time 12:03:53 PM

Report ID: RMAP19

Voucher Header Information

Pay Method: System Check

Entered Dt	Invoice ID	Invoice Dt	Vendor ID	Vendor Name	Origin	Preparer	Entry Stat	Acctg Dt	Post Stat	Pymnt Trms
06.Mar.2000	13	04.Feb.2000	0000100427	PARSONS BRINCKERHOFF QUADRE & DOUGLAS INC	ONI	I LONGHFKR p		06 Mar 2000	11	Due Now
Status	Gross Amt	Use Tax	Address1	Address2	Address3	City	State	Zip		
A	\$112,619.20	\$0.00	CHURCH STREET STATION	PO BOX 6241		NEW YORK	NY	10249-6241		
Handling	Group ID	Sales Tax	Pckp Ord# Nbr							
1F	000118	\$0.00								

Voucher Line Information

Line #	Description	Merch Amt	Inv Item I	Unit Price	Prorate	S	U	F	1099
1	ENCUMBRANCE LOAD	\$112,619.20		\$112,619.20		Y	N	Y	N

Distribution Line Information

Line #	Account	Fund	Org	Program	Approp	Client Name	BY	Project ID	Open Item ID	Status	Merch Amt	Stat Cd	Statistic Amt	Asse
1	421501	12501	150110	00000	0000000	Default Client ID	1998				\$112,619.20			N
Account Name: Consulting Services						Org Name: Riverview MIS								

Payment Comments-Check Stub

Invoice No. 13, dated 2/4/00
Services for 11/20/99-12/17/99

Voucher Comments

declare that the above material and/or services have been received, are for Ramsey County, allowed by law, and approved for payment.

Authorization

W. J. Piegeler

Date

3/1/00

2

MEMO

To: Kris Longhenry

From: Dennis Bodin *DB*

Date: March 2, 2000

Re: Pay amount for Parsons Brinckerhoff Invoice # 13

The following is the final pay amount for PB Invoice No. 13:

Direct Salary Costs, PBQD	\$26,175.08
Overhead Costs PBQD	\$41,094.88
Direct Salary Costs, PBCS	\$0.00
Overhead Costs PBCS	\$0.00
Fixed Fee	\$0.00
Other Direct Costs	\$19,333.83
Subcontractors	\$31,942.74
Sub Total	\$118,546.53
Retainage (5%)	-\$5,927.33
Pay Amount	\$112,619.20

The change from the original invoice represents a reduction in Other Direct Costs of \$113.92, which Linda Minten, PB's Project Accountant, has agreed to, and the deletion of the fixed fee (\$6,727.00), which Myrna Valdez, the Project Manager, wanted deleted.



**Parsons
Brinckerhoff**

510 First Avenue North
Suite 550
Minneapolis, MN 55403
612-371-0443
Fax: 612-371-4410

To: Ramsey County Regional Railroad Authority
Suite 665 RCGC - West
50 West Kellogg Boulevard
St. Paul, Minnesota 55102

Estimated Completion: 88.0%
Period Ending: 12/17/1999
Invoice Date: 02/04/2000
Invoice No.: 13
AR No.: 109542

Attn: Ms. Kathy DeSpiegelaere

Re Riverview Major Investment Study
PB Project No. 19046M
Expiration Date: April, 2000

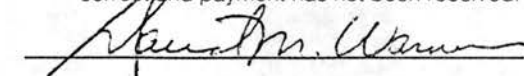
Project Description:

Riverview MIS

	TOTAL AGREEMENT AMOUNT	TOTAL BILLING TO DATE	AMOUNT PREVIOUSLY BILLED	BILLED THIS INVOICE
1. DIRECT SALARIES COSTS: PBQD (See Attachment "A" for breakdown)	242,774.81	251,894.02	225,718.94	26,175.08
2. OVERHEAD COSTS: Rate=157% PBQD (Direct Salary * Overhead Rate)	381,156.45	395,332.43	354,237.55	41,094.88
1. DIRECT SALARIES COSTS: PBCS (See Attachment "A" for breakdown)	0.00	2,655.03	2,655.03	0.00
2. OVERHEAD COSTS: Rate=112.5% PBCS (Direct Salary * Overhead Rate)	0.00	2,986.91	2,986.91	0.00
3. FIXED FEE (Profit): Rate=10% Fixed Fee=Rate*(D.S. costs and Overhead)	62,398.94	59,126.17	52,399.17	6,727.00
4. OTHER DIRECT COSTS: (See Attachment B)	79,489.49	113,680.88	94,233.13	19,447.75
5. SUBCONTRACTORS (s): (See Attachment C)	264,116.00	137,392.78	105,450.04	31,942.74
SUBTOTAL:	1,029,935.69	963,068.22	837,680.77	125,387.45
6. CONTINGENCY:	120,000.00	0.00	0.00	0.00
SUBTOTAL:	1,149,935.69	963,068.22	837,680.77	125,387.45
LESS RETAINAGE (5%)	57,496.78	48,153.41	41,884.04	6,269.37
NET EARNINGS TOTALS:	1,092,438.91	914,914.81	795,796.73	119,118.06
TOTAL AMOUNT DUE THIS INVOICE: \$119,118.06				

1029935.69

I hereby certify that the above statement is just and
correct and payment has not been received:


for Myrna Valdez, Project Manager
Parsons Brinckerhoff Quade & Douglas, Inc.
510 First Avenue North, Suite 550
Minneapolis, Minnesota 55403

Reviewed and Recommended for Payment by RCRRA:

Date Approved for Payment



Riverview MIS
INVOICE #13

ATTACHMENT "A" - LABOR SUMMARY

PB PROJECT No. 19046M

PERIOD ENDING	EMPLOYEE NAME	PB CLASSIFICATION	CONTRACT CLASSIFICATION	HOURS	RATE	DOLLAR AMOUNT
03-Dec-99	Wyatt	Lead Engineer	Engineer	51.00	31.493	\$1,606.14
	Foutz	Sr Supv Engineer	Senior Engineer	24.00	44.956	\$1,078.94
	Brown	Assistant Engineer	Engineer	67.00	16.000	\$1,072.00
	Hirschman	Staff Manager	Senior Engineer	16.00	60.096	\$961.54
	Hinnant	Sr CADD Designer	CADD/Graphics	44.00	20.045	\$881.98
	Cohn	Sr. Planner	Planner	28.00	26.350	\$737.80
	Bowen	Sr Planner	Senior Planner	27.00	26.500	\$715.50
	Ruegg	Supv Planner	Senior Planner	17.50	37.500	\$656.25
	Morris	Asst. Environmental Planner	Planner	30.00	16.256	\$487.68
	Conrad	Lead Planner	Planner	15.00	30.681	\$460.22
	Heyd	Assistant Planner	Planner	19.00	17.000	\$323.00
	Heffner	Planner I	Planner	13.00	19.000	\$247.00
	Dowell	Lead Engineer	Engineer	8.00	30.210	\$241.68
	Seskin	Technical Manager	Senior Planner	4.00	54.087	\$216.35
	Minten	Project Administrator	Admin/Clerical	5.50	20.780	\$114.29
	Edmonds-Hess	Sr Planner	Planner	2.00	26.450	\$52.90
	Vaughn	Receptionist	Admin/Clerical	4.00	12.000	\$48.00
	Schmidt	Assistant Engineer	Engineer	2.00	17.985	\$35.97
	Garcia	Secretary	Admin/Clerical	1.00	18.850	\$18.85
	Rowan	Admin Assistant	CADD/Graphics	1.00	13.150	\$13.15
17-Dec-99	Valdez	Project Manager	Project Manager	49.00	51.950	\$2,545.55
	Wyatt	Lead Engineer	Engineer	58.00	31.493	\$1,826.59
	Cohn	Sr. Planner	Planner	66.00	26.350	\$1,739.10
	Dowell	Lead Engineer	Engineer	52.00	30.210	\$1,570.92
	Hinnant	Sr CADD Designer	CADD/Graphics	77.00	20.045	\$1,543.47
	Hirschman	Staff Manager	Senior Engineer	24.00	60.096	\$1,442.30
	Brown	Assistant Engineer	Engineer	83.00	16.000	\$1,328.00
	Conrad	Lead Planner	Planner	24.00	30.681	\$736.34
	Heffner	Planner I	Planner	32.00	19.000	\$608.00
	Moore	Sr Engineering Manager	Senior Engineer	8.00	60.480	\$483.84
	Seskin	Technical Manager	Senior Planner	8.00	54.087	\$432.70
	Shushkewich	Sr Supv Engineer	Senior Engineer	8.00	53.500	\$428.00
	Ruegg	Supv Planner	Senior Planner	9.00	37.500	\$337.50
	Schmidt	Assistant Engineer	Engineer	16.00	17.985	\$287.76
	Davis	Sr Supv Planner	Senior Planner	5.00	45.675	\$228.38
	Minten	Project Administrator	Admin/Clerical	9.50	20.780	\$197.41
	Elwell	Supv Engineer	Senior Engineer	3.00	38.043	\$114.13
	Rivera	Sr CADD Operator	CADD/Graphics	6.00	18.250	\$109.50
	Hill	Sr. Secretary	Admin/Clerical	5.00	20.700	\$103.50
	Heyd	Assistant Planner	Planner	3.00	17.000	\$51.00
	Spurgeon	Sr. Engineer	Senior Engineer	1.50	27.513	\$41.27
	Rowan	Admin Assistant	CADD/Graphics	1.50	13.150	\$19.73
	Garcia	Secretary	Admin/Clerical	1.00	18.850	\$18.85
	Vaughn	Receptionist	Admin/Clerical	1.00	12.000	\$12.00
See attached Time Sheets		TOTALS		929.50		\$26,175.08



Riverview MIS
INVOICE #13

PB PROJECT No. 19046M

ATTACHMENT "B" - DIRECT EXPENSE SUMMARY

23-Apr-99	USCAD Charges	\$24.00
23-Apr-99	USCAD Charges	\$144.00
27-Aug-99	USCAD Charges	\$315.00
22-Oct-99	Copier Charges	\$0.36
26-Oct-99	Federal Express	\$7.65
05-Nov-99	MCI Worldcom	\$82.20
15-Nov-99	Willamette Print & Blueprint Co., Inc.	\$37.62
15-Nov-99	Federal Express	\$13.05
18-Nov-99	Federal Express	\$51.50
18-Nov-99	Federal Express	\$6.30
19-Nov-99	Federal Express	\$11.30
19-Nov-99	Copier Charges	\$0.18
22-Nov-99	Federal Express	\$61.40
25-Nov-99	MCI Worldcom	\$1.83
29-Nov-99	Federal Express	\$10.05
29-Nov-99	LJR Transportation	\$11,300.87
01-Dec-99	AAA Delivery Service	\$14.30
01-Dec-99	Jeane Thorne Inc.	\$447.21
01-Dec-99	Jeane Thorne Inc.	\$323.51
01-Dec-99	Park Terrace Apartments	\$535.00
01-Dec-99	Time Warner Cable	\$74.34
01-Dec-99	Federal Express	\$8.55
02-Dec-99	Federal Express	\$24.30
03-Dec-99	Copier Charges	\$168.80
03-Dec-99	Federal Express	\$11.10
03-Dec-99	Reproduction	\$12.70
03-Dec-99	Postage	\$0.55
03-Dec-99	Telephone Charges	\$67.05
03-Dec-99	Federal Express	\$12.90
03-Dec-99	USCAD Charges	\$540.00
03-Dec-99	USCAD Charges	\$1,464.00
03-Dec-99	USCAD Charges	\$948.00
03-Dec-99	USCAD Charges	\$1,104.00
03-Dec-99	USCAD Charges	\$1,008.00
06-Dec-99	Federal Express	\$12.90
07-Dec-99	MCI Worldcom	\$2.71
07-Dec-99	MCI Worldcom	\$0.68
07-Dec-99	Federal Express	\$31.35
08-Dec-99	Federal Express	\$7.95
08-Dec-99	Cort Furniture	\$103.66
08-Dec-99	US West Communications	\$114.33
08-Dec-99	Jeane Thorne Inc.	\$294.97
08-Dec-99	MCI Worldcom	\$16.95
13-Dec-99	Federal Express	\$20.40
15-Dec-99	Nothern States Power	\$10.23

TOTAL DIRECT EXPENSES

\$19,447.75

See attached Receipts



Riverview MIS
INVOICE #13

PB PROJECT No. 19046M

ATTACHMENT "C" - SUBCONTRACTORS

Manuel Padron & Associates, Inc. (Inv. 1)	\$10,000.00
Dyett & Bhatia (Inv. 98281.2)	\$14,215.00
Rowekamp Associates, Inc. (Inv. 990357)	\$3,761.26
Rowekamp Associates, Inc. (Inv. 990386)	\$637.50
Zimmer Gunsul Frasca Partnership (Inv. 90474.01/0025009)	\$1,461.17
Zimmer Gunsul Frasca Partnership (Inv. 90474.01/25321)	\$1,867.81

TOTAL SUBCONTRACTORS	\$31,942.74
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See attached Invoices

SUBCONSULTANT AND DBE SUMMARY

Firm Name	DBE	Amount This Invoice	Previously Invoiced	Total Invoiced To Date
C.J. Olson	WBE		23,116.00	23,116.00
Dyett & Bhatia	DBE	14,215.00	4,068.26	18,283.26
Macromedia			7,473.55	7,473.55
MPA	MBE	10,000.00	0.00	10,000.00
Maxfield			12,350.00	12,350.00
McCormick			3,037.89	3,037.89
Montoya	WBE			0.00
Quam Sumnicht			12,681.17	12,681.17
Rowekamp	WBE	4,398.76	5,536.52	9,935.28
Schaefer	WBE			0.00
Zimmer Gunsul		3,328.98	37,186.65	40,515.63
TOTAL		\$31,942.74	\$105,450.04	\$137,392.78

DBE PARTICIPATION GOAL AND ACHIEVEMENT

Participation	Percentage	Goal	Achievement	% of Goal Achieved to Date	% of Total to Date
DBE GOAL	11.7%	\$135,000.00	\$51,334.54	38.03%	4.46%

To: Kathy DeSpiegelaere
Ramsey County Regional Railroad Authority

BUDGET PROGRESS REPORT

From: Parsons Brinckerhoff

Riverview MIS

Billing Period 11/20/99 -12/17/99

INVOICE #13

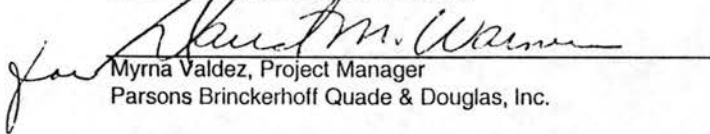
Agreement Expiration Date: April, 2000

PB PROJECT No. 19046M

Task Description	Physical % Work Completed This Period By Task	Physical % Work Completed To Date By Task	Original Task Budget	Revised Task Budget	Charges Accrued This Period	Total Charges Accrued To Date	% of Budget Used by Task	Budget Remaining by Task	Cost to Complete
1	2	3	4	5	6	7	8	9	10
1.0 Project Management & Admin	5.0%	95.0%	68,708.76	96,310.00	8,184.02	112,807.99	117.13%	-16,497.99	-16,497.99
2.0 Public Education & Involvement	0.0%	90.0%	217,566.14	194,663.00	169.62	156,749.96	80.52%	37,913.04	37,913.04
3.0 Land Use & Economic Development	10.0%	85.0%	216,456.85	196,456.85	22,854.50	144,793.72	73.70%	51,663.13	51,663.13
4.0 Transit Service Planning	20.0%	72.0%	31,822.52	31,822.52	5,986.29	29,203.16	91.77%	2,619.36	2,619.36
5.0 Conceptual Engineering/Cost Estimates	5.0%	95.0%	80,477.68	165,874.04	47,678.94	172,675.18	104.10%	-6,801.14	-6,801.14
6.0 Environmental	5.0%	95.0%	69,862.13	84,274.08	8,784.99	51,140.68	60.68%	33,133.40	33,133.40
7.0 Financial	24.0%	24.0%	28,317.50	28,317.50	6,795.68	6,795.68	24.00%	21,521.82	21,521.82
8.0 Definition of Alternatives	0.0%	94.0%	30,985.05	66,418.00	0.00	62,061.17	93.44%	4,356.83	4,356.83
9.0 Travel Forecasting	5.0%	90.0%	30,745.09	30,745.09	5,193.06	66,201.59	215.32%	-35,456.50	-35,456.50
10.0 Evaluation of Alternatives	0.0%	100.0%	21,900.88	31,900.88	0.00	31,893.93	99.98%	6.95	6.95
11.0 MIS Report Preparation	0.0%	45.0%	23,664.24	23,664.24	292.59	15,064.27	63.66%	8,599.97	8,599.97
Direct Expenses	N/A	N/A	99,428.85	79,489.49	19,447.75	113,680.88	143.01%	-34,191.39	-34,191.39
Totals:	N/A	N/A	\$919,935.69	\$1,029,935.69	\$125,387.45	\$963,068.22	93.51%	\$66,867.47	\$66,867.47

I hereby certify that the above
statement is just and correct
and payment has not been received:

Approved and recommended
for payment


Myrna Valdez, Project Manager
Parsons Brinckerhoff Quade & Douglas, Inc.

RCRRA Project Manager



Business Unit: RRA
Voucher ID: 00000527

VOUCHER

Purchase Order Voucher

Page No. 1
Run Date 06.Mar.2000
Run Time 12:07:49 PM

Report ID: RMAP19

Voucher Header Information

Pay Method: System Check

Entered Dt	Invoice ID	Invoice Dt	Vendor ID	Vendor Name	Origin	Preparer	Entry Stat	Acctg Dt	Post Stat	Pymnt Trms
Mar.2000	14	11.Feb.2000	0000100427	PARSONS BRINCKERHOFF QUAD & DOLIGAS INC	ONI	LONGHEK R		06 Mar 2000	11	Due Now
Use	Gross Amt	Use Tax	Address1	Address2	Address3	City	State	Zip		
	\$58,147.27	\$0.00	CHURCH STREET STATION	PO BOX 6241		NEW YORK	NY	10249-6241		
Handling	Group ID	Sales Tax	Pckp Ord# Nbr							
	000118	\$0.00								

Voucher Line Information

e #	Description	Merch Amt	Inv Item I	Unit Price	Prorate	S	U	F	1099
	ENCUMBRANCE LOAD	\$58,147.27		\$58,147.27		Y	N	Y	N

Distribution Line Information

e #	Account	Fund	Org	Program	Approp	Client Name	BY	Project ID	Open Item ID	Status	Merch Amt	Stat Cd	Statistic Amt	Asse
	421501	12501	150110	00000	0000000	Default Client ID	1998				\$58,147.27			N
Account Name: Consulting Services						Org Name: Riverview MIS								

Payment Comments-Check Stub

Voice No. 14, dated 2/11/00
Services for 12/18/99-1/14/00

Voucher Comments

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

Authorization

[Signature]

Date

3/10/00

60

MEMO

To: Kris Longhenry

From: Dennis Bodin *SB*

Date: March 2, 2000

Re: Pay amount for Parsons Brinckerhoff Invoice # 14

The following is the final pay amount for PB Invoice No. 14:

Direct Salary Costs, PBQD	\$18,669.12
Overhead Costs PBQD	\$29,310.52
Direct Salary Costs, PBCS	\$0.00
Overhead Costs PBCS	\$0.00
Fixed Fee	\$0.00
Other Direct Costs	\$3,604.30
Subcontractors	\$9,623.71
Sub Total	\$61,207.65
Retainage (5%)	-\$3,060.38
Pay Amount	\$58,147.27

The change from the original invoice represents a reduction in Other Direct Costs of \$37.17, which Linda Minten, PB's Project Accountant, has agreed to, and the deletion of the fixed fee (\$4,797.96), which Myrna Valdez, the Project Manager, wanted deleted.



