

**Meeting of the Southwest Corridor Management Committee  
November 6, 2013**

Members Present	Susan Haigh, Chair	Jan Callison	James Hovland
	Brian Lamb	Lisa Weik	Terry Schneider
	Cheryl Youakim	Gail Dorfman	Nancy Tyra-Lukens
	Peter McLaughlin	Jake Spano	Mayor Rybak
	Bill James	Jim Brimeyer	
Members Absent	Jeff Jacobs	Kathy Nelson	Keith Bogut
	Peter Wagenius	Scott McBride	

**1. CALL TO ORDER**

Chair Susan Haigh called the November 6, 2013 meeting of the Southwest Corridor Management Committee to order at 10:04am at Beth El Synagogue.

**2. APPROVAL OF MINUTES**

Chair Haigh presented the October 9, 2013, Southwest Corridor Management Committee meeting minutes for approval. There were no comments or discussion on the minutes and the motion for approval was granted.

**3. PROJECT UPDATE**

Chair Haigh gave a summary of what has taken place recently on the project. At the last meeting on October 9 the CMC voted to recommend the Project Scope at a budget of \$1.55 billion with a shallow LRT tunnel through Kenilworth, a Hopkins Operations and Maintenance Facility, and the termination of the project at the SouthWest Station in Eden Prairie. We had an open house on October 10 in Minneapolis that many of the CMC members attended. We had over 165 people attend and had many opportunities to answer questions and get feedback and comments. There were a lot of different ideas and perspectives on the shallow tunnel and some continuing confusion for residents about what it meant for them, including concerns about the impact on neighborhoods and about water resources and trails in this area. The following week the recommendation of the CMC went to the Transportation Committee of the Met Council on October 14, and the Council Transportation Committee forwarded it without a recommendation for the project budget but to advance it for discussion, at the full Council which was to be held later that week. In the meantime, the Governor held a meeting with several legislators representing the districts along this project, as well as some of the members of the CMC. There have been a couple of other meetings. Based on the issues that were raised by both the state legislators and local officials, they felt we should take a pause before we move forward on the recommendation made by the CMC, and delay so we can do some additional study. Based on all the comments that we received at the Open House on October 10, that probably was the right course of action since there is still a lot of confusion and a lot of concern amongst members. On October 16, the Council directed our project office staff to work with the cities of Minneapolis, St. Louis Park and others along the corridor to look at 3 issues: 1) Additional Freight Rail relocation analysis, 2) Additional Water Resources and Hydrology analysis for the Shallow LRT Tunnel, and 3) A process for addressing the landscaping and greenscaping issues in the Kenilworth corridor. Chair Haigh said she knows that the people who have been working on the project may be frustrated about the delay, or may be

happy about the delay, but she thinks it is the right thing to do because our desire is to get consent from all of the cities along the corridor. We have had dozens of public meetings, open houses and presentations and have had good feedback. We tallied and we have at least 9,000 different people who have attended open houses, meetings and hearings. Notwithstanding that, what she has heard from legislators is that we should continue to think of new and creative ways to do more citizen engagement, particularly on these 3 studies. Today Jim Alexander will talk about each of these 3 study areas, give background and let you ask questions about what the next steps are, the timeline, and the scope of that work. This morning Chair Haigh met with staff to think about what would be some new and different ways to do public engagement to make sure that everyone has a chance to provide continuing feedback to the CMC and to the Council, and we love to get more input. If you have more ideas, we would like to come back with a proposal, probably at the next CMC, to look at a more fleshed out community engagement process over the next 60 to 90 days.

### **Freight Rail Relocation Analysis and Scope**

Mr. Jim Alexander gave an overview. The purpose of this scope is to review existing studies that have been done. Studies have been done since 1999. We will have an independent consultant look at those studies and also look at the work the project office has done, and assess the viability of all those studies and alignments. Potentially, if there is an alignment that hasn't been looked at or an alignment that could be tweaked, we would have the consultant identify what might be viable. The activities will continue in coordination with the cities and county. There is a relocation design in the DEIS and there are a lot of comments that the consultant will be looking at. They will be looking at previous studies, looking at SPO designs that were developed to date, and interviewing the railroads – we always feel it is very important to have the railroads at the table as we are talking about the design because they will have to operate on this alignment. That would involve BNSF, CP, and TC&W, and then identifying any viable options out there. We will have the consultant present results of their analysis to a joint BAC/CAC and the CMC in January. Previous studies have been done going back to 1999 with a St. Louis Park study. Recently there was a United Transportation Union memorandum or a series of letters identifying a potential route that they felt was worth considering.

Mr. Alexander discussed slide 7, DEIS & SPO Freight Rail Relocation Designs which portrays the different alignments that will be examined, starting with DEIS relocation and leading to the Brunswick realignment.

Mr. Alexander discussed slide 8, the TC&W Railroad Network. The main traffic is from Glencoe where TC&W headquarters is coming into the Twin Cities area.

