



Minnesota Regional Transit
Board: Records.

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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
November 20, 1990**

MEMBERS PRESENT: Jeff Spartz, Chair, and Doris Caranicas

MEMBERS EXCUSED: Terrance O'Toole, Sandra Hilary and Norbert Theis

OTHERS PRESENT: RTB Chair Michael J. Ehrlichmann; RTB Members Ruth Franklin and Richard Woodell; Charlene Zimmer, Strgar-Roscoe-Fausch; Kathy DeSpieglaere, Ramsey County Regional Railroad Authority; Wayne DeTuncq; Nacho Diaz, Metropolitan Council; Greg Andrews, Judy Hollander, Howard Blin, David Minister and Mary Fitzgerald, Regional Transit Board Staff

The meeting was called to order at 3:05 p.m. and roll taken. It was noted that a quorum was not present and no formal action would be taken.

DISCUSSION OF DRAFT REGIONAL LIGHT RAIL TRANSIT COORDINATION PLAN

Minister distributed a staff report dated November 20, 1990 and updated the committee on comments received from other agencies regarding the plan.

Spartz noted a correction to be made on the third line, Page 16, stating that one RTB member is appointed for two Metropolitan Council districts. Referring to Page 30, he asked that the appendix include examples of joint powers board that are functioning elsewhere. On Page 62, he commented that a study commissioned by Hennepin County indicated that the turnkey method results in time savings of 30 to 40 months. It may be necessary at some point to modify the plan. On Page 67, second bullet, change may be necessary if the board decides on turnkey. He noted a correction to be made to Figure 5.7. Spartz asked that the word "consis" be defined since the general public is not familiar with it. Regarding the reference to controlling the vehicle windows when the air conditioning is operating, Minister said there are special locking nuts that will lock completely in winter and the driver will carry a special key to unlock them in clement weather. Minister will check on the platform dimensions cited on page 83.

Spartz asked for the rationale in now allowing concessions in any stations (Page 86). Minister said this is a Hennepin County recommendation. Spartz said there may be certain conveniences customers will want. Franklin said that in underground stations it may be desirable to encourage concessions; if turnkey is selected the developers would expect to develop shops. Spartz said the issue should receive further evaluation and perhaps dealt with on a neighborhood-by-neighborhood basis.

On Page 87, Spartz asked if the numbers dealing with accessibility of vehicles for people with mobility impairment have been worked out with the disability groups. Ehrlichmann said there have been a number of meetings with the City of Minneapolis, Ken Stevens, the Transit Accessibility Advisory Committee and there is continuing concern about the vertical platform gap. Spartz asked if wheelchair tie-down should be at the passenger's discretion. Ehrlichmann said that conflicts with existing statute and a state committee is reviewing the matter. The regulations were written for buses with forward, backward and side-to-side motion. Spartz said there should be a note "subject to change in state policy."

Regarding Page 97, signals on railroad grade crossings, Spartz said the decision can wait for technologic updates. On Page 98, there should be design flexibility; Minister said the driver should be at the end of the vehicle. On Page 102, there is an oversight--weekend frequency figures will be added.

Spartz said the Metro Council is developing a integrated system of communications throughout the Metro Area and this control and communications system should be part of that study.

Diaz reviewed the Metropolitan Council review of the plan, dated November 6, 1990. Members discussed the implications of Mn/DOT being designated to build light rail and turnkey arrangements in other areas.

Zimmer reviewed the Transportation Study Board's schedule and draft LRT recommendations.

In response to Minister's question, Spartz said staff should prepare a set of proposed recommendations and options, including the pros and cons of each, for the next meeting.

Spartz said another Policy Committee meeting will be needed. Andrews said staff is proposing that meetings for November 26 be cancelled.

There being no other business, the meeting was adjourned at 4:30 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Policy Committee meeting of November 20, 1990.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this _____ day of _____, 1990.



MICHAEL J. EHRlichMANN
Chair

November 29, 1990

Hubert H. Humphrey III,
Attorney General
102 State Capitol
St. Paul, Minnesota 55155

Dear Attorney General Humphrey:

As I am sure you are aware, the state faces a substantial revenue shortfall for the coming biennium. The Regional Transit Board, the agency responsible for planning and funding transit initiatives in the Seven-County Metropolitan Area, receives a significant portion of its revenue base via legislative appropriation. Like all state-funded agencies, the RTB anticipates that it will be subject to severe revenue limitations as a result of this shortfall.

As you also know, the Regional Transit Board's Metro Mobility program, a door-through-door paratransit service designed to serve the transit needs of the elderly and disabled, is totally dependent on state appropriations for funding. Since the new board was appointed last year, we have had many discussions of the legal parameters that direct the provision of these services. Previous legal opinions by RTB attorneys (enclosed) and decisions reached by the Minnesota Department of Human Rights provide some direction. However, in preparation of our budget for the upcoming legislation session and in light of the recent passage of the Americans with Disabilities Act (ADA) and the 1989 amendments to the Minnesota Human Rights Act, it is essential that we have a full definition of our legal obligation to provide service to the elderly and disabled.

Therefore, I request that your office examine current Minnesota Human Rights statutes and the American with Disabilities Act and provide us with specific direction. Answers to at least the following questions, for example, would help to determine our basic obligations:

- 1) What are the exact geographic boundaries within which we must provide paratransit service? Are we obligated to provide Metro Mobility service beyond the service area served by regular route transit service?
- 2) What are the hours (weekdays and weekends) that we must provide service? Are we obligated to provide Metro Mobility service during the entire span of daily service hours provided by regular route transit service?
- 3) Who are we legally required to serve? A current certification form is enclosed for your reference.
- 4) Would we be authorized to impose a "cap" or limitation on the number of rides provided by Metro Mobility should the demand for rides exceed the approved budget?

Hubert H. Humphrey III
November 29, 1990
Page Two

It is essential that we have an answer to these questions as soon as possible. We are aware of the severe fiscal limitations under which the state will be operating in the next biennium and the Regional Transit Board must be prepared to be a responsible partner in the effort to reduce expenditures.

If we at the RTB or our legal counsel can provide additional information, please do not hesitate to contact us.

I appreciate your immediate attention to this matter and look forward to hearing from you soon.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael J. Ehrlichmann", with a long horizontal line extending to the right.

