



## Metropolitan Council Meeting

Public Meeting on  
2010 Unified Operating Budget,  
2010 Unified Capital Program and  
2009, Payable 2010, Levies

Wednesday, December 9, 2009  
Robert Street Council Chambers  
4:00 P.M.

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## **Metropolitan Council Meeting**

Wednesday, December 9, 2009

Council Chambers

4:30P.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 4:00 p.m. It was moved by Pistilli, seconded by Meeks, to approve the agenda. Motion carried.

#### **Minutes**

It was moved by Hilker, seconded by Steffen to approve the minutes of the Committee of the Whole and Special Metropolitan Council Meeting of November 9, 2009. Motion carried.

#### **Public Invitation**

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

### **Part II - Exhibits**

#### **Business**

##### ["Minnesota Demographic Change and State Government Services to 2015 and 2020"](#)

Tom Gillaspay, Minnesota State Demographer presented information on four major Minnesota demographic trends: population growth, increasingly urban/suburban, increasingly diverse, aging population. The Federal Government definition of the Twin City Metro area includes the seven county Metropolitan Council region, plus Isanti, Chisago, Sherburne and Wright Counties. The report concluded that Minnesota, like other states, faces a fiscal trap driven by demographic/economic forces, as spending pressures increased driven by issues of aging and health, and revenue growth will slow with a reduced workforce.

*Committee Consent List*

[2009-353](#) - Property Management Services Agreement – Family Affordable Housing Program

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to execute a contract with Kingwood Management to provide property management services for the 150 council owned residential properties which comprise the Family Affordable Housing Program (FAHP). The contract term is one-year with options to renew for four additional one-year periods. Total cost of the five year contract will not exceed \$1,125,000."

Motion carried.

[2009-359](#) - Resolutions 2009-26 through 2009-32 Setting Council and Committee Dates, Authorizing Closed Committee Meetings (Dave Theisen 651-602-1706) [Res 2009-26](#) Council, [Res 2009-27](#) Committee of the Whole, [Res 2009-28](#) Management, [Res 2009-29](#) Environment, [Res 2009-30](#) Community Development, [Res 2009-31](#) Transportation, [Res 2009-32](#) Litigation Review

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council adopts the attached resolutions setting days, times and locations for regular meetings of the Council and its Committees and authorizing closed Committee meetings.

Metropolitan Council (Res No. 2009-26), Committee of the Whole (Res No. 2009-27), Management Committee (Res No. 2009-28), Environment Committee (Res No. 2009-29), Community Development Committee (Res No. 2009-30), Transportation Committee (Res No. 2009-31), and the Litigation Review Special Committee (Res No. 2009-32)."

Motion carried.

[2009-388](#) - Authorization to Exercise Contract Options with Gillig

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to exercise existing options on contract #07P162 with Gillig Corporation to purchase two forty-foot low-floor replacement buses in an amount not to exceed \$810,000."

Motion carried.

[2009-416](#) - City of Columbia Heights Request for a 2<sup>nd</sup> Extension of the LCDA grant for Grand Central Lofts, SG006-166

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council approve the request by the City of Columbia Heights to extend the term of the Livable Communities Demonstration Account grant for the Grand Central Lofts project to December 31, 2010 with the conditions that:

1. the City delivers to the Council documentation of full project financing by

- March 31, 2010; and
2. no funds will be disbursed prior to the delivery of documentation of full financing and that the grant will terminate if such documentation is not delivered by March 31, 2010."

Motion carried.

[2009-417](#) - City of Minneapolis Request for a Three-Year Extension of the LCDA grant for West Broadway Curve, SG007-118

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council approve the request by the City of Minneapolis to extend the term of the Livable Communities Demonstration Account grant for the West Broadway Curve project to December 31, 2012, with the conditions that:

- the City delivers to the Council:
  - an executed development agreement by March 31, 2010;
  - documentation that 50% of the financing is secured by October 31, 2010; and
  - documentation that the remaining financing is secured by December 31, 2011; and
- with the stipulations that:
  - half the funds will be available for disbursement for eligible costs following delivery of the 2010 requirements, with remaining grant funding available after documentation of full financing is received; and
  - that the grant will terminate immediately if any of the above is not met by the deadlines listed."

