

Approved Minutes  
August 19, 2009  
Ann Arbor Transportation Authority  
Board of Directors Meeting  
AATA Headquarters, 2700 South Industrial Highway, 6:30 p.m.

Board Members Present: Ted Annis, Jesse Bernstein, Charles Griffith, David Nacht (Chair), Rich Robben

Board Members Absent: Paul C. Ajegba, Sue McCormick

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

LAC Representative: Rebecca Burke

Recording Secretary: Karen Wheeler

Chairman David Nacht declared that a quorum was present and called the meeting to order at 6:35 p.m.

1.0 Public Hearing—None Scheduled

There was no Public Hearing.

2.0 Communications and Announcements

Mr. Nacht announced that Paul Ajegba and Sue McCormick previously informed the Board that they were unable to attend the meeting.

Mr. Nacht reported on a meeting with representatives from the University of Michigan that he and Chris White attended. The meeting was an effort to continue to build the relationship between AATA and the University.

Mr. Nacht reported on efforts in the community to raise capital funds for the WALLY rail project. Mr. Nacht announced that a grant application for TIGER funds would be submitted in concert with multiple partners, some of which include the Ann Arbor Downtown Development Authority, the WALLY Coalition, the Michigan Department of Transportation, and some Livingston County partners. Mr. Nacht announced that the Board continues to remain open to the WALLY project. Mr. Nacht noted a perceived lack of interest from Livingston County, which is troublesome given that the majority of ridership would likely come from that sector of the region, and indicated that the Board would like to see more support. Mr. Nacht stated that AATA would do its best to move the project forward in a responsible fashion while remaining cognizant that all of the data

is not yet available.

Mr. Nacht announced that the Board would consider a resolution stopping service of the Link route due to funds no longer being provided by the partners. Mr. Nacht indicated that the decision was difficult given that AATA pushed hard for the service, and many people believe that operating a downtown shuttle is healthy for the community. Mr. Nacht indicated that AATA never planned to fund the service fully, and that now was not the time to take on that funding, particularly since the Board is comfortable that riders will have alternative ways to get around.

Mr. Nacht complimented Board members on their work in committee; processing large amounts of material on policy and process, in a substantive manner.

Mr. Nacht complimented Michael Ford on how rapidly he is getting to know the community, and how he is thoughtfully engaging many people in the community.

Michael Ford responded to Mr. Nacht's comment on the Link and announced that in the future, he sees a more robust planning process on the front end when considering new service so that if project partners bow out, the service could continue in a way that does not compromise AATA's customers. Mr. Ford complimented staff on the good job they have done communicating alternatives to Link riders.

### 3.0 Public Time--Comment on Agenda Items

Thomas Partridge appeared before the Board. Mr. Partridge commented on previous work regarding countywide service including the appearance of an attorney before the AATA Board in the summer of 2008, and David Nacht's appearance before the Washtenaw County Board of Commissioners several months ago. Mr. Partridge suggested that a millage for regional transportation should have been on the November 2008 ballot. Mr. Partridge commented on the agenda item labeled 8.3 which he claimed entirely ignored the issue of expanding the current AATA service to serve the Lakestone Apartment development which is a mere  $\frac{3}{4}$  mile from the intersection of Jackson and Wagner Roads.

Tim Hull appeared before the Board and read from a prepared statement. Mr. Hull requested that the opportunity for public input on AATA service be expanded beyond the process used at times of proposed service changes, and beyond the Local Advisory Council which is focused toward senior citizens and people with disabilities, and meets at a time not suitable for people who work and attend classes. Mr. Hull requested the establishment of an advisory council to engage the public in future plans for establishing additional service, tailored toward the needs of fixed-route riders, and scheduling meetings during an hour when more people can attend. Mr. Hull requested that AATA engage people in dialogue on service changes before they are mostly set in stone. Mr. Hull invited comments and questions on his suggestion.

