



GOLD LINE JOINT POWERS BOARD AGENDA

Wednesday, July 22, 2020
10:30 A.M.

Call: 1-404-397-1516
Access Code: 133 552 3767
Password: GoldLine2020

Due to the COVID-19 Pandemic, board members and staff are conducting this meeting electronically. Members of the public who wish to share their comments or concerns may email PublicWorks@co.washington.mn.us or by telephone at 651-430-4300.

- I. CALL TO ORDER
- II. ROLL CALL
- III. ACTION ITEMS -
 - a. Meeting Agenda
 - b. May 27 Meeting Minutes *
 - c. Approval of 2021 Gold Line Joint Powers Board Budgets and Amended 2020 Pre-Engineering, Engineering, and Right-of-Way Budget *
 - d. Resolution 2020-04 - Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition *
- IV. INFORMATION ITEMS -
 - a. METRO Gold Line Project Update *
 - b. Communication and Legislative Update *
 - c. Next Meeting – August 26, 2020, 10:30 AM-12:00 PM, Electronic Meeting
- V. ADJOURNMENT

* Attachments

**GOLD LINE JOINT POWERS BOARD
DRAFT MINUTES
May 27, 2020**

CALL TO ORDER

Chair Karwoski called to order the Gold Line Joint Powers Board (GLJPB) meeting at 10:31 a.m. Due to the COVID 19 Pandemic, board members and staff conducted the meeting via WebEx. Members of the public were given the opportunity to share their comments or concerns by sending an email to PublicWorks@co.washington.mn.us or calling (651) 430-4300.

ROLL CALL

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

Members Absent: None

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

Others Present: Bob Streetar, Brian McClung, Chris Beckwith, Janelle Schmitz, Mary Richardson, Shannon Watson

ACTION ITEMS FOR APPROVAL

Approval of Agenda

A motion to approve the agenda was moved by Commissioner Ortega, seconded by Commissioner Weik. All in favor. Motion carried.

Approval of Minutes from Previous Meeting

A motion to approve the minutes from the April 22, 2020 meeting was moved by Commissioner McDonough, seconded by Commissioner Weik. All in favor. Motion carried.

Resolution #2020-03 Executive Change Control Board (ECCB) Operating Procedures

Kevin Magnuson gave a brief review of the ECCB, which was presented at the May GLJPB meeting. The ECCB operating procedures establishes the processes for reviewing change orders, expenditures, and other changes to the budget according to Article eight of the Joint Powers Board Agreement. Chair Karwoski asked for clarification on the need to meet for approval of actions in the event the GLJPB could not meet. Mr. Magnuson stated that the ECCB designates a member of the board, as well as alternates, should an emergency authorization be needed, and a quorum cannot be assembled.

A motion to approve Resolution #2020-03 was moved by Commissioner Ortega, seconded by Commissioner Weik. All in favor. Motion carried.

INFORMATION/UPDATES

METRO Gold Line Project Update

Chris Beckwith gave a presentation on the Gold Line Bus Rapid Transit Project. There is a regularly scheduled Federal Transit Administration (FTA) quarterly meeting planned for June 15. The project office's goal is to have everything they need to move into the Engineering phase. The FTA has previewed everything so far; it's unclear how long it will take for them to do the risk assessment to move to this phase, potentially late summer or fall. The Quarter 2 Refresh is currently at \$519.2 million, with increases coming from construction, right-of-way, professional services, and unallocated contingency. A question in to the FTA is if this number will be changed or updated, depending on the results of the risk assessment. The project is continuing to move forward, including looking at the Joint Development final application.

Commissioner McDonough asked if the GLJPB has seen the revision of the Financial Management Plan. Lyssa Leitner, Deputy Project Manager with Washington County, stated that staff has reviewed this to verify that total dollar numbers matched what staff of both counties have reviewed, and will make sure that she gets that document for distribution to the GLJPB.

