



It is the mission of the Ann Arbor Transportation Authority to provide useful, reliable, safe, environmentally responsible, and cost-effective public transportation options for the benefit of the Greater Ann Arbor Community.

Approved Minutes
November 17, 2011
Ann Arbor Transportation Authority
Board of Directors Meeting
Ann Arbor District Library, 343 South Fifth Avenue, Ann Arbor, Michigan, 6:30 p.m.

Board Members Present: Jesse Bernstein (Chair), Anya Dale (departed 8:07 p.m.), Charles Griffith (arrived 7:05 p.m.), Roger Kerson, Sue McCormick, David Nacht

Board Members Absent with Notice: Rich Robben

Staff Present: Michael Benham, Terry Black, Ron Copeland, Dawn Gabay, Michael Ford, Jan Hallberg, Ed Robertson, Phil Webb, Chris White

LAC Representative: Cheryl Weber

Recording Secretary: Karen Wheeler

Chairman Jesse Bernstein declared that a quorum was present and called the meeting to order at 6:33 p.m.

1.0 *Public Hearing*

There was no Public Hearing.

2.0 *Communications and Announcements*

There were no communications or announcements.

3.0 *Public Time – Comment on Agenda Items*

Thomas Partridge appeared before the Board. Mr. Partridge called on the Board to adopt a training program for all drivers, especially drivers who provide paratransit service. Mr. Partridge requested that the training program include competency to perform duties as drivers and also courtesy training so that drivers can provide helpful

assistance. Mr. Partridge also called on the Board to end alleged discriminatory practices by SelectRide and reported on riding in a yellow cab with 400,000 miles on it and subject to recalls due to being a former police car.

No one further appearing, Mr. Bernstein declared Public Time closed.

4.0 *Review and Approval of Minutes*

4.1 *Review and Approval of Minutes of October 20, 2011*

Anya Dale moved approval of the minutes as written with support from Sue McCormick. The motion passed unanimously.

5.0 *Board and Staff Reports*

5.1 *Chief Executive Officer*

Mr. Ford reported on news from Congressman Dingell about approval of an application for federal funding. A total of \$2.079Million from the Clean Fuels Program will cover the incremental cost of the hybrid electric drive in 11 replacement buses. State funds are expected to provide the non-federal share.

Mr. Ford reported on a follow-up item from the October meeting regarding the Connector Study. The duration of the Alternatives Analysis is expected to be 16 months. If the process begins in April 2012, the final report would be due in August 2013.

Mr. Ford reported on the November u196 Board meeting. Updates were provided on the two District Advisory Committee meetings. The Board received an update on the work of the Financial Task Force (FTF) and reviewed a hypothetical budget discussed at the FTF meeting. The Board received two service presentations: on fixed-route and Express Bus services.

Mr. Ford reported on a meeting with the Mayor of the City of Ann Arbor regarding the 4-party agreement, and on the City of Ypsilanti's adoption of a Purchase of Service Agreement through June 30, 2012.

Mr. Ford listed the action items moved forward by the Performance Monitoring and External Relations Committee and deferred to Board members for committee reports. Mr. Ford provided brief updates on Work Plan projects and noted that he held numerous meetings which were detailed in his written report.

5.1.1 *u196 Board Meeting*

A report on the u196 Board meeting was included in Mr. Ford's report.

5.1.2 *Website Development*

Mary Stasiak reported on continued work with the website developer to finalize an agreement to make sure all of the basic and custom functionality is owned by AATA and can be updated by AATA staff at any time. Ms. Stasiak reported that 70 responses were received on the first basic phase of usability testing which will allow the website development team to determine whether items are in a good place on the page. The usability test was conducted at the Blake Transit Center and will soon be deployed at a grocery store, distributed by email, posted to Face book and issued to other distribution channels to receive as much feedback as possible. The team will make changes to the site based on the feedback.

5.2 *Planning and Development Committee*

Anya Dale reported that there were no action items for the committee to consider. The committee received an update of the Capital and Categorical Grant Program. The program includes the addition of grant monies for five buses that will be used for expanded service on the Washtenaw route. It is expected that the state will provide a local match. The program also includes a grant award for the Connector Study Alternatives Analysis. It is uncertain whether matching funds will be provided. Ms. Dale noted that the spreadsheet includes a column for FY2016 and there is a heading designating that that the program is for existing service and not new service. Ms. Dale reported that the committee received updates from staff.

5.3 *Performance Monitoring and External Relations Committee*

Sue McCormick reported that the committee considered and endorsed three action items. A Revised Public Input Policy for Service and Fare Changes reflects the way service changes have been approached. The updated policy includes, for the first time, levels of changes, significance and reflects the values of the agency and makes sure riders know. Ms. McCormick reported on a slight revision in the policy to address a specific concern raised by an individual. Staff will advise the individual of the updated policy to let the person know that the agency has been responsive to their issue. Ms. McCormick reported that the committee endorsed adoption of a service increase on the #4 Washtenaw Route between Ann Arbor and Ypsilanti. This will double the amount of service on the route, and is a critical element of the ReImagine Washtenaw effort.

