

MINNESOTA VALLEY TRANSIT AUTHORITY
Regular Board Meeting
September 28, 2011 – 4:30 p.m.
Burnsville Bus Garage

Board Members Present:

Will Branning, Dakota County
Gary Hansen, Eagan
Clint Hooppaw, Apple Valley
Jane Victorey, Savage
Dan Kealey, Burnsville
William Droste, Rosemount
Wally Lyslo, At-large
Jon Ulrich, Scott County

Others Present:

Beverley Miller, Executive Director
Michael Abegg, Planning Manager
Robin Selvig, Customer Relations Manager
Lois Spear, Finance Officer
Tom Bright, Facilities Manager
Shaun Morrell, Planner
James Strommen, Kennedy & Graven
Steve Albrecht, Burnsville TWG
Glenn Boden, Fleet Maintenance Manager
Connie Massengale, Schmitt & Sons
Tom Pepper, Eagan TWG
Dan Schmitt, Schmitt & Sons
Joe Morneau, Dakota County Staff
Katie Humphrey, Star Tribune
Laura Vernon, RouteMatch
Jeff Melville
Suzanne and Robert Bonnell
Dennis Beumer
Libby Boyd

I. Call to Order

The meeting was called to order at 4:33 p.m. by Chair Will Branning. Roll-call was taken and a quorum was present.

II. Public Comments

Residents of 157th St. in Apple Valley addressed the Board regarding their concerns about buses operating on their street. Speakers included Dennis Beumer, 8464 157th St. W.; Jeff Melville, 8253 157th St.; and Suzanne Bonnell, 8273 157th St. W. Two others, plus children, were also present. Mr. Melville presented a petition on behalf of 60 percent of the neighbors asking that buses be removed from 157th St. Clint Hooppaw noted that MVTA, City of Apple Valley and County staff met to discuss potential resolutions and is to regroup on Oct. 4 with a course of action. He asked for patience while that review is completed. Robin Selvig will continue to document all comments from residents in the MVTA's Customer Service data base.

III. Approval of Agenda

One item was added to the agenda under "Old Business" regarding the BRT Financing Plan. Motion by Bill Droste and seconded by Gary Hansen to approve the revised agenda. Motion carried.

IV. Consent Agenda

Item C. was pulled from the Consent Agenda for a separate discussion. Motion by Gary Hansen and seconded by Bill Droste to approve the remainder of the Consent Agenda. A roll-call vote followed.

William Droste – Aye
Clint Hooppaw – Aye
Jon Ulrich – Aye

Wally Lyslo – Aye
Gary Hansen – Aye

Dan Kealey – Aye
Will Branning – Aye

Motion carried. Resolutions adopted as part of the Consent Agenda are attached to these minutes.

Clint Hooppaw asked questions about other solutions to repainting the benches at the Burnsville Transit Station. Beverley Miller reported that re-painting was less costly than replacing and they need attention. Benches made of alternate products will be considered in the future. Motion by Clint Hooppaw and seconded by Wally Lyslo. A roll-call vote followed.

William Droste – Aye
Clint Hooppaw – Aye
Jon Ulrich – Aye

Wally Lyslo – Aye
Gary Hansen – Aye

Dan Kealey – Aye
Will Branning – Aye

Motion carried.

V. Old Business

A. BRT Financing Plan

Beverley Miller presented information regarding a financing plan to allow BRT on Cedar Avenue to move forward and also provides for use of the MVTA’s Federal CMAQ funds on the I-35W corridor. Financing options were presented which provided the Metropolitan Council the opportunity to determine the best use of funds - if MC prefers their participation take the form of operating monies, the MVTA’s NTD funds can be used for capital match. Gary Hansen commented that after the CTIB meeting, Jim Hovland (Metro Cities – Edina) of the Transportation Advisory Board (TAB) mentioned some \$500,000 that may be available as a result of another project that is not moving forward. Beverley Miller mentioned that the proposed financing plan does include a service cut for MVTA, and that it would have to be approved by TAB and the Transportation Advisory Committee (TAC). Jon Ulrich expressed concern about how this transfer would be received by TAB and that he would abstain from voting on the issue. Michael Abegg explained that some of the items included in the I-35W CMAQ grant were no longer necessary given they were completed as part of the UPA on I-35W. Motion by Dan Kealey and seconded by Gary Hansen to approve the financing plan. A roll-call vote followed:

William Droste – Aye
Clint Hooppaw – Aye
Jon Ulrich – Abstain

Wally Lyslo – Aye
Gary Hansen – Aye
Jane Victorey – Aye

Dan Kealey – Aye
Will Branning – Aye

Motion carried.