Joint Powers Board Financial Report

Erica Ellefson, Accounting Supervisor for Washington County Public Works, gave a presentation on the GLJPB Financial Report through April 30, 2020. Washington County is the fiscal agent for the GLJPB, which goes through the Public Works Department, in partnership with Tabatha Hanson, Director of Accounting and Finance. These reports are shared quarterly, to update the board on current budget to actual for the operating expenses of the GLJPB.

Communication and Legislative Update

Brian McClung, with MZA+Co, gave an update on communication and legislation, following the end of the legislative session which ended the two-year session on Monday, May 18. The house and senate were trying to come together on two bonding bills, economic aid and tax relief related to the COVID-19 pandemic, oversight for federal COVID-19 CARES Act funding coming to Minnesota, and to take up a bill around state employee pay raises scheduled to take effect July 1, all of which have failed to receive the required votes. There is a thought that because a special session is coming up on or around June 12, that these will be readdressed. There have been conversations about bonding, and their sense is that an agreement is coming together. The request for 3.5 million dollars for the 4th Street Bridge Project was included in the house bonding bill, and that activity is expected to pick up closer to that June 12 date. Chair Karwoski asked for clarification on the Kellogg Street Bridge Project. Brian stated that this was included in the house bill, not the senate bill. The discussion his team had seemed to center on a cost pressure. On the communications and social media side, they continue to share information from the cities within both counties, Metropolitan Council and Metro Transit, to continue to keep people updated.

OTHER BUSINESS

Next Meeting – June 24, 2020

TBD – Sunray Library or Virtual – WebEx, 10:30 a.m. – 12:00 p.m.

ADJOURNMENT

Motion by Commissioner Ortega, seconded by Commissioner Weik, to adjourn the meeting. All in favor. Motion Carried.

Meeting adjourned at 11:18 a.m.

Respectfully submitted,

Jennifer Oehler, Board Clerk



GOLD LINE JOINT POWERS BOARD REQUEST FOR BOARD ACTION

AGENDA ITEM NO. III c.

7/17/2020

2021 Gold Line Joint Powers Board Budgets, and Amended 2020 Gold Line Pre-Engineering, Engineering, and ROW Budget

BOARD ACTION REQUESTED:

Approval of a proposed 2021 Gold Line Joint Powers Board Administrative Budget.
Approval of an amended 2020 Gold Line Pre-Engineering, Engineering, and ROW Budget.
Approval of a proposed 2021 Gold Line Pre-Engineering, Engineering, and ROW Budget.

BACKGROUND/JUSTIFICATION

According to the Gold Line Joint Powers Agreement, a budget must be adopted prior to August 15 of each year. Article IV., 2 c. states that all actions involving the adoption of the budget shall require a unanimous vote of members.

The attached proposed budgets and budget amendment are included for Board consideration and request for approval.

PREVIOUS ACTION ON REQUEST/OTHER PARTIES ADVISED

11/20/2019 - Approval of 2020 Administrative Gold Line Joint Powers Board Budget
12/19/2019 - Capital Grant Agreement for Pre-Engineering, Engineering, and Right-of-Way Acquisition with the Metropolitan Council and Budget Amendment

RECOMMENDATION (SELECT ONE)

