

## AMES TRANSIT AGENCY BOARD OF TRUSTEES

AMES, IOWA

May 10, 2012

The Ames Transit Agency Board of Trustees met on May 10, 2012 in the conference room at CyRide. President Anders called the meeting to order at 5:17 p.m. Trustees in attendance were: Anders, Madden, Schainker, and Vander Velden. Absent: Trustees Wacha and Gerdes.

President Anders introduced the Iowa State GSB appointees to the transit board for 2012/2013: Chad Leines, GSB Representative, Senior in Business Economics, and Daniel Rediske, GSB Senator, Senior in Computer Science.

President Anders thanked Trustee Vander Velden for his service and input to the transit board this past year. Trustee Vander Velden thanked board members and CyRide staff for their support this past year and expressed his support to the new GSB appointees.

**APPROVAL OF MINUTES:** Trustee Madden made a motion to approve the minutes from the April 12 and April 19, 2012 transit board meetings. Motion seconded by Trustee Vander Velden. (Ayes: Fours. Nays: None) Motion carried.

**PUBLIC COMMENTS:** None.

**FLOOD PROTECTION UPDATE:** Director Kyras reminded board members of their previous action taken on April 12, 2012 to flood protect CyRide and subsequent discussions since that approval. She indicated that the chosen option was an earthen berm and floodgate option to the four and half foot level above the 100' flood elevation of 900 feet. Since that meeting, Director Kyras and CyRide staff have met with Cathy Brown and Dean Morton, ISU's Planner and Architect, and Dave Miller, Iowa State University's Vice President of Facilities Planning and Management, to discuss the approved plans. Two recommendations were made by their staff: soften the earthen berm option with a combination of earthen berm and flood wall, and reduce the height to 3' above the 100 year flood level based on engineering studies ISU had performed for the adjacent cooling towers. To accomplish these changes, URS engineers estimated the additional cost for the change in type of flood wall would be approximately \$250,000, however, if the height were reduced, approximately this same dollar amount could be saved resulting in an estimated \$0 change.

Director Kyras further explained the reasoning for the height reduction in the flood protection. She indicated that Mr. Miller had provided additional information about the effect of future flooding events. Specifically, he indicated that there would be a "weir"

effect with the railroad tracks that create a levy situation. He indicated that because of this structure, water only has two “holes” in the levy to enter CyRide’s property. As a result, the water level on the south side of the tracks would be lower as the tracks/levy would hold back higher levels of water. He indicated that a 4 foot increase in water over the 2010 flood levels would only result in a few inches difference at CyRide’s property.

Director Kyras further explained that she had spoken with Cindy Moses, Engineer at the FTA Regional office in Kansas City, who at one time was an engineer with the Army Corp of Engineers, asking for the FTA’s input. Ms. Moses, who has been to CyRide’s facility, agrees with Mr. Miller’s assessment. As a result, CyRide staff recommended reducing the flood protection approved at the April meeting to the 903 elevation level as opposed to the 904.5 level.

Trustee Madden questioned why the previously approved and staff recommended level was higher than the ISU consultant engineers recommendation. Director Kyras indicated that this was based on the City/CyRide insurance carrier, FM Global, who desired the 904.5 level. Trustee Schainker questioned whether FM Global would confirm and feel comfortable with the decision. Director Kyras indicated that a request had been made by FM Global to review Iowa State University’s documentation and this request had been passed along to ISU staff. Director Kyras also shared with the Transit Board that the city’s insurance is out for bid at this time and may result in a different carrier and opinion. Director Kyras also shared that at the 903 level, the 2010 level flood would be 2 feet below the berm/wall height.

Trustee Madden shared with the Trustees that he had worked with FEMA for ISU and that FEMA had signed off at the 903 level for their buildings. He also shared that the aesthetics of the earthen berm and the appearance around CyRide is important to Iowa State University as visitors drive along University Blvd. and does not have any issues with Iowa State staff’s recommendation.

Trustee Schainker was concerned with the insurance company’s decision being higher than engineers recommendations and FEMA’s approval. Director Kyras indicated that in conversation’s with the City’s Risk Manager, she had been provided with information as to why this discrepancy might occur. She indicated that she had been told that the City’s insurer, FM Global, is an engineering based insurance company and, as a result, tends to look at insurance risk differently and more conservatively.

Trustee Madden pointed out these standards were adopted by Iowa State and the transit board can adopt these standards since CyRide is on university land under a lease

with the university. He indicated that he felt that the transit board could make an independent decision.

Trustee Madden made a motion to adopt Alternative #1 for CyRide's flood protection measures at the 903 level, 3 feet above its current elevation. Trustee Schainker seconded the motion. (Ayes: Four. Nays: None.) Motion carried.

**FIREARMS ON THE BUS:** Director Kyras explained prohibiting firearms on the bus, which dates back to the 1980's, was a CyRide operational decision based on safety concerns. A question has been raised whether CyRide can continue this practice in light of recent legislation. Director Kyras has discuss this issue with Doug Marek, Ames City Attorney, who has indicated that municipalities cannot prohibit this practice; however, boards and commissions can prohibit this activity. CyRide staff continues to believe this is a good practice and would further recommend that "other weapons" be added so that knives could be include as well.