Motion carried.

[2009-418](#) - City of Forest Lake Request for a First and Second Extension of the LCDA grant for Washington County Senior Housing/Headwaters, SG007-119

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council approve a first and second extension to December 31, 2011, for the Livable Communities Demonstration Account (LCDA) grant #SG007-119 to the City of Forest Lake, for the Washington County Senior Housing / Headwaters project, with the conditions that:

- the City will deliver to the Council documentation of full project financing and an executed development agreement by July 1, 2010; and
- no grant funds will be disbursed until the executed development agreement and documentation of full financing have been delivered to the Council and that the grant shall terminate if either documentation element is not delivered by July 1, 2010."

Motion carried.

[2009-420](#) - Park Acquisition Opportunity Grant request for Lake Waconia Regional Park, Carver County

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize a grant of \$657,572 from the Parks and Trails Fund Acquisition Account in the Park Acquisition Opportunity Fund to Carver County to partially finance the acquisition of 1.28 acres (Country Store Garden and Floral parcel) as part of Lake Waconia Regional Park. The grant should be financed with \$394,543 of the FY 2010 Parks and Trails Fund appropriation plus \$263,029 of Metropolitan Council bonds."

Motion carried.

2009-421 - North Mississippi Regional Park Grant, Minneapolis Park & Rec. Board

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize a grant of \$425,535 comprised of interest earnings on park grant accounts to the Minneapolis Park & Recreation Board for the following purposes:

- \$225,535 to reimburse the Park Board for local funding of trail, picnic and parking area improvements in the 49<sup>th</sup> Avenue to 53<sup>rd</sup> Avenue North section of North Mississippi Regional Park;
- \$200,000 to finance design/engineering studies and construction regarding parking, pedestrian-bicycle facilities and additional recreation amenities in the 47th Avenue North area of North Mississippi Regional Park as called for in the Metropolitan Council-approved master plan."

Motion carried.

2009-422 - Amend scope of grant SG-2006-067 to finance play area construction at Elm Creek Park Reserve, Three Rivers Park District

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize a change in the scope of grant SG-2006-067 to finance the construction of the play area at Elm Creek Park Reserve and direct Council staff to execute an amendment to the grant agreement that reflects this change in scope and to extend the grant's duration to December 31, 2010."

Motion carried.

2009-423 - Authorization to Purchase Replacement Bus Batteries

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to purchase bus batteries from Batteries Plus in accordance with Council specifications and Batteries Plus' bid price, for a two-year term with an option to extend up to an additional two years."

Motion carried.

2009-424 - List of Authorized Financial Institutions – Official Depositories

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council approve the attached list of Authorized Financial Institutions for 2010."

Motion carried.

2009-425 - Revision to Expenditure Policy 3-3

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council approve the revision to Policy 3-3 – Expenditures raising the Regional Administrators authorization level in emergency declarations from \$50,000 to \$100,000."

Motion carried.

2009-426 - 2010 Annual Affirmation of Transaction-Based Financial Contracts

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to amend the terms of the following transaction-based financial contracts, as needed, so as to provide continued service through December 31, 2010:

1. General banking services from U.S. Bank;
2. Credit card processing and managed payment services from Elavon;
3. Purchasing card services from Bank of America;
4. Custodian and securities lending services from Wells Fargo and US Bank."

Motion carried.

2009-427 - Subordinate Funding Agreement No. 5 with the Minnesota Department of Transportation for the Central Corridor Light Rail Project

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Subordinate Funding Agreement (SFA) No. 5 to the Master Funding Agreement with the Minnesota Department of Transportation (MN/DOT) in the total amount of \$4,100,676 for the Central Corridor Light Rail Project for CY 2010."

Motion carried.

