

NASHVILLE METROPOLITAN TRANSIT AUTHORITY
Board of Directors Meeting

February 27, 2020

- I. **Call to Order:** The regular meeting of the Nashville Metropolitan Transit Authority (Nashville MTA) Board of Directors was held at WeGo Central, located at 400 Dr. Martin L. King Jr. Blvd., Nashville, TN 37219 on Thursday, February 27, 2020.

Present: Gail Carr Williams, Chair; Glenn Farner, Member; Walter Searcy, Member; Secretary Margaret Behm; and (CEO) Chief Executive Officer Stephen G. Bland.

Absent: Janet Miller, Vice Chair; Hannah Paramore Breen, Member;

A quorum was established, and Vice Chair Miller called the meeting to order at 2:41 p.m.

- II. **Approval of Minutes:** Minutes of the January 23, 2020 board meeting were approved.

- III. **Public Comments:** Chair Gail Carr Williams opened the floor for public comments. The public was reminded that comments were limited to three minutes.

Carmen Dunn

Ms. Dunn reported the following:

- She doesn't like how the #25 runs and asked if we can consider the poor when changing routes and raising prices.
- She would like for Bus #50 to go pass NES like it used to so that people can go pay their light bill.

Peter O'Connor

Mr. Dunn reported the following:

- He said that he didn't understand why route #72 is on a different route.
- He said that the Route #52A stop needs to be moved behind Walgreens.
- He stated that he would like to see bus hours and customer service hours be extended.

Sheila Hanson

Ms. Hanson reported the following:

- She heard that people are being charged when they call into the Access Ride call center and wants to know why.
- She has a state card and doesn't want her card to be charged for calls.
- She asked if current riders that have discount cards will have to fill out an application when it's time to renew.
- She reported and asked if we could address bus drivers that continue to smoke right outside of the bus doorway.

Gerald Pillow

Mr. Pillow reported the following:

- He stated that the Dickerson Pike/Hillhurst stop needs a shelter with a bench and trash can at that bus stop. The current property is being trashed because there is no place to sit and trash is all over the place, which is causing property damage. It is so bad that he took it upon himself to pay for the clean-up last summer.

Darius Knight

Mr. Knight reported the following:

- He reported an issue on 2/7/20 regarding the wheelchair ramp on route #76, which is a connector route for three towers. There are too many wheelchairs for this one bus and the bus only allows for two wheelchair securements.
- The wheelchair ramp is not level and doesn't work.
- We can't keep saying that we support our ADA customers when we don't fix the issues that have been previously reported.
- He said that we cut routes and then went up on fare prices and now are being asked to pay \$3 on the card. Please allow for a 60-day process and not charge the cards and stop using the paper cards because they don't work properly.
- The Operations Department needs to do a better job in responding to reported issues.

James Thomas

Mr. Thomas reported the following:

- A new bus driver on route #52A appeared to not know the bus route.
- He said that some of the signs aren't showing the schedule.
- He said that there continues to be issues with drivers and passengers smoking in non-designated areas.

John Bull

Mr. Bull reported the following:

- He noticed that mass transit was at the top of the list of discussions at the Mayor's Listening sessions.
- He said that the Hillsboro Transit Stop is something that we need.
- He said that he was glad that we're being very methodical about the new fare process.
- He said that he was impressed with drivers that handle certain matters with good judgment.
- He said that we need to have the Better Bus funded.

There were no other public comments to come before the Board.

IV. Operations & Finance Committee Report: Committee Chair Searcy reported the following:

- Hillsboro Pike Transit Center Cooperating Agreement (OF-A-20-003):** As presented in recent Nashville Metropolitan Transit Authority (Nashville MTA) Board meetings, staff has been working to advance the development of a transit center located along Hillsboro Pike in Green Hills. This project, funded by federal and local sources, is progressing through the design process in conjunction with a major renovation of Hillsboro High School and in partnership with Metropolitan Nashville Public Schools (MNPS). The transit center will be located along Hillsboro Pike adjacent to the high school and immediately across from Green Hills Mall. The center will replace a heavily utilized, yet undersized, stop that is scheduled to be demolished as part of the high school renovation project. The transit center would serve 7 Hillsboro along with potential future extensions of nearby routes, including the #17-12th Avenue South.

To acknowledge the partnership necessary to facilitate this project, WeGo staff has worked alongside MNPS to develop a cooperating agreement to represent the

relationship between the agencies for the useful life of the transit center. A summary of the agreement and responsibilities of each party is noted below:

- Both parties desire for the transit center to be compatible with the renovations and additions to Hillsboro High School. Therefore, WeGo and MNPS will cooperatively review design documents for conformity throughout the design process.
- The footprint of the transit center is comprised of MNPS property and Metro Nashville right-of-way along Hillsboro Pike. MNPS shall provide the property at Hillsboro High School necessary for construction and operations of the transit center for the duration of the useful life of the improvements.
- WeGo is responsible for managing design and construction efforts and costs associated with the transit center. Following construction, WeGo is responsible for maintenance and repairs of the transit center for the useful life of the transit center.
- MNPS is responsible for managing the construction for any change in site work associated with the Hillsboro High School addition and renovation related to the transit center.

