



## Metropolitan Council Meeting

Wednesday, January 12, 2011

Robert Street Council Chambers

4:00 P.M.

### Table of Contents

<b>Part I - Narrative</b>	<b>1</b>
<b>Attendance:</b> .....	<b>1</b>
<b>Call to Order and Approval of Agenda</b> .....	<b>1</b>
<b>Minutes</b> .....	<b>1</b>
<b>Public Invitation</b> .....	<b>1</b>
<b>Part II - Exhibits</b>	<b>2</b>
<b>Business</b> .....	<b>2</b>
Committee Consent List .....	2
Report of the Management Committee .....	5
Report of the Transportation Committee.....	5
Report of the Community Development Committee.....	6
Joint Report of Environment and Community Development Committee.....	6
Report of the Environment Committee .....	7
<b>Other Business</b> .....	<b>7</b>
<b>Reports</b> .....	<b>7</b>
Chair .....	7
Council Members .....	7
Regional Administrator.....	8
General Counsel .....	8
<b>Adjournment</b> .....	<b>8</b>
<b>Part III - Certification</b>	<b>8</b>

## **Metropolitan Council Meeting**

Wednesday, January 12, 2011

Council Chambers

4:00 P.M.

### **Part I - Narrative**

#### **Attendance:**

Susan Haigh, Chair; Roger Scherer, 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, Daniel Wolter, Wendy Wulff

Members absent: Tony Pistilli,

#### **Call to Order**

##### Administer Oath of Office - Susan Haigh

A quorum being present, Vice Chair Leppik called the regular meeting of the Metropolitan Council to order at 4:00 p.m. The first order of business was the swearing of Susan Haigh as Chair of the Metropolitan Council. Ms. Haigh is president/CEO of Twin Cities Habitat for Humanity and a former Ramsey County Commissioner. She has a long and diverse history of community and public service in the region. The oath of office was administered by her husband, the Honorable Gregg Johnson, a member of the Ramsey County District Court.

Following the swearing in, Vice Chair Leppik turned the gavel over to Chair Haigh.

#### **Approval of Agenda**

It was moved by Wittsack seconded by McFarlin to approve the agenda. Motion carried.

#### **Minutes**

It was moved by Steffen, seconded by Wittsack to approve the minutes of the Metropolitan Council Meeting of December 8, 2010. Motion carried.

#### **Public Invitation**

Tim Holden, 1607 University Avenue, St. Paul addressed the Council on his concerns that the Central Corridor Light Rail Project will eliminate street parking for corridor businesses. He wants assurance that handicapped parking is part of the plan. Mr. Holden has been in contact with staff from the Central Corridor Project office.

## Part II - Exhibits

### Business

#### *Committee Consent List*

#### 2010-323 - Authorization to Negotiate and Execute a Construction Cooperation Agreement with the City of Minneapolis for Utility Relocation and Street Repair for the Hopkins Forcemain Improvement

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes its Regional Administrator to negotiate a Construction Cooperation Agreement with the City of Minneapolis for utility relocation and street repair for the Hopkins Forcemain Improvements."

Motion carried.

#### 2010-414 - Technical Amendments to Legal Services Agreements; No Budget Impacts

It was moved by Sanda and seconded by Hilker

"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>
Barnes Thornburg	Legal Services related to Total Maximum Daily Load Matters Contract No. 09P167B	1/1/10- 12/31/12	\$250,000	\$500,000	\$750,000
Lockridge Grindal	Legal Services related to Minnesota Public Radio Contract No. 10P042	2/1/10 - 6/30/11	\$250,000	\$250,000	\$500,000

Motion carried.

#### 2010-421 - Authorization to Execute Loan Agreements with Public Facilities Authority (PFA) and Issuance of General Obligation Sewer Note, included in Resolution No. 2010-53

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council approves the attached Resolution 2010-53 to authorize the Regional Administrator to execute a loan agreement with the Minnesota Public Facilities Authority (PFA) in substantially the same form as the attached agreement. And further, to issue the related General Obligation Sewer Note securing the loan agreement substantially in the form of the Note referenced in the resolution."

Motion carried.

2010-423 - Amendment of Contract with Taleo

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes the Regional Administrator to execute an amendment to extend the contract for the Council's learning management system (LearnCenter) with Taleo for three years (January 15, 2011 to January 15, 2014)."

Motion carried.

2010-426 - Authorization to Negotiate and Execute Contract 10P224A for Full Service Interceptor Architectural/Engineering Services

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute MCES Contract No. 10P224A with Brown and Caldwell in the amount of \$1,000,000 for full service interceptor architectural/engineering services."

Motion carried.

