



Minnesota Regional Transit  
Board: Records.

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MEETING OF THE REGIONAL TRANSIT BOARD  
Tuesday, February 16, 1988  
Metropolitan Council Chambers  
4:00 p.m.

AMENDED AGENDA

1. Call to Order and Roll Call
- OK 2. Approval of Agenda
- OK 3. Approval of Minutes of February 1, 1988 Board Meeting
- OK 4. Authorization to Enter into a Contract for Public Relations Firm
- OK 5. Authorization to Contract for Furniture Purchase
- OK 6. CONSENT LIST
7. REPORT OF THE POLICY COMMITTEE Doris Caranicas,  
Chair
8. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE Ruth Franklin,  
Chair
  - A. Financial Statements - November 1987
  - B. 1988 Disadvantaged Business Enterprise and Women Business Enterprise Goals for Urban Mass Transportation Administration Grants
9. OTHER BUSINESS
  - A. Chairman's Report
  - B. Members' Reports
  - C. Advisory Committee Reports *added motion Segal*
  - D. Staff Reports *to an ad hoc committee.*
10. PUBLIC COMMENT

Elliott Perovich  
Chairman



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Elliott Perovich  
Chairman

Korstad  
Bratt  
O'Hare-Anderson  
Bertrand  
Ding  
Sailer

Bill Hopkins  
J. Collins  
Tom Todd  
Dink Conrad  
Benny Schaefer

REGIONAL TRANSIT BOARD

ROLL CALL AND ATTENDANCE SHEET

MF HB  
LC  
RD  
KC  
UH  
TB  
EK  
LE

DATE: 2/16/88

BOARD OR COMMITTEE: Board - followed by Policy Com.

MEMBER NAME	PRESENT	VOTE	VOTE	VOTE	VOTE	VOTE
Chairman	✓					
Doris Caranicas	✓					
Ruth Franklin	✓					
Carole Faricy	✓					
Alison Fuhr	✓					
Rochelle Graves	✓					
George Isaacs	m					
Paul Joyce	✓					
Edward Kranz	✓					



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Elliott Perovich  
Chairman



270 Metro Square Building, Saint Paul, Minnesota 55101  
612/292-8789

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

At its meeting of February 1, 1988, the committee reviewed and approved the following recommendations:

FINANCIAL STATEMENTS - NOVEMBER 1987

That the Regional Transit Board receive the November 1987 financial statements and direct that they be placed on file.

1988 DISADVANTAGED BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE GOALS FOR URBAN MASS TRANSPORTATION ADMINISTRATION GRANTS

That the Regional Transit Board adopt a Disadvantaged Business Enterprise goal of ten percent and a Women Business Enterprise goal of two percent for federal fiscal year 1988 for its Urban Mass Transportation Administration Section 8 grant and its Urban Mass Transportation Administration Section 6 grant; and

That the Regional Transit Board adopt overall internal goals for the Regional Transit Board of ten percent Disadvantaged Business Enterprise and two percent Women Business Enterprise for 1988.

OTHER BUSINESS

The board also discussed, but took no action on the following:

- o Audit Procedures
- o Metro Mobility Trip Reimbursement Options
- o Metro Mobility Policy Options on Agency Cost-Sharing

The next meeting of the committee will be Monday, March 7, immediately after the board meeting.

Ruth Franklin  
Chair

RF/mf

AFtoBD  
RTBTX1



270 Metro Square Building, Saint Paul, Minnesota 55101  
612/292-8789

Minutes of the Meeting of the  
REGIONAL TRANSIT BOARD  
Metropolitan Council Chambers  
February 1, 1988

BOARD MEMBERS PRESENT: Elliott Perovich, Chairman; Carole Faricy; Ruth Franklin; Alison Fuhr; George Isaacs; Rochelle Graves; Paul Joyce; Ed Kranz

MEMBERS ABSENT: Doris Caranicas

OTHERS PRESENT: Gregory Andrews, Tom Beaver, Howard Blin, Jerry Brechlin, Carol Browder, Kathy Christopherson, Cindy Fish, Mary Fitzgerald, Jan Hennings, Judy Hollander, Mike Kuehn, Ed Kouneski, Cyndie Mayer, Mark Ryan, Katie Turnbull, Elba Zuniga, Regional Transit Board Staff; Gregory Korstad, legal counsel; Lyle Frerichs, Metro Mobility Administrative Center; Arnie Entzel, Amalgamated Transit Union; Natalio Diaz and Dirk deVries, Metropolitan Council; Steve Bertrand, United Handicapped Federation; Kurt Strom; Greg Failor, Metropolitan Transit Commission; Bill Hopkins, Transportation Handicapped Advisory Committee; Michael Ehrlichmann, United Handicapped Federation; Mary O'Hare-Anderson, Minnesota State Council on Disability; Bob Houck, Ebenezer Society

The meeting was called to order at 4:00 p.m. and roll taken. The chairman noted that Lyle Frerichs had been delayed and Item 4, a progress report on the Metro Mobility computer system, would follow the Report of the Administration and Finance Committee. Fuhr moved approval of the agenda with that amendment; Joyce seconded the motion. Motion carried (Graves not present).

Fuhr moved approval of the minutes of the Ad Hoc Committee on Competitive Transit meeting of January 7, 1988; Isaacs seconded the motion. The motion carried (Graves not present).

Franklin moved approval of the minutes of the board meeting of January 19, 1988; Joyce seconded the motion. Motion carried (Fuhr abstained and Graves not present).

CONSENT LIST

Review of Controlled Access Highway 55 in Hastings, Minnesota: Fuhr moved and Joyce seconded that the January 26, 1988 consent list item be approved. The motion carried (Graves not present).

