

## 2024 Metropolitan Agencies Committee Members

Name	Title	Organization
<b>Kristy Barnett</b>	Councilmember	Maple Grove
<b>Josh Berg</b>	Councilmember	Elko New Market
<b>Deb Calvert</b>	Councilmember	Minnetonka
<b>Macheal Collins</b>	City Clerk	Burnsville
<b>Marc Culver</b>	City Engineer	Brooklyn Park
<b>Jim Dickinson</b>	City Administrator	Andover
<b>Inderia Falana</b>	Government Relations Representative	Minneapolis
<b>Thomas Fletcher</b>	Mayor	Greenwood
<b>Mike Funk</b>	City Manager	Minnetonka
<b>*Gary Hansen</b>	Councilmember	Eagan
<b>Dana Hardie</b>	City Manager	Victoria
<b>Steven Huser</b>	Government Relations Representative	Minneapolis
<b>Cheryl Jacobson</b>	City Administrator	Mendota Heights
<b>**Beth Johnston</b>	IGR Representative	League of MN Cities
<b>Elizabeth Kautz</b>	Mayor	Burnsville
<b>Gregg Lindberg</b>	City Manager	Burnsville
<b>Amáda Márquez Simula</b>	Mayor	Columbia Heights
<b>Deb McMillan</b>	Mayor	Victoria
<b>Hugo McPhee</b>	Deputy City Manager	Burnsville
<b>Alyssa Nelson</b>	Assistant City Manager	Victoria
<b>Loren Olson</b>	Senior Government Relations Representative	Minneapolis
<b>**Hannah Pallmeyer</b>	Government Affairs Liaison	Metropolitan Council
<b>Eric Petersen</b>	IGR Director	St. Paul
<b>Paula Ramaley</b>	Councilmember	Minnetonka
<b>Jay Stroebel</b>	City Manager	Brooklyn Park
<b>Katie Topinka</b>	IGR Director	Minneapolis
<b>**Owen Wirth</b>	IGR Representative	League of MN Cities
<b>Nyle Zikmund</b>	City Administrator	Mounds View

\*Committee Chair

\*\*Guest/Non-City Official

August 21, 2024

**TO:** Metropolitan Agencies Policy Committee Members  
**FROM:** Gary Hansen, Councilmember, City of Eagan  
**SUBJECT:** Meeting Notice and Agenda

***Wednesday, August 28, 2024***  
***9:00 am – 11:30 am***  
***Hybrid Meeting: Lake Superior Room/  
LMC Building***  
***Or***  
***Join Zoom Meeting:***

◆ Thank you for agreeing to be a policy committee member!

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## **AGENDA**

1. Call to order.
2. Approval of minutes for the July 31, 2024 meeting.
3. Presentation: ***Lisa Barajas-Community Development Director and Angela Torres-Manager, Local Planning Assistance, Metropolitan Council: proposed regional density policy***
4. Policy Committee Memo Review. (Patricia Nauman, Executive Director)
5. Discussion of policies and suggested modifications.
  - a. Policies with no recommended changes.
  - b. Policies with suggested changes from staff or committee members.
6. Discuss additional suggestions for policies, and issues for future consideration.
7. Other business.
8. Adjourn. (11:30 am.)

*Future Committee Meetings:*  
**Wednesday, September 25, 2024**

**Metropolitan Agencies**  
**Minutes for Meeting of July 31<sup>st</sup>, 2024**

Present: Gary Hansen, Tom Fletcher, Hannah Pallmeyer, Steve Huser, Tom Fletcher, Loren Olsen, Kris Amundson, Hugo McPhee, Cheryl Jacobson, Deb Calvert, Josh Berg, Alyssa Nelson, Mike Funk, Eric Petersen, Nyle Zikmund, Patricia Nauman, Mike Lund, Ania McDonnell, Jennifer Dorn.

Chair Hansen called the meeting to order at 9:03am. Introductions were made.

Ms. Nauman reviewed policy committee protocols.

Ms. Nauman provided an update on actions by the Legislature and Metropolitan Council.

Staff reviewed policies and legislative updates. Chair Hansen asked about city representation on the task force for regional governance. Ms. Nauman stated that Metro Cities was given appointing authority for one city official. Further discussion. Mr. Huser stated that a benefit of the task force was that legislators experienced the challenges of this issue more directly.

Staff provided remaining policy and legislative updates. Mr. Huser thanked Metro Cities on their work on issues relating to MA-18. Mr. Fletcher added is MA-18 needed? Ms. Nauman suggested we could shorten language or perhaps put the language under the Comprehensive Plan policy.

Chair Hansen called for a 10-minute break and resumed the committee meeting at 10:10 am.

