



Metropolitan Council Meeting

Wednesday, October 22, 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
Resolution Commending Louis Jambois for his Contributions to Metro Cities, the Metropolitan Council and our Region.	1
Committee Consent List.....	1
2008-231 - 2008-2011 TIP Amendment for SP#TRF-0018-08B Routing Software for Coordinating Trans Systems (TAB Action 2008-23)	1
2008-232 - Adoption of 2008-2009 Utility Allowance Schedule – Tenant-Based and Public Housing Programs	2
2008-233 - Adoption of Payment Standards for Section 8 Housing Choice Voucher Program	2
2008-248 - AVL Contract for Regional Fleet	2
2008-253 - Authorization to Exercise Gillig Contract Options to Replace Plymouth Buses	2
2008-254 - Authorization to Purchase Replacement Metropolitan Transportation Services Small Buses	2
2008-255 - City of Bloomington CPA for Applewood Pointe Southtown, Review File No. 18103-22	3
2008-260 - Approval of Tier II 2030 Prior Lake Comprehensive Sewer Plan	3
2008-274 - Technical Amendments to Legal Services Agreement	3
2008-276 - Authorization to Award Contract for Temporary Employee Services	3
2008-284 - Authorization to Negotiate and Execute an Amendment to the Cooperative Agreement with U.S. Army Corps of Engineers for Lower Minnesota River Quality Model	4
Report of the Environment Committee	4
2008-261 - Approval of a Policy to Allow Deferral of Service Availability Charges (SAC)	4
Joint Report of the Community Development and Environment Committees	4
2008-206 - City of Chanhassen 2030 Comprehensive Plan, Review File No. 20265-1; Tier II 2030 Comprehensive Sewer Plan	4
Report of the Transportation Committee	4
2008-249 - Approval of 2009 UPWP Work Program, Resolution 2008-28	4
2008-250 - Approve Amendment to the 2008 UPWP, Resolution 2008-29	5
2008-275 - Award Public Art Contracts for Central Corridor Light Rail Transit	5
Presentation	5
Recess - Council Meeting	7
Convene - Draft 2030 Transportation Policy Plan Public Hearing	7
Recess - Draft 2030 Transportation Policy Plan Public Hearing	7

Reconvene – Council Meeting	7
2008-278 - Transit Provider Assistance Agreements for Calendar Year 2009	7
2008-279 - Authorization to Execute Agreements with Ramsey County Regional Rail Authority, Southwest Transit, Plymouth, and University of Minnesota	8
2008-281 - Air Lake Airport 2025 Long-term Comprehensive Plan Review	8
2008-282 - Crystal Airport 2025 Long-term Comprehensive Plan Review	8
2008-283 - Lake Elmo Airport 2025 Long-term Comprehensive Plan Review	9
2008-285 - CTIB Project Grant Application Consistency with the 2030 Transportation Policy Plan	9
Report of the Community Development Committee	9
Report of the Management Committee	9
2008-263 - Extension of Contract with Health Partners for Dental and Medical Insurance	9
Other Business.....	9
2008-293 - Metropolitan Council Member Committee Assignments	9
Presentation - Proposed 2009-2014 Capital Improvement Program and Capital Program and Budget	10
2008-259 - Adopt the Public Hearing Drafts of the 2009 Unified Operating Budget, 2009-2014 Capital Improvement Program and 2009 Authorized Capital Program and Budget	10
Reports.....	10
Chair.....	10
Council Members.....	11
Regional Administrator.....	11
General Counsel.....	11
Adjournment.....	11
Part III - Certification.....	11

Metropolitan Council Meeting

Wednesday, October 22, 2008

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, 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:

Mary Hill Smith

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:10 p.m. It was moved by Steffen, seconded by Wolter 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 September 24, 2008 Motion carried.

Public Invitation

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

Chair Bell welcomed Bill Wheeler , FTA Region 5 office, and Susan Moe, FHWA, who observed today's Council meeting as part of the US Department of Transportation Planning Certification Review.

Part II - Exhibits

Business

Resolution Commending Louis Jambois for his Contributions to Metro Cities, the Metropolitan Council and our Region.

It was moved by Aguilar and seconded by Leppik

"That the Metropolitan Council commend Louis Jambois for his many, invaluable contributions to Metro Cities, the Metropolitan Council and our region, and wishes him well in his new position (as president of the St. Paul Port Authority).

