

## Board of Director's Meeting Notes

**Meeting Date/Time:** December 16, 2021, 6:30-9:00pm

**Location:** REMOTE

**Board Member Attendees:** Eric Mahler (Chair), Raymond Hess, Roger Hewitt, Jesse Miller, Kyra Sims, Kathleen Mozak, Mike Allemang, Susan Pollay, Rich Chang

**AAATA Staff Attendees:** Matt Carpenter, Dina Reed, Forest Yang, Bryan Smith, Mike Blackston, LaTasha Thompson, Gwyn Newsome, Kelly Reynolds, Deborah Holt

Chair Eric Mahler called the meeting to order at 6:32pm

Agenda Item
<b>1. OPENING ITEMS</b>
<b>1.1 Approve Agenda</b>
Mr. Rich Chang moved to approve the agenda, seconded by Mr. Jesse Miller.
In support of the motion:
Mr. Mike Allemang (reporting in from Savannah, GA): Yes
Mr. Rich Chang (reporting in from Washtenaw County, MI): Yes
Mr. Raymond Hess (reporting in from Ann Arbor, MI): Yes
Mr. Roger Hewitt (reporting from Ann Arbor, MI): Yes
Mr. Jesse Miller (reporting in from Ypsilanti, MI): Yes
Ms. Mozak (reporting in from Ann Arbor, MI): Yes
Ms. Pollay (reporting in from Ann Arbor, MI): Yes
Ms. Kyra Sims (reporting in from Ann Arbor, MI): Yes
Chairman Mahler (reporting in from Ann Arbor, MI): Yes
The motion passed unanimously.
<b>1.2 Public Comment</b>
Robert Pawlowski shared his thoughts on upcoming millage - feels it will be critical issue for local community. Also suggested the consideration of implementing a regional transit fee structure.
Jim Mogensen shared concerns that the language in millage and long-range plan might confuse voters. He shared concerns potential monitoring reforms could result in citizens losing access to decisions and conversations made by the board.
<b>1.3 General Announcements</b>
<b>1.3.1 Service Adjustments</b>
Mr. Smith informed the board that with labor shortages, Route 68 will be suspended and there

will be a reduction in frequency on Routes 62, 4 and 24 as of December 23, 2021. These reductions will coincide with the normal winter reduction in service.

Mr. Smith fielded questions from Ms. Mozak and Mr. Miller regarding public notification of changes. A press release will be sent out and shared via social media platforms and transit centers, along with the addition of signage at transit centers and on buses.

Mr. Miller inquired about recruitment process considering national labor shortages.

Mr. Smith shared with the board that efforts are being made to broaden recruitment strategies, yet applications are still consistently low.

Ms. Mozak referred to Route 68 elimination and asked if flex-ride would be an option. She also asked if there are age limitations placed by insurance on the age of bus operators.

Mr. Smith responded that 5 years of driving experience was required. He confirmed that Route 68 will now be covered partially by flex route and other routes.

## **2. CONSENT AGENDA**

### **2.1 Board Meeting Minutes November 18, 2021**

### **2.2 Committee Meeting Summaries**

Chairman Mahler introduced the Consent Agenda that included items 2.1 and 2.2. Ms. Mozak moved to approve the Consent Agenda as presented, seconded by Mr. Miller.

In support of the motion:

Mr. Allemang: Yes

Mr. Chang: Yes

Mr. Hess: Yes

Mr. Hewitt: Yes

Mr. Hunter: Yes

Mr. Miller: Yes

Ms. Mozak: Yes

Ms. Pollay: Yes

Ms. Sims: Yes

Chairman Mahler: Yes

The Consent Agenda was accepted as presented.

## **3. POLICY MONITORING & DEVELOPMENT**

### **3.1 Monitoring 2.1 Treatment of the Traveling Public**

Mr. Carpenter outlined the policy summary. He made note that the publishing of the Ride Guide had stopped during pandemic due to changing routes/services. Service information was kept up to date online but there have been limitations and concerns with this approach as there are people without online access. He shared that the service committee recommended it be accepted at a Level B of compliance.

