

APPENDIX C

TRANSIT PLAN

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ROSEMOUNT TRANSIT PLAN

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1.0 INTRODUCTION

Background

The City of Rosemount is a rapidly growing community in Dakota County located approximately 15 miles from downtown St. Paul and 20 miles from downtown Minneapolis. As local and regional travel demand grows, congestion conditions worsen, and gas prices rise, the City wishes make transit a convenient and viable alternative for its residents. The City also intends to proactively plan and advocate for Park-and-Ride facilities that will benefit and enhance the community.

This document will be included by reference into the Rosemount Transportation Plan, which, in turn, will be referenced into the City of Rosemount 2008 Comprehensive Plan Update.

Currently, there are no transit facilities in the City of Rosemount. The primary issue surrounding transit service or lack of transit service in the City is outlined below:

- A. Minnesota Valley Transit Authority (MVTA) service equity.
- B. Transit service need.
- C. Transit funding.

Each of these issues is discussed in detail below.

A. Minnesota Valley Transit Authority and Service Equity Concerns

In 1982, the state legislature gave cities in the Metropolitan Transit Taxing District area the option of “opting out” of the Metropolitan Transit Commission (the forerunner of Metro Transit). The issue that this legislation addressed was that a number of suburban communities were paying substantial funding (raised through local property taxes) to support MTC operations, but were not receiving corresponding service. With this 1982 legislation, funding was to continue to be raised in the same manner for the Opt Out communities, but the majority of it was retained by the cities to operate transit which best met their needs.

In response to this legislation, the Cities of Prior Lake, Savage, Burnsville, Apple Valley, Eagan, and Rosemount opted out and joined to form the Minnesota Valley Transit Authority (MVTA). In the early 2000s, the City of Prior Lake withdrew from MVTA. MVTA’s service area, as well as Metro Transit and the other opt out providers, is illustrated on **Figure 1**. MVTA’s service has focused on express service to downtown Minneapolis, and to a lesser degree to downtown St. Paul and other employment centers. Park-and-Ride facilities are a very important part of MVTA’s operations.

Rosemount has been a member of MVTA since its inception but has no transit facilities and only one flex route bus. The City’s position is that a transit facility within Rosemount and associated MVTA service is needed and overdue. **As stated in the MVTA’s 2007-2008 Strategic Priorities, one of their core values as a provider is “Fairness and Equity” of service for its**

member communities. A summary of transit payments that the City has made over the past five years is summarized in the table below.

Summary of Rosemount Payments to Transit Fund

	2003	2004	2005	2006	2007	2008 (Estimated)
Motor Vehicle Sales Tax	\$684,496 (7.27%)	\$742,549 (7.65%)	\$736,382 (8.12%)	\$740,276 (8.57%)	\$778,843 (9.22%)	\$810,195 (9.60%)
Property Taxes	\$215,926 (7.25%)	\$245,841 (7.74%)	\$260,127 (8.23%)	\$315,631 (8.83%)	\$304,452 (9.24%)	\$328,682 (9.59%)
Total	\$900,422	\$988,390	\$996,509	\$1,055,907	\$1,083,295	\$1,138,879
MVTA-Area Share	7.3%	7.7%	8.1%	8.6%	9.2%	9.6%

Source: Metropolitan Council

Minnesota Vehicle Sales Tax (MVST) is a tax on all motor vehicles sold in the state of Minnesota. Based on the location in which the vehicle is titled, statistics are drawn as to the amount of motor vehicle sales tax that is paid by each community. The property tax transit payments are based on a percentage for each county. For Rosemount residents, this is between 2.5% and 3% of the property valuation. All of these monies are collected through the State of Minnesota and distributed to each transit provider based on specific formulas.

All of the other MVTA cities have Park-and-Ride facilities and scheduled, fixed-route transit service. By comparison, Rosemount has no Park-and-Ride facility, and only has Route 420 which provides flex route service during the a.m. and p.m. peak travel times. Rosemount has the population base and has contributed to the budget where commuter express services and permanent transit facilities should be provided in the community.

To compare what Rosemount residents contribute financially versus what the City has received in service over the years, it is illustrative to evaluate costs associated with Route 420. This service is analogous to paratransit service the Metropolitan Council contracts through Metro Mobility and other operations. Typically, the Metropolitan Council pays approximately \$50/hour for this service. At this rate, Rosemount receives approximately \$100,000 per year worth of Route 420 service while expending almost \$1 million per year for transit services. While City residents can and do use the Park-and-Ride facilities in other communities, these are not as convenient to most residents as a strategic Rosemount location would be, and this raises equity and fairness concerns relative to MVTA's service area and operations. A Park-and-Ride facility would also relieve congested conditions at other MVTA facilities.

As of July 2008, the Metropolitan Council has reached an agreement with MVTA and the City to establish a temporary Park-and-Ride location within Rosemount and dedicate two buses to this facility with service to downtown Minneapolis. This commuter service will provide two northbound trips in the morning, and two southbound trips in the afternoon. As will be further

discussed later in this report, the City welcomes this effort and anticipates it to be continued and enhanced in the near future.

As discussed previously, the City has been a member of MVTA since its inception in the early 1980s, with yet limited service in comparison to transit funding contributions. The City's goal is to provide transit facilities and services for its residents in a fiscally responsible manner. Therefore, if in the City's opinion, there continues to be a lack of "Fairness and Equity" in the facilities and services provided by MVTA, the City may begin to explore alternatives to MVTA-provided transit service.

B. Transit Service Needs

Transit service for suburban areas such as Rosemount is a commitment that both the Metropolitan Council and MVTA have made. Studies throughout the country have shown that there is a need for transit services in suburban areas. One such study is the Transit Cooperative Research Program (TCRP Report 116) "Guidebook for Evaluating, Selecting, and Implementing Suburban Transit Services." This study outlines several transit services that are tailored to the specific needs of the service areas. These services include:

Fixed Route Service – This is the most commonly deployed transit service, fixed routes are routes that follow a predetermined alignment and schedule.

Diverted Fixed Routes – A diverted fixed route service is one in which vehicles have the flexibility to move off a given route to service specific demands of an area. This is a service similar to Flex Route 420 currently in Rosemount.

Demand Responsive Service – This type of service is sometimes called "Dial-a-Ride." This is a service similar to the existing DART service within the City of Rosemount.

Subscription Services – A subscription service is a tailored transit service for specific individuals which have paid a fee. This service is typical of a van pool type service.

There are several key issues that support the need for transit service and facilities in the City of Rosemount. These include:

1. The current (2006) population of the City of Rosemount was 20,207. Based on the Longitudinal Employer-Household Dynamics (LEHD) data, approximately 8,850 Rosemount residents are in the work force. Metropolitan Transit data indicated that approximately 5% of work trips in the Metro region currently use transit service for their daily commute. This suggests approximately 450 Rosemount residents would if available.
2. Although the majority of the City of Rosemount is considered non-transit dependent, Met Council demographics indicate that approximately 1% of the Rosemount population does not own a car and would rely on transit for their mobility needs if available. In addition, with the increase in cost to operate and maintain a vehicle, persons at or below the poverty level will be relying more and more on transit as an alternate means of

transportation. Based on Metropolitan Council demographics, there are approximately 3.3% of the City of Rosemount residents that are considered below the poverty level.

3. Based on Metropolitan Council data, overall transit ridership in the Twin Cities region is increasing. Total ridership for 2007 was 5% greater (4.5 million riders) than 2006. Likewise, the first quarter of 2008 has shown an increase of 5% over that of the first quarter of 2007. In addition, ridership grew by close to 25% between 2004 and 2006 for the Suburban Transit Association providers, including MVTA.
4. The Metropolitan Council's methodology for projecting Park-and-Ride demand is based on national research and assumes the primary service area for a Park-and-Ride facility is within 2.5 miles of the facility. **Figure 2** indicates the Park-and-Ride facilities located adjacent to the City of Rosemount, including the proposed Rosemount Depot Park-and-Ride facility. As can be seen from this graphic, the majority of the City, including the high growth areas in the City, are not currently covered by this 2.5 mile standards. With the addition of the proposed Park-and-Ride facility at the Depot location, the majority of the City, including the growth areas, would be covered.
5. Based on LEHD demographics, there are approximately 440 Rosemount residents that currently work in downtown Minneapolis, 236 residents that work in downtown St. Paul, and 481 residents that work in the I-494 corridor, including the Mall of America and airport area. With congestion on the increase and fuel costs rising, a significant number of these workers could and will ride transit.
6. Based on Metropolitan Council and MVTA studies, approximately 13.4% of the transit riders at the Apple Valley Transit Center Station are Rosemount residents. These residents are currently driving to this facility and other facilities increasing commuting times and costs for Rosemount residents. Future Rosemount commuters are competing for limited parking spaces and seating capacity on buses.

C. Transit Funding

Transit funds for projects in the Twin City metropolitan area and specifically the City of Rosemount is available through several sources. These include:

1. Baseline regional transit funding – This funding source is primarily legislative authorized bonding and supported by the property tax levies and Motor Vehicle Sales Tax (MVST).
2. Federal Congestion Management and Air Quality Improvement Program Funding (CMAQ) – This is a Federal program for congestion management and air quality improvement projects. These projects are awarded based on a solicitation process through the Metropolitan Council typically on a two-year cycle.
3. County Transit Improvement Board Funding – This is a new source of funding established in the 2008 Minnesota Legislative session. This program is being administered by five Metro counties, including Dakota County. Similar to the CMAC

funding, there is a solicitation process for selecting transit improvement projects through this funding source.

The details of each of these funding sources is included in Section 4.0 of this document.

An increasingly important form of transit funding is transitway development. Transitways are defined by the Metropolitan Council as facilities on dedicated right-of-way that provide a travel time advantage over the single occupant vehicle, improve transit reliability, and maximize the potential for transit oriented development. In the area surrounding the City of Rosemount, Cedar Avenue is classified as a transitway. Metropolitan Council further defines that Park-and-Ride facilities, including express route service, should be constructed to support transit growth in both express commuter and transitway corridors. Based on these definitions, the City of Rosemount feels that any Park-and-Ride facility that is located within the City of Rosemount and the associated transit service will be supporting the transitways and express commuter corridors adjacent to the City.

Based on the analysis in this document, the City of Rosemount will be actively pursuing funding for the following activities:

1. A permanent Park-and-Ride facility on or near the temporary Depot Park-and-Ride site, with expanded express service to Minneapolis, St. Paul, and the I-494 corridor.
2. Future study of transit needs in the City of Rosemount, including a potential circulator system. This would be a joint study with the adjacent communities and MVTA.
3. Transit facility development associated with Umore Park.
4. Development of an east-west service line on CSAH 42 to support the Robert Street and Cedar Avenue corridors. The City would partner with Dakota County.
5. A study to determine future Park-and-Ride lot needs and associated Transit Oriented Development guidelines.
6. Develop and promote van pools and car pools in conjunction with future Park-and-Ride lots.

2.0 BACKGROUND DATA/ANALYSIS

2.1 Existing Service and Facilities

Metropolitan Council Transit Market Areas

The Metropolitan Council has established a series of Transit Market Areas (I through IV) throughout the metropolitan region as a guide for the provision of appropriate transit service and facilities. The western, more developed, portion of Rosemount is designated as Market Area III, and the eastern portion of Rosemount is designated as Market Area IV. As defined by the Metropolitan Council in this system, potential service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing.

Existing Service

Regional service for the overall Metro area is depicted on *Figure 3*. Local service and connections are depicted on *Figure 4*. As is noted on *Figure 4*, existing transit service in Rosemount consists of Flex Route 420. This route provides east-west service between the Rosemount Plaza in downtown Rosemount and the Apple Valley Transit Center just east of TH 77 (Cedar Avenue), at 155th Street and Gaslight Drive. From the Rosemount Plaza, the scheduled route runs along 145th Street, 147th Path West, Emery Path, and CSAH 42. The word “flex” signifies that the van will deviate from the standard route to pick up or drop riders “off-route”, as long as those pick up/drop off points are within $\frac{3}{4}$ mile of the standard route. Those who wish to be picked up or dropped off-route request this with a telephone call to MVTA.

Paratransit services in Rosemount are provided by Dakota Area Resources and Transportation for Seniors (DARTS). DARTS is a Dakota County social service agency. Handicapped-equipped vans are used to provide door-to-door rides to County residents to and from any point in the County. The rides need to be requested and scheduled ahead of time. The two categories of trips are: a) American Disability Act (ADA), and b) general dial-a-ride (DAR).

Users of the ADA service need to register with the Metropolitan Council. General DAR service is available to any resident of the County. ADA service is provided between 5:15 a.m. and 7:00 p.m. on weekdays. DAR service is available between 8:00 a.m. and 4:30 p.m. on weekdays. The fares are the same for both the ADA service and general DAR service. The current 2008 fares are:

- Base fare - \$2.50 per ride
- Peak travel times (6 a.m. to 9 a.m., and 3 p.m. to 6 p.m.) - \$3.50 per ride

For all DARTS service, rides may be formally requested up to four days in advance. They are scheduled on a “first come, first serve” basis. DARTS can usually accommodate same day requests for service.

Existing Facilities

There are five Park-and-Ride facilities that are within driving distance of Rosemount residents:

- Apple Valley Transit Center (AVTC) – 5.5 miles from Rosemount City Hall
- Eagan Blackhawk Park-and-Ride – 9.0 miles from Rosemount City Hall
- Apple Valley Palomino Park-and-Ride – 8.0 miles from Rosemount City Hall
- Eagan Transit Center – 12.5 miles from Rosemount City Hall
- 157th Street Park-and-Ride – 4.0 miles from Rosemount City Hall

The locations of these facilities are depicted on **Figure 5**. The 157th Street facility is relatively close to Rosemount, but has very limited service. The most attractive of the available sites in terms of service frequency and coverage is AVTC. However, this facility has been significantly over capacity for years. Recently, parking was expanded onto the adjacent Watson’s site. This has helped parking demand at the AVTC site. In addition, Blackhawk and Palomino Hills are at or approaching capacity. These facilities have significantly less service than the AVTC. Details of each transit facility are discussed in **Appendix A**.

2.2 Dakota County Transit Plan (draft)

Dakota County is currently preparing a Transit Plan. A draft review copy has been provided to participating agencies including the City of Rosemount. This document builds on the information in the transportation section of the Dakota County Transportation Plan. Key points of the draft Transit Plan relative to this study include the following:

- The County is anticipating continued rapid growth, and highways will see corresponding increases in congestion levels. This reinforces the need for improved regional transit service to remove single-occupancy vehicles from the roadways.
- Much of the County has low-density residential development, and this is projected to continue. Given that density is a key factor determining potential ridership, this makes mid-day, frequent transit service a challenge. More potential exists for expanding express service, and associated facilities, into major employment centers such as downtown Minneapolis and St. Paul.
- The County places a high priority on coordinating with cities to support the development of transit and transit-related infrastructure.
- The County is committed to providing and supporting effective service to transit-dependent individuals through special/paratransit transportation services.
- The County will provide a leadership role and work with its partners to ensure permanent, dedicated and reliable funding sources for transit at the Federal, State, regional, and local levels.

2.3 Cedar Avenue Bus Rapid Transit

Bus Rapid Transit (BRT) is an express transit service on dedicated lanes that provides movement and speed advantages for the buses relative to general traffic. BRT has been designated as the transit technology for the Cedar Avenue Corridor.

Dakota County Regional Railroad Authority has taken the lead on planning and implementing this transitway. It ultimately will extend from the Mall of America Transit Station in Bloomington to CSAH 70 (215th Street) in Lakeville along Cedar Avenue. The Cedar Avenue Corridor is identified on the Metropolitan Council's transitway map (*Figure 6*) as a Tier 1 corridor. The buses will run along the shoulders of the roadway, and transit advantages such as prioritized signal timing will be utilized. The plan as outlined in a corridor study adopted by the Dakota County Regional Railroad Authority in 2004 was to implement the project in five-year phases, as summarized below. These actions will be accelerated with the US Department of Transportation Urban Partnership Agreement, as discussed in Section 2.4, below.

Phase 1: 2004 – 2009

- Completion of environmental documentation and preliminary engineering of the overall transitway
- Continued express bus operations on shoulders of TH 77 portion of Cedar Avenue
- Improvement of shoulders of CR 23 portion of Cedar Avenue to allow bus usage
- Addition/improvement of transit stations and Park-and-Ride lots in the corridor

Phase 2: 2010 – 2014

- Introduction of special low-floor BRT buses
- Increased frequency of service
- Improvement of Palomino Hills Transit Station

Phase 3: 2015 – 2019

- Extension of express service south to a new Park-and-Ride lot in Lakeville
- Intermediate station stops added in southern service area

Ultimately the BRT service may be provided on center-running bus lanes between TH 13 and Palomino, with dedicated bus access to and from the center lanes at the Cedar Grove station (TH 13), and a station stop at Cliff Road.

