



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  
December 16, 2019  
12:00 p.m.  
*MEETING MINUTES***

**Present:** Chair Joseph Aiello, Director Monica Tibbits-Nutt (arrived at 1:33 p.m.), Director Chrystal Kornegay and Brian Lang (departed at 4:42 p.m.)

**Quorum Present:** Yes

**MassDOT Board Members Present for the Joint Portion:**

**Secretary Stephanie Pollack, Director Dean Mazarella, Director Joseph Sullivan (departed at 2:52 p.m.), Director Tim King, Director Betsy Taylor, Director Kathleen Murtagh, Director Vanessa Otero, and Director Robert Moylan,**

**Others Present:** General Manager Steve Poftak, Deputy General Manager Jeff Gonneville, Hope Patterson, Marie Breen, Owen Kane, Michelle Kalowski, David Panagore, Nathan Peyton, Jody Ray, Rachel Bain, Richard Henderson, Scott Bosworth, Jennifer Tabakin, Ellen DeNooyer, Laurel Paget-Seekins, and Mike FitzGerald

At the call of Chair Joseph Aiello, a meeting of the Fiscal and Management Control Board (FMCB) was called to order at 2:04 p.m. at the State Transportation

[Massachusetts Bay Transportation Authority](#)

[Ten Park Plaza, Boston, MA 02116](#)

[www.mbta.com](http://www.mbta.com)

Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts joining the MassDOT Board of Directors (Board) meeting for Joint Board presentations.

Chair Pollack called on Assistant Secretary of Transportation Rachel Bain to present Agenda Item 11, the Tracker Update. Ms. Bain provided a background of the Tracker noting that state and federal legislation required MassDOT to continuously track and report on the performance of the state's transportation system. Ms. Bain commented that the Tracker improves accountability and transparency, shows where performance is falling short and when and where additional investments or changes in investment strategies are needed.

Ms. Bain next reviewed MassDOT's performance goals and what was new for Tracker 2019. Ms. Bain continued with Tracker milestones and an overview of the Tracker process.

Ms. Bain concluded with highlights of all MassDOT divisions: Aeronautics, Highway, Rail and Transit, RMV and MBTA, as set forth in the attached document labeled, "Tracker FY19, December 16, 2019." Discussion ensued.

Next, Chair Pollack called of MassDOT Deputy Chief of Staff Nathan Peyton to present the first portion of Agenda Item 12, an update on Water Transportation. Mr. Peyton provided an overview of the Water Transportation Advisory Council's early 2020 agenda with a focus on a discussion on governance, coordination and a report on ridership and seasonal services. Mr. Peyton concluded with the status of

the business plans of the Quincy/JFK to Boston Route and the Inter Harbor Connector, as set forth in the attached document labeled, "Water Transportation in the Commonwealth, December 16, 2019." Discussion ensued.

Next, Jody Ray, Assistant General Manager of Commuter Rail and Ferry Services continued with an update on MBTA ferry service. Mr. Ray presented an overview of current ferry routes, including on-time performance and a history of the currently owned MBTA vessels.

Mr. Ray continued to discuss the status of boat overhauls and existing conditions, assessments and improvements. Mr. Ray also reviewed non-MBTA vessel history, and concluded with a discussion of an option for an expedited procurement for replacement of the Charlestown Boats.

Mr. Ray indicated that the MBTA was looking into options to address demand that was in excess of capacity on current services and that further investments (infrastructure and/or boats) would be needed for enhanced service, as set forth in the attached document labeled, "Ferry Service Update, December 16, 2019." Extensive discussion ensued on fast tracking an option analysis for getting an RFP on new boats. Chair Aiello stressed the need for strategy to encourage better competition from the industry to provide a service that was the least expensive mode of transportation the Authority provides. Mr. Poftak contributed to the discussion on strategy.

Next, Chair Pollack asked South Coast Rail Project Manager Jennifer Tabakin to present Agenda Item 13, an update on the South Coast Rail ISA and Contract. Ms. Tabakin provided a brief overview and update on the current status of the SCR project and the request to seek approval from the Joint Board to amend the Interagency Service Agreement (ISA) to transfer \$632,750,000 from MassDOT to the MBTA to execute SCR phase 1 construction. Ms. Tabakin discussed the design review process and construction update, as set forth in the attached document labeled, "South Coast Rail Phase 1 Update & ISA, December 16, 2019." Discussion ensued. Director Moylan announced this item was heard at the Capital Programs Committee meeting on December 11 and the Committee recommended approval by both Boards.

