



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

TRANSPORTATION COMMITTEE OF THE PLANNING COMMISSION

Monday, August 8, 2011, 4:00 p.m. – 5:30 p.m.
*All meetings are held in the City Hall Annex 13th floor
Conference room at 25 West 4th Street in Saint Paul*

1. Jefferson Bikeway Project discussion – 1 hour
Public Works Staff

Upcoming Committee Meetings:

- August 22
- September 19
- October 3

Meetings are open to the public. The Chair may allow five minutes for public comment (from non-committee members) at the beginning of each agenda as needed. Additional time may be allocated for comments or further discussion at the discretion of the Chair. Meetings will be cancelled if there is not a quorum expected, or if there are no agenda items.

Transportation Committee Staff Report

Committee date: August 8, 2011

Project Name	<i>Jefferson Bikeway Project</i>
Geographic Scope	<i>Jefferson Avenue from Mississippi River Boulevard to Sam Morgan Trail and Smith Avenue High Bridge</i>
Ward(s)	<i>2 & 3</i>
District Council(s)	<i>Macalester Groveland & West 7th/Fort Road Federation</i>
Project Description	<i>Implement roadway improvements at the Cleveland/Jefferson intersection; Lexington Parkway and West 7th Street; new sidewalks and street lighting between Lexington Parkway and Victoria Street; and pavement markings and signs.</i>
Project Contact	<i>David Kuebler, P.E.</i>
Contact email/phone	<i>david.kuebler@ci.stpaul.mn.us 651.266.6217</i>
Lead Agency/Department	<i>Public Works Traffic Engineering</i>
Purpose of Project/Plan	<i>Improved east/west pedestrian and bicycle facility on Jefferson Avenue between Mississippi River Boulevard and the Sam Morgan Trail via Duke Street; and also provide a connection using local streets east of West Seventh to the West Side via Cliff Road and the Smith Avenue High Bridge.</i>
Planning References	<i>Transportation Plan 3.4: Develop and maintain a complete and connected bikeway system.</i>
Project stage	<i>Final Design, construction</i>
General Timeline	<i>Construction complete Fall 2011</i>
District Council position (if applicable)	<i>District 14: Supports implementation of pavement markings and signs. Has concerns with the public process for moving forward with a refuge at the Cleveland/Jefferson intersection. Feel the presentation at the most recent Macalester Groveland Transportation Committee was premature. Seek reevaluation of the neighborhood process with respect to moving the project forward.</i>
Level of Committee Involvement	<i>Advise</i>
Previous Committee action	<i>None</i>
Level of Public Involvement	<i>Inform, involve, assist in the development of project/program</i>
Public Hearing	<i>Yes; A Public Hearing was held on May 5, 2010 at which the Council approved the construction of the project, with the exception of the refuge at Cleveland/Jefferson. The refuge was to be tested and then a decision as to whether or not to make the refuge permanent would be made at a future Public Hearing. No Hearing has been scheduled to make the final decision on the refuge.</i>
Public Hearing Location	<i>N/A</i>
Primary Funding Source(s)	<i>Federal Nonmotorized Transportation Pilot program grant</i>
Cost	<i>\$1 million</i>

Staff recommendation	<i>Return to the community for input on remaining design issues</i>
Action item requested of the Committee	<i>Discuss overall process going forward; help advise on public process</i>
Committee recommendation	<i>To be filled in at the meeting</i>
Committee vote	<i>To be filled in at the meeting</i>

Evolutionary History of Jefferson Bikeway
David Kuebler, P.E.