2.4 Urban Partnership Agreement (UPA)

The US Department of Transportation has initiated a major program to limit congestion on key urban roadways. This program is often referred to as the *Congestion Initiative*. Cities were asked to submit proposals for congestion relief programs to receive federal funding under this program. In 2007, Minneapolis/St. Paul was selected as one of five model cities to receive funding for the projects identified in their proposal. The federal grant amount will be \$133 million, including \$86 million for transit projects. A local match of approximately \$55 million has been secured legislation.

One of the primary projects which will receive substantial UPA funding is the Cedar Avenue transitway corridor/BRT. This funding will accelerate the development of the Park-and-Ride facilities planned for the corridor, allowing them to be completed by end of 2009. It will also fund new projects such as Park-and-Ride facilities in Lakeville that will relieve demand at such facilities further to the north along Cedar Avenue. UPA funding is already committed to specific projects. Further information on UPA funding and projects in the Cedar Avenue corridor is provided in *Appendix B*.

2.5 Robert Street Corridor Transit Feasibility Study

This study, initiated in 2007, is being led by Dakota County Regional Railroad Authority. The study area, depicted on *Figure 7*, is generally bounded by Downtown St. Paul to the north, CSAH 31 (Pilot Knob Road) to the west, CSAH 46 to the south, and the Mississippi River to the east. There currently is not extensive transit service in this study area. This factor, combined with anticipated continued development, increasingly congested roadways, and an aging population, create the need to explore potential transit options and improvements.

This study is a long-term, planning level effort to evaluate general alternatives and make recommendations for future evaluation and potential implementation steps. Rather than just TH 3 (Robert Street), it evaluates a number of alternatives/segments including north-south, east-west, and radial (i.e., TH 55) corridors. A project report has not yet been finalized (as of July 2008), but the County has presented study findings and recommendations at various meetings and on the County web site. A Long-Term Corridor Vision has been identified and released by the County, as depicted on *Figure 8*. From the perspective of Rosemount residents, the most significant features of the Corridor Vision are:

- Light Rail Transit (LRT) or Bus Rapid Transit (BRT) in railroad right-of-way adjacent to TH 3 and TH 149 to the north, with connecting service to downtown St. Paul and the Hiawatha LRT line via express bus service on TH 55.
- Limited stop Bus Rapid Transit (BRT) along CSAH 42

With the anticipated development of the Umore site and growth in the City of Rosemount, the City would encourage the Metropolitan Council to extend any future transitway investigation and/or designation to the Umore site. This would provide opportunities, not only for the City, but for the University of Minnesota to develop and fund transit facilities in the corridor.

It may be noted that the Metropolitan Council's *2030 Transportation Policy Plan* does not identify any intensive transit investments in the Robert Street Corridor between now and 2030. It does call for a study of arterial BRT for Robert Street operating in mixed traffic.

2.6 2030 Transit Master Plan

The Metropolitan Council is in the process of preparing the 2030 Transit Master Plan (TMP) for the Twin Cities Metropolitan Area. The new plan will incorporate regional population, employment, and land-use changes, since the last transit plan was adopted in 1999. The plan will consider ways to respond to new regional projections to the year 2030. The 2030 Transit Plan is proposed to be completed by February 2009.

As part of the 2030 TMP, Minnesota Valley Transit Authority (MVTA) submitted several requests for additional routes impacting the City of Rosemount. These routes include:

- Rosemount/MOA – This route will travel between Rosemount and the Mall of America beginning at the Depot Park-and-Ride. This route will travel through the City of Rosemount and the City of Apple Valley to Cedar Avenue, then north to the Mall of America.
- Rosemount/Minneapolis – This route is proposed to be an express route traveling from the Depot Park-and-Ride in Rosemount north along TH 3 to CR 38 west to Cedar Avenue, then north to the City of Minneapolis.
- Rosemount/St. Paul – This route is proposed to be an express route traveling from the Depot Park-and-Ride along CSAH 42 to TH 52, then north to the City of St. Paul.

2.7 Rosemount Transit Public Involvement

On April 28, 2007, the City held a public meeting at City Hall to gather public input on transit issues. The public meeting was advertised in advance in the Rosemount Town Pages, City newsletter, direct mailings, and City website. Poster boards were displayed showing information on existing regional and local transit service, and other regional transit studies. City staff was available to answer questions and take comments. As part of this effort, a transit questionnaire was prepared and administered.

Twenty residents responded at the Open House (or using questionnaires they picked up at the Open House), and 37 responded to the on-line version of the questionnaire. A summary of the results is provided in Table 2.1.

Table 2.1 Summary of Rosemount Transit Survey Results, 2007

Total Responses	57
Number of respondents who currently regularly use bus service to commute to work:	9
Number of respondents who currently use one or more Park-and-Ride lots:	8
Number of respondents who would use a Park-and-Ride lot if one were more accessible to them:	27
length of time respondents (on average) would be willing to travel to a Park-and-Ride lot:	9.3 minutes
Number of respondents identifying as best location for a Park-and-Ride facility:	
- CSAH 42/TH 3	13
- TH 3/CSAH 38	12
- TH 3/160 th Street	10
- CSAH 42/TH 52	5
- CSAH 42/Chippendale	4
- Dakota County Technical College	3
- CSAH 42/CR 73	2

In addition to the open house, a Transit Task Force was appointed by the City Council to discuss transit issues and help direct the development of the Transit Plan. This group was made up of City Council representatives, Planning Commission representatives, and local residents who had an interest in improving transit in the City.

3.0 TRANSIT SERVICE ANALYSIS

3.1 Proposed Rosemount Depot Park-and-Ride, Fleet, and Service

The Minnesota Valley Transit Authority (MVTA) submitted a federal funding application in 2007 for the “Depot” Park-and-Ride facility along with associated buses and service. The proposed Park-and-Ride facility would be generally bounded by 145th Street, the CP tracks, and Burma Avenue. Four buses were proposed to be acquired and dedicated to express service between the Depot facility and downtown Minneapolis. Four runs during the a.m. and p.m. peak, respectively, were envisioned.

Although this application was not successful in securing funding, it has been the basis for discussion for approved temporary Park-and-Ride lot and service.

A Park-and-Ride facility within the City would not only provide Rosemount residents with more convenient access to express service, but would also relieve existing MVTA Park-and-Ride facilities in the area, which are over or approaching capacity. Roughly half of those who completed the transit survey conducted by the City of Rosemount in 2007 as discussed previously stated that they would use a Park-and-Ride facility if one were more convenient to them.

As documented in the 2007 federal funding application for the Depot facility and operations, MVTA estimates that ridership would be 280 per day. This assumes four buses operating at approximately 90 percent capacity making direct runs between the Depot Park-and-Ride location and downtown Minneapolis during the a.m. peak, and four return runs in the p.m. peak. A specific route was not identified in the 2007 CMAQ funding application.

Using the methodology and land use assumptions from the Metropolitan Council’s 2005 Park-and-Ride Plan, the theoretical demand for Park-and-Ride vehicle spaces for a downtown Minneapolis destination is as follows:

- Year 2010 – 380 spaces
- Year 2020 – 520 spaces
- Year 2030 – 750 spaces

(Please note: these estimates only include projected commuters to downtown Minneapolis, not St. Paul)

The above parking estimates assume some reduction in demand due to the 157th Street Park-and-Ride based on Metropolitan Council guidance. These estimates appear to be high based on MVTA’s estimate for ridership. However, it gives further evidence for the need for Park-and-Ride capacity at this location based on the Metropolitan Council’s methodology.

The estimated costs associated with the proposed service supporting the Depot Park-and-Ride facility as presented in MVTA’s federal funding application are summarized in **Table 3-1**, below.

Table 3-1 Direct Express Service to Minneapolis – Estimated Costs (MVTA)

Capital Costs		
Buses	4 x \$345,000	\$1,380,000
Park-and-Ride Lot		\$562,000
Total Capital Costs		\$1,942,000
Operating Costs		
Platform Operating Hours	3,4680 hours/yr x \$90/hr	\$312,120
Revenues	71,400 riders x \$2.25/rider	\$160,650
Net Operating Costs	\$312,120 - \$151,470	\$151,470
Subsidy per Passenger	\$151,470/71,400	\$2.12
MVTA Average Subsidy (2006)		\$3.98

These costs are considered relatively small in relationship to the tax dollars which Rosemount residents contribute to MVTA. As presented in Section 1.0 of this report, the average tax revenue from Rosemount residents provided to MVTA over the past five years has averaged approximately \$1,000,000 per year and has increased steadily every year.

The 2007 Metropolitan Council transit system performance evaluation indicates that the average operating subsidy for MVTA is \$3.98 per passenger. As indicated above, the anticipated operating subsidy for the expanded express service from Rosemount to Minneapolis would be \$2.12 per passenger. This is significantly less than the average for the MVTA system.

3.2 Future Transit in Rosemount

Most of the demand for scheduled transit service in Rosemount and adjacent communities is associated with express commuter travel to major job centers. This factor is anticipated to continue, and shapes the discussion provided in this section.

Within Section 3.2, the City provides several locations for potential future park-and-ride locations. The City acknowledges that these park-and-ride locations are not within the Metropolitan Council’s Transportation Policy Plan, but the City believes that it is important to consider transit improvements, including park-and-ride locations, that would either become feasible because of the growth depicted within the City’s 2030 Comprehensive Land Use Plan or would help to facilitate the growth depicted within the Plan. The City anticipates working with our transit provider and the Metropolitan Council to include the City’s proposed park-and-ride facilities into future versions of the Metropolitan Council’s Transportation Policy Plan.

A. Short-Term Issues and Planning

The City of Rosemount's residents have not received transit service and facilities commensurate with the tax dollars they have contributed towards MVTA over many years. Roughly half of those who completed the transit survey conducted by the City of Rosemount in 2007 of this Transit Plan stated that they would use a Park-and-Ride facility if one were more convenient to them. In 2007, MVTA did apply for federal CMAQ funding for a Park-and-Ride facility in downtown Rosemount and associated direct service to downtown Minneapolis. While this application was not funded, it documented the need for such a facility and associated service.

In coordinating with the Metropolitan Council, MVTA has recently agreed to begin providing express transit service directly to Rosemount residents. This service, anticipated to commence in September 2008 will use a temporary Park-and-Ride lot. Two buses will be dedicated to this service. From the Park-and-Ride lot, each bus will make a northbound run to downtown Minneapolis via the 157th Avenue Station during the a.m. commuter rush. During the p.m. commuter rush, each bus will make a southbound run to bring workers home.

The City welcomes this service and anticipates that it will be sustained and enhanced in the near future. A permanent Park-and-Ride facility will be required. While the initial service to be provided will include two 40-foot buses to downtown Minneapolis, MVTA projects (2007 CMAQ funding application) that ridership demand from Rosemount at 280 per day, necessitating four dedicated buses. In consideration of the employment base in downtown St. Paul, an express route to St. Paul should also be included in future funding applications.

A Park-and-Ride facility in downtown Rosemount will function as part of the Cedar Avenue transitway. Instead of Rosemount residents going to other cities' Park-and-Ride facilities, the Rosemount service will feed into the Cedar Avenue transitway. The City believes that facilities and service from Rosemount should be considered a part of the larger Cedar Avenue transit system and be eligible for transitway funding. Improved transit operations in the Cedar Avenue corridor are a high priority within the region, and UPA funding will accelerate planned improvements significantly. Linkage between Rosemount and the Cedar Avenue corridor could be provided via CSAH 42 or CSAH 38 (McAndrews Road).

The City, again, is excited and welcomes the proposed transit facilities and services discussed above. However, there still is concern with the "Fairness and Equity" of facilities and services within the MVTA service area. As previously noted, should these concerns continue, the City may begin to explore the option of opting out of the MVTA.

B. Longer-Term Issues and Planning

At least one permanent Park-and-Ride facility will be required in Rosemount. One site to be further investigated is the Depot site. The City will coordinate with MVTA to investigate this and other sites as appropriate.

It is important for the City to consider potential future locations for Park-and-Ride facilities from the perspective of general land use planning and control. Relative to the potential longer term

need for Park-and-Ride capacity, significant planning issues to consider are covered under the following headings.

Planning Considerations

Future Land Use

Park-and-Ride transit stops should be located in proximity to residential areas so residents can easily access them, potentially by walking and/or biking. The City's 2030 Land Use Plan is included as **Figure 9**. The City anticipates a significant amount of development in the easterly portions of Rosemount that are currently undeveloped. It can be seen that High Density Residential is identified for the CSAH 42/Akron Avenue (CSAH 73) intersection representing a potentially attractive location for a Park-and-Ride facility.

University of Minnesota Outreach Research and Education (UMore)

The University of Minnesota's Outreach Research and Education (UMore) Park Area is depicted on **Figure 10**. This area, 5,000 acres in size, is currently undeveloped. In 2006, the University of Minnesota commissioned an extensive study to evaluate alternative approaches to manage and/or develop the site. The recommended approach which has been adopted by the University's Board of regents has been to pursue development of a residential community in a manner using sound planning principals to limit environmental impacts and promote active and healthy living. The approach recommended by the University's lead consultant for the project calls for redevelopment of the area over the next 20 to 30 years, with the potential for 20,000 – 30,000 residents.

If the UMore residential development does, in fact, move forward, this would significantly enhance demand for transit facilities in the Rosemount area. One of the goals of the development would be to use sustainable practices, which would include the use of transit to the greatest degree feasible.

Preliminary plans for the Umore site show transit station locations within the development. In addition, the Robert Street corridor plan shows a direct connection into the Umore development site (see **Figure 8**). The City will continue to work through the development review process in locating and developing transit facilities within the Umore Park development.

Future Transit Service Routes

Any Park-and-Ride facility would have to be located adjacent to limited stop transit service. Transit vehicles should not spend substantial time going off-route to pick up riders because this decreases the time-attractiveness for other riders and the overall service. Thus, it is important to consider where future transit service through Rosemount may be located.

Based on study and recommendations by Dakota County (see **Figure 8**), it is considered unlikely that express transit service will be provided along TH 52 in the vicinity of Rosemount in the foreseeable future. Metro Transit staff has indicated that their agency is not planning service in this corridor. There is limited population in this corridor to support express service to major employment centers.

According to Metro Transit staff, it is unlikely that express or other transit service would ever be implemented within the TH 3 roadway right-of-way because its alignment is too circuitous for efficient bus operations. The most viable option in this general corridor is railroad right-of-way east of TH 3. As seen on **Figure 8**, Dakota County has identified this as a Potential Transitway, with either LRT or BRT operations. If this transitway is implemented, it likely would have a long term timeframe.

An important potential future service line to consider is along CSAH 42. As is indicated in Section 2.5 of this Transit Plan, all of the alternatives currently identified for future study in Dakota County's Robert Street Corridor Transit project (**Figure 8**) include east-west BRT service along CSAH 42. From the perspective of Rosemount commuters, the primary importance of such enhanced bus service would be to link to Cedar Avenue BRT service. CSAH 42 bus service would not have to be full-scale BRT, as is currently being considered in the Robert Street Transit Corridor study. It could include other general transit advantage measures, such as bus-only shoulders and/or signal prioritization, to be effective.

Circulator Transit Service

With the growth of employment centers and retail hubs in the southeast Metro area, a need for a reliable circulator transit system is becoming more evident. This type of service would operate on a limited regular schedule, providing access to the employment centers and retail hubs throughout the area. This type of service would require commitments from not only MVTA as the operator, but the local communities in the area that would benefit from the service. This circulator system should be studied in partnership with MVTA and the communities adjacent to the City of Rosemount to determine need and potential service routes.

Potential Park-and-Ride Locations

Potential future Park-and-Ride locations have been identified for longer-term consideration. These locations are depicted on **Figure 11**. Using the Metropolitan Council's methodology for estimating parking demand at Park-and-Ride facilities, Table 3-2 provides generalized demand estimates. The Metropolitan Council's methodology for estimating demand for given Park-and-Ride locations is based on information according to transportation analysis zones (TAZs). These TAZs have been established by the Metropolitan Council for use of the Council's regional traffic forecasting model, and transportation-related information is organized according to this system. The Metropolitan Council has estimated demand for each TAZ in the region for trips to downtown Minneapolis and downtown St. Paul, respectively. The TAZs within the area of the proposed Park-and-Ride sites are identified and the Metropolitan Council information used to project parking demand for those sites.

Regarding Table 3-2, it should be noted that the locations identified are individual alternatives, and thus that the demand estimates are not cumulative between the locations. The Metropolitan Council methodology for projecting Park-and-Ride demand calls for the values for each TAZ identified in the Council's "Regional Park-and-Ride Demand Estimation Model" spreadsheet to be doubled. This is because those values are for a demand within a 2.5 mile radius, which is assumed to be approximately 50 percent of the overall draw. Since Table 3-2 provides

generalized estimates for longer term options, the effect of the potential draw of other Park-and-Ride facilities is not included. The 157th Street Park-and-Ride currently has very little use.

