



REVISED AGENDA

Special Southwest LRT Corridor Management Committee Meeting

Wednesday, July 9, 2014

10:00 AM – 11:30 AM

**Beth El Synagogue
5224 W. 26th Street
St. Louis Park, MN 55416**

1. Call to Order
2. Approval of Meeting Minutes from June 4, 2014
3. Municipal Consent Update
4. SWLRT Revised Project Scope and Budget Resolution
5. Public Property Ownership in the Kenilworth Corridor Resolution
6. Adjournment

Please Note:

The east doors nearest the parking lot will be open from 9:45 to 10:15 AM; CMC members and guests arriving after 10:15 will need to enter through the south doors located on 26th Street.

Next Meeting: August 6, 2014, 10:00 – 11:30 a.m. at Beth El Synagogue

July 9, 2014

Southwest LRT Corridor Management Committee Resolution On Revised Project Scope and Budget

(FOR CONSIDERATION)

WHEREAS:

1. The Governor designated the Metropolitan Council (Council) as the responsible authority for the Southwest LRT (SWLRT) Project;
2. The Council established the Corridor Management Committee (CMC) to advise the Council in the design and construction of the SWLRT Project;
3. The Council established the Southwest LRT Project Office (SPO) to advance the design, manage construction and overall delivery of the SWLRT Project; and
4. The Council engaged with the city of Minneapolis in series of sessions regarding physical design components within the Kenilworth Corridor portion of the SWLRT Project and other adjustments elsewhere in Minneapolis.

NOW, THEREFORE:

BE IT RESOLVED, that the CMC recommends the Metropolitan Council adopt the revised SWLRT Project scope that includes the reinstatement of the at-grade 21st Street Station and the elimination of the north shallow LRT tunnel located north of the Kenilworth Channel and other adjustments in the city as presented in Exhibit 1;

BE IT RESOLVED, that the CMC recommends the Council adopt a revised project budget of \$1.653 billion consistent with the above referenced adopted project scope; and

BE IT FURTHER RESOLVED, that the CMC recommends the Council direct the SPO to proceed with advancing the design and complete and resubmit Municipal Consent Plans in July 2014 to the city of Minneapolis and Hennepin County for their approval as provided in Minnesota Statutes Section 473.3994.

MEMORANDUM OF UNDERSTANDING

Proposed Redesign of a Portion of Southwest Light Rail Project

This Memorandum of Understanding is between the City of Minneapolis (City) and the Metropolitan Council (Council).

After lengthy discussions, the City and the Council have reached an understanding of how certain changes to the Preliminary Design Plan of the Southwest Light Rail Project (Project) within the City of Minneapolis would render the Project more acceptable to the City. In consideration of the mutual agreements set forth herein, the Parties agree as follows:

1. Upon approval by the Council, it will finalize certain design plan changes, as set forth in Exhibit 1 attached hereto. Among the design plan changes is the elimination of the North shallow tunnel and the addition of an at-grade station at 21st Street. These two changes will result in a net savings of approximately \$60 million for the Project.
2. Fifty percent of the net savings realized from the changes in paragraph 1 above (\$30 million) will be available to meet the City's other proposed physical design changes. The remaining 50 percent will be used to reduce the overall budget of the project. Improvements requested by the City that fall outside the allotted 50 percent will be considered along with other contingency funding requests as the project progresses.
3. It is understood that the proposed design plan changes are subject to acceptance for funding by the Federal Transit Administration.
4. Upon approval by the Council of this MOU and the revised preliminary design plan reflecting the changes set out herein, the municipal approval process set forth in Minnesota Statutes Section 473.3994 as applied to the City will commence again from the beginning of that process. Since the design plan changes contemplated in this MOU do not involve any other municipality, amendments to the Minneapolis portion of the Project, is not intended to change the approval process or timeline already underway for other municipalities.

Metropolitan Council signature block

Date: _____

City of Minneapolis signature block

Date: _____

Exhibit 1

Amendments to the preliminary design of the SWLRT Corridor in Minneapolis

The following changes are each subject to the eligibility of federal transit funding.

