

Meeting Minutes

RAMSEY COUNTY RAILROAD AUTHORITY MEETING

The Ramsey County Regional Railroad Authority met on February 8, 2005, in Council Chambers, Third Floor Courthouse.

MEMBERS PRESENT: Chair Rafael Ortega
 Commissioner Tony Bennett
 Commissioner Jim McDonough
 Commissioner Victoria Reinhardt
 Commissioner Janice Rettman
 Commissioner Jan Wiessner

OTHERS PRESENT: Kris Longhenry, Steve Morris, Julie Kleinschmidt, Kathy DeSpiegelaere, Lisa Falk, Eric Hesse, Jim Tolaas, Alicia Vap, David MacMillan, Jon Horn, Chuck Ahl, Richard Fursman, Greg Mack, Paul St. Martin

Chair Ortega called the meeting to order at 1:52 pm.

ADMINISTRATIVE AGENDA

1. Approve minutes from January 25, 2005 RCRRA meetings

A motion was made by Commissioner Reinhardt, seconded by Commissioner Bennett, to approve the minutes from the January 25, 2005 RCRRA meeting.

Roll call vote was taken:

Ayes – 6, Nays – 0
Motion accepted.

2. Ratify Partial Payment No. 11 in the amount of \$194,390.25 to DMJM+Harris, Inc. for consulting services on the Central Corridor Phase 2 study for the period of October 30, 2004 to November 26, 2004

A motion was made by Commissioner Reinhardt, seconded by Commissioner McDonough, to ratify Partial Payment No. 11 in the amount of \$194,390.25 to DMJM+Harris, Inc. for consulting services on the Central Corridor Phase 2 study for the period of October 30, 2004 to November 26, 2004.

Roll call vote was taken; Commissioner Rettman voted no:

Ayes – 5, Nays – 1
Motion accepted.

WHEREAS, The Ramsey County Regional Railroad Authority has contracted for the professional consulting services of DMJM+Harris, Inc. for the purpose of conducting the Central Corridor Phase 2 study; and

WHEREAS, DMJM+Harris, Inc. has satisfactorily completed portions of the work identified in the referenced agreements, and provided detailed invoice documentation for services and costs accrued through November 26, 2004; 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, DMJM+Harris, Inc. Invoice No. 100-1066-5, Partial Payment No. 11, in the amount of \$194,390.25 attachments thereto, provide the correct documentation of payments due DMJM+Harris, Inc. through November 26, 2004; Now, Therefore Be It

RESOLVED, Payment to DMJM+Harris, Inc. in the amount of \$194,390.25 for services rendered through November 26, 2004, is hereby ratified.

3. Ratify Partial Payment No. 6 in the amount of \$15,537.01 to Metropolitan Council for consulting services on the Central Corridor Phase 2 study for December 2004

A motion was made by Commissioner Reinhardt, seconded by Commissioner McDonough, to ratify Partial Payment No. 6 in the amount of \$15,537.01 to Metropolitan Council for consulting services on the Central Corridor Phase 2 study for December 2004.

Roll call vote was taken; Commissioner Rettman voted no:

Ayes – 5, Nays – 1
Motion accepted

WHEREAS, The Ramsey County Regional Railroad Authority has contracted for the professional consulting services of Metropolitan Council for the purpose of conducting the Central Corridor Phase 2 study; and

WHEREAS, Metropolitan Council has satisfactorily completed portions of the work identified in the referenced agreements, and provided detailed invoice documentation for services and costs accrued through December 31, 2004; 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, Metropolitan Council Invoice No. NCV-3454, Partial Payment No. 6, in the amount of \$15,537.01 attachments thereto, provide the correct documentation of payments due Metropolitan Council through December 31, 2004; Now, Therefore Be It

RESOLVED, Payment to Metropolitan Council in the amount of \$15,537.01 for services rendered through December 31, 2004, is hereby ratified.

4. Ratify Partial Payments No. 1 in the amount of \$633.41 and Partial Payment No. 2 in the amount of \$6,837.74 to Washington County for consulting services on the Red Rock Alternatives Analysis/Scoping Study for June 15, 2004 to September 30, 2004

A motion was made by Commissioner Reinhardt, seconded by Commissioner McDonough, to ratify Partial Payments No. 1 in the amount of \$633.41 and Partial Payment No. 2 in the amount of \$6,837.74 to Washington County for consulting services on the Red Rock Alternatives Analysis/Scoping Study for June 15, 2004 to September 30, 2004.

Roll call vote was taken; Commissioner Rettman voted no:

Ayes – 5, Nays – 1
Motion accepted.

