



Minnesota Regional Transit  
Board: Records.

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**MEETING OF THE REGIONAL TRANSIT BOARD**  
Monday, May 7, 1990  
Mears Park Centre Chambers  
4:00 p.m.

**AGENDA**

1. Call to Order and Roll Call
2. Approval of Agenda
3. Approval of Minutes:
  - A. Regional Transit Board Meeting, April 23, 1990
  - B. Policy Committee Meeting, April 23, 1990
4. Driver of the Month Award
5. Chair's Report
6. Executive Director's Report
  - A. Alternative Fuels Forum Update
  - B. Review of the Ritz Block Development Final Environmental Impact Statement
  - C. *LRT Peer Review Panel*  
Policy Committee Report
7. Approval of Light Rail Transit Coordination Plan Subconsultant Recommendation
  - A. Approval of Light Rail Transit Coordination Plan Subconsultant Recommendation
8. Other Business
  - A. Public Comment

Michael J. Ehrlichmann  
Chair



REGIONAL TRANSIT BOARD

Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

## REPORT OF THE POLICY COMMITTEE

At its meeting of April 23, 1990, the Policy Committee considered and approved the following:

### Approval of Light Rail Transit Coordination Plan Subconsultant Recommendation

The Policy Committee recommends:

That the Regional Transit Board approve the hiring of the firm of O'Brien, Kreitzberg, Inc. as a subconsultant for the Light Rail Transit Regional Coordination Plan and authorize Strgar-Roscoe-Fausch, Inc. to enter into a subcontract with them for an amount not to exceed \$78,000, to be completed by November 1, 1990.

### Other Business

The committee received and discussed updates on the following:

- Community Transit Planning Grant Program
- Five-Year Transit Plan

No action was taken on those matters.

Jeff Spartz  
Chair

mff  
4/24/90

REGIONAL TRANSIT BOARD  
ROLL CALL AND ATTENDANCE SHEET

DATE: 5/2/80

BOARD OR COMMITTEE: Bd-

Member Name	Present	Vote							
Mike Ehrlichmann	✓								
Doris Caranicas (P)	✓								
John Finley (A&F)									
Ruth Franklin (A&F)	✓								
Ed Kranz (A&F)	✓								
Sandra Hilary (P)	✓								
Terry O'Toole (P)	✓								
Jeff Spartz (Chair-P)	✓								
Norbert Theis (P)	✓								
El Tinklenberg (Chair-A)	✓								
Richard Wedell (A&F)	✓								

Visitors

G. U. einy

ddr.

ae.  
- driver.

Staff

jh, bob gp

dm sm ga

\_\_\_\_\_

\_\_\_\_\_



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

Minutes of the Meeting of the  
**REGIONAL TRANSIT BOARD**  
Mears Park Centre, Room A  
April 23, 1990

**MEMBERS PRESENT:** Michael Ehrlichmann, Chair; Doris Caranicas; John T. Finley; Ruth Franklin; Sandra Hilary; Ed Kranz; Terrance O'Toole; Norbert Theis; Jeff Spartz

**MEMBERS EXCUSED:** Elwyn Tinklenberg and Richard Wedell

**OTHERS PRESENT:** Charles Weaver and Michael LeBaron, Legal Counsel; Gregory Andrews, Ed Kouneski, Suzanne Hanson, Mary Fitzgerald, Regional Transit Board staff

The meeting of April 2, 1990 was recessed to the call of the chair; the meeting was reconvened at 2 p.m. at the time and place shown above for the purpose of discussing the litigation surrounding the bankruptcy of Medicine Lake Lines Bus Company. Roll was taken.

RTB Legal Counsel Weaver referred to his April 19 memorandum stating that in this instance it is his legal opinion that it is appropriate to go into executive session. No votes will be taken in that session.

Caranicas moved and Finley seconded approval of the agenda. The motion was unanimously approved.

**APPROVAL OF MINUTES**

Hilary moved and Caranicas seconded approval of the following minutes:

Policy Committee Meeting, March 26, 1990  
Regional Transit Board Meeting, March 26, 1990  
Regional Transit Board Meeting, April 2, 1990

Caranicas noted that the attendance of the March 26, 1990 meeting of the Policy Committee should be corrected, deleting her name from "Others Present" since she is a member of the committee. Franklin said the minutes of the RTB meeting of March 26, Page 2, Paragraph 5, should be amended to include the following statement:

Franklin pointed out that the former board approved Medicine Lake Lines because it would be a \$500,000 savings to the taxpayers over the MTC contract and additional savings of more than \$5 million if the MTC did not have to buy and bond for 24 new buses.

With those amendments, the motion was unanimously approved.

