



Metropolitan Council Meeting

Wednesday, March 12, 2008
Robert Street Council Chambers
4:00 P.M.

Table of Contents

Part I - Narrative	1
Call to Order and Approval of Agenda.....	1
Minutes.....	1
Part II - Exhibits	1
Business	1
Bob McFarlin, Acting Commissioner, Minnesota Department of Transportation	1
Joint Report of the Community Development, Transportation and Management Committees	2
2008-39 SW - Unified Operating Budget Amendment	2
Joint Report of the Transportation and Management Committees	2
2008-40 SW - 2008-2013 Capital Improvement Program and Capital Program and Budget Amendment	2
Consent List	3
2008-05 - City of Bloomington CAP – 5100 West 82 nd Street, Review No. 18103-19	3
2008-46 - Disposition of Surplus Hiawatha Corridor Property	3
2008-47 - Termination of 1985 Court-Approved Agreement Settling Litigation and Metropolitan Significance Review Matters – Homart Project	3
2008-48 - Purchase Property Adjacent to the I-35W at 95 th Avenue NE Park and-Ride in Blaine	3
2008-49 - Design Services for the I-35W and 95 th Avenue Park-and-Ride Expansion in Blaine, Project 63740	3
2008-51 - 2008-2011 TIP Amendment: Scenic Byway – TAB Action 2008-07	4
2008-52 - 2008-2011 TIP Amendment: SP 62-672-04, Century Avenue Reconstruction – TAB Action 2008-05	4
2008-53 - Hiawatha Land Assembly Timing Revision	4
2008-54 - Authorization for Sole Source Procurement of Maintenance and Repair Services of Alfa Laval/Sharples Centrifuges	4
2008-55 - Authorization to Award and Execute a Contract for Waste Disposal Services for MCES Regional Facilities and 390 North Robert Street	4
2008-56 - Ratification of Declaration of Emergency for MSB 6901 Gravity Sewer Repairs and Cleaning	5
2008-57 - Authorization to Execute a Grant Agreement with Dakota County for Groundwater Contaminant Mapping	5
2008-58 - Authorization to Use Xcel Rebate Funds to Support Algae Research	5
2008-59 - Request for Easement Approval at Battle Creek Regional Park, Ramsey County	5
Report of the Environment Committee	6
Report of the Community Development Committee	6
Report of the Management Committee	6
Report of the Transportation Committee	6

2008-63 SW - Subordinate Funding Agreement #2 with the Minnesota Department of Transportation for the Central Corridor Light Rail Project	6
2008-65 SW - Transit Vehicle Graphics	6
Other Business	6
Fall 2007 Metro Residents Survey Findings	6
Reports	6
Chair.....	6
Council Members.....	7
Regional Administrator.....	7
General Counsel.....	7
Adjournment	7
Part III - Certification	7

Metropolitan Council Meeting

Wednesday, March 12, 2008

Council Chambers

3:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Russ Susag, Peggy Leppik, Annette Meeks, Lynette Wittsack, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter

Members absent: Tony Pistilli, Mary Hill Smith, Natalie Steffen, Kris Sanda, Brian McDaniel

Call to Order and Approval of Agenda

Chair Bell announced that today's Council meeting will be video recorded. This is the first test of a new system that will be used for video streaming Council meetings on our website. Once fully operational, Council meetings will be available live and archived for later viewing. Later this year, video streaming of Council committee meetings will begin.

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:07 p.m. It was moved by Hilker, seconded by Broecker to approve the agenda. Motion carried.

Minutes

It was moved by Wolter seconded by Hilker to approve the minutes of the Metropolitan Council Meeting of [February 27, 2008](#). Motion carried.

Public Invitation

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

Part II - Exhibits

Business

Bob McFarlin, Acting Commissioner, Minnesota Department of Transportation

Acting Commissioner McFarlin said it is a tremendous honor to represent MnDOT and the employees. His priorities include 1.) building and rebuilding relationships with legislators and other stakeholder groups in order to produce good results in building the state's transportation system; 2.) examining the newly passed transportation funding bill to develop a finance plan, prioritize programs and develop realistic expectations for implementing projects quickly and in a fiscally responsible manner. Acting Commissioner McFarlin acknowledged he plans to continue the strong working relationship with the Council.

Chair Bell thanked Mr. McFarlin for his support of Council initiative and, MnDOT's collaboration on issues important to the Region. The Council/MnDOT partnership has proven successful and he expects it to continue.

Joint Report of the Community Development, Transportation and Management Committees

2008-39 SW - Unified Operating Budget Amendment

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council amend the 2008 Unified Operating Budget as indicated and in accordance with the attached tables."