Mr. Alexander discussed slide 9, the United Transportation Union (UTU) Route, which has come about recently. It would taper off the CP Bass Lake Spur. Commissioner Peter McLaughlin asked if it is an active track that goes through Wirth Park. Mr. Alexander responded he and his staff believe it is. One of his staff has reached out to CP. There is a Monticello sub that comes up from the north and winds through just north of Glenwood and north of 55. Council Member Jake Spano asked whether that track would share right of way with or touch the future Bottineau line. Mr. Mark Fuhrmann responded that it does touch that freight rail segment north of Hwy 55 that is impacted by Bottineau. Impacted means where the LRT tracks are looking to locate through the eastern edge of Theodore Wirth Park, they do impact the freight rail tracks and they would have to shift a little bit to the west from their current location. Council Member Spano asked that, if this is something that would be pursued, will it require Municipal Consent from Golden Valley. Jim responded that we would need to have our legal counsel involved in the response to that question, since it would be specific to Freight Rail.

Mr. Alexander discussed slide 10, Appleton/Benton Far Western Connection. He said there are a couple of alignments that had been suggested through the studies of TC&W traffic going out west before coming east into the Twin Cities. For example, starting in Glencoe at TC&W headquarters, today the train comes through on the blue line - keep in mind there are a lot of shippers along this line, and also the Minnesota Prairie line which has a lot of shippers where traffic is coming in and out carrying commodities. So in this scenario the trains would

go westward and hitch up to BNSF track which is out in the Appleton and Benton area and carry forward though on the BNSF track into the cities, likewise to get back out.

Mr. Alexander discussed slide 11, Granite Falls/Willmar Western Connection. There is probably a 150 mile differential between the routes shown. As TC&W and others have commented on the DEIS, there are upward of 49 shippers and approximately 30 municipalities or counties that have expressed concern with the relocation designs, so these entities might have an issue with that. Mr. Alexander said they have talked to TC&W about this and they have indicated it would be a very big problem to them, to be able to manage their business and take their commodities like it is shown here. Mayor R.T. Rybak asked Mr. Alexander if he said that there is a 150 mile difference in going from Glencoe back. Mr. Alexander responded yes, they just did a quick calculation to figure it. Coupled with these there would also be new connections required. Right now BNSF tracks cross TC&W tracks so connections would need to be established to make those transfers. Mayor Rybak said that one of things we should be looking at is not just capacity and use today, but capacity and use ongoing. One of the reasons we're in this mess is because the use of the railroads and their safety configurations have changed. Trains are longer, there is a lot more traffic and there are different safety requirements. We can't determine what safety requirements will be put on, but we can predict where the market is going. We may have a huge problem if we work on the static idea that we will have the traffic we have today, but capacity is increasing dramatically. He is wondering if we will have to be looking at something like that anyway, no matter what alignment we have. The projection for freight, in his understanding, will be increasing dramatically. To what degree are we looking at that and what will our capacities be long term? That helps determine whether a more aggressive stance like this will be needed anyway, or whether it's not worth it. Mr. Alexander replied that is a good point and that as part of the process the consultants will be talking to the railroads and understanding where they think their business is going. A couple years ago these lines were running more trains than they are today. Next year they may be back up in capacity – we don't know. The railroads have always said they are trying to meet the demands of the day, while trying to look at the future. Mayor Rybak said that we should be looking at ways that we can make improvements that don't work against the project cost - all of us are mindful that we need to keep the cost down. With all the mitigation strategies that people put down rightfully, there is a huge amount of money that could be spent. There is a difference between doing a light rail line and accessing other funds, local or federal, that deal with railroads. To the degree that we can take the mitigation and move it off our area that helps us build other transportation here, there are people that are rightfully concerned that this line will gobble up a lot of the expenses in other places. A dollar is not a necessarily a dollar. The ability to have dollars focused on railroad improvements that may be needed long term for additional capacity could be our friend in having not all this coming through our area, but also not taking mitigation dollars against this project. Chair Haigh responded that we can provide some feedback at the next CMC about the role of MnDOT and the state in its freight management plan and the resources it has, which are pretty limited. If we are thinking about new pots of money, she has heard from Commissioner Zelle that there are not a lot of new pots of money in the State of Minnesota for the state portion of this project for any of these alternatives. Mayor Rybak said that the reason he mentioned federal is he wanted to be inclusive with state and federal. His sense is that there is a pot within the federal transportation strategy that is underused for freight improvements.

Mr. Alexander discussed slide 12, Chaska Cut-Off. This is another alignment that had been suggested from the studies. The blue line is where TC&W operates today. We would have to have new track from Cologne over to Chaska and there would be a new bridge over the Minnesota River. Essentially, this line would pick up into the UP line which goes down to Mankato and into St. Paul. One of the conversations we've had with TC&W is they have actually tried to get on the UP line to deliver or pick up commodities at Mankato and UP has not really gotten back to them saying they're booked solid on the alignment and can't entertain more traffic. Mr. Alexander said that he went on a train ride several months ago with TC&W where they have to get permissions to get on (a lot of traffic with BNSF line); we had to wait to get on the UP line for an hour. The train operator reports that they called dispatch and they sometimes don't hear anything for hours before they get on that track.

