



## **Metropolitan Council Meeting**

Wednesday, September 26, 2012

Robert Street Council Chambers

4:00PM

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**Metropolitan Council Meeting**  
Council Chambers  
4:00PM

**Part I - Narrative**

*Attendance:*

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, Steven Chávez, Adam Duininck  
Members absent: John Đoàn, 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 4:00PM. It was moved by Chávez, seconded by Commers to approve the agenda.

**Motion carried.**

*Minutes*

It was moved by Cummings, seconded by Rummel to approve the minutes of the Metropolitan Council Meetings of September 12, 2012.

**Motion carried.**

*Public Invitation*

Several members of ATU 1005 addressed the Council and shared their concerns regarding their contract, work environment, and management.

**Part II - Exhibits**

*Business*

*Joint Report of the Transportation and Management Committees*

**2012-263 2012 Unified Capital Program Amendments**

It was moved by Brimeyer, seconded by Elkins

“That the Metropolitan Council amend the 2012 Unified Capital Program as indicated and in accordance with the attached business item and table.”

**Motion carried** on the following roll call vote:

Aye: 14—Schreiber, Van Eyll, Elkins, Brimeyer, Cunningham, Duininck, Reynoso, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh  
Nay: 0  
Absent: 2—Smith, Đoàn  
Abstain: 1—Munt

**Consent List**

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

**Motion carried.**

**2012-260 Proposed Changes for Park Acquisition Opportunity Fund Grants Rules**

“That the Metropolitan Council:

1. Conduct a public hearing on November 19, 2012 as part of its Community Development Committee meeting regarding amending the *2030 Regional Parks Policy Plan* to:
  - Replace the rules for Park Acquisition Opportunity fund Grants found in Chapter 4 Finance of the *2030 Regional Parks Policy Plan* with those described in this memorandum; and
  - Replace System Protection Strategy 3 of the *2030 Regional Parks Policy Plan* as described in this memorandum.

The hearing record shall remain open until 4:30PM, November 30, 2012.
2. Direct staff to public public hearing notices and distribute copies of the proposed amendment to the *2030 Regional Parks Policy Plan* under the Council's administrative procedure for public hearings."

**2012-264 Technical Amendment to Legal Services Agreement**

"That the Metropolitan Council authorizes the General Counsel to amend the legal services agreement with Best Flanagan to increase the maximum contract price as follows:

Law Firm	Services	Term	Current Price	Proposed Increase	New Price
Best Flanagan	Legal Services related to CCLRT Condemnation, Real Estate Matters Contract No. 11P157	06/30/10— 12/31/14	\$125,000	\$250,000	\$375,000

**2012-273 Authorization to Hold a Public Hearing on Draft Facility Plan for Burnsville Interceptor Improvements, MCES Project No. 809058**

"That the Metropolitan Council authorize its General Manager of Environmental Services to hold a public hearing for the Draft Facility Plan for the Burnsville Interceptor Improvements Project, MCES Project No. 809058."

**2012-274 Authorization to Hold a Public Hearing on Draft Facility Plan for Minneapolis Interceptor Rehabilitation, Phase 2, MCES Project No. 807625**

"That the Metropolitan Council authorize its General Manager of Environmental Services to hold a public hearing for the Draft Facility Plan for the Minneapolis Interceptor Rehabilitation Project, Phase 2, MCES Project No. 807625."

**2012-275 Sole Source Contract with ACT Traffic Solutions, Inc.**

"That the Metropolitan Council authorizes the Regional Administrator to negotiate and execute a sole-source contract with ACT Traffic Solutions, Inc. for furnishing and installing Transit Signal Priority (TSP) components and software at an estimated cost of \$340,000."

**2012-277 Authorization to Award General Obligation Refunding Bonds Within Established Financial Parameters**

"That the Metropolitan Council adopt parameters Resolutions 2012-27 and 2012-28, authorizing the issuance, sale, and award of general obligation refunding bonds and execution of other necessary documents to secure this financing. The individual refunding bond issues are comprised of the following:

- \$25.3 Million (approximate), General Obligation Transit Refunding Bonds, Series 2012 H (Reundings some/all of the maturities for the 2003C, 2007A, and 2008B bond issues.)