On motion duly made and seconded, it was:

**VOTED**

**That the MassDOT Board of Directors hereby authorizes the Department, through the Secretary or her designee, to authorize and approve the contract amendment CT #107782 between MassDOT and MBTA and to transfer to the MBTA \$632,750,000.00 for construction and other capital costs to execute the construction of South Coast Rail Service.**

On motion duly made and seconded it was:

**VOTED:**

**That the Fiscal and Management Control Board (FMCB) hereby accepts and approves the contract amendment CT #107782 from MassDOT for**

**the South Coast Rail program and a transfer in the amount of \$632,750,000.00 from MassDOT to the MBTA.**

On motion duly made and seconded, it was:

**VOTED: to adjourn the MassDOT Board of Directors meeting at 2:58**

**p.m.**

Chair Aiello requested a five-minute recess prior to the beginning of the FMCB meeting.

The Fiscal and Management Control Board resumed their meeting at 3:05

p.m.

Chair Aiello opened the public comment period for FMCB Agenda Items 14 through 23.

The first speaker, Fred Salvucci from Brighton, commented on the Fairmount commuter rail line, South Station Air Rights, South Coast Rail and long-term capital plans.

Next, Staci Rubin from the Conservation Law Foundation, Kristiana Lachiusa from Livable Streets Alliance and Louise Baxter from the T Riders Union commented on the Means Tested Fare Feasibility Study.

Next, David Noonan commented on the Lechmere Viaduct and a dedicated motor coach lane during construction.

Next, Jarred Johnson from Transit Matters commented on South Coast Rail and the recently published Safety Report.

Next, Kathy Paul, Carolyn Villers and other members from Mass Senior Action Council, Susan Baxter and (name inaudible) from Green Roots commented on the low-income fare feasibility study and moving forward with an affordable “fair” fare structure.

Next, (name inaudible) commented on fare transformation, IT upgrades and the low income fare pilot.

Next, Mela Miles from the T Riders Union commented on a discounted fare pass.

Next, Marilyn McNabb commented on The RIDE call center shutdowns.

Lastly, Sarah Levy and Stuart Spina from Green Roots commented on Bus Route 112.

The public comment session concluded at 3:45 p.m.

Chair Aiello skipped over Agenda Item 15, the FMCB Public Meeting schedule and moved to Agenda Item 16.

Chair Aiello asked Senior Project Director Ellen DeNooyer to present Agenda Item 16, the Hynes Station Design Contract. Ms. DeNooyer provided the Board with

an overview of the contract that would provide for Architecture/Engineering Services for the Hynes Station Improvements Project. Ms. DeNooyer reviewed the history of the station and discussed project elements, benefits and the scope of services, as set forth in the attached document labeled, "MBTA Contract No. A26PS01: Hynes Station Improvements Project Architecture/Engineering Services, December 16, 2019." Discussion ensued. Secretary Pollack discussed and clarified the project funding.

On motion duly made and seconded, it was:

**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.A26PS01: Architecture/Engineering Services for Hynes Station Improvements Project, with HDR Engineering, Inc. for an amount not to exceed \$11,466,187.00.**

Next, Chair Aiello called on Scott Bosworth, Undersecretary and Chief Strategy Officer and Richard Henderson, Chief of Real Estate to present Agenda Item 17, a discussion of the South Station Air Rights. Mr. Bosworth asked the Board for a one-month extension to extend the Outside Closing Date to January 31, 2020, and to update certain documents associated with the closing of a development agreement.

On motion duly made and seconded, it was:

**VOTED:**

**That the Fiscal and Management Control Board hereby authorizes the General Manager or his designee to execute an Amendment to a certain Development Agreement related to the development of South Station air space, dated as of April 30, 2007 as amended by each of that certain First Amendment to Development Agreement dated as of April 27, 2017, Second Amendment to Development Agreement dated as of May 30, 2017, Third Amendment to Development Agreement dated as of June 29, 2017, Fourth Amendment to Development Agreement dated as of April 30, 2018 and Fifth Amendment to Development Agreement dated as of May 31, 2018, Sixth Amendment to Development Agreement dated October 29, 2018, and Seventh Amendment to the Development Agreement dated April 30, 2019 (as so amended the "Development Agreement), between the Massachusetts Bay Transportation Authority, the Boston Redevelopment Authority d/b/a the Boston Planning & Development Agency, and South Station Phase I Owner LLC, in a form approved by the General Counsel, to extend the Outside Closing Date to January 31, 2020, and to update certain of the documents associated with the closing.**

