



The 4-Party Agreement

a briefing on the proposed agreement and the regional transit plan

Caveats

There are many competing narratives involved in the proposed New Transit Authority (NTA) master plan, and it is difficult for me to put all of those views together in a coherent document. Here is some background information:

I met with Jeff Irwin (then a County Commissioner, now a State Representative) and Terri Blackmore from WATS in October, 2008. At that time, we discussed a potential County-wide millage for improved regional transit.

I met with Michael Ford shortly after he accepted the position at AATA in summer 2009. At that time, we discussed perceptions of transit users and the need for transit, possible improvements to transit in Ann Arbor, and the option of initiating a regional transit authority.

I attended Transit Master Planning meetings in 2010; those continued into 2011. I was one of several Ann Arbor Council members attending. Also present: County Commissioners, Ypsilanti Council members, Township elected officials, University of Michigan officials, the press and various others representing non-profit and for-profit enterprises. I also attended several public meetings held by the Transit Master Planning group (which included consultants) to listen to the concerns of our neighbors.

I have continued to meet with AATA staff, including Michael Ford, the Executive Director, in order to learn as much as possible about the proposal and to discuss concerns.

All of this can create cognitive bias. I support the concept of regional transportation. I've also discussed my concerns about the clarity of the overall funding plan and the implications for Ann Arbor with the administration at AATA and with other members.

I've structured this paper to outline the concerns I've heard and the information I have about the issues those concerns raise.

The concerns:

What does the 4-Party Agreement mean? Why aren't we just talking about AATA providing services under contract with other communities?

The City of Ann Arbor is one of four parties that would need to approve the process of moving from AATA's [Act 55](#) bus system to the [NTA's Act 196](#) transit system. (Ypsilanti, Washtenaw County and AATA are the other three).

Here's a [link](#) to the current draft agreement in the resolution, and some [possible changes](#) that may be proposed on Monday (these were sent to Council members by AATA as their preferred clarifying language).

During many of the meetings leading up to the [Transit Master Plan \(TMP\)](#), participants heard that buses have to get people to and from work more quickly. A 20-minute, one-way commute is acceptable; a 1-hour commute each way is a deterrent to using public transit if faster alternatives exist. (Borrow the book "Traffic" by Tom Vanderbilt from the library to learn more about commuting, driving, and human behavior. That's what I did.) The least expensive way for the AATA to decrease commute times isn't just to add more buses. It's to pay for dedicated bus lanes and allow for bus rapid transit systems (see the [Ann Arbor Chronicle's coverage](#)). Also, Act 55 transportation system regulations are designed for cities while Act 196 transportation system regulations are designed for groups of municipalities (more information on the [Chronicle](#)).

Are 'fixed guideways' another way of saying 'trains?' Should Ann Arbor's transit millage be used to pay for trains?

According to the language of [Act 196](#), "Taxes may be levied at a rate and for a period of not more than 25 years as determined by the public authority in the resolution calling the election and as set forth in the proposition submitted to the electors if the public authority seeking the levy is seeking the levy for public transit services that include a fixed guideway project authorized under 49 USC 5309." Dave Askins in the [Ann Arbor Chronicle](#) explained 'fixed guideway' this way: "Vehicles that run on rails – street cars and commuter trains – are obvious examples, but bus rapid transit (BRT) is also a "fixed guideway" system. With a BRT operation, special reserved lanes and queue-jumping infrastructure at intersections allow buses to take priority over other traffic on the roadway, so that they have a "fixed guideway" within the roadway."

The City already has a millage for AATA. Why should we lose AATA to gain a bus system outside Ann Arbor?

I've attached a [series of maps](#) that show the current transit routes and the proposed changes. While some of the proposed routes include parts that are between county communities (Chelsea and Dexter, for instance) all routes lead to Ann Arbor.

Since all of the proposed transit routes lead to or through Ann Arbor, Ann Arbor would gain transit services.

AATA has proposed an [amendment](#) to the 4-Party Agreement that guarantees transit services in Ann Arbor and Ypsilanti will never fall below current levels. If the Council passes this amendment, Ann Arbor won't lose any transit services.

Not all of the operating funds for AATA come from the millage; in 2010 only 38% of the revenues came from that millage (another 40% came from State and Federal sources, with the remainder from fares and contracts with other municipalities – and I've rounded these numbers). (See the [financial report](#).) Ann Arbor residents approved a perpetual millage (2.5 mills) in 1973, and required that it be used for public transportation within Ann Arbor. They did not require that these dollars be provided to AATA. The City contracts with AATA to provide public transportation in Ann Arbor (using the millage dollars). The City can change that contract to any other transit company if we decide that it would provide better services.

Should the public vote on whether to cancel the contract with AATA and sign a contract with another transit authority?