- **February 2008:** Highland Parkway from Mississippi River Boulevard to Edgumbe Road submitted to TLC for NTP funding.
- **February 2008:** Jefferson Avenue from Lexington Parkway to east side of West 7th Street submitted to TLC for NTP funding.
- **July 2008:** City notified that Highland Parkway was awarded funds (\$250K) and Jefferson was not and also stating that at some point in the future they (TLC) may reconsider Jefferson for funding.
- **November 2008:** TLC announced a third round of NTP funding using a Letter of Intent process. Following are excerpts from the request letter.
 - **Goals (of NTP program)**
 - Increase trips made by walking and bicycling including to public transit
 - Decrease motor vehicle trips
 - Decrease congestion and energy use
 - Promote better health and a cleaner environment
 - **Criteria for Strategic Investments: Demonstration Innovations**
 - Maximize bicycle use and walking for transportation resulting in **mode shift** out of motor vehicles; contribute to ongoing shift in attitudes and travel behavior (Transit mode share may be considered where pedestrian or bicycle connections are relevant.)
 - Demonstrate commitment and certainty of **project completion:** launched or significantly underway by *summer 2010*
 - Demonstrate community benefit through clear and documented **need or opportunity**
 - Address **cultural and economic gaps;** improve access to and within underserved communities and/or corridors
 - Demonstrate **cost effectiveness** and project continuity
 - Leverage funds from other sources and/or leverage NTP money to expand effective existing programs;
 - Be sustainable beyond NTP funding
 - Create and foster **community ownership** and involvement throughout process
 - Demonstrate **innovation and best practices;** incorporate BWTC and other resources toward comprehensive, multi-pronged excellence in public participation, design, enforcement, education/awareness
 - Serve residents, visitors and/or commuters in the **NTP geographic area** (Brooklyn Center, Columbia Heights, Edina, Falcon Heights, Fridley, Golden Valley, Lauderdale, Minneapolis, Richfield, Robbinsdale, Roseville, St Anthony Park, St. Louis Park, St. Paul)

with a project that addresses travel patterns within Minneapolis or connections to/from Minneapolis

○ **Projects Considered for Funding in this Letter of Intent**

- TLC will fund demonstration innovations that inspire exclamation points -- “wow!” “aha!” or “yes!” Reaching new users is good. Building synergistic relationships that could bring a *complete streets* mentality into the mainstream is good. Examples of eligible capital projects include, but are not limited to: bike station development, comprehensive wayfinding signage, mapping, bike sharing, or free bikes incentive program. Suitable projects could also be facilities for pedestrians or bicyclists applied in an innovative or strategic way, e.g, creative streetscape retrofitting for ADA accessibility, covered bicycle parking; or using innovative funding or collaboration, e.g., cost sharing programs for new sidewalks, multi-modal enhancement of economic development projects.
- **November 2008:** Highland Community Council Transportation Committee recommended to the full district council that the Highland Parkway project should not proceed.
- **January 2009:** Discussions began between TLC, Public Works and Ward 3 office about making Jefferson into a “River to River Bikeway”. Discussions included diverters (traffic circles) between Fairview and Snelling as well as medians on Jefferson at Fairview, Cleveland and Cretin.
- **February 5, 2009:** Requested, via email, a Letter of Support from Macalester Groveland Community Council and West 7th/Fort Road Federation for the City to pursue NTP funds for implementing a bikeway on Jefferson
- **On or about February 18, 2009:** Received letter of support from Macalester Groveland to conduct a preliminary study of Jefferson for bike transit.
- **February 23, 2009:** Submitted Letter of Intent to TLC for Jefferson Avenue that included an exhibit indicating Jefferson between Snelling and MRB would include bike boulevard elements.

As stated in the application: “On this section we plan to implement a bike boulevard. Ideally, we would implement some features to give bikes priority over vehicles. Ideas that we would pursue is construction of median/pedestrian refuge treatments at the Cretin and the Fairview intersections, which would eliminate left turns off of Cretin and Fairview at these locations and eliminate thru motor vehicle movements on Jefferson at these intersections. We would also pursue traffic circles, diverters and removal of stop signs on this corridor. This would complement the community’s desire to have this section of Jefferson carry only neighborhood trips. Appropriate directional and destination signing and pavement markings would be installed.” The cost estimate submitted with application also identified traffic circles as an element to be included in the project as well as pedestrian refuges/diverters and bump outs.

- **March 11, 2009:** Complete Streets resolution adopted by City Council.