Hilary moved and Caranicas seconded that the board go into executive session. The motion was unanimously approved and the ensuing portion of the meeting was held in private. After discussion of the Medicine Lake Lines Bus Company bankruptcy, O'Toole moved and Caranicas seconded that the meeting be adjourned. The motion carried and the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved by the Board on \_\_\_\_\_, 1990.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
612/229-2700

Minutes of the Meeting of the  
**POLICY COMMITTEE**  
Mears Park Centre, Room A  
April 23, 1990

**MEMBERS PRESENT:** Jeff Spartz, Chair; Doris Caranicas; Sandra Hilary; Terrance O'Toole and Norbert Theis

**OTHERS PRESENT:** Michael J. Ehrlichmann and John T. Finley, RTB; Arnie Entzel, Amalgamated Transit Union; Greg Andrews, Judy Hollander, Garneth Peterson, Howard Blin, David Minister, Suzanne Hanson, Mary Fitzgerald, Regional Transit Board Staff

Committee Chair Spartz called the meeting to order at 3:30 p. m. and roll was taken. Caranicas moved and Hilary seconded that the agenda be approved; the motion was carried unanimously.

**APPROVAL OF LIGHT RAIL TRANSIT COORDINATION PLAN SUBCONSULTANT RECOMMENDATION**

Members discussed the April 12, 1990 staff report. Theis moved and Hilary seconded:

That the Policy Committee recommend:

That the Regional Transit Board approve the hiring of the firm of O'Brien, Kreitzberg, Inc. as a subconsultant for the Light Rail Transit Regional Coordination Plan and authorize Strgar-Roscoe-Fausch, Inc. to enter into a subcontract with them for an amount not to exceed \$78,000, to be completed by November 1, 1990.

Hilary asked if the board has a policy on the letting of contracts. Staff recommendations should include information on the prospective consultant's Affirmative Action Plan and include the dollar amount of the contract. The motion was unanimously approved.

**COMMUNITY TRANSIT PLANNING GRANT PROGRAM**

Peterson reviewed the current activities on the 1989 planning grants. Applications were mailed to all the communities in the Seven County Metropolitan Area with a June 15 deadline for their response. Regarding the 1989 grants, Blin said the communities understand that their results should be communicated to the RTB.

FIVE-YEAR TRANSIT PLAN

Blin described the activities and schedule for the implementation plan required by Minnesota Statute 473.161. In 1990 the RTB will combine the implementation and financial plans into the Five-Year Transit Plan. This is the first time the current board has had an opportunity to develop its own plan, and Ehrlichmann urged the members to place a high priority on it. Spartz said it is likely that meetings will be held every two weeks during this process. Ehrlichmann suggested that they be Committee of the Whole meetings, chaired by Policy Committee Chair Spartz.

OTHER BUSINESS

There being no other business, Hilary moved and Caranicas seconded that the meeting be adjourned. The motion carried and the meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Mary Fitzgerald  
Secretary

Approved by the Board \_\_\_\_\_, 1990.

# REGIONAL TRANSIT BOARD

Mears Park Centre  
230 East Fifth Street, St. Paul, Minnesota 55101  
292-8789

DATE: April 30, 1990

TO: Regional Transit Board

FROM: Randy Rosvold, Planner II  

SUBJECT: Review of the Ritz Block Development Final Environmental Impact Statement

## SUMMARY

This memorandum summarizes staff review of the Ritz Block Development Final Environmental Impact Statement (FEIS), which was prepared by the City of Minneapolis. Board action is requested to approve the comments for submittal to the City.

## BACKGROUND

The Regional Transit Board's (RTB) review of the proposed Ritz Block Development started in January 1990 with review of the Scoping Environmental Assessment Worksheet and continued in March 1990 with review of the Draft Environmental Impact Statement (DEIS). RTB received a copy of the FEIS on April 19, 1990, with the public review and comment period ending the first week of May 1990.

With such an aggressive timetable being pursued by the City of Minneapolis, the RTB must accelerate its review by bringing this issue immediately to the full board without prior review by the Policy Committee.

In March 1990, during review of the DEIS for the Ritz Block Development, the RTB raised the following issues:

- Lack of detail regarding a site-specific transportation management plan to help mitigate transportation impacts.
- Acknowledgement that local and regional transportation systems were likely to be impacted by this development but inadequate assessment of future impacts to the regional transportation system.
- The City of Minneapolis should pursue development of a transportation plan for the entire downtown area.
- The transportation plan being developed for the Ritz Block development should incorporate the RTB's Light Rail Transit Regional Development and Financial Plan and estimate daily trip generation caused by the development that could be served by the proposed LRT system.

- The DEIS should describe transit-related capital improvements made on the project to encourage transit usage.
- RTB endorsement to develop a Transportation Management Organization (TMO) by the City of Minneapolis.
- Thorough evaluation of future peak-hour transit patronage demand and additional vehicle requirements necessary for the regional transit system to accommodate site-specific generated transit demand.
- Transit strategies, such as extension of the Minneapolis Dime Zone and supplemental shuttle bus service, have not been presented to the RTB for discussion.

