

Minutes

Transportation Accessibility Advisory Committee



Meeting Date: April 5, 2023

Time: 12:30 PM

Location: 390 Robert Steet

Members Present:

- Chair, David Fenley, at large
- Vice Chair, Darrell Paulsen, Precinct F
- Sam Jasmine, Precinct A
- Christopher Bates, Precinct B
- Patsy Murphy, Precinct C
- Ken Rodgers, Precinct D
- Jeffrey Dains, Precinct E
- Kari Sheldon, Precinct G
- Rachel Garaghty, Precinct H

Members attending from home

Christopher Bates, Ken Rodgers, Diane Graham-Raff

- Trevor Turner, MCD
- Erik Henriksen, MCD
- Diane Graham-Raff, MAAA
- Patty Thorsen, MAAA
- Heidi Myhre, M CCD
- Claudia Fuglie, M CCD
- Richard Rowen, AARP MN

Members Excused

Chair David Fenley, Sam Jasmine, Rachel Garaghty. Trevor Turner

Ex-Officio:

- Phillip Sterner, Council Member Liaison
 - Andy Streasick, Metro Mobility
 - Douglas Cook, Metro Transit Customer Advocate
 - Guthrie Byard, ADA & Title VI Administrator
- = present, E = excused

Attending Remotely

Guthrie Byard

Call to Order

The TAAC Committee Members met in the Robert Street Chambers at 12:30 p.m. They went downstairs to the dock with Paul Colton to look over the new bus.

They reconvened at the Chambers at 1:28 p.m.

A quorum being present, Committee Vice Chair Paulsen called the regular meeting of the Transportation Accessibility Advisory Committee to order at 1:28 p.m.

Agenda Approved

Vice Chair Paulsen added an amendment to the agenda about the doors closing on the north side of the State Office Building adjacent to Metro Transit.

Chris Bates also added an amendment to the agenda. We need to amend our bylaws. When we changed the bylaws pre-Covid, we did not allow remote participating in the meetings. We need to take that out of the bylaws.

Streasick said technically, The Metropolitan Council's interpretation of Minnesota's Meeting Law says that generally speaking, remote attendance is not allowed for our advisory committees. Including the TAAC. They are public meetings. The reason that you are attending remotely is because of a Reasonable Modification Request. So obviously, that can trump our existing bylaws. But the Council's interpretation of "Open Meeting Law" is that our advisory committees at the Met Council are not subject to virtual attendance.

Myhre said so what happens if you are sick, and you can't attend in the room but you can attend in

other ways? Would that count as video?

Streasick said typically, the Council's stance on these meetings is that remote attendance is not allowable and that in general, sporadic illness is not a reason to attend remotely. It would be a reason to not attend at all. But again, that said, a reasonable modification is a federal civil right. It certainly trumps Council bylaws. And if there is a disability related reason that is necessary for anybody to attend remotely, they can go through that process to do so.

It was moved by Dains, seconded by Thorsen to approve the agenda. **Motion carried.**

Approval of Minutes

It was moved by Murphy, seconded by Rowan to approve the minutes of the March 1, 2023, regular meeting of the Transportation Accessibility Advisory Committee. **Motion carried.**

Reports

Subcommittee

Blue Line – Ken Rodgers

Blue Line is on again. We just began ramping up for the new round of CAC meetings. As you may remember, we had traveled quite a distance in our process. And then the BNS Railroad failed to engage in conversations with us, which requires a realignment of the route. So all that work stopped and was put on hold and reconvened as a brand new Senate Advisory Committee, that just got underway about a month ago. It has slowly been ramping up. There is a lot of displacement of potential work being done in that area. and the final alignment is not yet been finalized yet. But the process for the environmental evaluation has begun. So we are in the early stages of reorganizing the Blue Line Extension discussions and as a matter of fact is that our next meeting is tonight. So I should have a fresh update for you next week.

Vice Chair Paulsen said are you starting your environmental study, Phase one again with the Blue Line Extension? I was told that we don't always have to. We can use the environmental study in certain parts of the line. But we do have to do the environmental study on the identified part of the line that you mentioned. So I was wondering is that still true? Or are we starting back to the environmental study square one?

