

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

Proposed Minutes  
Thursday, June 25, 2015  
Ann Arbor Transportation Authority  
Board of Directors Meeting  
Ann Arbor District Library, 343 South Fifth Avenue, Ann Arbor, Michigan, 6:30 p.m.

Board Present: Mike Allemang, Susan Baskett, Gillian Ream Gainsley, Sue Gott, Charles Griffith (Chair), Eric Mahler, Stephen Wade

Absent with Notice: Jack Bernard, Eli Cooper, Larry Krieg

Guest: Michael Ford

Staff: Jan Black, Terry Black, Matt Carpenter, Ron Copeland, Bill De Groot, Dawn Gabay, Ed Robertson, Mary Stasiak, Phil Webb, Chris White, Michelle Whitlow, Reggie Whitlow

LAC Representative: Rebecca Burke

Recording Secretary: Karen Wheeler

Charles Griffith declared that a quorum was present and called the meeting to order at 6:31 p.m. Mr. Griffith welcomed new board members Mike Allemang and Stephen Wade to the Board, and new CEO Matt Carpenter.

1.0 Public Hearing

There was no Public Hearing.

2.0 Communications and Announcements

Charles Griffith announced the passing of Rebecca Head, a tireless advocate of many causes including public health and public transportation. Mr. Griffith noted that Dr. Head worked on the AAATA millage campaign.

3.0 Public Time – Comment on Agenda Items

Jim Mogensen appeared before the Board. Mr. Mogensen commented on the FOIA Policy and the volume of personal financial information required to prove indigence to receive a discounted rate. Mr. Mogensen commented on the MRide Agreement noting

that people who qualify for the MRide discounted fare are not required to share the same personal financial information as a low income person seeking a discount for FOIA expenses.

Michelle Barney appeared before the Board. Ms. Barney was complimentary of the new Route #46. Ms. Barney also spoke favorably about the expanded A-Ride service overall, but expressed concern about the accuracy of booking for some A-Ride trips. Ms. Barney encouraged management to make certain that reservationists understand trip details.

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

#### 4.0 Presentation by Michael Ford, CEO Regional Transit Authority of Southeast Michigan

Charles Griffith welcomed Michael Ford, CEO of the Regional Transit Authority (RTA) of Southeast Michigan. Mr. Ford made a [presentation](#) on the RTA, highlighting the organization's history, mission and current initiatives.

The RTA was established in 2012 through Public Act 387. The RTA board is comprised of ten members; two each from RTA member counties: Wayne, Oakland, Macomb and Washtenaw, one from the City of Detroit, and one appointee of the Governor.

The RTA is mandated to complete the following:

- Develop a Regional Master Transit Plan (RMTP)
- Complete rapid transit projects in major corridors
- Place a local revenue request on the ballot
- Coordinate services of existing transit providers: DDOT, SMART, AAATA, and Detroit People Mover (M-1 Rail will be added at the project's completion in late 2016)

Mr. Ford reported on work currently underway at the RTA through a series of projects aimed at "Building Equitable Sustainable Transit" (BEST). Mr. Ford reviewed the timeline for the Regional Master Transit Plan (RMTP) which launched in spring 2015. The RMTP will aim to increase the reliability of transit service, increase coordination between providers, and add rapid transit along major corridors to provide quick mobility through the region. The RTA is currently engaged in an ambitious campaign to receive public input on the RMTP.

Mr. Ford reviewed the timeline for the Michigan Avenue Study which includes a 40-mile corridor between Detroit and Ann Arbor and touches 13 communities. AAATA has staff representation on the Michigan Avenue project team. Mr. Ford reported on what is needed from AAATA continued participation on the Providers Advisory Committee, Technical and Policy Committees and coordination on outreach events. A major area where new help is needed is coordination on Washtenaw County transit priorities and input on the RMTP, support for outreach and engagement for the RMTP and priorities

for the Michigan Avenue study.

Mr. Ford responded to questions from board members on funding for future projects, coordination of priorities, and opportunities for AAATA board member engagement. Mr. Ford reported that a financial task force will be convened to consider different scenarios for funding the RMTP. The RMTP is one plan to encompass all transportation providers, and there is no opt out provision for the four counties. A funding request is expected to be included on the November 2016 ballot. It was noted that 85% of monies raised in Washtenaw County would go toward service in the county.

Mr. Ford requested AAATA's perspective for priorities for the RMTP by September. A suggestion was made for staff to bring forward a draft set of priorities to the Planning and Development Committee in August.

Mr. Ford agreed with a suggestion that it might be appropriate for AAATA board members and the Washtenaw County RTA board members to collaborate. Mr. Ford agreed to discuss options for increased coordination with Matt Carpenter. Mr. Griffith thanked Mr. Ford for his presentation.

