

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, Minnesota 55101

REGULAR MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE
Monday, July 20, 2009

Committee Members Present: **Chair Natalie Steffen; Vice-Chair, Tony Pistilli; Kris Sanda; Richard Aguilar; Sherry Broecker; Polly Bowles; Wendy Wulff**

Tom Weaver, Regional Administrator and Judd Schetnan, Director, Government Affairs explained to the Community Development Committee the legislative action regarding transferring LCA grant money to the Metropolitan Council general fund.

CM Bowles inquired if there would be any changes to the LCA grant extension process. Mr. Weaver responded no changes would occur.

CALL TO ORDER

A quorum being present, Chair Steffen called the regular meeting of the Council's Community Development Committee to order at 4:15 p.m. on Monday, July 20, 2009.

APPROVAL OF AGENDA AND MINUTES

It was moved by Sanda seconded by Bowles, to omit item 2009-237 and approve the agenda. **The motion carried.**

It was moved by Bowles, seconded by Sanda to approve the minutes of the June 15, 2009 regular meeting of the Community Development Committee. **The motion carried.**

BUSINESS

2009-194 Administrative Plan Revisions, Section 8 Housing Choice Voucher Program
HRA Assistant Manager Terri Smith presented background information related to the proposed revisions to the Administrative Plan.

Sanda moved, seconded by Wulff that the Metropolitan Council adopt the revised Administrative Plan for the Section 8 Housing Choice Voucher Program as described in the business item. **The motion carried.**

CM Wulff asked if the purpose of proposed revisions was to help current residents remain in their homes. Ms. Smith answered affirmatively. CM Bowles asked if applicants would be able to be on both the main Section 8 wait list as well as project based site based lists. Ms. Smith answered affirmatively. Chair Steffen confirmed that Section 8 wait list is currently closed.

CM Sanda asked for an example of a sample family size and voucher amounts for sample family size for August meeting.

2009-223 Reimbursement authorization for Ramsey County regional park projects financed with FY 2011 Parks and Trails Fund appropriation

Arne Stefferud presented the staff report and the proposed actions to the Community Development Committee.

Authorize Ramsey County to expend funds on the following State Fiscal Year 2011 Parks and Trails Fund projects under the stipulation that the County will not be reimbursed for its expenses from the FY 2011 Parks and Trails Fund appropriation until the appropriation is available and after execution of grant amendments or grant agreements for these projects:

1. \$141,000 to complete the Nature Play Area and Children's Garden at Bald Eagle Otter Lakes Regional Park's Nature Center.
2. \$130,000 for Tamarack Nature Center Volunteer Corps.
3. \$343,000 for Battle Creek Regional Park restoration of a 200 acre prairie and oak savannah.

Bowles moved, seconded by Pistilli that the Metropolitan Council authorize Ramsey County to expend funds on the following State Fiscal Year 2011 Parks and Trails Fund projects under the stipulation that the County will not be reimbursed for its expenses from the FY 2011 Parks and Trails Fund appropriation until the appropriation is available and after execution of grant amendments or grant agreements for the projects in the report. **The motion carried.**

The Committee asked Council staff if there was a scenario where Ramsey County would not receive all of the FY 2011 Parks and Trails Fund appropriation for these projects. Staff replied that the appropriation is a constitutionally dedicated account. It said further that the only scenario where the County would not receive all the appropriation for these projects is if the sales tax revenue is less than the forecasted amount used to make the appropriation. The recommended action places the risk of not receiving the full appropriation on Ramsey County.

CM Bowles asked if any changes in funding, or earmarks are planned. Mr. Stefferud responded the funds are constitutionally allocated.

2009-244 City of Minneapolis 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20348-1

Local Planning Assistance staff member Denise Engen presented a summary of the report and proposed actions to the Committee. Ms. Engen informed the Committee that Karin Berkholtz from the City of Minneapolis and William Moore of Metropolitan Council Environmental Services were available to answer questions on the Update. Ms. Engen presented the committee with the following recommendations.

Recommendation of the Community Development Committee:

1. Authorize the City of Minneapolis (City) to put its 2030 Comprehensive Plan Update into effect contingent upon the execution of the "2009 Memorandum of Understanding Relating to Combined Sewer Overflow Elimination Efforts" between the City and the Council;
2. Adopt the revised forecasts for population, households, and employment for the City, as shown in Table 2 of the Review Record; and
3. Advise the City to:
 - a. Update its Local Water Management Plan (LWMP) in 2009 to make the LWMP consistent with the 2007 Minnehaha Creek Watershed District plan and to meet this plan's updated requirements.
 - b. Send the Council a copy of the new LWMP for review and comment at the same time it is sent to the watersheds for review and approval.
 - c. Participate in Council activities to monitor redevelopment in developed communities.

