



Metropolitan Council Meeting

Wednesday, April 28, 2010

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
Other Business	1
Joint Report of Transportation and Management Committees	1
2010-115 SW - 2010 Unified Operating Budget Amendment	1
Joint Report of Community Development, Transportation and Management Committees	2
2010-116 SW - 2010 Unified Capital Program Amendment	2
Committee Consent List	2
2010-123 - Amendments to Urban Partnership Agreement (UPA) Transit Technology Contracts and the City of Minneapolis Subrecipient Grant Agreement	2
2010-124 - Authorization to Amend Work Uniform Contract	3
2010-127 - Authorization to Purchase Replacement Small Buses	3
2010-129 - Council Subsidized Vanpool Program Changes	3
2010-135 - Ratification of Declaration of Emergency for Repair of Plymouth Interceptor 1-PM-466	3
2010-136 - Authorization to Reject Proposals for Architectural and Engineering Design and Construction Support Services for the Metropolitan Wastewater Treatment Plant Vactor Site, Contract No. 09P228C	3
2010-137 - Authorization to Negotiate and Execute Engineering Services Contract 09P228A for the Design and Construction Support for Metropolitan Wastewater Treatment Plant (MWWTP) Projects	4
2010-138 - Authorization to Negotiate and Execute Engineering Services Contract 09P228B for Metropolitan Wastewater Treatment Plant (MWWTP) Electrical Projects	4
2010-139 - Authorization to Negotiate and Execute Contracts for Professional Geotechnical and Testing Services with AECOM, Inc., Braun Intertec and American Engineering Testing	4

2010-140 - Authorization to Hold Public Hearing on the SAC Transfer Amount which impacts Sewer Availability Charges (SAC) and Municipal Wastewater Charges	4
2010-141 - Direction to Hold Public Meeting on Proposed Guidelines for the Infiltration/Inflow (I/I) Grant Program	4
2010-143 - Family Affordable Housing Program - HUD Management Certification, Resolution 2010-12	5
2010-144 - City of St. Paul District 4 Update Comprehensive Plan Amendment, Review No. 20535-2	5
2010-145 - City of St. Louis Park Request to Amend Livable Communities Demonstration Account Grant for Hoigaard Village	5
2010-146 - City of St. Paul Request to Amend Livable Communities Demonstration Account Grant for Dale Street Village	5
2010-147 - Request to reallocate balance of Grant SG-2008-037 from completed Central Anoka County Regional Trail project to Grant SG-2008-051 for Rice Creek Chain of Lakes Park Reserve development project, Anoka County	6
2010-148 - Park Acquisition Opportunity Fund Grant request for Grey Cloud Island Regional Park, Washington County	6
2010-150 - Authorization to Renew the Metropolitan Council's Property Insurance with FM Global	6
Report of the Environment Committee	6
Joint Report of the Community Development and Environment Committees.	7
Single Motion – 2010-130, 2010-131, 2010-132. 2010-133, 2010-134,	7
2010-130 - City of Spring Lake Park 2030 Comprehensive Plan Update, Review No. 20623-1, Tier II Comprehensive Sewer Plan	7
2010-131 - City of Independence 2030 Comprehensive Plan Update, Review No. 20621-1, Tier II Comprehensive Sewer Plan	7
2010-132 - City of Burnsville 2030 Comprehensive Plan Update, Review No. 20458-1, Tier II Comprehensive Sewer Plan	8
2010-133 - White Bear Township 2030 Comprehensive Plan Update, Review No. 20548-1, Tier II Comprehensive Sewer Plan	8
2010-134 - City of Hilltop 2030 Comprehensive Plan Update, Review No. 20600-1, Tier II Comprehensive Sewer Plan	9
Report of the Community Development Committee.....	9
2010-149 - Park Acquisition Opportunity Fund Grant request for Above the Falls Regional Park, Minneapolis Park & Rec. Board	9
Report of the Management Committee	10
2010-122 - Adoption of Council Resolution 2010-10, Delegating Litigation and Claims Settlement Authority to the Litigation Review Special Committee	10
2010-160 SW - Authorization to negotiate and execute a contract for Central Corridor Insurance Broker services	10
Report of the Transportation Committee.....	10
2010-120 SW - 46 th Street and I-35W Transit Station Concept Plan	10
2010-121 - Construction, Operation, and Maintenance Agreement with Minnesota Department of Transportation related to Central Corridor Light Rail Operation and Maintenance Facility	11
2010-152 SW - 2010-2013 Transportation Improvement Program (TIP) Amendment: include 20 vehicle purchases funded through the Section 5310, Elderly and Persons with Disabilities Program (TAB Action 2010-28)	11

