



Metropolitan Council Meeting

Wednesday, August 12, 2009

Robert Street Council Chambers

4:00 P.M.

Table of Contents

Part I - Narrative	1
Attendance:.....	1
Call to Order and Approval of Agenda.....	1
Minutes	1
Public Invitation	1
Part II - Exhibits	1
Business	1
Committee Consent List.....	1
2009-194 - Metro HRA Section 8 Administrative Plan Revisions.....	1
2009-223 - Reimbursement Authorization for Ramsey County Regional Park Projects Financed with FY 2011 Parks and Trails Fund Appropriation	1
2009-250 - Grey Cloud Island Township 2030 Comprehensive Plan Update, Review No. 20407-1.....	2
2009-255 - LCA Grant Amendment Procedures – Revisions to the Term of Extensions.....	2
2009-258 - Authorization to Apply for Section 5311 Nonurbanized Formula Program Funds, Resolution No. 2009-13.....	2
2009-259 - Authorization to Purchase a Combination Sewer Cleaning Machine	2
Report of the Environment Committee	3
Joint Report of the Community Development and Environment Committees .	3
Single Motion - 2009-218, 2009-238, 2009-239, 2009-240, 2009-241, 2009-242 ...	3
2009-218 - City of Vermillion 2030 Comprehensive Plan Update, Review No. 20461- 1, Tier II Comprehensive Sewer Plan.....	3
2009-238 - City of Maple Plain 2030 Comprehensive Plan Update, Review No. 20507-1, Tier II Comprehensive Sewer Plan	3
2009-239 - City of Edina 2030 Comprehensive Plan Update, Review No. 20413-1, Tier II Comprehensive Sewer Plan	4
2009-240 - City of Arden Hills 2030 Comprehensive Plan Update, Review No. 20476-1, Tier II Comprehensive Sewer Plan	4
2009-41 - City of Oakdale 2030 Comprehensive Plan Update, Review No. 20281-1, Tier II Comprehensive Sewer Plan	5
2009-242 - Empire Township 2030 Comprehensive Plan Update, Review No. 20596- 1, Tier II Comprehensive Sewer Plan.....	5
Report of the Community Development Committee.....	5

Report of the Transportation Committee	6
2009-226 - Construction of Bus Rapid Transit Station at I-35W and 46 th Street in Minneapolis, Project 63111	6
2009-227 - Contract Amendment for Central Corridor Light Rail Transit Assistant Project Director Consultant	6
2009-248 - Contract Amendment for Central Corridor Light Rail Transit Engineering Services Consultant	6
2009-251 SW - Construction of Storage Tank Additions at Overhaul Base and South Garages, Project 62710	6
2009-257 - Southwest Corridor Sub-recipient Grant Agreement with Hennepin County Regional Rail Authority	7
Report of the Management Committee	7
2009-266 SW - Authorization to Execute Loan Agreements with the Public Finance Authority	7
2009-267 SW - Authorization to Amend Contract for Security Guard Services	7
Other Business	7
Regional Framework Benchmarks	7
Reports	8
Chair	8
Council Members	8
Regional Administrator	8
General Counsel	8
Adjournment	8
Part III - Certification	9

Metropolitan Council Meeting

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Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Robert McFarlin, 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: Craig Peterson, Polly Bowles,

Call to Order and Approval of Agenda

A quorum being present, the Chair called the regular meeting of the Metropolitan Council to order at 4:01 p.m. It was moved by Wittsack, seconded by Wulff, to approve the agenda. Motion carried.

Minutes

It was moved by Wolter, seconded by Meeks to approve the minutes of the Metropolitan Council Meeting of July 22, 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

2009-194 - Metro HRA Section 8 Administrative Plan Revisions

It was moved by McFarlin and seconded by Meeks

"That the Metropolitan Council adopt the revised Administrative Plan for the Section 8 Housing Choice Voucher Program as described in the business item."

Motion carried.