Chairman Aiello asked Mr. Henderson to present Agenda Item 18, an update on Burgin Parkway in Quincy. Mr. Henderson requested the Board to authorize the General Manager to enter into a lease to occupy a certain parcel of land located at 599 Burgin Parkway, Quincy, MA for the purpose of establishing a temporary storage and warehousing facility and temporary parking for MBTA patrons to mitigate the loss of parking due to construction and to support the acceleration of the Quincy Adams Garage project.

On motion duly made and seconded, it was:



**VOTED:**

**The General Manager, or his designee, is hereby authorized to negotiate and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (“MBTA”), a lease, memorandum of agreement, license or other such instrument(s) deemed necessary or desirable by the General Manager, in consultation with the General Counsel, pursuant to which the MBTA shall acquire the right to use, occupy and control that certain parcel of land and the improvements located thereon located at 599 Burgin Parkway, Quincy, Massachusetts for the purpose of establishing: (a) a storage and warehousing facility; and (b) parking for MBTA patrons to mitigate the loss of parking due to construction at the Quincy Adams garage. Any such instrument to effectuate the forgoing shall contain terms and conditions deemed to be in the best interest of the MBTA by the General Manager, in consultation with the General Counsel.**

Chair Aiello next asked General Counsel Michelle Kalowski to present Agenda Item 19, the Delegation of Authority. Ms. Kalowski asked the Board to authorize the General Manager to extend the September 16, 2019 temporary delegation of authority extension to September 30, 2020, with respect to the execution of contract amendments and change orders in support of the MBTA’s Capital Acceleration plan, as set forth in the attached document labeled, “Delegation of Authority, December 16, 2019.”

On motion duly made and seconded, it was:

**VOTED:**

**That the September 16, 2019 temporary authorization to the General Manager, or his designee, with respect to the execution of contract amendments and change orders in support of the MBTA’s Capital Acceleration plan is hereby extended until September 30, 2020.**

**In all other respects, the delegation of the Fiscal and Management Control Board on September 16, 2019, shall remain in full force and effect.**

Chair Aiello called on General Manager Steven Poftak to present Agenda Item 14, the Report from the General Manager. Mr. Poftak reviewed his efforts in communicating the Safety Panel's report finding to the MBTA workforce. Mr. Poftak discussed the status of the implementation of the Safety Management System and the development of a work plan to address report findings and enact corrective actions.

Mr. Poftak continued with a discussion of the Safety Investment and Capital Acceleration Plan (SICAP) with the goal towards increasing the speed of execution for critical infrastructure improvements and utilize weekend station closures to accelerate work, as set forth in the attached document labeled, "Report from the General Manager, December 16, 2019." Discussion ensued.

Chair Aiello next called on David Panagore, Chief Administrative Officer to present Agenda 20, a discussion of the FY20 Operating Budget. Mr. Panagore provided a detailed presentation on October year to date (YTD) results for revenue and expenses, overtime spending by department and FY20 risks and opportunities. Mr. Panagore concluded with next steps that will include more focus on process improvement, overtime, managing the impact of PFML and hiring trends to update the FY21 wage expense trajectory, as set forth in the attached presentation labeled,

“December Operating Budget Update, December 16, 2019.” Discussion ensued. Mr. Poftak commented that the upward pressures on the operating budget including the rail vision and bus transformation were roughly accurate but not precise, as the strategic plan was not yet finalized. He said on safety, “We were much further along.”

Mr. Panagore continued with the second presentation of the FY20 Budget Revisions. Mr. Panagore reviewed detailed proposed initiatives for a supplemental budget request including revisions and projections for Rail Vision, Bus Transformation, safety, specialized hiring/training and QA/QC. Mr. Panagore concluded with FY20 risks and opportunities, as set forth in the attached document labeled, “FY20 Budget Revisions, December 16, 2019.” Secretary Pollack contributed to a discussion concerning sales tax revenue.

