

MINNESOTA VALLEY TRANSIT AUTHORITY  
Regular Board Meeting  
February 23, 2011 – 4:30 p.m.  
Mediterranean Cruise Café

**Board Members Present:**

Gary Hansen, Eagan  
Clint Hooppaw, Apple Valley  
Jane Victorey, Savage  
Dan Kealey, Burnsville  
William Droste, Rosemount  
Wally Lyslo, At large

**Others Present:**

Beverley Miller, Executive Director  
Tom Lovelace, Apple Valley TWG  
Robin Selvig, Customer Relations Manager  
Tom Pepper, Eagan TWG  
Tom Bright, Facilities Manager  
Joe Zanmiller, At-Large Alternate  
Shaun Morrell, Planner  
Lois Spear, Finance Officer  
Jim Strommen, Kennedy & Graven

**I. Call to Order**

The meeting was called to order at 4:35 p.m. by Vice Chair Gary Hansen. A quorum was present.

**II. Public Comments**

There were no comments from the public.

**III. Approval of Agenda**

Motion by Bill Droste and seconded by Wally Lyslo to approve the agenda. Motion carried.

**IV. Consent Agenda**

Motion by Jane Victorey and seconded by Clint Hooppaw to approve the Consent Agenda. Jane Victorey asked a question about the operations and expense reports. It was noted that accruals for 2010 have not yet been completed – particularly utilities. It was further noted that the 2010CTIB billing accrual is awaiting a revised contract with Met Council for the AVTS and Cedar Grove facilities and operations for 2010. Motion carried. Resolutions adopted as part of the Consent Agenda are attached to these minutes.

**V. Old Business**

**A. SRF Amendment**

Beverley Miller reviewed a memo regarding amendments to the MVTA's agreement with SRF for platform, canopy and waiting area extensions at the Apple Valley Transit Station in preparation of a multimodal/BRT implementation in 2012. Miller said that because many factors were unknown when the facility was constructed (such as the specific vehicles to be used and Dakota County's commitment to level boarding), these adjustments are needed. This specification will limit vehicle selection options. All will be subject to approvals by the City of Apple Valley and Dakota County. We are working with Dakota County regarding funding opportunities. Motion by Wally Lyslo and seconded by Clint Hooppaw to approve the contract amendments with SRF. A roll-call vote followed.

William Droste – Aye      Wally Lyslo – Aye      Dan Kealey – Aye  
Clint Hooppaw – Aye      Gary Hansen – Aye      Jane Victorey – Aye

Motion carried.

**VI. New Business**

**A. Changes to Joint Powers Agreement**

Beverley Miller presented information regarding the needed change in the MVTA Joint Powers Agreement to allow the MVTA to use tax-exempt lease-purchase financing. Legal Counsel Jim Strommen mentioned that he and others at his firm have been in contact with legal counsel and administrators/managers at each MVTA city (except Rosemount) and all are fine with the concept. It will be placed on the consent agenda at an upcoming meeting. Rosemount's attorney has been out of town, but will also be contacted. Motion by Jane Victorey and seconded by William Droste to approve the resolution recommending approval of the first amendment to the Amended and restated MVTA Joins Powers Agreement. Motion carried.

**VII. Committee Reports**

**A. STA**

Beverley Miller reviewed activities at the last STA meeting, noting that there was discussion of the Legislative Agenda and that the STAs have decided to lay-low for now regarding the governance structure of transit and proposed changes. Bill Droste said this would be a good time for the STAs to decide how it would like to be defined down the road, and that perhaps there could be some consolidation of some STAs in a few years.

**VIII. Staff Reports / Update**

Dan Kealey reported on a number of items, including his involvement in Chamber committees regarding transit and his commitment to the concept of the STAs. He concurs that there are some opportunities right now to lay groundwork for the future of the STAs as well as opportunities to collaborate with Metro Transit. He also stated that he took his first MVTA bus ride and that it was a very positive experience – from driver assistance to drop-off and pick-up locations. The Board thanked him for his testimonial.

