

Joe Kohlmann

From: Alex Meyer <AMeyer@threeiversparkdistrict.org>
Sent: Wednesday, March 19, 2014 4:00 PM
To: Joe Kohlmann (jkohlmann@cityoftonkabay.net)
Subject: Tonka Bay Cooperative Trail Agreement

Follow Up Flag: Follow up
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Joe,

Here are my responses to the questions you asked, let me know if these answer your questions satisfactorily or if you need something more.

I will forward a final PDF of Agreement for your taking to council.

1) *Why would Three Rivers pursue condemnation for a permanent easement if it just needs a temporary easement?*

As I mentioned when we spoke at the utilities meeting last week this is something that would be used as a last resort after all other Options have been explored to secure the temporary easements needed to assure that the project is completed, if there is an impasse where the owners request is totally out of line with what is deemed reasonable and responsible for the TRPD to acquire the temporary easement, and it is agreed between the TRPD and City that the funding will be jeopardized for the project and the only out is to acquire the easement permanently, then this option would be pursued.

2) *Is this provision required to be part of the Cooperative Agreement?*

Yes, ideally this provision provides a failsafe measure if needed so that the Federal Grant dollars are not lost and the project goes away including the TRPD's initial investment for the project and design cost to date.

3) *Could the alternative staging area be used instead of the proposed areas?*

We are holding the alternative staging area as a potential back up for contractor if needs more space. The areas where we are looking for easements are needed to accommodate the construction of the bridge retaining walls and support bridge piers those are the areas immediately adjacent to the HCRRA property as indicated on the graphic plan. The other part of the easement for staging was suggested by J&L when we met with them last year when we asked about leasing partial they offered to lease all of it.

4) *Have the property owners been receptive to the Three Rivers proposals for temporary easements?*

We have received a verbal commitment when I met with Matt Midboe for easement on west side of CR19. Nothing will be official till he signs offer sheet with TRPD.

J&L Development – They have received offer and sent an email in response to a voicemail I left after our last phone conversation confirming receipt of our offer. They have questions and are looking to counter our offer. Has the city or any of its officials been contacted by either party?

5) *Is the City responsible for snow removal on the bridge? How has this worked with other bridges?*

Currently TRPD does not operate the regional trails in the winter months but offers permits to Cities that wish to operate and maintain the trail during winter months including both Tonka Bay and Shorewood. The snow removal is responsibility of community taking out winter use permit for that portion of trail that would include a bridge. This and other bridges are designed for a ten ton per axle weight limit, which would accommodate your standard pick-up truck with snowplow attachment.

6) *Letter "W." states that we own title to the easement...our streets are held in trust for the public, we are not the fee owner of the property.*
Section W will be deleted in final copy.

7) *City Manager should be changed to City Administrator*
You must have gotten a copy where that correction was not already completed.

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