**Parsons
Brinckerhoff**

510 First Avenue North
Suite 550
Minneapolis, MN 55403
612-371-0443
Fax: 612-371-4410

To: Ramsey County Regional Railroad Authority
Suite 665 RCGC - West
50 West Kellogg Boulevard
St. Paul, Minnesota 55102

Estimated Completion: 90.0%
Period Ending: 01/14/2000
Invoice Date: 02/11/2000
Invoice No.: 14
AR No. 110217

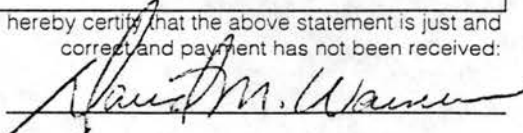
Attn: Ms. Kathy DeSpiegelaere

Re Riverview Major Investment Study
PB Project No. 19046M
Expiration Date: April, 2000

Project Description: Riverview MIS

	TOTAL AGREEMENT AMOUNT	TOTAL BILLING TO DATE	AMOUNT PREVIOUSLY BILLED	BILLED THIS INVOICE
1. DIRECT SALARIES COSTS: PBQD (See Attachment "A" for breakdown)	242,774.81	270,563.14	251,894.02	18,669.12
2. OVERHEAD COSTS: Rate=157% PBQD (Direct Salary * Overhead Rate)	381,156.45	424,642.95	395,332.43	29,310.52
1. DIRECT SALARIES COSTS: PBCS (See Attachment "A" for breakdown)	0.00	2,655.03	2,655.03	0.00
2. OVERHEAD COSTS: Rate=112.5% PBCS (Direct Salary * Overhead Rate)	0.00	2,986.91	2,986.91	0.00
3. FIXED FEE (Profit): Rate=10% Fixed Fee=Rate*(D.S. costs and Overhead)	62,398.94	63,924.13	59,126.17	4,797.96
4. OTHER DIRECT COSTS: (See Attachment B)	79,489.49	117,322.35	113,680.88	3,641.47
5. SUBCONTRACTORS (s): (See Attachment C)	264,116.00	147,016.49	137,392.78	9,623.71
SUBTOTAL:	1,029,935.69	1,029,111.00	963,068.22	66,042.78
6. CONTINGENCY:	120,000.00	0.00	0.00	0.00
SUBTOTAL:	1,149,935.69	1,029,111.00	963,068.22	66,042.78
LESS RETAINAGE (5%)	57,496.78	51,455.55	48,153.41	3,302.14
NET EARNINGS TOTALS:	1,092,438.91	977,655.45	914,914.81	62,740.63
TOTAL AMOUNT DUE THIS INVOICE: \$62,740.63				

I hereby certify that the above statement is just and correct and payment has not been received:


Myrna Valdez, Project Manager
Parsons Brinckerhoff Quade & Douglas, Inc.
510 First Avenue North, Suite 550
Minneapolis, Minnesota 55403

Reviewed and Recommended for Payment by RCRRA:

Date Approved for Payment



Riverview MIS
INVOICE #14

ATTACHMENT "A" - LABOR SUMMARY

PB PROJECT No. 19046M

PERIOD ENDING	EMPLOYEE NAME	PB CLASSIFICATION	CONTRACT CLASSIFICATION	HOURS	RATE	DOLLAR AMOUNT
31-Dec-99	Cohn	Sr. Planner	Planner	64.00	26.350	\$1,686.40
	Valdez	Project Manager	Project Manager	32.00	51.950	\$1,662.40
	Hirschman	Staff Manager	Senior Engineer	24.00	60.096	\$1,442.30
	Dowell	Lead Engineer	Engineer	46.00	30.210	\$1,389.66
	Foutz	Sr Supv Engineer	Senior Engineer	29.00	44.956	\$1,303.72
	Conrad	Lead Planner	Planner	23.00	30.681	\$705.66
	Seskin	Technical Manager	Senior Planner	12.00	54.087	\$649.04
	Ruegg	Supv Planner	Senior Planner	16.50	37.500	\$618.75
	Wyatt	Lead Engineer	Engineer	11.00	31.493	\$346.42
	Brown	Assistant Engineer	Engineer	15.50	16.000	\$248.00
	Moore	Sr Engineering Manager	Senior Engineer	4.00	60.480	\$241.92
	Hinnant	Sr CADD Designer	CADD/Graphics	8.50	20.045	\$170.38
	Minten	Project Administrator	Admin/Clerical	3.50	20.780	\$72.73
	Vaughn	Receptionist	Admin/Clerical	2.00	12.000	\$24.00
14-Jan-00	Cohn	Sr. Planner	Planner	49.00	27.151	\$1,330.40
	Foutz	Sr Supv Engineer	Senior Engineer	27.00	44.956	\$1,213.81
	Conrad	Lead Planner	Planner	35.00	30.681	\$1,073.84
	Valdez	Project Manager	Project Manager	16.00	51.950	\$831.20
	Dowell	Lead Engineer	Engineer	26.00	30.210	\$785.46
	Moore	Sr Engineering Manager	Senior Engineer	11.00	60.480	\$665.28
	Seskin	Technical Manager	Senior Planner	12.00	54.087	\$649.04
	Hirschman	Staff Manager	Senior Engineer	8.00	60.096	\$480.77
	Stein	Planner I	Planner	21.50	19.730	\$424.20
	Ruegg	Supv Planner	Senior Planner	10.50	37.500	\$393.75
	Minten	Project Administrator	Admin/Clerical	6.50	20.780	\$135.07
	Vaughn	Receptionist	Admin/Clerical	7.00	12.000	\$84.00
	Wyatt	Lead Engineer	Engineer	1.00	31.493	\$31.49
	Garcia	Secretary	Admin/Clerical	0.50	18.850	\$9.43
See attached Time Sheets		TOTALS		522.00		\$18,669.12



Riverview MIS
INVOICE #14

PB PROJECT No. 19046M

ATTACHMENT "B" - DIRECT EXPENSE SUMMARY

20-Nov-99	Star Park L.L.C.	\$6.00
16-Dec-99	Federal Express	\$10.00
16-Dec-99	Federal Express	\$51.00
17-Dec-99	Telephone Charges	\$4.80
20-Dec-99	Park Terrace Apartments	\$535.00
20-Dec-99	Federal Express	\$8.55
20-Dec-99	Nextel Communications	\$211.32
21-Dec-99	Federal Express	\$11.75
21-Dec-99	James Haas, Photography & Graphics	\$813.75
21-Dec-99	MCI Worldcom	\$341.61
21-Dec-99	Time Warner Cable	\$74.34
22-Dec-99	Federal Express	\$66.75
23-Dec-99	Federal Express	\$36.20
25-Dec-99	MCI Worldcom	\$1.80
29-Dec-99	Federal Express	\$7.95
29-Dec-99	Federal Express	\$7.95
29-Dec-99	Federal Express	\$8.55
29-Dec-99	Federal Express	\$7.95
29-Dec-99	Nextel Communications	\$102.87
31-Dec-99	Copier Charges	\$325.30
31-Dec-99	Reproduction	\$164.60
31-Dec-99	Postage	\$2.53
05-Jan-00	Federal Express	\$12.15
05-Jan-00	Federal Express	\$8.15
05-Jan-00	AAA Delivery Service	\$17.20
05-Jan-00	MCI Worldcom	\$4.87
05-Jan-00	Federal Express	\$13.75
06-Jan-00	MCI Worldcom	\$3.64
06-Jan-00	Federal Express	\$14.15
06-Jan-00	Federal Express	\$50.20
06-Jan-00	Federal Express	\$56.65
06-Jan-00	Federal Express	\$40.45
06-Jan-00	Federal Express	\$16.45
14-Jan-00	Nextel Communications	(\$35.42)
14-Jan-00	Cort Furniture	\$103.66
14-Jan-00	Park Terrace Apartments	\$535.00

TOTAL DIRECT EXPENSES

\$3,641.47

See attached Receipts



Riverview MIS
INVOICE #14

PB PROJECT No. 19046M

ATTACHMENT "C" - SUBCONTRACTORS

Zimmer Gunsul Frasca Partnership (Inv. 90474.01/0025753) \$9,623.71

TOTAL SUBCONTRACTORS **\$9,623.71**

See attached Invoices

SUBCONSULTANT AND DBE SUMMARY

Firm Name	DBE	Amount This Invoice	Previously Invoiced	Total Invoiced To Date
C.J. Olson	WBE		23,116.00	23,116.00
Dyett & Bhatia	DBE		18,283.26	18,283.26
Macromedia			7,473.55	7,473.55
MPA	MBE		10,000.00	10,000.00
Maxfield			12,350.00	12,350.00
McCormick			3,037.89	3,037.89
Montoya	WBE			0.00
Quam Sumnicht			12,681.17	12,681.17
Rowekamp	WBE		9,935.28	9,935.28
Schaefer	WBE			0.00
Zimmer Gunsul		9,623.71	40,515.63	50,139.34
TOTAL		\$9,623.71	\$137,392.78	\$147,016.49

DBE PARTICIPATION GOAL AND ACHIEVEMENT

Participation	Percentage	Goal	Achievement	% of Goal Achieved to Date	% of Total to Date
DBE GOAL	11.7%	\$135,000.00	\$51,334.54	38.03%	4.46%

To: Kathy DeSpiegelaere
Ramsey County Regional Railroad Authority

BUDGET PROGRESS REPORT

From: Parsons Brinckerhoff

Riverview MIS

Billing Period 12/18/99 -1/14/00

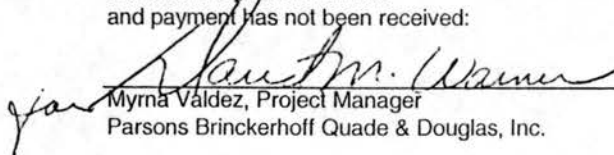
INVOICE #14
PB PROJECT No. 19046M

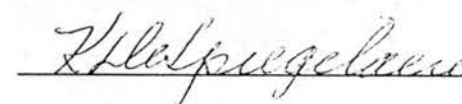
Agreement Expiration Date: April, 2000

Task Description	Physical % Work Completed This Period By Task	Physical % Work Completed To Date By Task	Original Task Budget	Revised Task Budget	Charges Accrued This Period	Total Charges Accrued To Date	% of Budget Used by Task	Budget Remaining by Task	Cost to Complete
1	2	3	4	5	6	7	8	9	10
1.0 Project Management & Admin	5.0%	95.0%	68,708.76	96,310.00	7,663.52	120,471.51	125.09%	-24,161.51	-24,161.51
2.0 Public Education & Involvement	0.0%	100.0%	217,566.14	194,663.00	67.85	156,817.81	80.56%	37,845.19	37,845.19
3.0 Land Use & Economic Development	10.0%	95.0%	216,456.85	196,456.85	19,523.29	164,317.01	83.64%	32,139.84	32,139.84
4.0 Transit Service Planning	20.0%	92.0%	31,822.52	31,822.52	3,160.59	32,363.75	101.70%	-541.23	-541.23
5.0 Conceptual Engineering/Cost Estimates	5.0%	95.0%	80,477.68	165,874.04	12,085.71	184,760.89	111.39%	-18,886.85	-18,886.85
6.0 Environmental	5.0%	95.0%	69,862.13	84,274.08	0.00	51,140.68	60.68%	33,133.40	33,133.40
7.0 Financial	66.0%	90.0%	28,317.50	28,317.50	5,436.55	12,232.23	43.20%	16,085.27	16,085.27
8.0 Definition of Alternatives	0.0%	94.0%	30,985.05	66,418.00	0.00	62,061.17	93.44%	4,356.83	4,356.83
9.0 Travel Forecasting	5.0%	90.0%	30,745.09	30,745.09	10,794.90	76,996.49	250.44%	-46,251.40	-46,251.40
10.0 Evaluation of Alternatives	0.0%	100.0%	21,900.88	31,900.88	0.00	31,893.93	99.98%	6.95	6.95
11.0 MIS Report Preparation	0.0%	45.0%	23,664.24	23,664.24	3,668.91	18,733.18	79.16%	4,931.06	4,931.06
Direct Expenses	N/A	N/A	99,428.85	79,489.49	3,641.47	117,322.35	147.59%	-37,832.86	-37,832.86
Totals:	N/A	N/A	\$919,935.69	\$1,029,935.69	\$66,042.78	\$1,029,111.00	99.92%	\$824.69	\$824.69

I hereby certify that the above
statement is just and correct
and payment has not been received:

Approved and recommended
for payment


Myrna Valdez, Project Manager
Parsons Brinckerhoff Quade & Douglas, Inc.


Kathy DeSpiegelaere
RCRRA Project Manager

Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY BOARD MEETING

April 25, 1995

Portion of minutes pertaining to request from City of St. Paul:

In response to a request from the City of St. Paul Public Works Department to change the grade and remove soil from a portion of the Northeast Corridor right of way, authorize staff to draft an agreement to address issues relating to the request for review and approval by involved parties.]

Ms. DeSpiegelaere indicated there is a request from the City of St. Paul Public Works Department to change the grade and remove the soil from a portion of the right of way owned by the Rail Authority.

A slide presentation was given showing areas of the berm and right of way. The slide presentation included background information, the right of way from Kellogg Blvd. to Beam Avenue, and its joint LRT and trail usage with short and long term plans.

Ms. DeSpiegelaere included in the presentation Stacy Becker's, (St. Paul Public Works Director) request to change the grade by removing the berm between Johnson Parkway and Arlington. The reasons stated were: (1) to use the fill for three projects, one public and two private, in the vicinity (2) to provide for an at-grade LRT station in the future at Maryland.

The right of way is 100 feet wide and Johnson Parkway goes under the right of way with a bridge over Johnson Parkway. If the City's request is granted, the advantages for LRT are that the bridges are out at Arlington and Maryland, and they wouldn't need replacement. However, the disadvantages are: (1) there would be at-grade crossings at Maryland and Arlington, and perhaps at Johnson Parkway, which would impact operating efficiency; and (2) it would be easier and less expensive to remove the soil when LRT is located here.

The recommendation is that LRT operate on the right of way if the soil is removed. Because it may be several years before LRT is located in this area and in the interest of a cooperative relationship with St. Paul, removal of the soil is recommended if an agreement can be reached to address the following issues:

- (1) Light rail transit -- reaffirmation of the potential for it on this right of way.
- (2) Termini -- specific areas of removal (the area north of Ivy would be excluded from the agreement).
- (3) Soil conditions -- test for contamination, soil quality, suitability for trail and rail construction of what lies underneath if top area is removed. Restoration of the area by St. Paul would need to be defined.
- (4) Wetland plans -- St. Paul plans to locate wetlands in the vicinity of RCRRA right of way. The agreement would need to specify that wetlands do not impact RCRRA property.
- (5) Maximum grades -- both LRT and trails have maximum grades that would need to be met. In other words, part of the area can't be cut away without re-grading the remaining edges to provide suitable grades for trail and rail.
- (6) Affected property owners -- commercial properties south of Maryland are affected by this request and residential properties north of Maryland are affected. Adjacent property owners should be contacted jointly by City and County staff.
- (7) Costs -- the soil has a value. RCRRA recommends that there should be a charge for it, based on the quantity and quality.
- (8) Johnson Parkway bridge -- conditions relating to removal of this bridge at some future date should be specified so that its removal does not interfere with trail use.
- (9) At-grade crossings -- this is a major issue. There would need to be assurances of how to provide for trail (short term and long term) and rail (long term) use at busy streets such as Maryland.
- (10) LRT and bus -- there should be sufficient space for an LRT station at Maryland. There should be connections with bus routes at the station.
- (11) Federal funding restrictions -- there would need to be assurances that the funding used by St. Paul for activities adjacent to the right of way do not negatively impact future LRT potential for this area.
- (12) Staging -- timing is an issue. The City would like this matter resolved soon in order to use the soil for fill for three projects this summer.

- (13) Approvals -- Many agencies are involved and the agreement would need to be reviewed and approved by St. Paul, Ramsey County, and the Minnesota Department of Transportation.

Chairman Finley introduced Jim Tolaas, Engineer for Ramsey County Public Works, and Greg Mack, Ramsey County Director of Parks and Recreation.

Mr. Tolaas said the concern of the Rail Authority is the future operation and safety of the light rail system. These concerns are weighed against the broader community issues and values. Light rail transit is a flexible mode of transportation and can be integrated very well in varying situations. An at-grade facility can be made to work effectively and safely. There are, however, significant operational advantages of a grade separated facility. It's difficult to argue against a grade separated facility in terms of safety.

Speed is a concern. Both light rail and vehicle traffic speeds are affected - LRT cannot cross at grade at the same speed. Even with 15-minute headways for LRT and although light rail will only stop traffic for a short period of time, it does affect the traffic flow through the area. Maryland currently carries 15,000 cars a day. Delay factors to vehicle traffic needs to be weighed against the broader benefits to the community.

Another issue is the value of the berm soil. It's likely to be of very high quality. That has significant value because of the haul distances contractors normally face. There is a certain cost advantage to using material nearby. Public Works is very supportive of using this material in the proposed realignment for Prosperity Avenue.

There is also concern for material beneath the earth and embankment. At this time, the character of the material is unknown. It needs to be investigated because of the potential for unstable soil conditions after the berm removal.

Chairman Finley said that it appears from the letters from Stacy Becker and Allan Torstenson, from the City of St. Paul, that the urgency is to accommodate not the roadway but rather the accommodation of the private development of the Walgreens store and the medical clinic. Chairman Finley said that his concern is to make a long lasting decision to benefit the long-haul because it involves the removal of one bridge, removal of soil (content unknown), and impact of the neighborhood. If the berm is removed, then the businesses' parking lots become part of the park.

Mr. Greg Mack said that the Ramsey County Parks Department conducted an on-site tour of the property with representatives from the City and the Rail Authority on March 31 following the request Commissioner Schaber received from members of the

community for berm removal. In looking at the property, due to topography and other factors, it was determined there needs to be a continuous north-south transportation/recreation corridor along the right of way. Mr. Mack said if the berm were removed today, and the proposed upgrades to the eastside area were not accomplished for some time, that would expose the backside of businesses to the lake users. There needs to be a definite staging of events. If the berm is going to be removed, it should happen as though a curtain were lifted and the work behind the curtain has been completed. If it happens in the reverse, the project could sit for some time before there is an aesthetically attractive extension of the park experience.

Commissioner Wedell said that as he understands it, the purpose of the Phalen Corridor is to create jobs. One of the intended areas to accomplish that task is where the pile of debris is located east of 35E (Williams Hill). The debris will need to be removed and the area cleaned up for manufacturing sites. It seems to be apparent that if fill is needed, that's the place to get it - especially if material will be moved anyway, and this material appears to be quite suitable for the City's purposes. It would be prudent to move the material once. If you move the berm and need to bring it back, it will be the Rail Authority's expense for hauling soil back in.

Commissioner Wedell said that before making any decision regarding this matter, there should be assurances that LRT will never use the Phalen Corridor. To remove the berm now contradicts all that's been said about grade separation for LRT. The key to light rail is quick operation, that is, not to be delayed by street traffic. If trains are being slowed by at-grade crossings then the purpose of light rail has been defeated.

Commissioner Wedell said that the Rail Authority needs to be part of the small area plan and be informed as to what will be here and how it will look. There needs to be coordination and integration of transit hubs, transportation, roadway, LRT, and bikeway.

Chairman Finley asked Allan Torstenson to address the issue of the transit hub that is planned for the corner of the new Prosperity and Maryland and why has the City planned a transit hub within a four block area from the proposed LRT transit hub.