Michael J. Ehrlichmann
Chair

cc: RTB Members
Governor-Elect Arne Carlson
MTC Chair Carole Faricy
Morgan Grant, TAAC
Human Rights Department

LARKIN, HOFFMAN, DALY & LINDGREN, LTD.
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Reply to Coon Rapids

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STEVEN P. KATKOY
THOMAS J. BEYMOIR

OF COUNSEL
JOSEPH REVE
RICHARD L. MORUMBE
DAVID J. PEAT

* ALSO ADMITTED IN
WISCONSIN

March 9, 1990

Mr. Mike Ehrlichmann
Chairman
Regional Transit Board
Mears Park Centre Bldg.
7th Floor, 230 E. 5th Street
St. Paul, MN 55101

Dear Mike:

Enclosed please find the proposed memorandum on Metro Mobility. I would appreciate it very much if you would review it and let me know the areas you would like beefed up or revised. I will be looking forward to hearing from you and I can assure you that your revised memorandum will follow immediately after I receive your response.

I will be looking forward to hearing from you in any case.

Very truly yours,

Charles R. Weaver, for
LARKIN, HOFFMAN, DALY & LINDGREN, Ltd.

CRW:ts
Enclosure

M E M O R A N D U M

TO: Michael Erlichmann
FROM: Charles Weaver
DATE: March 9, 1990
RE: Legal Constraints on Metro Mobility Program

This memo describes the legal framework which affects the Twin Cities Metropolitan Regional Transit System to assure accessibility to public transit by persons with handicaps. There are two principal constraints placed on the provision of public transit to persons with handicaps. Under federal statutes and regulations, a transit authority may not act so as to deny access to public transportation for persons with handicaps; a transit authority is obligated to take special efforts to provide service to handicapped persons. State law requires that persons with handicaps not be discriminated against. The transit authority is allowed to meet this obligation by providing an alternative special transportation system meeting certain minimum requirements.

Present Problem

The regional Metro Mobility program is presently over subscribed. Staff projections suggest that at present ridership levels, the program will have a \$3.8 million funding shortfall. A number of alternative strategies have been considered that could, under a best case scenario, substantially eliminate the shortfall.

Any attempt to reduce the availability of Metro Mobility necessarily involves changes or restrictions on the ability of a segment of the handicapped population to have access to the transit system, either by restructuring funding of service or by changing eligibility for the service or the components of the service provided. The RTB has a dilemma. It must either continue the present level of service and run out of funding, or restructure the program and change access to public transit for some segment of people with handicaps. As discussed below, program changes are generally consistent with federal legal requirements, however, will not be allowed under present state law.

Rehabilitation Act, Section 504

The federal policy on nondiscrimination is stated in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) as follows:

No otherwise qualified handicapped individual . . . shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance

In addition, the Rehabilitation Act of 1973 obligates every executive agency to promulgate regulations to carry out this goal.

For purposes of this Act, "handicapped individual" means any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment, or is regarded as having such an impairment. 29 U.S.C. § 706(7)(b). The obligation imposed by this provision was analyzed by United States Supreme Court in Southeastern Community College v. Davis, 442 U.S. 397 (1979). The court held that Section 504 intended only to assure the even-handed treatment of qualified persons but did not impose an obligation to affirmatively take action to improve access to federally funded programs. Following the Davis decision, federal regulation for increasing the accessibility of mass transit for persons with handicaps were completely redone under the authority of the Urban Mass Transportation Act, 49 U.S.C. § 1601 et seq. Section 16(a) of the Urban Mass Transportation Act, 49 U.S.C. § 1612(a) obligates the Federal Department of Transportation to require special efforts to be taken in the planning and design of transportation facilities so that elderly and handicapped persons can use them effectively.

Court challenges to actions by transit authorities on making transit available to persons with handicaps have been based on Section 504 of the Rehabilitation Act of 1973. Courts have generally relied on the Urban Mass Transit Act and Department of Transportation regulations to define the standard of performance by which a transit agency is judged. In Rhode Island Handicapped Action Committee v. Rhode Island Public Transit Authority, 718 F.2d 490 (1st Cir. 1983), the court found the compliance with Urban Mass Transportation Act regulations requirement of a minimum level of effort toward funding handicapped services to present a defense to a claim that the Rehabilitation Act of 1973 was violated. This Court of Appeals' decision overturned a district court's order directing the acquisition of a number of handicapped accessible vehicles.

In Disabled In Action of Baltimore v. Bridwell, 593 F. Supp. 1241 (Maryland 1984) the district court construed the Urban Mass Transportation Act of 1964 and its more recent 1970 amendments relating to handicapped accessibility (49 U.S.C. § 1612(a)). The essential component of the court's decision was the 1976 Urban Mass Transit Act based regulation requiring

"special efforts" by metropolitan planning organizations to enable handicapped accessibility to mass transit programs. Under these regulations, separate treatment could be accorded only when necessary to ensure equal opportunity.

The special efforts regulation was clarified in 1981 in 49 C.F.R. § 27.77 to allow a metropolitan planning organization to meet the special efforts obligation by establishing alternative programs that involve an expenditure of at least 3.5 percent of the federal financial assistance received for the area. In Disabled In Action of Baltimore v. Bridwell, the court reviewed a program very similar to the Metro Mobility program that included a demand service component and a regular standing order component. The court reviewed this system and found it to comprise the special efforts that were contemplated by the Urban Mass Transit Act and accordingly held the Baltimore system to fulfill the accessibility obligations solely by meeting the funding level.

Urban Mass Transit Act Regulations

The Department of Transportation has promulgated regulations under the jurisdiction of the Urban Mass Transit Administration (UMTA) obligating mass transit providers to provide programs for persons with disabilities. Prior UMTA regulations defined "special efforts" to include a separate program (such as metro mobility) for wheelchair users and other semi-ambulatory handicapped persons involving an expenditure of more than 3.5 percent of the federal financial assistance received, or the acquisition of sufficient vehicles to make half of the fleet handicapped accessible, or any service which provides persons with handicaps with sufficient public transportation to make 10 round trips per week at fares comparable to those charged by standard buses. Effective 1986, all financial assistance recipients are required to have a mass transportation services for handicapped persons program approved by the regional administrator of UMTA which puts the system at the full performance level of 3 percent of its total average operating costs within six years. Prior to achievement of full performance level, service must be provided at the level provided under 49 C.F.R. § 27.77, which required a 3.5 percent of federal funds minimum expenditure.

Along with the obligation to develop a comprehensive plan for serving persons with handicaps, the 1986 regulations impose both service criteria and a minimum level of required expenditures. The service criteria stated in 49 C.F.R., subtitle A, § 27.95 include:

- (a) All physically disabled persons are eligible;
- (b) Service is delivered within 24 hours;

- (c) No restriction on trip purpose;
- (d) Similar fare to regular transit;
- (e) Similar hours and area of service.

