



# Metropolitan Council

## Metropolitan Council Meeting

Wednesday, July 8, 2009

Robert Street Council Chambers

4:00 P.M.

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## **Metropolitan Council Meeting**

Wednesday, July 8, 2009

Council Chambers

4:00 P.M.

### **Part I – Narrative**

#### **Attendance:**

Peter Bell, Chair; Tony Pistilli, Robert McFarlin, Craig Peterson, Polly Bowles, Annette Meeks, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, Rick Aguilar, Kirstin Sersland Beach, Daniel Wolter, Wendy Wulf

#### **Members absent:**

Roger Scherer, Peggy Leppik

#### **Call to Order and Approval of Agenda**

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:13 p.m. It was moved by Steffen, seconded by Wittsack, to approve the agenda. Motion carried.

#### **Minutes**

It was moved by Meeks, seconded by Wittsack, to approve the minutes of the Metropolitan Council Meeting of July 24, 2009. Motion carried.

#### **Public Invitation**

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

### **Part II – Exhibits**

#### **Business**

*Joint Report of Management, Community Development and Transportation Committees*

2009-179 - 2009 Unified Operating Budget Amendment

It was moved by Wittsack and seconded Broecker

“That the Metropolitan Council amend the 2009 Unified Operating Budget as indicated and in accordance with attached tables”

Motion carried on the following roll call vote:

	Yes			No	Absent
	Pistilli	Wittsack	Aguilar		Scherer
	McFarlin	Steffen	Wolter		Leppik
	Peterson	Sanda	Wulff		Sersland Beach
	Bowles	Hilker	Bell		
	Meeks	Broecker			
<b>TOTAL</b>	14				3

2009-180 - 2009-2014 Capital Improvement Plan and 2009 Capital Program and Budget Amendment

It was moved by Wittsack and seconded by Meeks

"That the Metropolitan Council

- amend the 2009 Authorized Capital Program (Multi-year authorization) by adding or subtracting spending authority as follows:
  - Metro Transit \$ 2,766,375 in new authority
  - Metropolitan Transportation Services \$ 1,995,598 in new authority
  - Parks and Open Space \$ 15,530,000 in new authority
  - Metropolitan Transportation Services (\$ 10,371,659) to remove completed projects;
- amend the 2009 Capital Budget (annual appropriation) by increasing spending authority as follows:
  - Metro Transit \$ 2,766,375
  - Metropolitan Transportation Services \$ 1,995,598
  - Parks and Open Space \$ 6,490,000
- approve new projects and transfers between capital projects as detailed in Attachment 1"

Motion carried on the following roll call:

	Yes			No	Absent
	Pistilli	Wittsack	Aguilar		Scherer
	McFarlin	Steffen	Wolter		Leppik
	Peterson	Sanda	Wulff		Sersland Beach
	Bowles	Hilker	Bell		
	Meeks	Broecker			
<b>TOTAL</b>	14				3

*Committee Consent List*

2009-211 - 2009-2012 TIP Amendment: Include Five Projects in the Federal Appropriations Act – TAB Action 2009-39

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council concur with Transportation Advisory Board (TAB) action to amend the 2009-2012 Transportation Improvement Program (TIP) to include five projects that have received 2009 appropriation funds."

Motion carried.

2009-213 - RALF Annual Plan

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council approve the 2009 Annual RALF Program Plan which includes the same corridors and program guidelines as the 2008 plan."

Motion carried.

2009-214 - Authorization to Award and Execute Construction Contract for Blue Lake Wastewater Treatment Plan Solids Improvements, Contract 09P001

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council authorizes its Regional Administrator to award and execute a construction contract for the Blue Lake Solids Improvements Project No. 801840, Contract No. 09P001, to Adolphson & Peterson Construction Services for their low bid of \$27,822,712."

Motion carried.

2009-215 - Authorization to Award and Execute Construction Contract for Victoria Interceptor Sewers Tunnels, MCES Project No. 80212, Contract 08P228

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council authorizes its Regional Administrator to award and execute a construction contract for the Victoria Interceptor Sewer Tunnels, MCES Project No. 802812, Contract No. 08P228, with Lametti & Sons for their low bid of \$27,353,700, subject to determination of their good faith efforts to meet the disadvantaged business participation goals for this project."

Motion carried.

2009-216 - Authorization to Amend Engineering Services Agreement for South St. Paul Forcemain Improvements, MCES Project No. 802710, Contract No. 03P128R

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an amendment to the engineering services contract with Howard R. Green Company, Contract No. 03P128R, MCES Project No. 802710, increasing the contract amount from \$1,147,408 to 1,263,408."

Motion carried.

