

## DULUTH TRANSIT AUTHORITY

2402 West Michigan Street \* Duluth, MN \* (218) 722-4426

### Board of Directors Meeting

Thursday, April 23, 2015

DTA Board Room

Approximately 5:30 p.m.

<b>Committee Present:</b> John Brostrom, President Don Simons, Vice President Walter Kramer, Secretary/Treasurer Wayne Nelson	Deb Putney Anthony Orman	<b>Committee Excused:</b> Leslie Evans Dave Schaeffer Thomas Griffin	<b>Committee Absent:</b>
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<b>DTA Staff Present:</b> Dennis Jensen – General Manager Carla Montgomery – Director of Finance Jim Heilig – Director of Administration & Planning	Heath Hickok – Director of Marketing Lisa Paczynski – Administrative Secretary Nancy Brown – Procurement Manager
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<b>Others Present:</b>
Darin Knapp, Mortenson Construction
Scott McLean, Mortenson Construction

**Call to Order:** President Brostrom called the meeting to order at 5:33 p.m.

### Approval of Minutes

- \* March 25, 2015 Board of Directors & Committee Meetings Minutes: A motion was made by Vice President Simons and seconded by Secretary/Treasurer Kramer to approve the March Board of Directors & Committee Meeting minutes. Director Nelson abstained from voting since he was absent from last month's meeting. Motion approved with one abstention.

### Action Items

- \* Resolution No. 78– Multimodal Contingency Use: A motion was made by Vice President Simons and seconded by Director Orman to approve the Board of Directors April 23, 2015 Resolution No. 78 concerning the approval of a contingency change with Mortenson Construction for skywalk steel and roofing. Motion carries.

### APRIL 2015 - RESOLUTION NO. 78

Concerning Multimodal Contingency use.

Whereas; The DTA Board must approve the contingency use of \$50,000 or more, and

Whereas; Mortenson has requested to use contingency money that meets this threshold, and

Whereas, the DTA staff and Owners Agent have reviewed this request.

Now, therefore, be it resolved, that the DTA Board of Directors approves the use of contingencies as discussed for skywalk steel and roofing.

PASSED AND ADOPTED THIS 23<sup>RD</sup> DAY OF APRIL 2015 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Resolution No. 79 – MnDOT Hwy. 23 Project: A motion was made by Secretary/Treasurer Kramer and seconded by Director Nelson to approve the Board of Directors April 23, 2015 Resolution No. 79 concerning the approval of the sale of the property as described, but not the temporary easement unless MnDOT provides another option for a bus turnaround. Director Orman made a motion that an amendment be made to this Resolution which states that in the event that MnDOT and the DTA cannot agree before the next Board meeting, the Board of Directors hereby authorize DTA staff to use whatever legal means necessary to represent the DTA's best interest. Secretary/Treasurer Kramer seconded the amendment. As was mentioned in the Operations Meeting, Vice President Simons is concerned that the bus operators may not have access to restroom facilities at the temporary turnaround. The amendment and Resolution No. 79 carries.

#### APRIL 2015 - RESOLUTION NO. 79

Concerning MnDOT Hwy. 23 Project.

Whereas; MnDOT has requested to purchase a temporary easement for the DTA's Zoo terminal; and  
Whereas; the DTA has no problem with the land sale portion of the MnDOT proposal; and  
Whereas, the temporary easement that continues to December 1, 2020 disrupts the DTA services within the corridor.

Now, therefore, be it resolved; that the DTA Board hereby approves the sale of the property as described, but not the temporary easement unless, in the DTA staff's opinion, MnDOT offers the DTA a viable option for bus service.