In addition, the maximum level of effort required is stated as 3 percent of the annual average operating costs. As long as all physically disabled persons are eligible, the other criteria need not all be met. 49 C.F.R. § 27.97.

Under these regulations, Metro Mobility is unrestricted in its ability to restructure service, as long as the eligibility to all physically handicapped persons is preserved. This regulation does not include a requirement that special service be available to persons with disabilities other than physical handicaps. If an enumerated service criteria is not to be met because the level of effort is exceeded, there are formalities that are required to make the decision on how to restructure the program.

The RTB may, by following the formalities, make a decision to restructure Metro Mobility to change the service provided. In addition, the formalities do not apply to a decision to limit eligibility only to physically disabled.

State Requirements

Minn. Stat. § 363.03, Subd. 4(2)(d) is the principal component of the regulatory framework for the Metro Mobility program in Minnesota. This statute provides that it is an unfair discriminatory practice for public transit services to discriminate in the access to, full utilization of, or benefit from service because of a person's disability. This statute does, however, authorize public transit services to use any of a variety of methods to provide transportation for disabled people, provided that persons who are disabled are offered transportation that, in relation to the transportation offered non-disabled persons meets certain minimum requirements.

The transit service is required to be:

- (a) In a similar geographic area of operation;
- (b) During similar hours of operation;
- (c) For comparable fare;
- (d) With similar or no restrictions as to trip purpose; and
- (e) With reasonable response time.

This obligation of public transit services is required to be met as of 1986.

Under Minnesota law, a person is considered disabled if that person has a physical sensory or mental impairment which materially limits one or more major life activity, has a record of such an impairment, or is regarded as having such an impairment. Minn. Stat. § 363.01, Subd. 25. State law requires the transit service to serve all persons with disabilities, and not just physically disabled people. Secondly, there is no provision for adjusting compliance with service criteria once a certain level of effort is made. It is very important to note that Minnesota law, although similar, differs in two major aspects from federal requirements. Because of this, the Metro Mobility program is subject to more stringent state requirements and cannot discriminate in the access to public transit service by an allocation of resources limiting the amount of transit service made available to persons with disabilities if that limitation of the level of effort means the requirements of Minn. Stat. § 363.03 are not met.

This appears to be the basis for the administrative finding of probable cause in the Jeffrey Farnum complaint. Under present state law, a strong argument can be made that, given the present demand on the system, the inability to meet a next day trip demand may meet the state requirement of service "within a reasonable time." Obviously, the Department of Human Rights does not agree.

Restrictions on Metro Mobility

Any restructuring of the Metro Mobility program that is considered would need to be based on the RTB's obligation under present state law to provide full access, utilization, and benefit from transit service. This obligation is construed to mean that metro mobility needs to be provided only to persons who are not capable of obtaining access to other transit services. The obligation under present state law is to provide a means of access to those who, because of disability are not able to use regular route transit. No restriction prevents the eligibility criteria from being made more restrictive so that marginally eligible persons using Metro Mobility opt of convenience rather than necessity are required to use the regular route service. As an example, Metro Mobility need not be provided for trips that are served by a handicapped accessible bus. Metro Mobility need not be provided to persons accompanied by escorts, if the escort enables the rider to use regular transit services. Metro Mobility need not be provided to persons who become trained to use regular route transit services but choose not to.

Accordingly, if metro mobility is to be restricted, present state law requires such restrictions to be based on the ability to obtain access to the transit service and not on budget constraints.

State Law Modifications

The Regional Transit Board has a difficult situation compared to other metropolitan transit planning organizations nationwide because of the significantly more restricted state law. The RTE is able to meet and exceed its obligations under federal transit programs, but because of state law is faced with a dilemma. Two legislative alternatives exist to resolve this situation. Funding could be increased to eliminate the need to restructure the program, or state legal constraints could be revised to enable the system to be restructured.

To accomplish the latter, a number of alternatives exist:

1. The federal UMTA model could be adopted expressing an intention that the Metro Mobility program is to provide transit to physically disabled persons.
2. The legislature could allow its appropriation for the Metro Mobility program to constitute a minimum level of effort which would satisfy nondiscrimination obligation.
3. Limited restrictions could be imposed for prioritizing service based on trip purpose so that limited resources can be allocated to transit needs not otherwise capable of being met. This would be directed to require necessary services and other agency transit needs to be met from other than public transit budgets.

Summary

The present federal regulatory framework provides sufficient flexibility to pay regional transit planning organization which otherwise meets its required minimum level of effort to enable it to substantially restructure a program like Metro Mobility: so that funding constraints can be dealt with, state law is not similarly flexible.

The significant issues arising because of state law provisions are derived from the definition of persons to be served by a Metro Mobility system. The federal statute and regulations contemplate the service being provided only to persons with physical disabilities while state law includes all disabled persons in the class of those eligible for the service. The second essential distinction is that federal law allows budget constraints, once a 3 percent minimum level of effort is met, to allow reduced service or restructuring of the program. Minnesota law allows no such flexibility.

In order to enable the realities of restricted budget to be dealt with appropriately, revisions to Minn. Stat. § 363, subd. 4 are necessary. These revisions would be most effective if the results were to either focus programs on service to physically disabled persons, or to allow establishing a fixed level of effort that need not be exceeded.



Administrative Center
560-6th Avenue North
Minneapolis, Minnesota 55411-4398
612-349-7480

TO THE METRO MOBILITY APPLICANT:

Metro Mobility is a subsidized door-through-door transportation service for eligible persons with disabilities. Persons must be certified by the Metro Mobility Administrative Center in order to use Metro Mobility service.

To be eligible for Metro Mobility, a person must meet at least one of the six Metro Mobility eligibility criteria. The six eligibility criteria are listed in the Medical Verification section (page 4) of this form. A medical professional, familiar with the person's disability, indicates whether or not the person is eligible for Metro Mobility by completing the Medical Verification section.

Please note that eligibility is based upon disability. The availability of regular route bus service is not a consideration in determining eligibility for Metro Mobility.

To apply for Metro Mobility certification, please fill out the enclosed Certification Form and have the Medical Verification section on page 4 completed and signed by your medical professional. Mail the completed Certification Form with a \$10 certification fee (check or money order payable to Metro Mobility) to:

**Metro Mobility Administrative Center
560 - 6th Avenue North
Minneapolis, MN 55411-4398**

It will take approximately 2 to 4 weeks to process your application. Once you are certified, you will receive an identification card, a Rider's Guide, and a list of transportation providers for your area with instructions for arranging rides.