Mr. Carpenter and Mr. Smith responded to Mr. Allemang's question regarding complaints from the public about the lack of printed materials – they shared that early on there were complaints but those had dwindled over time. Printed materials are provided to the public if requested.

Mr. Hess brought up his concerns that when a report has areas that are not in compliance there is no timeline to remedy.

Mr. Chang also asked the plan for tracking deficiencies in monitoring reports.

Ms. Mozak suggested adding updates/expectations to later agendas for non-compliant items and Mr. Miller agreed that this would be a good practice to begin.

Mr. Mahler agreed with the discussion that follow-up needs to occur at the Board level and suggested that this topic be added to the agenda for the Governance Committee.

Mr. Hess also noted that many of the monitoring items were tied to Triennial review and that perhaps many items in the monitoring report might not need to be done yearly.

Mr. Mahler raised concerns that a 3-year review for this report is too long of a period between monitoring.

Ms. Mozak shared concerns regarding ADA and Title VI metrics being concentrated on just physical disabilities. She suggested adding additions to the report on positive metrics that are done in addition to the ADA and Title VI accessibility parameters.

Mr. Miller also raised concerns about the CEO interpretation of Policy 2.1.1 regarding what is defined as a "facility" in relation to reasonable accessibility for riders. He feels that AAATA maintains bus stops and therefore they should be viewed as facilities within this policy.

Mr. Carpenter shared that after further conversation with Mr. Miller, he recognized Mr. Miller's understanding of the definition of facilities would also be a reasonable interpretation for the policy. Yet that would mean he'd need approval for all work done at every bus stop. The board might also choose to edit/clarify the policy to specify bus stops.

Mr. Miller said he doesn't find Mr. Carpenter's interpretation as complete due to this exclusion and he asked the board if they see this as a matter of policy definition or policy interpretation.

Mr. Hess suggested Mr. Carpenter and staff receive board input and take a few months to revise the items to ensure compliance is met. He once again mentioned that non-compliant issues are not tracked or followed up on.

Mr. Mahler discussed either committing to the monitoring process or finding a more efficient method. He was concerned about adding to the staff workload if the board adopts a practice of asking for follow-up work to be done on reports in addition to regularly scheduled reports that are already done. This relates to the board already wanting to discuss monitoring reforms. He asked the board to vote on the monitoring report.

Mr. Miller motioned for the vote to accept as B in compliance with items noted as 2.1.3 and 2.1.1. Mr. Chang seconded the motion.

In support of the motion:

Mr. Allemang: Yes

Mr. Chang: Yes

Mr. Hess: No

Mr. Miller interjected the vote and requested more discussion before it is put fully to vote. Asked Mr. Hess if he wanted to add more items to B.

Mr. Hess clarified that he preferred to delay accepting to give time for them to be addressed before bringing them back to the board. He felt that accepting the report in any form means it is archived and not discussed until the next time the monitoring report is due.

Mr. Mahler reminded the board that a motion was made to accept and had been started. He asked Mr. Miller if he preferred to withdraw motion for further discussion and Mr. Miller agreed to withdraw motion.

Ms. Pollay asked Mr. Hess if he preferred that an amendment is made per the discussion to accept the report except for those items noted. Staff could be given time – perhaps two months – to adjust metrics or make changes and return their findings to the board.

Mr. Hess noted that this could be a good compromise to the motion, yet the challenge is that this report has differences in interpretation between the CEO and board members.

Mr. Mahler reiterated that the motion doesn't have to be passed and put away, that an amendment could be added to an agenda at a later date.

Mr. Hewitt motioned for the vote to accept as B in compliance except for items noted and add 2.1.3, 2.1.3.1 and 2.1.1 and request CEO return a report to the Board within 2 months. Mr. Hess seconded the motion.

