



Metropolitan Council Meeting

Wednesday, January 9, 2008

Robert Street Council Chambers

4:00 P.M.

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Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Russ Susag, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter, Brian McDaniel

Members absent: Peggy Leppik, Tony Pistilli, Mary Hill Smith, Annette Meeks

Call to Order

Administer Oath of Office – Metropolitan Council Member

Chair Bell administered the oath of office to Craig Peterson, District 4 Metropolitan Council member who was appointed by Governor Pawlenty, effective December 26, 2007. The term runs through January 1, 2011.

Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:08 p.m. It was moved by Scherer, seconded by Wolter, 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 December 12, 2007, and the minutes of the Special Metropolitan Council Meeting of December 17, 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

[2007-388](#) - List of Authorized Financial Institutions

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council approves the attached list of Authorized Financial Institutions. Appendix A)."

Motion carried.

[2007-399](#) - Urban Partnership Agreement Sub-recipient Agreements with City of Minneapolis, Minnesota Valley Transit Authority, University of Minnesota, Dakota County, and Minnesota Department of Transportation

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorizes the Regional Administrator to negotiate and execute subrecipient agreements with the five UPA Transit Project Partners: City of Minneapolis, Minnesota Valley Transit Authority (MVTA), University of Minnesota, Dakota County, and the Minnesota Department of Transportation (MnDOT) for the FTA Section 5309 Bus and Bus Capital grant as part of the Urban Partnership Agreement (UPA) project."

Motion carried.

2007-400 - Authorization for Internal Cash Flow Loan

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorizes an interim internal loan to cover the cash flow needs of the capital projects pending the issuance of general obligation bonds in early 2008."

Motion carried.

2007-401 - City of Blaine Comprehensive Plan Amendment, Pheasant Ridge, Review File No. 17055-1

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorize the City of Blaine to:

1. Put the proposed comprehensive plan amendment (CPA) into effect with no modifications, and
2. Approve a Metropolitan Council forecast change to Blaine's employment forecasts, adding 1,300 employees in 2020, and 1,400 employees in 2030. Blaine's revised employment forecasts are 23,740 in 2020 and 25,350 in 2030, as shown in the report

Motion carried.

2007-402 - Request to Delay the Date for Compliance with a Condition Required as Part of the 9/14/05-Approved Amendment to SG00-135 LCDA Grant to the City of Lino Lakes

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council enters into an agreement with the City of Lino Lakes that will delay until August 31, 2008, the city's obligation to reimburse the Council the \$450,000 paid to the city for LCDA grant SG00-135. The agreement will require the city to reimburse the Council if a traffic signal is not installed on the northbound off-ramp of I-35W at Lake Drive and operational by August 31, 2008."

Motion carried.

2007-404 - Amendment to Interagency Cooperative Agreement with Northstar Corridor Development Authority for Staff Resources

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorizes the Regional Administrator to execute amendment #4 to the Interagency Cooperative Agreement with the Northstar Corridor Development Authority relative to the provision of Council staff resources in 2008, valued at \$1,390,000.

Motion carried.

[2007-409](#) - Authorization to Reject all Bids for Metropolitan Council Environmental Services (MCES) Facility Roof Repair, Contract Number 07P093

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorizes the rejection of all bids for Metropolitan Council Environmental Services (MCES) Facility Roof Repair, Contract Number 07P093.

Motion carried.

[2007-412](#) - Increase of Delegated Construction Contract Change Order Authority for Empire Outfall Phase 3, MCES Project Number 800922, Contract Number 04P024

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council increases the delegated construction contract change order authority of its General Manager, Environmental Services, from \$647,376 to \$710,376 for the Empire Outfall Phase 3, MCES Project No. 800922, Contract No. 04P024."

Motion carried.

[2007-413](#) - Metro Mobility Peak Demand Service Demonstration Program

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorize implementation of a demonstration Metro Mobility 'peak demand' taxi program."

Motion carried.

[2007-414](#) - City of Eden Prairie CPA – Presbyterian Homes Redevelopment, Review No. 18795-18

It was moved by Susag and seconded by Wolter

"That the Metropolitan Council authorizes the City of Eden Prairie to put the comprehensive plan amendment (CPA) for Presbyterian Homes Redevelopment into effect without any plan modifications."

Motion carried.

Report of the Environment Committee

No report other than those items on the Consent List.

Report of the Transportation Committee

No report other than those items on the Consent List.

Report of the Management Committee

[2008-22](#) - 2008 PFA Transit Loan Agreement and Note (Resolution 2008-01)

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council approve Resolution No. 2008-01 authorizing the Regional Administrator to execute a loan agreement with the Minnesota Public Facilities Authority and the

issuance of a General Obligation Transit Note, Series 2008A, substantially in the form of the attached documents and in accordance with the final interest rate after the bonds are issued by the Public Facilities Authority.”

