

# DULUTH TRANSIT AUTHORITY

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

## Board of Directors Meeting Minutes

Wednesday, May 29, 2019

DTA Board Room

<b>Directors Present:</b>		<b>Directors Excused:</b>	<b>Directors Absent:</b>
Aaron Bransky, President Rondi Watson, Vice President Henry Banks, Secretary/Treasurer Krystal Brandstatter Julie Zaruba Fountaine	Mike Casey Ed Gleeson Tom Szukis Joshua Smerdon		

<b>DTA Staff Present:</b>	
Phil Pumphrey, General Manager Carla Montgomery, Director of Finance Rod Fournier, Director of Operations Chris Belden, Director of Planning & Grants	Lisa Paczynski, Administrative Assistant Heath Hickok, Director of Marketing Nancy Brown, Procurement Manager Jeff Dahlgren, Director of Scheduling

<b>Others Present:</b>	
Jim Heilig, DTA Consultant James Gittenmeier, MIC Xavier Bell, Community Action Duluth/Family Freedom Ctr. Helen Davis, Family Freedom Center Jonah Sorell, Community Action Duluth	Rozena Higgins, Family Freedom Center Sarah Erickson, Great Lakes Aquarium Samantha Smigler, Great Lakes Aquarium Jay Walker, Great Lakes Aquarium

### Call to Order

President Bransky called the meeting to order at 4:00 p.m.

### Public Comment Period

A few members from Community Action Duluth/Family Freedom Center (CAD/FFC) were in attendance to voice their concerns with the possible discontinuation of Route 22 (Lincoln Park Middle School). DTA Board members explained Route 22 was a pilot project and only funded by the MnDOT for two years. Unfortunately, it did not meet the necessary route standards to maintain it, and therefore a resolution is on tonight's Board agenda to discontinue Route 22 as well as Route 20 (United Healthcare). The DTA provides other regular route service along Grand Avenue; however, it will no longer transport students from Grand Avenue up to LPMS. DTA staff met with ISD #709 School District to discuss other transportation possibilities for their students.

### Consent Agenda Approval

Director Zaruba/Fountain made a motion to approve the April 24, 2019 Board of Directors Meeting minutes and the April 29, 2019 Special Board of Directors Meeting minutes with Director Gleeson seconding this motion. Motion carries. Director Gleeson made a motion to accept the remaining Consent Agenda documents as they were received with Director Brandstatter seconding the motion. Motion carries.

- General Manager Report
- Operations Report
- Planning & Grants Report
- STRIDE Report
- Fair System Review
- Marketing Report
- Surplus Vehicle Disposal Report (Heavy Duty Buses/Paratransit Vehicles)

### **Metropolitan Interstate Council (MIC) Report**

Mr. Gittenmeier explained the Long-Range Transportation Plan (LRTP) presents a 25-year strategy to guide the effective investment of public funds for multi-modal transportation infrastructure throughout the Duluth-Superior and surrounding areas. It is updated every 5 years in accordance with federal and state requirements and reflects local planning initiatives and incorporates public input through surveys and public meetings. Sustainable Connections 2045 also provides the foundation for the annual development of the Duluth and Superior Transportation Improvement Programs (TIPs), short-range capital improvement programs that implement some of the needed highway, transit and bikeway projects identified in the project lists, as well as for the MIC's annual work program activities. In June, this Plan will be presented to the MIC Board, and there will be an opportunity for public comment during consultation meetings as well. MIC staff will let DTA staff and Board members know when public survey is live.

### **Financial Statement Review**

General Manager Pumphrey highlighted key areas of the Financial Statement. Regarding the New Service Expansion revenue analysis, there is a deficit of \$143,285.25 due to the fact the funding has ended for those 5 expansion routes and ridership was lower than originally anticipated.

### **Action Items**

- \* Resolution No. 266 – New Service Expansion Route Changes 2019 Approval (DTA Consultant, Jim Heilig): After a presentation by DTA staff and Board discussion, a motion was made by Director Casey and seconded by Director Szukis to approve the Board of Directors May 29, 2019 Resolution No. 266 concerning the Route Changes for June 2019 as amended. Resolution carries with 8 votes in favor and 1 against (Secretary/Treasurer Banks).

#### MAY 2019 - RESOLUTION NO. 266

Concerning the Route Changes for August 2019.

Whereas the DTA has properly held a Public Hearing concerning changes to the experimental routes that would go into effect in August 2019; and

Whereas comments concerning the changes have been presented to the DTA Board of Directors prior to decision making.