Mr. Allan Torstenson, St. Paul Planning and Economic Development, said that in the Stacy Becker letter that issue was addressed regarding the transit hub. The major bus route in that area is along Maryland and at the intersection of Maryland and Prosperity. Until LRT is built, that seems to be the logical

place to do relatively modest improvements for transit patrons. Once LRT is built, bus transfers will happen at the LRT station. One of the reasons the city encourages an at-grade station at Maryland is because it provides for a convenient transfer from buses to LRT.

Chairman Finley asked how the businesses in this area will be affected if traffic is moved further east? Will the other shorter streets remain that currently service the businesses in this area or will the businesses eventually be removed?

Mr. Torstenson said the existing road, which is located one block south of Maryland, would remain and serve as a business access road. Part of Prosperity would be a business access road and not the main through-road. The main through-road would be the new Prosperity alignment that crosses Maryland at the signal. It is difficult to determine at this time which roads, if any, will remain - it will depend upon development in that area.

Chairman Finley said this is a very important issue: will road access be available to local businesses? Will berm removal open up their parking lots to park users? This is a very significant concern for the survival of local businesses. Wendy's and Ponderosa's have already closed down.

Allan Torstenson said that the members of the business community were on the Phalen Village Task Force. One thing that has been made clear is the commitment for providing needed access for businesses. The City is trying to create an area that is an asset for a larger community and works as a business area. Wendy's and Ponderosa's businesses closed for reasons other than lack of road accessibility.

Commissioner Hal Norgard said that the county is facing a three-prong problem: (1) the phalen watershed; (2) Phalen roadway from Pennsylvania Avenue to Maryland; and (3) the berm removal. Commissioner Norgard said that if the Phalen Shopping Center is taken out, which is built on a swamp, it will be costly and the county board will have to make the decision regarding funding of that watershed. Commissioner Norgard said that the existing businesses in the phalen shopping center area will find it tough to survive. Commissioner Norgard indicated that Burlington Northern raised the grade through this area for a reason, and he was concerned that removing the berm would result in unsuitable soil for LRT and for trail uses.

Commissioner Warren Schaber said that this is a very complicated and difficult decision to be asked to make at this particular point in time. The integrity of the light rail system needs to be maintained, especially since the right of way was purchased

with rail bank funds. If the rail alignment will not be built for 30 years, should economic development be delayed? Part of the problem is that the Phalen Village Small Area Plan, which intermixes with the Phalen Corridor Plan, has not been approved by the City of St. Paul at this point in time. That creates a problem for the Rail Authority because we are being asked to make decisions when the City of St. Paul has not even approved the phalen Village Small Area Plan.

Commissioner Schaber said that at a meeting on March 14 with community members, he indicated he conceptually agreed with the berm removal. Berm removal can be accommodated in that area, but to have to rush a decision is not the way the County Board operates. The questions raised by Ms. DeSpiegelaere, staff, Mr. Tolaas, and Mr. Mack need to be addressed before any commitment can be made. The approval of many units of government are needed first because they too are affected by the berm removal. The City of St. Paul hasn't even made a decision regarding the berm removal.

Commissioner Schaber said that the berm removal makes sense only if the other proposed city projects occur.

Commissioner Brenda Thomas recommended no action because of the City's lack of forward movement regarding the other projects.

Commissioner Susan Haigh commented that the Rail Authority staff did a good job laying out some of the concerns that need to be addressed. Commissioner Haigh said although there is pressure to move quickly regarding berm removal, it is not responsible to do so at this time. Each factor needs to be worked out. Commissioner Haigh said she would like to receive more information regarding the watershed.

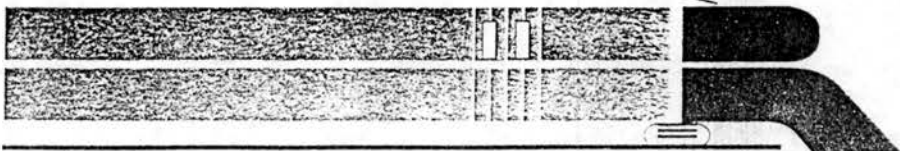
Commissioner Rafael Ortega said that since there are so many questions, good answers are needed before making solid decisions.

Chairman Finley said that it appears the consensus is not to act at this time, but also not to stand in the way of progress in this area. A motion is not needed at this time, but staff is directed to: (1) check with the other units of government and eliminate any problems that may arise; (2) deal with the other units of government to make certain there are no problems regarding the funding mechanisms involved not only in the purchase of the land, but in the development of the trail; (3) continue to work with the City regarding the small area plan and how that will fit in with the overall plan; and (4) find out what the position is of the watershed district.

Chairman Finley said he questions the need for building a Walgreens, medical clinic and road realignment if the end result is bankruptcy for the existing businesses. Other issues to be addressed are: (1) find out for certain which streets will be in existence in that area; (2) how are street and business accesses going to be made; (3) will there be acquisition of businesses; and (4) what is the total cost of the project? Preliminary figures indicate \$100 million for a two-mile stretch of land. If it creates 2,000 jobs, maybe it's a good investment, but if in the meantime there is a loss of 500 or 1,000 jobs, then it isn't a good investment.

Chairman Finley said that the Rail Authority and staff will continue to look at the Phalen Corridor and work in that direction by getting some of the approvals that are necessary for the Rail Authority to be able to make a meaningful decision.

ACTION FAILED FOR LACK OF A MOTION



Ramsey County Regional Railroad Authority

220 Courthouse, St. Paul, Minnesota 55102 612/266-8350 / FAX 266-8370

John T. Finley, Chairman
District 3

Dick Wedell, Vice Chairman
District 1

Warren W. Schaber, Secretary
District 6

Susan M. Haigh, Treasurer
District 4

Hal Norgard
District 7

Rafael E. Ortega
District 5

Brenda C. Thomas
District 2

MEMORANDUM

TO: Ramsey County Regional Railroad Authority Commissioners
Terry Schutten, County Manager

FROM: Kathryn DeSpiegelaere, Director of LRT Planning *K/D*

SUBJECT: Request from City of St. Paul to change the grade and
remove soil from section of Northeast Corridor right of
way

DATE: April 18, 1995

The City of St. Paul Public Works Department has requested removal of soil and changing of the grade owned by Ramsey County Regional Railroad Authority between Johnson Parkway and Arlington Avenue. This area is illustrated in Attachment 1. The letter of request from Stacy Becker, Director of St. Paul Public Works Department, is Attachment 2.

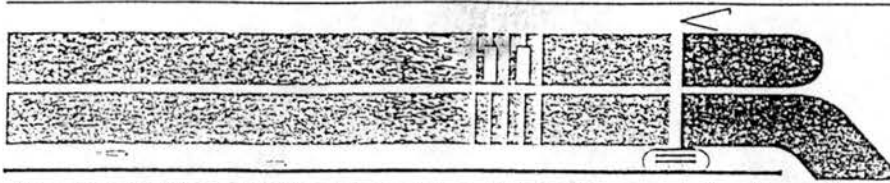
Background:

This property was part of a purchase from Burlington Northern by Ramsey County Regional Railroad Authority in 1992. Ramsey County purchased 6.5 miles of right of way between Kellogg Boulevard and Beam Avenue.

The Northeast Corridor Light Rail Transit Alignment Study, adopted by Ramsey County Regional Railroad Authority, designates this right of way as one of two potential locations for light rail transit. The other alternative for LRT is I-35E, and St. Paul staff has in the past opposed LRT in freeway alignments. The Northeast Corridor is not the highest potential corridor for light rail transit and it is likely that LRT in this area is at least ten years in the future. Direction given by RCRRA to staff has been to ensure that the corridor is preserved for light rail transit use in the future.

The purchase of the right of way was accomplished with half property tax levy funding and the remaining half was supplied by the Minnesota Department of Transportation State Rail Bank funds. Because of the financing, Mn/DOT has an interest in the property, and would be consulted about an agreement that is developed pertaining to removal of soils from the area.





Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (612) 266-2760 / FAX (612) 266-2761

Agenda

Ramsey County Regional Railroad Authority Meeting

November 18, 1997

8:30 AM

Council Chambers, Third Floor, Courthouse

1. * Minutes of November 4, 1997
2. Phalen berm removal
3. Comprehensive Transportation Plan
4. * Transit-related legislation
5. * Ratify the construction agreement with the City of Maplewood for connection of pathway to BN regional trail and authorize Chair to sign the permit
6. * Ratify the construction agreement with the City of Maplewood for installation and maintenance of sanitary sewer line and authorize Chair to sign the permit
7. * Approve partial payment No. 1 in the amount of \$1093.33 and partial payment No. 2 in the amount of \$13,119.01 to SRF Consulting Group for professional engineering services for the Riverview/Hiawatha Transitways
8. * Ratify quarterly report of payments for July 1 through September 30, 1997

* Action is requested



RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

2

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere

Authorized Signature

11/10/97

Date

Board Action Requested

Phalen Berm Removal.

DISCUSSION ONLY

Request Justification

See Attached information.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

11/18/97

Board Date

Kristine A. Longhewy
Signature

11-10-97

Date

60



CITY OF SAINT PAUL
Norm Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 612-266-6655
Facsimile: 612-228-3261

September 29, 1997

Rafael Ortega, Chair
Ramsey County Regional Railroad Authority
665 Ramsey County Government Center - West
50 West Kellogg Boulevard
Saint Paul, Minnesota 55102

Dear Mr. Ortega:

This is written to request RCRRA approval for regrading a portion of the RCRRA-owned railroad berm to cross Maryland Avenue and Johnson Parkway at-grade as part of the Prosperity Avenue realignment project, a County Road to be constructed next summer, and using the berm as a source of fill needed for Prosperity Avenue. The City is taking responsibility for acquiring right-of-way needed for this new County Road, and is now proceeding with design and engineering for the project. Your approval of regrading a portion of the berm is needed now to provide for the best design and location for the new Prosperity Avenue/Johnson Parkway/future Phalen Boulevard intersection, and for Johnson Parkway continuity in this area.

Both the realignment of Prosperity and regrading of the railroad berm are specifically called for in the Phalen Village Small Area Plan, which was adopted by the City Council on December 6, 1995, as part of the City's Official Comprehensive Plan, and is our most ambitious attempt at creating a compact, mixed-use, pedestrian- and transit-oriented "urban village" at a potential neighborhood LRT station in St. Paul. The plan calls for the future LRT station to be constructed at-grade (rather than grade separated) immediately south of Maryland Avenue to create a direct pedestrian connection between the LRT station and the Phalen Village commercial core along Maryland, to provide for safe and convenient access to LRT from cars and buses, and to strengthen the connection between Phalen Village and Phalen Park (an asset that would be of tremendous value in our efforts to attract quality commercial and residential development to the area). Based on what we know about traffic volumes and movements in the area, and what we expect for LRT, we have determined that at-grade crossings of Maryland Avenue and Johnson Parkway would be acceptable.

The Phalen Village Plan calls for gradually sloping the berm up going north from Maryland to its existing height just south of the McAfee Street cul-de-sac lots (a slope of about 2%). This was worked out with adjacent property owners during the process of adopting the plan. North of this the berm serves as a noise and privacy barrier between East Shore Drive and the back yards of residents along the west side of McAfee Street.

The Phalen Village Plan rezoned property adjacent to the proposed LRT station location to B-2 Community Business to provide for the best possible mix of neighborhood-, pedestrian- and transit-oriented commercial and residential development adjacent to the LRT station. It also calls for drop-off/pick-up access along the east side of the LRT station between Maryland and Rose. It would be difficult and expensive to make this work without an at-grade station.

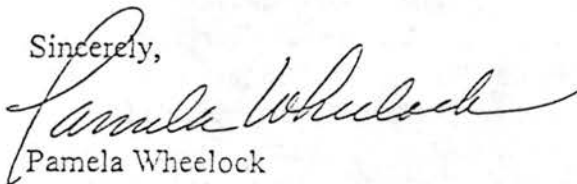
Regrading the railroad berm as part of the Prosperity realignment project would be the first concrete step toward implementation of these recommendations. It would also "kill two birds with one stone," providing an efficient source of fill for a new County Road now (fill would not have to be moved very far), and substantially reducing the cost of constructing LRT later (would not have to construct new bridges for LRT or regrade the berm later as part of LRT development costs).

In the short run, regrading the berm will provide for the safest Prosperity-Johnson Parkway intersection design and location, provide for better Johnson Parkway continuity, and provide an efficient source of fill for realigning Prosperity Avenue (a County Road). It will also create a stronger market for the kind of quality residential and commercial redevelopment east of the berm that will support future development of an LRT station here. For example, the City and North East Neighborhoods Development Corporation (a neighborhood nonprofit development organization) are working with a private developer on a townhouse project just north of Maryland and east of the berm that will be designed to feature the adjacent woods, recently restored wetlands, and Lake Phalen as amenities, and to dramatically reposition the visibility and market for housing in Phalen Village. The developer has stated that regrading the railroad berm to create a stronger connection to the lake and wetlands is integral to the success of the project.

In the long run, regrading the berm will provide for the best possible LRT station with the safest and most convenient pedestrian access, designed with the most supportive relationship between the station and the compact mixed-use commercial core of the Phalen Village area, all at the lowest possible cost.

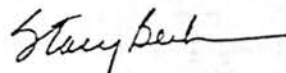
Thank you for your support of our efforts.

Sincerely,



Pamela Wheelock

Director of Planning and Economic Development



Stacy Becker

Director of Public Works

cc: Mayor Norm Coleman
Councilmember Dan Bostrom
Councilmember Gladys Morton
Commissioner Dino Guerin
Senator Randy Kelly

District 2 Community Council
North East Neighborhoods Devt. Corp.
Phalen Corridor Initiative
Phalen Village Business Association
Robert Piram, Parks



Interdepartmental Memorandum

CITY OF SAINT PAUL

DATE: November 6, 1997

TO: Stacy Becker, Director of Public Works
Robert Piram, Director of Parks and Recreation
Pamela Wheelock, Director of Planning and Economic Development

FROM: Mike Kassan
Mike Klassen
Paul St. Martin
Allan Torstenson

RE: Proposal to Ramsey County Regional Railroad Authority for changes to RCRRA railroad ROW as part of Prosperity Avenue Realignment/Phalen Wetland Project

PROSPERITY REALIGNMENT / PHALEN WETLAND PROJECT DESCRIPTION

1. Prosperity Avenue Realignment Project

A project to realign Prosperity Avenue between Johnson Parkway and Rose Avenue is planned for construction next summer. This is a County State Aid Road, and the realignment is a cooperative City-County project. The City is taking responsibility for acquiring needed right-of-way, and is now proceeding with design and engineering for the project.

Calls for realignment of Prosperity Avenue between Maryland Avenue and Johnson Parkway go back at least to the 1970s when the City Council adopted Comprehensive Plan elements for Streets and Highways and for District 2 recommending the realignment. The need for realignment of Prosperity was reinforced and reiterated in the Phalen Village Small Area Plan, which was adopted by the City Council on December 6, 1995, as part of the City's Comprehensive Plan. Realignment of Prosperity Avenue between Maryland Avenue and Rose Avenue was completed by the City in 1996. Completion of the realignment between Rose Avenue and Johnson Parkway will address long-standing traffic safety problems caused by the jog of Prosperity at Maryland, improve access to existing businesses and developable commercial parcels, and create a Phalen Village circulation system that is safer and more understandable.

Stacy Becker

Page 2

November 6, 1997

Prosperity Avenue will be aligned to match the new Prosperity north of Rose Avenue and will match into Johnson Parkway where the proposed Phalen Boulevard intersects with Johnson parkway. The realigned Prosperity will include a median, one traffic lane in each direction, bike lanes, parking lanes, sidewalks, street lights and boulevard trees. The design will facilitate the projected traffic for the area. If and when Phalen Boulevard is constructed, and if traffic volume warrants, it is possible to ban parking and institute an additional traffic lane on the roadway.

The Johnson Parkway-Prosperity intersection, which is currently channelized to facilitate high speed turning movements and is a difficult place for pedestrians, will be a standard signalized intersection that gives Johnson Parkway continuity, is more understandable, is safer and easier for pedestrians to cross, provides more green space, and has more of a parkway character. It is also proposed that the existing railroad bridge over Johnson Parkway, which restricts Johnson Parkway and reduces sight distances, be removed as part of the project. This section of Johnson Parkway will be reconstructed to a 36 foot width, with one traffic lane and a bike lane in each direction, and widened slightly at the Prosperity intersection to accommodate a left turn lane. Lantern style lighting is proposed for Johnson Parkway.

2. Phalen Wetland Project

The second phase of the Phalen Village Wetland Restoration Project is also planned for construction next summer, and will be coordinated with the Prosperity Realignment Project for efficiency and cost-effectiveness. Land for the project has been purchased by the City using a Livable Communities Demonstration Account grant from the Metropolitan Council, and funding for construction has been received from the Legislative Commission on Minnesota Resources.

The wetland restoration project will implement another key recommendation of the Phalen Village Small Area Plan to create a wetland/natural corridor in low areas unsuitable for other development, and to use this natural landscape as a neighborhood signature amenity that creates a stronger connection between Phalen Village and its primary asset, Phalen Park. This project has resulted in a new partnership between the City and the Ramsey-Washington Metro Watershed District to design and develop the wetland to meet stormwater management needs as well as to create an amenity that enhances surrounding property value and helps to attract private commercial and residential investment in the area. The Ramsey-Washington Metro Watershed District will provide funding for the project, as well.

PROPOSAL TO RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

The proposal to the Ramsey County Regional Railroad Authority for changes to RCRRA-owned railroad ROW as part of the Prosperity Avenue Realignment/Phalen Wetland Project includes the following elements:

1. Removal of the old railroad bridge over Johnson Parkway

Removal of the old bridge, which restricts Johnson Parkway, reduces sight distances and is a liability, will provide for the safest design and location for the new Johnson Parkway-Prosperity intersection and for better Johnson Parkway continuity.

2. Realignment of Phalen Creek Trail to cross Johnson Parkway at the new Johnson Parkway-Prosperity Avenue intersection

Phalen Creek Trail would curve off of the railroad ROW just south of Johnson Parkway, cross Johnson Parkway at the traffic signal at the new Johnson-Prosperity intersection, and follow Johnson Parkway back to the railroad ROW as indicated on the attached plan.

3. Regrading the railroad ROW south of Maryland Avenue to provide for a possible future LRT station and at-grade crossings of Maryland and Johnson Parkway

Regrading of the railroad berm is specifically called for in the Phalen Village Small Area Plan, which was adopted by the City Council as part of the St. Paul Comprehensive Plan after a long neighborhood planning process and a great deal of citizen input. The Phalen Village Plan is our most ambitious attempt at creating a compact, mixed-use, pedestrian- and transit-oriented "urban village" at a potential neighborhood LRT station in St. Paul. The plan calls for the future LRT station to be constructed at-grade (rather than grade-separated) immediately south of Maryland Avenue (see attached "Map 5: Street and Transit Concept" from the Phalen Village Plan and the attached "Phalen Village LRT Station Proposal," which shows the station in more detail). An at-grade LRT station could best provide for a direct pedestrian connection between the station and the Phalen Village commercial core along Maryland, provide for safe and convenient access to LRT from cars and buses, and help to strengthen the connection between Phalen Village and Phalen Park (very important in our efforts to attract quality commercial and residential development to the area).

The City will prepare a detailed grading and landscaping plan for disturbed portions of the railroad ROW, and submit it to the RCRRA for approval. Landscaping of disturbed portions of the ROW, including trees, shrubs, ground cover, and fencing as appropriate, will be done as part of the project.