Mr. Nacht noted that during the significant service change process last summer, some service was preserved based on public input. Mr. Nacht indicated that the concerns articulated by Mr. Hull would be considered very seriously, and that the Board is genuinely open to avenues for concern from riders. Mr. Nacht referred Mr. Hull to Mary Stasiak on AATA staff to provide input.

Mr. Nacht agreed with Thomas Partridge that the Board has been discussing the expansion of service for some time, but noted that sometimes change occurs more slowly than the Board would like, but that he was hopeful.

Trudy Swanson Winston, Mayor Pro Tem of the City of Ypsilanti appeared before the Board. Ms. Swanson Winston announced that the City strongly opposed the 30% increase to their purchase of service agreement over the next three years, and encouraged the Board to consider a decrease in the percentage because for the past three years the City had not been charged the full amount to fund the service. Ms. Swanson Winston encouraged the Board to increase the forum to go with a regional service that would also provide aid to the townships surrounding the City of Ypsilanti. Ms. Swanson Winston urged the Board to find a solution that would not result in cutting services to the people of Ypsilanti who really need it.

Mr. Nacht noted a resolution under New Business to address the City of Ypsilanti's situation.

Ted Annis announced that the reason for the increase in purchase of service agreements was to eliminate the subsidies using City of Ann Arbor tax dollars for service outside of the City. Mr. Annis stated his objection to the taxpayers of Ann Arbor subsidizing its neighbors. Mr. Annis invited Ms. Swanson Winston to attend the August 31 Planning and Development Committee where the committee would discuss options to offset the increase, and during which there would be dialogue with meeting attendees from the public.

Carolyn Grawi appeared before the Board and commented on her positive experience using public transportation services in Toronto, Canada. Ms. Grawi expressed concern that transportation in the Ann Arbor community would not grow, if service continues to undergo cuts. Ms. Grawi commented on discontinuation of the Link route, and noted that reducing service with purchase of service agreement partners would not support growth. Ms. Grawi requested that the Board continue to address countywide service. Ms. Grawi noted Michael Ford's appearance at an event attend by legislators who support transit and encouraged Mr. Ford to engage in dialogue to determine how funding for countywide transit can be achieved. Ms. Grawi indicated that some counties less economically fortunate than Washtenaw have regional transit systems, and encouraged the use of their models as a place to start.

Michael Bodary, Ypsilanti City Council member, appeared before the Board. Mr. Bodary commented on the proposed 30% increase to the City of Ypsilanti's purchase of

service agreement. Mr. Bodary indicated that the City has large increases in expenses and declining taxable values. Mr. Bodary announced that over the past year approximately 25% of police incident calls were from the Ypsilanti Transit Center (YTC). Mr. Bodary noted that AATA has a contract for guard service at the YTC, but it is often necessary for one of the four City patrol officers to respond at the YTC. Mr. Bodary suggested that one way to reduce costs would be to close the building to lower the drain on police resources. Mr. Bodary indicated that he understands that Ann Arbor does not want to subsidize service for Ypsilanti, but noted that a large portion of AATA's ridership comes from the City of Ypsilanti. Mr. Bodary added that Ypsilanti's citizens need transportation to get to work and to shop, and expressed his desire for the relationship between AATA and the City to continue.

Mr. Nacht thanked Mr. Bodary for his comments and indicated that the Board was making sure that cooperative relationships are working at staff level so that solutions can be found.

Mr. Annis invited Mr. Bodary to attend the August 31 Planning and Development Committee meeting. Mr. Annis noted that the AATA contract for security services at the YTC is approximately \$110,000 and indicated that he was interested in discussing closing down the facility.

Mr. Nacht responded that the Board was not taking a position in support of closing the Ypsilanti Transit Center, but rather that the Board was open to creative solutions and to hearing input on the impact to riders.

Peter Murdock, Ypsilanti City Council member, appeared before the Board. Mr. Murdock announced that the City has no ability to raise taxes by itself, and noted a three-year projection of a 30% reduction in taxable values due to the closing of various industrial plants. Mr. Murdock indicated that Council's view is that survival of transit service in Ypsilanti is predicated on developing a regional system with dedicated sources of revenue. Mr. Murdock urged the Board to move on a countywide initiative, and offered his support for that effort.