Transit board members questioned whether other city boards and commissions have adopted a firearms policy. Director Kyras indicated that staff could research this topic.

Trustee Madden pointed out that Iowa State prohibits firearms on campus, but was unsure if this would extend to buses. If individuals violate the policy at Iowa State, Iowa State Public Safety officers remove them from the property, not necessarily arrest them. He indicated that it was not an entitlement, but will not arrest individuals for violation of the policy. He indicated that Iowa State Public Safety officers do not stop people to check for weapons who are driving across campus. He indicated that the same was true with carrying weapons, not randomly search bags or purses.

After some discussion, the transit board indicated their support of the policy in general, but requested CyRide staff complete more research to see if other City departments have a firearms policy.

Trustee Madden made a motion to table the decision until more information is available. Trustee Schainker seconded the motion. (Ayes: Fours. Nays: None.) Motion approved.

**AMES INTERMODAL FACILITY – JEFFERSON LEASE:** Director Kyras indicated that a lease for use of the Ames Intermodal Facility by Jefferson Lines and Burlington Trailways had been approved by legal staff of all entities. She then briefly summarized the terms of the agreement as described in the board packet.

Director Kyras shared that she had received the final draft from the City Legal Department earlier that day. Additionally, the Federal Transit Administration's Legal Department; the City's Risk Manager, David Eaton; and the Jefferson Lines attorney have reviewed and approved the agreement.

Trustee Madden made a motion to approve the Jefferson Lines lease between the City of Ames and Ames Transit Agency as presented. Motion was seconded by Trustee Vander Velden. (Ayes: Fours. Nays: None.) Motion carried.

**AMES INTERMODAL FACILITY – EXECUTIVE EXPRESS:** Director Kyras pointed out the differences between the previously approved Jefferson Lease and the Executive Express lease. The main differences are the monthly lease rate and the inclusion of two parking spaces. The lease rate is based on current market rates.

Director Kyras indicated that HIRTA had decided not to lease office space in the facility. Director Kyras indicated that board approval would need to be contingent upon final approval by the Federal Transit Administration for this lease.

Trustee Schainker made a motion to approve the lease, contingent upon Federal Transit Administration approval and to grant authorization to Director Kyras to make changes if needed. Motion seconded by Trustee Vander Velden. (Ayes: Fours. Nays: None.) Motion carried.

**PROPERTY INSURANCE FOR BUSES IN FACILITY:** Director Kyras reminded board members about the recently discovered gap in insurance coverage when vehicles are parked in CyRide's facility. Property and contents are covered through FM Global, and vehicles are insured through ICAP, but not when the vehicles are parked in the facility. CyRide has valued the replacement cost for a total loss at \$28 million.

David Eaton, City Risk Manager, received two annual premium quotes for vehicle coverage at the following deductibles: \$100,000, \$2,052 per month, and \$250,000, \$1,642 per month. The coverage would be for repair or replace with a not-to-exceed actual cash value. Because CyRide's fleet includes a number of very old vehicles, CyRide staff asked for clarification on the actual cash value, which would be very low. The insurance company stated that it would be actual cash value or, for an older bus, a reasonable replacement cost for a bus.

The City's Risk Manager recommends the higher level of \$250,000 deductible because there is a minimal likelihood of a catastrophic loss of this nature.

Trustee Madden moved that CyRide should proceed as soon as possible to approve purchase of insurance for vehicles parked inside or on the premises of CyRide's facility

at a \$250,000 deductible level. Motion seconded by Trustee Vander Velden. (Ayes: Four. Nays: None.) Motion carried.

**2012 – 2013 DIAL-A-RIDE CONTRACTS:** Director Kyras provided a brief history of CyRide’s contracted Dial-A-Ride service since 2003, including the termination of a contract with Heartland Senior Services as of June 30, 2012 and the results of the bidding process to identify another provider for this service. These discussions have resulted in the development of a contract with Heart of Iowa Regional Transit Agency (HIRTA) to provide service beginning July 1, 2012.

The two contracts provided in the board packet (operational contract and vehicle contract) were reviewed and approved by HIRTA’s Board of Directors, attorneys for each organization, the City’s Risk Manager and the Iowa DOT. These agreements are 28E, intergovernmental documents.

Director Kyras briefly explained each of the sections contained in the agreements and stated that the agreed upon compensation represented a 3% increase over current expenses paid to Heartland Senior Services.

Trustee Schainker asked if there were changes in the fuel surcharge adjustment fee. Director Kyras indicated that it was modified to reflect current fuel prices and increased under the fuel surcharge for higher fuel expenses. Trustee Madden questioned the \$18 general public fee and asked if anyone used this service for general public rides. Director Kyras explained that this cost represents the full cost of providing a trip on Dial-A-Ride service and that to her knowledge the general public had not used this service.

Trustee Schainker believed it is to CyRide advantage to proceed with this agreement.