Motion carried

Report of the Community Development Committee

2007-221 - Evaluating Land Acquisition Opportunity Fund Distribution Rules

It was moved by Steffen and seconded by Sanda

"That the Metropolitan Council adopt the following rules for distributing grants from the Park Acquisition Opportunity Fund. The rules are effective from their date of adoption to June 30, 2008:

- a.. grants from the Park Acquisition Opportunity Fund may only be awarded to finance a portion of the cost to acquire land within Metropolitan Council-approved master plan boundaries, and only after the requesting regional park implementing agency has used available acquisition grant funds previously provided by the Metropolitan Council;
- b. any interest cost on a contract for deed or other timed payment plan is not eligible for grant funding. The value of a discounted sale (i.e. the difference between the appraised value and a reduced sale price) is not counted as part of the cost to acquire land and is not included as part of a local match to the grant;
- c. grants from the Park Acquisition Opportunity Fund may finance a portion of the actual cost to acquire land after deducting any Metropolitan Council grants used to finance a portion of the cost in one of two options as chosen by the requesting regional park implementing agency:

Option 1, Existing Rule:

- The Park Acquisition Opportunity Fund Grant finances up to 40% of the net cost of acquiring the land which is defined as the purchase price—not the appraised value; legal fees, appraisal costs and other closing costs incurred by the park agency; the property tax equivalency payment due to the city or township; and stewardship costs.
- That portion of the remaining 60% or more of the net cost to acquire the land as defined above that is financed by regional park implementing agency funds—not grants from other sources--may be eligible for reimbursement consideration in future Metropolitan Council regional park capital improvement programs.
- The maximum grant(s) available to a park agency under Option 1 is \$1 million.

Option 2, Revised Rule:

- The Park Acquisition Opportunity Fund Grant finances up to 75% of the net cost of acquiring the land which is defined as the purchase price—not the appraised value; legal fees, appraisal costs and other closing costs incurred by the park agency; the property tax equivalency payment due to the city or township; and stewardship costs.
- A maximum contribution of 25% of the net cost of acquiring the land as defined above that is financed by regional park implementing agency funds—not grants from other sources--is not eligible for reimbursement consideration by the Metropolitan Council. Any contribution above 25% that is financed with

regional park implementing agency funds is eligible for reimbursement consideration by the Metropolitan Council.

- The maximum grant(s) available to a park agency under Option 2 is \$1.7 million.
- d. Once a park agency chooses an option for an Acquisition Opportunity Grant, it is limited to using that option and associated agency limit for any future grants until these rules expire on June 30, 2008.

And that the Metropolitan Council reconsider the rules cited in Recommendation 1 for the period after June 30, 2008 once the Legislature has considered an appropriation of Environment and Natural Resources Trust Fund revenue to the Park Acquisition Opportunity Fund.”

Council staff will monitor grant requests for six months to see if this is a viable option for Land Acquisition Opportunity Fund Distribution.

Motion carried.

2007-344 - Tax Base Revitalization Account (TBRA) Funding Recommendations

It was moved by Steffen and seconded by Beach

“That the Metropolitan Council award \$2,385,900 for 14 Livable Communities Act (LCA) Tax Base Revitalization Account (TBRA) grants to the cities and projects identified in the staff recommendation memo and that the committee lay over the city of Hopkins, Town & Country Dodge project for reconsideration at the January 22 CDC meeting after DEED has made their funding recommendations.”

Motion carried.

Other Business

Twin Cities New Construction Housing Outlook

Ryan Jones, Metrostudy Twin Cities Director, explained that Metrostudy provides market information to the housing and related industries. Mr. Jones provided details on the regional housing market, including observations on the economy, demographics and market trends.

The Climate (Emissions) Registry

As requested at the December 12, 2007 Council meeting, Jason Willett, Environmental Services Finance Director, and Tom Thorstenson, Director, Engineering and Construction-Transit, presented additional information on The Climate Registry.

Central Corridor January-February Schedule

Robin Caufman reviewed the meetings and events that are scheduled during January and February 2008. Chair Bell encouraged Council members to attend at least two of the three scheduled ‘Listening Sessions,’ and to RSVP Robin Caufman.

Reports

Chair

Chair Bell reported:

- meetings with elected officials will be held in Council districts. A list of issues will be developed and forwarded to Council Members for input prior to the meetings;
- the Bonding Bill will be released Monday, January 14, 2008;
- Xcel Energy awarded \$150,000 grant to the Metropolitan Council/University of Minnesota for algae to biofuels research. The study will explore whether algae that comes through the Council's wastewater treatment plants could be used as a fuel source.

Council Members

Council Member Susag reported on the Environmental Services Division's 2007 achievements: No combined sewer overflows; 99.9% compliance achieved; all plants received awards, and all was done within budget, due to the quality of the facilities and staff.

Regional Administrator

Regional Administrator Weaver reported:

- Transit's 2007 ridership reached 77,000,000, exceeding its goal of 75,000,000.
- The demonstration bus service from Forest Lake to Minneapolis began this week.
- Transit Police Chief Dave Indrehus received a citation from the Transportation Security Administration for partnering with TSA on security issues affecting passengers at the MSP International Airport and on the public transit system in Minnesota.

General Counsel

There was no report.

Adjournment

Business completed, the meeting adjourned at 5:28 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 9, 2008.

Approved this 23rd day of January, 2008.

Respectfully submitted,

Susan M. Harder
Recording Secretary