

Council Chair Charles Zelle

Council Members

Abdirahman Muse

Deb Barber

Kris Fredson

Molly Cummings

Phillip Sterner

Reva Chamblis

Susan Vento

Chai Lee

Francisco J. Gonzalez

Lynnea Atlas-Ingebretson

Peter Lindstrom

Raymond Zeran

Robert Lilligren

Wendy Wulff

Christopher Ferguson

Judy Johnson

Meeting Minutes

Wednesday February 26, 2020 4:00 p.m. Council Chambers

IN ATTENDANCE

Johnson, Chamblis, Ferguson, Barber, Cummings, Atlas-Ingebretson, Zeran, Lindstrom, Vento, Gonzalez, Lee, Fredson, Sterner, Wulff

ABSENT

Lilligren, Muse

CALL TO ORDER

A quorum being present, Chair Zelle called the meeting to order at 4:03 p.m.

APPROVAL OF AGENDA AND MINUTES

Agenda was moved by Sterner, seconded by Cummings.

Minutes were moved by Sterner, seconded by Vento.

PUBLIC INVITATION

Invitation to interested persons to address the Council on matters not on the agenda. Public comment on the agenda items has occurred in the respective committees (each speaker is limited to a three-minute presentation).

CONSENT AGENDA

Approval of the Consent Agenda (Items 1-6)

Consent Agenda Adopted

2020-49: That the Metropolitan Council:

1. Approve Minneapolis Park and Recreation Board's Victory Memorial Parkway Regional Trail (Theodore Wirth Parkway Segment) Master Plan Amendment.
2. Require that Minneapolis Park and Recreation Board, prior to initiating any new development of the regional trail corridor, send preliminary plans to the Engineering Services Assistant Manager at the Metropolitan Council's Environmental Services Division.

2020-50: That the Metropolitan Council:

1. Approve Anoka County's Rum River Regional Trail Master Plan Amendment.
2. Advise the County to consider the additional suggestions regarding placement and design of the trail contained at the end of this report.

2020-58: That the Metropolitan Council:

1. Approve the Equity Analysis Requirement for Park and Trail Master Plans as contained in this report with an effective date of June 1, 2020.
2. Advise Regional Parks Implementing Agencies that Park and Trail Master Plans submitted to the Council on or after June 1, 2020, will need to address the Equity Analysis Requirement.

2020-59: That the Metropolitan Council authorize the Regional Administrator to amend Contract 17P207 with Korn Ferry to add \$175,000 bringing the total three-year contract value to \$673,200.

2020-63: That the Metropolitan Council authorize the Regional Administrator to amend Contract 15P057 with Minnesota Occupational Health by adding \$360,000 to bring the total contract value to \$1,216,500.

2020-71: That the Metropolitan Council approve the submittal of a Homework Starts with Home funding application to Minnesota Housing for \$700,000, and authorize the Director, Community Development, to execute a funding agreement for program operation, if funds are awarded.

It was moved by Johnson, seconded by Lindstrom.

Motion carried.

BUSINESS

Community Development

2020-57: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

1. Authorize the City of Nowthen to place its 2040 Comprehensive Plan into effect.
2. Revise the Community Designation for the eastern portion of the City to Rural Residential, as shown in Figure 3, and in accordance with the Chapter 214, article 2, section 46 of the 2018 regular session of the Legislature.
3. Advise the City to implement the advisory comments in the Review Record for surface water management, land use, and plan implementation

It was moved by Vento, seconded by Zeran.

Motion carried.

2020-70: That the Metropolitan Council approve the 2020 Annual Livable Communities Fund Distribution Plan.

