

Council Chair Nora Slawik

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, September 25, 2019 4:00 p.m. Council Chambers

### IN ATTENDANCE

Johnson, Ferguson, Barber, Cummings, Atlas-Ingebretson, Lilligren, Muse, Zeran, Lindstrom, Vento, Gonzalez, Lee, Sterner, Wulff

### CALL TO ORDER

A quorum being present, Chair Slawik called the meeting to order at 4:03 pm.

### APPROVAL OF AGENDA AND MINUTES

Agenda was moved by Vento, seconded by Lindstrom. **Motion carried.**

Minutes was moved by Cummings, seconded by Wulff. **Motion carried.**

### CONSENT AGENDA

Approval of the Consent Agenda (Items 1-8)

#### Consent Agenda Adopted

**2019-208:** That the Metropolitan Council approve revisions to Internal Audit Policy 3-5.

**2019-209:** That the Metropolitan Council approve Audit Committee Charter.

**2019-225:** That the Metropolitan Council authorizes the Regional Administrator to negotiate and execute a contract with National Insurance Services in an amount not to exceed \$2,434,000 to provide long-term disability insurance for eligible employees for a period of five years, January 1, 2020 through December 31, 2024.

**2019-226:** That the Metropolitan Council:

1. Approve the Grand Rounds Missing Link Regional Trail Master Plan.
2. Require that the Minneapolis Park and Recreation Board, prior to initiating development of the regional trail, send preliminary plans to the Interceptor Engineering Assistant Manager at the Metropolitan Council Environmental Services Division.

**2019-227:** That the Metropolitan Council:

1. Approve the Rush Creek Regional Trail Master Plan Amendment.
2. Approve the release of the restrictive covenant on 2.3-acres of land within Rush Creek Regional Trail as shown in Figure 5 in exchange for the investment of \$30,000 (the appraised value of the property) toward the development of the Rush Creek Regional Trail grade-separated crossing at Winnetka Avenue.

3. Inform Three Rivers Park District that \$30,000 toward the development of the Rush Creek Regional Trail grade-separated crossing at Winnetka Avenue are not grant eligible expenses.
4. Advise Three Rivers Park District to coordinate with Metropolitan Council Environmental Services on the location and construction of the proposed roadway that is on or near Metropolitan Council property prior to initiating this project.

**2019-228** That the Metropolitan Council:

1. Approve Scott County's Blakeley Bluffs Park Reserve Acquisition Master Plan Amendment.
2. Approve the boundary adjustment adding 7-acres of high-quality, natural resource land along the Minnesota River in Blakeley Township.
3. Inform Scott County that it must submit the Blakeley Bluffs Park Reserve Development Master Plan for Metropolitan Council approval prior to requesting funding for development.

**2019-229:** That the Metropolitan Council:

1. Approve a grant of up to \$600,363.25 to Scott County to acquire the 37.45-acre O'Reilly parcel located at 25975 Chatfield Drive, Blakeley Township, for Blakeley Bluffs Park Reserve.
2. Authorize the Community Development Director to execute the grant agreement and restrictive covenant on behalf of the Council.
3. Consider reimbursing Scott County for up to \$139,987.75 from its share of a future Regional Parks Capital Bonding Program for costs associated with their local match.
4. Inform Scott County that the Council does not under any circumstances represent or guarantee that the Council will grant future reimbursement and that expenditure of local funds never entitles a park agency to reimbursement.

**2019-245:** That the Metropolitan Council adopt Resolution 2019-21 (attached) to authorize the Director of the Housing and Redevelopment Authority to execute a grant agreement with Minnesota Housing Finance Agency for the Housing Trust Fund Program.

It was moved by Johnson, seconded by Wulff. **Motion carried.**

## **BUSINESS**

### **Community Development**

**2019-258:** That the Metropolitan Council:

1. Approve the 2020-2024 5 Year Public Housing Agency (PHA) Plan and the 2020 Annual Public Housing Agency Plan, including changes to the Housing Choice Voucher Administrative Plan.
2. Direct staff to submit the final Plan to the U.S. Department of Housing and Urban Development.

It was moved by Lilligren, seconded by Vento. **Motion carried.**

There was discussion and comments on the proposed minimum rent changes and biennial inspections. Council Member Lilligren thanked staff and Council Members for their work and for respectful quality discussions and difficult decisions they had to make. There were requests to track landlord recruitment, explore other options and funding alternatives.