- d. Implement the advisory comments noted in the Review Record for Aviation, Transportation/Transit, Forecasts and Water Supply.

Recommendation of the Environment Committee:

Approve the City of Minneapolis's Tier II Comprehensive Sewer Plan contingent upon the execution of the "2009 Memorandum of Understanding Relating to Combined Sewer Overflow Elimination Efforts" between the City and the Council.

Sanda moved, seconded by Broecker that the Metropolitan Council adopts the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

Chair Steffen said she had asked Mr. Moore to provide the Committee information on the MOU. Mr. Moore explained that the MOU commits the City to be a long-term partner with the Council to address combined sewer overflow (CSO) issues. The City and the Council are joint permittees of a CSO permit with the Pollution Control Agency (PCA). The PCA has discussed terminating the current permit; without the MOU, the burden of addressing CSO would then fall solely on the Council.

Chair Steffen inquired if the MOU had an end date or if it was continuous. Mr. Moore replied that the MOU terminates in 2013, but at that time, the City would be required to submit an amendment to its comprehensive sewer plan, which would replace the MOU. Councilmember Bowles asked why 2013 date was set as the end date and why it would take so long to come up with the amendment. Chair Steffen commented that dealing with CSO has been a long-term effort, since 1984. Mr. Moore explained that the City has done much work and that there has not been an overflow for over three years. Additional study and testing on the system are needed, however, using data from a 50-year rain event. There has not been such a storm for several years. Chair Steffen asked if dollars have some effect on how long this will take. Mr. Moore replied yes, the City has been spending \$5-6 million dollars per year to address CSO, and that such work will continue.

CM Pistilli asked if the anticipated changes in population, households and employment presented in the Update would have an effect on regional infrastructure – and have a financial impact on the Council. Mr. Moore replied that there is no system capacity issue in Minneapolis, but that some rehabilitation work will be needed.

CM Bowles asked Ms. Engen if the difference in the existing and future land use maps was due mainly to reclassification. Ms. Engen explained that the existing land use map showed what is built today and is more detailed than the future land-use map, which is a broader, policy based document. Ms. Bowles said that she had received several calls from business owners who felt that their land was being "held up" because it was desired for a new use and wondered if the City had a comprehensive planning process that was different from other cities. Ms. Engen answered that Minneapolis's process was similar to most city's planning process. She explained that land use guiding was policy-based and that the implementation of land use through the City's zoning process is what would most affect individual property owners.

Chair Steffen called for a motion to approve. A motion was made and seconded. The Committee unanimously adopted the proposed actions.

Local Planning Assistance staff member Denise Engen presented a summary of the report and proposed actions to the Committee. Ms. Engen informed the Committee that Heather Worthington, Assistant City Manager, City of Edina was available to answer questions on the Update.

Recommendation of the Community Development Committee:

1. Authorize the City of Edina to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts as shown in Table 1 of the Review Record; and
3. Advise the City to:
 - a. Update its Comprehensive Water Resource Management Plan (CWRMP) by the end of 2009, send to the Council a copy of the updated CWRMP for review when it is sent to the watersheds for review and approval, and inform the Council when the watershed districts approved the City's 2004 CWRMP and the date that the City adopted that plan.
 - b. Participate in Council activities to monitor redevelopment in developed communities.
 - c. Implement the advisory comments noted in the Review Record for Forecasts, Water Supply and Plan Implementation.

Recommendation of the Environment Committee:

Approve the City of Edina's Tier II Comprehensive Sewer Plan.

Bowles moved, seconded by Pistilli that the Metropolitan Council adopts the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

Chair Steffen asked if the 2004 watershed date noted in proposed action item 3a was a misprint. Ms. Engen said that the date was correct and that the Council is trying to collect information on the most current Comprehensive Water Resource Management Plan (CWRMP). City will also need to update its plan by the end of 2009; the Council will need similar information for the new CWRMP as well.

CM Bowles moved to adopt the recommendations; the motion was seconded. CM Bowles then asked for information on the proposed Nine Mile Creek Regional Trail, particularly about the process, citizen input and alignments. Ms. Worthington addressed the committee, saying that the City is undertaking a process to examine the proposed alignments and that the trail planning process is a joint process between the Nine Mile Creek Watershed District, Three Rivers Park District and the City of Edina. The Park and Watershed districts are conducting an EAS and they will present the results to the City when it is completed. Completion of the EAS is expected in the fall of 2009. Ms. Worthington stated that the City has not endorsed an alignment, as it has not had anything specific to react to at this point.