Tara Beard, Livable Communities Manager, gave a presentation on the 2020 Annual Livable Communities Distribution Plan. The Council is required to annually to determine a fund distribution plan for Livable Communities Act (LCA) programs as described in statute. The Livable Communities Demonstration Account (LCDA) is the largest of the fund distributions. It has an authorized budget of \$6.8 million and reserves of \$2.2 million for a total of \$9 million available. Notice of funding availability will go out in March. Within the LCDA there is a Transit Oriented Development (TOD) category that has been in practice since 2011. From within the larger LCDA account \$5 million is set aside for TOD. Changes to the LCDA and LCDA-Scoring Criteria are: 1. Elimination of Housing Performance Scores from funding criteria; 2. Balancing additional private investment

with the importance of assessing and mitigating displacement; 3. Adding social and community connections to livability criteria; 4. Prioritizing project readiness more and 5. More specific criteria for community engagement and demonstration value. Both the LCDA and LCDA-TOD have predevelopment awards within the funding category; up to \$50,000 is available for pre-development activities. Changes to the LCDA and LCDA-TOD Pre-development Scoring Criteria are 1. Clarity that pre-development activities may provide OR assess the potential to meet LCA priorities and 2. More specific criteria for community engagement.

The Local Housing Incentives Account (LHIA) is the account specifically and only for affordable housing preservation and new construction. The Council partners with Minnesota Housing and their consolidated requests for proposals to be a part of a larger group of funders awarding grants annually through the state. LHIA has an authorized budget of \$2 million plus an additional \$2.5 million reserves and notice of availability will go out in April. LHIA scoring criteria changes are: 1. Require that a significant component of the project must serve households with incomes at or below 60% of Area Median Income and 2. Prioritize projects that provide a housing type not currently available or serve a population not currently served in or near the project area.

The Tax Base Revitalization Account (TBRA) is the environmental investigation and clean-up program within LCA. This is offered twice each year, with funding availability notices going out in both March and August. The authorized budget for TBRA is \$5 million with an additional \$1 million in reserves for a total of \$6 million. TBRA scoring criteria changes are: 1. Remove criteria prioritizing freight generating industries and 2. Remove criteria prioritizing green remediation practices.

The Council 2020 Authorized Budget includes \$18.8 million in Livable Communities pass-through funding. Reserve balances are available to fully fund the accounts proposed in the Fund Distribution Plan. A future budget amendment will bring these reserves into the Council's Authorized Budget. Council Members had questions and comments about Area Median Income (AMI) prioritization, water practices, and conservation.

It was moved by Vento, seconded by Johnson.

Motion carried.

Environment – No Reports

Management – Reports on Consent Agenda

Transportation

2020-52 SW: That the Metropolitan Council authorize the Regional Administrator to execute a change order to construction contract 17P185A with Morcon Construction in the amount of \$500,000.

It was moved by Barber, seconded by Sterner.

Motion carried.

2020-78 SW: That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with Transit Team, Inc. to provide Metro Mobility Demand South Zone

service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$100,778,685. Council Members Atlas-Ingebretson, Fredson, and Zeran indicated that they would vote no for this item due to concerns about driver retention, preservation of jobs, and continuity in service, as well as a lack of clear workforce and equity information through the Thrive lens on the business item. Motion prevailed on a voice vote.

It was moved by Barber, seconded by Ferguson.

Motion carried.

2020-79 SW: That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with First Transit, Inc. to provide regular route transit service under the St. Paul and Anoka County contract, 19P363, from June 14, 2020 through June 30, 2025 in an amount not to exceed \$27,095,290. Motion prevailed on a voice vote.

It was moved by Barber, seconded by Ferguson.

Motion carried.

Joint Reports of Environment and Community Development Committees

2020-18 JT: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee:

1. Authorize the City of Eagan to place its 2040 Comprehensive Plan into effect.
2. Revise the City's forecasts upward as shown in Table 1 of the attached Review Record.
3. Revise the City's sewer-serviced forecasts upward as shown in Table 2 of the attached Review Record.
4. Advise the City to implement the advisory comments in the Review Record for Forecasts, Land Use, and Housing.