2009-430 - ADA and Transit Link Dial-a-Ride Transit Assistance Agreements

It was moved by Wittsack and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute intergovernmental agreements for Americans with Disabilities Act (ADA) paratransit service and Transit Link Dial-a-Ride service with two transit providers not to exceed the following amounts:

Anoka County Traveler	\$2,745,100
Smart Link (Carver/Scott County)	\$2,561,900

The agreements shall be effective for the period January 1, 2010 through July 31, 2011."

Motion carried.



*Report of the Transportation Committee*

[2009-433](#) - Authorization to Purchase 11 Sixty-foot Articulated Transit Buses

It was moved by Meeks and seconded by McFarlin

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an agreement for the assignment of eleven (11) articulated buses from King County Metro Transit and with New Flyer of America for the purchase of eleven articulated buses in an amount not to exceed \$7,000,000."

Motion carried.

**(NOTE: Council rescinded this item by their action March 24, 2010, Transportation Committee Item [2010-114 SW](#))**

[2009-402](#) - Maple Grove Opt-Out Service Agreement

It was moved by Meeks and seconded by Hilker

"That the Metropolitan Council authorize the Regional Administrator to execute a three-year service agreement with the City of Maple Grove for the service period January 1, 2010 to December 31, 2012."

Motion carried.

[2009-435R](#) - Authorization to Execute Agreements with the Counties Transit Improvement Board (CTIB) for Transit and Rail Operations/Capital Funding

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to execute agreements with the Counties Transit Improvement Board (CTIB) to receive operating and capital funds for CY10 for the following projects:

**Operating:**

- Hiawatha LRT - \$7,295,352
- Northstar Commuter Rail - \$5,726,553
- I-35W BRT - \$106,017
- Cedar Ave. BRT - \$165,881

**Capital:**

- I-35W BRT \$1,773,000"

Staff identified a typo in the Cedar Avenue BRT figure.

It was moved by Meeks and seconded by Steffen to amend the original motion to say:

"That the Metropolitan Council authorize the Regional Administrator to execute agreements with the Counties Transit Improvement Board (CTIB) to receive operating and capital funds for CY10 for the following projects:

**Operating:**

- Hiawatha LRT - \$7,295,352
- Northstar Commuter Rail - \$5,726,553
- I-35W BRT - \$106,017
- Cedar Ave. BRT - ~~\$165~~164,881

**Capital:**

- I-35W BRT \$1,773,000"

Motion carried.

2009-429 - CY2010 Counties Transit Improvement Board (CTIB) for Central Corridor Light Rail Transit Project

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to execute a CY2010 grant agreement for the Central Corridor Light Rail Transit (LRT) capital project for Preliminary Engineering, Final Design, right-of-way acquisition, construction and purchase of Light Rail Vehicles in the amount of \$66,026,475."

Motion carried.

2009-431 - Authorization for Maple Plain Transit Service Expansion Agreement

It was moved by Meeks and seconded by Leppik

"That the Metropolitan Council authorize the Regional Administrator to execute an agreement with the City of Maple Plain for potential transit service and the extension of the Council's transit levy to the City of Maple Plain."

Discussion ensued about the necessity and timing for this action. Staff reported that the City of Maple Plain requested this agreement to begin paying the regional transit capital levy in 2011 to meet a requirement of another grant. In September 2009, the Hennepin County Housing and Redevelopment Authority (HCHRA) awarded \$460,000 to the City for monetary assistance for site acquisition of two parcels for a future Maple Plain park-and-ride. The HCHRA grant agreement requires the City to join the Transit Taxing District administered by the Metropolitan Council prior to presenting a claim for reimbursement.

Following a voice vote, Chair Bell asked for a show of hands.

Motion carried, with Pistilli, Peterson, Bowles, Sersland Beach and Wulff dissenting.

*Report of the Community Development Committee*

2009-444 SW - Rice Creek Chain of Lakes Park Reserve Restrictive Covenant Exchange

It was moved by Steffen and seconded by Hilker

"That the Metropolitan Council release the restrictive covenant on 2.7 acres of wetlands depicted in Attachment 1 and described in Attachment 2, in exchange for Anoka County placing a restrictive covenant on the 10 acre property shown in Attachment 5 and described in Attachment 6."