2010-155 SW - 2010-2013 Transportation Improvement Program (TIP)	
Amendment: include reconstruction of the TH 169/I-494 Interchange (TAB	
Action 2010-31)	11
2010-158 SW - Authorization to Amend Contracts for East Metro, West Metro, and	
Hopkins Transit Service	11
2010-159 SW - Construction of Storage Tank Additions at Overhaul Base and South	
Garages, Change Order Allowance	12
2010-163 SW - Master Funding Agreement for the Central Corridor Light Rail Transit	
Project with the University of Minnesota	12
2010-164 SW - Authorization to proceed with the acquisition of Parcels 1 (M. Rasior	
LTD) and 1A (Diamond Products) for the CCLRT Operations and Maintenance	
Facility (OMF)	13
2010-165 SW - Contract Authority and Amendment for Central Corridor Light Rail	
Transit Engineering Services Consultant	13
2010-166 SW - Contract Amendment for Central Corridor Light Rail Transit Public	
Artists Consultant	13
Other Business.....	14
Reports	14
Chair	14
Council Members	14
Regional Administrator	14
General Counsel	14
Adjournment.....	14
Part III - Certification	14

Metropolitan Council Meeting

Wednesday, April 28, 2010

Council Chambers

4:00 P.M.

Part I - Narrative

Attendance:

Peter Bell, Chair; Roger Scherer, Tony Pistilli, Robert McFarlin, Craig Peterson, Peggy Leppik, Lynette Wittsack, Natalie Steffen, Kris Sanda, Georgeanne Hilker, Sherry Broecker, , Kirstin Sersland Beach, Daniel Wolter, Wendy Wulff

Members absent: Polly Bowles, Annette Meeks, Rick Aguilar

Call to Order and Approval of Agenda

A quorum being present, Acting Chair Leppik called the regular meeting of the Metropolitan Council to order at 4:06 p.m. It was moved by Scherer, seconded by Wittsack, to approve the agenda. Motion carried.

Minutes

It was moved by Scherer, seconded by Pistilli, to approve the minutes of the Metropolitan Council Meeting of April 28, 2010. Motion carried.

Public Invitation

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

Part II - Exhibits

Business

Other Business

Joint Report of Transportation and Management Committees

2010-115 SW - 2010 Unified Operating Budget Amendment

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council amend the 2010 Unified Operating Budget as indicated and in accordance with attached tables."

Motion carried on the following roll call vote:

Yes				No	Absent
	Scherer Pistilli McFarlin Peterson	Leppik Wittsack Steffen Sanda	Hilker Broecker Sersland Beach Wolter Wulff		Bowles Meeks Aguilar Bell
TOTAL	13				4

Joint Report of Community Development, Transportation and Management Committees

2010-116 SW - 2010 Unified Capital Program Amendment

It was moved by Scherer and seconded by Pistilli

"That the Metropolitan Council amend the 2010 Unified Capital Program as indicated and in accordance with attached tables."