- \$130.56 Million (approximate), General Obligation Wastewater Revenue Refunding Bonds, Series 2012I (Refunds some/all of the maturities for the 2007B and 2008C bond issues.)”

**2012-281 Authorization to Lease MCI Buses to St. Cloud Metropolitan Transit Commission**

“That the Metropolitan Council authorize the Regional Administrator to lease three 2000 model year MCI coach buses to St. Cloud Metropolitan Transit Commission.”

**2012-282 Dial-a-Ride Fare Collection Contract with Cubic Transportation Systems**

“That the Metropolitan Council authorize the Regional Administrator to award and execute a sole source contract with Cubic Transportation Systems (Cubic) for development, production, and delivery of system enhancements and up to 530 contactless smart card readers for MTS dial-a-ride services in an amount not to exceed \$1,600,000.”

**2012-283 Purchase Software Licenses and Project Support from Trapeze Group**

“That the Metropolitan Council authorize the Regional Administrator, contingent upon approval of Business Item 2012-263 – Unified Capital Program Amendments, to award and execute a sole source contract with Trapeze Group for PASS-MDT, PASS-IVR, and PASS-SMS/EMAIL software licensing and project support in an amount not to exceed \$2,200,000.”

**2012-286 Designate Red Line (Cedar Avenue BRT) and Orange Line (I-35W South BRT) Service Providers**

“That the Metropolitan Council designate:

1. the Minnesota Valley Transit Authority (MVTA) as the service provider for the Red Line (Cedar Avenue BRT station-to-station service) contingent upon an Operating and Maintenance agreement with the Council, and
2. Metro Transit as the service provider for the Orange Line (I-35W South BRT station-to-station service).”

**2012-290 Authorization for Sole Source Procurement of Moyno Pumps and Repair Parts**

“That the Council authorize the Regional Administrator to procure Moyno-brand pumps, repair parts, and services from Van Bergen & Markson, Inc. on a Sole Source bases in an amount not to exceed \$750,000 for a three-year period.”

**2012-293 City of Lakeland 2011 System Statement Comprehensive Plan Amendment**

“That the Metropolitan Council adopt the attached review record and allow the City of Lakeland to put the 2011 System Statement comprehensive plan amendment (CPA) into effect. Find that the proposed CPA does not change the City’s forecasts.”

**2012-294 Board Resolution 2012-030 Authorizing Grant Execution for Minnesota Housing Rental Assistance for Anoka County (RAAC)**

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

**2012-295 Rosemount Comprehensive Plan Amendment, Review File NO. 20584-5**

“That the Metropolitan Council:

1. Adopt the attached review record and allow the City of Rosemount to put the Rosemount Comprehensive Plan Amendment (CPA) into effect.
2. Find that the proposed CPA does not change the City's forecasts."

**2012-296 Revision to Livable Communities Act Grant Amendment Guidelines**

"That the Metropolitan Council approve the attached *Livable Communities Act Grant Amendment Process*, as revised, for amendments to Livable Communities Act grant agreements."

**2012-297 Change in scope of Grant SG-2010-025 and grant authorized in June 2012, Dakota County**

"That the Metropolitan Council:

1. Authorize a second amendment to Grant SG-2010-025 to Dakota County which changes the scope of the grant to partially fund the match to \$2 million of federal grants and supplement \$1,039,000 of Parks and Trails Legacy Fund financed grants for the engineering, acquisition and construction of portions of the North Urban, Mississippi River, Big Rivers and Minnesota River Regional Trails.
2. Revise the scope of the \$40,000 grant to Dakota County approved on June 27, 2012 (Agenda item 2012-183) to partially fund the match to \$2 million of federal grants and supplement \$1,039,000 of Parks and Trails Legacy Fund financed grants for the engineering, acquisition and construction portions of the North Urban, Mississippi River, Big Rivers and Minnesota River Regional Trails."

*Report of the Community Development Committee—Reports on Consent List*

*Report of the Transportation Committee*

**2012-298 Transportation Management Organizations (TMOs) 14-month Sub-Recipient Grant Agreements**

It was moved by Elkins, seconded by Munt

"That the Metropolitan Council authorize the Regional Administrator to execute sub-recipient grant agreements with the four regional Transportation Management Organizations (TMOs) for pass through of Federal Congestion Mitigation Air Quality (CMAQ) funds to implement Travel Demand Management (TDM) strategies for the period of November 1, 2012 through December 31, 2013 in an amount not to exceed \$1,348,383."