The Council signs contracts with different vendors routinely. According to the 4-Party Agreement, if the voters in Ann Arbor don't approve a funding source for the NTA, the current contract with AATA remains in effect. AATA cannot be dissolved unless the voters approve the NTA funding source. If Ann Arbor votes in support of the NTA's funding source, it is voting to cancel the contract with AATA.

Why the rush? Why does the City have to act NOW?

The City Council doesn't have to rush a decision; neither do the other parties to the agreement. The TMP has been discussed and refined for more than two years; the concept of regional transit has been talked about for longer than that. There are some timelines built into the process, though, and if the various parties agree to go forward the work necessary will have to be done fairly quickly.

The financial advisory group must propose a funding source: While somewhat independent of the 4-party agreement, because the agreement doesn't specify a funding source, the interim New Transit Authority Board (NTAB) (primarily made up of folks not on the AATA Board) will have the task of presenting this plan to our communities. The AATA calls this interim board the U196 board – short for “unincorporated Act 196 board.” The finance committee will propose that plan on January 27th. The committee will prepare a ‘white paper’, and the plan will be finalized as a presentation on-or-about February 24th. The NTAB must approve the plan and then begin the process of providing the details to all of us.

Citizens must vote on a funding source: AATA will continue to operate until all the conditions in the 4-party agreement have been met and the Articles of Incorporation are approved. According to current language – and no one's suggesting it change – the funding source must be approved by Ann Arbor voters and voters across the Transit Authority boundaries before AATA dissolves and the City contracts with the NTA. All of this must be complete before the end of December, 2014. Most of the County doesn't hold off-year elections (as Ann Arbor does). Primary and General elections are scheduled for August and November, 2012 and August and November, 2014. While the issue can be placed on a ballot, defeated, and then brought back later for another chance to pass, the decision is final by December, 2014.

Timing is everything. Without approval from Ann Arbor and Ypsilanti City Councils, AATA cannot move forward with planning a vote on the funding source. The Council may, of course, choose to delay deciding on approval until they see the proposed funding source information.

No one uses the buses. Why should we pay for more buses and services?

Currently, there are more people riding the buses than ever before. According to AATA, the average bus has 30 passengers on any given run. Some bus routes are more heavily used than others, and some times of day are busier than others.

AATA's bus routes aren't only for commuters. Many residents use the bus as an alternative to a car, going to libraries, shopping, and doctor appointments. I hear from some of these residents – their frustration with inconvenient schedules, their fears that the route they rely on will be changed or eliminated and their happiness that the bus system is available for them. It's not all about commuting.

Such information may not be valuable to you, especially if you don't ride the bus and don't struggle to find a parking place at your employer's. Public transit is in demand in our community; how much we commit toward supporting it beyond the millage we currently pay is another question.

Should we seek pass a county wide millage before the AATA starts using AA tax dollars to plan the county-wide plan?

The [County-wide service plan](#) is already complete. The financial source plan is not. Whether the proposal is a millage or some other mechanism, no Ann Arbor millage dollars will be used by the NTA until after Ann Arbor voters approve the (final) proposed funding source. If Ann Arbor voters support the funding source, they are also saying they support ending the contract with AATA and forming a new contractual agreement with the NTA.

The City Council makes bad decisions. This could be another one.

Members of Council are our neighbors. For whatever personal reasons, they ran for Council and won. Everyone on Council intends to make decisions that are best for Ann Arbor, given what they know at the time. Hindsight, of course, is better than foresight.

But this decision – to sign the 4-party agreement – isn't the final decision before the establishment of the NTA and the institution of some supplementary funding (beyond the millages in Ann Arbor and Ypsilanti). Before the NTA is funded, you will be able to vote on whether to approve the funding. By extension, you'll also be voting on whether the NTA will exist, as without approval from Ann Arbor, there won't be an NTA. All the routes run to Ann Arbor (see the maps).

How much public input is the right amount?

1200 people who, for one reason or another, cared enough to attend any one of 70 public meetings on the TMA had an opportunity to influence the outcome. That's not a large portion of the population.

Another group – and I'm not certain how large that group was, given the vagaries of surveys – responded to several surveys about the TMP.

The City Council will hold a public hearing on Monday, January 23rd prior to any vote on the 4-party agreement.

If you have opinions, insight or advice, please share with me.

Here's a selection of **documents and links** regarding the master plan.

The [TMP](#) and the [Funding Options](#)

The [presentation to City Council](#) on December 12, 2011

The Ann Arbor Chronicle has a series of [articles](#) about transit (that don't represent any viewpoint, just a report)

Vivienne Armentrout has a series of articles on her blog that offer both data and a position. To get started, click [here](#).