Motion carried on the following roll call vote:

Yes				No	Absent
	Scherer Pistilli McFarlin Peterson	Leppik Wittsack Steffen Sanda	Hilker Broecker Sersland Beach Wolter Wulff		Bowles Meeks Aguilar Bell
TOTAL	13				4

Committee Consent List

2010-123 - Amendments to Urban Partnership Agreement (UPA) Transit Technology Contracts and the City of Minneapolis Subrecipient Grant Agreement

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute the amendments:

1. to four (4) UPA Transit Technology Project Contracts in the total amount of \$910,000, and
2. to the Subrecipient Grant Agreement (SGA) with the City of Minneapolis for enhancements to the Marquette and Second Avenues (MARQ2) project in an amount not to exceed \$1,374,100;
3. these actions are subject to Federal Transit Administration (FTA) approval."

Motion carried.

2010-124 - Authorization to Amend Work Uniform Contract

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to amend the work uniform contract with ARAMARK Uniform Services to a maximum compensation not-to-exceed \$900,000."

Motion carried.

2010-127 - Authorization to Purchase Replacement Small Buses

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to execute purchase agreements with the following vendors for seven small buses in a total amount not to exceed \$508,100:

- 1) Hoglund Bus Co. Inc. (442667) for four buses to not exceed \$266,000;
- 2) North Central Bus Sales (442670) for three buses to not exceed \$242,100."

Motion carried.

2010-129 - Council Subsidized Vanpool Program Changes

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council approve changes to the Council's subsidized vanpool program per attached Exhibit A."

Motion carried.

2010-135 - Ratification of Declaration of Emergency for Repair of Plymouth Interceptor 1-PM-466

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council ratify the attached *Justification for and Declaration of Emergency* for the Plymouth Interceptor 1-PM-466 repair."

Motion carried.

2010-136 - Authorization to Reject Proposals for Architectural and Engineering Design and Construction Support Services for the Metropolitan Wastewater Treatment Plant Vactor Site, Contract No. 09P228C

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to reject all proposals for Architectural and Engineering Design and Construction Support Services for the Metropolitan Wastewater Treatment Plant (MWWTP) Vactor Site, Contract 09P228C."

Motion carried.

2010-137 - Authorization to Negotiate and Execute Engineering Services Contract 09P228A for the Design and Construction Support for Metropolitan Wastewater Treatment Plant (MWWTP) Projects

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an Engineering Services Contract for the Design and Construction Support for Metropolitan Wastewater Treatment Plant (MWWTP) General Wastewater Treatment Plant Projects, Contract No. 09P228A to TKDA in the amount of \$4,164,701."

Motion carried.

2010-138 - Authorization to Negotiate and Execute Engineering Services Contract 09P228B for Metropolitan Wastewater Treatment Plant (MWWTP) Electrical Projects

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an Engineering Services Contract for the Metropolitan Wastewater Treatment Plant (MWWTP) Electrical Projects, Contract No. 09P228B to EMA in the amount of \$2,005,026."

Motion carried.

2010-139 - Authorization to Negotiate and Execute Contracts for Professional Geotechnical and Testing Services with AECOM, Inc., Braun Intertec and American Engineering Testing

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize its Regional Administrator to negotiate and execute Master Contracts for professional geotechnical and other testing services with AECOM, Inc., Braun Intertec, and American Engineering Testing in an amount not to exceed \$1,000,000 for each Master Contract."

Motion carried.

2010-140 - Authorization to Hold Public Hearing on the SAC Transfer Amount which impacts Sewer Availability Charges (SAC) and Municipal Wastewater Charges

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorizes staff to schedule and hold a public hearing to gather public input on the Service Availability Charges (SAC) Transfer Amount proposed for the 2011 MCES Budget."

Motion carried.

2010-141 - Direction to Hold Public Meeting on Proposed Guidelines for the Infiltration/Inflow (I/I) Grant Program

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council directs staff to hold a formal public meeting to gather input and discuss the proposed guidelines for a \$3 million I/I Grant Program from funding appropriated as part of the adopted 2010 State bonding bill."

Motion carried.

2010-143 - Family Affordable Housing Program - HUD Management Certification, Resolution 2010-12

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council approve the submittal of the fiscal year end 2009 Public Housing Assessment System (PHAS) Management Operations Certification to the U.S. Department of Housing and Urban Development (HUD) as required by federal regulations."