Will Branning and Beverley Miller will follow-up with the Met Council and Branning thanked everyone for their involvement in reaching this resolution. Dan Kealey also noted that he has observed a change in tone by the Met Council – specifically the representative to Burnsville and he hopes this team spirit continues.

VI. New Business

A. Approve Agreement with SRF for 140th & 147th St. Station Stops

Lois Spear presented information about an agreement with SRF for the 140th and 147th St. station stops in Apple Valley as part of the Cedar Avenue BRT project. Motion by Gary Hansen and seconded by William Droste to approve the agreement. A roll-call vote followed:

William Droste – Aye
Clint Hooppaw – Aye

Wally Lyslo – Aye
Gary Hansen – Aye

Dan Kealey – Aye
Jane Victorey – Aye

Will Branning – Aye
Motion carried.

Jon Ulrich – Aye

B. Award AVTS Canopy/Platform Extension Construction and Independent Testing Lab Services Contracts

Lois Spear presented information awarding a contract to James Steele Construction for the Apple Valley Transit Station Canopy and Platform Expansion, to Braun Intertec for independent testing and construction inspection services and providing authority for Executive Director Beverley Miller to approve change orders on the project up to 10 percent of the contract total. Spear noted that the Board memo mentioned that these items were contingent on FTA approval of a grant and she happily reported that the MVTA received word that the grant was approved. There were questions about what “substantial completion” means and attorney James Strommen stated that it’s a pretty formal process that’s followed before occupancy is allowed. Motion by Dan Kealey and seconded by Jane Victorey to award the contracts and approve the authorization for change orders to be signed by the Executive Director. A roll-call vote followed:

William Droste – Aye
Clint Hooppaw – Aye
Will Branning – Aye

Wally Lyslo – Aye
Gary Hansen – Aye
Jon Ulrich – Aye

Dan Kealey – Aye
Jane Victorey – Aye

Motion carried.

C. Signage/Traffic Management at BTS

Tom Bright presented information about the need for signage and traffic management during the period of repairs to the busway at the Burnsville Transit Station. Work will include cones and signage directing traffic in/out of the Transit Station. Safety Signage will maintain the signs during construction and remove them following construction. Motion by Jon Ulrich and seconded by Dan Kealey to approve an agreement with Safety Signage. A roll-call vote followed:

~~William Droste – Aye~~
Clint Hooppaw – Aye
Will Branning – Aye

Wally Lyslo – Aye
Gary Hansen – Aye
Jon Ulrich – Aye

Dan Kealey – Aye
Jane Victorey – Aye

Motion carried.

D. Signal Loop Replacement at BTS

Tom Bright presented information about the need for traffic signal loop detector replacement at the Burnsville Transit Station following the busway repairs. Motion by Dan Kealey and seconded by Wally Lyslo to approve an agreement with Egan Electric. A roll-call vote followed:

~~William Droste – Aye~~
Clint Hooppaw – Aye
Will Branning – Aye

Wally Lyslo – Aye
Gary Hansen – Aye
Jon Ulrich – Aye

Dan Kealey – Aye
Jane Victorey – Aye

Motion carried.

VII. Committee Reports

A. Strategic Working Group

Jim Strommen presented information regarding the Strategic Working Group efforts on revising the Joint Powers Agreement and Bylaws. In the interest of time, the issue of County participation was covered first. Upon action by the Board, a letter will be drafted to each County with a suggested response date. It is hoped the JPA changes could be completed by the December meeting and will require cooperation by everyone to make this happen. Councilmembers suggested this be put on a worksession in October to determine if any of the

Cities have potential issues with the proposed JPA and By-law revisions. It was also asked if the counties would have any additional liabilities if they were to become “parties.” Strommen replied that should not be an issue. Motion by Clint Hooppaw and seconded by Gary Hansen to approve the resolution inviting Dakota and Scott Counties to join the MVTA as parties to the Joint Powers Agreement. A roll-call vote followed:

~~William Droste – Aye~~
Clint Hooppaw – Aye
Will Branning – Aye

Wally Lyslo – Aye
Gary Hansen – Aye
Jon Ulrich – Aye

Dan Kealey – Aye
Jane Victorey – Aye

Motion carried.

Other changes to the Joint Powers were discussed, specifically including the creation of a Bond Board that would included only elected representatives from the parties (currently the JPA allows for non-elected staff to serve as voting alternates). Other proposed changes were also reviewed including: combining Secretary-Treasurer position into one position; providing authority to the Executive Director, changing the date for budget approval, adjusting quorum in the event the Counties join as parties and the at-large position is eliminated. Discussion of these changes will continue and Kennedy & Graven will be prepared to act quickly in drafting revised language for approval by the Cities.