4. Use of the existing railroad berm south of Maryland as an efficient source of fill needed for realigning Prosperity Avenue between Rose Ave. and Johnson Parkway

Regrading the railroad berm as part of the Prosperity Avenue Realignment Project would be the first concrete step toward implementing Phalen Village Plan recommendations for design and development of LRT in a way that really serves Phalen Village. It is an opportunity to "kill two birds with one stone," providing an efficient source of fill for a new County Road (fill would not have to be moved very far), and substantially reducing the cost of constructing LRT later (would not have to construct new bridges for LRT or regrade the berm later as part of LRT development costs). It is also an opportunity to make significant progress on implementation of another key recommendation in the Phalen Village Plan to strengthen the connection between Phalen Village and its primary asset, Phalen Park, which is so important in our efforts to attract quality private reinvestment in the area.

Regrading the berm now as part of the Prosperity Avenue Realignment Project would, in the long run, provide for the best possible LRT station with the safest and most convenient pedestrian access, designed with the most supportive relationship between the station and the compact mixed-use commercial core of the Phalen Village area, while lowering the cost of future LRT development..

5. **Regrading the railroad ROW north of Maryland Avenue to provide an LRT-compatible grade going north from an at-grade crossing of Maryland**

The City will take responsibility for gradually sloping the berm up going north from Maryland to its existing height just south of the McAfee Street cul-de-sac lots (a slope of about 2%). North of this the berm serves as a noise and privacy barrier between East Shore Drive and the back yards of residents along the west side of McAfee Street, and will remain. This was worked out with adjacent property owners during the process of adopting the Phalen Village Plan, and meets the previously stated RCRRA condition that they be left with a situation in which LRT is buildable without additional soil removal. A very gradual slope of 2% is well under the maximum grades required for potential uses of the right-of-way for LRT and/or a trail.

Fill removed from the railroad berm north of Maryland will not be used for the Prosperity Realignment Project. Rather, it will be used for other Phalen Village projects such as redevelopment of the Lakewood Apartments site, new commercial development along the north side of the realigned Prosperity Avenue, and/or redevelopment of the City-owned eastern portion of the Phalen Center site. If fill material is sold for private development, any funds received over and above the cost of landscaping plans and restoration of disturbed portions of the ROW will go to the RCRRA.

The City will prepare a detailed grading and landscaping plan for disturbed portions of the railroad ROW for RCRRA approval, and restore disturbed areas with appropriate landscaping.

6. Installation of pipe under railroad ROW to connect wetland restoration areas

Installation of a pipe under the railroad ROW to provide for natural water flow between the proposed wetland restoration area west of the ROW just south of Maryland to the proposed wetland restoration area east of the ROW near Geranium as indicated on the attached plan. This is similar to other storm sewer pipes which go under the ROW, and poses no problems for future LRT construction. It would provide for the small amount of water flow needed to maintain the restored wetlands as a neighborhood amenity.

7. Location of a tennis court on the railroad ROW

With restoration of the wetland and displacement of tennis courts at the southeast corner of Johnson Parkway and Maryland Avenue, the number of tennis courts further south along Johnson Parkway needs to be expanded as indicated on the attached plan. Until LRT is constructed, the best layout includes one tennis court on a portion of the railroad ROW. Like Phalen Creek Trail, this would be subject to change if LRT is built, and the City would be responsible for moving the tennis court if that becomes necessary.

RESPONSE TO SPECIFIC QUESTIONS AND ISSUES THAT HAVE BEEN RAISED

1. How does the proposed at-grade station fit with the "Principles for Effective Integration of Land Use and LRT" developed by the Metropolitan Council to guide LRT development in the Twin Cities?

The Metropolitan Council's "Guiding Principles for Effective Integration of Land Use and LRT" calls for development of LRT in a way that "respects the scale character of the community each station serves, builds on local initiatives, contributes towards realization of community goals, sets a civic precedent with a strong definition of the public realm that links the station to the surrounding area, and inspires collaborative efforts to transform the community into a memorable, remarkable, special place." It states that "access to stations should be clear, self-evident and direct," that pedestrian access should be easy and inviting, and that "pedestrians should be able to reach stations without using bridges or undercrossings." It states that "the more closely LRT is woven into the fabric of the city, the more powerful it becomes as both a development and a transportation tool."

Recommendations in the Phalen Village Plan for how to integrate LRT into the Phalen Village area, including the recommendation for an at-grade station, directly respond to the Metropolitan Council's "Guiding Principles for Effective Integration of Land Use and LRT. An at-grade station would contribute toward realization of community goals and would be directly accessible from the Phalen Village commercial core. East of the proposed LRT station, the Phalen Village Plan rezoned property B-2 Community Business to provide for the best mix of neighborhood-, pedestrian- and transit-oriented commercial and residential development adjacent to the LRT station. West of the station, the Phalen Village Plan calls for removal of the existing tennis courts (which are surrounded by chain link fences), restoring wetlands, and thus creating a strong connection between the LRT station and natural areas in Phalen Park as well as to the Phalen Village commercial core. This is a design that would "set a civic precedent with a strong definition of the public realm that links the station to the surrounding area and inspires collaborative efforts to transform the community into a memorable, remarkable, special place."

The proposed at-grade station provides for clear, direct, safe, and convenient pedestrian access from the Phalen Village commercial area, from bus stops on Maryland, and from the Phalen Creek Trail. It also provides for clear, direct access for drop-off and pickup of LRT riders via a new street along the east side of the station (see attached "Phalen Village LRT Station Proposal). With a grade-separated station, about 70 feet of the 100 foot railroad ROW would be taken up by steep side slopes, and there would not be space for a new street for drop-off and pickup without acquiring additional right-of-way and significant impact on adjacent property. Pedestrian access would be much less direct and would be dependent on costly and less reliable elevators. Passenger waiting areas that are not visible from the street would tend to exacerbate security problems.

There is a strongly held belief in the Phalen Village neighborhood that a grade-separated station would harm efforts to realize community goals and transform the community into a remarkable, special place, and that it would not respect the character of the community or be conveniently linked to the surrounding area. Some would question the wisdom of constructing LRT if it cannot be done in a way that, in the words of the Metropolitan Council's publication "Economic Development Potential Around Central Corridor LRT Stations," serves more than a transportation agenda, compliments the community it serves, and contributes towards community development goals.

2. **Would at-grade LRT crossings of Maryland Avenue and Johnson Parkway be safe?**

While grade-separated LRT crossings of Maryland and Johnson Parkway would be desirable from a strictly traffic safety and traffic flow point of view, based on what we

know about traffic volumes and movements in this area, and what we expect for LRT, at-grade crossings would be acceptable. Any marginal benefits of grade separation for traffic flow and traffic safety are outweighed by the benefits of an at-grade station for clear, direct, safe and convenient access for pedestrians and for drop-off and pickup of riders, for more visible and secure passenger waiting areas, and for its contribution to community development goals.

The at-grade station design shown on the attached "Phalen Village LRT Station Proposal" is basically the same as that proposed for the Westgate LRT Station in the Central Corridor just west of Highway 280 between University Avenue and Franklin Avenue. At the Westgate Station, LRT would have at-grade crossings of University Avenue (over 20,000 vehicles per day) and Franklin Avenue (7500 vehicles per day). There are about 15,000 vehicles per day where LRT would cross Maryland and about 9000 vehicles per day where LRT would cross Johnson Parkway.

Compared with the Central Corridor, LRT in the Northeast Corridor would have relatively low frequency. Headways in the Northeast Corridor will likely never be shorter than 15 minutes, or one crossing every 7 1/2 minutes at the most. Fifteen minute headways are likely to occur only during peak periods. A two or three car LRT train would take only a few seconds to cross a street. After reviewing the issues that pertain to this specific area, it appears that grade-separation does not have to be a priority, and that at-grade LRT crossings at Maryland and Johnson Parkway provide significant benefits to this area and to the City. Public Works can support at-grade crossings at these locations.

3. How would regrading the railroad ROW to provide for an at-grade LRT station and at-grade crossings of Maryland and Johnson Parkway affect the cost of LRT development?

With grade-separated crossings of Maryland and Johnson Parkway, the need to construct new bridges over Maryland and Johnson Parkway, and a station structure with retaining walls and elevators, would be the most costly part of LRT development in this area. The bridges alone would cost an estimated \$4 million; gated crossings would cost roughly \$500,000, a savings of about \$3.5 million.

4. How will at-grade crossings affect LRT travel times?

North-bound LRT trains coming out of an LRT station immediately south of Maryland could be delayed about 4 to 8 seconds (enough time for pedestrians to clear the track). For all south-bound crossings at Maryland and for all crossings at Johnson Parkway, the gates could be timed so that LRT would cross at full speed under normal circumstances. Emergency vehicles could occasionally preempt the signals and gates.

5. Will there be any added liability issues associated with at-grade crossings?

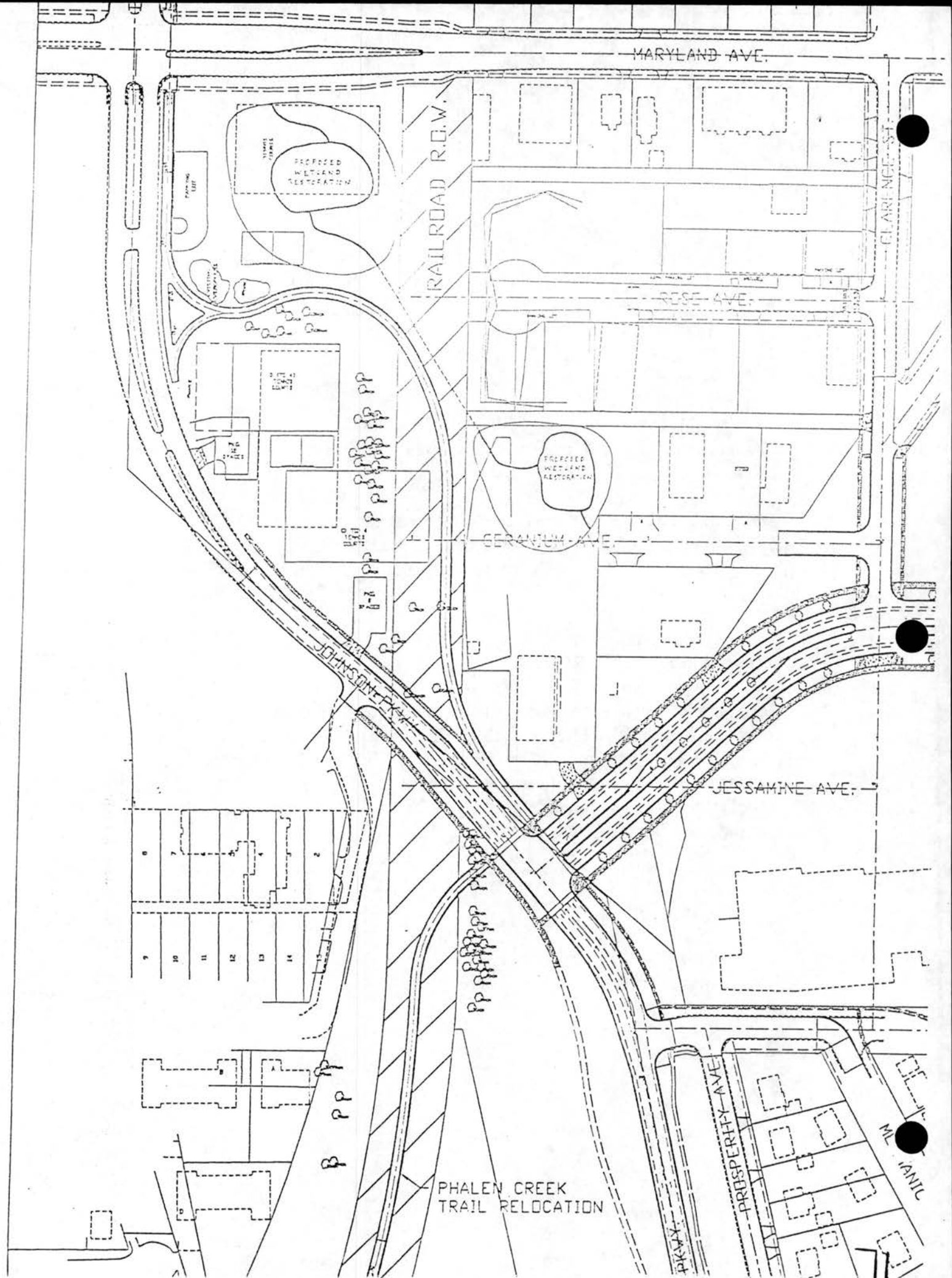
There are liability issues associated both with bridges and with at-grade crossings, with no particularly significant cumulative difference. We have approved Preliminary Design Plans for LRT in the Central Corridor that include a number of at-grade crossings (some at streets with far higher traffic volumes and more complex traffic movements than at Maryland and Johnson Parkway), and that also include some grade-separated crossings.

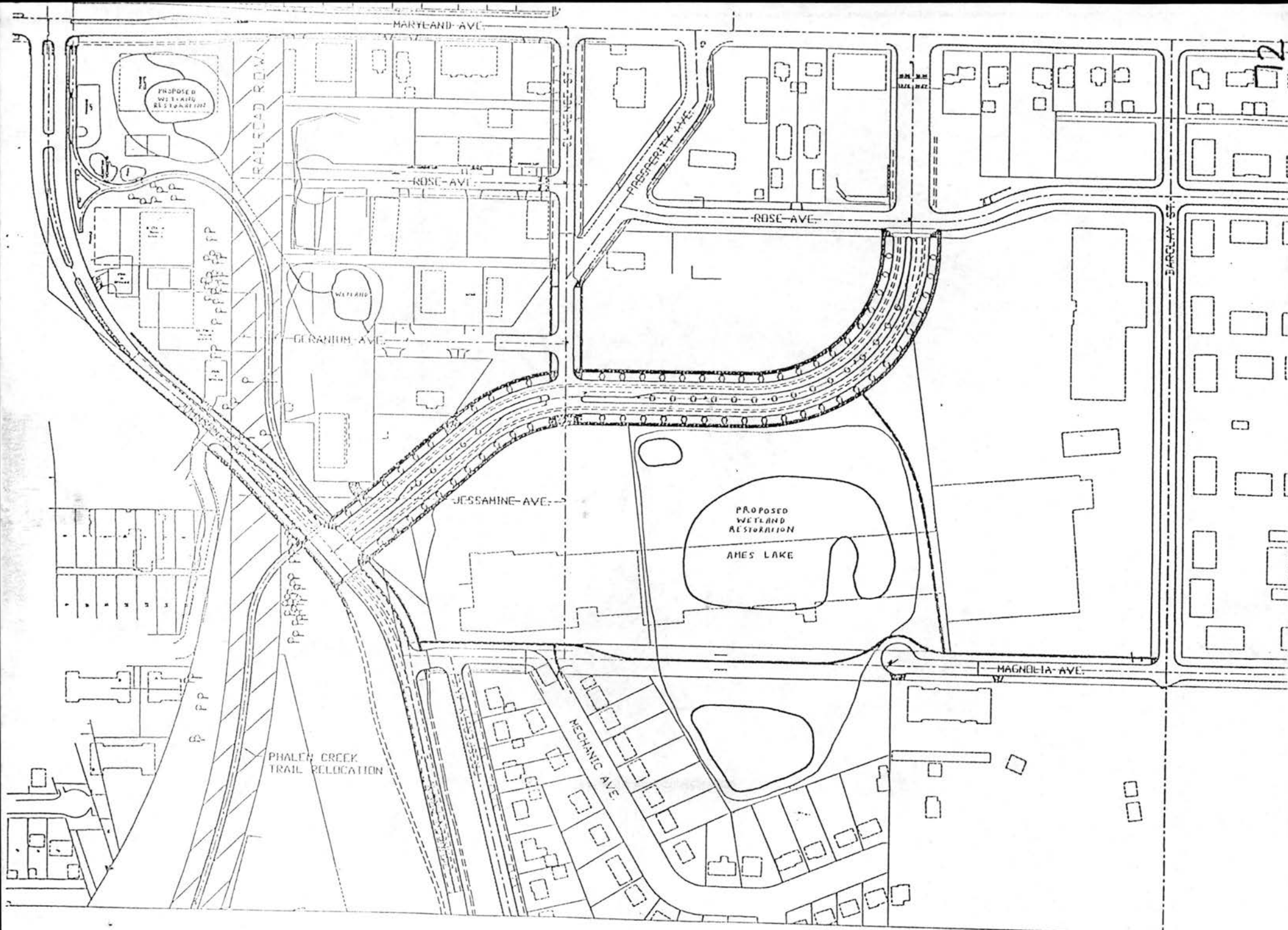
6. Would the railroad corridor remain stable for LRT development if it is regraded as proposed?

Soil borings have been taken to determine the stability of underlying soils (see attached memo from James Tolaas, Ramsey County Dept of Public Works). The cost of selective soil correction for LRT development is not expected to be extensive within the context of rail construction.

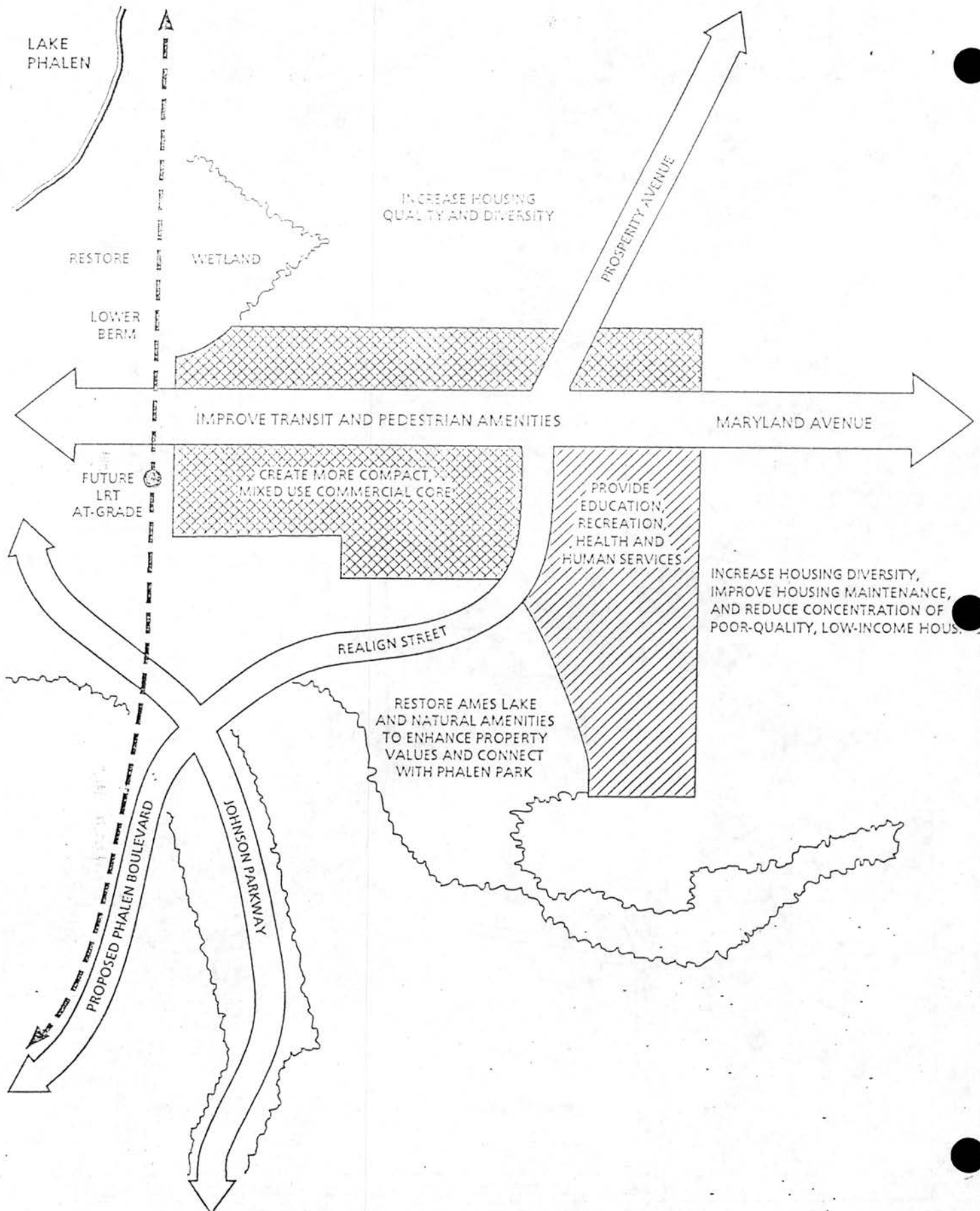
7. How would regrading of the railroad ROW as proposed affect maintenance responsibilities for the RCRRA?

