

OFFICE OF CORPORATION COUNSEL

PAUL BARGREN Corporation Counsel

MARK A. GRADY COLLEEN A. FOLEY Deputy Corporation Counsel

TIMOTHY R. KARASKIEWICZ LEE R. JONES MOLLY J. ZILLIG

Date: July 7, 2014

- To: Members of the Transportation, Public Works and Transit Committee
- cc: Brian Dranzik Dan Boehm, MTS Jodi Mapp Kelly Bablitch
- From: Paul Bargren *PB* Corporation Counsel

ALAN M. POLAN JENNIFER K. RHODES DEWEY B. MARTIN JAMES M. CARROLL PAUL D. KUGLITSCH KATHRYN M. WEST JULIE P. WEST Assistant Corporation Counsel

Re: Southridge transit service update

Southridge is served by four MTS bus routes, comprising about 150 buses per day, with about 1,200 passengers getting on and 1,200 getting off each day.

The mall is private property. Starting November 1, 2013, the mall directed that MTS buses could no longer use a stop near the Sears store but instead had to use a stop on the mall's ring road that is about 1,000 feet from the nearest mall entrance. Reaching the mall from that stop requires walking along the edge of a parking lot, crossing a busy parking lot access road and then continuing along a mall road to a sidewalk. The walkway consists of a pedestrian lane painted at the edge of the parking lot surface. Although the walkway and the bus stop comply with the Americans with Disabilities Act (ADA) requirements, this has proven a difficult path for those with handicaps or who have difficulty walking.

A number of avenues were explored over the winter., although given Southridge's private property status, options are limited. Sup. Jursik took the lead in organizing opposition to Southridge's move, including organizing a coalition of groups known as BUSS (Bus User Safety at Southridge). BUSS and others staged protests and expressed opposition to the change in bus stops. A number of other supervisors joined the effort. At the May 7 meeting of this Committee, the Southridge mall director appeared and agreed to attempt to negotiate improvements in the transit situation. I was asked to represent the County Board and this Committee in those discussions.

I have had a number of discussions with Southridge's designated representative, including one meeting at Southridge in which we viewed possible alternate bus stop locations. As a result, we have focused on a concept in which the current stop at the north side would move west about 200

feet, to the corner of the ring road and the parking lot access road. This would eliminate the worst of walkway issues, including eliminating the need to cross the access road and the temptation to set out diagonally across the parking lot. Work is required to make the corner suitable for a bus stop. In addition, under this concept, a second stop would be added at the south end of the mall, about 350 feet from the building. A bus stop would be created and linked to the mall sidewalk with an ADA compliant walkway, which Southridge would provide. An entrance to Macy's and an entrance to the mall atrium are near the point where the walkway would connect with the sidewalk. The walkway would replace a row of parking spaces. Under this concept two routes would stop at the new north stop and two would stop at the new south stop. Southridge has asked for a roughly 50/50 match from the county on costs of constructing the new stops (or 50% of possibly \$40,000), plus repair costs in future years if asphalt is damaged by buses at the south stop, perhaps \$5,000 to \$10,000 per year. Southridge has also asked for an indemnity similar to that provided by MTS for Summerfest shuttles last year.

One June 23, I outlined key points of these concepts at a community meeting attended by BUSS members and others. A number of concerns were expressed, including what form of protection would be offered for the new walkway on the south side (railings, raised curb, barriers, etc.?), whether walkways would be kept free of snow and ice, the fact that the north stop is still about 800 feet from the mall entrance, and general concerns that these stops would still be much less convenient than store-side stops that had been offered in years past.

Discussions are not final, but assuming that agreement can be reached, the requested route changes would come to this Committee for approval in the September cycle with the new stops and walkways in place before cold weather. Cost and other elements of any agreement would be covered in a short memorandum of understanding.