

REGULAR BOARD MEETING - BLOOMINGTON PUBLIC TRANSPORTATION CORPORATION (BPTC) April 22, 2014 5:30 P.M.

In the Edward J. Kuntz Board Room of the Bloomington Transit Operating Facility, 130 W. Grimes Lane, Chairman McConn convened the regular meeting of the Board of Directors of the Bloomington Public Transportation Corporation.

ROLL CALL

Board Members present: Chairman McConn, Secretary Cartwright, Vice Chairman McDaniel, and Board Member Hasler. Also present were Lewis May, General Manager, Brenda Underwood, Human Resources/Marketing Administration, Christa Browning, Controller, and there were no members of the public present.

PUBLIC HEARING

Chairman McConn opened a public hearing to receive public comment on proposed 2014 proposed 2014 Program of Projects to be funded under 49 U.S.C. Section 5307. There was no comment from the public. Chairman McConn closed the public hearing accordingly.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications.

MESSAGES FROM BOARD MEMBERS

There were no messages from the Board Members.

MESSAGES FROM THE MANAGER

Mr. May opened with the proposed Program of Projects. He noted that a public hearing was conducted to receive public comment on the proposed Program of Projects which is funded with Federal 5307 funding. He said there are a number of projects in the 2014 Program of Projects that include the purchase of one 40-foot diesel replacement bus, purchase of two BT Access vehicles, the capitalized purchase of engine and transmission rebuilds and tires, purchase of a 25-foot bus, replacement of fare revenue collection equipment, purchase of six new passenger shelters, replacement of a maintenance pick-up truck and a passenger van for driver relief and road supervision, purchase of a portable maintenance lift, and operating assistance. Mr. May said our apportionment this year is \$2.157 million dollars and in addition we have \$336,000 of discretionary funding which gives us a total amount available just under \$2.5 million dollars. He said the Program of Projects has been advertised in the Herald-Times and there was no public comment received at the public hearing. He said he recommends the Board's formal approval and finalization of the Program of Projects tonight. He said on the agenda tonight we have Resolution 14-08 which is a resolution adopting the final CY 2014 Program of Projects to be funded under 49 U.S.C. Section 5307 and authorizing the BPTC Chairman to file and execute grant assurances and the grant contract for the Board's approval.

Mr. May said next on the agenda is the IU contract proposal which was enclosed in the Board packet and includes four line items. He said included in the proposal was bus wash and fueling services that we perform for the IU fleet each year. He said we are proposing to reduce IU's share of the bus wash and fueling expenses by 2.1 percent compared to the previous year. He said the reason for the reduction we have had some more senior service attendant personnel who have been promoted and replaced with entry level personnel who make a lower hourly wage. That resulted in an overall reduction in bus washing cost and thus savings to IU based on the number of buses that are actually washed between BT and IU.

Mr. May said he has proposed to IU, subject to Board approval, a 2.75 percent increase in the amount of student fare revenue for the U-pass program. He said the reason for the increase is two-fold: first, student ridership was up 2.44 percent in calendar year 2013 or about 59,000 additional rides. As such, some of the increase would partially compensate BT for the increase in student ridership. Secondly, part of the increase is to cover inflationary costs that we experience each year. Mr. May said the faculty/staff pass program allows IU faculty and staff to ride at no charge when they present their faculty/staff pass to the driver and the driver keeps track of the number of faculty/staff passenger trips made. BT bills IU for the number of faculty/staff passenger trips times 60 cents each. He said there has always been a not to exceed ceiling in the contract and we are proposing to increase the ceiling to \$85,000 for an increase of about 2 percent. He added that we propose to keep the per passenger ride at 60 cents a ride. Mr. May said lastly we have snow removal for the Grimes Lane facility and we bill IU \$250 for every snow event that we have with a ceiling not to exceed \$2,500 per year. Mr. May said he included a table in the Board packet that summarizes the overall revenue increases for the upcoming contract year and we propose an overall 2.35 percent increase compared to the 2013-2014 year. He noted he attended the Student Transportation Board meeting and presented some highlights of the past year as well as our IU proposal.

