



Metropolitan Council Meeting

Wednesday, April 22, 2009

Robert Street Council Chambers

4:00 P.M.

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Metropolitan Council Meeting

Wednesday, April 22, 2009

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Tony Pistilli, Bob McFarlin,, Polly Bowles, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter, Wendy Wulff

Members absent:

Roger Scherer, Annette Meeks

Call to Order

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:07 p.m.

Administer Oath of Office – Metropolitan Council Member

Chair Bell administered the oath of office to Wendy Wulff, District 16 Metropolitan Council Member, who was appointed by Governor Pawlenty, effective April 21, 2009. The term runs through January 3, 2011.

Approval of Agenda and Minutes

Chair Bell changed the order of the agenda as follows: removed item 2009-117 from the Consent List; Moved the Transportation Advisory Board (TAB) 101 presentation from V.5 to VI. Other Business. The new order for VI. Other Business is TAB 101, 2009-142, 2009-143, 2009-136, 2009-137, North Star Operational Update and Legislative Update. It was moved by Steffen, seconded by Hilker, to approve the amended agenda. Motion carried. It was moved by Peterson, seconded by Wittsack, to approve the minutes of the Metropolitan Council Meeting of April 8, 2009. 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

[2009-51](#) - Stillwater Township 2030 Comprehensive Plan Update, Review No. 20431-1

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and take the following actions from the Community Development Committee:

1. Authorize Stillwater Township to put its 2030 Comprehensive Plan Update into effect;
2. Advise the Township to inform the Council of the dates when the Carnelian Marine

St. Croix Watershed District and Browns Creek Watershed District approve the final version of the Local Surface Water Management Plan, the date that the Township adopts the plan, and to send a final copy of the plan.

Motion carried.

2009-95 - City of Grant 2030 Comprehensive Plan Update, Review No. 20468-1

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

Recommendation of the Community Development Committee:

1. Authorize the City of Grant to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Identify properties enrolled in the agricultural preserve program on the 2030 Future Land Use and Zoning Map as an agricultural land use district allowing a maximum of at one unit per forty acres.
 - b. Inform the Council of the dates when the Brown's Creek, Carnelian Marine St. Croix, Rice Creek and Valley Branch watershed districts approve the Surface Water Management Plan (SWMP), and of the date the City adopts the final plan; send the Council a copy of the final adopted SWMP.

Motion carried.

2009-96 - Dakota County 2030 Comprehensive Plan Update, Review No. 20455-1

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following

Recommendation of the Community Development Committee:

Authorize Dakota County to put its 2030 Comprehensive Plan Update into effect

Motion carried.

2009-101 - City of Minneapolis Request to Reallocate Habitat for Humanity Foreclosure Remediation LHIA Project Grant SG008-121

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council approve the splitting of the Local Housing Incentives (LHIA) grant #SG008-121 award into two equal halves, naming the cities of Minneapolis and Saint Paul as separate grantees. The City of Minneapolis was the original grantee for this *Habitat for Humanity Foreclosure Remediation* grant.

Motion carried.

2009-115 - Authorize Extending the Time Period for Preliminary and Advanced Preliminary Design Work for Public Art for Central Corridor Light Rail Transit

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the Regional Administrator to extend the time period for preliminary and advanced preliminary design work for public art for the Central Corridor Light Rail Transit (CCLRT) project through October 2009.

Motion carried.

2009-118 - Authorization to Execute Contract with Verint Systems, Inc.

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorizes the Regional Administrator to execute a contract with Verint Systems Inc. in an amount not to exceed \$1,116,000 for the purchase of a digital video system to be installed on up to 257 contracted fixed route and Metro Mobility dial-a-ride vehicles."

Motion carried.

2009-125 - Phase II Environmental Site Assessment for the Central Corridor Light Rail Transit Project

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the Regional Administrator

- to negotiate and execute professional services contracts with Braun Intertec to conduct a Phase II Environmental Site Assessment, in an amount not to exceed \$1,301,898;
- to issue a Notice-To-Proceed to Braun Intertec to conduct a Phase II Environmental Site Assessment. "

Motion carried.

