



## Metropolitan Council Meeting

Wednesday, January 28, 2009  
Robert Street 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>
Committee Consent List.....	1
2009-02 - City of St. Mary's Point Comprehensive Plan Update, Review File No. 20383-1	1
2009-03 - Approval of Amendment to the Non-Represented Plan	2
2009-04 - Request for Reimbursement Consideration of \$300,000 for Development at North Mississippi Regional Park, Minneapolis Park and Recreation Board	2
2009-05 - Mississippi River Regional Trail master plan amendment realigning trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5)	2
2009-06 - Park Acquisition Opportunity Grant Request to Purchase Land for Lebanon Hills Regional Park, Dakota County	2
2009-07 - Change in Scope of Grant SG-2006-125 to purchase land for Eagle Lake Regional Park, Three Rivers Park District	2
2009-10 - Technical Amendments to Legal Services Agreements; No Budget Impacts	3
2009-14 - Ratification of Declaration of Emergency to Contract for Occupational Health/Drug and Alcohol Testing Services	3
2009-19 - Minnesota State Retirement System Program Unclassified Retirement Plan, Resolution 2009-013	3
2009-25 - City of Bloomington comprehensive plan amendment for 5701 Green Valley Drive, Review File No. 18103-22	3
2009-26 - Guidelines for Mutual Agreement to Extend 120-Day Plan Review Period	4
2009-28 - Authorization to Negotiate and Execute Engineering Services Agreement for Metropolitan Wastewater Treatment Plant Sludge Collection Equipment, MCES Project No. 805900	4
2009-29 - Authorization to Negotiate and Execute Amendment to Engineering Services Agreement for Dayton-Champlin Interceptor and Elm Creek Interceptor Extensions, MCES Project No. 801000 and 900400, Contract No. 01P124	4
2009-30 - Authorization to Negotiate and Execute Amendment to Contract No. 06P181 with Barr Engineering for Water Supply Availability Analysis	4
Report of the Community Development Committee .....	5
Report of the Management Committee .....	5
Report of the Transportation Committee .....	5
Report of the Environment Committee .....	5
<b>Other Business.....</b>	<b>5</b>

Environmental Services and Transportation Energy Issues Update	5
<b>Reports</b> .....	<b>5</b>
Chair.....	5
Council Members.....	5
Regional Administrator.....	5
General Counsel.....	5
<b>Adjournment</b> .....	<b>5</b>
<b>Part III - Certification</b> .....	<b>6</b>

**Metropolitan Council Meeting**  
Wednesday, January 28, 2009  
Council Chambers  
4:00 P.M.

**Part I - Narrative**

**Attendance:**

Peter Bell, Chair; Roger Scherer, Bob McFarlin, Craig Peterson, Polly Bowles, Peggy Leppik, Annette Meeks, Lynette Wittsack, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, , Daniel Wolter

**Members absent:**

Tony Pistilli, Natalie Steffen, Kirstin Sersland Beach, District 16 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 4:07 p.m. It was moved by Wittsack, seconded by Meeks to approve the agenda. Motion carried.

**Minutes**

It was moved by Sanda seconded by Broecker, to approve the minutes of the Metropolitan Council Meeting of January 14, 2009. .Motion carried.

**Public Invitation**

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

**Part II - Exhibits**

**Business**

Arthur Rolnick, Senior Vice President and Director of Research at the Federal Reserve Bank of Minneapolis. Mr. Rolnick presented an intriguing perspective on the current economic crisis.  
[http://metro council.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=316&publish\\_id=&event\\_id=](http://metro council.granicus.com/MediaPlayer.php?view_id=2&clip_id=316&publish_id=&event_id=)

*Committee Consent List*

2009-02 - City of St. Mary's Point Comprehensive Plan Update, Review File No. 20383-1

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council adopts the attached Review Record and takes the following actions:

1. authorize the City of St. Mary's Point to put its 2030 Comprehensive Plan Update into effect without any plan modifications;
2. change the planning area designation of the City from Diversified Rural to Rural Residential in the *2030 Regional Development Framework*;
3. remind the City that it needs to forward to the Council the date when the watershed organizations approved the local surface water management plan (LSWMP);
4. remind the City to submit a copy of the City Council Resolution adopting its Update to the Council;

5. remind the City that Minnesota Statutes 473.864 require the City to formally adopt the Update, along with any required modifications, within nine months after the Council's final action and require the City to submit two copies of the adopted Update to the Council in a timely manner; and
6. remind the City that it is required to submit any updated ordinances and controls and its Capital Improvement Plan (CIP) intended to implement the Update to the Council upon adoption."

Motion carried.

2009-03 - Approval of Amendment to the Non-Represented Plan

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council approve an amendment to the Non-Represented Plan effective January 1, 2009."

Motion carried.

2009-04 - Request for Reimbursement Consideration of \$300,000 for Development at North Mississippi Regional Park, Minneapolis Park and Recreation Board

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council consider reimbursing \$300,000 to the Minneapolis Park & Rec. Board to add a dock, restroom, picnic shelter, pavement and site improvements at the Camden Boat Launch in North Mississippi Regional Park when that amount of interest has been earned on the Council's park bonds in accordance with State law."