Mr. Nacht announced that it was good to hear that from prominent members of local government in support of transit initiatives. Mr. Nacht indicated that AATA wants to be a regional transit service to support the regional economy.

LuAnne Bullington appeared before the Board. Ms. Bullington commented on regional transportation suggesting that a portion of funding for regional transportation would be used to fund the WALLY train into Livingston County. Ms. Bullington noted that there are some capital funds for the project, but there is no money for operating, and operating costs are projected to be very high. Ms. Bullington noted comments made by a City of Ann Arbor official about moving the Blake Transit out of downtown to Fuller Road. Ms. Bullington indicated that the comments were made during an Ann Arbor City Council working session.

Jesse Bernstein announced that the City of Ann Arbor and the University of Michigan have agreed to pay for engineering and environmental impact studies that would develop a multimodal transit center. Mr. Bernstein indicated that the site would be located at the parking facility on Fuller Road owned by the City, and being used by the University. Mr. Bernstein noted that he has not heard any discussion about moving the Blake Transit Center, but rather noted actions taken by staff to investigate making improvements to the existing facility so that it is more usable.

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

#### 4.0 Review and Approval of Minutes

##### 4.1 Review and Approval of Minutes of June 17, 2009

##### 4.2 Review and Approval of Minutes of July 21, 2009

Mr. Bernstein moved approval of the Minutes of June 17, 2009 and July 21, 2009, as written, with support from Rich Robben. The motion passed unanimously.

#### 5.0 Board and Staff Reports

Mr. Annis reported on a Planning and Development Committee meeting scheduled for Monday, August 31 during which the committee would discuss Purchase of Service Agreements and the FY2010 budget with an eye toward getting AATA to \$96 per hour for bus operating service.

Mr. Bernstein reported that the Performance Monitoring and External Relations Committee spent the bulk of their August meeting discussing the contract for the Plymouth Road Park and Ride lot and discontinuation of the Link route. Mr. Bernstein indicated that he would provide detail on the discussions during New Business where two resolutions were to be considered.

Mr. Nacht requested a report on critical issues from the Local Advisory Council (LAC). Rebecca Burke responded that there were no critical issues to report.

Michael Ford noted a request from the LAC for the Board to assign a liaison to the committee.

Mr. Ford announced the next AATA Board meeting scheduled for Wednesday, September 23, 2009 at 1:00 p.m. Ms. Gabay added a reception to introduce Mr. Ford to the community scheduled to follow the Board meeting at 4:00 p.m.

#### 6.0 Question Time

Charles Griffith thanked Mr. Ford for the weekly updates to the Board. Mr. Griffith

indicated that the report is very useful, and that he is glad to see things coming along swiftly.

Mr. Annis announced that he was having good dialogue with Mr. Ford on ideas to control costs.

## 7.0 Old Business

### 7.1 FY 2010 Goals and Objectives

Mr. Annis reported that the Planning and Development Committee approved the proposed FY 2010 Goals and Objectives, and the committee recommended approval by the full Board.

Mr. Nacht noted that the goals document reflects work of the Board and senior staff completed prior to Mr. Ford's arrival. Mr. Nacht suggested that it might be appropriate for Mr. Ford to create a separate action plan and goals for himself on which he obtain agreement from the Board. Mr. Ford indicated that he would like a clear delineation of his goals separate from the proposed FY 2010 goals, and that he would like to have dialogue with the Board on what his goals are going to be.

The Board, with input from Mr. Ford, engaged in a lengthy discussion on how to proceed. It was noted that a proposed budget had been prepared which included the items in the proposed goals and objectives. Mr. Griffith noted the absence of goals to build community partnerships in the current document. Mr. Ford indicated that some pages of the document were inadvertently omitted in the copying process, and that the goals to collaborate and build partnerships were still included.

Suggestions from Board members included Mr. Ford working with the PDC on a revised proposal for Board consideration, and devising a process separate from the agency's goals by which to evaluate Mr. Ford.

