

Committee Report

Environment Committee



Committee Meeting Date: June 28, 2022

For the Metropolitan Council: July 13, 2022

Business Item: 2022-184

Joint Powers Agreements with the Mille Lacs Band of Ojibwe and Upper Sioux Community

Proposed Action

That the Metropolitan Council authorize its Regional Administrator to negotiate and execute an agreement or agreements with the Mille Lacs Band of Ojibwe and Upper Sioux Community for excavation monitoring for tribal cultural resources during the construction of the five projects identified in the Lake Minnetonka Facility Plan. The cumulative value of this agreement or agreements will not exceed \$600,000.

Summary of Environment Committee Discussion/Questions

Committee Member Fredson inquired where this originated. Staff responded that tribal consultation is required per Executive Order 19-24 by Governor Walz and the Metropolitan Council is one of the named organizations within that order.

Chair Wulff inquired how it was decided which tribes to contact. Staff stated that based on consultation conversations, those respective tribes expressed interest in monitoring the construction projects identified in the Lake Minnetonka Facility Plan.

Motion by Committee Member Zeran, seconded by Committee Member Vento.

Motion carried.



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District(s), Member(s):	District 3, Vacant
Policy/Legal Reference:	FM 14-2 – Expenditures for the Procurement of Goods and Services Policy
Staff Prepared/Presented:	Chris Remus, Assistant Manager, Interceptor Engineering, 651-602-4538
Division/Department:	MCES/Wastewater Planning and Capital Project Delivery

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Background

In accordance with Minnesota's historic preservation program, Chair Zelle invited and MCES staff consulted with the stakeholder Indian tribes to discuss the potential for impacts to native cultural resources during construction of the five projects identified in the Lake Minnetonka Facility Plan. In response to input from the tribes, MCES committed to excavation monitoring for all projects in the Facility Plan by qualified tribal personnel to ensure that any items of cultural importance unearthed during excavations are properly documented and handled.

This agreement establishes the mechanism by which MCES can contract with the Mille Lacs Band of Ojibwe and Upper Sioux Community to provide these services.

Rationale

The award and execution of non-construction contracts in excess of \$500,000 requires Council approval.

Thrive Lens Analysis

This action advances the Thrive outcome of stewardship and the Thrive principle of collaboration. Public financial resources will be invested efficiently and effectively to maintain and restore existing wastewater infrastructure, which protects the region's natural resources.

Funding

Funding for these projects is included in the 2022 MCES Authorized Capital Program.

Small Business Inclusion

This is a Joint Powers Agreement with a government entity. Therefore, the Office of Equity and Equal Opportunity did not establish a small business inclusion goal.