**IX. Adjournment**

Motion by Bill Droste and seconded by Wally Lyslo to adjourn the meeting at 5:15 p.m.

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

**Next Regular Meeting Scheduled: March 23, 2011, 4:30 p.m., Burnsville 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: Wally Lyslo

Date: 23 Mar 2011

MINNESOTA VALLEY TRANSIT AUTHORITY  
RESOLUTION NO. 11-\_\_\_\_\_

APPROVE AMENDMENT WITH SRF FOR PLATFORM, CANOPY  
AND WAITING AREA EXTENSIONS AT APPLE VALLEY TRANSIT STATION

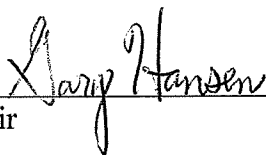
WHEREAS, the MVTA has an agreement with SRF for to provide civil site design services for the extensions of the boarding platforms and canopy at Apple Valley along with expansion of the enclosed waiting area at an estimated cost of \$18,975;

WHEREAS, additional work is now needed to finalize design for the roadway portion of the AVTS platform so that the design changes can be incorporated into Dakota County's construction contract;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve an amendment to the SRF contract to include additional design services to modify the bus pull out bays at the Apple Valley Transit Station at a cost not to exceed \$73,349.

BE IT FURTHER RESOLVED, that the MVTA approve an additional amendment to the contract with SRF for additional design and construction administration services to enclose the existing canopy and construct a new open canopy, at a cost not to exceed \$200,719.

ADOPTED by the Minnesota Valley Transit Authority this 23<sup>rd</sup> day of February 2011.

  
\_\_\_\_\_  
Chair

Attest:

  
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**MINNESOTA VALLEY TRANSIT AUTHORITY**

**RESOLUTION NO. \_\_\_\_\_**

**RECOMMENDING APPROVAL OF FIRST AMENDMENT TO  
AMENDED AND RESTATED MVTA JOINT POWERS AGREEMENT**

BE IT RESOLVED By the Board of Commissioners (the “Board”) of the Minnesota Valley Transit Authority (the “Authority”) as follows:

Section 1.     Recitals.

1.01.   The Authority is a joint powers entity organized pursuant to Minnesota Statutes, section 471.59 and Sections 473.384 and 473.388, under an Amended and Restated MVTA Joint Powers Agreement Establishing the Minnesota Valley Transit Authority, dated as of June 7, 2005 (the “JPA”).

1.02.   The Authority has determined that is in the interest of the Authority and its members to finance the acquisition and betterment of an expansion to the Eagan Bus Garage operated by the Authority (the “Project”), through issuance of certificates of participation (“COPs”) in a lease-purchase agreement (the “Lease”) regarding the Project, pursuant to Minnesota Statutes, Section 465.71.

1.03.   In order to ensure that the Lease may be issued on a tax-exempt basis, bond counsel to the MVTA has recommended that the JPA be modified in order to expressly authorize lease-purchase financing.

1.04.   The Board has reviewed a First Amendment to the JPA (the “Amendment”), and has determined that it is in the best interests of the Authority and its members to submit the Amendment to each member city for their approval.

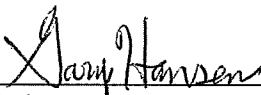
Section 2.     Amendment Approved.

2.01.   The Board approves the Amendment in substantially the form presented to the Board, and authorizes and directs Authority staff to submit the Amendment to each member City for approval by their respective city councils.

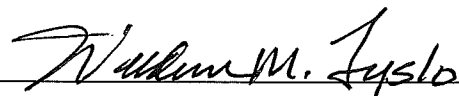
2.02.   Authority staff and consultants are authorized and directed to take all other actions required to secure approval and execution of the Amendment.

Approved by the Board of Commissioners of the Minnesota Valley Transit Authority this 23<sup>rd</sup> day of February, 2011.

**MINNESOTA VALLEY TRANSIT  
AUTHORITY**

  
\_\_\_\_\_  
Chairperson

Attest:

  
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