B. STA

Beverly Miller reminded Board members of the full STA Board meeting on Monday, Oct. 17 from 10-11:30 a.m. at the League of Minnesota Cities Building. Representatives of all cities are part of the STA Board.

VIII. Staff Reports / Update

- A. Michael Abegg noted that the MVTA was able to host a delegation from a Chinese University in Beijing who expressed interest in the Driver Assist System.
- B. Beverly Miller reported on record State Fair express bus ridership and that the MVTA received a national Marketing Award from the American Public Transportation Association (APTA).

IX. Adjournment

Motion by Clint Hooppaw and seconded by Gary Hansen to adjourn the meeting at 6:40 p.m.

Minutes Prepared By: Robin L. Selvig

Next Regular Meeting Scheduled: October 26, 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: William M. Lyslo Date: 26 Oct 2011

MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVING AGREEMENT BETWEEN MVTA AND SUPERIOR PAINTING
FOR INTERIOR PAINTING AND MINOR WALLBOARD REPAIR IN FIRST FLOOR BTS

WHEREAS, public spaces at the Burnsville Transit Station were last painted in 2006 and the public areas (vestibule, waiting area, restrooms) have seen increasing use and vandalism;

WHEREAS, these spaces now require repainting to maintain the image of comfort, competence, and safety MVTA wishes to convey to its riders;

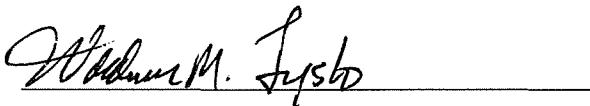
WHEREAS, the MVTA sought proposals from three vendors for wall repair and painting of public spaces at BTS;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve an agreement with Superior Painting for interior painting and minor wallboard repair on the first level of the Burnsville Transit Station at a cost not to exceed \$6,180, with funding to be provided by a facilities grant the MVTA has with the Metropolitan Council.

Resolution adopted by MVTA on September 28, 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVE AGREEMENT WITH LANDSCAPEFORMS FOR RECOATING/REPAINTING
EXTERIOR SEATING AT BURNSVILLE TRANSIT STATION

WHEREAS, the MVTA last upgraded the functionality and appearance of exterior seating at BTS with the purchase of five benches from Landscapeforms in 2002;

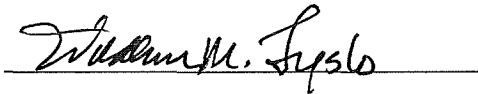
WHEREAS, during the past ten years, the powder-coat surface of the benches at BTS, exposed to heavy use and frequent exposure to salt and other snow melting chemicals, have begun to delaminate, exposing the cast aluminum body beneath resulting in benches that are neither attractive nor finished in a way that maximizes their usable life;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve a contract with Landscapeforms to recoat and repaint the benches at BTS at a cost not to exceed \$5,900, with funding through an existing Met Council facilities grant.

ADOPTED by the Minnesota Valley Transit Authority this 28th day of September 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVE PARTICIPATION IN THE 2012 STATE OF MINNESOTA FUEL CONSORTIUM

WHEREAS, the Minnesota Valley Transit Authority (MVTA) has to procure fuel for its fleet of buses;

WHEREAS, the State of M Minnesota's Fuel Consortium has two procurement programs for fuel – "fixed-price" program and "spot-price" program;

WHEREAS, the MVTA proposes to receive 84 percent of our annual usage (50,000 gallons per month) in the "fixed-price" program and the remainder in the "spot-price" program;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve participation in the State of Minnesota's Fuel Consortium "fixed-price" program starting Feb. 1, 2012 through Jan. 31, 2013 at a minimum monthly quantity of 50,000 gallons;

BE IT FURTHER RESOLVED that the MVTA approve participation in the "spot-price" program for the remainder of MVTA's fuel requirement.

Motion to approve Resolution:

Gary Hansen

Motion seconded by:

William Drost

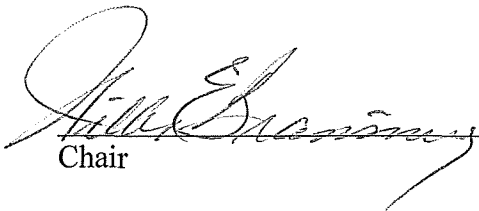
Ayes:

7

Nays:

0

Whereupon said Resolution was declared duly passed and adopted by MVTA on September 28, 2011.