- **March 20, 2009:** Received Award Letter from TLC for the Jefferson project.
- **April 2009:** Money for Highland Parkway de-authorized by State.
- **April 27, 2009:** Neighborhood process began with presentation by Paul St. Martin at Macalester Groveland Transportation Committee meeting. The presentation included a handout from which the below excerpts were taken from. The handout also contained the concept plan as submitted to TLC for the section of the project.
 - **Proposed Project**
 - Implement a dedicated bicycle facility on Jefferson from Mississippi River Boulevard to West Seventh Street with connections east from Seventh Street on residential streets to Sam Morgan Trail and the Smith Avenue High Bridge. The project limits are shown on the attached concept map. The overall length of the proposed project is approximately 4 miles.
 - **Project Details**
 - **Jefferson – Mississippi River Blvd to Snelling**
This section of Jefferson is classified as a residential street. Years ago, the community successfully had this street re-designated from a collector street to a residential street. Proposed project includes:
 - • Bicycle Boulevard Treatment
 - • Implementation of Bike Pavement Markings
 - • Installation of directional and destination signing
 - • Parking would remain as is – investigate implementing two side parking on some sections where currently one side parking.
 - • Consider Measures (Bumpouts, Traffic Circles, Pedestrian Refuge Islands) to calm traffic and reduce thru motor vehicle traffic and enhance residential character of street and provide higher priority to bicycle thru trips
 - • Coordinate with proposed residential street paving project on Jefferson between Fairview and Snelling planned for 2010.
 - **Community Process**
 - The City will work closely with TLC, St. Paul Bicycle Advisory Board, Macalester Groveland Community Council, West Seventh Federation and residents of the community on design and implementation of the project. City Council will make final decisions on project details and whether to proceed.
- **June 4, 2009:** Approximately 400 notices of a public meeting to be held on June 22, 2009 at the Edgcumbe Rec Center experienced a delay in mailing by real estate. The delay was such that consideration was given to canceling the meeting. This issue came up while I was on vacation. The meeting wasn't cancelled and at the meeting the City admitted mistakes were made. It was at this meeting that Community Design Group led by Antonio Rosell assisted in presenting what the bikeway may look like. The meeting was an interactive meeting similar to a design charettes and included small group discussions of the various sections of

Jefferson. The intent of the 6/22 meeting was to assist in determining what elements would/would not be included in the design. Included with the meeting notice was a copy of the concept plan as submitted with the funding application. The notice also contained information as to what the project was about. Specifically “The purpose of the Jefferson Bikeway project is to provide a safe bicycle and pedestrian facility that encourages biking and walking in St. Paul.” Also included in the letter was information relative to the scope of the project as follows: “... The boulevard elements range from pavement markings (Sharrows between Lexington Parkway and Snelling to changes to the roadway (diverters, neighborhood traffic circles and bump outs) between Snelling and MRB.”

- **June 22, 2009:** Large neighborhood meeting held to discuss the project. There were approximately 200 people at the meeting. It was specifically stated at the meeting, as shown in the minutes from the Transportation Committee meeting, that the project was being considered “to make choosing to walk or bike a more inviting/comfortable/convenient option”.
- **November 23, 2009:** Discussed the possibility of including traffic circles as part of the 2010 RSVP project on Jefferson
- **July 7, 2010:** Possibility of looking at a test refuge at Cleveland surfaced in internal meeting between Public Works and TLC.
- **July 23, 2009:** FAQ provided to MacGroveland for inclusion on web site.
- **August 24, 2009:** Appearance by Paul St. Martin at Macalester Groveland Transportation Committee meeting. When asked by the board, Paul stated that the intent of the grant program is to increase bicycle facilities and that the project is in keeping with the adopted “Complete Streets” resolution.
- **July 27, 2009:** Macalester Groveland Transportation Committee meeting attended by both Paul and I. In this meeting an update of the Jefferson project was presented. Additionally, a refuge at Cretin/Cleveland was discussed as was the fact that the ultimate decision was that of the City Council. Also presented the FAQ with responses developed for the MacGroveland web site.
- **August 24, 2009:** MacGroveland Transportation Committee meeting at which preparations for September 22, 2009 meeting discussed.
- **September 2009:** Notice of September 22, 2009 meeting sent shortly after September 3 to residents along Jefferson. The intent of the meeting was “to provide a project summary, to review potential design treatments for the section of the project between Mississippi River Boulevard and Lexington Parkway, and to obtain neighborhood input on related traffic issues. The meeting will include ... as well as an opportunity to break into small groups to discuss traffic issues in the neighborhood.” The notice also stated that “the proposed project includes traffic calming measures, directional and way finding signage, pavement markings, and potentially measures to remove through traffic from Jefferson.”
- **September 8, 2009:** Information placed on City web site that included a revised FAQ and an updated map.