Motion carried.

2009-05 - Mississippi River Regional Trail master plan amendment realigning trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5)

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council approve the Mississippi River Regional Trail master plan amendment realigning the trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5)."

Motion carried.

2009-06 - Park Acquisition Opportunity Grant Request to Purchase Land for Lebanon Hills Regional Park, Dakota County

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorize a grant of \$17,400 from the State Acquisition Grant Account in the Park Acquisition Opportunity Fund to Dakota County to partially finance the acquisition of the 1.1 acre Urban parcel as part of Lebanon Hills Regional Park. The grant should be financed with \$10,440 from the 2008 Environment and Natural Resources Trust Fund appropriation and \$6,960 of Metropolitan Council bonds."

Motion carried.

2009-07 - Change in Scope of Grant SG-2006-125 to purchase land for Eagle Lake Regional Park, Three Rivers Park District

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorizes a change in the scope of grant SG-2006-125 to partially finance the acquisition of the Weegman property for Eagle Lake Regional Park and directs Council staff to execute an amendment to the grant agreement that reflects this change in scope."

Motion carried.

2009-10 - Technical Amendments to Legal Services Agreements: No Budget Impacts

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorizes 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>
Parker Rosen	Legal Services related to Transit Employment, RA and Planning Contract No. 06P153A	12/31/09	\$750,000	\$125,000	\$875,000
Dorsey Whitney	Legal Services related to Public Law Matters Contract No. 00P0140	12/31/10	\$550,000	\$125,000	\$675,000
Bassford Remele	Legal Services related to Tort & Property Damage Contract No. 06P152A	12/31/09	\$750,000	\$125,000	\$875,000

Motion carried.

2009-14 - Ratification of Declaration of Emergency to Contract for Occupational Health/Drug and Alcohol Testing Services

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council ratify the *Justification for and Declaration of Emergency* to contract for Occupational Health/Drug and Alcohol Testing Services."

Motion carried.

2009-19 - Minnesota State Retirement System Program Unclassified Retirement Plan, Resolution 2009-01

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council approve changes to the position and incumbent list for the Minnesota State Retirement System unclassified plan."

Motion carried.

2009-25 - City of Bloomington comprehensive plan amendment for 5701 Green Valley Drive, Review File No. 18103-22

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council:

1. allows the City of Bloomington to put the *Covington at Norman Pointe-5701 Green Valley Dr.* comprehensive plan amendment (CPA) into effect;
2. finds that the comprehensive plan amendment (CPA) does not change the City's forecasts."

Motion carried.

2009-26 - Guidelines for Mutual Agreement to Extend 120-Day Plan Review Period

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council approve proposed guidelines for authorizing requests from local governments for extensions to the 120 day review period for Comprehensive Plan Updates and Amendments."

Motion carried.

2009-28 - Authorization to Negotiate and Execute Engineering Services Agreement for Metropolitan Wastewater Treatment Plant Sludge Collection Equipment, MCES Project No. 805900

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an engineering services agreement with Bolton & Menk for Metropolitan Wastewater Treatment Plant Sludge Collection Equipment, MCES Project No. 805900, Contract No. 08P158."

Motion carried.

2009-29 - Authorization to Negotiate and Execute Amendment to Engineering Services Agreement for Dayton-Champlin Interceptor and Elm Creek Interceptor Extensions, MCES Project No. 801000 and 900400, Contract No. 01P124

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an amendment to the engineering services contract with Bonestroo, Contract No. 01P124, increasing the contract amount from \$2,584,000 to \$2,775,000."

Motion carried.

2009-30 - Authorization to Negotiate and Execute Amendment to Contract No. 06P181 with Barr Engineering for Water Supply Availability Analysis

It was moved by Leppik and seconded by Wolter

"That the Metropolitan Council authorize its Regional Administrator to negotiate and execute an amendment to Contract Number 06P181 with Barr Engineering from \$240,325 to \$260,325 in order to provide additional calibration and sensitivity analysis of the Metropolitan Groundwater Model 2.0."

Motion carried.

*Report of the Community Development Committee*

All Business Items are on the Consent List.

*Report of the Management Committee*

All Business Items are on the Consent List

*Report of the Transportation Committee*

There is not report this week.

*Report of the Environment Committee*

All Business Items are on the Consent List

**Other Business**

[Environmental Services and Transportation Energy Issues Update](#)

Jason Willet, Environmental Services and Vince Pellegrin and Tom Thorstenson, Metro Transit, presented their Departments' energy program updates. Cost savings features and environmentally sound practices have become standards throughout the Council.

**Reports**

*Chair*

Chair Bell reported he has been:

- testifying before Legislative Committees on Council initiatives;
- working w/staff on funding source options to offset the budget deficit;
- studying the possible availability of stimulus package funds; and
- preparing for the February 2,2009 State of the Region address at the Maplewood Community Center.

*Council Members*

There were no reports.

*Regional Administrator*

There was no report.

*General Counsel*

Assistant General Counsel Mark Thompson had to report.

**Adjournment**

Business completed, the meeting adjourned at 5:37 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 January 28, 2009.

Approved this 11th day of February 2009.

Respectfully submitted,

Pat Curtiss  
Secretary