Table 3-2 Projected Park-and-Ride Demand – 2005 Met Council Methodology and Assumptions

Location	Vehicle Space Demand		
	2010	2020	2030
CSAH 42/TH 52	50	200	300
CSAH 42/CSAH 73	150	350	500
CSAH 42/TH 3	550	700	1,100
TH 3/CSAH 38/Biscayne	450	600	850

Note: these estimates do not include the development associated with UMore Park. **They include ridership to downtown Minneapolis plus St. Paul**

CSAH 42/TH 52

This location would serve the future development planned for this interchange area, as well as other local and regional commuters. It most likely would support bus operations along CSAH 42, carrying passengers to Cedar Avenue BRT and/or points west.

CSAH 42/Akron Avenue (CSAH 73)

A key consideration for the attractiveness of this location will be the potential development of the UMore site as discussed above. If this site is developed, it would be close enough to the CSAH 42/CSAH 73 location such that UMore residents could walk and/or bike to the transit stop. The development of a facility at this location would be dependant on bus service along the CSAH 42 corridor.

CSAH 42/TH 3

This site is attractive because of its proximity to a large number of residences and is at the intersection of two arterial roadways for good vehicular access.

TH 3/CSAH 38/Biscayne Avenue

It is unlikely that bus service will be provided north on TH 3 at this location because of hilly/winding conditions. However, if a transitway is developed in the railroad right-of-way adjacent to TH 3, a potential location for a Park-and-Ride to support this service would be the intersection of TH 3 and Biscayne. Although a Park-and-Ride at this location would not be serviced by buses on TH 3, there would be potential for service from this location along CSAH 38 to the Cedar Avenue corridor. Residents could access this location via TH 3 or CSAH 38 (McAndrews Road), both of which are arterial roadways.

Van Pool / Car Pool

Van pools and car pools are an important function of the Park-and-Ride facilities proposed in the above section. These Park-and-Ride facilities not only will support fixed route or other types of transit service, but will support locations at which van pools and car pools can originate. The Metropolitan Council operates a van pool program called “VanGo,” which is a program that can

be utilized for Rosemount residents. Van pools are made up of 5-15 people commuting to and from work together on a regular basis. Typically, the monthly van pool costs average approximately \$100 per month, per person. One of the requirements of the VanGo program is that the service must not duplicate any of the Twin Cities' public transportation system services. With minimal fixed route or other service to the City of Rosemount, having van pools begin and end at the Park-and-Ride locations would qualify for this service. The City will work with Metropolitan Council and local residents in providing adequate parking and promoting and developing van pools and car pools.

3.3 Park-and-Ride Design Considerations

A basic approach for implementing Park-and-Ride facilities will be based on the needs at each specification location. Demand for Park-and-Ride capacity can be projected using established methods. However, on a location-by-locations basis there will always be some uncertainty as to what the demand would actually be. The basic types of Park-and-Ride facilities are as follows:

1. Park and Pool – A surface lot could be established at a location where there currently is not transit service, but such service is anticipated in the future. Travelers would coordinate and meet at this location such that only one vehicle (car or van) would carry multiple commuters to a common downstream employment area.
2. Park-and-Ride Surface Lot – A park-and-pool lot could then be converted to a Park-and-Ride lot when transit service is actually introduced. The demand for spaces and surface area would then be increased significantly.
3. Expanded Park-and-Ride Surface Lot – As Park-and-Ride demand grows, area should ideally be established ahead of time for potential expansion of the surface lot.
4. Structured Parking – As Park-and-Ride demand outgrows the ability to expand the parking capacity on the surface level, the facility may vertically expand with structured parking on an additional level or levels.
5. Transit Center – Park-and-Ride facilities can be further developed into transit centers where multiple transit lines meet with timed transfers.

Successful design of Park-and-Ride facilities addresses and balances the following factors:

- Ease of access – To maximize utilization, motorists should be able to readily access the facility without having to travel far from arterial roadway. Likewise, transit buses should be able access the facility without traveling far from their line haul route to maximize route efficiency. Access points should meet all applicable requirements and guidelines for sight distances, turning radii, and other access design elements.
- Separation of Modes – Access for different modes should be well organized and separated to the degree feasible to minimize conflicts and maximize efficiency of the various operations. Factors to consider include separate access driveways for transit and non-transit modes, as well as a designated access point for “drop-and-ride” activities. Non-motorized access needs to be properly accommodated.

- Sufficient bike storage and pedestrian accessibility – For Park-and-Ride facilities to be truly multi-modal, they should effectively accommodate non-motorized travelers. Bike lockers are non-motorized versions of vehicle stalls and need to be included.
- Aesthetic integration into the surrounding community – Park-and-Ride facilities should be clearly visible from the roadway with unambiguous access design, but at the same time should fit the surrounding context to the greatest degree feasible. For surface facilities, this would include measures such as appropriate site location and configuration, and attractive landscaping and lighting. Large, featureless expanses of pavement/vehicles should be avoided. For structured parking, attention to basic architectural design quality and appropriate materials should receive a high priority.
- Comfort, Safety, and Security – Users of the facility should feel comfortable and secure when using the facility. Measures to address this would include effective lighting, minimizing required walking distances, and sheltered/heated waiting areas. A balance should be struck between having the facility fitting unobtrusively into its context (see above) versus having parked vehicles be visible for security purposes. Surveillance cameras should be considered for personal and property security purposes.
- Transit Oriented Development (TOD) – Park-and-Ride lots can be incorporated into broader land use development areas that feature mixed land use, relatively dense development, and enhanced walkability. TOD is discussed in greater detail in the following section of this report.

Any Park-and-Ride facility in Rosemount would likely be developed and constructed in partnership with the Minnesota Valley Transit Authority and/or Dakota County and/or the University of Minnesota (UMore Park). Detailed design considerations regarding factors such as private vehicle access points and circulation, and bus access and passenger collection configurations, would be coordinated with those agencies meeting all applicable standards and guidelines.

3.4 Transit Oriented Development

Overview

Transit Oriented Development (TOD) is a concept which is increasingly being considered and implemented in Twin Cities' metro area and elsewhere. The basic premise is to concentrate a mix of land uses and activities in close proximity to a transit stop such that the transit ridership and the TOD-based activity will support each other. The core principals of TOD development are summarized under the following headings.

Compact Development - Medium to high density development in proximity to a transit station means that more people and activities will be within a walkable distance from the transit stop. The Metropolitan Council considers approximately ¼ mile to be a comfortable walking distance.

Mix of Land Uses - Mixing land uses such as residential, retail, and office within walking distance of the transit stop means that the stop will be both an origin and a

destination for trips at the station. From a broader planning perspective, mixed land use should have the affect of reducing the need for vehicular trips, because residents in the TOD area can easily access local jobs and shopping opportunities, workers can access retail and services, and so forth.

Pedestrian Orientation - A central component of the TOD concept is walkability, such that there is attractive non-motorized access between land uses within the TOD area, and between those land uses and the transit stop. Some of the basic walkability goals would be street-facing buildings on a network of pedestrian-scaled streets on a grid pattern, attractive streetscaping, and appropriate traffic control at pedestrian crossing points.

Transportation Interfaces - Different travel modes need to be effectively linked for TOD to be successful. This includes transit, pedestrian, bicycle, and vehicular. While the TOD concept is based on a reduced need to use private vehicles, there will still be a need for vehicles to be appropriately accommodated. This could include Park-and-Ride capacity such that people could drive to the transit stop, take transit to work and back, and then shop within the TOD area prior to driving home at night.

Considerations for Rosemount

The City of Rosemount is currently undertaking a downtown revitalization effort which will increase the mix of land uses and overall development densities. As envisioned by the City, this redevelopment will be generally consistent with the TOD approach, and would be compatible with the Depot a Park-and-Ride location (145th Street and Burma Avenue) as depicted on *Figure 8*.

In reviewing other potential locations for TOD development, it is helpful consider existing and future land use as envisioned on *Figure 9*, along with potential Park-and-Ride locations as identified on *Figure 11*. The City anticipates continued residential land use in the vicinity of the TH 3/CSAH 38 location, so rezoning would have to take place to allow retail, office, or other uses to take place there. For the other potential Park-and-Ride locations, the adjacent areas either have or are planned to have a mix of land uses which would be consistent with a TOD approach.

The basic components of TOD, including mixed land use, medium to high density development, walkability, and effective multi-modal accommodation, are planning goals which have value in their own right, even if transit is not part of the limited development process. The City should continue to promote these concepts in developing and/or redeveloping areas with an eye towards potential integration with transit service, primarily at the locations identified as candidates for Park-and-Ride facilities (with the exception of the TH 3/CSAH 38 location as discussed above).

4.0 TRANSIT FUNDING SOURCES

The primary sources of transit funding in the Twin Cities metropolitan area are summarized below:

Baseline Regional Transit Funding

For years, regional transit operating costs (driver wages, administrative costs, utilities, etc.) over and above fare box recovery were funded primarily by local property taxes, with significant contributions also from the state general fund. Beginning in 2001, property taxes could no longer be used for this purpose, and they were replaced by the Motor Vehicle Sales Tax (MVST). Allocations from the state general fund continue to represent a significant portion of transit operating funding in the metro region.

Funds for capital costs, including vehicles, facilities, and equipment, are allocated by the Metropolitan Council. The primary sources of capital funding are federal discretionary and formula funds administered by the Federal Transit Authority, and the Regional Transit Capital (RTC). The RTC, controlled by the Metropolitan Council, is funded by legislatively authorized bonding and supported by property tax levies. State highway bonds and general bonds can also be used for transit capital expenditures.

Federal Congestion Management and Air Quality Improvement Program Funding (CMAQ)

Every two years, the Metropolitan Council solicits applications for federal transportation funding. Applications are submitted by Mn/DOT, county and local government agencies, and transit authorities. Selection of projects for funding are made through a competitive process as administered by the Metropolitan Council. There are various project categories. Transit projects fall under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program. During the 2007 regional solicitation cycle, approximately \$55 million in SAFETEA-LU federal funds were allocated to CMAQ projects in the region. Traditionally, CMAQ has been the most important source of funding for transit projects outside of the baseline funding. Operating costs for existing transit service are not eligible for funding under this program.

Federal New Starts Funding

The Federal Transit Administration's (FTA) discretionary New Starts program is the federal government's primary financial resource for supporting locally-planned, implemented, and operated transit "guideway" capital investments. This includes heavy rail, light rail, commuter rail, bus rapid transit; transit systems that have dedicated right-of-way and require large capital startup investments. For example, the Hiawatha LRT line was constructed with New Starts funding in combination with local matching funds.

Counties Transit Improvement Board

During the 2008 session, the Minnesota Legislature passed legislation giving counties in the metropolitan area the authority to form a joint powers board and impose a one-quarter percent sales and use tax, and an excise tax of \$20 per vehicle purchased to support transit services and facilities. Five metro counties, including Dakota County, have established a Joint Powers Agreement based on this legislation. This program will provide key funding in a stable and predictable manner to promote transit availability and ridership in the metro area. Minnesota Statute 297A.992 (subdivision 6), the statutory basis of CTIB, defines four categories of eligible grant applications:

- Capital improvements to transitways including, but not limited to, commuter rail rolling stock, light rail vehicles, and transitway buses
- Capital costs for Park-and-Ride facilities
- Feasibility study, planning/environmental study, engineering, property acquisition, and construction of transitways
- Operating assistance for transitways

Dakota County has estimated that the CTIB program will raise approximately \$50 million for metro region projects in calendar year 2009, increasing to approximately \$110 million by calendar year 2010. Allocation of this funding will be based on a competitive application process, generally analogous to the Metropolitan Council's regional solicitation for federal funding program described above.

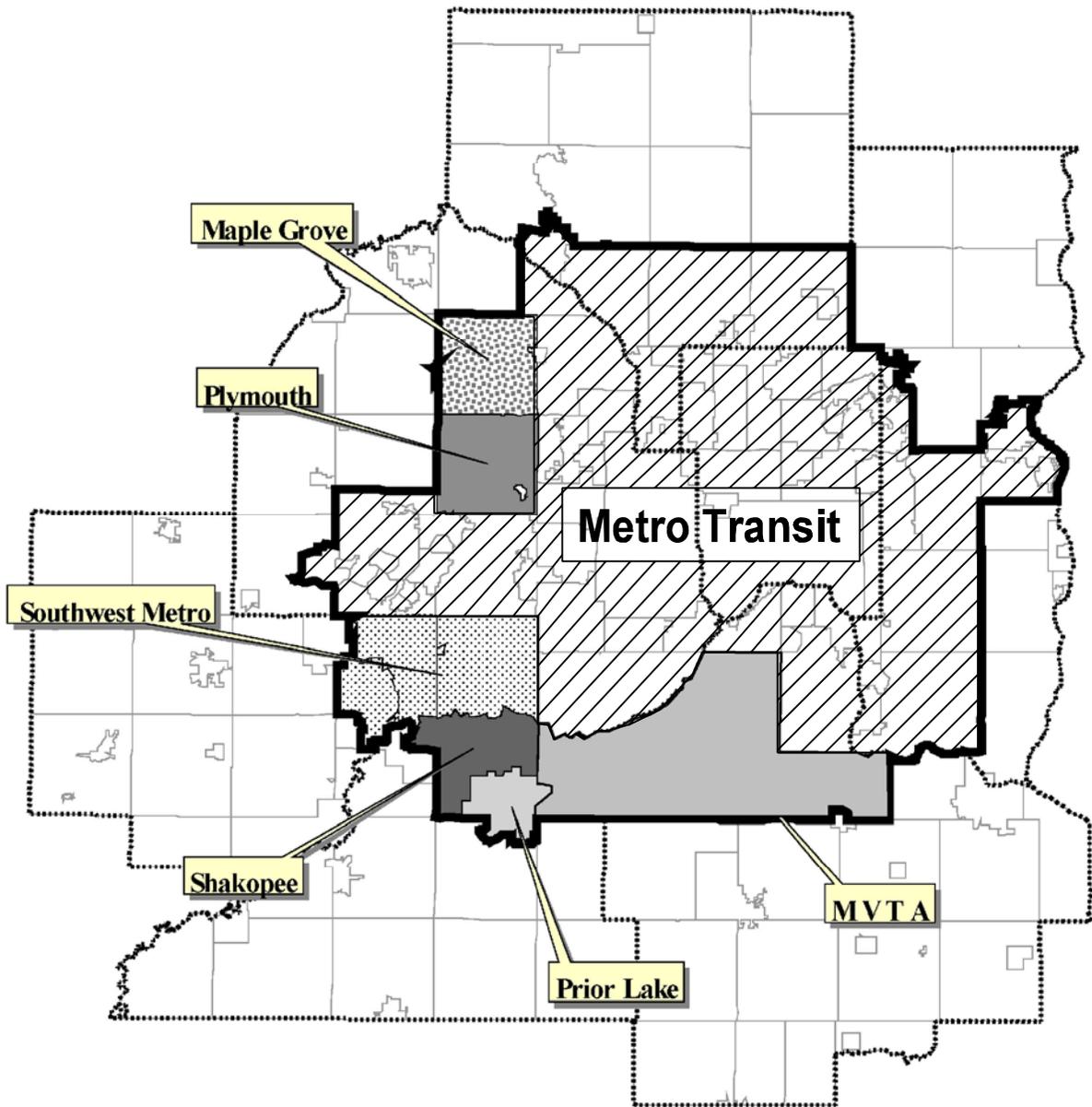
Five of the seven metropolitan counties have entered into a joint powers agreement establishing the Counties Transit Improvement Board (Board) as authorized by the state legislation discussed above. The five counties are: Anoka, Dakota, Hennepin, Ramsey, and Washington. Scott and Carver Counties have chosen not to participate. Per requirements of Minnesota Statute 297A.992, subdivision 5, the Board established a Grant Evaluation and Ranking System (GEARS) committee. This committee evaluates grant applications following objective criteria to be established by the Board.

The Board will consist of two commissioners from each of the member counties, as well as the Chair of the Metropolitan Council. Ninety five percent of the voting authority on the Board is allocated to the member counties, with the remaining five percent allocated to the Metropolitan Council. Within the 95 percent, each county will receive votes proportionate to its share of the total population and sales tax of the Board counties. The full Joint Powers Agreement is included as **Appendix C**.