Mr. Alexander discussed slide 13, Hopkins-St. Louis Park Route. This is where freight track was at one point in Hopkins and St. Louis Park. What is suggested by this route is to reestablish that track which would link up to Wayzata. It is a really built up environment that has its challenges.

Mr. Alexander discussed slide 14, MN&S Southerly Connection via Union Pacific. It is somewhat parallel with the other alignment using the UP line. In this case there would be some southerly connector as we have suggested in our designs, to link up into the CP's MN&S line which TC&W has trackage rights to. As we get onto the UP line with a single track, there is concern about capacity. Another track might be an option, but there is infrastructure to deal with. That's something our consultant will look at.

Mr. Alexander discussed slide 15, Midtown Greenway. This has its own challenges, including the city and Metro Transit working on the idea of a streetcar going through here. This is essentially where the track was before it was moved up through the Kenilworth corridor. There would be new trackage required all the way over to Highway 55 and essentially using this new track to get into St. Paul. Commissioner McLaughlin asked if they are talking about using the existing bridge. Mr. Alexander responded that would have to be examined. There are trains that go over that bridge today but it doesn't get a lot of use. It would be part of that alignment. Commissioner McLaughlin asked how they would get across Hiawatha Ave. Mr. Alexander responded that is something the consultant will take a look at. It has its challenges to figure out where the freight would go because there is highway and LRT. From his perspective it's probably not doable, but they will ask the consultant to take a look at it. Commissioner McLaughlin said there is policy in place for no new river crossings on the Mississippi River.

Council Member Cheryl Youakim asked about the Hopkins-St. Louis Park alignment. When Mr. Alexander said reestablishing tracks, when were the tracks taken out? Mr. Alexander responded that he didn't have a date. It's really built up now – there are apartments on the alignment, there are parks – it's been some time. He said they will research that.

Mr. Alexander discussed deliverables. They are going to take it in a step process. They will ask the consultant to look at all these routes and the 15 alignments that we have developed, and look at whether there are other alignments that we haven't considered that need to be considered. In the new year we will have a draft report to vet with this group, and get input from the BAC and CAC. There will be presentations where the consultants will be talking about their analysis. Next steps are to identify a firm that will do the work and get them underway. We would like to get that completed in late November – we are targeting before Thanksgiving to get them under contract – and get the work done in December so we can be ready in January.

Mr. Bill James asked that, to Mayor Rybak's point about understanding what the railroads are doing today vs. what they will doing 10 or 15 years out, would it be possible to, during the discussions with the railroads, get a listing of the kinds of commodities and bulk products they are carrying today, analyze those against the markets, and see what projections they have for the future markets. Mr. Alexander responded that is part of the process. We already have some of that information based on our discussions with the railroads. We can put it into a matrix format.

Commissioner Callison asked what the estimated cost is for this study and who is paying for it, and would you expect it to be worth it? Mr. Alexander responded that we don't put out the cost until we get it negotiated, so he would like to defer that until we get that. It won't be \$1M, but 6 figures. We would look to use internal funds from Met Council and Metro Transit to take care of it. Commissioner Callison asked about the timeline. Mr. Alexander responded that we don't have a schedule on that but in terms of all 3 studies we are looking to have the work done in the late November-December timeframe and then in January we will get draft reports. Initially we will have technical staff from the counties, cities and depending on which issues, the Park Board. We will start rolling that out in January for CMC. In mid-January we are looking to talk about the draft report and we are targeting the end of January to talk about the final report.

Commissioner McLaughlin asked about burying the freight rail instead of LRT. Would it be cheaper to do a freight tunnel and do a single track? He is conveying that suggestion for the staff to chew on. Mr. Alexander responded that they have chewed on that - a couple things they came across are that the grades need to be 1% or less, so they are further out, and also ventilation and handling the exhaust. There are railroad tunnels out there - one in downtown Seattle that is operational - but they can be a bit of a challenge. Commissioner McLaughlin said he has heard talk about the Midtown Greenway and that all it takes is a little left turn into downtown. He said people need to get a clearer sense of what a left turn into downtown would mean.

Mayor Terry Schneider asked that if doing a study makes sense to get key questions answered, we want to make sure the scope is broad enough that we are thoroughly vetting all the issues. Also, we want to make sure of the credibility of the consultants. At what point do you say the scope is OK and the consultant is OK?

