



Metropolitan Council Meeting

Wednesday, July 25, 2012

Robert Street Council Chambers

4:00PM

Table of Contents

Part I - Narrative

Attendance:	1
Call to Order and Approval of Agenda	1
Minutes	1
Public Invitation	1

Part II - Exhibits

Business	2
Joint Report of the Transportation and Management Committees.....	2
Committee Consent List	3
Report of the Management Committee.....	3
Report of the Community Development Committee	4
Report of the Environment Committee	4
Report of the Transportation Committee	4
Other Business	5
Reports	5
Adjournment	5

Part III - Certification	5
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Metropolitan Council Meeting

Council Chambers

4:00PM

Part I - Narrative

Attendance:

Susan Haigh, Jennifer Munt, Roxanne Smith, Gary Van Eyll, Steve Elkins, Gary Cunningham, Harry Melander, Rich Kramer, Jon Commers, Wendy Wulff, Edward Reynoso, Sandra Rummel, Lona Schreiber, Steven Chávez, Adam Duininck, James Brimeyer

Members absent: John Đoàn

Call to Order and Approval of Agenda

A quorum being present, Chair Haigh called the regular meeting of the Metropolitan Council to order at 4:02PM. It was moved by Rummel, seconded by Melander to approve the agenda.

Motion carried.

Minutes

It was moved by Munt, seconded by Van Eyll to approve the minutes of the Metropolitan Council Meeting of July 11, 2012.

Motion carried.

Public Invitation

Rich Neumeister addressed the Council regarding Bob Dietrick, a recently retired employee of the Council. Neumeister praised Dietrick's data practices work and his strong commitment to the Council.

Heidi Moegerle, a City Council member and Economic Development Authority President from the City of East Bethel, addressed the Council regarding concerns related to their wastewater treatment plant.

Part II - Exhibits

Business

Joint Report of the Transportation and Management Committees

2012-217 2012 Capital Program and Budget Amendment

It was moved by Brimeyer, seconded by Cunningham

"That the Metropolitan Council:

- Amend the 2012 Authorized Capital Program (multi-year authorization) by adding spending authority as follows:

Metro Transit	\$1,300,000
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- Amend the 2012 Capital Budget (annual appropriation) by increasing appropriations as follows:

Metro Transit	\$1,300,000
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- Approve the changes to capital projects as detailed in Attachment 1

Motion carried on the following roll call vote:

Aye: 16- Smith, Chávez, Haigh, Munt, Van Eyll, Elkins, Brimeyer, Cunningham, Duininck, Melander, Kramer, Commers, Wulff, Reynoso, Rummel, Schreiber

Nay: 0

Absent: 1- Đoàn

Consent List

It was moved by Rummel, seconded by Elkins to approve the consent list.

Motion carried.

2012-211 Minnesota GreenCorps

"That the Metropolitan Council authorize a board resolution of support to participate as a Host Site for the GreenCorps program and authorize the Regional Administrator to execute an agreement with the Minnesota Pollution Control Agency (MPCA)."

2012-212 Red Line Bus Rapid Transit Grant Agreement with Dakota County Regional Rail Authority

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a grant agreement with the Dakota County Regional Rail Authority (DCRRA) for funds granted to the Council by the DCRRA to procure goods and services needed for Red Line Bus Rapid Transit (BRT)."

2012-214 Property Acquisition for I-35E and County Road E Park-and-Ride, Vadnais Heights

"That the Metropolitan Council authorize the Regional Administrator to negotiate and purchase, at the appraised value, two properties and a permanent easement from Wal-Mart Realty Company totaling one and a half acres at I-35E and County Road E in Vadnais Heights."

2012-221 Authorization to Award and Execute Construction Contract for MWWTP Solids Process Equipment Systems Improvement, Project No. 805946, Contract No. 12P005A

"That the Metropolitan Council authorize the Regional Administrator to award and execute a Construction Contract for MWWTP Solids Process Equipment System Improvements, MCES Project No. 805946, Contract No. 12P005A, with Harris Contracting Company in the amount of \$17,911,826.62."

2012-222 Authorization to Negotiate and Execute Engineering Services Contracts for General Treatment Plan Projects, Contract No. 12P057

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute engineering services agreements for Wastewater Treatment Plants with HR Green and SHE in the amounts not-to-exceed \$1,000,000 each."

2012-227 City of Crystal, Comprehensive Plan Amendment, Cavanagh School Redevelopment, Review No. 20598-2

"That the Metropolitan Council adopts the attached review record and allows the City of Crystal to put the *Cavanagh School Redevelopment* comprehensive plan amendment (CPA) into effect."

2012-229 Point Douglas Regional Trail Master Plan, Washington County (Referral No. 50018-1)

"That the Metropolitan Council approve the Point Douglas Regional Trail Master Plan (Referral No. 50018-1)."

Report of the Management Committee

2012-140 Proposed Bylaws Amendments

It was moved by Brimeyer, seconded by Chávez

"That the Metropolitan Council adopt the attached proposed amendments to the Council's Bylaws."

Motion carried.

2012-206 Proposed Resolution Authorizing the Litigation Review Committee to Oversee and Monitor Litigation and Claims Matters

It was moved by Brimeyer, seconded by Chávez

"That the Metropolitan Council adopt the attached proposed resolution authorizing the Litigation Review Committee to oversee and monitor litigation and claims matters."