## DISCUSSION

The Ritz Block Development FEIS provides the additional clarification and in-depth examination of transit-related impacts that are expected to occur as a result of this new development. This action was requested by the RTB during review of the DEIS in March 1990. An adequate assessment of project-related future transit demand is presented along with estimates of anticipated additional vehicles necessary to prevent adverse impacts to the regular route transit system. Issues regarding peak vehicle capacity, downtown street capacity, and transportation mode analysis are covered in sufficient detail to draw conclusions on mitigating measures necessary to lessen impacts on the regional transit system. RTB comments on these issues are discussed below.

### Additional Bus Needs

The FEIS estimates the need for additional buses in the peak hour to accommodate demand from the development using two alternatives, an all-bus system and a five-line LRT system serving downtown by 2000. In addition, in order to provide a range for bus needs, analysis is provided for a scenario in which all passengers are seated and one in which a large number would stand.

For an all-bus alternative, the Ritz Block Development would increase peak hour bus needs by 8 to 27 buses, depending on passenger loading assumptions. With the LRT alternative, 3 to 10 additional buses are needed. Given the RTB's strategy of improving service quality, which includes minimizing the number of standing passengers, it would appear prudent to assume bus needs near the high end of these estimates. The current RTB Five-Year Transit Plan projects that 20 additional buses will be needed to serve growth in ridership throughout the region. Additional bus needs to serve growth in downtown Minneapolis will be evaluated in the 1990 update of the plan.

The FEIS discusses two options for meeting additional bus needs in the period before LRT becomes operational, using the MTC's inactive contingency fleet and extending the useful life of existing buses. The cost-effectiveness of either

approach is questionable given the high cost of operating older buses. In programming future bus needs, it is more likely that new buses will be purchased to meet increased demand.

#### LRT

The proposed development will be sited adjacent to one of the underground LRT stations proposed by the Hennepin County Regional Railroad Authority. The design of the Ritz Block Development should not preclude future provision of direct and convenient access to the proposed LRT station.

#### Transportation Management Plan

A new element of the FEIS is a site-specific transportation management plan to be administered by an on-site office of transportation management. An extensive list of ongoing transportation mitigation activities are outlined in the plan. The FEIS states that this private sector initiated activity will begin by the year 2000. It would be more effective to begin such a program at the opening of the development when transportation choices of employees are most flexible.

#### Other Issues

During review of the DEIS in March 1990, the Metropolitan Council and RTB suggested that a comprehensive city-wide transportation plan be developed to serve as a guide to set forth the City's direction in dealing with regional transportation issues. The City of Minneapolis has proposed a draft on this plan, which is being reviewed by RTB staff. The City of Minneapolis intends to have a final plan prepared by July 1990. In coming months, the RTB will be provided the opportunity to comment on the plan.

Part of the RTB's Ritz Block DEIS comments advocated the timely development of a TMO. The City, in coordination with the Downtown Council, has recently begun work organizing such a TMO.

Two strategies identified in the DEIS to alleviate anticipated on-site shortfall of parking include expanding the transit Dime Zone and a supplemental shuttle bus service. The FEIS states that both strategies will be discussed by the City with RTB.

### **FINDINGS AND CONCLUSIONS**

1. The Final Environmental Impact Statement (FEIS) identifies project-related impacts to occur on the regional transit system, including additional buses needed to meet demand generated by the project.

2. The project will likely require purchase of buses in addition to normal replacement needs. The RTB will evaluate additional buses needed to serve downtown Minneapolis in its 1990 update of the Five-Year Transit Plan.
3. The project should be designed so as not to preclude future provision of direct and convenient access to the future underground LRT station proposed to be constructed in the vicinity.
4. A site-specific transportation management plan has been prepared and will be actively administered by the on-site office of transportation management. This same entity will be an active member of the Downtown Minneapolis Transportation Management Organization (TMO). The RTB suggests that office of transportation activities be initiated with the opening of the first phase of the Ritz Block Development in 1993.
5. The RTB acknowledges favorable progress toward the development of a comprehensive city-wide transportation plan to be completed by summer 1990.

#### **RECOMMENDATION**

That the Regional Transit Board approve the comments contained in this memorandum for transmittal to the City of Minneapolis regarding the Final Environmental Impact Statement for the Ritz Block Development.

*In observation of Earth Day 1990  
and the changing energy needs of the 21st Century...*

# Alternative Fuels Forum

**Tuesday, May 15 - Earle Brown Center  
UNIVERSITY OF MINNESOTA - ST. PAUL CAMPUS**

## *Featured Guest Speakers:*

- Lawrence L. Schulman** - Associate Administrator for Technical Assistance and Safety  
Urban Mass Transportation Administration (UMTA), Washington, D.C.
- Thomas J. Timbario** - Senior Vice President, EA Mueller, Inc., Baltimore, Maryland
- Jeffrey M. Seisler** - Executive Director, Natural Gas Vehicle Coalition, Washington, D.C.
- Michael D. Jackson** - Manager, Alternative Fuels, ACUREX Corporation, Mountain View, California