Motion carried.

Committee Consent List

[2008-231](#) - 2008-2011 TIP Amendment for SP#TRF-0018-08B Routing Software for Coordinating Trans Systems (TAB Action 2008-23)

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TIP) to add TRF-0018-08B for routing software for coordinating Metropolitan Council elderly and disability service transit systems."

Motion carried.

[2008-232 - Adoption of 2008-2009 Utility Allowance Schedule – Tenant-Based and Public Housing Programs](#)

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council approve the attached 2008-2009 Section 8 Utility Allowance Schedule effective November 1, 2008 for use by the Metro HRA in the administration of the Section 8, Family Affordable Housing, and other Rent Assistance Programs."

Motion carried.

[2008-233 - Adoption of Payment Standards for Section 8 Housing Choice Voucher Program](#)

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council adopt amounts, listed below, as Payment Standards for the Federal Section 8 Housing Choice Voucher Rent Assistance Program, effective November 21, 2008."

Motion carried.

[2008-248 - AVL Contract for Regional Fleet](#)

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2008-2011 Transportation Improvement Program (TAIP) to add TRF-0018-08B for routing software for coordinating Metropolitan Council elderly and disability service transit systems."

Motion carried.

[2008-253 - Authorization to Exercise Gillig Contract Options to Replace Plymouth Buses](#)

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council authorize the Regional Administrator to exercise existing options on contract #07P162 with Gillig Corporation to purchase two replacement buses in addition to the thirteen buses approved under Council action item #2008-215 for a total contract amount not-to-exceed \$5,575,000."

Motion carried.

[2008-254 - Authorization to Purchase Replacement Metropolitan Transportation Services Small Buses](#)

It was moved by Wolter and seconded by Leppik

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

1. Hoglund Bus Co. Inc. (437103) for 25 Regional Fleet buses in an amount not to exceed \$1,444,363;
2. North Central Bus Sales (437102) for 19 Regional Fleet buses in an amount not to exceed \$1,168,035.”

Motion carried.

[2008-255](#) - City of Bloomington CPA for Applewood Pointe Southtown, Review File No. 18103-22

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council:

1. Adopt the attached review record and allow the City of Bloomington to put the Applewood Pointe Southtown comprehensive plan amendment (CAP) into effect;
2. Find that the comprehensive plan amendment (CPA) does not change the City’s forecasts;
3. 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.

[2008-260](#) - Approval of Tier II 2030 Prior Lake Comprehensive Sewer Plan

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council approves the Tier II Comprehensive Sewer Plan for the City of Prior Lake.”

Motion carried.

[2008-274](#) - Technical Amendments to Legal Services Agreement

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council authorize the General Counsel to amend legal services agreements to increase the maximum contract prices as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Bassford Remele	Legal Services related to Tort & Property Damage Contract No. 06P152A	12/31/09	\$500,000	\$125,000	\$625,000
Parker Rosen	Legal Services related to Transit Employment, RA and Planning Contract No. 06P153A	12/31/09	\$500,000	\$125,000	\$625,000

Motion carried.

[2008-276](#) - Authorization to Award Contract for Temporary Employee Services

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with AppleOne for an amount not to exceed \$550,000 for clerical and administrative temporary services.”

Motion carried.

[2008-284](#) - Authorization to Negotiate and Execute an Amendment to the Cooperative Agreement with U.S. Army Corps of Engineers for Lower Minnesota River Quality Model

It was moved by Wolter and seconded by Leppik

"That the Metropolitan Council authorizes the Regional Administrator to negotiate and execute an amendment to the cooperative agreement with the U.S. Army Corps of Engineers for the development of the Lower Minnesota River Water Quality Model, increasing the total contract from \$563,000 to \$693,000."

Motion carried.

Report of the Environment Committee

[2008-261](#) - Approval of a Policy to Allow Deferral of Service Availability Charges (SAC)

It was moved by Leppik and seconded by Wittsack

"That the Metropolitan Council approves changes to the Service Availability Charge (SAC) policy, attached as exhibit A."

Motion carried.