2009-126 - Central Corridor Light Rail Transit Memorandum of Understanding with City of Saint Paul.

It was moved by Wolter and seconded by Sersland Beach

"That the Metropolitan Council authorize the Regional Administrator to execute the Central Corridor Light Rail Transit Project Memorandum of Understanding (MOU) between the Metropolitan Council and city of Saint Paul addressing impacts of project delivery within Saint Paul."

Motion carried.

Report of the Management Committee

There was no report.

Report of the Environment Committee

There was no report.

Report of the Community Development Committee

Items are on the Consent List

Report of the Transportation Committee

Items are on the Consent List and listed under Other Business.

Other Business

[Transportation Advisory Board \(TAB\) 101](#)

Arlene McCarthy, Director of Metropolitan Transportation Services, presented an overview of the TAB process. TAB was created in 1974, under Minnesota Statute MN Section 473.146, as a federal requirement for all metropolitan planning organizations (MPO). The Metropolitan Council is the designated MPO. A Federal requirement mandates that MPO decisions are made by local elected officials.

Federal law requires a prospectus, signed by the Council Chair and the Commissioner of Transportation, that defines TAB's roles and responsibilities. Met Council is the lead on planning and MnDOT is the lead on programming. The TAB provides a forum for deliberation among state, regional and local officials, transportation providers and private citizens to articulate their positions on issues that affect transportation planning and funding in the Twin Cities region. Project Criteria is primarily focused on need and demand, with a geographic factor considered a secondary criterion. The Memorandum of Understanding executed in December 2008 between the Metropolitan Council and Mn Department of Transportation, is a summary update of the prospectus.

The Council can approve or disapprove TAB recommendations, but cannot amend them.

[2009-107 - 2009-2012 TIP Amendment to Allocate American Recovery and Reinvestment Act \(ARRA\) Funds, TAB Action 2009-19](#)

It was moved by Leppik and seconded by Steffen

"That the Metropolitan Council take from the table, Business Item 2009-107, the 2009-2012 TIP Amendment to Allocate American Recovery and Reinvestment Act (ARRA) Funds, TAB Action 2009-19, that was tabled at the April 8 Council meeting.

Motion carried to take item 2009-107 from the table.

It was moved by Leppik and seconded by Steffen

"That the Metropolitan Council amend the proposed action of item 2009-107, by offering the language in Business Item 2009-142 that the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to make technical amendments to the 2009-2012 Transportation Improvement Program (TIP) Amendment (TAB Action 2009-19)."

Motion on the amendment carried. The new recommendation is included as item 2009-142.

[2009-142 - Amendment to 2009-2012 TIP Amendment to Allocate American Recovery and Reinvestment Act \(ARRA\) Funds, TAB Action 2009-19](#)

It was moved by Leppik and seconded by Steffen

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to make technical amendments to the 2009-2012 Transportation Improvement Program (TIP) Amendment (TAB Action 2009-19), previously transmitted to the Council as business item 2009-

107. Business item 2009-107 includes 22 MnDOT projects on metro area trunk highways (including TH 610) that may be funded using American Recovery and Reinvestment Act (ARRA) funds, per attached documents dated April 15, 2009.”

Technical amendments incorporated into 2009-142 are:

- Clarifying the use of funds;
- Correcting a typo in the project termini
- Identifying the final six projects as administrative modifications.

Woodbury Mayor Hargis, interim TAB Chair, noted the recommendation was considered at the February, March and April TAB meetings, and after lengthy discussions, TAB recommended the TH 610 project and 22 smaller projects. TAB also urged MnDOT to apply to the Federal Highway Administration (FHWA) for full build-out funds for the 494/169 interchange, through the additional \$1.5billion competitive dollars in the ARRA program.