Motion carried.

2012-209 AFSCME Contract

It was moved by Brimeyer, seconded by Chávez

"That the Metropolitan Council authorize the Regional Administrator to enter into a labor agreement with the American Federation of State, County and Municipal Employees District Council 5, Local Union No. 668 AFL-CIO (AFSCME), effective January 1, 2012 through December 31, 2013."

Council members Munt and Duinck stated they would both abstain from voting due to a conflict of interest.

Motion carried.

Report of the Community Development Committee

2012-228 2030 Regional Parks Policy Plan Amendment Approval

It was moved by Cunningham, seconded by Munt

"That the Metropolitan Council adopt the amended *2030 Regional Parks Policy Plan*."

Motion carried.

Report of the Environment Committee

2012-219 Adoption of MCES 2013 Wastewater Rates and Charges

It was moved by Rummel, seconded by Wulff

"That the Metropolitan Council adopts the following wastewater rates and charges to be effective January 1, 2013:

- Metropolitan Wastewater Charge (total of Municipal wastewater charges) of \$178,824,000,
- Sewer Availability Charge (SAC): \$2,435 per Residence or Residential Equivalent Capacity,
- Temporary Capacity Charge: \$1.22 per thousand gallons,
- Industrial Strength Charge: \$.172 per excess pound of TSS (total suspended solids),
- Industrial Strength Charge: \$.086 per excess pound of COD (chemical oxygen demand),
- Standard Load Charge: \$53.20 per thousand gallons,
- Holding Tank Load Charge: \$8.81 per thousand gallons,
- Portable Toilet Waste Load Charge: \$67.79 per thousand gallons,
- Collar County Load Charge: \$68.20 per thousand gallons,
- Strength component of Industrial Load Charge \$.3510 per excess pound of TSS,
- Strength component of Industrial Load Charge \$.1755 per excess pound of COD,
- Out-of-Region Load Charge Component for hauled waste: \$15.00 per thousand gallons, and
- Industrial Permit Fees as shown on Attachment A
- I/I Surcharge Exceedance Rate: \$398,000 per million gallons/day (rate of measured flow)

Motion carried.

Report of the Transportation Committee

2012-216 Cubic Transportation Systems—Fare Collections Procurements

It was moved by Elkins, seconded by Munt

"That the Metropolitan Council award and execute a sole source contract with Cubic Transportation Systems (Cubic) for production and delivery of 68 ticket vending machines, 114 smart card validators, 50 handheld smart card readers, coin hoppers and spare parts at a total cost not to exceed \$9,429,332."

Motion carried.

2012-218 147th Street Station Phase 2 Joint Powers Agreement with DCRRA and City of Apple Valley

It was moved by Elkins, seconded by Wulff

"That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a Joint Powers Agreement (JPA) with the Dakota County Regional Railroad Authority (DCRRA) and the City of Apple Valley to provide the City with the option to fund the METRO Red Line 147th Street Station Phase 2 so that it is constructed concurrent with Phase 1."

Motion carried.

2012-236 Tokens: Temporary Fare Change Clarification

It was moved by Elkins, seconded by Rummel

“That the Metropolitan Council approve a Temporary Fare Change for Tokens where a single token will be valid for both local peak and off-peak and express fares for up to a value of \$2.25 with the token sales price set at \$1.75, effective for the period of August 1, 2012 to April 30, 2013.”

Motion carried.

Special Counsel Report: Southwest LRT Engineering Services Consultant Contract Procurement

In light of the cable failure on the Sabo bridge, the Council engaged outside counsel (special counsel) to examine responsibility issues. Special counsel prepared a due diligence report. Based on that report, staff were prepared to move forward with a recommendation on this procurement, but they did so without the benefit of the Sabo bridge investigation report. The special counsel gave a report regarding the findings of the Sabo bridge investigation.

2012-234 Southwest Light Rail Transit (Green Line Extension): Engineering Services Consultant Contract Procurement

It was moved by Elkins, seconded by Munt

“That the Metropolitan Council authorize the Regional Administrator to:

Cancel the procurement for Contract 11P173 for an Engineering Services Consultant for Southwest Light Rail Transit (SWLRT);

Develop and issue new Requests for Proposals for Engineering Services Consultant(s) for developing and engineering documents to 30% completion of project engineering;

Develop and issue a new Request for Proposal for an independent engineering peer review consultant tasked with review of contract deliverables generated by the Engineering Services Consultant(s).”

Bob Green of Alliant Engineering, Vince Montgomery of TKDA, Tom Bader of URS, David Knaeble of PPA, James Garrett of 4RM+ULA, Glenn Schreiner of Parsons Brinckerhoff, and Sirish Samba of MRFA spoke in favor of awarding the contract to URS.

Motion carried.

Other Business Reports

In the interest of time, Chair Haigh stated that reports would wait until the next Council meeting.

Adjournment

Business completed, the meeting adjourned at 6:05PM.

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 25, 2012.

Approved this 8 day of August, 2012.

Respectfully submitted,
Emily Randleman

Metropolitan Council Meeting of July 25, 2012

Recording Secretary