

Metropolitan Council

Council Chair Susan Haigh
Councilmember Katie Rodriguez
Councilmember Lona Schreiber
Councilmember Gary Van Eyll
Councilmember Jennifer Munt

Councilmember Steve Elkins
Councilmember James Brimeyer
Councilmember Gary Cunningham
Councilmember Adam Duinck

Councilmember Edward Reynoso
Councilmember John Doan
Councilmember Sandy Rummel
Councilmember Harry Melander

Councilmember Richard Kramer
Councilmember Jon Commers
Councilmember Steven Chávez
Councilmember Wendy Wulff

Meeting Minutes

Wednesday, July 24, 2013

4:00PM

Council Chambers

IN ATTENDANCE

Rodriguez, Van Eyll, Elkins, Brimeyer, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh

CALL TO ORDER

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

APPROVAL OF AGENDA AND MINUTES

It was moved by Commers, seconded by Van Eyll.

It was moved by Chávez, seconded by Kramer.

CONSENT AGENDA

Approval of the Consent Agenda (Items 1-17)

Consent Agenda Adopted

1. 2013-186 Approve resolution 2013-8 authorizing the Regional Administrator to apply for Section 5311 Non-Urbanized Area Formula Program funding from the Minnesota Department of Transportation (MnDOT).
2. 2013-189 Authorize the Regional Administrator to execute an amendment to the professional services contract with Braun Intertec for environmental testing and monitoring during construction, and for subsequent regulatory reporting, as part of the Central Corridor LRT (Green Line) project in an amount not to exceed \$25,000 for a total amended contract value of \$1,074,229.26.
3. 2013-190 Authorize staff to take the necessary steps to designate the Minnesota Department of Transportation (MnDOT) as the recipient of MAP-21 5310 formula grants allocated to the Minneapolis-St. Paul urbanized area.
4. 2013-192 Authorize its Regional Administrator to award and execute a construction contract for Contract No. 13P033, with Rice Lake Construction Group for its low, responsive bid of \$15,877,000.
5. 2013-193 Adopt the Facility Plan for the Empire Wastewater Treatment Plant Solids Improvements, MCES Project No. 807400, by formal Council resolution 2013-9.
6. 2013-194 Authorize its Regional Administrator to negotiate and execute five-year contracts for construction inspection services, in an amount not to exceed \$800,000 each, with HR Green, STantec, Bolton & Menk, TKDA, and Foth Infrastructure & Environment.
7. 2013-195 Authorize its Regional Administrator to award and execute a contract for construction of the East Bethel Reclaimed Water Distribution System, Project No. 801623, Contract 12P079B, with S.M. Hentges and Sons, Inc. for its low responsive bid of \$8,162,824.07.
8. 2013-196 Pass resolution 2013-10 that authorizes acquisition of permanent/temporary easements necessary for the Minneapolis 1-MN-341 and 1-MN-344 Interceptor Improvements; and authorizes Council legal staff to initiate condemnation proceedings for those parcels staff cannot acquire by negotiation.

9. 2013-199 Concur with the Transportation Advisory Board (TAB) action to amend the 2013-2016 Transportation Improvement Program (TIP) to add the Minnesota River Crossing project at the Old Cedar Avenue Bridge in 2014 using \$2,000,000 of federal Paul S. Sarbanes Transit in the Parks program funds, \$3,000,000 of state bonding, and \$9,000,000 in local funds.
10. 2013-200 Concur with the Transportation Advisory Board (TAB) action to amend the 2013-2016 Transportation Improvement Program (TIP) to add three projects on the attached list using a total of \$170,000 in federal Safe Routes to School funding in 2014.
11. 2013-204 Approve the Hardwood Creek Regional Trail Master Plan; require that prior to development of new trail segments, Washington County should send development plans to Metropolitan Council Environmental Services (MCES) for review and comment to ensure the integrity of the regional interceptor system, specifically MCES Interceptor 7029.
12. 2013-205 Approve the North Mississippi Regional Park Master Plan Amendment; require that prior to development, the Minneapolis Park and Recreation Board shall send development plans to Metropolitan Council Environmental Services (MCES) for review and comment to ensure the integrity of the regional interceptor system; require that the Minneapolis Park and Recreation Board provide more detail and submit estimated costs for the development projects that were not quantified in the master plan for Metropolitan Council review and approval prior to seeking future grants; approve a development grant in the amount of \$1,220,551.60 from the North Mississippi Regional Park Fund, comprised of interest earnings on Metropolitan Council park bond accounts in accordance with State law. This grant shall be used to partially finance the construction of a natural filtration swimming pool, bathhouse and site improvements. Consider reimbursing the Minneapolis Park and Recreation Board up to \$1,000,000 from the North Mississippi Regional Park Fund account for the construction of a natural filtration swimming pool, bathhouse and site improvements at North Mississippi Regional Park, when that amount of interest has been earned on the Council's park bonds in accordance with State law.
13. 2013-206 Approve the Rum River Regional Trail Master Plan; notify Anoka County that acquisition of land or easements to supplement the right-of-way along existing County roadways up to a total width of 120 feet is eligible for regional parks funding. If Anoka County acquires entire parcels along the corridor, the portion of the property that is not needed for the regional trail shall not be eligible for regional parks funding.
14. 2013-207 Award a \$100,000 Livable Communities Demonstration Account Transit-Oriented Development Pre-Development grant to the City of Saint Louis Park for its Saint Louis Park Station Area Zoning Study project; and authorize its Community Development Division Director to execute the grant agreement on behalf of the Council.
15. 2013-208 Authorize the Regional Administrator to amend the HUD Sustainable Communities Regional Planning Grant Sub-recipient Agreements with The Cornerstone Group, Project for Pride in Living, and Aurora St. Anthony Neighborhood Development Corporation to increase their grant award amounts by \$27,155 each.
16. 2013-209 Adopt the attached review record and allow the City of Chanhassen to put the Chanhassen Apartments Comprehensive Plan Amendment (CPA) into effect; find that the proposed CPA does not change the City's forecasts.
17. 2013-211 Approve a grant of up to \$260,358 to Scott County to finance up to 75% of the acquisition costs of the 10 acre parcel of the Albrecht-Hutchinson property containing the house and barn illustrated in Attachment 2. The grant is financed with: \$156,215 of FY 2013 Parks and Trails Legacy Fund (PTLF) appropriation, \$104,413 Metropolitan Council bonds. This grant must be matched with up to \$86,786 of Scott County funds to finance 25% of the 10 acre parcel. Approve a grant of up to \$799,116 to finance 75% of the acquisition of the 107.4 acre parcel and 132.65 acre parcel illustrated in Attachment 2. The grant is financed with: \$161,370 of 2012 Environment and Natural Resources Trust Fund (ENTRF) appropriation; \$22,520 of FY 2013 Parks and Trails Legacy Fund (PTLF) appropriation; \$295,580 of FY 2014 Parks and Trails Legacy Fund appropriation; \$319,646 of Metropolitan Council bonds. This grant must be matched with up to \$266,372 of Scott County funds to finance 25% of these parcels remaining acquisition costs.