Mayor Rybak responded that the Met Council staff has been extremely instructive with their staff and they feel they have laid the best options on the table. The key question is if we go back and study everything we have looked at and look at a few other things with the same frame with the railroads, he doesn't think much will change. One of the reasons we are in this situation is because the railroads are able to have the veto power over anything. The way we've been approaching this is saying that if the railroads don't get their first choice, we've got to have the railroads say yes. The frame should be different. We should push this as hard as we can, saying we have to have something that works for the railroads, but it doesn't have to be their first choice. What about a third choice in Minneapolis, and the choice is a terrible one for us, but he's willing to advocate if there is no other option. We won't get the consensus we need if the railroads can just say we'll take choice A and not anything else. The larger frame is we have the right options on the table - he would agree with Commissioner McLaughlin that, romantic as it is to be able to have the option of going through the city, which was his first option which they spent a few years looking at, there is no practical way to move the Greenway down into the city. We need to be real with people that that won't work. This group should be looking at how we connect the heart of the city with its jobs for suburban residents and vice versa - we won't be able to do it in this shot, so take that off the table. The key issue is how we are approaching the railroads. We should approach them with any stick we have. They are very limited. We should also approach them with carrots. What do they need going forward? What's not working with the status quo for them? They will have to make some improvements, like any industry that's growing. That could be helpful for us. If we can deal with something that helps them long term, that's the carrot. We should use every stick we have, too.

Mayor Schneider agreed that would be a great goal and it should be a part of the process - he's not sure how much the project staff should be part of that vs. some other entity like MnDOT. His question is how we will be able to prove the consultant is viable. Chair Haigh responded that Minneapolis Public Works has been involved in every meeting about this. Mr. Alexander responded that as part of the discussion, we concentrate with staff from all the agencies involved on the scope, and also with respect to the consultants that may be viable to work on it. They have talked about that and have signed confidentiality agreements so we are keeping that in house - in houses, because there is more than one agency. We have vetted it well and have ideas on where to head. In response to Mayor Schneider's second question, we have a clause in the Scope of Work that talks about miscellaneous services, so if there is something else we need the consultant to do we have that in mind.

Commissioner McLaughlin said that it will be critical for the cities to weigh in on whether the Scope of Work is adequate prior to the Council taking action, understanding that there is the variable of other work that arises. This will be a futile exercise if the cities have not signed off on this Scope of Work as being adequate to the task and sufficient to help inform a decision in the way they want it informed. The fiscal implications of these options need to be clearly included in the analysis. Mr. Alexander responded that they have worked with the cities on the scope and we are all in alignment on what needs to be done. The cost will be part of the work as well. Commissioner McLaughlin responded that elected officials need to be on the record.

Council Member Spano asked that in terms of the scope of the study, looking at the Engineering Evaluation of Freight Rail Relocation Alternatives, Rev. 4, there are a number of discussion points that are critical. One is that there are a lot of routes identified through St. Louis Park - will Met Council staff also be looking at routes that we identified in the co-location alternative, so that when we come back we are evaluating all of the options on a level playing field by the same criteria? Secondly, the paragraph under that specifically calls out what the criteria will be. On the first page there is mention of safety and operational considerations - he would like to see safety included specifically in this evaluation criteria because it's perhaps the most important thing about running any of these lines. He would like to advocate including those 2 items in the evaluation. Mr. Alexander responded that, in terms of safety, it was intended for the consultant to look at the technical and safety operation. Mr. Spano said it should be clear that the evaluation will include safety. Mr. Alexander said that as to the scope, we are looking at freight rail relocation analysis. We have identified all the alignments for relocation - he didn't envision this would be looking at co-location as part of the scope. Chair Haigh responded that the work that has been done to date on co-location is the work by which we would be evaluating these alternatives vs. what we've already done, so that doesn't go away. Council Member Spano asked what the role is of this body - are we ultimately going to vote? He wants to understand what his responsibilities are as a CMC member in this process. Chair Haigh responded that she anticipates we will take public testimony on these alternatives, and also have the CMC make a recommendation to the Council, just like they did on the Project Scope and Budget to date.

Council Member Youakim asked what the public input will be and when public engagement will be. Mr. Alexander responded that he will talk about that in the remainder of the presentation.

Chair Haigh asked if there are other questions on the scope of the freight rail relocation and the document that Council Member Spano was referring to, that is actually the draft Scope of Work. Mayor James Hovland said that he understands that when he looks at the Scope of Work, he understands what they are asking the consultant to do is study all the studies that have been done before and make recommendation regarding those prior studies, as opposed to potentially looking at new reroute options. Chair Haigh responded no - the study will look at all of the studies that have been done, but also look at specific freight relocation alternatives that Mr. Alexander has gone through.