If you have any questions regarding the completion of this form, please call the Metro Mobility Administrative Center at 349-7480.

**FAILURE TO ANSWER ALL QUESTIONS WILL DELAY PROCESSING YOUR APPLICATION.
PHOTOCOPIED FORMS WILL NOT BE ACCEPTED.**

TO THE MEDICAL PROFESSIONAL:

Please complete the Medical Verification section on page 4 in its entirety. This information will be used to determine the applicant's (named on page 2) eligibility for Metro Mobility. Failure to provide this information may prohibit the applicant from becoming certified for Metro Mobility services.

Thank you for your cooperation.

Metro Mobility Administrative Center

METRO MOBILITY CERTIFICATION FORM

Remember to include your check or money order for \$10,
payable to Metro Mobility. Return to: Metro Mobility Administrative Center,
560-6th Avenue North, Minneapolis, MN 55411-4398

Office Use Only

Certification # _____

Disability Code _____

Zone _____

PLEASE TYPE OR PRINT CLEARLY

1. Name _____
first middle last

2. Address _____
street number street name city/suburb state

3. _____ 4. _____ 5. _____ 6. Telephone _____ / _____
zip code apt. no. medical assistance no. home work

7. Does your weight, size or wheelchair pose any special considerations? Yes _____ No _____

If yes please explain: _____

8. Sex: Female _____ Male _____ 9. Date of Birth: _____
month day year

10. In case of emergency, please notify (name): _____

Emergency contact home phone: _____ work phone: _____

11. Is this the first time applying for Metro Mobility? Yes _____ No _____

12. Please explain how your disability prohibits you from use of regular route bus service:

13. Are you in need of an escort/attendant when traveling? (You may bring one guest even if you do not need an escort.)

Yes _____ No _____ If yes, please explain: _____

Some persons may be issued certification that requires them to be accompanied by an escort when traveling on Metro Mobility. Escorts are not provided by Metro Mobility.

Office Use Only

Code _____ Post _____ Label _____ Check Number _____

Number _____ Zone _____ Card _____ Standing Order _____

Book _____ Enter _____ File _____

14. Do you use a wheelchair when you travel? Yes _____ No _____ If yes, are you able to propel your own wheelchair independently? Yes _____ No _____ transfer to an auto? Yes _____ No _____

15. Are you able to enter a van or bus without the use of a ramp or lift? Yes _____ No _____

16. Do you require a raised/high door van? Yes _____ No _____

17. I use the following equipment when I travel outdoors:

- | | | |
|---|----------------------------|------------------------------|
| _____ None | _____ Crutch(es) | _____ Walker |
| _____ Wheelchair, Manual | _____ Artificial Limb | _____ Guide Dog |
| _____ Wheelchair, Powered | _____ Portable Oxygen Tank | _____ Other (describe) _____ |
| _____ Brace(s) | _____ Orthopedic Cane | _____ |
| _____ 3-wheeled Power Mobility Device (Amigo, Lark) | _____ Hearing aids | _____ |
| | _____ White Cane | _____ |

(Metro Mobility does not provide wheelchairs or any other mobility aids)

Please describe any special considerations (walk slowly, wide wheelchair): _____

18. What means of transportation do you currently use, other than Metro Mobility? _____

I certify that all information on this application form is accurate. I understand that misinformation or misrepresentation of facts will be cause for disqualification or rejection of my application. I also understand that the Metro Mobility Administrative Center may contact my medical professional to clarify or obtain additional information required to determine my eligibility or unique service needs.

Is applicant able to sign Metro Mobility vouchers? Yes _____ No _____

Signature of Applicant (Signature required if applicant is able to sign) _____ Date _____

Signature of Preparer (If other than applicant) _____ Relationship to applicant _____ Date _____

The information contained on this form is private data and is used by the Metro Mobility Administrative Center (MMAC) to determine program eligibility and by the MMAC and contract carriers to provide you with appropriate Metro Mobility service. The MMAC's ability to supply you with program service will be restricted if all information requested on this form is not provided.

MEDICAL VERIFICATION

This section is to be completed by a physician, licensed psychologist, certified physical therapist, licensed chiropractor, or orientation and mobility specialist. All requested information must be provided. Your prompt response will allow an expedient determination of the applicant's eligibility for Metro Mobility service.

A. Please indicate whether or not the following conditions apply to the applicant:
(respond to as many of the six criteria as you can verify.)

- | Yes | No | | |
|--------------------------|--------------------------|----|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. | A permanent physical functional mobility limitation that prevents a person from walking independently for a distance of 1,000 feet without the aid of an assistive device such as a walker, cane, crutches, braces, a prosthetic device, or a wheelchair, or from negotiating the steps of a standard transit device. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. | A medically demonstrable condition that seriously impedes or prevents a person from walking a distance of 1,000 feet; or that affects coordination and stability to the extent that it presents a risk of falling. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. | An arterial oxygen tension (P _A O ₂) of less than 60 mm/hg in room air at rest. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. | A cardiac condition that is therapeutically classified according to standards set by the American Heart Association in one of the following areas: |
| <input type="checkbox"/> | <input type="checkbox"/> | a. | Class D: Persons with cardiac disease whose ordinary physical activity should be markedly restricted. |
| <input type="checkbox"/> | <input type="checkbox"/> | b. | Class E: Persons with cardiac disease who should be at complete rest, confined to bed or chair. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. | A sensory impairment(s) that prevents the applicant from independently using regular route bus service. That is, the impairment prevents the applicant from using regular route service for all his/her travel needs. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. | A mental functional limitation that prevents the applicant from independently using regular route bus service. That is, the impairment prevents the applicant from using regular route service for all his/her travel needs. |

B. Please describe the applicant's disability as indicated above and how the disability affects the applicant's ability to use regular route bus service:

C. Is applicant: Vision Impaired _____ Hearing Impaired _____ Mentally Disabled _____

D. If any of the criteria in Section A (above) apply to the applicant **only** during typical winter weather, please identify the specific criterion: _____

E. What is the expected duration of the applicant's condition(s) that is identified in Section A? (Be as specific as you can; this information is used to establish length of eligibility). _____

F. The applicant is able to:

	Yes	No	
1. Travel from a protected setting to a protected setting without an escort/attendant	_____	_____	NOTE TO THE MEDICAL PROFESSIONAL: A NO response to item F.1 means that the applicant will require an individual (other than the driver) to escort the applicant when using Metro Mobility.
2. Comprehend and follow instructions	_____	_____	
3. Communicate travel needs	_____	_____	
4. Comprehend time of day for travel purposes	_____	_____	

G. Please describe any behavioral problems which prevents the applicant's ability to travel independently: _____

H. Date that applicant was last examined by you: _____

I certify that I have medical information to document the above statements and will provide such documentation at the request of the Metro Mobility Administrative Center.