1. The tunnel south of the water channel will be built as indicated in the current municipal consent package.
2. The tunnel north of the water channel will be removed and a station will be added at 21st Street. The 21st Street Station will include pedestrian connections to Cedar Lake. Light rail trains will operate at-grade on a bridge over the Kenilworth Channel and at grade north of the channel.
3. The parties agree that the Kenilworth Corridor (Corridor) is located in a park-like setting. In the event that LRT is constructed in the Corridor with co-location of LRT, freight rail and a bicycle and pedestrian trail, the Corridor shall be designed to a park-like level of amenity, not only restoring, but improving pre-existing conditions. Design and restoration shall include but not be limited to native plantings, mature trees and the like. It is understood that the Corridor, along with the bicycle and pedestrian paths located on the Corridor, is a significant part of the City's chain of lakes park system, one of the most prized, highly used recreational attractions in the region and that the parties intend for the Corridor to be landscaped and restored so that it continues to be an asset to the chain of lakes park system. It is agreed that the Corridor shall be restored and constructed consistent with this park-like environment and the proximity to the chain of lakes, to the extent reasonably possible, so as not to impact neighboring parks or water bodies or to impair the existing park-like setting. The Council will select a landscape architect with the City and MPRB serving on the evaluation panel. The City, MPRB and representatives of the affected neighborhoods will participate with the Council in a collaborative design process for the Corridor.
4. Noise mitigation will be added based on the Supplemental Draft Environmental Impact Statement.
5. Add freight rail safety improvement recommendations made by the TranSystems Freight Rail Report as follows:
 - a. Freight Rail guardrail from north of West Lake Station to Cedar Lake Parkway
 - b. Freight guardrail from north of Kenilworth Channel crossing to Burnham Road
 - c. Freight guardrail from west 21st Street to 1,000 feet north of West 21st Street
6. Royalston Station

- a. Upgrade to embedded track along Royalston Avenue both north and south of the station.
- b. Upgrade to painted tubular overhead catenary poles in Royalston Station area and at station.
- c. Build enhanced pedestrian connections to the Farmer's Market, from both the north and south, via the frontage road and Holden and Border Avenues.

7. Van White Station

- a. Dunwoody Blvd sidewalk improvements including improvements to the under-bridge area and intersection improvements at Stadium Pkwy/Emerson Ave S.
- b. Build a pedestrian bridge to Bryn Mawr Meadows.

8. Penn Station

- a. Improve and enhance pedestrian connections from the Penn Ave station across I-394 and north to Mount View Ave.
- b. Additional ADA compliance improvements to be made at each intersection along Penn continuing north to Cedar Lake Road.
- c. Build additional sidewalks, as enhanced pedestrian connections, along the south side of Wayzata Blvd from I-394 pedestrian bridge at Thomas Ave east to the access to Penn Ave station.
- d. Light and sign the existing trail segment from Cedar Lake Trail to Kenwood Parkway.

9. West Lake Station

- a. Build enhanced pedestrian connections along West Lake Street between Drew Ave S and Market Plaza and along Excelsior Blvd between Market Plaza and W 32nd St.
- b. Realign Abbott Ave and Chowen Ave to accommodate development on the HCRRA property as shown the Transitional Station Area Action Plan (TSAAP)

and build “Mid-Town Station” ready.

- c. Build enhanced pedestrian connections along Chowen and Abbott Aves and along the newly realigned street segment.
- d. Conduct an areawide traffic study with partner agencies to assess non-motorized needs and opportunities.

10. Other

- a. Bicycle and pedestrian facilities, to be determined, within three miles of LRT stations to provide the level of access for transit dependent populations who cannot use Park and Ride facilities.

Improvements shall include:

- i. Closing a trail gap along Van White Boulevard/Fremont Ave N between Van White Memorial Blvd and 2nd Ave N.
 - ii. Work with City and MPRB staff to redesign the connection of the Cedar Lake Trail and Kenilworth Trail near the Penn Ave station for a more functional connection.
 - iii. Add a “trail actuated signal” or some form of traffic control at the intersection of Cedar Lake Road and the Kenilworth Trail.
 - iv. Connection to “Hidden Beach” from 21st St Station including a wayfinding kiosk and wayfinding to the Beach, Franklin Ave and Lake of the Isles.
 - v. Convert the existing 7th St bikeway to a protected bikeway facility between 2nd Ave N and Plymouth Ave N.
 - vi. Provide a new pedestrian access from The Lakes Citihomes Condos to improved sidewalks along West Lake St.
- b. Lighting and security improvements throughout the corridor in the proximity of station areas.
 - c. High quality aesthetic design, including community engagement, of all fence and railings throughout the corridor with agreements for long term maintenance.