Council Member Atlas-Ingebretson moved to amend the 2020-2024 PHA Plan by removing the proposed minimum rent policy from the PHA Plan, thus leaving the minimum rent at \$0. The motion was seconded by Johnson.

Results of a voice vote were unclear and council members requested a vote by a show of hands.

Aye: 5

Nay: 9

Motion to amend failed with 5 votes in favor and 9 against.

## Environment – No Reports

### Management

**2019-247:** That the Metropolitan Council authorize the Regional Administrator to enter into an agreement with the International Union of Painters and Allied Trades, District Council 82 and Local No. 61 AFL-CIO, effective for the period May 1, 2019 through April 30, 2022.

It was moved by Ferguson, seconded by Johnson. **Motion carried.**

### Transportation

**2019-240:** That the Metropolitan Council approve an action to move federal funds from Anoka County's County State Aid Road (CSAH) 22 bridge project and its Minnesota Highway 47/CSAH 116 intersection improvement to its CSAH 11 railroad grade separation project with the following stipulations:

- All projects will be delivered in their current program year and subject to the Council's Program Year Policy.
- All projects will be completed as proposed in their original applications and subject to the Council's Scope Change Policy.
- Should either or both of the defederalized projects not be completed, Anoka County will reimburse the region the amount of federal funding assigned to the project(s) at the time of defederalization.
- The county will work with MnDOT and the Metropolitan Council to satisfy the vacated Disadvantaged Business Enterprise (DBE) requirements.
- The county will complete a resolution agreeing to the above.

It was moved by Barber, seconded by Zeran. **Motion carried.**

**2019-248 SW:** That the Metropolitan Council:

1. Concur with the Transportation Advisory Board (TAB) action to adopt the 2020-2023 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 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
  - e. Section 1101(b) of Fixing America's Surface Transportation (FAST) Act (Pub L. 114-357) 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 to 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 2020-2023 TIP along with these comments to the Minnesota and Wisconsin Departments of Transportation and the Minnesota Pollution Control Agency.

It was moved by Barber, seconded by Cummings. **Motion carried.**

**2019-249 SW:** That the Metropolitan Council:

1. Adopt the proposed 2020 Unified Planning Work Program (UPWP) with a budget of \$7,286,830.
2. Adopt the attached resolution (2019-22) authorizing the filing of an application with the Minnesota Department of Transportation for a planning grant under the FAST Act.
3. 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.

It was moved by Barber, seconded by Lee. **Motion carried.**

### **Joint Reports of Environment and Community Development Committees**

**2019-230 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 Richfield to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Surface Water Management and Water Supply.

Recommendation of the Environment Committee

1. Approve the City of Richfield's Comprehensive Sewer Plan.
2. Upon approval, the City shall submit to the Council a copy of the revised Ordinance regarding illicit clear water connections to require disconnection once they are identified.

It was moved by Lilligren, seconded by Vento. **Motion carried.**

**2019-231 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 Minneapolis 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. Advise the City to:
  - a. Adopt the MRCCA Plan within 60 days after receiving final DNR approval, and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.
  - b. Implement the advisory comments in the Review Record for Transportation, Surface Water Management, and Water Supply.
  - c. Upon its completion, submit the updated Transportation Action Plan as an amendment to the 2040 Comprehensive Plan for Council review.

Recommendation of the Environment Committee

1. Approve the Comprehensive Sewer Plan component of the City of Minneapolis's Comprehensive Plan.

It was moved by Lilligren, seconded by Muse. **Motion carried.**

**2019-233 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 Lakeville to place its 2040 Comprehensive Plan into effect.
2. Approve the revised sewer-serviced forecast, as shown in Table 2 of the Review Record.
3. Advise the City to implement the advisory comments in the Review Record for Surface Water Management.

Recommendation of the Environment Committee

1. Approve Lakeville's Comprehensive Sewer Plan.

It was moved by Lilligren, seconded by Wulff. **Motion carried.**

**2019-234 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 Minnetonka Beach to place its 2040 Comprehensive Plan into effect.
2. Strongly encourage the City to link housing needs with housing tools and to address all widely known housing tools, as detailed in the housing advisory comments in the Review Record, in order to be fully consistent with Council housing policy.
3. Advise the City to implement the advisory comments in the Review Record for Surface Water Management, Land Use, and Housing.

