

Council Chair Alene Tchourumoff

Council Members

Katie Rodriguez	Jennifer Munt	Gary Cunningham	Edward Reynoso	Sandy Rummel	Richard Kramer	Steven Chávez
Lona Schreiber	Steve Elkins	Cara Letofsky	Marie McCarthy	Harry Melander	Jon Commers	Wendy Wulff
Deb Barber	Gail Dorfman					

## Meeting Minutes

Wednesday, July 25, 2018

4:00PM

Council Chambers

### IN ATTENDANCE

Schreiber, Munt, Barber, Elkins, Dorfman, Cunningham, Letofsky, McCarthy, Rummel, Kramer, Commers, Chávez, Wulff

### CALL TO ORDER

A quorum being present, Councilmember Chávez called the meeting to order at 4:05PM.

### APPROVAL OF AGENDA AND MINUTES

It was moved by Rummel, seconded by Commers.

It was moved by Commers, seconded by Elkins.

### BUSINESS

#### Joint Report of the Transportation, Management, and Community Development Committees

1. 2018-153 JT SW Authorize the 2018 Unified Budget as indicated and in accordance with the attached tables.

It was moved by Kramer, seconded by Elkins.

**Motion carried** on the following roll call vote:

Aye: 13 Schreiber, Munt, Barber, Elkins, Dorfman, Cunningham, Letofsky, McCarthy, Rummel, Kramer, Commers, Chávez, Wulff

Nay: 0

Absent: 4 Rodriguez, Reynoso, Melander, Tchourumoff

### CONSENT AGENDA

#### Approval of the Consent Agenda (Items 1-6)

##### Consent Agenda Adopted

1. 2018-147 Authorize the Regional Administrator to exercise existing contract options in Contract 12P227 with Gillig Corporation to purchase seventeen (17) forty-foot standard biodiesel replacement buses and three (3) forty-foot buses with BRT styling in an amount not to exceed \$10,171,673.00.
2. 2018-170 Approve the Central Anoka County Regional Trail Master Plan Amendment. Require that Anoka County, prior to initiating

development of the regional trail, provide a Joint Powers Agreement with the City of Ramsey that outlines and confirms use of the city owned right-of-way and easements for regional trail use.

3. 2018-179 Execute a one-year extension of the Upass agreement with the University of Minnesota for student participants for the period of August 29<sup>th</sup>, 2018 – August 28<sup>th</sup>, 2019, with the option to extend up to one additional year through August 28<sup>th</sup>, 2020, and; execute a one-year extension of the Metropass agreement with the University of Minnesota for staff and faculty participants for the period of October 1<sup>st</sup>, 2018 to September 30<sup>th</sup>, 2019, with the option to extend up to one additional year through September 30<sup>th</sup>, 2020, and; execute a one-year extension of the Campus Zone Pass agreement with the University of Minnesota for staff and faculty participants for the period of August 27<sup>th</sup>, 2018 to August 26<sup>th</sup>, 2019, with the option to extend up to one additional year through August 25<sup>th</sup>, 2020.
4. 2018-188 Adopt the attached Review Record and allow the City of Rogers to place the High Density Residential Text Change Comprehensive Plan Amendment (CPA) into effect. Find that the proposed amendment does not change the City's forecasts. Advise the City to implement the advisory comments in the Review Record for Wastewater and Housing.
5. 2018-189 Adopt the attached Review Record and allow the City of Corcoran to place the Pulte Encore Comprehensive Plan Amendment (amendment) into effect. Find that the amendment does not change the City's forecasts. Advise the City to implement the advisory comments in the Review Record for Land Use and Housing.
6. 2018-190 Adopt the attached Advisory Comments and Review Record and take the following actions: Recommendations of the Community Development Committee: Adopt the attached Review Record and allow the City of Oakdale to place the 3M Small Area Plan Comprehensive Plan Amendment (amendment) into effect. Revise the City's forecasts for population, households, and employment as shown in Table 1 of the Review Record. Advise the City to implement the advisory comments in the Review Record for Forecasts and Housing.