## *Please join us...*

*You are invited to participate in this timely discussion of alternative fuels technology and usage. This Alternative Fuels Forum was coordinated in response to changing federal regulations regarding fuel emissions standards, and in the interest of world concern for conservation and preservation of the global environment. Transportation engineering professionals, transportation researchers and academics, transit providers and operators, government officials, lawmakers, and environmentalists will find this half-day seminar most informative.*

*Sponsored by*



**CENTER FOR  
TRANSPORTATION  
STUDIES**

*The Regional Transit Board, the transit planning agency for the Twin Cities metropolitan area, and the Center for Transportation Studies, of the University of Minnesota, are pleased to sponsor this event.*

**A half-day event:**

<b>7:30 a.m.</b>	Registration/Continental Breakfast
<b>8:30 a.m.</b>	Forum begins
<b>12 noon</b>	Forum concludes

**Registration Form - Alternative Fuels Forum, May 15, 1990/Earle Brown Center**  
**Your \$10 registration fee includes a continental breakfast. Registration deadline is May 10, 1990.**

*Please mail your completed registration form  
and include your check or money order  
(payable to "Regional Transit Board") to:*

**Alternative Fuels Forum  
c/o Regional Transit Board  
230 East Fifth Street  
St. Paul, MN 55101**

**Name:** \_\_\_\_\_

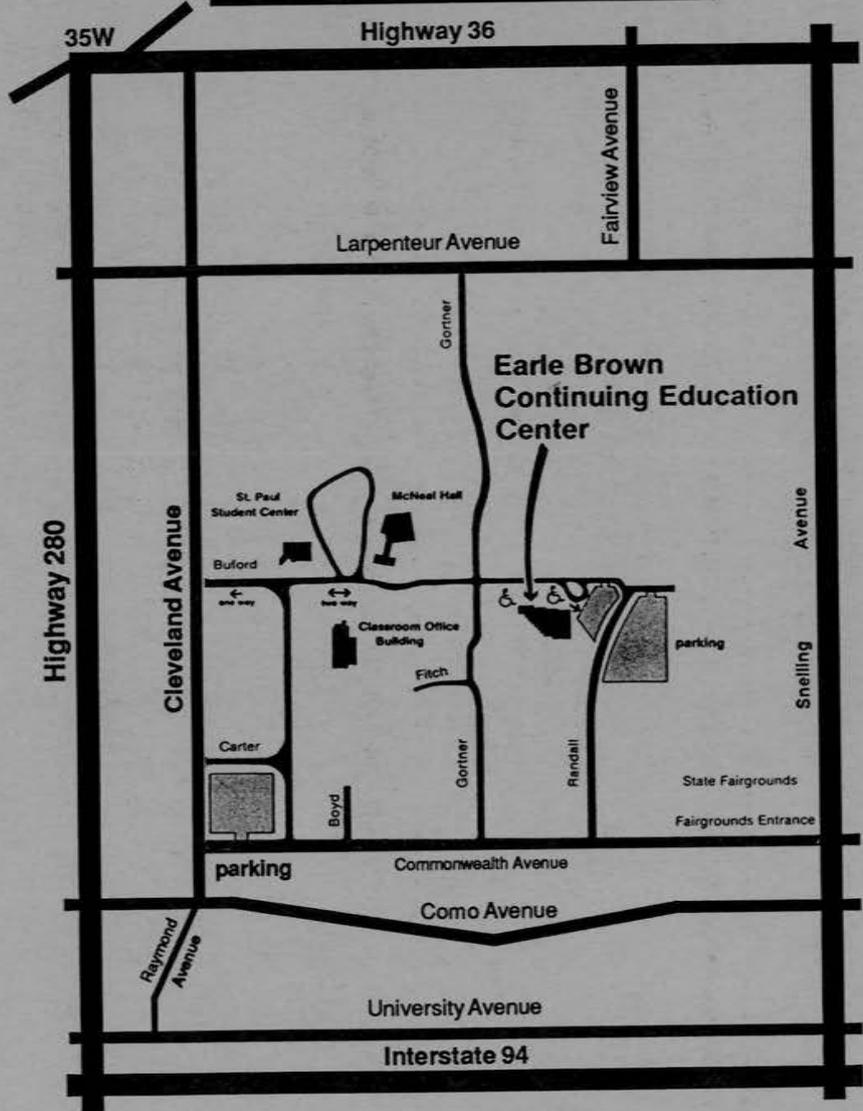
**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
(street/PO box)

