

RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

September 1, 2009

The Ramsey County Regional Railroad Authority met in the Council Chambers, Third Floor Court House, with the following members present: Bennett, Ortega (late), Parker, Reinhardt, Rettman, McDonough – 6. Absent: Carter - 1.

Chair McDonough called the meeting to order at 11:00 AM

AGENDA

Commissioner Rettman moved approval of the Agenda of the September 1, 2009 Board Meeting, seconded by Commissioner Parker. Roll Call: Ayes –Bennett, Parker, Reinhardt, Rettman, McDonough – 5. Nays – 0.

MINUTES

Commissioner Parker moved approval of the Minutes from the August 11, 2009 Board Meeting, seconded by Commissioner Rettman. Roll Call: Ayes –Bennett, Parker, Reinhardt, Rettman, McDonough – 5. Nays – 0.

[Commissioner Ortega arrived during the following discussion]

1. Approve Subordinate Funding Agreement (RCRRA-1) with the Metropolitan Council for Central Corridor Preliminary Engineering Staff Support for September 1, 2009 to December 31, 2009

Commissioner Ortega moved approval of the following resolution, seconded by Commissioner Reinhardt. Roll Call: Ayes –Bennett, Ortega, Parker, Reinhardt, Rettman, McDonough – 6. Nays – 0. (R09-31)

WHEREAS, Ramsey County Regional Railroad Authority is a funding partner of the Central Corridor light rail preliminary engineering; and

WHEREAS, The preliminary engineering funding agreement provides for reimbursement to the Authority for staff provided to the preliminary engineering effort; and

WHEREAS, Dan Soler, a RCRRA Engineer, has been working out of the Central Corridor Project Office providing traffic engineering services; and

WHEREAS, The agreement with the Metropolitan Council for Mr. Soler's services expires August 31, 2009; Now, Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority approves the Subordinate Funding Agreement (RCRRA-1) with the Metropolitan Council from September 1, 2009 through December 31, 2009 at a cost not to exceed \$48,209.56, and Be It Further

RESOLVED, That the Ramsey County Regional Railroad Authority authorizes the Chair and the Chief Clerk to execute the Agreement.

2. Approval of a cooperative agreement with Washington County Regional Railroad Authority to provide up to \$237,500 to match federal funds for the Southeast Stations Station Area Master and Site Planning Study

Commissioner Parker moved approval of the following resolution, seconded by Commissioner Rettman. Ayes –Bennett, Ortega, Parker, Reinhardt, Rettman, McDonough – 6. Nays – 0. (R09-32)

WHEREAS, the Red Rock Corridor originates in Hastings travels north to the Union Depot in St. Paul and on to Minneapolis generally following Trunk Highway 61, Interstate 94, and the freight tracks; and

WHEREAS, the Red Rock Corridor Commission (RRCC) was formed in 1998 by a Joint Powers Agreement (JPA) to address the transportation needs of the Red Rock Corridor; and

WHEREAS, the Ramsey County Regional Railroad Authority is a member of the RRCC; and

WHEREAS, the RRCC was granted Section 5309 Federal Transit Administration (FTA) funds for the completion of environmental, engineering, and station planning work, and

WHEREAS, the RRCC was granted Section 5339 FTA funds for the completion of studies needed to progress the Corridor as part of its Alternatives Analysis process; and

WHEREAS, the Ramsey County Regional Railroad Authority approved the transfer of levy funds to the Washington County Regional Railroad Authority in an amount up to \$237,500 of Ramsey County Regional Railroad Authority levy funds to match federal funds for the Southeast Stations Station Area Master and Site Planning. Now Therefore Be it

RESOLVED, that the Ramsey County Regional Railroad Authority agrees to enter into a cooperative agreement with Washington County Regional Railroad Authority, for the completion of the Southeast Stations Station Area Master and Site Planning Study.

3. Approval of the Ramsey County Regional Railroad Authority's Funding Commitment to the 2009 Minnesota High Speed Commission Budget

Commissioner Rettman moved approval of the following resolution, seconded by Commissioner Parker. Ayes –Bennett, Ortega, Parker, Reinhardt, Rettman, McDonough – 6. Nays – 0. (R09-33)

WHEREAS, The Minnesota High Speed Rail Corridor begins at the Union Depot in downtown St. Paul and travels southeast along the Canadian Pacific Railway track to La Crescent prior to entering Wisconsin and continuing on to Chicago; and

WHEREAS, The Ramsey County Regional Railroad Authority adopted the Minnesota High Speed Rail Corridor Joint Powers Agreement (“Agreement”) on April 28, 2009; and

WHEREAS, The Agreement has since been adopted by the majority of Regional Railroad Authorities along the Corridor; and

WHEREAS, Adoption of the Agreement created the Minnesota High Speed Rail Corridor Commission (“Commission”) which allows its member parties to cooperatively advocate for and analyze the feasibility, environmental impacts, engineering, construction and operation of an integrated rail transportation system in the Corridor along with the associated land use and development impacts; and

WHEREAS, The Ramsey County Regional Railroad Authority is a Financial Party to the Agreement; and

WHEREAS, The Commission adopted its Bylaws and 2009 Work Plan and Budget on July 3, 2009; and

WHEREAS, The Bylaws require each Financial Party to approve its financial participation to the Commission; and

WHEREAS, The Commission's 2009 Work Plan and Budget identify \$21,150, or 35.25% as the Ramsey County Regional Railroad Authority funding commitment. Now Therefore, Be It

RESOLVED, That the Ramsey County Regional Railroad Authority hereby approves the Commission's 2009 Budget, and Be It Further

RESOLVED, That the Ramsey County Regional Railroad Authority will pay \$21,150 to the Minnesota High Speed Rail Commission in an amount of \$21,150 as its funding commitment to the 2009 Budget, and Be It Further

RESOLVED, That the Ramsey County Regional Railroad Authority authorizes the County Manager to make payments and any necessary budget adjustments in a form approved by Budgeting and Accounting.