- **September 16, 2009:** Email to Terri Casey, former MacGrove Trans Comm. Chair discussing options to be discussed at 9/22 meeting. Options included:
 - Speed table at Woodlawn
 - Mount Curve Blvd: Traffic circle
 - Finn Ave: Traffic circle
 - Cleveland Ave: Diverter
 - Kenneth to Prior: allow parking on north side
 - Prior to Fairview: speed hump midblock between Prior and Fairview
 - Fairview: diverter with traffic signal elimination and add stop signs for east/west travel
 - Fairview to Snelling: consider allowing parking on north side
 - Wheeler St: Traffic circle
 - Davern St: Traffic circle
 - Snelling to Lexington: Speed display signs
- **September 22, 2009:** Neighborhood meeting held at Edgumbe Rec Center gym. Four subgroups were developed based on section of Jefferson: MRB to Cleveland, Cleveland to Fairview, Fairview to Snelling, and Snelling to Lexington. Small groups provided input relative to intersection/corridor options. See attached minutes from September 2009.
- **November 17, 2009:** Traffic Engineering appeared at Davern-Jefferson RSVP to discuss neighborhood traffic circles and adding parking to the north side between Fairview and Snelling. Straw pole taken indicated 50/50 split as to implementation of traffic circles.
- **January 25, 2010:** MacGrove Transportation Committee meeting that included a handout indicating project elements that would be included in the project and those that would only be pursued if requested by neighborhood. The items that needed neighborhood approval included:
 - Speed table at Woodlawn
 - Remove stop signs & install traffic circle at Mount Curve Blvd.
 - Remove stop signs & install traffic circle at Finn Ave.
 - Remove stop signs at Kenneth & Prior
 - Implement 2-sided parking Kenneth to Prior
 - Install speed humps/tables between Prior and Fairview
 - Remove stop signs and install traffic circles at Wheeler, Davern & Macalester
 - Implement 2-sided parking Fairview to Snelling
 - Remove stop signs and install traffic circle at Duke (east side of West 7th Street)
 - Notation was made that the test refuge would be implemented subject to Council approval
- **February 3, 2010:** Resolution approving construction of bikeway project laid over until 2/17. SOER developed for resolution states “The purpose of the project is to provide an improved east/west pedestrian and bicycle facility on Jefferson Avenue between Mississippi River Boulevard and the Sam Morgan Trail.” The

SOER also states that between MRB and Snelling there would be pavement markings, directional/destination signs and “traffic calming elements such as traffic circles and speed humps if desired by the community.” Additionally, the SOER stated that between Snelling and Lexington Parkway that “Sharrow” pavement markings would be installed as well as destination/directional signs and dynamic speed display signs.

- **February 4, 2010:** Notice to property owners in RSVP area of another meeting to discuss the relationship between the RSVP project and the bikeway project. Meeting set for 2/18/10. Clarification between the two projects and input relative to traffic circles was gathered.
- **February 11, 2010:** Notice to property owners between Fairview and Cleveland about meeting scheduled for 2/23 to discuss project status and what types of traffic calming elements, if any, they want to see in that section.
- **February 16, 2010:** Email to Lisa Falk-Thompson informing her April 1 is the deadline to file a petition if traffic circles are wanted as part of the Davern-Jefferson RSVP.
- **February 17, 2010:** Resolution approving construction of bikeway project laid over until 2/17.
- **February 22, 2010:** MacGroveland Transportation Committee meeting where resolution was passed supporting construction of the project since only pavement markings and signs were definite elements.
- **February 23, 2010:** Letter from MacGroveland Transportation Committee stating they support the design as currently proposed, i.e. pavement markings and signs, between MRB and Lexington.
- **February 24, 2010:** Resolution approving construction of Jefferson Bikeway laid over until 3/10/10.
- **March 3, 2010:** Preliminary Order SOER developed setting project elements for Public Hearing on April 7, 2010. All traffic calming elements eliminated west of Snelling. Project still included pavement markings west of Snelling.
- **March 5, 2010:** Meeting with Steve Clark and CM Harris to discuss project. The results of the meeting were that the traffic calming elements were removed as were the pavement markings west of Snelling.
- **March 8, 2010:** Meeting with Steve Clark who clearly indicated one traffic calming element needed to be included in the project west of Snelling.
- **March 11, 2010:** MacGroveland District Council passed Resolution supporting installation of pavement markings and signs.
- **March 22, 2010:** Letter received from MacGroveland District Council stating position of full District Council. CM Harris’ position on refuge is unclear. Bike detection as part of the Fairview signal reconstruct is being reviewed.