2009-223 - Reimbursement Authorization for Ramsey County Regional Park Projects Financed with FY 2011 Parks and Trails Fund Appropriation

It was moved by McFarlin and seconded by Meeks

"That the Metropolitan Council authorize Ramsey County to expend funds on the following State Fiscal Year 2011 Parks and Trails Fund projects under the stipulation that the County will not be reimbursed for its expenses from the FY 2011 Parks and

Trails Fund appropriation until the appropriation is available and after execution of grant amendments or grant agreements for these projects:

1. \$141,000 to complete the Nature Play Area and Children's Garden at Bald Eagle Otter Lakes Regional Park's Nature Center.
2. \$130,000 for Tamarack Nature Center Volunteer Corps.
3. \$343,000 for Battle Creek Regional Park restoration of a 200 acre prairie and oak savannah."

Motion carried.

2009-250 - Grey Cloud Island Township 2030 Comprehensive Plan Update, Review No. 20407-1

It was moved by McFarlin and seconded by Meeks

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

1. authorize Grey Cloud Island Township to put its 2030 Comprehensive Plan Update into effect
2. adopt the revised forecasts for the Township, 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 Forecasts section of the Review Record
3. advise the Township to:
 - a. Provide the Council with a final copy of the surface water management plan (SWMP) after the South Washington Watershed District (SWWD) approves the plan, and to provide the Council with the date that the SWWD approves the SWMP and the date that the Township adopts the final SWMP;
 - b. Address the "Notification" requirement as detailed in the Aviation section of the Review Record."

Motion carried.

2009-255 - LCA Grant Amendment Procedures - Revisions to the Term of Extensions

It was moved by McFarlin and seconded by Meeks

"That the Metropolitan Council adopt the attached revised LCA grant extension review criteria and processes and incorporate these revised criteria and processes into the Livable Communities Act (LCA) Grant Amendment Procedures."

Motion carried.

2009-258 - Authorization to Apply for Section 5311 Nonurbanized Formula Program Funds, Resolution No. 2009-13

It was moved by McFarlin and seconded by Meeks

"That the Metropolitan Council approve Resolution 2009-13 authorizing the Regional Administrator to apply for 2010 Section 5311 Nonurbanized Area Formula Program funding from the Minnesota Department of Transportation (MnDOT)."

Motion carried.

2009-259 - Authorization to Purchase a Combination Sewer Cleaning Machine

It was moved by McFarlin and seconded by Meeks

"That the Metropolitan Council authorize the Regional Administrator to execute a Purchase Orders with MacQueen Equipment, Inc. for an amount of \$333,214 to provide a combination jet / vacuum sewer cleaning truck."

Motion carried.

Report of the Environment Committee

Items are included on the Consent List and Joint Report.

Joint Report of the Community Development and Environment Committees

Single Motion - 2009-218, 2009-238, 2009-239, 2009-240, 2009-241, 2009-242

It was moved by Steffen and seconded by Leppik

"That the Metropolitan Council adopt the advisory comments, review records, and the recommendations of the Community Development and Environment Committees for the Comprehensive Plan Updates for the cities of Vermillion (2009-218), Maple Plain (2009-238), Edina (2009-239), Arden Hills (2009-240), Oakdale (2009-241) and Empire Township (2009-242)."

Motion carried.

2009-218 - City of Vermillion 2030 Comprehensive Plan Update, Review No. 20461-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

Recommendation of the Community Development Committee:

1. Authorize the City of Vermillion 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 share of the regional's affordable housing need as detailed in the Housing section of the Review Record.
3. Implement the advisory comments in the water supply section.

Recommendation of the Environment Committee:

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

Motion carried.

2009-238 - City of Maple Plain 2030 Comprehensive Plan Update, Review No. 20507-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Maple Plain to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts 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 of 19 units as detailed in the Housing section of the Review Record;
3. Change the planning area designation of the City from Developing to Developed in the *2030 Regional Development Framework*;
 4. Advise the City to participate in Council activities to monitor redevelopment in Developed Communities; and
 5. Approve the City of Maple Plain's Tier II Comprehensive Sewer Plan."

Motion carried.

