

MINNESOTA VALLEY TRANSIT AUTHORITY
Regular Board Meeting
May 28, 2008 – 4:30 p.m.
Eagan Bus Garage

Board Members Present:

Elizabeth Kautz, Burnsville
William Droste, Rosemount
Ruth Grendahl, Apple Valley
Margaret Schreiner, At Large
Jane Victorey, Savage
Will Branning, Dakota County
Tom Pepper, Eagan

Others Present:

Beverley Miller, Executive Director
Michael Abegg, Planner
Corrine Heine, Kennedy & Graven
Dan Krom, Dakota County
Robin Selvig, Customer Relations Manager
Lois Spear, Finance Officer
Tom Lovelace, Apple Valley TWG
Tom Bright, Facilities Manager
Connie Massengale, Schmitt & Sons
David Pritzlaff, Farmington Councilmember
Steve Mielke, Lakeville Administrator
Glenn Boden, Fleet Maintenance Manager
James Clark, Messerli & Kramer
Craig Peterson, Metropolitan Council
Samantha Porter, Operations Manager

I. Call to Order

The meeting was called to order at 4:30 p.m. by Chair Elizabeth Kautz.

II. Public Comments

There were no comments from the public.

III. Approval of Agenda

Motion by Margaret Schreiner and seconded by Ruth Grendahl to approve the agenda.
Motion carried.

IV. Consent Agenda

Motion by Jane Victorey and seconded by Margaret Schreiner to approve the Consent Agenda with the exception of item E – UPA Sub-Recipient Grant Agreement. Motion carried. Resolutions adopted as part of the Consent Agenda are attached to these minutes. Elizabeth Kautz questioned Beverley Miller and Corrine Heine (legal counsel) about the UPA Sub-recipient agreement and how MVTA's interests are being protected. Ms. Heine gave a summary of a recent telephone conference call with the Met Council staff and legal counsel, as well as project manager Craig Lamothe. Ms. Heine stated she thought the call was productive, and that the MVTA raised issues about the MVTA's position if other components of the project are not handled in a timely manner. The MVTA was told that there were issues that needed further research and that another draft would be provided to

the MVTA. Motion by Margaret Schreiner and seconded by Ruth Grendahl to table until the call of the chair for a special meeting, in order to provide clear direction to staff and legal counsel, to protect MVTA's interest and liability. Motion carried

V. **New Business**

A. *Award Bus Digital Video Camera Contract*

Beverley Miller distributed an updated memo regarding the purchase of digital video cameras for MVTA buses, seeking award of the bid to the sole bidder, Seon, in the amount of \$173,060, subject to FTA approval of the Buy America exemption. Motion by Will Branning and seconded by Jane Victorey to approve the agreement. Motion carried.

B. *Award Cedar Grove Design/Engineering Services Contract*

Beverley Miller reviewed the Cedar Grove project and the request to award a contract for engineering, design and construction management services to TKDA. She explained that an RFP was issued, that a committee including Tom Bright (MVTA facilities manager), Russ Matthys (Eagan engineer) and Jon Hohenstein (Eagan Community Development Director) reviewed the proposals, interviewed three firms and are recommending awarding the contract to TKDA subject to some environmental work that is currently under way. Lois Spear explained the Brooks Act federal requirement that the vendor be selected purely on qualification, and then the cost proposal of the most qualified vendor only is reviewed. The MVTA must return the cost proposals from other proposers, unopened. Motion by Bill Droste and seconded by Tom Pepper to approve the agreement with TKDA, subject to the phase two environmental work. Motion carried.

C. *Executive Director Authority*

Beverley Miller reviewed the request for executive director signing authority up to \$20,000 on UPA projects, in an effort to keep things moving per the rapid pace that has been established and so that the September 2009 deadline can be met. It was noted that this is a cumulative figure, and the decisions would be ratified at the next Board meeting. Motion by Margaret Schreiner and seconded by Will Branning. Motion carried.

VI **Old Business**

A. *Letter from Peter Bell*

There was a review of a letter from Peter Bell requesting that the MVTA approve transfer of the title for the Watson's property to the Met Council at the May Board meeting. Corrine Heine provided a summary of the MVTA's meeting with the Department of Finance, at which point it was told that if GO bonds are used to fund the project, then Met Council (recipient of the bond funds) must have an ownership interest. Ruth Grendahl noted that the ownership interest need not be significant amount (less than one percent would be okay). It was noted that there was also confusion about the source of the funds used to purchase the Watson's property. Craig Peterson explained that Regional Transit Capital (RTC) funds were initially used to front the money to acquire the property, with the intent of replacing the funds with bond funds upon authorization by the legislature. He stated that he believes the Met Council and the MVTA are getting different reports from the Department of Finance on this issue, but that he does not believe that ownership is a key issue for the Met Council. He stated that there will be a meeting as early as next week to discuss this.

