

GOLD LINE JOINT POWERS BOARD

MINUTES

Wednesday, April 28, 2021

CALL TO ORDER

Chair McDonough called to order the Gold Line Joint Powers Board (JPB) meeting at 11:00 a.m. Due to the COVID-19 Pandemic, board members and staff conducted the meeting virtually via WebEx. Members of the public were given the opportunity to attend in-person at the Public Works North Shop in Conference Room 1201, or by sharing their comments or concerns prior to the meeting by calling (651) 430-4300 or sending an email to PublicWorks@co.washington.mn.us.

ROLL CALL

Members Present: Chair – Jim McDonough, Ramsey County Commissioner
Vice-Chair – Lisa Weik, Washington County Commissioner
Rafael Ortega, Ramsey County Commissioner
Stan Karwoski, Washington County Commissioner

Members Absent: None

Staff Present: Andrew Gitzlaff, Brian Isaacson, Erica Ellefson, Erik Jalowitz, Jennifer Oehler,
Jennifer Wagenius, Kevin Magnuson, Kris Longhenry, Lyssa Leitner, Mike Rogers,
Sara Allen, Stephanie Tiemann, Tabatha Hansen

Others Present: Brian McClung, Charles Carlson, Christina Palladino, Edward Sanderson,
Elizabeth Jones, Janelle Schmitz, Josh Haider, Josh Straka, Mary Richardson,
Shannan Watson

ACTION ITEMS FOR APPROVAL

Approval of Agenda

*Motion by Lisa Weik, seconded by Stan Karwoski, to approve the agenda. Roll call vote; all in favor.
Motion carried.*

Approval of Minutes from Previous Meeting

*Motion by Raphael Ortega, seconded by Stan Karwoski, to approve the minutes from the March 24, 2021
meeting. Roll call vote; all in favor. Motion carried.*

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Approval of Resolution 2021-04 Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition and Relocation

Sara Allen stated that included in the packet with the resolution is a formal request from the Gold Line Project Office for right-of-way and relocation access for the months of May and June, in the amount of \$5,918,900. Chair McDonough reminded the board that these approvals allow the project office to respond to agreements and act quickly.

Motion by Lisa Weik, seconded by Stan Karwoski, to approve Resolution 2021-04; Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition and Relocation. Roll call vote; all in favor. Motion carried.

Approval of Resolution 2021-05 Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Advanced Utility Relocation (AUR)

Ed Sanderson, with the Gold Line Project Office, presented on the AUR Pre-Award Approval. As a reminder from the previous meeting, included in the use of pre-award authority is funds allowed for performing utility relocations, which are needed primarily to minimize utility conflicts, and conflicts between contractors, as well as manage critical infrastructure systems. The project office is coordinating with Minnesota IT Services (MNIT) and AT&T to relocate a duct bank and impacted Regional Transportation Management Center (RTMC) infrastructure in the I-94 corridor where it conflicts with the Gold Line. JPB authorization is needed to do any additional work. Approval in April 2021 allows the project the flexibility to purchase material to allow work to commence in 2021 and reduces potential schedule risks to the main civil package. In regards to the schedule, the JPB is currently in Pre-Award action, hoping to hear from the Federal Highway Administration (FHWA) by mid-May on environmental approval, engaging with Minnesota Department of Transportation (MnDOT) on agreements to procure long-lead materials, the construction Requests for Proposal (RFP) advertisement for the RTMC work, all leading to construction beginning in early September. If approved, agreement and bid activities would continue on schedule, construction of early utility work would occur in the summer of 2021, and disbursements/expenses would be reflected in the 2021 JPB Budget.

Motion by Stan Karwoski, seconded by Raphael Ortega, to approve Resolution 2021-05; Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Advanced Utility Relocation. Roll call vote; all in favor. Motion carried.

Approval of Resolution 2021-06 Approval of Gold Line BRT Cost, Budget, Scope and Schedule at 60% Design

Lyssa Leitner, with the Gold Line Project Office, briefly discussed the Gold Line BRT Cost, Budget, Scope, and Schedule at 60% Design that was presented at the Executive Change Control Board (ECCB) meeting prior to the JPB meeting today. This part of the project was submitted to the Federal Transit Administration (FTA) in December 2020 as part of the application to enter Engineering. FTA granted entry to Engineering on April 13, 2021. The Project Development phase has been completed, and is continuing towards 100% design. Changes from 30% design to 60% include increased costs related to

construction, ROW, land, existing improvements, professional services, unallocated contingency, and decreased electric vehicle contingency moving from allocated to unallocated, bringing the totals from roughly \$519,200 to \$513,879. Project cost updates anticipated for 90% design include design refinement from 60% to 90%, design refinement at 494 site and policy direction, updated to reflect vehicle type, updated ROW, adding additional funds for Regional Solicitation grants received, and contingency updated and drawdown curve to reflect value at 90% design.

Commissioner Karwoski raised a question about the service center that will no longer be included in the project. Ms. Leitner stated that capital dollars assigned to the service center will no longer be included, and more discussion will be had towards the parking structure, station, stormwater, and what the contingency will be.