Signature of Medical Professional

Print or Type Name of Medical Professional

Profession

MN License No.

Office Address

Date

Telephone Number

City

State

Zip Code

**REGIONAL TRANSIT BOARD
ROLL CALL AND ATTENDANCE SHEET**

DATE: Dec 3, 1990

BOARD OR COMMITTEE: RTB.

<u>Member Name</u>	<u>Present</u>	<u>Vote</u>	<u>Vote</u>	<u>Vote</u>	<u>Vote</u>
Mike Ehrlichmann	✓		✓		
Doris Caranicas	✓		✓		
John Finley	no				
Ruth Franklin	late ✓		✓		
Ed Kranz	no				
Sandra Hilary	✓		✓		
Terry O'Toole	✓		✓		
Jeff Spartz	✓		✓		
Norbert Theis	✓		✓		
Elwyn Tinklenberg	Not League of NO cities				
Richard Wedell	✓		✓		

Visitors

Faney
de Vries
Capell
Bald
Ewald
Eubel
B. Thompson
Ding

Palmer
Werner
Mary Beth Dando
L. O'Phelan

Staff

fb, ga, dan, hb, du
sh, se



REGIONAL TRANSIT BOARD

Mears Park Centre
230 East 5th Street
St. Paul, Minnesota 55101
612/292-8789

MEETING OF THE REGIONAL TRANSIT BOARD

Monday, December 3, 1990
Mears Park Centre Chambers
4:00 p.m.

AGENDA

- A. Call to Order and Roll Call**
- B. Approval of Agenda**
- C. Approval of Minutes**
 - 1. Marketing Committee Meeting of November 8, 1990
 - 2. Administration and Finance Committee Meeting of November 13, 1990
 - 3. Public Hearing of November 14, 1990
 - 4. Regional Transit Board Meeting of November 19, 1990
 - 5. Policy Committee Meeting of November 20, 1990
- D. Chair's Report**
- E. Recess to convene Committee of the Whole meeting previously scheduled for November 19, 1990 (see committee agenda)**
- F. Approval of Regional Transit Board 1991 Budget**
- G. Public Comment**

Michael J. Ehrlichmann
Chair



REGIONAL TRANSIT BOARD

Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101

Minutes of the Meeting of the
MARKETING COMMITTEE
Mears Park Centre, Room A
November 8, 1990

MEMBERS PRESENT: Richard Wedell, Chair; Carole Faricy; David Billkey; Dennis Cavanaugh

MEMBERS EXCUSED: Michael J. Ehrlichmann, Terrance O'Toole, John Morley

OTHERS PRESENT: Bob LaShomb and Marcia Diers, Metropolitan Transit Commission (MTC); Sherry Munyon, Becky Scudder, Ed Kouneski, Dan Murray, Suzanne Hanson, Mary Fitzgerald, RTB Staff

This being the first meeting of the committee, the members were introduced to one another. Committee Chair Wedell outlined some of the problems related to marketing transit service in the Twin Cities Metropolitan Area. MTC is only one of the carriers; there are a number of independent operators. The equipment on the road is not identified and the system is not user-friendly. MTC does its own marketing but the systems are not integrated. This committee will look at the product, service, who the customers are, and what new customers can be reached, in order to expand the use of public transportation. Marketing must be done in such a way that the service is available to the casual user.

Wedell called the meeting to order at 8 a.m. and roll was taken. Faricy moved and Cavanaugh seconded that the agenda be approved; the motion was carried unanimously.

MISSION STATEMENT AND GOALS

In response to Faricy's question, Wedell said the committee's efforts will pertain to the entire system. We want people to know what we have and how it is coordinated. There is a need for information on how to ride, what it costs, etc. In Denver all buses are the same and carry the same logo. The rider is not aware of who owns the buses. If private providers want their subsidy, they will cooperate in using the same logo and common colors. In his community (Shoreview) there is no information on where non-MTC buses run.

There was discussion of the systems in cities with a great many tourists; they have to devise systems anyone can use, regardless of where they come from. There have to be cues on the street. Billkey noted that franchises always indicate what the customer can expect, regardless of ownership. Cavanaugh said RTB frequently refers to the "transit-dependent," and appears to design the system around that concept while MTC appears to target users of choice; there is a large difference in the two groups. Wedell said the transit-dependent market has been captured. In increase use of mass transit, we must convince those people who have the option of driving their own cars to use transit instead.

REVIEW OF PAST TRANSIT MARKETING STRATEGIES IN THE METROPOLITAN REGION

Kouneski reviewed the current marketing activities of the transit providers. There was discussion of farebox recovery, the cost of dial-a-ride systems, under-utilized equipment and the need to convince the public that the service is dependable.

MARKET RESEARCH STUDY EXPLORING TRANSIT AS A PRODUCT AND EXISTING AND POTENTIAL TRANSIT MARKETS

LaShomb reviewed the MTC marketing programs. Wedell said we must consider whether drivers are friendly, helpful and whether the rider feels secure. LaShomb said MTC did a communications audit to identify gaps in the marketing system. It showed that riders want more choices. There is a substantial turnover in users; people move around and we must continue to market to them. Rideshare must be sold through employers.

SCHEDULE FOR MARKETING COMMITTEE MEETINGS

~~Members~~ reviewed their schedules and agreed that future committee meetings will be held on the second Thursday of each month.

There being no further business, it was moved and seconded that the meeting be adjourned. The motion carried and the meeting was adjourned at 9:40 a.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Marketing Committee meeting of November 8, 1990.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this _____ day of _____, 1990.



REGIONAL TRANSIT BOARD

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

**Minutes of the Meeting of the
ADMINISTRATION AND FINANCE COMMITTEE**
Mears Park Centre Chambers
November 13, 1990

MEMBERS PRESENT: Elwyn Tinklenberg, Chair; Ruth Franklin; Ed Kranz and Richard Wedell

MEMBERS EXCUSED: John Finley

OTHERS PRESENT: Doris Caranicas, RTB Board Member; Doug Ewald, Alliance for Progressive Transit; Natalio Diaz and Connie Kozlak, Metropolitan Council, Richard Oram, Oram and Associates; Judy Hollander, Dale Ulrich, Clete Luberts, Bob Dietrick, Howard Blin, Cyndie Mayer, Cynthia Curry, Len Simich, Randy Rosvold and Mary Fitzgerald, Regional Transit Board staff

The meeting was called to order at 4 p.m. and roll taken. Wedell moved and Kranz seconded that the agenda be approved. The motion was unanimously approved.