## 5.0 Review and Approval of Minutes

### 5.1 Review and Approval of Minutes of April 16, 2015

Sue Gott moved approval of the minutes as written with support from Eric Mahler. The motion passed unanimously.

### 5.2 Review and Approval of Minutes of May 20, 2015

Eric Mahler moved approval of the minutes as written with support from Gillian Ream Gainsley. The motion passed unanimously.

## 6.0 Board and Staff Reports

### 6.1 Chief Executive Officer

Matt Carpenter thanked the Board and community for the opportunity to serve as CEO. Mr. Carpenter reported on his first four weeks in the position during which he held numerous meetings with administrative staff, operations and maintenance employees, and received several briefings. Mr. Carpenter reported on plans to listen, learn and build relationships through meetings scheduled over the next several weeks with board members and stakeholders. Mr. Carpenter noted that he would intentionally not undertake any major changes during the early period, and would bring forth suggestions for change at an appropriate time in the future. Mr. Carpenter reported that he has been impressed with the

operation, and thanked Bob Guenzel and the staff for keeping things running during the CEO search process.

#### 6.2 Planning and Development Committee

Stephen Wade reported on the June Planning and Development Committee (PDC) meeting. Staff presented a high level view of the FY2016 Work Plan projects including 12 priorities coming out of the May Board Retreat. Staff will provide the full proposed Work Plan at the August PDC meeting. The Committee received reports on the impact of RTA-related work by AAATA staff and the draft Sustainability Plan. AAATA staff are currently spending 65 hours per month on work related to RTA initiatives. The draft Sustainability Plan will be vetted internally and through a citizen committee. The final Plan is expected to be presented to the Board in November. Staff provided updates on the Ypsilanti Transit Center project, Blake Transit Center artwork and the CAD/AVL system. Mr. Wade reported that staff is working on processing output from the board and will report further at the next committee meeting.

#### 6.3 Performance Monitoring and External Relations Committee

Susan Baskett presented the Performance Monitoring and External Relations (PMER) Committee report. Staff guided the committee through discussion bringing forward five action items for the Board's consideration: amended operating budget, revised FOIA policy due to new mandate prescribed by the state, contract extension for shelters and benches, MDOT permit for contractor work in the state right-of-way, and a one-year extension of the MRide Agreement. The Committee received the financial report with a \$1.1Million surplus which is 2.82 months of unrestricted net assets and in compliance with board policy of 2.5 months. The performance report shows a decline in ridership due to fuel prices, with the exception of AirRide ridership. Staff provided updates on the CAD/AVL project, Ypsilanti Transit Center, artwork at the Blake Transit Center and new A-Ride service for Pittsfield Township to launch in August. The Federal Triennial Review audit resulted in only three minor findings of 17 review areas.

#### 6.4 Local Advisory Council

Rebecca Burke welcomed Matt Carpenter on behalf of the Local Advisory Council (LAC) and invited Mr. Carpenter to the next LAC meeting. At their June meeting the LAC received a presentation from Ron Copeland on A-Ride service. Mr. Copeland reported that the transition was going well, and efforts continue to make the operation even smoother. It was noted that there had been some issues with on-time performance which were expected to improve. LAC members noted improvement in the service provided as people are becoming

more familiar with the new contractor. Don Kline provided an update on the website. Mr. Kline made a commitment to investigate challenges customers are encountering to locate accurate route information. Bill De Groot provided an update on the Ypsilanti Transit Center. The first meeting of the Designated A-Ride Stop Subcommittee was hosted by Jeff Murphy immediately following the LAC meeting.

## 7.0 Question Time

Mike Allemang commented on Michael Ford's presentation and the tight timeline for completing a final plan prior to a ballot initiative. Mr. Allemang complimented AAATA on a great job publicizing the Five Year Plan well ahead of the millage vote and asked what the lead time was.

Mary Stasiak responded that the lead time was six months. Ms. Stasiak added that a major effort to develop the 30-Year Plan was undertaken prior to establishing the Urban Core and refining the Five-Year Transit Improvement Plan.

Eric Mahler stated the importance of communication with the RTA board because of the tight timeline and the need to have a clear, definite plan supported by public officials and the board. Mr. Mahler suggested that it will be important for the RTA to consider a "Plan B" and reshape the agenda, if they cannot go forward with the original plan.

Matt Carpenter reported on a recent meeting with Michael Ford and the RTA Washtenaw County board members. Mr. Carpenter was impressed with the strong support for Washtenaw County and an eagerness from the RTA board members to work with the AAATA board. Mr. Carpenter made a commitment to provide the opportunity for the two groups of board members to get together.

## 8.0 Old Business

There was no Old Business for the Board to consider.