Mr. Ford reported that he was planning to hold an Information Session with the Board in September or October to discuss his vision for the organization. Mr. Ford indicated that included in the discussion would be a request for support from the Board that the agency has the budget and resources to complete the objectives approved by the Board.

The Board reached consensus on Mr. Ford delivering goals and objectives to both Board committees.

Mr. Nacht noted the timing for considering a budget in September, and suggested that the Board be prepared to hold a separate working session on budget, if

necessary.

## 8.0 New Business

Mr. Bernstein moved the following resolution with support from Mr. Annis.

### 8.1 Consideration of Resolution Authorizing Execution of Contract for Plymouth Road Park and Ride Lot Construction

WHEREAS, an invitation for bids for construction of the Plymouth Road park and ride lot was issued and advertised consistent with Federal and State requirements on July, 14, 2008, and

WHEREAS, construction bids were received from six (6) companies, and

WHEREAS, the bid of D&R Earthmoving of Howell, Michigan at \$1,144,000 was the lowest bid, and

WHEREAS, the bid of D&R Earthmoving was determined to be responsive and responsible.

NOW, THEREFORE, BE IT RESOLVED that the AATA hereby authorizes the CEO to execute a construction contract with D&R Earthmoving for \$1,144,000.

BE IT FURTHER RESOLVED, that the total amount currently available for this project including design, construction, and construction management is \$1,530,000, and Board approval is required before executing any change order which will exceed this amount.

Chris White responded to questions from Board members on the proposed contract. Mr. White reported that the contract included earth moving, paving, extensive drainage work, lighting, and the installation of a new traffic signal. The lot will include 245 spaces. Mr. White confirmed that D&R Earthmoving was the low bidder, and that the contract included the entire cost of the construction project. Mr. White further reported that service to the new lot would not replace existing service to and from the Plymouth and Green Road Park and Ride lot. Mr. Griffith noted that 7% of the budget was for contingencies. Mr. Annis indicated that he was concerned with aesthetics.

The motion passed unanimously.

Mr. Bernstein moved the following resolution and read the resolution into the record. Mr. Annis supported the resolution.

### 8.2 Consideration of Resolution Discontinuing Operation of the LINK

WHEREAS, since 2005, the Ann Arbor Transportation Authority (AATA), the Ann Arbor Downtown Development Authority (DDA), and the University of Michigan Parking and Transportation Services (UMPTS) have had a partnership to jointly fund the operation of the Link downtown circulator route, and

WHEREAS, the DDA Board of Directors took action on June 3, 2009 to discontinue funding for the Link route, and

WHEREAS, the DDA is considering the function and design of a new downtown transit service in the future, and

WHEREAS, following the DDA action, the UMPTS decided not to continue to fund AATA Link service and to directly operate service between Oxford Housing and Central Campus instead, and

WHEREAS, as a result of the actions of the DDA and UMPTS, the funding and function for the Link no longer exist, and

WHEREAS, transit options within downtown continue to be provided on other routes.

NOW, THEREFORE, BE IT RESOLVED that the AATA hereby adopts a service change to eliminate Link service.

BE IT FURTHER RESOLVED that the AATA desires to continue a discussion of transit service within the downtown with the DDA and other interested parties.

Mr. Nacht restated his support of a downtown circulator and indicated that perhaps at some point in the future there will be an opportunity to resurrect a similar service. Mr. Bernstein noted the opportunity to continue discussions with the Downtown Development Authority and the University of Michigan.

The motion passed unanimously.

Mr. Bernstein moved the following resolution with support from Mr. Nacht.