Rodgers said we are basically starting from scratch. I say that in general terms. We are going to use as much of the previous Environmental Impact Statements that were created before. But we have to go through all of the entire process of obtaining input from the community as we progress through the process. So we are treating it as if it was a brand new Environmental Impact Statement. That is what the feds require.

Green Line – Christopher Bates

The construction process that is going on. Over the weekend, I just visited the Eden Prairie City Center Site. I think they took into account dealing with the issues that we brought up when they did the construction. And I saw the Hopkins site. I do have a question when we get to the Legislative Update. The staff is not keeping the advisory committee informed of what is happening when dealing with the budget overrun. And how they are handling it. And what the Council is going to do. Or what the state is going to do with that budget overrun. So I ask if you can ask Hannah when she makes her presentation, to please deal with that. Otherwise, things are looking good.

Gold Line – Darrell Paulsen

The Gold Line is moving along quite well. It has been working steadily. We have done some construction. There is some stuff done along the line in Woodbury, just recently. More importantly, I haven't been following the Gold Line much because it is in the process of being constructed. I will give you a better report next month.



Purple Line – Darrell Paulsen

I am following the Purple Line. And the Purple Line, which is the line that goes North and South, I believe. It goes by 3M and to the Maplewood Transit Center. Because of some commotion, or some expression of the residents along the trail. Which is a regional trail. Which was designated before 1983. It was dedicated to be a light rail. Or to be a rail type system. Because of some residents in that area, they do not want a BRT or a Light Rail to go along the trail. They have engaged with several different groups. We have now entered into another agreement with Ramsey County and Maplewood just last month. Agreed to look at Option Number 14, which would take the BRT off the trail, which means not to adhere to the ADA requirements or to the necessary upgrades or improvements that we would have had if the BRT is along the trail. But they are looking at another study and bringing it down White Bear Avenue.

In that sense, I was told that Environmental Study that was done. We are already 30 percent done with that project stands. But in that area of White Bear Avenue, where we want to look at. We do have to do that Environmental Study there. And that is what I wanted to see if that aligns up with your issue, Ken. Can we use the studies that we have already paid money for. And the answer is yes.

Bus Priority Seating TAAC Work Group

This item was not presented.

Chair Report

This item was not presented.

Business & Information Items

1. Legislative Update

Hannah Pallmeyer, Government Affairs Liaison, spoke to the TAAC Committee. I thought we could go through some of the omnibus bill information that has come out in the past through weeks. Then I could just give you an update on some of our other initiatives that are working through the process in their own way. So yesterday was the third deadline at the Legislature, which was the deadline by which committees need to take action on some of the more major spending bills or what are called omnibus bills. Then the legislature is actually off starting today and into Monday. They will be back on Tuesday.

So, a little bit of down time for me to get caught up on my emails and other things.

So the third deadline was yesterday. So there has been a lot of activity in both the House and the Senate on getting their omnibus bills together. And then the omnibus bill is the bill that is a large bill that is usually about a subject area. It contains a smaller bills or proposals within it.

So both the House and the Senate have put together their own transportation omnibus bills. Then they move through the process in their individual bodies. Then once they both pass off of the floor of their bodies then they are compared to see what is the same and what is different. Then there are opportunities to work out the differences between both the bodies in what is called a conference committee.

Then if those conference committees agree on what to put in the bills. Then the bills become one bill and then go back to their bodies for a final vote.

We are at the beginning process of that. Both the House and the Senate release their omnibus billing, which was for transportation last week. Then there are some similarities in the bills and there are also some differences in the bills that would be working out in a future conference committee.

So for the House Transportation Omnibus Bill. That passed the House Transportation Committee, I think on Friday. And then it passed the House Tax Committee yesterday.

Then the next step for the bill will be heard in the House Ways and Means Committee at some



point. That hasn't been scheduled yet. But the House Ways and Means Committee is the equivalent of a Finance Committee. So what the House Transportation Omnibus Bill has is the allocations for the transit system operations and Metro Mobility operations. Those are kind of standing items at the legislature. It allocates funding for both the House and the Senate Bill proposing new sales tax for the seven-county metro area. But it is a little bit different between the bodies.