Mayor Rybak said that he wasn't clear about how we approach the railroads. If we are not including elements that would be acceptable to the railroads but not preferred, then we are just going back over the same tracks. Chair Haigh responded that it would be a 2 step process. The first step is that, as we are looking at the additional rail relocation alternatives - of course the project staff and the combined technical staff of your group will be working with the railroads in that process because there is no other way to do that - she doesn't believe it would be appropriate at this time for our staff to be negotiating anything with a railroad company about a preferred alternative. That would come much later, if in fact there is a new relocation alternative that this advisory committee and then ultimately the Council will say is something we should pursue. Then we would talk about what that strategy would be and who should be involved. This right now is getting the lay of the land on the table, look at the alternatives, gather information from the freight companies, and then if we identify a relocation alternative that would change the recommendation of this group to the Council, that would probably be the right time to begin that conversation. All along, the project staff has been working with MnDOT because they are responsible for freight rail planning. She is sure they will be involved in this work in some way. She doesn't want Mayor Rybak to think that isn't happening but wants to be sure we aren't putting the cart before the horse. Mayor Rybak said community engagement is critically important and that there should be a pass through before we get people too riled up about things that may not happen. We should learn from the experience of preferring St. Louis Park, which never could-should happen. Let's not put things on the table things that aren't really going to happen. If, in fact, there are tracks that have been out for 30 years and putting them back is not something we are seriously going to pursue, let's not go out for a whole community engagement piece.

## **Water Resources Evaluation Scope**

Mr. Alexander said the intent is to conduct an independent assessment of water resources impacts with the Kenilworth Shallow LRT Tunnels. The watershed district had taken a look at some work we did earlier this fall and late summer. The consultants will do a fresh analysis on the work we've done to date and also look at the watershed district's analysis of our analysis. This will involve coordination with the city of Minneapolis, the county, park board, and watershed district technical staff. We will review previous reports and documents. We have a draft Basis of Design we have been developing. We got input from the city, watershed district and park board and updated that a couple months ago. We also have developed a draft Water Monitoring Plan – we still need to vet it with our technical staff, stakeholders and to this group subsequently. This document outlines what we're going to do in terms of monitoring water. It starts today – we have 12 or 13 piezometers which are used to measure groundwater that are spaced 500 feet along the alignment. We are getting a good baseline to understand where the groundwater is. We're comparing that with the lake level in the channel to see what differential there is, if any. We'll do that through construction as well, and when we're done with construction we'll have a monitoring plan during operation. This document lays out what that process will be and we've asked the consultant to take a look at it and comment. Lastly, there is some work done by the watershed district and their consultant, Wenck and Associates. As they look at the draft Basis of Design our consultant will be commenting on the watershed district's work. Subsequent to this, we will get this report in January. The consultant will talk about the report at a joint BAC/CAC meeting and a CMC meeting. Commissioner McLaughlin asked if anybody knows the status of the park board's study and what the scope of that is. Mr. Alexander responded that we know from staff that they have hired a consultant but that we do not have knowledge of what the scope is. Commissioner McLaughlin said that if they have standing in the environmental review process we should be sure we're coordinating the scope of that study with what we do. Mr. Alexander said the park board has been involved in this process, as well as the watershed, the city and county. They have all looked at the scope and we have received input from those bodies to get where we are today. We can certainly have more conversations with the park board as we move forward on what activities they are doing. If they share that information we will incorporate that into the process.

Mr. Alexander discussed slide 19, Area of Study, showing the shallow tunnels area. There are 2 tunnel segments – there is a 2200 foot long segment on the area south of the channel between Cedar Lake and Lake of the Isles and a 2500 foot long shallow tunnel north of there. Mayor Rybak wanted to clarify that we are looking at the chain of lakes, not just that area. To illustrate, at the bottom area of the map near Lake Calhoun there is a condo that's basement area has created a huge water issue that impacts all of the chain of lakes. He's not trying to make it more complicated but wants us to recognize that all of that area is connected to all of that area. Mr. Alexander responded that he is very familiar with the area and he knows about the apartment. That was a process of design that is much different from what we are doing. We have had our consultant looking at lake levels all throughout the area. It's obvious that since we're connected, all the lakes are essentially the same elevation and we are considering that area as a whole process.

Mr. Alexander said that in terms of deliverables, it is a similar format to the freight piece. We will be looking to the consultant to provide a draft and final report. The next steps are to seek proposals from water resources firms. We have talked with the technical group about prospective consultants for this work and plan to have this consultant on board before Thanksgiving so they can get that work underway through the month of December, so in January we will be a position where we can talk to technical staff and then to advisory committees through the month of January.

Commissioner McLaughlin said he has been informed that 2 days from now will be the 100<sup>th</sup> anniversary of the official opening of Cedar Isles Kenilworth canal – November 8, 1913.

