



## Metropolitan Council Meeting

Wednesday, November 14, 2007

Council Chambers

4:00 P.M.

### Table of Contents

<b>Part I - Narrative .....</b>	<b>1</b>
<b>Call to Order and Approval of Agenda.....</b>	<b>1</b>
<b>Minutes.....</b>	<b>1</b>
<b>Part II - Exhibits .....</b>	<b>1</b>
<b>Business .....</b>	<b>1</b>
Joint Report of the Community Development, Environment, Management and Transportation Committees .....	1
2007-306 - Unified Operating Budget Amendment	1
2007-3007 - 2007-2012 Capital Improvement Program and Capital Program and Budget Amendment	2
Committee Consent List.....	2
2007-345 - Procurement of Metro Mobility and Scott County Small Buses	2
2007-346 - Amendment to Consulting Contract for 2030 Transit Master Plan Corridor Modeling	2
2007-348 - 2007-2010 TIP Amendment and 2008-2011 TIP Amendment, Jobs Access Reverse Commute (JARC) and New Freedom Program Funding – TAB Action 2007-57	3
2007-349 - 2007-2010 TIP Amendment and 2008-2011 TIP Amendment, Pilot Program to Retrofit Diesel On-Road Public Vehicles – TAB Action 2007-55	3
2007-356 - Ratification of Declaration of Emergency for Repair of Waterline Break at the Metropolitan Wastewater Treatment Plant	3
2007-358 - Authorization to Acquire Easements and to File Condemnation Petition – Lift Station Improvements Project, MCES Project 805500, Resolution No. 2007-32	3
2007-359 - Authorization to Negotiate and Enter into Construction Cooperation Agreement with the City of Mahtomedi for the Lift Station L-7 Forcemain Improvements, MCES Project No. 805500	3
2007-360 - Authorization to Award and Execute a Construction Contract for the L-32/L-34 Lift Station Improvements, MCES Project Nos. 803410/900189, Contract 05P148	4
2007-361 - Authorization to Execute a Contract with Hennepin County for Fiscal Agency Services related to the Metropolitan Counties Energy Task Force (MCETF)	4
2007-366 - Request to Enter into a Contract for Background Investigation Services	4
2007-367 - Authorization to Enter into a Contract for Life Insurance	4
Report of the Environment Committee .....	4
2007-363 - Authorization to Award and Execute a Contract for the Construction of the Riverview Siphon Improvements, Project No. 802500, in the amount of \$5,493,700.	4
Report of the Community Development Committee .....	5
Report of the Management Committee .....	5
Report of the Transportation Committee .....	5
2007-338 Design of the Hiawatha Light Rail Transit American Boulevard Station and Platform Extensions	5
2007-350 - Award Assistant Project Director for Design and Engineering Services Contract for Central Corridor Light Rail Transit	5

2007-351 - Transit Provider Assistance Agreements for Calendar Year 2008	6
<b>Other Business.....</b>	<b>6</b>
2007-377 Appointments to Metropolitan Parks and Open Space Commission (MPOSC)	6
Council Website Redesign	6
Recess – Council Meeting	6
Convene - 2008 Unified Operating Budget Public Hearing	6
Recess - 2008 Unified Operating Budget Public Hearing	7
Reconvene – Council Meeting	7
Recess – Council Meeting	7
Adjourn – 2008 Unified Operating Budget Public Hearing	7
Convene – 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget	7
Recess - 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget	7
Reconvene – Council Meeting	7
<b>Reports.....</b>	<b>8</b>
Chair.....	8
Council Members.....	8
Regional Administrator.....	8
General Counsel.....	8
Adjourn – 2008 -2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget Public Hearing	8
<b>Adjournment.....</b>	<b>8</b>
<b>Part III - Certification.....</b>	<b>8</b>

## Metropolitan Council Meeting

Wednesday, November 14, 2007

Council Chambers

4:30 P.M.

### Part I - Narrative

#### Members present:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Mary Hill Smith, Russ Susag, Peggy Leppik, Annette Meeks, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter

#### Members absent:

Brian McDaniel, District 4 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 4:35 p.m. It was moved by Sanda, seconded by Meeks to approve the agenda. Motion carried.