REPORT OF THE POLICY COMMITTEE

Committee Vice Chair Isaacs reviewed the report of the January 19, 1988 committee meeting.

REGIONAL TRANSIT BOARD'S DRAFT CAPITAL PLAN

Isaacs moved and Joyce seconded:

That the Regional Transit Board refer the Draft Capital Plan to the Providers Advisory Committee, providers, and other interested parties for review.

The motion carried (Fuhr abstained and Graves not present).

#### REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Committee Chair Franklin said there will be a committee meeting immediately following the board meeting today.

#### OTHER BUSINESS

##### CHAIRMAN'S REPORT

The chairman said the Minnesota Public Transit Association Annual Legislative Reception will be February 29 at 5:30 p.m. at the Science Museum.

The chairman reported that he met with Vern Peterson of the Association of Metropolitan Municipalities to discuss formation of a Chairman's Advisory Committee (CAC). Kranz asked for a list of the various advisory committees and asked if an Exurban Committee is being formed. The standing committees are Transportation Handicapped Advisory Committee, Rideshare Advisory Committee, Providers Advisory Committee and the inactive Taxicab Committee. CAC membership would be from the transit taxing district and from the exurban area. There would be about four county representatives and about ten city representatives who are a cross-section of the various categories of cities.

Perovich reported on the APTA Management Conference in Fort Lauderdale that he and Andrews attended. He had to leave early because the governor called a light rail transit meeting and asked for a progress report. Most of the meeting was dedicated to discussion of a tunnel in downtown Minneapolis.

##### MEMBERS REPORTS

Franklin said at the next meeting of the Intergovernmental Policy Committee there will be reports from the various communities. In response to Franklin's question about a letter from Vern Genzlinger regarding bus routes in Downtown Minneapolis, Andrews said Hollander met with Hennepin County and Metropolitan Transit Commission people last week. Hollander said there had been some misunderstanding and they are still reviewing the draft guidelines. More discussions are planned. RTB staff is serving as the technical consultant to Hennepin County. It may be appropriate to bring the guidelines to the board as a regional policy. RTB was asked by Hennepin County to put together policies. Bertrand asked if there is any effort to coordinate light rail transit and Metro Mobility providers as possible feeders. Hollander said at this point they are not dealing with that level of detail.

Fuhr discussed her recent trip to Hong Kong and Tokyo. Edina has been discussing setting up a special assessment for the purpose of developing an internal circulator to the southeast part of Edina. She suggested that they work with our staff.

In response to Fuhr's question about the LRT engineer, Andrews said Hollander reviewed the applications and will contact the most promising people.

There will be a joint meeting with Regional Transit Board and Ramsey County Regional Rail Authority on February 8. Isaacs said he sent a note to members about a suggested program for RTB's light rail activity. He asked if it should be referred to the Policy Committee. Perovich said the whole board should address it. Isaacs said there should be a meeting on it within the month to discuss what steps we can take to present our position.

In response to Kranz' question about instances of late pickups of Metro Mobility users, Ehlers confirmed it is increasingly a problem because of the huge demand for service.

Kranz said several months ago the board discussed increasing communication through a lobbyist and increasing our communication with other transit advocates. Charles Weaver had been asked to report back to the board. Kranz asked if the chairman feels that kind of position is necessary. Perovich said he does not feel the board needs someone from the outside. Kranz asked if outside forces are being molded to attend the session as advocates. The chairman said there is a meeting scheduled with Metro Mobility advocates to discuss the issues. Joyce said the board had decided to use a facilitator; Franklin agreed, but the issue was not raised again at the next meeting. Letters were received from two senators and the board did not follow through. Isaacs said Weaver was supposed to return with a dollar figure and the board would make a decision, but the board still has not received it. Korstad said an amended contract was provided to the board, making the law firm available for whatever services were deemed necessary. The amendment added new duties to the scope of services. Andrews said there is a contract with Larkin Daly for their services and Weaver provided new language that would widen the scope of work. There would not be a fixed amount for services; they would be included in the regular monthly billing. Joyce said these are professional services and cannot be performed at a fixed amount. The cost would depend upon what services are requested. Franklin asked when the amendment was delivered and if copies should be given to the members. It had been agreed that a training session was very important before members begin talking to legislators. Isaacs said it is important to know how we are doing on a weekly basis. (Graves arrived.)

The chairman said the Providers Advisory Committee met for the first time last week and members interested in serving as liaison should contact him. Meetings will be the third Thursday of every month.

#### PUBLIC COMMENT

Mike Ehrlichmann spoke on Metro Mobility. He said the groups which deal with integration issues of the disabled community are deeply troubled by the state of affairs in Metro Mobility. None of the organizations are prepared to support the board's request to the Legislature for additional funds because they are uncomfortable with what the appropriation calls for and what the \$7.2 million will buy. They feel there is a lack of control and understanding of where the system is today. The Minnesota State Council has requested information such as numbers and times of trip denials, identification of standing orders and percentage of rides in each 15-minute segment that are denied because of standing orders. The board's survey indicated that 57 percent of Metro Mobility is used by ambulatory passengers, which he does not think was a priority established by the board. At present users cannot get rides if they call after 7 a.m. No further standing orders are being accepted on the system.

Ehrlichmann said the certification process is very loose. The staff does not know who is using the system and providers are seeking group rides for the elderly, which is not the purpose for which the system was created. The system has to be evaluated on the basis of who it serves and who it has to serve. Graves asked how he perceives the handicapped community helping evaluate the system. Ehrlichmann said RTB staff has to collect the data and the handicapped should analyze it and be given a realistic opportunity for input. Before that happens they cannot go to the Legislature and support a request for funds. The present mechanisms do not allow them to participate in this community. If he cannot get to work on the system it is not doing what it should do. The system pays for the Ebenezer Society to take their residents to clinic visits. This is not what the system was designed to do.