## **Kenilworth Corridor Landscaping/Greenscaping Analysis**

Mr. Alexander said that they are proposing and have talked with technical staff, since we haven't made a decision on the shallow LRT tunnel and we want to get more information to help inform that decision. Part of

that will be to do a full-fledged inventory of trees throughout that corridor, and also to identify areas of opportunity where trees could go, restoring shrubbery and bushes, and where grasses could be grown. We need to be cognizant of what else needs to be out there. We have freight tracks, trail and LRT tracks there so we need to understand where these things could go. When we get a decision on a shallow LRT tunnel and move forward on that we would embark on a public process where we would get input on what it's going to look like. We don't want to do that until a decision is made about what we are going to do with freight and whether we are going to have shallow tunnels. We want to get through that process and then have further public engagement. It might involve some type of public charrette or some other processes. In terms of the activities it would involve more coordination with the freight and water piece and a review of previous studies. There has been some work done in the past – for example, the park board has done a charrette through that area to understand what the area might look like, and also to understand from a historical perspective what that corridor has been in the past and what it might be in the future. Commissioner Gail Dorfman said this kind of analysis for the Kenilworth is very important and she assumes it is being done all along the corridor. Is that part of the SDEIS or FEIS or at what point do we say it's important along the whole corridor? Mr. Alexander responded that they have already embarked on work elsewhere along the alignment. For example, in Minnetonka at Opus Hill just south of Smetana Road where there is wooded area, we are already underway looking at an inventory of what the impact would be. Chair Haigh responded that, to follow up on Commissioner Dorfman's questions, we actually are doing more on landscaping and greenscaping in this area sooner in the engineering and design process than we probably would normally, to aid in getting the support from the cities in the Municipal Consent process – she asked Mr. Alexander if this is correct. He responded that as we look to the Kenilworth Corridor and if we are going to go forward with the shallow tunnels and we get that decision point in January or thereabouts, we would embark on the charrette process. Under a normal project timeline we probably wouldn't have started that at such an early stage.

Mr. Alexander discussed Next Steps. We are looking to complete that inventory, which would be done with SPO consultants Kimley-Horn, on a similar timeline. We hope to do this work in December and in January talk about results. We are talking about the station area around West Lake to the south all the way up to Penn and looking at that corridor to understand what is out there and what could be impacted by the shallow LRT tunnel and freight in that corridor. Chair Haigh asked if there were further questions about the Landscaping/Greenscaping Analysis and there were none.

Mr. Alexander discussed Stakeholder Involvement. He extended his appreciation to all the agencies lending their staffs to go through the 3 scopes, which required a lot of their time. We will be at the CAC tomorrow night (Nov. 7) to talk about the scopes as well and get input from them. Moving into mid-January, with the intent of getting the freight and water pieces on board before Thanksgiving, we would look to get draft reports out. We would potentially start at the technical staff level and then move to advisory committees and to this committee, and then get public input at this input at this committee in January, and also at Met Council. We will have to get those vetted through the various bodies and then get the draft reports out to the public so they can review them in enough time to come to the CMC or Met Council to vet their concerns or issues. Moving into late January, it's our goal to finalize those reports. We will be presenting those again to the technical staff and moving onto the CMC and Met Council, with the intent that the Met Council will weigh in on authorizing the distribution of the Municipal Consent plans.

Mayor Hovland acknowledged that the public participation piece is very important. The opportunity to comment and provide public testimony is one thing but giving adequate notice of that opportunity so you cast a wide and effective net on that opportunity is critically important. We don't want to minimize that opportunity for public input. We should hear from you on what that strategy is for public input soon so that there is plenty of lead time for those opportunities. I think at least 6 weeks lead time would be good to have an effective campaign.

Chair Haigh responded that we want to make sure we have the opportunity at the next CMC meeting to cover in more detail the stakeholder engagement process because there are some things we have identified are good but there might be other things we can do too. She knows legislators have been very interested in this project - perhaps they would like to host some forums of their own within their districts. We've had all sorts of fun ideas we've been talking about in getting people engaged and informed about this process as early as we can. We have talked about getting a bus and having a traveling road show to take from neighborhood to neighborhood or community so that we can get that information out. But I agree with you, we'd like to get your input on that so if you have other ideas please let us know.

Mr. Alexander responded that is why we put some flexibility in the schedule. We don't necessarily have anything defined until we get the consultant on board and want some flexibility to schedule real time activities. In terms of distribution of information these are some of things we are doing with other parts of the project: the presentations to CMC, BAC and CAC, and others we have spoken of, and post reports, either draft or final on our website for access. We will continue with our community/neighborhood discussions – that's still an ongoing process. We have our newsletter and press releases as things come about, and also Twitter.

Council Member Youakim asked, going back to the public input process, she is sure some of the cities may not be as creatively engaged with the public on the scope of plans. Can you go back to re-routes to clarify? When looking at all these other options in the scope do the railroads have operating authority over the land that we are looking at? It is her understanding, at least in Hopkins where the current proposal is, that the city actually owns the land.

Mr. Alexander responded that it depends on a lot of factors. We have to do a property search. Where there is track today, he would say no – for practical purposes the railroad does own that and the county owns the track through the Kenilworth corridor starting at essentially the Minneapolis line. Where there is no track it is likely that the railroad has turned that over but not necessarily so that is something that would have to be looked at.