Elizabeth Kautz asked that the meeting include both staff and stakeholders (i.e., Met Council Reps and MVTA Board members). Mr. Peterson agreed to participate in the process and work toward a resolution. Motion by Ruth Grendahl and seconded by Margaret Schreiner to table this action until the meeting with the Met Council staff takes place. Motion carried.

Additional comments offered to Mr. Peterson included concerns about staff turnover. Significant appreciation was expressed by numerous Board members for Mr. Peterson's time taken to attend this Board meeting, as well as his time researching the issues and discussing them with Elizabeth Kautz. Mr. Peterson noted that he believes that trust has been lost between the opt-outs and the Met Council, but he met with Chair Bell, Tom Weaver, Mary Hill Smith, Brian McDaniel and Daniel Wolter about these concerns (even raising the question of whether or not the Met Council wanted to abolish the opt-outs.) He was assured that this was not the case, and Mr. Peterson will lead a task force to begin to work out issues and re-establish trust between the agencies. Ruth Grendahl noted this has been the most productive meeting the Board has had in a long time, and it is thanks to the message brought by Mr. Peterson.

Bill Droste raised his concern about service in Rosemount and the fact that they "don't have any service" despite paying into the system for many years. He said he believes he needs to talk to the Met Council or Metro Transit, withdraw from the MVTA and get someone else to provide the service. Elizabeth Kautz reminded Mr. Droste that the MVTA had budgeted for service for Rosemount, but this was removed by Met Council staff. Mr. Peterson said he only recently learned of this issue. Beverley Miller also noted that the MVTA has submitted CMAQ applications for a project in Rosemount the last two submittals, and while the project was near the cut-off, there were not sufficient federal funds to implement the project. Chair Kautz appointed a taskforce of MVTA Board members (Will Branning, Ruth Grendahl, Bill Droste, and Craig Peterson) to work on a way to restore the budgeted funds to operate the service. Will Branning said he has spoken to the Met Council and has the buses available if operational dollars can be found. The taskforce will meet and bring a solution back to the Board at its next meeting.

VII. Committee Reports

A. STA

James Clark provided an update of the legislative session, highlighting successes such as the transportation bill, the approval of 2007 and 2008 Met Council bond funds. He noted that the Cedar Corridor funds were the only transit project approved in the state bonding bill. Later, the Central Corridor funds were restored. There was discussion about the expansion of the transit taxing district, indicating that virtually all legislators are now aware of this issue. Steve Mielke indicated that if cities are forced into the district, they will take a stance similar to that of Lakeville – they will want service and there are insufficient funds for operations. Mr. Clark did indicate that this would be before the legislature again. Mr. Clark also discussed the "Dibble" amendment and how Sen. Dibble pulled the amendment in favor of creating a discussion group of STA and Met Council representatives to work out the bus ownership issue.

VIII. Staff Reports

A. Discuss BRT Site Visits

Michael Abegg provided a presentation about BRT systems across the United States and Canada in an effort to continue the education of our Board regarding this new type of system. He discussed features of several systems, including vehicles, shelter design, branding, customer information and other issues, and offered to provide a recommendation to the Board regarding possible site visits. It was noted that Dakota County staff will be attending a conference in Cleveland, and Will Branning indicated that he would be viewing the Kansas City system. He also asked that there be further collaboration with team members on this project. Beverley Miller indicated that the presentation was provided at the May Board meeting in an effort to begin to manage expectations of the many participants in the corridor. MVTA staff was asked to work with Dakota County staff and bring a recommendation back to the Board at the June meeting regarding recommended site visits.

Michael Abegg noted that there would be a meeting at the Eagan Bus Garage on Thursday with a number of congressional staffers and others regarding the Lane Assist demonstration project. These individuals would be in town for a meeting at the University of Minnesota Center for Transportation Studies.

Beverley Miller distributed a table of milestones for the MVTA's four UPA projects, indicating that she would have this updated for each Board meeting. She also showed a draft of the information "board" to be presented at the June 10 Stakeholders Workshop at Best Buy.

IX. Adjournment

Motion by Ruth Grendahl and seconded by Bill Droste to adjourn the meeting. The meeting was adjourned at 6:58 p.m.

Minutes Prepared By: Robin L. Selvig

Next Regular Meeting Scheduled: June 25, 2008, 4:30 p.m. Eagan Bus Garage

All regularly Scheduled Board Meetings will be held on the **FOURTH** Wednesday of the month at the posted time and location unless otherwise notified.

Approved by: _____ Date: _____