Chair Hansen moved to agenda item #6. Regarding MA-10, Mr. Petersen asked, given legislative proposals, whether the policy fits and is this comprehensive. Ms. Nauman stated the policy addresses a range of issues and generally policies are broad to provide sufficient flexibility to respond to legislation. Ms. Nauman replied staff will look at policy language for dated language and what we anticipate for the coming year. Mr. Fletcher stated his concerns that the Metropolitan Council can be top-down, and the need for a cooperative approach with cities. Ms. Nauman noted that Metro Cities' policies consistently emphasize collaboration. Chair Hansen stated that the Council has reached out to Suburban Transit providers for feedback, this is positive.

Ms. Nauman stated that Metropolitan Council staff have been invited to the second meeting to discuss their proposed policy on density. Ms. Olsen noted concerns with the LCA program and the need for better information from the Council on proposed changes. Mr. Fletcher agreed and said housing and transit are connected. Mr. Funk asked about the missing middle housing bill and conversations with legislators. Ms. Nauman said Metro Cities met with Housing Chairs at the end of the session and are anticipating fall discussions. She also thanked city officials for their work on these issues at the Capitol. Chair Hansen asked if Metro Cities might do a legislative preview. Discussion.

Chair Hansen moved to agenda item #7, new issues for future discussion and other business.

Chair Hansen adjourned the meeting at 10:42 am.

August 21, 2024

**To: Metropolitan Agencies Policy Committee**  
**From: Patricia Nauman, Executive Director**  
**Re: August Policy Committee Meeting Memo**

The next meeting of the policy committee will be next **Wednesday, August 28<sup>th</sup>, at 9:00 am.**

The committee will begin with a presentation by Metropolitan Council staff Lisa Barajas, Community Development Director, and Angela Torres, Manager, Local Planning Assistance on the Council's proposed density policy for its new regional development guide, *Imagine 2050*.

Below are policies that have no recommended changes that could be considered for adoption and policies with suggested modifications.

**Policies with no recommended changes at this time:**

- MA-1 Goals and Principles for Regional Governance
- MA-2 Regional Governance
- MA-3 Comprehensive Analysis and Oversight of Metropolitan Council
- MA-4 Funding Regional Services
- MA-5 Regional Systems
- MA-6 Regional Water Supply Planning
- MA-7 Review of Local Comprehensive Plans
- MA-8 Comprehensive Planning Process
- MA-9 Comprehensive Planning Schedule
- MA-10 Local Zoning Authority
- MA-12 Natural Resource Protection
- MA-13 Inflow and Infiltration (I/I)
- MA-14 Sewer Availability Charge (SAC)
- MA-15 Funding Regional Parks and Open Space
- MA-17 Density

**Policies with suggested modifications:**

- MA-11 Regional Growth
- MA-16 Livable Communities
- MA-18 Comprehensive Plans and Environmental Review

1 **MA-1 GOALS AND PRINCIPLES FOR REGIONAL GOVERNANCE**

2 The Twin Cities metropolitan region is home to a majority of the state’s population and is poised  
3 for significant growth in the next two decades. The region faces significant challenges and  
4 opportunities, the responses to which will determine the future success of the metropolitan  
5 region and its competitiveness in the state, national and world economies.

6 The Metropolitan Council was created to manage the growth of the metropolitan region, and  
7 cities are responsible for adhering to regional plans as they plan for local growth and service  
8 delivery.

9 The region’s cities are the Metropolitan Council’s primary constituency, as regional and local  
10 growth are primarily managed through city comprehensive planning implementation and the  
11 delivery of public services. To function successfully, the Metropolitan Council must be  
12 accountable to and work collaboratively with city governments.

13 The role of the Metropolitan Council is to set broad regional goals and provide cities with  
14 technical assistance and incentives to achieve the goals. City governments are responsible for  
15 and best suited to provide local zoning, land use planning, development, and service delivery.  
16 Any additional roles or responsibilities for the Metropolitan Council should be limited to specific  
17 statutory assignments or authorization and should not usurp or conflict with local roles or  
18 processes unless such changes have the consent of the region’s cities.

19 Metro Cities supports an economically strong and vibrant region, and the effective, efficient,  
20 and equitable provision of regional infrastructure, services, and planning throughout the  
21 metropolitan area.

22 Metro Cities supports the provision of approved regional systems and planning that are  
23 provided more effectively, efficiently, or equitably on a regional level than by individual local  
24 units of government.

25 The Metropolitan Council must involve cities in the delivery of regional services and planning,  
26 be responsive to local perspectives on regional issues and be required to provide opportunities  
27 for city participation on Council advisory committees and task forces.

28 The Metropolitan Council must involve cities at all steps of planning, review and  
29 implementation of the regional development guide, policy plans, systems statements, and local  
30 comprehensive plan requirements to ensure transparency, balance and Council adherence to its  
31 core mission and functions. These processes should allow for stakeholder input before policies  
32 and plans are released for comment and finalized. Any additional functions for the Metropolitan  
33 Council should not be undertaken unless authorized specifically by state law.