- **March 31, 2010:** Letter to TLC outlining what the project contains, what is does not as well as seeking an extension.
- **April 6, 2010:** Neighborhood meeting notice to residents stating there will be a project update meeting on April 20. Notice states as one of the updates a test refuge for Cleveland/Jefferson. Also, sharrows are still identified for installation west of Snelling.
- **April 7, 2010:** Council passes resolution to go to Public Hearing on May 5.
- **April 10, 2010:** Letter from TLC stating project funds need to be used in 2011.
- **April 20, 2010:** Neighborhood meeting held to provide update and receive input. No new concerns expressed. Update included presentation by Paul.
- **April 28, 2010:** Revised SOER provided to Council that was a revision of the SOER from March when the public hearing date was set. It identified three items up for consideration at the Public Hearing: installation of modified street name signs, installation of route marker signs and installation of a test refuge. It also stated that the final decision to implement a permanent refuge would be “based on the results of the test and input from the community and Councilman Harris”.
- **May 5, 2010:** Public Hearing held for project. Council passed 6 – 1.
- **July 20, 2010:** Meeting with CM Harris to discuss specifics as it relates to the Jefferson project and the test median.
- **July 23, 2010:** Notification to residents that the test refuge would be implemented in August at Cleveland/Jefferson. Notices also went to police, fire, SPPS, Nativity of Our Lord Catholic School and Metro Transit. Exhibits accompanied agency notices only.
- **August – October 2010:** Test refuge in place and comments received via email, phone call, letter, newspaper and in person.
- **September 2010:** Phone update provided to Lauren Anderson relative to comments.
- **January 21, 2011:** Meeting with TLC to go over results of test.
- **January 24, 2011:** Informational meeting at Macalester Groveland Transportation Committee.

EMAIL EXCHANGE BETWEEN JOHN MACZKO (CITY ENGINEER)
AND ERICH MISCHKE (JEFFERSON RESIDENT)

From: john.maczko@ci.stpaul.mn.us
To: northernlightslodge@hotmail.com
Subject: RE: Follow-up to our phone conversation
Date: Thurs, 4 Aug 2011 02:41 -0600

Thanks Erich, I will make sure your concerns are laid out for the committee. I appreciate the time you have take to put this together and I look forward to working with you to resolve this issue in a way that is good for all in the neighborhood and Saint Paul as a whole.

I appreciate your willingness to be involved. Please give me a call upon your return so that we can get this process started.

John

>>> Northern Lights Lodge <northernlightslodge@hotmail.com> 8/2/2011 10:34 PM >>>

John,

As we discussed, I am not able to attend the City Transportation Committee meeting on August 8th, 2011 because of a long-scheduled family trip to Florida.

Let me first share my appreciation for your serious reflection on the concerns that I, along with others in the neighborhood, have raised concerning the process that has transpired since the introduction of the idea of a bike path on Jefferson Avenue.

Indeed, I am grateful that you have chosen to put the brakes on the current plans to implement the proposed "pedestrian refuge" at the intersection of Jefferson Avenue and Cleveland Avenue as the result of many of the concerns that have been brought to your attention.

With that in mind, I wanted to be sure I shared with you, and the committee, my personal reflections of where things stand today with regard to the Jefferson Avenue Bikeway.

Despite my ongoing reservations about the need to embark on such a project given the current state of the economy, as well as my objections to the overall process that has accompanied this project, I believe some significant good could

come from all of this if the City and Transit for Livable Communities were to recalibrate their efforts.

I think it is an accurate reflection of the neighborhood that efforts to “calm” traffic on both Jefferson Avenue and Cleveland Avenue have merit for both residents of the immediate community, but also of those throughout the region who have the opportunity to share our streets and sidewalks.

