

Metropolitan Council

St. Louis Park City Hall, 5005 Minnetonka Blvd., St. Louis Park, MN 55416

Meeting of the Southwest Corridor Management Committee

September 2, 2015

Members Present	Chair Adam Duininck Jan Callison Steve Elkins Jason Gadd Brian Lamb	Matt Look Scott McBride Peter McLaughlin Jennifer Munt Will Roach	Terry Schneider Jake Spano Nancy Tyra-Lukens Marion Green (Alt) Peter Wagenius (Alt)
Members Absent	Keith Bogut Dan Duffy	Linda Higgins Betsy Hodges	James Hovland Jeff Jacobs

1. CALL TO ORDER

Chair Adam Duininck called the September 2, 2015 meeting of the Southwest Corridor Management Committee to order at 10:05 a.m. at the St. Louis Park City Hall.

2. APPROVAL OF MINUTES

Chair Duininck presented the July 1, 2015 SWLRT Corridor Management Committee meeting minutes for approval. Commissioner Peter McLaughlin made a motion to accept the minutes, Council Member Jennifer Munt seconded it, and the motion was then unanimously approved.

3. SDEIS COMMENT SUMMARY

Ms. Nani Jacobson, Assistant Director for Environmental and Agreements, provided an update on the Supplemental Draft Environmental Impact Statement (SDEIS) comments. The supplemental was needed due to design adjustments located in portions of Eden Prairie; the location of the proposed OMF site in Hopkins; and portions of St. Louis Park and Minneapolis. These areas were shown on a map.

The public comment period began on May 22 and was extended from 45 to 60 calendar days, and concluded on July 21, 2015. There were approximately 205 comments received. In comparison, on the Draft EIS that was published in October, 2012, there were over 900 comments received. The breakdown of the 205 comments was given. The top five themes of the comments included noise and vibration; safety and security; NEPA process; general opposition to freight rail co-location; and visual and aesthetics. These comments are all available on the project's website.

The next steps are to respond to the substantive comments in the final EIS, which is being prepared to publish. We are also looking at mitigation and identifying avoidance and minimization measures. Following publishing of the FEIS, FTA will then issue the Record of Decision (ROD). This is when FTA commits to mitigation measures. Ms. Jacobson stated that we are looking to publish the FEIS and receive the ROD from the FTA in Q2 of 2016.

4. PROJECT UPDATE

New Starts Application Submittal

Mr. Craig Lamothe, SWLRT Project Director, reported that the Council took action on July 8, affirming the recommendation that came from the CMC and was supported by both the BAC and CAC. This resulted in a project that is now 14.5 miles long, 15 stations with one station being deferred, and maintaining 34,000 average weekday rides projected in 2040.

The deferred station, Town Center, and associated access road, which were removed from the project scope, are anticipated to be in place by 2040. We currently plan to construct the underground infrastructure of the station with the base project. The revised project scope reduced the cost by \$250M and retains 15 of the 17 stations; keeps 94% of the ridership; 90% of the corridor length; 96% of the jobs in the corridor and connects LRT to the existing SW Station transit hub.

Commissioner McLaughlin asked the incremental cost of having the full station put in. Mr. Lamothe stated it is estimated at approximately \$5.5M. This cost includes the right of way and access roadway. The cost does not include escalation or the north and south roadway or station plaza that were being considered for LRCIs by the City of Eden Prairie.

Mr. Lamothe reviewed the funding commitments to date. Of the total \$887M of local funding there is \$18.5M remaining to be identified. We are currently working on the plan for this to be identified.

Commissioner McLaughlin asked when the appraisals are scheduled to be completed for the in kind land contributions. Mr. Lamothe responded that the appraisals need to be done within six months of the Record of Decision (ROD) in order to be recognized by FTA. We are currently performing a higher level of due diligence of the land transfers and will then refresh the appraisals next year as the ROD is closer. Chair Duininck asked when the dollar amount needs to be determined for this. Mr. Lamothe said it will be done by the end of 2015. We anticipate moving from Project Development phase to engineering next summer.

Councilmember Spano asked what the contingency plan is if the funding doesn't come through in the next legislative session. Chair Duininck responded that the plan is to have the dollars secured. It is our hope that the last dollars get in so we can get the full funding grant agreement. We don't want to wait for another legislative session and lose our position in the federal queue. Mr. Will Roach mentioned that the BAC has discussed how they can be proactive and begin to reach out to the state legislators and decision makers involved.

Mr. Lamothe reported that the New Starts submittal was made to FTA on August 3. This submittal was to update FTA formally on our revised project scope and cost estimate. There are currently 14 New Starts projects in the federal pipeline that are in either project development or engineering phase. We anticipate the new ratings to be made public in February. Last Fall our submittal resulted in our first rating under MAP 21, which was an overall summary rating of medium-high. We are confident that with our August 3 submittal we will maintain this rating. This submittal took a large effort from project staff, greater Council staff and project partner staff. The submittal was accelerated and there was only four weeks to compile the entire submittal. Mr. Lamothe thanked all those that helped with this effort. FTA is currently reviewing our submittal.

Mr. Lamothe stated that we may move up on the rating for Land Use and Economic Development sections, where great progress has been made. Our rating was bolstered in this area primarily because of what the communities are actively doing in preparing along this alignment. Both Eden Prairie and Minneapolis have new policy directions that may support a higher rating. There is an Executive Summary from the land use section that is available. The land use is quantitative in nature, so it was shown what we believe FTA will rate the subcriteria in the land use categories.

