

Council Chair Susan Haigh

Council Members

Katie Rodriguez	Jennifer Munt	Gary Cunningham	Edward Reynoso	Sandy Rummel	Richard Kramer	Steven Chávez
Lona Schreiber	Steve Elkins	Adam Duinick	Marie McCarthy	Harry Melander	Jon Commers	Wendy Wulff
Gary Van Eyll	James Brimeyer					

## Meeting Minutes

Wednesday, September 24, 2014 4:00p.m. Council Chambers

### IN ATTENDANCE

Rodriguez, Schreiber, Munt, Van Eyll, Elkins, Brimeyer, Cunningham, Reynoso, McCarthy, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh

### CALL TO ORDER

A quorum being present, Chair Haigh called the meeting to order at 4:06p.m.

### APPROVAL OF AGENDA AND MINUTES

It was moved by Rummel, seconded by Kramer

It was moved by Chávez, seconded by Wulff

### BUSINESS

#### Joint Report of the Transportation and Management Committees

2014-216 Amend the 2014 Unified Budget as indicated and in accordance with the tables attached to the business item.

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

Aye:	15	Rodriguez, Schreiber, Van Eyll, Elkins, Brimeyer, Cunningham, Reynoso, McCarthy, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh
Nay:	0	
Absent:	2	Duinick, Munt (arrived after roll was taken)

### CONSENT AGENDA

#### Approval of the Consent Agenda (Items 1-16)

##### Consent Agenda Adopted

1. 2014-142 Approve the 2015 Five (5) Year and Annual Public Housing Agency (PHA), authorize the Metropolitan Council Chair to execute the required certifications and direct staff to submit the final Plan to the U.S. Department of Housing and Urban Development.
2. 2014-210 For the purposes of holding a public hearing and receiving public comment, the Metropolitan Council authorize a public comment period from November 1, 2014 to November 30, 2014. This comment period will include several public hearings and an official public hearing on November 18, 2014 at 11:30a.m. in St. Paul.
3. 2014-213 Adopt the proposed 2015 Unified Planning Work Program (UPWP) with a budget of \$5,047,548; adopt Resolution 2014-21 authorizing the filing of an application with the Minnesota Department of Transportation for a planning grant under MAP-21; authorize the Regional Administrator to

enter into an agreement with the State of Minnesota, Department of Transportation, for distribution of FHWA and FTA planning funds.

4. 2014-217 Authorize the Regional Administrator to negotiate and execute the Assignment of 2013 Counties Transit Improvement Board Capital Grant Award from Hennepin County Regional Railroad Authority to Metropolitan Council for the Blue Line Extension Project the term of which shall end December 31, 2015.
5. 2014-218 Authorize the Regional Administrator to exercise existing contract options on Contract 13P183 with New Flyer Industries to purchase three articulated buses in an amount not to exceed \$2,239,239 contingent on satisfactory results of the Pre-Award Buy America Audit.
6. 2014-219 Authorize the Regional Administrator to amend sole source Contract 12P226 with Cubic Transportation Systems (Cubic) for an additional \$177,400 with a new total amount not to exceed \$1,828,628.
7. 2014-221 Authorize the Regional Administrator to negotiate and execute a lease agreement amendment between the Metropolitan Council and Golub Realty Management for expanding the Green Line Extension (SWLRT) Project Office by 12,432 square foot area in Park Place West Office Building in St. Louis Park, Minnesota for the 56-month period from December 1, 2014 through July 31, 2019 in an amount not to exceed \$1,460,000.
8. 2014-222 Authorize the Regional Administrator to execute a purchase order for fourteen (14) Motorola MCC7500 voice communications consoles and supporting equipment and a sole source authorization contract for the labor to install this proprietary equipment in the amount of \$880,095.
9. 2014-223 Authorize the Regional Administrator to negotiate and execute an engineering services contract for design and construction support for the Seneca Wastewater Treatment Plant (WWTP) Solids Improvements Project, Contract 14P041 to Black and Veatch in the amount of \$3,500,000.
10. 2014-224 Increase the delegated construction change order authority of the General Manager of Environmental Services for the Wayzata Area Improvements L26 Discharge Manifolds and Meter M428A/B Improvements, MCES Project 802847, Contract 13P184.
11. 2014-225 Authorize staff to hold a formal public hearing to gather input and discuss a proposed new program that incentivizes industrial customers to put pretreatment facilities on their sites.
12. 2014-226 Concur with the Transportation Advisory Board (TAB) action to amend the 2014-2017 Transportation Improvement Program (TIP) to include preliminary engineering for its Safe Routes to School trail and sidewalk project for Wentworth Avenue from Charlton Street to Bellows Street and Bellows Street from Wentworth Avenue to Thompson Avenue (SP# 173-591-001), contingent on TAB approval at its September 17 meeting.
13. 2014-229 Approve an amendment to grant agreement SG-2012-059 to change the scope (development project) to add “for professional design and engineering services, construction consultant fees and supplemental construction costs for the extension of Rice Creek North Regional Trail, from County Road H to Long Lake Regional Park, as a match to a \$1,100,000 Federal TAP grant.” Also, amend the agreement end date to June 30, 2018 to match the Federal grant end date. Approve an amendment to the 2014 Regional Parks Capital Improvement Program to change the \$555,000 grant to Ramsey County for Keller Regional Park to substitute “for the extension of Rice Creek North Regional Trail, from County Road H to Long Lake Regional Park, to match a \$1,100,000 Federal TAP grant.”
14. 2014-230 Approve the Chain of Lakes-Otter Lake Regional Trail Master Plan. Require that prior to initiating development of the Chain of Lakes-Otter Lake Regional Trail, preliminary plans should be sent to Metropolitan Council Environmental Services for review in order to assess the potential impacts to the regional interceptor system.