34 **MA-2 REGIONAL GOVERNANCE STRUCTURE**

35 Metro Cities supports the appointment of Metropolitan Council members by the Governor with  
36 four-year, staggered terms for members to stabilize ideological shifts and provide for continuity  
37 of knowledge on the Council, which is appropriate for a long- range planning body. The  
38 appointment of the Metropolitan Council Chair should coincide with the term of the Governor.  
39 Metro Cities supports a nominating committee process that maximizes participation and input  
40 by local officials. Metro Cities supports expanding the nominating committee from seven to 13  
41 members, with a majority of a 13-member committee being local elected officials. Of the local  
42 officials appointed to a nominating committee, two thirds should be elected city officials,  
43 appointed by Metro Cities.

44 Consideration should be given to the creation of four separate nominating committees, with  
45 committee representation from each quadrant of the region.

46 Metro Cities supports having the names of recommended nominees or other individuals under  
47 consideration for appointment to the Council by the Governor to be made public at least 21  
48 days prior to final selection by the Governor, and a formal public comment period before  
49 members are appointed to the Council.

50 Metro Cities supports the appointment of Metropolitan Council members who have  
51 demonstrated the ability to work with cities in a collaborative manner, commit to meet with  
52 local government officials regularly and who are responsive to the circumstances and concerns  
53 of cities in the district that they represent on the Council. Council members should understand  
54 the diversity and the commonalities of the region, and the long-term implications of regional  
55 decision-making. A detailed position description outlining the required skills, time commitment  
56 and understanding of regional and local issues and concerns should be clearly articulated and  
57 posted in advance of the call for nominees.

58 Metro Cities supports opportunities for local officials to provide input during the decennial  
59 legislative redistricting process for the Metropolitan Council and supports transparency in the  
60 redistricting process.

61 **MA-3 COMPREHENSIVE ANALYSIS AND OVERSIGHT OF METROPOLITAN COUNCIL**

62 A comprehensive analysis of the Metropolitan Council’s functions and structure was conducted  
63 by a Governor’s Blue-Ribbon Committee in 2020. Metro Cities supports specific findings by this  
64 committee that recommended four-year staggered terms for Metropolitan Council members  
65 with members appointed by the governor, an expanded nominating committee with a majority  
66 of local officials on the committee, and the publication of nominees prior to their appointment.  
67 These findings are consistent with Metro Cities’ legislative policy on regional governance. The

68 metropolitan region will continue to expand while simultaneously facing significant challenges  
69 for the effective, efficient, and equitable provision of resources and infrastructure.

70 Metro Cities supports an objective study of the Metropolitan Council's activities and services as  
71 well as its geographical jurisdiction to ensure that its services are positioned to be effective and  
72 adequate in addressing the future needs of the region. Such work must include the participation  
73 of local officials. The Metropolitan Council should also examine its scope of services to  
74 determine their benefit and efficiency and be open to alternative methods of delivery to assure  
75 that services are provided at high levels of effectiveness for the region.

76 Metro Cities supports appropriate legislative oversight of the Metropolitan Council to regularly  
77 review the Council's activities, and to provide transparency and accountability of its functions  
78 and operations.

#### 79 **MA-4 FUNDING REGIONAL SERVICES**

80 The Metropolitan Council should continue to fund regional services and activities through a  
81 combination of user fees, property taxes, and state and federal grants and should set user fees  
82 through an open process that includes public notices and hearings. User fees should be uniform  
83 and set at a level that supports effective and efficient public services based on commonly  
84 accepted industry standards and allows for sufficient reserves to ensure long-term service and  
85 fee stability. Fee proceeds should be used to fund regional services or programs for which they  
86 are collected.

87 Metro Cities supports the use of property taxes and user fees to fund regional projects so long  
88 as the benefit conferred on the region is proportional to the fee or tax, and the fee or tax is  
89 comparable to the benefit cities receive in return.

#### 90 **MA-5 REGIONAL SYSTEMS**

91 Regional systems are statutorily defined as transportation, aviation, wastewater treatment and  
92 recreational open space. The purpose of the regional systems and the Metropolitan Council's  
93 authority over the systems is outlined in state law. The Metropolitan Council must seek a  
94 statutory change to alter the focus or expand the reach of any of these systems.

95 Systems plans prepared by the Metropolitan Council should be specific in terms of size, location,  
96 and timing of regional investments to allow for consideration in local comprehensive planning.  
97 Systems plans should also clearly state the criteria by which local plans will be judged for  
98 consistency with regional systems.

99 Additional regional systems should be established only if there is a compelling metropolitan  
100 problem or concern best addressed through the designation. Common characteristics of the

101 existing regional systems include public ownership of the system and its components and  
102 established regional or state funding sources. These characteristics should be present in any  
103 new regional system that might be established. Water supply and housing do not meet  
104 necessary established criteria for regional systems. Any proposed additional system must have  
105 an established regional or state funding source.