They are both proposing $\frac{3}{4}$ of a cent for sales tax in the metro region. And $\frac{5}{6}$ of that $\frac{3}{4}$ cent sales tax would be spent for transit. Then the remaining $\frac{1}{6}$ of those funds would go to the TAB for other transportation projects.

So that is in the House. We will get to the Senate because that is a little bit different.

Both the House and the Senate have various provisions in their omnibus bills that are related to transit safety. And the Administrative Citation is for fare non-payment that we have talked about in previous meetings.

The House bill also has an establishment of a task force that would look at Metropolitan Governance or how the Met Council is governed here. The Senate bill has a pilot program establishment that could lead to additional hours of service for Metro Mobility to the extent feasible with funding and operations.

The House bill has a transit fare elimination pilot project, which would be established in July. And run for about a year and a half. It would have the Council select two bus lines that would have free transit service for those 18 months.

The House Transportation Omnibus Bill also has a provision that would allow the Met Council to do bonding for Regional Transit Capital Funds. Those are funds that are primarily used for Metro Mobility buses. Including other regional buses.

There are a bunch of other things. Those are some of the highlights of what is in the House Bill.

The Senate Bill also has allocations for the transit system and Metro Mobility. The Senate Bill allocates \$50 million for a grant to Hennepin County for the Blue Line Extension. They also have a $\frac{3}{4}$ sales tax for the metro area. And similarly, a $\frac{5}{6}$ would go to the Met Council. And then $\frac{1}{6}$, instead of going to the TAB, would go to the County State Aid Highway Fund.

Another difference is that of the $\frac{5}{6}$ that would go to the Council, they would expect 95 percent of that to be spent on transit. And five percent of that would be spent on active transportation. Then there is another active transportation program. So that could include funding bicycle trails and pedestrian infrastructure. That could include the Safe Routes to School program.

The Senate also has provisions related to transit safety and the Administrative Citations Proposal that we have talked about. They would establish a charter commission to look at Metropolitan Governance. So the House has a task force. And the Senate has a Charter Commission. Then they also have that Metro Mobility Enhancement Pilot Program that the House has as well.

What is interesting is that the Governor had recommended funding for some specific initiatives in his funding recommendations. Including funding for electric buses. Which I think we talked about at a previous meeting. Funding for some specific things for transit safety. The bill does not fund some of the governor's recommendations specifically. I think the assumption is that if the sales tax passes, then we would use some proceeds from the sales tax to pay for some of those projects if that is something the Council would want to prioritize.

There is a list in both of the bills with a variety of transit projects that Met Council would expect to fund if the sales tax were to go through.

So that is a lot. I think I will stop there for now. If you have any questions about the omnibus bill. Then we can go into the other updates from there.

Dains said you said the Met Council could do bonding themselves? Are they allowed to do that now? I am confused as to what you said.



Pallmeyer said the Council does have some bonding authority. And then for the Regional Transit Capital Bonds. The state then provides some additional authority to us to bond up to a certain amount. They are called RTC (Regional Transit Capital bonds). So the state sets the amount that we could bond to for that type of funding.

Bates said staff has not been good at keeping the Green Line Advisory or Business Advisory Committee informed of the budget shortfalls. Is the state planning on covering that or are they throwing it back to the Met Council? What is going to happen?

Pallmeyer said I would say that neither the House nor the Senate Omnibus Bills have a specific allocation for the Southwest Light Rail project. The Green Line Extension.

One of the bills says specifically that if the Council would not be able to spend tax receipts from the sales tax, on the Green Line Extension until the Metropolitan Governance Tax Force would be finished with their work. Which, I believe, in the bill, the way it is currently written, would be sometime next year. I think the other bill may be silent on it. But neither of the bills have any specific funding for the Green Line Extension.

Bates said so there is no plan right now. Are we a couple of million in the hole right now? The staff has not kept us informed.

Pallmeyer said I can certainly pass that question along to the staff of the Green Line. I don't have the numbers of the Green Line Project off the top of my head.

Bates said they are still planning on opening this sometime in 2027. But if we don't have the funds to cover it, how are we going to do that?

Pallmeyer said I would be happy to follow up with the team at the Green Line Office. I unfortunately, don't have the answer to that question.

