



Metropolitan Council Meeting

Wednesday, August 13, 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
Consent List	1
2008-169 - City of Bloomington CPA, for the “Normandale Lakes District Plan,” Review No. 18103-21	1
2008-170 - Request for CIP Reimbursement Consideration for Costs to Remove Home from Inholding Parcel at Hyland-Bush-Anderson Lakes Park Reserve, City of BLOomington	2
2008-190 - Authorization to Acquire Property and to File Condemnation Petition for the Construction of the Point Douglas Lift Station L-12 Improvements, MCES Project No.802200	2
2008-191 - Authorization to Negotiate and Execute an Agreement with the City of Princeton to Trade Phosphorus Credits	2
2008-196 - Infiltration/Inflow Mitigation Grant Offer	2
2008-197 - Authorization to Extend Contract for Building Engineer Services	3
2008-198 - Revisions to Procurement Policy	3
2008-199 - Authorization to Execute Agreements with SouthWest Transit and MVTA Bus Purchases	3
2008-200 - 2008-2011 TIP Amendment: MnDOT Metro District. Add SP#TRLF-08-01 Ramp B new entry/exit off 2 nd Avenue North in Minneapolis (TAB Action 2008-20)	3
2008-201 - 2008-2011 TIP Amendment: Acc SP#TRLF-08-02, elevated pedestrian walkway from Ramp A to the Twins Ballpark over 7 th Street N in Minneapolis (TAB Action 2008-21)	3
2008-202 - 2008-2011 TIP Amendment: Add SP#TRLF-08-03, enhancements to transit facilities and pedestrian wayfinding – BC Ramps at I-394 in Minneapolis (TAB Action 2008-22)	4
2008-205 - Design Services for Hiawatha Light Rail Transit Signalization Due to Platform Extensions	4
2008-208 - Interdivisional Transfer of Vehicles	4
Joint Report of the Transportation and Management Committees	4
2008-181 - Authorization to Amend Lease Agreement between Metropolitan Council and Griggs Midway Corporation	4
2008-182 - Authorization to Purchase Furniture Systems and Computer Equipment for the Central Corridor Project Office	4
Joint Report of the Environment and Management Committees	5
2008-193 - Transfer of Excess Operating Metropolitan Council Environmental Services Operating Reserves	5
2008-195 - 2008 Unified Operating Budget Amendment	5
Report of the Environment Committee	5

2008-192 - Adopt 2009 Municipal Wastewater Charge and Rates	5
Report of the Community Development Committee	6
Report of the Management Committee	6
Report of the Transportation Committee	6
2008-203 - Authorization to Exercise Contract Option to Purchase 11 Articulated Transit Buses	6
2008-217 SW - Fare Adjustment Recommendation	6
2008-224 SW - Authorization for the Regional Administrator to Negotiate and Execute a Revenue Contract for State Fair Transit Service	6
Other Business.....	7
2008-213 - Land Use Advisory Committee Appointment	7
2008-218 SW - Authorization to Enter into a Labor Agreement with the Amalgamated Transit Union Transportation Policy Plan	7
Reports.....	7
Chair.....	7
Council Members	8
Regional Administrator.....	8
General Counsel.....	8
Adjournment.....	8
Part III - Certification	8

Metropolitan Council Meeting

Wednesday, August 13, 2008

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

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

Members absent: No absentees

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:08 p.m. It was moved by McDaniel, seconded by Hilker to approve the amended agenda. Motion carried.

Minutes

It was moved by Peterson, seconded by Broecker, to approve the minutes of the Metropolitan Council Meeting of July 23, 2008. Motion carried.

