



## Metropolitan Council Meeting

Wednesday, November 9, 2011

Robert Street Chambers

4:00 PM

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## **Metropolitan Council Meeting**

Wednesday, November 9, 2011

Council Chambers

4:00 PM

### **Part I - Narrative**

#### **Attendance:**

Susan Haigh, James Brimeyer, Steven Chávez, John Đoàn, Rich Kramer, Harry Melander, Jennifer Munt, Edward Reynoso, Sandra Rummel, Lona Schreiber, Gary Van Eyll

Members absent: Jon Commers, Gary Cunningham, Adam Duininck, Steven Elkins, Roxanne Smith, Wendy Wulff

#### **Call to Order and Yellow Ribbon Proclamation Ceremony**

A quorum being present, Chair Haigh called the regular meeting of the Metropolitan Council to order at 3:47 p.m. Annette Kuyper, Director of Military Outreach for the Beyond the Yellow Ribbon program announced that the Metropolitan Council is being proclaimed a Yellow Ribbon Company. The Humboldt High School Jr. ROTC Color Guard posted the colors in the chambers. Colonel Greg Haase, Commander of the Minnesota Air National Guard 133<sup>rd</sup> Airlift Wing, and Secretary of State Mark Ritchie spoke and presented Chair Susan Haigh with the Governor's Proclamation Naming the Metropolitan Council as a Yellow Ribbon Company. Chair Haigh announced that as an organization, we're taking the next step in employing, assisting, training, and recognizing the veterans who currently work here, the service members from our organization who are deployed, and the families of these soldiers. She thanked the veterans and their families for their services. Once the ceremony was completed, and after a brief recess for photographs with Council veterans and guests, Council business continued.

#### **Minutes**

It was moved by Chávez, seconded by Van Eyll to approve the minutes of the Metropolitan Council Meeting of October 26, 2011. 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 the Transportation and Management Committees*

2011-258 - 2011 Unified Operating Budget Amendment

It was moved by Brimeyer and seconded by Chávez,

"That the Metropolitan Council amends the 2011 Unified Operating Budget as indicated and in accordance with attached tables."

Motion carried on the following roll call vote:

	<b>Yes</b>			<b>Abstain</b>	<b>Absent</b>
	Schreiber Munt Van Eyll Brimeyer	Reynoso Rummel Melander	Kramer Chávez Haigh		Smith Elkins Cunningham Đoàn Duininck Commers Wulff
<b>TOTAL</b>	<b>10</b>				<b>7</b>

2011-286 - 2011 Unified Capital Program Amendment

It was moved by Brimeyer and seconded by Chávez,  
 "That the Metropolitan Council:

- Amend the 2011 Authorized Capital Program (multi-year authorization) by adding spending authority as follows:  
 Metropolitan Transportation Services \$ 13,764,800
- Approve the changes to capital projects as detailed in Attachment 1"

Motion carried on the following roll call vote:

	<b>Yes</b>			<b>Abstain</b>	<b>Absent</b>
	Schreiber Munt Van Eyll Brimeyer	Reynoso Rummel Melander	Kramer Chávez Haigh		Smith Elkins Cunningham Duininck Đoàn Commers Wulff
<b>TOTAL</b>	<b>10</b>				<b>7</b>

*Committee Consent List*

2011-284 - Approval for Council Supplied Radio Equipment for New Light Rail Vehicles

It was moved by Reynoso and seconded by Rummel,  
 "That the Metropolitan Council authorize the Regional Administrator to negotiate and award a contract to E. F. Johnson Technologies for 128 sets of Radio Equipment to be installed in light rail vehicles in an amount not to exceed \$314,380.80."

Motion carried.

2011-285 - Central Corridor Light Rail Transit (Green Line) and Northstar: Operations and Maintenance Agreement with Minnesota Department of Transportation for Bridges and Structures

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council authorize the initiation of eminent domain proceedings for the acquisition of the property rights for Parcel 7E in St. Paul for the Central Corridor Light Rail Transit (CCLRT) Civil East Construction.”

Motion carried.

2011-288 Request for Waiver of Conflict – Parker Rosen, LLC.