Mr. Miller discussed amending Mr. Hewitt's motion by adding 2.1.2 and 2.1.5 as they also include information related to Triennial review.

Mr. Hewitt rejected those additions, and a vote was called.

In support of amending the motion:

Mr. Allemang: No

Mr. Chang: Yes

Mr. Hess: Yes

Mr. Hewitt: No

Mr. Miller: Yes

Ms. Mozak: Yes

Ms. Pollay: Yes

Ms. Sims: No

Chairman Mahler: No

Motion to add the amendment to the original motion passed by a vote of 5-4.

Ms. Pollay wanted to clarify that within the report the consensus is that the triennial review is sufficient to use as a tool of measurement but not the only tool.

Mr. Hess confirmed that his point is that the review should be removed as a metric because it's done every 3 years. He is asking the board to use better data metrics for better interpretation.

Mr. Mahler asked the board if triennial data is unreliable for compliance or if better metrics need to be discussed for use in this report.

Board further discussed the expansion of the motion and the understanding of the interpretation of compliance.

Mr. Hewitt's motion with amendments made by Mr. Miller restated as a motion to accepting the report as Level B with the exclusion of items noted as 2.1.1, 2.1.3, 2.1.3.1, 2.1.2. and 2.1.5.

In support of amending the motion:

Mr. Allemang: No

Mr. Chang: Yes

Mr. Hess: Yes

Mr. Hewitt: Yes

Mr. Miller: Yes

Ms. Mozak: Yes

Ms. Pollay: Yes

Ms. Sims: Yes

Chairman Mahler: No

Motion with amendments added to pass as amended passed by a vote of 7-2.

Mr. Mahler stated that staff is to come back with the items noted by February meeting with an update on compliance.

### **3.2 Monitoring Reforms**

Mr. Allemang shared with the board that the objective of monitoring reforms is to simplify monitoring process with board and staff rather than a broad monitoring reform. He feels the current board discussion has proven his point that too much time is being spent on small details. He has received suggestions that he will share at a scheduled meeting with Rose Mercier and asked if other board members would consider creating a task force.

Ms. Mozak discussed how there is value to monitoring reports being under consent agenda and volunteered to join taskforce.

Ms. Sims agreed with suggestions Mr. Allemang brought forth regarding monitoring reforms and would like feedback from the CEO and staff on priorities related to time spent on monitoring reports.

Ms. Pollay asked for better understanding on the role of committees vs. the role of the board in relation to policy work.

Mr. Mahler explained that some policies belong in specific committees which allow for deeper review, yet some policies do belong at full board level.

Taskforce will consist of Mr. Allemang, Ms. Mozak, Mr. Hess and Mr. Chang.

## **4. STRATEGY & OPERATIONAL UPDATES: CEO**

### **4.1 Long-Range Plan Input**

Mr. Yang shared a summary of round 2 of public engagement. The public would like enhancement to transit services and are willing to pay if there are clear benefits. The resulting considerations are for more collaboration with U of M, municipalities and RTA, cost, and feasibility of the road network. He provided four long-range plan scenario summary options. Scenario 4 was based on major enhancement and was survey feedback showed this scenario was preferred. A more detailed report of findings will be shared with the board and published to the website very soon.

Ms. Pollay asked if capital costs will still be available at a federal level considering political landscape.

Mr. Yang responded that local share is still needed to support project.

Mr. Carpenter added that grants are also used, yet the exact source of all future funding source isn't known. Once a project plan is finalized, a funding plan is put into place.

#### **4.2 FY2021 Q4 Service Report**

Mr. Smith highlighted that fixed ridership has increased, yet not to pre-pandemic levels. He also shared that para-transit service has had an increase in complaints and is being monitored. He feels this may be in part to having contracted services to MD Transit – many of the complaints and problems occurred within a few days of this transfer of service and were remedied/corrected. He also noted an increase in flex-ride. Commended his assistant, Kelly Reynolds in gathering information despite challenges with the cyber-attack. Next report will have air-ride information included.

