

CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING
2910 East Fifth Street Austin, TX 78702

~ Minutes ~

Executive Assistant/Board Liaison Gina Estrada
512-389-7458

Monday, April 23, 2018
12:00 PM

12:12 PM Meeting Called To Order
3:13 PM Meeting Adjourned

I. Pledge of Allegiance

II. Safety Briefing

Donna Simmons, Executive Vice President and Chief Safety Officer, gave her monthly safety briefing. She outlined basic safety procedures for the boardroom and highlighted the safety of traveling by public transit.

III. Public Comment:

Mike Burnett, citizen, gave a short presentation on his company Flex Engineering. The company helps optimize business operations through automation technologies. He suggested they might be useful in providing business system consulting to Capital Metro.

Alaina Macia, President and CEO of Ride Right, commented on the importance of employees to the company and gave an overview of wages and benefits. She also highlighted the importance of safety for the company and said they will be the best partner for Capital Metro.

Mona Maydee, citizen, is a UT employee and regular rider. She is opposed to Action Item #3 because she believes many of the June Service Changes are not in the spirit or letter of the Title VI guidelines. She is particularly concerned with the shortening of Route 392 near the Arboretum. She also objects to the removal of Route 21/22. She gave some examples of fellow customers who were losing access to medical facilities.

Margaret Mills, citizen, lives in the Cherrywood neighborhood and is concerned about the loss of Route 21/22. Many UT faculty, staff, and students live in this area and will lose direct access. She has friends and neighbors who have given up their cars and this will be difficult for them. No impact study was done.

Brent Payne, Amalgamated Transit Union, passed out copies of an earlier 13c agreement between the ATU and Capital Metro. Would like this agreement to remain in effect with award of the South Base paratransit contract. These changes to service providers have effects on many long-term employees for things like tenure, leave, and individual's credit ratings. We have to ensure this transition goes smoothly. Operators are the face, and rule enforcers, for Capital Metro. Suggest regular meetings directly with Capital Metro to deal with issues such as safety.

Hershall Shelley, citizen, spoke against the loss of Route 21/22. Loss of this route will affect libraries, the elderly, and students.

Cynthia Sibley, citizen, just moved to the Village at Collinwood and is concerned about the loss of her bus route, the 392. She would like to have it continue for herself and her fellow riders.

IV. Advisory Committee Updates:

1. Update on the Customer Satisfaction Advisory Committee (CSAC)

Kendall Jackson, Community Involvement Team, provided the report.

The Customer Service Advisory Committee met April 11th. President Clarke attended the meeting to introduce himself and answer questions. The committee also heard an update on the June Service Change.

2. Update on the Access Advisory Committee (AAC)

Kendall Jackson, Community Involvement Team, provided the report.

The Access Advisory Committee met April 4th. As he had with CSAC, President Clarke attended the meeting to introduce himself and answer questions. The committee also heard an update on the June Service Change.

V. Board Committee Updates:

1. Operations, Planning and Safety Committee

Committee Chair Jonse did not attend the meeting and no report was given.

2. Finance, Audit and Administration Committee; and

Chair Mitchell relayed that the FAA Committee had heard presentations on the 2017 Financial Audit, the Internal Audit Plan, and an Internal Controls presentation in addition to the regular monthly financial report.

3. CAMPO update

Board member Mitchell reported that CAMPO met on April 9th. At that meeting there was a presentation on a draft program of activities for 2019-2022, a Transportation Improvement Program (TIPS), and also one on a long-term program of activities.

VI. Consent Items

1. Approval of Minutes from March 26, 2018 board meeting.

2. Approval of a resolution authorizing the President/CEO, or his designee, to execute an Interlocal Agreement with the University of Washington to provide pedestrian data for accessible pathway trip planning in an amount not to exceed \$30,000.

3. Approval of a resolution authorizing the President/CEO, or his designee, to finalize and execute Amendment #1 to the Contracted Service Supplement No. 5 with Capital Area Rural Transportation System (CARTS) for the operation of Route 1517 Gold Route - interurban coach express to extend service for this route not to exceed December 31, 2018 or until the remaining grant funding amount of \$58,000 has been depleted.

4. Approval of a resolution authorizing the President/CEO, or his designee, to negotiate, finalize and execute an Interlocal Agreement (ILA) with the City of Austin allowing Capital Metro to relocate underground chilled water services lines that connect to the Austin Convention Condominium Association's (ACCA) building (commonly referred to as the "Hilton Austin Hotel" building) as part of the work required for the Downtown Rail Station Improvements project.

5. Approval of a resolution authorizing the President/CEO, or his designee, to execute a contract with Sam Pack's Five Star Ford, utilizing the Houston-Galveston Area Council's Purchasing Cooperative, to purchase up to ten (10) Ford Police Interceptor Sedans, in an amount not to exceed \$325,253 for security patrol vehicles.