Of direct interest to the City of Rosemount is the potential funding for a Park-and-Ride facility or facilities and associated express services in the City of Rosemount. Per Minnesota Statute 297A.992, which references Minnesota Statute 174.256, subdivision 2, a Park-and-Ride facility is defined as "a facility consisting of a Park-and-Ride lot where commuters' automobiles are parked and, within a reasonable walking distance, a station or some transfer point where commuters board the transit mode. 'Transit mode' includes transportation by bus, car pool, van-pool, and other similar services." Based on review of the statutes, eligible Park-and-Ride

facilities need not be directly on enhanced transitways as formally defined by the Metropolitan Council. Park-and-Ride facilities within Rosemount, including the associated transit service, would support transitway operations on the Cedar Avenue corridor or on a potential future transitway along current railroad right-of-way adjacent to the Robert Street (TH 3) corridor.

TRANSIT PLAN FIGURES



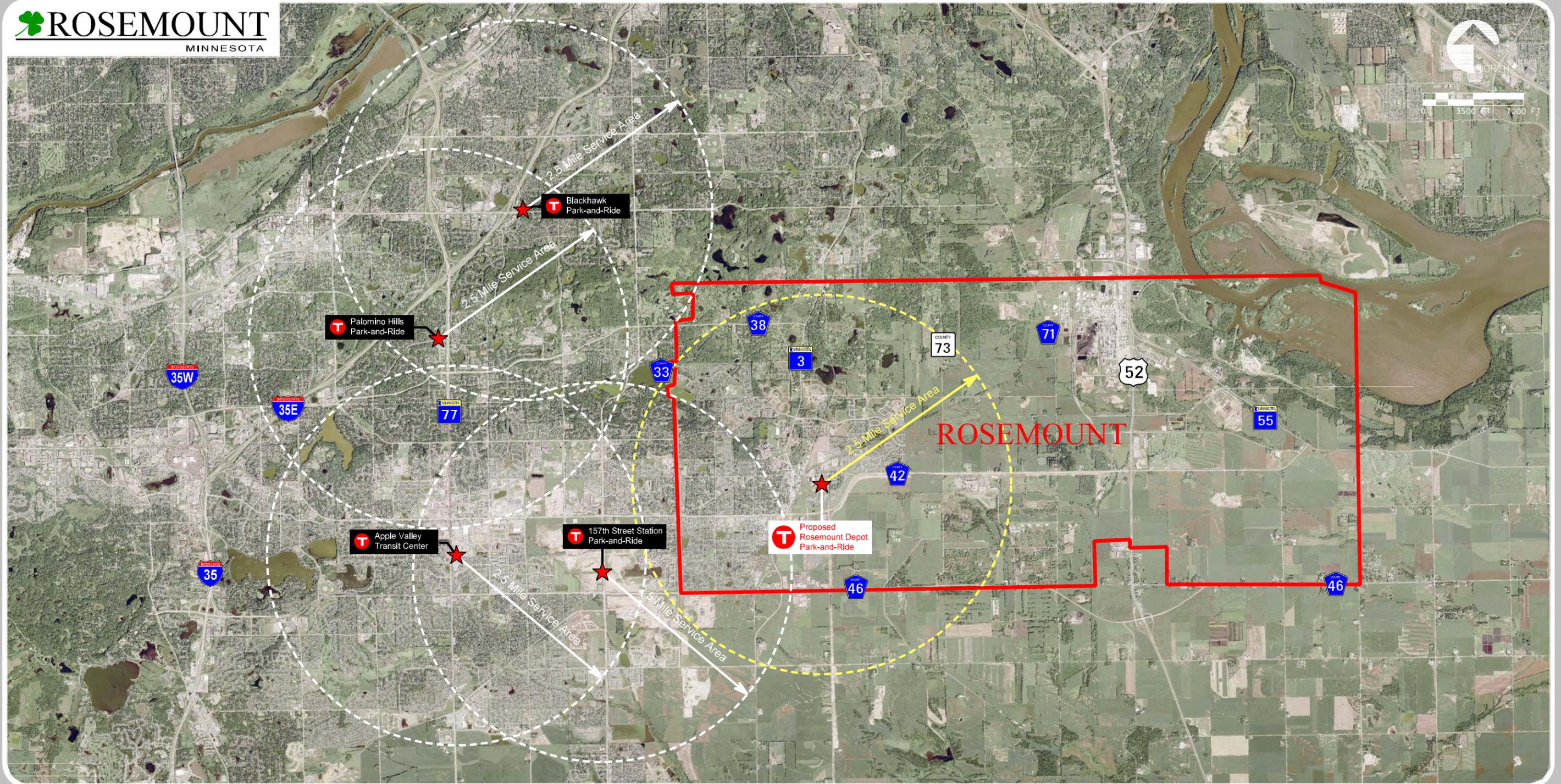
City of Rosemount, Minnesota Transit Plan

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Service Areas of Metro Area Transit Providers

Figure 1



**City of Rosemount, Minnesota
Transit Plan**

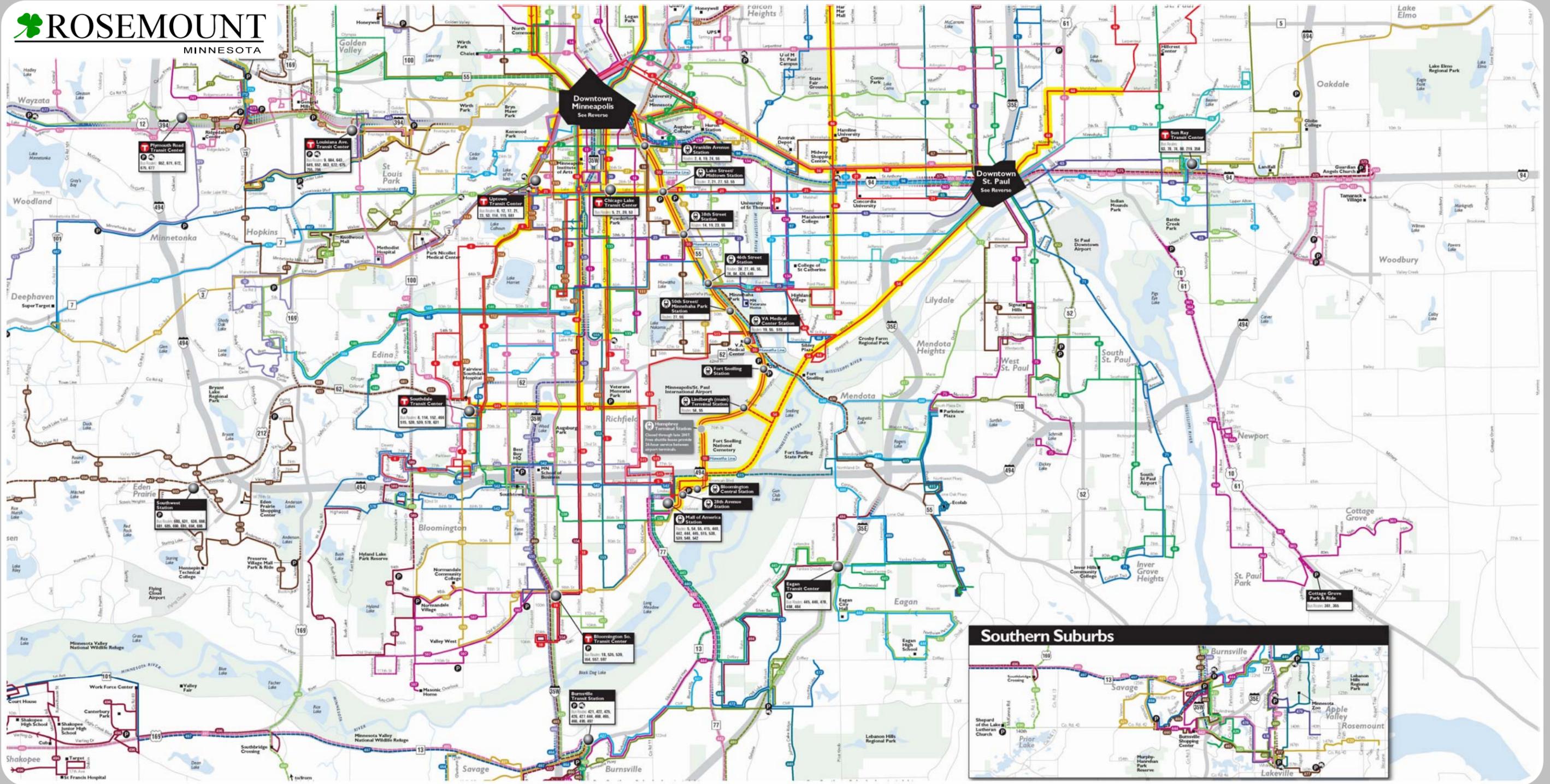
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Park and Ride Location / Service Areas

Figure 2

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**City of Rosemount, Minnesota
Transit Plan**

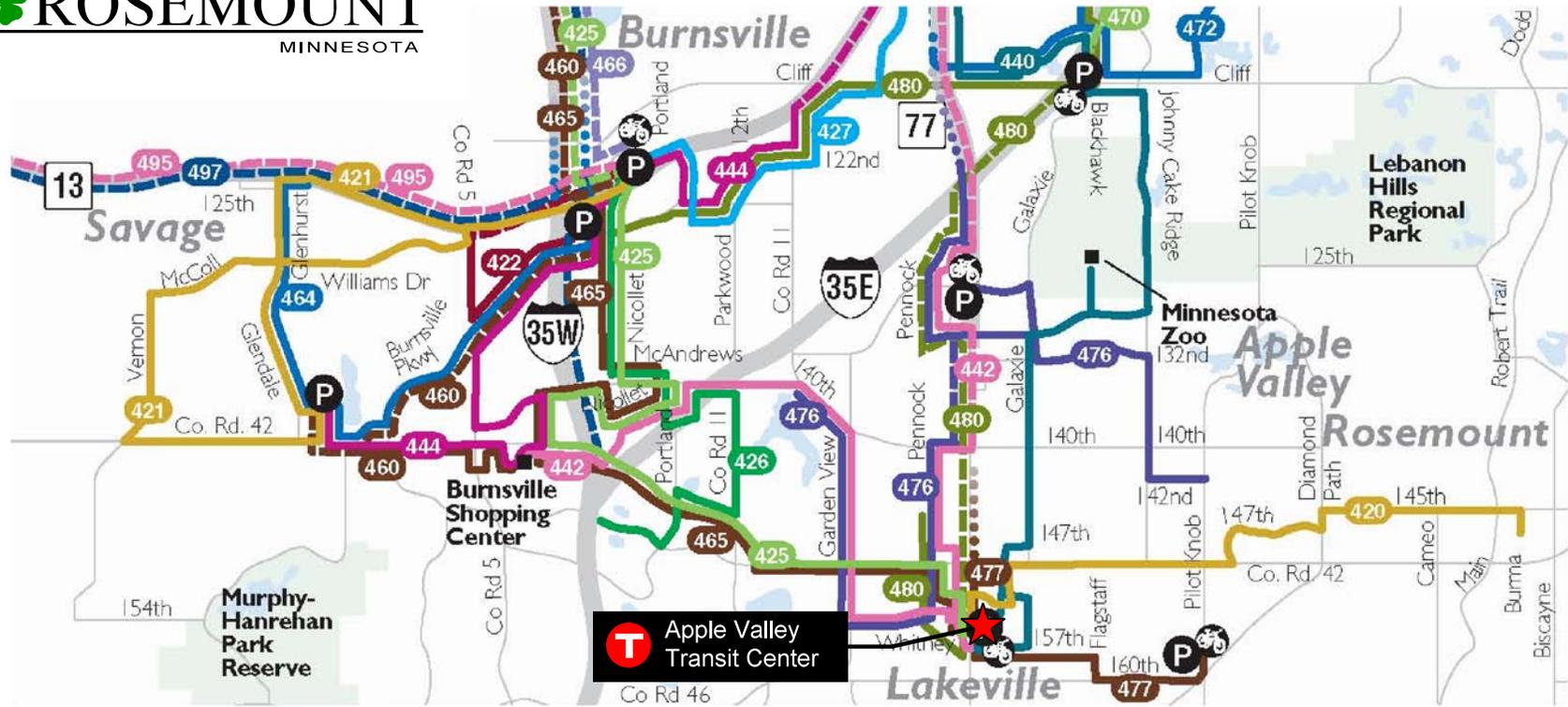
Source: Metropolitan Council / Metro Transit

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Existing Regional Transit Service

Figure 3



Bus Route Links at Apple Valley Transit Station

Bus Route	Area Served
422 Local Route	Apple Valley, Burnsville, Apple Valley Transit Station, Mall of America
425 Local Route	Apple Valley, Burnsville, Best Buy Headquarters, Burnsville Transit Station
440 Local Route	Apple Valley, Apple Valley Transit Station, Blackhawk Park & Ride, Mall of America, Minnesota Zoo
465 Minneapolis Express	Apple Valley, Burnsville, Downtown Minneapolis, Burnsville Transit Station, I-35W & 66th St., University of Minnesota
477 Minneapolis Express	Apple Valley, Downtown Minneapolis, Apple Valley Transit Station, 157th St. Station (CR 46/31)
480 St. Paul	Downtown St. Paul, Apple Valley Transit Station, Blackhawk Park

