

Council Chair Charles Zelle

Council Members

Abdirahman Muse

Deb Barber

Kris Fredson

Molly Cummings

Phillip Sterner

Reva Chamblis

Susan Vento

Chai Lee

Francisco J. Gonzalez

Judy Johnson

Peter Lindstrom

Raymond Zeran

Robert Lilligren

Wendy Wulff

Christopher Ferguson

Meeting Minutes

Wednesday, December 22, 2021, 4:00 p.m.

IN ATTENDANCE

Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle

MEMBERS ABSENT

Chamblis, Sterner

CALL TO ORDER

A quorum being present, Chair Zelle called the meeting to order at 4:01 p.m. on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

AGENDA APPROVED

Chair Zelle noted that a roll call vote is not needed for approval of the agenda. Council Members did not have any comments or changes to the agenda.

APPROVAL OF MINUTES

It was moved by Wulff, seconded by Vento to approve the minutes of the December 8, 2021, Council meeting.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

PUBLIC INVITATION

The Council heard public testimony from Jane Friedmann and JoAnn Toth, residents of Shoreview on Business Item 2021-340 JT: City of Shoreview 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22168-1. They have concerns with the City's comprehensive plan, engagement, and opposition of the comprehensive plan as it relates to the huge developments.

CONSENT AGENDA

Approval of the Consent Agenda (Items 1-10)

Consent Agenda Adopted

- 2021-305: That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 3 to Contract 19P037B with Kennedy & Graven Chartered (Kennedy & Graven) for Legal Services to add \$581,000 for a total contract amount of \$1,329,000.
- 2021-326: That the Metropolitan Council adopt FM 14-1 Procurement Policy version 11.
- 2021-337: That the Metropolitan Council approve the attached parameters Resolution 2021-42 which authorizes the Regional Administrator to execute a loan agreement with the Minnesota Public Facilities Authority (PFA) in substantially the same form as the attached agreement. And further, approve issuance of the related General Obligation Sewer Note securing the loan agreement in substantially the same form as the Note referenced in the resolution.
- 2021-338: Proposed Action
1. Authorize the City of Maple Grove to place its comprehensive plan amendment into effect.
 2. Find that the amendment does not change the City's forecasts.
 3. Advise the City to implement the advisory comments in the Review Record for forecasts.
- 2021-339: That the Metropolitan Council adopt the attached Review Record and take the following actions:
1. Authorize the City of South St. Paul to place its comprehensive plan amendment into effect.
 2. Revise the population and household forecasts for the City upward as shown in Table 1 of the Review Record.
 3. Revise the City's affordable housing allocation for the 2021-2030 decade to 101 units.
 4. Advise the City to implement the advisory comments in the Review Record for Wastewater Service
- 2021-343: That the Metropolitan Council authorize the Regional Administrator to award and execute contract 21P221 with Mansfield Oil Company of Gainesville, Inc. to supply diesel fuel for Northstar Commuter Rail in an amount not to exceed \$4,514,400.
- 2021-345: That the Metropolitan Council authorizes the Regional Administrator to execute a grant agreement with Minnesota Valley Transit Authority (MVTA) for Transportation Facility

Projects consisting of various facility modernizations and enhancement projects in the amount of \$550,000.

2021-346: That the Metropolitan Council approve distribution of \$20M of Coronavirus Response Relief Supplemental Appropriation Act (CRRSAA) federal funding to the local governments using the state-aid formula as shown in the attached table.

2021-348: That the Metropolitan Council adopt the Review Record and take the following actions:

1. Authorize the City of Mounds View to place its comprehensive plan amendment into effect.
2. Revise the City's forecasts for population and households upward as shown in Table 1 of the Review Record.

2021-352: That the Metropolitan Council ratify the Emergency Declaration for repairs to the Currie Maintenance Facility for the Southwest Light Rail Transit (SWLRT) project to Ames Construction in the amount not to exceed \$220,000.

It was moved by Cummings, seconded by Gonzalez.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

BUSINESS

Community Development – Reports on consent agenda

Environment – No reports

Management

2021-344: That the Metropolitan Council approve the Non-Represented Plan changes effective December 25, 2021, incorporating revisions which include updates to salary administration, job titles covered by the Non Represented plan, and the 2022 compensation grid.

It was moved by Ferguson, seconded by Johnson.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

Transportation

2021-347: That the Metropolitan Council concur with the TAB action to approve the attached Regional Solicitation package, including the Highway Safety Improvement Program (HSIP) Solicitation, for 2026-2027 funding (2024-2025 funding for Travel Demand Management and Unique projects) and to release the solicitation.

It was moved by Barber, seconded by Lee.

