

**AGREEMENT BETWEEN
THE METROPOLITAN COUNCIL
AND THE CITY OF RAMSEY
WITH REGARD TO A TRANSIT SERVICE EXPANSION PLAN
UNDER MINNESOTA STATUTES, SECTION 473.4461**

THIS AGREEMENT is entered into by and between the Metropolitan Council, a public corporation and political subdivision of the state of Minnesota, and the City of Ramsey, a Minnesota municipal corporation.

WHEREAS:

1. Minnesota Statutes, section 473.446, subdivision 1, provides that for the purposes specified in the subdivision, and except as otherwise provided in the subdivision, the Metropolitan Council ("Council") shall levy each year upon all taxable property within the metropolitan area, as defined in section 473.121, subdivision 2 ("Metropolitan Area), a regional transit capital levy as specified in the subdivision.
2. Minnesota Statutes, section 473.4461 provides that notwithstanding any provision of section 473.446 or any other law, the Council may not levy a tax under section 473.446, subdivision 1, in any city not included in the transit taxing district as it existed on January 1, 2001, unless the Council and the governing body of that city have agreed on a transit service expansion plan.
3. The transit taxing district is defined in Minnesota Statutes, section 473.446, subdivision 2.
4. The City of Ramsey ("City") is located in the Metropolitan Area but was not included in the transit taxing district as it existed and was defined by statute on January 1, 2001.
5. The Council and the City have reached agreement on a transit service expansion plan for the City in accordance with the provisions of Minnesota Statutes, section 473.4461.
6. The parties desire to enter into this agreement in order to formalize the agreement between the parties on the said transit service expansion plan, which agreement shall authorize the levy of a transit tax in the City in accordance with Minnesota Statutes, section 473.446, subdivision 1.

NOW, THEREFORE, the Metropolitan Council and the City of Ramsey hereby agree as follows:

ARTICLE 1 – TRANSIT SERVICE EXPANSION PLAN

In accordance with the provisions of Minnesota Statutes, section 473.4461, the parties hereby agree on the following transit service expansion plan for the City of Ramsey:

1.01 Ramsey Northstar Train Station. A financial contribution not-to-exceed \$1,300,000 shall be provided by the Council for the construction of a new Northstar train station located in the City of Ramsey described as follows:

- Located at the BNSF tracks, adjacent to the existing parking ramp facility

- Two platforms with a pedestrian overpass

1.02 Northstar Commuter Rail Service. Northstar commuter rail service will commence upon completion of station construction, inspection, testing, and safety certification as determined by the Council.

- Service shall be provided in accordance with the Northstar service operating schedule which may be adjusted from time to time as determined by the Council.
- Limited Special Event service may be provided as determined by the Council.
- Passenger fares shall be determined by the Council and may be adjusted from time to time by the Council.
- Maintenance and utility expenses for the platforms and the pedestrian overpass connecting the platforms shall be borne by the Council.
- Maintenance, utility and other expenses related to commuter rail service incurred for the parking ramp facility, pedestrian walkway from the parking facility to the station and, property adjacent to the station shall be the responsibility of the City.
- Parking for Northstar passengers shall be made available by the City at the parking ramp adjacent to the station and shall not be limited.

1.01 Termination of Express Bus Service. Upon initiation of regular commuter rail service to the Ramsey station, the City shall terminate the existing express bus service currently provided.

ARTICLE 2 – EXTENSION OF COUNCIL LEVY TO CITY

The City acknowledges and agrees that in accordance with the provisions of Minnesota Statutes, section 473.4461, the Metropolitan Council's levy provided for in Minnesota Statutes, section 473.446, subdivision 1, shall be extended to all taxable property within the City of Ramsey effective for taxes levied in 2012 (payable in 2013).

ARTICLE 3 – EFFECTIVE DATE

This agreement shall become effective upon execution of this agreement by the parties and delivery of fully executed copies of the agreement to each of the parties.

ARTICLE 4 – GENERAL PROVISIONS

4.01 City Council Resolution. A copy of a resolution adopted by the Ramsey City Council, the governing body of the City of Ramsey, wherein the City authorizes entry into this agreement, is attached as Exhibit A and made a part of this agreement.

4.02 Interpretation. This agreement is intended to implement the requirement in Minnesota Statutes, section 473.4461, for an agreement between the Metropolitan Council and the City of Ramsey on a service expansion plan, and shall be interpreted accordingly.

4.03 Amendments. The terms of this agreement may only be changed by mutual agreement of the parties. Such changes shall be effective only upon the execution of written amendments signed by authorized representatives of the parties.

4.04 Change in Law. The parties recognize and acknowledge that the requirements and provisions of this agreement may be repealed or modified by future law.

4.05 Execution In Counterparts. This agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the above-named parties have caused this agreement to be executed by their duly authorized representatives on the dates indicated below.

CITY OF RAMSEY

METROPOLITAN COUNCIL

By: _____

By: _____

Patrick Born
Regional Administrator

Its: _____

Date: _____

Date: _____

Approved as to form:

Metropolitan Council
Office of General Counsel