106 **MA-6 REGIONAL WATER SUPPLY PLANNING**

107 The Metropolitan Council is statutorily authorized to carry out planning activities to address  
108 water supply needs of the metropolitan area. A Metropolitan Area Water Supply Advisory  
109 Committee (MAWSAC) that includes state agency representatives and local officials was  
110 established to assist the Council in developing a master water supply plan that includes  
111 recommendations for clarifying the roles of local, regional, and state governments, streamlining,  
112 and consolidating approval processes and recommending future planning and capital  
113 investments. The Master Water Supply Plan serves as a framework to assist communities in  
114 water supply planning, without usurping local decision-making. Many cities also conduct their  
115 own analyses for use in water supply planning.

116 As the Metropolitan Council continues to assess the region's water supply and water  
117 sustainability, it must work cooperatively with local policymakers and local professional staff to  
118 ensure an on-going base of information that is sound, credible, and verifiable, and considers  
119 local information, data, cost-benefit analyses, and projections before any policy  
120 recommendations are issued. Metro Cities encourages the Metropolitan Council to consider the  
121 inter-relationships of wastewater treatment, storm water management and water supply. Any  
122 state and regional regulations and processes should be clearly stated in the Master Water  
123 Supply Plan. Further, regional monitoring and data collection benefits should be shared  
124 expenses between the regional and local units of government.

125 Metro Cities supports Metropolitan Council planning activities to address regional water supply  
126 needs and water planning activities as prescribed in statute. Metro Cities opposes the insertion  
127 of the Metropolitan Council as another regulator in the water supply arena.

128 Further, while Metro Cities supports regionally coordinated efforts to address water supply  
129 issues in the metropolitan area, Metro Cities opposes the elevation of water supply to "Regional  
130 System" status, or the assumption of Metropolitan Council control and management of  
131 municipal water supply infrastructure.

132 Metro Cities supports the technical advisory committee to the MAWSAC that maximizes  
133 participation by municipal officials and helps to ensure sound scientific analyses and models are  
134 developed with local expertise and input before legislative solutions are considered.



135 Metro Cities supports efforts to identify capital funding sources to assist with municipal water  
136 supply projects. Any fees or taxes for regional water supply planning activities must be  
137 consistent with activities prescribed in Minn. Stat. § 473. 1565, and support activities specifically  
138 within the metropolitan region.

#### 139 **MA-7 REVIEW OF LOCAL COMPREHENSIVE PLANS**

140 Local officials identified concerns with the submission and review processes for 2018 local plans  
141 including requests for information beyond what should be necessary for the Metropolitan  
142 Council to review local plans for consistency with regional systems, regional requirements that  
143 evolved as local plans were prepared and finalized and finding plans to be incomplete or  
144 requiring detailed information on items of a local rather than regional nature, among others.

145 The Metropolitan Council must work with Metro Cities and local officials to address challenges  
146 and concerns identified with the 2018 comprehensive planning and review processes and  
147 undertake any necessary improvements in advance of the next comprehensive planning cycle.  
148 This work should be conducted with opportunities for ongoing input and consultation with local  
149 officials as any modifications to the comprehensive planning review processes are considered,  
150 including but not limited to a recently established regional planning advisory group that  
151 includes Metro Cities and municipal officials. This work shall include reviewing processes for  
152 comprehensive plan amendments and identifying areas for improvement.

153 In reviewing local comprehensive plans and plan amendments, the Metropolitan Council  
154 should:

- 155 • Recognize that its role is to review and comment, unless it is found that the local plan is more  
156 likely than not to have a substantial impact on or contain a substantial departure from one of  
157 the four system plans;
- 158 • Be aware of statutory time constraints imposed by the Legislature on plan amendments and  
159 development applications;
- 160 • Provide for immediate effectuation of plan amendments that have no potential for substantial  
161 impact on systems plans;
- 162 • Require the information needed for the Metropolitan Council to complete its review, but not  
163 prescribe additional content or format beyond that which is required by the Metropolitan Land  
164 Use Planning Act (LUPA);
- 165 • Work in a cooperative and timely manner toward the resolution of outstanding issues. When a  
166 city's local comprehensive plan is deemed incompatible with the Metropolitan Council's systems  
167 plans, Metro Cities supports a formal appeal process that includes a peer review. Metro Cities

168 opposes the imposition of sanctions or monetary penalties when a city’s local comprehensive  
169 plan is deemed incompatible with the Metropolitan Council’s systems plans or the plan fails to  
170 meet a statutory deadline when the city has made legitimate, good faith efforts to meet  
171 Metropolitan Council requirements;

172 • Work with affected cities and other organizations such as the Pollution Control Agency,  
173 Department of Natural Resources, Department of Health, and other stakeholders to identify  
174 common ground and resolve conflicts between respective goals for flexible residential  
175 development and achieving consistency with the Council’s system plans and policies; and

176 • Require entities, such as private businesses, nonprofits, or local units of government, among  
177 others, whose actions could adversely affect a comprehensive plan, to be subject to the same  
178 qualifications and/or regulations as the city.