Next, Chair Aiello asked Laurel Paget-Seekins to present Agenda Item 21, a discussion of the Means Tested Fares Feasibility Study. Ms. Paget-Seekins gave a brief update on the fare mitigation study performed during the fall of 2019 including variations and implications between modes, possible future processes, additional improvements for means-testing and revenue impact takeaways.

Ms. Paget-Seekins continued discussing conclusions including the need to invest in the existing reduced fare programs and the need to learn from the existing means-tested fare program to improve the implementation model. Ms. Paget-

Seekins noted that before adopting a means-tested fare, the Authority needed to identify an eligibility partner, understand how to replace the fare revenue, IT and customer support upgrades.

Ms. Paget-Seekins concluded with next steps that include upgrades as part of the Fare Transformation; continue feasibility assessment of means testing; and a Youth Pass Program marketing campaign and program recommendations, as set forth in the attached document labeled, "Means-Tested Fares Feasibility Study Update, December 16, 2019." Discussion ensued on implementation, timeline, and partnership resources. Director Lang said a statewide program was needed, and if there were challenges there needed to be political support. Director Kornegay suggested the pilot start off small and simplify the process by offering the fares to riders who prove they were already eligible for other low-income benefits.

Secretary Pollack discussed the aspects of feasibility: running the program, paying for the program and operations impacts. Director Tibbits-Nutt questioned the lack of use of the Youth Pass and why people do not know about the program. Chair Aiello agreed with the other Directors and said this program required good project management. Mr. Poftak questioned how to pay for a pilot. Chair Aiello said financial support was needed and that the Board should give the Legislature information on what the fare discount would cost. The Chair requested Ms. Paget-Seekins update the Board in January or February on the outstanding concerns the members had.

Ms. Paget-Seekins remained at the podium to present Agenda Item 22, an update on the Commuter Rail Zone Study. Ms. Paget-Seekins began with a background on commuter rail fares and products and continued with a discussion on improving social equity.

Ms. Paget-Seekins continued discussing smoothing the fare jump between Zone 1 and Zone 1A and its consequences. Secretary Pollack commented on federal implications. Ms. Paget-Seekins continued further discussing lowering Zone 1 and Zone 2 fares.

Ms. Paget-Seekins concluded her presentation discussing off-peak and reverse-peak impacts, noting equity impacts were unknown at this time, as set forth in the attached document labeled, "Commuter Rail Zone Study Update, December 16, 2019." Discussion ensued.

Lastly, Chair Aiello asked Mike Fitzgerald, the Chief of Red/Orange Line Transformation Program to present the final Agenda Item 23, the Red/Orange Line Headway Attainment and Maintenance Plan. Mr. FitzGerald reviewed the Red and Orange Lines customer benefits plans and continued with a discussion of the implementation of asset management.

Mr. FitzGerald discussed and identified additional investments through 2025 and reviewed risks. Mr. FitzGerald concluded addressing estimated additional investment needs and next steps, as set forth in the attached document labeled,

“Red/Orange Line Headway Attainment and Maintenance Plan, December 16, 2019.” Discussion ensued.

Chair Aiello commented that the task group did a terrific piece of work. He noted that transforming the system to provide for three minute headways and 95% reliability on the Red Line and 4.5 minute headways and 96% reliability on the Orange Line by 2025 was a revolutionary commitment, but not easy. Chair Aiello would like to hear more in March on the structure and resources involved including annual capital and operating intervention through 2025 and a risk management program. Deputy General Manager Jeff Gonneville contributed to the conversation.

Secretary Pollack remarked on the great work and that reliability should be consistent throughout the Authority.

On motion, duly made and seconded, it was:

**VOTED: at 5:23 to adjourn**

**Documents relied upon for this meeting:**

Tracker FY19, December 16, 2019  
Water Transportation in the Commonwealth, December 16, 2019  
Ferry Service Update, December 16, 2019  
South Coast Rail Phase 1 Update & ISA, December 16, 2019  
MBTA Contract No. A26PS01: Hynes Station Improvements Project Architecture/Engineering Services, December 16, 2019  
Delegation of Authority, December 16, 2019.  
Report from the General Manager, December 16, 2019  
December Operating Budget Update, December 16, 2019  
FY20 Budget Revision, December 16, 2019  
Means-Tested Fares Feasibility Study Update, December 16, 2019  
Commuter Rail Zone Study Update, December 16, 2019  
Red/Orange Line Headway Attainment and Maintenance Plan, December 16, 2019