Chair

Attest:

William M. Lyso

MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

ACCEPT FUNDS FROM MET COUNCIL FOR AVTS PLATFORM AND CANOPY
EXPANSION and FOR DESIGN AND CONSTRUCTION OF 140TH AND 147TH ST STATION
STOPS

WHEREAS, the Minnesota Valley Transit Authority (MVTA) receives grant funds from
the Metropolitan Council;

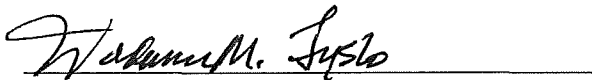
NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve execution of a new
agreement with the Metropolitan Council (SG-2011-066) for construction of expansion of the
Apple Valley Transit Station Platform and Canopy Expansion and addition of technology
elements in the Cedar Avenue BRT corridor in the amount of \$1,187,500;

BE IT FURTHER RESOLVED, that the MVTA approve execution of a new agreement
with the Metropolitan Council for design and construction of 140th and 147th St. Station Stops in
the amount of \$3,543,691.

Whereupon said Resolution was declared duly passed and adopted by MVTA on
September 28, 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

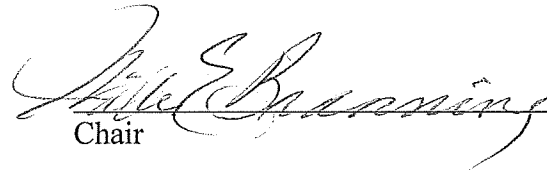
APPROVING AMENDMENT TO AGREEMENT WITH METROPOLITAN COUNCIL FOR
ALLOCATED MVST FUNDS

WHEREAS, the Minnesota Valley Transit Authority (MVTA) receives grant funds from the Metropolitan Council;

WHEREAS, the MVTA entered into an agreement with the Metropolitan Council for 2011 allocated MVST of \$1,950,000 and the Council is amending the grant to provide an additional \$729,000;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve execution of an amendment to the agreement with the Metropolitan Council for allocated MVST funds in the amount of \$729,000.

Whereupon said Resolution was declared duly passed and adopted by MVTA on September 28, 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVE AGREEMENT WITH SRF FOR DESIGN AND CONSTRUCTION
ADMINISTRATION OF 140TH AND 147TH STREET STATION STOPS

WHEREAS, SRF has previously completed 90 percent design specifications and drawings for the proposed 140th Street and 147th Street transit station stops;

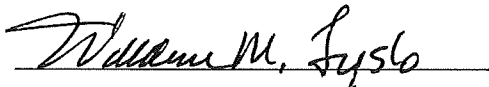
WHEREAS, since that time, the station stops have been downsized and changes have been made to the bus pullout bays to minimize the amount of right-of-way needed to construct these stops.

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve an agreement with SRF for 140th Street and 147th Street design and construction administration at a cost not to exceed \$600,000, with funding through a Met Council/Dakota County grant.

ADOPTED by the Minnesota Valley Transit Authority this 28th day of September 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVE AGREEMENT WITH JAMES STEELE CONSTRUCTION AND BRAUN
INTERTEC FOR CONSTRUCTION AND INDEPENDENT TESTING LAB SERVICES FOR
AVTS CANOPY AND PLATFORM EXTENSION

WHEREAS, the MVTA advertised for bids for construction at AVTS and James Steele Construction presented the low bid;

WHEREAS, bid documents were reviewed for responsiveness and DBE requirements were reviewed by Met Council's EEO/Diversity Department with three low bidders having approved DBE plans;

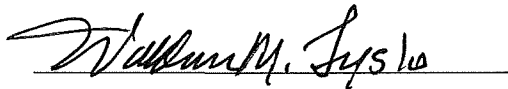
NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve a construction contract with James Steele Construction Company at a cost of \$818,800 and that the Executive Director be authorized to execute construction contract change orders up to a cumulative total of 10 percent of the bid amount or \$81,880;

BE IT FURTHER RESOLVED that the MVTA approve a fixed unit price contract with Braun Intertec for independent testing lab and construction inspection services at a cost not to exceed \$8,500t.

ADOPTED by the Minnesota Valley Transit Authority this 28th day of September 2011.


