



Metropolitan Council Meeting

Wednesday, March 24, 2010
Robert Street Council Chambers
4:00 P.M.

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Metropolitan Council Meeting

Wednesday, March 24, 2010

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Robert McFarlin, Craig Peterson, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter,

Members absent:

Polly Bowles, Annette Meeks, Wendy Wulff

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:08 p.m. It was moved by Pistilli, seconded by Hilker, to approve the agenda. Motion carried.

Minutes

It was moved by Broecker, seconded by Leppik, to approve the minutes of the Metropolitan Council Meeting of February 24, 2010. Motion carried.

Public Invitation

Tim Olson, MCES employee, spoke about his dissatisfaction with Met Council management and the grievance process relating to personnel issues.

Barb Toman, Acting Executive Director, Transit for Livable Communities (TLC), spoke of the Twin Cities expanding regional highway system that, in turn, requires additional funds to maintain the additional pavement and bridges. TLC suggests that the I-169/494 interchange project be scaled back, and the savings be spent on lower cost strategies in that corridor.

(comments)

Will Schroeder, State Policy Director, Smart Growth America, urged the Council to reconsider their action supporting funds for the construction of the I-169/494 interchange project and direct some of those funds to improving the region's highways. Road improvements and safety should be a higher priority.

Chair Bell thanked the speakers for appearing before the Council.

Part II - Exhibits

Other Business

Presentation to Glenn G. C. Olson, for his Important Contributions to Improved Transit and Transportation in the Twin Cities Metropolitan Area, Resolution 2010-09

Chair Bell welcomed Mr. Olson and presented him with a certificate from Governor Tim Pawlenty, "in recognition of more than forty years of excellent service to the State of Minnesota and the Metropolitan Council." Chair Bell read a Metropolitan Council resolution and

It was moved by Scherer and seconded by Leppik

"That the Metropolitan Council recognizes and thanks Glenn G.C. Olson for his many years of skillful leadership and dedicated service, and his important contributions to improved transit and transportation in the Twin Cities metropolitan area."

Motion carried.

Housing Market Update

Ryan Jones, Director of the Twin Cities Division of the national firm MetroStudy, presented their Quarterly Housing Update Analysis. The good news is the economy is growing and metro area home prices are stabilizing.

Chair Bell thanked Mr. Jones for his comprehensive report of the metropolitan area housing markets.

Other Business

2010-81 SW - 2010 Unified Operating Budget Amendment

It was moved by Scherer and seconded by Leppik

"That the Metropolitan Council amend the 2010 Unified Operating Budget as indicated and in accordance with attached tables."

Motion passed on the following roll call vote:

				Yes	No	Absent
	Scherer	Leppik	Hilker	Wolter		Bowles
	Pistilli	Wittsack	Broecker	Bell		Meeks
	McFarlin	Steffen	Aguilar			Wulff
	Peterson	Sanda	Sersland Beach			
TOTAL	14					3

2010-82 SW - 2010 Capital Program Amendment

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council:

- Amend the 2010 Authorized Capital Program (multi-year authorization) by adding spending authority as follows:

Metro Transit	\$ 12,128,506
Metropolitan Transportation Services	(\$ 7,067,560)

- Amend the 2010 Capital Budget (annual appropriation) by increasing appropriation as follows:

Metro Transit	\$ 10,128,506
Metropolitan Transportation Services	\$ 1,662,835

- Approve the changes to capital projects as detailed in Attachment 1

Motion passed on the following roll call vote:

Yes				No	Absent
	Scherer	Leppik	Hilker	Wolter	Bowles
	Pistilli	Wittsack	Broecker	Bell	Meeks
	McFarlin	Steffen	Aguilar		Wulff
	Peterson	Sanda	Sersland Beach		
TOTAL				14	3

Committee Consent List

2010-76 - Authorization to Execute an Agreement with MVTA

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute an agreement with Minnesota Valley Transit Authority for \$1,228,500 for the purchase of two vehicles for operations along Cedar Avenue."

