



Metropolitan Council Meeting

Wednesday, May 28, 2008

Robert Street Council Chambers

4:00 P.M.

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Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Brian McDaniel

Members absent:

Mary Hill Smith, Craig Peterson, Annette Meeks, Daniel Wolter, District 5 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 4:15 p.m. It was moved by McDaniel, seconded by Wittsack, to approve the agenda. Motion carried.

Minutes

It was moved by Sanda, seconded by McDaniel, to approve the minutes of the Metropolitan Council Meeting of [May 14, 2008](#). 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

[2008-84](#) - Request for Reimbursement Consideration Authorization for Construction of Dakota Rail Regional Trail, Three Rivers Park District

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council:

1. Consider reimbursing Three Rivers Park District up to \$2,415,000 for construction of the Dakota Rail Regional Trail as shown in **Attachment 2** in future regional parks capital improvement programs. 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;
2. Submit comments from the Metropolitan Council's Environmental Services Division shown in **Attachment 3** to insure that the trail's construction does not interfere with the operation of any MCES sewer interceptors."

Motion carried

2008-119 - Bruce Vento Nature Sanctuary Master Plan Review and Request for Park Acquisition Opportunity Grant to acquire 3 parcels, City of St. Paul

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council:

1. approve the Master Plan Amendment to the Bruce Vento Regional Trail (Referral No. 20232-1) with the exception of the Phalen Boulevard Regional Trail Connector trail spur adjacent to Cayuga Street;
2. request an additional master plan amendment from the City of St. Paul for the following items if the City intends to seek funds from these development projects through the Metropolitan Regional Parks capital improvement program:
 - a. Development costs including connection to utilities for constructing the nature interpretive facility at the Bruce Vento Nature Sanctuary
 - b. Development costs including connection to utilities for the Bruce Vento Regional Trail Connector that includes a bridge crossing over active railroad tracks and Warner Road as a link to the Sam Morgan Regional Trail.
 - c. Development costs to link the regional trail along Phalen Boulevard (not the spur along Cayuga Street) to the proposed Gateway State Trail near the intersection of Phalen Boulevard/ Pennsylvania Avenue and the realigned I-35;
3. authorize a grant of \$572,469 from the Land Acquisition Account of the Park Acquisition Opportunity Fund to the City of St. Paul to partially finance the acquisition of parcels 32-29-22-42-0042, 32-29-22-42-0021, and 32-29-22-42-0023 for the Bruce Vento Nature Sanctuary if the Council approves the master plan amendment recommendation 1 and places the following conditions on the acquisition grant:
 - a. That the City of St. Paul grant to Metropolitan Council Environmental Services (MCES) perpetual controlled access to the 3rd and Commercial Street wastewater control structure for routine maintenance and back up disposal of wastewater during flood conditions at the MCES Metro Plant;
4. request the City of St. Paul to work with the Metropolitan Council Environmental Services Division to site odor control improvements for the 3rd and Commercial Street wastewater control structure, and provide easements on land needed for the odor control improvements."

Motion carried

2008-125 - Disposition of Surplus Hiawatha Corridor Property

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council determines that the Council's priorities and objectives will be better served by disposing of the 32nd Street/Hiawatha Avenue property in the manner provided in this business item and 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 32nd Street and Hiawatha Avenue to

Clare Housing and Wellington Management for \$1,200,000 contingent upon approval of the sale by the Federal Transit Administration (FTA).”

Motion carried.

2008-131 - Saint Paul Transportation Management Organization (TMO) Subrecipient Grant Agreement

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a subrecipient grant agreement with the Saint Paul Transportation Management Organization (TMO) for the pass-through of federal Congestion Mitigation Air Quality (CMAQ) funds for Transportation Demand Management activities for the period of May 1, 2008 – March 31, 2009 in an amount not to exceed \$297,971.”

Motion carried.

2008-136 - Authorization for Lakeville Transit Service Expansion Agreement

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to execute an agreement with the City of Lakeville providing for new transportation facilities and transit service, and the extension of the Council’s transit levy to the City of Lakeville.”

Motion carried.

2008-137 - Authorization to Issue a Purchase Order for the Procurement of Cables for the MWWTP Medium Voltage Cable Replacement, MCES Project 806400, Contract 08P024

It was moved by Pistilli and seconded by Broecker

"That the Metropolitan Council authorize its Regional Administrator to issue a purchase order for procurement of medium voltage cable for the Metropolitan WWTP Electrical Cable Replacement, MCES Project Number 806400, Contract 08P024, to the lowest responsive bidder, Total Construction & Equipment, for its bid of \$629,937.”

Motion carried.

Report of the Environment Committee

2008-151 SW - Directing Staff to hold a Public Meeting Regarding Service Availability Charge (SAC) Rules which may allow SAC Credit Transfers for Economic Development

It was moved by Leppik and seconded by Wittasack

"That the Metropolitan Council directs staff to set and conduct a public meeting to receive input on a proposal to allow SAC credit transfers in certain economic development circumstances.”

Motion carried.