Ms. McCormick reported that the committee discussed a complaint for a rejection of an advertisement. The committee discussed how the advertising policy supports upholding the advertising contractor's decision not to place the advertisement. The committee recommended upholding the denial and Ms. McCormick indicated that the Board would have the opportunity for discussion in closed session. The committee reviewed the performance indicators and there was nothing out of order. Ms. McCormick reported that the committee will closely follow and study the analytics of the variables behind extremely late buses in the range of 15 to 20 minutes.

5.4 *Local Advisory Council*

Cheryl Weber LAC Chair, reported that she is pleased to have Clark Charnetski as second chair. The LAC has been working on an A-Ride driver appreciation program. The committee developed a draft survey to determine who will be recognized and appreciated. The Council received a presentation on the Transit Master Plan and on the Blake Transit Center (BTC) Stakeholder Advisory Council. It is hoped that a visual presentation on the BTC will be made at the December meeting. Clark Charnetski commented on bus stops at UM that do not have a sheltered walkway for transit customers people stops used by A-Ride whereas people who come from parking structures have a sheltered walkway to the hospitals.

6.0 *Question Time*

Sue McCormick requested the types of sources that will be included in the email distribution for the Website Development usability testing. Mary Stasiak responded that the list includes MyRide subscribers, the Center for Independent Living and anyone who has an interest.

7.0 *Old Business*

There was no Old Business.

8.0 *Executive Session – Considering a Privileged Written Opinion of Counsel and Evaluation of Personnel (Michigan Open Meetings Act; Section 8)*

Sue McCormick moved to adjourn to Executive Session for the purpose of considering a written opinion of counsel and evaluation of personnel under Section 8 of the Michigan Open Meetings Act. Roger Kerson supported the motion. The vote was unanimous and the Executive Session began at 7:05 p.m.

David Nacht moved to close the Executive Session with support from Sue McCormick. The vote was unanimous and the Executive Session closed at 8:09 p.m.

9.0 *New Business*

Sue McCormick moved the following resolution with support from David Nacht.

9.1 *Adoption of Revised Public Input Policy for Service and Fare Changes*

WHEREAS, the Ann Arbor Transportation Authority (AATA) is required to have a policy for public input before major service and fare changes as a condition of federal assistance, and

WHEREAS, the current policy meets the minimum requirements, but is out of date and is no longer consistent how AATA uses public input , and

WHEREAS, staff has prepared a revised policy that reflects the importance that AATA places on soliciting and receiving public input before making service and fare changes, and

WHEREAS, AATA has taken notice of proposed Federal Title VI requirements and guidelines and developed the policy to comply,

NOW THEREFORE, BE IT RESOLVED that the Ann Arbor Transportation Authority Board of Directors hereby adopts the attached *Public Input Policy for Service and Fare Changes* dated November, 2011.

The motion passed unanimously.

Sue McCormick moved the following resolution with support from David Nacht.

9.2 *Adoption of Service Increase on the #4 Washtenaw Route between Ann Arbor and Ypsilanti*

WHEREAS, the Ann Arbor Transportation Authority (AATA) has proposed a service increase on the #4 Washtenaw route to double the number of weekday trips between Ann Arbor and Ypsilanti, and

WHEREAS, this service increase is part of a larger effort to improve work transportation between Ann Arbor and Ypsilanti, and

WHEREAS, this service increase is an element of the Transit Master Plan which AATA is implementing in advance, and

WHEREAS, the AATA has received notice of the award of a Livability Gant for \$2.1 million from the Federal transit Administration for 5 hybrid-electric buses to operate the expanded service, and

WHEREAS, the implementation of improved transit service in the Washtenaw corridor is also a critical element of Re-Imagine Washtenaw Avenue, a joint effort of the AATA with the cities of Ann Arbor and Ypsilanti, townships of Pittsfield and Ypsilanti, Washtenaw County , and other partners, and

WHEREAS, AATA staff developed a Title VI, Environmental Justice, and Limited English Proficiency Analysis of the proposed change for review by the Board of Directors, and

WHEREAS, AATA staff disseminated information to riders and the public about the proposed service change, solicited comments and questions, provided multiple and diverse opportunities for riders and the public to understand the proposed changes and provide comments, objections, and suggestions, and

WHEREAS, the input received was extremely positive, was considered by staff and provided to the AATA Board for consideration before making a decision,

NOW THEREFORE, BE IT RESOLVED that the Ann Arbor Transportation Authority Board of Directors hereby adopts the attached revised service for the #4Washtenaw route effective to be effective January 29, 2012.