VII. Action Items:

1. Approval of a resolution authorizing the President/CEO, or his designee, to finalize and execute a contract with Ride Right, LLC for contracted paratransit services for a period of 4 years with two 3-year options for an amount not to exceed \$210,090,123.

Chad Ballentine, Vice President of Demand Response and Innovative Mobility, presented this item.

Chad gave a brief overview of overall paratransit services. This contract would be for operations out of the South Base location beginning October 1st of this year. Chad ran through the terms of the contract, a timeline, and what each party would be responsible for. The number of service hours at this location would be essentially frozen at current levels because we are at capacity at this location.

Ride Right was selected as the awardee for this contract from among five bidders. They are a woman-owned company, committed to safety, and Capital Metro has had other contracts with them in the past. They have offered a value-added customer app as part of their bid. Ride Right intends to begin outreach to new employees immediately and will work with MV to ensure a smooth transition. They will also be meeting on a regular basis with the union.

Linda Cherrington from the Texas Transportation Institute then presented a summary of the independent cost analysis that her organization did. Initial proposals were carefully scrutinized and then discussed with proposers in oral interviews. A final proposal from each was then submitted. Each proposer confirmed that their intention was to meet or exceed the current pay rates and benefits in the current collective bargaining agreement, and an intent to increase pay rates each year over the life of the contract.

Following questions from board member Travillion, Chad acknowledged the challenges at the Thompson Lane facility with flooding and ingress/egress, and said that in the new contract we will be expecting Ride Right to have more participation in the scheduling and dispatch functions. We are also looking to implement a combined dispatch center.

Board member Garza asked if there were language in the new contract that specified that employees will be paid at the current rates or higher. Chief Counsel Kerri Butcher answered that we cannot dictate what they will be paid, that the new contractor will need to negotiate with the union on an overall pay and benefits package. Board member Garza indicated that she understands, but that she will not feel comfortable voting for this without some assurances that things will remain at or above current levels. Ms. Macia from Ride Right got up to say that she guarantees that wages will be at or above the current level, and that the transition of medical benefits will be smooth. All employees are covered by United Healthcare regardless of level, and sign-ups will take place onsite.

Board member Kitchen suggested that perhaps there be an amendment or attachment to the contract that gave general guidelines for things like pay and benefits, seniority, retirement, discipline and accrued leave. Kerri answered that was possible, and that staff could draft that and bring it back to both the board and Ride Right. Ms. Kitchen said that from a policy perspective she feels it is important to have those kinds of parameters.

Chair Cooper asked about the impact on the timeline if the board took time to sort out some of these issues. President Clarke emphasized the importance of leaving enough time for a smooth transition. He asked the board for clarification of the specifics that they would be looking for in the new contract, so that he could ensure they were taken care of. Vice President of Operations and Maintenance Oversight Dottie Watkins came to the podium to say that many of the items being discussed were already in the proposed contract, and that some slight changes to memorialize what was being discussed today would probably be sufficient. President Clarke further explained that the RFP does require the winning bidder to comply with the current CBA, and the owner of the company had publicly agreed to that as a base of negotiation.

President Clarke suggested that we add language to the resolution that specifically called out the current CBA as a baseline. Board member Garza suggested a sentence or two that says that the CBA is a floor "unless the contractor and the union expressly agree to alter the terms". Further discussion on specific language led to the addition of an additional Be It Resolved clause read by Ms. Butcher: "Be it Further Resolved that Capital Metro will enter into a contract with Ride Right with terms stating that the current Collective Bargaining Agreement between MV and ATU will be the floor for negotiations unless otherwise agreed to between the Union and Ride Right." Chair Cooper suggested that the clause prior to the new one be amended to say "provided that" rather than saying "shall".

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Delia Garza, Board Member
SECONDER:	Terry Mitchell, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT:	Word, Jonse

2. Approval of a resolution authorizing the President/CEO, or his designee, to finalize and execute a contract modification to include the award of three (3) option years with Ride Right, LLC for operation of the North Paratransit Operating Facility. This resolution is an increase to the total contract amount by \$25,679,658, for a total not to exceed amount of \$78,673,506.

Chad Ballentine, Vice President of Demand Response and Innovative Mobility, presented this item.

Capital Metro's previous overflow service provider went out of business at the end of the fiscal year and Ride Right has picked up all of their service. This has added unexpected hours to the contract. This location does not operate as many hours as the South Base, but there is more room for growth. This extension will align the end dates of the north and south base contracts.

Board member Garza asked for Chad to confirm that this contract extension did not involve wages and benefits as the previous item had. Chad clarified that this contract already has an agreement for that in place. Board member Kitchen asked about using wheelchair-accessible vehicles only out of the south base location. Chad said that currently we have plenty of wheelchair-capable vehicles at the south base, but in the future some could be added to the north location as well.