Commissioner McLaughlin asked if the affordable housing in the area is legally restricted as opposed to naturally occurring. Does it help us to include the natural occurring affordable housing? Mr. Lamothe stated that we get measured by what is legally restricted, but we do speak highly of and provide measures of the affordable housing in the submittal. Commissioner McLaughlin asked if the population density is a function of current density or those densities in the municipal plan. Mr. Lamothe said both

are looked at by FTA. The one shown represents 2040. Mr. Lamothe noted that the 2014 submittal included the downtown Minneapolis Stations, but were not included in recent submittal per direction from FTA. Commissioner McLaughlin asked if there are any city plans that might be adopted before final submittal that could get us a higher rating. Mr. Lamothe said it will be based on the regional forecast at the time of the next submittal.

Council member Spano mentioned that St. Louis Park did in the last couple months pass a housing ordinance that required a certain percentage of affordable housing in all the new developments. St. Louis Park does have a high percentage of affordable housing relative to other communities in the west metro. This is placed in ordinance and a part of future planning. Mr. Lamothe stated the transit supportive plans and policies portion is also under review. We recently received a medium-high in this rating. Because of the additional policies that are being implemented by cities such as St. Louis Park, this area may increase.

Municipal Consent Schedule

Mr. Lamothe reported on the municipal consent process. The joint Met Council/Hennepin County public hearing was held on Aug. 27. The other cities along the alignment are all in the process of holding their public hearings and actions. This process is scheduled to be completed by September 25, 2015, based on anticipated city council meetings.

Net Steps: Six Month Look Ahead

Mr. Lamothe reviewed the major milestones that are scheduled for the next several months. Besides the completion of the municipal consent process, the other milestones include: development of the Section 106 memorandum of agreement; completion of the 60% and then 90% design; submittal of the Clean Water Act Section 404 permit; submittal of state/local environmental permit applications; and publishing the Final Environmental Impact Statement and Record of Decision. This will then move us from the project development phase into the engineering phase of the project. This is when FTA locks in the budget and their 50% share.

Commissioner Jan Callison asked for an update on the lawsuits. Mr. Mark Fuhrmann responded on the two active lawsuits. The Lakes and Park Alliance lawsuit did have a ruling in early August, which was to not grant the request from the plaintiff finding the project and Met Council in violation of NEPA or the municipal consent process. However, the judge did keep the case open until the NEPA process is complete. The second active lawsuit is the one filed by Opus Woods, which has oral arguments scheduled in early October.

The Chair asked whether an adjustment to the contingency will occur before the submission for the FFGA. Mr. Lamothe stated that in the first quarter of 2016, we will be going through a risk assessment process. This is when FTA will establish what contingency will be assigned to move into the engineering phase and when they lock in the budget. The current cost estimate includes approximately 27% contingency.

Mr. Fuhrmann stated the proposed project would be the largest public works project in the state of Minnesota, and will take a lot of construction forces. The two other large public works projects, the US Bank Stadium and St. Croix River Crossing are both scheduled to complete at the end of 2016, which is good timing for SWLRT. SWLRT construction would include civil; operations and maintenance facility; bridges and retaining walls; systems; track and utilities. Mr. Fuhrmann reviewed and showed examples of each of these types of work.

Mr. Fuhrmann stated that the SWLRT is in the process of scheduling a construction outreach event for October 21. The purpose of this is to promote the proposed project to the industry of primes and

subcontractors for them to begin focusing on the bidding in 2016. This is being coordinated with the Office of Equal Opportunity at Met Council. Any project that receives State funding includes a goal to achieve at least 32% minority workforce participation and 6% female workforce participation. For the federal guidelines, the Met Council will be setting Disadvantaged Business Enterprise (DBE) goals for construction contracts. These goals are then put in the contract specifications. Commissioner McLaughlin asked what the specific plan is to reach out to the minority contractors and suppliers so we can meet the goals. Mr. Fuhrmann said we partner with Met Council's Office of Equal Opportunity for this, and suggested we invite Wanda Kirkpatrick, the Director of OEO office to present at a future CMC meeting.

Ms. Robin Caufman, Assistant Director for Administration, Communication and Outreach, reported on outreach activities anticipated during construction. Ms. Caufman gave an overview of outreach activities on the Central Corridor project, which included a 24-hour construction hotline; public meetings, including neighborhood and Chamber meetings; construction tours; media; website and a weekly construction update, which helped inform on road closures, detours and bus detours, along with highlighting the upcoming work activities. Staff will start talking with the advisory committees shortly to get their feedback and ideas.

Council member Spano mentioned that there will be a large concern from the business and residential community with construction. We need very early conversations with them before construction, which will help the process. Council Member Gadd asked if there are plans for strategic meetings with the Chambers. This should also be done early to streamline the communication. Ms. Caufman stated that SPO staff will be meeting with city staff to get an understanding of some past projects and what some of the issues have been. Staff will also be meeting with the Chambers. Mayor Schneider asked if we could somehow graphically integrate the construction phasing in with the video of the alignment. Perhaps with segments of the alignment and showing what it might look like with stages of the construction.

Ms. Caufman thanked members for these ideas and mentioned SPO is in the process of updating the flyover video, which will be available soon. For CCLRT, the project office developed a presentation showing the different phases of construction, which can also be done for SWLRT.

5. ADJOURNMENT

Chair Duininck mentioned that the October CMC meeting may be canceled. The next meeting will be November 4, at the St. Louis Park City Hall.

Meeting adjourned at 11:05 a.m.

Respectfully Submitted,

Dawn Hoffner, Recording Secretary