### Minutes

It was moved by Smith seconded by Wolter to approve the minutes of the Metropolitan Council Meeting of November 14, 2007. Motion carried.

### Public Invitation

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

### Part II - Exhibits

#### Business

#### *Joint Report of the Community Development, Environment, Management and Transportation Committees*

#### 2007-306 - Unified Operating Budget Amendment

It was moved by Scherer and seconded by Pistilli

“That the Metropolitan Council amend the 2007 Unified Operating Budget as attached.”

Motion carried on the following Roll Call:

Yes				No	Absent
Scherer	Susag	Sanda	Sersland Beach		McDaniel
Pistilli	Meeks	Hilker	Wolter		Dist 4 Vacant
M. Smith	Wittsack	Broecker	Bell		
Leppik	Steffen	Aguilar			
<b>15</b>				<b>0</b>	<b>2</b>

**2007-3007 - 2007-2012 Capital Improvement Program and Capital Program and Budget Amendment**

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council:

1. amend the 2007 Authorized Capital Program (multi-year authorization) by adding authority as follows:
 

Metro Transit	\$ 14,490,382
---------------	---------------
2. amend the 2007 Capital Budget (annual appropriation) by adding annual appropriations as follows:
 

Metro Transit	\$ 8,126,353
Environmental Services	13,400,000
Total	\$ 21,526,353
3. approve transfers between capital projects as detailed in Attachment 1.

Motion carried on the following Roll Call:

Yes				No	Absent
Scherer	Susag	Sanda	Sersland Beach	0	McDaniel Dist 4 Vacant
Pistilli	Meeks	Hilker	Wolter		
M. Smith	Wittsack	Broecker	Bell		
Leppik	Steffen	Aguilar			
<b>15</b>				<b>0</b>	<b>2</b>

***Committee Consent List***

**2007-345 - Procurement of Metro Mobility and Scott County Small Buses**

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council Regional Administrator be authorized to execute purchase agreements with the following vendors for small buses:

1. North Central Bus & Equipment (MNDOT Contract 437102) for up to 23 buses in an amount not to exceed \$1,396,786; and
2. Hoglund Bus Co. Inc. (MNDOT Contract 437103) for up to 10 buses in an amount not to exceed \$549,317; and
3. Superior Transit Sales DBA Minnesota Body & Equipment (MNDOT Contract 437105) for up to 10 buses in an amount not to exceed \$556,673."

Motion carried.

**2007-346 - Amendment to Consulting Contract for 2030 Transit Master Plan Corridor Modeling**

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize the Regional Administrator to execute a contract amendment with SRF Consulting to conduct transitway corridor modeling for \$42,287 for a revised total contract amount not to exceed \$292,287."

Motion carried.

2007-348 - 2007-2010 TIP Amendment and 2008-2011 TIP Amendment, Jobs Access Reverse Commute (JARC) and New Freedom Program Funding – TAB Action 2007-57

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council concur with Transportation Advisory Board action to amend the 2007-2010 TIP and the Draft 2008-2011 TIP to include JARC program projects and New Freedoms Program projects as described in the background material attached to the agenda item."

Motion carried.

2007-349 - 2007-2010 TIP Amendment and 2008-2011 TIP Amendment, Pilot Program to Retrofit Diesel On-Road Public Vehicles – TAB Action 2007-55

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2007-2010 TIP and the Draft 2008-2011 TIP to include SP# CM-7-BIO: MPCA Pilot Program to Retrofit On-Road Public Vehicles."

Motion carried.

2007-356 - Ratification of Declaration of Emergency for Repair of Waterline Break at the Metropolitan Wastewater Treatment Plant

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for repair of water line break at Metro WWTP."

Motion carried.

2007-358 - Authorization to Acquire Easements and to File Condemnation Petition – Lift Station Improvements Project, MCES Project 805500, Resolution No. 2007-34

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council pass the attached Resolution 2007-34 authorizing the Council to acquire by negotiation and, if necessary, to file a petition for condemnation of the property interests necessary for the Lift Station Improvements Project– MCES Project 805500."

Motion carried.

