



Metropolitan Council Meeting

Wednesday, September 12, 2012

Robert Street Council Chambers

4:00 PM

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Metropolitan Council Meeting

Council Chambers

4:00PM

Part I - Narrative

Attendance:

Roxanne Smith, Gary Van Eyll, Steve Elkins, James Brimeyer, Gary Cunningham, Harry Melander, Rich Kramer, Jon Commers, Wendy Wulff, Edward Reynoso, Sandra Rummel, Lona Schreiber, Susan Haigh, Jennifer Munt

Members absent: John Đoàn, Steven Chávez, Adam Duininck

Call to Order and Approval of Agenda

A quorum being present, Chair Haigh called the regular meeting of the Metropolitan Council to order at 4:00PM. It was moved by Commers, seconded by Rummel to approve the agenda.

Motion carried.

Minutes

It was moved by Van Eyll, seconded by Wulff to approve the minutes of the Metropolitan Council Meetings of August 15 and 22, 2012.

Motion carried.

Public Invitation

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

Part II - Exhibits

Business

Consent List

It was moved by Smith, seconded by Rummel to approve the consent list.

Motion carried.

2012-261 Park Acquisition Opportunity Fund Grant Request for Big Marine Park Reserve, Washington County

"That the Metropolitan Council authorize a grant of up to \$353,996 from Environment and Natural Resources Trust Fund Acquisition Account in the Park Acquisition Opportunity Fund to Washington County to finance 75% of the acquisition costs to acquire the 2.58 acre Croone parcel as depicted in Figure 1 for Big Marine Park Reserve. The grant should be financed with \$212,398 from the FY 2012 Environment and Natural Resources Trust Fund appropriation and \$141,598 from Metropolitan Council bonds."

2012-262 Park Acquisition Opportunity Fund Grant Request for Above the Falls Regional Park, Minneapolis Park & Rec. Board

"That the Metropolitan Council authorize a grant of up to \$608,814 from Parks and Trails Legacy Fund Acquisition Account in the Park Acquisition Opportunity Fund to the Minneapolis Park & Rec. Board to finance 75% of the acquisition costs to acquire the 1.74 acre parcel at

1720 Marshall St. NE as depicted in Figure 1 and Figure 2 for Above the Falls Regional Park. The grant should be financed with \$354,561 from the FY 2012 Parks and Trails Legacy Fund appropriation, \$10,727 from the FY 2013 Parks and Trails Legacy Fund appropriation, and \$243,526 from Metropolitan Council bonds."

2012-265 Controlled Access Approval for Construction of an Interchange at TH 36 and English Street in Ramsey County, Review #21016-1

"That the Metropolitan Council approve MnDOT's request to build a grade-separated, tight diamond interchange at TH 36 and English Street in Maplewood, conditional upon any significant changes in the design of the proposed project being subject to further review and approval by the Metropolitan Council prior to construction."

2012-266 Controlled Access Approval for St. Croix River Crossing Project (S.P. 8214-114) in Washington County, Review #21015

"That the Metropolitan Council approve a request by MnDOT to reconstruct TH 36/95 in Minnesota and provide a new St. Croix River Crossing, conditional upon any significant changes in the design of the proposed project being subject to further review and approval by the Metropolitan Council prior to construction."

2012-267 Controlled Access Approval for Construction of an Interchange at TH 169 and CH 69 in Shakopee, Scott County, Review #21010-1

"That the Metropolitan Council approve MnDOT's request to build an interchange at TH 169 and County Highway (CH) 69 in Shakopee, conditional upon any significant changes in the design of the proposed project being subject to further review and approval by the Metropolitan Council prior to construction."

2012-268 Amendment to 2012 Unified Planning Work Program (UPWP)

"That the Metropolitan Council amend the 2012 Unified Planning Work Program to identify the following additional products: Regional Solicitation Evaluation Study; Highway Transitway Corridor Study; Penn, Emerson/Fremont, Broadway Arterial Transitway Corridors Studies; Thrive MSP 2040."

