



Metropolitan Council Meeting

Wednesday, October 28, 2009
Robert Street Council Chambers
4:00 P.M.

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Metropolitan Council Meeting

Wednesday, October 28, 2009

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Robert McFarlin, Craig Peterson, Polly Bowles, Peggy Leppik, Annette Meeks, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Wendy Wulff

Members absent: Daniel Wolter

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:05 p.m. It was moved by Meeks, seconded by Leppik, to approve the agenda. Motion carried.

Chair Bell introduced General Counsel Don Mueting, who began Council employment on October 18, 2009.

Minutes

It was moved by Scherer, seconded by Leppik, to approve the minutes of the Metropolitan Council Meeting of October 14, 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

[2009-355](#) - Lease Agreement for Central Corridor Light Rail Transit Construction Field Office in Downtown St. Paul

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a lease agreement with First National Building Holdings, Inc. for 1,058 square foot space for calendar years 2010, 2011, 2012, 2013, and 2014 for an amount not to exceed \$63,500."

Motion carried.

2009-356 - Approve Preliminary Design of Public Artwork for Each Central Corridor Light Rail Transit Station

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to:

- To approve the preliminary design of artwork for each Central Corridor Light Rail Transit (CCLRT) station.
- To extend the time period for advanced preliminary design work for public art for the CCLRT project through December 31, 2009.

Motion carried.

2009-357 - ABC Ramps Flexible Parking Pricing Demonstration Program

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the regional administrator to enter into a joint powers agreement with the Minnesota Department of Transportation (Mn/DOT) to participate in a Flexible Parking Pricing Demonstration program during 2009-2011.

Motion carried.

2009-358 - Hiawatha Light Rail Transit Tail Track Ground Lease with Hennepin County

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Ground Lease with the Hennepin County Regional Rail Authority to set forth responsibilities for the ownership, operation and maintenance of the Tail Track area in support of the Hiawatha Light Rail Transit (LRT) extension portion of the Northstar Corridor Commuter Rail Project."

Motion carried.

2009-360 - Authorization to Award Contract for Bus Surveillance System Maintenance

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute a contract with Alarm & Communication Systems, Inc. for maintenance of bus surveillance systems as specified and as bid for a three-year term, with an option to extend the contract term up to an additional twelve months."

Motion carried.

2009-361 - Authorization to Purchase Small Replacement Buses

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute purchase agreements with the following vendors for small buses in an amount not to exceed \$710,000

1. Hogle Bus Co. Inc (440473) for 11 buses.
2. North Central Bus Co (440475) for 1 bus.

Motion carried.

[2009-363](#) - Authorization to Exercise Contract Options with Motor Coach Industries

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to exercise purchase options on contract #08P114 with Motor Coach Industries (MCI) to purchase one coach in an amount not to exceed \$522,600.

Motion carried.

[2009-364](#) - Authorization to Award General Obligation Refunding Bonds Within Established Financial Parameters

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council adopt Resolutions [2009-45](#) and [2009-46](#) authorizing issuance and award of sale of General Obligation Refunding Bonds and execution of other necessary documents to complete the sale of these bonds."

Motion carried.

[2009-368](#) - Amendment to FY 2011 Parks and Trails Fund project list for Anoka County and reimbursement authorization for Anoka County regional park project financed with FY 2011 Parks and Trails Fund appropriation

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council approve an amendment to Anoka County's FY 2011 Parks and Trails Fund project list which provides \$600,000 to replace two trail bridges at Rice Creek Chain of Lakes Park Reserve and defers five projects to FY 2012 as shown in Table 1 of this memorandum, and authorizes Anoka County to expend its own funds on the trail bridge replacement project under the stipulation that the County will not be reimbursed for its expenses from the FY 2011 Parks and Trails Fund appropriation until the appropriation is available and after execution of a grant agreement for the project."

Motion carried.

[2009-377](#) - Authorization to Amend Tree Trust License Agreement

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute an amendment to the license agreement between Tree Trust and the Metropolitan Council to utilize Council property near the Regional Maintenance Facility through December 31, 2014."

Motion carried.

[2009-378](#) - Authorization for Sole Source Procurement of Moyno Pumps and Repair Parts

It was moved by Hilker and seconded by Wittsack

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"That the Metropolitan Council authorize the Regional Administrator to procure Moyno Pumps and Repair Parts from Van Bergen and Markson on a Sole Source basis in an amount not to exceed \$750,000 for a 3-year period."

Motion carried.

[2009-379](#) - Dakota County CDA Request for Extension of Time to Acquire Property Under LAAND Loan Award

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council approve the request by the Dakota County Community Development Agency (CDA) to extend the deadline from November 12, 2009 to June 30, 2010 for acquisition of a parcel of land under the Metropolitan Council's Land Acquisition for Affordable New Development (LAAND) Loan program award to the County CDA."

Motion carried.

