

MINNESOTA VALLEY TRANSIT AUTHORITY  
Regular Board Meeting  
September 23, 2009 – 4:30 p.m.  
Eagan Bus Garage

**Board Members Present:**

Elizabeth Kautz, Burnsville  
Gary Hansen, Eagan  
Tom Lovelace, Apple Valley  
Wally Lyslo, At Large  
Jane Victorey, Savage  
William Droste, Rosemount  
Jon Ulrich, Scott County  
Will Branning, Dakota County

**Others Present:**

Beverley Miller, Executive Director (5 p.m.)  
Shaun Morrell, Planner  
Lois Spear, Finance Officer  
Robin Selvig, Customer Relations Manager  
Mike Abegg, Planning Manager  
Glenn Boden, Fleet Maintenance Manager  
Tom Bright, Facilities Manager  
Samantha Porter, Operations Manager  
Barb Ross, Best & Flanagan  
Sam O'Connell, Dakota County  
Mickey Gutzmann, Met Council  
Connie Massengale, Schmitt & Sons  
Katie Humphrey, Star Tribune

**I. Call to Order**

The meeting was called to order at 4:31 p.m. by Chair Elizabeth Kautz.

**II. Public Comments**

There were no public comments.

**III. Approval of Agenda**

One item was added to the Agenda as item IIIa regarding a resolution expressing appreciation to Barbara Ross of Best & Flanagan for her years of service as legal counsel to the MVTA Board. The resolution was read and cake was served. Motion by Tom Lovelace and seconded by Will Branning to approve the amended agenda. Motion carried.

**IV. Consent Agenda**

Motion by Gary Hansen and seconded by Wally Lyslo to approve the consent agenda. Motion carried. Resolutions adopted at the meeting are attached to these minutes.

**V. Old Business**

*A. Update on Regional Dial-a-Ride Program*

Beverley Miller distributed some materials and provided an update on the Regional Dial-a-Ride program reporting on a meeting held at the Dakota County Western Service Center. She indicated that it is the Council's hope to provide more consistent service in the 7-county Metro area. There are a number of questions and items to be worked out, but the plan is proceeding forward. ADA service will not be affected, but the fleets will be separated. Will Branning commented on the public meeting conducted at the Northern Service Center and described how the service would operate. Dakota County is slated to transition to the new program on May 1, 2010 and an RFP will be distributed in late October. Mark Hoisser of DARTS was also at the meeting and expressed DARTS' intent to respond to the RFP. Board members who get questions from constituents should refer them to Gerri Sutton of the Met Council.

*B. Discussion Regarding Met Council RFP Process for Lakeville Service*

Sam O'Connell of Dakota County and Mickey Gutzmann, Manager of Contracts/Procurement at the Met Council were invited to the table to answer questions about the process followed by the Council on the I-35 Service in Lakeville. O'Connell described the review process of the evaluation team, which also included Dave Olson of the City of Lakeville, indicating that there were two responses: MVTA and First Transit. All were determined to be qualified. Then, an internal bid was submitted by Metro Transit and committee members were instructed that the only criterion for selection was cost. According to Gutzmann, the costs were as follows:

Metro Transit	\$2,143,155.17
MVTA	\$2,165,296.50
First Transit	\$2,243,172.59

Questions were asked about how Metro Transit could commit to a five-year fixed price when ATU contracts and benefits were still under negotiation and they are obligated to comply with any negotiated agreements. Gutzmann commented that contracts are currently under negotiation, but there is not expected to be any increases in the upcoming agreement.

The MVTA requested a copy of the internal bid submitted by Metro Transit and also requested an annual review of actual costs over the term of the agreement as compared to the proposal. Mickey Gutzmann agreed to provide said document.

**VI. New Business**

*A. Dakota County/Cedar Avenue Implementation Plan Update*

Sam O'Connell then provided an update on the Cedar Transitway project and the Implementation Plan Update currently in process. Her presentation is posted in the MVTA Board Packet Materials section of the web-site at [www.mvta.com](http://www.mvta.com). She talked about how they have adopted the Met Council model for ridership projections and the new model, along with more current data, have some different ridership projections. Will Branning noted that they are still short on funding, but have two years to get the remaining dollars necessary. He indicated that they are pursuing Met Council, State and Federal funds.

*B. Award Legal Services Contract*

A memo was distributed and Jane Victorey provided the Personnel Committee's Recommendation to appoint Kennedy & Graven as legal counsel for the MVTA. She indicated that both firms interviewed had good municipal experience, but they were especially impressed by Kennedy & Graven. Motion The by William Droste and seconded by Gary Hansen to approve a three-year agreement for legal services with Kennedy & Graven, along with two one-year options to extend the agreement. Motion carried.

*C. Award BBG Renovation Contract*

A memo was distributed regarding the BBG 2<sup>nd</sup> Floor Renovation and Beverley Miller reported that 12 bids were received on Sept. 21 and GA Construction was the low bidder at \$500,600. Motion by Jane Victorey and seconded by Jon Ulrich awarding the contract to GA Construction for the BBG 2<sup>nd</sup> Floor renovation. Motion carried.

*D. Agreement with Met Council for Lakeville Cedar Service*

Beverley Miller distributed a letter from Arlene McCarthy of the Met Council indicating that the agreement for operating the Lakeville Cedar service would not be available until after a meeting of CTIB in October regarding the funding of the Lakeville Cedar service. The Board accepted the letter from McCarthy.

**VII. Committee Reports**

*A. STA*

Beverley Miller reported that STA is conducting its annual review of M&K. She also noted that at the last meeting the contract with Messerli & Kramer be split with another consultant. There was a discussion that recommended Sherrie Munyon, who has long served as the representative for the Minnesota Public Transit Association (MPTA) and has established relationships with legislators across Minnesota work with Messerli, during the upcoming session. This will be presented to the full STA Board in October.

*B. Finance Committee*

*2009 Budget Amendment/2010 Operating Budget*

Jane Victorey presented the Finance Committee report, first directing Board members to the update regarding the 2009 budget and then highlighting some of the concerns to be faced in the 2010 budget. She and Lois Spear noted the reduction in MVST funds, the potential change in allocation of revenue from U-Passes, Metropasses and College passes and the Met Council's expectation that the MVTA use NTD funds for operations rather than capital projects. It was noted that based on the projected budget, the MVTA fund balance would be depleted to 1.8 months of expenditures, rather than the minimum of four months of expenditures as required by our Financial Management Plan. Elizabeth Kautz expressed concern about the Met Council's proposed allocation of \$1.9 million in MVST funding to the MVTA based on meeting certain conditions, and the fact that these funds would be issued at the end of the budget cycle. Will Branning indicated that the Board should react to the conditions when they have been fully identified and this will be addressed by the Finance Committee. The budget will be up for adoption at the October Board meeting.

**VIII. Staff Reports / Update**

*A. State Fair Ridership*

Robin Selvig noted that State Fair ridership was very strong until the last weekend of the Fair. Ridership for the 12 days was 42,327, down about 2.5 percent from 2008. Reports were that Metro Transit's ridership was stable or down slightly and SouthWest Transit's ridership was up.

B. Elizabeth Kautz again thanked Barb Ross for her years of service.

**IX. Adjournment**

Motion by Gary Hansen and seconded by Wally Lyslo to adjourn the meeting at 6:21 p.m.

**Minutes Prepared By: Robin L. Selvig**

**Next Regular Meeting Scheduled: October 28, 2009, 4:30 p.m. Eagan Bus Garage, 3600 Blackhawk Road, Eagan.**

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: \_\_\_\_\_