



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO
Steve Poftak, General Manager



Fiscal and Management Control Board

Transportation Board Room

10 Park Plaza

May 21, 2020

12:00 p.m.

MEETING MINUTES

Present Remotely: Chair Joseph Aiello, Director Monica Tibbits-Nutt, Director Chrystal Kornegay, Director Brian Shortsleeve (departed at 1:56 p.m.) and Director Brian Lang

Quorum Present: Yes

Others Present:: Secretary Stephanie Pollack, General Manager Steven Poftak, Deputy General Manager Jeff Gonneville, Owen Kane, Danny Levy, Laurel Paget-Seekins, David Panagore, Mary Ann O'Hara, Lynsey Heffernan, Gregory Sobczynski, Anthony Thomas, and John Schwartz

At the call of Vice Chair Monica Tibbits-Nutt, a meeting of the Fiscal and Management Control Board (FMCB) was called to order at 12:07 p.m. at the State Transportation Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts.

Board Counsel Owen Kane called a roll call of the FMCB Directors to ensure a quorum:

Vice Chair Tibbits-Nutt Yes

Massachusetts Bay Transportation Authority

Ten Park Plaza, Boston, MA 02116

www.mbta.com

Director Shortsleeve	Yes
Director Kornegay	Yes
Director Lang	Yes
Chair Aiello	Yes

Vice Chair Tibbits-Nutt reviewed procedures for the board meeting during the public health crisis and discussed the public comment participation process.

Vice Chair Tibbits-Nutt opened up the public comment period for items appearing on the FMCB agenda at 12:10 p.m.

First, Louise Baxter from TRU, via voicemail and written submittal, commented on MBTA sanitation, service planning, fare and transfer rule changes, means-tested fares and MBTA governance.

Next, Clegg Williams from Community Liberty United, via voicemail, commented on means-tested fares.

Next, Stacy Rubin from CLU, via voicemail, commented on MBTA governance going forward, Title VI, and low-income fares.

Next, Garrett Wollman, via voicemail and written submittal, commented on commuter rail service planning.

Next, Caitlin Allen-Connelly from A Better City, via voicemail and written submittal, commented on physical distancing and safety on all modes of transit, and service planning.

Next, Joe Diamond from Massachusetts Association for Community Action, via voicemail, commented on means-testing and affordable fares

Next, Maria Belen from Green Roots, via voicemail, commented on overcrowded bus routes, under-utilized services, and affordable transit fares

Next, Olivia Nichols from Green Roots, via voicemail, commented on low-income fares and the FY21 operating budget.

The following provided written comments to the FMCB.

Stephanie Reichert commented on safety (public health).

Richard Prone, MBTA Advisory Board representative from Duxbury, commented on service planning, the FY21 Budget, and architectural and engineering services for South Station.

Evan Foss commented on safety.

Ms. Tibbits-Nutt closed the public comment session at 12:29 p.m.

Next, was the approval of the minutes of May 4, 2020.

On motion duly made and seconded, it was by roll call:

Director Lang	Yes
Director Shortsleeve	Yes
Director Kornegay	Yes
Chair Aiello	Yes
Vice Chair Tibbits-Nutt	Yes

VOTED: To approve the minutes of May 4, 2020.

The approval of the minutes of May 11, 2020 was deferred to a future meeting.

Secretary Pollack updated the Board on the economic reopening of Massachusetts and reviewed the four phases of the reopening and associated effects on MBTA transit services. Discussion ensued on what social distancing meant to riders and what standards and guidelines should be set.

Next, Vice Chair Tibbits-Nutt called on General Manager Steven Poftak to present Agenda Item D, the Report from the General Manager. Mr. Poftak first provided an update on the Blue Line Acceleration Work that began on May 18 and scheduled to conclude on May 31, and the Commuter Rail Fare Pilot that will allow Zone 1A fares to be temporarily accepted at the Lynn commuter rail station. Chair Aiello recommended the pilot be extended to allow for better data set and the inclusion of the Youth Pass.

Mr. Poftak next provided a ridership update, an overview of MBTA assets, and an update of phasing in MBTA services, line by line for the four phases of reopening. Secretary Pollack noted there was a working group reviewing how commuter rail can help with regional transit authority overcrowding.