Board Approval

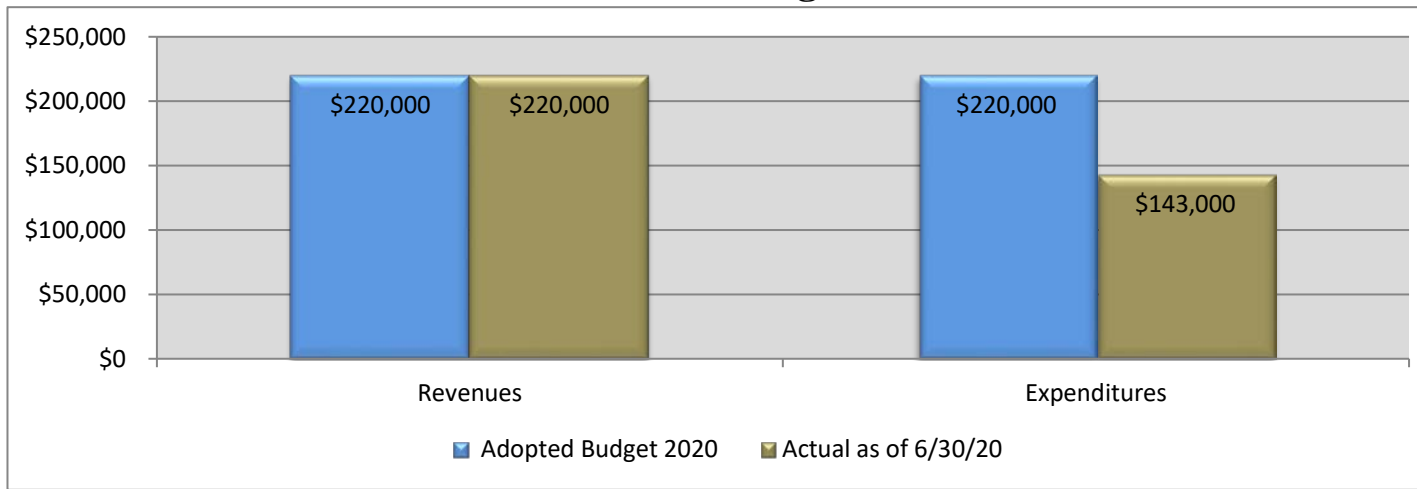
ATTACHMENTS

- 2021 Proposed Administrative Gold Line Joint Powers Board Budget - detail
- 2020 Gold Line Joint Powers Board Budget vs Actual and Proposed 2021 Administrative Budget
- 2020 Gold Line Pre-Engineering, Engineering, and ROW Budget vs Actual and Proposed 2021 Pre-Engineering, Engineering, and ROW Budget

Proposed 2021 Gold Line Joint Powers Board Administrative Budget

Activity	Description/Notes	Proposed 2021
Audit	Required by State law.	10,000
Insurance	Ramsey County Enterprise Risk Manager recommends municipal and auto coverage. Still in the process of negotiation with provider.	20,000
Financial Services	Includes all financial management for Ramsey and Washington County funds, including payments to Gold Line Project, contingency management and monthly/annual reporting. Contract with Washington County.	45,000
Legal Services and Policy Development	Includes contracted services for drafting agreements, funding commitments, memorandums of understanding and other legal documents. Contract with Washington County.	75,000
Communications and Government Relations	Includes assistance with press releases, op/eds, crisis communications, business engagement, social media and government relations.	40,000
Washington D.C. Trip	Includes potential Gold Line Partners delegation visit to Washington D.C. timed with key approvals needed from FTA.	20,000
Materials and Supplies	Includes paying for meeting space, booths/fees at events and event materials.	5,000
Contingency		5,000
TOTAL		220,000

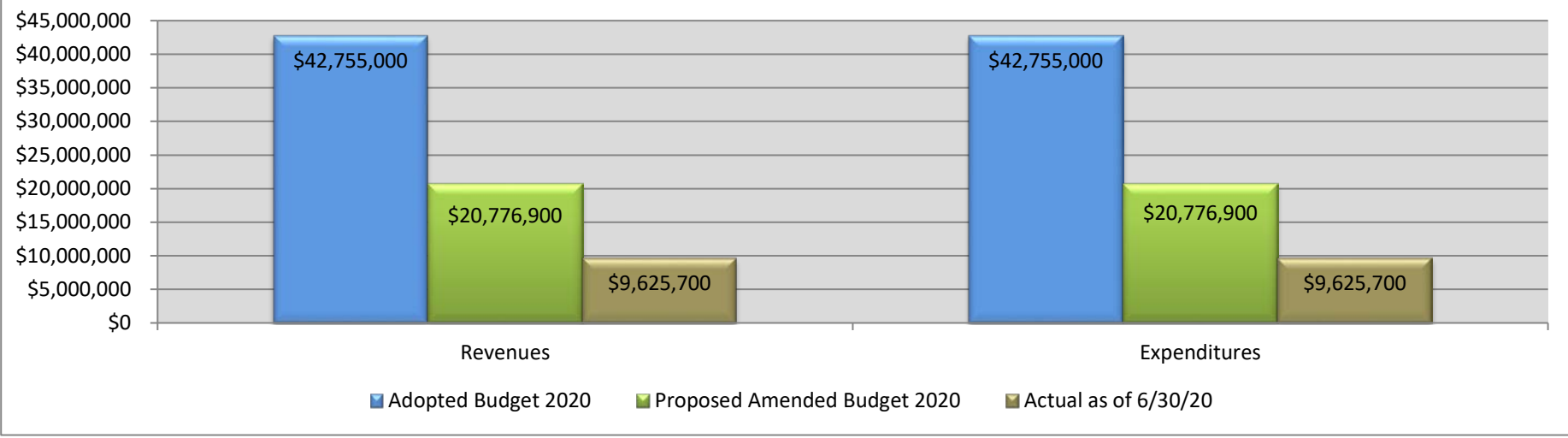
Gold Line Joint Powers Board 2020 Budget vs Actual with Proposed Budget 2021