8.3 Consideration of Resolution Requesting Authorization to Discuss Using a Portion of ARRA Funds for Operating Assistance Outside Ann Arbor in FY2010

WHEREAS, the Ann Arbor Transportation Authority (AATA) has provided transit service in the Ypsilanti area through mutually negotiated Purchase of Service Agreements (POSA) for more than 30 years, and



WHEREAS, the AATA has informed the City of Ypsilanti and Ypsilanti Township of the payment necessary to continue the current level of transit service in FY 2010, based on moving toward paying the fully-allocated cost of service by 2012, and

WHEREAS, officials of the City of Ypsilanti and Ypsilanti Township have informed AATA that the amount is more than they can afford to pay as a result of current economic conditions, and

WHEREAS, the City of Ypsilanti has put forth a plan designed to increase the stability of transit services until June, 2011 while more permanent solutions for transit funding can be explored, developed, and implemented, and

WHEREAS, the AATA is working with the City of Ypsilanti and Ypsilanti Township to determine and implement service reductions and other methods to reduce the necessary payment to the sustainable amount, and

WHEREAS, it is in the interest of riders and all other parties to implement service reductions only after due consideration and public input on the design and details of the service reduction to minimize negative effects, and

WHEREAS, the American Recovery and Rehabilitation Act of 2009 (ARRA) permits the use of a limited amount of the ARRA funds allocated to the Ann Arbor urbanized area for operating assistance,

NOW, THEREFORE, BE IT RESOLVED that the AATA Board of Directors hereby authorizes the use of \$180,000 in ARRA funds for operating assistance in FY 2010, and

BE IT FURTHER RESOLVED that the purpose of these funds is to pay the difference between the funds committed by the City of Ypsilanti and Ypsilanti Township and the amount required to pay for service in these jurisdictions, and

BE IT FURTHER RESOLVED that any remaining ARRA funds not required for these purposes will be applied to general operating expenses.

Mr. Ford reported on ARRA funds available for one-time use that could help bridge the gap in funding for purchase of service agreement partners unable to meet the increases set by AATA. Mr. Ford noted the discussions that had taken place during public time, and asked for the Board's consideration.

Mr. Nacht supported staff's recommendation to use stimulus funds to meet the increases to allow AATA not to cut service to those who most need the service. Mr. Annis indicated requested that the issue be considered in committee.

Mr. Griffith supported considering the recommendation, but suggested that there may be other long lasting solutions, such as changing the way AATA is funded. Mr. Griffith cautioned against implementing a one year solution that could further delay other multi perspective options that make sense.

Mr. Ford indicated that he saw use of the funds as a short term option that could be implemented in parallel with further consideration of long-term solutions.

Mr. Bernstein moved to table the resolution so that discussions could take place in committee, and the Board could take the resolution off the table when they are ready.

Mr. Nacht made a point of clarification that there are municipal budgets at issue other than AATA's noting that the budgets are on different schedules. Mr. Nacht suggested that the Board pass the resolution without necessarily implementing it; giving Mr. Ford the authority with the understanding that it is not necessarily going to be implemented, but that as a policy decision the Board would take a stand that service to POSA partners would not be cut in the upcoming fiscal year.

Mr. Bernstein noted the motion on the table and the opportunity for the POSA partners and Board to have another month to discuss the issue and determine whether it was a viable decision.

Mr. Annis supported the motion to table.

The motion to table carried on a roll call vote: Annis–Yes; Bernstein–Yes; Robben–Yes; Griffith–No; Nacht–No.

Mr. Nacht recapped the Board's decision indicating that staff was not authorized to spend federal dollars to offer POSA partners a different contract. Mr. Bernstein noted that the issue was on the table for discussion, and Mr. Annis added that the point is to close the gap without using any stimulus money.

Mr. Ford offered a point of clarification that the resolution was for staff simply to discuss the issue with POSA partners to see what could be done, but not to exercise the use of funds. Mr. Ford indicated that he understood that staff would have to come back to the Board.

Board members discussed the wording in the resolution and there were different interpretations of the intent of the resolution. Ms. Gabay reported that staff's intent in wording the resolution was to give staff permission to discuss the issue with POSA partners. Since the Board tabled the resolution, staff could not go out ahead of the Board and have discussions, and staff would now have to wait until the Board took action in order to go and even discuss the matter with POSA partners.