Mr. May said IU has suggested to us that 2 percent increase is likely the most they can afford for our contract. He said 2.0 percent does not adequately compensate BT for the growth in student ridership which was 2.44 percent in the previous year or the cost increases we anticipate in the upcoming year which are expected to exceed 3 percent. Mr. May said he suggested to IU that to meet their request BT would need to make a very small reduction in transit service provided to the campus which would equate to about 4 revenue hours of service each week. He said this is a minor service reduction in light of the fact that we operate about 1,000 revenue hours per week on Routes 6, 7 and 9 during a typical school week. These are routes that predominantly serve IU students and the IU campus. He said the reduction of service is 0.4 percent during a typical school week. Mr. May noted no final action on the IU contract proposal is sought from the Board at this time pending further discussion with IU.

Mr. May said the downtown passenger transfer facility project continues to progress with the building limestone completed, metal framework for passenger canopies has been completed which includes the column posts and roof framework. He said the metal decking for the roof of the canopies still needs to be completed. He said most of the windows have been installed and the remainder should be completed soon. He said drywall is underway on the interior and concrete curbing is almost finished along with tactile warning strips along the curb. He noted the limestone seat wall behind the Fleener Building and Crosstown Cleaners has been completed. He said work continues on finishing the roof soffits and is expected to be done soon. Mr. May noted that he would have a revised budget and change order log at the next Board meeting.

Mr. May said with the opening of this new facility we wanted to develop a code of conduct policy that we would expect the public to adhere to once we move into this new facility. He said this policy was modeled somewhat after the Monroe County Public Library. He said we thought it was very important at the outset that we develop a policy and put into place so that everyone knows what the expectations are. He said this policy applies not only at the facility but on our buses as well. Mr. May said he wanted to go over the code of conduct that was included in the Board packets. Mr. May summarized the primary points in the Code of Conduct including the following:

- Intoxication or impairment, possession or consumption of alcohol on our property or in our vehicles is prohibited.
- Possession of a weapon on BT property or in vehicles is prohibited except as permitted under Indiana Code 35-4711-1 which gives people the authority to carry firearms.
- Abusive, threatening or harassing behavior in any form is prohibited.
- Selling, polling, solicitation panhandling, loitering, or providing free food, drink, or products is prohibited. BT reserves the right to survey customers onboard buses, at bus stops, and at the downtown terminal subject to the approval of the BT General Manager.
- Sexual behavior of any kind, sleeping in the terminal or aboard buses for extended periods of time, strong odors that interfere with or disrupt others from using the services of BT are prohibited.
- Smoking, use of tobacco products, or use of e-cigarettes is prohibited inside buildings and in all areas outside at the downtown facility on property owned by BT. He noted how the City smoking ordinance prohibits smoking in waiting areas of transit depots and at all bus stops.
- Persons on the premises or on buses must wear shirts and shoes.
- Animals are prohibited on the premises and in buses with the exception of service animals or animals used by law enforcement agencies.
- Taking photographs, or making video/audio recordings on BT property or any bus requires advance written authorization by the BT General Manager and may be refused at the General Manager's discretion.
- No roller blades, scooters, or skateboards may be used on BT property or on buses.
- Bicyclists shall dismount from their bikes while at the BT downtown passenger terminal. He said persons may not use the bike racks or lockers for any other purpose than to store and secure bikes for periods not to extend beyond the closing time of the terminal. He said no bikes are allowed in the terminal and any bike or personal property left in bike

lockers or at bike racks beyond the closing time of the terminal for that particular day are subject to being confiscated and disposed of by BT.

- No eating is allowed on buses and all beverage containers must have lids or covers. He said eating is allowed at the passenger terminal with the expectation that those consuming food not litter and clean up after themselves. He said all persons shall refrain from littering at all time while on BT buses or while on BT property and trash and litter is to be disposed of properly in trash receptacles.
- All persons shall keep their feet off of seating and walls of buses and the downtown terminal at all times.
- Safety is of paramount importance and the public shall not enter certain areas of the downtown passenger terminal including areas designated as authorized staff only and areas where buses operate including crossing in between, in front, and behind buses in the bus parking areas as well as the bus driveway areas in locations that are not a designated crosswalk.
- Earphones shall be used while listening to music or other forms of audio and video entertainment and the volume shall be such that it cannot be heard by anyone nearby.
- Cell phone use on the bus or while at the downtown passenger terminal is allowed, however, persons are expected to refrain from the use of profane language while engaged in such phone conversations and to talk in a manner that doesn't disrupt or interfere with other members of the public or BT employees. When communicating with BT employees, the public is expected to refrain from using their cell phone.