Revenue Category	Adopted Budget 2020	Actual as of 6/30/20	Budget Balance	% Budget Received	Proposed Budget 2021
Planned Use of Fund Balance (PUFB)	\$220,000	\$220,000	\$0	100.00%	\$220,000
Revenues	\$220,000	\$220,000	\$0	100.00%	\$220,000
Expenditure Category	Adopted Budget 2020	Actual as of 6/30/20	Budget Balance	% Budget Spent	Proposed Budget 2021
Audit	\$10,000	\$0	\$10,000	0.00%	\$10,000
Insurance	\$20,000	\$0	\$20,000	0.00%	\$20,000
Financial Services	\$45,000	\$45,000	\$0	100.00%	\$45,000
Legal Services & Policy Development	\$75,000	\$75,000	\$0	100.00%	\$75,000
Communications and Government Relations	\$40,000	\$23,000	\$17,000	57.50%	\$40,000
Travel (Washington DC Trip)	\$20,000	\$0	\$20,000	0.00%	\$20,000
Materials & Supplies	\$5,000	\$0	\$5,000	0.00%	\$5,000
Contingency	\$5,000	\$0	\$5,000	0.00%	\$5,000
Expenditures	\$220,000	\$143,000	\$77,000	65.00%	\$220,000

*Report run 7/16/20 @ 1PM

Gold Line Pre-Engineering, Engineering, and ROW 2020 Budget vs Actual with Proposed Budget 2021



Revenue Category	Adopted Budget 2020	Proposed Amended Budget 2020	Actual as of 6/30/20	Budget Balance	% Budget Received	Proposed Budget 2021
Ramsey County & Ramsey County RRA	\$21,377,500	\$10,388,450	\$4,812,850	\$5,575,600	46.33%	\$24,950,200
Washington County	\$21,377,500	\$10,388,450	\$4,812,850	\$5,575,600	46.33%	\$24,950,200
Revenues	\$42,755,000	\$20,776,900	\$9,625,700	\$11,151,200	46.33%	\$49,900,400
Expenditure Category	Adopted Budget 2020	Proposed Amended Budget 2020	Actual as of 6/30/20	Budget Balance	% Budget Remaining	Proposed Budget 2021
Right of Way (ROW)	\$26,814,500	\$4,387,300	\$42,900	\$4,344,400	99.02%	\$32,816,600
Construction	\$0		\$0	\$0	0.00%	\$0.00
Professional Services	\$15,940,500	\$16,389,600	\$9,582,800	\$6,806,800	41.53%	\$17,083,800
Expenditures	\$42,755,000	\$20,776,900	\$9,625,700	\$11,151,200	53.67%	\$49,900,400

*Report run 7/16/20 @ 1PM



GOLD LINE JOINT POWERS BOARD REQUEST FOR BOARD ACTION

AGENDA ITEM NO. III d.

7/17/2020

Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition

BOARD ACTION REQUESTED:

Action on Resolution 2020-04 - Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition.

