



SPECIAL

Metropolitan Council Meeting

Monday, December 17, 2007

Robert Street Council Chambers

3:30 P.M.

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SPECIAL
Metropolitan Council Meeting
Monday, December 17, 2007
Council Chambers
3:30 P.M.

Part I - Narrative

Attendance:

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

Members absent:

Roger Scherer, Mary Hill Smith, Peggy Leppik, Annette Meeks, 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 3:34 p.m.

Part II - Exhibits

Business

2007-416 - 2007-2012 Capital Improvement Program and 2007 Capital Program and Budget Amendment

Arlene McCarthy, Metropolitan Transportation Services, provided justification for presenting this item at a special meeting of the Metropolitan Council:

- On October 10, the Council authorized 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 the expansion of the Apple Valley Transit Station (AVTS). The AVTS expansion is part of the Cedar Avenue BRT project which is in the approved 2007 Capital Budget.
- The purchase process agreed to by the current property owner and DCRRA is a “friendly” condemnation action by the DCRRA. Through that condemnation process, a court order requires a \$4.57 million payment no later than December 31, 2007.
- The final purchase price plus relocation costs are being determined through the legal process. The contract/grant agreement will be amended later to adjust the amount for the final price including relocation costs.
- A letter from the Commissioner of Finance authorizing the bond funds for the specific use is required before the Council can pass through the funds. The Department of Finance recently advised that the statutory language authorizing the state bonds does not explicitly call out land acquisition as an allowable use. While the Council does not agree with this interpretation, the December 31st date requires resolution acceptable to all parties.

- In the 2008 Legislative session, the Council will seek clarifying language that allows the state bonds to be used for land acquisition.
- To meet the December 31st court order date, staff recommends that \$4.57 million in Regional Transit Capital (RTC) funds be reallocated from the Northstar Commuter Rail project to the Cedar Avenue Transitway project. Because of the year end deadline, this requires immediate consideration by the Council.

Beth Widstrom-Anderson clarified this is not a bottom line change, but rather a move within two projects.

It was moved by McDaniel, seconded by Wolter

“That the Metropolitan Council pledge \$4,570,000 in RTC bond authority previously pledged, and, with the signing of the Full Funding Grant Agreement no longer committed, to the Northstar Commuter Rail Project to the Dakota County Regional Rail Authority (DCRRA) toward the purchase of property for expansion of the Apple Valley Transit Station (AVTS).”

The motion passed on the following roll call vote:

	Yes			No	Absent
	Pistilli	Sanda	Sersland Beach		Scherer
	Susag	Hilker	Wolter		M. Smith
	Wittsack	Broecker	McDaniel		Leppik
	Steffen	Aguilar	Bell		Meeks
					Dist 4 Vacant
TOTAL	12			0	5

Chair Bell thanked Council Members for making a special effort for coming today to take care of this business.

Adjournment

Business completed, the meeting adjourned at 4:45 p.m.

Part III - Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Special Metropolitan Council Meeting of December 17, 2007.

Approved this 9th day of January 2008.

Respectfully submitted,

Pat Curtiss
Secretary