Recommendation of the Environment Committee:

1. Approve the City of Eagan's Comprehensive Sewer Plan.

It was moved by Vento, seconded by Sterner.

Motion carried.

2020-19 JT: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee:

1. Authorize the City of Mayer to place its 2040 Comprehensive Plan into effect.
2. Advise the City of Mayer that the Council has reviewed the remainder of the Plan and has found no regional system conformance or policy consistency issues at this time. Because the City does not have the legal authority to plan and zone for areas within Camden, Hollywood, and Waconia Townships identified in the Staging Plan for 2040 Growth Boundary Map (Figure 6 of this Report) as "Tentative Stage 1." Be

advised that in the absence of an OAA, the City may not put those portions of the Plan into effect at this time. At such time as the City of Mayer acquires jurisdiction of the lands planned for future urbanization in township areas either through an Orderly Annexation Agreement or annexation by ordinance, the City will need to submit appropriate plan amendments to the Council for further review and action.

3. Any authorization of the City of Mayer’s Plan by the Council refers only to the 2040 planning period, and any references to post-2040 or beyond 2040 growth areas are not included in any actions taken by the Council. Be advised that the City may not put those portions of the Plan into effect.
4. Advise the City to implement the advisory comments in the Review Record for Surface Water Management, Land Use, and Water Supply.

Recommendation of the Environment Committee:

1. Approve the City of Mayer’s Comprehensive Sewer Plan.

It was moved by Vento, seconded by Barber.

Motion carried.

OTHER BUSINESS

2020-83: That the Metropolitan Council approve the following standing committee assignments recommended by the Chair, pursuant to Council Bylaws, Article III.

Community Development	Environment	Management	Transportation	Audit
Lilligren, Chair	Lindstrom, Chair	Ferguson, Chair	Barber, Chair	Johnson, Chair
Vento, Vice Chair	Wulff, Vice Chair	Johnson, Vice Chair	Chamblis, Vice Chair	Lee, Vice Chair
Atlas-Ingebretson	Fredson	Barber	Atlas-Ingebretson	Barber
Cummings	Muse	Gonzalez	Cummings	Vento
Chamblis	Sterner	Lee	Ferguson	
Johnson	Vento	Lilligren	Fredson	
Lee	Zeran		Gonzalez	
Lindstrom			Sterner	
Wulff			Zeran	

That the Metropolitan Council approve Molly Cummings as Vice Chair of the Council, pursuant to Council Bylaws, Article I.

That the Metropolitan Council approve the following special and advisory committees, commissions, and boards assignments, as recommended by the Chair and pursuant to Council Bylaws, Article III.

Investment Review Committee	Equity Advisory Committee	Land Use Advisory Committee	Metropolitan Area Water Supply Advisory Committee
Sterner, Chair	Gonzalez, Co-Chair	Wulff, Chair	Wulff
Ferguson	Sterner		
	Lee		
	vacant		
Metropolitan Parks and Open Space Commission	Transportation Accessibility Advisory Committee	Transportation Advisory Board	Metropolitan Airports Commission
Atlas-Ingebretson	Wulff	Barber	Ferguson (ex officio)
Southwest LRT Corridor Management Committee	Bottineau LRT Corridor Management Committee	METRO Gold Line Corridor Management Committee	Southwest LRT Executive Change Control Board
Cummings	Atlas-Ingebretson	Gonzalez	Cummings
Ferguson	Lilligren		
METRO Gold Line Community and Business Advisory Committee	Riverview Corridor Policy Advisory Committee	Rush Line BRT Policy Advisory Committee	Environmental Quality Board
Lee	Fredson	Vento	Vento (alternate/ex officio)
Urban Land Institute Board	Olmsted Sub-cabinet	Clean Water Council	Southwest LRT PLACES
Chamblis	Wulff	Sterner	Atlas-Ingebretson

It was moved by Cummings, seconded by Sterner.