BACKGROUND/JUSTIFICATION

According to the Gold Line Capital Grant Agreement for Pre-Engineering, Engineering, and Right-of-Way (ROW) Acquisition, the Metropolitan Council must submit a written request to use grant funds for pre-award authority expenditures, including the acquisition of ROW.

The request submitted to the Joint Powers Board by the Metropolitan Council is included in the packet with sufficient information and justification for an amount not to exceed \$11,717.

PREVIOUS ACTION ON REQUEST/OTHER PARTIES ADVISED

12/19/2020 - Capital Grant Agreement for Pre-Engineering, Engineering, and Right-of-Way Acquisition

RECOMMENDATION (SELECT ONE)

Board Approval

ATTACHMENTS

Gold Line Joint Powers Board Request for the Use of Project Funds for Right-of-Way (ROW) Acquisition

Resolution 2020-04 Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition



METRO Gold Line Bus Rapid Transit (GBRT)

Metro Square Building, 121 7th Place East, Suite 102, St. Paul, MN 55101
www.metrotransit.org/gold-line-project

July 16, 2020

Don Theisen
Gold Line Joint Powers Board
11660 Myeron Road North
Stillwater, MN 55082

RE: Gold Line Joint Powers Board Request for the Use of Project Funds for Right-of-Way (ROW) Acquisition

Dear Mr. Theisen,

I am requesting advance approval from the JPB for the use of funds for right-of-way (ROW) acquisition for August 2020. Upon NEPA clearance, the FTA considers costs incurred for ROW acquisition to be an eligible expense under pre-award authority. The Capital Grant Agreement for Pre-Engineering, Engineering, and Right-of-Way Acquisition between the Gold Line Joint Powers Board and the Metropolitan Council requires JPB approval for the use of funds under FTA pre-award authority. Information about this request is provided below as outlined in Article III, Section 3.05 of the Capital Grant Agreement.

Identification of maximum dollar amount and percentage of the funding share

- Not to exceed \$11,717.
- 100% of funds will be from the Joint Powers Board but is eligible for future FTA match under pre-award authority.

Description of activities

- Offers to be made in August 2020 on approximately ten parcels not to exceed \$11,717 in total utilizing a minimum damage acquisition (MDA) parcel valuation approach.
- MDAs can be pursued when a parcel valuation is uncomplicated, and the anticipated value of the proposed acquisition is estimated at \$10,000 or less. MDAs are cost effective and efficient and may be prepared by MnDOT appraisal staff or one of the appraisal consultants under contract.

Justification of advancing the identified activities

- The Gold Line project team needs to begin the ROW acquisition process to remain on schedule to begin construction activities.
- If parcels are not available when construction begins, restrictions for access to unavailable parcels will need to be included in the contract(s) which can drive up bids.

Risks of proposed activities

- While these are low value parcels, the project schedule assumes ROW acquisitions begin no later than August 2020 to complete all of them by construction. Earlier schedule assumptions assumed a Spring 2020 start, but this was deferred until the project was granted another extension for Entry into Engineering by the FTA ensuring the project costs would remain eligible for future federal match. Delaying the start of acquisitions further will begin to introduce delays to the overall schedule.
- Based on staffing resource constraints both with the Gold Line team and within the agencies and industry itself, only so many parcels can be processed and acquired at any given time. Any delay in acquisition will likely lead to all parcels being shifted out in the schedule and risk delaying construction activities and/or driving up bids if the contractor does not have access in certain areas.
- As with all project costs incurred prior to the Full Funding Grant Agreement (FFGA), all pre-FFGA expenditures are eligible for future federal match while the project remains in the FTA's Capital Investment Grant (CIG) program, but these funds would not be federally matched if the Gold Line does not receive an FFGA. There would be some value to the ROW acquisitions, however, even if the project does not proceed.