Vice-Chair Tibbits-Nutt had issues with the definition of what additional service was and crowding issues and suggested staff explore every possible way to address overcrowding and to continue working with partners.

Mr. Poftak continued with an update on PPE for employees including health testing, face coverings, enhanced decontamination protocols, and social distancing messaging to riders.

Mr. Poftak concluded with demand and commuting patterns, the availability of switching riders from crowded modes to less used modes and routes, and new crowding standards, as set forth in the attached document labeled, "Report from the General Manager, May 21, 2020." Discussion ensued on platform sizes and utilization of private sector services.

Next Vice-Chair Tibbits-Nutt called upon Chief Customer Officer Danny Levy to present Agenda Item E, an update on safety and internal communications. Ms. Levy reviewed the internal communications challenges and the multiple platforms used to engage with employees: emails, you-tube videos, a quarterly newsletter, safety posters, and social media spotlights.

Ms. Levy concluded her presentation with a discussion of the internal digital communications pilot project running from May 12 through May 26, with a mobile website launch scheduled for this summer, as set forth in the attached document labeled, "Safety Update: Internal Communications, May 21, 2020."

Chair Aiello praised Vice-Chair Tibbits-Nutt for her advocacy work from the beginning on this topic, and commended Ms. Levy and General Manager Poftak for their hard work.

Chair Aiello next called on Deputy Director for Stakeholder Engagement Hope Patterson to present Agenda Item F, the FMCB Public Schedule. Ms. Patterson reviewed upcoming agenda items with the Board, as set forth in the attached document labeled, "FMCB Public Schedule, May 21, 2020."

Next, Ms. Tibbits-Nutt called on Andrew Brennan, Senior Director of Energy and Environment to present Agenda Item G, an update on the Energy Management Program. Mr. Brennan noted that the MBTA was the largest single consumer of electricity in the Commonwealth and reviewed the total electricity spend and consumption for FY15 through FY20, both trending downward.

Mr. Brennan discussed anticipated changes to the MBTA's energy profile as the changes in MBTA service and infrastructure will result in increased electricity usage. He continued to review policies and mandates to "decarbonize" the electricity supply network and the transportation sector in the future.

Mr. Brennan announced that the MBTA had engaged with the Fletcher School at Tufts University Energy, Climate and Innovation Program at the Center for International Environment and Resource Policy to develop some energy policy that frames the key issues for the MBTA to begin to address.

Mr. Brennan continued with the MBTA's utility status and procurement power and discussed incorporating renewable energy into its portfolio both.

Mr. Brennan concluded discussing the upcoming electricity procurement in the fall of 2020 and energy/power capital infrastructure planning, innovative technology and an energy focus on capital asset management and development, as set forth in the attached document labeled, "Energy Management Program, May 21, 2020."

Discussion ensued on carbon reductions and the asset management program as it related to energy mandates and a proactive plan to when and how to achieve reductions.

Next, Vice Chair Tibbits-Nutt invited Gregory Sobczynski, Director of Title VI and Accessibility and Anthony Thomas, Community Relations Specialist to present Agenda Item H, an update on the Title VI Triennial Program. Mr. Sobczynski reviewed the background and purpose of the Title VI program that provides federally funded public services in a nondiscriminatory manner. Mr. Sobczynski noted that every three years public transit providers are required to submit a Title VI Program

to the Federal Transit Administration that documented past efforts to implement the Title VI Program that was about to expire. It included a three-year look back on efforts the Authority made to implement the program and ensure compliance across mandated reporting areas. Mr. Sobczynski reviewed the findings in detail.

Mr. Thomas reviewed the public engagement plan portion of the presentation, discussing how it set forth the baseline requirements for public engagement at the MBTA. Mr. Thomas continued discussing guiding principles for public engagement at the MBTA and feedback received on the plan, as set forth in the attached document labeled, "Triennial Title VI Program and Public Engagement, May 21, 2020."

Mr. Sobczynski concluded with a request for the Board to approve the Title VI 2020-23 Triennial Program. Discussion ensued on the previous Title VI program survey and data collection.

On motion duly made and seconded, it was by roll call:

Director Lang	Yes
Director Kornegay	Yes
Chair Aiello	Yes
Vice-Chair Tibbits-Nutt	Yes

VOTED:

That Fiscal and Management Control Board ("FMCB") hereby approves the 2020-2023 Authority's Title VI Program, as presented at the FMCB meeting of May 21, 2020.