Chair Steffen asked if an EAS is still an Environmental Assessment (Work) sheet. Metropolitan Council Regional Parks staff member Jan Youngquist confirmed that an EAW/EAS is an environmental assessment that would determine if an EIS, or Environmental Impact Statement, would be necessary. Ms. Youngquist also addressed how the trail planning process will relate to the Metropolitan Council. Once Three Rivers Park District completes the regional trail master plan, the City of Edina will review and, it is hoped, endorse the plan. The master plan would then be submitted to the Metropolitan council for review by the Metropolitan Parks and Open Space Commission, the CDC and then the Council. Once the Metropolitan Council approves the master plan, it would be eligible to receive regional parks funding.

2009-237 City of Dayton 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20411-1 (**pulled from agenda**)

2009-238 City of Maple Plain 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20507-1

Local Planning Assistance staff member Freya Thamman presented a summary of the report and proposed actions to the Committee.

Recommendation of the Community Development Committee:

1. Authorize the City of Maple Plain to put its 2030 Comprehensive Plan Update into effect;

Adopt the revised forecasts for the City, as detailed in Table 1 of the attached Review Record, along with the revised share of the region's affordable housing need of 19 units as detailed in the Housing section of the Review Record;

2. Change the planning area designation of the City from Developing to Developed in the *2030 Regional Development Framework*; and
3. Advise the City to participate in Council activities to monitor redevelopment in Developed Communities.

Recommendation of the Environment Committee:

Approve the City of Maple Plain's Tier II Comprehensive Sewer Plan.

Bowles moved, seconded by Wulff that the Metropolitan Council adopts the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

Chair Steffen asked Ms. Thamman about Recommendation 4 which "advises the City to participate in Council activities to monitor redevelopment in Developed Communities". Chair Steffen inquired why the word "advise" was used instead of "require". Ms. Thamman indicated that the Council's redevelopment monitoring program for Developed Communities is currently in the process of being established and therefore the City is being advised that they will be asked participate in the program when it is developed.

CM Broecker asked about the solar access protection component of the comprehensive plan update. Ms. Thamman indicated that solar access protection is one of three required resources protection sections in the comprehensive plan. Ms. Thamman indicated that solar access protection is usually a short section in the document where the City indicates that they will make appropriate efforts not to preclude access to sunlight for solar energy.

2009-250 Grey Cloud Island Township Comprehensive Plan Update Review File No. 20407-1 Senior Planner Lisa Barajas presented the Grey Cloud Island Township Update report to the committee.

Recommendations of the Community Development Committee:

Authorize Grey Cloud Island Township to put its 2030 Comprehensive Plan Update into effect.

Adopt the revised forecasts for the Township, as detailed in Table 1 of the attached Review Record, along with the revised share of the region's affordable housing need as detailed in the Forecasts section of the Review Record.

Advise the Township to:

Provide the Council with a final copy of the surface water management plan (SWMP) after the South Washington Watershed District (SWWD) approves the plan, and to provide the Council with the date that the SWWD approves the SWMP and the date that the Township adopts the final SWMP.

Address the "Notification" requirement as detailed in the Aviation section of the Review Record.

Broecker moved, seconded by Sanda that the Metropolitan Council adopt the attached Advisory Comments and Review Record and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

The Committee discussed the annexation of the Rivers Edge development area from the Township to the City of St. Paul Park and the protection of Native American burial grounds in the area. The Committee also discussed options if individual sewage treatment systems fail on small lots, and Council staff clarified the difference between the existing and planned land uses.

2009-242 Empire Township 2030 Comprehensive Plan Update, Review File No. 20596-1, Tier II Comprehensive Sewer Plan
Senior Planner Patrick Boylan presented the Update to the Committee.

Recommendation of the Community Development Committee:

1. Authorize Empire Township to put its 2030 Comprehensive Plan Update into effect; and,
2. Adopt the revised forecasts for population, households, and employment for the City, as detailed in Table 1 of the attached Review Record, along with the share of the regional's affordable housing need as detailed in the Housing section of the Review Record.
3. Require the Township to continue to participate in the Council's Plat Monitoring Program
4. Advise the Township:
 - a. That it will need to apply for wastewater connection permits from the Council at the time services are proposed; and,
 - b. Residential land uses adjacent to the Wastewater Treatment Plant are not compatible and the Township is encouraged to reevaluate this guiding.

Recommendation of the Environment Committee:

Approve Empire Township's Tier II Comprehensive Sewer Plan.