Financial Statements - September 1990

Luberts reviewed the November 6 staff report. Wedell moved and Kranz seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board receive the September 1990 financial statements and direct that they be placed on file.

The motion was unanimously approved.

Funding for I-35W Light Rail Transit Patronage Forecasting

Blin reviewed the November 2, 1990 staff report. Franklin questioned why these funds are not included in normal Metropolitan Council chargebacks. Blin said typically chargebacks are for staff work. Franklin moved and Wedell seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize the executive director to execute a funding agreement with the Metropolitan Council for an amount not to exceed \$15,000 to complete patronage forecasts in the I-35W corridor.

The motion was unanimously approved.

1990 Rural and Exurban Provider Contract Amendments

Mayer reviewed the October 31, 1990 staff report and noted that a revised page four had been distributed. Franklin moved and Wedell seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board amend its 1990 contracts as follows:

1. Carver County by \$8,572, from \$131,404 to an amount not to exceed \$139,976 (Contract No. 89/12/04-29);
2. DARTS by \$14,720, from \$396,110 to an amount not to exceed \$410,830 (Contract No. 89/12/04-21);
3. Human Services Inc. by \$4,736, from \$236,573 to an amount not to exceed \$241,309 (Contract No. 89/12/04-22);
4. Scott County by \$25,342, from \$97,557 to an amount not to exceed \$123,899 (Contract No. 89/12/04-23); and
5. Senior Transportation Program by \$1,436, from \$16,201 to an amount not to exceed \$17,637 (Contract No. 89/12/04-25).

Funding for the recommended amendments is available from Transit Programs work program No. 90-14.

The motion was unanimously approved.

North Suburban Lines 1990 Contract Amendment

Simich reviewed the November 2, 1990 staff report. Franklin moved and Wedell seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize the executive director to amend North Suburban Lines' 1990 Contract (No. 89/12/04-18) amount by \$63,000 from \$919,988 to \$982,988.

The motion was unanimously approved.

Report of the Audit Advisory Committee

Committee Vice Chair Kranz asked if all the members received copies of the detailed staff reports on the audits. Tinklenberg said only the summary report was sent to members. Kranz moved and Wedell seconded:

That the Administration and Finance Committee progress this report to the next full board meeting with no recommendation and direct staff to supply the board members with detailed background information on the audits.

The motion was unanimously approved.

Resolution Levying Actual Ad Valorem Property Taxes for 1990 (Payable 1991). Resolution No. 90-05

Kranz moved and Franklin seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board approve Resolution No. 90-05, "Resolution Levying Actual Ad Valorem Property Taxes for 1990, payable 1991."

On a roll call vote, the motion was unanimously approved.

Schedule Public Hearing on Proposed Fare Change Options

Blin reviewed the November 6, 1990 staff report. Ehrlichmann asked that the fare structure plan be reviewed for the full board at its next meeting. Oram described the deep discount concept. The technique has been very successful in increasing ridership and revenue for other transit systems, such as Milwaukee and Denver. He discussed market research studies of frequency of use of transit, turnover, and stability of ridership. Caranicas said bus passes should be discounted for everyone since the goal is to attract as many riders as possible. Blin said the board can choose between the five options after the public hearings have been held. Franklin moved and Wedell seconded:

That the Administration and Finance Committee recommend:

That the Regional Transit Board authorize that the following public hearings be held on the proposed fare change options described in the staff report of November 6, 1990:

<u>Date</u>	<u>Time</u>	<u>Tentative Location</u>
January 2, 1991	12 noon	Minneapolis Public Library
January 2, 1991	7 p.m.	Pilot City
January 3, 1991	7 p.m.	Rosedale
January 7, 1991	12 noon	University of Minnesota, Coffman Union
January 7, 1991	5 p.m.	RTB Chambers
January 8, 1991	7 p.m.	Apple Valley

The motion was unanimously approved.

There being no other business, Franklin moved and Wedell seconded to adjourn. The motion was unanimously approved and the meeting was adjourned at 4:50 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's Administration and Finance Committee meeting of November 13, 1990.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this _____ day of _____, 1990.



REGIONAL TRANSIT BOARD

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

**Minutes of the Public Hearing on the
DRAFT REGIONAL LIGHT RAIL TRANSIT
COORDINATION PLAN**

Mears Park Centre Chambers
November 14, 1990

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Doris Caranicas; John Finley, Ruth Franklin, Ed Kranz, Jeff Spartz and Richard Wedell

MEMBERS EXCUSED: Sandra Hilary, Terrance O'Toole, Norbert Theis, Elwyn Tinklenberg

OTHERS PRESENT: Charlene Zimmer, Strgar-Roscoe-Fausch, David Minister, RTB Director of Light Rail Transit

The Policy Committee Chair Spartz called the hearing to order at 7:05 p.m. He welcomed members of the public and stated that the purpose of this hearing is to receive public input on the Draft Regional Light Rail Transit Coordination Plan. Remarks should be focused on the "how and when" aspects of the plan. The record will remain open until Friday, November 23.

Zimmer used slides to illustrate the organizational structure and summarize the options for implementation. She described the process for updating the plan. Minister reviewed the budget, schedule and implementation strategy.

Mark Mizen, 168 East 6th Street, St. Paul, Minnesota, representing himself, spoke against light rail, citing cost increase and ridership decreases. If a system is built, it should be underground because light rail disrupts downtown areas. The turnkey approach could lead to cost overruns and the region may not get what it pays for.

Lisa Lee, 181 Sherburne Avenue, St. Paul, Minnesota, representing herself, spoke against light rail because it would require tearing down homes, buses would move more people and the costs would increase. John Finley, Ramsey County Commissioner, said he has no knowledge of plans to tear down homes. A private organization once suggested that the Midway Corridor run on Sherburne Avenue, but the plan was rejected by the railroad authority. He knows of no plan to tear down 100 homes for an I-94 alignment.

Dore Mead, President of the Neighborhood Transportation Network, reported on the organization's response to the plan. A written statement, dated November 16, will be part of the hearing record.

Melvyn Allen, P. O. Box 10853, Minneapolis, Minnesota, representing himself, spoke in support of light rail and said the funds should be raised through bonds or taxes. The process is moving too fast and he opposes elevated systems and metal-on-metal wheels

because of the noise generated. He recommended phones on each train and television news broadcasts. LRT should be viewed as relieving traffic on freeways, which are carrying too much traffic and contaminating the atmosphere.