Report of the Community Development Committee
2008-128 - LCDA Affordable Housing Land Acquisition Loan Initiative

It was moved by Steffen and seconded by Pistilli

"That the Metropolitan Council approve the construct for a Land Acquisition for Affordable New Development (LAAND) initiative as described in the attached program concept developed jointly with MN Housing and the Family Housing Fund (FHF) for implementation beginning with the next Metropolitan Housing Implementation Group RFP to give guidance for the use of 2008 Livable Communities Demonstration Account funds and additional monies from MN Housing and the FHF for loans to communities to buy land for future affordable housing development."

Motion carried.

Joint Report of the Management and Community Development Committees
2008-126 - 2008-2013 Capital Improvement Program and Capital Program and Budget Amendment

It was moved by Scherer and seconded by Steffen

"That the Metropolitan Council:

1. amend the 2008 Authorized Capital Program (multi-year authorization) by adding \$23,199,298 in new spending authority for Parks and Open Space;
2. amend the 2008 Capital Budget (annual appropriation by adding \$9,745,000 in new appropriations for Parks and Open Space;
3. approve new projects and transfers between capital projects as detailed in Attachment 1."

Motion carried on the following roll call vote:

Yes			No	Absent
Scherer	Steffen	Aguilar		M. Smith
Pistilli	Sanda	Sersland Beach		Peterson
Leppik	Hilker	McDaniel		Meeks
Wittsack	Broecker	Bell		Wolter
				District 5 vacant
TOTAL				

Report of the Management Committee

Item on the Joint Report

Report of the Management Committee

Items on the Consent List

Report of the Transportation Committee

Items are on the Consent List

Other Business

2008-149 - Appointment of Metropolitan Council Treasurer

It was moved by Pistilli and seconded by Sanda

"That the Metropolitan Council approve Roger Scherer as Treasurer to fill an unexpired term, pursuant to Council Bylaws, Article I.1."

Motion carried.

2008-150 - Metropolitan Council Member Committee Assignments

It was moved by Sersland Beach and seconded by Leppik

"That the Metropolitan Council approve the following committee assignments recommended by the Chair Pursuant to Council Bylaws, Article III.1.

Transportation	Community Dev.	Environment	Management
<i>M.H. Smith, Chair</i>	<i>Steffen, Chair</i>	<i>Leppik, Chair</i>	<i>Scherer, Chair</i>
Aguilar	Aguilar	Beach	Broecker
Beach	Broecker	Peterson	Peterson
Hilker	Hilker	Scherer	Pistilli
Leppik	McDaniel	Wittsack	Sanda
McDaniel	Meeks, Vice Chair	Wolter, Vice Chair	Smith (MH)
Meeks, Vice Chair	Pistilli		Wittsack Vice Chair
Peterson	Sanda		
Scherer			
Steffen			
Wolter			

Motion carried.

Central Corridor Light Rail Transit Northern Alignment

Kathleen O'Brien, Vice President of University Services, reviewed the opportunities, known risks, and outstanding issues to be resolved with the Northern alignment, the preferred alternative of the University Board of Regents since July 2001. The Metropolitan Council agreed to consider, and the University agreed to pay for, a preliminary feasibility study of the northern alignment.

Northern Alignment "Enhanced Access" ridership model reflects the U of M shuttle service that provides access to the regional transit system (LRT and bus). This "enhancement", which does not have FTA approval, changes the CEI to \$24.58. Without the "enhancement", the Northern Alignment has a CEI over \$28. The "Enhanced Access" includes using existing railroad right-of-way to minimize disruption of the campus transportation system

Central Corridor Light Rail Transit Alignment - Presentation

Mark Fuhrmann, Project Manager, presented details of the Washington Avenue Transit/Pedestrian Mall Running Time, CEI Update, Project Schedule and SDEIS Status, the Northern Alignment Outstanding Risks and Issues, and a Comparison of the two alignments.

Council members expressed concern about

- using an unapproved FTA ridership model;
- timeframe of negotiation process with the BNSF Railroad relative to easements, insurance and indemnification issues;
- additional capital costs if the project is delayed.

2008-141 - Central Corridor Light Rail Transit – Washington Avenue Transit/Pedestrian Mall

It was moved by Steffen and seconded by Leppik

"That the Metropolitan Council adopt the attached [Resolution 2008-11](#) to reaffirm its action of February 27, 2008 and direct the Project Office to proceed with Preliminary Engineering and make application to the Federal Transit Administration to move the CCLRT Project into Final Design with, among other features, a University of Minnesota at-grade Transit/Pedestrian Mall on Washington Avenue with no vehicular traffic except emergency vehicles, light rail vehicles and buses."

Motion carried.

Chair Bell remains hopeful that outstanding project related matters will be resolved and the CCLRT project will move ahead on schedule. He and Council staff will continue working with University officials.

Reports

Chair

There was no report.

Council Members

There was no report.

Regional Administrator

There was no report.

General Counsel

There was no report.

Adjournment

Business completed, the meeting adjourned at 6:05 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 May 28, 2008.

Approved this 11th day of June, 2008.

Respectfully submitted,

Pat Curtiss, Secretary