15. 2014-231 Approve the Above the Falls Regional Park Master Plan Amendment. Authorize a grant of \$100,000 to further the design, engineering and implementation for Hall's Island within the Above the Falls Regional Park Master Plan that is consistent with the amended 2014 Regional Parks Capital Improvement Program. Inform the Minneapolis Park and Recreation Board that Regional Parks Capital Improvement Program (CIP) funds are not eligible to be used for remediation of contaminated soils that may be exposed on the Scherer Park site as part of the creation of Hall's Island and the Mississippi River back channel.
16. 2014-233 Authorize the Regional Administrator to negotiate and execute a professional services contract with SRF Consulting Group, Inc. to conduct a planned study of transit improvements including bus and potential streetcar along West Broadway Avenue and connections to Bottineau LRT and downtown Minneapolis in the amount not to exceed \$614,816.

## **BUSINESS**

### **Community Development—Reports on Consent Agenda**

#### **Environment**

2014-235 SW Authorize the Regional Administrator to award and execute a contract to construct 1-GV-461 Relief Lift Station L-81 Project 805730, Contract 13P258, with Engineering and Construction Innovations (ECI) for their low, responsive bid of \$12,981,825.

It was moved by Rummel, seconded by Chávez.

#### **Motion carried.**

### **Management—No Reports**

#### **Transportation**

2014-220 1. Concur with the Transportation Advisory Board (TAB) action to adopt the 2015-2018 Transportation Improvement Program (TIP) for the Twin Cities metropolitan area. 2. Certify that the Twin Cities Metropolitan Planning Process is addressing major issues facing the metropolitan planning area and is being carried on in conformance with all applicable federal requirements of:

- a. 23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart;
- b. Sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- c. Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR part 21;
- d. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- e. Sections 1101 (b) of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Pub. L. 112-141) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in US DOT funded projects;
- f. 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- g. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
- h. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- i. Section 324 of Title 23, U.S.C. regarding the prohibition of discrimination based on gender; and
- j. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR 27 regarding discrimination against individuals with disabilities.

3. Certify the TIP conforms with the provisions of 49 CFR part 20 regarding lobbying restrictions on influencing certain federal activities. 4. Find that the TIP is consistent with the Transportation Policy Plan, which is in conformance with applicable federal transportation and air quality regulations. 5. Find that the TIP meets all applicable federal requirements. 6. Find that the TAB provided adequate opportunity for involvement from the public, agency, and transit operators through its regular process and public comment period. 7. Transmit the 2015-2018 TIP along with these comments to the Minnesota and Wisconsin Departments of Transportation and the Minnesota Pollution Control Agency.

It was moved by Elkins, seconded by Munt.

**Motion carried.**

2014-228 Authorize the Regional Administrator to negotiate and execute an engineering services contract with Kimley-Horn and Associates, Inc. for engineering consultant services for the METRO Blue Line Light Rail Transit (BLRT) Extension (known as the Bottineau Transitway during earlier planning phases) Project in an amount not to exceed \$110,046,172.

It was moved by Elkins, seconded by Schreiber.

**Motion carried.**

2014-234 Concur with the Transportation Advisory Board (TAB) action to approve the Regional Solicitation package for 2017-2019 funding, including the evaluation criteria and Steering Committee weighting, and to release the solicitation.

It was moved by Elkins, seconded by Munt. Wulff voted nay.

**Motion carried.**

**INFORMATION**

Continued Discussion on Fair Housing

Libby Starling introduced Erika Finkler, Acting Director of the Fair Housing and Equal Opportunity Division at the U.S. Department of Housing and Urban Development, Minneapolis Field Office. Council members discussed the potential impact of adding segregation or concentration of poverty to the formula to determine the affordable housing need. Council members wondered what the unintended consequences of this change would be, how this would affect communities, and the effect of the market. A motion was made by Brimeyer to add two new steps: concentration of poverty and more weighting on existing affordable housing stock. Cunningham seconded. Chair Haigh asked to wait on this motion and continue the discussion. Brimeyer made a motion to table his original motion. Melander seconded. Motion carried. The group agreed on the importance of making sure investments are made in the right places and that responsibility is dispersed throughout the region.

The meeting was adjourned at 5:55p.m.

**Certification**

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of September 24, 2014.

Approved this 15 day of October, 2014.

Emily Getty  
Recording Secretary