Motion carried.

2010-144 - City of St. Paul District 4 Update Comprehensive Plan Amendment, Review No. 20535-2

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council:

1. Adopts the attached review record and allows the City of St. Paul to put the District 4 Plan Update Summary comprehensive plan amendment (CPA) into effect;
2. Finds that the CPA does not change the City's forecasts."

Motion carried.

2010-145 - City of St. Louis Park Request to Amend Livable Communities Demonstration Account Grant for Hoigaard Village

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council approve a budget reallocation in support of Livable Communities Demonstration Account (LCDA) grant SG006-169 to the City of St. Louis Park for the Hoigaard Village project."

Motion carried.

2010-146 - City of St. Paul Request to Amend Livable Communities Demonstration Account Grant for Dale Street Village

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council approve a budget reallocation in support of the Livable Communities Demonstration Account (LCDA) grant (grant number SG007-117) to the City of Saint Paul for the Dale Street Village project (now known as Frogtown Square)."

Motion carried.

2010-147 - Request to reallocate balance of Grant SG-2008-037 from completed Central Anoka County Regional Trail project to Grant SG-2008-051 for Rice Creek Chain of Lakes Park Reserve development project, Anoka County

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorizes a reallocation of the \$43,917.60 balance in expired grant SG-2008-037 to grant SG-2008-051 to help finance unforeseen costs in constructing the campground visitor center at Rice Creek Chain of Lakes Park Reserve, and directs Council staff to execute an amendment to grant SG-2008-051 that reflects this reallocation."

Motion carried.

2010-148 - Park Acquisition Opportunity Fund Grant request for Grey Cloud Island Regional Park, Washington County

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize a grant of \$1,470,253 from the Park Acquisition Opportunity Fund to Washington County to partially finance the acquisition of the Appert parcel as part of Grey Cloud Island Regional Park. The grant should be financed with:

\$445,455 of Environment and Natural Resources Trust Fund appropriations and \$296,970 of matching Metro Council bonds from the Environment and Natural Resources Trust Fund Acquisition Account to partially finance the undeveloped lots for this parcel;

\$436,697 of FY 2010 Parks and Trails Fund appropriations and \$291,131 of matching Metropolitan Council bonds from the Parks and Trails Fund Acquisition Account to partially finance the developed lot and associated acquisition costs for this parcel."

Motion carried.

2010-150 - Authorization to Renew the Metropolitan Council's Property Insurance with FM Global

It was moved by Steffen and seconded by Broecker

"That the Metropolitan Council authorize renewal of the Property Insurance with the current carrier, FM Global, for the period 5/1/09-5/1/10, in an amount not to exceed \$1,199,170."

Motion carried.

Report of the Environment Committee

Environment Committee Items are on the Consent List and Joint Reports.

Joint Report of the Community Development and Environment Committees

Single Motion – 2010-130, 2010-131, 2010-132, 2010-133, 2010-134,

It was moved by Steffen and seconded by Hilker

" 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 and Tier II Comprehensive Sewer Plans for the cities of Spring Lake Park (2010-130), Independence (2010-131), Burnsville 2010-132), Hilltop (2010-134) and White Bear Township (2010-133)."

Motion carried.

2010-130 - City of Spring Lake Park 2030 Comprehensive Plan Update, Review No. 20623-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Hilker

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

1. Authorize the City of Spring Lake Park to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to participate in Council activities to monitor redevelopment in developed communities;
3. Approve the City of Spring Lake Park's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-131 - City of Independence 2030 Comprehensive Plan Update, Review No. 20621-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Hilker

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

1. Authorize the City of Independence to put its 2030 Comprehensive Plan Update into
2. Advise the City
 - a. If parcels in the Agricultural Preserve Program expire and are no longer guided at 1 unit per 40 acres, then a comprehensive plan amendment will be required for those parcels
 - b. That the City is required to participate in the Council's plat monitoring program and must submit annual reports to the Council consistent with Council guidelines;
 - c. To implement the advisory comments in the forecast and surface water management sections of the review record as well as address the comments regarding the future Urban Commercial in the parks, ISTS, wastewater

- service, surface water management and water supply review;
3. Approve the City of Independence's Tier II Comprehensive Sewer;
 4. Advise the City that the 60 acres of Urban Commercial requires a Tier II comprehensive plan amendment to be submitted to the Council once the area has been master planned and a means of providing sanitary sewer service decided."