Graves said there are institutions using the service to their own benefit, even though they get transportation funds from the state. She would like those institutions identified. Ehrlichmann said the legislators will demand some justification for the money spent and the community's response to that request. He had hoped to go together to the Legislature for the funds and hopes the questions can be resolved.

Fuhr said the Legislature mandated that service be expanded further out in the Metropolitan Area and asked if Ehrlichmann is speaking only for the city residents. Ehrlichmann said they are not comfortable that the present service area is being supported. There should be service in any area where there are buses. The board is spending \$12 million and has no idea what it is spending it on.

Isaacs said the staff worked according to the guidelines set down by the legislation. If the system is being abused, the legislation must be tightened up.

Ehrlichmann challenged the board to use his number and call for a ride the following day. His community will do whatever it has to do to get a system that will provide opportunities for the disabled in the community to fully integrate. It is up to the board whether that can be done cooperatively.

Andrews introduced Carol Browder, who started today as a bookkeeper for the agency.

#### PROGRESS REPORT ON THE METRO MOBILITY ADMINISTRATIVE CENTER

Lyle Frerichs updated the board on the computerization of the service. This week all the passenger files will be entered into the system and parallel testing will begin at the end of the week.

The center can already pull up certification information. The system is very flexible and can key in on characteristics of the passengers. It can keep a 30-day history on each user and then back it up and store it. From this time forward they will accumulate histories. They can program a category for people who need a lift and by the end of the day can identify who used it. Ehlers added that the Carter Goble survey also provided some of the history. The computer will give even more detail level when it is completely on line.

Arnie Entzel said that listening to Ehrlichmann's comments on Metro Mobility sounded like comments Entzel made two years ago when the system was being changed. The private providers are interested only in the most lucrative rides. Over the past few months he has received calls from private people asking why they cannot get individual rides. He reiterated that this is the same situation as when MTC became public because private providers were keeping the best routes and discarding the others.

Mary O'Hare-Anderson said many people are waiting far beyond half an hour to 45 minutes. She said in one case a provider harassed a passenger. There should be one person who deals with these issues when they come up and until there is one person in charge of getting all the data and explaining why these things happen, this will remain a consistent problem. Something has to be done about abuses.

Fuhr moved that the meeting be adjourned. Graves seconded the motion.

Bob Houck, Ebenezer Society, agreed that there are problems with Metro Mobility and said a clear policy is needed on standing orders. Some orders are being unfairly rejected. He asked why cost sharing does not apply to all organizations. The Ebenezer standing orders were accepted, but recently they were notified they will not be paid for them. The standing order policy should not exclude those who were not the first to get into it. He said the Ehrlichmann statement about the transportation of clients is just not true. In response to Kranz' questions, Houck said Ebenezer is paid about \$30,000 per month for providing Metro Mobility service.

There being no further business, vote was taken on the motion to adjourn; the motion carried unanimously. The meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Handled  
2/16/88

REGIONAL TRANSIT BOARD

Suite 270 Metro Square Building, Saint Paul, Minnesota 55101  
292-8789

DATE: February 16, 1988  
TO: Regional Transit Board  
FROM: Tom Beaver, Public Information Officer   
SUBJECT: Authorization to enter into a contract with a public relations firm

SUMMARY

The Public Information Office is requesting the Regional Transit Board to authorize the Executive Director to enter into an agreement with Media Rare for an amount not to exceed \$10,000.

BACKGROUND

The Public Information Office has developed a draft public information plan for the agency. The plan is concise and focused.

Each element of the plan has identified several areas which are needed to meet the objective. Those areas are research, audience identification, tactics to use to reach varied audiences and the media to used to reach the audience.

Several elements will require more people than we have hired to complete the tasks involved in the project.

DISCUSSION

There are elements to the public information plan which will require outside assistance to further develop, refine and implement the objectives. Research is required to met the objectives of some of the elements and to develop a strategy for the implementation of the plan.

Media Rare is a full service agency with the capability to perform market research; consumer surveys; marketing and advertising; public relations and audits of agency communications. The firm also develops and executes public and governmental affairs programs.

The firm has a strong reputation. It has handled several local, regional, state and federal agencies in New York, California, Florida and Minnesota. The firm has won the Outstanding Achievement Award from both the State and National Association of Counties for its work with the Mississippi Headwaters Board to create a localized management plan for the upper Mississippi River. The Minnesota Legislature overwhelmingly approved the proposed plan. Congressional delegation support was nearly unanimous. The plan received strong support from more than 300 newspaper articles.

Regional Transit Board  
February 16, 1988  
Page 2

FINDING AND CONCLUSIONS

- \* The public information plan is complete, focused and concise.
- \* The plan commits the Public Information Office on course of action for the next 12 months.
- \* The public information office is staffed by two people.
- \* The public information staff finds the need for an outside firm to assist in the refinement and development of strategy for implementation of the plan and is an appropriate use of agency funds.

RECOMMENDATION

That the Regional Transit Board authorize the Executive Director to enter into a contract with Media Rare to assist the Public Information Office in carrying out its assigned duties in an amount not to exceed \$10,000.

Handout 2/16/88

REGIONAL TRANSIT BOARD

Suite 270 Metro Square Building, Saint Paul, Minnesota 55101  
292-8789

DATE: February 16, 1988  
TO: Regional Transit Board  
FROM: Kathryn Christopherson, Comptroller  
SUBJECT: Authorization to Contract for Furniture Purchase

SUMMARY

This report is an update on the furniture requirements for the Parke Center location and requests contract authorization.

