

Metropolitan Council

St. Louis Park Recreation Center, 3700 Monterey Drive, St. Louis Park, MN

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Meeting of the Southwest Corridor Management Committee

**September 29, 2017**

Members Present	Chair Alene Tchourumoff	Marion Greene	Jennifer Munt
	Jan Callison	Linda Higgins	Sue Sanger (Alt)
	Molly Cummings	James Hovland	Terry Schneider
	Dan Duffy	Brian Lamb	Nancy Tyra-Lukens
	Steve Elkins	Peter McLaughlin	Peter Wagenius (Alt)
	Jason Gadd		
Members Absent	Russ Adams	Betsy Hodges	Will Roach
	Asad Aliweyd	Matt Look	Jake Spano
	Keith Bogut	Scott McBride	

**1. CALL TO ORDER**

Chair Alene Tchourumoff called the September 29, 2017, meeting of the Southwest Corridor Management Committee to order at 11:03 a.m. at the St. Louis Park Recreation Center. Chair Tchourumoff introduced herself and reported that since becoming Chair she has had the opportunity to visit projects around the community and talk with people about their priorities. The committee members introduced themselves.

**2. APPROVAL OF MINUTES**

Chair Tchourumoff presented the June 28, 2017, SWLRT Corridor Management Committee meeting minutes for approval. There were no edits or comments. Mayor James Hovland made a motion to approve, the motion was seconded, and the minutes were approved.

**3. CHAIR'S UPDATE**

Chair Tchourumoff reported that in early September she traveled to Washington D.C. to meet with the Federal Transit Administration staff and talk about our regional transit priorities, that we are working to continue to build out a robust transit system. They were very supportive and think Minnesota has a really good reputation at the staff level with the FTA. They shared that President Trump did not include any New Starts grants within his budget proposal, so there is an administrative hurdle from the FTA's perspective in terms of funding New Starts grants. FTA will continue to work with project sponsors across the country to advance projects within the process. They seem to be very willing to engage with us and continue to support us as we apply for the Full Funding Grant Agreement. Overall it was a very positive meeting. Chair Tchourumoff said she also had the opportunity to talk with some of our Minnesota delegation about our regional priorities and we are fortunate to have members who are very supportive of transit.

Chair Tchourumoff shared that on August 15 the Met Council received 4 bids for civil construction work and on September 20 the Council moved to reject all bids due to responsiveness and price. The Council will re-issue the bid package. This will give the Council the opportunity to work with the cities along the corridor and the contracting community to see if we can identify ways to be innovative and bring down the overall cost.

Chair Tchourumoff thanked those who have joined the Council and SPO staff on the corridor protection wall tours. There were two tours this week with officials from Minneapolis and Met Council members. She extended an invitation to CMC members for a tour and to let SPO staff members know if they are interested.

Chair Tchourumoff said that this is National Rail Safety Week. She was in Coon Rapids this morning where there was a discussion about grade crossing safety and how to encourage drivers to be safe around crossings. Pedestrian injuries and fatalities on freight rail infrastructure in Minnesota is up by 13%. This is an issue not only for freight rail but also for LRT. Freight rail is private property and we need to make sure people navigate safely around it.

**4. PROPOSED CORRIDOR PROTECTION WALL**

Jim Alexander presented the proposed corridor protection. The corridor protection is an outcome of negotiations with BNSF railroad. BNSF expressed the importance of corridor protection, as we are on their property for less than one-half mile in the Glenwood area and then running alongside their property for about a mile.

Already planned in the project was corridor protection to run through the area just west of the I-94 bridge that goes over the alignment. The proposed corridor protection extends to the I-394 bridge. Under I-394 we have pier protection already in the plan and the proposed corridor protection would then extend from the I-394 bridge to just east of Bryn Mawr Station, where BNSF tracks move away from the LRT and our alignment heads south into the Kenilworth corridor. The corridor protection is generally 4 to 6 feet above the tracks on the LRT side with some areas near the Bassett Creek Valley Station where the corridor protection is as high as 8 feet above the LRT tracks, and is 10 feet above the tracks on the freight side. SPO is also proposing to adjust the existing Northstar tail track and extend it to the I-94 bridge and as a result the trail would move to the south.

Mr. Alexander discussed access and noted that the corridor protection would not pose any impacts to existing or planned crossings. Mr. Alexander discussed access in the Bryn Mawr station area, which includes a new at-grade crossing that links the trails across the LRT tracks and the Kenilworth freight tracks west of the station and a new pedestrian bridge from Penn/I-394 over the BNSF tracks to the station. The existing pedestrian crossing from the Bryn Mawr meadows via I-394 will be maintained and the Project will include a new pedestrian/bike bridge from Bryn Mawr meadows to the Bassett Creek Valley station.

Mr. Alexander said that during discussions with BNSF they felt it was important for SPO to acknowledge that at some time in the future there could be an additional freight track on their property and in order to accommodate LRT on their property, the Project design must accommodate space for a second track.

### **Aesthetic Design Overview**

Mr. Alexander discussed the aesthetic design of the corridor protection and the processes involved. SPO has a work plan which was coordinated with the City of Minneapolis on the corridor protection and trail design, public engagement, and the Section 106 process. SPO will hold Bassett Creek Valley community work group and Section 106 Consultation meetings beginning in October. Aesthetic design parameters will be set by the Section 106 process and input from the work group and the community will overlay on top of that. Aesthetic design must meet the Secretary of the Interior's Standards for Treatment of Historic Properties, which will be evaluated through the Section 106 process. Options for aesthetic design will be reviewed including color, texture and the potential for vegetation.