2010-427 - Authorization to Award and Execute Construction Contract for South Saint Paul Forcemain Improvements, MCES Project No. 802714, Contract 07P58C

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the South St. Paul Forcemain Improvements, MCES Project Number 802714, Contract No. 07P58C, with Lametti & Sons, Inc. for their low responsive, responsible bid of \$5,784,700."

Motion carried.

2010-428 - Authorization to Award and Execute Contract 10P180 for Construction of Regional Meter Improvements, Phase I, Project No. 805620

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes its Regional Administrator to award and execute a construction contract for Regional Meter Improvements – Phase 1, MCES Project Number 805600, Contract No. 10P180, with Lametti & Sons for their low bid of \$4,428,255."

Motion carried.

2010-429 - Authorization to Award and Execute Contract 10P181 for Construction of Regional Meter Improvements – Phase 2, Project No. 805620

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes its Regional Administrator to award and execute a construction contract for Regional Meter Improvements – Phase 2, MCES Project Number 805600, Contract No. 10P181, with Lametti & Sons for their low bid of \$1,253,700."

Motion carried.

2010-430 - Authorization to Award and Execute a Construction Contract for Metropolitan Wastewater Treatment Plant (WWTP) and Eagles Point WWTP Sludge Storage Tanks Rehabilitation, MCES Project Numbers 805915 and 800610, Contract No. 10P192

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the Metropolitan Wastewater Treatment Plant (WWTP) and Eagles Point WWTP Sludge Storage Tanks Rehabilitation, MCES Project Numbers 805915 and 800610, Contract No. 10P192, with Rice Lake Construction, for their low bid of \$4,598,600."

Motion carried.

2010-431 - Authorization to Award and Execute Construction Contract for Metro Plant Non-Condensing Steam Turbine Generator, MCES Project No. 805926, Contract No. 10P255

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the MWWTP Non-Condensing Steam Turbine Generator, MCES Project No. 805926, Contract No. 10P255, with Corval Constructors, Inc., for their low bid of \$1,788,000."

Motion carried.

2010-432 - Authorization to Award and Execute Contract for Metro Plant Standby Engine Generators, MCES Project No. 805923, Contract No. 10P283

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorize its Regional Administrator to procure two 2 MW diesel engine generators and auxiliaries for the MWWTP Standby Engine-Generator Procurement project, MCES Project Number 805923, Contract 10P283, to the lowest responsive bidder, Ziegler Power Systems, for its bid of \$1,648,794."

Motion carried.

2010-433 - Authorization to Negotiate and Execute Engineering Services Agreement for East Bethel Reclaimed Water Distribution System, Contract 09P235, MCES Project 801620

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an architectural/engineering services agreement with Bolton and Menk, Inc. in the amount not to exceed \$572,161 for East Bethel Reclaimed Water Distribution Design and Construction Phase Services, Contract No. 09P235, MCES Project Number 801620."

Motion carried.

2010-434 - Authorization to Acquire Pipeline Easements along Union Pacific Railroad Easement Spur in Carver and Scott Counties

It was moved by Sanda and seconded by Hilker

"That the Metropolitan Council authorize its Regional Administrator to acquire wastewater pipeline easements on the Chaska Industrial Lead, Union Pacific Railroad, in conjunction with its acquisition by Carver and Scott Counties for interim trail use."

Motion carried.

*Report of the Management Committee*

2011-14 SW - Approval of Resolution 2011-02, Designating Bank Depository and Authorized Signators

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council approves Resolution 2011-02 which designates a banking depository institution and the authorized signers for the Council's bank accounts."

Motion carried.

*Report of the Transportation Committee*

2011-01 SW - 2011 Metropolitan Airports Commission (MAC) Capital Improvement Program (CIP) Review

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council finds that:

- 1) The Metropolitan Airports Commission (MAC) has an adequate public participation process for development and review of its 2011 Capital Improvement Program (CIP).
- 2) An Assessment of Environmental Effects (AOEE) has been prepared and commented on for 2011 projects with potential environmental effects.
- 3) None of the 2011 projects meet the dollar threshold levels and criteria requiring project approval.
- 4) Federal, state and local funding for the 2011 CIP, including approximately \$21 million in 2010 bonds, has been identified by the MAC to cover all 2011 projects.
- 5) All other projects in the 2011 CIP appear consistent with the 2030 Transportation Policy Plan."

Motion carried.

2011-02 SW - Authorization to Execute Agreements with the Counties Transit Improvement Board (CTIB) for Transit and Rail Operations

It was moved by McFarlin and seconded by Bowles

"That the Metropolitan Council authorize the Regional Administrator to execute agreements with the Counties Transit Improvement Board (CTIB) to receive operating funds for CY11 for the following projects:

Hiawatha LRT - \$7,314,248

- Northstar Commuter Rail - \$5,714,903
- I-35W BRT - \$152,612
- Cedar Ave. BRT - \$312,351

Motion carried.