BACKGROUND

When the 1988 budget was prepared, \$100,000 was allocated for the purchase of office furniture to replace what is currently on loan from the Metropolitan Council.

The Regional Transit Board currently has approximately \$70,000 invested in Trendway modular systems.

Staff reviewed modular systems available for purchase under the state contract, Hennepin County contract and St. Paul contract. In each case, the total replacement of our current modular furnishings would be more costly and lower quality than continuing with the Trendway system, especially in light of the lack of a secondary market for used modular systems.

The current \$100,000 budgeted would not have financed the complete replacement of our current furnishings, but it should provide adequate funds to continue with the furniture selections made two years ago. We should be able to expect at least 10 years' service from these systems.

Radius Design is preparing specifications for the order to be placed based on interviews with staff members. These specifications will be incorporated into an Request for Proposal (RFP) to be sent to the Trendway dealers in the Metropolitan Area.

Selection will be made based on cost, experience and references in installation and delivery and DBE/WBE considerations.

Glendel Huneycutt, the designer, has notified the Trendway Manufacturing Company to reserve production time for this system and has informed us that there is a four-week lead time.

We are requesting this authorization prior to RFP issuance and response so that we may proceed with the furniture purchase as soon as the specifications are completed by the designer.

In addition to the modular systems, the RTB needs to furnish four offices, and plans to purchase good quality desk chairs for each of the staff.

RECOMMENDATION

Staff requests that the Regional Transit Board authorize the executive director to enter into furniture contract(s) in an amount based on competitive bids, but not to exceed the 1988 budget of \$100,000.

KC/mf

LETTER  
RTBTX1

REGIONAL TRANSIT BOARD

Suite 270 Metro Square Building, Saint Paul, Minnesota 55101  
292-8789

DATE: February 10, 1988  
TO: Regional Transit Board  
FROM: Kathy Christopherson  
SUBJECT: Authorization to Enter Into a Contract for the Purchase of  
Furniture

Staff will present to the board a request for authorization to enter into a contract for the purchase of modular and standing furniture to be used at the new building.

The request will be a "not to exceed" dollar amount based on responses to Requests for Proposals submitted to the three metro companies that handle our Trendway furniture system.

KC/mf

REGIONAL TRANSIT BOARD

Suite 270 Metro Square Building, Saint Paul, Minnesota 55101  
292-8789

DATE: February 3, 1988  
TO: Regional Transit Board  
FROM: Elliott Perovich, Chairman  
SUBJECT: Consent List

The following referral has been reviewed by the staff and chairman of the Regional Transit Board (RTB). In my opinion, the referral meets the standards of consent referrals adopted by the board in its bylaws.

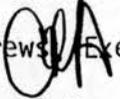
Final Environmental Impact Statement for Trunk Highway 3 (Lafayette Freeway)  
Extension in Inver Grove Heights

The Minnesota Department of Transportation has submitted the final Environmental Impact Statement (EIS) for the 3.5 mile extension of T.H. 3 from I-494 to T.H. 52/55 in Inver Grove Heights. The RTB previously reviewed the draft EIS and on November 4, 1986, found that the project would have no significant impact on transit service. After review of the final EIS, the RTB concurs with this earlier finding of no significant impact on transit.

EP:HB:jmo

REGIONAL TRANSIT BOARD

Suite 270 Metro Square Building, Saint Paul, Minnesota 55101  
292-8789

DATE: February 10, 1988  
TO: Chairman and Members of the Regional Transit Board  
FROM: Gregory L. Andrews  Executive Director  
SUBJECT: Amendment to Legal Services Agreement with Larkin, Hoffman, Daly  
and Lindgren, Ltd.

I have attached for your review a copy of the current legal agreement with our attorneys and the proposed agreement for your review. I have taken the liberty of underlining the amending language. As you can see, the inclusion of the legislative training session (scheduled for Thursday, February 18, at 4 p.m.) is the only material change to our contract.

If the proposed agreement meets with your satisfaction, I would suggest that a motion authorizing the executive director to amend the agreement with Larkin, Hoffman, Daly and Lingren, Ltd. would be in order at the board meeting on February 16.

If you should have any questions, please contact me at your convenience.

GA/mf  
Att.

REGIONAL TRANSIT BOARD

270 Metro Square Building  
121 East Seventh Street  
St. Paul, Minnesota 55101

CONTRACT FOR LEGAL SERVICES

RTB Contract No. \_\_\_\_\_

THIS AGREEMENT, entered into as of this \_\_\_\_\_ day of \_\_\_\_\_ 1987, by and between the law firm of Larkin, Hoffman, Daly & Lindgren, Ltd. (herein called the "Legal Advisor"), and the Regional Transit Board (herein called the "Board");

WITNESSETH THAT the Board desires the Legal Advisor to render certain professional services and both parties agree as follows:

1. Scope of Services. The Legal Advisor shall do, perform and carry out in a satisfactory and proper manner all legal services requested by the Board. Services will include but not be limited to: legal research, advice and consultation; preparation of legal memoranda and documents; contract analysis, regulation and drafting; legal representation of the Board; legislative representation and drafting; conduct a general legislative training and orientation session; legal advice and representation regarding labor and employment related matters; legal advice and technical assistance related to public finance questions, including the rendering of approving legal opinions; and any other general legal services.
2. Delivery of Services. Mr. Charles R. Weaver shall serve as the Legal Advisor's representative and shall assume primary responsibility for coordinating legal services delivery. Except for specialty legal services the attorneys and support staff listed in Exhibit A shall provide the legal services. The Legal Advisor will provide all personnel needed to perform promptly all legal services requested. The Legal Advisory understands that the services of several lawyers may be required at any time. Legal services in specialized fields may be provided from time to time by various attorneys or support staff, under the supervision of the attorneys listed in Exhibit A.
3. Data to be Furnished to Legal Advisor. The Board, through its Executive Director, shall cooperate with the Legal Advisor in every way possible to facilitate the performance of legal services without undue delay, and the Executive Director shall furnish to the Legal Advisor all information, data, reports and records of the Board which are necessary for this purpose.
4. Personnel. All of the services required hereunder will be performed by employees of the Legal Advisor (principally those listed in Exhibit A) and no services shall be subcontracted without the prior written approval of the Executive Director of the Board.

