

# Minutes

Metropolitan Council



**Meeting date:** December 13, 2023

**Time:** 4:00 PM

**Location:** 390 Robert Street

## Members present:

- Chair, Charlie Zelle
- Judy Johnson, District 1
- Reva Chamblis, District 2
- Tyronne Carter, District 3
- Deb Barber, District 4
- John Pacheco Jr., District 5

- Robert Lilligren, District 6
- Yassin Osman, District 7
- Anjuli Cameron, District 8
- Diego Morales, District 9
- Peter Lindstrom, District 10
- Gail Cederberg, District 11

- Susan Vento, District 12
- Chai Lee, District 13
- Toni Carter, District 14
- Tenzin Dolkar, District 15
- Wendy Wulff, District 16
- = present

## Call to order

A quorum being present, Council Chair Zelle called the regular meeting of the Metropolitan Council to order at 4:04 p.m.

## Agenda approved

Council Members did not have any comments or changes to the agenda.

## Approval of minutes

It was moved by Vento, seconded by Morales to approve the minutes of the November 8, 2023, regular meeting of the Metropolitan Council. **Motion carried.**

## Public invitation

No public comment.

## Business

1. **2023-304:** That the Metropolitan Council appoint Ryan O'Connor to the position of Regional Administrator.

It was moved by Zelle, seconded by Chamblis.

**Motion carried.**

## Consent business

Council Member Barber noted a clerical error that was corrected on business item 2023-266.

Consent business adopted (Items 1-20)

1. **2023-210:** That the Metropolitan Council approve the results of the 2022 Title VI Service Equity Analysis (SEA) for the 2022 Service Equity Evaluation (SEE) Report.
2. **2023-223:** That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 3 to Cooperative Construction Agreement 201052 with the City of St. Louis Park's Economic Development Authority (EDA) for the construction of a parking

structure (Ramp) at the METRO Green Line Extension Beltline Station to increase the amount of the Agreement by \$984,167 to a total amount of \$3,484,167 to account for escalation, contingent upon the award of the Ramp construction contract.

3. **2023-243:** That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 1 to Agreement 19P192 with Red River Valley and Western Railroad for freight rail dispatch services for the METRO Green Line Extension Project to increase the agreement amount by \$214,740 to a not-to-exceed amount of \$571,140.
4. **2023-244:** That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 4 to contract 18P018 with Braun Intertec Corporation for quality management services for the METRO Green Line Extension Project to increase the contract amount by \$6,469,756.12, to a not-to-exceed contract amount of \$60,320,968.12.
5. **2023-245:** That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 15 to contract 14P125 with AECOM Technical Services, Inc. for advanced design services for the METRO Green Line Extension Project to increase the contract amount by \$9.1 million to a not-to-exceed contract amount of \$169,738,482.
6. **2023-246:** That the Metropolitan Council authorize the Regional Administrator to negotiate and execute Amendment No. 5 to contract 17P060 with Kimley-Horn and Associates, Inc. for construction management support services for the Green Line Extension Project to increase the contract amount by \$2,371,478.72 to a not-to-exceed contract amount of \$20,241,478.72.
7. **2023-247:** That the Metropolitan Council approve a request by Carver County to construct a grade separated interchange at Highway 212 and County State Aid Highway (CSAH) 51, right-turn lanes, and auxiliary lanes for acceleration, as part of a larger corridor expansion project along Highway 212, subject to further review and approval by the Metropolitan Council if there are any significant changes in the design of the proposed project.
8. **2023-259:** That the Metropolitan Council authorize the Regional Administrator to award and execute Sole Source contract 23P150 with Dellner Inc. for overhaul services of the couplers on the Type 2 Light Rail Vehicles (LRV), in an amount not to exceed \$2,800,000.
9. **2023-264:** The Metropolitan Council approve the 2024 Authorized Financial Institutions list.
10. **2023-266:** That the Metropolitan Council (“Council”) authorize the Regional Administrator to negotiate and execute Subordinate Funding Agreement No. 02 (Contract #2131032B) with Hennepin County in an amount not to exceed \$868,290 for the METRO Blue Line Light Rail Transit (BLRT) Extension Project.
11. **2023-268:** That the Metropolitan Council adopt payment standards as shown in Attachment 1 for the Housing Choice Voucher and other rent assistance programs effective January 1, 2024.
12. **2023-271:** That the Metropolitan Council approve the attached Utility Allowance Schedule for use in the Housing Choice Voucher and other rent assistance programs effective January 1, 2024.
13. **2023-272:** That the Metropolitan Council adopt an amendment to the 2024-2027 Transportation Improvement Program (TIP) to amend four projects:
  - Expand length and add mill & overlay to Woodbury’s Lake Road 4-to-3-lane conversion;
  - Remove an intersection from and decrease the cost of Minneapolis’s traffic signal replacement project;
  - Increase cost of and add mill & overlay to Dakota County’s CSAH 63 multiuse trail; and
  - Add an additional bridge to MnDOT’s MN 65 bridge replacement project.
14. **2023-273:** That the Metropolitan Council adopt an amendment to the 2024-2027



Transportation Improvement Program (TIP) to add construction of a multiuse trail to Wright County CSAH 35 in St. Michael.