4. Financial Services Agreement between the Ramsey County Regional Railroad Authority and the Minnesota High Speed Rail Commission

Commissioner Parker moved approval of the following resolution, seconded by Commissioner Ortega. Ayes –Bennett, Ortega, Parker, Reinhardt, Rettman, McDonough – 6. Nays – 0. (R09-34)

WHEREAS, The Minnesota High Speed Rail Corridor begins at the Union Depot in downtown St. Paul and travels southeast along the Canadian Pacific Railway track to La Crescent prior to entering Wisconsin and continuing on to Chicago; and

WHEREAS, The Ramsey County Regional Railroad Authority adopted the Minnesota High Speed Rail Corridor Joint Powers Agreement ("Agreement") on April 28, 2009; and

WHEREAS, The Agreement has since been adopted by the majority of Regional Railroad Authorities along the Corridor; and

WHEREAS, Adoption of the Agreement created the Minnesota High Speed Rail Corridor Commission ("Commission") which allows its member parties to cooperatively advocate for and analyze the feasibility, environmental impacts, engineering, construction and operation of an integrated rail transportation system in the Corridor along with the associated land use and development impacts; and

WHEREAS, The Minnesota High Speed Rail Joint Powers Agreement calls for the designation of a Fiscal Agent to provide contract management, legal review, and budgeting and accounting services necessary or convenient for the Commission and otherwise act as the Commission's fiscal agent; and

WHEREAS, on July 2, 2009, the Commission adopted its Bylaws, 2009 Work Plan and Budget, and designated the Ramsey County Regional Railroad Authority as its fiscal agent; and

WHEREAS, a Financial Services Agreement between the Ramsey County Regional Railroad Authority and the Commission is needed to formalize this designation. Now Therefore, Be It

RESOLVED, that the Ramsey County Regional Railroad Authority approves the Financial Services Agreement for Ramsey County Regional Railroad Authority to be the fiscal agent, between it and the Commission, and Be It Further

RESOLVED, that the Ramsey County Regional Railroad Authority authorizes the Chair and Chief Clerk to execute the Financial Services Agreement between the Ramsey County Regional Railroad Authority and the Minnesota High Speed Rail Commission.

5. Approval of Ramsey County Regional Railroad Authority's Financial Commitment to the Central Corridor Light Rail Project

Commissioner Parker moved approval of the following resolution, seconded by Commissioner Ortega.

Chair McDonough explained that part of the funding commitment requires Ramsey County to provide local funds for 7% of the project. The increase in the Cost Effective Index (CEI) increases the project budget, as well as Ramsey County's commitment.

Tim Mayasich, Director Ramsey County Regional Railroad Authority (RCRRA), confirmed as the project has moved forward with the completion of further engineering, the discovery of Right of Way (ROW) needs and inflation costs, the cost estimate changed and the CEI increased. Therefore, RCRRA is seeking the board's approval for the change in their financial commitment.

Commissioner Rettman wanted to confirm that they are able to negotiate some of the unresolved issues and the additional costs for those issues.

Chair McDonough responded that the Central Corridor Management Committee and the Metropolitan Council already approved how to allocate the increase in the project's dollar budget. He said the project office was cooperative in working with funding partners to help to identify the priorities and immediate needs. They cannot move the project forward without the full acquisition of the ROW.

Commissioner Rettman asked if they are buying all of the property or just the ROW to be able to cross the property at the diagonal.

Mr. Mayasich replied they would be purchasing the property required for the project which is the Bremer Building and the parking lot.

Chair McDonough said the project office and dollars can only buy ROW that is needed to accommodate the transit line itself.

Commissioner Rettman clarified that they are not constructing the building and are just acquiring the property to put the line across the diagonal.

Mr. Mayasich confirmed the acquisition would not go beyond the purpose of laying down the tracks.

Chair McDonough added that environmental cost could be included. It was discovered the diagonal, which was presented by the City of St. Paul, will be beneficial to the project because it combined two stops into one. However, the acquisition of the ROW was one issue that came up and the City will be responsible for sorting out their vision about the economic development to occur around that station.

Ayes – Bennett, Ortega, Parker, Reinhardt, Rettman, McDonough – 6. Nays – 0. (R09-35)

WHEREAS, The Ramsey County Regional Railroad Authority has worked to advance the Central Corridor and other transit projects that benefit the citizens of Ramsey County; and

WHEREAS, The Metropolitan Council is responsible for delivering the project according to Federal Transit Administration (FTA) and local project partners' requirements; and

WHEREAS, Commitments for non-federal funding need to be in place before the project is approved to enter final design in October, 2009; and

WHEREAS, Legislative action in 2008 capped the Ramsey County Regional Railroad Authority commitment to rail projects at ten percent; and

WHEREAS, The Ramsey County Regional Railroad Authority's share of the Central Corridor Light Rail Project is seven percent based on mileage of the line; and

WHEREAS, Preliminary engineering has identified right of way, financing and mitigation requirements that, along with contingency, add to the project budget; and

WHEREAS, Those adjustments could increase the project budget from \$913.9 million to \$941.3 million; now, therefore be it

RESOLVED, That the Ramsey County Regional Railroad Authority authorizes commitment of seven percent of the capital costs for the Central Corridor Light Rail Project, not to exceed \$65,900,000.

There being no further business, Chair McDonough declared the meeting adjourned at 11:10 AM.