179 **MA-8 COMPREHENSIVE PLANNING PROCESS**

180 Metro Cities supports examining the comprehensive planning process to make sure that the  
181 process is streamlined and avoids excessive cost burdens or duplicative or unnecessary planning  
182 requirements by municipalities in the planning process. Metro Cities supports resources to  
183 assist cities in meeting regional goals as part of the comprehensive planning process, including  
184 planning grants and technical assistance.

185 Metro Cities supports funding and other resources from the Metropolitan Council for the  
186 preparation of comprehensive plan updates, including grant funding. Grants and other  
187 resources should be provided to all eligible communities through a formula that is equitable,  
188 and recognizes varying city needs and capacities.

189 **MA-9 COMPREHENSIVE PLANNING SCHEDULE**

190 Cities are required to submit comprehensive plan updates to the Metropolitan Council every 10  
191 years. A city’s comprehensive plan represents a community’s vision of how the city should grow  
192 and develop or redevelop, ensure adequate housing, provide essential public infrastructure and  
193 services, protect natural areas, and meet other community objectives.

194 Metro Cities recognizes the merit of aligning comprehensive plan timelines with the release of  
195 census data. However, the comprehensive plan process is expensive, time consuming and labor  
196 intensive for cities, and the timing for the submission of comprehensive plans should not be  
197 altered solely to better align with census data. If sufficient valid reasons exist for the schedule  
198 for the next round of comprehensive plans to be changed or expedited, cities should be  
199 provided with financial resources to assist them in preparing the next round of plans.

200 Metro Cities opposes cities being forced into a state of perpetual planning because of regional  
201 and legislative actions. Should changes be made to the comprehensive planning schedule,  
202 Metro Cities supports financial and other resources to assist cities in preparing and  
203 incorporating policy changes in local planning efforts. Metro Cities supports a 10- year time  
204 frame for comprehensive plan update submissions.

205 Metro Cities supports the Metropolitan Council’s consideration to reduce requirements for 10-  
206 year Comprehensive Plan updates for cities under 2,500 residents.

207 **MA-10 LOCAL ZONING AUTHORITY**

208 Local governments are responsible for zoning and local officials should have full authority to  
209 approve variances to remain flexible in response to the unique land use needs of their own  
210 community. Local zoning decisions, and the implementation of cities’ comprehensive plans,  
211 should not be conditioned upon the approval of the Metropolitan Council or any other  
212 governmental agency.

213 Metro Cities supports local authority over land use and zoning decisions and opposes the  
214 creation of non-local appeals boards with the authority to supersede city zoning decisions, and  
215 statutory modifications that would diminish the ability of cities to set and implement local  
216 zoning ordinances and policies.

217 **MA-11 REGIONAL GROWTH**

218 The most recent regional population forecast prepared by the Metropolitan Council projects a  
219 population of ~~3,746,000~~ 3,555,000 people by 2040 and 3,820,000 ~~4,001,000~~ by 2050.  
220 *(Suggested changes by staff)*

221 Metro Cities recognizes cities’ responsibility to plan for sustainable growth patterns and the  
222 integration of transportation, housing, parks, open space, and economic development that will  
223 result in a region better equipped to manage population growth, provide a high quality of life  
224 for a growing and increasingly diverse metropolitan area population, and improved  
225 environmental health.

226 In developing local comprehensive plans to fit within a regional framework, adequate state and  
227 regional financial resources and incentives and maximum flexibility for local planning decisions  
228 are imperative. The regional framework should assist cities in managing growth while being  
229 responsive to the individual qualities, characteristics and needs of metropolitan cities, and  
230 should encourage sub-regional cooperation and coordination.

