

DATE: Sept. 29, 2011
TO: Board Members unable to attend Sept. 28 Regular MVTA Board meeting/TWGs
FROM: MVTA
RE: Meeting Summary

Here is a meeting summary of the MVTA September 28, 2011 regular meeting of the MVTA Board of Directors.

1. The meeting was called to order at 4:33 p.m. by Chair Will Branning. Roll-call was taken and a quorum was present. 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.
2. One item was added to the agenda under "Old Business" regarding the BRT Financing Plan. The revised agenda was approved. Item IV.-C – Furniture at BTS was pulled from the consent agenda for questions. The remainder of the Consent Agenda was approved.
3. 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. The item was then approved.
4. 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 and all voted in favor except for Jon Ulrich, who abstained. 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.
5. 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. Motion carried on a unanimous roll-call vote.
6. 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. Motion carried on a unanimous roll-call vote.

7. 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. Motion carried on a unanimous roll-call vote.
8. 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. Motion carried on a unanimous roll-call vote.
9. 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. Motion carried on a unanimous roll-call vote.
10. Other changes to the Joint Powers were discussed, specifically including the creation of a Revenue Board that would include 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.
11. Beverley 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.
12. 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.
13. Beverley 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).
14. The meeting was adjourned at 6:40 p.m.

Next Regular Meeting Scheduled for Oct. 26, 2011 at 4:30 p.m. at the Burnsville Bus Garage.