The Operations & Finance Committee recommended the Board to provide the Chief Executive Officer the authority to enter into the proposed cooperating agreement with MNPS for the Hillsboro Transit Center, subject to final review by the MTA General Counsel.

Chair Williams thought that this agreement was a great idea.

There was no further discussion. The vote of approval was unanimous.

- b. Clarksville Pike Lease Agreement (OF-A-20-004):** At the September 2019 MTA Board meeting, staff presented information about the future evolution of WeGo Public Transit services that are less reliant on travel to downtown Nashville and transfers at WeGo Central. Critical to this evolution is the development of neighborhood transit centers. One particular site of interest that has generated significant discussion is along Clarksville Pike between 25th and 26th Avenues in North Nashville. Staff has identified this location as ideal for a transit center in large part because it would be served by the #22 – Bordeaux route in the planned frequent transit network. In addition, we expect that this center would be serviced by the #9 – Metro Center, #21 – Wedgewood, #25 – Midtown, and #42 – St. Cecilia/Cumberland routes. In the proposed Better Bus program, it would also be the terminal station for a new crosstown route linking North Nashville and East Nashville along Trinity Lane. This location currently boards approximately 35 persons per day and is outside the top 50 boarding locations. However, when boardings are added to other adjacent stops that would be replaced by this center, its ranking moves up considerably.

Staff along with MTA legal counsel have been in negotiations for several months with the property owner, Dwayne “D.J.” Wootson. While the terms of a long-term ground lease continue to be finalized along with the completion of various due diligence activities, the parties have agreed upon the general terms outlined below:

Landlord: HOLO37208, LLC
Tenant: Nashville Metro Transit Authority d/b/a WeGo
Premises: 2501 & 2521 Clarksville Highway and 2122 26th Avenue North
Nashville, TN 37208
Acreage: 1.74+/-

Term: Initial Term: Fifty (50) years
Options: Two (2) consecutive periods of ten (10) years each

Minimum Rent:	Years	Per Month	Per Year
	1-5	\$14,166.67	\$170,000.00

Rent will increase by no more than 10% at the end of each five-year period including renewal terms.

Use: The Premises shall be used as a transit facility and related uses.

Outstanding issues for the project include funding and tax payments. Funding for this project has not yet been completed, but a request for funding has been submitted under the state IMPROVE Act and included as part of MTA's capital improvement budget request to the Metropolitan Council over the next several years for transit centers. TDOT anticipates the announcement of funded IMPROVE Act projects during the week of February 24. Additionally, subject to the Metro Council's approval, for initial construction and design work we anticipate utilizing \$1.8 million previously allocated for a Tennessee State University (TSU) circulator. Earlier this year we discussed with TSU a long-term plan of developing a transit center on TSU property. Based on other TSU development priorities and status of the work adjacent to the proposed site, TSU was not ready to start the demolition of the immediately adjacent building and the development of an associated Transit Center sooner than two years or more from now. While it is our collective hope that a future development of a Transit Center directly on the TSU property will become a reality, we believe this current location will also be of great benefit to TSU and the surrounding community.

As for the property tax issue, legal counsel is in discussions with the Metro Legal Department regarding a request for a waiver before the Industrial Development Board and Metro Council.

We believe this property is extremely advantageous to advancing our services to the community and would like to move forward with executing the ground lease for purposes of beginning necessary due diligence activities, with frequent status updates to the Board.

Additional background information on Neighborhood Transit Centers in general, and this project in particular is attached.

The Operations and Finance Committee recommended the Board give the Chief Executive Officer the authority to enter into a lease agreement with HOLO37208, LLC under the general terms above with a contingency period of 180 days to allow for the completion of due diligence activities including but not limited to approved funding, resolution of the property tax issue, and satisfactory environmental and geotechnical reports. If all terms and conditions are unable to be met within 180-days, the lease agreement will be terminated without penalty to MTA.

Further, the Operations and Finance Committee recommended the Board condition the Chief Executive Officer's execution of the lease agreement upon review by the General Counsel of the Metropolitan Transit Authority and a review of terms with appropriate staff of the Metropolitan Nashville Department of Law.

There was no further discussion. The Board unanimously voted to approve the recommendation of the Operations and Finance Committee with the addition of giving the Board Chair authorization in addition to the CEO to sign the lease agreement.