231 In order to accommodate this growth in a manner that preserves the region’s high quality of  
232 life:

- 233 • Natural resource protection will have to be balanced with growth and  
234 development/reinvestment;
- 235 • Significant new resources will have to be provided for transportation and transit; and
- 236 • New households will have to be incorporated into the core cities, first and second- ring  
237 suburbs, and developing cities through both development and redevelopment.
- 238 In order for regional and local planning to result in the successful implementation of regional  
239 policies:
- 240 The State of Minnesota must contribute additional financial resources, particularly in the areas  
241 of transportation and transit, community reinvestment, affordable housing development, and  
242 the preservation of parks and open space. If funding for regional infrastructure is not adequate,  
243 cities should not be responsible for meeting the growth forecast set forth by the Metropolitan  
244 Council;
- 245 • The Metropolitan Council and Legislature must work to pursue levels of state and federal  
246 transportation funding that are adequate to meet identified transportation and transit needs in  
247 the metropolitan area;
- 248 • The Metropolitan Council must recognize the limitations of its authority and continue to work  
249 with cities in a collaborative, incentives-based manner;
- 250 • The Metropolitan Council must recognize the various needs and capacities of its many  
251 partners, including but not limited to cities, counties, economic development authorities and  
252 nonprofit organizations, and its policies must be balanced and flexible in their approach;
- 253 • Metropolitan counties, adjacent counties and school districts must be brought more  
254 thoroughly into the discussion due to the critical importance of facilities and services such as  
255 county roads and public schools in accommodating forecasted growth; and
- 256 • Greater recognition must be given to the fact that the “true” metropolitan region extends  
257 beyond the traditional seven-county area and the need to work collaboratively with adjacent  
258 counties in Minnesota and Wisconsin, and the cities within those counties. The region faces  
259 environmental, transportation, and land use issues that cannot be solved by the seven-county  
260 metro area alone. Metro Cities supports an analysis to determine the impacts of Metropolitan  
261 Council’s growth management policies and infrastructure investments on the growth and  
262 development of the collar counties, and the impacts of growth in the collar counties on the  
263 metropolitan area.

264 Metro Cities opposes statutory or other regulatory changes that interfere with established  
265 regional and local processes to manage growth in the metropolitan region, including regional  
266 systems plans, systems statements, and local comprehensive plans. Such changes erode local  
267 planning authority as well as the efficient provision of regional infrastructure, disregard  
268 established public processes and create different guidelines for communities that may result in  
269 financial, environmental, and other impacts on surrounding communities.

270 **MA-12 NATURAL RESOURCE PROTECTION**

271 Metro Cities recognizes the Metropolitan Council's efforts to compile and maintain an inventory  
272 and assessment of regionally significant natural resources for providing local communities with  
273 additional information and technical assistance. The state and region play significant roles in the  
274 protection of natural resources. Any steps taken by the state or Metropolitan Council regarding  
275 the protection of natural resources must recognize that:

- 276 • The protection of natural resources is significant to a multi-county area that is home to more  
277 than 50 percent of the state's population and a travel destination for many more. Given the  
278 limited availability of resources and the artificial nature of the metropolitan area's borders, and  
279 the numerous entities that are involved in protecting the natural resources of the region and  
280 state, neither the region nor individual metropolitan communities would be well served by  
281 assuming primary responsibility for financing and protecting these resources;
- 282 • The completion of local Natural Resource Inventories and Assessments (NRI/A) is not a  
283 regional system nor is it a required component of local comprehensive plans under the  
284 Metropolitan Land Use Planning Act;
- 285 • The protection of natural resources should be balanced with the need to accommodate  
286 growth and development, reinvest in established communities, encourage more affordable  
287 housing and provide transportation and transit connections; and
- 288 • Decisions about the zoning or land use designations, either within or outside a public park,  
289 nature preserve, or other protected area are, and should remain, the responsibility of local units  
290 of government.

291 The Metropolitan Council's role with respect to climate change, as identified in the 2040  
292 regional development guide, should be focused on the stewardship of its internal operations  
293 (wastewater, transit) and working collaboratively with local governments to provide  
294 information, best practices, technical assistance and incentives around responses to climate  
295 change.

296 Metro Cities urges the Legislature and the Metropolitan Council to provide financial assistance  
297 for the preservation of regionally significant natural resources.

298 **MA-13 INFLOW AND INFILTRATION (I/I)**

299 The Metropolitan Council has identified a majority of sewerred communities in the metropolitan  
300 region to be contributing excessive inflow and infiltration (I/I) into the regional wastewater  
301 system or to be on the threshold of contributing excessive inflow and infiltration. Inflow and  
302 infiltration are terms for the ways that clear water (ground and storm) makes its way into  
303 sanitary sewer pipes and gets treated, unnecessarily, at regional wastewater plants. The number  
304 of identified communities is subject to change, depending on rain events, and any city in the  
305 metropolitan area can be affected.

306 The Metropolitan Council establishes a surcharge on cities determined to be contributing  
307 unacceptable amounts of I/I into the wastewater system. The charge is waived when cities meet  
308 certain parameters through local mitigation efforts.

309 Metro Cities recognizes the importance of controlling I/I because of its potential environmental  
310 and public health impacts, because it affects the size, and therefore the cost, of wastewater  
311 treatment systems and because excessive I/I in one city can affect development capacity of  
312 another. However, there is the potential for cities to incur increasingly exorbitant costs in their  
313 ongoing efforts to mitigate excessive I/I. Therefore, managing I/I at a regional as well as local  
314 level, is critical to effective mitigation and cost management.

315 Metro Cities continues to monitor the surcharge program and supports continued reviews of  
316 the methodology used to measure excess I/I to ensure that the methodology appropriately  
317 normalizes for precipitation variability and the Council's work with cities on community specific  
318 issues around I/I.