Motion carried.

2010-132 - City of Burnsville 2030 Comprehensive Plan Update, Review No. 20458-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Hilker

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

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

Motion carried.

2010-133 - White Bear Township 2030 Comprehensive Plan Update, Review No. 20548-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Hilker

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

1. Authorize White Bear Township to put its 2030 Comprehensive Plan Update into effect'
2. Adopt the revised forecasts for population and households for White Bear Township as shown in Table 1 in the Review Record, and revise the Township's share of the region's affordable housing need from 56 to 113 units;
3. Advise the Township to:
 - a. Send to the Council the dates that the Rice Creek Watershed District and Vadnais Lake Area Watershed Management Organization approve the Township's local surface water management plan (LSWMP) as well as a copy of the final LSWMP.

- b. Participate in the Council's activities to monitor redevelopment in Developed communities.
- c. Implement the advisory comments in the Review Record for Housing and Water Supply;
4. Approve White Bear Township's Tier II Comprehensive Sewer Plan."

Motion carried.

2010-134 - City of Hilltop 2030 Comprehensive Plan Update, Review No. 20600-1, Tier II Comprehensive Sewer Plan

It was moved by Steffen and seconded by Hilker

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

1. Authorize the City of Hilltop to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
 - a. Adopt the revised forecasts for population, households and employment;
 - b. Participate in Council activities to monitor redevelopment and infill in Developed communities;
 - c. Address the advisory comments for Transportation and Surface Water management;
3. Approve the City of Hilltop's Tier II Comprehensive Sewer Plan."

Motion carried

Report of the Community Development Committee

2010-149 - Park Acquisition Opportunity Fund Grant request for Above the Falls Regional Park, Minneapolis Park & Rec. Board

It was moved by Steffen and seconded by Pistilli

"That the Metropolitan Council:

1. authorize a grant of \$1,699,992 from the Parks and Trails Fund Acquisition Account in the Park Acquisition Opportunity Fund to the Minneapolis Park & Recreation Board to partially finance the acquisition of 3.57 acres of the Scherer Lumber property between vacated Water Street and the Mississippi River for Above the Falls Regional Park. The grant should be financed with the \$429,760 remaining balance of the FY 2010 Parks and Trails Fund appropriation and \$1,270,232 of matching Metropolitan Council bonds from the Parks and Trails Fund Acquisition Account;
2. inform the Minneapolis Park & Recreation Board that the soil contamination in the 3.57 acres funded with the grant described above should be cleaned up with funds specifically

- programmed for such purposes. The Metropolitan Council's assistance to finance the acquisition of the 3.57 acres does not imply that the Council will grant park funds to clean up that land. Regional park grant funds will only be used for contaminated soil cleanup if conditions of Regional Parks Strategy 5 (c), points 2 through 5 have been met;
3. inform the Minneapolis Park & Recreation Board that the rest of the Scherer Lumber property east of the vacated Water Street is not within the master plan boundary for Above the Falls Regional Park. Consequently, unless the Metropolitan Council approves an amendment to the park master plan to include additional land for the park, the land east of vacated Water Street would not be eligible for Metropolitan Council Regional Park CIP funds or Parks and Trails funding."

Motion carried, with Council member Scherer recusing himself from the discussion and vote on the item.

Report of the Management Committee

2010-122 - Adoption of Council Resolution 2010-10, Delegating Litigation and Claims Settlement Authority to the Litigation Review Special Committee

It was moved by Scherer and seconded by Sanda

"That the Metropolitan Council adopts Council Resolution 2010-10, which establishes the settlement authority of the Litigation Review Committee in an amount no greater than provided in Minn. Statutes, Chapter 466, as amended."