15. **2023-274:** That the Metropolitan Council adopt an amendment to the 2024-2027 Transportation Improvement Program (TIP) to add Southwest Transit’s Transit Mobility Hub project at SouthWest Station.
16. **2023-275:** That the Metropolitan Council adopt an amendment to the 2024-2027 Transportation Improvement Program (TIP) to add two regionally significant projects:
  - Lane additions on I-94 from Albertville to Monticello in Wright County and
  - New interchange at US 169 and CSAH 59 in Scott County
17. **2023-276:** That the Metropolitan Council adopt an amendment to the 2024-2027 Transportation Improvement Program (TIP) to add Southwest Transit’s Transit Mobility Hub project at SouthWest Station. That the Metropolitan Council adopt an amendment to the 2024-2027 Transportation Improvement Program (TIP) to amend four projects:
  - Add signal replacement and local funding to Dakota County’s CSAH 32 (Cliff Rd) resurfacing project in Eagan;
  - Add local funding to Three Rivers Park District’s Rush Creek Trail underpass project at West River Road in Brooklyn Park (SP# 091-090-089);
  - Add a trail and an overhead rapid rectangle flashing beacon (RRFB) and increase the federal and state funding for MnDOT’s MN 101 (W 192nd Ave) mill and overlay project in Chanhassen and Eden Prairie; and
  - Remove Hennepin County’s CSAH 158 (Vernon Ave) bridge replacement as a standalone project and combine its project elements with Edina’s CSAH 158 (Vernon Avenue) reconstruction project to be managed by Edina.
18. **2023-282:** That the Metropolitan Council authorize the Regional Administrator to award and execute contract 23P158 with Mansfield Energy to provide diesel fuel supply and delivery to all Bus Maintenance Garages in an amount not to exceed \$92,567,450.50.
19. **2023-283:** That the Metropolitan Council authorize the Regional Administrator to amend its intergovernmental agreement 19I059 with Scott County to provide Transit Link service and related facility expenses in Scott and Carver counties through July 31, 2025, in an amount of \$3,200,000 for a new total contract value of \$11,645,442.
20. **2023-290:** That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:
  1. Authorize the City of Mound to place its comprehensive plan amendment into effect.
  2. Revise the City’s forecasts as shown in Table 2 of the attached Review Record.
  3. Revise the City’s allocation of the regional affordable housing need to 37 units for 2021-2030.
  4. Advise the City to implement advisory comments under Land Use by correcting the acreage in Tables 3.4 and 3.5 of the Plan.

It was moved by Barber, seconded by Morales.

**Motion carried.**

## **Non-consent business – Reports of standing committees**

### ***Community Development***

21. **2023-291:** That the Metropolitan Council:



1. Award eight Livable Communities Demonstration Account grants as shown in the business item, totaling \$9,763,250 and;
2. Authorize the Executive Director of Community Development to execute the grant agreements on behalf of the Council.

It was moved by Vento, seconded by Cederberg.

**Motion carried.**

22. **2023-292:** That the Metropolitan Council:

1. Award four Livable Communities Demonstration Account Transit-Oriented Development grants totaling \$4,863,750 as shown in the business item.
2. Authorize the Executive Director of Community Development to execute the grant agreements on behalf of the Council.

It was moved by Vento, seconded by Cederberg.

Council Member Johnson thanked Robbinsdale Mayor Blonigan and staff for their work on these applications.

**Motion carried.**

### ***Environment***

1. **2023-267:** That the Metropolitan Council approves the Inflow and Infiltration (I/I) grant program guidelines and authorizes the Regional Administrator to award and execute grants and grant agreements pursuant to the guidelines outlined in the business item.

It was moved by Lindstrom, seconded by Morales.

**Motion carried.**

2. **2023-298 SW:** That the Metropolitan Council amend Emergency Declaration 2023-178 for repairs to Interceptor 1-MH-401B Lilydale Siphon in Saint Paul in the amount not to exceed \$3,000,000.

It was moved by Lindstrom, seconded by Osman.

**Motion carried.**

### ***Management***

1. **2023-278 SW:** That the Metropolitan Council authorize the Regional Administrator to execute an amendment for contract 18M120 with E-Builder Inc. that will increase the maximum not-to-exceed amount to \$4,870,001.

It was moved by Johnson, seconded by Vento.