## BUSINESS

### Community Development

2018-171 Accept the Regional Parks System state fiscal year 2019 operation and maintenance report, as shown in Table 1.

<b>Agency</b>	<b>Reported actual 2017 O&amp;M</b>	<b>Estimated distribution amount</b>
Anoka County	\$5,886,728	\$728,165.95
Bloomington Parks	1,248,169	96,398.48
Carver County	1,334,570	123,785.46
Dakota County	5,952,034	462,575.58
Minneapolis Park Board	29,091,937	2,221,985.85
Ramsey County	7,337,683	687,538.50

Saint Paul Parks	16,800,270	1,321,481.65
Scott County	1,527,109	135,717.58
Three Rivers Park District – Hennepin & Scott	37,462,992	2,423,799.55
Washington County	3,981,073	338,551.40
Total	\$110,622,565	\$8,540,000.00

It was moved by Commers, seconded by Wulff.

**Motion carried.**

2018-172 Release the draft 2040 Regional Parks Policy Plan for public comment. Authorize a public hearing to be conducted regarding the draft 2040 Regional Parks Policy Plan at 4:00PM on Monday, September 17, 2018 as part of the Community Development Committee meeting. Receive public comment from July 26 – September 24. Direct staff to publish public hearing notices that includes the link to the draft 2040 Regional Parks Policy Plan for public comment under the Council’s administrative procedure for public hearings.

It was moved by Commers, seconded by Wulff.

It was moved by Wulff to amend the third bullet of the proposed action by changing September 24 to September 27. This is consistent with Council policy to keep the public comment period open for at least 10 days after the public hearing. Seconded by Cunningham. **Motion carried.**

It was moved by Cunningham to amend the first bullet of the proposed action to read that the Metropolitan Council release the draft 2040 Regional Parks Policy Plan to include new text on pages 106 and 107 replacing paragraph 3 with new text under Finance – Strategy 4: Equity considerations, as shown in the attached document. Seconded by Elkins. Motion carried.

**Motion carried on the original action as amended.**

2018-191 Award one Livable Communities Demonstration Account Pre-Development grant for \$100,000 as listed below, and authorize its Community Development Division Director to execute the grant agreement on behalf of the Council:

Recommended Project	Applicant	TOD Predevelopment
East Seventh Street Housing Site	City of St. Paul	\$100,000
	Total Requested	\$100,000
	Total Available	\$125,000
	Total Remaining	\$25,000

It was moved by Commers, seconded by Cunningham.

**Motion carried.**

2018-192 Award one Livable Communities Demonstration Account Transit-Oriented Development Pre-Development grant for \$25,500 and two Tax Base Revitalization Account Transit-Oriented

Development Site Investigation grants totaling \$55,849, as follows, and authorize its Community Development Division Director to execute the grant agreements on behalf of the Council.

Recommended Projects	Applicant	LCDA-TOD Predevelopment
Downtown YMCA Re-Imagination	City of St. Paul	\$25,500
Total Requested		\$25,500
Total Available		\$125,000
Total Remaining		\$99,500

  

Recommended Projects	Applicant	TBRA-TOD Site Investigation
Northwest University & Dale	City of St. Paul	\$28,924
Capitol Professional Office Building Redevelopment	City of St. Paul	\$26,925
Total Requested		\$55,849
Total Available		\$125,000
Total Remaining		\$69,151

It was moved by Commers, seconded by Wulff.

**Motion carried.**

2018-195 Authorize the Regional Administrator or their designee to execute 13 grant agreements totaling \$18,777,300 with the Regional Park Implementing Agencies and Cities as indicated in and in accordance with the attached table.

It was moved by Commers, seconded by Cunningham.