Motion carried

Information Item: Metropolitan Council Small Business Program Review (Elaine Ogilvie 651-602-1163, Tracey Jackson 612-349-7695)

Tracey Jackson, Senior Manager in the Office of Equal Opportunity, and Elaine Ogilvie, Small Business Unit Supervisor, gave a presentation on the Metropolitan Council Small Business Program.

Disadvantaged Business Enterprise (DBE) is the federal designation for businesses that are at least 51% owned and controlled by socially and economically disadvantaged individuals. The DBE must also be considered a small business with three-year average gross receipts less than \$23.98 million and a personal net worth below \$1.32 million. Four agencies work collaboratively to certify firms as DBEs: Metropolitan Council, Minnesota Department of Transportation; Metropolitan Airports Commission and the City of Minneapolis. The Metropolitan Council maintains the public-facing DBE directory. Council Members had questions about DBE certification length and gross receipts. Each DBE has to fill out a no-change form annually to ensure that they still qualify as a DBE. The gross receipt number is determined by the US Department of Transportation and was last updated in 2014. DBE program administration is applicable to contracts that include funding assistance from the Federal Transit Authority (FTA) and Environmental Protection Agency (EPA). The triennial goal for FTA is 15% and EPA goal is 14%. Council Member Atlas-Ingebretson asked about tracking for businesses that are DBE eligible but have not registered as a DBE.

The Metropolitan Council Underutilized Business (MCUB) program is Minnesota-based, and a business must be certified as one of the following: DBE-certified; Targeted Group Business Program (TGB), certified by the Minnesota Department of Administration; Veteran Owned Small Business (VOSB), certified by the MN Department of Administration; or the Central Certification Program (CERT), which is minority and women only and is certified by the City of Saint Paul. The Metropolitan Council maintains a public-facing MCUB directory. The MCUB program adopts and adheres to standards of federal DBE regulation and is applicable to non-federally assisted contracts and procurements. Council Member Ferguson and Chair Zelle had questions about the MCUB goal methodology and calculation. Council Members had questions about feedback on challenges faced by DBE and MCUB firms. Council Member Atlas-Ingebretson had a comment about workforce as well as a request to include indigenous and inclusive in federal language that fits our local needs. Council Members also had questions about apprenticeship tracking and other workforce issues.

REPORTS

Chair: Chair Zelle reported on the All-Staff meeting that was held at Robert Street on February 26, 2020. A second All-Staff Meeting will be held at the Metro Transit Heywood Office Building on February 27, 2020. Chair Zelle also mentioned that Transit Driver Appreciation Day will be held on March 18, 2020.

Council Members:

Council Member Zeran shared information about a non-profit that he is involved with, Bikes 4 Kids. Bikes 4 Kids accepts donations of used bicycles, makes repairs, and distributes the bikes to children in need. Bikes 4 Kids is located in Ham Lake, in Council Member Zeran's district.

Council Member Johnson reported that the Minnesota Housing Scorecard was released yesterday by Minnesota Prosperity's Front Door. The scorecard has high-level data and there were no surprises. Prosperity's Front Door works with housing leaders and the goal is to also work within other sectors as well.

Council Member Fredson shared that the St. Paul Chamber of Commerce Annual Meeting is on February 27, 2020. Also shared that Laborers' International Union of North America (LIUNA) has the largest apprenticeship program in Minnesota and the graduation will be the evening of February 27, 2020.

Council Member Atlas-Ingebretson attended the MN Council of Foundations Conference and a significant topic was addressing housing instability and reaching out to the public sector. She shared that there was a need to partner with philanthropies to share valuable information.

Regional Administrator: Meredith Vadis shared that the staff is working on Coronavirus pandemic planning and more information is forthcoming.

General Counsel: None

Motion to adjourn by Sterner, seconded by Lee.

The meeting was adjourned at 6:03 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of February 26, 2020.

Approved this 11th day of March, 2020.

Bridget Toskey
Recording Secretary