Motion carried on the following roll call vote:

	Yes			No	Absent	
	Scherer	Meeks	Sersland Beach		Pistilli	Sanda
	Peterson	Wittsack	Wolter		Smith	Aguilar
	Susag	Hilker	Bell		Steffen	McDaniel
	Leppik	Broecker				
TOTAL	11				6	

Joint Report of the Transportation and Management Committees

2008-40 SW - 2008-2013 Capital Improvement Program and Capital Program and Budget Amendment

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council:

1. Amend the 2008 Authorized Capital Program [ACP] (multi-year authorization) by adding and removing spending authority as follows in the Transportation Division:

Metropolitan Transportation Services	
Additions to ACP	\$ 3,850,000
Removal of Closed Projects	(\$18,450,082)
Net Change to MTS ACP	(\$14,600,082)
Metro Transit \$ 0	
Net Change to ACP	(\$14,600,082)

2. Amend the 2008 Capital Budget (annual appropriation) by adding or reducing appropriation as follows in the Transportation Division:

Metropolitan Transportation Services	\$ 3,850,000
Metro Transit	\$ 220,000
Net Change to Capital Budget	\$ 4,070,000

3. Approve transfers between capital projects as detailed in Attachment 1 to this business item

Motion carried on the following roll call vote:

	Yes			No	Absent	
	Scherer	Meeks	Sersland Beach		Pistilli	Sanda
	Peterson	Wittsack	Wolter		Smith	Aguilar
	Susag	Hilker	Bell		Steffen	McDaniel
	Leppik	Broecker				
TOTAL	11				6	

Consent List

[2008-05 - City of Bloomington CAP – 5100 West 82nd Street, Review No. 18103-19](#)

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council:

1. authorizes the City of Bloomington to put the comprehensive plan amendment (CPA) for 5100 West 82nd Street into effect without any plan modifications;
2. advises the City of Bloomington to make sure that the households and employment allocated to this TAZ reflect the increase in housing units and decrease in jobs attributable to this plan amendment in its Comprehensive Plan Update; and,
3. requires the City of Bloomington to submit final plans for the Stanley Road extension to the Council prior to initiating the project so that staff can ascertain the potential impact on the Council's existing force main (3-BN-499). "

Motion carried.

[2008-46 - Disposition of Surplus Hiawatha Corridor Property](#)

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to proceed with the sale of a property previously deemed surplus by the Metropolitan Council on February 6, 2006, located at 46th Street and Hiawatha Avenue to Oaks Properties for \$1,034,000."

Motion carried.

[2008-47 - Termination of 1985 Court-Approved Agreement Settling Litigation and Metropolitan Significance Review Matters – Homart Project](#)

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize its attorneys and Regional Administrator to execute on behalf of the Council any agreements necessary to terminate the 1985 Homart Project agreement (as amended) and file the appropriate documents and motion papers with the district court."

Motion carried.

[2008-48 - Purchase Property Adjacent to the I-35W at 95th Avenue NE Park and-Ride in Blaine](#)

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to negotiate and purchase the property at 9641 Naples Street Northeast in Blaine to facilitate expansion of the existing park-and-ride facility."

Motion carried.

[2008-49 - Design Services for the I-35W and 95th Avenue Park-and-Ride Expansion in Blaine, Project 63740](#)

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a professional services contract for design and construction support services relative to the I-35W and 95th Avenue Park-and-Ride expansion in Blaine."

Motion carried.

2008-51 - 2008-2011 TIP Amendment: Scenic Byway – TAB Action 2008-07

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to identify Scenic Byway Funds received in the 2007 Appropriation Act for the Minnesota Great River Road and Minneapolis Grand Rounds Projects."

Motion carried.

2008-52 - 2008-2011 TIP Amendment: SP 62-672-04, Century Avenue Reconstruction – TAB Action 2008-05

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 TIP indicate that Ramsey County is the lead agency for the project and that the total project cost is increased to \$15,250,000."

Motion carried.

2008-53 - Hiawatha Land Assembly Timing Revision

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to extend the deadline for closings on property acquisitions assisted by Hiawatha LRT Land Assembly Grants previously awarded by the Metropolitan Council from March 31, 2008 to August 1, 2009."

Motion carried.

2008-54 - Authorization for Sole Source Procurement of Maintenance and Repair Services of Alfa Laval/Sharples Centrifuges

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to procure sole source maintenance and repair services from Alfa Laval/Sharples for the disassembly, inspection, and rebuilding of the centrifuges for an amount not to exceed \$500,000/year."

Motion carried.

2008-55 - Authorization to Award and Execute a Contract for Waste Disposal Services for MCES Regional Facilities and 390 North Robert Street

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to award and execute a contract with Allied Waste Services to provide Waste Disposal Services for MCES Regional Facilities and 390 North Robert Street for \$1,482,056.40."

Motion carried.