City of Rosemount, Minnesota Transit Plan

Source: Metropolitan Council / Metro Transit

Existing Local Transit Service and Connections

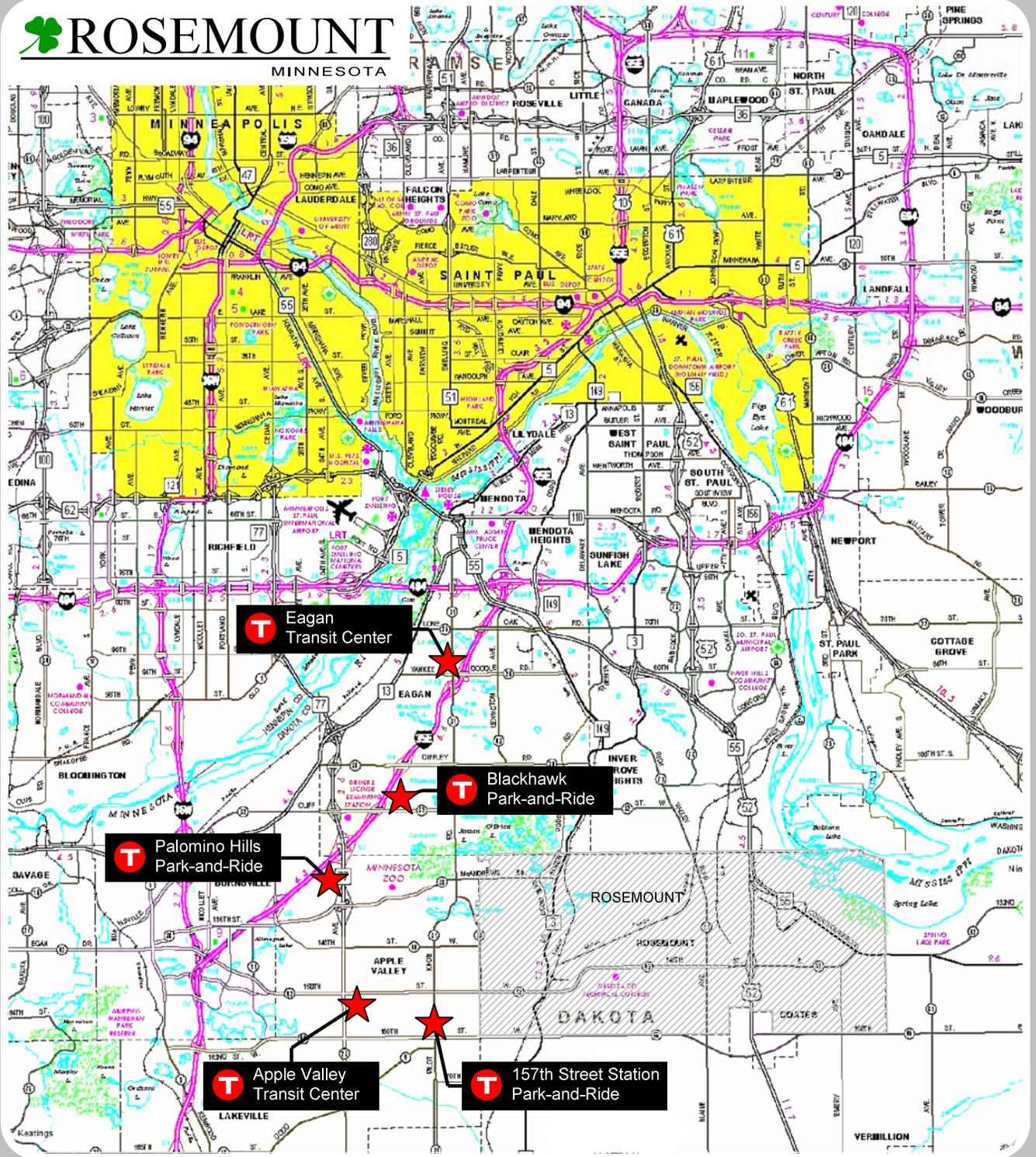
Figure 4

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ROSEMOUNT

MINNESOTA



City of Rosemount, Minnesota Transit Plan

LEGEND

★ Existing Transit Facility

Existing Transit Facilities Available to Rosemount Residents

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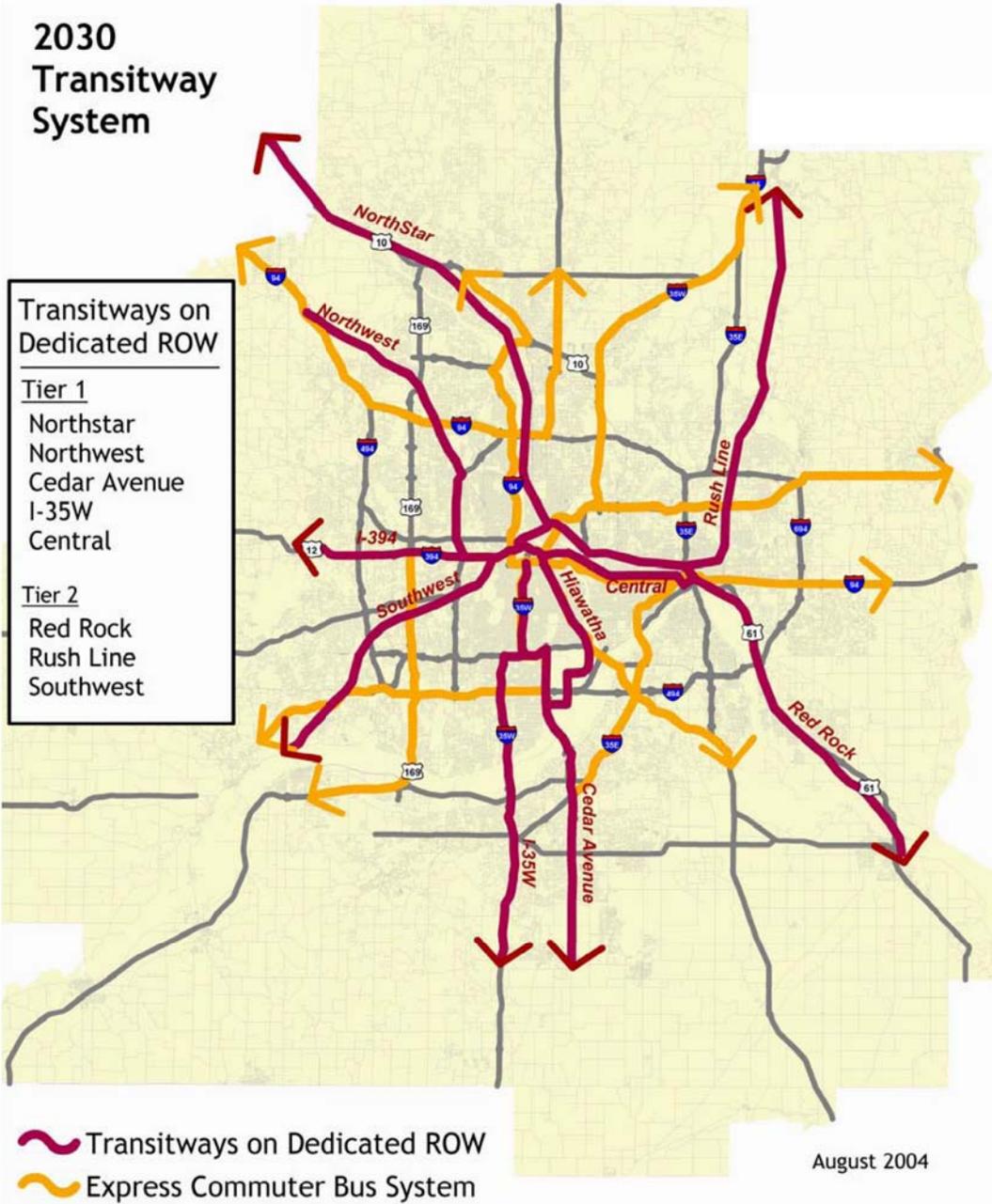


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Figure 5

**2030
Transitway
System**



Source: Metropolitan Council

**City of Rosemount, Minnesota
Transit Plan**

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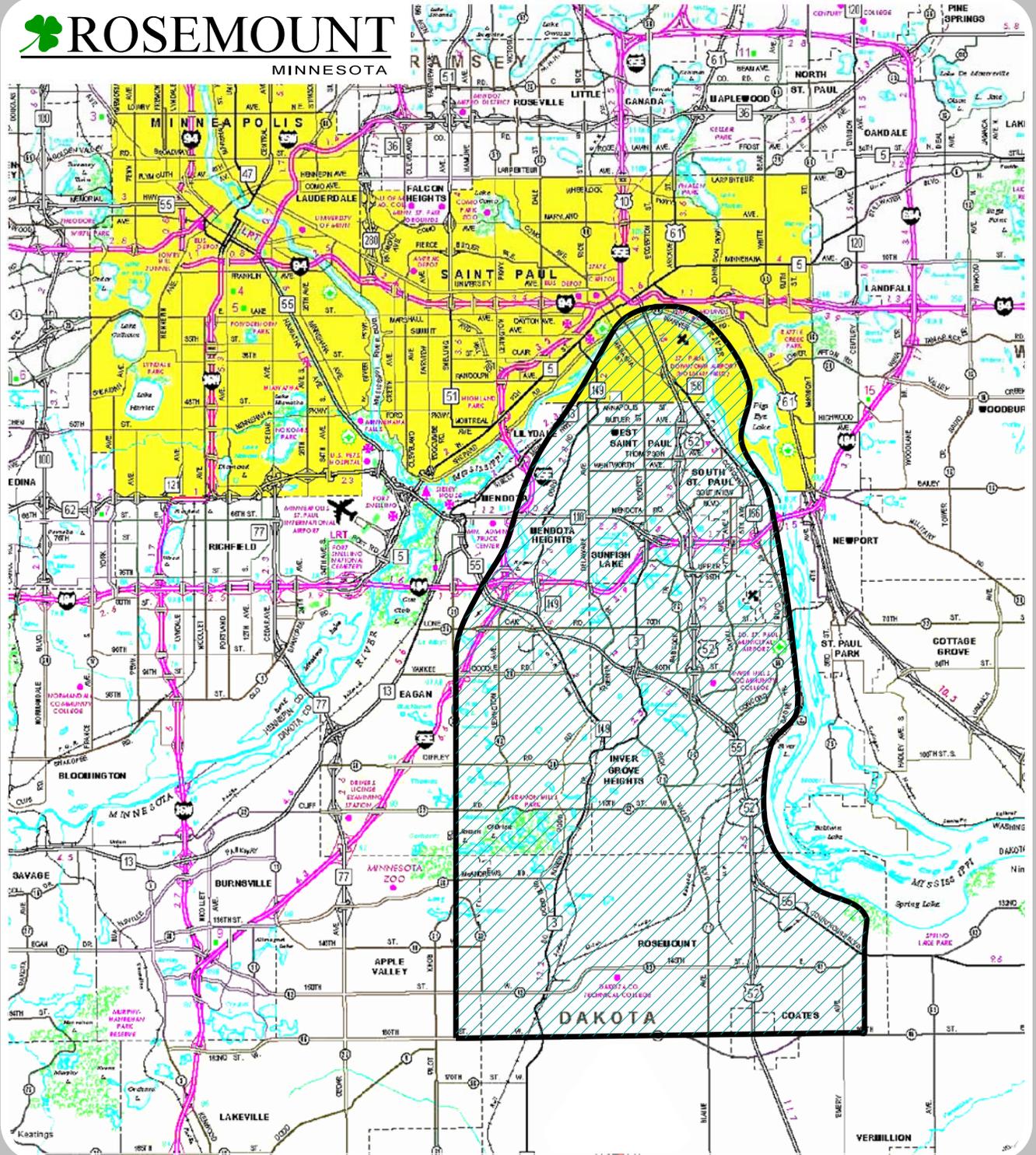
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**Metropolitan Council
2030 Transitway System**

Figure 6

ROSEMOUNT

MINNESOTA



LEGEND Study Area

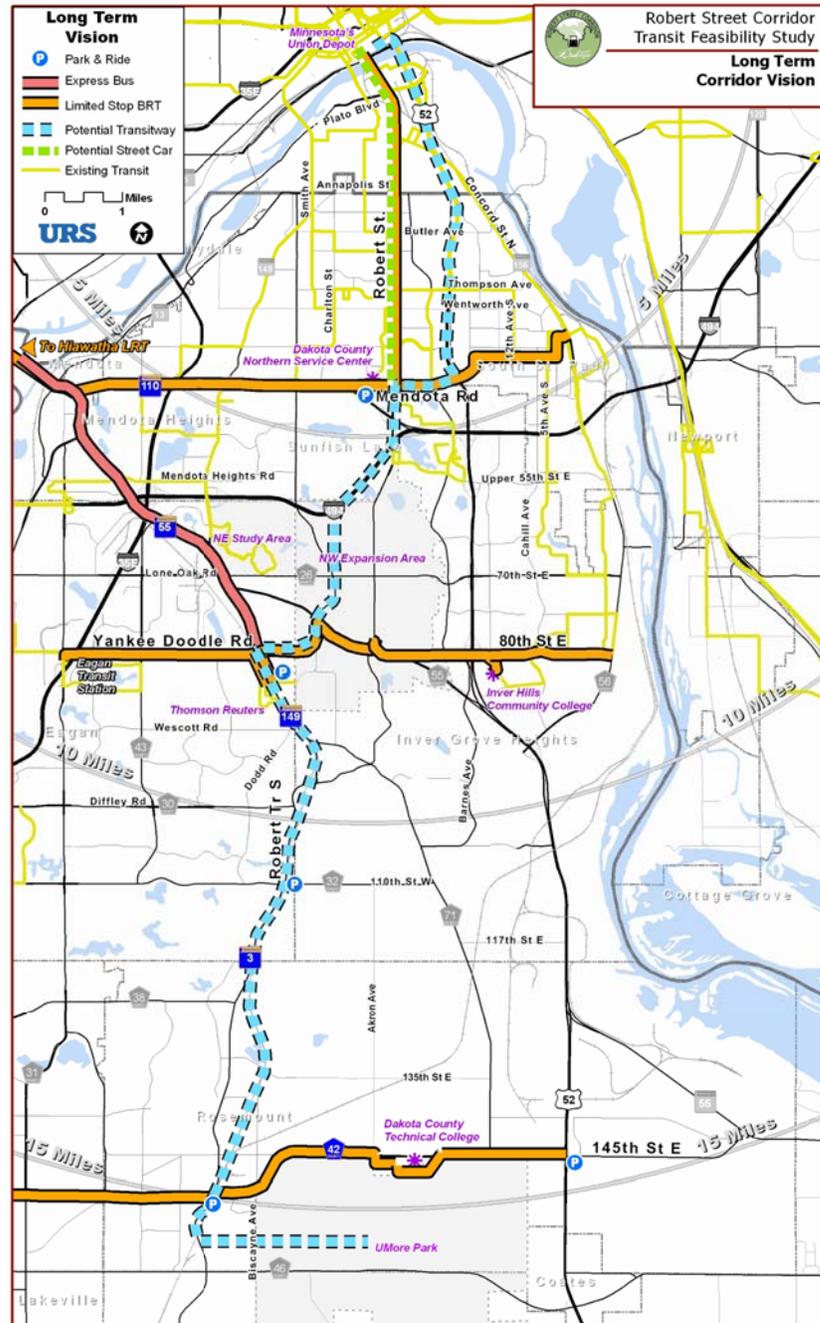
City of Rosemount, Minnesota Transit Plan

Robert Street Transit Corridor Study Area

Figure 7

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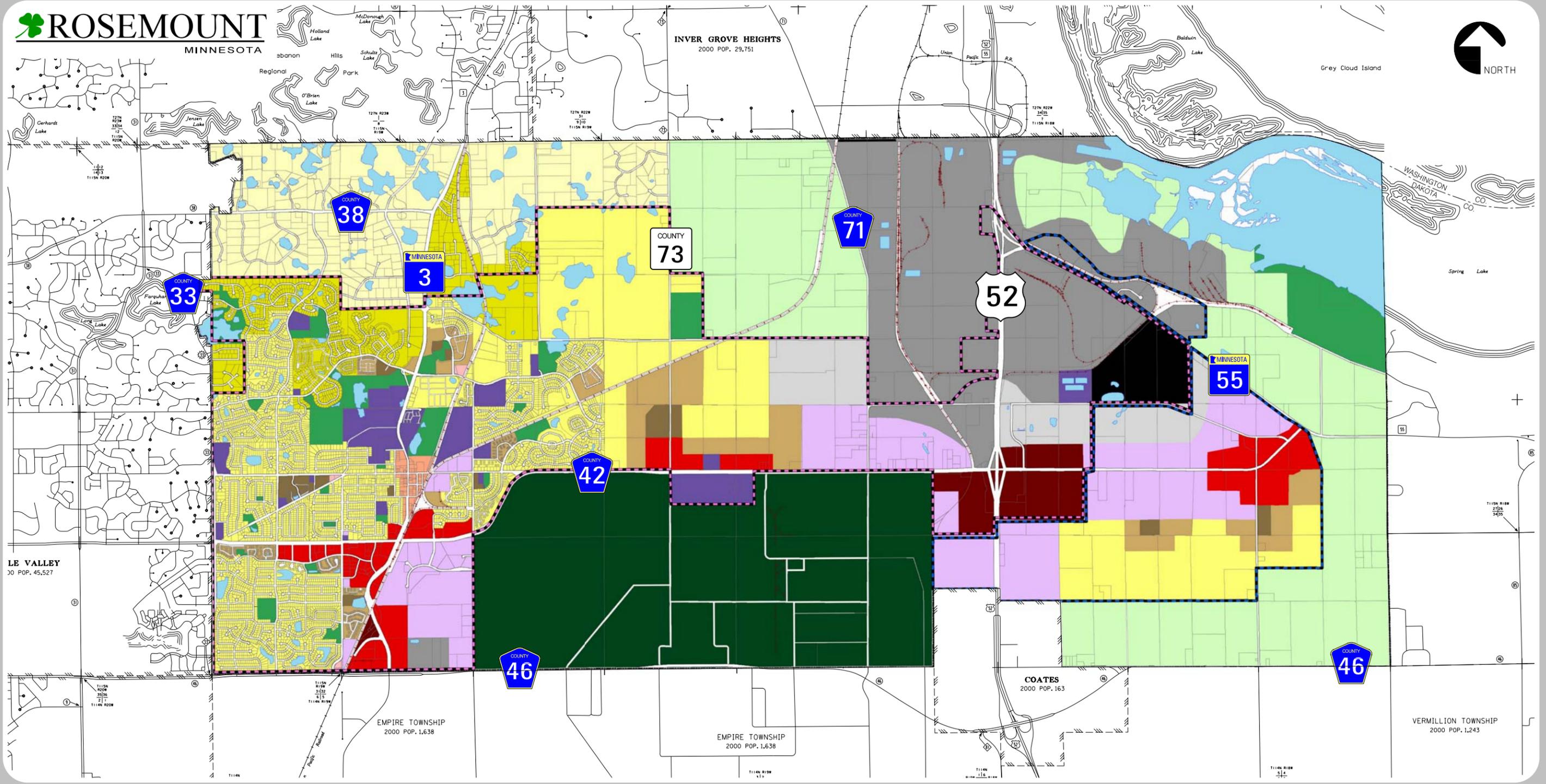
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Robert St . Corridor Transit Study Long Term Vision

