

# RAMSEY COUNTY REGIONAL RAILROAD AUTHORITY

November 17, 2009

The Ramsey County Regional Railroad Authority met in the Council Chambers, Third Floor Court House, with the following members present: Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Absent: 0

Chair McDonough called the meeting to order at 9:20 AM.

## AGENDA

Commissioner Carter moved approval of the Agenda of the November 17, 2009 Board Meeting, seconded by Commissioner Parker. Roll Call: Ayes – Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Nays – 0.

### 1. Issue a Request for Proposals for Building Management Services at the Union Depot

Commissioner Parker moved approval of the draft resolution, seconded by Commissioner Carter.

Commissioner Reinhardt suggested that a facilities committee workshop be held before they issue this Request for Proposals (RFP), and that the current interim contract with Welsh for management services at the Union Depot be extended. The extension would allow the Ramsey County Regional Railroad Authority (RCRRA) to decide whether it would be better to hire in-house or to outsource and proceed with a management contract.

Jolly Mangine, Director Property Management, said it is an option but there is flexibility with this Building Management Services RFP, in that the contract would be for general management but we would be able to hire our own staff in-house within the contract. He said there are aspects to the management of the Depot building, such as the condominium association that Ramsey County Property Management does not typically handle. Welsh Companies is currently in place for the interim management of the Depot and their contract could be extended for a period until the Board decides how they want to proceed.

Chair McDonough pointed out that this is property of the RCRRA and they do not want to confuse the roles of the Ramsey County Board verses the RCRRA.

Commissioner Reinhardt said she would prefer that they extend the interim for a few months, keep the RFP in place, have the discussion and then make the determination.

Chair McDonough said he would be willing to take a motion to layover the RFP, but the workshop for discussion and determination of how to proceed should likely be held by the RCRRA because the RCRRA would issue the RFP and pay for the contract. However, he would confirm this for legal purposes to assure they are being consistent with the authority they have.

Commissioner Reinhardt moved approval to lay over the RFP, seconded by Commissioner Rettman.

Chair McDonough asked how they could proceed with an extension to the interim contract with Welsh. He suggested a two month extension.

Mr. Mangine said by resolution the existing authority is to have interim services through February 28, 2010. They could easily extend the interim services past this date. He said a three month extension would be better because the RFP process takes approximately two months to complete.

Chair McDonough asked that they amend the motion to include the interim contract extension.

Commissioner Reinhardt amended the motion to layover the RFP and extend the interim contract with Welsh for three months to May 31, 2010, seconded by Commissioner Rettman. Roll Call: Ayes – Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Nays – 0. (R09-48; as amended)

WHEREAS, The Ramsey County Regional Railroad Authority (RCRRA) is developing the historic Union Depot as a multi-modal transit and transportation hub; and

WHEREAS, The RCRRA has purchased the Union Depot Head House; and

WHEREAS, Since the purchase of the Union Depot head house in the summer of 2009, building management services have been provided by Welsh Companies on an interim basis until the end of February 2010; and

WHEREAS, The RCRRA will decide on the best approach to providing these services in early 2010; now therefore be it

RESOLVED, That the RCRRA authorizes the County Manager to extend the contract for building management services with Welsh Companies until May 31, 2010 so that a new Request for Proposals reflecting any required changes in approach can be developed.

2. Consent to Conservation Easement Agreement for the Union Depot between Ramsey County and the United States Post Office

Commissioner Carter moved approval of the following resolution, seconded by Commissioner Parker. Roll Call: Ayes – Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Nays – 0. (R09-49)

WHEREAS, The Ramsey County Regional Railroad Authority is purchasing portions of the Union Depot from the United States Postal Service (USPS); and

WHEREAS, USPS is required to comply with the National Historic Preservation Act in the sale of the property; and

WHEREAS, Minnesota Statutes Chapter 84C provides for a Conservation Easement to be held by Ramsey County to meet the requirements of the Act; and

WHEREAS, It is to the County's and RCRRA's benefit that the easement be held by an agency familiar with the project, now therefore be it

RESOLVED, That Ramsey County Regional Railroad Authority, as owner of the Union Depot property, accepts the Conservation Easement from the United States Postal Service to Ramsey County; and be it further

RESOLVED, That the Chair of the Ramsey County Regional Railroad Authority is authorized to execute the Consent and Subordination section recognizing the Conservation Easement.

3. Adopt a Section 106 Programmatic Agreement Regarding Rehabilitation of the Union Depot Multi-Modal Transportation Hub

Chair McDonough pointed out that they now have an updated version of the Programmatic Agreement (PA) and, therefore, would need to move this item as amended.

Commissioner Reinhardt moved approval of the following item as amended, seconded by Commissioner Ortega

Commissioner Rettman asked for information on the changes in the updated version of the PA.

