

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 Marie McCarthy
Councilmember Sandy Rummel
Councilmember Harry Melander
Councilmember Richard Kramer
Councilmember Jon Commers
Councilmember Steven Chávez
Councilmember Wendy Wulff

Meeting Minutes

Wednesday, December 11, 2013

4:00PM

Council Chambers

IN ATTENDANCE

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

CALL TO ORDER

A quorum being present, Chair Haigh called the meeting to order at 4:07PM. Marie McCarthy was sworn in as the new Council member for District 10.

APPROVAL OF AGENDA AND MINUTES

It was moved by Rummel, Chávez

It was moved by Van Eyll, Chávez

JOINT REPORTS

A. Management and Transportation Committees

1. 2013-321 SW Authorization to Amend the 2013 Unified Capital Program

It was moved by Brimeyer, seconded by Chávez

Motion carried on the following roll call vote:

Aye: 13 Rodriguez, Schreiber, Van Eyll, Elkins, Brimeyer, McCarthy, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh

Nay: 0

Absent: 4 Cunningham, Munt (arrived after roll call was taken), Duinck, Reynoso

2. 2013-340 SW Authorization to Amend the 2013 Unified Operating Budget

It was moved by Brimeyer, seconded by Chávez

Motion carried on the following roll call vote:

Aye: 13 Rodriguez, Schreiber, Van Eyll, Elkins, Brimeyer, McCarthy, Rummel, Melander, Kramer, Commers, Chávez, Wulff, Haigh

Nay: 0

Absent: 4 Cunningham, Munt (arrived after roll call was taken), Duinck, Reynoso

CONSENT AGENDA

Approval of the Consent Agenda (Items 1-20)

Consent Agenda Adopted

1. 2013-97 Authorize the Regional Administrator to enter into an agreement with the Law Enforcement Labor Services (LELS), Inc., Local 192, Part Time Police Officers effective for the period of January 1, 2013 through December 31, 2015.
2. 2013-300 Approve the list of Authorized Financial Institutions for 2014.
3. 2013-301 Authorize the Regional Administrator to amend the terms of the following volume-based financial contracts, as needed, so as to provide continued service through December 31, 2014: Wells Fargo and US Bank—General banking services; Elavon—Credit card processing, gateway and management payment services; Bank of America (BofA)—Purchasing card services; Wells Fargo and US Bank—Custodian, securities lending, trustee and escrow.
4. 2013-305 Authorize the Regional Administrator to make ongoing maintenance and support service payments on a sole-source basis for installed software and hardware, with the services to be procured from the vendors on the attached 2014 Information Services Sole Source Vendor List up to the amount listed.
5. 2013-306 Execute a purchase order for Motorola Voice Communications console hardware and a sole source contract for installation.
6. 2013-307 Authorize the Regional Administrator to award and execute a contract for construction of the 1-MN-342 Interceptor Reconstruction, MCES Project No. 807616, Contract No. 13P138, with Minger Construction, Inc. for their low responsive, responsible bid of \$4,071,329.40.
7. 2013-308 Authorize the General Manager of Environmental Services to hold a public hearing for the Draft Facility Plan for the St. Bonifacius Lift Station and Force Main Improvements, MCES Project No. 808200.
8. 2013-309 Authorize the General Manager of Environmental Services to hold a public meeting on the Draft Facility Plan for Seneca Interceptor Improvements, MCES Project No. 808000.
9. 2013-310 Approve the attached resolution changing certain designated position titles in the Minnesota State Retirement System unclassified plan.
10. 2013-311 Approve revisions to the Non-Represented Plan effective January 1, 2014.
11. 2013-313 Approve the Nine Mile Creek Regional Trail Master Plan. Require that if the MAC Alternative Alignment is selected as the preferred route for the regional trail, Three Rivers Park District should submit documentation of its compliance with Federal Aviation Administration regulations as well as the required approvals from the Metropolitan Airports Commission, the Minnesota Department of Transportation, and the Cities of Richfield and Bloomington to the Metropolitan Council prior to seeking regional parks funding for this route. Require that prior to initiating development of the Nine Mile Creek Regional Trail, preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager (651-602-4503) at the Metropolitan Council Environmental Services for review in order to assess the potential impacts to the regional interceptor system.
12. 2013-317 Approve an extension to the grant term for the City of White Bear Lake's project known as "BoatWorks Commons" to February 28, 2014.
13. 2013-318 Approve an extension to the grant term for the City of Chaska's project known as "The Landing" to July 31, 2014.
14. 2013-319 Adopt the attached review record and allow the City of Eagan to put the Gratus comprehensive plan amendment (CPA) into effect. Revise the City's official forecasts detailed in Table 2 of the Review Record. Advise the City to implement the advisory comments in the Review Record for aviation and surface water management.