Report of the Community Development Committee

2012-259 LCA Tax Base Revitalization Account (TBRA) Site Investigation Grant Recommendations

It was moved by Cunningham, seconded by Commers

"That the Metropolitan Council award 8 Tax Base Revitalization Account (TBRA) investigation grants as follows:

Projects recommended for 2012 TBRA Round 2 funding	Recommended amount
Contamination Site Investigation	
Minneapolis – Adams	\$4,300
Minneapolis – Barrington	\$3,300
Minneapolis – Commons at Penn	\$22,500
Minneapolis – Elms	\$4,100
Minneapolis – Heritage Park Outlot C	\$50,000
Minneapolis – Maryland	\$3,400
Minneapolis – Paige Hall	\$1,200
Waconia – Marathon Station	\$15,000

TOTAL	\$103,800
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Motion carried.

Report of the Transportation Committee

2012-269 Authorization to Purchase Property—Gateway Layover Facility

It was moved by Schreiber, seconded by Munt

“That the Metropolitan Council authorize the Regional Administrator to negotiate and execute the purchase of the Gateway Layover Facility located at 400 Third Street South in Minneapolis, MN at the negotiated real property value of \$7,500,000.”

Motion carried.

2012-270 2012-2016 Transportation Improvement Program for the Twin Cities Metropolitan Area

It was moved by Schreiber, seconded by Rummel

“That the Metropolitan Council:

1. Concur with Transportation Advisory Board (TAB) actions to accept the Public Comment report and to adopt the 2013-2016 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area;
2. Certify that the Twin Cities Metropolitan Planning Process is being carried out in conformance with all applicable federal requirements of:
 - Section 134 of Title 23, U.S.C., Section 8 of the Federal Transit Act (49 U.S.C. app. A607);
 - Sections 174 and 176 (c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506 (c) and (d));
 - Title VI of the Civil Rights Act of 1964 and Title VI assurance executed by each state under 23 U.S.C. 324 and 29 U.S.C. 794;
 - Section 1101 (b) (5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59) regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded planning projects (Pub. L. 97-424, Section 105 (f); 49 CFR part 23; and
 - The provisions of the Americans with Disabilities Act (Pub. L. 101-336, 104 Stat. 327, as amended) and U.S. DOT regulations (Transportation for Individuals with Disabilities, 40 CFR parts 27, 37, and 38).
3. Certify that the TIP conforms to the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities.
4. Find that the TIP is consistent with the 2030 Transportation Policy Plan which is in conformance with applicable federal transportation and air quality regulations.
5. Find that the TIP meets all applicable federal requirements.
6. Find that the TAB provided adequate opportunity for public, agency and transit operator involvement through its regular process and special public hearing.
7. Transmit the 2013-2016 TIP along with these comments to the Minnesota Department of Transportation and Minnesota Pollution Control Agency.”

Motion carried.

2012-279 Cedar Avenue Bus Rapid Transit (Red Line): Construction of 140th and 147th Street Stations

It was moved by Schreiber, seconded by Munt

“That the Metropolitan Council (Council) authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Meisinger Construction, for the construction of the Red Line Bus Rapid Transit (BRT) 140th and 147th Street Stations in Apple Valley, MN, at a cost of \$3,667,000 (Phase 1).”

Motion carried.

Report of the Environment Committee

2012-271 Authorization to Award a Construction Contract for North Minneapolis Interceptor Rehabilitation, MCES Project No. 807610, Contract No. 12P026

It was moved by Rummel, seconded by Van Eyll

“That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the North Minneapolis Interceptor Rehabilitation, MCES Project No. 807610, Contract No. 12P026, with Visu-Sewer, Inc. in the amount of \$6,425,681.”

Motion carried.

2012-272 Authorization to Award and Execute Construction Contract for Hopkins System Improvements Contract B—St. Louis Park/Minneapolis Force Main, Project No. 804122, Contract No. 12P076

It was moved by Rummel, seconded by Wulff

“That the Metropolitan Council authorize its Regional Administrator to award and execute a construction contract for Hopkins System Improvements Contract B – St. Louis Park/Minneapolis Force Main, Project No. 804122, Contract No. 12P076, with Lametti and Sons, Inc. for their low bid of \$13,873,700.”

Motion carried.

2012-289 Authorization to Award a Construction Contract for Wayzata Area Improvements—Phase 2, MCES Project No. 802844, Contract No. 12P056

It was moved by Rummel, seconded by Munt

“That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the Wayzata Area Improvements – Phase 2, MCES Project No. 802844, Contract No. 12P056, with S. J. Louis Construction, Inc., for their low responsive bid of \$3,724,561.”

Motion carried.