## 9.0 New Business

Eric Mahler moved the following resolution with support from Mike Allemang.

### 9.1 Consideration of Resolution 26/2015 Purchase of 11 Small Class Buses for Paratransit and New Route Service

**WHEREAS**, the adopted Five-Year Transit Improvement Program (5YTIP) for 2015 included provisions to purchase buses for the purpose of providing para-transit service as well as for the implementation of Route 67 scheduled to begin August 23, 2015, and

**WHEREAS**, AAATA has secured federal and state funds to purchase nine (9) buses and local funds to purchase two (2) buses, and

**WHEREAS**, the State of Michigan has previously conducted a competitive procurement process through its MiDEAL Program which permits the AAATA to procure vehicles that meet our requirements at a favorable cost, now therefore

**IT IS RESOLVED**, that the Chief Executive Officer of AAATA is authorized to use federal and state grant and local funds to buy (11) new small class wheelchair lift-equipped buses from Mobility Transportation Services of Canton, MI under the State of Michigan contract for an amount not to exceed \$1,051,577.00.

The motion passed unanimously.

Susan Baskett moved the following resolution with support from Eric Mahler.

9.2 **Consideration of Resolution 27/2015 Adoption of FY 2015 Amended Operating Budget**

**WHEREAS**, the Ann Arbor Area Transportation Authority (TheRide) Board of Directors approved the FY2015 Operating Budget of \$37,190,894, effective October 1, 2014 to September 30, 2015, on September 29, 2014, and

**WHEREAS**, on April 16, 2015, the Board of Directors approved the award for A-Ride Paratransit Services contract to RideCorp, a division of Blue Cab Company, and

**WHEREAS**, the resolution also included provisions for TheRide to directly operate accessible (lift-van) service during an initial transition, and

**WHEREAS**, the new service delivery model was implemented in order to continue to provide A-Ride service for people with disabilities and seniors without interruption and with consistently high quality service, and

**WHEREAS**, there are other annual revenue and expense changes, based on known differences that have occurred in the first eight months of the fiscal year, projected to the end of the fiscal year, and

**WHEREAS**, the Board of Director's By-laws require budget amendments be presented to the Board in the form of a resolution, and

**IT IS RESOLVED**, that the Board of Director's amend the FY2015 Operating Budget from \$37,190,894 to \$36,786,940 or a net decrease of \$403,954 in operating expenses.

Susan Baskett reported that the \$88,000 amendment to the current budget results in a reduction of the projected surplus for the fiscal year. The surplus is primarily a result of transit millage revenues scheduled to be used for additional service in the coming years. The funds will be used earlier than anticipated to cover the additional expense for A-

Ride service. The amendment also includes updated budget items based on experience during the first eight months of the fiscal year.

The motion passed unanimously.

Susan Baskett moved the following resolution with support from Stephen Wade.

9.3 **Consideration of Resolution 28/2015 Adoption of Revised Freedom of Information Act (FOIA) Policy**

**WHEREAS**, on February 16, 2004 the Ann Arbor Transportation Authority (AATA) Board of Directors (Board) adopted a “Freedom of Information Act Procedures and Guidelines” policy, and

**WHEREAS**, the sections of the Michigan Freedom of Information Act were amended by Public Act 563 of 2014 effective July 1, 2015, and

**WHEREAS**, the Board now desires to update the Freedom of Information Act Procedures and Guidelines Policy and to adopt a summary of the policy to comply with all sections of the Michigan Freedom of Information Act as amended;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors hereby adopts the attached Revised Freedom of Information Act Procedures and Guidelines.

Board members discussed the resolution. Dawn Gabay confirmed that the changes made to the policy were the state mandates. Comments made during public time about documenting low income status were noted and a question raised about whether AAATA can work within the FOIA guidelines and simplify the process. Dawn Gabay responded that while direction could be provided within the policy, it is important to ensure a consistent level of application to protect AAATA from any suggestion of disparate treatment.

Staff was requested to determine if the personal and financial information required to document low income status is subject to FOIA. A suggestion was made that perhaps the information can be marked “personal and confidential” to protect the individual, or language added to the policy to protect the information.

The motion passed unanimously.

Susan Baskett moved the following resolution with support from Eric Mahler.

9.4 **Consideration of Resolution 29/2015 Approval of Contract Renewal for Passenger Bus Shelters and Benches**

**WHEREAS**, The Board previously approved a contract with Duo-Gard Industries, Inc. for

a three year period for a total price not to exceed \$390,000 with an option to extend such contract for two additional one year periods, and

**WHEREAS**, the contractor's performance has quality of the products has been satisfactory, and

**WHEREAS**, Staff is requesting approval to exercise the remaining contract options at current contract pricing, estimated at \$130,000 annually, which requires additional approval from the Board of Directors, now therefore

**IT IS RESOLVED** that the Ann Arbor Area Transportation Authority Board of Directors authorizes the Chief Executive Officer to enter into a contract extension with Duo-Gard Industries, Inc. for Bus Passenger Shelters and Benches for a one-year period with a one-year renewal option under the same terms and conditions.