Jim Steinworth, representing Concerned Citizens for Light Rail, spoke in support of light rail and displayed a brochure that is privately produced by his organization with facts on light rail transit. He noted that the Metrodome was built with a local tax. Buses can only move as fast as other traffic. Two light rail tracks can move as many people as eight lanes of traffic. Construction funds will be spent locally.

Richard Hanson, 34 Front Avenue, St. Paul, representing himself, spoke in favor of light rail and underground tunnels. He expressed preference for a sales tax and the proposed joint powers agreement. There should not be too many local stops. Finley noted that the Minnesota Department of Transportation plans to rebuild I-94 in late 1992 and 1993 so light rail construction would fit into that timetable.

Laurence Lystig, 10441 Beard Avenue South, Bloomington, representing himself, spoke in favor of light rail and said serious review should be given to connecting the airport to downtown St. Paul. He said the bus fleet has been replaced three times since 1954, but many of the ~~old street cars~~ are still in use. ~~Cost to the environment~~ should also be a consideration. The wind now carries smog that hangs over Lake Superior.

Tim Prescott, 1917 Emerson South, Minneapolis, representing himself, spoke in support of light rail. He expressed concern that the proposed system will only be effective in connecting high density areas. The station spacing should be every half-mile and skipped-station scheduling should be used. Other technology, such as automated systems, should be considered.

Beth Popalisky, 1023 - 14th Avenue Southeast, Minneapolis, representing herself, expressed concern about the Twin Cities transit system. Stations spaced every mile will be a problem because people will not walk that far. There should be more public information distributed before action is taken.

The meeting was recessed for ten minutes.

Gary Hanson, 843 - 22nd Avenue S.E., Minneapolis, representing himself, spoke against a sales tax and proposed that a business tax based on number of employees and proximity to the line be used instead. The construction period will impose a severe hardship on commuter routes throughout the system. Overhead wires are old technology and other methods should be considered. Construction along highways may require bridge expansion, restrict future widening of the roadway and cause off and on ramp problems. Marginal neighborhoods will be displaced because land will become too valuable. The University of Minnesota is building a major transitway that will reduce ridership.

Leslie Davis, representing Earth Protectors, said the public notice does not restrict the kind of comments made on the plan. He supports anything that can reduce the incredible damage taking place to the atmosphere. Public officials who voted to permit devastation of the atmosphere should be prevented from taking part in the decision.

Tom Agar, 4445 Abbott South, Minneapolis, representing himself, spoke in support of light rail and would like it moved along as quickly as possible. The management of the system should be localized and he would support the joint powers approach, rather than oversight by Mn/DOT. He said the best funding approach would be a dedicated

transportation tax on gasoline. Spartz explained that there is a constitutional constraint against a gas tax and much of the state would oppose a change. Agar said there should be a specific cost benefit analysis, including the actual costs of the project and the cost of waiting ten years, and financing costs. He said it is impractical to expect people to take buses to their cars. He supports skipped-station scheduling.

Tom Mahowald, 3824 - 48th Avenue, Minneapolis, representing himself, spoke against light rail. He supports automated guideway transit. Due process has not been followed. Ehrlichmann said corridor alignment is the prerogative of the railroad authorities. Mahowald said building one line a year is too fast to allow evaluation. Joint powers is not viable. Brochures for cities with automated guideway systems were placed in the record.

Scott Horn, representing the Mayor of Northfield, said the system should be underground. This area has ideal geography for underground construction. Spartz said the cost could be \$200 million per mile in some areas. Horn said he agrees with the statements on disruption of downtown areas. People should be aware of the brainwashing involved in use of the word "light."

Wayne DeTuncq, 1830 Theodore Wirth Parkway, Golden Valley, spoke in support of light rail. His written comments, dated November 20, will be part of the hearing record.

Wedell said it is important to know there has been a great deal of review and study of all the issues surrounding the light rail transit project, but it is nearly impossible to communicate to the public the vast amount of data that results from these efforts because of restricted reporting by the media. Regarding the conspiracy theories, the process is very fluid and many of the people now serving on committees and boards will be gone before the system opens; many people who were part of the earlier process are no longer a part of it. The final decisions will be made by the Legislature.

Spartz thanked people for taking time to attend this hearing. Wedell moved and Ehrlichmann seconded that the public hearing be adjourned. The motion was unanimously approved and the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Mary Fitzgerald
Secretary of the Board

Approved this _____ day of _____ 1990.



REGIONAL TRANSIT BOARD

Mears Park Centre, 230 East 5th Street
St. Paul, Minnesota 55101

Minutes of the Meeting of the
REGIONAL TRANSIT BOARD
Mears Park Centre Chambers
November 19, 1990

MEMBERS PRESENT: Michael J. Ehrlichmann, Chair; Doris Caranicas; John T. Finley; Ruth Franklin; Sandra Hilary; Ed Kranz; Norbert Theis; Elwyn Tinklenberg and Richard Wedell

MEMBERS EXCUSED: Terrance O'Toole and Jeff Spartz

OTHERS PRESENT: Charles Weaver and Shannon McCambridge, Legal Counsel to RTB; Carole Faricy, Bruce Nawrocki, John Capell, Bev Auld, Bob Thompson and Greg Failor, Metropolitan Transit Commission (MTC); Arnie Entzel, Amalgamated Transit Union; Emil Brandt and Natalio Diaz, Metropolitan Council; Al DeBoer, Yellow Taxi Service; Joan Campbell, Minneapolis City Councilperson and Chair of Local Officials Advisory Committee; Greg Andrews, David Minister, Judy Hollander, Ed Kouneski, Howard Blin, Suzanne Hanson, Mike Kuehn, Dale Ulrich, Gerry Brechlin, Clint Vatsaas, Len Simich and Mary Fitzgerald, Regional Transit Board staff

The meeting was called to order at 4:10 p.m. and roll was taken. Finley moved and Theis seconded approval of the amended agenda; the motion was unanimously approved.

Caranicas noted that board meeting minutes of November 5 should note that Franklin was present. With that amendment, Finley moved and Theis seconded that the minutes of the following meetings be approved:

Policy Committee Meeting of August 27, 1990
Committee of the Whole Meeting of September 27, 1990
Audit Advisory Committee Meeting of October 25, 1990
Policy Committee Meeting of October 29, 1990
Public Hearing of October 29, 1990
Policy Committee Meeting Reconvened on November 5, 1990
Regional Transit Board Meeting of November 5, 1990

The motion was unanimously approved.

CHAIR'S REPORT:

Driver of the Month Award - Al DeBoer, Yellow Taxi Service

Caranicas presented the award to Al DeBoer.