2009-239 - City of Edina 2030 Comprehensive Plan Update, Review No. 20413-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Edina to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts as shown in Table 1 of the Review Record; and
3. Advise the City to:
 - a. Update its Comprehensive Water Resource Management Plan (CWRMP) by the end of 2009, send to the Council a copy of the updated CWRMP for review when it is sent to the watersheds for review and approval, and inform the Council when the watershed districts approved the City's 2004 CWRMP and the date that the City adopted that plan.
 - b. Participate in Council activities to monitor redevelopment in developed communities.
 - c. Implement the advisory comments noted in the Review Record for Forecasts, Water Supply and Plan Implementation.
4. Approve the City of Edina's Tier II Comprehensive Sewer Plan.

Motion carried

2009-240 - City of Arden Hills 2030 Comprehensive Plan Update, Review No. 20476-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Arden Hills to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
 - a. Work with Council staff on revising the affordable housing need number as part of the future Twin Cities Army Ammunition Plant comprehensive plan amendments
 - b. Participate in Council activities to monitor redevelopment and infill in developed communities;
 - c. Implement the advisory comments noted in the Review Record sections on transportation and aviation;
 - d. Update the LSWMP within two years from the date that the new Rice Creek Watershed District (RCWD) watershed management plan is approved by BWSR, and submit it to the Council for review

- concurrent with its submittal to the RCWD for approval; and
3. Approve the City of Arden Hills' Tier II Comprehensive Sewer Plan."

Motion carried.

2009-41 - City of Oakdale 2030 Comprehensive Plan Update, Review No. 20281-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize the City of Oakdale to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
 - a. Send the Council the dates that the watershed organizations approve the Surfacewater Management Plan (SWMP), the date the City adopts the final plan and a copy of the final adopted SWMP;
 - b. Participate in the Council's redevelopment monitoring program;
 - c. Implement the advisory comments in the Review Record for parks, transportation, and water supply;
3. Change the planning area from Developing to Developed; and
4. Approve the City of Oakdale's Tier II Comprehensive Sewer Plan."

Motion carried.

2009-242 - Empire Township 2030 Comprehensive Plan Update, Review No. 20596-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Leppik

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

1. Authorize Empire Township to put its 2030 Comprehensive Plan Update into effect; and,
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 share of the regional's affordable housing need as detailed in the Housing section of the Review Record.
3. Require the Township to continue to participate in the Council's Plat Monitoring Program
4. Advise the Township:
 - a. That it will need to apply for wastewater connection permits from the Council at the time services are proposed; and,
 - b. Residential land uses adjacent to the Wastewater Treatment Plant are not compatible and the Township is encouraged to reevaluate this guiding.
5. Approve Empire Township's Tier II Comprehensive Sewer Plan."

Motion carried.

Report of the Community Development Committee

Items are included on the Consent List and Joint Report.

Report of the Transportation Committee

2009-226 - Construction of Bus Rapid Transit Station at I-35W and 46th Street in Minneapolis, Project 63111

It was moved by Meeks and seconded by Wulff

"That the Metropolitan Council Authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Lund-Martin Construction, for the construction of the Bus Rapid Transit (BRT) Station at I-35W and 46th Street in Minneapolis, MN."

Motion carried.

2009-227 - Contract Amendment for Central Corridor Light Rail Transit Assistant Project Director Consultant

It was moved by Meeks and seconded by Wulff

"That the Metropolitan Council authorize the Regional Administrator:
to negotiate and execute an amendment to the professional services contract with Gary Erickson for Assistant Project Director for Design and Engineering Services for the Central Corridor Light Rail Transit (CCLRT) project. The amendment increases the not-to-exceed amount by \$45,000 for services related to the continued advancement of Preliminary Engineering for a total amended contract amount of \$512,000 and
to issue a Notice-To-Proceed (NTP) to Gary Erickson for services related to the continued advancement of Preliminary Engineering through calendar year 2009."

Motion carried.

2009-248 - Contract Amendment for Central Corridor Light Rail Transit Engineering Services Consultant

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council authorize the Regional Administrator:
to execute an amendment to the professional services contract with AECOM USA, Inc. for preliminary and final design of two pedestrian tunnels in the State Capitol area in the amount of \$313,000 for a total contract amount of \$92.5 million and
to issue a Notice-To-Proceed (NTP) to AECOM USA, Inc. for preliminary and final design of the two pedestrian tunnels in the amount of \$313,000. The total contract spending authority shall not exceed \$52.6 million."