Motion carried.

2010-84 - Metro Mobility Amendment to Contract 04PO56A with Transit Team

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to amend contract number 04P056A with Transit Team, to increase the contract amount by \$700,000 for a new total contract amount not to exceed \$60,312,372."

Motion carried.

2010-85 - Authorization to Execute Grant Agreements with Scott County

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute grant(s) with Scott County for up to \$392,530 for Eagle Creek Transit Station design and construction."

Motion carried.

2010-87 - Procurement of Metro Mobility Vehicles

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute purchase agreements with:

1. Hogle Bus Company Inc. (State of MN Contract 442667) for up to four buses in an amount not to exceed \$272,800; and
2. Elk River Ford (State of MN Contract 439865) for up to twenty cars in an amount not to exceed \$440,000."

Motion carried.

2010-97 - Ratification of Declaration of Emergency for Flood Preparation and Protection

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council ratify the attached Justification for and Declaration of Emergency for flood preparation and protection."

Motion carried.

2010-103 - City Randolph 2030 Comprehensive Plan Update, Review No. 20662-1

It was moved by Wolter and seconded by Wittsack

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

1. Authorize the City of Randolph to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to implement the advisory comments noted in the Review Record for Surface Water Management, ISTS, and Water Supply."

Motion carried.

2010-106 - City of Lake St. Croix Beach 2030 Comprehensive Plan Update, Review No. 20602-1

It was moved by Wolter and seconded by Wittsack

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

1. Authorize the City of Lake St. Croix Beach to put its 2030 Comprehensive Plan Update into effect without any plan modifications.
2. Change the planning area designation to Rural Residential in the *Regional Development Framework*.
3. Advise the City to implement the advisory comments under ISTS."

Motion carried.

Report of the Transportation Committee

2010-67 - Authorization to Award Contract for Dakota County Transit Link Service

It was moved by McFarlin and seconded by Wolter

"That the Metropolitan Council authorize the Regional Administrator to execute a five year contract with DARTS to provide Transit Link dial-a-ride service in Dakota County beginning May 2010 in an amount not to exceed \$5,467,534."

Motion carried.

2010-69 SW - Central Corridor Light Rail Transit Advanced Traffic Improvements, Project 8453

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Graham Construction Services, for the Central Corridor Light Rail Transit (CCLRT) Advanced Traffic Improvements in Minneapolis, Minnesota at a cost of \$3,616,440. Award of this contract is contingent upon the receipt of a Letter of No Prejudice (LONP) from the Federal Transit Administration (FTA) expected prior to full Council action March 24, 2010, and executed by the University of Minnesota of the required temporary construction easements."

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

2010-83 - Metro Mobility Demand Contract Recommendations

It was moved by McFarlin and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to execute the following two contracts for the operation of Metro Mobility demand transportation services for the term July 1, 2010 through June 30, 2015 with:

1. Transit Team, Inc., of Minneapolis, Minnesota for operation of Zone 1 in an amount not to exceed \$78,170,518; and
2. First Transit Inc., of Cincinnati, Ohio for operation of Zone 2 in an amount not to exceed \$55,061,552."

Motion carried.

2010-107 SW - Authorization to Submit Grant Application for Minnesota Department of Transportation Trunk Highway Transit Improvements

It was moved by McFarlin and seconded by Hilker

"That the Metropolitan Council authorize the Regional Administrator to submit four grant applications for Minnesota Department of Transportation (MnDOT) Trunk Highway Transit Facility Improvements in the amount of \$15,000,000.

Motion carried.

2010-114 SW - Authorization to Purchase 11 Sixty-Foot Articulated Transit Buses

It was moved by McFarlin and seconded by Leppik

"That the Metropolitan Council:

1. rescind the authorization granted in Business Item 2009-433 to purchase 11 replacement articulated buses from King County Transit in Washington state, and
2. authorize the Regional Administrator to execute a purchase agreement with New Flyer of America using the State of Minnesota Contract No.