Regrading the ROW as proposed and construction of LRT at-grade would eliminate the cost of maintaining two bridges and a significant station structure, as well as the high cost of building the bridges and station structure in the first place. Regrading the ROW as proposed will not have significant impact on maintenance responsibilities in the shorter term, before LRT is built, although it should be somewhat easier to maintain flat property than the steep slopes of the berm.

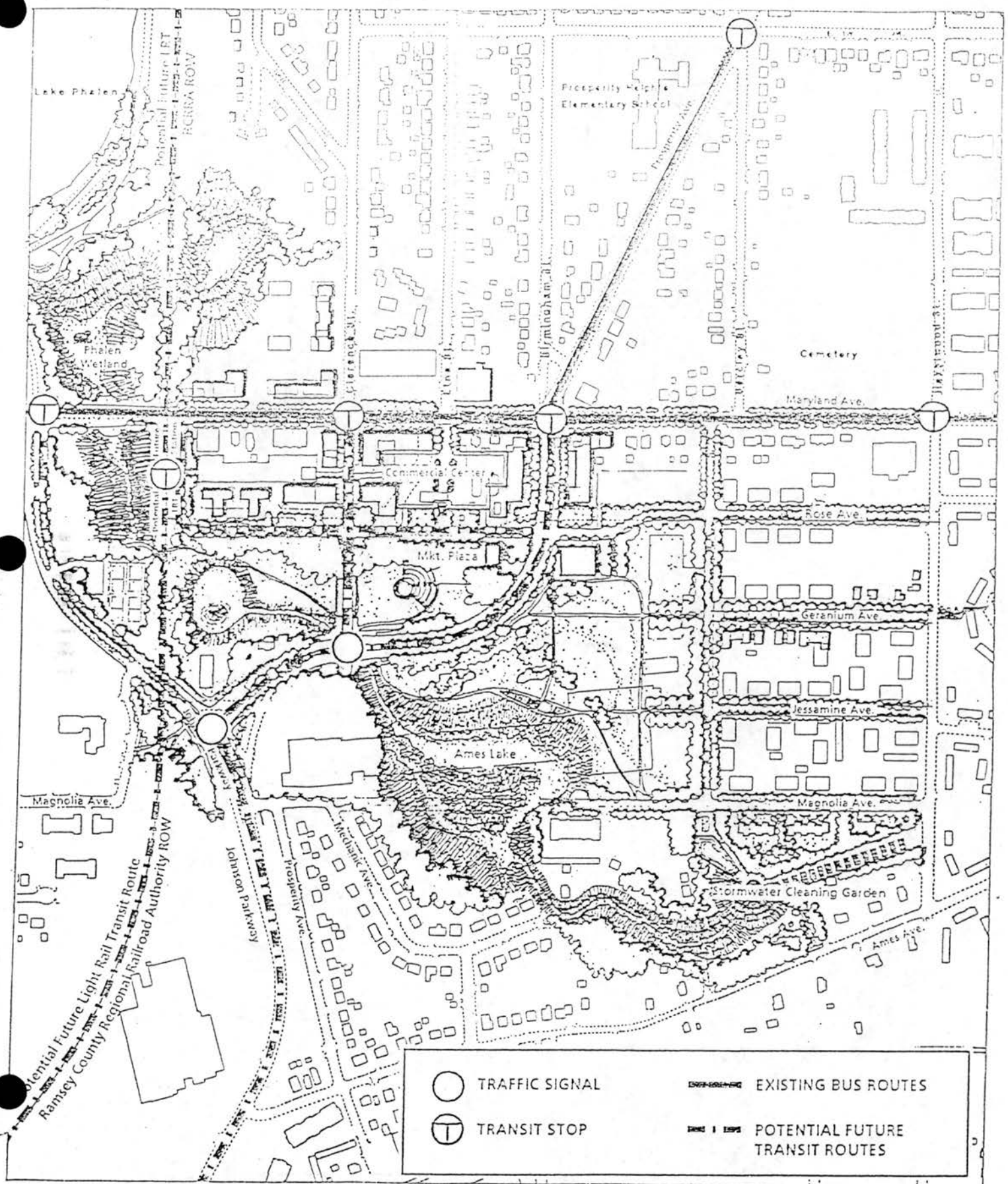




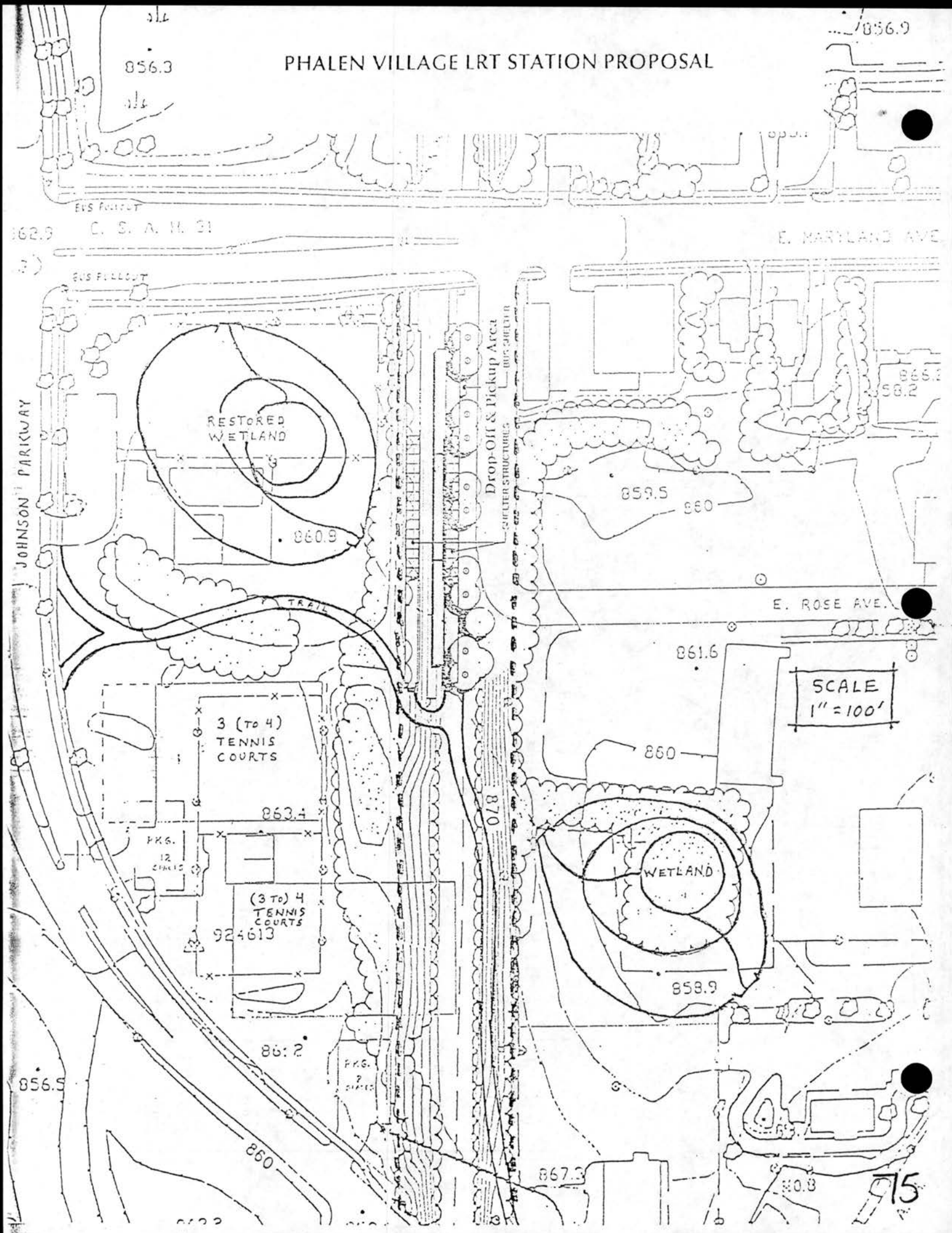
PHALEN VILLAGE CONCEPT POLICY MAP

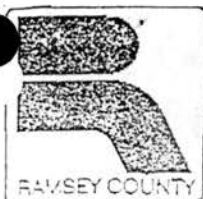


MAP 5: STREET AND TRANSIT CONCEPT



PHALEN VILLAGE LRT STATION PROPOSAL





Department of Public Works

Paul L. Kirkwold, P.E., Director and County Engineer

ADMINISTRATION/LAND SURVEY

50 West Kellogg Blvd., Suite 910

St. Paul, MN 55102 • (612) 268-2600 • Fax 452-1015

ENGINEERING/OPERATIONS

3877 N. Rice Street

Shoreview, MN 55126

(612) 484-9104 • Fax 452-8582

MEMORANDUM

To: Kathryn DeSpiegelaere

From: James E. Tolazs 

Date: September 22, 1997

Subject: Burlington Northern Corridor Berm
Soils Summary

Attached are soil logs for borings taken along the existing railroad embankment within an area approximately 900 feet north and 300 feet south of Maryland Avenue. The borings were taken to determine the quality of material within the embankment and also to help determine the stability of underlying soils -- in the event portions or all embankment material removed.

The material within the embankment itself varies somewhat with location and depth but is a suitable fill material for many different applications including building sites and roadway embankments. The material does have a market value -- the actual amount being dependent on a number of factors including application, haul distance and cost to remove.

Native soils beneath the embankment vary in gradation and quality but have consolidated beneath the forces of the embankment. It is reasonable to assume they are and will remain stable and that removal of the berm should not present any immediate problems. On the other hand, if the corridor is developed for rail transit operations in the future, selective soil correction should be anticipated. This would amount to removal of organics, silts, and organic clays and replacement with granular materials. The cost of such corrections would not be considered extensive within the context of rail construction.

bnsuil.doc

B.N.R.R. BERM - PHALEN LAKE AREA

ALL BORINGS TAKEN ON E. OF RAILROAD EMBANKMENT
ALL DEPTHS ROUNDED OFF TO NEAREST FOOT

T.H. 2 156' SOUTH OF E MARYLAND AVE.

0-1' R.R. BALLAST

1-2' SAND/GRAVEL BLK.

2-3' SAND/GRAVEL BRN.

3-7' SAND/GRAVEL BLK.

7-11' SAND BRN.

11-12' S.C.L. BRN. N.P.

12-22' S.L./GRAVEL BRN. OCC. $\frac{3}{4}$ " ROCK

T.H. 2 272' SOUTH OF E MARYLAND AVE.

0-1 1/2' R.R. BALLAST

1 1/2-3' SAND/GRAVEL BRN.

3-7' SAND/GRAVEL/COAL BLK.

7-8' SAND/GRAVEL BRN.

8-10' SAND TAN

10-17' S.L./GRAVEL BRN. N.P.

17-22' S.C.L. BRN. P.I.

T.H. 3 197' NORTH OF E MARYLAND AVE.
0-1' R.R. BALLAST
1-4' SAND/GRAVEL BLK.
4-11' S.C.L. BRN. SI. PL.
11-14' C.L. BRN. PI.
14-21' S.C.L. BRN. SI. PL.
21-22' S.L. BRN. N.P.

T.H. 4 619' NORTH OF E MARYLAND AVE.
0-2' SAND/GRAVEL/COAL BLK
2-4' L.S./GRAVEL BRN.
4-19' C.L. BRN. PI.
19-20' MUCK BLK.
20-21' S.C.L. BRN. PI.
21-22' S.L. BRN. N.P.

T.H. 5 920' NORTH OF E MARYLAND AVE.
0-1' SAND/GRAVEL BRN.
1-2' SAND/GRAVEL BLK.
2-5' SAND FINE GREY
5-8' LOAM BLK.
8-16' S.C.L. BRN. SI. PL. occ. gravel
16-17' LOAM BLK.

Memorandum

To: Commissioners

From: Kathy D.

Subject: Phalen Berm

Date: December 15, 1997

The Phalen berm discussion is on the RRA agenda for Tuesday, december 16.

Additional information has reached me since documentation was distributed last Thursday that is attached.

It includes:

(1) Letter from Mn/DOT. RRA staff are checking on some of the questions in the letter today but we may not have all answered by tomorrow.

(2) Letter of support from Northeast Neighbors Development Corporation

(3) Letter of support from District 2 Community Council

(4) Letter of support from Phalen Village Business Association.



Minnesota Department of Transportation

Office of Freight, Railroads, & Waterways

925 Kelly Annex, MS470

395 John Ireland Blvd.

St. Paul, MN 55155

Phone: 612/ 296-0355

Fax: 612/ 297-1887

December 8, 1997

Phone (612) 296-1611

Kathryn DeSpiegelaere, Director
Ramsey County Regional Rail Authority
665 Ramsey County Government Center- West
50 West Kellogg Boulevard
Saint Paul, Minnesota 55103

Dear Kathy:

This letter is written confirmation to our discussion related to the abandoned rail corridor in the vicinity of Maryland Avenue in Saint Paul. Removal of the berm and use of the soil by the City of Saint Paul is acceptable to Mn/DOT if it meets the approval of the Ramsey County Regional Rail Authority (RCRRA). However, because Mn/DOT has a security interest in the corridor, I have several questions pertaining to this action.

The first area of clarification I have is related to environmental issues pertaining to the use of the soil. Did any environmental issues surface with when the corridor was acquired from the railroad, and by removing soil from the current site are there any environmental processes required by the Minnesota Pollution Control Agency? What is the RCRRA's position if any environmental issues surface and need to be mitigated as a result of the removal of the berm? What will be the physical condition of the corridor (grade elevations/ landscaping, etc.) related to adjacent property owners when the soil is removed?

Secondly, does the soil have any monetary value? Is there any cost to RCRRA to have the berm removed?. If there is compensation to RCRRA for the soil from the City, what will the proceeds be used for?

Finally, because of Mn/DOT's and the RCRRA financial interest in the corridor, will the removal of the berm increase access/ use of the corridor by individuals (bikers, snowmobiles, etc.) and what, if any, potential change in liability would result?

Please keep OFRW informed as to what action the RCRRA takes with this matter. I am available to discuss the questions have with you at your convenience.

Sincerely,

Dan Krom
Principal Planner, Supervisor

cc: Al Vogel, Director OFRW

LD 12/12/97

80

NORTH EAST NEIGHBORHOODS
DEVELOPMENT CORPORATION

1545 Maryland Avenue East
Saint Paul, Minnesota 55106
(612) 771-6955
(612) 776-5786 fax

December 10, 1997

Commissioner Rafael Ortega, Chair
Ramsey County Regional Rail Authority
Court House
15 Kellogg Boulevard
Saint Paul MN 55102

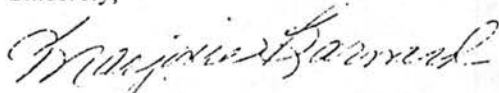
Dear Commissioner Ortega,

North East Neighborhoods Development Corporation is writing to support the proposed lowering of the railroad berm owned by the Ramsey County Regional Rail Authority. The area to be lowered would be both between Maryland and Johnson, and 400 feet north of Maryland.

The purpose of this action would be to support implementation of the Phalen Village Small Area Plan, which has as its central premise the re-connection of the Phalen Village area with Lake Phalen and Phalen Park. We believe that the importance of re-establishing this connection cannot be overstated. The presence of the berm over the years has isolated Phalen Village and contributed to its decline; conversely, lowering this barrier will signal the intent of the community to halt and reverse this decline. This symbol of positive change may be as important as the contribution of lowering the berm to the specific upcoming projects planned in Phalen Village over the next two years. We further believe that lowering the berm is consistent with the Rail Authority's purposes in owning this property, and with the intended inter-modal transportation system the rail corridor is designed to support.

Thank you very much for your consideration of these comments. Please do not hesitate to contact us if you have questions or if we can supply further information about our position or our related projects and activities.

Sincerely,



Marjorie Barnard
President

DISTRICT 2 COMMUNITY COUNCIL

2169 Stillwater Avenue, Suite 201
Saint Paul, MN 55119-3508

December 8, 1997

Phone: (612) 731-6842
Fax: (612) 731-0194

Rafael Ortega, Chair
Ramsey County Regional Rail Authority
665 Ramsey County Government Center - West
50 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Dear Mr. Ortega,

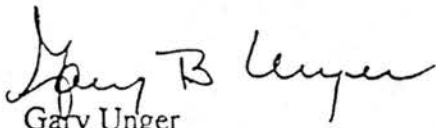
I am writing to you on behalf of the District 2 Community Council to request that the Ramsey County Regional Railroad Authority remove a portion of the railroad berm in the Phalen Village area of Saint Paul. The portion to be removed would result in at-grade crossings at Maryland Avenue and Johnson Parkway. This request was formalized in a motion passed at the November 19, 1997 District 2 Community Council Board of Directors meeting, which called for the removal of the berm and the use of the fill for next summer's Prosperity Avenue project.

This motion has its origins in the Phalen Village Small Area Plan, the result of several years of hard work by neighborhood residents and businesses, in cooperation with city staff. The first fruits of that plan are evidenced in the new Walgreens and health clinic at the corner of Maryland Avenue and Prosperity Avenue and a first phase of wetland restoration near Lake Phalen. They will soon be seen in the demolition of the Phalen Shopping Center, the Prosperity Avenue project, further wetland restoration and a new townhouse development on the site of the decaying Lakewood Apartments.

Each of the pieces is building towards a whole that envisions the Phalen Village area with "a stronger connection to its primary asset, Phalen Park." This connection not only enhances the natural setting, but is also a vital ingredient in the commercial and residential revitalization of Phalen Village. Unfortunately, the existing railroad berm prevents this linkage and isolates the area from Lake Phalen and the people who use the park.

The District 2 Community Council urges you to remove the railroad berm in order to continue the great work that has been done so far and, both literally and figuratively, open up Phalen Village to new vistas. The goal of the Phalen Village Small Area Plan is to "transform the area from a blighting influence harmful to property values into a safe, stable, attractive community center that meets neighborhood needs and is an asset to the East Side." We believe that your action to remove the berm will be a catalyst that moves us closer to that goal.

Sincerely,


Gary Unger
President



December 10, 1997

Commissioner Dino Guerin
Ramsey County Board of Commissioners
Room 220 Courthouse
15 West Kellogg Blvd
Saint Paul MN 55102

RE: Support of Berm Removal

Dear Commissioner Guerin:

On behalf of members of the Phalen Village Business Association I urge you to support the removal of the railroad berm near East Maryland Avenue and Johnson Parkway in St. Paul.

Over the past few years the business members have been working in partnership to improve the business climate in the Phalen Village. PVBA members are encouraged by the berm removal project, viewing it as timely and imperative to the economic stability and viability of our businesses.

Removal of the berm is in keeping with the overall Phalen Village Small Area Plan. The PVSAP, supported by a partnership of business and community organizations, demonstrates the strongest resource we have in our East Side neighborhood, that is, our community members. We view positive repercussions of the berm removal as a means to help retain and encourage these same people to continue to do business and live in the Phalen Village area.