FURTHER VOTED:

That the General Manager is hereby authorized and directed to take any steps deemed necessary and appropriate, pursuant to, and in compliance with, Title 49, Section 21.9(b) of the United States Code and applicable Title VI regulations and guidance, to submit, on behalf of the Authority, the attached Title VI Program Report to the Federal Transit Administration.

Next, Vice Chair Tibbits-Nutt called on Lynsey Heffernan, Deputy Director of Policy and Strategic Planning to present Agenda Item I, an update on means tested fares. Ms. Heffernan discussed the status of the feasibility study and its three components: operational impacts, paying for the program, and running the programs. Ms. Heffernan considered the effect of the COVID-19 situation on the study and the possible increased demand for the Program.

Ms. Heffernan noted that in order to administer a means-tested program, the MBTA would benefit from a partner to assist with outreach, eligibility verification, and customer support. She discussed lessons learned from partnership models employed by peer agencies across the country, conversations with state agencies, community organizations and advocates. Ms. Heffernan commented that managing sophisticated networks across the metro area would be a resource-intensive responsibility for the MBTA, as seen in the agency's experience with the relatively small Youth Pass network. Ms. Heffernan noted there was a need to clearly define roles for the MBTA and any future partners.

Ms. Heffernan said the MBTA was considering releasing a Challenge to community-based organizations seeking information on how to develop a workable-partnership model for a pilot and/or scale implementation of a Means-Tested Program and associated logistics, as set forth in the attached document labeled, “Means-Tested Fares Feasibility Update, May 21, 2020.”

For today’s meeting, staff was requesting direction from the Board on whether to release the Challenge, whether a “Paying for the Program” analysis be redone based on new ridership patterns, and should the operational capacity be rethought.

Discussion ensued on looking into who would pay for the program and associated strategies, operational capacity, crowding capacity, and to rethink the challenge submission end date.

The Board agreed staff should move forward with the challenge with the assurance they would be available to help.

Next, the Vice Chair called on Laurel Paget-Seekins, Assistant General Manager for Policy to present Agenda Item J, FY21 Fare and Transfer Rule Changes. Ms. Page-Seekins reviewed the changes being proposed because of fare transformation to address Charlie Ticket and cash fares and Fairmount Line Zone 1A Fares, as set forth in the attached document labeled, “FY21 Fare and Transfer Changes, May 21, 2020.”

On motion, duly made and seconded, it was by roll call:

Director Lang	Yes
Director Kornegay	Yes
Chair Aiello	Yes
Vice-Chair Tibbits-Nutt	Yes

VOTED:

WHEREAS, the Authority has proposed a set of fare reductions to eliminate differential between CharlieCard and CharlieTicket/cash fares and to increase usage of the Fairmount Line with integrated fare media; and

WHEREAS, under Title VI of the Civil Rights Act of 1964, all recipient agencies of federal funds, including the Authority, are prohibited from discrimination based on race, color or national origin in delivering services; and

WHEREAS, Title VI of the Civil Rights Act of 1964 requires the Authority to conduct an equity analysis of any fare or service change so as to ensure that impacts of service and fare changes are not discriminatory to minority and low-income populations; and

WHEREAS, an equity analysis of the fare proposal has been completed and concluded that neither a disproportionate burden on low-income communities nor a disparate impact on minority populations would ensue from adoption of the new MBTA fares; and

NOW, THEREFORE, BE IT VOTED by the members of the Fiscal and Management Control Board, as follows:

The Board hereby approves the Authority's FY2021 Fare Proposal as follows:

- The single ride bus and rapid transit CharlieTicket and cash fares shall be equal to the single ride bus and rapid transit CharlieCard fares, such equalization of fares to become effective upon the implementation of upgrades to the existing fare collection system scheduled for Fall 2020; and**
- Free transfers between Fairmount Line trips within Zone 1A and rapid transit shall be permitted at South Station, and "step-up" transfers between Fairmount Line trips within Zone 1A and bus trips shall be**

permitted on CharlieCards, such issuance of free and discounted transfers to become effective upon the commencement of the Fairmount Line Pilot,