Figure 8



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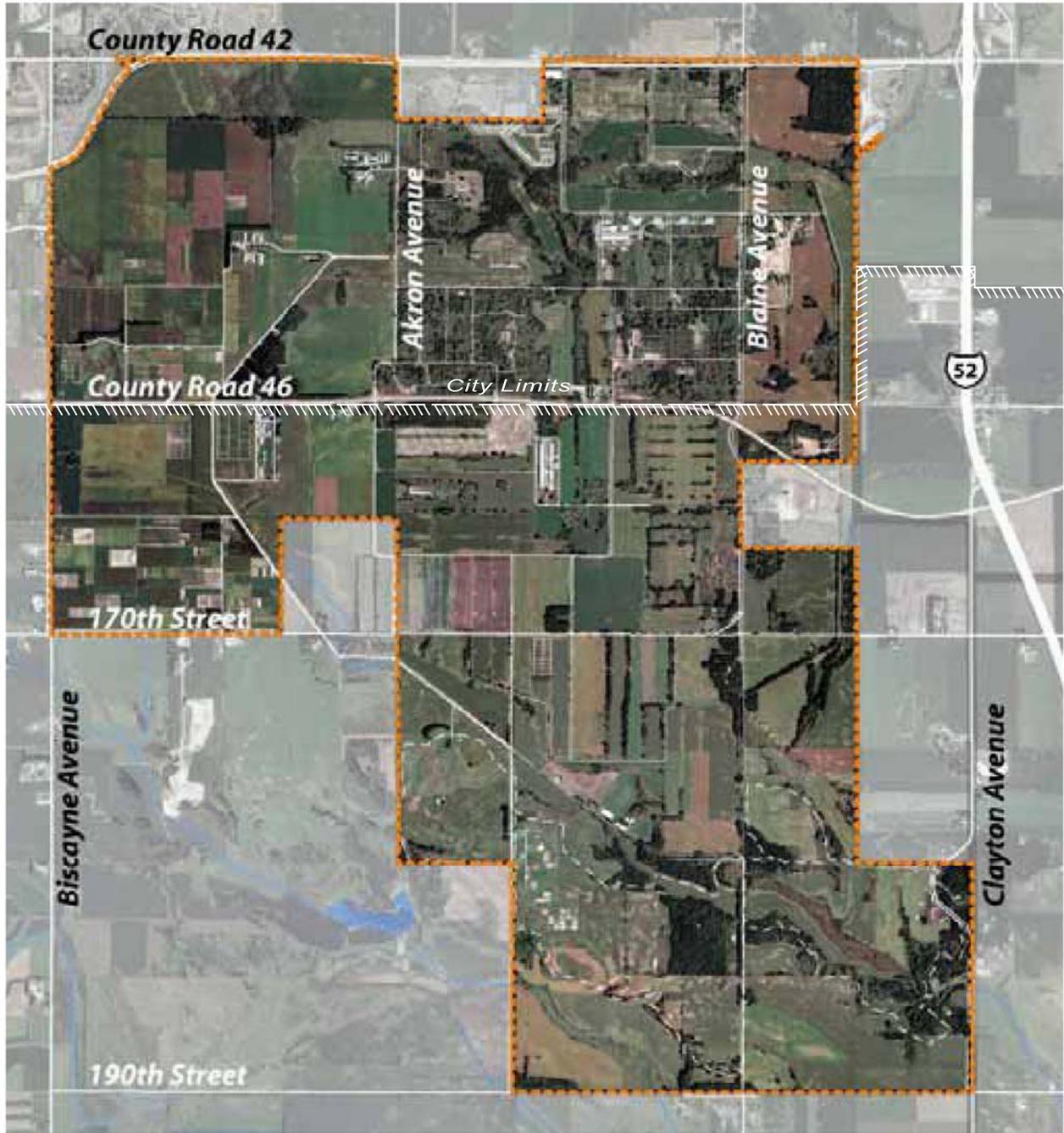
Legend

- AG Agriculture
- AGR Agricultural Research
- HDR High Density Residential
- GI General Industrial
- DT Downtown
- RR Rural Residential
- PI Public/Institutional
- WM Waste Management
- NC Neighborhood Commercial
- LDR Low Density Residential
- PO Existing Parks/Open Space
- 2020 Musa Line
- RC Regional Commercial
- TR Transitional Residential
- BP Business Park
- 2030 Musa Line
- CC Community Commercial
- MDR Medium Density Residential
- LI Light Industrial

Note: Source: 2030 Comprehensive Plan Update City of Rosemount plus 42/52 Land Use Plan.

Land Use Plan

Figure 9



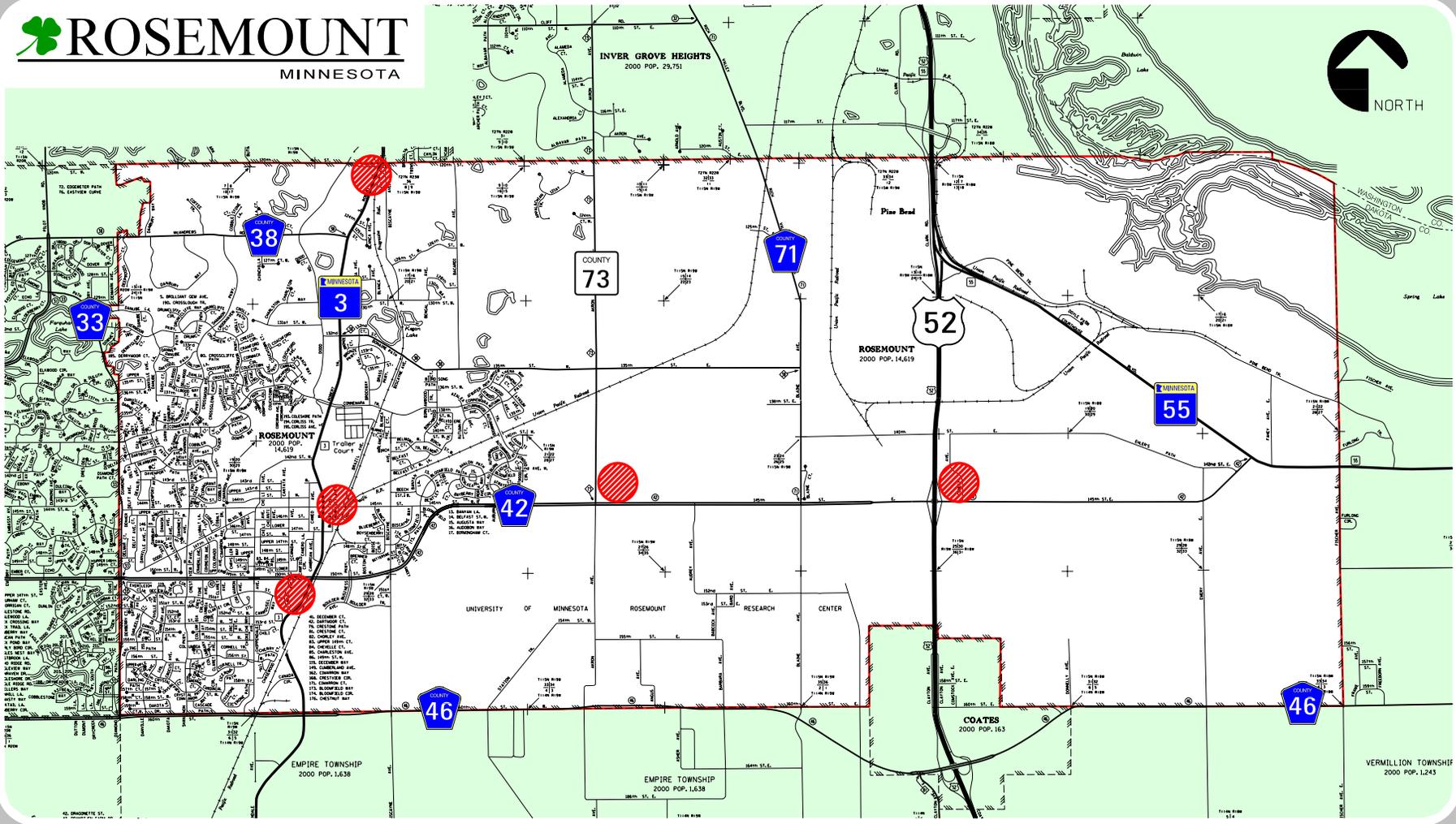
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UMore Park Area

Figure 10



City of Rosemount, Minnesota Transit Plan

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 Potential Park & Ride Locations

Potential Park & Ride Locations

Figure 11

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APPENDIX A

Existing Transit Facilities

Existing Transit Facilities

Apple Valley Transit Center

The Apple Valley Transit Center has two key components. First it has a Park-and-Ride lot with 470 vehicle spaces. These spaces are all used on a regular basis, and there is significant demand for more spaces. MVTA has recently secured parking in an adjacent parking lot for 100 parking places, with more available in the future or the Watson site. Second, it is a stopping point for eight transit lines with extensive combined service areas. These routes, and the areas/destinations they serve, are identified on **Table A.1**, below.

Table A.1 - Apple Valley Transit Center Routes

Route	Service Description	Service Area/Stops
420	Local/flex route	Apple Valley Transit Station, Rosemount
422	Local/suburb to suburb	Apple Valley – local, Apple Valley Transit Station, Burnsville, Mall of America
425	Local/suburb to suburb	Apple Valley – local, Burnsville, Best Buy Headquarters, Burnsville Transit Station
440	Local/suburb to suburb	Apple Valley – local , Apple Valley Transit Station, Blackhawk Park-and-Ride, Mall of America, Minnesota Zoo
442	Local/suburb to suburb	Apple Valley, Apple Valley Transit, Burnsville, Mall of America
465	Minneapolis Express	Apple Valley, Burnsville, Downtown Minneapolis, Burnsville Transit Station, I-35W and 66 th Street, University of Minnesota
477	Minneapolis Express	Apple Valley, Downtown Minneapolis, 157 th St. Station (CR 46/CR31)
480	St. Paul Express	Downtown St. Paul, Apple Valley Transit Station, Blackhawk Park-and-Ride

Eagan Blackhawk Park-and-Ride

The Eagan Blackhawk Park-and-Ride facility is located at Cliff Road and I-35E. This facility has 367 parking spaces, which were approximately 80 percent utilized in 2007. The following Routes stop at this facility:

- 420 – Local/flex route: Apple Valley, Rosemount
- 440 – Local/suburb to suburb service: Apple Valley, Eagan, Bloomington
- 472 – Express service: Downtown Minneapolis, South Minneapolis (I-35W/Lake Street)
- 480 – Express service: Downtown St. Paul, Apple Valley, Burnsville, Eagan

Apple Valley Palomino Park-and-Ride

The Apple Valley Palomino station is located at Palomino Drive and Pennock Avenue, south and west of the I-35E/TH 77 (Cedar Avenue) interchange. This facility has 312 parking spaces, which were approximately 95 percent utilized in 2007. The following routes stop at this facility:

- 442 – Local/suburb to suburb service: Apple Valley, Burnsville, Bloomington, Mall of America Transit Center
- 476 – Express Service: Downtown Minneapolis, South Minneapolis (I-35W/Lake Street), Apple Valley (local stops, Palomino Park-and-Ride, Apple Valley Transit Center)
- 477 – Express Service: Downtown Minneapolis, South Minneapolis (I-35W/Lake Street), Apple Valley (Palomino Park-and-Ride, Apple Valley Transit Center,)
- 480 – Express Service: Downtown St. Paul, Apple Valley, Burnsville, Eagan

Eagan Transit Station

The Eagan Transfer Station is located at CSAH 31 (Pilot Knob Road) and Yankee Doodle Road at the I-35E interchange. In 2007 this facility has 679 parking spaces, which were approximately 60 percent utilized in 2007. The following routes stop at this facility:

- 445 – Local/suburb to suburb service: Eagan, Bloomington, Mall of America Station
- 446 – Local/suburb to suburb service: Eagan, Mendota Heights, Minneapolis (46th Street LRT Station)
- 470 – Commuter Service: Downtown Minneapolis, South Minneapolis (I-35W/Lake Street), Eagan (Blackhawk Park-and-Ride, and Eagan Transit Center)
- 480/484 – Express Service: Downtown St. Paul, Apple Valley, Burnsville, Eagan

157th Street Station Park-and-Ride

The 157th Street Station Park-and-Ride facility is located on Pilot Knob Road between CSAH 46 (160th Street) and 157th Street. This facility has 258 parking spaces, which were approximately 10% utilized in 2007. The following routes stop at this route:

- 420 – Local/flex route: Apple Valley, Rosemount
- 477 – Minneapolis Express: Apple Valley, Apple Valley Transit Center, Downtown Minneapolis

APPENDIX B

UPA Funding Information

Urban Partnership Agreement (UPA)

2008 STATE APPROPRIATION REQUEST: \$21,075,000

AGENCY PROJECT PRIORITY: 3 of 8

PROJECT LOCATION: Metropolitan Area

Project At A Glance

The Metropolitan Council and Minnesota Department of Transportation request \$54.853 million to provide local match for funding from USDOT for congestion pricing implementation, park and ride construction and intelligent transportation systems (ITS) technology projects under the Urban Partnership Agreement program.

Project Description

The Minnesota Department of Transportation (Mn/DOT) and the Metropolitan Council have been jointly awarded \$133.3 million in federal funds by the US Department of Transportation through the Urban Partnership Agreement (UPA) program. The project provides a comprehensive approach to congestion reduction that includes congestion pricing, transit enhancements, telecommuting/telework, and the use of advanced technologies.

In conjunction with the UPA application, Mn/DOT and Met Council have submitted federal grant applications under the Value Pricing Pilot Program (VPPP), the Intelligent Transportation System Operational Testing to Mitigate Congestion (ITS-OTMC) and Section 5309 Bus and Bus Related Capital Facilities grant programs to fund the UPA improvements.

The UPA funding must be matched with a minimum 20 percent local funding. This capital request is for the local funding required to match the federal UPA dollars, match federal (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) SAFETEA-LU dollars for two Cedar Avenue Bus Rapid Transit (BRT) project components in the UPA, and fund three UPA components that did not receive federal funding.

This total UPA state funding request is being submitted by both Mn/DOT and the Met Council. Of the \$54.853 million in state funds, \$33.778 million will be appropriated to Mn/DOT and \$21.075 million to the Metropolitan Council.

Note: The accompanying Project Detail page for Met Council shows all costs and funding except for Mn/DOT's state request. The Project Detail page that accompanies Mn/DOT's Project Narrative shows only the Mn/DOT state request to avoid double-counting.

The complete components of the UPA project for both agencies are as follows:

Mn/DOT - Congestion Pricing: Convert I-35W High-Occupancy Vehicle (HOV) lane to a MnPASS High-Occupancy Toll (HOT) lane from Burnsville to approximately I-494 including a lane add between 106th Street and Highway (Hwy) 13, construct a HOT Lanes between I-494 and 46th Street with reconstruction of the Crosstown Project, construct a Priced Dynamic Shoulder Lane from 46th Street to downtown Minneapolis and implement arterial traffic management.

Total cost: \$71.778 million
Federal funds: \$47.4 million
Requested State funds: \$24.378 million (Trunk Highway Bonds)

Mn/DOT – Telecommuting/Outreach: Implement the UPA telecommuting requirement by recruiting local employers as partners to increase the number of telecommuters. Also, develop and implement an Outreach Program involving state and local elected officials and community representatives to facilitate communication and project implementation.

Total cost: \$9 million
Federal funds: \$0
Requested State funds: \$9 million (General Fund)

Urban Partnership Agreement (UPA)

Mn/DOT – Hwy 77 and Hwy 62 Transit Advantage: Design and construct a bus-only transit advantage from northbound Hwy 77 to westbound Hwy 62.

Total cost: \$2 million
 Federal funds: \$1.6 million
 Requested State funds: \$0.4 million (Trunk Highway Bonds)

Met Council – Fleet: Purchase 26 buses for enhanced transit service in the 35W South corridor (15 buses) and the 35W North corridor (11 buses). These buses will serve the new and expanded park-and-rides being constructed as part of the UPA.

Total cost: \$13 million
 Federal funds: \$10.4 million
 Requested State funds: \$2.6 million (General Fund)

Met Council – 35W Transit Stations/Park-and-Rides: Acquire land, design and construct three new or expanded park-and-rides in 35W corridor.

Total cost: \$32.7 million
 Federal funds: \$26.16 million
 Requested State funds: \$6.54 million
 (\$6.14 million GO Bonds;
 \$0.4 million Trunk Highway Bonds)

Met Council – Cedar Avenue BRT Transit Stations/Park-and-Rides: Accelerate land acquisition, design and construction of transit station/park-and-ride facilities at 185th Street, 147th Street, 140th Street, Palomino Drive and Cedar Grove.

Total cost: \$17.41 million
 Federal funds: \$13.25 million
 (\$8.88 million UPA;
 \$3.62 million SAFETEA-LU;
 \$0.75 million 5309 Appropriation)
 Requested State funds: \$2.22 million (GO Bonds)
 Other funds: \$1.94 million
 (\$0.67 million 2005 bonds;
 \$1.27 million DCRRA)

Met Council – Downtown Bus Lanes: Expand single bus lanes to two lanes on Marquette and 2nd Avenues.

Total cost: \$41.56 million
 Federal funds: \$33.248 million
 Requested State funds: \$8.312 million (GO Bonds)

Met Council – Transit Technology: Design and implement transit technology improvements including bus arrival, congestion conditions and parking availability information systems and a transit operator lane guidance system.