We see the berm removal as a vital element in the revitalization of the Phalen Village. Thank you for your consideration in this very important issue, the outcome of which will greatly impact the ongoing vitality of businesses in our community.

Sincerely,

Tom Maurer, PVBA President

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

5

REQUEST FOR BOARD ACTION

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere

Authorized Signature

June 18, 1998

Date

Board Action Requested

Phalen Berm Removal Agreement

ACTION IS REQUESTED

Request Justification

See draft resolution and attached materials.

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

June 23, 1998

Board Date

Kristine A. Longhenry

Signature

June 18, 1998

Date

84

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

(page 1 of 3)

WHEREAS, The City of St. Paul has requested that a portion of the berm on Ramsey County Regional Railroad Authority right of way be removed from a point south of Johnson Parkway to the intersection of Topic and McAfee north of Maryland Avenue; and

WHEREAS, The request is consistent with the Phalen Village Small Area Plan adopted by the City Council of St. Paul; and

WHEREAS, Ramsey County Regional Railroad Authority right of way in this vicinity has been designated as a potential location for rail transit, with a potential station location at Maryland Avenue; and

WHEREAS, Ramsey County Regional Railroad Authority has a joint powers agreement and easement with the City of St. Paul relating to trail use of this right of way; Now Therefore Be It

RESOLVED, That Ramsey County Regional Railroad Authority directs staff to prepare an agreement with the following conditions to be addressed either prior to development of the agreement or in the agreement:

1. Modifications to the deed, mortgage, easement and joint powers agreement as necessitated by the berm removal will be made.
2. Neither tennis courts nor wetlands may be placed on RCRRA right of way.
3. Concurrence by Mn/DOT with the proposed berm removal must be obtained by RCRRA. This includes indemnification of Mn/DOT and Ramsey County if environmental issues arise that need to be mitigated as a result of berm removal.
4. Removal of the berm is to be accomplished between 200 feet south of Johnson Parkway and McAfee/Topic. The removal may occur incrementally. Removal of any remaining soil in the berm will be done by St. Paul at its expense within one year of a request by RCRRA to complete the removal. A grading and restoration plan

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

(page 2 of 3)

is to be prepared by St. Paul staff to meet approval by RCRRA and St. Paul Parks staff. Grading and restoration will be at St. Paul's request.

5. Signage on the right of way in the berm removal location will be placed by RCRRA. The signage will clearly indicate the potential for rail use at this location in the future.
6. Conditions established by those who lease RCRRA property including St. Paul Parks Department and NSP will be met by St. Paul and costs for meeting those conditions will be the responsibility of St. Paul.
7. Removal of the Johnson Parkway bridge will allow improved roadway sight distances. Conditions for removal of the Johnson Parkway bridge must be agreed to by RCRRA staff.
8. Cost issues relating to the following topics will be addressed as indicated:
 - a. Berm removal -- responsibility of St. Paul.
 - b. Value of the soil -- no charge will be made to St. Paul for soil used for Prosperity Road reconstruction. If the soil is used for other purposes, market rate charges will apply.
 - c. Restoration of the area where the berm is removed will be the responsibility of St. Paul.
 - d. The removal cost for the Johnson Parkway bridge not to exceed \$75,000 will be reimbursed to St. Paul by RCRRA.
 - e. Replacement of the berm costs at some future date -- whichever agency -- St. Paul, Ramsey County Regional Railroad Authority, the transit construction agency, or any other agency, requests a grade separated crossing at Maryland or at Johnson Parkway will bear the cost of constructing the grade separation.
9. At grade crossings of Johnson Parkway and Maryland

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

(page 3 of 3)

Avenue must give first priority to rail service. If an at grade crossing is determined to be impractical when or after rail is built in this corridor, St. Paul agrees to pay all costs associated with the construction of the grade separations.

10. Approval of the St. Paul City Council for the agreement after consultation with all affected property owners will occur prior to RCRRA approval.

And Be It Further

RESOLVED, That \$75,000 is appropriated from fund balance of RCRRA in order to pay for the costs of the removal of the bridge over Johnson Parkway.

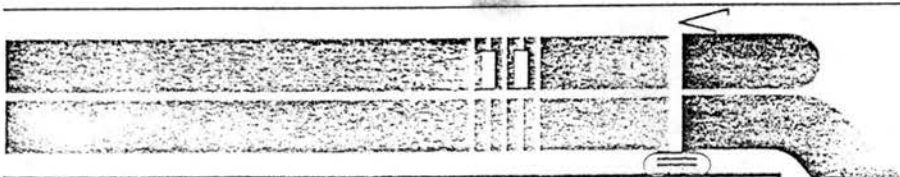
RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	YEA	NAY	OTHER
Tony Bennett	_____	_____	_____
Dino Guerin	_____	_____	_____
Susan M. Haigh	_____	_____	_____
Rafael E. Ortega	_____	_____	_____
Victoria Reinhardt	_____	_____	_____
Janice Rettman	_____	_____	_____
Jan Wiessner	_____	_____	_____

Rafael E. Ortega, Chairman

By: _____
Jan Wiessner, Secretary

87



Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (612) 266-2760 / FAX (612) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, County Manager

From: Kathy DeSpiegelaere

Subject: Phalen Berm

Date: June 17, 1998

In December, 1997, Ramsey County Regional Railroad Authority passed a resolution relating to right of way it owns in the vicinity of Maryland Avenue, Prosperity and Johnson Parkway. The resolution is Attachment 1. It authorized, subject to an agreement, removal of soil in a berm between a point south of Johnson Parkway and the intersection of Topic and McAfee north of Maryland Avenue (Attachment 2).

The right of way where the berm is located is a potential location for both light rail transit and commuter rail with a potential station at Maryland Avenue.

A draft agreement was sent by Ramsey County Regional Railroad Authority staff to St. Paul staff on January 20. Modifications to the proposed agreement are being proposed by St. Paul staff. Attachment 3 is a request from St. Paul staff, Paul St. Martin.

The points to be modified in the previous RCRRA resolution are:

1. Item 4, "removal of the berm must be accomplished in such a way that RCRRA is left in a position that it can build rail on its right of way without substantive regrading. Removal is to be accomplished between 200 feet south of Johnson Parkway and McAfee/Topic." } K

St. Paul has requested that the part of the berm north of Maryland Avenue be removed now, and the part south of Maryland Avenue remain in place for the present, subject to subsequent removal upon the request of RCRRA. } K

Response: St. Paul has indicated that residents south } K

4 { and west of Maryland Avenue are opposed to berm removal at this time and that once Phalen Center east of the berm is redeveloped, their opposition will be mitigated.

2. Item 8, "cost issues relating to the following issues will be addressed as indicated:

b. Value of the soil -- no charge will be made to St. Paul for soil used for Prosperity Road construction"

St. Paul has requested that the soil removed from the berm be used by a private developer building townhomes near the right of way.

Response: Soil is no longer proposed for use for Prosperity Road. Market rate price should be charged for the soil if it is used for a private development. The funding received will be split between Mn/DOT and RCRRA because Mn/DOT funded half of the purchase of the property.

3. Item 8, "cost issues relating to the following issues will be addressed as indicated:

d. Bridge removal at Johnson Parkway will be the responsibility of St. Paul"

St. Paul has requested that Ramsey County Regional Railroad Authority pay the cost of bridge removal, estimated at \$75,000.

Response: Payment by RCRRA is consistent with a joint powers agreement between the City of St. Paul and RCRRA for this right of way. However, it is also possible for RCRRA Commissioners to request that St. Paul pay the bridge removal cost, particularly since the City is requesting the removal of the berm, rather than RCRRA. The \$75,000 was not in the 1998 budget for RCRRA and will require an appropriation from fund balance.

A resolution has been prepared for your consideration that incorporates the new information.

39

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: December 16, 1997 No: R97-22

(page 1 of 2)

Whereas, The City of St. Paul Public Works and Planning and Economic Development Department Directors have requested that a portion of a berm on Ramsey County Regional Railroad Authority right of way be removed from a point south of Johnson Parkway to the intersection of Topic and McAfee north of Maryland Avenue; and

Whereas, The request is consistent with the Phalen Village Small Area Plan adopted by the City Council of St. Paul; and

Whereas, Ramsey County Regional Railroad Authority right of way in this vicinity has been designated as a potential location for rail transit, with a potential station location at Maryland Avenue; and

Whereas, Ramsey County Regional Railroad Authority has a joint powers agreement and easement with the City of St. Paul relating to trail use of this right of way; Now Therefore Be It

Resolved, That Ramsey County Regional Railroad Authority directs staff to prepare an agreement with the following conditions to be addressed either prior to development of the agreement or in the agreement:

1. Modifications to the deed, mortgage, easement and joint powers agreement as necessitated by the berm removal will be made.
2. Neither tennis courts nor wetlands may be placed on RCRRA right of way.
3. Concurrence by Mn/DOT with the proposed berm removal must be obtained by RCRRA. This includes indemnification of Mn/DOT and Ramsey County if environmental issues arise that need to be mitigated as a result of berm removal.
4. Removal of the berm must be accomplished in such a way that RCRRA is left in a position that it can build rail on its right of way without substantive regrading. Removal is to be accomplished between 200 feet south of Johnson Parkway and McAfee/Topic. A grading and restoration plan is to be prepared by St. Paul staff to meet approval by RCRRA and St. Paul Parks staff.

RESOLUTION

Board of Ramsey County Regional Railroad Authority

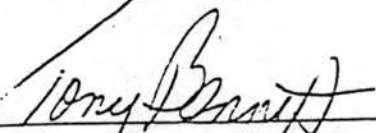
Date: December 16, 1997

No: R97-22

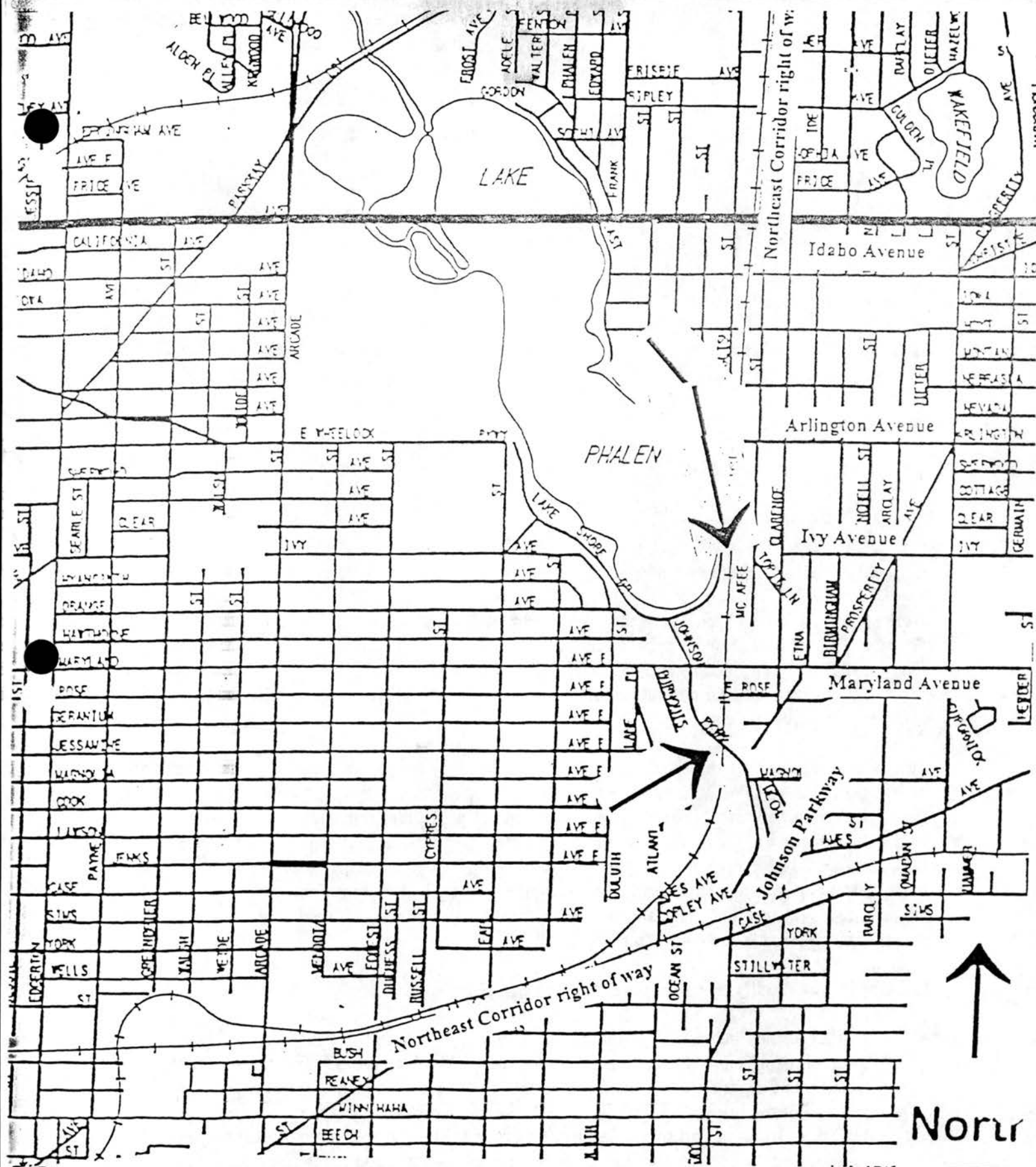
(Page 2 of 2)

5. Signage on the right of way in the berm removal location will be placed by RCRRA. The signage will clearly indicate the potential for rail use at this location in the future.
6. Conditions established by those who lease RCRRA property, including St. Paul Parks Department and NSP, will be met by St. Paul and costs for meeting those conditions will be the responsibility of St. Paul.
7. Conditions for removal of the Johnson Parkway bridge must be agreed to by St. Paul. Those conditions have yet to be developed by RCRRA staff.
8. Cost issues relating to the following issues will be addressed as indicated:
 - a. Berm removal -- responsibility of St. Paul
 - b. Value of the soil -- no charge will be made to St. Paul for soil used for Prosperity Road construction
 - c. Restoration of the area where the berm is removed will be the responsibility of St. Paul
 - d. Bridge removal at Johnson Parkway will be the responsibility of St. Paul
 - e. Replacement of the berm costs at some future date -- whichever agency -- St. Paul, Ramsey County Regional Railroad Authority, the transit construction agency, or any other agency, requests a grade separated crossing at Maryland or at Johnson Parkway will bear the cost of constructing the grade separation.
9. At grade crossings of Johnson Parkway and Maryland Avenue must give first priority to rail service. If an at grade crossing is determined to be impractical when or after rail is built in this corridor, St. Paul agrees to pay all costs associated with the construction of the grade separations.
10. Approval of the St. Paul City Council for the agreement after consultation with all affected property owners will occur prior to RCRRA approval.

Rafael E. Ortega, Chairman

By: 
Tony Bennett, Secretary

91



AREA OF REQUEST FOR SOIL REMOVAL AND GRADE CHANGE

North

92

Attachment 2

Attachment 3

DEPARTMENT OF PUBLIC WORKS

Stacy M. Becker, Director

Thomas J. Eggum, City Engineer



CITY OF SAINT PAUL

Norm Coleman, Mayor

Larry Lueth, Street Design Engineer

700 City Hall Annex

(612) 266-6110

Saint Paul, MN 55102

FAX (612) 292-6132

June 16, 1998

Kathryn DeSpiegelaere
Director of Light Rail Transit Planning
Ramsey County Regional Rail Authority
665 Ramsey County Government Center West
50 West Kellogg Boulevard
Saint Paul, Minnesota 55102

RE: Ramsey County Regional Railroad Authority Berm Removal

Dear Ms. DeSpiegelaere

On December 16, 1997 the Ramsey County Regional Railroad Authority approved a resolution (R97-22) which outlined conditions for removal of a portion of the RCRRA berm from south of Johnson Parkway to the intersection of Topic and McAfee north of Maryland Avenue. This resolution was approved as a result of a request for the berm removal from the City of St. Paul Public Works and Planning and Economic Development Departments. The original proposal by the City requested that material from the berm be used as fill on the Prosperity Avenue project.

Since that time, the City of St. Paul has completed the plans for public improvements to be constructed in the Phalen Village Area and has received public input on the berm removal. We have determined that there will be enough material generated from the Ames Lake wetland excavation to provide the fill needed for the Prosperity project. The public input we have received has been positive in regard to removal of the berm north of Maryland and both positive and negative as to the berm removal south of Maryland. Some of residents felt that the berm removal south of Maryland should be completed after the redevelopment of the Phalen Village Area is substantially complete.

The City is now modifying its proposal for the berm removal as follows:

- A) As part of the Phalen Village Public improvement project, project, Bridge # 90422 over Johnson Parkway will be removed in late 1998 or early 1999. The narrow width, location and sight distance restrictions caused by the existing bridge necessitate the removal of the bridge. The bridge is used to carry the Burlington Northern Regional Trail over Johnson Parkway. The portion of the trail north and south of the bridge will be relocated, and the trail will cross Johnson Parkway at grade at the signalized Johnson Parkway/ Prosperity intersection. It is my understanding that the Joint Powers Agreement dated August 24, 1993 between the City of St. Paul and the Ramsey County Regional Rail Authority stipulates that the RCRRA is responsible for the cost

Responsive Services

Quality Facilities

Employee Pride

93

of bridges that are removed from the abandoned Burlington Northern rail corridor. We have estimated that the bridge removal will cost \$75,000. We propose that the City would remove the bridge as part of the Phalen Village Project and bill the RCRRA for the cost of the removal.

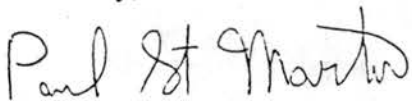
- B) The City proposes to remove the portion of berm from Maryland Avenue to 1100' north of Maryland in 1998, and use the material from the berm for fill for a housing redevelopment at the northwest corner of Maryland and Clarence. The developer would contract to remove the fill from the berm area and grade it to the contours shown on the attached plan, and then the city would restore the berm area and install the plant materials shown on the attached plan. We are requesting that the City and/or developer be not charged any fee for the value of the fill.
- C) The remainder of the berm between south of Johnson Parkway to Maryland would be left in place until future projects such as construction of Phalen Boulevard or development in the Phalen Village area provide an opportunity for its removal. We anticipate the berm would be removed prior to construction of light rail, and if not, be removed as part of the light rail construction. The City proposes that at the time the remainder of the berm is proposed for removal, that the City of St. Paul and the RCRRA determine responsibility for removal and costs under a separate agreement.

We are still in agreement with the majority of the conditions listed in Resolution R97-22, but this new proposal would affect conditions # 4, #7, #8 .

I request that this be brought before the Board of the Ramsey County Regional Railroad Authority as soon as possible.

If you have any questions, you can call me at 266-6118.

Sincerely,



Paul St. Martin
Civil Engineer IV

Attachment: Berm grading plan

cc: Stacy Becker
Pam Wheelock
Terry Noonan, Ramsey County Public Works

ORIGINAL

RESOLUTION
CITY OF SAINT PAUL, MINNESOTA

Presented By [Signature]

Referred To _____ Committee: Date _____

WHEREAS, the City of Saint Paul City Council has adopted the Phalen Village Small Area Plan; and

WHEREAS, the Phalen Village Small Area Plan recommends roadway and wetland improvements as well as removal of a portion of the railroad berm located on Ramsey County Regional Railroad Authority Property; and

WHEREAS, the City of Saint Paul has budgeted funds to complete roadway and wetland public improvements in the Phalen Village Area consistent with the Phalen Village Small Area Plan; and

WHEREAS, removal of the berm in conjunction with the roadway and wetland project will add some costs to the roadway and wetland project but will result in a reduction in the total cost to implement the Phalen Village Small Area Plan; and

WHEREAS, the City of Saint Paul is proposing to remove, regrade and restore the berm from 900' south of Johnson Parkway to 1,000' north of Maryland Avenue; as part of the roadway and wetland project and

WHEREAS, the City of Saint Paul desires to enter into an agreement with the Ramsey County Regional Railroad Authority which would specify conditions and cost participation in relation to the berm removal; now, therefore, be it

RESOLVED, that we hereby authorize the proper city officials to sign the agreement.