15. 2013-320 Adopt the review record and allow the City of Lake Elmo to put the Village Area comprehensive plan amendment (CPA) into effect. Find that the proposed amendment does not change the official forecasts for the City. Encourage the City to begin participation in the Livable Communities Act (LCA) Local Housing Incentives Account in order to become eligible for LCA grants that can assist in the development and preservation of affordable housing. Advise the City to implement the advisory comments in the Review Record for Transportation.
16. 2013-322 Authorize an additional 5% (\$88,481) above the currently authorized construction contract change order authority of \$88,481 to a revised change order authority of \$176,962 for the Central Corridor (Green Line) Vertical Circulation Contract.
17. 2013-323 Authorize the Regional Administrator to execute agreements with the Counties Transit Improvement Board (CTIB) to receive funds in 2014 for the following projects: Operating: METRO Blue Line (Hiawatha LRT) - \$9,211,152; Northstar Commuter Rail - \$6,557,567; METRO Green Line (Central Corridor LRT) - \$7,530,671; I-35W South BRT Express Service - \$132,275; Cedar Ave. BRT Express Service - \$391,866; METRO Red Line (Cedar Ave. BRT Station to Station Service) - \$1,450,376; Capital: Southwest LRT (Green Line Extension) - \$17,557,338.
18. 2013-324 Rescind Business Item 2013-298 action authorizing the Regional Administrator to execute vehicle grant agreements with MVTA; and authorize the Regional Administrator to exercise an existing contract option to purchase 22 forty-foot transit buses in an amount not to exceed \$10,010,000 on behalf of Minnesota Valley Transit Authority (MVTA).
19. 2013-325 Concur with the Transportation Advisory Board (TAB) action to approve the attached application and criteria for the Transportation Alternatives Program (TAP) solicitation for 2017 funds and the release of the solicitation.
20. 2013-326 Concur with the Transportation Advisory Board (TAB) action to amend the TAB Bylaws.

BUSINESS

Community Development

2013-314 Conduct a public hearing on February 18, 2014 as part of its Community Development Committee meeting regarding amending the 2030 Regional Parks Policy Plan to replace the Park Acquisition Opportunity Fund Grant rules, found in Chapter 4 of the 2030 Regional Parks Policy Plan, to those outlined in attachment B. The hearing record shall remain open until 4:30PM, Friday, February 28, 2014. Direct staff to publish public hearing notices and distribute copies of the proposed amendments to the 2030 Regional Parks Policy Plan under the Council's administrative procedure for public hearings.

It was moved by Commers, seconded by Chávez

Motion carried.

2013-315 Award \$1.5 million in Local Housing Incentives Account (LHIA) grants as listed.

It was moved by Commers, seconded by Chávez

Motion carried.

2013-316 Amend the 2013 Livable Communities Fund Distribution Plan to raise the \$2 million Livable Communities Demonstration Account Transit-Oriented Development (LCDA-TOD) grants per-city award limit by \$45,000 to allow for full funding of two Minneapolis projects and award five Livable Communities Demonstration Account Transit-Oriented Development Grants as listed.

It was moved by Commers, seconded by Rummel

Motion carried.

Environment

2013-335 SW Adopt the Facility Plan for the Seneca Wastewater Treatment Plan Solids Improvements, MCES Project No. 807500, Resolution 2013-44.

It was moved by Rummel, seconded by Melander

Motion carried.

2013-336 SW Authorize the Regional Administrator to award and execute a contract for construction of the 1-MN-341 Interceptor Rehabilitation, MCES Project No. 807617, Contract No. 13P139, with Michels Pipe Services, a division of Michels Corporation, for their low responsive, responsible bid of \$7,349,623.00.

