



Contact: Carolyn Will
carolyn@cwcommunications.info
M 612-414-9661

Gary Todd
SOS Steering Committee Chair
grtodd@comcast.net
651-470-4720

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SOS sues Carter Administration to force disclosure of documents showing how the scoring criteria for Common Cent Initiative was manipulated to accelerate construction of Summit Avenue bike trail

(Saint Paul, MN) Save Our Street (SOS) filed a legal action today in Ramsey County District Court seeking a court order requiring the City of Saint Paul to disclose documents that would confirm how the City manipulated scoring criteria to advance construction of the Summit Avenue bike trail.

Documents previously obtained by SOS establish that Mayor Carter's Administration ordered staffers to prioritize the reconstruction of Summit Avenue, and "enhance" the scoring criteria to justify Summit Avenue's accelerated reconstruction to show the City was "making progress" on the highly controversial bike trail. SOS requested these documents under the Minnesota Government Data Procedures Act (MGDPA) to show that the City's own data irrefutably contradicts Mayor Carter's claim that Summit Avenue has been prioritized since it has not been improved since "Taft was President". Even after being presented with its own documents contradicting the Mayor's claim, the City continues to refuse to disclose data that would prove how the scoring for the

reconstruction of Summit was manipulated, presumably because those documents would be embarrassing to the Mayor.

In September 2024, SOS first requested documents regarding the scoring of projects under the Mayor's Common Cent initiative. After being rebuffed by the City, SOS repeated its request for public data on February 15, 2025, and then again on June 24, 2025. Even after documents established that Mayor Carter's Administration manipulated scoring criteria to accelerate construction of the bike trail on Summit, and numerous follow up emails to the Mayor's Chief of Staff, Peter Leggett, Mayor Carter's Administration adamantly refused to produce documents that might be embarrassing to the Mayor. As a result, many other more essential projects throughout the City have been denied critical funding so that Mayor Carter's pet bike trail can be moved ahead over other projects-

City of Saint Paul staff notes obtained by SOS demonstrate how Mayor Carter's Administration manipulated the process:

- **August 14, 2024:** Director of Public Works Sean Kershaw instructed staff to prioritize the reconstruction of Summit Avenue to avoid "pushback." (Complaint Exhibit B, "tampering").
- **August 27, 2024:** Scoring criteria for the reconstruction of the Western portion of Summit Avenue was "enhanced" so that Summit "can move up the list." (Exhibit B)
- **September 16, 2024:** Staff reported to Director Kershaw and Chief Resilience Officer Russ Stark that the reconstruction of Summit had been "moved up to 2029."
- The **City's latest 5-year Construction plan** further accelerates Summit Avenue reconstruction to start in 2028.

Despite the City's own documents showing how it perverted a process that it claimed to be fair, Mayor Carter's Administration continues to refuse to disclose critical data that

would demonstrate conclusively how the Carter Administration altered the scoring criteria, along with communications among Mayor Carter's staff orchestrating these secret changes.

As stated in the SOS request for an Injunction:

“None of the manipulation of the scoring criteria to accomplish Mayor Carter’s political objectives was disclosed to the public. As a result, with no public transparency, Mayor Carter’s Administration is proposing to reconstruct Summit Avenue, at a cost of \$100,000,000+ just so it can begin work on a highly controversial off-road bike trail to demonstrate the City was “making progress” on the proposed bike trail (Complaint pg. 4).”

Mayor Carter’s Misrepresentation of the “Common Cent” Initiative

Mayor Carter’s Administration has claimed publicly that the City’s Common Cent initiative, a 1% increase in Saint Paul’s sales tax making it the highest city sales tax in the state, was to fund much-needed road improvement projects throughout the City, based on objective scoring criteria. Documents obtained by SOS, however, tell a very different story. Summit Avenue, and thus the proposed bike trail (that eliminates the very popular existing on-street bike lanes), did not make the cut when projects were prioritized based on objective criteria. Mayor Carter’s Administration, however, then secretly manipulated the process so it could fast-track the bike trail on Summit to benefit the Mayor politically.

Gary Todd, SOS Steering Committee Chair, shares: “Saint Paul taxpayers have been duped to justify beginning a \$100,000,000+ reconstruction on a section of Summit that doesn’t need to be reconstructed for another 20+ years, just to build a bike trail. Mayor Carter’s claim in recent debates Summit ‘has not been reconstructed since Taft was President’ is plainly false based on the City’s own documents. Now having been caught

in a lie, Mayor Carter's Administration is concealing documents that would prove that he's not telling the truth. And for the record, Summit Avenue already has a popular bike lane that is as safe as any bike lane in the City."

The City's Refusal to Turn Over Embarrassing Documents Is Part of a Continuing Pattern of Wilful Violations of the Law

Ramsey County District Judge Patrick Diamond has already awarded exemplary damages against the City of Saint Paul for 14 separate willful violations of the Minnesota Government Data Practices Act (which the City agreed should be \$30,000) for violating the MGDPA by refusing to disclose documents regarding the proposed bike trail. Apparently the documents SOS has requested are even more concerning to Mayor Carter's Administration, and the City is about to waste significant taxpayer dollars, and expose taxpayers to tens of thousands of additional sanctions rather than disclose embarrassing documents that demonstrate how Mayor Carter's Administration continues to waste taxpayer dollars, even at a time when the City budget is at a critical shortfall.

About SOS (Save Our Street)

Save Our Street is a citizen group that seeks to educate and advocate for preserving the historic streetscape of Summit Avenue as a treasured St. Paul destination and a safe, tree-lined, multi-modal corridor for generations to come. <https://www.savesummitavenue.org>

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