2007-359 - Authorization to Negotiate and Enter into Construction Cooperation Agreement with the City of Mahtomedi for the Lift Station L-7 Forcemain Improvements, MCES Project No. 805500

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize its Regional Administrator to negotiate and execute a construction cooperation agreement with the City of Mahtomedi for construction of Lift Station L-7 Forcemain Improvements, MCES Project No. 805500."

Motion carried.

2007-360 - Authorization to Award and Execute a Construction Contract for the L-32/L-34 Lift Station Improvements, MCES Project Nos. 803410/900189, Contract 05P148

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the L-32/L-34 Lift Station Improvements, MCES Project Number 803410/900189 with Engineering & Construction Innovations, Inc. for their low bid of \$1,524,100."

Motion carried.

2007-361 - Authorization to Execute a Contract with Hennepin County for Fiscal Agency Services related to the Metropolitan Counties Energy Task Force (MCETF)

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorizes its Regional Administrator to execute the attached contract with Hennepin County for fiscal agency services related to the Metropolitan Counties Energy Task Force (MCETF)."

Motion carried.

2007-366 - Request to Enter into a Contract for Background Investigation Services

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize the Regional Administrator to execute a contract with Orange Tree for background investigation services for \$600,000 for a period of four years."

Motion carried.

2007-367 - Authorization to Enter into a Contract for Life Insurance

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize the Regional Administrator to negotiate and enter into a contract for Life Insurance with Minnesota Life Insurance Company for the period of January 1, 2008 through December 31, 2010.

Motion carried.

2007-368 - Sole Source Procurement for Odor Control Chemicals and Application/Control Services

It was moved by Wolter and seconded by Meeks

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract for Odor Control Chemicals and Application/Control Services in an amount not to exceed \$1,200,000 from Siemens Water Technology Group."

Motion carried.

*Report of the Environment Committee*

2007-363 - Authorization to Award and Execute a Contract for the Construction of the Riverview Siphon Improvements, Project No. 802500, in the amount of \$5,493,700.

It was moved by Leppik and seconded by Susag

“That the Metropolitan Council authorize its Regional Administrator to award and execute a construction contract with Lametti and Sons, Inc. for construction of the Riverview Siphon Improvements, Project No. 802500, in the amount of \$5,493,700.”

Motion carried.

### *Report of the Community Development Committee*

Items were included on the Consent List and Joint Report

### *Report of the Management Committee*

Items were included on the Consent List and Joint Report

### *Report of the Transportation Committee*

#### 2007-338 Design of the Hiawatha Light Rail Transit American Boulevard Station and Platform Extensions

It was moved by Smith and seconded by Susag

"That the Metropolitan Council authorize the Regional Administrator to award and execute a professional services contract with Kimley-Horn and Associates for design and construction support services of the HLRT American Boulevard Station and Platform Extensions at 10 HLRT stations.”

It was moved by Smith and seconded by Susag to amend the motion to include the following language:

“with the condition that funding of the design of the American Boulevard Station be entirely provided by the HCRRA and/or the City of Bloomington and that a full project cost estimate by completed midway through the design phase.”

Motion on the amendment carried.

The Chair called for a vote on the amended motion:

“That the Metropolitan Council authorize the Regional Administrator to award and execute a professional services contract with Kimley-Horn and Associates for design and construction support services of the HLRT American Boulevard Station and Platform Extensions at 10 HLRT stations, with the condition that funding of the design of the American Boulevard Station be entirely provided by the HCRRA and/or the City of Bloomington and that a full project cost estimate by completed midway through the design phase.”

Motion carried.

#### 2007-350 - Award Assistant Project Director for Design and Engineering Services Contract for Central Corridor Light Rail Transit

It was moved by Smith and seconded by Susag

"That the Metropolitan Council authorize the Regional Administrator to:

1. to negotiate and execute a professional services contract with Gary Erickson for Assistant Project Director for Design and Engineering Services for the Central Corridor Light Rail Transit (CCLRT) project in an amount not to exceed \$467,000.

2. to issue a Notice-To-Proceed for Preliminary and Advanced Preliminary Engineering activities through the end of calendar year 2008 in an amount not to exceed \$278,000.”

Motion carried.