2011-04 SW - 2011-2014 TIP Amendment: MN/DOT Mill and Overlay for HOT Lane Project (TAB Action 2010-70) It was moved by and seconded by

It was moved by McFarlin and seconded by Wulff

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2011-2014 Transportation Improvement Program (TIP)

to include additional funds on existing project SP#1981-120 for the mill and overlay of the lanes adjacent to the northbound I-35W HOT Lane."

Motion carried.

2011-05 SW - 2011-2014 TIP Amendment: MN/DOT Unbonded Concrete Overlay, Drainage Corrections, Cable Median Barrier

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2011-2014 Transportation Improvement Program (TIP) to include SP#0282-341, I-35E unbonded concrete overlay, drainage corrections, and cable median barrier south of CSAH 96 to the north junction with I-35W."

Motion carried.

2011-06 SW - 2011-2014 TIP Amendment: MN/DOT Mill and Overlay of TH 8 in Forest Lake and Chisago City (TAB Action 2010-72)

It was moved by McFarlin and seconded by Broecker

"That the Metropolitan Council concur with the Transportation Advisory Board (TAB) action to amend the 2011-2014 Transportation Improvement Program (TIP) to include SP#1308-21, mill and overlay on TH 8 from I-35 to Karmel Ave. (CSAH 80) in Forest Lake and Chisago City."

Motion carried.

2011-11 SW - Construction Contract for FTHeywood Computer Room Upgrade

It was moved by Scherer and seconded by Leppik

"That the Metropolitan Council Authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Rochon Corporation, for the construction work on the F T Heywood (FTH) Computer Room Upgrade at the FTH Office building in Minneapolis at a cost of \$1,138,000."

Motion carried.

*Report of the Community Development Committee*

Community Development Committee items are on Consent List and Joint Report.

*Joint Report of the Community Development and Environment Committees*

2010-418 - City of Cottage Grove 2030 Comprehensive Plan Update, Review No. 20479-1, Tier II Comprehensive Sewer Plan

It was moved by Aguilar and seconded by Broecker

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

1. Authorize the City of Cottage Grove to put its 2030 Comprehensive Plan Update into effect.

2. Adopt the revised forecasts for the City of Cottage Grove as detailed in Table 2 of the Review Record.
3. Advise the City to:
  - a. Revise the aviation notification requirements in the Update as detailed in the Aviation section of this report.
  - b. Continue to participate in the Council's Plat Monitoring Program.
  - c. Implement the advisory comments in the Review Record for Parks, Transportation, and Land Use.
4. Approve the City of Cottage Grove's Tier II Comprehensive Sewer Plan

Motion carried.

### *Report of the Environment Committee*

Environment Committee Items are on the Consent List

### **Other Business**

#### Water Supply Report Plan to the Legislature

Keith Buttlerman, Assistant GM of Environmental Quality Assurance Department introduced Chris Elvrum, Water Supply Planning Manager, who presented a briefing on the

#### Results from the 2005-2009 American Community Survey

Libby Starling, Research Manager, summarized findings from the American Community Survey that was conducted by the U.S. Census Bureau. The data was a rolling sample of approximately 2.5 percent of households in the seven-county area

#### 2011 Legislative Preview Reports

Judd Schetnan, Government Affairs Manager, reported the 2011 Legislative Session began on January 4 and must constitutionally end no later than May 23. The Council's legislative efforts will generally fall into four areas this session: 1) state finance process; 2) secure state bond if a bonding bill is developed; 3) passage of Council's legislative policy initiatives; and 4) protecting the Council's areas of responsibilities.

#### *Chair*

Chair Haigh reported she is receiving staff briefings on Council business and legislative matters.

#### *Council Members*

McFarlin reported the FTA notified CCPO staff that in December they forwarded their recommendation for the CCLRT Full Funding Grant Agreement (FFGA) to the Secretary of Transportation, to stay within the proposed March timeframe; the CCPO received the FTA



Letter of No Prejudice (LONP), allowing project contracts to continue until the FFGA has been received.

Steffen reported the Coon Rapids Regional Dam Commission was advised that a \$16M upgrade would be an effective barrier against Asian carp migrating up the Mississippi River. The Commission is expected to make a recommendation about the future ownership and operation of the dam to the Legislature by March 1.

### *Regional Administrator*

Regional Administrator Weaver reported

- the Office of the Legislative Auditor will release their report on the Governance of Transit in the Twin Cities Region on January 21, 2011;
- Environmental Services wastewater treatment plants have completed 47 consecutive months of perfect compliance.
- 

### *General Counsel*

There was no report.

### **Adjournment**

Business completed, the meeting adjourned at 5:09 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 12, 2011

Approved this 26<sup>th</sup> day of January, 2011.

Respectfully submitted,



Pat Curtiss  
Secretary