2008-56 - Ratification of Declaration of Emergency for MSB 6901 Gravity Sewer Repairs and Cleaning

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for MSB 6901 Gravity Sewer Repairs and Cleaning."

Motion carried.

2008-57 - Authorization to Execute a Grant Agreement with Dakota County for Groundwater Contaminant Mapping

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize its Regional Administrator to execute an agreement to provide Dakota County a grant in the amount of \$25,000 for digital mapping of groundwater contamination in support of the development of the master water supply plan."

Motion carried.

2008-58 - Authorization to Use Xcel Rebate Funds to Support Algae Research

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council authorize its Regional Administrator to use MCES capital revolving funds (generated from energy rebates for MCES conservation efforts) to fund algae-to-energy related research, up to \$250,000 for out of pocket expenses and further to authorize staff time and use of Council facilities to further this research"

Motion carried.

2008-59 - Request for Easement Approval at Battle Creek Regional Park, Ramsey County

It was moved by Susag and seconded by Wittsack

"That the Metropolitan Council:

1. approve the request to allow permanent drainage and right-of-way easements as shown on Figure 2 of this staff report to be recorded on the property adjacent to Century Avenue at Battle Creek Regional Park;
2. authorize the Regional Administrator, on behalf of the Metropolitan Council, to execute an approval designating the nature, extent and duration of the use to be duly filed and recorded at the time of the filing and recording of the easement;
3. request Ramsey County to apply the compensation of \$140,000 it receives for the easements toward the amount it can request for reimbursement in a future regional park CIP for the acquisition of inholding Parcel #6 at Battle Creek Regional Park. This would reduce the reimbursement consideration to \$34,913 (Council Item 2007-372). However, the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement."

Motion carried.

Report of the Environment Committee

All Items are on the Consent List

Report of the Community Development Committee

All Items are on the Consent List

Report of the Management Committee

Items included in the Joint Reports

Report of the Transportation Committee

[2008-63 SW - Subordinate Funding Agreement #2 with the Minnesota Department of Transportation for the Central Corridor Light Rail Project](#)

It was moved by Leppik and seconded by

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Subordinate Funding Agreement #2 in the amount of \$648,465 with the Minnesota Department of Transportation (MN/DOT) for the Central Corridor Light Rail Project for 2008."

Motion carried.

[2008-65 SW - Transit Vehicle Graphics](#)

Bruce Howard, Metro Transit Director of Marketing, presented images of the proposed designs that will create a coordinated transit vehicle identity, building awareness, and equity in the regional transit network. Council Members Smith, Steffen, Scherer and Hilker worked with Council staff on the design recommendation.

It was moved by Leppik and seconded by Meeks

"That the Metropolitan Council approve the new exterior graphic designs for transit vehicles including those for Metro Transit and Metropolitan Transportation Services (MTS) fixed-route buses, Hiawatha light-rail vehicles (LRVs), Northstar commuter rail coach cars, Metro Mobility vehicles and community-based (dial-a-ride) buses. The Northstar locomotive design was previously approved."

Motion carried.

Other Business

[Fall 2007 Metro Residents Survey Findings](#)

Todd Graham, Community Development Research Analyst, presented a summary of the 2007 Metro Residents Survey. Nearly 1500 metro area residents participated in the opinion poll measuring the public opinion on the region's quality of life, leading regional issues and the Metropolitan Council.

Reports

Chair

Chair Bell reported he has been involved with legislative matters related to the transportation bill, bonding bill and Central Corridor.

Chair Bell announced that District 5 Council Member Russ Susag is resigning, effective today, due to family concerns. Chair Bell thanked Susag for his service to the Council, acknowledging his expertise of the Council's environmental issues, particularly the wastewater collection and treatment system and his

historical knowledge of the Council. The Governor is expected to establish a nominating committee to screen candidates for the District 5 Council seat, though nothing is scheduled.

Council Members

Council Member Susag expressed appreciation for serving on this Council, noting the leadership offered by Chair Bell and Regional Administrator Weaver is publicly recognized by the favorable ratings recorded in the 2007 Metro Residents Survey.

Regional Administrator

Regional Administrator Weaver reported:

- a film crew from the U.S. State Department visited Metro Transit last Friday to videotape elements of the Go Greener Initiative. The footage of Go Greener hybrid buses and Hiawatha light-rail line will be featured in State Department web-based video production about Minnesota's environmental leadership. The video will be posted on America.gov, the department's website that spreads good news about America to international audiences.
- Metro Transit will provide free bus service on St. Patrick's Day

General Counsel

Mark Thompson had no report.

Adjournment

Business completed, the meeting adjourned at 4:50 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 March 12, 2008

Approved this 9th day of April, 2008.

Respectfully submitted,

Pat Curtiss
Secretary