Motion carried.

2009-251 SW - Construction of Storage Tank Additions at Overhaul Base and South Garages, Project 62710

It was moved by Meeks and seconded by Leppik

"That the Metropolitan Council Authorize the Regional Administrator to award and execute a contract with the lowest responsive and responsible bidder, Morcon Construction, for the construction of Storage Tank Additions at the Overhaul Base in St. Paul and the South Garage in Richfield at a cost of \$1,296,070.50."

Motion carried.

2009-257 - Southwest Corridor Sub-recipient Grant Agreement with Hennepin County Regional Rail Authority

It was moved by Meeks and seconded by Steffen

"That the Metropolitan Council Authorize the Regional Administrator to negotiate and execute a sub-recipient grant agreement (SGA) with the Hennepin County Regional Rail Authority (HCRRA) passing through a \$534,375 Federal Transit Administration (FTA) Section 5339 Alternatives Analysis (AA) grant for the Southwest Corridor project."

Sersland Beach stated that because the Southwest Corridor project doesn't include a bus alternative, she will vote against this item.

Motion carried.

Report of the Management Committee

2009-266 SW - Authorization to Execute Loan Agreements with the Public Finance Authority

It was moved by Scherer and seconded by Wittsack

"That the Metropolitan Council approves the attached Resolutions 2009-23 and 2009-24 to authorize the Regional Administrator to execute loan agreements with the Minnesota Public Facilities Authority (PFA) in substantially the same form as the attached agreements. And further, to issue the related General Obligation Sewer Notes securing the loan agreements substantially in the form of the Notes referenced in the resolutions."

Motion carried.

2009-267 SW - Authorization to Amend Contract for Security Guard Services

It was moved by Scherer and seconded by Broecker

"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 \$19,000 to a total amount of \$2,254,000."

Motion carried.

Other Business

Regional Framework Benchmarks

Libby Starling, Metropolitan Council Research Manager, presented an update on the Council's Framework Benchmarks:

1. Accommodating our region's growth in a flexible, connected and efficient manner;
2. Slowing the growth in traffic congestion and improving mobility;
3. Encouraging expanded choices in housing locations and types;
4. Working to conserve, protect and enhance the region's vital natural resources.

Councilmember Pistilli suggested the Council Framework Benchmarks be considered as a topic for the Council Member retreat.

Reports

Chair

Chair Bell reported:

- he, Council staff and Council members met with local officials at the July 29 Anoka County District Dialogue;
- the majority of his work involves negotiations with the University on CCLRT issues; and
- he continues to focus the Regional Parks Foundation.

Council Members

Scherer reported

- Moody's Investors Services, Inc. and Standard and Poors, Inc. acknowledged the Council's strong financial management; and
- today's public bond sales were park bonds at 1.028% and Transit Bonds at 2.717%

McFarlin reported

- he attended Rep. Oberstar's speech at the University last week and does not expect the transportation reauthorization bill to be passed by this Congress any time soon;
- he will miss the August 26 Council meeting because he will accompany the Minnetonka High School 14-year old Babe Ruth baseball team, winners of the Midwest Plains regional tournament, to the Babe Ruth World Series in Appleton, WI.

Sersland Beach reported the CCLRT station design and public art will be unveiled Thursday, August 20 at the Goodwill Easter Seal Offices, 553 Fairview Avenue North, St. Paul.

Regional Administrator

Guy Peterson, sitting in for acting Regional Administrator Bill Moore reported Mr. Moore signed off on an emergency today for a broken water line at the Hastings treatment plant. The line is being repaired and details will be provided with the ratification request at the next Council meeting.

General Counsel

Interim General Counsel Dave Theisen reported Deputy Counsel Mark Thompson will retire on August 21 from the Metropolitan Council. Theisen commended Thompson for his expertise and many years of service.

Adjournment

Business completed, the meeting adjourned at 5:20 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 August 12, 2009.

Approved this 9th day of September, 2009.

Respectfully submitted,

A handwritten signature in cursive script that reads "Pat Curtiss".

Pat Curtiss
Secretary