V. **New Initiatives and Community Engagement Committee Report:** Glenn Farner reported the following:

- a. **Fare Policy Adoption & Title VI Agreement (NICE-A-20-003):** For WeGo and our customers to fully realize the benefits of the new fare system scheduled for launch later this year, strategic changes to current practices, policies, and fare structures will be needed. The changes in technology and policy together will enable MTA to meet the following primary project goals:
- Make the fare payment process simpler (for customers as well as bus operators)
 - Enable seamless transactions and payment between different services, and between MTA and RTA services
 - Ensure that fare payment structures and options are equitable for all customers
 - Establish a fare system that is accessible for all customers, including customers with disabilities and those without access to bank accounts, credit cards, or smart phones
 - To the extent possible, target a revenue-neutral fare structure (compared to current revenues)

PREVIOUSLY APPROVED POLICY CHANGES

In support of the above goals, the policy items summarized below were adopted in June 2019:

- Discontinue all magnetic media by the end of 2020, including:
 - Paper transfers (replaced with automated transfers on smartcards)
 - Change cards
 - Onboard sale of day passes
- Retain support for all existing fare products on the new system
- Introduce stored value as a new fare product
- Require all customers using reduced fare products to obtain a reduced fare card after an application process
- Design the system to support 3rd party payment systems such as Apple Pay and Google Wallet

TITLE VI REVIEW SUMMARY

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance. WeGo Public Transit's Title VI policy is intended to ensure equity and equal access in the provision of public transportation services in Davidson County regardless of race, national origin, or income. Policies and practices that have such an effect must be eliminated unless a recipient can show that they were necessary to achieve a legitimate nondiscriminatory objective.

Prior to implementing the proposed fare policies, WeGo must determine whether the planned changes will have a disparate impact on the basis of race, color, or national origin, or if low-income populations will bear a disproportionate burden of the changes. The equity analysis involved a technical analysis of rider survey data from the 2017 origin destination survey as well as comments received during the public comment period as described above. A detailed report of this analysis can be found in Appendix A of this document and a summary is provided below.

During the development of the fare policies, WeGo anticipated and accounted for potential disparate impacts and disproportionate burdens in several ways:

1. Smart card cost – while the cost to the agency to produce and distribute smart cards is \$5.00, WeGo is proposing a card cost of \$3.00 as presented to the public. This amount may be returned to the customer as a credit once an account is established.
2. Minimum reload amount – while \$5.00 is the required minimum reload amount through the website and through third party retailers, WeGo is proposing a lower minimum requirement at customer care and ticket vending machines (TVM's).

After completing the Title VI equity analysis and reviewing the results from the public comment period, WeGo staff identified two primary areas of concern:

1. Day passes are used at a much higher rate among low-income and minority customers.
 - a. Low income and minority customers are much less likely to have access to a credit or debit card to link to an account. Therefore, low-income and minority customers who wish to continue to use day passes have less opportunity to load such media to an account. The concern for how such customers will interact with the system was expressed during the public comment period and suggestions were received on how WeGo may work to reduce the impact.
2. The autoloading feature available to customers with an established account is limited to those with access to a debit or credit card
 - a. The equity analysis found that low-income customers are 27% less likely to have access to a credit or debit card and therefore poses a disproportionate benefit of this feature to non-low-income customers.

Mitigation actions addressing the above items and others raised through the public comment process are included in the policy recommendations in the next section. The full Title VI equity analysis is available upon request.

POLICY RECOMMENDATIONS

WeGo staff recommends that the New Initiatives and Community Engagement (NICE) Committee recommend to the MTA Board of Directors the adoption of the new fare policy items as originally presented. In response to customer feedback received and findings from the Title VI review, staff also recommend the following mitigations:

1. Continue the issuance of day passes on the bus for an overlapping period once the new fare system has launched
2. Implement fare capping for day passes
3. Implement temporary promotional incentives for customers getting smart cards for the first time
4. Pursue options for additional locations for reloading cards with less than \$5.00 at one time (such as partnerships with libraries or community centers)
5. Rather than setting a specific date for the discontinuation current products in wide use by disadvantaged populations, sustain these products until such time as staff can demonstrate that overall migration to the new system has been successful, that mitigations designed to address potential disparate impacts on disadvantaged riders are working, and that the adoption of new products by disadvantaged riders is sufficiently high to demonstrate that these new products meet the overall equity goals of the system.

Staff recognize that refinements to specific policies and business rules, including those recommended today, may be warranted during system rollout and migration. Therefore, the NICE Committee further recommends the Board that such future

modifications be implemented on a pilot basis during implementation. Following system deployment and 'burn-in', all WeGo fare policies will be evaluated holistically to ensure that they collectively further the core project goals of simplicity, seamlessness, equity, accessibility, and revenue-neutrality. Based on this evaluation, a comprehensive WeGo Fare Policy document will be drafted memorializing all existing and new fare policies and returned to the Board of Directors for final adoption here was no further discussion. The vote of approval was unanimous.