On a personal level, as the parent of two young children who go to school within blocks of our home, and are, like most children their age, active and energetic, the rate of speed of traffic on both avenues that impact our house is of significant concern.

I suspect most parents within the area who have children would find merit in a conversation with the City’s Public Works Department on what types of efforts could be initiated as a holistic approach to traffic calming, that would also substantially enhance public safety and livability of our neighborhood.

Beyond those of us with children, however, are all the neighborhood residents who have their own concerns about traffic speeds and the need to address the introduction of multi-modal transportation on roads that were not initially designed to have them occupied by cars, bicycles and people.

As I have indicated to you, I would embrace the real opportunity to reach out to my neighbors throughout the area for a true conversation between them and you and other public works’ staff on how to achieve these goals and objectives in ways that are consistent with the character of our neighborhood, and provide more than steel and concrete barriers.

Steel and concrete barriers, incidentally, that I think do more to divide the neighborhood from its City government than bring them together to find good and positive solutions that will work for nearly all those interested in finding them.

You have my full commitment to be a positive force in working with you to engage the neighborhood, even if at a series of backyard get-togethers and discussions about how to achieve these goals and objectives.

I am not interested in meetings to point fingers, or to express anger or offer up blame for what has happened in the past in this process.

But, I do believe it is important that a plan of action be developed that will as aggressively as possible reach out to the community to give them every reasonable opportunity to participate in a discussion about how to achieve the worthy goals of traffic calming, with enhancing the value proposition that a bike path could have to the area if done with the care and attention that it deserves from an engaged neighborhood.

I am a firm believer that ownership by the neighborhood in this entire project is the key to citizens feeling good about how their tax dollars were used, and recognizing a true value proposition from this project. If it is simply a project that was done for the “good of the community” without the community feeling good about it, then it has not achieved its true public purpose.

John, throughout all of my years as a resident, taxpayer and former City employee, I have had great regard for the men and women of the Saint Paul Public Works Department. I have always found them to be integrate, committed to the highest principles of public service and creative in finding ways to do good things in the right way.

I am appreciative of your commitment to not pursue this project in the manner in which it currently exists without a significant change in the paradigm in the relationship with the neighborhood. I am very confident that with your pledge to reset this conversation, and the commitment you have from me and I know from others in the neighborhood, we can find a great deal of positive in this effort that could be an example of “best practices” in government and citizen involvement.

Furthermore, by establishing this type of true working relationship between the City and the neighborhood, we can demonstrate to others in our City, and elsewhere, that creating new multi-modal transportation systems can be looked upon as a true positive for those who live and reside in neighborhoods impacted by these concepts, as well as those who take the opportunity to share those assets from outside the neighborhood.

I look forward to discussing this with you further, and look forward to working with you and your colleagues to achieve the outcome that I believe a substantial number of neighborhood residents want to achieve.

From: northernlightslodge@hotmail.com
To: john.maczko@ci.stpaul.mn.us
Subject: RE: Follow-up to our phone conversation
Date: Mon, 1 Aug 2011 12:43:45 -0600

John,

I never heard back from you after our phone call on Thursday, and sending you this Friday morning per our agreement. Can you confirm receipt of this email, and call me please to discuss. 202-650-7644.

Thanks,

Erich

From: northernlightslodge@hotmail.com
To: john.maczko@ci.stpaul.mn.us
Subject: Follow-up to our phone conversation
Date: Fri, 29 Jul 2011 05:28:46 -0600

John,

Thank you for the phone call last evening. I have always respected your professionalism and commitment to public service. Perhaps it is because of this respect that I am so extremely frustrated that this project was allowed to transpire in the manner in which it has, and with it, the absolute loss of the integrity of the process.

It would be easy to say that this all happened in only the past few months, but that would absolutely not be correct.

It began when the City approached the Macalester-Groveland Community Council about its intention to seek money from Transit for Livable Communities for a grant for a bikepath that the neighborhood itself never asked for -- and frankly, never needed. It was when the City, along with TLC, tried to ramrod a bikepath down the residents of Highland Parkway, and when that failed, simply took its plans and overlaid them over Jefferson Avenue and told its residents that they were getting a bikepath -- whether they wanted it or not.