Commissioner Karwoski raised a question on charging stations, if they are planned for the use of electric buses. Charles Carlson stated they are working through the technology of everything at the moment. As they move towards the 90% design, they'll be reviewing these questions.

Commissioner Weik asked for the status of the 494 station stop in regards to the buses only ramp. Ms. Leitner stated the status remains the same, with or without the service center, that any Gold Line project design at the I-494 site does not preclude a ramp being added in the future, but a ramp is not a part of the Gold Line project.

Motion by Raphael Ortega, seconded by Stan Karwoski, to approve Resolution 2021-06: Approval of Gold Line BRT Cost, Budget, Scope, and Schedule at 60% Design. Roll call vote; all in favor. Motion carried.

Approval of Resolution 2021-07 Amendment #1 to the Joint Powers Agreement Establishing the Gold Line Joint Powers Board

Kevin Magnuson, Assistant Washington County Attorney, presented on Amendment #1 to the JPB Agreement. This is a resolution recommending the parties to the JPB Agreement adopt an amendment to the liability provision. At one point the JPB was considering whether liability insurance would be obtained for the board, which the board has now decided to explore. They approached Minnesota Counties Intergovernmental Trust (MCIT) of which Washington County is a part of. MCIT has some language they would like to see included. In the event of a liability challenge, they've ask that the language be clarified that only the JPB would be the appropriate defendant in the event of litigation. A draft has been approved of Article 11, as well as some clarifying inserts to make it clear that neither the party nor the JPB is waiving statutory limitations; resulting in changes to existing paragraph two (2), and adding new paragraph three (3). If approved, it will go to the parties for vote, and discussions can resume regarding potentially purchasing liability insurance.

Motion by Raphael Ortega, seconded by Stan Karwoski, to approve Resolution 2021-07; Amendment #1 to the Joint Powers Agreement Establishing the Gold Line Joint Powers Board. Roll call vote; all in favor. Motion carried.

INFORMATION/UPDATES

METRO Gold Line Update

Lyssa Leitner gave a brief update from the Gold Line Project Office. Ms. Leitner wanted to formally announce that the project has now been granted entry to Engineering. She also presented the ROW Pre-Award Approval status update as of April 15, which includes 69 approved parcels, for a total of \$9,171,257, which does not include the May and June JPB request of \$5,918,900 (30 parcels).

Joint Powers Board Financial Update

Erica Ellefson gave an update on the financials for the JPB through March 31, 2021. There has been \$900 in auditing expenses charged to the Administrative budget, which is currently at \$220,000. There has been \$12,805,500 spent on the Capital Grant Agreement, of which 70% (\$8,837,800) is actual ROW expense. There will continue to be larger draw payments to the Metropolitan Council for the remainder of 2021 to cover the land acquisitions required for the project. When comparing the 2021 budget of \$57,259,300, the actual expenses received through March 31, ROW is 25% of the way spent, with the budget of \$36,222,900, AUR at 100% of the budget still left unspent, and professional services is 22% of the way spent, with a budget of \$17,736,400. The total not to exceed amount for the Capital Grant Agreement remains at \$74,997,468.

Communication and Legislative Update

Brian McClung, with Park Street Public, stated that we now have less than 3 weeks left in the 2021 Minnesota Legislative Session. Many of the bills are now passed off of the House and Senate floor and conference committee members have been named, where final agreements and packages are negotiated. Mr. McClung stated that one of the things we've been following closely is the 4th Street Bridge project, which has been a priority and both county boards have provided letters of support, as well as cities along the line. The request for the 4th Street Bridge improvements are included in the House Bonding Bill, and in the Senate Transportation Bill as an earmark. The Senate is going to start hearing bonding hearings, so we will see the result of that. From his perspective, it is not likely to move forward in the Senate in its current form as an earmark, but more likely to move forward as a bonding bill if there is support for that. The other item they are watching closely is the guideway language that was put forward by the Governor in his budget bill on transportation. It is not included in the House bill, but language is included in the Senate bill. Their take is that this is not something we should try to resolve legislatively in such a short time, but rather a topic that requires more conversation and work through these funding issues. There is a lot of unknowns that can be talked about in the next session. On the public relations and communications side, per previous discussions to get the Gold Line Partners together, and now entry to Engineering, they are working to get that group together, potentially in May.

Commissioner Karwoski commented on the 4th Street Bridge project, that back almost ten years to his time on the city council, this was such a want in the neighborhood, which he's happy this is progressing.

Commissioner Karwoski also asked about rider safety during COVID-19, if there is anything we can do to communicate the safety of public transportation. Mr. McClung agreed that we want to keep the community and business organizations engaged in this project when it opens and years beyond. They want to keep communication open as to why this project began, as well as why this project is more important than ever coming out of COVID. This is how we reconnect and most important how we rebuild our economy. Especially for the people most affected by COVID, underserved communities, persons of color, they want to make sure they have transportation outlets.

OTHER BUSINESS

Next Meeting – May 26, 2021, 10:30 a.m. – 12:00 p.m.

Virtual – WebEx – members of the public may attend in-person at the Washington County Public Works North Shop.

ADJOURNMENT

Chair McDonough adjourned the meeting at 11:53 a.m.

Respectfully submitted,

Jennifer Oehler, Board Clerk