**Motion carried.**

*Report of the Environment Committee—Reports on Consent List*

*Report of the Management Committee*

**2012-276 Authorization to Award General Obligation Grant Anticipation Notes (GANs) Within Established Financial Parameters**

It was moved by Brimeyer, seconded by Elkins

"That the Metropolitan Council adopt parameters Resolution 2012-26, authorizing issuance and award of sale of General Obligation Grant Anticipation Notes (GANs) and execution of other necessary documents to complete their sale."

**Motion carried.**

**2012-280 Adopt Resolution to Create Medical Self Insurance Plan and Establish Reserve Fund**

It was moved by Brimeyer, seconded by Rummel

"That the Metropolitan Council approve Resolution 2012-29 to create a medical self insurance plan and establish a medical plan self insurance reserve fund."

CM Munt abstained from voting.

**Motion carried.**

**2012-278 Authorization to Extend Health Partners Contract for Medical Insurance and add Self Insured Option**

It was moved by Brimeyer, seconded by Rummel

"That the Metropolitan Council authorize the Regional Administrator to amend the contract for Medical Insurance with Health Partners to extended for an additional year (1/1/2014-12/31/2014) and add a self insurance option."

CM Munt abstained from voting.

**Motion carried.**

*Other Business*

**Information Item: 2013-2016 DBE Goal Methodology, Wanda Kirkpatrick & Pat Calder**

The US Dept. of Transportation goal methodology is required and prescribed under 49 CFR part 26 and applies to all USDOT funding recipients. The DBE goal is the percentage of participation the Council strives to achieve in their contracting efforts, and is re-calculated every three years. The goal for the Council is 15.5%. The Metropolitan Council has consistently placed and achieved higher goals than any other local DOTs.

*Reports*

**Chair:**

Participated in two TFAC meetings. Some proposals are being put together that include a variety of possibilities to raise revenue for transit, including additional sales tax and gas tax.

Hosted a Thrive MSP 2040 listening session for state agency commissioners.

Met with Commissioner Tingerthal and staff to discuss FHEA.

There have been several meetings regarding the budget process for next year. The Governor's office has laid out some parameters.

Participated in a walking tour of Little Mekong with CM Commers.

Attended a reception at the McKnight Foundation for the public art that will be displayed along CCLRT.

Participated in the CTIB and Corridors of Opportunity Policy Board meetings. Received a lot of good feedback from the CTIB commissioners regarding Thrive MSP 2040.

Met with Michael Langley of Greater MSP to discuss their plans for regional economic development and how they fit with the Met Council's thoughts.

**Council Members**

Munt—Attended a Thrive MSP 2040 listening session with CM Van Eyll which had a strong presence from Carver and Scott counties. Serves on the SWLRT Community Works Committee, which works to bring together city council people from along the line as well as county commissioners, and they are going to be talking to people about how the SWLRT would be good for business. They have also recently seen renderings of the station designs.

Van Eyll—The Thrive listening sessions are going very well and are a lot of fun.

Rummel—Had a Thrive listening session in Vadnais Heights that drew a modest crowd.

Attended a Clean Water Council meeting that included a lively discussion regarding the next iteration of Clean Water Funds. Attended the Metropolitan Area Water Supply Advisory

Metropolitan Council Meeting of September 26, 2012

Committee meeting. Attended an update meeting on the current state of the designs for the Lake St. BRT station and the Interchange project. Attended a presentation by the head of the department of transportation in Chicago that was put on by ULI.

Elkins—Attended the second Fare Policy Stakeholder meeting. Had the 35W Solutions Alliance meeting which included a presentation from MnDOT and had follow-up meetings with staff from the Met Council and the City of Bloomington.

**Regional Administrator**—Pat Born was out of the office.

**General Counsel**—No report.

*Adjournment*

Business completed, the meeting adjourned at 5:10PM.

**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 26, 2012.

Approved this 10 day of October, 2012.

Respectfully submitted,

Emily Getty  
Recording Secretary