I bike. My family bikes. The more I can bike, the more I like it. This isn't about being anti-biking, or for that matter, anti-traffic calming.

It's about being against the concept that unelected organizations like TLC, along with some City staff, are pursuing an agenda at the expense of a neighborhood -- and when the neighborhood objects, simply ignoring their concerns.

TLC is not simply an organization that supports bike paths. They are a extremely well funded advocacy group that touts its database of 10,000 members -- and, in fact, on its website takes pride in being extremely politically active in its agenda.

That is fine -- it is not fine when its political activities bully neighborhoods, and apparently, are now holding the City hostage if it doesn't put a median exactly where they want it placed. They are holding tax dollars -- not private dollars -- hostage when they do this. Caving to the demands of an unelected body despite the objections of the neighborhood simply cannot stand.

And, as we discussed, it is about my concern at the significant conflicts of interest that not only undermine the process, degrade confidence of the community in the City, but also expose this project to serious legal scrutiny that pose substantial liability to the City of Saint Paul and its

taxpayers.

Here are some of those conflicts of interest:

* In my review of the Saint Paul City Transportation Committee which is on the City's website, there are three members of that Committee that appear to have significant conflicts of interest. One of the members, Barb Thoman, is the Executive Director for Transit for Livable Communities -- and two other members have been financial contributors to Transit for Livable Communities.

* In my review of the Transit for Livable Communities website which lists their donors, the name Paul St. Martin can be located. It may be there is another Paul St. Martin, but if it is the one that is the City Engineer in Saint Paul that was responsible for this project, I cannot conceive how that relationship was not disclosed long before I had to discover it.

* And, the individual responsible for staffing this project for Transit for Livable Communities, Joan Pasiuk, is the spouse of David Pasiuk -- a member of the Mac-Groveland Transportation Committee which has been directly involved in pushing this project from the beginning.

Even without these conflicts of interest, the project still has gaping problems.

John, since January, the City staff has been silent.

According to an email I received, David Kuebler either called/or emailed Afton Martens at the Mac-Groveland Community College on July 20th, 2011, to ask the CC to place him and his plans for the refuge on their agenda. It is my understanding that the CC transportation committee was not scheduled to meet in August -- which would not have worked with Kuebler's plans to have the City Transportation Committee vote on recommending his plan to the City Council.

Unfortunately, the Mac-Groveland Community Council, instead of opting to decline to agree to this, without substantial and adequate notice to the neighborhood, went ahead and agreed to put him on the agenda. They then proceeded, on Friday the 22nd, to distribute fliers in the neighborhood telling people this had been added to the agenda -- but without providing any details, copies of the plan, or any additional information.

And, it wasn't until the 22nd, that, according to this email, David actually provided the Mac-Groveland Community Council with the actual plans. This was on a Friday -- the meeting was on that next Tuesday -- there was absolutely no way that anyone who was impacted by this new plan was ever going to see it before that meeting. And, that assumed they even were notified of a meeting.

You need to also know, this is not the first time David has done this.

At the time of the first "public meeting" held by the Mac-Groveland Community Council, the notice for the public hearing did not arrive until days before the meeting. And, when residents, including myself, attempted to contact Mr. Kuebler, he was on vacation and not available to discuss it.

When confronted by the neighborhood on the lack of adequate notice, he had little explanation other than to say he was sorry.

John, when the public hearing took place on this the first time, TLC showed up with blueprints that an architectural firm had spent considerable resources on creating. And, while they continued to say no decisions had been made, we now know that this project had gotten much

further ahead than had actually been represented to the community.

When all is said and done, I want a reasonable solution to this. In the interests of my own children, and those of the entire neighborhood, if we can develop traffic calming methods on the entire section of Jefferson and Cleveland Avenue -- not just at the intersection of the two avenues -- that would be a substantially better approach. And, frankly, one, if done right and with the active participation of the neighborhood, would have me standing with you in promoting to the neighborhood and City Council.

The solution you are now proposing is not reasonable. It is not a solution that came from the community -- it is a solution that came from you and your staff. It is a bad solution, an ugly solution and one that has been formed in a flawed process that ought not be recommended to the Saint Paul City Council.