(city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code) \_\_\_\_\_

**Phone:** \_\_\_\_\_

*Map of  
University of Minnesota - St. Paul  
campus and vicinity*



**Earle Brown Continuing Education Center**  
**1890 Buford Avenue - St. Paul, Minnesota 55108**  
**(612) 624-3275**



**REGIONAL TRANSIT BOARD**  
 Mears Park Centre  
 230 East 5th Street  
 St. Paul, Minnesota 55101

## ALTERNATIVE FUELS FORUM

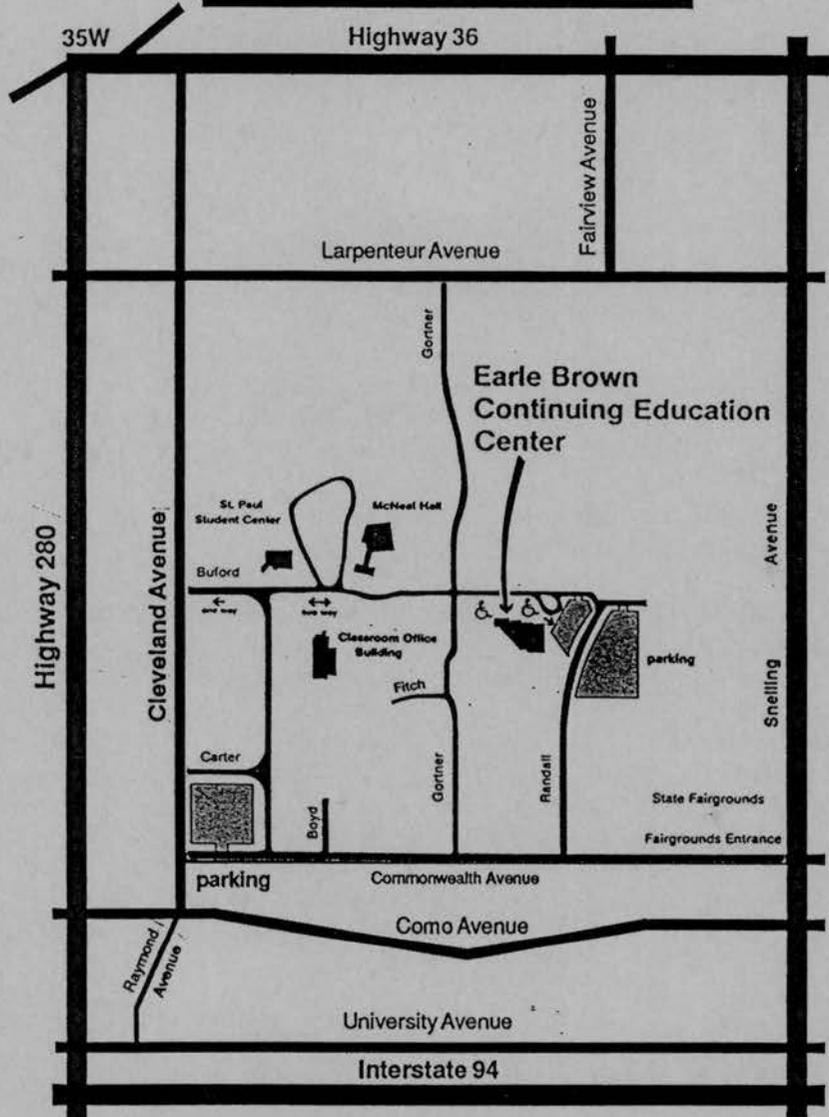
Sponsored by the Regional Transit Board  
and the Center for Transportation Studies

May 15, 1990 -- 7:30 a.m. - Noon  
Earle Brown Center  
University of Minnesota, St. Paul Campus  
(see map on back)

### Agenda

- 7:30 - 8:30      **Registration and Continental Breakfast**
- 8:30              **Welcome - Michael J. Ehrlichmann**  
Chair, Regional Transit Board
- An Update on the Clean Air Act - Lawrence L. Schulman**  
Associate Administrator for Technical Assistance and Safety,  
Urban Mass Transportation Administration (UMTA), Washington, D.C.
- 9:15              **Alternative Fuels Speakers - Richard P. Braun**  
Director, Center for Transportation Studies
- Alternative Fuels Overview with Particular Attention to Ethanol -  
Thomas J. Timbario**  
Senior Vice President, EA Mueller, Inc., Baltimore, MD
- 10:00 - 10:15    **Break**
- 10:15              **Natural Gas Fuels - Jeffrey M. Seisler**  
Executive Director, Natural Gas Vehicle Coalition, Washington, D.C.
- 10:45              **Methanol Fuels and Use of Clean Diesel Alternatives - Michael D. Jackson**  
Manager, Alternative Fuels, ACUREX Corporation, Mountain View, CA
- 11:15              **Discussion Panel**
- Panel Members
- |                 |  |
|-----------------|--|
| Steve Morris    | Metropolitan Transit Commission                          |
| Mark Ryan       | Airport Express  |
| Diana Brehob    | Dept. of Mechanical Engineering, University of Minnesota |
| David Kittelson | Dept. of Mechanical Engineering, University of Minnesota |
- 11:40              **Audience Questions**
- Noon              **Adjourn**