- **Youth Pass card holders shall be eligible for reduced fares on Zone 1A Commuter Rail trips, effective upon the commencement of the Fairmount Line Pilot**

Next, Vice Chair Tibbits-Nutt called on Chief Financial Officer Mary Ann O'Hara to present Agenda Item K, an update on the FY21 Operating Budget. Vice-Chair Tibbits-Nutt first invited Brian Kane, Acting Executive Director of the MBTA Advisory Board, to provide some comments. Mr. Kane reviewed recommendations of the MBTA Advisory Board including expense growth for materials, supplies and services; hiring freeze on all non-safety sensitive positions; re-examination of debt policy; development of a set of transparent measures showing how increased investment is leading towards an improved MBTA; and requesting the Legislature to allow the MBTA to charge capital salaries to the capital budget, as set forth in the attached document labeled, "FY21 Revised Oversight Report, May 21, 2020."

Ms. O'Hara reviewed the timeline and overview of the budget process and discussed in detail the \$2.29 billion itemized budget that staff was recommending the FMCB approve at this meeting. She reviewed the historical hiring statistics, the safety panel proposed hiring plan and the FY21 initiative hiring prioritization with the support of requested legislative capital salary action. She noted the proposed budget was conservative and based on the current situation and did not include a

fare increase, but included one key fare decrease, as set forth in the attached document labeled, "FY21 Final Itemized Operating Budget, May 21, 2020." Extensive discussion ensued on debt service.

Chair Aiello and Secretary Pollack complimented the Advisory Board's willingness to change statutorily required submittal dates and thanked them for their cooperation and thoughtful analysis

On motion duly made and seconded, it was by roll call:

Director Lang	Yes
Director Kornegay	Yes
Chair Aiello	Yes
Vice-Chair Tibbits-Nutt	Yes

VOTED:

That the Fiscal and Management Control Board approves the Authority's itemized budget of current operating expenses and debt service costs for a one year period – July 1, 2020 through June 30, 2021 – in the amount of \$2,294,617,893.00 in the form submitted at this meeting; and

That the General Manager is hereby authorized and directed to submit the approved itemized budget, in the name and on behalf of the Authority, to the MBTA Advisory Board no later than June 15, 2020 in accordance with Section 20 of Chapter 161A of the Massachusetts General Laws; and

That the General Manager is directed to prioritize the hiring of additional safety positions not currently included in the itemized budget as additional durable revenue becomes available.

Lastly, Vice Chair Tibbits-Nutt called on John Schwartz, Project Manager to present Agenda Item L, a contract for architectural and engineering services for station and accessibility Improvements. Mr. Schwartz provided the FMCB with the benefits of the proposed contract to provide the design phase, bid phase, and construction phase services for architectural and engineering services for station and accessibility improvements at Chinatown and State Street Stations, as set forth in the attached document labeled, "Architectural and Engineering Services for Station and Accessibility Improvements, May 21, 2020."

On motion duly made and seconded, it was by roll call:

Director Lang	Yes
Director Kornegay	Yes
Chair Aiello	Abstained
Vice-Chair Tibbits-Nutt	Yes

VOTED:

That the General Manager, or his designee, is hereby authorized to award and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the "MBTA"), and in a form approved by the General Counsel, MBTA Contract No. A90PS03: Architectural and Engineering Services for Station and Accessibility Improvements with HDR for an amount not to exceed \$8,999,841.00.

On motion, duly made and seconded, it was:

Director Lang	Yes
Director Tibbits-Nutt	Yes

Director Kornegay Yes
Chair Aiello Yes

VOTED: to enter into executive session at 3:51 for a discussion of strategy related to a real estate matter.

Documents relied upon for this meeting:

Minutes of May 4, 2020
Report from the General Manager, May 21, 2020
Safety Update: Internal Communications, May 21, 2020
FMCB Public Schedule, May 21, 2020
Energy Management Program, May 21, 2020
Triennial Title VI Program and Public Engagement, May 21, 2020
Means-Tested Fares Feasibility Update, May 21, 2020
FY21 Fare and Transfer Changes, May 21, 2020
FY21 Revised Oversight Report, May 21, 2020
FY21 Final Itemized Operating Budget, May 21, 2020
Architectural and Engineering Services for Station and Accessibility Improvements, May 21, 2020