Mr. May said we define that loitering is occupying the passenger terminal for any purpose other than waiting for a bus or obtaining information, bus tickets or bus passes. He said BT operates each route at least once per hour and any transfer within the system should be possible within one hour and thus passengers should be not waiting for a BT bus at the downtown terminal more than one hour. Vice Chair McDaniel asked about the possibility of having intercity buses in the terminal and the necessity for such passengers to wait more than an hour for an inter city bus. Mr. May noted that if intercity buses are to use our facility we will have to relax this rule to allow people to wait for more than an hour for an intercity bus.

Vice Chair McDaniel asked if we need to define what intoxication is. Mr. May said we cannot force a breathalyzer test upon anyone but all we can do is based on our observed behavior of conduct and often times it is obvious. Mr. Patton said the practical fact is we haul a lot of intoxicated people but they are behaving perfectly well. Chairman McConn said it was his opinion that we don't have to define intoxication given most of the time it is obvious. Mr. McDaniel asked about allowing animals such as goldfish that were purchased in a pet store. Mr. Patton explained that sometimes we get these on the bus and generally speaking those aren't considered a problem.

Mr. McConn questioned whether we should preclude video and audio taping as well as photographs. Mr. May explained that from a security standpoint staff is not comfortable with the

potential terrorism or criminal implications of video recording and photography of transit facilities and vehicles. Mr. McDaniel noted that he had discussions with the Indiana Intelligence Center on this subject and that it is considered suspicious behavior and should be reported. Mr. McConn and Mr. Cartwright both voiced concerns and the Board concurred to eliminate the section about photography and video taping prohibitions.

Mr. May said we have developed a remedial process where we can enforce the policy if we have repeated violations. If a person is observed violating the rules we will tell them to stop and if they don't they will be asked to leave the bus or our property. If they refuse to leave, we will call the police and have them removed. If the person returns later that day they are subject to arrest for trespassing. Vice Chairman McDaniel asked a procedural question as our ordinances do not carry the power of the law. His question was how do we go about getting the police to arrest somebody because they are breaking one of our rules. Mr. May said we are going to have to sit down with the police and talk about how they can help us. Mr. May noted that if we have repeat offenders we propose to use a progressive remedial process whereby repeat offenders would be prohibited from using the facility or services for defined periods of time. Before any suspension of services were implemented, the offenders would be given an opportunity to appeal their suspension to the General Manager and next to the Board. Chairman McConn said he thought it was a good first step.

Mr. May said what he wanted to do tonight was first bring this to the Board for review and discussion. The next step after getting the Board's comments would be go to legal counsel for review. Once legal review has been accomplished we would bring a final draft to the Board for final review. The Board would consider adoption of this policy via an ordinance of the Board where you would have a formal public hearing prior to adoption.

Mr. May said for years BPTC has had a program in place whereby social service agencies and non-profit institutions can purchase discounted single ride tickets. He said the discounts provide 50 percent off the regular cost for an adult passenger and also for the elderly and persons with disabilities. He said the Board authorized a \$200 per month donation of tickets to the Shalom for distribution to homeless individuals who use BPTC fixed route service. He said the Board authorized the total value of discounts and donations not to exceed 1.5 percent of fare revenue collected which includes IU student fare revenue. Mr. May said the program has grown in popularity. He provided the Board with a table showing the growth in the demand for discounted and donations over the last few years. He said through March we are running well over the 1.5 percent threshold the Board has authorized. He said he has a request from MCCSC to donate free bus passes and or tickets for adults attending their Adult Education, High School Equivalency Test Preparation, and English as a Second Language classes. He said if we do not do something to increase the threshold to allow us to go further or say no to somebody it is going to have an impact on our budget as well as exceed the 1.5 percent threshold. He said his recommendation is to turn down the request from MCCSC for donated passes/tickets and to discontinue the Shalom \$200 donation of free tickets every month. Mr. May asked the Board for direction on this matter. Chairman McConn said looking at the agencies that are utilizing these tickets there is not a lot of ridership we are losing to be honest because if they did not get the passes they would not be riding. Mr. McConn said I understand there are limitations in place but I don't think we are looking a substantial concern about revenue loss relative to allowing discounted purchases of tickets. Mr. McConn said he likes the idea of continuing the discounted tickets and he is not averse to giving discounted tickets with some slightly higher limits for