David Nacht spoke in favor of the resolution commending staff for first this first step of the Transit Master Plan and expanded service across the county. Mr. Nacht suggested that Ann Arbor tax dollars to support the service will benefit many Ann Arbor businesses by bringing in employees who live along the #4 Route corridor. Mr. Nacht indicated that people who don't live in the City of Ann Arbor and have wondered about the Board's commitment to them should put those concerns to rest.

The motion passed unanimously.

9.3 *Potential Litigation*

Charles Griffith reported that the PMER Committee considered a matter of some litigation being brought to the Board. The Board had been asked to come up with a recommendation as a response. Board members reviewed the recommendation in closed session with legal counsel. Mr. Griffith indicated that since the recommendation was not shared before the meeting, he would read the resolution in its entirety.

Mr. Griffith moved the following resolution and read it into the record.

WHEREAS, the Ann Arbor Transportation Authority (AATA) received correspondence (copy attached) from the American Civil Liberties Union (ACLU) objecting to the rejection of a proposed advertisement; and

WHEREAS, AATA has an Advertising Policy to govern the placement of advertisements on its buses and is under contract for Bus Advertising Services with the Transit Advertising Group to administer the placement of ads in accordance with the Advertising Policy; and

WHEREAS, the advisory AATA Performance Monitoring External Relations Committee (PMER) has reviewed the ACLU complaint with legal counsel, has found that at least the following stipulations from the Advertising Policy support the rejection of the advertisement in its proposed form, and has recommended that the ad continue to be rejected:

2.10 AATA ADVERTISING POLICY

- A. The AATA, by permitting commercial advertising in or on its vehicles, shelters, informational material, buildings, and benches, does not thereby intend to create a public forum. Further, AATA requires that such advertising comply with specified standards to further the purposes of providing revenue for AATA, increasing ridership, and assuring that AATA riders will be afforded a safe and pleasant environment. AATA reserves the right to approve all advertising, exhibit material, announcements, or any other display and their manner of presentation. All advertising must be in considered good taste and shall uphold the aesthetic standards as determined by AATA.
- B. Advertising in or on AATA vehicles, in AATA shelters, building[s], benches or informational material which does any of the following shall be prohibited.
 - 5. Defames or is likely to hold up to scorn or ridicule a person or group of persons.

NOW THEREFORE, BE IT RESOLVED that the AATA Board of Directors concurs with the recommendation of the Performance Monitoring and External Relations Committee, affirms the vendor's decision to reject the advertisement in its current form, invites the ACLU and its client to discuss the advertising policy with AATA, and requests AATA counsel to communicate the decision to the ACLU by appropriate letter.

Roger Kerson supported the motion. The motion passed unanimously.

9.4 *Evaluation of Personnel*

Jesse Bernstein announced that the evaluation of personnel would be held over for another month.

10.0 *Public Time*

Christopher Harris appeared before the Board. Mr. Harris shared details of a situation that occurred on November 3, 2011. Mr. Harris called the A-Ride program for a ride home from the grocery store. Mr. Harris shops once a month and has a large order. The A-Ride driver refused to provide the ride due to the number of bags. On many occasions other A-Ride drivers have allowed Mr. Harris and his eight year old daughter, who serves as his PCA, to exceed the two bag per passenger limit. Mr. Harris was offered a straight meter ride but did not have the funds to cover the cost. Mr. Harris requested that someone else be sent, but the dispatcher refused the request and also did not grant Mr. Harris' request to speak with a supervisor. Mr. Harris and his daughter had to walk three miles to their home.

Mr. Bernstein indicated that staff would follow up.

Carolyn Grawi from the Ann Arbor Center for Independent Living (AACIL) appeared before the Board. Ms. Grawi thanked the Board for their commitment to provide transportation in the community which provides opportunities for many individuals. Ms. Grawi distributed information on Toastmasters meetings held at the AACIL and a flyer on Michigan Gifts. Ms. Grawi commented on progress being made such as approval of expanded service for Route #4, and urged the Board to look at growing the transit system such that people with disabilities see improvement as well. Ms. Grawi noted an ongoing issue where reflectors on buses and lights in shelters are needed at this time of year due to early darkness.

Thomas Partridge appeared before the Board. Mr. Partridge called on the Board to incorporate a nondiscriminatory policy, particularly toward senior citizens and people with disabilities, into the Transit Master Plan. Mr. Partridge restated his assertion that SelectRide is engaging in discriminatory practices by expecting severely handicapped persons and seniors to ride in vehicles that are unsafe and unreasonable with mileage in excess of 400,000 miles.

No one further appearing, Mr. Bernstein declared Public Time closed.

11.0 *Adjourn*

Sue McCormick moved to adjourn the meeting with support from Roger Kerson. The motion passed unanimously and the meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Charles Griffith, Secretary