It is my hope that you will make the Council aware -- not just of my objections and concerns and those of my neighbors -- but of the direct conflicts of interest and problems with this process in its entirety. I found these problems in just 15 minutes of a google search. It is, in large part, why I have submitted my FOIA request. I am concerned that further conflicts may expose themselves after a careful review of other documents that are not currently public.

It should not just be a matter of making a recommendation to the City Council, and frankly, I do not believe, under the circumstances, it would be respectful or even ethical to make a recommendation to them to proceed forward given what you now know of the conflicts in this process.

I look forward to hearing from you so we can discuss this further.

All the best,

Erich Mische

From: northernlightslodge@hotmail.com
To: john.maczko@ci.stpaul.mn.us; rich.lallier@ci.stpaul.mn.us; dennis.rosemark@ci.stpaul.mn.us
Subject: Freedom of Information Act Request by Erich Mische
Date: Wed, 27 Jul 2011 19:08:56 -0600

Rich Lallier, Director
Saint Paul Department of Public Works
25 West 4th Street. 1500
City Hall Annex
Saint Paul, MN 55102
Re: Freedom of Information Act Request

Dear Mr. Lallier,

This is a request under the Freedom of Information Act.

I request that a copy of the following documents be provided to me:

- Any and all communications between employees of the Public Works Department, Transit for Livable Communities, the Macalester Groveland Community Council, the City of Saint Paul City Council and the City of Saint Paul Mayor on matters related to so-called “Jefferson Avenue Bikeway”
 - Any and all communications between the above-mentioned employees on matters related to the so-called “Pedestrian Refuge” proposed on the intersection of Cleveland Avenue and Jefferson Avenue in Saint Paul, Minnesota to any or all of the above mentioned individuals or organizations
 - Any documents, proposals, contracts, blueprints or other relevant materials related to the above mentioned projects that have been made public, as well as those that have not been made public
 - Any and all communications to the Minnesota Department of Transportation by employees of your department related to the above mentioned employees
 - Any logs, notes or journals maintained by your employees of your department which have any relationship or association with the above-mentioned projects
 - Any files, or materials of an official nature related to these projects that are work product or relevant to discussions associated with the above-mentioned projects
 - Any other communications to individuals, organizations or public and non-public entities which may reasonably fall under this FOIA request
 - A list of staff in your office who have provided support, direction or have participated in either of these two projects
 - A breakdown of time, cost and duties related to each of these projects by those in your department involved with either or both of them
- In order to help to determine my status for purposes of determining the applicability of any fees, you should know that I am a concerned resident of the City of Saint Paul who is seeking this information to provide to the public a fuller picture of the genesis of these projects, and the decision-making that has gone into them.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not in anyway in my commercial interest.

It is my intention, upon receiving this information, to provide to the public and the neighborhood the opportunity to review the materials in an open forum for review and discussion.

It would be my hope that those involved with these projects would make themselves available to discuss the contents of the materials in an appropriate forum, particularly those documents which may raise questions or concerns as to the evolution of this project to its current status.

I respectfully request that my request receive expedited processing because City Staff, along with the Transit for Livable Communities, continue to push forward a project despite the objections of many in the neighborhood, and a continuing pattern of a lack of adequate public notice of the project.

Furthermore, recent actions by City Staff to push the Macalester Groveland Community Council to take action on a resolution supporting the City Staff's recommendations without adequate public notice are both troubling, and raise serious questions of other information that may not be properly being made public at this time.

It is my understanding based on documents I have reviewed, that City Staff may have already notified some individuals, organizations or other governmental entities of their intentions to move forward on these projects without disclosing those intentions to the public being impacted by them.

Furthermore, a City Transportation Committee meeting on August 8th at which City Staff will present their "findings" and "recommendations" to the Committee necessitates immediate access to this information in time for citizens to be fully aware of the implications of the City Staff activities on these projects.

I am would be available to discuss any aspect of my request, and to clarify any information that you may not consider to be clearly articulated.

Thank you for your consideration of this request.

Sincerely,

Erich Mische,
2065 Jefferson Avenue, Saint Paul, Minnesota 55015
(651) 699-1670

Cc: City Councilmember Pat Harris