VI. Chair's Report: Chair Williams thanked Chief Financial Officer Ed Oliphant for reporting where we stand on our budget and the annual risk assessment. She also liked the Better Bus plan.

She said that she was really excited about the Hillsboro and the Clarksville Pike Transit Centers because all of this came out of the nMotion plan and it is a testament that we're responding to the needs of the community. She stated she was appreciative of Mr. DJ Wootson's vision and for him being present at the meeting, and for being a great business partner. The transit centers will be a better place for all of our routes to connect. Our community is going to be the beneficiary of it and we will be beneficiaries as well, as it allows our drivers and our routes to access our streets.

Chair Williams said, as we continue to look at the work that we do, we need to continue to look at it from a lens of equity. She said that she sees it more and more in everything that we do and how we apply it to the decisions that have to be made. It's a great credit to all of you that has been done.

In closing, Chair Williams stated that she likes the colors of the elevator doors at WeGo Central and said that she appreciates all of the improvements that have been made and how clean the building looks.

VII. CEO's Report: CEO Bland reported the following to the Board:

1. The last of the Public Listening Sessions to be held for the Mayor's planned Transportation Improvement Plan will be tonight, February 19, 2020. CEO Bland publicly thanked all the WeGo Staff who supported this effort. A number of staff have been working closely with the Mayor's Office to provide information in support of this plan.
2. Last week, we met with representatives of the Mayor's Office and Metro Budget and Finance Department to review our FY2021-22 Operating Budget Request. Discussion was very positive, and we anticipate the Mayor's budget to be announced sometime in March. In a related note, the Mayor's office has submitted an FY2020 Capital Spending Plan authorization request to Council that includes \$4.6 million for WeGo. Although this is a much smaller allocation than we received in many previous years, it is higher than what we received in the past 2 and will allow us to fully access available State and Federal funds.
3. Earlier, the board acted on the cooperation agreement with Metro Nashville Public Schools for advancement of the Green Hills Transit Center at Hillsboro High School. Thanks to Councilman Russ Pulley, we held a neighborhood meeting to discuss the details and design of this project. Approximately 60 neighborhood residents were in attendance, and the design concepts were very well received.
4. CEO Bland presented to the current Transit Citizens Leadership Academy sponsored by the Transit Alliance of Middle Tennessee. The session went really well, with the exception of one extremely rowdy student.

5. Staff continues to advance the development of our FTA mandated System Safety Plan. We anticipate bringing action items to your attention in this regard at the April meeting.
6. CEO Bland serves on the Executive Committee of the Tennessee Public Transportation associated and recently participated in a briefing by that organization to the State Senate Transportation Committee.
7. CEO Bland, Felix Castrodad and Miriam Leibowitz met this week with representatives of Music City Riders United to restart our periodic meetings with MCRU. This group met on a regular basis during Julie Timm's tenure at WeGo Public Transit, but has since not met. CEO Bland thanked this group for their interest in resuming these meetings.
8. Yesterday, we hosted representatives of Federal Transit Administration Region 4 for our quarterly update meeting. We paid specific attention to the Murfreesboro Road signal project, Hillsboro Transit Center, North Nashville Transit Center, Nolensville Pike Shelter Project, Status of service changes, and the Mayor's pending transportation plan. They are pleased with our progress on all fronts.
9. Relative to the Murfreesboro project, the only remaining open items of significance are some recurring software issues relative to the phasing of transit priority into the signal system. The software vendor is working to address these issues. Other remaining items relate to finalizing our work on NES utility poles with NES and final execution of the easement with the airport authority for access to their land. Our queue jumps are in full operation and working well.
10. RTA Items
 - a. CEO Bland participated in a meeting at Forward Sumner, a business group, where TDOT Commissioner Clay Bright updated the group on the TDOT initiative to examine capacity expansion to SR 386, Vietnam Vets Boulevard. Among the options under consideration are dedicated transit lanes or High Occupancy Vehicle/Transit Lanes.
 - b. With respect to the 8 new "used" railcars that the RTA is acquiring from a railroad in Michigan to replace current equipment, all coaches are at the maintenance yard in Lebanon receiving branding, installation of safety related equipment, undergoing dynamic testing and supporting crew training. We anticipate their release to service within the next 2 months.
 - c. This month, the RTA Board approved a capital improvement plan that focuses on improvements to the Star and new park and ride capacity in addition to our normal state of good repair projects.

VIII. **Other Business:** There was no other business at this time.

IX. **Adjournment:** The meeting was adjourned at 3:35 p.m.

Attested:

Gail Carr Williams
Chair

Margaret L. Behm
Secretary