Sanda moved, seconded by Wulff that the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

Chair Steffen asked about recommendation 4. b. and compatibility with regional infrastructure. Environmental Services Engineer Kyle Colvin responded by stating that the Empire wastewater treatment plant (WWTP) operations is industrial in nature including lighting, truck traffic, and some noise associated with the operation. Council staff noted that low-density residential uses may not be the most compatible use adjacent to the WWTP. Council legal staff David Theisen further explained

that the Update does not meet the “substantial departure” from a Policy Plan or “system impact” thresholds to our systems and there is no real impact on the operation of the WWTP or inconsistent with regional policy.

2009-218 City of Vermillion 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20461-1

Senior Planner Patrick Boylan presented the Update to the Community Development Committee.

Recommendation of the Community Development Committee:

Authorize the City of Vermillion to put its 2030 Comprehensive Plan Update into effect

Recommendation of the Environment Committee:

Approve the City of Vermillion’s Tier II Comprehensive Sewer Plan.

Broecker moved, seconded by Pistilli that the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

There was no discussion.

2009-240 City of Arden Hills 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20476-1

Senior Planner Tori Dupre presented the report to the Community Development Committee.

Recommendations of the Community Development Committee:

1. Authorize the City of Arden Hills to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a) Work with Council staff on revising the affordable housing need number as part of the future Twin Cities Army Ammunition Plant comprehensive plan amendments.
 - b) Participate in Council activities to monitor redevelopment and infill in developed communities.
 - c) Implement the advisory comments noted in the Review Record sections on transportation and aviation.
 - d) Update the LSWMP within two years from the date that the new Rice Creek Watershed District (RCWD) watershed management plan is approved by BWSR, and submit it to the Council for review concurrent with its submittal to the RCWD for approval.

Recommendations of the Environment Committee:

Approve the City of Arden Hills’ Tier II Comprehensive Sewer Plan.

Sanda moved, seconded by Broecker that the Metropolitan Council adopts the attached Review Record and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

The Committee discussed the TCAAP superfund site and contamination remediation.

2009-241 City of Oakdale 2030 Comprehensive Plan Update Review File No. 20281-1 Tier II Comprehensive Sewer Plan

Local Planning Staff, Susan Hoyt, presented the 2030 Comprehensive Plan Update to the Committee. She explained that the City is now fully developed and it is appropriate to change the City's planning area designation from a "Developing" to a "Developed" planning area. The City's designation for this Update, "Developing", focuses on regional investments and community plans' for accommodating growth by encouraging connected land use patterns. The recommended designation, "Developed", focuses on maintaining existing regional investments and renewing and improving infrastructure, buildings and land uses for accommodating additional growth.

Recommendation of the Community Development Committee:

1. Authorize the City of Oakdale to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Send the Council the dates that the watershed organizations approve the Surfacewater Management Plan (SWMP), the date the City adopts the final plan and a copy of the final adopted SWMP.
 - b. Participate in the Council's redevelopment monitoring program.
 - c. Implement the advisory comments in the Review Record for parks, transportation, and water supply.
3. Change the planning area from Developing to Developed.

Recommendation of the Environment Committee:

Approve the City of Oakdale's Tier II Comprehensive Sewer Plan.

Sanda moved, seconded by Wulff that the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-255 LCA Grant Amendment Procedures-Revisions to Criteria for Considering Grant Extensions and Grant Term Limits

Paul Burns, Livable Communities Manager presented the report to the Community Development Committee.

At its June 15, 2009 meeting, the Community Development Committee (CDC) tabled Business Item 2009-202, which was a committee review panel recommendation for modifying procedures for requests for extensions to LCA grant terms. At their July 20 meeting, the CDC substituted this

business item for the version tabled on June 15. It was explained that this has come about because the Council directed staff to modify the criteria for extensions to LCA grants at its June 24 meeting.

Sanda moved, seconded by Bowles to recommend the attached revision to the LCA Grant Amendment Procedures be approved. **The motion carried.**

INFORMATION

2008 Population Estimates (Libby Starling 651 602-1135)

Libby Starling, Research Manager, provided a presentation to the Community Development Committee on Metro area population and household trends for 2000-2008. Ms. Starling explained the population estimates revealed and the methodology obtaining the estimates and the subsequent population growth since the 50's. Information on population growth and changes by communities were included in the presentation.

ADJOURNMENT

The next regularly scheduled CDC meeting will be held on Monday, August 17, 2009 at 4:00 p.m. in the Council Chambers.

Business completed Chair Steffen adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Michele Wenner
Recording Secretary