Motion carried.

2009-436 SW - City of Nowthen 2030 Comprehensive Plan Update, Review No.20550-1

It was moved by Steffen and seconded by Broecker

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

1. Authorize the City of Nowthen to put its 2030 Comprehensive Plan Update into effect;

2. Designate the area on the 2030 Future Land Use plan that is identified as Permanent Rural Residential as Rural Residential.
3. Advise the City to:
  - a. Participate in the plat monitoring program.
  - b. Address the advisory comments noted in the Review Record under Land Use."

Motion carried.

*Joint Report of the Community Development and Environment Committees*

Single Motion – 2009-410, 2009-411, 2009-412, 2009-413, 2009-414, 2009-415, 2009-437SW, 2009-439SW, 2009-440SW, 2009-441SW, 2009-442SW, and 2009-443SW

It was moved by Steffen and seconded by Leppik

"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 and Tier II Comprehensive Sewer Plan for the cities of Birchwood (2009-410), Hugo (2009-411), Lino Lakes (2009-412), Maplewood (2009-413), Mounds View (2009-414), Saint Pau (2009-415), Bethel (2009-437SW), Brooklyn Center (2009-439SW), Newport (2009-440SW), St. Louis Park (2009-441SW), Apple Valley (2009-442SW), and Wayzata (2009-443SW)."

Motion carried.

[2009-410](#) - City of Birchwood 2030 Comprehensive Plan Update, Review No. 20382-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Birchwood to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to implement the advisory comments for Water Supply;
3. Approve the City of Birchwood's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-411](#) - City of Hugo 2030 Comprehensive Plan Update, Review No. 20478-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

- Authorize the City of Hugo to put its 2030 Comprehensive Plan Update into effect;
- Advise the City:
  - a) that any ordinances implemented in the Diversified Rural long-term service area that allow densities greater than one unit per 10 acres need to be consistent with the Council's Flexible Residential Development Guidelines;

- b) to coordinate with the Council in the City's planning to determine wastewater service feasibility and full build-out for the eastern portion of the City;
- c) to implement the advisory comments for Transportation, Aviation, and Water Supply;
- Approve the City of Hugo's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-412](#) - City of Lino Lakes 2030 Comprehensive Plan Update, Review No. 20653-1, Tier II Comprehensive Sewer

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Lino Lakes to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised the population and employment forecasts, as shown in Table 1 of the attached Review Record;
3. Advise the City to:
  - a) continue to participate in the Council's Plat Monitoring Program.
  - b) implement the advisory comments for Transportation, Surface Water Management, and Water Supply;
4. Approve the City of Lino Lakes Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-413](#) - City of Maplewood 2030 Comprehensive Plan Update, Review No. 20628-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

- Authorize the City of Maplewood to put its 2030 Comprehensive Plan Update into effect;
- Advise the City to:
  - implement the advisory comments for Transportation and Mississippi River Critical Area;
  - participate in the Council's activities to monitor redevelopment in developed communities;
- Approve the City of Maplewood's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-414](#) - City of Mounds View 2030 Comprehensive Plan Update, Review No. 20501-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Mounds View to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
  - a. participate in Council activities to monitor redevelopment and infill in Developed communities;
  - b. implement the advisory comments noted in the Review Record addressing transportation, aviation, surface water management and water supply;
3. Approve the City of Mounds View's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-415](#) - City of Saint Paul 2030 Comprehensive Plan Update, Review No. 20535-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Saint Paul to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts for population, households, and employment for the City, as shown in Table 3 of the Review Record;
3. 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;
4. Advise the City to:
  - a. participate in Council activities to monitor redevelopment in developed communities;
  - b. implement the advisory comments noted in the Review Record for Transportation, Forecasts and Water Supply; and
5. Approve the City of Saint Paul's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-437](#) SW - City of Bethel 2030 Comprehensive Plan Update, Review No. 20439-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City to put its 2030 Comprehensive Plan Update into effect;
2. Accept the forecasts identified in the Review Record;
3. Change the planning area designation to Rural Growth Center;
4. Participate in the Council's plat monitoring program;
5. Implement the advisory comments in the Review Record under wastewater,

