



## Metropolitan Council Meeting

Wednesday, June 10, 2009

Robert Street Council Chambers

4:00 P.M.

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## Metropolitan Council Meeting

Wednesday, June 10, 2009

Council Chambers

4:00 P.M.

### Part I - Narrative

#### Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Craig Peterson, Polly Bowles, Peggy Leppik, Annette Meeks, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter, Wendy Wulff

#### Members absent:

Robert McFarlin

#### Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:08 p.m. It was moved by Scherer, seconded by Peterson, to approve the agenda. Motion carried.

#### Minutes

It was moved by Meeks, seconded by Hilker, to approve the minutes of the Metropolitan Council Meeting of May 13, 2009. 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*

##### 2009-116 - 2010-15 Regional Parks Capital Improvement Program (CIP) Structure and Timeline

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council direct Council staff to

1. Prepare a Preliminary 2010-15 Parks Capital Improvement Program (CIP) that is modeled after the 2008-13 Parks CIP using the same CIP formula shown in Table 1 and the subsequent park agency amounts shown in Table 2 of this memorandum;
2. Prepare a Preliminary 2010 State bond request of \$10.5 million that is proposed to finance the State's portion of the 2010-11 Parks CIP;
3. Prepare a Final 2010-15 Parks CIP and Final 2010 State bond request for the 2010-11 Parks CIP and coordinate that with the preparation of the Council's 2010-15 Unified CIP using the timeline shown in Table 3 of this memorandum."

Motion carried.

##### 2009-160 - Authorization to Purchase Fareboxes

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to purchase 86 new Cents-A-Bill fareboxes and TRiM units from GFI Genfare, Inc. at a total cost of \$1,080,550."

Motion carried.

2009-164 - Authorization to submit Metro Mobility Grant Application for ARRA funds

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize the Regional Administrator to submit an ARRA grant application in the amount of \$2,444,000 for Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) through the Federal Transit Administration (FTA)."

Motion carried.

2009-165 - City of Lakeland Shores 2030 Comprehensive Plan Update, Review No. 20440-1

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and take the following recommend actions of the Community Development Committee:

1. Authorize the City of Lakeland Shores to put its 2030 Comprehensive Plan Update into effect;
2. Change the planning area designation for the City from Diversified Rural to Rural Residential in the *2030 Regional Development Framework*;
3. Advise the City to:
  - a. Provide to the Council the date that the Middle St. Croix Watershed Management Organization approved the City's local surface water management plan (LSWMP) and the date that the City adopted the final LSWMP;
  - b. Implement the advisory comments noted in the Review Record for Water Supply."

Motion carried.

2009-168 - Interdivisional Transfer of Vehicles

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council approve the interdivisional transfer of two (2) buses from Metro Transit assets to Metropolitan Transportation Services (MTS) regional fleet assets."

Motion carried.

2009-173 - Authorization to Negotiate and Execute a Land Acquisition, Design, and Construction Cooperation Agreement with the City of Maple Grove for South Corcoran Extension of the Elm Creek Interceptor Improvements Project 900440

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize its Regional Administrator to negotiate and execute a Land Acquisition, Design, and Construction Cooperation Agreement with the City of Maple Grove for South Corcoran Extension of the Elm Creek Interceptor Improvements Project 900440."

Motion carried.

2009-175 - Technical Amendment to Legal Service Agreement

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorizes the General Counsel to amend legal services agreements to increase the maximum contract prices as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Term</u>	<u>Current Price</u>	<u>Proposed Increase</u>	<u>New Price</u>
Bassford Remele	Legal Services related to Tort and Property Damage Contract No. 06P152A	1/1/07-12/31/09	\$875,000	\$125,000	\$1,000,000
Parker Rosen	Legal Services related to Tort and Property Damage Contract No. 06P152B	1/1/07-12/31/09	\$250,000	\$125,000	\$375,000

Motion carried.

2009-176 - Contracts for Financial Advisors

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorizes the Regional Administrator to execute three-year contracts, with two one-year options for extension, for financial advisory services in a combined amount not to exceed \$400,000 with Springsted (\$250,000), Public Financial Management (PFM), (\$100,000), and Ehlers, Inc (50,000)."

Motion carried.

2009-177 - Approval of Revision to Travel and Meeting Reimbursement Policy (No. 3-3-2)

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council approve revision of the Travel and Meeting Reimbursement Policy as outlined to redefine local travel as required business travel that does not include an overnight stay."

Motion carried.

2009-187 - Authorization to Award and Execute a Construction Contract for South Saint Paul Forcemain Improvements, MCES Project No. 802710, Contract No. 07P58A

It was moved by Wolter and seconded by Wittsack

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the South Saint Paul Forcemain Improvements, MCES Project Number 802710, Contract No. 07P58A, with Ames Construction, Inc. for their low bid of \$13,822,748.40."

Motion carried.

Joint Report of the Community Development and Environment Committees  
Single Motion for 2009-124, 2009-131, 2009-132, 2009-133, 2009-134, 2009-158

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the advisory comments, review records, and the recommendations of the Community Development and Environment Committees for the Plan Updates for the cities of Lakeville (2009-124), Coon Rapids (2009-131), New Brighton (2009-132), Fridley (2009-133), White Bear Lake (2009-134) and Woodland (2009-158)."