442668 for the purchase of eleven replacement articulated buses in an amount not-to-exceed \$6,900,000, contingent on satisfactory results from the Pre-Award Buy America Audit."

Motion carried.

(Action noted in 12.9.09 Metropolitan Council Meeting Minutes, by adding 2010-114SW as addendum to Business Item 2009-433)

Report of the Environment Committee

2010-88 - City of Lake Elmo's Request for Temporary Relief from Wastewater

Inefficiency Fees, Resolution No. 2010-08

It was moved by Leppik and seconded by Scherer

"That the Metropolitan Council adopt the attached resolution, granting the City of Lake Elmo temporary relief from the Wastewater Inefficiency Fee imposed under Council Resolution No. 2005-20, and authorizing its Regional Administrator to negotiate and execute a binding Memorandum of Understanding with the City consistent with the attached resolution."

Motion carried.

Chair Bell acknowledged the presence of Lake Elmo Mayor Dean Johnson and thanked him for his leadership and cordial working relationship with the Council.

2010-95 - Adoption of the Metropolitan Water Supply Plan

It was moved by Leppik and seconded by Peterson

"That the Metropolitan Council approve the Metropolitan Area Master Water Supply Plan."

The Metropolitan Area Master Water Supply Plan was presented by Keith Buttleman, Assistant General Manager, Environmental Quality Assurance (EAQ) and Chris Elvrum, Manager, Water Supply Planning. The plan is the compilation of five years work as directed in Minn. Statute Sec. 473.1565 that the Metropolitan Council "carry out planning activities addressing the water supply needs of the metropolitan area" including the development of a master water supply plan for the metro area.

Chair Bell noted the development and adoption of the Water Supply Plan is very important to the region and will be considered a legacy activity of this Council. Councilmember Leppik, vice chair of the Water Supply Advisory Committee, acknowledged the work of Buttleman, Elvrum, Sara Smith and Lanya Ross, EAQ, for their commitment and dedication to this major initiative.

Motion carried.

Joint Report of the Environment and Community Development Committee

Single Motion - 2010-89; 2010-90; 2010-91; 2010-92; 2010-93; 2010-94

It was moved by Steffen and seconded by Broecker

"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 Plans for the cities of Lake Elmo (2010-89), Corcoran (2010-90), Egan (2010-91), Rogers (2010-92), Shorewood (2010-93), and Tonka Bay (2010-94).

Motion carried.

2010-89 - City of Lake Elmo Comprehensive Plan Update, Review No. 20599-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Broecker

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

1. Authorize the City of Lake Elmo to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. Revise the Land Use element of the Update upon the City's selection of a development scenario for the Village Area and to submit a comprehensive plan amendment to the Metropolitan Council for review of the land use revision.
 - b. Revise the Update, when the Land Use element of the Update is revised and submitted to the Metropolitan Council for review, to guide the inholdings in Lake Elmo Park Reserve as parks and open space, or a comparable land use designation, on the City's 2030 Land Use Plan map.
 - c. Implement the advisory comments in the Review Record for Transportation, Aviation, Surface Water Management, Housing, and Community and Individual Sewage Treatment Systems;
3. Approve the City of Lake Elmo's Tier II Comprehensive Sewer Plan, contingent upon execution of a Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council consistent with the Resolution that addresses the City's petition regarding the Wastewater Inefficiency Fee."

Motion carried.