Joint Report of the Community Development and Environment Committees

[2008-206](#) - City of Chanhassen 2030 Comprehensive Plan, Review File No. 20265-1; Tier II 2030 Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

"That the Metropolitan Council:

1. Authorize the City of Chanhassen to put its 2030 Comprehensive Plan Update into effect without any plan modifications;
2. Remind the City to submit a copy of the City Council Resolution adopting its Update to the Council for its records;
3. Remind the City that Minnesota Statutes 473.864 require it to formally adopt the Comprehensive Plan after the Council's final action and require the City to submit two copies of the adopted Plan to the Council in a timely manner; and,
4. Remind the City that it is required to submit any updated ordinances and controls intended to help implement the Plan to the Council upon adoption;
5. Encourage Chanhassen to participate in the zoning process for protection of Flying Cloud Airport operations and system role;
6. Advise the City to either include a reference to its Water Supply Plan (WSP) in Chapter 9 of the Update or include the WSP as an appendix to Chapter 9 in the Update."

Motion carried.

Report of the Transportation Committee

[2008-249](#) - Approval of 2009 UPWP Work Program, [Resolution 2008-28](#)

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council:

1. adopt the proposed 2009 Unified Planning Work Program with a budget of \$4,010,072;

2. adopt Resolution 2008-28 authorizing the filing of an application with the Minnesota Department of Transportation for a planning grant under the Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21st Century – A Legacy for Users;
3. authorize the Regional Administrator be to enter into agreement with the State of Minnesota, Department of Transportation, for distribution of FHWA and FTA planning funds.”

Motion carried.

[2008-250 - Approve Amendment to the 2008 UPWP, Resolution 2008-29](#)

It was moved by Meeks and seconded by Sanda

"That the Metropolitan Council:

1. amend the 2008 Unified Planning Work Program, as shown on the attached summary sheet, to reduce the total budget by \$259,804 to \$4,114,640;
2. adopt Resolution 2008-29 and authorize the Regional Administrator to amend the UPWP agreement with the State of Minnesota, Department of Transportation, to obtain the additional planning funds.”

Motion carried.

[2008-275 - Award Public Art Contracts for Central Corridor Light Rail Transit Presentation](#)

Robin Caufman and Jim Alexander from the Central Corridor Project Office presented information on the results of the Artist Selection Committee.

Council staff responded to questions:

- Central Corridor Project Office (CCPO) staff is unaware of any LRT projects of this magnitude that have been constructed in recent years without a public art component;
- The FTA “recommends” language is a part of the FTA guidelines provided to grantees as they maneuver through the application process. CCPO attempts to concur with all FTA “recommends” points;
- Expenses incurred in maintaining the interactive art erected at Hiawatha Light Rail Train (HLRT) stations, and removing pieces of art that were vandalized, are included in routine facility maintenance;
- The FTA provides strong guidelines for public participation / involvement/ community outreach. The CCPO Artist Selection Committee process is consistent with FTA guidelines. CCPO staff has been recognized and commended by FTA for their approach to public involvement.

It was moved by Leppik and seconded by Hilker

"That the Metropolitan Council authorize the Regional Administrator:

1. to negotiate and execute professional services contracts with Myklebust and Sears, Roberto Delgado, Janet Lofquist, Seitu Jones and Nancy Blum to design, fabricate and install public art on the 15 Central Corridor Light Rail Transit (CCLRT) stations, in an amount not to exceed \$560,000 per artist. The cumulative amount of the contracts is not to exceed \$2.8 million.;
2. to issue notices-to-proceed to the artists for preliminary and advanced preliminary design work through April 2009, in an amount not to exceed

\$100,000 per artist. The cumulative amount of the notices-to-proceed is not to exceed \$500,000.”

Council member Sersland Beach noted that, as Chair of the Community Advisory Committee, she has received numerous comments from individuals and organizations along the corridor, supporting a proposed amendment. Because of the interest from residents and local officials, she offered the following amendment:

It was moved by Sersland Beach and seconded by Pistilli to amend the original motion to include the following language:

To make the artists’ proposed station assignments provisional, with confirmation or revisions to be made based on the results of community visioning sessions for each station. These visioning sessions will be organized and led by a professional public art facilitator, with the selected artists and Artist Selection Committee members invited to attend whenever possible. Final decisions on artists’ station assignments will be made by the Met Council’s Evaluation Panel, following the advice of the Artist Selection Committee.

Chair Bell stated the amendment will be considered before the original motion.