319 Metro Cities supports state financial assistance for metro area I/I mitigation through future  
320 Clean Water Legacy Act appropriations or similar legislation and encourages the Metropolitan  
321 Council to partner in support of such appropriations. Metro Cities also supports resources,  
322 including identified best practices, information on model ordinances, public education and  
323 outreach, and other tools, to local governments to address inflow/ infiltration mitigation for  
324 private properties.

325 A 2023 task force recommended parameters for a private property inflow-infiltration program  
326 that will be funded through a portion of the regional wastewater charge. As a program gets  
327 underway, Metro Cities will monitor program criteria for transparency and accessibility for  
328 eligible cities.

329 Metro Cities supports continued state capital assistance to provide grants to metropolitan cities  
330 for mitigating inflow and infiltration problems into municipal wastewater collection systems.  
331 Grant funding should continue to be structured so that all eligible cities have access to this  
332 funding assistance.

333 **MA-14 SEWER AVAILABILITY CHARGE (SAC)**

334 Metro Cities supports a SAC program that emphasizes equity, transparency, simplification, and  
335 lower rates.

336 Metro Cities supports principles for SAC that include program transparency and simplicity,  
337 equity for all served communities and between current and future users, support for cities'  
338 sewer fee capacities, administrative reasonableness, and weighing any program uses for specific  
339 goals against impacts to program equity, transparency, and simplicity. As such, Metro Cities  
340 opposes the use of the SAC mechanism to subsidize or incent specific Metropolitan Council  
341 goals and objectives. Input from local officials should be sought if the SAC reserve is proposed to  
342 be used for any purpose other than debt service, including pay-as-you-go (PAYGO). Metro Cities  
343 opposes increases to the SAC rate while the reserve is projected to exceed the Metropolitan  
344 Council's minimum reserve balance, without the express engagement of city officials in the  
345 metropolitan area.

346 Metro Cities supports current SAC program criteria that use gross square feet in making SAC  
347 determinations, and do not require a new SAC determination for business remodels that do not  
348 change the use of the property. These changes were the result of a 2018 task force that made  
349 recommendations to simplify the SAC program for users, and to reduce incidents of "surprise"  
350 SAC charges.

351 Metro Cities supports current SAC policy that enhances flexibility in the SAC credit structure for  
352 redevelopment purposes and supports continued evaluation of SAC fees to determine if they  
353 hinder redevelopment.

354 Metro Cities supports the Metropolitan Council providing details on how any proposed changes  
355 to the SAC rate are determined. Metro Cities supports a periodic review of MCES' customer  
356 service policies, to ensure that its processes are responsive and transparent to communities,  
357 businesses, and residents. Metro Cities supports continued outreach by MCES to users of the  
358 SAC program to promote knowledge and understanding of SAC charges and policies. Any  
359 modifications to the SAC program or structure should be considered only with the participation  
360 and input of local officials in the metropolitan region.

361 Metro Cities supports a "growth pays for growth" approach to SAC. If state statutes are modified  
362 to establish a "growth pays for growth" method for SAC, the Metropolitan Council should

363 convene a group of local officials to identify any technical changes necessary for implementing  
364 the new structure.

365 Metro Cities supports allowing the Council to utilize a SAC ‘transfer’ mechanism when the SAC  
366 reserve fund is inadequate to meet debt service obligations. Any use of the transfer mechanism  
367 must be done so within parameters prescribed by state law and with appropriate notification  
368 and processes to allow local official input and should include a timely ‘shift back’ of any funds  
369 that were transferred from the wastewater fund to the SAC reserve fund. Efforts should be  
370 made to avoid increasing the municipal wastewater charge in use of the transfer mechanism.

#### 371 **MA-15 FUNDING REGIONAL PARKS & OPEN SPACE**

372 In the seven-county metropolitan area, regional parks essentially serve as state parks, and the  
373 state should continue to provide capital funding for the acquisition, development, and  
374 improvement of these parks in a manner that is equitable with funding for state parks. State  
375 funding apart from Legacy funds should equal 40 percent of the operating budget for regional  
376 parks. Legacy funds for parks and trails should be balanced between the metropolitan region  
377 and greater Minnesota. Metro Cities supports state funding for regional parks and trails that is  
378 fair, creates a balance of investment across the state, and meets the needs of the region.

#### 379 **MA-16 LIVABLE COMMUNITIES**

380 The Livable Communities Act (LCA) under Minn. Stat. 473.25 is administered by the  
381 Metropolitan Council and provides a voluntary, incentive-based approach to affordable housing  
382 development, tax base revitalization, job growth and preservation, brownfield clean up, mixed-  
383 use, transit-friendly development, and redevelopment. Metro Cities supports this approach that  
384 is widely accepted and utilized by cities. Since its inception in 1995 the LCA program has  
385 generated billions of dollars of private and public investment, created thousands of jobs and  
386 added thousands of affordable housing units in the region.