Rowan said I just have a question on the routes they are going to eliminate. And the fares on a couple of routes on the Pilot Project. What is the purpose of eliminating the fares and does Metro Transit support that?

Pallmeyer said I think we would have to ask the author of the bill what the purpose would be. I don't know that the Council or Metro Transit has taken a position on that. I think that there is some language in the bill. I should have brought the bills with me. There are several hundred pages. There is language in the bill that would instruct the Council on what to consider when picking which bus routes that would apply to. I think it has to do with ridership as well as an estimate of people along the route who may fall into a variety of categories. I would need to check the bill. But I think that there is some interest in this in the House bill. I don't believe that there is any language about it in the Senate bill. We will have to see what happens there.

Murphy said what is the reason for eliminating the fare? What are they trying to accomplish?

Pallmeyer said I wouldn't want to try to guess what someone else's intention is with the bill. But I would be happy to share the information I have if you would be interested.

Vice Chair Paulsen said later on today or tomorrow I will send the links to the omnibus bills that Hannah is discussing right now. Also, I was a little confused as well. I was up there all day Friday and all day Monday. I was not up there yesterday. I did watch most of Representative Hornstein's presentation in the House. I think I was confused about it after talking to Senator Dibble on Friday. He did assure me that the Administrative Citation was in the bill. But as I was looking at the spreadsheet and looking at the numbers, I asked him so does that potentially mean that we save the \$2 million? He said he wasn't sure what I was saying. But I think we give the \$2 million in the form of grant proposals. Those groups can grab those grants. He started talking about the $\frac{3}{4}$ cent sales tax and an eighth of that will go to roads and bridges, right? Then the rest of it goes to the Met Council. Is that right?

Pallmeyer said yes. There is a lot to keep track of at the Legislature right now. There have been various versions of these bills. And then the bills are getting amended. And so, there have been a lot of changes in the past few weeks. Five sixths of the bill would go to the Met Council. The



Senate and the House allocate that somewhat differently. One of the proposals that the Governor had, with a supplemental budget that came out a month ago, was to provide for additional funding for transit safety and security. So, among the three things that were in that proposal specifically. One was to enclose up to three light rail platforms. One was to purchase additional cameras for the transit system. For staff to be able to monitor the transit system. Then a third was to provide grants to different organizations who would be working on transit safety and security throughout the system. And then the Administrative Citation proposal has been amended. It now includes additional work that the legislature would like to see done on transit with regards to safety and security. So, there is a new program that would be in the bill called the TRIP program. We do have a team at Metro Transit in the police department. And the TRIP program would be to help provide some additional support and wayfinding. They could do some Administrative Citations. It is a different version of the Ambassador Program.

So one of the bills did have \$2 million for that rollout. The Governor proposed \$2 million for grants. It is similar but not exactly the same. But then a lot of the proposals came from the Governor. They are expecting that we would be partially, if not all, funded through this metro area sales tax.

Rodgers said if you are aware, I would like to know. You mentioned funding to expand Metro Mobility's services. Do you have any indication of what that expansion, what we are talking about, there?

Pallmeyer said the proposal that is in both the House and the Senate bill would be expansion of hours for the service.

Streasick said my understanding here is that it would largely target non-ADA service areas that currently have very early cut off times. it may not actually be Metro Mobility service. But that there would be some level of transportation provided within that Metro Mobility footprint at a later hour of the day. Maybe like our Premium on Demand service. Maybe something different. At some level of transportation, later in hours for that non-ADA service area.

Vice Chair Paulsen said as far as the Administrative Citation, or the fare evasion. We were trying to switch this because we want to capture some of that money back. Do we only do the fare evasion or the Administration Citation ticket if we change the Code of Conduct code? Because it seems like we are doing a lot of rig amaro to change the Code of Conduct in what we are allowed to do and what we are not allowed to do on our vehicles in terms of lining up for this new program that we might be going in to. Which would be reducing the fares, right? Or reducing the Criminal Citation by making it an Administrative Citation ticket. So we capture some of that money but how do we convince the riding public and the drivers? Do we give them additional training for this? Are there dollars in the bill to do that?