2009-217 - Authorization to Award and Execute Construction Contract for Elko-New Market Interceptor, Eureka-Lakeville Segments, MCES Project No. 801615

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council authorize its Regional Administrator to award and execute a contract for construction of the Elko New Market Interceptor - Eureka Forcemain / Lakeville Gravity Segment, Project No. 801615, Contract 08P186, with Ames Construction, Inc. for its low bid of \$7,142,946.65."

Motion carried.

2009-220 - Northstar / Twins Ballpark Operation and Maintenance Agreement

It was moved by Wolter, and seconded by Wulff

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute the Operations and Maintenance Agreement by the Metropolitan Council, Minnesota Ballpark Authority, Minnesota Twins Ballpark, LLC, and Minnesota Twins, LLC for the purpose of establishing responsibility between the parties for the ongoing operation and maintenance for the Northstar Commuter Rail Minneapolis Station, Hiawatha Light Rail Transit Ballpark Station and the Vertical Circulation Building connecting the two stations."

Motion carried.

*Report of the Management Committee*

2009-222 SW - Authorization to Amend Contract for Security Guard Services

It was moved by Wittsack and seconded by Pistilli

"That the Metropolitan Council authorize the Regional Administrator to execute a contract amendment with General Security Services Corporation (GSSC) to increase the contract's maximum compensation by \$50,000 to a total amount of \$2,235,000."

Motion carried.

*Report of the Environment Committee*

Items are on the Consent List and Joint Report.

*Joint Report of the Environment and Management Committees*

2009-188 - Authorization for Service Availability Charge (SAC) Reserve Fund Use

It was moved by Wittsack and seconded by Pistilli

"That the Metropolitan Council authorizes the Service Availability Charge reserve fund minimum balance exception for an economic downturn stated in Council policy 3-2-5."

It was moved by Bowles and seconded by Pistilli

"to amend the original motion to say: authorize the Service Availability Charge reserve fund minimum balance exception for 2009 only, up to \$2Million below the minimum balance."

Motion on the amendment was approved by a show of hands.

2009-188R - Authorization for Service Availability Charge (SAC) Reserve Fund Use

"That the Metropolitan Council authorize the Service Availability Charge reserve fund minimum balance exception for 2009 only, up to \$2Million below the minimum balance, an economic downturn stated in Council policy 3-2-5."

Motion carried

Chair Bell directed staff to review the SAC Reserve Fund program and develop options to mitigate the ongoing depletion, for consideration at a future Council meeting.

### *Report of the Community Development Committee*

Items on Joint Committee Report

### *Report of the Transportation Committee*

#### 2009-209 - Amendment to the 2009 UPWP, Resolution 2009-06

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council:

1. amend the 2009 Unified Planning Work Program, as shown on the attached summary sheet, to add \$909,608 CPG Planning funds and \$3,500,000 ARRA funds for an amended budget of \$8,419,681;
2. adopt the attached resolution and authorize the Regional Administrator to amend the UPWP agreement with the State of Minnesota, Department of Transportation, to obtain the additional planning funds."

Motion carried.

#### 2009-212 - Authority to Execute Agreements with MVTA and Maple Grove

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator to execute an agreement with Maple Grove for:

- \$1,686,757 required local match for a Congestion Mitigation and Air Quality (CMAQ) federal award of \$6,747,028 and;
- Up to \$250,000 of additional RTC funds for costs associated with expansion of the lot capacity."

Motion carried.

#### 2009-219 - Authorization to Apply for JARC Funding for Van-GO! Resolution 2009-07

It was moved by Meeks and seconded by Sanda

"That the Metropolitan Council approve Resolution 2009-07 authorizing the Regional Administrator to apply for 2010 Job Access and Reverse Commute (JARC) funding from the Minnesota Department of Transportation (MnDOT)."

Motion carried, with Pistilli dissenting.

### **Other Business**

#### Northstar Update

Ed Byers presented an update on Northstar activities at the Big Lake Vehicle Maintenance Facility. Static and mainline testing for the five locomotives began June 29. Each locomotive has 3600 horsepower, a 2500 gallon fuel tank, and a top speed of 79 MPH. Each train car holds two bicycles

and carries 140 passengers. The train operates as a four-car set, plus one locomotive. A locomotive leads from one end and a cab car leads the train from the other end, resulting in a push /pull mode, into and out of the City.

The Update on Residential Housing Construction will be rescheduled for a later time.

## **Reports**

### *Chair*

There was no report.

### *Council Members*

Councilmember Meeks reminded members of the Transportation Committee meeting on Monday, July 13 at Heywood, when the Northstar weekend fares will be discussed.

### *Regional Administrator*

Regional Administrator asked Councilmembers to sign up for the July 16, 17 budget workshops. Another workshop date will be selected.

### *General Counsel*

Acting General Counsel Mark Thompson had no report.

## **Adjournment**

Business completed, the meeting adjourned at 5:25 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 July 8, 2009.

Approved this 22nd day of July, 2009.

Respectfully submitted,



Pat Curtiss  
Secretary