Now, therefore, be it resolved, that the DTA Board hereby affirms the discontinuance of Route 20 (United Healthcare) and Route 22 LPMS (Lincoln Park Middle School) to London Road effective August 25, 2019.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Resolution No. 267 – Support for NLX (General Manager, Phil Pumphrey): A motion was made by Director Zaruba Fountaine and seconded by Director Brandstatter to approve the Board of Directors May 29, 2019 Resolution No. 267 concerning the DTA Board of Directors' support for the Northern Lights Express (NLX) Rail Program. Resolution carries unanimously.

MAY 2019 - RESOLUTION NO. 267

Concerning Board of Directors support for the Northern Lights Express (NLX) Rail Program.  
Whereas the NLX is a proposed passenger rail project between Target Field Station in Minneapolis and Union Depot in Duluth with four daily round trips;  
Whereas the Federal Rail Administration (FRA) issued a FONSI (finding of no significant impact) in 2018 for the final environmental study;  
Whereas the NLX can now apply for federal funds to cover 80% of building the project;  
Whereas the DTA Board realizes the potential for increased ridership from NLX passengers; and  
Whereas the DTA Board after reviewing the NLX project and the economic development and connectivity that the project brings to the Twin Ports.  
Now, therefore, be it resolved, that the DTA Board hereby supports the funding, construction and implementation of the NLX project.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Resolution No. 268 – Arrowhead Transit Free Transfers MOU Continuance (DTA Staff, C. Belden):  
Mr. Belden reported that Arrowhead Transit will be continuing service in Hermantown and Rice Lake, and there is the possibility they may add service from Two Harbors. The purpose of the Memorandum of Understanding (MOU) is to define transfer locations/service area and to set a term of 3 years. A motion was made by Director Zaruba Fountaine and seconded by Director Smerdon to approve the Board of Directors May 29, 2019 Resolution No. 268 concerning the approval of the MOU with Arrowhead Transit effective May 29, 2019. Resolution carries unanimously.

MAY 2019 - RESOLUTION NO. 268

Concerning the Memorandum of Understanding (MOU) and free transfers between Arrowhead Transit and the Duluth Transit Authority (DTA).  
Whereas Arrowhead Transit provides dial-a-ride service in Hermantown and Rice Lake, MN, the greater Arrowhead region, and may be starting a new service from Two Harbors, MN to downtown Duluth;  
Whereas Arrowhead Transit operates service in an area adjacent to the DTA service area and receives service requests from DTA service area riders;  
Whereas the DTA recognizes that many assisted living and low-income facilities in Duluth located within a half mile of the Hermantown and Rice Lake borders request access to Hermantown that cannot be provided by the DTA;  
Whereas the DTA understands the benefit to both DTA and STRIDE service and Arrowhead Transit riders in providing better transportation options to cross the Duluth/Hermantown and Rice Lake borders;  
Whereas the DTA believes Arrowhead Transit can serve as an effective way for DTA riders to access the areas within Hermantown and Rice Lake;  
Whereas the DTA desires to promote the use of its system as an extension of the Arrowhead Transit service in Hermantown, Rice Lake, and other areas of Northeast Minnesota;

Whereas Arrowhead Transit is offering this service as part of their individual agency operating budget and understands that by providing this service no operating funds that would traditionally be provided to the DTA can be transferred to support this additional service. This includes DTA's annual operating funding from MnDOT;

Whereas the DTA will designate the following locations as acceptable transfer locations to transfer from Arrowhead Transit to DTA buses: All Park and Ride facilities, Haines Road Transfer Shelter, Super One at Burning Tree, Miller Hill Mall, Essentia's Downtown Duluth Medical Campus, St. Luke's Downtown Duluth Medical Campus, and at or near the Duluth Transportation Center; and Whereas providing free transfers between the two transit agencies reduces the cost burden on passengers.

Now, therefore be it resolved, that the DTA Board of Directors hereby approves the Memorandum of Understanding effective May 29, 2019, between the Duluth Transit Authority and Arrowhead Transit as presented herein for a period of three years and authorizes the DTA General Manager to execute the MOU and any amendments thereto.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Resolution No. 269 –Lease Agreement, Leaf Rides, Inc. (DTA Staff, C. Belden): Mr. Belden announced a local E-Scooter rental company contacted the DTA to inquire about leasing sidewalk space near DTC (outside the east door to the left) as a scooter drop-off location. The scooters are rented via a mobile app and are not available during the winter months. There will be other drop-off locations in designated Duluth neighborhoods. DTA staff believe this could potentially become the first and last mile solution for transit riders; scooters will not be allowed on buses or the bike racks. Signs will be posted instructing scooter users to dismount when nearing DTC and walk the scooter to the area designated for scooters. A few Board members expressed their concern with scooters being left in non-designated areas and are pleased to see the lease is only for a 1-year term with two, 1-year options. There is a City ordinance which governs many aspects of the scooters (hours of operation, distribution, etc.). A motion was made by Director Smerdon and seconded by Director Brandstatter to approve the Board of Directors May 29, 2019 Resolution No. 269 concerning the approval of a lease agreement for sidewalk space with Leaf Rides. Resolution carries unanimously.