Steve Morris, Transit Project Manager for Ramsey County Regional Railroad Authority (RCRRA), said two areas have changes. The first change is on page three of the revised PA, section I. – Project Design Development, sub section B., which has to do with the State Historic Preservation Office's (SHPO) review process. SHPO has responsibilities to review the work and redevelopment of a historic facility like the Union Depot. They typically have a 30 day review period at 30% and 60% design points. The process we are using will not have those points and SHPO is in the process of some personnel changes. Since we wanted to get this resolved in a timely manner, they agreed to change that language in the paragraph of section I.B. saying we will work with them over the next couple of months to develop that review process. The second change is on page four, section IV – Interpretation, which had fairly open ended language about designating a historic interpretation component at the facility. SHPO agreed to the limitations on this space and what it would contain.

Commissioner Rettman wanted to confirm that the document is needed in order for them to proceed.

Steve Morris confirmed that they need to have this Agreement with SHPO.

Commissioner Rettman asked for a fiscal impact update on the cost of the items being requested by SHPO.

Mr. Morris replied it is hard to determine costs that are specifically caused by historic preservation requirements. The difficulty is where to draw the line and determine which aspects of the restoration are typical rehabilitation costs and which are caused by SHPO requirements. Most of the restoration that would take place is required by the rehabilitation of the Depot. We will keep track of specific historic preservation costs as the project progresses.

Commissioner Reinhardt commented that she understands the difficulty because we would want to do most of the restoration that would take place anyway. Therefore, this Agreement is needed to assure we are going to proceed with them.

Chair McDonough commented that there may be some cost tied to some of the input SHPO has in the Agreement because they may push us to do some investments that is beyond what we intended. He agreed that most of the restoration ideas between RCRRA and SHPO are shared, but the challenge will be accommodating the historic aspects to make the Depot a functional building for the 21<sup>st</sup> century.

Commissioner Reinhardt commented that, during the process, they should be informed of any unintended costs that may come up.

Mr. Morris mentioned that a short report discussing some of the background of the historic restoration requirements was included in the packet for this item. This report was completed by Jonathan Fehr, who interned with the RCRRA this past summer.

Roll Call: Ayes – Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Nays – 0.  
(R09-50)

WHEREAS, The Ramsey County Regional Railroad Authority is developing the historic Union Depot as a multi-modal transit and transportation hub; and

WHEREAS, Federal law requires under 36 CFR Part 800, Section 106, that procedures be in place through a Programmatic Agreement to protect the historic resource before a Federally funded project can proceed; and

WHEREAS, A Programmatic Agreement has been negotiated with the appropriate Federal, State and local organizations; now therefore be it

RESOLVED, That the Ramsey County Regional Railroad Authority approves the attached Programmatic Agreement Regarding the Rehabilitation of the Union Depot Multi-Modal Transportation Hub; and be it further

RESOLVED, That the Chair of the Ramsey County Regional Railroad Authority is authorized to sign the Programmatic Agreement.

4. Negative Declaration of a Potential Environmental Effects of the Union Depot Multi-Modal Transit Hub Project

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

Commissioner Carter asked for a summary of the issues that were raised at the recent public hearings events at the Union Depot.

Steve Morris, Transit Project Manager for Ramsey County Regional Railroad Authority (RCRRA), said the comments were included in the Board packets. There were a few dozen comments, most from local organizations. Individual issues tended to be from people who owned condos in the Head House of the Depot who were concerned about noise from trains in operation and from people traveling through the Head House. This was the extent of the issues raised.

Commissioner Carter asked that she receive a copy of piece containing the review of public comments.

Roll Call: Ayes – Bennett, Carter, Ortega, Parker, Reinhardt, Rettman, McDonough – 7. Nays – 0. (R09-51)

WHEREAS, The Ramsey County Regional Railroad Authority is the Responsible Governmental Unit for environmental review of the Union Depot Multi-Modal Transit Hub; and

WHEREAS, The RCRRA prepared an Environmental Assessment (EA) to determine if the development of the Multi-Modal Transit Hub has the potential for significant environmental effects; and

WHEREAS, The availability of the EA was officially noticed on August 24, 2009 in the EQB Monitor, two public hearings on the contents were held on September 9, 2009, and comments on the EA were received until October 8, 2009; and

WHEREAS, Staff has reviewed all of the comments made at the public hearing and received during the comment period, all of which are included in the Environmental Assessment Update; and

WHEREAS, no federal or state or local agencies that submitted comments requested that an Environmental Impact Statement be prepared for the Union Depot Multi-Modal Transit Hub project; now, therefore be it

RESOLVED, That the Ramsey County Regional Railroad Authority hereby makes the following specific findings of fact:

1. The Ramsey County Regional Railroad Authority is the Responsible Governmental Unit for preparation of environmental review of the project.
2. A Federal Environmental Assessment (EA) was prepared and distributed to the State of Minnesota Environmental Quality Board Environmental Review Program Distribution List on August 24, 2009.

3. Two public hearings were held on the EA on September 9, 2009, and the comment period ended on October 8, 2009.
4. RCRRA staff has reviewed the comments received.
5. In considering the type, extent, and reversibility of the environmental effects of the project, there will be no significant environmental effects resulting from the proposed development of the Union Depot Multi-Modal Transit Hub as proposed.

ADJOURNMENT

There being no further business, Chair McDonough declared the meeting adjourned at 9:48 AM.