[2009-380](#) - Washington County HRA Request for Extension of Time to Acquire Property Under LAAND Loan Award

It was moved by Hilker and seconded by Wittsack

"That the Metropolitan Council approve the request by the Washington County Housing and Redevelopment Authority (HRA) to extend the deadline from November 12, 2009 to June 30, 2010 for acquisition of two parcels of land under the Metropolitan Council's Land Acquisition for Affordable New Development (LAAND) Loan program award to the County HRA."

Motion carried.

Report of the Management Committee

Management Committee items are on the Consent List

Report of the Transportation Committee

[2009-362](#) - Transit Link Fare Recommendation

It was moved by Meeks and seconded by Leppik

"That the Metropolitan Council approve the recommended fare proposal for Transit Link dial-a-ride service per attachment A."

Motion carried.

[2009-384R SW](#) - 2009-2012 TIP Amendment: Add MnDOT ARRA Projects, TAB Action 2009-51

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action 2009-51, to amend the 2009-2012 Transportation Improvement Program (TIP) to include 13 new MnDOT projects and change four existing projects to be funded with savings from the State ARRA Program, with description of Project 6284-41,I-35W Auxiliary lane be changed from 3.2 miles to 9.3 miles.

Motion carried.

[2009-386 SW](#) - Master Funding Agreement and Cooperation Letter Agreement for Central Corridor Light Rail Transit Project with Minnesota Department of Administration

It was moved by Meeks and seconded by Scherer

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Master Funding Agreement and Cooperation Letter Agreement for the Central Corridor Light Rail Transit (LRT) Project with the Minnesota Department of Administration."

Motion carried.

Report of the Community Development Committee

[2009-367](#) - Park Acquisition Opportunity Grant request for Cedar Lake Farm Regional Park, Scott County

It was moved by Steffen and seconded by Bowles

"That the Metropolitan Council authorize a grant of \$369,683 from the Environment and Natural Resources Trust Fund Account in the Park Acquisition Opportunity Fund to Scott County to partially finance the acquisition of 7.05 acres (Novotny parcel) as part of Cedar Lake Farm Regional Park. The grant should be financed with \$221,810 of the remaining 2008 State Environment and Natural Resources Trust Fund appropriation and a portion of the 2009 appropriation plus \$147,873 of Metropolitan Council bonds."

Chair Bell noted that the seller of the 7.05 acres donated \$100,000 of land value to the Regional Parks Foundation, which subsequently reduces the public's cost to acquire the parcel for the park. This is the first land donation to the Regional Parks Foundation. Chair Bell thanked Mark Themig, Scott County Parks Manager, and Council Member Peggy Leppik for their work on behalf of the Regional Parks Foundation of the Twin Cities.

Motion carried.

Joint Report of the Community Development and Environment Committees

Single Motion - [2009-341](#), [2009-342](#), [2009-369](#), [2009-270](#), [2009-371](#), [2009-372](#), [2009-373](#), [2009-374](#), [2009-375](#)

It was moved by Steffen and seconded by Pistilli

"That the Metropolitan Council adopt the advisory comments, review records and the recommendations of the Community Development and Environment Committees for the Comprehensive Plan Updates for the cities of Cologne, Jordan, Blaine, Columbus, Hopkins, Minnetonka, Mound, Rosemount and Minnetrista."

Motion carried.

[2009-341](#) - City of Cologne 2030 Comprehensive Plan Update Review File No. 20592-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Cologne to put its 2030 Comprehensive Plan Update into effect for the areas within the existing city limits and for areas identified in the City's Orderly Annexation Agreement with Benton Township when those areas are annexed to the City;
2. Adopt the advisory comments for surface water management, transportation and land use as presented in those sections of the review record;
3. Approve the City of Cologne's Tier II Comprehensive Sewer Plan for the areas within the existing city limits;
4. Advise the City that it must submit Amendments to its Tier II sewer plan as it either annexes property, or when it enters into Orderly Annexation agreements with Benton Township."

Motion carried.

[2009-342](#) - City of Jordan 2030 Comprehensive Plan Update, Review No. 20515-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Jordan to put its 2030 Comprehensive Plan Update into effect for areas within its current corporate limits;
2. Officially revise the Council forecasts to reflect the City's forecasts found on page 7 of this report;
3. Advise the City that it must submit Comprehensive Plan Amendments as it either annexes property, or when it enters into Orderly Annexation agreement with either of its surrounding townships;
4. Advise the City of Jordan that it is required to participate in the Council's plat monitoring program beginning in 2009 and must submit annual reports to the Council consistent with Council guidelines;

5. Approve the City of Jordan's Tier II Comprehensive Sewer Plan for only those areas within the current corporate limits;
6. Advise the City that it must submit Amendments to its Tier II sewer plan as it either annexes property, or when it enters into Orderly Annexation agreements with either of its surrounding townships."

Motion carried.