- surface water management and forecasts;
6. Approve the City of Bethel's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-439 SW - City of Brooklyn Center 2030 Comprehensive Plan Update, Review No. 20616-1, Tier II Comprehensive Sewer Plan](#)

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Brooklyn Center to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
  - participate in Council activities to monitor redevelopment and infill in Developed communities;
  - address the advisory comments in the Review Record addressing transportation, water supply and implementation;
3. Approve the City of Brooklyn Center's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-440 SW - City of Newport 2030 Comprehensive Plan Update, Review No. 20595-1, Tier II Comprehensive Sewer Plan](#)

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Newport to put its 2030 Comprehensive Plan Update into effect.
2. Accept the forecasts in the Review Record.
3. Advise the City to:
  - participate in Council activities to monitor redevelopment; and,
  - Implement the advisory comments noted in the Review Record for surface water management and water supply;
4. Approve the City of Newport's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-441 SW - City of St Louis Park 2030 Comprehensive Plan Update, Review No. 20619-1, Tier II Comprehensive Sewer Plan](#)

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of St. Louis Park to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
  - c. participate in Council activities to monitor redevelopment in developed communities;

- d. implement the advisory comments noted in the Review Record for *Water Supply* and for *Documents Submitted for Review*;
3. Approve the City of St. Louis Park's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-442 SW - City of Apple Valley 2030 Comprehensive Plan Update, Review File No. 20591-1, Tier II Comprehensive Sewer Plan](#)

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Apple Valley to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City:
  - a. to participate in activities to monitor development and redevelopment; and,
  - b. address the advisory comments under the transportation and water sections in the Review Record;
3. Approve the City of Apple Valley's Tier II Comprehensive Sewer Plan."

Motion carried.

[2009-443 SW - City of Wayzata 2030 Comprehensive Plan Update, Review No. 20529-1, Tier II Comprehensive Sewer Plan](#)

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Wayzata to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the advisory comments for surface water management and land use presented in those sections of the review record;
3. Advise the City of Wayzata to participate in the Council's Redevelopment Monitoring program;
4. Approve the City of Wayzata's Tier II Comprehensive Sewer Plan."

Motion carried.

*Report of the Environment Committee*

Environment Committee items are included in the Joint Report

*Report of the Management Committee*

Management Committee items are included in the Consent List and as Other Business

## Other Business

### 2009-449 - Appointment to the Metropolitan Parks and Open Space Commission

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council approve the appointment of Doug Baines to the Metropolitan Parks and Open Space Commission (MPOSC) representing District A."

Motion carried.

### Convene the Public Meeting on 2010 Unified Operating Budget, 2010 Unified Capital Program and 2009, Payable 2010, Levies

At 6:00 pm, Chair Bell called for public comment on the Council's 2010 Unified Operating Budget, 2010 Unified Capital Program and 2009m, payable 2010, Property Tax Levies.

Chair Bell noted this process is different from recent years. 2009 Legislation replaced the Truth-In-Taxation formal public hearing with the requirement to allow for public comment at our regularly scheduled meeting after November 24<sup>th</sup> and not starting before 6:00PM.

The Council solicited public comment beginning in October. Staff reports that the vast majority are general comments about property taxes or questioning the valuation of their property. Several taxpayers have wanted to know who we are and what we do. Inquiries from Columbus, Forest Lake and Lakeville requested an explanation of the increase in our tax that resulted from adding them to the Transit Tax Area. No specific recommendations for changes have been received.

For the purposes of gathering public comment from those in attendance tonight, the procedure for will be as follows:

- Persons will be called to speak in the order in which they have registered.
- Individuals will have 3 minutes each and designated representatives of groups will have 5 minutes.

Bill Caesar, Business Manager from Mosquito Control District, announced the Mosquito Control District will receive public comments on their 2010 Levy on Wednesday, December 16, at 6:00 p.m.