MAY 2019 - RESOLUTION NO. 269

Concerning the Lease for sidewalk space for Leaf Rides, Inc.:

Whereas Leaf Rides, Inc. wishes to offer DTA riders and the public an option for micro mobility using motorized scooters in Duluth in accordance with City of Duluth regulations;

Whereas the DTA will designate sidewalk space for the scooters to be staged at the DTC with the restriction of not interfering with transit operations; and

Whereas the DTA and Leaf are in negotiation on the terms and conditions of a Lease for the space for a period of one year with two, one-year options as presented herein. If substantial changes are made, a revised version will be brought back to the DTA Board of Directors.

Now, therefore be it resolved, that the DTA Board of Directors hereby approves and gives the DTA General Manager authority to execute the Lease with Leaf Rides, Inc. in the amounts presented herein.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* *Resolution No. 270 – DTA Board of Directors Bylaws (Vice President, Rondi Watson):* A motion was made by Vice President Watson and seconded by Director Gleeson to approve the Board of Directors May 29, 2019 Resolution No. 270 approving the revisions to the DTA Board of Directors Bylaws as presented and discussed. Resolution carries unanimously.

MAY 2019 - RESOLUTION NO. 270

Concerning the DTA Board of Directors Bylaws approval.

Whereas the DTA Board of Directors created under Minnesota Statute 458A.21 and under bylaws adopted by the Board thereafter;

Whereas the DTA Board Bylaws were originally written in 1970;

Whereas the DTA Board of Directors wishes to update the Bylaws to modify Board member rules, committees, and procedures;

Whereas changes to these Bylaws have been reviewed by the City Attorney's Office;

Whereas proper and timely notice of the proposed bylaws changes was provided to the DTA Board of Directors at the April 2019 Board meeting; and

Whereas the DTA Board of Directors has reviewed the proposed changes for adoption effective upon passage and adoption of this Resolution.

Now, therefore be it resolved, that the DTA Board of Directors hereby approves the changes to the DTA Board of Directors Bylaws as presented herein.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* *Resolution No. 271 – Aquarium/DECC Loop Pilot Route (DTA Consultant, J. Heilig):* After a presentation by DTA staff and Board discussion, President Bransky made a motion to close debate on this Resolution and called for a vote with Director Szukis seconding this motion. Motion to close debate carries unanimously. The Board of Directors May 29, 2019 Resolution No. 271 concerning the approval of the addition of the Canal Park, DECC/Aquarium Loop as proposed as a new Pilot Route effective August 25, 2019 carries with 7 votes in favor and 2 votes against (President Bransky and Vice President Watson).

MAY 2019 - RESOLUTION NO. 271

Concerning the Route Changes for August 2019.

Whereas, The Aquarium, DECC, and other citizens have asked the DTA to look at adding service to the DECC and Aquarium on a year-round basis;

Whereas, the DTA staff weighed several options for potential accommodations for new service to the DECC/Great Lakes Aquarium/Bayfront areas;

Whereas, the option of fitting a loop route between existing interlines of Routes 14W and 10 on the weekdays and between existing interlines of Routes 4 and 15 on Saturday had the least amount of negative impact;

Whereas, the DTA will begin a new service pilot route to demonstrate long-term viability;

Whereas, DTA staff will evaluate in 180 days after the new service starts; and

Whereas, staff has examined costs and ridership. \*

Now, therefore, be it resolved, that the DTA Board hereby approves the addition of the Canal Park, DECC, and Aquarium loop as proposed as a Pilot Route effective August 25, 2019.

PASSED AND ADOPTED THIS 29<sup>TH</sup> DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Resolution No. 272 – Route #5 Additional Weekday Trip (DTA Consultant, J. Heilig): DTA staff received requests for additional service on Route 5 which after further review, the additional service would potentially meet the needs of earlier work start times for several major trip generators and would only require an administrative change. A motion was made by Director Szukis and seconded by Director Zaruba Fountaine to approve the Board of Directors May 29, 2019 Resolution No. 272 concerning the approval of an additional weekday #5 trip to service Essentia employees and others at the Miller Hill Mall. Resolution carries with 8 votes in favor and 1 vote against (President Bransky).

#### MAY 2019 - RESOLUTION NO. 271

Concerning the Route Changes for August 2019.