*Map of  
University of Minnesota - St. Paul  
campus and vicinity*



**Earle Brown Continuing Education Center**  
1890 Buford Avenue - St. Paul, Minnesota 55108  
(612) 624-3275

PROPOSED AGENDA

PEER REVIEW ON LRT  
IMPLEMENTATION METHODS  
AND ORGANIZATIONAL ALTERNATIVES

*June 15,  
8am to 2pm*

- 8:00 20' Coffee, Juice and Danish; Social Time
- 8:20 10' Welcome and Introductions-Richard Braun, C.T.S.
- Purpose of this Peer Review
  - Overview of Day's Activities

**Session I-Implementation Methods**

- 8:30 10' Introductory Background and History of this issue in the Twin Cities-  
Richard Braun, C.T.S.
- 8:40 20' Presentation of Alternative Implementation Methods-Gordon Smith,  
O'Brien, Kreitzberg & Associates (OKA)
- Definition of alternatives
  - Examples of alternatives
  - Advantages and disadvantages of each
- 9:00 40' Panel Responses (four panelists, 10 minutes each)
- Panelist #1-Turnkey Expert
  - Panelist #2-Traditional Expert
  - Panelist #3-Finance Expert
  - Panelist #4-Owner/General Manager Expert
- 9:40 30' Questions from the Floor
- 10:10 5' Summary of Session I-Richard Braun, C.T.S.

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10:15 15' Coffee Break

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**Session II-Organizational Alternatives**

- |       |     |  |
|-------|-----|--|
| 10:30 | 10' | Introductory Background and Overview-Richard Braun, C.T.S.   |
| 10:40 | 20' | Presentation of Organizational Alternatives-Gordon Smith, OKA <ul style="list-style-type: none"><li>• Definition of alternatives</li><li>• Examples of alternatives</li><li>• Advantages and disadvantages of each</li></ul>                                     |
| 11:00 | 30' | Panel Responses (four panelists, 7-8 minutes each) <ul style="list-style-type: none"><li>• Panelist #1-Turnkey Expert</li><li>• Panelist #2-Traditional Expert</li><li>• Panelist #3-Finance Expert</li><li>• Panelist #4-Owner/General Manager Expert</li></ul> |
| 11:30 | 30' | Questions from the Floor   |
| 12:00 | 5'  | Summary of Session II-Richard Braun, C.T.S.  |
| 12:05 | 15' | Break  |
| 12:20 | 40' | Luncheon-Buffer Style  |
| 1:00  | 20' | Guest Speaker on topic "Keys to a Successful LRT Implementation Strategy"  |
| 1:20  | 15' | Questions from the Floor   |
| 1:35  |     | Adjournment  |

April 27, 1990

**Panelists for June 14/15 Peer Review Panel  
on Implementation Methods and Management Organizations**

<u>Area of Expertise:</u>	<u>Candidates:</u>	<u>Perspective:</u>	<u>Phone #:</u>	<u>Confirmed</u>
1. "Turnkey" Method Expert	Larry Miller-Vancouver, B.C., Skytrain	Owner's side (G.M.)	(206) 625-1885	Yes
2. "Turnkey" Method Expert	Ed Ries-Vancouver, B.C. Skytrain; Detroit People-Mover	Contractor's side (Chief Contracts Officer)	(604) 943-9016	Yes
3. "Traditional" Method Expert	Ken Knight-Buffalo, Toronto TTC	Owner's side (Project Manager); Lots of Tunneling Experience	(416) 393-3977	Yes
4. Private Financing Expert	Jim O'Leary-Boston, heavy rail, light rail and commuter rail	Owner's side (General Manager)	(617) 951-0509	Yes

Ex A.



REGIONAL TRANSIT BOARD  
Mears Park Centre, 230 East 5th Street  
St. Paul, Minnesota 55101  
229-2700

DATE: May 2, 1990  
TO: Regional Transit Board Members and Staff  
FROM: Sherry Munyon, Deputy Chair  
SUBJECT: RESULTS OF THE 1990 LEGISLATIVE SESSION THAT EFFECT TRANSIT

**REGIONAL TRANSIT BOARD LEGISLATIVE INITIATIVES**

**Sought**

**Outcome**

- |   |  |
|---|--|
| 1. TRB Exemption for passenger transportation service | [H.F. 1857, Sec. 3] - Passed - Powers granted to the Transportation Regulation Board do not include the power to regulate any service provided under contract to the Regional Transit Board. A provider under contract with the RTB may not provide charter service without first having obtained a permit to operate a charter carrier. (This same exemption was given to Mn/DOT last year at their request.) |
| 2. Data Privacy language for Metro Mobility customers | [H.F. 2365, Sec. 9] - Passed - This section provides that personal, medical, financial, familial, or locational information data pertaining to applicants for or users of services providing transportation for the disabled or elderly, with the exception of the name of the applicant or user of the service, are private.  |
| 3. Light Rail Transit Bonding Authority               | None received - A \$1 million provision had been passed in the Senate bonding bill, but did not survive the conference committee negotiations.   |