CONTRACT FOR LEGAL SERVICES

Page 2

5. Request for Legal Assistance. Legal Advisor shall provide legal assistance upon the request of the Board, its members, or authorized employees. Requests for legal services may be written or oral. The Board Chairman shall be advised of all requests for legal assistance.
6. Time of Performance. The services of the Legal Advisor are to commence on the date of the contract and shall continue until written notice of termination. The Legal Advisor agrees to furnish the Board with copies of all data, deeds, documents, opinions and supplemental papers necessary to carry out its function as may be requested by the Board.
7. Compensation, Method of Payment. The Board shall pay to the Legal Advisor the amount of such compensation as will be determined by the hours spent by the lawyers performing services under this contract and by their hourly rates generally charged, other client's hourly time charges range from \$70 to \$100 for junior lawyers and from \$100 to \$150 for senior lawyers unless a negotiated amount of compensation for a specific project or matter has been agreed upon by the Executive Director and the Legal Advisor, in which case the Board shall pay the Legal Advisor the negotiated amount at the agreed upon time. The Legal Advisor will also be reimbursed for all expenses incurred in connection with performing legal services requested. Such expenses shall include reproduction of documents, delivery services, postage, long distance telephone charges, and travel and meal expenses. Any specific expenses exceeding \$100.00 will require approval of the Board's Executive Director.  
  
The Legal Advisor will prepare and submit to the Executive Director on or before the end of each month a reasonably detailed statement of time and charges for all time recorded and expenses incurred shown separately for each matter during the preceding calendar month, including a description of all legal services performed during such period, and RTB staff or Board person requesting services.
8. Termination of Contract. Either party may terminate this contract at any time by written notification. Upon termination, the Legal Advisor will furnish to the Executive Director copies or duplicate originals of all legal documents or memorandums prepared for the Board and not previously furnished, and all work in progress. Upon termination, the Legal Advisor shall be entitled to compensation for all legal services performed and expenses incurred prior to notification of termination.
9. Changes. Any of the terms of the contract may be changed by mutual agreement of the Board and Legal Advisor. Such changes shall be incorporated in written amendments to the contract.
10. Findings Confidential. Any reports, information, data, etc., given to or prepared or assembled by the Legal Advisor under this contract with the Board shall be kept as confidential and shall not be made available to any individual or organization by the Legal Advisor without the prior approval of the Chairman of the Board or the Board's Executive Director.

11. Nondiscrimination. The Legal Advisor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, national origin, handicap or sexual preference and the Legal Advisor shall take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, color, creed, religion, natural origin, sex, marital status, status with regard to public assistance, disability, age, political affiliation or sexual preference. Such actions shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship.
  
12. Minority and Women Businesses. The Legal Advisor shall use its best efforts to obtain goods and services from small business concerns owned and controlled by women and socially and economically disadvantaged individuals.

IN WITNESS WHEREOF, the Board and the Legal Advisor have executed this Agreement as of the date written.

LARKIN, HOFFMAN, DALY & LINDGREN, LTD.

REGIONAL TRANSIT BOARD

By: \_\_\_\_\_  
Charles R. Weaver

By: \_\_\_\_\_  
Gregory L. Andrews  
Executive Director

Date: \_\_\_\_\_

EXHIBIT A

Hourly rates of lawyers and additional support staff for work performed pursuant to this contract:

Dick Nowlin	\$130
Charles Weaver	110
Greg Korstad	100
Tom Weaver	70
Jana Austad	20

JAMES P. LARKIN  
ROBERT L. HOFFMAN  
JACK F. DALY  
D. KENNETH LINDGREN  
ANDREW W. DANIELSON  
WENDELL R. ANDERSON  
GERALD H. FRIEDEL  
ROBERT B. WHITLOCK  
ALLAN E. MULLIGAN  
ROBERT J. HENNESSEY  
JAMES C. ERICKSON  
EDWARD J. DRISCOLL  
JAMES P. MILEY  
GENE N. FULLER  
DAVID C. SELLERGRIN  
RICHARD J. KEENAN  
JOHN D. FULLMER  
ROBERT E. BOYLE  
FRANK I. HARVEY  
RICHARD A. FORSCHLER  
RICHARD A. NORDBYE  
CHARLES S. MODELL  
CHRISTOPHER J. DIETZEN  
JOHN R. BEATTIE  
LINDA H. FISHER  
THOMAS P. STOLTMAN  
STEVEN G. LEVIN  
FORREST D. NOWLIN  
MICHAEL C. JACKMAN  
JOHN E. DIEHL  
JON S. SWIERZEWSKI  
THOMAS J. FLYNN  
JAMES P. QUINN  
TODD I. FREEMAN  
STEPHEN B. SOLOMON  
PETER K. BECK  
JEROME H. KAHNKE