**Recommendation of the Environment Committee**

1. Approve the Comprehensive Sewer Plan component of the City of Minnetonka Beach's Comprehensive Plan

It was moved by Lilligren, seconded by Ferguson. **Motion carried.**

**2019-235 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 Oakdale to place its 2040 Comprehensive Plan into effect.
2. Advise the City to:
  - a. Revise the Plan prior to final adoption to acknowledge that the Highways 36 and 120 interchange is not identified in the Current Revenue Scenario of the TPP and is not currently funded for construction prior to 2040. Authorization of the City's Plan does not infer approval of the interchange or modification of the construction timeline.
  - b. Implement the advisory comments in the Review Record for Transit and Surface Water Management.

**Recommendation of the Environment Committee**

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

It was moved by Lilligren, seconded by Vento. **Motion carried.**

**2019-236 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 Columbia Heights to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Forecasts and Water Supply.

**Recommendation of the Environment Committee**

1. Approve the City of Columbia Heights' Comprehensive Sewer Plan component of the City's 2040 Comprehensive Plan.

It was moved by Lilligren, seconded by Sterner. **Motion carried.**

**2019-241 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 Crystal to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Water Supply.

**Recommendation of the Environment Committee**

2. Approve the City of Crystal's Comprehensive Sewer Plan.

It was moved by Lilligren, seconded by Atlas-Ingebretson. **Motion carried.**

**2019-242 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 Greenwood to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Forecasts, Water Supply, and Land Use.

### **Recommendation of the Environment Committee**

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

It was moved by Lilligren, seconded by Johnson. **Motion carried.**

**2019-243 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 Woodland to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Housing and Water Supply.

### **Recommendation of the Environment Committee**

3. Approve the City of Woodland's Comprehensive Sewer Plan.

It was moved by Lilligren, seconded by Ferguson. **Motion carried.**

**2019-244 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 North St. Paul to place its 2040 Comprehensive Plan into effect.
2. Revise the City's forecasts downward as shown in Table 1 of the attached Review Record.
3. Revise the City's allocation of affordable housing need to 25 units.
4. Advise the City to implement the advisory comments in the Review Record for Transportation, Water Resources, Surface Water Management, and Water Supply.

### **Recommendation of the Environment Committee**

1. Approve the City of North St. Paul's Comprehensive Sewer Plan.
2. When available, the City is advised to provide to the Council the date the City adopted the final LWMP.

Discussion around comprehensive plans and the communities. Council member asked if a comprehensive plan has not passed due to land use.

It was moved by Lilligren, seconded by Vento. **Motion carried.**

## **REPORTS**

Chair: Attended SWLRT Alignment tour with Council Member Cummings and toured Our New Good Home Building.

Council Members:

Sterner: Visited water sites in Rochester and will attend conferences in Oct.

Lee: Will attend the Metro Plant Wastewater tour and recognized Council Member Richard Kramer passed away.

Gonzalez: Met with Jessica Looman, Executive Director of Minnesota State Building and Construction Trades Council and encourage council members to continue network efforts and strengthen relationships.

Lindstrom: talked about Richard Kramer and will attend Power of Organic Waste: Renewable Natural Gas and reminder there is a Metro Plant Wastewater tour Oct. 2 and Blue Lake Wastewater tour on Oct. 3.

Zeran: Will attend a SWLRT lockdown and looking forward to talking with workers.

Cummings: Attended the Edina Climate Change discussion. There was a suggestion the Met Council create a climate action plan template.

Muse: Wanted to express the importance of creating relationships and explore opportunities to advance equity.

Lilligren: Attended the Interagency Council on Homelessness and Alliance Equity Housing Forum

Barber: Gave her condolences for Richard Kramer.

Johnson: Attending an I-94 Corridor meeting.

Atlas-Ingebretson: Attended the global climate strike and talked about the New Hopes Civic Park that is being built.

Regional Administrator: Director of Communications position posted.

General Counsel: No report

The meeting was adjourned at 5:22 p.m.

### **Certification**

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council Meeting of September 25, 2019.

Approved this 2 day of October, 2019.

Liz Sund  
Recording Secretary