	Yeas	Nays	Absent
Blakey	☒		
Bostrom	☒		
Beiter	☒		
Harris	☒		
Benarav	☒		
Lantry	☒		
Coleman	☒		

7 0 0
Adopted by Council: Date Feb 25, 1998

Adoption Certified by Council Secretary

By: [Signature]

Approved By Mayor: Date 3/18/98

By: [Signature]

Requested by Department of:

Public Works

By: [Signature] Director

Approval Recommended by Budget Director:

By: [Signature]

Form Approved by City Attorney:

By: [Signature]

Approved by Mayor for Submission to Council:

By: [Signature]

John R. Gilkeson
1933 Laurel Ave.
St. Paul, MN 55104
(612) 644-8049

June 23, 1998

Ramsey County Regional Railroad Authority
Attn: Ms. Kathy DeSpiegelaere
by fax: 266-2761

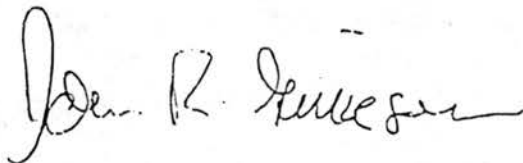
Dear Ms. DeSpiegelaere:

I understand that the Ramsey County Regional Railroad Authority will be discussing today the removal of a bridge and berm located in the east side former BN corridor in the vicinity of Prosperity and Johnson Parkway.

I am not familiar with all of the details of the discussion, but I would like to convey several thoughts, questions, and concerns about this bridge removal. The city and county should not be taking action to liquidate assets and make changes which do not comprehensively improve safety, capacity, and speed of all transportation modes affected by these potential changes.

1. This bridge represents a significant rail corridor asset, which has present and future practical and monetary value for use for grade separated pedestrian, bike and rail traffic.
2. What is the current and replacement monetary value of this bridge?
3. Are both the city and the county prepared to liquidate this asset which has significant monetary and practical value?
4. Who will bear the cost of constructing a new bridge if the city and county deem a new bridge necessary in the future?
5. Why is this bike/trail/rail corridor asset being removed for the purposes of facilitating automobile movement and road usage?
6. Are comparable safety, capacity, and speed investments (to the auto/road improvements) being made in non-auto transportation facilities as part of this project? If not, why not?

I would appreciate a written response to these questions. Thank you for considering these important issues.





CITY OF SAINT PAUL
Norm Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 612-266-6626
Facsimile: 612-228-3341

June 22, 1998

Rafael Ortega, Chair
Ramsey County Regional Railroad Authority
665 Ramsey County Government Center - West
50 West Kellogg Boulevard
Saint Paul, Minnesota 55102

RE: Phalen Village Public Improvements - Railroad Berm Regrading

Dear Mr. Ortega:

↓ Last December, at our request, the RCRRA unanimously passed a resolution directing your staff to prepare an agreement between the RCRRA and the City for regrading a portion of the RCRRA-owned railroad berm as called for in the Phalen Village Small Area Plan, officially adopted by the City Council as part of the St. Paul Comprehensive Plan. Since then we have prepared a grading and restoration plan for the berm area to meet RCRRA and St. Paul Parks staff criteria, as you requested. We also consulted with affected property owners, and held a well-attended neighborhood meeting to review the plans. The City Council unanimously adopted City Council Resolution 98-132 authorizing us to sign an agreement between the City and the RCRRA to remove, regrade and restore the railroad berm in Phalen Village from 900 feet south of Johnson Parkway to 1000 feet north of Maryland Avenue. We are now requesting RCRRA approval of a resolution that would specify the conditions of the agreement.

Public comments we received on berm regrading have been generally positive about regrading north of Maryland and both positive and negative about regrading south of Maryland. While people east of the berm generally see reducing the height of the berm as a benefit, residents west of the berm (particularly the owners of houses along Burnquist Street across the park from the berm) expressed concern that lowering the berm south of Maryland would expose them to noise and views of unsightly property east of the berm. Some said that timing is the issue, and that berm regrading south of Maryland should not be done until property east of the berm is cleaned up as part of Phalen Village area redevelopment and rehabilitation.

In response to public comments, and because we have determined that there will be enough material generated from the Ames Lake wetland excavation to provide the fill needed for the Prosperity Avenue realignment project, we are proposing to accomplish berm regrading incrementally. Berm regrading north of Maryland Avenue, where lowering the berm would have the greatest immediate impact on restoring a natural corridor between Lake Phalen and Phalen Village, and create a stronger market for the adjacent Phalen Townhomes project, would be done this summer. We anticipate that we will regrade the remaining berm within five years or within one year of a request by the RCRRA to complete the regrading should it be deemed necessary.

We agree that no charge will be made to St. Paul for soil used for the project to realign and reconstruct Prosperity Avenue or other future projects in which Ramsey County is participating in funding. If soil is used for other purposes, the City and the RCRRA will negotiate a unit price for value of the soil based on use of soil, proximity of use to berm, and costs associated with berm removal such as removal of existing trees, erosion control measures and turf establishment in the berm area. If the RCRRA directs St. Paul to complete remaining berm regrading south of Maryland Avenue to prepare it for LRT construction, no charge will be made for the value of the soil. Restoration of the area where the berm is regraded, with plantings to meet St. Paul Parks staff criteria as you have requested, will be the responsibility of St. Paul.

The narrow width, location and sight distance restrictions caused by Bridge # 90422 over Johnson Parkway necessitate that it be removed in late 1998 or early 1999 as part of the Prosperity Avenue realignment project. The portion of Phalen Creek Trail immediately north and south of the bridge will be relocated, and the trail will cross Johnson Parkway at-grade at a new signalized Johnson Parkway-Prosperity intersection. The cost of removing the bridge will be the responsibility of the RCRRA as stipulated in the Joint Powers Agreement between the City of St. Paul and the RCRRA dated August 24, 1993. We have estimated that the bridge removal will cost \$75,000. We propose that the City remove the bridge as part of the Prosperity Avenue realignment project and bill the RCRRA for the cost of removal.

We are proposing to move ahead with regrading the berm to prepare it for construction of LRT with an at-grade station immediately south of Maryland, with substantial City costs and commitments, because of its immediate benefit to high-quality redevelopment that will support a future LRT station here, and because of our strong belief that an at-grade station will have the safest and most convenient pedestrian access, provide the best service to the Phalen Village neighborhood, and help attract the most riders to LRT. The work we do to regrade the berm now will reduce the cost of regrading the berm later, when we are ready to build LRT. In addition, gated at-grade LRT crossings at Maryland and Johnson Parkway, which we support, would cost several million dollars less than a grade-separated design with bridges over Maryland and Johnson Parkway, and an elevated station structure. We look forward to continued cooperation



Rafael Ortega

Page 3

June 22, 1998

on mutually beneficial transit improvement and neighborhood revitalization projects, in Phalen Village and throughout St. Paul.

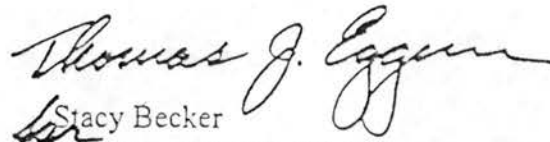
Thank you for your support of our efforts.

Sincerely,



Pamela Wheelock

Director of Planning and Economic Development



for Stacy Becker

Director of Public Works

c: Mayor Norm Coleman
Council President Dan Bostrom
Councilmember Kathy Lantry
Commissioner Dino Guerin
Phalen Corridor Initiative

District 2 Community Council
District 5 Community Council
North East Neighborhoods Devt. Corp.
Phalen Village Business Association
Robert Piram, Parks

Minutes

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

June 23, 1998

The Ramsey County Regional Railroad Authority met on Tuesday, June 23, 1998, in Council Chambers, 3rd Floor Courthouse.

MEMBERS PRESENT: Chair Rafael Ortega
Commissioner Tony Bennett
Commissioner Susan Haigh
Commissioner Victoria Reinhardt
Commissioner Janice Rettman
Commissioner Jan Wiessner

MEMBERS ABSENT: Commissioner Dino Guerin

OTHERS PRESENT: Terry Schutten, Kathy DeSpiegelaere, David MacMillan, Paul Kirkwold, Jim Van Houdt, Bonnie Jackelen, Karen Tero, Paul St. Martin, Allan Torstenson, Dennis Bodin, Stacy Becker, Dan Bostrom, Pam Wheelock, Kurt Schroeder, Kris Longhenry

Chairman Ortega called the meeting to order at 1:45 p.m.

1. Approve Minutes of the Meeting of May 26, 1998.

Motion by Commissioner Bennett, seconded by Commissioner Haigh to accept the minutes from the May 26, 1998 RCRRA meeting.

Ayes - 6, Nays - 0
Motion accepted.

2. Update on Federal Funding.

Kathy DeSpiegelaere informed the RCRRA about the new federal transportation bill named TEA 21. This is a six-year bill which authorizes funding, but requires annual requests for appropriation. Twin Cities projects earmarked in the bill include the Hiawatha, Riverview and Northstar Corridors and a commuter rail project from St. Paul to Hastings.

Kathy said that there have been some changes to the criteria in which transportation projects are ranked. Some additions to measure effectiveness of projects include the cost of sprawl and reduced infrastructure cost due to compact development. The Major Investment Study requirement has been modified. The same type of documentation is required but the environmental process will be incorporated into it.

Commissioner Haigh asked for clarification on the funding for the Northstar Corridor and how it would affect the corridor running to Hastings.

Kathy DeSpiegelaere answered that there are two separate authorizations for the two corridors and each year there will be separate appropriation requests.

Commissioner Rettman asked about the corridor in Forest Lake.

Kathy DeSpiegelaere replied that there is an authorization for a commuter rail study along Highway 35 between Forest Lake and Rush City in the amount of \$350,000.

Commissioner Reinhardt announced that last Thursday, there was a meeting regarding the Mn/DOT Commuter Rail Study in Forest Lake. She commented that she is chairing this group. This was well attended by elected and appointed officials from Chisago, Washington and Ramsey Counties and municipalities in these counties. It was agreed that there would be another meeting regarding the Mn/DOT study and how it ties in with the federal funding on August 31st. Talk about the trails and co-location of the trails were also discussed.

Kathy DeSpiegelaere stated that the consensus of the group was that it desired a formalized agreement at the August 31st meeting on how they would like to proceed on working together.

Commissioner Wiessner requested that the August 31st meeting be broadcast on cable television. Kathy DeSpiegelaere agreed to check on that.

Commissioner Rettman commented that the public needs to be involved if there are plans for commuter rail to move into St. Paul. She stated that all the district councils and municipalities in Ramsey County should be added to the mailing list because they will be affected eventually.

Commissioner Reinhardt noted that the Chisago County Commissioners were very interested in working with Ramsey and Washington Counties.

3. Approve Agreement Number 77305 with Minnesota Department of Transportation for Distribution of Federal Transit Administration Section 5309 Capital Program Funding and Authorize the Chair to Execute the Agreement.

Commissioner Haigh requested a presentation of Phase 1 of the Riverview Corridor Feasibility Study.

Motion by Commissioner Bennett, seconded by Commissioner Haigh to approve Agreement Number 77305 with Minnesota Department of Transportation for distribution of Federal Transit Administration Section 5309 Capital Program Funding and authorize the Chair to execute the Agreement.

Ayes - 6, Nays - 0.
Motion accepted.

WHEREAS, Federal funding in the amount of \$1,150,000 has been received for the Riverview Corridor Major Investment Study; and

WHEREAS, In order to access these funds, Ramsey County is required to approve an agreement with the Minnesota Department of Transportation; Now, Therefore, Be It

RESOLVED, that Agreement Number 77305 is hereby approved by Ramsey County Regional Railroad Authority in the amount of \$1,150,000 and Be It Further

RESOLVED, That the Chair of Ramsey County Regional Railroad Authority is authorized to execute the agreement.

4. Comprehensive Transportation and Transit Plan.

Paul Kirkwold presented an update on municipal meetings and issue papers.

Commissioner Wiessner asked if the municipal meetings have been with the public or staff.

Paul answered that the meetings have been with municipal staff but the subject of public involvement has always been discussed. The response has been to work with the particular task forces and advisory committees.

5. Phalen Berm Removal Agreement.

Paul Kirkwold informed the RCRRA of some background information on the Phalen Berm area. Prosperity Avenue is proposed to be constructed on a new alignment. This is a County State Aid Highway and Ramsey County has some responsibility for the roadway. It will be constructed by the City of St. Paul and Ramsey County will be responsible for about 70% of the cost. Johnson Parkway is also a Ramsey County roadway in the area. The RCRRA owns a portion of the railroad right of way running north and south in the area.

Paul stated that there are other items proposed to be accomplished during the roadway project. One item is to restore an existing old wetland where the Phalen Shopping Center once existed. Another is to remove the bridge on the the RCRRA right of way. This bridge creates a sight distance problem for the new Prosperity Avenue. The bicycle trail will be redirected to cross at a signalized intersection of Johnson Parkway and Prosperity Avenue.

Commissioner Bennett asked if the sight distance problem would be corrected if all of the berm was removed.

Paul answered that it would correct the problem.

Paul commented that there is a need for fill material for an apartment complex being redeveloped north of Maryland and east of the right of way. There is also a need for fill to build Prosperity Avenue. There is the issue of where to get the fill and what is it good for. Initially, the plan was to use the fill from the berm for Prosperity. This is good fill. Another source of soil is from the wetland. Paul stated that this is adequate for the embankment of the roadway and underlying soils of the roadway.

Commissioner Bennett asked if the roadway would be turned back to the City of St. Paul.

Paul answered that it will be a County road and a County responsibility. He commented that the top two feet of the roadway would need to be granular fill and 200 feet of the berm would take care of this for the road.

Paul stated that the City of St. Paul has requested that the County participate in part of the removal cost of the wetland. This would cost the County about \$2.20/cubic meter. The resolution proposed today, states that if the soil is moved from the berm and used for the roadway, there would be no cost for the soil. If the berm fill is used for anything other than a roadway, then the soil would be sold at market value.

Paul commented that the agreement that is written requires the County to pay for the removal of the bridge structure through the RCRRA. It would provide for an adequate embankment material for the roadway, and would provide for a good granular base for the roadway.

Commissioner Ortega asked if all of the berm could be used for Prosperity.

Paul St. Martin answered that 37,000 cubic meters of fill is needed for Prosperity and the entire berm would accomodate that.

Commissioner Reinhardt stated that once the trails are put in, they need to be planned to coexist with rail. She also commented that it was agreed last December that the City of St. Paul would pay for the Johnson Parkway bridge removal and questioned why the RCRRA is being asked to pay \$75,000 for the removal.

Stacy Becker, Director of St. Paul Public Works, responded that the RCRRA did approve a resolution for the City of St. Paul to pay for the Johnson Parkway bridge removal, but the City never agreed to it. She commented that the bridge removal is needed for a safety issue.

Commissioner Bennett asked if the safety issue would be resolved if the whole berm was removed.

Stacy answered that the people in the neighborhood have issues with the berm removal south of Maryland.

Pam Wheelock, Director of St. Paul Planning and Economic Development, remarked that the constituents aren't necessarily against the berm removal, but they wanted the revitalization of the Phalen Shopping Center area done first. She also commented that according to the 1993 Joint Powers Agreement, it states that it is the RCRRA's responsibility to pay for the bridge removal. She said that the City of St. Paul and Ramsey County Public Works have worked together on a budget for the berm and the Prosperity project. The developer for the Maryland/Clarence site has an interest in buying materials from the berm removal and this was also figured into the figures.

Commissioner Reinhardt asked if the RCRRA would receive the money from the developer for the material from the berm.

Pam Wheelock answered that approximately \$88,000 would go to the RCRRA for the sale of the fill.

Kathy DeSpiegelaere commented that the Joint Powers Agreement does give responsibility to the RCRRA for the cost of bridge removals but in this case, because the City would receive the soil from the berm, it was believed that the two costs would create a tradeoff. She stated that if funds were received from the sale of the berm material, half of the funds would go to Mn/DOT since they put up half the funds to purchase the right of way. This would leave the RCRRA with approximately \$44,000 from the sale of the material.

Commissioner Haigh asked for more clarity on the timing of the berm removal south of Maryland and if it's the County or the City who says when the berm can be taken down.

Pam Wheelock stated that timing of the removal will be laid out in the agreement. She expected the timing will be tied to the road project moving forward or the redevelopment of the Phalen area. She estimated it to take place within 2-5 years.

Commissioner Haigh commented that clarity needs to be given to the community, City and County so this issue doesn't have to be visited again and there is no further slow down in the process. Jk

Kathy DeSpiegelaere suggested some revisions in the resolution. #4 - instead of "within one year of a request by RCRRA to complete the removal" to "within three to five years to complete the removal. Also a caveat added that if the RCRRA would like it removed sooner, then St. Paul would have to remove it within one year of RCRRA's request. k

Commissioner Bennett explained that this is a sticky issue and wanted to stay with the original proposal of St. Paul paying for the bridge removal and the material from the berm going to Prosperity.

Commissioner Rettman motioned to approve the resolution pending amendments. Commissioner Haigh seconded.

Commissioner Rettman commented that it needs to be stated that it is the City's intent to remove both sections of the berm. Jk

Pam Wheelock said that the City Council has already approved removal of both sections of the berm, but hasn't narrowed down specific timing. She suggested language to reflect that the City agrees to move forward with the removal of the remainder of the berm within five years of the Prosperity realignment. She said the city is investing a lot of funds in the redevelopment area and asked for the RCRRA's flexibility in allowing the City to phase the removal of the second portion of the berm to move forward with their project and achieve their redevelopment goals. k

Commissioner Ortega was concerned with the amount of time allotted for the berm removal.

Commissioner Reinhardt stated that one of the reasons that the fill from the whole berm is needed now is for Prosperity and questioned the timing on Prosperity.

Paul Kirkwold stated that the Prosperity project is slated to begin later this summer. He said that this doesn't correspond with the Maryland/Clarence site and the berm material could be used for a future road project.

Stacy Becker commented that the City, County and developer are working together to figure out what the fair share is that everyone pays. She stated that this project is complicated because it originally began as just a roadway project and now includes a redevelopment project.

Commissioner Wiessner questioned if it is possible for a trail to run alongside rail and how much width is required.

Kathy DeSpiegelaere answered that the right of way is generally 100 feet wide and there is enough room, but some modifications would be needed to work with grading. 30 feet is needed for rail and 12 feet is needed for trail.

Commissioner Wiessner asked for clarification on where the soil would come from for the Prosperity project if the berm soil was not used.

Paul Kirkwold answered that the City is asking the County to pay for a portion of the removal cost of the wetland because the disposal is going to be to the benefit of the County for the roadway. If the soil

isn't taken from the berm or the wetland, then it will have to be purchased from somewhere else and the cost would be almost double. He commented that these two projects work costwise for the County and the City.

Commissioner Reinhardt asked if the City is making money off the sale of the wetland soil to the County, or if it is just covering the cost of removal.

Paul Kirkwold responded that the City is paying more to haul the material out of the wetland. The County is only taking a portion and paying a portion. Some of the other material is being used for other City projects.

Commissioner Reinhardt asked how much the County will be paying for the wetland material.