Discussion included the following comments:

- The proposed additional community visioning process appears to be very lengthy and could create a six month delay for the project.
- It’s important that communities know each station’s artist and see samples of their work.
- The final designs will be presented to the Council before construction and/or installation is initiated.
- The RFP specifically outlined the expectation that artists will work within the community and have at least three public meetings during the process;
- The core structure of each station will be the same, with each artist offering their own interpretation, whether in vertical/horizontal surfaces, railings or columns, etc.;
- Each proposer was required to submit a proposal, with images of previous work, for the station of their choice. Some members of the Art Selection Committee were familiar with artists and their work;
- The Metropolitan Council has the final approval of all station art.

Motion on the amendment failed.

Regional Administrator Weaver reiterated that the original motion is to negotiate and execute contracts and issue notices to proceed. None of the final designs will be implemented without Council approval.

Chair Bell stressed he believes community input into the artist selection process is an important component of the Central Corridor project.

Chair Bell called for a vote on the original motion.

Following a voice vote, Council Member Pistilli requested a roll call.

Motion carried, on the following roll call vote:

	Yes		No	Absent
	Scherer	Hilker	Pistilli	M. Smith
	Peterson	Broecker	Meeks	
	Bowles	Aguilar	Wittsack	
	Leppik	Wolter	Steffen	
		McDaniel	Sanda	
			Sersland Beach	
TOTAL	9		6	1

Recess - Council Meeting

It was moved by Steffen

"That the Metropolitan Council recess at 5:05 PM to convene the Draft 2030 Transportation Policy Plan public hearing."

Motion carried.

Convene - Draft 2030 Transportation Policy Plan Public Hearing

Chair Bell convened the Draft 2030 Transportation Policy Plan public hearing at 5:00 p.m.

Several witnesses appeared to give testimony.

Recess - Draft 2030 Transportation Policy Plan Public Hearing

It was moved by Scherer to

"recess the Public Hearing at 6:00 p.m. and proceed with Council business or until any person wishes to speak on the Draft 2030 Transportation Policy Plan."

Motion carried.

Reconvene – Council Meeting

Chair Bell reconvened the Council meeting at 6:00 p.m. and continued with the Transportation Committee Report.

[2008-278 - Transit Provider Assistance Agreements for Calendar Year 2009](#)

It was moved by Meeks and seconded by Pistilli

"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, 2009 through December 31, 2009."

Motion carried.

2008-279 - Authorization to Execute Agreements with Ramsey County Regional Rail Authority, Southwest Transit, Plymouth, and University of Minnesota

It was moved by Meeks and seconded by Leppik

"That the Metropolitan Council authorize the Regional Administrator to execute agreements with the following agencies for the projects and amounts listed:

<u>Agency</u>	<u>Project</u>	<u>Amount</u>
Ramsey County Regional Rail Authority	Union Depot Federal Design Grant	4781,994
University of Minnesota	Hybrid Bus Purchase	\$676,859
Plymouth	Park and Ride Repairs	\$300,000
Southwest Transit	Garage Generator	\$250,000

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

Motion carried.

2008-281 - Air Lake Airport 2025 Long-term Comprehensive Plan Review

It was moved by Meeks and seconded by Broecker

"That the Metropolitan Council:

1. Determine that the Metropolitan Airport Commission's (MAC) Airlake Airport 2025 Long-term Comprehensive Plan (LTCP) is consistent with the Metropolitan Council's development guide;
2. Recommend MAC establish a joint airport zoning board with Dakota County and affected communities of Lakeville, Farmington and Eureka Township to prepare an airport zoning ordinance as defined under state requirements and the airport's system role;
3. Recommend MAC continue coordination with communities of Lakeville and Eureka Township in provision of sanitary sewer and water service to the airport;
4. Recommend MAC continue coordination concerning land use compatibility for communities affected by aircraft noise operations at the Airlake Airport;
5. Recommend MAC continue coordination with the City of Lakeville and Dakota County in efforts to relocate Cedar Ave., thus allowing for runway extension at Airlake Airport in the long-term;
6. Recommend amendment of the LTCP and review by the Council when parcels on airport property are developed for non-aviation uses."

Motion carried.