[2009-369](#) - City of Blaine 2030 Comprehensive Plan Update, Review No. 20501-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Blaine to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts and affordable housing needs number as described in the Review Record;
3. Approve the City of Blaine's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-370](#) - City of Columbus 2030 Comprehensive Plan Update, Review No. 20593-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Columbus to put its 2030 Comprehensive Plan Update into effect
2. Adopt the revised forecasts for the City of Columbus for population, households, and employment as shown in Table 1 in the attached Review Record
3. Advise the City to:
 - a. Participate in the Council's Plat Monitoring Program to track sanitary sewer-serviced residential development to monitor the City's progress in accommodating forecasted growth and providing opportunities for the City's share of the region's affordable housing need;
 - b. Implement the advisory comments for Transportation, Surface Water Management, Housing, and Water Supply;
4. Approve the City of Columbus's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-371](#) - City of Hopkins 2008 Comprehensive Plan Update, Review No. 20512-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Hopkins to put its 2030 Comprehensive Plan Update into effect without any plan modifications;
2. Adopt the advisory comments for surface water management and historic preservation as presented in those sections of the review record;
3. Advise the City to participate in Council activities to monitor redevelopment in developed communities;
4. Approve the City of Hopkins’ Tier II Comprehensive Sewer Plan.”

Motion carried.

[2009-372](#) - City of Minnetonka 2010-2030 Comprehensive Plan Update, Review No. 20543-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Minnetonka to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the advisory comments for transportation, surface water management and water supply as presented in those sections of the review record;
3. Advise the City of Minnetonka to participate in the Council’s Redevelopment Monitoring program;
4. Approve the City of Minnetonka’s Tier II Comprehensive Sewer Plan.”

Motion carried.

[2009-373](#) - City of Mound 2030 Comprehensive Plan Update, Review No. 20438-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Mound to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the advisory comments for transportation, as presented in that section of the review record;
3. Advise the City of Mound to participate in the Council’s Redevelopment Monitoring program;
4. Approve the City of Mound’s Tier II Comprehensive Sewer Plan.”

Motion carried.

[2009-374](#) - City of Rosemount 2030 Comprehensive Plan Update, Review No.20584-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Rosemount to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts and affordable housing needs number, as detailed in Table 1 and the Housing section of the attached Review Record;
3. Advise the City it is required to submit comprehensive plan amendments to the Council as discussed in the Land Use section of the attached Review Record;
4. Forward the Council’s Critical Area plan review, findings and recommendations to the Minnesota Department of Natural Resources and National Park Service for their records;
5. Implement the advisory comments in the transportation and forecast sections of the Review Record; and
6. Approve the City of Rosemount’s Tier II Comprehensive Sewer Plan.”

Motion carried.

[2009-375](#) - City of Minnetrista 2030 Comprehensive Plan Update, Review No. 20533-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Pistilli

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

1. Authorize the City of Minnetrista to put its 2030 Comprehensive Plan Update into effect without any plan modifications;
2. Adopt the advisory comments for surface water management and land use as presented in those sections of the review record;
3. Advise the City to submit its Planned Unit Development ordinances and other controls that apply to the Diversified Rural Area and that permit residential densities that could exceed the Council’s policy of one unit per 10 acres to the Council;
4. Approve the City of Minnetrista’s Tier II Comprehensive Sewer Plan.”

Motion carried.

Report of the Environment Committee

Environment Committee items on Consent List and Joint Report

Other Business

[Hiawatha Light Rail Vehicle Overhaul Update](#)

Vince Pellegrin, Metro Transit Chief Operations Officer, presented an update on the first overhaul of the Hiawatha Light Rail Vehicles. Since the opening of the Hiawatha line in 2004, the light rail vehicles have accumulated close to 400,000 miles. Each overhaul, which will take approximately three weeks, includes removing and replacing components followed by equipment testing and LRV recertification.

[SW Transit Update](#)

Arlene McCarthy, Director of Metropolitan Transportation Services, presented a tentative timeline for the first phase of the SW Transitway. Public hearings on a locally preferred alternative (LPA) have been held in Hopkins, Minneapolis, Minnetonka, St. Louis Park and Eden Prairie. Once local entities have selected and endorsed the LPA, Hennepin County Regional Rail Authority will transition the project to the Metropolitan Council. This action is expected in early 2010.

Reports

Chair

Chair Bell reported he and Regional Administrator Weaver

- attended a reception and luncheon with Secretary of Transportation LaHood;
- met with Canadian Counsel General Martin Loken;
- hosted the Council Members, the Ballpark Authority and Minnesota Twins officials on a Northstar Commuter Train ride and tour of the new Twins Target baseball field;
- and staff participated in the District Dialogue at Maplewood.

Council Members

There were no reports.

Regional Administrator

Regional Administrator Weaver

- invited Brian Lamb, General Manager of Metro Transit to describe Metro Transit's safety campaign "Look and See". The campaign focus is for bus operators and reinforces the importance of transit safety;
- announced the following upcoming Council meeting dates: November 4, November 18, December 9, 2009.

General Counsel

General Counsel Mueting reported that, since arriving, he has met with senior staff and is learning about the many aspects of the Metropolitan Council.

Adjournment

Business completed, the meeting adjourned at 5:35 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 28, 2009.

Approved this 4th day of November, 2009.

Respectfully submitted,

Pat Curtiss
Secretary