#### 2007-351 - Transit Provider Assistance Agreements for Calendar Year 2008

It was moved by Smith and seconded by Wittsack

“That the Metropolitan Council authorize the Regional Administrator to negotiate and execute transit assistance agreements with transit service providers, not to exceed the amounts listed in Attachment A. The agreements shall be effective for the period January 1, 2008 through December 31, 2008.”

Motion carried.

### **Other Business**

#### 2007-377 Appointments to Metropolitan Parks and Open Space Commission (MPOSC)

It was moved by \_\_\_\_ and seconded by

“That the Metropolitan Council approve the following appointments to the Metropolitan Parks and Open Space Commission: **GLEN SKOVHOLT**—Chair, **ROBERT WICKLUND**—District A; **ROBERT MOELLER**—District B; **RICHARD JABS**—District C; and **JESSE REINHARDT**—District D. Council Member Dan Wolter will serve as Council liaison to the MPOSC.”

Motion carried.

#### Council Website Redesign

Steve Dornfeld, Leigh Homstad and Rick Gelbman presented an overview of a redesigned website that is scheduled to go live by the end of November. Steps are being taken to begin streaming Council meetings in early 2008.

The presentation was interrupted to allow the convening and recessing of the public hearings.

#### Recess – Council Meeting

It was moved by Smith and seconded by Susag

“That the Metropolitan Council be recessed to convene the Operating Budget Public Hearing.”

Motion carried.

#### Convene - 2008 Unified Operating Budget Public Hearing

Chair Bell convened the Operating Budget Public Hearing at 5:00 p.m.

No witnesses signed up or appeared to give testimony.



Recess - 2008 Unified Operating Budget Public Hearing

Motion by Hilker, seconded by Smith to

“recess the Public Hearing at 5:02 p.m. and proceed with Council business or until any person wishes to speak on the 2007 Unified Operating Budget.”

Motion carried.

Reconvene – Council Meeting

Chair Bell reconvened the Council meeting at 5:03 p.m. and continued with the Website Redesign presentation.

Recess – Council Meeting

It was moved by Steffen and seconded by Hilker

“That the Metropolitan Council recess at 5:25 p.m.”

Motion carried.

Adjourn – 2008 Unified Operating Budget Public Hearing

It was moved by Broecker and seconded by Smith

“that the 2008 Unified Operating Budget Public Hearing adjourn at 5:26 p.m.”

Motion carried.

Convene – 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget

Chair Bell convened the 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget at 5:27 p.m.

No witnesses signed up or appeared to give testimony.

Recess - 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget

It was moved by Sanda and seconded by Wittsack

“that the Public Hearing recess at 5:29 p.m. to proceed with Council business or until any person wishes to speak on the 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget..”

Motion carried.

Reconvene – Council Meeting

Chair Bell reconvened the Metropolitan Council meeting at 5:28 p.m. and continued with the Website Redesign presentation.

## **Reports**

### *Chair*

Chair Bell reported:

- he, Council Members Smith and Sersland Beach, Regional Administrator Weaver, Council staff Arlene McCarthy, Mark Fuhrmann, Robin Kaufman and several members of the Central Corridor Management Committee traveled to Salt Lake City and San Diego on a fact finding trip. Bell believes the trip was useful and productive;
- he and staff are developing supplemental budget, transportation funding and bonding initiatives. All will be brought before the Council;
- he and Regional Administrator Weaver are meeting individually with Council Members.

### *Council Members*

There was no report.

### *Regional Administrator*

Regional Administrator Weaver reported the signing ceremony for the Northstar full funding grant agreement is scheduled for December 11, 2007 at the Anoka County Government Center.

### *General Counsel*

Mr. Grossman reported a second lawsuit was filed by the Friends of the Riverfront regarding the DeLaSalle land exchange.

### Adjourn – 2008 -2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget Public Hearing

It was moved by Sanda and seconded by Hilker

"That the 2008 -2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget Public Hearing adjourn at 5:47 p.m."

Motion carried.

## **Adjournment**

Business completed, the meeting adjourned at 5:48 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 November 14, 2007.

Approved this 12<sup>th</sup> day of December 2007.

Respectfully submitted,

Pat Curtiss, Secretary