Public Invitation

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

Part II - Exhibits

Business

Consent List

[2008-169](#) - City of Bloomington CPA, for the "Normandale Lakes District Plan," Review No. 18103-21

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council:

1. adopt the attached review record and allows the City of Bloomington to put the Normandale Lake District Plan comprehensive plan amendment (CPA) into effect;
2. find that the comprehensive plan amendment (CPA) does not change the City's forecasts;
3. request that prior to undertaking the roadway project, the City of Bloomington Parks Department determine whether a restrictive covenant has been recorded against the property and notify the Metropolitan Council how much regional parkland is being transferred for road right-of-way;
4. inform the City that corrected flow projections, based on current flow levels, will be expected to be included in the City's 2008 Comprehensive Plan Update;
5. remind the City to describe activities to identify and reduce sources of excessive inflow and infiltration as a part of the 2008 Comprehensive Plan Update."

Motion carried.

2008-170 - Request for CIP Reimbursement Consideration for Costs to Remove Home from Inholding Parcel at Hyland-Bush-Anderson Lakes Park Reserve, City of Bloomington

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council:

1. consider reimbursing the City of Bloomington up to \$44,157 for expenses related to the removal of a structure and site restoration of the inholding parcel located at 6101 West 84th Street as part of Hyland-Bush-Anderson Lakes Park Reserve in a future regional parks capital improvement program. 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. request the City of Bloomington and Three Rivers Park District to prepare and submit to the Metropolitan Council an updated master plan for Hyland-Bush-Anderson Lakes Park Reserve in 2009, and inform the City and Park District that new development proposed in the updated plan is not eligible for Regional Parks CIP funding until the Metropolitan Council has reviewed and approved the plan."

Motion carried.

2008-190 - Authorization to Acquire Property and to File Condemnation Petition for the Construction of the Point Douglas Lift Station L-12 Improvements, MCES Project No.802200

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council ass the attached Resolution 2008-15 authorizing the Council to acquire by negotiation and, if necessary, to file a petition for condemnation of the property interests necessary for the Point Douglas Lift Station L-12 Improvements – MCES Project 802200."

Motion carried.

2008-191 - Authorization to Negotiate and Execute an Agreement with the City of Princeton to Trade Phosphorus Credits

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an agreement with the City of Princeton to trade phosphorus credits."

Motion carried.

2008-196 - Infiltration/Inflow Mitigation Grant Offer

I It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize changes to the existing Foundation Drain Grant program, substantially in the form of the attached Offer, to broaden the grants to include service line work and extend the duration of the I/I mitigation grant program to 2011."

Motion carried.

2008-197 - Authorization to Extend Contract for Building Engineer Services

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the Regional Administrator to extend the contract for Building Engineering services with UHL Company for a period of one year, increasing the total contract from \$200,000 to \$300,000."

Motion carried.

2008-198 - Revisions to Procurement Policy

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the revision of the Procurement Policy as outlined adding the language entitled **"Prohibited Interests in Contracts"** on page 2 of 3."

Motion carried.

2008-199 - Authorization to Execute Agreements with SouthWest Transit and MVTA Bus Purchases

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the Regional Administrator to:

1. execute an agreement with Southwest Transit for \$490,000 to replace six small transit buses;
2. execute an agreement with MVTA for \$2,030,000 to replace five 40-foot transit buses."

Motion carried.

2008-200 - 2008-2011 TIP Amendment: MnDOT Metro District. Add SP#TRLF-08-01 Ramp B new entry/exit off 2nd Avenue North in Minneapolis (TAB Action 2008-20)

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to add a Transportation Revolving Loan Fund (TRLF) project for a new entry/exit off 2nd Avenue North to access the I-394 Ramp B."

Motion carried.

2008-201 - 2008-2011 TIP Amendment: Acc SP#TRLF-08-02, elevated pedestrian walkway from Ramp A to the Twins Ballpark over 7th Street N in Minneapolis (TAB Action 2008-21)

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to add a Transportation Revolving Loan Fund (TRLF) project for elevated pedestrian walkway from Ramp A to the Twins Ballpark over 7th St. N in Minneapolis."

Motion carried.

