

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, September 23, 2020 4:00 p.m.

IN ATTENDANCE

Atlas-Ingebretson, Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Sterner, Vento, Wulff, Zeran, Chair Zelle

CALL TO ORDER

A quorum being present, Chair Zelle called the meeting to order at 4:01pm on the following roll call vote:

Aye: 13 Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

Not Recorded: 2 Atlas-Ingebretson, Sterner

AGENDA APPROVED

Chair Zelle noted that a roll call vote is not needed for approval of the agenda. Council Members did not have any comments or changes to the agenda.

APPROVAL OF MINUTES

The minutes was moved by Vento, seconded by Wulff. **Motion carried** on the following roll call vote:

Aye: 13 Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

Not Recorded: 2 Atlas-Ingebretson, Sterner

PUBLIC COMMENT

Ryan Timlin ATU President addressed the Council regarding contract negotiations.

BUSINESS

Joint Report of the Management, Community Development, Environment, and Transportation Committees.

2020-210 JT SW: That the Metropolitan Council amends the 2020 Unified Budget as indicated and in accordance with the attached tables.

It was moved by Johnson, seconded by Lee.

Motion carried on the following roll call vote:

Aye: 13 Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

Not Recorded: 2 Atlas-Ingebretson, Sterner

CONSENT AGENDA

Approval of the Consent Agenda (Items 1- 6)

Consent Agenda Adopted

2020-217: That the Metropolitan Council (Council) authorize the Regional Administrator through the Southwest Light Rail Transit (SWLRT) Council Authorized Representative to negotiate and execute a change order for Contract 15P307A with Lunda McCrossan Joint Venture (LMJV) in an amount not to exceed \$9,310,000 for retaining wall work in the BNSF Railway corridor.

2020-232: That the Metropolitan Council authorize the Community Development Director to execute grant agreements for FY21 Parks and Trails Legacy Fund projects and execute amendments to add FY21 fund to FY20 Parks and Trails Legacy Fund grant agreements with the ten regional park implementing agencies: Anoka County, City of Bloomington, Carver County, Dakota County, Minneapolis Parks and Recreation Board, Ramsey County, Scott County, City of St. Paul, Three Rivers Park District, and Washington County in the amounts determined by formula defined in Minn. Stat. § 85.53.

2020-234: That the Metropolitan Council authorize the Regional Administrator to enter into a contract with Modem Express, Inc. to provide the Council with the replacement of up to 630 Sierra Wireless MG90 mobile data modems for Metro Mobility, Transit Link and MTS fixed route fleet in an amount not to exceed \$1,034,544.

2020-235: That the Metropolitan Council:

1. Approve the 2021 Public Housing Agency (PHA) Plan, including changes to the Housing Choice Voucher Administrative Plan and the addition of the word “affordable” to the Project Based Voucher award criteria.
2. Authorize the Metropolitan Council Chair to execute the required certifications.
3. Direct staff to submit the final Plan to the U.S. Department of Housing and Urban Development.

2020-236: That the Metropolitan Council authorize the Regional Administrator to amend grant number 1035608 with MnDOT, to receive CARES Act funds. This amendment increases the grant total by \$737,765, for a new total of \$2,331,265.

2020-237: That the Metropolitan Council:

1. Adopt the 2021-2024 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 49CFR 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 2021-2024 TIP along with these comments to the Minnesota and Wisconsin Departments of Transportation and the Minnesota Pollution Control Agency.

It was moved by Vento seconded by Johnson.

Motion carried on the following roll call vote:

Aye: 15 Atlas-Ingebretson, Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Sterner, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

BUSINESS

Community Development

2020-240: That the Metropolitan Council adopt Resolution No. 2020-17, affirming and asserting its interest in participating in the U.S. Department of Housing Urban Development's Housing Choice Voucher Mobility Demonstration program, the willingness to comply with all applicable requirements, the evaluation, and the reporting requirements, and authorizing the Director of the Metropolitan Housing and Redevelopment Authority, to sign and submit the funding application for the Mobility Demonstration Program.

It was moved by Johnson, seconded by Chamblis

Motion carried on the following roll call vote:

Aye: 15 Atlas-Ingebretson, Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Sterner, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

B. Environment – No reports

C. Management – No reports

D. Transportation – Reports on consent agenda

E. Joint Report of Environment and Community Development Committees

2020-229 JT SW: That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

1. Authorize the City of South 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 2021-2030 affordable housing need allocation to 57 units.
4. Advise the City to:
 - a. Provide the Council with the date that they adopted the final Surface Water Management Plan.
 - b. Within 60 days after receiving DNR final approval, the City must adopt the Mississippi River Critical Corridor Plan 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.
 - c. Implement the advisory comments in the Review Record for Forecasts, Land Use, and Water Supply.

Recommendation of the Environment Committee

1. Approve the City of South St. Paul's Comprehensive Sewer Plan.
2. The City shall submit to the Council a copy of the Resolution that adopts the revisions to the Sewer System Ordinance Section 62 requiring the disconnection of clearwater sources from the sanitary sewer system.

It was moved by Lilligren, seconded by Lee.

Motion carried on the following roll call vote:

Aye: 15 Atlas-Ingebretson, Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Sterner, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

2020-230 JT SW: 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 Spring Park to place its 2040 Comprehensive Plan into effect.
2. Advise the City to:
 - a. When available, provide to the Council the date the City adopted the final Local Water Management Plan as well as a copy of the final adopted Local Water Management Plan.
 - b. Implement the advisory comments in the Review Record for Forecasts and Water Supply

Recommendation of the Environment Committee

1. Approve the City of Spring Park's Comprehensive Sewer Plan.

It was moved by Lilligren, seconded by Johnson.

Motion carried on the following roll call vote:

Aye: 15 Atlas-Ingebretson, Barber, Chamblis, Cummings, Fredson, Johnson, Lee, Lilligren, Lindstrom, Muse, Sterner, Vento, Wulff, Zeran, Chair Zelle

Nay: 0

Absent: 2 Ferguson, Gonzalez

REPORTS

Chair Zelle gave an update on Council member check-ins and stated they are exploring ways for council members to have pre-meetings, small virtual rooms for conversations and tours of Southwest LRT. Mary Bogie will present council goals and progress at the Oct. 7 Committee of the Whole and we will have special Council meetings Nov. 4 and Nov.18 in place of the Committee of the Whole. Chair Zelle shared he attended the St. Paul Realty Association and encourages council members to provide reports.

Council members:

Council member Lindstrom reported the National Association of Clean Water Agency gave notification of the peak performance awards. Six Metropolitan Council Wastewater facilities received the platinum award and three out of nine wastewater facilities received the gold award. St. Croix Valley WWTP has been in compliance for 28 years and Hasting WWTP has been in compliance for 29 years.

Council member Atlas-Ingebretson thanked CM Lindstrom for sharing and loves talking and sharing information about the Environment Services team.

Council member Cummings kudos to staff dealing with communications and challenges with COVID and finding ways to continue to share what the Council does and is doing.

Acting Regional Administrator: No reports

General Counsel Ann Bloodhart thanked her staff and council members for the hard work they put into SWLRT FFGA.

The meeting was adjourned at 4:44 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 23, 2020.

Approved this 14th day of October 2020.

Liz Sund
Recording Secretary