It was moved by Rummel, seconded by Commers

Motion carried.

2013-337 SW Pass Resolution 2013-45 that authorizes acquisition of permanent and temporary easements necessary for the Elm Creek Interceptor Rehabilitation Phase 1 and Phase 2 projects, and authorizes Council legal staff to initiate condemnation proceedings for those parcels that staff cannot acquire by negotiation.

It was moved by Rummel, seconded by Van Eyll

Motion carried.

Management

2013-302 Adopt Resolution 2013-25 which provides for the issuance of Refunding Certificates of Participation (COPs) through an attached draft trust agreement with Wells Fargo, for Council to enter a related lease purchase agreement for the Council's central office at 390 Robert Street North in St. Paul, to incur related issuance expenses and to execute related documents needed to fulfill this resolution.

It was moved by Brimeyer, seconded by Chávez

Motion carried.

2013-303 Adopt Resolutions 2013-33, 2013-34, 2013-35, 2013-36, authorizing the issuance, sale and award of general obligation debt, the incurrence of related issuance expenses and execution of necessary documents to secure this financing. Collectively, the below new debt issues total \$194.0 million and are made up of the following pieces: CCLRT Cash Flow Purposes (Interim Capital Funding): \$101.0 Million General Obligation Grant Anticipation Notes, Series 2014A (GANs); Capital Funding Purposes: \$8.0 Million General Obligation Park Notes, Series 2014B, \$25.0 Million Obligation Transit Notes, Series 2014C, \$60.0 Million General Obligation Wastewater Revenue Bonds, Series 2014D.

It was moved by Brimeyer, seconded by Rodriguez

Motion carried.

2013-304 Approve Resolution 2013-24 to authorize the Regional Administrator to execute a loan agreement with the Minnesota Public Facilities Authority (PFA) and to issue a related and securing \$60 million General Obligation Wastewater Revenue Note, both substantially in the form in the attachments.

It was moved by Brimeyer, seconded by Chávez

Motion carried.

Transportation

2013-329 SW Authorize the Regional Administrator to execute a professional services contract with Julie Snow Architects, Inc. for design and construction support services for a building to be located on Development Parcel A of the Target Field Station and which will house the Metro Transit Police Department (MTPD) Facility and facilities to be owned by United Properties (a private developer) at a not-to-exceed contract amount of \$2,150,000 contingent upon the execution of an Interim Agreement for Co-Development of Target Field Station Development Parcel A.

It was moved by Schreiber, seconded by Munt

Motion carried.

2013-330 SW Authorize the Regional Administrator to exercise an existing contract option on Contract 08P114 with MCI to purchase 7 coach buses in an amount not to exceed \$4,057,200 on behalf of SWT and the City of Prior Lake.

It was moved by Schreiber, seconded by Munt

Motion carried.

2013-333 SW Approve a request by MnDOT and Hennepin County to construct an interchange with I-35W Northbound at 4th Street South in the City of Minneapolis, conditional upon any significant changes in the design of the proposed project being subject to further review and approval by the Metropolitan Council prior to construction.

It was moved by Schreiber, seconded by Rodriguez

Motion carried.

2013-344 SW Authorize the Regional Administrator to execute a contract with Taxi Services Inc. for Peak Demand Overflow (PDO) services for January 1, 2014 through June 30, 2015 in an amount not to exceed \$775,000.

It was moved by Schreiber, seconded by Rummel

Motion carried.

OTHER BUSINESS

2013-348 Accept the preliminary draft of Thrive MSP 2040, also known as "ProtoThrive," as the Regional Plan for Sustainable Development and submit the document to the Corridors of Opportunity Policy Board for their acceptance on December 18, 2013 and its subsequent submittal to the U.S. Department of Housing and Urban Development (HUD) as a deliverable for the Sustainable Communities Regional Planning Grant.

It was moved by Van Eyll, seconded by Chávez

Motion carried.