Mayor Hargis reiterated that the regional TAB process is lengthy, incorporates policy discussion before the regional solicitation, and then is followed by appeal and debrief opportunities. He believes TAB is a fair process, though not a perfect process.

McFarlin thanked TAB and CM Leppik for her work on that committee, and said that he strongly supports TH610 and the other smaller projects. He expressed strong support of the 494/169 interchange and believes a significant opportunity has been lost, due to the failure of bureaucratic impasse, to fund the project. For that reason, he will vote no on the item.

Main motion with amended language carried, with McFarlin dissenting.

[2009-143 - 2009-20121 TIP Amendment to Allocate American Recovery and Reinvestment Act \(ARRA\) Funds to Five Regional Projects, TAB Action 2009-28](#)

It was moved by Steffen and seconded by Pistilli

“That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action 2009-28 to amend the 2009-2012 Transportation Improvement Program (TIP) to include five projects (I-35E/CSAH 14 Interchange, Reconstruct White Bear Avenue, CSAH 21 Surfacing, TH7 & Wooddale Interchange and Travel Behavior Inventory) that may be funded using American Recovery and Reinvestment Act (ARRA) funds.”

Motion carried.

[2009-136 - Resolution 2009-05 Changing Environment Committee Meeting Times](#)

It was moved by Wittsack and seconded by Leppik

“That the Metropolitan Council adopt the attached resolution 2009-05 changing the meeting time of the Environment Committee’s regular meetings from 4:00 p.m. to 9:30 a.m.”

Motion carried.

2009-137 - Land Use Advisory Committee Appointments

It was moved by Steffen and seconded by Peterson

"That the Metropolitan Council approve the appointments of Jerry McDonald and Jon Ulrich to the Land Use Advisory Committee representing District 4."

It was moved by Pistilli and seconded by Bowles

"That the Metropolitan Council table Item 2009-137, the Land Use Advisory Committee Appointments, to allow time to review the appointments."

Motion carried and the item was tabled.

Northstar Operational Update

Edward Byers, Director of Northstar Commuter Rail, briefed the Council on the status of the Northstar Project. Railcars are in production and will be transported by BSNF to the Big Lake facility by mid-late May. Six cars will be in place by June 14 and begin mainline testing. By early-mid June, the public will begin to see Northstar cars on the mainline between Minneapolis and Big Lake. BNSF will operate the train. The project office anticipates a November start date.

Legislative Update

Judd Schetnan, Manager of Government affairs, reported his main focus has been the Transit funding, and how to solve Transit's \$63M shortfall.

Reports

Chair

Chair Bell reported:

- the Regional Parks Foundation (RPF) named Jane Johnson as Executive Director and held their first Board meeting;
- he presented the RPF overview to the City of Bloomington City and the Ramsey County Commissioners;
- his current priority is Legislative and budgetary matters.

Council Members

Councilmember Sersland Beach reported the Central Corridor Community Advisory Committee received an update from Craig Blakeley, City of St. Paul, on parking issues along the corridor, including parking, meters, and shared parking. A staff report, "Mitigating the Loss of Parking in the Central Corridor", is available on the www.stpaul.gov website.

Councilmember Sanda attended the public meetings on the proposed fares for the Northstar commuter rail line.

Councilmember Steffen commended Community Director Guy Peterson and staff for their thorough review of cities' comprehensive plans.

Regional Administrator

Regional Administrator Weaver reported:

- the Council received a favorable ruling from Ramsey County District Court in an issue relating to the consolidation of all Council payroll systems into one master system. Different bargaining units in the systems needed clarification and the Courts determined that all ATU members should become AFSCME, as the Bureau of Mediation Services had originally determined;
- Environmental Services Wastewater Treatment Plants just completed their 26th month of perfect compliance

General Counsel

Assistant General Counsel Mark Thompson had to report.

Adjournment

Business completed, the meeting adjourned at 5:57 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 April 22, 2009.

Approved this 13th day of May, 2009.

Respectfully submitted,

Pat Curtiss
Secretary