Permit the Scott County matching funds to these grants of up to \$353,158 be eligible for reimbursement consideration as part of Scott County's share of future regional park capital improvement programs. 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. Release the restrictive covenant on the 31.76 acre parcel illustrated in Attachment 4 as "Proposed Land Exchange" in exchange for reducing the amount paid to the Albrecht-Hutchinson \$256,167, the value of the 31.76 acre parcel.

BUSINESS

Community Development—Reports on Consent List

Environment

2013-191 Authorize the Regional Administrator to execute a Power Purchase Agreement (PPA) and Land Lease with Oak Leaf Energy Partners, LLC (Oak Leaf).

It was moved by Rummel, seconded by Van Eyll.

Motion carried.

2013-197 Adopt the following wastewater rates and charges to be effective January 1, 2014: Metropolitan Wastewater Charge (total of municipal wastewater charges) of \$184,188,000; Sewer Availability Charge (SAC) \$2,485 per Residence or Residential Equivalent Capacity; Temporary Capacity Charge \$1.25 per thousand gallons; Industrial Strength Charge \$.185 per excess pound of TSS (total suspended solids); Industrial Strength Charge \$.0925 per excess pound of COD (chemical oxygen demand); Standard Load Charge \$54.71 per thousand gallons; Holding Tank Load Charge \$9.60 per thousand gallons; Portable Toilet Waste Load Charge \$70.26 per thousand gallons; Collar County Load Charge \$69.71 per thousand gallons; Strength component of Industrial Load Charge \$.373 per excess pound of TSS; Strength component of Industrial Load Charge \$.1865 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; I/I Surcharge Exceedance Rate \$407,000 per million gallons/day (rate of measured flow). Further, that the Metropolitan Council un-designates the \$11 million in wastewater operating reserves currently designated for potential SAC shift.

It was moved by Rummel, seconded by Van Eyll.

Motion carried.

Management

2013-212 SW Authorize the Regional Administrator to award and execute Contract 13P029 for the restoration of the exterior columns on the Robert Street building with Advanced Masonry Restoration for its bid of \$335,000.

It was moved by Brimeyer, seconded by Elkins.

Motion carried.

Transportation—Reports on Consent List

OTHER BUSINESS

2013-217 Approve Chair Haigh's recommendation to appoint the following persons to the Livable Communities Advisory Committee (LCAC) to terms as noted: Chair: Mary Hamann-Roland, Mayor, City of Apple Valley (serves at the pleasure of the Council). The following persons are recommended for appointment or re-appointment to three-year terms in the listed expertise categories: Local Government: Doug Borglund,

Community Development Director, City of Forest Lake (reappointment); Development/Redevelopment: JoAnna Hicks, Development Director, Ackerberg Group (reappointment); Transportation and Development Relationship: Charleen Zimmer, Owner, Zan Associates, transportation, land use, and environmental planning consultant (reappointment); Site Design—Architecture/Land Planning Specialty: James Garrett, Partner, 4rmula architectural firm (reappointment); Site Design—Architecture Land Planning: Tan Nguyen, Principal, Nguyen Architects, Inc. (new appointment).

It was moved by Melander, seconded by Rummel.

Motion carried.

REPORTS

Chair: Participated in the Greater MSP Board of Directors meeting. Met with Congressman Ellison and several HUD officials. Met with the Alliance for Metropolitan Stability to discuss the FHEA work. Participated in meetings with the Governor regarding the agenda for the next legislative session. Met with the new Transportation Secretary, Anthony Fox, along with CM Melander. Fox is the former Mayor of Charlotte, NC.

Council Members:

Chávez: Reported on the success of the Metro Red Line opening event.

Rummel: Attended the Corridors of Opportunity meeting. Participated in the Gateway Business meeting where transit was discussed. Attended MAWSAC and Clean Water Council meetings.

Brimeyer: Attended a few City Council meetings and met with City managers regarding SWLRT. Also attended a few open houses for SWLRT.

Elkins: Has been working with the Bloomington City Council on re-zoning a large parcel of land near the future American Blvd. BRT.

Regional Administrator: Cars will be on the Green Line tomorrow.

The meeting was adjourned at 4:25PM.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of July 24, 2013.

Approved this 14 day of August, 2013.

Emily Getty
Recording Secretary