387 Metro Cities monitors the LCA programs on an ongoing basis and supports any necessary  
388 program modifications to ensure that the LCA program criteria are flexible and promote the  
389 participation of all participating communities, and to ensure all metropolitan area cities are  
390 eligible to participate in the Livable Communities Demonstration Account (LCDA). Metro Cities  
391 supports statutory goals and criteria established for the Livable Communities Act and opposes  
392 any changes to LCA programs that constrain flexibility provided for in statutory goals, program  
393 requirements and criteria. Metro Cities ~~is monitoring 2021~~ monitors any potential modifications  
394 to the LCA program to ensure that program criteria are responsive to local needs within the  
395 context of overall LCA objectives. *(Suggested changes by staff)*



396 Metro Cities supports increased funding and flexible eligibility requirements in the LCDA to  
397 assist cities with development that may not be exclusively market driven or market proven in  
398 the location, in order to support important local development and redevelopment goals. Metro  
399 Cities supports the findings of a recent local official working group that identified the need for  
400 the Metropolitan Council to expand its outreach to cities on the LCA programs and to continue  
401 efforts to ensure that LCA criteria are sufficiently flexible to meet the range of identified  
402 program objectives. These efforts should include ongoing opportunities for structured input by  
403 Metro Cities and local officials.

404 Metro Cities opposes funding reductions to the Livable Communities Act programs and the  
405 transfer or use of these funds for purposes outside of the LCA program.

406 Metro Cities supports statutory modifications in the LCDA to reflect linkages among goals,  
407 municipal objectives, and Metropolitan Council system objectives.

408 Metro Cities supports the use of LCA funds for projects in transit improvement areas, as defined  
409 in statute, if funding levels for general LCA programs are adequate to meet program goals and  
410 the program remains accessible to participating communities.

411 Any proposed program modifications should be considered with input by local officials before  
412 changes to LCA programs are enacted or implemented. Use of interest earnings from LCA funds  
413 should be limited to covering administrative program costs. Remaining interest earnings should  
414 be considered part of LCA funds and used to fund grants from established LCA accounts per  
415 established funding criteria.

#### 416 **MA-17 DENSITY**

417 Metro Cities recognizes the need for a density policy, including minimum density requirements,  
418 that allows the Metropolitan Council to effectively plan for and deliver cost-efficient regional  
419 infrastructure and services. Regional density requirements must recognize that local needs and  
420 priorities vary, and requirements must be sufficiently flexible to accommodate local  
421 circumstances as well as the effect of market trends on local development and redevelopment  
422 activity.

423 The Metropolitan Council asks cities to plan for achieving minimum average net densities across  
424 all areas identified for new growth, development, or redevelopment. Because each community  
425 is different, how and where density is guided is determined by the local unit of government,  
426 regional density requirements should use minimum average net densities and provide flexibility  
427 to accommodate individual city circumstances.

428 Metro Cities opposes parcel-specific density requirements as such requirements are contrary to  
429 the need for local flexibility in a regional policy.

430 Any regional density policy must use local data and local development patterns and must  
431 accommodate local physical and land use constraints such as, but not limited to, wetlands,  
432 public open space, trees, water bodies and rights-of-way, and any corresponding federal and  
433 state regulations imposed on local governments when computing net densities. The  
434 Metropolitan Council must coordinate with local governments in establishing or revising  
435 regional density requirements and should ensure that regional density and plat monitoring  
436 reports comprehensively reflect local densities and land uses.

437 **~~MA-18 COMPREHENSIVE PLANS AND ENVIRONMENTAL REVIEW~~**

438 ~~Comprehensive plans are essential guiding documents for cities and lay out a range of future  
439 land use scenarios, which are intended to allow for the orderly and economic development of  
440 the metropolitan region. To allow for local flexibility and functionality, as well as to best align  
441 local goals with regional requirements, it is essential that local comprehensive plans remain as  
442 high-level visioning documents that guide future development as well as other city policies.~~

443 ~~Recent litigation, if successful, could require local comprehensive plans to meet the standards of  
444 the Minnesota Environmental Rights Act (MERA), which is not possible given that they are high  
445 level visioning documents and not development plans.~~

446 ~~Comprehensive plans, under state law, are expressly exempt from the Minnesota Environmental  
447 Protection Act (MEPA), unlike development projects, which are regularly and rightfully reviewed  
448 under MEPA. This litigation threatens the autonomy of cities to conduct long term planning and  
449 the ability of the Metropolitan Council to conduct thoughtful, effective regional planning. Metro  
450 Cities supports legislative changes to clarify that cities' comprehensive plans are exempt from  
451 review under the Minnesota Environmental Rights Act (MERA). (Suggested change by staff,  
452 based on 2024 legislation addressing the position in this policy)~~