Motion carried.

2009-124 - City of Lakeville 2030 Comprehensive Plan Update, Review No. 20445-1, Tier II  
Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

Recommendation of the Community Development Committee:

Authorize the City of Lakeville to put its 2030 Comprehensive Plan Update into effect.

Recommendation of the Environment Committee:

Approve the City of Lakeville's Tier II Comprehensive Sewer Plan."

Motion carried.

2009-131 - City of Coon Rapids 2030 Comprehensive Plan Update, Review No. 20227-1, Tier  
II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and

1. Authorize the City of Coon Rapids to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
  4. Provide a final copy of the 2004 SWMP, the dates that the watershed organizations approved the plan and the date the City adopted the final plan.
  5. Participate in Council activities to monitor redevelopment and infill in developed communities.
  6. Implement the advisory comments noted in the Review Record for Transportation and Water Supply.
3. Approve the City of Coon Rapids' Tier II Comprehensive Sewer Plan."

Motion carried.

2009-132 - City of New Brighton 2030 Comprehensive Plan Update, Review No. 20418-1,  
Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

1. Authorize the City of New Brighton to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:

- a. Participate in Council activities to monitor redevelopment and infill in developed communities;
  - b. Implement the advisory comments noted in the Review Record sections on transportation, land use and surface water use;
3. Approve the City of New Brighton's Tier II Comprehensive Sewer Plan."

Motion carried.

2009-133 - City of Fridley 2030 Comprehensive Plan Update, Review No. 20387-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

1. Authorize the City of Fridley to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
  - a. Adopt the revised employment forecasts;
  - b. Implement the advisory comments noted in the Review Record for parks and transportation;
  - c. Participate in Council activities to monitor redevelopment and infill in development communities;
3. Approve the City of Fridley's Tier II Comprehensive Sewer Plan."

Motion carried

2009-134 - City of White Bear Lake 2030 Comprehensive Plan Update, Review No. 20511-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and take the following recommended actions:

Recommendations of the Community Development Committee:

1. Authorize the City of White Bear Lake to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts for population, households, and employment for the City, as detailed in Table 1 of the attached Review Record, along with the revised share of the region's affordable housing need as detailed in the Housing section of the Review Record;
3. Advise the City to:
  - a. Participate in Council activities to monitor redevelopment in developed communities;
  - b. Implement the advisory comments noted in the Review Record for Forecasts and Water Supply;

Recommendation of the Environment Committee:

Approve White Bear Lake's Tier II Comprehensive Sewer Plan."

Motion carried.

2009-158 - City of Woodland 2030 Comprehensive Plan Update Review File No. 20544-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Sanda:

"That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the follow:

1. Authorize the City of Woodland to put its 2030 Comprehensive Plan Update into effect;
2. Approve the City of Woodland's Tier II Comprehensive Sewer Plan."

Motion carried.

*Report of the Transportation and Management Committees*  
2009-159 - Request Change to Target Fund Balance Policy

It was moved by Scherer and seconded by Broecker

"That the Metropolitan Council approve revision of the Target Fund Balance Policy as it relates to Metropolitan Transportation Services in accordance with the attached revised Target Fund Balance policy."

Motion carried.

2009-169 - Authorization to Procure Railroad Liability Insurance for Northstar Commuter Rail

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council authorize the procurement of railroad liability insurance for the Northstar Commuter Rail Operations in an amount not to exceed \$2,055,889. This insurance would be effective from 6/1/09-12/31/10."

Phil Waljasper, Director of Risk Management, clarified that the Council's self insured retention pay-out precedes the insurance carrier's coverage. The \$2 million self-insured retention is funded out of Northstar Operating budget and is budgeted separately from the insurance premium.

Motion carried.

*Report of the Transportation Committee*

2009-183 SW - 2009 2012 TIP Amendment: Include 32 Regional ARRA Projects, Tab Action 2009-33

It was moved by Meeks and seconded by Peterson

"That the Metropolitan Council concur with Transportation Advisory Board (TAB) action to amend the 2009-2012 Transportation Improvement Program (TIP) to include 32 projects to be funded with regional ARRA funding."

Motion carried.

*Note: Council Member McFarlin did not attend the June 10 Council meeting; he did recuse himself from the discussion and vote on this item at the June 8, 2009 Transportation Committee meeting.*

2009-184 SW - 2009-2012 TIP Amendment: Include 10 Transportation Enhancements III ARRA Projects, TAB Action 2009-37

It was moved by Meeks and seconded by Hilker



"That the Metropolitan Council concur with Transportation Advisory Board action to amend the 2009-2012 Transportation Improvement Program (TIP) to include 10 projects with a total federal amount of \$7,791,806 to receive Transportation Enhancements ARRA funds."

Motion carried.