Pallmeyer said my thought would be that if this proposal were to pass that, it might be worth seeing if someone from Metro Transit or the Metro Transit Police Department could come and talk about this specifics. My understanding is that the Administrative Citation's program. Or the Administrative Citation approach would be for fare non-payment. And then there are other provisions in the bill that would address the code of conduct questions that you are talking about. So, they are proposing some differences in code of conduct. What would be a petty misdemeanor verses what wouldn't be.

Vice Chair Paulsen said it would be from \$150.00 to \$75.00 at some level.

Pallmeyer said I don't remember exactly what is in the latest version of the bill. But there have been changes to the amount that it would be more like a parking ticket instead of going through the court system for fare non-payment. One of the things for that proposal that I think is going to get some more discussion at the Legislature. Maybe I could jump into it for the next part. Or we could stay with this.

The Administrative Citation is at part of the bill is the stand-alone bill that has Administrative Citations in it is going to be heard in the Senate Judiciary Committee next week.

Vice Chair Paulsen said I will be testifying at that as well.



Pallmeyer said that will be separately happening while the entire omnibus continues to move forward. I think there are some changes to different behaviors. And as you said, there are some changes to the Code of Conduct. So that is an opportunity to have a more in-depth conversation about those topics.

Vice Chair Paulsen said out of everything that is in the bill. The $\frac{3}{4}$ cent sales tax primarily funds transit in the metro area. And the other $\frac{1}{4}$ cent sales tax funds the micro transit as well. Right? The other piece of that funds Greater Minnesota. The other half cent, that is.

Vice Chair Paulsen said the only sales tax proposal in the transportation bills are specific to the Metro Area. Those are the ones that fund transit and Micro Transit.

Pallmeyer said I can share the list with you about what different things the Met Council would be required to fund with the sales tax proceeds. I will add that to my list.

Dains said I wanted to talk about the Open Meeting Law. Was there any discussion earlier in the session? I know we are late in the session. About remote attendance at meetings. I know that Minnesota cities were all over the map in terms of Open Meeting Law and people's ability to attend when they were sick? Did that even come up this year?

Pallmeyer said I would have to check. That's a good question. I can see if any bills have been introduced on that and share that with folks as well.

Vice Chair said it got talked about near the end of January or February. I am not sure what happened with that. My last question. Out of all the stuff that is in both Dibble's bill and Hornstein's bill. What would be the biggest thing that you guys think that the opposition or opposing side might be wanting to take out? I hear that some say we want to take away the Met Council's authority to do bonding. To me, I think that bonding authority is the biggest thing that you want protected this session. I could be wrong.

Pallmeyer said I am not sure. Both bodies. Both Transportation Committees, had dozens of amendments that were offered to each of the bills. And so that was an opportunity to hear where some questions or concerns might be. But the bills as they are now. Some are making their way through the process. We will just see how it happens. The Transportation bill is obviously not exclusively a Met Council bill. A lot of the funding also goes to the Department of Transportation and the Department of Public Safety. It is much broader than just us. It has been interesting to sit through all the committees and hear the discussion about the different priorities.

Vice Chair Paulsen said out of the 22 years that I have watched transit. And I have been involved in transit here in Minnesota. I was impressed during the two days I have spent watching you and Jeff and the whole team of what you guys were putting together. So, I wanted to make sure that you have our interest going forward as you hear what our interests are. And also, that we are your voice too. If there are things that you think we could talk about, as advocates and as transit advocates, just let us know this. I think the Met Council, in the next couple of years, will definitely change. It will not look like it has in the last 20 years. So, I think that is something that we have to prepare for. But the work that you guys have done in the last session. And this session. It doesn't go unnoticed by me or by other transit users and advocates. So thank you, Hannah.

Myhre said the times are going to change where it is not just wheelchairs and scooters. It is processing too. I don't want it to be too complicated that I can't leave my house. They need to find different ways to do it.

Pallmeyer said I will plan to follow up with you all. I will send committee staff language to both our omnibus bills. I am not sure if the Senate Omnibus bill has incorporated all of the changes that took place on Mondays. If not, that would happen probably sometime Tuesday, next week. So, I will check on that. And then what I have for follow up for you all is to make sure to point out where the transit fare elimination pilot program language is. That is just in the House bill. Where the Metro Mobility Pilot Project is. And that is in both bills. Then also in both bills, what will be funded. What the legislature would like the Met Council to fund with a sales tax that would be going to transit.