Motion carried.

2010-160 SW - Authorization to negotiate and execute a contract for Central Corridor Insurance Broker services

It was moved by Scherer and seconded by Broecker

"That the Metropolitan Council authorizes the Regional Administrator to negotiate and execute a contract with Willis, in an amount not to exceed \$297,000, for insurance broker services during the construction of the Central Corridor Light Rail Project."

Motion carried, with Council member Wolter recusing himself from the discussion and vote on the item.

Chair Bell arrived and participated in the meeting; Councilmember Leppik continued as Acting Chair.

Report of the Transportation Committee

2010-120 SW - 46th Street and I-35W Transit Station Concept Plan

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council approve I-35W and 46th Street Station Service Restructuring Concept Plan for public review."

Motion carried.

2010-121 - Construction, Operation, and Maintenance Agreement with Minnesota Department of Transportation related to Central Corridor Light Rail Operation and Maintenance Facility

It was moved by McFarlin and seconded by Hilker

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Construction, Operation, and Maintenance Agreement, including exchange of necessary easement rights, with Mn/DOT for the proposed Operations and Maintenance Facility (OMF) for the Central Corridor LRT."

Motion carried, with Council member Wolter recusing himself from the discussion and vote on the item.

2010-152 SW - 2010-2013 Transportation Improvement Program (TIP) Amendment: include 20 vehicle purchases funded through the Section 5310, Elderly and Persons with Disabilities Program (TAB Action 2010-28)

It was moved by McFarlin and seconded by Hilker

"That the Metropolitan Council concur with the attached Transportation Advisory Board (TAB) action to amend the 2010-2013 Transportation Improvement Program (TIP) to include 20 funding awards through the Section 5310, Elderly and Persons with Disabilities Program."

Motion carried.

2010-155 SW - 2010-2013 Transportation Improvement Program (TIP) Amendment: include reconstruction of the TH 169/I-494 Interchange (TAB Action 2010-31)

It was moved by McFarlin and seconded by Wulff

"That the Metropolitan Council concur with the attached Transportation Advisory Board (TAB) action to amend the 2010-2013 Transportation Improvement Program (TIP) to include SP #2776-03, TH 169/I-494 Interchange."

Edina Mayor Jim Hovland was acknowledged and thanked for his role as Chair of the U.S.Highway 169 Corridor Coalition.

Motion carried.

2010-158 SW - Authorization to Amend Contracts for East Metro, West Metro, and Hopkins Transit Service

It was moved by McFarlin and seconded by Broecker

"That the Metropolitan Council authorize the Regional Administrator to execute the following contract amendments with First Transit Inc.

<u>Contract Title</u>	<u>Contract #</u>	<u>Term Extension</u>	<u>Value Increase</u>	<u>Amended Total</u>
East Metro	04P002	October 2, 2010	\$345,000	\$5,605,690
West Metro	04P003	October 2, 2010	\$515,500	\$6,845,464
Hopkins	04P004	October 2, 2010	\$130,000	\$3,237,849

Motion carried.

2010-159 SW - Construction of Storage Tank Additions at Overhaul Base and South Garages, Change Order Allowance

It was moved by McFarlin and seconded by Sersland Beach

"That the Metropolitan Council Authorize the Regional Administrator to increase the Contract Price for contract number 09P081, for the Construction of the Storage Tank Additions at Over Haul Base and South Garage, a cumulative amount of 10% of the original Contract Price."

Motion carried.

2010-163 SW - Master Funding Agreement for the Central Corridor Light Rail Transit Project with the University of Minnesota

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Master Funding Agreement for the Central Corridor Light Rail Transit Project with the University of Minnesota prior to University of Minnesota betterment work commencing on the Advanced Traffic Improvements and Civil West construction contracts."