2009-185 SW - 2009-2012 TIP Amendment: Include MDOT ARRA funded projects, TAB Action 2009-35

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council concur with Transportation Advisory Board (TAB) action to amend the 2009-2012 Transportation Improvement Program (TIP) to include projects as shown on attached tables that will be funded with MnDOT ARRA funding."

MnDOT initiated and the TAB passed two previous TIP Amendments adding projects funded with ARRA funds. MnDOT is removing some projects in response to recent funding adjustments. This action reflects the project adjustments.

Motion carried.

*Report of the Management Committee*

Items were on the Consent List and Joint Report.

*Report of the Environment Committee*

2009-189 SW - Authorization to Award and Execute Construction Contract for Blue Lake WWTP Phase I Liquids Improvements, Project No. 801830, Contract No. 08P035

It was moved by Leppik and seconded by Wittsack

"That the Metropolitan Council authorizes its Regional Administrator to award and execute a construction contract for the Blue Lake WWTP Phase I Liquids Improvements Project No. 801830, Contract No. 08P035, to Knutson Construction Services for their low bid of \$43,051,000."

Motion carried.

**Other Business**

Northstar Vertical Circulation Building

Brian Lamb and Chris Weyer, Metro Transit, presented an update of the Northstar Project and a simulation of the design and use of the Vertical Circulation Building.

Northstar construction is 85% complete. Two railcars have been delivered to the Big Lake facility and mainline testing will begin when the maintenance staff has completed training. Staff is finalizing the Northstar capitalized projects and gearing up for Northstar operations. Various policy issues, including agreements with project partners, will be coming before the Council for ratification in July.

The Northstar rail line and Hiawatha LRT meet at the Vertical Circulation Building, Transit's main terminus in downtown Minneapolis, and near the Twins Ballpark site. The Northstar and Twins Ballpark projects have multiple partners and all work is coordinated by a cooperation agreement:

- Minnesota Twin pay for construction of the Vertical Circulation Building
- Minnesota Ballpark Authority (MBA) pays for realignment of BNSF tracks and the changes to the 5<sup>th</sup> Street Bridge abutment and deck to accommodate the ballpark
- Northstar will provide LRT equipment contained within Vertical Circulation Building

The Twins will fund construction of the building; Metro Transit will pay for operation and maintenance, assuming the role as tenant of the facility.

Staff will continue to negotiate with project partners on future operational issues. Hennepin County staff is visioning about future multi-modal use of this area.

Staff will work with Minneapolis city staff to schedule a Building and ballpark tour for Council Members.

#### Bus Safety and Security

Mike Conlon, Metro Transit Director of Safety and David Indrehus, Metro Transit Chief of Police, Presented an overview comparing Metro Transit operations against the transit industry, using FTA's National Transit Database Date. In a comparison of report incidents involving injury or damage, Metro Transit compares well against the Top 30 transit properties. Uniformed officers' bus on-board hours continues to increase annually. Metro Transit has partnered with the Minneapolis SafeZone, TSA/FAM, Brooklyn Center Police, and MADDADS to encourage passenger safety. V.J. Smith, of MADDADS was introduced. Chair Bell thanked Mr. Smith for MADDADS' participation in helping to improve bus safety.

Councilmembers expressed the importance of telling the story about bus safety and security. Chair Bell asked that presentation information be made available to Councilmembers.

#### Council Basics: Overview of Council activities using presentation hardware

Steve Dornfeld, Public Affairs Director, introduced a new communication tool, available on the Council's website: <http://www.metrocouncil.org/media/CouncilBasics/player.html>

Other topics are being developed and Councilmembers will be updated when they are available.

The Council Basics presentation will be put on a CD and distributed to Councilmembers.

### **Reports**

#### *Chair*

Chair Bell reported:

- he continues working on Central Corridor as the CCLRT FEIS filing date approaches;
- a Title VI complaint has been filed by the Preserve and Benefit Historic Rondo Committee against the Metropolitan Council and sent to the Federal Transit Administration Office of Civil Rights. Staff is responding and Councilmembers will be updated.

*Council Members*

Councilmember Pistilli reported there are several vacancies on the Land Use Advisory Committee (LUAC). Staff will notify Councilmembers if vacancies exist in their districts.

*Regional Administrator*

Regional Administrator Weaver reported:

- the Council closed on \$.5 Million Land Acquisition for Affordable New Development (LAAND) loan to the City of Minneapolis, for a housing development near the Franklin Avenue LRT station;
- May marked 28 consecutive months of compliance for the Council's wastewater treatment plants;
- MetroMobility was audited for compliance with MTB requirements and got another clean audit;
- Councilmembers are welcome to attend the MnDOT –sponsored June 24 symposium on long-range transportation funding solutions;
- MnDOT is hosting open houses on June 23 in Minneapolis and June, 24 in St. Paul to highlight their work on I-94 between Minneapolis and St. Paul.

*General Counsel*

Acting General Counsel Mark Thompson had no report.

**Adjournment**

Business completed, the meeting adjourned at 5:32 PM.

**Part III - Certification**

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of June 10, 2009.

Approved this 24th day of June, 2009.

Respectfully submitted,



Pat Curtiss  
Secretary