#### **4.3 CEO Report**

Ms. Reed shared that real-time information data is now working for customers and thanked staff throughout the organization for their contributions in restoring this service. She also shared that triennial review required documentation had been due in January. An extension was requested, and the FTA granted the extension request, so the documentation deadline is March 25<sup>th</sup>.

Mr. Carpenter outlined concerns regarding workload on staff due to staffing shortages and an increase in covid infections. This has led to the decision to temporarily reduce several routes as Mr. Smith had shared earlier in the meeting. He noted that the board of the Regional Transit Authority Board met earlier in the day and they approved the long-range plan and, they will not be going to voters in 2022 which may impact some AAATA decisions going forward. Mr. Carpenter expressed his gratitude to staff during the current challenges circumstances.

Mr. Carpenter also provided an update on return to in-person meetings as the Michigan OMA requires in-person meetings resumes January 2022. A working plan is in place to return to using the Ann Arbor District Library along with continuing to use a virtual option. The library has made significant changes to the space the board used previously.

Mr. Allemang disclosed to the board that due to health limitations he will not be able to join in-person meetings.

Mr. Carpenter stated that at this time legislature has no plans to extend the virtual allowance for open meetings.

Mr. Hess and Mr. Chang offered to draft a board statement objecting to in-person meetings to send to legislators and will share with board at the next meeting.

Ms. Mozak had questions regarding cleaning practices for in-person meetings and Mr. Carpenter said he will contact the AADL for further information on those practices.

### **5. EMERGENT ITEMS**

Chairman Mahler shared with the board that the audit task force had met and a plan is in place and more information will be shared in the spring.

Mr. Chang expressed concerns about staffing shortages, recruitment strategies and whether this warranted further board discussion.

Mr. Carpenter responded that this topic falls under means and would require additional work on staff to prepare. Mr. Chang concurred.

## 6. CLOSING ITEMS

### 6.1 Topics for Next Meetings

Monitoring: 1.0 Board Ends  
Disclosure Statements due 1/19/22

### 6.2 Public Comment

Mr. Pawlowski commented that he is looking forward to returning to in-person meetings. He complimented Mr. Carpenter on his work in the past year and will be publicly promoting millage.

Mr. Mogensen commented that with concerns to returning to in-person public open meetings, many faith communities have been meeting safely. Commented that he thinks the pandemic has impacted some aspects of policy governance.

### 6.3 Closed Session (Pursuant to 8(c) and 8(h) of OMA)

Ms. Sims motioned to go into closed session for strategy connected with negotiation of a collective bargaining agreement pursuant to Section 8(c) of the Open Meetings Act. This was seconded by Mr. Hewitt.

Vote to go into closed session

Mr. Allemang - Yes  
Mr. Chang - Yes  
Mr. Hess – Yes  
Mr. Hewitt: Yes  
Mr. Miller - Yes  
Ms. Mozak - Yes  
Ms. Pollay - Yes  
Ms. Sims - Yes  
Chairman Mahler – Yes

Board voted unanimously to go into closed session.

Ms. Pollay motioned to go out of closed session, seconded by Mr. Miller.

Vote to leave closed session

Mr. Allemang - Yes  
Mr. Chang - Yes  
Mr. Hess – Yes  
Mr. Hewitt: Yes  
Mr. Miller - Yes  
Ms. Mozak - Yes  
Ms. Pollay - Yes  
Ms. Sims - Yes  
Chairman Mahler – Yes

### **6.3 Adjournment**

Move to Adjourn motion made by Mr. Allemang and seconded by Ms. Pollay

Mr. Allemang – Yes

Mr. Chang – Yes

Mr. Hess – Yes

Mr. Hewitt: Yes

Mr. Miller - Yes

Ms. Mozak – Yes

Ms. Pollay – Yes

Ms. Sims – Yes

Chairman Mahler – Yes

Board voted unanimously to go leave closed session.

Meeting ended at 9:55pm

Respectfully Submitted: Deborah Holt