Board member Travillion asked about strategic planning and planning for locations that fit operation and real estate needs longer-term. President Clarke clarified that there would be an upcoming board discussion on real estate, and that the alignment of the two paratransit contracts will give us flexibility to adjust paratransit business needs when these are up for renewal.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Terry Mitchell, Board Member
SECONDER:	Jeffrey Travillion, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT:	Word, Jonse

3. Approval of a resolution for adoption of the Title VI Service Monitoring Results and the Triennial Title VI Program Update.

Chief Counsel and Chief of Staff Kerri Butcher presented this item.

Kerri clarified that this program update and service monitoring results are not related to Cap Remap. We are required to submit the report and these results to the FTA by June 1st. The update and results were presented to a joint session of the two board committees earlier this month. The document that we submit to the FTA demonstrates to them that we have a system and a method for individuals to file a complaint if they believe they have been discriminated against under Title VI; that

we have programs for outreach to minority and low-income populations; and that we provide information in a variety of appropriate languages to our customers.

The other piece is the service monitoring results, and there are specific metrics that Capital Metro is required to evaluate such as on-time performance and bus stop amenities. The snapshot that these results are based on was done in September 2017. There were some deficiencies identified between minority and non-minority routes on some of these metrics, but our Planning Department believes that many of the changes we are making in Cap Remap will address them.

Zenobia Joseph, citizen, provided public comment. She had comments on Route 392 -- that even though the results are looking at things that happened in the past, there is nothing in the report that specifies that the route does not have a disparate impact. In relation to changes to come, Route 392 has 15.3 riders per hour, and the new Route 30 has 15.3 riders per hour as well. However, on the 392, we wait in the neighborhood approximately 60 minutes or longer for the bus to come. I am asking you to look at Route 30, which will have 30-minute frequency, whereas the 392 will have 40. The proposal to connect the 392 with the Route 243 has never come before the board. I would ask you to defer this item. We have a disparate impact on Route 392 in particular.

Board member Travillion asked if we have done a disparate impact analysis on the points raised by Ms. Joseph. Kerri explained that there was a service equity analysis done which included a disparate impact and disproportionate burden analysis on each of the individual routes impacted by Cap Remap. We can provide a copy of that to you. President Clarke added that he had met with Ms. Joseph, Board Member Travillion, and Council member Houston on Friday, and has asked staff to put together a memo that addresses the 392 specifically. Board member Travillion commented that he hopes route analysis can be done in a way that is strong, solid, and consistent. President Clarke replied that we are working on a new dashboard that will show route information in a new and complete way for the community.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sabino Renteria, Board Member
SECONDER:	Terry Mitchell, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT:	Word, Jonse

4. Approval of a resolution authorizing the President/CEO, or his designee, to finalize and execute a contract for the Printing of Pocket Schedules with AC Printing in the aggregate amount not to exceed \$1,111,552 for one (1) base year and four (4) one-year options.

Director of Marketing Cynthia Lucas presented this item.

Maps and brochures are printed at least 3 times a year at service change. We also print a number of other informational and marketing leaflets using this contract. Capital Metro carefully monitors demand to gauge how many of each item to print.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Delia Garza, Board Member
SECONDER:	Terry Mitchell, Board Member
AYES:	Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT:	Word, Jonse

VIII. Presentations:

1. Strategic Board Agenda Calendar

President Clarke presented the board with an overview of a strategic board calendar for feedback. He is hoping to make the best use of board members' time to discuss these types of policy topics by focusing on one or two items each month.

Board member Kitchen asked about the possibility of scheduling a board worksession devoted to the topic of funding for Project Connect. President Clarke explained that this calendar is board meeting specific, but agreed specific Project Connect discussions were needed. Chair Cooper added that he would like to see board worksessions scheduled with greater frequency and suggested bimonthly. Board member Travillion said he felt that was a good idea, and hoped that each could include an internal SWOT analysis.

Board member Renteria reminded fellow board members and staff that City Council takes July off from regular meetings, so check with council staff on availability.

IX. Reports:

1. President's Report

President Clark presented his monthly report. Topics covered included the Meet the Team event at Republic Square, a thank you to City Councilmembers on the Austin Mobility Committee for their support of moving forward on funding for Project Connect, the Capital Metro multicultural event, and a designated parking spot at Capital Metro as a way to recognize top bus operators. He also mentioned an Earth Day ride with Board member Renteria.

X. Executive Session of Chapter 551 of the Texas Government Code:

Section 551.074 for Personnel matters - Establishment of President/CEO Performance Metrics.

Into Executive Session: 2:34 p.m.

Out: 3:13 p.m.

XI. Items for Future Discussion:

Board member Renteria asked if the board could get more information or have a presentation about the possibility of advertising at bus shelters.

XII. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512)389-7458 or email gina.estrada@capmetro.org if you need more information.

BOARD OF DIRECTORS: Wade Cooper, Chair; Delia Garza, Vice Chair; Juli Ward, Board Secretary; Ann Kitchen, Jeffrey Travillion, Rita Jonse, Terry Mitchell and Pio Renteria. Board Liaison: Gina Estrada (512)389-7458, email gina.estrada@capmetro.org if you need more information.

The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section 551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.