Council Member Johnson spoke in favor of this item.

**Motion carried.**

### ***Transportation***

1. **2023-226:** That the Metropolitan Council authorize the Regional Administrator to award and execute contract 23P050 with 4RM+ULA for the METRO Blue Line Lake St/Midtown Station Renovation design and construction support services, in an amount not to exceed \$3,471,311.

It was moved by Barber, seconded by Morales.

**Motion carried.**

2. **2023-257:** That the Metropolitan Council:



- Accept the 2040 Transportation Policy Plan Amendment 2 Public Comment Report; and
- Adopt Amendment 2 to the 2040 Transportation Policy Plan adding five regionally significant highway projects.

It was moved by Barber, seconded by Morales.

**Motion carried.**

3. **2023-263:** That the Metropolitan Council authorize the Regional Administrator to award and execute contract 23P011 with First Transit, a subsidiary of TransDev, to provide Metro Move service in an amount not to exceed \$131,532,600.

It was moved by Barber, seconded by Chamblis.

Council Member Barber noted the importance of this project and shared that this new project has been garnering national attention.

**Motion carried.**

4. **2023-279 SW:** That the Metropolitan Council authorize the Regional Administrator to execute Contract 23P238 with North Central Bus Sales for up to 16 expansion buses not to exceed \$2,500,000; and Contract 23P239 with Hoglund Bus for up to 28 replacement buses in an amount not to exceed \$4,400,000 for a total procurement value not to exceed \$6,900,000.

It was moved by Barber, seconded by Morales.

**Motion carried.**

5. **2023-281:** That the Metropolitan Council:
  - Authorize the Regional Administrator, as part of the Systems schedule cost claims resolution process, to negotiate and execute a Part 1 change order for Contract 17P000 with Aldridge – Parsons, a Joint Venture (APJV) in an amount not to exceed \$5,232,043; and
  - Authorize an additional 2.69% (\$5,232,043.00) to the current 27.97% (\$54,372,326.70) cumulative change authority for Contract 17P000 with APJV, resulting in 30.66% (\$59,604,369.70) total cumulative change order authority.

It was moved by Barber, seconded by Morales.

**Motion carried.**

6. **2023-284:** That the Metropolitan Council adopt a Code of Conduct for public transit use to comply with the 2023 Legislature’s mandate in the Transit Rider Activity Code of Conduct. The Code of Conduct allows authorized transit representatives to order a person to depart transit property for violations if the person continues to violate the Code of Conduct after being warned once to stop.

The proposed Code of Conduct:

Required:

1. Pay your fare
2. Wear tops, bottoms, shoes
3. One fare = one seat
4. Animals must be in a carrier (exception: service animals)
5. Drinks must be covered

Not Allowed:

1. Sexual or discriminatory harassment



2. Phone calls or music played on speaker
3. Vulgar language
4. Eating
5. Soliciting/gambling/panhandling/loitering
6. Prohibited Items: flammable, explosive, radioactive, and hazardous items. This includes anything gas-powered, car or motorcycle batteries, and gasoline/fuel containers
7. Large items that block the aisle
8. Riding bikes, skating, or skateboarding

Riders will be informed that violations of the Code of Conduct can lead to removal from transit property. For ease of use to transit riders, the written materials may be written in plain language or translated into other languages.

It was moved by Barber, seconded by Johnson.

Chair Zelle noted that this is an important step in improving safety and security on transit. Council Member Chamblis shared that this will create a positive culture and environment for employees, as well as a positive experience for customers. Council Member Barber shared her support for this item and commended Council employees for their engagement. Council Member Johnson noted supplemental security will be helping to enforce this as well and thanked the legislature for the funding support.

**Motion carried.**

7. **2023-286 SW:** That the Metropolitan Council authorize the Regional Administrator to execute Contract 23P237 with North Central Bus Sales for up to 25 replacement buses in an amount not to exceed \$3,750,000.

It was moved by Barber, seconded by Morales.

Council Member Barber noted that this is a new purchasing pathway for small buses.

**Motion carried.**

8. **2023-288 SW:** Business Item 2023-288 requests that the Metropolitan Council authorize the Regional Administrator to award and execute contract 23P079 with Thomas and Sons Construction, Inc. for construction of the METRO B Line West Construction Package in an amount not to exceed \$32,787,228.

It was moved by Barber, seconded by Morales.

**Motion carried.**

9. **2023-297 SW:** That the Metropolitan Council authorize the Regional Administrator to execute 23M005D – Work Order # 4 in the amount of \$808,965 with Wabtec Railway Electronics, Inc.

It was moved by Barber, seconded by Osman.