Report of the Management Committee—No Reports

Other Business

2012-285 Livable Communities Advisory Committee Appointment

It was moved by Reynoso, seconded by Rummel

“That the Metropolitan Council approve Chair Haigh’s recommendation to appoint the following person to the Livable Communities Advisory Committee to a term as noted:

The following person is recommended for appointment to a three-year term in the listed expertise category:	
Local government – Planning, Economic, or Community Development	Doug Borglund , City of Forest Lake, Community Development Director and Zoning Administrator (new appointment)

Motion carried.

2012-287 Appointment to the Metropolitan Parks and Open Space Commission

It was moved by Melander, seconded by Wulff

“That the Metropolitan Council approve the appointment of **Dean Johnston** as chair of the Metropolitan Parks and Open Space Commission.”

Motion carried.

Approval of Resolution 2012-25 Expressing Council Gratitude to CTIB for their Fulfillment of their Local Match for the Central Corridor Light Rail Transit Project

It was moved by Munt, seconded by Commers

“That the Metropolitan Council approve Resolution 2012-25.”

Motion carried.

Information Item: Preliminary 2013 Capital Program Overview

Mary Bogie gave a PowerPoint presentation of the Preliminary 2013 Capital Program Overview. The capital program emphasizes the preservation of our existing regional infrastructure.

Reports

Chair:

Chair Haigh stated her appreciation for the Council members’ attendance and participation in the Thrive MSP 2040 listening sessions.

Held a Neighboring Counties & Communities meeting which invited elected and appointed officials from around the metro area to learn more about Thrive MSP 2040 and share what is going on in their counties and communities.

Attended the Business Roundtable meeting where local businesses were able to share their concerns and experiences with the CCLRT construction.

Met with the new U of M VP Pamela Wheelock. She will be our primary liaison to all things U of M related.

Interviewed by MPR on their Daily Circuit program.

Met with Commissioner Tingerthal to discuss Fair Housing Equity Assessment.

Met with the Governor’s new Deputy Chief of Staff for Legislative Affairs, Jaime Tincher.

Attended a Cabinet meeting.

Participated in the CTIB Program of Projects.

Council Members

Schreiber—Met with the Metropolitan Energy Policy Coalition with CM Rummel where they heard a report from MAC on their efforts to be more energy efficient. They also heard a presentation on frac sand mining. Also recommended the latest edition of *Governing* magazine which is publishing a series on America getting older faster.

Munt—Thanked the members of ATU who were present. Attended a meeting in Wayzata where they have launched a Lake Effects project to look at redevelopment of their lakefront. Participated in two tours of the freight alignment options along the SWLRT line. Freight lines will need to be co-located or relocated. A SWLRT Community Advisory Committee meeting will be held tomorrow night.

Van Eyll—The Thrive listening sessions are going great. He encouraged fellow council members to attend sessions in their districts.

Elkins—Attended a campaign forums at the Bloomington Chamber and a 494 Corridor Commission meeting.

Cunningham—Attended a meeting hosted by Congressman Ellison regarding concerns about the possible storage of commuter rail cars along the SWLRT, particularly in the Harrison neighborhood. Participated in a meeting with CM Duininck on the Seward redesign. Raised the question of the Council following the bylaws in regard to the establishment of the Thrive MSP 2040 Working Group.

Reynoso—Attended a Thrive listening session with CMs Doan and Schreiber. Recognized the ATU members in attendance.

Rummel—Attended a Thrive listening session at Metro Cities.

Melander—Was at the State Fair with Brian Lamb and Amy Klobuchar. Met with local and state officials to discuss water concerns in the north metro. The water resource staff were present as well.

Wulff—Attended an MVTA board meeting along with CM Chávez.

Commers—Attended a Thrive listening session in St. Paul and found it to be very productive and fruitful. Had the opportunity to engage with a high school government class at a school in the region.

Kramer—Met with St. Paul Councilmember Amy Brendmoen along with CM Commers.

Smith—Had a discussion with Maple Grove Transit and Plymouth Link. The Maple Grove transit station is thriving and already discussing a second level addition.

Regional Administrator—No report.

General Counsel—No report.

Adjournment

Business completed, the meeting adjourned at 5:04PM.

Part III - Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of September 12, 2012.

Approved this 26 day of September, 2012.

Respectfully submitted,

Emily Getty
Recording Secretary