## LARKIN, HOFFMAN, DALY & LINDGREN, LTD.

ATTORNEYS AT LAW

1500 NORTHWESTERN FINANCIAL CENTER  
7900 XERXES AVENUE SOUTH  
BLOOMINGTON, MINNESOTA 55431  
TELEPHONE (612) 835-3800  
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222 SOUTH NINTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
TELEPHONE (612) 338-6610  
TELECOPIER (612) 338-1002

Bloomington

REPLY TO \_\_\_\_\_

SHERRILL OMAN KURETICH  
GERALD L. SECK  
JOHN B. LUNDOQUIST  
THOMAS B. HUMPHREY, JR.  
DAVID J. PEAT  
FRANCIS E. GIBERSON  
MICHAEL T. MCIRIM  
ANDREW J. MITCHELL  
JOHN A. COTTER  
KATHLEEN M. OATES  
BEATRICE A. ROTHWEILER  
PAUL B. PLUNKETT  
SUSAN R. BURNIGHT  
AMY DARR GRADY  
ALAN L. KILDOW  
KATHLEEN M. PICOTTE NEWMAN  
LARRY A. KOCH  
PETER J. COYLE  
CATHERINE BARNETT WILSON  
BETTY A. MORNINGSTAR  
JEFFREY C. ANDERSON  
DANIEL L. BOWLES  
JONATHAN G. LANDE  
TODD M. VLATKOVICH  
TIMOTHY J. McMANUS  
JILL I. FRIEDERS  
GREGORY E. KORSTAD  
CRAIG A. PETERSON  
LISA A. GRAY  
GARY A. RENNEKE  
THOMAS H. WEAVER  
SHANNON K. McCAMBRIDGE  
MICHAEL S. COHEN  
DENISE M. NORTON

OF COUNSEL  
JOSEPH GITIS  
JOHN A. McHUGH  
JAMES A. BALOGH

\*ALSO ADMITTED IN  
WISCONSIN

November 3, 1987

Mr. Greg Andrews  
Executive Director  
Regional Transit Board  
270 Metro Square  
St. Paul, Minnesota

Dear Greg:

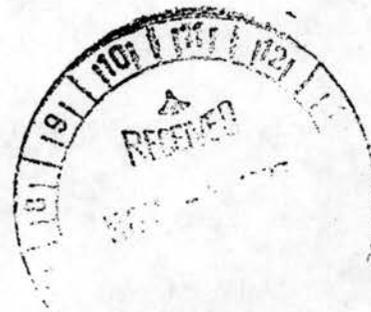
Enclosed is a copy of the Contract for Legal Services that Charlie Weaver signed off on. Please feel free to contact Charlie or myself if you have any questions or comments.

Very truly yours,



Gregory E. Korstad, for  
LARKIN, HOFFMAN, DALY & LINDGREN, Ltd.

Enclosure



GEK:BI3S

REGIONAL TRANSIT BOARD

270 Metro Square Building  
121 East Seventh Street  
St. Paul, Minnesota 55101

CONTRACT FOR LEGAL SERVICES

RTB Contract No. \_\_\_\_\_

THIS AGREEMENT, entered into as of this 17th day of August, 1987 by and between the law firm of Larkin, Hoffman, Daly & Lindgren, Ltd. (herein called the "Legal Advisor"), and the Regional Transit Board (herein called the "Board"):

WITNESSETH THAT the Board desires the Legal Advisor to render certain professional services and both parties agree as follows:

1. Scope of Services. The Legal Advisor shall do, perform and carry out in a satisfactory and proper manner all legal services requested by the Board. The Chairman of the Board, the Executive Director of the Board, or any other person as may be designated in writing by the Chairman of the Board may request, either orally or in writing, services on behalf of the Board. Services will include but not be limited to: legal research and preparation of legal memoranda; contract analysis, regulation and drafting; legal representation of the Board; legislative representation and drafting; legal advice regarding employment related matters; legal advice and technical assistance related to public finance questions, including the rendering of approving legal opinions; and any other general legal services.
2. Delivery of Services. Mr. Charles R. Weaver shall serve as the Legal Advisor's representative and shall assume primary responsibility for coordinating all legal services requested by the Board Chairman or his designee or the Executive Director. The Legal Advisor will provide all personnel needed to perform promptly all legal services requested. The Legal Advisor understands that the services of several lawyers may be required at any time.
3. Data to be Furnished to Legal Advisor. The Board, through its Executive Director, shall cooperate with the Legal Advisor in every way possible to facilitate the performance of legal services without undue delay, and the Executive Director shall furnish to the Legal Advisor all information, data, reports and records of the Board which are necessary for this purpose.

4. Personnel. All of the services required hereunder will be performed by the Legal Advisor and no services shall be subcontracted without the prior written approval of the Executive Director of the Board.
5. Time of Performance. The services of the Legal Advisor are to commence on the date of the contract and shall continue until written notice of termination. The Legal Advisor agrees to furnish the Board with copies of all data, deeds, documents, opinions and supplemental papers necessary to carry out its function as may be requested by the Board.
6. Compensation, Method of Payment. The Board shall pay to the Legal Advisor the amount of such compensation as will be determined by the hours spent by the lawyers performing services under this contract and by their hourly time charges (reasonable hourly time charges negotiated by the Board's Executive Director will be attached as Exhibit A) unless a negotiated amount of compensation for a specific project or matter has been agreed upon by the Executive Director and the Legal Advisor, in which case the Board shall pay the Legal Advisor the negotiated amount at the agreed upon time. The Legal Advisor will also be reimbursed for all expenses incurred in connection with performing legal services requested. Such expenses shall include reproduction of documents, delivery services, postage, long distance telephone charges, and travel and meal expenses. Any specific expenses exceeding \$100.00 will require approval of the Board's Executive Director.