It was moved by Pistilli and seconded by Sersland Beach to amend the motion as follows:

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Master Funding Agreement for the Central Corridor Light Rail Transit Project with the University of Minnesota, not to exceed a \$100,00 payment per year by the Metropolitan Council to the University for years 2010, 2011, 2012, 2013, prior to University of Minnesota betterment work (i.e. inspection, labor and materials/equipment) commencing on the Advanced Traffic Improvements and Civil West construction contracts."

The vote on the amendment failed.

The vote on the main motion passed with Pistilli, Steffen and Wulff dissenting and Wolter recusing himself from the discussion and vote on the item.

2010-164 SW - Authorization to proceed with the acquisition of Parcels 1 (M. Rasior LTD) and 1A (Diamond Products) for the CCLRT Operations and Maintenance Facility (OMF)

It was moved by McFarlin and seconded by Sanda

"That the Metropolitan Council authorize the Office of General Council (OGC) to proceed with the acquisition of Parcels 1 (M. Rasior LTD) and 1A (Diamond Products) for the Central Corridor Light Rail Transit (CCLRT) Operations and Maintenance Facility (OMF)."

Motion carried, with Council member Wolter recusing himself from the discussion and vote on the item.

2010-165 SW - Contract Authority and Amendment for Central Corridor Light Rail Transit Engineering Services Consultant

It was moved by McFarlin and seconded by Peterson

"That the Metropolitan Council authorize the Regional Administrator

1. To extend authority with AECOM USA, Inc. to complete Advance Preliminary Engineering during May and;
2. To authorize AECOM USA, Inc. to increase the contract spending authority in an amount not-to-exceed \$9 million for a total spending authority not to exceed \$80.2 million (within the currently authorized \$92.4 million) to initiate and complete Final Design, provide design support during construction and by amendment add construction support services;
3. To issue Notices-to-Proceed (NTP) to AECOM USA, Inc. upon receipt of approval from FTA to enter Final Design for
 - Initiating and Completing Final Design,
 - Design Support during Construction, and
 - Construction Support Servicesduring calendar year 2010."

Motion carried, with Council member Wolter recusing himself from the discussion and vote on the item

2010-166 SW - Contract Amendment for Central Corridor Light Rail Transit Public Artists Consultant

It was moved by McFarlin and seconded by Hilker

"That the Metropolitan Council authorize the Regional Administrator to issue notices-to-proceed to the five public artists for Final Design and construction documentation in a not to exceed amount of \$168,000 per artist for a total per artist spending authority not to exceed \$268,000 (within the currently authorized \$560,000). The notices will be issued upon receipt of approval from FTA to enter Final Design."

Motion carried, with Council member Wolter recusing himself from the discussion and vote on the item

Other Business

Reports

Chair

Chair Bell reported:

- the long hours of Joint MC / U of M CCLRT mediation produced an agreement for the easement for construction of advanced traffic improvements. Chair Bell recognized Tom Weaver, Mark Fuhrmann, Rich Rovang, Don Mueting and Peter Hanf for their countless hours and efforts in negotiating the agreement.
- significant progress has been made in the Joint CCLRT MC U / M mediation, in agreeing on the Council's engineering plans. The next step is the injunctive relief for any potential future damage the CCLRT might cause.

Council Members

Council Member Sanda reported the Anoka County Elected Officials meeting is scheduled for this evening.

Regional Administrator

Regional Administrator Weaver reported the May 12 Metropolitan Council meeting will be canceled. The next regularly scheduled meeting will be Wednesday, May 26, 2010.

General Counsel

General Counsel Mueting reported the Court of Appeals dismissed a lawsuit by Waldorf Corp/Rock-Tenn Co., acting in favor of the Council that SAC credits are owned by cities where businesses are located.

Adjournment

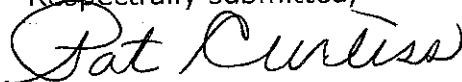
Business completed, the meeting adjourned at 5:20 p.m.

Part III - Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of April 28, 2010.

Approved this 26th day of May, 2010.

Respectfully submitted,



Pat Curtiss, Secretary