[2008-202](#) - 2008-2011 TIP Amendment: Add SP#TRLF-08-03, enhancements to transit facilities and pedestrian wayfinding – BC Ramps at I-394 in Minneapolis (TAB Action 2008-22)

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement (TIP) to include SP#TRLF-08-03 Enhancements to transit facilities and pedestrian wayfinding – ABC Ramps at I-394 in Minneapolis."

Motion carried.

[2008-205](#) - Design Services for Hiawatha Light Rail Transit Signalization Due to Platform Extensions

It was moved by Wolter and seconded by Sersland Beach

"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 Signal System for Platform Extensions and Reverse Crossing Start Operations along the Hiawatha Light Rail Transit (HLRT) line."

Motion carried.

[2008-208](#) - Interdivisional Transfer of Vehicles

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council approve the interdivisional transfer of four (4) buses from Metro Transit assets to Metropolitan Transportation Services regional fleet assets."

Motion carried.

Joint Report of the Transportation and Management Committees

[2008-181](#) - Authorization to Amend Lease Agreement between Metropolitan Council and Griggs Midway Corporation

It was moved by Smith and seconded by Pistilli

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an amendment to the Lease Agreement between the Council and Griggs Midway Corporation to include an additional 6,500 sq. ft. for a cost of \$122,276 for the first year, \$124,280 the second year and \$86,443 for one-time leasehold improvements."

Motion carried.

[2008-182](#) - Authorization to Purchase Furniture Systems and Computer Equipment for the Central Corridor Project Office

It was moved by Smith and seconded by Meeks

"That the Metropolitan Council authorizes the Regional Administrator to purchase furniture systems and computer hardware/software for the Central Corridor Project Office (CCPO) in a total amount not to exceed \$704,261."

Motion carried.

Joint Report of the Environment and Management Committees

2008-193 - Transfer of Excess Operating Metropolitan Council Environmental Services Operating Reserves

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council approve a transfer of \$0.5 million from the Reserve/Contingency Fund to the Liability Self-Insurance Fund."

Motion carried.

2008-195 - 2008 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 table."

Environmental Services

Change in Revenues: \$500,000; Expenditures: \$500,000

- \$500,000 is requested to fund the algae to biofuel research program is part of the Council's energy research collaboration with the University of Minnesota's Institute on Renewable Energy and Environment (IREE). This expenditure will be offset by an increase in State Revenue."

Council Member Wolter recused himself from discussion and vote on this item.

Motion carried on the following roll call vote:

	Yes					No	Abstain
	Scherer	Peterson	Steffen	Aguilar			Wolter
	Pistilli	Leppik	Sanda	Sersland Beach			
	M. Smith	Meeks	Hilker	McDaniel			
	Bowles	Wittsack	Broecker	Bell			
TOTAL	16						1

Report of the Environment Committee

2008-192 - Adopt 2009 Municipal Wastewater Charge and Rates

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council adopts the following rates and charges to be effective January 1, 2009:

- Municipal Wastewater Charge (annual) total of **\$161,322,000**,
- Service Availability Charge (SAC): **\$2,000** per household or Residential Equivalent Connection,
- Add-on Service Charge: **\$1.00** per thousand gallons,
- Industrial Strength Charge: **\$.152** per excess pound of TSS (total suspended solids),
- Industrial Strength Charge: **\$.076** per excess pound of COD (chemical oxygen demand),
- Standard (septage) Load Charge: **\$42.71** per thousand gallons,
- Holding Tank Load Charge: **\$2.41** per thousand gallons,

- Portable Toilet Waste Load Charge: **\$55.68**, per thousand gallons,
- Collar County Load Charge: **\$52.71** per thousand gallons,
- Strength component of Industrial Load Charge **\$.3110** per excess pound of TSS,
- Strength component of Industrial Load Charge **\$.1555** per excess pound of COD,
- Industrial Permit Fees as shown on Attachment A,
- Inflow & Infiltration (I/I) Surcharge Exceedance Rate: **\$365,000** per mgd,
- Encroachment Application Fee (per easement impacted): **\$500**, and
- Direct Connection Application Fee: **\$900**.