The Legal Advisor will prepare and submit to the Executive Director on or before the end of each month a reasonably detailed statement of time and charges for all time recorded and expenses incurred shown separately for each matter during the preceding calendar month, including a description of all legal services performed during such period, and RTB staff or Board person requesting services.

7. Termination of Contract. Either party may terminate this contract at any time by written notification. Upon termination, the Legal Advisor will furnish to the Executive Director copies or duplicate originals of all legal documents or memorandums prepared for the Board and not previously furnished, and all work in progress. Upon termination, the Legal Advisor shall be entitled to compensation for all legal services performed and expenses incurred prior to notification of termination.

8. Changes. Any of the terms of the contract may be changed by mutual agreement of the Board and Legal Advisor. Such changes shall be incorporated in written amendments to the contract.
9. Findings Confidential. Any reports, information, data, etc., given to or prepared or assembled by the Legal Advisor under this contract with the Board shall be kept as confidential and shall not be made available to any individual or organization by the Legal Advisor without the prior approval of the Chairman of the Board or the Board's Executive Director.
10. Nondiscrimination. The Legal Advisor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, national origin, handicap or sexual preference and the Legal Advisor shall take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, color, creed, religion, natural origin, sex, marital status, status with regard to public assistance, disability, age, political affiliation or sexual preference. Such actions shall include but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship.
11. Minority and Women Businesses. The Legal Advisor shall use its best efforts to obtain goods and services from small business concerns owned and controlled by women and socially and economically disadvantaged individuals.

, IN WITNESS WHEREOF, the Board and the Legal Advisor have executed this Agreement as of the date written.

LARKIN, HOFFMAN, DALY &  
LINDGREN, LTD.

REGIONAL TRANSIT BOARD

By: Charles R. Weaver  
Charles R. Weaver

By: Gregory L. Andrews  
Gregory L. Andrews  
Executive Director

Date: 11/4/87

EXHIBIT A

Hourly rates of lawyers and additional support staff for work performed pursuant to this contract:

Dick Nowlin	\$130
Charles Weaver	110
Greg Korstad	100
Tom Weaver	70
Jana Austad	20

2/16 Handout

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A bill for an act

relating to metropolitan government; regulating financing and duties of the regional transit board; amending Minnesota Statutes 1986, section 473.39, as amended; and Minnesota Statutes 1987 Supplement, section 473.446, subdivision 1; repealing Minnesota Statutes 1987 Supplement, sections 473.393 and 473.398.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 473.39, as amended by Laws 1987, chapter 278, sections 17 and 18, and chapter 358, section 120, is amended to read:

473.39 [BORROWING MONEY.]

Subdivision 1. [GENERAL AUTHORITY.] The council, if requested by vote of at least two-thirds of all of the members of the transit board, may issue general obligation bonds subject to the volume limitation in subdivision 1a to provide funds to the board for expenditure to implement the board's approved implementation plan and may issue general obligation bonds not subject to the volume limitation set forth in subdivision 1a for the refunding of outstanding bonds or certificates of indebtedness of the council, the board or the commission, and judgments against the board or the commission. The council may not unreasonably withhold the issuance of obligations for an implementation plan that has been approved by the council. The council may not issue obligations pursuant to this subdivision,

1 other than refunding bonds, in excess of the amount specifically  
2 authorized by law. Except as otherwise provided in sections  
3 473.371 to 473.449, the council shall provide for the issuance,  
4 sale, and security of the bonds in the manner provided in  
5 chapter 475, and has the same powers and duties as a  
6 municipality issuing bonds under that law, except that no  
7 election is required and the net debt limitations in chapter 475  
8 do not apply to the bonds. The obligations are not a debt of  
9 the state or any municipality or political subdivision within  
10 the meaning of any debt limitation or requirement pertaining to  
11 those entities. Neither the state, nor any municipality or  
12 political subdivision except the council and board, nor any  
13 member or officer or employee of the board or council, is liable  
14 on the obligations. The obligations may be secured by taxes  
15 levied without limitation of rate or amount upon all taxable  
16 property in the transit taxing district and transit area as  
17 provided in section 473.446, subdivision 1, clause (c). The  
18 council shall certify to the transit board before October 1 of  
19 each year the amounts necessary to provide full and timely  
20 payment of the obligations. As part of its levy made under  
21 section 473.446, subdivision 1, clause (c), the board shall levy  
22 the amounts certified by the council and transfer the proceeds  
23 to the council for payment of the obligations. The taxes must  
24 be levied, certified, and collected in accordance with the terms  
25 and conditions of the indebtedness.

26 Subd. 1a. [OBLIGATIONS.] (a) The council may issue  
27 certificates of indebtedness, bonds, or other obligations under  
28 this section in an amount not exceeding \$17,000,000 for  
29 financial assistance to the commission, as prescribed in the  
30 implementation plan of the board and the capital program of the  
31 commission.

32 (b) The council may issue certificates of indebtedness,  
33 bonds, or other obligations under this section in an amount not  
34 exceeding \$1,500,000 for land acquisition and capital  
35 improvements for park and ride lots and transit transfer  
36 stations planned for the interstate highway described in section

1 161.123, clause (2), commonly known as I-394. These facilities  
2 may be constructed and maintained by the metropolitan transit  
3 commission. The board shall require, as a condition of  
4 financial assistance to the commission, that the commission make  
5 facilities it constructs, acquires, or improves for I-394 with  
6 funds provided under this provision available to all transit  
7 providers on a nondiscriminatory basis, as the board defines  
8 these terms. The limitation contained in this subdivision does  
9 not apply to refunding bonds issued by the council.

