



Metropolitan Council Meeting

Wednesday, February 14, 2007

Council Chambers

4:00 P.M.

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Part I - Narrative

Members present:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Jules Smith, Russ Susag, Annette Meeks, Lynette Wittsack, Natalie Steffen, Georgie Hilker, Chris Georgacas, Rick Aguilar, Daniel Wolter, Brian McDaniel

Members absent: Mary Hill Smith, Peggy Leppik, Kris Sanda, District 14 Vacant

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:06 p.m. It was moved by J. Smith seconded by Susag to approve the agenda. Motion carried.

Minutes

It was moved by McDaniel seconded by Meeks to approve the minutes of the Metropolitan Council Meeting of January 24, 2007. Motion carried.

Public Invitation

No one asked to address the Council regarding matters not on today's agenda.

Part II - Exhibits

Business

Committee Consent List

[2007-8 - City of Mendota Heights, LeMay Shores Comprehensive Plan Amendment, Review File 18154-3](#)

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council allow the City of Mendota Heights to put the *LeMay Shores* comprehensive plan amendment into effect with the following conditions:

1. that the City should acknowledge its understanding and acceptance of the Metropolitan Airports Commission's (MAC) comments that any new structures in this project will not be eligible for future noise mitigation under the Federal Aviation Administration Part 150 noise program for MSP, or any MSP remedial mitigation programs, and require a statement to that effect be filed against the deed for each property.
2. that the City requires:
 - a. Sales/marketing materials presented to prospective buyers should include notification of aircraft noise impact;
 - b. An aircraft noise impact notice should be filed against the deed in conjunction with each closing agreement;
 - c. Residential structures should be evaluated by an independent acoustic expert, to improve upon the acoustic performance experienced with the Augusta Shores

- project, with the objective of providing outdoor-to-indoor noise attenuation that provides residents the most protection feasible for speech and sleep interference from aircraft noise; and
- d. That, similar to the Augusta Shores project, the overall project design should limit exterior uses and the proposed “Townhomes” should be marketed to “empty nest” buyers.”

Motion carried.

[2007-17 - Family Affordable Housing Program HUD Management Operations Certification, Resolution 2007-05](#)

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council approve the submittal of the fiscal year end 2006 Public Housing Assessment System (PHAS) Management Operations Certification to the U.S. Department of Housing and Urban Development (HUD) as required by federal regulations."

Motion carried.

[2007-25 - City of Plymouth Comprehensive Plan Amendment, Cottonwood Properties, Review File 18208-29](#)

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council Allow the City to put the comprehensive plan amendment into effect with no modifications."

Motion carried.

[2007-39 - City of Burnsville Comprehensive Plan Amendment, Land Use Change, Review File 16907-22](#)

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council:

1. Allow the City to put the comprehensive plan amendment into effect.
2. Encourage the City:
 - a) to work cooperatively with Dakota County Parks Department for future trail planning.
 - b) to coordinate with the Minnesota Pollution Control Agency changes from the 2005 Environmental Impact Statement to expand the Burnsville landfill that may effect the evaluation of ground water and drinking water based on the land use as presented in the comprehensive plan amendment."

Motion carried.

[2007-42 - Authorization to Negotiate and Execute Sublease Agreement with the Northstar Corridor Development Authority \(NCDA\) for the Interim Central Corridor Project Office](#)

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a sublease with the Northstar Corridor Development Authority (NCDA) to allow Central Corridor Project Office (CCPO) to temporarily co-locate with the Northstar Project Office (NPO) on a month-to-month basis effective January 1, 2007."

Motion carried.

2007-46 - Expenditure Policy Revisions

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council approve the proposed revisions to Policy 3-3 – Expenditures."

Motion carried.

2007-51 - Minnesota State Retirement System Program Unclassified Retirement Plan Resolution 2007-06

It was moved by J. Smith and seconded by Susag

"That the Metropolitan Council approve changes to the position and incumbent list for the Minnesota State Retirement System unclassified plan."

Motion carried.

Report of the Community Development Committee

There was no report other than items on the Consent List.

Report of the Management Committee

2007-68 SW - Authorization to enter into a Labor Agreement between the Metropolitan Council and International Union of Operating Engineers, Local Union No. 35, AFL-CIO, representing 203 operating engineers employed by MCES

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council authorize the Regional Administrator to enter into a three-year contract for the period of January 1, 2007 through December 31, 2009 with the International Union of Operating Engineers, Local Union No. 35, AFL-CIO representing 203 operating engineers."