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council:

- (1) waive any conflict of interest and consent to Parker Rosen, LLC (Parker Rosen) representing and advising the property owner of Prospect Park Properties, LLC, 2929 University Avenue Southeast, Minneapolis, in a condemnation action by the State of Minnesota through its Commissioner of Transportation for the Central Corridor Light Rail Transit (CCLRT) project; and,
- (2) authorize the General Counsel to execute any documents necessary to effectuate such waiver.

Motion carried.

2011-289 - Authorization to Award and Execute a Contract for Construction of 1-MN-310 Tunnel Rehabilitation at West River Parkway, MCES Project 809020, Contract 11P151

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council authorize the Regional Administrator to award and execute a construction contract for the 1-MN-310 Tunnel Rehabilitation at West River Parkway Project, MCES Project 809020, Contract 11P151, with Engineering & Construction Innovations, Inc. for their low bid of \$1,499,600.”

Motion carried.

2011-290 - Authorization to Negotiate and Execute an Architectural / Engineering Services Agreement, 1-GV-461 Relief Lift Station and Force Main, MCES Project No. 805700, Contract No. 11P123

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council authorizes its Regional Administrator to negotiate and execute an architectural/engineering services agreement with Foth Infrastructure and Environment LLC (Foth) in the amount of \$1,771,443, for Contract 11P123, Project No. 805700.”

Motion carried.

2011-291 - Authorization to Award and Execute a Purchase Order for MWWTP Baghouse Covers Fabrication and Procurement; MCES Project No. 805945, Contract No. 11P122

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council authorizes its Regional Administrator to execute a Purchase Order for MWWTP Baghouse Covers Fabrication and Procurement; MCES

Project No. 805945, Contract No. 11P122, with SPE-Amerex in the amount of \$992,950.59.”

Motion carried

2011-293 - Authorization to Contract for Design and Construction Support Services for Highway 610 and Noble Parkway Park-and-Ride

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council (Council) authorize the Regional Administrator to execute a professional services contract for architectural and engineering design and construction support services for Highway 610 and Noble Parkway Park-and-Ride at a contract amount of \$898,047 to Julie Snow Architects, Inc.”

Motion carried

2011-294 - Interagency Agreement with MnDOT to Fund Hwy. 36 and Rice Street Park & Ride Construction

It was moved by Reynoso and seconded by Rummel,

“That the Metropolitan Council authorize the Regional Administrator to negotiate and execute an Interagency Agreement with the Minnesota Department of Transportation for funding of the construction of the Highway 36 and Rice Street Park and Ride.”

Motion carried.

*Report of the Management Committee*

2011-311 - Delegation of Regional Administrator’s Signature Authority

It was moved by Brimeyer and seconded by Chavez,

“That the Metropolitan Council adopt the attached resolution delegating to the Deputy Regional Administrator the Regional Administrator’s signature authority when the Regional Administrator is absent or otherwise unavailable to execute documents on behalf of the Council.”

Motion carried.

*Report of the Community Development Committee*

2011-298 - City of Savage Comprehensive Plan Amendment, Village Commons Mixed Use Project Review File No. 20473-2

It was moved by Munt and seconded by Van Eyll

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

1. Adopt the attached review record and allow the City of Savage to put the Village Commons Mixed Use Project comprehensive plan amendment (CPA) into effect;
2. Find that the proposed CPA does not change the City’s forecasts.”

Motion carried.

2011-299 - Reimbursement Consideration Request for Phase 2 Restoration of Como Regional Park Lily Pond, City of St. Paul

It was moved by Munt and seconded by Rummel

“That the Metropolitan Council consider reimbursing the City of St. Paul in future regional parks capital improvement programs up to \$50,000 for City funding to finance Phase 2 of the lily pond restoration at Como Regional Park. However, the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.”

Motion carried.