### **Community Outreach**

Mr. Alexander discussed public outreach that has been done so far. Sophia Ginis has been talking with the community and SPO has held two tours. SPO is creating a community work group and are having a kick-off on October 4. SPO will be hosting a community involvement open house in November to get input and hosting pop-up events in November. SPO will be sharing information through our website, newsletter and advisory committees.

### **Environmental Review**

Mr. Alexander discussed the Section 106 process. It requires federal agencies who are asking for federal dollars to take into account effects of undertaking on historic properties. MnDOT's Cultural Resources Unit (CRU) is leading this effort on behalf of FTA. We have a Memorandum of Agreement with signatories; including the FTA. The Met Council is responsible for certain parts of the Section 106 process, including implementation of mitigation. Mr. Alexander explained that it involves the Wayzata subdivision because it's part of the St. Paul, Minneapolis & Manitoba Railroad/Great Northern Railway Historic District. This district was identified as eligible to be registered on the National Register of Historic Places. The corridor goes from Minneapolis to the border of North Dakota. The CRU hasn't made a full determination, but we believe they will make an adverse effect finding that will have to be reviewed by FTA. The next step is to get FTA to concur and then there is a process of working with the consulting parties, which is made up of the County, City, Park Board and neighborhood associations. There will be a 30-day review period to look at supporting documentation of how the adverse effect finding was made. There will be at least one meeting to talk about the finding, receive input, and start identifying mitigation measures.

Mr. Alexander said that SPO needs to document this effort. SPO will go through the environmental checklist looking at noise and vibration, water quality and other potential environmental issues, similar to what was evaluated for the ROD. SPO will be looking at the wall and the tail track to see if there are any adverse impacts or mitigation required. SPO is working very closely with FTA on this process, and will culminate with a Post-ROD memorandum that we will provide to FTA. FTA will decide if any additional environmental review is needed beyond this memorandum. The process will address the MEPA Environmental Policy Act, as well as NEPA.

Mr. Alexander discussed the Post-ROD Environmental Review schedule. SPO is looking at an October-November time frame for assembling the information, and consulting party reviews. December is the timeframe to issue the memorandum to FTA and for FTA to make the determination of whether any additional review will be required. SPO is not including the new corridor protection elements or tail track in the civil plans nor signing final agreements related to building the wall/tail track with BNSF until the environmental process is completed. After the environmental review process, SPO will assess how those pieces are to be included into the project plans.

Mayor Terry Schneider asked about the cost implications and if it is correct that the cost of the corridor protection was not included in the bids that were rejected. Mr. Alexander said that is correct. SPO has started looking at cost, and it is likely that the proposed elements will be added by change order once the environmental process is completed.

Commissioner Marion Greene said she found the tour very helpful. She asked if staff would consider adding the Kenwood neighborhood to the list for public outreach and make the tour available to the neighborhoods. Mr. Alexander responded that we can certainly do that. SPO is using the same group that we had for the landscape design in the Kenilworth corridor and John Slack is helping with that community involvement.

Chair Tchourumoff thanked staff for the tour and extended an invitation to CMC members attend a future tour.

## **5. CIVIL CONSTRUCTION UPDATE**

Mr. Alexander discussed the re-solicitation of the civil construction package. The goal is to look at cost reductions while maintaining the New Starts project status and major scope elements, retaining the 2018 construction season, minimizing construction delay, identifying cost saving opportunities, maintaining bidder interest, and increasing flexibility for critical activities to reduce schedule risk. It's also important to keep efficiency and safe operation in mind.

Mayor Jim Hovland asked if in the process of reviewing the submissions and questions from the contractors and thinking about this new process for re-bidding, what gives us the greatest optimism this time around? Mr. Alexander responded that we see this as a big contract and important work that our contracting community would be very interested in building. Chair Tchourumoff added that one of the points that was made to her when she visited the FTA was re-bidding is not uncommon.

Mr. Dan Duffy asked how much the contingency is in the bid. Mr. Alexander responded that the Project budget currently carries just under \$300M as contingency. Mr. Duffy asked if there is an opportunity to put the corridor protection wall into the contract as an allowance and not take it out of contingency money and if there is any opportunity to have the freight company contribute and help pay for that protection wall. Chair Tchourumoff responded that we are requesting to be on the BNSF corridor so contributing to the cost of LRT is probably unpalatable to them. In response to Mr. Duffy's question about putting the wall into the contract as an allowance, the Council can't put it in the plans until the environmental review is complete. It is likely we will do a change order for that. Mayor Schneider commented that if the review got done quicker and we put it in the project scope, it actually increases the project scope and increases the contingency by 20% so it's a counter-productive move. If we keep it in contingency and keep things moving, we'd be better off long term.

Chair Tchourumoff commented a critical element is trying to minimize the amount of delay that we impose on the project by re-bidding. That means that SPO needs to have some of these conversations with staff and internally in the next week. The timeline is pretty short to receive feedback and input on ideas for reducing scope within the

cities with the intent to re-issue the invitation for bids by October 30, 2017. She appreciates everyone's support in helping us meet those timelines.

**6. ADJOURN**

The meeting was adjourned at 12:09 p.m.

Respectfully Submitted,

Debby Loring, Recording Secretary