WHEREAS, The Ramsey County Regional Railroad Authority (RCRRA) has entered into an agreement with Washington County Regional Railroad Authority (WCRRA), Dakota County Regional Railroad Authority (DCRRA) and Hennepin County Regional Railroad Authority (HCRRA) for consulting service for the completion of the Red Rock Corridor Alternatives Analysis/Scoping Study; and

WHEREAS, RCRRA has approved funding \$168,750 or 37.5% of the total cost of this Study (per RCRRA resolution R03-23); and

WHEREAS, Washington County is managing this Study;

WHEREAS, the consultants have satisfactorily completed portions of the work identified in the referenced agreements, and provided detailed invoice documentation for services and costs accrued through September 30, 2004; 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, Washington County Invoice No. 41783, Partial Payment No. 1, in the amount of \$633.41 and Invoice No. 42803, Partial Payment No. 2, in the amount of \$6,837.74 attachments thereto, provide the correct documentation of payments due Washington County through September 30, 2004; Now, Therefore Be It

RESOLVED, Payment to Washington County in the amount of \$7,471.15 for services rendered through September 30, 2004, is hereby ratified.

POLICY AGENDA

5. Phalen Boulevard Environmental Process

At their last meeting, the RCRRA requested indemnification from the City for the entire RCRRA owned corridor; in letter form, the City stated that they would not agree to this, but would instead indemnify the RCRRA for all soils placed as part of the Phalen Boulevard construction project, within an area that would be formally defined and recorded as part of the roadway easement area. Action before the RCRRA is to approve the Phalen Boulevard Contaminated Soil Management, with the condition that the indemnification proposal by the City be approved by the City Council and by the Mayor. The proposed indemnification language must be worked out by City and County staff.

A motion was made by Commissioner Bennett, seconded by Commissioner Reinhardt, to lay this item over until the indemnification language has been resolved.

Roll call vote was taken:

Ayes – 6, Nays – 0
Motion accepted

6. Approve the concept of an easement between RCRRA and Xcel Energy for a parallel transmission line and for overhead power line crossings

Greg Mack gave an update on the possible abandonment of the Burlington Northern Santa Fe (BNSF) railroad north of Beam Avenue, the Parks and Recreation Department's planning for a trail extension, the realignment of

County Road D by Maplewood and Xcel's role as a current rail customer. Xcel has transmission lines that run across the right of way proposed for abandonment and also on the edge of the right of way; Xcel has requested an easement from RCRRA as the intended acquiring agency. The City of Maplewood is willing to pay for the easement.

Discussion followed regarding differences in BNSF and RCRRA appraisals, the potential purchase of the right of way, RCRRA budget, the mission of the RCRRA, title issues, the trail, the easement and the Rush Line Corridor.

A motion was made by Commissioner Reinhardt, seconded by Commissioner Wiessner, to approve the concept of an easement between RCRRA and Xcel Energy for a parallel transmission line and for overhead power line crossings.

Roll call vote was taken:

Ayes – 6, Nays – 0
Motion accepted.

WHEREAS, Ramsey County Regional Railroad Authority plans indicate that right of way should be preserved in the Northeast (Rush Line) Corridor, and

WHEREAS, Ramsey County Regional Railroad Authority has previously purchased right of way from Burlington Northern Santa Fe Railroad from downtown St. Paul to Beam Avenue in Maplewood with the purpose of having rail transit and a trail coexist where right of way width is sufficient for both, and

WHEREAS, Additional right of way may be abandoned by Burlington Northern Santa Fe Railroad from Beam Avenue to north of I-694 and may be purchased by Ramsey County Regional Railroad Authority; and

WHEREAS, Ramsey County Parks and Recreation is planning to purchase a portion of this abandoned railroad right of way for the construction of a trail; and

WHEREAS, Xcel Energy has a license for high voltage power lines and for overhead power lines from Burlington Northern Santa Fe Railroad, and would like a permanent easement from Ramsey County Regional Railroad Authority as the potential purchaser of the railroad right of way; Now, Therefore Be It

RESOLVED, Ramsey County Regional Railroad Authority approves the concept of an easement between Ramsey County Regional Railroad Authority and Xcel Energy for a parallel transmission line and for overhead power line crossings.

7. Approve contract with Tunheim Partners for public education on Union Depot at a cost not to exceed \$90,000 and authorize the RCRRA Chair to execute the contract.

A motion was made by Commissioner McDonough, seconded by Commissioner Reinhardt, to approve contract with Tunheim Partners for public education on Union Depot at a cost not to exceed \$90,000 and authorize the RCRRA Chair to execute the contract.

Roll call vote was taken; Commissioner Rettman voted no:

Ayes – 5, Nays – 1
Motion accepted.

WHEREAS, Ramsey County Regional Railroad Authority authorized staff to negotiate a contract with Tunheim Partners for public education work on Union Depot at a cost not to exceed \$90,000; Now Therefore Be It

RESOLVED, That the contract is approved and the Chair of the Rail Authority is authorized to execute the contract.

8. Central Corridor Update

Steve Morris reported that the Federal Transit Administration (FTA) released its 2006 project ratings of the 25 projects in preliminary engineering. Only one of the 25 was highly recommended; eight are recommended; seven are not recommended at all and four are not rated. Northstar Corridor is still in the not recommended category because the FTA doesn't have the state action on funding yet and the need for an update on the user benefit number. He added that the Central Corridor project has not yet been submitted.

9. Legislative Update

Kathy DeSpiegelaere announced that President Bush's budget eliminates funding for Amtrak.

The meeting adjourned at 2:45 pm.