Mr. Alexander continued with the timeline graphic showing how we will progress through the additional 3 studies. The freight and water studies will be out to everyone in January along with the landscaping piece. We are proposing that the public charrette process or whatever process we agree to do take place after that January time frame.

Next Mr. Alexander reviewed the Key Milestones. In Q1 2014, after the Council authorizes Municipal Consent, there is a 75 day maximum process. Following the consent authorization there is a 30 day period from the release to the time where Hennepin County and Met Council hold a joint hearing. Once that is held there is another 45 day period for the communities and the county to weigh in on the consent plans. Then we go into the publication of SDEIS in the 2<sup>nd</sup> quarter of 2014 followed by the FEIS in the 1<sup>st</sup> quarter of 2015. We would look for the Record of Decision subsequent to that. Engineering is in full order in the 2015 timeframe. Under the schedule we have now is to get the Full Funding Grant Agreement in Q4 2015, which signs the deal that the FTA is on board with the scope and budget. Construction activities follow with revenue operation in late 2018.

Commissioner Callison stated that the timeline for completing the 3 additional studies is very ambitious and Mayor Schneider already made the point of how important it is to get the buy-in from the communities in terms of the consultant and the scope and the time. Is this enough time to adequately look at this wide ranging number of alternatives? Also, she seconds Commissioner McLaughlin's thought that we really need to know that the elected officials buy into this. Is there a place in these Key Milestones where we will be going back and asking for affirmation from the various city councils that this is the right way to proceed from a substantive results standpoint?

Chair Haigh asked for discussion from the committee. Mayor Schneider responded he thinks the right time will be once we have the full consultant report which includes the scope and timeframe, and then have affirmation

from the cities. It's important for St. Louis Park and Minneapolis, but others have a stake in it too. He doesn't see a problem with setting up a special study session at their next council meeting. A letter from the mayor saying, this is what we understand the scope to be, and we can move forward.

Mayor Rybak responded that that makes sense. Rather than pursue all of these options we are asking them to look at a few of them – some of them will drop off the table very quickly. Before we go back and get everyone engaged we should go back and see what is worth studying. It will be a real challenge in the next month – we have a lot of big projects going on in the council. The council supports the idea of looking at other options and wants us to come back with the best options for Minneapolis and best options elsewhere for the freight, and we should narrow it down before we bring it to them.

Chair Haigh responded that, to clarify, what Mayor Schneider suggested is not to get agreement on any of those alternatives, but agreement on the scope of the relocation. Perhaps a letter from Mayor Rybak that he supports the scope, not presupposing any of the alternatives would be recommended by Minneapolis or the CMC or anyone. Mayor Rybak responded that the City of Minneapolis supports the scope of this study. They have had engagement from their council members and others. He will re-vet with them over the next day and if there is anything that varies from that we will know within 24 hours.

Council Member Spano said that it's the scope and criteria that are important. We need to clearly establish what the criteria is by which we are judging these alternatives so we can all buy into what comes out of it.

Mayor Tyra-Lukens said she understands that Minneapolis and St. Louis Park are comfortable with the scope of the project but she would like to know they are comfortable with the decision about the consultant. The timeline keeps getting pushed out and that concerns her. If there is not agreement about who the consultant is and the report comes back and they don't like it, we don't want to hear negatives about the consultant. Mr. Alexander responded that in terms of the scope and consultant, we have already had those discussions regarding finalizing who that consultant will be. With the technical staff, various agencies and the pool it has been accepted who is available and might be able to do this work. As we look to finalize who it's actually going to be, we will share that with technical staff to make sure there is comfort that we are heading down the right path. Mayor Tyra-Lukens responded that she understands that, but it is really at a political level that we need to deal with this. Staff might be comfortable with it, Minneapolis staff might be comfortable with it, but if the council members aren't, that's going to be a problem. Is there a way to send that through the process at the 2 cities? Chair Haigh responded that she heard the mayor say that within 24 hours he would let us know that he is comfortable with the scope and direction we are heading with the consultants that we have been negotiating with. She leaves the cities to figure out the processes within their own cities. Mayor Rybak said he is comfortable with scope - they have talked about it internally and don't want to re-vet it. There is confidentiality about the consultant – he doesn't know who the consultant is. It is important whether we are going to look at the same criteria as before or whether we are going to push the railroads – that is the number 1 question. What he will do on behalf of his city is dig into that issue a lot more and walk it back through his council and say "I'm comfortable, hope you will be" or "I'm not comfortable, let's talk about that". He doesn't know who the consultant is – he thinks he has a pretty good answer about whether we are going to push the railroads further or not, but he's not certain.

Commissioner Callison responded that this study itself will probably not push the railroads. The study will give us information about how alternatives may work in various places. She expects this study to look at these options and say here are the pluses and minuses of these options. There are some basic things that a railroad needs. She doesn't want to create a false hope that this study will be a way to push the railroads. It will be what we need to have a conversation with the railroads.