Total cost: \$7.015 million
 Federal funds: \$5.612 million
 Requested State funds: \$1.403 million (General Fund)

Summary:

Mn/DOT components
 Total Cost: \$82.778 million
 Federal funds: \$49 million
 Requested State Funds: \$33.778 million
 \$24.778 million Trunk Highway Bonds;
 \$9 million General Fund)

Met Council components
 Total Cost: \$111.685 million
 Federal funds: \$88.67 million
 (\$84.3 million UPA;
 \$3.62 million SAFETEA-LU;
 \$0.75 million 5309 Appropriation)
 Requested State Funds: \$21.075 million
 (\$0.4 Trunk Highway Bonds;
 \$16.672 million GO;
 \$4.003 General Fund)
 Other funds: \$1.94 million
 (\$0.67 million 2005 bonds;
 \$1.27 million DCRRA)

Urban Partnership Agreement (UPA)

Impact on Agency Operating Budgets (Facilities Notes)

Toll revenues generated by the congestion pricing will be used to fund Mn/DOT start-up and ongoing HOT-Lane operations as well as expanded transit service.

The unfunded portion of the expanded transit service is anticipated to come from regional transit operating funds and fares.

Previous Appropriations for this Project

None for UPA

Previous corridor appropriations:

Cedar Ave: \$10 million GO bonds in 2005; \$5 million in 2006

35W BRT: \$3.3 million GO bonds in 2005; \$14.8 million in trunk highway bonds (BAPTA) for transit element of crosstown project.

Other Considerations

Implementation of the UPA will accelerate the 35W and Cedar Avenue BRT components of the Met Council's regional 2030 Transportation Policy Plan.

Mn/DOT start up costs, estimated at \$1 million, HOT-lane operating costs, and a portion of annual transit operating costs, estimated at \$3 million, will be funded by toll revenues.

Project Contact Person

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Governor's Recommendations

The governor recommends for Met Council an appropriation of \$4,003,000 from the general fund, \$16,672,000 in general obligation bonding, and \$400,000 in trunk highway bonding for this project.

TOTAL PROJECT COSTS All Years and Funding Sources	Prior Years	FY 2008-09	FY 2010-11	FY 2012-13	TOTAL
1. Property Acquisition	0	11,505	0	0	11,505
2. Predesign Fees	0	405	0	0	405
3. Design Fees	0	15,046	1,975	0	17,021
4. Project Management	0	10,936	6,103	0	17,039
5. Construction Costs	0	105,942	40,687	0	146,629
6. One Percent for Art	0	304	360	0	664
7. Relocation Expenses	0	400	0	0	400
8. Occupancy	0	800	0	0	800
9. Inflation	0	0	0	0	0
TOTAL	0	145,338	49,125	0	194,463

CAPITAL FUNDING SOURCES	Prior Years	FY 2008-09	FY 2010-11	FY 2012-13	TOTAL
State Funds :					
G.O Bonds/State Bldgs	670	16,672	0	0	17,342
G.O. Bonds/Transp	0	0	0	0	0
General Fund Projects	0	4,003	0	0	4,003
Trunk Hwy Fund Bonding	0	400	0	0	400
State Funds Subtotal	670	21,075	0	0	21,745
Agency Operating Budget Funds	0	0	0	0	0
Federal Funds	4,370	84,175	49,125	0	137,670
Local Government Funds	0	1,270	0	0	1,270
Private Funds	0	0	0	0	0
Other	0	0	0	0	0
TOTAL	5,040	106,520	49,125	0	160,685

CHANGES IN STATE OPERATING COSTS	Changes in State Operating Costs (Without Inflation)			
	FY 2008-09	FY 2010-11	FY 2012-13	TOTAL
Compensation -- Program and Building Operation	0	0	0	0
Other Program Related Expenses	0	0	0	0
Building Operating Expenses	0	0	0	0
Building Repair and Replacement Expenses	0	0	0	0
State-Owned Lease Expenses	0	0	0	0
Nonstate-Owned Lease Expenses	0	0	0	0
Expenditure Subtotal	0	0	0	0
Revenue Offsets	0	0	0	0
TOTAL	0	0	0	0
Change in F.T.E. Personnel	0.0	0.0	0.0	0.0

SOURCE OF FUNDS FOR DEBT SERVICE PAYMENTS (for bond-financed projects)	Amount	Percent of Total
General Fund	16,672	100.0%
User Financing	0	0.0%

STATUTORY AND OTHER REQUIREMENTS	
Project applicants should be aware that the following requirements will apply to their projects after adoption of the bonding bill.	
No	MS 16B.335 (1a): Construction/Major Remodeling Review (by Legislature)
No	MS 16B.335 (3): Predesign Review Required (by Administration Dept)
No	MS 16B.335 and MS 16B.325 (4): Energy Conservation Requirements
No	MS 16B.335 (5): Information Technology Review (by Office of Technology)
Yes	MS 16A.695: Public Ownership Required
No	MS 16A.695 (2): Use Agreement Required
No	MS 16A.695 (4): Program Funding Review Required (by granting agency)
Yes	Matching Funds Required (as per agency request)
Yes	MS 16A.642: Project Cancellation in 2013

APPENDIX C

CTIB Joint Powers Agreement

**JOINT POWERS AGREEMENT
ESTABLISHING THE
COUNTIES TRANSIT IMPROVEMENT BOARD**

THIS AGREEMENT is entered into by and between the undersigned metropolitan counties, all being political subdivisions of the State of Minnesota, by and through their respective governing bodies pursuant to the authority contained in the Minn. Stat. §§ 471.59 and 297A.992.

RECITALS

WHEREAS, the Minnesota Legislature has, by Laws of Minnesota 2008 Chapter 152, Article 4, Section 2, codified as Minn. Stat. § 297A.992, authorized metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington to impose a one-quarter percent sales and use tax, and an excise tax of \$20 per motor vehicle purchased or acquired from any person engaged in the business of selling motor vehicles at retail ("Sales Tax"), following the formation of a joint powers board by agreement among the counties; and

WHEREAS, the metropolitan counties are committed to the development of a system of transitways to better serve the residents and businesses of the Twin Cities Metropolitan Area and to efficiently move people and goods throughout the region; and

WHEREAS, the proceeds of the Sales Tax will be used to enhance and improve the transitway system and not supplant state and regional obligations, as required by Minn. Stat. § 297A.992; and

WHEREAS, the Counties intend that, in accordance with Minn. Stat. § 297A.992, subd. 6, the Sales Tax proceeds will be made available for the development and operation of transitways, including rail and bus rapid transit projects, serving the residents and businesses of the Metropolitan Transportation Area, as defined below; and

WHEREAS, the Counties intend that the Board, as defined below, shall endeavor to award grants to promote geographic equity over time with respect to investments in transitways to implement the Counties' regional vision; and

WHEREAS, the metropolitan counties wish to collaborate on the planning, implementation and funding of such transitway improvements through the joint powers board created herein.

NOW, THEREFORE, in consideration of the mutual promises and benefits that each party shall derive herefrom, the Parties agree as follows:

ARTICLE I. PURPOSE

The purpose of this Agreement is to form a joint powers board to enable the Parties to impose (1) a transportation sales and use tax, and (2) a motor vehicle excise tax, with the taxes to fund transportation improvements, including debt service on obligations issued to finance such improvements. In addition, the purpose of the Agreement is to establish a joint powers board to receive and distribute funding for

transportation improvements in the metropolitan transportation area in accordance with Minn. Stat. § 297A.992.

ARTICLE II. ELIGIBLE COUNTIES AND TERM OF AGREEMENT.

1. Eligible Counties.

The metropolitan counties that are eligible to participate in this Agreement include the following:

County of Anoka	County of Carver
County of Dakota	County of Hennepin
County of Ramsey	County of Scott
County of Washington	

2. Effective Date.

This Agreement shall be effective and the joint powers board established herein may commence exercising the powers and authorities in this Agreement on the day that the Agreement has been approved by resolution and duly executed by at least two of the metropolitan counties listed above and shall continue until terminated as provided herein. The eligible counties that have entered into this Agreement shall individually and collectively be referred to as the "Counties" or the "Parties".

3. Action Required to Become a Party.

An eligible county may become a Party to this Agreement by: (1) adopting a resolution declaring its intent to become a part of the metropolitan transportation area, as defined in Minn. Stat. § 297A.992, subd. 1(1), (the "Metropolitan Transportation Area"); (2) entering into this Agreement, as it may be amended from time to time; and (3) imposing the taxes authorized by Minn. Stat. § 297A.992, subd. 2, in accordance with the terms of this Agreement.

4. Parties Joining After July 1, 2008.

Any eligible county that becomes a Party to this Agreement after July 1, 2008 shall pay (1) all costs attributable to the County for imposing the Sales Tax in that County, and (2) the County's proportionate share (based upon most current Sales Tax revenue projections by the Minnesota Department of Revenue on July 1, 2008) of the amount paid to the Metropolitan Council pursuant to Minn. Stat. § 297A.992, subd. 5(h). Payments will be made in accordance with Section VII.2.G. of this Agreement.

ARTICLE III. JOINT POWERS BOARD

1. Establishment and Composition.

A. The Parties hereby establish a joint powers board to be known as the Counties Transit Improvement Board ("Board") to jointly exercise such powers and authorities as are necessary to achieve its purposes and fulfill its duties as provided for

in Article IV, subject to the terms and conditions of this Agreement. The Board shall be a separate public entity separate from the Parties and shall not be deemed to be an agent or partner of the Parties to this Agreement, the Metropolitan Council, or any grantee, nor shall the Parties be liable for the actions of the Board, the Metropolitan Council or any grantee.

B. The Board shall consist of two county commissioner(s) appointed by the County Board of each of the Parties and shall also include the Chair of the Metropolitan Council. The County Board of each Party shall appoint, by resolution, its two representative county commissioners and one or more alternate county commissioners to the Board. In the absence of an appointed county commissioner at a meeting, an alternate county commissioner may exercise the voting rights of the County. In the absence of the Chair of the Metropolitan Council at a meeting, the Vice-Chair of the Metropolitan Council may exercise the voting rights of the Chair.

2. Voting.

A. Board voting will be weighted based upon Sales Tax revenue and population information generated in accordance with Section III.2.E. There shall be five (5) votes allocated to the Chair of the Metropolitan Council and ninety-five (95) votes allocated among the Counties as follows, subject to reallocation of the votes over time in accordance with Section III.2.E.

B. Each County will receive votes equal to the average of the County's proportionate share of the total population and Sales Tax of the Parties multiplied times ninety-five, and rounded to the nearest whole number, but in no event shall the total votes be in excess of, or less than, one hundred (100).

C. Each County Commissioner appointed to the Board may cast one-half of the County's allocated votes. In the event that only one County Commissioner representative is present at a meeting, that Commissioner may cast all of the County's allocated votes.

D. All actions of the Board require a super-majority vote of the Board, unless otherwise provided in this Agreement. A super-majority of votes shall be defined as: (1) 63 of the 100 of the allocated votes in favor of the action, and (2) at least a simple majority of the County Commissioner representatives on the Board (based on $\frac{1}{2}$ vote per County Commissioner representative) voting in favor of the action. In the event that only one County Commissioner representative is present at a meeting, that Commissioner may cast both of the County's one-half ($\frac{1}{2}$) votes.

E. Allocation of the ninety-five (95) County votes for the period beginning from the effective date of this Agreement to January 1, 2012 ("Initial Period") shall be based upon most current Sales Tax revenue projections by the Minnesota Department of Revenue and the most current population estimate by the Metropolitan Council available as of the first meeting of the Board. The Board shall reallocate the County votes in the same manner as stated above, upon the addition as a Party to this Agreement of an eligible county, after the effective date, but during the Initial Period. Beginning on January 1, 2012, the Board shall reallocate the County votes every four years based upon average Sales Tax revenue and average population estimates generated in the previous four years for each of the Parties. The Board shall recalculate

the allocation of County votes in the same manner upon entry of an eligible county after the Initial Period, except that the portion of Sales Tax attributable to the newly joining county for purposes of reallocating votes shall be based upon Sales Tax revenue projections for such county.

ARTICLE IV. POWERS OF THE BOARD

1. General Powers.

The Board is hereby authorized to exercise such powers granted under the provisions of Minn. Stat. §§ 297A.992 and 471.59 and such other statutory authority held in common by the Parties, that are necessary and proper to fulfill its purposes and perform its duties. Such powers shall include those specific powers enumerated in Section 2 of this Article.

2. Specific Powers.

A. The Board may enter into any contract necessary or proper for the exercise of its powers or the fulfillment of its duties and enforce such contracts to the extent available in equity or at law. The Board may approve any contract relating to its administration up to the amount approved in the annual administrative budget, and may authorize the Chair of the Board, or such other officer as designated in the by-laws to act in the absence of the Chair, to execute those contracts.

B. The Board may award and enter into contracts necessary or proper for the exercise of its powers or the fulfillment of its duties and enforce such contracts to the extent available in equity or at law.

C. No payment on any invoice for services performed by a consultant or any other person or organization providing services in connection with this Agreement shall be authorized unless approved by the Chair (as hereinafter defined) or such officer designated by the Board to approve such payments.

D. The Board may employ agents and employees, and fix their compensation and all other terms and conditions of employment.

E. The Board shall have the power to adopt such by-laws that it may deem necessary or desirable for the conduct of its business. Such by-laws shall be consistent with this Agreement and any applicable laws or regulations. The by-laws may provide for the appointment by the Board of ex officio, non-voting members to the Board, including county commissioners from metropolitan counties that are not Parties to this Agreement.

F. A quorum of the Board shall be a simple majority of the votes of the Board, provided that at least 60% of the Counties are represented at the meeting.

G. The Board may apply for and accept gifts, grants or loans of money, other property or assistance from the United States Government, the State of Minnesota, or any person, association, or agency for any of its purposes; enter into any agreement in connection therewith; and hold, use, and dispose of such money, other property or assistance in accordance with the terms of the gift, grant or loan relating thereto.

H. The Board may acquire, lease, hold, use, and dispose of property, both real and personal, including transfer of property from a County or another political subdivision, to accomplish the purposes of this Agreement and upon termination of this Agreement, shall make distribution of such property as is provided for in this Agreement.

I. The Board may sue and be sued in its own name, purchase insurance as is deemed advisable, and may otherwise take action to enforce its rights in equity or in law.

J. The Board may incur debts, liabilities, or obligations in accordance with the provisions of this Agreement.

ARTICLE V. OFFICERS AND STRUCTURE OF JOINT POWERS BOARD

1. Terms.

A. The County Board of each County shall appoint two representatives and one or more alternates, by resolution, to serve on the Board for an initial term commencing with the execution of the Agreement until January 15, 2010. Representatives and alternates must be members of the appointing County Board.

B. Thereafter, each representative and alternate shall be appointed for one-year terms, beginning January 15, by resolution of the County Board. In the event that any representative or alternate shall not have been appointed by January 15 in any year, the incumbent representative shall serve until a successor has been appointed. Removal of any representative or alternate during the term for which the representative has been appointed may be done at any time but shall be done only by resolution of the appointing County Board.

2. Chair and Vice Chair.

The Board shall elect a chair (the "Chair") and a vice chair (the "Vice Chair") from its membership at its first regular meeting. The Chair and Vice Chair shall be elected by the Board from its membership for a one-year term. The Chair and the Vice Chair may not be from the same County. The Chair shall preside at all meetings of the Board and shall perform other duties and functions as may be determined by the Board. The Vice Chair shall preside over and act for the Board during the absence of the Chair. If both the Chair and Vice Chair are absent, the Board may elect a temporary chair to conduct its business, provided a quorum is present. The Board may elect other officers in accordance with its by-laws.

3. GEARS Committee.

A. Pursuant to the requirements of Minn. Stat. § 297A.992, subd. 5, the Board shall establish a Grant Evaluation and Ranking System ("GEARS") committee which must consist of:

- 1) one County Commissioner from each County that is in the Metropolitan Transportation Area, appointed by its County Board;

2) one elected city representative from each County that is in the Metropolitan Transportation Area;

3) one additional elected city representative from each County for every additional 400,000 in population, or fraction of 400,000, in the County that is above 400,000 in population; and

4) the chair of the Metropolitan Council Transportation Committee.

B. Each city representative must be elected at a meeting of cities in the Metropolitan Transportation Area, which must be convened for that purpose by the Association of Metropolitan Municipalities.

C. The GEARS committee shall evaluate grant applications following objective criteria established by the joint powers board, and must provide to the joint powers board a selection list of transportation projects that includes a priority ranking.

D. The membership of the GEARS committee shall conform to Minn. Stat. § 297A.992, subd. 5, as it may be amended from time to time.

