



## **Metropolitan Council Meeting**

Wednesday, October 12, 2011

Robert Street Chambers

4:00 PM

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## **Metropolitan Council Meeting**

Wednesday, October 12, 2011

Council Chambers

4:03 PM

### **Part I - Narrative**

#### **Attendance:**

Susan Haigh, James Brimeyer, Steven Chávez, Jon Commers, John Doan, Adam Duininck, Steven Elkins, Rich Kramer, Harry Melander, Jennifer Munt, Edward Reynoso, Sandra Rummel, Lona Schreiber, Gary Van Eyll, Wendy Wulff

Members absent: Gary Cunningham, Roxanne Smith

#### **Call to Order and Approval of Agenda**

A quorum being present, Chair Haigh called the regular meeting of the Metropolitan Council to order at 4:03 p.m. Councilmember Munt requested that item 2011-261 be recalled from the Consent Agenda. With this amendment to the agenda, it was moved by Commers, seconded by Melander to approve the agenda. Motion carried.

#### **Minutes**

It was moved by Kramer, seconded by Chavez to approve the minutes of the Metropolitan Council Meeting of September 28, 2011. Motion carried.

#### **Public Invitation**

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

### **Part II - Exhibits**

#### **Business**

##### 2011-261 - Authorization to Award Contract for Temporary Employee Services

It was moved by Melander and seconded by Brimeyer,  
"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with Masterson Personnel for an amount not to exceed \$450,000 for clerical and administrative temporary services."

Motion carried, with Munt and Reynoso dissenting.

#### *Committee Consent List*

2011-263 - Authorization to Acquire Fee Title, Permanent and Temporary Easements and to File a Condemnation Petition, Interceptor 7019-B Rehabilitation, MCES Project 802815, Resolution 2011-29

It was moved by Commers and seconded by Elkins,

"It is recommended that the Metropolitan Council pass Resolution 2011-29 which authorizes acquisition of the fee title, permanent and temporary easements necessary for the Interceptor 7019-B Rehabilitation, MCES Project No. 802815, and which authorizes the Council's legal staff to initiate condemnation proceedings for those parcels which staff cannot acquire by negotiation."

Motion carried.

2011-264 - Authorization to Acquire Fee Title, Permanent and Temporary Easements and to File a Condemnation Petition, Interceptor 1-MN-330 Rehabilitation, MCES Project 809050, Resolution 2011-30

It was moved by Commers and seconded by Elkins,

"It is recommended that the Metropolitan Council pass Resolution 2011-30 which authorizes acquisition of the fee title, permanent and temporary easements necessary for the Interceptor 1-MN-330 Rehabilitation, MCES Project No. 809050, and which authorizes the Council's legal staff to initiate condemnation proceedings for those parcels which staff cannot acquire by negotiation."

Motion carried.

2011-265 - 2012 Unified Planning Work Program (UPWP), Authorization to File Grant Application Resolution No. 2011-28

It was moved by Commers and seconded by Elkins,

"That the Metropolitan Council:

- Adopt the proposed 2012 Unified Planning Work Program (UPWP) with a budget of \$6,591,752.
- Adopt the attached resolution authorizing the filing of an application with the Minnesota Department of Transportation for a planning grant under the Safe, Accountable, Flexible, Efficient Transportation Equity Act for the 21st Century - A Legacy for Users.
- Authorize the Regional Administrator to enter into agreement with the State of Minnesota, Department of Transportation, for distribution of FHWA and FTA planning fund."

Link to [2011-265 attachment](#)

Motion carried.

2011-267 - City of Saint Paul Request to Amend the PPL W 7th Housing LCDA Grant Agreement SG010-142

It was moved by Commers and seconded by Elkins,

"That the Metropolitan Council authorize reallocation of a portion of the \$233,550 Livable Communities Demonstration Account (LCDA) grant awarded to the City of Saint Paul in 2010 for the *PPL West 7<sup>th</sup> Housing* project; the reallocation will shift \$40,950 from site preparation and grading costs to utility line relocation in accordance with a request from the grantee."

Motion carried.