2013-328 Approve the following appointments to the Metropolitan Parks and Open Space Commission: Dean Johnston, Chair; Rick Theisen-District A; Robert Moeller-District B; William Weber-District C; Anthony Taylor-District D; Tony Yarusso-District E; Sarah Hietpas-District F; Carrie Wasley-District G; Barbara Schmidt-District H.

It was moved by Wulff, seconded by Kramer

Motion carried.

2013-331 Approve the following appointments to the Land Use Advisory Committee: Marvin D. Johnson, Mayor, City of Independence-District 1; James McLean-District 13; and Colleen Ratzlaff Labeau, Lakeville City Council-District 16.

It was moved by Commers, seconded by Wulff

Motion carried.

To accommodate the 6pm requirement for taking up item 2013-327, Chair Haigh stated the Reports would be shared at this time.

REPORTS

Chair: Participated in many SWLRT-related meetings. Spoke to Leadership Twin Cities, a group of young leaders organized by area chambers. Attended meetings regarding Rail~Volution 2014 which will be held in the Twin Cities. Participated in a panel for Metro Cities at the League of MN Cities annual meeting. Attended the Vikings stadium groundbreaking. Has been participating in Town Hall forums with Commissioner Zelle. Spoke at the MDHR Symposium and the County Administrators' meeting.

Council Members:

Wulff: Attended the 5 year anniversary of Farmington becoming a Yellow Ribbon City (Farmington was the first in the country to become a Yellow Ribbon City).

Commers: Met with St. Paul City Council members to discuss transit service to Lexington and the Como Park area.

Rummel: Met with legislators, Century College administrators and students to discuss transportation to the College. Attended the Rush Line meeting. Attended the EQB meeting.

Munt: Participated in SWLRT CAC meetings and other SWLRT-related meetings. Participating in the Move MN campaign. Met with the City of Wayzata regarding complete streets. Participated in a forum where she received feedback regarding Metro Mobility.

Elkins: Attended the Minneapolis Regional Chamber of Commerce's Critical Issues Forum on Transportation Finance. Visited Salt Lake City and experienced their transit.

Rodriguez: Attended an open house in Plymouth hosted by MnDOT regarding the dynamic shoulder and 494. Presented at a Plymouth City Council meeting. Met with Independence Mayor Johnson who is a new LUAC member.

Chávez: Attended a MAC meeting. Met with the Inver Grove Heights City Council where they discussed water and SAC. Met with the City of Rosemount and will be attending a Robert Street Corridor meeting with CM Kramer. Met with a large group of Latinos to discuss the Council and will be speaking on their behalf on some issues.

Regional Administrator: No report

General Counsel: No report

Chair Haigh temporarily adjourned the meeting at 5:19.

Chair Haigh called the meeting to order at 6:00.

2013-327 Adopt the following resolutions: 2013-38 Adopting the Council's 2013 Tax Levy for General Purposes for Certification to the County Auditors; 2013-39 Adopting the Council's 2013 Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund; 2013-40 Adopting the Council's 2013 Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act; 2013-41 Certifying the Council's 2013 Tax Levy for Debt Service on Future Park Bonds; 2013-42 Certifying the Council's 2013 Tax Levy for Debt Service on Future Transit Bonds; 2013-43 Adopting the Metropolitan Council's 2014 Unified Budget.

Public Testimony: One member of the public spoke to the Council at the public meeting. David Pergundy from Lake St. Croix Beach had two questions for the Council. First, he expressed concern that an unelected Metropolitan Council was making decisions that affected the property taxes paid by residents of the region and asked whether the Council was doing anything at the Legislature to change the Council to an elected body. Second, he asked why the Metropolitan Council was so supportive of light rail transit in the region. He felt that if residents of the region were given a vote that they would not support light rail as a transportation option.

It was moved by Brimeyer, seconded by Chávez

Motion carried on the following roll call vote:

Aye: 13 Rodriguez, Schreiber, Munt, Van Eyll, Elkins, Brimeyer, McCarthy, Rummel, Melander, Kramer, Commers, Chávez, Haigh

Nay: 1 Wulff

Absent: 3 Cunningham, Duininck, Reynoso

The meeting was adjourned at 6:08p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of December 11, 2013.

Approved this 22 day of January, 2014.

Emily Getty
Recording Secretary