Nobody registered to make public comment and Chair Bell returned to the meeting agenda.

### 2009-346 - Adoption of the 2010 Unified Operating Budget and 2009, Payable 2010, Property Tax Levy Resolutions 2009-34, 2009-35, 2009-36, 2009-37, 2009-38, 2009-39, and 2009-40

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council adopts the following resolutions:



- [2009-34](#): Adopting the Council's 2009 Tax Levy for General Purposes for Certification to the County Auditors;
- [2009-35](#): Adopting the Council's 2009 Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund;
- [2009-36](#): Adopting the Council's 2009 Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act;
- [2009-37](#): Adopting the Council's 2009 Tax Levy for the Metropolitan Right-Of-Way Acquisition Loan Fund for the Purposes of Minnesota Statutes Section 473.167;
- [2009-38](#): Certifying the Council's 2009 Tax Levy for Debt Service on Future Transit Bonds ;
- [2009-39](#): Certifying the Council's 2009 Tax Levy for Debt Service on Future Park Bonds, and
- [2009-40](#): Adopting the Metropolitan Council's 2010 Unified Operating Budget."

Motion carried on the following roll call:

					<b>Yes</b>	<b>No</b>	<b>Absent</b>
	Scherer	Bowles	Steffen	Sersland Beach			Aguilar
	Pistilli	Leppik	Sanda	Wulff			Wolter
	McFarlin	Meeks	Hilker	Bell			
	Peterson	Wittsack	Broecker				
<b>TOTAL</b>					<b>15</b>		<b>2</b>

[2009-347](#) - [Resolution 2009-41](#) Adopting the Metropolitan Council's 2010 Unified Capital Program

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council adopts resolution 2009-41: Adopting the Metropolitan Council's 2010 Unified Capital Program."

Motion carried on the following roll call:

					<b>Yes</b>	<b>No</b>	<b>Absent</b>
	Scherer	Bowles	Steffen	Aguilar			Wolter
	Pistilli	Leppik	Sanda	Sersland Beach			
	McFarlin	Meeks	Hilker	Wulff			
	Peterson	Wittsack	Broecker	Bell			
<b>TOTAL</b>					<b>16</b>		<b>1</b>

Due to time constraints, the Land Use and Planning Resources Report to the Legislature will be presented at a future Council meeting.

## **Reports**

### *Chair*

Chair Bell reported

- he hoped to announce an agreement with the University regarding mitigation issues near the research buildings located along Central Corridor. However, negotiations continue on the mitigation standards, long-term testing protocols and remedies, if standards are exceeded;
- the Council is waiting direction from the Governor's office on the State Budget;
- Council staff will meet with Dakota County officials at a December 11 District Dialogue.

### *Council Members*

Councilmember Bowles reported she participated in the dedication of the American Boulevard light-rail station in Bloomington. Service begins December 12.

### *Regional Administrator*

Regional Administrator Weaver reported

- The U.S. Department of Housing and Urban Development (HUD) notified the Council's HRA of an additional funding award from of \$1.6 million for the Section 8 Voucher rent assistance program for 2009. This additional award partially corrects a funding shortfall caused earlier this year when HUD miscalculated the 2009 funding needs of hundreds of housing authorities nationwide. The additional award represents 80% of the shortfall;
- Metro Transit will sponsor of the Target Holidazzle Parade on Saturday, December 12, marking the return of the Twinkle Bus, decked out for the holiday season in 20,000 lights and snowflake-covered hubcaps. Metro Transit will offer free bus and light-rail train rides to and from the parade between 4-8 p.m.;
- The Council's November 2009 Charitable Giving Campaign raised \$85,000, making it the sixth consecutive year in which contributions/pledges have grown, thanks to very generous, compassionate employees.

### *General Counsel*

General Counsel Mueting had no report.

## **Adjournment**

Business completed, the meeting adjourned at 6:12 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 December 9, 2009.

Approved this 13th day of January, 2010.

Respectfully submitted,

Pat Curtiss  
Secretary