METRO Gold Line Bus Rapid Transit (GBRT)

Metro Square Building, 121 7th Place East, Suite 102, St. Paul, MN 55101
www.metrotransit.org/gold-line-project

Status of procurement

- Appraisal services contracts have been executed and are being used to perform some of the work necessary to acquire the parcels. GPO staff will complete the actual acquisition process and some of the appraisal work as well.

Demonstration that the funds are ready to be expended

- Field titles and appraisals have been completed for the parcels. The next step in the process is the offer, although funds are not actually expended until the offer is accepted and processed which can take many months. The offer cannot be made until the funds are available in the Gold Line account.

Demonstration that FTA has concurred with the request, if applicable

- Not applicable. Only parcels above \$1,000,000 need to be reviewed by FTA.

Thank you. If you have any questions, please call me at 651-332-1466 or Lyssa Leitner, Deputy Project Manager, at 651-602-1044.

Sincerely,

A handwritten signature in black ink that reads 'Christine Beckwith'.

Christine Beckwith
METRO Gold Line Project Director

CC:

Sara Allen Sara.Allen@co.washington.mn.us

Don Theisen Don.Theisen@co.washington.mn.us

Lyssa Leitner Lyssa.leitner@metrotransit.org

Mike Rogers Michael.Rogers@co.ramsey.mn.us

RESOLUTION GLJPB #2020-04

Approving the Use of Grant Funds for Pre-Award Authority Expenditures for Right-of-Way Acquisition

WHEREAS, the Gold Line Joint Powers Board (“Grantor”) entered into a Capital Grant Agreement for Pre-Engineering, Engineering, and Right-of-Way Acquisition for the Gold Line Project (“Grant Agreement”) with the Metropolitan Council (“Grantee”) on December 19, 2019; and

WHEREAS, the Grant Agreement sets forth the process for Grantor’s prior approval for use of grant funds for pre-award authority expenditures, including the acquisition of Right-of-Way; and

WHEREAS, the Grantee has submitted the attached written request for Grantor’s approval to use grant funds for the acquisition of Right-of-Way in the maximum amount of \$11,717, in accordance with Article III of the Grant Agreement; and

WHEREAS, the Grantee’s written request includes sufficient information and justification to allow the Grantor to consider the request to authorize the use of grant funds in such amount and for such purpose.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the Grant Agreement, the Grantor approves the use of grant funds for Right-of-Way Acquisition that meets the description included in the written request from the Grantee, in the amount not to exceed \$11,717.

BOARD CHAIR

July 22, 2020

ATTEST

July 22, 2020

DATE: July 17, 2020
TO: Gold Line Joint Powers Board
FROM: Brian McClung, MZA+Co
RE: Gold Line Joint Powers Board Communications and Government Relations Update

As we draft this memo, the Minnesota legislature is in the midst of holding their 2nd Special Session of 2020. With the Governor continuing to manage the COVID-19 pandemic, we expect there will likely be Special Sessions every 30 days, as the peacetime state of emergency order is renewed throughout the summer and fall.

Government Relations – The June Special Session was largely uneventful, with legislators unable to make progress on major pieces of legislature.

During this July Special Session there seems to have been a more cooperative spirit, but we will know more next week. The House and Senate adjourned to Monday, July 20 and are expecting to vote on a bonding bill and other measures that day or in the coming days. We'll provide a verbal update at the Joint Powers Board meeting.

The Fourth Street Bridge project was not included in the \$1.35 billion bonding bill being considered by the House and Senate in the July Special Session. As the size of the bill came down from \$2.5 billion to \$2 billion to less than \$1.5 billion, it was difficult for the Fourth Street Bridge to stay in the bill, especially as the Manning interchange project continued to be included. The Kellogg Street Bridge is included in the bonding bill agreed to by the majority caucuses.

There is a possibility that the bonding bill will not get done this month and could be taken up at a Special Session just after the Primary Election in August.

We are continuing to stay in touch remotely with key legislators and staff and will keep our team updated on activities.

Strategic Communications & Social Media – We are in communication with our partners, including the Saint Paul Area Chamber and ESABA. The Saint Paul Area Chamber is planning to publish a blog post with an update on East Metro transit projects, including the Gold Line.