July 9, 2014

Southwest LRT Corridor Management Committee Resolution On Public Property Ownership In The Kenilworth Corridor (FOR CONSIDERATION)

WHEREAS:

1. The Governor designated the Metropolitan Council (Council) as the responsible authority for the Southwest LRT (SWLRT) Project;
2. The Council established the Corridor Management Committee (CMC) to advise the Council in the design and construction of the SWLRT Project;
3. The Council established the Southwest LRT Project Office (SPO) to advance the design, manage construction and overall delivery of the SWLRT Project;
4. The Council engaged with the city of Minneapolis in series of sessions regarding property ownership within the Kenilworth Corridor portion of the SWLRT Project in Minneapolis; and
5. Hennepin County and the city of Minneapolis indicate a strong long-term objective is to keep the Kenilworth Corridor in public ownership and control including the property upon which freight rail operates.

NOW, THEREFORE:

BE IT RESOLVED, that the CMC recommends the Metropolitan Council enters into a Memorandum of Understanding with the city of Minneapolis pertaining to the preservation of public ownership and control of the Kenilworth Corridor.

MEMORANDUM OF UNDERSTANDING

Preservation of Kenilworth Corridor in Public Ownership and Control

This Memorandum of Understanding is between the City of Minneapolis (City) and the Metropolitan Council (Council).

1. It is the intent of the parties that all of that part of the Kenilworth Corridor between M.P. 13.7 and M.P. 16.2 (as shown on Exhibit 1 attached) that is being used for rail transportation of any kind, that may foreseeably in the future be used for rail transportation of any kind or that legally has a present use for rail transportation of any kind, shall remain in public ownership. The Council will take all reasonable actions to keep the Kenilworth Corridor in public ownership while it is being used for rail transportation of any kind, including but not limited to the following:

- (a) The Metropolitan Council will exert whatever influence it has to have the current owner of the rail line in the Kenilworth Corridor, the Hennepin County Regional Railroad Authority, enter into an agreement with the City, committing on behalf of itself and any successors in interest (i) to not admit additional railroad tenants or users to use of the line; and (ii) to limit use, to the maximum extent possible, pursuant to its rights under Section 2.3 of that certain Trackage Rights Agreement between Soo Line Railroad Company, Twin Cities & Western Railroad Company and Hennepin County Regional Railroad Authority dated August 10, 1998, as amended to date, (the "Trackage Agreement"); and (iii) to prohibit modification of the Trackage Agreement without City consent; (iv) that transfer of the property, if any, will be an intergovernmental transfer intended to keep the corridor in public ownership; and (v) it will not sell or offer the property for sale so as to create an obligation to offer a right of first refusal under Minnesota Statutes, Section 222.632.

- (b) If the Council acquires any property in the Kenilworth Corridor to be used for freight rail, including but not limited to property from BNSF or others located to the west of the HCCRA property and just north of the channel in the Kenilworth Corridor, then the Council agrees on behalf of itself and any successors in interest as to any such property: (i) to take all reasonable actions to keep the property that is being used for freight rail in public ownership while it is being used for rail transportation of any kind; and (ii) to admit only Twin Cities & Western Railroad Company and not admit additional railroad tenants or users to use of this property; and (iii) to impose limitations in any new or amended trackage rights agreement that limit use of this property, to the maximum extent possible, consistent with the limitations in Section 2.3 of the above-referenced Trackage Agreement; and (iv) to not sell or offer this property for sale so as to create an obligation to offer a right of first refusal under Minnesota Statutes, Section 222.632.

(c) The Council agrees that any transfer of the property used for freight rail in the Kenilworth Corridor to the Council, shall be made strictly as an intergovernmental transfer of property.

(d) Any transfer of any property used for freight rail in the Kenilworth Corridor shall be contingent upon assumption by the transferee of the above-referenced agreements, including the Trackage Agreement(s),-the HCCRA-City agreement and the applicable Council commitments in this MOU. A memorandum of these agreements shall be filed in the county real estate records.

2. The Council intends that any property located in the Kenilworth Corridor that is now owned or subsequently acquired from BSNF Railroad by the Council that will not actively be used either for the Project or freight rail (as shown on attached Exhibit 2) shall be conveyed to the Minneapolis Park and Recreation Board for use as parkland upon terms and conditions that are agreeable to both the Council and the Board. The Council intends that any property located in the Kenilworth Corridor that it may acquire from HCCRA that it will not actively use for either the Project or freight rail shall be conveyed to the Minneapolis Park and Recreation Board for use as parkland upon terms and conditions that are agreeable to both the Council and the Park Board. This refers to the "excess" or "remnant" pieces of land and does not include any land that will actively be used for the Project, freight rail or the bicycle and pedestrian trail.
3. To the extent necessary to perpetuate and maintain the connection to local and regional trails in the area, if the Council obtains land in the Kenilworth Corridor, the Council will grant a permanent easement to the Minneapolis Park and Recreation Board for a pedestrian and bicycle trail in the Kenilworth Corridor that is laid out so as to connect to regional and local trails in the area. This permanent easement will include, as applicable, an easement for the trail to be placed over any Council owned tunnel, together with any necessary restrictions thereon.