4. Other Committees.

A. The Board shall establish such other committees as may be required by law.

B. The Board may establish a technical advisory group pursuant to the provisions of Minn. Stat. § 297A.992, subd. 4(c).

C. The Board may establish standing committees of the Board. The Chair may establish ad hoc committees of the Board.

5. Vacancies.

If an appointment of any representative or alternate is vacated before the end of the term, the vacancy shall be filled by appointment by the appropriate County Board. Vacancies shall be filled within thirty (30) days of their occurrence. A vacancy shall be deemed to have occurred when any of the conditions specified in Minn. Stat. § 351.02 exist, or if a representative fails to qualify or act as an elected official.

6. Meetings.

The Board shall meet at regular intervals at such times and places as the Board shall establish in its by-laws. Special meetings may be held on reasonable notice by the Chair or any two Parties upon terms and conditions as the Board may determine and that conform to the Minnesota Open Meeting Law, Minn. Stat. Chapter 13D.

ARTICLE VI. ANNUAL ADMINISTRATIVE BUDGET AND FUNDING

1. Administrative Budget.

A. The Board shall adopt an annual administrative budget, together with a statement of the sources of funding and an estimate of the proportion of such amounts, if any, required of each Party.

B. The Board shall approve a preliminary administrative budget for the succeeding fiscal year by no later than July 1 of each year. The Board may utilize the proceeds of the taxes imposed pursuant to Minn. Stat. § 297A.992 for administrative costs only to the extent authorized by Minn. Stat. § 297A.992, subd. 4 (b). Any additional administrative expenses must be paid by the Counties. In the event that the administrative budget exceeds the allowable use of Sales Tax proceeds, the preliminary administrative budget shall include a cost sharing formula allocating the additional amounts to the Counties ("County's Administrative Share"). Counties shall pay the County's Administrative Share in accordance with Sec. 2.B.

C. The Board shall adopt a final administrative budget and costs sharing formula by no later than August 30 of each year.

D. The final administrative budget and cost sharing formula shall be forwarded to each Party's governing body for approval if the administrative budget exceeds the allowable use of Sales Tax proceeds.

E. The fiscal year shall be the same as a calendar year.

F. No County shall have a financial obligation to fund the County's Administrative Share unless such County's governing body has approved the annual final administrative budget and cost sharing formula.

2. Administrative Funding.

A. Initial Administrative Funding.

It is understood by the Parties that the administrative activities and duties of the Board are to be funded primarily by Sales Tax proceeds collected pursuant to Minn. Stat. § 297A.992. Nevertheless, each Party agrees to contribute \$50,000 as an initial contribution for the start-up administrative expenses of the Board. The Board will establish an initial budget and agree to the allocation of any additional necessary initial administrative contributions, subject to the approval of each County board. Each County shall pay its appropriate initial contribution to the County acting as fiscal agent of the Board or to the Trustee, as defined in Article VII. 1, as directed by the Board, within 30 days of execution of this Agreement. Initial contributions shall be reimbursed to the Counties upon receipt of Sales Tax proceeds.

B. Time of Payment for County's Administrative Share.

A County's Administrative Share shall be paid to the Board by June 1 of each year.

C. Budgeting and Accounting Services.

The Board may contract with one of the Counties to provide any and all budgeting and accounting services necessary or convenient for the Board's administrative budget. Such services may include, but not be limited to: management of all funds, including County contributions and grant monies; payment for contracted services; and relevant bookkeeping and recordkeeping.

D. Accountability for Funds.

All funds shall be accounted for according to generally accepted accounting principles. A report on all receipts and disbursements shall be forwarded to the Board on an annual basis. The Counties have, at any time, the authority to request and receive reports pertaining to any and all budgeting and accounting services. All interest earned from established Board funds shall be credited back to that same fund.

ARTICLE VII. GRANT MANAGEMENT

1. Receipt of Funds and Financial Management

The Board shall contract with a trustee for the purpose of receipt and disbursement of Sales Tax proceeds and other funds ("Trustee"). The Board may further utilize the Trustee for financial management. Each County shall impose one hundred percent (100%) of the Sales Tax required under Minn. Stat. § 297A.992 and shall direct the Minnesota Department of Revenue to remit the Sales Tax proceeds, less administrative expenses allowable to the Department of Revenue by statute, to the Trustee or as otherwise directed by the Board, with the Sales Tax first pledged to pay debt service on outstanding bonds, if any, authorized and issued pursuant to Article VIII.

2. Criteria for Award of Grants

The Board shall establish criteria for the award of grants that shall include, but not be limited to:

A. Grant awards shall be consistent with the most recent version of the Metropolitan Council's Transportation Policy Plan.

B. Grant awards shall maximize the availability and use of federal funds.

C. No grant award made to the Metropolitan Council may supplant operating or capital funding provided to the Metropolitan Council by the state.

D. No grant award made to the Metropolitan Council may supplant the 50% state share of the non-federal operating subsidy for light rail and commuter rail operations.

E. No grant award shall be made for operating costs of a transitway (except for the Hiawatha Light Rail Project, the Northstar Commuter Rail Project, Cedar Avenue Bus Rapid Transit Project, and the 35W Bus Rapid Transit Project from downtown

Minneapolis south) unless the Board has previously awarded a grant for the capital costs of the transitway project.

F. No grant award shall be made for capital costs of a transitway project unless there is a 10% local match for the transitway project. A local match is defined as dollars that are not provided by the state, the Metropolitan Council, or the federal government.

G. Any grant awards made to an eligible county that joins the Board after July 1, 2008 shall be made only for purposes of paying that eligible county's obligation set forth in Article II.4, until such time as said obligation has been satisfied.

H. Notwithstanding the restrictions of paragraph E above, each County shall be awarded annual grants of at least 1% of the total Sales Tax proceeds for each of the fiscal years 2009, 2010, and 2011. Notwithstanding the foregoing sentence, for minimum guarantee counties, as the term is defined in Minn. Stat. § 297A.922, subd. 1 (4), for fiscal years 2009, 2010, and 2011, the grant awards shall be the greater of 1% of the total Sales Tax proceeds or the minimum guarantee amount provided for in Minn. Stat. § 297A.992, subd. 6.

3. Timeline and Procedure for Award of Grants.

The Board shall establish timelines and procedures for the award of grants in accordance with Minn. Stat. § 297A.992. Award of grants shall be by action of the Board.

ARTICLE VIII. DEBT OBLIGATIONS

1. Debt Obligations.

The Board may incur debt obligations necessary to accomplish its purposes that are consistent with law and the financial policies established by the Board in accordance with this Article VIII.

The Board may authorize a County or regional railroad authority (a "Rail Authority") wholly within the Metropolitan Transportation Area to issue and sell obligations and pledge to such County or Rail Authority the Sales Tax remitted to the Trustee on behalf of the Board hereunder.

Debt obligations authorized or issued pursuant to this Article VIII may be:

a. limited obligations payable solely from or secured by Sales Tax revenues and other separately pledged revenues and issued by the Board, a County or a Rail Authority; provided that any entity separately pledging non-Sales Tax revenue has acted by resolution of its governing body to so pledge; or

b. general obligations secured by the full faith, credit and taxing power of a County and issued by a County; provided that a County has acted by resolution of its governing body to so pledge its full faith, credit and taxing power.

2. Vote Required.

The Board may incur or authorize debt obligations with both a maturity in excess of five years and an amount in excess of the total Sales Tax proceeds projected for the next twelve-month period, only by a vote of (1) 75 of the 100 allocated votes in favor of the action, and (2) at least a simple majority of the County Commissioner representatives voting in favor of the action. All other debt obligations shall be incurred or authorized by action of the Board in accordance with Section III.2.D.

For purposes of determining whether a majority of County Commissioner representatives have voted in favor of an action under this Article, each County Commissioner representative shall have one-half (1/2) vote. In the event that only one County Commissioner representative is present at a meeting, that Commissioner may cast both of the County's one-half (1/2) votes.

3. Apportionment of Responsibility.

Prior to the issuance of any debt obligation, the Board shall identify each County's portion of the debt obligation for purpose of apportionment in the event a Party withdraws pursuant to Article IX.

4. Cooperation.

The Board and the Counties agree to provide such resolutions, representations, certifications and other agreements as may be reasonably required by bond counsel to provide for the issuance and sale of such debt obligations; provided that no such action shall require a County to pledge its full faith, credit and taxing power to secure debt obligations issued or authorized hereunder; nor shall such action require a public entity to separately pledge non-Sales Tax revenue to secure debt obligations issued or authorized hereunder.

ARTICLE IX. WITHDRAWAL AND TERMINATION

1. Withdrawal of a County Before Final Termination.

A. Withdrawal of a County. Any County may withdraw from this Agreement upon the following conditions: a) giving three years' notice prior to June 30 of the intended year of withdrawal by written notice to the Board, and b) showing that all amounts due and owing have been paid or will be paid prior to termination of the Sales Tax pursuant to Section IX.1.C. Such amounts shall include the withdrawing County's portion of all outstanding debt obligations issued pursuant to Article VIII and such other obligations as are determined by unanimous vote of the County Commissioner representatives on the Board. Notice shall be effective upon delivery to the Chair of the Board of a certified copy of a resolution of its governing body indicating its intent to withdraw from this Agreement. Upon receipt of the resolution, the Chair of the Board shall forward a copy of the resolution to each of the Counties. In the event of withdrawal by any County, this Agreement shall remain in full force and effect as to all remaining Counties.

B. Effect of Notice of Withdrawal. Upon the effective date of a County's notice of withdrawal, the withdrawing County's representatives may not vote on the issuance or authorization of debt obligations pursuant to Article VIII of this Agreement, nor shall the Board apportion to the withdrawing County any debt obligation incurred or authorized after the effective date of a County's notice of withdrawal. The County's representatives may vote on all other matters until the effective date of withdrawal. In the event that a County rescinds its notice of withdrawal prior to the effective date of withdrawal, the Board shall reapportion any debt obligation incurred or authorized after the effective date of a County's notice of withdrawal to include that County.

C. Effect of Withdrawal. Withdrawal by any County shall not terminate this Agreement except as provided in Section 2.A. herein. Withdrawal shall not act to discharge the withdrawing County from liability incurred or chargeable to the withdrawing County before the effective date of withdrawal. Such liability shall continue until appropriately discharged by law or agreement. No County shall be entitled to a refund of any part of the County's Administrative Share that has been paid to the Board, or receive forgiveness of any part of the County's Administrative Share still owing to the Board, or receive any Sales Tax revenues that have been pledged.

D. Termination of Taxes. The taxes imposed under Minn. Stat. § 297A.99, subdivision 1, by a County that withdraws from this Agreement, shall terminate only when the Party has satisfied its portion of all outstanding debt obligations, as defined in Article VIII of this Agreement, or other obligations as determined by unanimous vote of the County Commissioner representatives on the Board.

A withdrawing County shall not be deemed to have satisfied its portion of all outstanding debt obligations unless:

(1) an independent accountant or independent financial advisor, acceptable to the Board, has provided a written opinion or report stating that the withdrawing Party has satisfied its share of outstanding bonds or debt obligations;

(2) bond counsel, acceptable to the Board, has provided a written opinion stating that the withdrawal of the Party does not affect the security for or tax-exempt status of the outstanding bonds or debt obligations; and

(3) the Board accepts these opinions and reports.

2. Termination.

A. Events Resulting in Termination. This Agreement shall terminate upon the occurrence of any one of the following events:

1) When necessitated by operation of law or as a result of a decision by a court of competent jurisdiction.

2) When all the Parties agree, by resolution adopted by the respective governing bodies, to terminate this Agreement, and all obligations of the Board shall have been paid or otherwise defeased in full.

B. Effect of Termination. Termination shall not discharge any liability incurred by the Board or by the Parties during the term of this Agreement.

C. Termination of Taxes. If the Agreement is terminated, the Sales Tax imposed under Minn. Stat. § 297A.99, subdivision 1, at the time of termination of the Agreement will terminate in accordance with Minn. Stat. § 297A.99, subd. 12, only when all outstanding bonds or obligations are satisfied. The auditors of the Counties in which the taxes are imposed shall see to the administration of this paragraph.

D. Disposition of Property and Funds. Property or surplus money acquired by the Board shall be sold and proceeds distributed to the Counties in proportion to contributions of the Counties or as agreed to by the Board, provided that the Counties shall not be entitled to receive any Sales Tax revenues that have been pledged. No distribution pursuant to this section shall inure to the benefit of any private person. The Board shall approve a final report of its activities and affairs and, on the expiration of thirty (30) days therefrom, shall cease to exist.

ARTICLE X. NOTICES

For purposes of delivery of any notices to the Parties hereunder, the notice shall be effective if delivered in writing to:

Anoka County: County Administrator
Anoka County Government Center
2100 Third Avenue
Anoka, MN 55303

Carver County: County Administrator
Carver County Government Center
600 East 4th Street
Chaska, MN 55318

Dakota County: County Administrator
Dakota County Government Center
1590 Highway 55
Hastings, MN 55033

Hennepin County: County Administrator
A-2300 Hennepin County Government Center
300 South Sixth Street
Minneapolis, MN 55487

Ramsey County: County Manager
Ramsey County Court House
15 W. Kellogg Blvd., Room 250
Saint Paul, MN 55102

Scott County: County Administrator
Scott County Government Center
200 Fourth Ave West
Shakopee, MN 55379

Washington County: County Administrator
Washington County Government Center
14949 62nd Street North
Stillwater, Minnesota 55082-0006

ARTICLE XI. LIABILITY

1. Responsibility for Own Acts and Omissions.

Each Party agrees that it will be responsible for its own acts and omissions, the acts and omissions of its commissioners, officers and employees and any liability resulting therefrom to the extent authorized by law. No Party shall be responsible for the acts of the other Parties and the results thereof. Each Party acknowledges and agrees that it is insured or self-insured consistent with the limits established in Minnesota State Statute. Each Party agrees to promptly notify all Parties if it becomes aware of any potential Board related claim(s) or facts giving rise to such claims.

2. No Waiver.

Notwithstanding the foregoing, the terms of this Agreement are not to be construed as, nor operate as, waivers of a Party's statutory or common law immunities or limitations on liability, including, but not limited to, Minn. Stat. Chap. 466. Further, the Party's obligations set forth in this Article and otherwise in this Agreement, are expressly limited by the provisions of Minn. Stat. Chap. 466, Minn. Stat. § 471.59, and any other applicable law or regulation providing limitations, defenses or immunities to the Parties and to the Board.

ARTICLE XII. MISCELLANEOUS

1. Amendments.

This Agreement may be amended only by unanimous agreement of the Parties as evidenced by resolutions adopted by their respective governing bodies.

2. Records, Accounts and Reports.

A. The Board shall establish and maintain such funds and accounts as may be required by good accounting practices. The books and records of the Board shall be subject to the provisions of Minn. Stat. Chapter 13, the Minnesota Government Data Practices Act, and Minn. Stat. § 16C.05, subd. 5. The Board, within one hundred and twenty (120) days after the close of each fiscal year, which shall be January 1 to December 31, shall give a complete written report of all financial activities for such fiscal year to the parties.

B. As required by Minn. Stat. § 297A.992, subd. 11, the Board shall report annually by February 1 to the Minnesota House of Representatives and Senate committees having jurisdiction over transportation policy and finance concerning the revenues received and grants awarded.

3. Counterparts.

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

4. Severability.

The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of the Agreement is for any reason held to be contrary to law, or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of this Agreement.

5. Entire Agreement.

This Agreement constitutes the entire agreement between the Parties and supersedes all prior written or oral agreements relating to the formation of the Board.

6. Alternative Dispute Resolution.

In the event of a dispute arising under this Agreement, the Parties and the Board agree to attempt to resolve their dispute by following the process described below:

A. A Party shall provide written notice to the Board describing perceived conflict, positions and underlying reasons.

B. The Board or Party shall provide written response to notice within 7 days of receipt of notice.

C. The Parties shall meet within 14 days of receipt of response with a neutral facilitator. The neutral facilitator will be a representative from the Minnesota Office of Dispute Resolution. Costs of such facilitator shall be shared equally by all parties to the dispute.

D. At the first meeting, the neutral facilitator will assist the parties in identifying the appropriate parties and participants in the dispute resolution process, their concerns, a meeting agenda and design for any subsequent meetings. The Parties shall agree on a process for resolving the problem that would involve additional negotiations, mediation or arbitration.

E. In developing the process, the Parties will be guided by the following principles:

- 1) The Parties will attempt in good faith to reach a negotiated settlement.

2) The Parties agree that there must be fair representation of the parties directly involved in the dispute.

3) The Parties will use legal proceedings as a last resort.

4) In the event the Parties are unable to resolve the dispute, each Party retains all rights, remedies or defenses it had prior to entering the process, except that each Party shall be responsible for its own attorney's fees and costs.

F. The Parties will report to the Board within 60 days of their first meeting on the resolution of the dispute or a recommendation to commence legal proceedings.

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IN WITNESS WHEREOF, the parties to this Joint Powers Agreement
Establishing the Counties Transit Improvement Board have hereunto set their hands on
the date written below: