



Metropolitan Council Meeting

Wednesday, October 10, 2007
Robert Street Council Chambers
4:00 P.M.

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Part I - Narrative

Members present:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Mary Hill Smith, Russ Susag, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Brian McDaniel

Members absent:

Annette Meeks, Daniel Wolter, District 4 Vacant

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:07 p.m. It was moved by McDaniel, seconded by Susag, to approve the agenda. Motion carried.

Minutes

It was moved by Broecker, seconded by Wittsack, to approve the minutes of the Metropolitan Council meeting of September 26, 2007. Motion carried.

Public Invitation

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

Part II - Exhibits

Business

Committee Consent List

[2007-252 - Defining Minor Amendments for Adjacent County Review](#)

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council adopt the following recommendation:

1. that a local community may waive the adjacent community 60 day review and comment period requirement for Comprehensive Plan Amendments if all of the following criteria are met.
 - a) the amendment involves a site of 40 acres or less;
 - b) the amendment does not change the community's growth forecasts for 2010-2030 or TAZ allocations;
 - c) the amendment site is 1) not within one quarter mile of an adjacent jurisdiction; or 2) according to the waiving city's adopted ordinances outside of the defined distance requirement to notice adjacent property owners of a comprehensive plan change, whichever is less.
2. that a local community may waive the adjacent 60 day review and comment period for a text change whose cumulative impacts would meet the criteria as set forth in number 1."

Motion carried.

[2007-284](#) - Approval of the Jobs Access Reverse Commute (JARC) and New Freedom Solicitation Project Selection

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council:

1. approve the list of projects recommended for funding under the federal Jobs Access Reverse Commute (JARC) and New Freedom programs;
2. authorize the Regional Administrator to apply for and accept grants from Federal Transit Administration (FTA) for up to \$1,466,293 for the JARC program and up to \$1,028,308 for the New Freedom program to fund the recommended projects."

Motion carried.

[2007-285](#) - 2008 Unified Planning Work Program (UPWP), Authorization to File Grant Application, Resolution [2007-32](#)

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council:

1. adopt the proposed 2008 Unified Planning Work Program with a budget of \$4,374,000;
2. 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;
3. authorize the Regional Administrator to enter into agreement with the State of Minnesota, Department of Transportation, for distribution of FHWA and FTA planning funds."

Motion carried.

[2007-309](#) - City of Apple Valley Comprehensive Plan Amendment, Industrial Land Use Study Area "B", Review File 16963-22

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council allow the City of Apple Valley to put the comprehensive plan amendment into effect with no plan modifications."

Motion carried.

[2007-311](#) - Metro Mobility Agency Service Contract Amendment

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council authorize the Regional Administrator to amend the 2003 Contract for the Operation of Metro Mobility Agency Paratransit Service with Laidlaw Transit Services (LTS), Inc. (02P045) for the amount of \$285,000. This amendment increases the maximum contract authorization from \$19,437,285 to \$19,722,285."

Motion carried.

2007-314 - Certification that Oakdale Lift Station L11 is in “Good Operating” Condition

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council certifies that Oakdale Lift Station L11 is in good operating condition."

Motion carried.

2007-317 - Authorization to Amend Construction Cooperation Agreement with University of Minnesota for Oak Street Interceptor Phase I

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council authorizes its Regional Administrator to negotiate an amendment to the construction cooperation agreement with the University of Minnesota for Oak Street Interceptor Phase 1 to reflect actual construction costs, which increases the total Council project cost from \$2,619,055 to \$3,119,914."

Motion carried.

2007-318 - Authorization to Negotiate and Execute Construction Cooperation Agreement with Intermediate School District No. 287 for Construction of a New Interceptor Parallel to 1-FR-491, MCES Project No. 850400

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute a Construction Cooperation Agreement with Intermediate School District 287 to coordinate construction of an interceptor at the District's site at 75th Street and Penn Avenue in Richfield."

Motion carried.

2007-319 - Authorization to Amend Engineering Services Agreement for Elm Creek Interceptor Extensions and Dayton-Champlin Interceptor

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an amendment to the engineering services contract with Bonestroo, Contract No. 01P124, increasing the total contract amount for \$2,434,000 to \$2,584,000."

Motion carried.

2007-321 - Ratification of Amended Scope for Emergency Declaration on Empire Digester Repair

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council ratify the amended scope for emergency declaration on Empire Digester Repairs."

Motion carried.

2007-322 - Consolidation of Sole Source Oracle License Licensing/Support

It was moved by McDaniel and seconded by Pistilli

"That the Metropolitan Council authorizes the Regional Administrator to consolidate and execute agreements on a sole source basis with Oracle Corporation for maintenance and support services on all installed Oracle software licenses."

Motion carried.

Report of the Management Committee

Item listed on the Consent List

Report of the Transportation Committee

[2007-332](#) SW - Authorization to Execute Contract for Property for Apple Valley Transit Station Expansion

It was moved by Smith and seconded by McDaniel

"That the Metropolitan Council authorize the Regional Administrator to execute a contract with Dakota County Regional Rail Authority (DCRRA) in the amount of \$4,570,000 to pass through state bond funds to purchase property for expansion of the Apple Valley Transit Station."

Motion carried.

[2007-331](#) SW - Authorization to Award Contract for Transit Buses

It was moved by Smith and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with Gillig Corporation for the purchase of 314 forty-foot transit buses, with an option for up to an additional 300 buses, in accordance with the Council's specification and Gillig's Best and Final Offer dated September 26, 2007, contingent on satisfactory results from the Buy America Pre-Award Audit."

Motion carried.

Report of the Environment Committee

[2007-315](#) - Authorization to Negotiate Purchase Agreement for Future Crow River Wastewater Treatment Plant Site

It was moved by Leppik and seconded by Susag

"That the Metropolitan Council authorizes its Regional Administrator to negotiate a purchase agreement for the future Crow River Wastewater Treatment Plant site, MCES Project No. 801640."

Motion carried.

Report of the Community Development Committee

All Items are on the Consent List.

Other Business

[2007-336](#) - Ratification of Agreement with Minneapolis Park and Recreation Board Regarding Regional Park Land in the City of Minneapolis, Resolution [2007-31](#) PRESENTATION

Arne Stefferud presented a summary of Council actions and the recommendation for the Nicollet Island Restrictive Covenant Exchange

It was moved by Steffen and seconded by Smith

"That the Metropolitan Council adopt the attached Resolution 2007-31 ratifying an agreement with the Minneapolis Park and Recreation Board regarding regional park land in the City of Minneapolis."

.Motion carried.

[Proposed 2008-2013 Capital Improvement Program \(CIP\) and 2008 Authorized Capital Program/Budget](#)

Tom Weaver, Regional Administrator; Beth Widstrom Anderson, Chief Financial Officer

[2008-2013 Transit](#)

Ed Petrie and Amy Vennewitz presented the Transit and Transportation Services budget.

[2008-2013 Environmental Services](#)

Bill Moore presented the Environmental Services budget.

[2008-2013 Regional Parks](#)

Guy Peterson presented the Regional Parks budget.

Regional Administrator Weaver noted staff is reviewing the present parks funding policy.

[2007-334 - Adopt the Public Hearing drafts of the 2008 Unified Operating Budget and the 2008-2013 Capital Improvement Program and 2008 Capital Program and Budget](#)

Council Members interested in a briefing should contact staff. The budget will be adopted in December, following the public hearing. The draft budget can be decreased, but cannot be increased.

It was moved by Scherer and seconded by Steffen

"That the Metropolitan Council adopt the Public Hearing Drafts of the 2008 Unified Operating Budget, 2008-2013 Capital Improvement Program and 2008 Authorized Capital Program and Budget."

Motion carried.

Reports

Chair

Chair Bell reported he spoke at the official opening of the Scott County Southbridge Park and Ride.

Council Members

There was no report.

Regional Administrator

There was no report.

General Counsel

There was no 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 October 10, 2007

Approved this 24th day of October 2007.

Respectfully submitted,

Pat Curtiss
Recording Secretary