Mayor Rybak responded that he gets that - one of things he is looking for is, let's say there is an option out there where we were able to access X amount of federal funds to do an improvement for the railroad that would be

real good, that they would actually like it, and it would somehow solve this problem of co-location that we committed that we wouldn't do, that would be great. If he was doing that report, he would think should he put that on the table, or not, because it may go outside of the criteria because it requires federal money. He is pushing that the report would include options like that. He would assume the railroads would say that's not their first choice - he would hope then we would say it's not your first choice, but here is a way to solve it.

Commission Callison said that what would be helpful during this period where engineering work is being done, is for somebody to take a look at the landscape of funding – you suggested there is some federal funding – and identify what are the resources that might be brought to the table to make some of these alternatives more palatable than they might be without those resources. We could identify some people who could be working on that in the next 3 months.

Mr. Bill James said from emails he has received on this process there is one common theme that comes forth – it's very important that we get not only the buy-in of the cities but the buy-in of the chairs of the House and Senate Transportation Committee, as well as the governor's office, that they are completely on board with this process. He doesn't want to wind up after all this work and it's just not working for somebody at the state legislative level. He wants to make sure that Representative Orenstein and Senator Dibble and the governor are clearly fully engaged and fully in line with the viewpoints of where we are moving forward at this table. Chair Haigh responded that they had a meeting yesterday with a couple of elected officials, several legislators and the governor to vet this process. There is still more work may need to do. What is essential is that the mayor of Minneapolis and the mayor of St. Louis Park work with their local elected officials. If the mayor of Minneapolis says this process makes sense, he can buy into this, she is expecting those legislators will say it makes sense to them, and similarly in St. Louis Park. It's not just important for the local governments, but also for our leadership at the state, both the governor's office and the legislators, to feel that this process has been fair, open and good and something that will get good results.

Mayor Schneider said, regarding other options for freight rail funding, MnDOT has a key role in that. He assumes they have some kind of a master plan to work with railroads. Having them more fully engaged and having feedback from them will add viability and credibility. His second point is - they had a meeting with the governor, the mayors, and Orenstein and Dibble were there - can the rest of the work we need for an educated municipal consent process continue on, or does it need to hold because we're using so many resources to address these issues? The answer they received was no, we should be able to proceed as much as possible with the things your communities are waiting for, not to have everything halt until these 3 big issues – or 1 big issue – are done. They concurred with that, including Orenstein and Dibble. His question is, whether the work done during this same time frame will actually happen.

Mr. Alexander responded that the challenge is we are looking to embark on the municipal consent process for the whole project. We are trying to navigate the issue of the Kenilworth Corridor while trying to keep everything else moving. We are still looking to coordinate with everybody and be sure we get those issues vetted and resolved. We have municipal consent plans that were getting finalized in October and we are looking to release those. We still need to get to that stage to get those out before we evolve design too far. Chair Haigh said, to be clear, the actual final project budget and scope cannot be released to the local government for your municipal consent process until we have one. We have taken a pause during this 60-90 day process so we can do that.

Commissioner Dorfman said she supported what Mayor Schneider said in terms of using this time to work with the railroads. It would be helpful for MnDOT, if they are the right ones, to sit down with the railroads during this time to get a commitment about what the railroads will need so we are not surprised later. Chair Haigh responded that we won't solve the railroad issue today, but we have received your advice. You would like to know more about what could happen during this interim. We will consult with MnDOT for sure. The challenge we have with the number of alternatives is that it's not one railroad, it's 3 railroads. With the many alternatives

on the table, it won't be a productive discussion and we will have to wait until we come up with an alternative, and then we can begin process.

Mayor Hovland complimented the Met Council and the project office for responding to what the Minneapolis Mayor was concerned about at our last meeting and working so quickly on these 2 key issues to try to give them direction, and he thanked the Council for responding to the governor's request to get strong public participation. He thanked Mayor Rybak for his comments today.

Will Roach gave a brief update from the BAC. The BAC passed this committee's success criteria for near term impact and long term results about a month and ½ ago. Centered on that is how does that tie into the specific opportunities within stations, and how do we continue to support an integrated transit opportunity for the greater Twin Cities. Second, Craig Lamothe, Kathryn Hansen and Allison Bell did a fantastic job giving us an overview of Transit Oriented Development. We have several state representatives on the committee. There is a lot of interest in hearing more about it. Next, we may talk about Tier 1, Tier 2 and Tier 3 opportunities as it relates to that. Last, in the past couple weeks we spent a lot of time talking about the CMC recommendations, specifically around Eden Prairie and the sensitivities around the shallow tunnel. There is interest from several committee members to work on the shallow tunnel. That will provide better insights in how the municipal consent process plays out. Chair Haigh thanked Will and the members of BAC for all their time, as well as the members of the CAC.

The meeting adjourned at 11:43am.

Respectfully submitted,  
Deborah Loring, Recording Secretary