10 Subd. 1b. [TEMPORARY BORROWING.] The transit board may  
11 borrow money which it may use or spend for any purpose,  
12 including but not limited to current expenses, capital  
13 expenditures and the discharge of an obligation or indebtedness  
14 of the board, or, with the prior consent of the council, an  
15 obligation or indebtedness of the council incurred under  
16 subdivision 1 or an obligation or indebtedness of the  
17 commission. The board's indebtedness must be represented by  
18 notes with a maximum maturity of three years. They may be  
19 issued from time to time in any denomination and sold at public  
20 or private sale pursuant to a resolution authorizing issuance.  
21 The resolution must set forth the form and manner of execution  
22 of the notes and contain any other terms and conditions the  
23 board deems necessary or desirable to provide security for their  
24 holders. The notes are payable from committed or appropriated  
25 money from taxes levied by the board under section 473.446,  
26 subdivision 1, clause (a), grants or loans of the state or  
27 federal government to the board, or other revenues of the board  
28 or, if the commission has given prior approval to the pledge of  
29 them, grants or loans made to or other revenues of the  
30 commission, and the money may be pledged to the payment of the  
31 notes. To the extent the notes are not paid from the grant or  
32 loan money pledged for their payment, the principal of and  
33 interest on the notes must be paid from any taxes levied by the  
34 board pursuant to section 473.446, subdivision 1, clause (a) and  
35 any other money of the board lawfully available for the purpose.  
36 Notes issued under this subdivision are not a debt of the state

1 or any municipality or political subdivision within the meaning  
2 of any debt limitation or requirement pertaining to those  
3 entities. Neither the state nor any municipality or political  
4 subdivision except the board, nor any member or officer of the  
5 board, is liable on the notes.

6 Subd. 2. [LEGAL INVESTMENTS.] Certificates of  
7 indebtedness, bonds, or other obligations issued by the council  
8 or the board to which tax levies have been pledged pursuant to  
9 section 473.446, are proper for investment of any funds by a  
10 bank, savings bank, savings and loan association, credit union,  
11 trust company, insurance company, or public or municipal  
12 corporation, and may be pledged by any bank, savings bank,  
13 savings and loan association, credit union, or trust company as  
14 security for the deposit of public money.

15 Sec. 2. Minnesota Statutes 1987 Supplement, section  
16 473.446, subdivision 1, is amended to read:

17 Subdivision 1. [TAXATION WITHIN TRANSIT TAXING DISTRICT.]  
18 For the purposes of sections 473.401 to 473.451 and the  
19 metropolitan transit system, except as otherwise provided in  
20 this subdivision the regional transit board shall levy each year  
21 upon all taxable property within the metropolitan transit taxing  
22 district, defined in subdivision 2, a transit tax consisting of:

23 (a) an amount up to two mills times the assessed value of  
24 all such property, based upon the level of transit service  
25 provided for the property, the proceeds of which shall be used  
26 for payment of the expenses of operating transit and paratransit  
27 service and to provide for payment of obligations issued by the  
28 commission under section 473.39, subdivision 1b, or 473.436,  
29 subdivision 6;

30 (b) an additional amount, if any, as the board determines  
31 to be necessary to provide for the full and timely payment of  
32 its certificates of indebtedness and other obligations  
33 outstanding on July 1, 1985, to which property taxes under this  
34 section have been pledged; and

35 (c) an additional amount necessary to provide full and  
36 timely payment of certificates of indebtedness, bonds, including

1 refunding bonds or other obligations issued or to be issued  
2 under section 473.39 by the council for purposes of acquisition  
3 and betterment of property and other improvements of a capital  
4 nature and to which the council or board has specifically  
5 pledged tax levies under this clause.

6 The county auditor shall reduce the tax levied pursuant to  
7 this subdivision on all property within statutory and home rule  
8 charter cities and towns that receive full peak service and  
9 limited off-peak service by an amount equal to the tax levy that  
10 would be produced by applying a rate of 0.5 mills on the  
11 property. The county auditor shall reduce the tax levied  
12 pursuant to this subdivision on all property within statutory  
13 and home rule charter cities and towns that receive limited peak  
14 service by an amount equal to the tax levy that would be  
15 produced by applying a rate of 0.75 mills on the property. The  
16 amounts so computed by the county auditor shall be submitted to  
17 the commissioner of revenue as part of the abstracts of tax  
18 lists required to be filed with the commissioner under section  
19 275.29. Any prior year adjustments shall also be certified in  
20 the abstracts of tax lists. The commissioner shall review the  
21 certifications to determine their accuracy and may make changes  
22 in the certification as necessary or return a certification to  
23 the county auditor for corrections. The commissioner shall pay  
24 to the regional transit board the amounts certified by the  
25 county auditors on the dates provided in section 273.1394.  
26 There is annually appropriated from the general fund in the  
27 state treasury to the department of revenue the amounts  
28 necessary to make these payments in fiscal year 1987 and  
29 thereafter.

30 For the purposes of this subdivision, "full peak and  
31 limited off-peak service" means peak period regular route  
32 service, plus weekday midday regular route service at intervals  
33 longer than 60 minutes on the route with the greatest frequency;  
34 and "limited peak period service" means peak period regular  
35 route service only.

36 Sec. 3. [REPEAL.]

02/02/88

[REVISOR ] HMW/MM 88-3722

1 Minnesota Statutes 1987 Supplement, sections 473.393 and  
2 473.398 are repealed.

3 Sec. 4. [EFFECTIVE DATE.]

4 The act applies in the counties of Anoka, Carver, Dakota,  
5 Hennepin, Ramsey, Scott, and Washington and is effective the day  
6 following final enactment.