ProposedOutcome

- |  |   |
|--|---|
| 4. Metro Mobility Supplement   | Discussed with House and Senate and received no support for the \$3.8 million supplemental appropriation. We have compensated for this deficit by a one time transfer from our budget reserve.                      |
| 5. Transit Assistance Fund   | Increase of \$516,000 to the Transit Assistance Fund to replace dollars cancelled to the fund at the close of FY 1989 because of a delay in effective date of the restructuring of regular route fares. [S.F. 2617] |
| 6. RTB transfer of responsibility for funding certain Metro Mobility services from RTB to the Commissioner of Human Services | Passed - this provision will allow the capture of approximately \$1.2 million annual in federal reimbursements. [S.F. 2617]   |

HOUSE/SENATE BUDGET BALANCING INITIATIVES  
THAT EFFECT TRANSIT

## Tax Bill Provisions:

ProposedOutcome

[H.F. 2478: P. 80, Article 3, Section 62]:  
This section allows the metro counties access to the Regional Railroad Authorities' light rail funds to pay for social services in 1990.

The flexibility to use LRT dollars for social services will apply to Hennepin County only--the other six counties are prohibited.  
[H.F. 2478, P. 100, Article 3, Section 62]

[S.F. 2540: Article 2, Section 44]  
Changing the payment date for feathering reimbursement from July 20 to December 15, would have resulted in a loss to the RTB of approximately \$50,000 ensure that payment be made to RTB

No change of date was mandated, but we should understand that payment may be made late to RTB due to staff cutbacks at the Department of Revenue. We will attempt to as close to July 20 as possible.

[S.F. 2540: P. 71, Article 3, Section 4]. The proposed state aids reduction to special taxing was \$2,644,383. (51.9%) of the reduction would have come from the Regional Transit, for a loss of \$1,374,241 (2.11%) per year.

The state aid reduction to the RTB is \$450,000 in FY 1990 and FY1991. Other special taxing districts will have reductions of amount = to 2.35% of the amount levied for taxes payable in 1990. We can levy to recover this state aid reduction.  
[H.F. 2478, P. 114, Article 4, Section 3]

[H.F. 2478] Allows gas tax exemption

This allows a gasoline tax exemption for all transit systems receiving financial assistance from Mn/DOT or the RTB. This provision is effective for purchases after 12/31/90.  
[H.F. 2478]

**Semi-States Bill Provisions:**

**Proposed**

[H.F. 2545]: Reduction in FY 91 which cuts \$920,000 to the Transit Assistance Fund.

[S.F. 2617]: Elimination of the \$3,408,000 1991 Light Rail Transit grant

**Outcome**

Passed - Results in a reduction of \$300,000 in Greater Minnesota transit assistance. \$650,000 reduction to Regional Transit Board.[S.F. 2617]

Reduction of only \$650,000 to the LRT grant for FY 1991.[S.F. 2617]

**Higher Education Bill Provisions**

Reduction of employer contribution to MSRS

Passed - results in a savings of approximately \$144,000 to the Metropolitan Transit Commission and Regional Transit Board

SM/mf  
5/2/90

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### **Transportation Regulatory Board (TRB) Exemptions**

In 1989, the Legislature amended M.S. 221.011, 221.015 and 221.031, to exempt TRB regulation of passenger transportation services provided under contract to the Minnesota Department of Transportation. It would be appropriate for the RTB to seek a similar exemption. Providers under contract to the RTB support this change.

The TRB's authority to regulate fixed route public transit services was changed when the RTB was created. It was to no longer consider "public convenience and necessity," in other words, the need for the service; rather, it could determine only "fitness and ability" of the operator. The TRB, however, still requires operators that receive RTB funding, either directly or indirectly, to file detailed information on the routes, schedules, and fares; this is done each time a change occurs. A filing fee is paid by the operator, and this cost is passed on to the RTB.

Service provided by the Metropolitan Transit Commission has been exempt from TRB regulations. Other services, if arranged under contract to either the RTB or MTC, should be exempt as well since the RTB or the MTC, in selecting an operator, has first determined that the operator is fit and able; that is financially sound and able to deliver the service.

#2

**Metro Mobility Data Privacy Classification**

Legal counsel has advised us to seek classification of the records, including personal medical data, of Metro Mobility customers. Generally, data on individuals, according to the Government Data Practices Act, is to be public. Classification of data can be accomplished permanently only through legislation. The following items, maintained in files at the Metro Mobility Administrative Center, are requested for reclassification because they contain personal or other sensitive information:

#4

#### **Metro Mobility Supplemental Appropriations Request**

The 1989 legislature approved \$23 million of \$28 million requested by the RTB to fund Metro Mobility for the biennium period July 1, 1989, through June 30, 1991. Current projections show a \$3.5 to \$4.0 million deficit in the program at the end of the biennium. Annually, ridership is assumed to grow by 5 percent.

With implementation of the State Planning Agency recommendations, requiring full cost reimbursement from certain human service agencies effective July 1990, approximately \$1 million of new federal funds could be captured during this period. This would reduce the projected deficit to between \$2.5 and \$3.0 million.