PASSED AND ADOPTED THIS 23<sup>RD</sup> DAY OF APRIL, 2015 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- A motion was made by Director Nelson and seconded by Secretary/Treasurer Kramer to allow free rides for bike users on May 15 (National Bike to Work Day). In response to Director Nelson's question, General Manager Jensen explained that if a bike rack was already full, then that individual would have to wait until the next bus. General Manager Jensen explained further that it creates a liability issue and safety hazard for other passengers on the bus if bikes were allowed on the bus. Director Orman expressed his concern with this motion because other groups may ask for free rides on other national events and believes that this policy should be re-evaluated. Secretary/Treasurer Kramer added that he believes the various Marketing initiatives should be revisited occasionally to determine to what extent goals are achieved and whether or not any improvements should be made. Manager Jensen stated that since free rides were not offered last year, a good ridership comparison can be made this year. Likewise, last year the DTA provided free rides on Election Day because it was state mandated, but free rides were not offered the year before (2013). In response to Director Nelson, Staff person Montgomery stated that a bike user receives a pass that can be used at another time. Motion approved.

#### **Old Business**

- None

#### **New Business**

- \* Phone Call-In Meetings for Limited Board Action: As was discussed in the Operations Meeting, Board members were unanimous with approving phone call-in meetings for issues such as MnDOT's request for the temporary easement of DTA property on Highway 23 (Grand Avenue.), and any Multimodal project deadlines that cannot wait until the next scheduled Board meeting. All pertinent information would be emailed to Board members for their review before the phone call-in meeting occurs.

- \* Proterra Bus Demonstration: Manager Jensen announced that on May 8, Proterra, who partnered with the DTA on the Lo/No grant for electric buses, will be here with an electric bus for display; all Board members are invited to take a ride. The plan is to ride the bus from the main DTA to Kirby Plaza for a press conference at 2:30 p.m. An email will be sent to all Board members with more details. Since the electric buses make very little noise, this is a concern to Secretary/Treasurer Kramer and other passengers that are visually impaired. Director Orman mentioned that Minneapolis is testing several different electric buses as well. Manager Jensen added that New Flyer (St. Cloud) was in Minneapolis earlier this week. Because Minneapolis did not receive any funding from the Lo/No grant, they have to purchase them through their regular capital program.
- \* Bus Accident: In regard to the April 14 bus accident, Manager Jensen reported that the last two weeks has been very hard for the DTA as a whole. In all aspects, the media coverage was very accurate, with the exception that the accident was described as a head-on collision. It was a collision, but it certainly was not head-on. There was a fatality that occurred in this tragic accident, and it has had a tremendous impact on the victim's family, injured passengers, DTA staff and the whole community. The DTA's lack of public comment in no way means that the DTA has taken this serious accident lightly. DTA staff recognizes that there are issues that have to be addressed in the future, and this will certainly become a matter for litigation. At the May Board of Directors meeting, the DTA's attorney will be invited to update Board members in an executive session with current developments of the investigation. Manager Jensen continued to explain the different insurance coverages and deductibles available to the DTA. Most likely Bus No. 143 will be considered a total loss, but it is anticipated that Bus No. 157 can be repaired and put back into service. Both buses are being kept in a secure location and at some point in the near future, attorneys for the plaintiffs will be allowed to evaluate those buses. Again, it is an on-going investigation, and DTA staff does not know anything more than what has been released by the Duluth Police Department. President Brostrom stated that he was at the accident scene and on site at the DTA, and he informed the Board that they would have been proud of the actions taken by DTA staff. This probably will be the most trying day of their employment at the DTA. They went above and beyond the call of duty. In response to Director Nelson's question, the DTA's fleet will not be affected because it is at a level where it's expected that there will be buses out of service for various reasons.

#### **Public Comment**

- \* None

#### **Announcements**

- \* May Employee of the Month – This announcement will be made at the May Board meeting.
- \* The next Board of Directors and Committee Meetings have been scheduled for Wednesday, May 27, 2015.

#### **Adjournment**

With there being no further business, a motion was made by Secretary/Treasurer Kramer and seconded by Director Nelson to adjourn the April 23, 2015 Board of Directors and Committee Meetings. The motion was unanimously carried – meeting adjourned at 5:54 p.m.

Respectfully submitted,  
*Lisa Paczynski*