Council Member Barber thanked members of TAB, committees, and staff who worked on this and participated in the Regional Solicitation package.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

Joint Report of Environment and Community Development Committees

2021-340 JT: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

1. Authorize the City of Shoreview to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for forecasts.

Recommendation of the Environment Committee

1. Approve the City of Shoreview's Comprehensive Sewer Plan.
2. Require the City to include a reference to the City ordinance that prohibits the discharge of any roof drainage, storm water, surface water or groundwater into the municipal sewer system in the final City adopted Plan submitted to the Council. The City may also include a copy of the applicable ordinance(s) in the final adopted Plan to satisfy this requirement.

It was moved by Lilligren, seconded by Wulff.

Council Member Lilligren stated both committees, council members found the plans conformed to the systems plans and are compatible to the plans of the adjacent affected jurisdictions.

Council Member Vento had comments and questions about community engagement and how citizens are heard.

Community Development Director Lisa Barajas provided an explanation of the process for submitting comprehensive plans and public input.

Council Member Johnson stated mail notice and one public hearing is required at the local level. She also stated we don't approve the plan other than the sewer plan.

Council Member Wulff stated the only way we can't authorize a comprehensive plan is if it's a substantial departure from the regional system plans.

Council Member Lilligren stated we are planning for the 2050 plan and the council is taking direction to create tools to do more community engagement.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

2021-341 JT: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

1. Authorize the City of North Oaks to place its 2040 Comprehensive Plan into effect.
2. Revise the Community Designation for the Suburban portion of the City to Emerging Suburban Edge.
3. Revise the City's forecasts upward as shown in Tables 1 and 2 of the attached Review Record.
4. Revise the City's affordable housing need allocation for 2021-2030 to 68 units.
5. Advise the City to:
 - a. Correct the affordable housing need allocation in final Plan that is adopted by the City.
 - b. Incorporate the revised Local Water Management Plan (LWMP) into the final Plan that is adopted by the City.
 - c. As part of final Plan submittal, provide the Council the date that the Vadnais Lake Area Watershed Management Organization approved the local water management plan, and the date the City adopted the final local water management plan.
6. Advise the City that:
 - a. The Plan is inconsistent with Council housing policy for land supply and, therefore, the City will be unable to enroll in Livable Communities Act programs.
 - b. Council staff are available to discuss potential changes to guiding land use and density changes needed to address Council housing policy inconsistencies.

Recommendation of the Environment Committee

1. Approve the City of North Oaks's Comprehensive Sewer Plan.
2. Advise the City to:
 - a. Adopt local controls prohibiting the discharge of groundwater and stormwater into the sanitary sewer system and submit a copy of said ordinance to the Council as an amendment to its Comprehensive Sewer Plan.

- b. Take any needed future steps to mitigate excess I/I following a Council-led planning effort in 2022 or 2023 to monitor City wastewater flow for excess I/I.

It was moved by Lilligren, seconded by Lindstrom.

Council Lindstrom stated the development being proposed is controversial and stated elections matter.

Motion carried on the following roll call vote:

Aye: 14 Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay: 0
Absent: 2 Chamblis, Sterner

OTHER BUSINESS

2021-354: That the Metropolitan Council approve the following appointments to the Transportation Advisory Board (TAB):

District A – Doug Anderson
District B – Randy Maluchnik
District C – Andy Lewis
District D – Ashwat Narayanan
Non-motorized – Brian C. Martinson
Transit – Amity Foster
Transit – Mathews Hollinshead
B Alternate – John Morast
C Alternate – Husniyah Bradley
D Alternate – Glen Johnson
Transit alternate – Stephanie Alexander
Transit alternate – Evan Rowe

It was moved by Barber, seconded by Cummings.

Council Member Cummings commented it was wonderful to be part of the committee and all the interest to be part of the committee.

Motion carried on the following roll call vote:

Aye: 14 Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay: 0
Absent: 2 Chamblis, Sterner

2021-355: That the Metropolitan Council approve the following appointments to the Transportation Accessibility Advisory Committee:

District E – Jeffrey Dains
District F – Darrell Paulsen
District G – Kari Sheldon
District H – Rachel Garaghty

It was moved by Wulff, seconded by Lee.

Council Member Wulff stated everyone who applied was qualified and talented.

Motion carried on the following roll call vote:

Aye:	14	Barber, Cummings, Ferguson, Fredson, Gonzalez, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle
Nay:	0	
Absent:	2	Chamblis, Sterner

REPORTS

Chair Zelle appreciates everyone for the work they do.

Council Members Ferguson asked if a city puts a restriction policy to prevent certain communities forming in their area would the council have to approve the plans?

Lisa Barajas stated the Council is responsible for ensuring other state laws are followed as well.

Council Member Johnson stated the cities attorney advises the city, so they are not violating the state law and they receive training.

Council Member Wulff stated cities can lose their insurance through Minnesota Cities if they do something illegal.

Regional Administrator: None

General Counsel: None

The meeting was adjourned at 4: 53 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of December 22, 2021.

Approved this 12th day of January 2022.

Liz Sund
Recording Secretary