Metropolitan Council

Regional Administrator

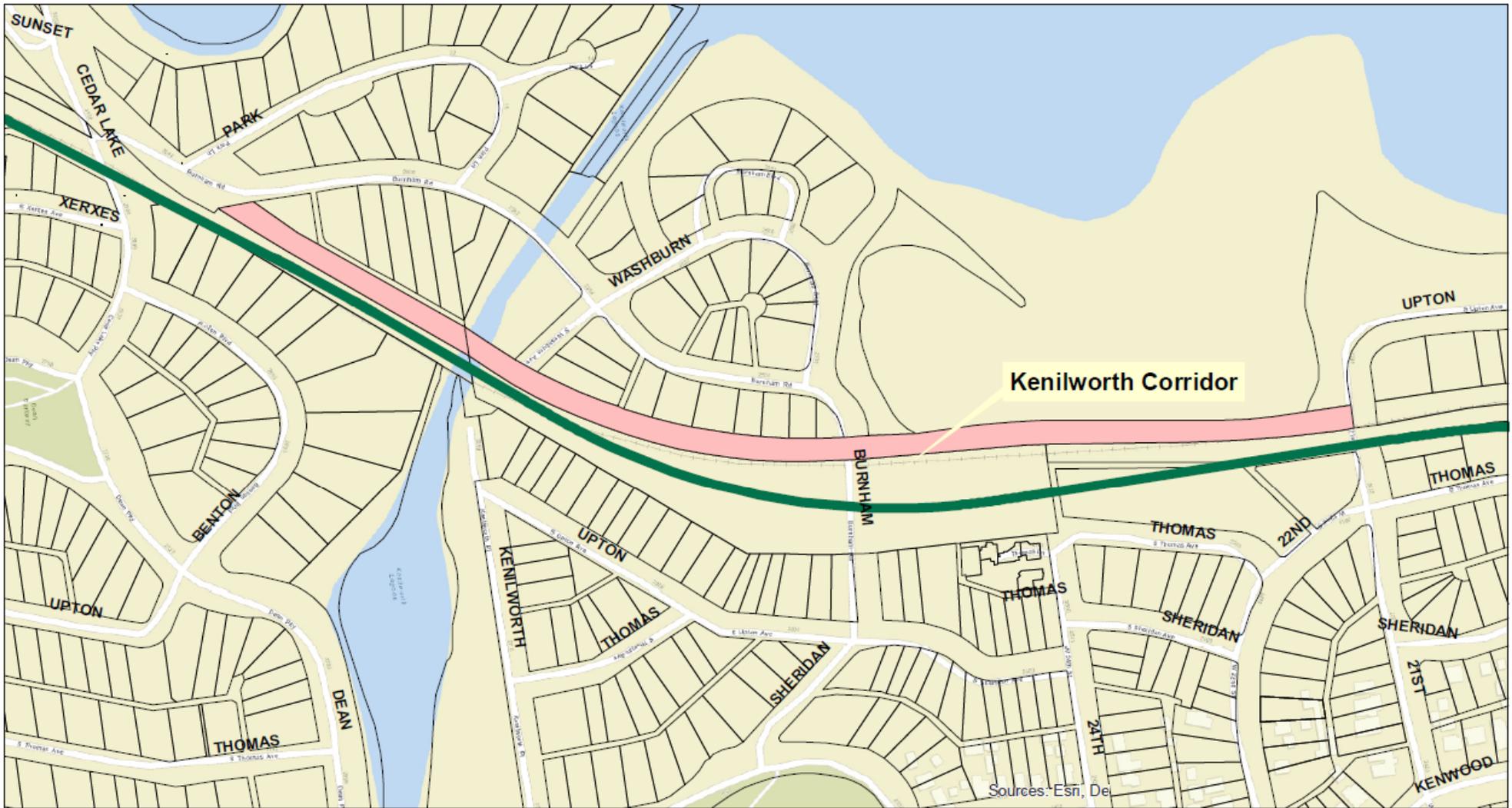
Date: _____

City of Minneapolis

Date: _____

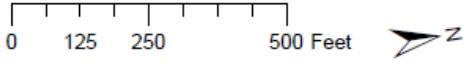


EXHIBIT A



BNSF Parcels

Date: 7/7/2014



Legend

- BNSF parcels
- All other properties
- SWLRT Alignment

Sources: Esri, De