**Motion carried.**

10. **2023-302 SW:** That the Metropolitan Council authorize the Regional Administrator to execute an amendment to Contract 22P123 with Allied Universal for additional security services and to include new personnel that the Council hereby authorizes under this contract to perform the duties required under Minn. Stat. § 473.4075 Transit Rider Investment Program (TRIP) as TRIP personnel for a total contract value not to exceed \$11,000,000.

It was moved by Barber, seconded by Johnson.

Council Member Barber noted the importance of this importance and the impact it will have on the customer experience.





**Motion carried.**

11. **2023-303 SW:** That the Metropolitan Council ratify the Regional Administrator’s May 3, 2023, execution of Amendment No. 4 to the lease agreement (12P008) between the Metropolitan Council and Middleton Park Place Investors, LLC that extends the lease by 24 months beginning January 1, 2024, and ending December 31, 2025, in an amount not to exceed \$1,500,000.

It was moved by Barber, seconded by Morales.

**Motion carried.**

**Other business**

1. **2023-300:** That the Metropolitan Council approve a settlement payment in the amount of \$125,000 to Georges Gonzalez, a former employee of the Council’s Regional Administration Division, who is classified as a highly compensated employee under Minnesota Statutes section 465.722.

It was moved by Zelle, seconded by Johnson.

**Motion carried.**

2. **2023-305:** That the Metropolitan Council approve the following appointments to the Metropolitan Parks and Open Space Commission, to fill the open Commissioner seats that resulted from redistricting. The following terms run until January 1, 2025:
  - Chair – Tony Yarusso
  - District A – Monica Dillenburg
  - District B – Bob Moeller
  - District C – Tess Bouska

That the Metropolitan Council approve the following appointments to the Metropolitan Parks and Open Space Commission for the following terms that run until January 1, 2027:

- District E – Chris Suerig
- District F – Cecily Harris
- District G – Anthony Taylor
- District H – Amanda Duerr

It was moved by Zelle, seconded by Vento.

Council Member Vento thanked Emmett Mullin and Council Member Tyrone Carter for their work during this process. She also noted that recruitment for District D is in process.

**Motion carried.**

**Information**

1. 2023 Update on Development Trends Along Transit

Michael Krantz, Senior Manager, Transit Oriented Development, shared an overview of 2023 development trends along transit. High frequency transit is defined as local bus, bus rapid transit (BRT) and light rail transit (LRT) that operates every 15 minutes or less on weekdays between 6 a.m. and 7 p.m. and on Saturdays between 9 a.m. and 6 p.m. Since 2009, 34% of regional development has been permitted along high frequency transitways though high frequency transitway station areas and buffers make up just 3.2% of the seven-county metropolitan region by land area. Development types are: multifamily residential, commercial, public & institutional, and industrial. 53,200 multifamily units have been permitted along high frequency transit, including 40% of multifamily units in the region. An additional 36,900 units



of multifamily housing are planned to be near high frequency transit, with 47.4% of all planned developments located near high frequency transitways.

Council Members had questions and comments regarding tracking commercial and industrial development along transit, as well as the proximity of affordable housing to high frequency transit and commercial areas.

## Reports

No reports.

Chair Zelle recessed the meeting at 5:25 p.m. to reconvene at 6:00 p.m.

## Public Comment on Budget and Levies

Chair Zelle reconvened the meeting at 6:00 p.m. for public comment on the 2024 Unified Budget. One individual provided public comment: Jimmy Coppens, Hopkins, MN.

1. 2023-277: Adoption of the following Resolutions for the Metropolitan Council's 2024 Unified Budget and the 2023, Payable 2024, Tax Levies:
  - 2023-23: Adopting the Metropolitan Council's 2024 Unified Budget
  - 2023-24: Adopting the Metropolitan Council's 2023 Property Tax Levy for General Purposes for Certification to the County Auditors
  - 2023-25: Adopting the Metropolitan Council's 2023 Property Tax Levy for General Purposes for Certification to the Minnesota Commissioner of Revenue
  - 2023-26: Adopting the 2023 Property Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund
  - 2023-27: Adopting the 2023 Property Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act
  - 2023-28: Certifying the Property Tax Levy for 2023 for Debt Service on Future Transit Bonds
  - 2023-29: Certifying the Property Tax Levy for 2023 for Debt Service on Future Parks Bonds

It was moved by Johnson, seconded by Morales.

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

|        |    |   |
|--------|----|---|
| Aye    | 11 | Johnson, Chamblis, Barber, Pacheco, Osman, Cameron, Zelle, Morales, Lindstrom, Cederberg, Vento |
| Nay    | 0  |   |
| Absent | 6  | T. Carter, Lilligren, Lee, W.T. Carter, Dolkar, Wulff   |

## Adjournment

Business completed; the meeting adjourned at 6:10 p.m.

## Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Metropolitan Council meeting of December 13, 2023.

Approved this 10<sup>th</sup> day of January 2023.

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**Council contact:**





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