Paul Kirkwold answered \$52,000. He stated that an agreement should be put together so the cost can be examined.

Commissioner Haigh commented that staff needs to go back and work with the City on the figures and clarify the timing of the removal of the southern part of the berm and then bring an agreement back to the RCRRA.

Curt Schroeder, citizen representative of St. Paul's Bicycle Advisory Board, commented on the removal of the Johnson Parkway Bridge. He stated that the current bridge carries Phalen Creek Regional Trail and hooks up with other regional trails. He was concerned with the at grade crossing that is proposed and raises safety issues. He cited Mn Statute 160264 that references replacing bikeways/pedestrian ways. He recommended not paying for removal of the bridge.

Stacy Becker responded that the City Attorney has looked at the Mn Statute and has been assured that the City is well within guidelines for the replacement plan. She also said that the City has taken the trail issue very seriously.

Commissioner Bennett had some concerns about the quality of the soil for the roadway. He also asked how much better the soil is in the berm.

Paul Kirkwold remarked that the soil from the wetland is adequate to do the job and the soil in the berm is more granular.

Commissioner Rettman suggested adding a resolved to the end of the resolution that would state that the RCRRA, the County and the City would be equal participants and share costs.

Commissioner Ortega asked for clarification on where the trails will be relocated.

Paul Kirkwold and Paul St. Martin explained where the trail would run on a map. The City of St. Paul will pay the cost of trail relocation.

Commissioner Haigh commented that the timing of the berm needs to be tied to some type of execution of agreement.

Commissioner Wiessner felt comfortable with the amendments and requested a tighter timeframe than 3-5 years for the berm removal.

Commissioner Reinhardt appreciated the City of St. Paul's comments and believed that the changes in the language of the resolution would resolve the issues. She felt that 3 years for the berm removal was acceptable. She also commented that the issue of the trail and the Mn Statute need to be referenced in the resolution.

Stacy Becker said that their plans are up for review at Mn/DOT right now and the City could get started right away.

Commissioner Ortega requested that all the particulars be worked out and presented to the RCRRA at the July 14, 1998 RCRRA meeting for approval.

St. Paul City Councilman Dan Bostrom responded that the City Council took action on the berm removal and has a resolution that the City stands behind. He also commented that once the berm would be removed, there wouldn't be anything left to run a bridge through.

Commissioner Bennett felt that if the berm goes back up, then the bridge will go back up to. He stated that if the City wants the bridge down, then the City should pay to put the bridge back up.

Stacy Becker remarked that if some agency wants the berm/bridge back, that agency will pay for it to be replaced.

Commissioner Wiessner asked for the County Attorney look into the bridge removal/replacement and add to #7 on the resolution that the County Attorney also agrees to the conditions of the removal of the Johnson Parkway bridge.

Stacy Becker agreed to have completed for the July 14th meeting a cost arrangement, the City Attorney opinion on the Mn Statute, and assurance of the trails and timing of the berm removal.

Ayes - 6, Nays - 0
Motion accepted.

WHEREAS, The City of St. Paul has requested that a portion of the berm on Ramsey County Regional Railroad Authority right of way be removed from a point 900 feet south of Johnson Parkway to a point 1000 feet north of Maryland Avenue; and

WHEREAS, The request is consistent with the Phalen Village Small Area Plan adopted by the City Council of St. Paul; and

WHEREAS, Ramsey County Regional Railroad Authority right of way in this vicinity has been designated as a potential location for rail transit, with a potential station location at Maryland Avenue; and

WHEREAS, Ramsey County Regional Railroad Authority has a joint powers agreement and easement with the City of St. Paul relating to trail use of this right of way; Now Therefore Be It

RESOLVED, That Ramsey County Regional Railroad Authority directs staff to prepare an agreement with the following conditions to be addressed either prior to development of the agreement or in the agreement:

1. Modifications to the deed, mortgage, easement and joint powers agreement as necessitated by the berm removal will be made.

2. Neither tennis courts nor wetlands may be placed on RCRRA right of way.
3. Concurrence by Mn/DOT with the proposed berm removal must be obtained by RCRRA. This includes indemnification of Mn/DOT and Ramsey County if environmental issues arise that need to be mitigated as a result of berm removal.
4. Removal of the berm is to be accomplished by St. Paul between 900 feet south of Johnson Parkway and 1000 feet north of Maryland Avenue. The removal may occur incrementally. Removal of any remaining soil in the berm will be done by St. Paul no later than December 1, 2001 in accordance with the agreement. A grading and restoration plan is to be prepared by St. Paul staff to meet approval by RCRRA and St. Paul Parks staff. Signage on the right of way in the berm removal location will be placed by RCRRA. The signage will clearly indicate the potential for rail use at this location in the future.
6. Conditions established by those who lease RCRRA property including St. Paul Parks Department and NSP will be met by St. Paul and costs for meeting those conditions will be the responsibility of St. Paul. This will include relocation of the trail over the Johnson Parkway bridge in a manner that meets state requirements.
7. Removal of the Johnson Parkway bridge will allow improved roadway sight distances. Conditions for removal of the Johnson Parkway bridge must be agreed to by RCRRA staff and the County Attorney.
8. Cost issues will be addressed as indicated in the agreement. The guideline is that the Rail Authority, County and City will be equal participants and share costs.
9. At grade crossings of Johnson Parkway and Maryland Avenue must give first priority to rail service. If a grade separated crossing is required by the City of St. Paul at either of these locations, St. Paul will be responsible for all costs incurred by the RCRRA to establish a grade separated crossing, not including a bridge structure at Maryland Avenue and an above grade passenger station at this location.
10. Approval of the St. Paul City Council for the agreement after consultation with all affected property owners will occur prior to RCRRA approval.

The meeting adjourned at 3:20 p.m.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

REQUEST FOR BOARD ACTION

3

REGIONAL RAILROAD AUTHORITY

K. DeSpiegelaere
Authorized Signature

7/9/98
Date

Board Action Requested

Approve Agreement with the City of St. Paul for Removal of Phalen Berm and Johnson Parkway Bridge; Authorize the Chair to Execute the Agreement; and Approve the Budget Transfer of \$32,500 to Pay for Costs in the Agreement.

ACTION IS REQUESTED

Request Justification

- See attached:
1. Proposed resolution
 2. Memorandum from K. DeSpiegelaere
 3. Agreement

Budgeting and Accounting

County Attorney

Risk Management

Documentation certified complete for:

July 14, 1998

Board Date

Kristine A. Longhenry
Signature

July 9, 1998
Date

RESOLUTION

Board of Ramsey County Regional Railroad Authority

Date: _____ No: _____

WHEREAS, The City of St. Paul has requested that a portion of the berm on Ramsey County Regional Railroad Authority right of way be removed from a point 900 feet south of Johnson Parkway to a point 1000 feet north of Maryland Avenue; and

WHEREAS, An agreement has been developed between the City of St. Paul and Ramsey County Regional Railroad Authority that is consistent with RCRRA Resolution 98-20 of June 23, 1998; Now, Therefore, Be It

RESOLVED, That Ramsey County Regional Railroad Authority approves the agreement; and Be It Further

RESOLVED, That the Chair of the Rail Authority is authorized to execute the agreement; and Be It Further

RESOLVED, That the RCRRA authorizes the Director of Budgeting and Accounting to make a budget adjustment appropriating \$32,500 from the Ramsey County Regional Railroad Authority fund balance to pay for Ramsey County Regional Railroad Authority's costs associated with the agreement.

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

	YEA	NAY	OTHER
Tony Bennett	___	___	___
Dino Guerin	___	___	___
Susan M. Haigh	___	___	___
Rafael E. Ortega	___	___	___
Victoria Reinhardt	___	___	___
Janice Rettman	___	___	___
Jan Wiessner	___	___	___

Rafael E. Ortega, Chairman

By: _____
Jan Wiessner, Secretary

109

Ramsey County Regional Railroad Authority

665 Ramsey County Government Center-West, 50 West Kellogg Boulevard
St. Paul, Minnesota 55102 (612) 266-2760 / FAX (612) 266-2761

Memorandum

To: Ramsey County Regional Railroad Authority
Commissioners
Terry Schutten, County Manager

From: Kathy DeSpiegelaere

Subject: Phalen berm agreement

Date: July 8, 1998

I am pleased to report that staffs of the City of St. Paul, Ramsey County and Ramsey County Regional Railroad Authority have developed an agreement for the removal of the Phalen berm and Johnson Parkway Bridge.

The agreement is one that we all endorse, and it is consistent with the resolution you adopted on June 23, 1998.

Thank you for all the time you have spent on this subject.
We are ready to move forward!

AGREEMENT

This agreement is made this _____ day of July 1998, between the RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY (RCRRA), a political subdivision of the State of Minnesota, and the CITY OF ST. PAUL (City), a Minnesota municipal corporation.

WITNESSETH:

WHEREAS, the RCRRA is the fee owner of a Corridor of land (the Corridor) lying, in part, easterly and southerly of Lake Phalen in the City of St. Paul, and

WHEREAS, RCRRA's predecessors in title constructed on the Corridor an earthen berm for the purpose of roadbed for railroad tracks and operation of railroad trains thereon, and

WHEREAS, the berm remains suitable for use as roadbed for rail transit purposes, and

WHEREAS, the City is desirous of removing a portion of the berm (the Project) between a point nine hundred (900) feet south of the corridor's intersection with the bridge over Johnson Parkway and a point one thousand (1000) feet north of Maryland Avenue (the Project Area), and

WHEREAS, the City and Ramsey County (County) have entered into a cooperative construction agreement for construction of County State Aid Highway 64 (CSAH-64) Prosperity Avenue, with the City acting as agent for the County, and

WHEREAS, the RCRRA is desirous of cooperating with the City in redevelopment of blighted properties east of the Corridor and for the reconstruction of Johnson Parkway as it intersects the Corridor, and

111 3

WHEREAS, removal of the Johnson Parkway bridge shall satisfy the RCRRA's obligation to remove the bridge under the Joint Powers Agreement dated August 24, 1993, between the parties, and

WHEREAS, the City agrees and supports that the primary purpose of the Corridor is availability for rail transit and that therefore the berm must be removed, and the roadbed restored, in such manner as to maintain the Project Area's suitability for future construction and operation of rail transit.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF the mutual provisions and covenants herein, the parties agree as follows:

1. The RCRRA hereby grants to the City permission to enter upon the Project Area and, at the City's sole cost and expense, excavate and remove all surface and subsurface materials which constitute the berm, including dirt, gravel, rocks, or other material subject to the conditions herein, between nine hundred (900) feet south of Johnson Parkway and one thousand (1000) feet north of Maryland Avenue as provided herein.
2. The RCRRA makes no warranty or representations with respect to the suitability of the material removed from the berm for any purpose. The City shall take the material AS IS, WHERE IS. The RCRRA disclaims any expressed or implied warranties or guarantees of merchantability or fitness for any purpose of the materials excavated.
3. The City shall remove all material in the berm in the Project Area no later than December 1, 2001. Subject to the conditions of this paragraph, the material removed from the berm shall become property of the City for its use and disposition.

Material removed from the berm north of Maryland Avenue to the northern terminus of the Project Area shall be used by the City for the joint City and County construction project for CSAH-64.

The RCRRA shall be compensated for removal of material south of Maryland Avenue to the southerly terminus of the Project Area. The parties shall enter into good faith negotiations to determine the compensation to be received by the RCRRA, which shall be the market value for fill of similar quality for use in construction projects, less the cost of removal of the fill and site restoration. In no event shall the value of the fill be less than the cost of removal and restoration.

In the event the City fails to remove all material by December 1, 2001, the RCRRA may, in its sole discretion, take whatever steps it deems necessary to restore the Project Area to a condition suitable for construction of rail transit in the Corridor. Such steps may include, but are not limited to, causing the remaining berm to be removed or graded to match the berm in the Corridor outside the Project Area. Any material removed from the berm by the RCRRA or at its direction shall either be stored or disposed of in the sole discretion of the RCRRA. The City shall reimburse the RCRRA for any costs of such removal, restoration, or storage and shall not receive or have any claim to any proceeds of sale or other disposal of the soil received by the RCRRA if it elects to sell the material. The City shall reimburse the RCRRA for any and all costs and expenses including any contract payments, administrative costs, including attorneys fees, incurred by the RCRRA in completing the Project.

4. Prior to removal of any material, the City shall prepare and present for approval by the RCRRA a plan for restoration of the Project Area. The plan must include provisions for landscaping satisfactory to the RCRRA. No removal of material may occur until the restoration plan is approved. The RCRRA shall not unreasonably withhold its approval of restoration plans.

Upon completion of removal of the berm, the City will restore the Project Area according to the approved plan. If the City neglects or refuses to do so, the RCRRA may proceed with restoration according to the plan, and the City shall reimburse the RCRRA for any costs, including administrative costs and attorneys fees incurred by the RCRRA in restoring the Premises.

If the City elects to remove the berm through the length of the Project Area in stages, it shall prepare interim restoration plans which must be approved by the RCRRA. These plans shall insure that no significant portions of the Project Area remain in an ungraded condition bare of vegetation for any extended period of time. The plan will also provide that no dangerous conditions will be created by partial or staged removal of the berm.

5. The City's restoration plan shall insure that the Project Area remains suitable for future construction and operation of rail transit. As such, trees shall not be planted in or encroach upon the center 50 feet of the Project Area nor shall any structures, facilities, buildings, or other permanent obstructions, including tennis courts, be placed on the Project Area without the express consent of the RCRRA.

The City shall not remove any soils to create any wetlands nor shall it create any wetlands in the Project Area. The City shall insure that there remains in the Project Area a sufficient amount of soil and foundation material suitable for construction of railroad roadbeds without the necessity of the RCRRA bringing

additional fill to the Corridor. Restoration of the Project Area shall not result in a longitudinal grade exceeding five percent when the berm outside the Project Area is blended to meet the elevations created by removal of the berm.

6. The City shall control all dust, noise, odors, and erosion during removal of the material from the berm. If the RCRRA or City receives complaints from adjacent property owners regarding dust, noise, odors, or erosion, it shall promptly notify the City of such complaints, and the City shall take reasonable measures to correct the situation in a prompt manner. If the City neglects or refuses to do so, the RCRRA may, in its discretion, order the City, its contractors, or any other person to cease removal of material until such time as the complaint is resolved to the RCRRA's satisfaction.
7. It is understood that the Project Area may be subject to easements, licenses, or permits granted by the RCRRA to third parties. The City, at its sole cost and expense, shall insure that the conditions of the easement, licenses, and permits are complied with to the extent required by such easement, license, or permit.
8. The City agrees that it will approve at grade crossings for rail equipment at Maryland Avenue and Johnson Parkway, with priority given to rail traffic rather than traffic on those streets, if requested by the RCRRA, its successors or assigns. If the City elects to require grade separated crossings, it shall be responsible for all costs incurred by the RCRRA to establish a grade separated crossing. Such costs shall not include a bridge structure at Maryland Avenue and any additional costs incurred by the RCRRA, its successors or assigns to construct an above-grade passenger station as opposed to an at-grade passenger station.

The requirement of this paragraph shall be binding on the City and shall survive this agreement. The RCRRA may enforce the provisions of this paragraph through injunctive relief.

9. The City shall remove the bridge structure at Johnson Parkway to improve sight lines for road traffic in the area. Fill material removed from the berm north of Maryland Avenue to the northern terminus of the Project Area which is given to the City by this agreement shall satisfy the RCRRA's obligation to remove the bridge as required by Section V (E) of the Joint Powers Agreement (JPA) between the RCRRA, the City, and the County of Ramsey dated August 24, 1993.

If the RCRRA is required by any agreement to reimburse the Minnesota Department of Transportation (MnDOT) for any portion of the value of any fill removed by the City, the RCRRA shall pay such amount to the MnDOT. If the amount to be paid by the RCRRA to the MnDOT is less than \$32,500, the RCRRA shall pay to the City the difference between \$32,500 and the actual amount paid to the MnDOT.

10. The City shall obtain all federal, state, and local licenses or permits necessary to complete the work.
11. The City shall indemnify and hold harmless the RCRRA, and if the RCRRA requests, defend RCRRA with counsel reasonably acceptable to RCRRA, from and against all liabilities, obligations, including obligations to other governmental units, leases, damages, fines, penalties, demands, claims, causes of action, including any liability arising from the Minnesota Environmental Rights and Liability Act (MERLA) (Minn. Stat. § 115B), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 42 U.S.C. § 1802 et seq., judgments, costs and expenses, including without limitation attorneys fees, which may be imposed upon or incurred, suffered or paid by or asserted against the RCRRA directly or indirectly arising from, by reason of, or in connection with:
 - a. the City's use, non-use, possession, occupation, operation, maintenance, or management of the Project and Project Area;
 - b. any negligent or tortious act on the part of City or any of its agents, contractors, servants, employees, licensees, or invitees;
 - c. any accident, injury, death, or damage to any person or property occurring in, on, or about the Project Area arising from or related to the City's performance under the terms of this agreement;
 - d. any pollutant, toxic or hazardous material, substance or waste, or any other material which may adversely affect the environment, whether or not now recognized to have such adverse effect, which City, its employees, agents, contractors, or invitees bring upon, keep, use, or locate in, on, or about the Project Area, or the City's release or disposal of any such material, substance, or waste in, on, about, or from the Project Area by any of the foregoing;
 - e. any failure on the part of the City to perform or comply with any of the covenants, agreements, terms, provisions, conditions, or limitations contained in this agreement on its part to be performed or complied with.

Nothing contained in this section shall be deemed to require City to indemnify RCRRA to any extent prohibited by law.

Nothing in this paragraph or this agreement shall be construed or operate as a waiver by the RCRRA or City of any of their statutory or common law immunities or limitations of liability. This duty to indemnify shall occur without regard to the negligence, fault, actions or inactions of the RCRRA and shall apply to any tort, contract, or other cause of action by any party against the RCRRA as a result of the City's performance of this agreement.

12. Without the prior absolutely discretionary written consent of the RCRRA, the City shall not cause or permit to be brought upon or

left or used in, on, or about the Corridor by the City, its employees, agents, contractors, or invitees any toxic or hazardous material, substance, or waste as such may be defined by any federal, state, or local statute, ordinance, or regulation which may adversely affect the environment. Without limiting the indemnification requirements of the City under paragraph 12 hereof, if the presence of any such hazardous or toxic material is caused or permitted by the City, its employees, agents, contractors, or invitees results in contamination of the Corridor, then the City shall promptly take all actions at its sole expense as necessary to return the Project Area to the condition existing prior to and free of the introduction of such hazardous or toxic material.

13. The RCRRA shall retain the right to enter the Project Area, to inspect the work in progress, to insure compliance with this agreement. This agreement shall not create or be construed to grant any leasehold or other proprietary interest in the Corridor to the City.
14. This agreement shall not be deemed to create a partnership, joint venture, or principle and agent relationship between the parties hereto.
15. Nothing in this agreement shall be deemed a waiver of any of the RCRRA's or the City's statutory or common law immunities or limitations of liability.

CITY OF ST. PAUL

RAMSEY COUNTY REGIONAL
RAILROAD AUTHORITY

By: _____

Its: Norman Coleman
Mayor

Dated: _____

By: _____

Its: Director Financial Services

Dated: _____

By: _____

Its: Director of Public Works

Dated: _____

By: _____

Its: Rafael Ortega
Chair

Dated: _____

By: _____

Its: Kathryn DeSpiegelaere
Director

Dated: _____

APPROVED AS TO FORM:

David F. MacMillan
Assistant County Attorney

Dated: _____

By: _____

Its: Director, Planning and
Economic Development

Dated: _____

APPROVED AS TO FORM:

By: _____

Its: Assistant City Attorney

Dated: _____