Whereas, the DTA has been requested to evaluate an earlier Route #5 bus to the Mall area and the new Essentia physical therapy location at the Mall;

Whereas, staff in examining the request noted requests from LSC as well as other workers at the Mall for this service; and

Whereas, staff has examined costs and ridership. \*

Now, therefore, be it resolved, that the DTA Board hereby approves the addition of a weekday #5 trip to serve Essentia employees and others at the Mall effective August 25, 2019.

PASSED AND ADOPTED THIS 29TH DAY OF MAY 2019 BY THE BOARD OF DIRECTORS OF THE DULUTH TRANSIT AUTHORITY.

- \* Motion – Disposal of Surplus Maintenance Trucks (DTA Staff, N. Brown): The DTA’s current model year 2002 Chevrolet maintenance trucks have reached the end of their useful life and have been replaced with new vehicles. As per FTA requirements, the DTA Board of Directors must approve the disposal of the trucks via public auction. Therefore, a motion was made by Director Zaruba Fountaine and seconded by Director Smerdon to approve the disposal of two, (2) DTA non-revenue maintenance trucks. Motion carries unanimously.
- \* Motion – First Transit Pre-Award Buy American Audit (DTA Staff, N. Brown): The FTA requires a Pre-Award Buy America Audit for revenue vehicles purchased with federal funds to ensure that the buses purchased are comprised of at least 70% American-made components for fiscal year 2020. The DTA hires First Transit for these services as permitted in the Management Contract dated December 9, 2016. A motion authorizing the DTA General Manager, Philip O. Pumphrey, to sign the contract with First Transit, Inc. for Buy America Pre-Award Audit Services on behalf of the Duluth Transit Authority was made by Director Gleeson and seconded by Director Brandstatter. Motion carries unanimously.

#### **Old Business**

- \* Board Retreat Matrix (General Manager, Phil Pumphrey): A copy of the updated Board Retreat Matrix was emailed to Board members for review prior to tonight’s meeting. Vice President Watson suggested that another Retreat be scheduled this fall. Other Board members agreed; this Retreat will be much shorter and held later this fall (November). The Transportation Development Plan and Public Attendance at Board Meetings were identified as possible agenda topics.

### New Business

- \* TCE Lease Update (DTA Staff, N. Brown): Effective July 31, Senior Friends will no longer be leasing TCE space due to financial problems. The term of this lease was from 2017-2021; however, DTA staff determined it was best to allow Senior Friends to terminate the lease without any early termination penalties.
- \* Appointment of DTA Representative on MIC Policy Board: After a brief discussion, Director Szukis will begin serving on the Metropolitan Interstate Council, and Director Gleeson will serve as the alternate. Staff person Paczynski will notify Mr. Ron Chicka, MIC Director.
- \* Transit Oriented Development (TOD): Recently, DTA staff met with Metro Transit staff to discuss this topic. TOD is walkable urban development supported by high quality, frequent transit service. TOD includes a mix of housing, retail, employment, retail, and recreational choices, allowing people to live and work in vibrant places with less dependence on a personal car.
- \* Duluth Transportation Center: Bathroom gates may have to be installed to prevent vandalism in the bathrooms whenever DTA staff and Securitas are not on site.
- \* DTA Advertising Policy: DTA staff removed some advertising from the buses because those ads did not comply with the DTA's advertising policy. Houck Advertising was informed, and the production and advertising costs were refunded to Duluth BizPac who placed the ad.
- \* Bus Shelters: To date, fourteen older bus shelters have been replaced with new ones.
- \* DTA/Duluth Zoo Collaboration: A new co-branded bus wrap will be revealed with the Zoo's new logo. This one-year collaboration will not only promote the Zoo as another great tourist attraction but will also promote the DTA's convenient service to the area.

### Announcements

- \* June Employee of the Month: The Employee of the Month Committee has selected Carla Montgomery as the Employee of the Month for June. The DTA commends Carla for her dedicated professionalism and congratulates her on being selected Employee of the Month.
- \* Lake Superior & Mississippi Railroad (LSMRR): Director Casey announced the City scheduled a meeting regarding the right a way for LSMRR at 5:30 p.m. at the DECC. The current City Administration's plan is to shorten the track as well as the destination of the Boy Scout Landing. All Board members are welcome to attend.
- \* June Board of Directors Meeting: The next meeting will be held on Wednesday, June 26, 2019 beginning at 4 p.m.

### Adjournment

With there being no further business, a motion was made by Director Szukis and seconded by Director Brandstatter to adjourn the May 29, 2019 regular Board of Directors Meetings. The motion was unanimously carried – meeting adjourned at 6:30 p.m.

Respectfully submitted,  
*Lisa Paczynski*

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Aaron Bransky, President

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Date