Motion carried.

Report of the Transportation Committee

2007-01 - 2007 Metropolitan Airports Commission (MAC) Capital Improvement Program (CIP)

It was moved by Steffen and seconded by Wolter

"That the Metropolitan Council:

1. find that Metropolitan Airports Commission (MAC) has an adequate public participation process for development and review of its 2007 Capital Improvement Program (CIP).
2. approve the Runway 12R/30L Rehabilitation Project (segment 2) at MSP International Airport.
3. approve the attached findings and comments on the MAC 2007 Capital Improvement Program (CIP).

Reiterate to the MAC that the Council will not approve projects at MSP International, including the HHH terminal expansion, beyond 2008 until MAC updates and adopts a long-term comprehensive plan for MSP and submits it to the Metropolitan Council."

Motion carried.

2007-40 - Adoption of the Public Participation Plan

It was moved by Steffen and seconded by Hilker

"That the Metropolitan Council adopt the draft Metropolitan Council Public Participation Plan for transportation."

Motion carried.

Report of the Environment Committee

2007-48 - Adoption of Facility Plan for Lake Minnetonka Area Improvements, MCES Project 802800, Resolution No. 2007-07

It was moved by Susag and seconded by J. Smith

"That the Metropolitan Council adopt the Facility Plan for Lake Minnetonka Area Improvements, MCES Project 802800, per attached Resolution No. 2007-07."

Motion carried.

2007-49 - Authorization to Award and Execute a Contract for the Construction of the Chaska Lift Station L71 Tunnel, MCES Project No. 803910

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize its Regional Administrator to award and execute a construction contract with Barbarossa and Sons for construction of the Chaska Lift Station L-71 tunnel project in the amount of \$1,110,050."

Motion carried.

Certificate of Commendation to Song Fawcett

Chair Bell presented a certificate of commendation from Governor Pawlenty to Song Lo. Fawcett, in recognition of nearly four years of excellent service to the Metropolitan Council. Ms. Fawcett served as District 14 Metropolitan Council member until her resignation on December 31, 2006. Chair Bell thanked Ms. Fawcett for her dedication and contributions to the Council and Committees on which she served.

Other Business

Central Corridor Update

Arlene McCarthy and Mark Fuhrmann summarized the completed steps on the Central Corridor project, including alignment and mode selection, approval to begin preliminary engineering, formation of Management and Community Advisory Committees and preparation of public involvement plan. Next steps include selecting a project management consultant and the preliminary engineering. Additional updates will be presented to Council members throughout the project.

Annual Residents Survey

Todd Graham presented highlights of the 2006 Metropolitan Survey conducted in October and November 2006 by Metropolitan Council research staff and information Specialists Group, Inc. Participants were randomly selected from adult residents of the seven-county region. Crime and transportation were identified as the region's most pressing issues. Parks, trails, lakes and the environment were named the most attractive feature of the region.

Reports

Chair

Chair Bell reported

- he and Regional Administrator Weaver were in Washington, D.C. this week, meeting with FTA officials, and Representatives Oberstar and McCollum, regarding Central Corridor;
- he's testifying on several legislative bills affecting the Metropolitan Council. A bill for an elected Metropolitan Council will be heard next week.
- the Governor has given his approval for the Council to move forward with legislation to establish a Regional Parks Foundation.

Council Members

There were no reports.

Regional Administrator

Regional Administrator Weaver reported

- Transit provided a hybrid bus to transport Senate and House Transportation subcommittee to a town hall meeting in Burnsville. Judd Schetnan accompanied the Committees and talked about the Council's Go-Green Initiative;
- three personnel changes: Acting Director of Community Development Guy Peterson was named Director of Community Development, interim police chief, Deputy Chief of Police David Indrehus was named Chief of Police, and Deputy Human Resources Director Jennifer Tvedten was named acting director of Human Resources

General Counsel

Mr. Grossman reported seven new personal injury lawsuits involving Transit buses have been filed against the Council.

Adjournment

Business completed, the meeting adjourned at 5:20 p.m.

Part III – Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of February 14, 2006.

Approved this 28th day of February 2006.

Respectfully submitted,

Pat Curtiss
Recording Secretary