organizations that need it. Chairman McConn said he proposes that we discontinue the \$200 monthly donation to Shalom and allow them to purchase discounted tickets. Mr. McConn proposed increasing the threshold for discounted tickets to 2.5 percent of total passenger fare revenue including IU fare revenue. Mr. May asked the Board about MCCSC's request for free passes or tickets. Board Member Obermeyer said if we are going to discontinue Shalom's free tickets and allowing them to purchase discounted tickets then we should not make any donation to MCCSC. Instead, she proposed allowing MCCSC to purchase discounted tickets just like other organizations. The Board concurred on increasing the total threshold to 2.5 percent of passenger fare revenue including IU passenger fare revenue, discontinuing the \$200 monthly donation of tickets to Shalom, and allowing MCCSC to purchase discounted tickets.

Mr. May said the Board is aware we put in a request for a New Freedom grant and INDOT has informed us that our New Freedom grant application has been approved in the amount of \$25,000. He said there is an operating contract for the taxi voucher program whereby people with disabilities who cannot use public transportation will be able to use a taxi voucher for same day service or trips outside our service area. This also allows cross county travel to/from contiguous counties and there is a consumer education program component whereby a training program would be developed for people with disabilities to train them on all the transportation resources public and private that are available to them in this community. He said a voucher program is currently underway and we contracted with Area 10 Agency on Aging to implement this. He said people are using the service of Red Tire Taxi and E2 Taxi who have qualified under the voucher program. He said Area 10 is administering the project on our behalf and he will come back to the Board with a contract so that we will continue that arrangement with Area 10 and they will administer this grant as well. Mr. May noted on the agenda is Resolution 14-09 that would authorize the Chairman to execute the grant contracts with INDOT.

Mr. May said last on the agenda is a personnel update. He said Wendell Bailey our fleet maintenance manager who has been here since 2003 has notified us that he will be retiring with a target date of August 2014. He said we are going to go ahead and start the process to replace Wendell. He said we will be posting the job internally the last week of April and in APTA's Jobs Publication in early May. He said his goal is to give us as much time as possible to find a candidate and ideally have two weeks training with Wendell before he leaves.

MESSAGES FROM THE CONTROLLER

Controller Browning gave an overview of the March Financial Report.

MINUTES

The minutes for March 25, 2014 were presented for approval by Board Member Obermeyer and seconded by Secretary Cartwright. The minutes were approved by all Board Members except Vice Chairman McDaniel who abstained.

CLAIMS

The claims for April 22, 2014 were presented for approval by Board Member Obermeyer and seconded by Secretary Cartwright. The claims were approved unanimously.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Under New Business, Board Member Obermeyer moved to approve Resolution 14-08; a resolution adopting the final CY 2014 Program of Projects to be funded under 49 U.S. C. Section 5307 and authorizing the BPTC Chairman to file and execute grant assurances and the grant contract. The motion was seconded by Board Member Hasler. Resolution 14-08 was approved unanimously.

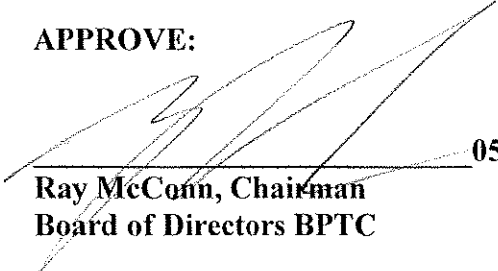
Also under New Business, Board Member Obermeyer moved to amend the discount ticket program to discontinue the \$200 monthly donation of tickets to Shalom, raise the total value of discounts and donations up to 2.5 percent annually of fare revenue including IU fare revenue, and allow half-price tickets to be purchased by MCCSC. The motion was seconded by Board Member Hasler. The motion was approved unanimously.

Under New Business, Board Member Obermeyer moved to approve Resolution 14-09; a resolution authorizing the BPTC Chair to execute operating and capital grant agreements with the Indiana Department of Transportation for 5310 New Freedom financial assistance for a voucher (operating) and consumer education (capital) program. The motion was seconded by Board Member Hasler. Resolution 14-09 was approved unanimously.

Also under New Business, Board Member Obermeyer moved to approve premium equivalents for employee health insurance effective May 1, 2014. The motion was seconded by Board Member Hasler. The motion was approved unanimously.

ADJOURNMENT

APPROVE:


05-20-14
Ray McConn, Chairman
Board of Directors BPTC

ATTEST:


05-20-14
Alex B. Cartwright, Secretary
Board of Directors BPTC