Mr. Robben noted the Board's action that tabled the staff's ability to have a discussion

and questioned why staff brought the issue to the Board at all. Ms. Gabay responded that there was a situation several years prior when staff went ahead of the Board on an issue and it caused a problem. Ms. Gabay noted that the discussion on stimulus funds was scheduled to take place during a PDC meeting which was canceled. Mr. Robben asked if the clarification changed any opinion on the way Board members voted.

Mr. Robben made a motion to reconsider. Mr. Griffith supported the motion.

Board members continued their discussion and there was agreement that the resolution would allow for discussion at committee, and with POSA partners, with the understanding that the decision to actually commit funds would have to come back to the Board. Mr. Bernstein indicated that he did not interpret tabling the resolution in the same manner as staff. Mr. Annis agreed with Mr. Bernstein.

Mr. Robben suggested that future recommendations from staff include the method in which to proceed that would allow for dialogue without involving the Board.

Mr. Nacht provided the specifics of the situation mentioned by Ms. Gabay when some years ago a former Executive Director engaged in an agreement with two municipalities to raise fares as a way of making up a shortfall, without Board approval. The Board did not approve the fare increase and sent a strong message that if staff was going to have conversations with community partners which reflect policy issues, there needs to be Board support. Mr. Nacht noted staff's intention to take the issue committee.

Rich Robben moved that the Board allow staff to explore a wide range of options for addressing the Purchase of Service Agreement shortfalls including the use of ARRA funds, and staff has Board support to engage in conversations so long as they do not bind the agency to a particular plan.

Charles Griffith supported the motion. The motion carried with four affirmative votes; Ted Annis abstained.

#### 8.4 Appointment of Nominating Committee Chair

Mr. Nacht reported that Board elections were scheduled for the September meeting. Mr. Nacht appointed Jesse Bernstein Nominating Committee Chair.

Mr. Nacht noted the need to discuss committee leadership. Mr. Nacht indicated that the Board, as one of the outcomes of its May 2008 Board workshop, agreed that committee leadership and membership would rotate as a general practice. Mr. Nacht indicated that this might be of concern since the committees are developing expertise. Mr. Nacht requested that each Board member think about committee structure and be prepared for a discussion.

#### 9.0 Public Time

Peter Murdock appeared before the Board and announced that he was appreciative of the efforts of the AATA and the possibility of using some stimulus money to cover a portion of expenses for the City of Ypsilanti. Mr. Murdock indicated the need for a long-range solution, and noted that the issue has some urgency given that the purchase of service agreement between AATA and the City of Ypsilanti runs out in six weeks.

Carolyn Grawi from the Ann Arbor Center for Independent Living (CIL) thanked the Board for AATA's support of the CIL's Independence Ride. Ms. Grawi extended an invitation to Board members to a September 11 CIL auction. Ms. Grawi announced that she continues to be made aware of complaints about people trying to run across Washtenaw Avenue in an effort to get to AATA buses.

Sandra Holley appeared before the Board. Ms. Holley recommended that service from the Green Road Park and Ride lot continue to serve the University of Michigan east campus. Ms. Holley suggested that additional grants be sought to aid the funding situation in Ypsilanti.

Thomas Partridge appeared before the Board. Mr. Partridge reminded the Board that not until recently was he aware of any AATA representative appearing before the Scio Township Board to discuss the necessity of expanding AATA services and transforming AATA into a Washtenaw county transportation authority. Mr. Partridge noted that an express bus service route in Scio Township with only a one-year contract would soon end, and indicated that other transit service in the area is limited. Mr. Partridge called on the Board to take a leadership role and use the funding discussed prior in the meeting to cover the expansion of service to at least Zeeb and Jackson Roads instead of using the money to fund service for existing POSA partners.

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

Mr. Nacht reported on an experience where he received great customer service from an AATA employee at the Blake Transit Center.

#### 10.0 Adjournment

Mr. Bernstein moved to adjourn the meeting with support from Mr. Robben. The motion passed unanimously. The meeting adjourned at 8:16 p.m.

Respectfully Submitted,

Charles Griffith, Secretary