Report of the Local Officials Advisory Committee

Committee Chair Campbell reviewed the report of the committee's November 15 meeting. The committee held its first meeting in September and was formed to deal with local transit issues and issues on the RTB's agenda. The committee approved the following recommendations:

The Local Officials Advisory Committee recommends that the Regional Transit Board impose no new taxes to finance a light rail transit system for the Seven-County Metropolitan Area.

The Local Officials Advisory Committee adopt the proposed Local Officials Advisory Committee Bylaws, with the following changes:

- The Bylaws should specify the process for communicating the committee's recommendations to the Regional Transit Board.
- That the Bylaws delete language regarding emergency meeting.

Ehrlichmann said the specific tax package for light rail will be forwarded to the committee, which may provide a more concrete basis for discussion.

European Tour of Light Rail Systems

Ehrlichmann said earlier this year the board approved a possible trip to Portland and Calgary for legislative leaders. We now have an opportunity for cheaper air fare to take the same group to Germany and Sweden to visit six to ten systems next week. The group would include ten bipartisan leaders from the Transportation and Finance Committees. Vice Chair Finley has been asked to clear his schedule and accompany the group. Kranz moved and Tinklenberg seconded:

That the Regional Transit Board authorize the payment of expenses in accordance with the Regional Transit Board policy for legislators and legal counsel associated with the legislative light rail transit trip November 25 to December 2 from work program 90-23.

The motion was approved (Franklin and Hilary voted nay).

The chair noted that the board will recess and go into executive session on legal issues before the board following the report of the Administration and Finance Committee.

REPORT OF THE POLICY COMMITTEE

Finley reported on the action taken at the committee's November 5 meeting.

Draft Regional Light Rail Transit Coordination Plan

Finley moved and Kranz seconded:

That the Regional Transit Board receive the Draft Regional Light Rail Transit Coordination Plan from the Joint Light Rail Transit Advisory Committee.

The motion was unanimously approved.

There was discussion and agreement that the schedule for Policy Committee action on the Coordination Plan will be extended to allow thorough consideration of the comments of the Transportation Advisory Board, the Metropolitan Council and comments by the public.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Committee Chair Tinklenberg reported of the committee's November 13, 1990 meeting.

Financial Statements - September 1990

Tinklenberg moved and Caranicas seconded:

That the Regional Transit Board receive the September 1990 financial statements and direct that they be placed on file.

The motion was unanimously approved.

Funding for I-35W Light Rail Transit Patronage Forecasting

Tinklenberg moved and Caranicas seconded:

That the Regional Transit Board authorize the executive director to execute a funding agreement with the Metropolitan Council for an amount not to exceed \$15,000 to complete patronage forecasts in the I-35W corridor.

The motion was unanimously approved.

1990 Rural and Exurban Provider Contract Amendments

Tinklenberg moved and Theis seconded:

That the Regional Transit Board amend its 1990 contracts as follows:

1. Carver County by \$8,572, from \$131,404 to an amount not to exceed \$139,976 (Contract No. 89/12/04-29);
2. DARTS by \$14,720, from \$396,110 to an amount not to exceed \$410,830 (Contract No. 89/12/04-21);
3. Human Services Inc. by \$4,736, from \$236,573 to an amount not to exceed \$241,309 (Contract No. 89/12/04-22);
4. Scott County by \$25,342, from \$97,557 to an amount not to exceed \$123,899 (Contract No. 89/12/04-23); and
5. Senior Transportation Program by \$1,436, from \$16,201 to an amount not to exceed \$17,637 (Contract No. 89/12/04-25).

Funding for the recommended amendments is available from Transit Programs work program No. 90-14.

The motion was unanimously approved.

North Suburban Lines 1990 Contract Amendment

Tinklenberg moved and Franklin seconded:

That the Regional Transit Board authorize the executive director to amend North Suburban Lines' 1990 Contract (No. 89/12/04-18) amount by \$63,000 from \$919,988 to \$982,988.

The motion was unanimously approved.

Report of the Audit Advisory Committee

Tinklenberg noted that this item was progressed to the full board without recommendation and staff was directed to supply the members with detailed background information. Vice Chair of the Audit Advisory Committee Kranz asked that the summary of audit activity, dated October 17, be distributed. He moved and This seconded:

That the Regional Transit Board approve the recommendations contained in the report of the October 25 Audit Advisory Committee report.

The motion was unanimously approved. (Finley took the chair.)

Resolution Levying Actual Ad Valorem Property Taxes for 1990 (Payable 1991). Resolution No. 90-05

Kranz moved and Caranicas seconded:

That the Regional Transit Board approve Resolution No. 90-05, "Resolution Levying Actual Ad Valorem Property Taxes for 1990, payable 1991."

On a roll call vote, the motion and resolution were unanimously approved.

Schedule Public Hearing on Proposed Fare Change Options

Tinklenberg moved and Caranicas seconded:

That the Regional Transit Board authorize that the following public hearings be held on the proposed fare change options described in the staff report of November 6, 1990:

<u>Date</u>	<u>Time</u>	<u>Tentative Location</u>
January 2, 1991	12 noon	Minneapolis Public Library
January 2, 1991	7 p.m.	Pilot City
January 3, 1991	7 p.m.	Rosedale
January 7, 1991	12 noon	University of Minnesota, Coffman Union
January 7, 1991	5 p.m.	RTB Chambers
January 8, 1991	7 p.m.	Apple Valley

The motion was unanimously approved..

OTHER BUSINESS

The chair said that pursuant to M.S. 471.075 the board will go into closed session in order for legal counsel to discuss with the board actions pending with the Department of Human Rights and with the Mary Lutz case. Hilary moved and Caranicas seconded:

That the Regional Transit Board go into closed session under the provisions of M.S. 471.075.

The motion was unanimously approved.

The meeting was reconvened at 6:15 p.m. The chair announced that pursuant to statute, counsel is authorized to engage in negotiations in the Mary Lutz matter and continue settlement discussions in the matter of Jeffrey Farnham.

Due to members' scheduling problems, a quorum would no longer be available for the Committee of the Whole meeting schedule immediately after this board meeting. Accordingly it was agreed that a special meeting would be schedule to review the budget matters.

Hilary moved and Caranicas seconded that the meeting be adjourned. The motion was unanimously approved and the meeting was adjourned at 6:20 p.m.

I hereby certify that the foregoing constitutes a true and accurate record of the Regional Transit Board's meeting of November 19, 1990.

Respectfully submitted,

Mary Fitzgerald
Secretary

Approved this _____ day of _____, 1990.