2011-300 - Amend scope of three Anoka County regional park grants SG-2010-027, 028 and 073, Anoka County

It was moved by Munt and seconded by Chavez,

“That the Metropolitan Council authorize the following underlined amendments to Grant SG-2010-078:

**Section 1.3 Expiration date:** March 31, 2014, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

**Section 2. Grantees Duties or Grant Project:**

Up to \$498,000 of Grant SG-2010-078 may be used at Minneapolis Chain of Lakes Regional Park, to implement Brownie Lake Master Plan which includes development of up to one mile of trail and a pedestrian bridge. Plan includes such related items as lighting, signage, plantings, boating and fishing facilities, an archery area, steps and railings, power, slope stabilization, drainage structures, regulatory requirements, engineering, public process, project management, and investigations. Up to \$102,000 of Grant SG-2010-078 may be used for design and engineering costs to match a \$510,000 Federal Transportation Enhancement Act grant (#TE 09-15) to rehabilitate and widen 1,600 lineal feet of trail along Cedar Lake Parkway.

**Section 8. Authorized Representative**

The Grantee’s Authorized Representative is:

Name: Deborah Bartels

Mailing Address: Minneapolis Parks & Recreation Board  
2117 West River Road  
Minneapolis, MN 55411

Phone: (612) 230-6438

Email: [dbartels@minneapolisparcs.org](mailto:dbartels@minneapolisparcs.org)”

Motion carried

2011-301 - Authorization to Negotiate and Execute HUD Sustainable Communities Regional Planning Grant Sub-recipient Agreement with NEXUS Community Partners to Administer Community Engagement Grants and Activities

It was moved by Munt and seconded by Chavez

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Sub-recipient Agreement with Nexus Community Partners on behalf of the Community Engagement Team for community engagement activities as a consortium partner in the Corridors of Opportunity - Sustainable Communities Regional Planning Grant (SCRPG), totaling \$ 778,871.44 of which \$720,000 is for engagement grants, \$26,046.44 for engagement education/programs and \$32,825 for administration of engagement funds."

Motion carried.

### *Report of the Environment Committee*

#### 2011-315 - Authorization to Acquire Temporary Easements and to File a Condemnation Petition, Savage Interceptor Improvements – Phase 1, MCES Project 806950, Resolution 2011-33

It was moved by Rummel and seconded by Đoàn

"It is recommended that the Metropolitan Council pass Resolution 2011-33 which authorizes acquisition of temporary easements necessary for the Savage Interceptor Improvements – Phase 1, MCES Project 806950, and which authorizes the Council's legal staff to initiate condemnation proceedings for those easements which staff cannot acquire by negotiation."

Motion carried.

### *Other Business*

Discussion of 2012 Council Preliminary Levies, presentation by Mary Bogie, Chief Financial Officer.

### **Reports**

*Chair:* Chair Haigh reported on recent meetings and events:

- Spoke to the Minneapolis Downtown Council Board of Directors
- Spoke to the St. Paul Area Chamber of Commerce
- Attended an event with John Frece, Director of the Office of Sustainable Communities at EPA and Maria Zimmerman, Deputy Director for Sustainable Communities at HUD
- Attended an "Eds & Meds" event: Anchor Institutions and Communities Project at Augsburg College
- Briefed the members of the Central Corridor Management Committee meeting today
- Reported on the Agency Bonding Request Meeting with Minnesota Management & Budget and the Governor's staff today

*Council Members:* Council members reported on recent meetings and events:

- Councilmember Schreiber met with the Mayor of Brooklyn Park. Had a meeting with Brooklyn Center City Administrator and Police Chief regarding the crime problem at the transit hub in Brooklyn Center. Attended a Counties GEARS Committee meeting, a subcommittee of CTIB. She and Councilmember Rummel attended a Metropolitan Energy Policy Coalition meeting.
- Councilmember Munt attended a Transit for Livable Communities meeting

- Council Members Kramer, Rummel and the other Ramsey County members attended a Ramsey County League of Local Governments (RCLLG) meeting.

*Regional Administrator:* Pat Born commented on the Yellow Ribbon events that are going on all week at all of the Metropolitan Council locations.

*General Counsel:* No Report

### **Adjournment**

Business completed, the meeting adjourned at 5:06 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 October 26, 2011.

Approved this 9<sup>th</sup> day of November, 2011.

Respectfully submitted,

Laurie Nistl  
Recording Secretary