Motion carried.

Report of the Community Development Committee

All items are listed on the Consent List

Report of the Management Committee

Items are listed on the Consent List, Joint Reports and Other Business

Report of the Transportation Committee

2008-203 - Authorization to Exercise Contract Option to Purchase 11 Articulated Transit Buses

It was moved by Meeks and seconded by Smith

"That the Metropolitan Council authorize the Regional Administrator to exercise an existing contract option with New Flyer of America, Inc., to purchase 11 sixty-foot, articulated low-floor transit buses in an amount not-to-exceed \$6,500,000."

Motion carried.

2008-217 SW - Fare Adjustment Recommendation

It was moved by Meeks and seconded by Pistilli

"That the Metropolitan Council authorize the recommended fare change proposal (attached) for service operated by all regional transit providers participating in the regional fare structure, with changes to be effective October 1, 2008, or as noted on the **attached proposal**."

For the record, a Regional Fare Adjustment Proposal may be implemented after January 1, 2009, provided the Council receives public input prior to adoption of any fare change.

Motion carried, with Steffen dissenting.

2008-224 SW - Authorization for the Regional Administrator to Negotiate and Execute a Revenue Contract for State Fair Transit Service

It was moved by Meeks and seconded by Smith

"That the Metropolitan Council authorize the Regional Administrator to enter into a revenue contract with Lorenz Bus Service, Inc., for the purpose of providing free parking lot shuttle buses

to the State Fair. This contract will be in effect August 21, 2008, through September 1, 2008, and is expected to cover the cost of operating the service.”

Motion carried.

Other Business

[2008-213 - Land Use Advisory Committee Appointment](#)

It was moved by Smith and seconded by Pistilli

“That the Metropolitan Council approve the appointment of Terry Schneider to the Land Use Advisory Committee representing District 3.”

Motion carried.

[2008-218 SW - Authorization to Enter into a Labor Agreement with the Amalgamated Transit Union](#)

It was moved by Scherer and seconded by Smith

“That the Metropolitan Council authorize the Regional Administrator to enter into a labor agreement with the Amalgamated Transit Union, Local 1005, effective August 1, 2008 – July 31, 2010.”

Motion carried.

[Transportation Policy Plan](#)

Amy Vennewitz presented the 2008 TPP Update to the 2030 Transportation Policy Plan. The Council will adopt a draft plan for public hearing on September 10, followed by open houses and public hearings and adoption of the final plan in December.

Minnesota Department of Transportation and Metropolitan Airport Commission work cooperating with the Metropolitan Council in preparing the TPP Update. The Policy Plan will be updated again in 2010 to incorporate findings and recommendations from ongoing studies.

Staff was asked to:

- 1) consider developing a 2008 TPP Update executive summary
- 2) create a Frequently Asked Questions (FAQ) link on Council website to assist users in obtaining information on transportation planning, financing and resources

The presentation will be continued at the August 20 meeting.

Reports

Chair

There was no Chair Report.

Council Members

Council Member Bowles reported she, Chair Bell, Council Member Scherer and former Council Member Russ Susag attended the 28th Avenue Station Ribbon Cutting Ceremony in Bloomington.

Council Member Sanda reported Chair Bell, Regional Administrator Weaver and other staff participated in the Anoka County Dialogue.

Regional Administrator

Regional Administrator Weaver reported Metro Transit initiated a "Google Transit" trip planner to supplement Metro Transit's on-line trip planning.

General Counsel

The General Counsel reported the status of five lawsuits.

Adjournment

Business completed, the meeting adjourned at 6:06 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 August 13, 2008.

Approved this 20th day of August, 2008.

Respectfully submitted,

Pat Curtiss
Secretary