2011-268 - City of Edina Request to Amend the Grandview Small Area Plan LCDA Grant Agreement SG010-136

It was moved by Commers and seconded by Elkins,

“That the Metropolitan Council authorize reallocation of a portion of the \$100,000 Livable Communities Demonstration Account (LCDA) pre-development grant awarded to the City of Edina in 2010 for the *Grandview Small Area Plan* project; the reallocation will shift \$20,000 from market and financial analysis to community needs analysis, a redevelopment phasing plan, and a public participation plan in accordance with a request from the grantee.”

Motion carried.

2011-269 - Adoption of 2011-2012 Utility Allowance Schedule for the Section 8 Housing Choice Voucher Program

It was moved by Commers and seconded by Elkins,

“That the Metropolitan Council approve the attached 2011-2012 Section 8 Utility Allowance Schedule effective November 1, 2011 for use by the Metropolitan Housing and Redevelopment Authority (Metro HRA) in the administration of the Section 8 Housing Choice Voucher and other Rent Assistance Programs.”

Motion carried

2011-271 - Board Resolution 2011-031, Authorizing Grant Execution with Minnesota Housing Rental Assistance for Anoka County (RAAC) Program

It was moved by Commers and seconded by Elkins,

“That the Metropolitan Council adopt a resolution, required by Minnesota Housing, to authorize the Regional Administrator to execute continuation grant agreements with Minnesota Housing for the Rental Assistance in Anoka County (RAAC) program.”

Motion carried

*Report of the Management Committee*

2011-281 – Authorization to Execute an Amendment to the 2011 Agreement with the Public Facilities Authority (PFA)

It was moved by Brimeyer and seconded by Chavez,

“That the Metropolitan Council authorizes the Regional Administrator to execute an amendment to the 2011 loan agreement with the Minnesota Public Facilities Authority (PFA) in substantially the same form as the attached agreement.”

Motion carried.

*Other Business*

1. Chair Haigh and Regional Administrator introduced the Stadium Proposal Risk Analysis Report that was presented earlier today. The report was presented to the council by Arlene McCarthy, Director of Metropolitan Transportation Services and Mary Bogie, Chief Financial Officer.
2. Presentation of the Proposed 2012 Unified Capital Program by Mary Bogie, CFO; Guy Peterson, Director of Community Development; Arlene McCarthy, Director of Metropolitan Transportation Services; Ed Petrie of Metro Transit; Bill Moore, General Manager of Environmental Services.
3. Discussion of whether to close meeting pursuant to Minnesota Statutes section 13D.05, subdivision 3(b) for attorney-client discussion as to administrative appeal and litigation options and strategies relating to the NPDES permit for MCES's Metro Plant; as follows:

Motion to Close the Meeting

It was moved by Chávez, seconded by Wulff

"That the Metropolitan Council meeting be closed to the public to discuss with our legal counsel and necessary staff in a confidential setting attorney-client privileged matter concerning the Council's interests, options and strategies relating to the PFOS condition in the NPDES permit for MCES's Metro Plant.

Motion carried.

Council members Commers and Rummel excused themselves from the meeting.

The meeting was closed to the public at 5:45 pm.

Those present during the closed portion of the meeting included council members, the following staff and attorneys: Pat Born, Don Mueiting, Laurie Nistl, Wes Kooistra, Mary Bogie, Bill Moore, Keith Buttleman, Leisa Thompson, Mary Gail Scott, David Theison, Dan Abelson, Linda Benfield and Paul Bargaen.

Motion to Open the Meeting

Following discussion in the closed portion of the meeting, a motion was made and seconded,

"That the Metropolitan council meeting be open to the public to continue with the regular business agenda."

Motion carried and the meeting reopened to the public at 6:44 p.m.

**Reports**

*Chair:* No Report.

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*Council Members:* No Report

*Regional Administrator:* No Report

*General Counsel:* No Report.

**Adjournment**

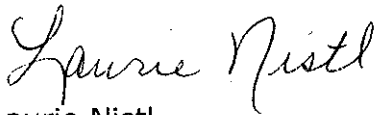
Business completed, the meeting adjourned at 6:45 p.m.

**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 12, 2011.

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

Respectfully submitted,



Laurie Nistl  
Recording Secretary