2010-90 - City of Corcoran Comprehensive Plan Update, Review No. 20601-1, Tier II Comprehensive Sewer Plan

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 Corcoran to put its 2030 Comprehensive Plan Update into effect;
2. Accept the forecasts in Table 1 of the review record;
3. Advise the City:
 - a. To work with Council staff in the development of ordinances for the Diversified Rural Area and to refer to the Council's Flexible

- Residential Development Guidelines for guidance.
 - b. To implement the advisory comments in the review record for transportation.
 - c. It is required to participate in the Council's plat monitoring program and must submit annual reports to the Council consistent with Council guidelines;
4. Approve the City of Corcoran's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-91 - City of Eagan 2030 Comprehensive Plan Update, Review No.20606-1, Tier II Comprehensive Sewer Plan

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 Eagan (City) to put its 2030 Comprehensive Plan Update into effect;
2. Accept the revised forecasts as shown in Table 1 of the attached Review Record;
3. Change the planning area designation to Developed in the Regional Development Framework;
4. Advise the City to:
 - a. participate in the redevelopment monitoring program;
 - b. implement the advisory comments under wastewater, water, and ISTS;
5. Approve the City of Eagan's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-92 - City of Rogers 2030 Comprehensive Plan Update, Review o. 20606-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Broecker

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

1. Authorize the City of Rogers to put its 2030 Comprehensive Plan Update into effect;
2. Accept the forecasts in Table 1 of the Review Record;
3. Advise the City to implement the advisory comments in the review record for transportation;
4. Advise the City that when the City and Hassan Township merge, a revised Comprehensive Plan for the merged City will need to be submitted for Council review;
5. Approve the City of Roger's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-93 - City of Shorewood 2030 Comprehensive Plan Update, Review No. 20589-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Broecker

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

1. Authorize the City of Shorewood to put its 2009 Comprehensive Plan Update into effect;
2. Adopt the advisory comments for aviation, surface water management and land use presented in those sections of the review record;
3. Advise the City of Shorewood to participate in the Council's Redevelopment Monitoring program;
4. Approve the City of Shorewood's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-94 - City of Tonka Bay 2009-2030 Comprehensive Plan Update, Review File No. 20588-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Broecker

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

1. Authorize the City of Tonka Bay to put its 2009-2030 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 Tonka Bay to participate in the Council's Redevelopment Monitoring program;
4. Accept the revised forecasts as shown in Table 1 of this report;
5. Approve the City of Tonka Bay's Tier II Comprehensive Sewer Plan."

Motion carried.

Report of the Community Development Committee

2010-104 - Hassan Township 2030 Comprehensive Plan Update, Review No. 20606-1

It was moved by Steffen and seconded by Hilker

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

1. Authorize the Town of Hassan to put its 2030 Comprehensive Plan Update into effect;
2. Accept the forecasts in Table 1 of the Review Record."

Motion carried.

Report of the Management Committee

2010-86 - Settlement Approval Related to Bus Liability Claim

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council approves the proposed settlement of a liability claim arising out of Metro Transit's bus operations and authorizes its Regional Administrator to execute all necessary settlement documents."

Motion carried.

Other Business

2010-118 - Appointments to the Transportation Advisory Board

It was moved by Wittsack and seconded by Scherer

"That the Metropolitan Council approve the following appointments to the Transportation Advisory Board:

ANDREW REINHARDT—Precinct A;
THOMAS HEFFELFINGER—Precinct B;
JAMES MEYERS—Precinct C
MATTHEW CRAIG and RICHARD MUSSELL—Transit;
DAVID GEPNER—Non-motorized Transportation."

Motion carried.

Reports

Chair

Chair Bell reported negotiations with the University continue, without much progress. The decision of remedies to protect research equipment and the Council's request for a temporary easement are the major issues at this point.

Council Members

Councilmembers Sersland Beach and Leppik attended the Metro Transit Master Operator and 25-Year Safe Operators Awards brunch. At the event, 46 operators were honored as Master Operators. Twenty-two operators were honored for their 25-year safe driving records. Sersland Beach complimented Transit bus operators and their dedication to providing safe rides to the public.

Regional Administrator - There was no report.

General Counsel - Deputy General Counsel Dave Theisen, had nothing to report.

Adjournment

Business completed, the meeting adjourned at 5.40 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 March 24, 2010.

Approved this 14th Day of April, 2010.

Respectfully submitted,


Pat Curtiss, Secretary