Trustee Schainker made a motion to approve the Purchase of Service Contract and Motor Vehicle Use 28E Agreements between HIRTA and CyRide for operation of service and use of a vehicle for Dial-A-Ride service beginning July 1, 2012. Motion seconded by Trustee Madden. (Ayes: Four. Nays: None.) Motion carried.

**INTERMODAL FACILITY CHANGE ORDER APPROVAL:** Change Order #37 is in the amount of \$52,160 for removal of unsuitable soils as it relates to the installation of the sanitary sewer. This dollar amount goes above the purchasing threshold for departmental approval and needs transit board and City Council approval. The total change order costs to date are \$221,000, leaving funding for the bicycle path to the Arboretum.

Trustee Schainker made a motion to approve Change Order #37 to Weitz Company for an additional \$52,160 for the removal of unsuitable soils during the installation of the sanitary sewer. Motion seconded by Trustee Vander Velden. (Ayes: Four. Nays: None.) Motion carried.

**2012-2013 CYRIDE GROWTH POTENTIAL:** Director Kyras recapped information from the March transit board meeting where staff determined the impact of an additional 5,000 students over a two year period, for a total enrollment of 35,000. During the April 19, 2012 transit board meeting, CyRide provided information on a one year impact of enrollment at 31,000, as required by the transit board.

Director Kyras briefly recapped the discussion of this item at the April 2012 meeting.

- Ridership – At 173 rides per student, the increased ridership would be 207,000 additional rides.
- Buses – At 80,000 rides per bus, 2.6 additional buses would be needed.
- Drivers – For two to three additional buses, five to eight additional drivers would be needed.

The financial impact is estimated to be \$359,127, with the increase broken down as follows: fixed route operations would be \$187,000; \$22,000 for training additional drivers, purchase of two to three buses for \$150,000.

Director Kyras indicated that the GSB Trust Fund will continue to grow with increased enrollment. She offered a possible solution to “cap” the increase flowing into the Trust Fund. The example used was a 1% cap and 31,000 enrollment, which would result in the Trust Fund growing by \$36,097 and the operating budget increasing by \$96,197 under this scenario. Another solution could be to cap the GSB Trust Fund at a certain level and allow any additional funding to remain in the operating budget. She indicated that any change would require a modification to the Three Party Agreement.

Trustee Schainker questioned whether a cap on the increase in the GSB Trust fund would generate sufficient dollars, as it would generate \$96,000 and there was a need for over \$350,000. Director Kyras said it was a partial solution for the immediate need, but that it would allow CyRide to address future growth.

Trustee Madden indicated that there needs to be additional conversation with GSB about the challenge and solutions. He indicated that the Fee Committee would be meeting this summer to begin budget conversations and recommended that this topic be included in these discussions. Director Kyras indicated that the sooner discussions could occur, the better as the impact of 31,000 students would begin in August 2012.

Trustee Madden shared that administratively, Iowa State University has the authority to utilize the fee dollars; however, he politically was uncomfortable with this direction. Trustee Madden confirmed enrollment numbers are most likely to happen.

Director Kyras discussed the difficulties CyRide encountered with ridership for the Gray route and with the system as a whole. She indicated that CyRide held its service level at 2010-2011 levels with the operation of 59 peak buses, but this

meant that buses were fuller than the previous school year. She shared that with another enrollment increase, the service quality would degrade if additional service was not added to address the demand. Trustee Schainker discussed the timing of when an increase needed to be approved. Director Kyras indicated that if CyRide was aware of the desire to increase funding, approvals could happen after the beginning of the fall session as the funds could flow to CyRide in the spring semester. Trustee Schainker asked about whether CyRide would have additional buses to put out in service. Director Kyras indicated that CyRide would be receiving five new buses in September and several buses to be replaced could remain in service to increase the fleet. Prior to this time, a smaller spare ratio could be operated to allow for the increase.

Trustee Vander Velden made a motion to adopt Alternative #2 to direct CyRide staff to meet with GSB representatives to discuss the issue and find a mutually agreed upon solution for rising enrollment/ridership with constrained operating dollars. Motion seconded by Trustee Schainker. (Ayes: Four. Nays: none.) Motion carried.

**Transit Directors Report:**

- Intermodal Facility Construction Update- paving is complete and Iowa State is pre-selling parking spots.
- VEISHEA – Ridership was up 11,358, which is 11% over the previous year. CyRide received damage from bricks thrown at a bus.
- Odyssey of the Minds event will take place in Ames May 23 to May 27, 2012 with an estimated 15,000 participants. The schedule will be the same as in the past with private carriers conducting the airport and hotel shuttles. CyRide provides shuttle service along active routes and delivering participants to the Memorial Union Sunday morning as they depart to various airports. This event expects to generate 80,000 rides. CyRide charges the Ames Visitors and Convention Bureau for its planning services for this event.

Transit board meetings are tentatively scheduled for June 28 and August 23, 2012 at 5:15 p.m.

Meeting adjourned at 6:34pm.

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Bob Anders, President

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Joanne Van Dyke, Recording Secretary