2008-282 - Crystal Airport 2025 Long-term Comprehensive Plan Review

It was moved by Meeks and seconded by Leppik

"That the Metropolitan Council:

1. Determine that the Metropolitan Airport Commission's (MAC) Crystal Airport 2025 Long-term Comprehensive Plan (LTCP) is consistent with the Metropolitan Council's development guide;
2. Recommend MAC establish a joint airport zoning board with Hennepin County and affected communities of New Hope, Crystal, Brooklyn Park, Brooklyn Center, and Robbinsdale in preparing an airport zoning ordinance as defined under state requirements and reflecting the airport's system role;
4. Recommend amendment of the LTCP and review by the Council when parcels on airport property are developed for non-aviation uses."

Motion carried.

2008-283 - Lake Elmo Airport 2025 Long-term Comprehensive Plan Review

It was moved by Meeks and seconded by Bowles

"That the Metropolitan Council:

1. Determine that the Metropolitan Airport Commission's (MAC) Lake Elmo Airport 2025 Long-term Comprehensive Plan (LTCP) is consistent with the Metropolitan Council's development guide (TPP);
2. Recommend MAC establish a joint airport zoning board with Washington County and affected communities of Lake Elmo, Baytown and West Lakeland to prepare an airport zoning ordinance as defined under state requirements and airport's system role;
3. Recommend MAC continue coordination with communities of Lake Elmo and Baytown to provide sanitary sewer and water service for the airport;
4. Recommend MAC continue efforts with City of Lake Elmo in land use planning to coordinate city development plans in the Old Village area with airport safety zoning and aircraft noise considerations resulting from the LTCP 2025 preferred development alternative;
5. Recommend amendment of the LTCP and review by the Council when parcels on airport property are developed for non-aviation uses."

Motion carried.

2008-285 - CTIB Project Grant Application Consistency with the 2030 Transportation Policy Plan

It was moved by Meeks and seconded by Hilker

"That the Metropolitan Council finds the 10 project grant applications submitted to the Counties Transit Improvement Board (CTIB) for CY 2009 funding to be consistent with the adopted 2030 Transportation Policy Plan."

Motion carried.

Report of the Community Development Committee

All items are listed under the Consent List and Joint Report.

Report of the Management Committee

2008-263 - Extension of Contract with Health Partners for Dental and Medical Insurance

It was moved by Scherer and seconded by

"That the Metropolitan Council extend the Health Partners contract for dental and medical insurance for one year."

Motion carried.

Other Business

2008-293 - 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	Bowles	Bowles	Peterson
Hilker	Broecker	Peterson	Pistilli
Leppik	Hilker	Scherer	Sanda
McDaniel	McDaniel	Wittsack	Smith (MH)
Meeks, Vice Chair	Meeks, Vice Chair	Wolter, Vice Chair	Wittsack Vice Chair
Peterson	Pistilli		
Scherer	Sanda		
Steffen	Wolter		

Motion carried.

Presentation - Proposed 2009-2014 Capital Improvement Program and Capital Program and Budget

- Wes Kooistra , Chief Financial Officer, presented an overview and fiscal impact of the [Proposed 2009-2014 Capital Improvement Program and Capital Program and Budget](#).
- Brian Lamb, General Manager of Metro Transit and Arlene McCarthy , Director of Metropolitan Transportation Services, presented the [Proposed 2009-2014 Transit Capital Improvement Program](#)
- Bill Moore, General Manager of Environment Services, presented the [Proposed 2009-2014 Environmental Services Capital Improvement Program and 2009 Capital Program and Budget](#)
- Guy Peterson, Director of Community Development, presented the [Proposed 2009-2014 Regional Park Capital Improvement Program](#)

The Council will act on the budget items at the December 10, 2008 meeting.

2008-259 - Adopt the Public Hearing Drafts of the 2009 Unified Operating Budget, 2009-2014 Capital Improvement Program and 2009 Authorized Capital Program and Budget

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council adopt the Public Hearing Drafts of the 2009 Unified Operating Budget 2009-2014 Capital Improvement Program and 2009 Authorized Capital Program and Budget at 5:00 PM on November 12, 2008."

Motion carried.

Reports

Chair

Chair Bell reported he and staff have

- met with suburban transit providers, and MAC and MSFC officials
- toured the proposed SW and Cedar Avenue Corridors
- focused on the TPP, Capital Budget and CCLRT public art issues

Council Members

There were no reports.

Regional Administrator

There was no report.

General Counsel

There was no report.

Adjournment

Business completed, the meeting adjourned at 7:45 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 October 22, 2008

Approved this 12th day of November, 2008.

Respectfully submitted,

Pat Curtiss
Secretary