Susan Baskett reported that the Board previously approved a contract with Duo-Gard Industries for shelters and benches for a three year period with an option to extend the contract for two additional one-year periods. Staff was requesting approval to exercise the remaining contract options for an estimated \$130,000 annually.

Chris White responded to questions from Board members about plans for installing bus shelters in the coming year. With regard to the Five-Year Transportation Improvement Plan, the addition of benches and shelters are being planned for this summer, April 2016 and into FY2016.

Shelters for the Super Stops on Washtenaw Avenue are not included in the Duo-Gard contract. While the shelters have a similar appearance, they included additional furniture components and interchangeable parts.

Mr. White reported that a presentation on the bus shelter plan for the remainder of FY2015 and for FY2016 would be made at an upcoming PMER meeting.

The motion passed unanimously.

Mike Allemang moved the following resolution with support from Susan Baskett. Ms. Baskett read the resolution into the record.

9.5 **Consideration of Resolution 30/2015 Authorization to Execute One-Year Extension of MRide Agreement**

WHEREAS, the MRide Agreement between the Ann Arbor Area Transportation Authority (AAATA) and University of Michigan (U-M) will expire on July 31, 2015, and

WHEREAS, the MRide Agreement includes the MRide program by which U-M pays the fare for faculty, students and staff on all AAATA local fixed route service, as well as



additional cooperative programs including park-and-ride lots, the Central Campus Transit Center, U-M fare payment for AAATA ExpressRide service, and U-M payment for A-Ride trips to and from East Medical Campus and U-M clinics at Domino's Farms, and

WHEREAS, the MRide program has resulted in benefits to the community, U-M, and AAATA, such as: expanded service, increased ridership, enhanced productivity, and other benefits as enumerated in the agreement, and

WHEREAS, the AAATA board's intent has been to ensure equity in establishing third-party fares, and

WHEREAS, the AAATA requires additional time to review calculations before entering into a long-term agreement in order to ensure that the volume discount for third-party fares does not exceed the volume discount for fares available to the general public, consistent with the board's intent,

NOW, THEREFORE, BE IT RESOLVED, that the Ann Arbor Area Transportation Authority Board of Directors hereby authorizes the CEO to enter into a one-year extension of the current agreement with the existing terms and conditions.

Board members commented on the resolution. A suggestion was made to explore the equity of the fare policy in the agreement in the coming year, as well as take up a conversation with the University of Michigan about a formalized partnership and shared responsibility for the Connector.

The motion carried. Sue Gott abstained.

Sue Gott moved the following resolution with support from Eric Mahler.

9.6 **Consideration of Resolution 31/2015 Performance Resolution for Governmental Agencies**

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipality an "Individual Permit for Use of State Highway Right of Way" or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".*

RESOLVED WHEREAS, the Ann Arbor Area Transportation Authority, hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations; within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

<u>Name</u>	<u>Title</u>
Terry Black	Manager of Maintenance
Chris White	Manager of Service Development
Jeff Murphy	Bus Stop Coordinator
Dawn Gabay	Deputy CEO
Matthew Carpenter	CEO

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the Ann Arbor Area Transportation Authority Board of Directors of Washtenaw County at a board meeting held on the 25<sup>th</sup> day of June 2015 A.D.

The motion passed unanimously.

#### 10.0 Public Time

Jim Mogensen appeared before the Board. Mr. Mogensen commented on the MRide Agreement noting that it is 7.4% of the total operating budget and 44% of fares. Mr. Mogensen commented on other "static" revenues in the budget: state and federal funding, Purchase of Service Agreements and property taxes, suggesting that the only flexibility is in fares. Mr. Mogensen cautioned that because 44% of fares are in a long term contract, any funding shortage would have to be made up elsewhere, if one of the "static" revenue sources was reduced. Mr. Mogensen suggested having a conversation with the University of Michigan about the need to have public transit work for them, and broach the topic of additional funding in the context of the total budgets being considered.

Michelle Barney appeared before the Board. Ms. Barney commented on University of Michigan (UM) bus service. Ms. Barney suggested that AAATA and UM print one booklet that contains route information for both systems so that travel connections are illustrated. Ms. Barney commented on how the UM bus fleet is deployed suggesting that accessible vehicles should be used on routes where there is the most need.

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

11.0 Adjourn

Sue Gott moved to adjourn the meeting with support from Eric Mahler. The motion carried and the meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Susan Baskett, Secretary