The RTB should consider requesting \$3.0 million as a supplemental appropriation in order to meet Metro Mobility ridership demand and avoid service cuts. In doing so, the RTB may need to explain whether other funds, from alternative sources, are available to supplement the Metro Mobility budget.

# 5

The Regional Transit Board requests the reappropriation of \$515,566 from the Transit Assistance Fund which was appropriated by the 1988 Legislature, but not paid to the RTB, and cancelled back to the Fund at the close of F.Y. 1989.

These funds are the balance of the \$700,000 made available to the RTB by Laws 1988, Ch. 684, Art. 2, Sec. 3, (c) with the following rider language:

"This appropriation is available for expenditure only to reimburse a regular route provider for fare revenue lost if senior fares remain unchanged in a general restructuring of regular route fares."

The subject \$700,000 was a portion of a \$2.43 million supplemental request made to the 1988 Legislature by the RTB for regular route transit subsidy. This supplemental appropriation was made, but \$700,000 was segregated, and made subject to the rider cited above. The rider clearly demonstrated legislative support for continuation of the favored senior citizen fare levels as a feature of the fare simplification/restructuring plan then being prepared by the RTB.

At the time that this appropriation was made, the fare simplification/restructuring was anticipated by both the legislature and the RTB to become effective in the spring of 1988, before the start of F.Y. 1989. Since the plan finally adopted continued unchanged the senior fare levels, the full \$700,000 amount would have been realized by the RTB if the expected time table for implementation had been maintained.

However, the formal implementation of the fare restructuring, which did (and still does) maintain the reduced senior fare, was delayed until April 1, 1989, when only three months of F.Y. 1989 remained.

As a consequence of maintaining the reduced senior fare for all of F. Y. 1989, the RTB paid out approximately \$740,000 of senior fare subsidy to regular route providers, but received only \$184,444, or about 25%, of that subsidy in state appropriation.

It is the position of the RTB that the legislative directive contained in the rider was implemented, the corresponding funds to effect the implementation were paid out by the RTB, and that the funding previously approved should be restored.

When this matter was discussed with legislative leaders and the Dept of Finance at the close of F.Y. 1989, it was the consensus of all parties that the rider prevented payment of the full appropriation, and that the best resolution would be a reappropriation by the 1990 Legislature.

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M.S. XXX.XX



REGIONAL TRANSIT BOARD

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Subdivision 1. ESTABLISHMENT OF PROGRAM. The Commissioner of Human Services shall establish and operate a Metro Transportation Support grants program to provide reimbursement for client transportation by Metro Mobility to day training and habilitation services for which client transportation is a required and funded component, and to maximize use of federal funds for this reimbursement. A Metro Transportation Support grants account shall be established in the Department of Human Services chart of accounts.

Subdivision 2. RATES. Costs of Transportation to and from a Day Training and Habilitation Service Agency must be a part of the payment rate established for each Day Training and Habilitation Services Agency.

The Commissioner may approve payment rates for day training and habilitation services that exceed the limits in Minnesota Statutes, section 252.46, subdivision 6 for vendors whose transportation costs increase as a result of action taken by the Regional Transit Board under Laws of Minnesota 1988, Chapter 684, article 2, section 3 or Laws of Minnesota 1989, Chapter 269, section 35 or Minnesota Statutes, section 473.386, subdivision 4.

Subdivision 3. COUNTY SHARE FUNDING. The county share of the Metro Transportation Support grants program costs will be distributed by the Department to all metropolitan counties from the Metro Transportation Support grants account. For state fiscal year 1991, the funds transferred from the Regional Transit Board to this account shall be distributed to: Ramsey County = 48%; Hennepin County = 46%; Dakota County = 5%; Anoka County = 1%. For each fiscal year subsequent to 1991, the appropriations shall be distributed annually based on each county's percentage of total expenses incurred for trips provided on Metro Mobility to and from day training and habilitation services during the preceding 12-month period. Counties should receipt these funds into the program accounts that will incur the transportation expenses.

Subdivision 4. APPROPRIATION. For state fiscal year 1991, the appropriation to the Regional Transit Board for Metro Mobility (Laws of 1989, Chapter \_\_\_ ) is reduced by \$1,497,000 and the appropriation to the Department of Human Services (Laws of 1989, Chapter 282, Article 1, Section 2) is increased by \$1,497,000 to provide the initial year's funding for the Metro Transportation Support grants program covering the period October 1, 1990, through June 31, 1991. \$702,910 shall be deposited in the Department of Human Services appropriation for Medical Assistance. \$794,090 shall be deposited in the Metro Transportation Support grants account. For fiscal years subsequent to 1991, the Commissioner of Human Services shall include a request for funding of the Metro Transportation Support grants program in the Department Biennial Budget.

Subdivision 5. EFFECTIVE DATE. This section takes effect July 1, 1990.

Revised 3/1/90