**Motion carried.**

**Environment**

2018-199 SW Adopt the following wastewater rates and charges to be effective January 1, 2019: Regional Wastewater Charge (total of municipal wastewater charges) of \$227,441,000; Sewer Availability Charge: \$2,485; Temporary SAC: \$1.25 per thousand gallons; Industrial Strength Charge: \$.243 per excess pound of TSS (total suspended solids); Industrial Strength Charge: \$.1215 per excess pound of COD (chemical oxygen demand); Brewery Strength Charge: \$.762 per barrel; Standard Load Charge: \$60.24 per thousand gallons; Holding Tank Load Charge: \$11.10 per thousand gallons; Portable Toilet Waste Load Charge: \$77.46 per thousand gallons; Collar County Load Charge: \$75.24 per thousand gallons; Strength component of Industrial Load Charge: \$.4130 per excess pound of TSS; Strength component of Industrial Load Charge: \$.2065 per excess pound of COD; Out-of-Region Load Charge Component for hauled waste: \$15.00 per thousand gallons; Industrial Permit Fees as shown on Attachment A; and I&I Surcharge Exceedance Rate: \$437,000 per million gallons/day (rate of maximum measured flow within an hour over allowed flow rate).

Ned Smith gave a brief presentation.

It was moved by Rummel, seconded by Letofsky.

**Motion carried.**

## Management

2018-22 SW Authorize the Regional Administrator to enter into a labor agreement with the International Union of Operating Engineers, Local No. 49, effective January 1, 2018 through December 31, 2020.

It was moved by Kramer, seconded by Cunningham.

### **Motion carried.**

2018-183 SW Approve the attached parameters in Resolution 2018-8 to authorize 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, to issue the related General Obligation Sewer Note securing the loan agreement substantially in the form of the Note referenced in the resolution.

It was moved by Kramer, seconded by Rummel.

### **Motion carried.**

2018-184 SW Authorize to bind coverage of its property insurance with XL Catlin, effective 8/1/18-8/1/19, in an amount not to exceed \$2,100,000.

It was moved by Kramer, seconded by Letofsky.

### **Motion carried.**

## Transportation

2018-162 Approve the final D Line Station Plan.

It was moved by Schreiber, seconded by Munt.

It was moved by Letofsky to amend the motion to read as follows: that the Metropolitan Council approve the final D Line Station Plan and directs staff to continue planning and community engagement activities related to the planned station at 48<sup>th</sup> Street and Chicago Avenue. Following this work and through a future action, the Council will confirm or revise the planned station at this location. Seconded by Cunningham. **Motion carried.**

### **Motion carried on the action as amended.**

## Joint Reports

2018-180 JT SW Approve and authorize the Regional Administrator to execute a sole source contract amendment to the legal services contract (16P243) with GKG related to freight rail for the Southwest Light Rail Transit (Green Line Extension), to add \$300,000 to the existing Contract amount of \$450,000 for a total of \$750,000 and to extend the contract term through December 2019.

It was moved by Kramer, seconded by Cunningham.

### **Motion carried.**

2018-181 JT SW Approve and authorize the Regional Administrator to execute a sole source contract amendment to the legal services contract (14P026) with Nossaman LLP related to freight rail

for the Southwest Light Rail Transit (Green Line Extension), to add \$325,000 for a total authorized contract value of \$1,625,000.

It was moved by Kramer, seconded by Cunningham.

**Motion carried.**

## **OTHER BUSINESS**

### **REPORTS**

Council Members:

Cunningham—Spoke to the Mill City neighborhood along with CM Letofsky. There was a lot of interest in the Minneapolis comprehensive plan and SWLRT.

Elkins—Attended a groundbreaking for the Chamberlain apartments in eastern Richfield. It's the first multi-family housing project to be built in that area since the late '60s.

Munt—The City of Minnetonka approved the zoning and building plans for 462-unit affordable housing development near the Opus Station along the future SWLRT line.