Chair

Attest: :



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVING AGREEMENT BETWEEN MVTA AND SAFETY SIGNAGE
FOR TRAFFIC MANAGEMENT PLAN, SIGN RENTAL AT BTS

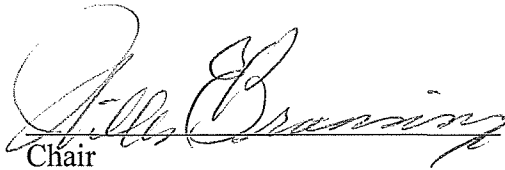
WHEREAS, the MVTA approved improvements to the concrete busway at the Burnsville Transit Station at the last Board meeting;

WHEREAS, during the construction period, bus traffic onto Nicollet Avenue, and auto traffic in and out of the site from Nicollet Avenue will need to be re-routed making a traffic management plan and rental of appropriate signage and traffic control devices essential to the safe and efficient operation of the site;

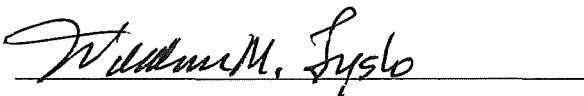
WHEREAS, the MVTA sought proposals from three vendors for the traffic management plan and signage;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve an agreement with Safety Signs for a traffic management plan and rental of appropriate signage and traffic control devices essential to the safe and efficient operation of the site at a cost not to exceed \$1,000 with funding to be provided via a facilities grant the MVTA has with the Metropolitan Council.

Resolution adopted by MVTA on September 28, 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
RESOLUTION NO. 11-_____

APPROVING AGREEMENT BETWEEN MVTA AND EGAN ELECTRIC
FOR REPLACEMENT OF FOUR TRAFFIC CONTROL LOOPS IN BTS BUSWAY

WHEREAS, the MVTA approved improvements to the concrete busway at the Burnsville Transit Station at the last Board meeting;

WHEREAS, During the construction period, four traffic-signal control loops located within the busway will need to be replaced to maintain preferential signal operation for MVTA buses exiting the site onto Nicollet Avenue;

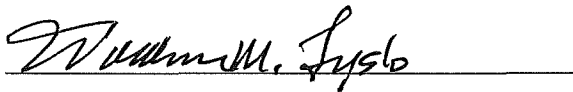
WHEREAS, the MVTA sought proposals from three vendors for the traffic management plan and signage;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA approve an agreement with Egan Electric for installation of four traffic-signal control loops in the busway at the Burnsville Transit Station in an amount not to exceed \$4,900, with funding to be provided via a facilities grant the MVTA has with the Metropolitan Council.

Resolution adopted by MVTA on September 28, 2011.


Chair

Attest:



MINNESOTA VALLEY TRANSIT AUTHORITY
APPROVAL OF INVITATION TO DAKOTA COUNTY AND SCOTT COUNTY
TO BECOME PARTIES TO THE MVTA JOINT POWERS AGREEMENT
RESOLUTION NO. 11-_____

WHEREAS, Dakota County and Scott County have appointed representatives to serve on the MVTA Board of Commissioners who have actively participated on the Board and provided valuable insight and support to the MVTA;

WHEREAS, the parties to the MVTA Joint Powers Agreement: Apple Valley, Burnsville, Eagan, Rosemount and Savage, recognize the common interests between the parties to the MVTA and the Counties in providing high quality public transit services to persons within their common jurisdictions in the south Twin Cities Metropolitan Area;

WHEREAS, the MVTA is currently undertaking a review of its Joint Powers Agreement and Bylaws to update and modify its operational provisions; and

WHEREAS, through legislation that includes Minnesota Statutes, Sections 473.384, 473.388, 471.59 and related statutes, the Legislature has enabled and intends both cities and counties in combination, to join together where common interests exist, to provide public transit services;

NOW, THEREFORE, BE IT RESOLVED, that the MVTA authorizes the formal extension of an invitation to Dakota County and Scott County to become parties to the MVTA Joint Powers Agreement, as restated, to continue and enhance the MVTA's provision of public transit services in the area encompassed by the MVTA Cities;

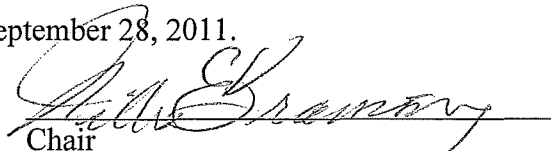
RESOLVED FURTHER, that MVTA staff is authorized to prepare letters of invitation for immediate delivery to the Counties and do all things necessary to assist the Counties in their prompt evaluation of the invitation to join the MVTA.

Motion by: Clint Hooppaw

Seconded by: Gary Hansen

Ayes: 7 Nays: 0

Resolution adopted by MVTA Board on September 28, 2011.


Chair

Attest:

William M. Jusko