Then, separately, I will have a follow up to check in with the Green Line Project Office about the funding question. That is all I have. I will see you in the beginning of May.

Public Invitation

None.

Member Comment

Vice Chair Paulsen said I often go up to the Capitol in various capacities, two or three times a week. Sometimes in a private vehicle or Metro Mobility, bus or train. In the last several weeks, the State Office Building, the Sargent of Arms and the Speaker of the House, have taken it upon themselves to close the North door of the State Office Building. That is the door that is most adjacent to public transit. They have been closing that door sporadically throughout the session. Whenever they choose to close it, they close it.

However, the other day I was just so heated, I went down there and told them they need to keep this door open at least when there is public in the building. During business hours. She said it is not going to happen. I asked why. She said people have been stealing stuff. She eventually asked me to leave her office. I was swearing at her. I get heated and don't know how to calm it down.

Eventually I went up and left messages for the Speaker. We saw each other a couple of days later. We apologized to each other. They are working through a process of hoping to remain to keep those doors open during session and during business hours.

What that means technically, when they say business hours. That means they will close the door at 4:30. But they have been closing the doors at 2:30. So when 4:30 comes, I can't get through the tunnel to get back to my Metro Mobility bus. So I often have to call ahead to the next building to make sure somebody's watching me.

The other night I was there until 8:00 or 9:00 at night. I got stuck in there twice. I had to wait there for at least 20 minutes before somebody walked through and let me through. When I know that they could just push a button and open the door. So having said all that, I am asking TAAC to at least support a letter. Chair David Fenley has agreed to draft the letter in support of our request, if it goes through. That we would ask, as members of TAAC, and the Met Council. We would ask that the State Office Building, along with the Sargent of Arms, would keep the doors open on the north side and the south side of the State Office Building during session and when there is public testimony going on in the building. So that means even after 4:30 p.m. if there are committee meetings going on.

So I am asking TAAC to make a motion and have somebody second that motion. And then David and I will work on the details. We will draft a letter.

Bates said I support you completely. I will make the motion that TAAC support yours and David's efforts.

Sheldon said I would like to second that.

Henricksen said is this an ADA compliance issue? Was there a grievance form that was filed?

Vice Chair Paulsen said there has not been one at this point. I did follow up with Chair Fenley about this. He did reach out to them. I am fairly certain that he did not tell them that he knew me and knew what my issue was. Because when they spoke to him, they gave him a song and dance about people fornicating and having sex on the bench. After some discussion, Chair Fenley said TAAC can draft a letter and we will push this forward.

Myhre said I was at the Capitol. I came straight from the train and went to the door, and it was shut. I had to go all the way around the back, which was close to the Transportation Building. The only other accessible way to get in is to climb the steps. One door is a spin and the other one pulls open. One of the security guards told me that people in the community are not behaving. So they

had to do something to figure out how to stop it.

Vice Chair Paulsen said those are excuses. They need to keep those doors open. They have cameras and don't use them like they should be.

Chris and Kari, we will loop you into the letter and we will share that letter with you. It will probably go out after Alison does the minutes for this meeting.

All in favor of approving the letter from TAAC saying that the doors of the north side of the State Office Building and the south side of the State Office Building must remain open as long as there are public and there are committee meetings in process. For all business hours, even in the evening.

The question has been called. All in favor say I. all opposed say nay. The motion carried.

Bates said remember you and I talked a few months ago, when we were giving out the awards for the 30 years of service. We talked about having some kind of recognition for the former TAAC members. I would like to see you and David set up a time. This has been a 30-year process with Metro Mobility. Everybody has contributed at some point to make this a better system. I think TAAC should sponsor some type of get together for the former TAAC members.

Vice Chair Paulsen said if you want to make that motion, we can put it on the agenda for next month.

Bates said let's put it on the agenda next month and I can help you with that.

Adjournment

Business completed; the meeting adjourned at 2:33 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Transportation Accessibility Advisory Committee meeting of April 5, 2023.

Approved this 5th day of April 2023.

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