Commers—The Land Use Advisory Committee met last week, and he commended staff who wrote *The Typology of Change in Suburban Neighborhoods*.

McCarthy—Attended the Metro Transit Police Dept. Promotions Ceremony, along with CM Wulff.

Chair: Chávez—Shared appreciation for staff, and thanked Mark Fuhrmann for his work. Mark is retiring in August.

Regional Administrator: Reported on behalf of CM Letofsky that former Council member support staff person, Andrew Virden, is working on the census. If anyone has interest in participating in that work, please get in touch with CM Letofsky. New Council member support staff is expected to start next week.

General Counsel: Yesterday the Federal District Court dismissed TCW's federal lawsuit against the Council as a result of the settlement. It was dismissed with prejudice. The shippers and TCW have also submitted letters to the STB withdrawing their opposition to the Council's filing. We hope to get a ruling on that in the next couple of weeks.

The meeting was adjourned at 5:37PM.

### **Certification**

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of July 25, 2018.

Approved this 8<sup>th</sup> day of August 2018.

Emily Getty  
Recording Secretary

Proposed Amendment to the D Line Station Plan Approval:

That the Metropolitan Council approve the final D Line Station Plan, and directs staff to continue planning and community engagement activities related to the planned station at 48th Street and Chicago Ave. Following this work and through a future action, the Council will confirm or revise the planned station at this location.

## Proposed Amendment:

- Release the draft 2040 Regional Parks Policy Plan to include new text on pages 106 and 107 replacing paragraph 3 with new text under Finance - Strategy 4: Equity considerations, as shown in the attached document.

## Finance – Strategy 4: Equity considerations

### *Equity is a consideration in Regional Parks System funding and investment.*

*Thrive MSP 2040* states the Council will “strengthen equitable usage of regional parks and trails by all our region’s residents, such as across race, ethnicity, income, and ability”. *Thrive MSP 2040* also states that the Council will use equity as a lens to evaluate its operations, planning, and investments. An equity lens, also known as an equity toolkit, is a tool government agencies use to collect information related to their major activities. Many government agencies throughout the country are using an equity lens to inventory, monitor, and institutionalize equity principles. An equity lens consists of a short series of open-ended questions that clarify both the positive and adverse impacts a project may have on equity.

The Council developed an equity toolkit during 2016, in collaboration with external partners and stakeholders, including the regional park implementing agencies. The purpose of this equity toolkit is to raise questions of equity in conversation with the regional park implementing agencies and their Boards as they select and prioritize projects. The toolkit includes a short series of questions that regional park implementing agencies complete as a core part of their Parks and Trails Legacy project proposals, and Bonding project proposals. The toolkit helps identify populations that the project seeks to better serve.

~~While the Council will not use these questions for project prioritization, the information provides the Council with a mechanism to track and monitor efforts and progress toward strengthening equitable use of the Regional Parks System.~~

The information provides the Council with a mechanism to track and monitor efforts and progress toward strengthening equitable use of the Regional Parks System. The Metropolitan Parks and Open Space Commission and Council will use the equity toolkit to review, assess and, on occasion, shift the order of the prioritized list of capital projects submitted to the state for state and regional bonds and other funding sources as appropriate and allowable, not including the Parks and Trails Legacy projects. Reprioritization will in no way apply to regional park implementing agency projects that serve as a match to Federal or State funds. The review of proposed projects will in no way alter an agency’s share of funding received from state and regional bonds.

Using Council bonds, the Council will create, fund, and administer ~~an~~ set-aside competitive equity grant program for projects explicitly aimed to strengthen equitable usage of the Regional Parks System. The purpose of this grant program, anticipated to be available no later than 2019, will be to strengthen equitable use of the Regional Parks System. To develop this grant program, the Council will work in close collaboration with regional park implementing agencies, community-based organizations, advocacy groups, and other partners to formulate criteria and measures for awarding grants to regional park implementing agencies for capital projects for development and redevelopment aimed to strengthen equitable use.