



MINUTES

Meeting of the Massachusetts Bay Transportation Authority

Board of Directors

November 17, 2021 AT 10:00 A.M.

This meeting was held virtually in accordance with the Order Suspending Certain Provisions of the Open Meeting Law issued by Governor Baker on March 12, 2020. Members participated remotely and had materials provided to them prior to the meeting. Public participation and comment occurred via written communication, voice message and live public comment through conference call.

This meeting was broadcast virtually.

BOARD MEMBERS

PARTICIPATING REMOTELY:

Chair Betsy Taylor, Director Robert Butler, Director Scott Darling, Director Thomas Koch, Director Travis McCready, Director Mary Beth Mello, Secretary Jamey Tesler

BOARD MEMBERS ABSENT:

None

Others Presenting and/or Participating for Various Portions of the Meeting:

General Manager Steve Poftak, Executive Director of the Office of Transportation Planning David Mohler, GLX Program Manager John Dalton

Others Present:

General Counsel Marie Breen, and Noah Potash, Esq.

OPEN OF MEETING

1. Call to order by the Chair

Chair Betsy Taylor called the meeting of the Massachusetts Bay Transportation Authority ("MBTA") Board to order at 10:00 a.m. Noah Potash called the roll of the MBTA Board of Directors participating remotely, being a

quorum of the MBTA Board:

Chair Taylor	Yes
Director Butler	Yes
Director Darling	Yes
Director Koch	Yes
Director McCready	Yes
Director Mello	Yes
Secretary Tesler	Yes

2. Public Comment

There were no public comments.

3. Approval of Minutes

Chair Taylor requested a motion to approve the minutes of the October 27, 2021 MBTA Board Meeting.

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

VOTED: To approve the minutes of the MBTA Board Meeting held on October 27, 2021.

Chair Taylor	Yes
Director Butler	Yes
Director Darling	Yes
Director Koch	Yes
Director McCready	Yes
Director Mello	Yes
Secretary Tesler	Yes

REPORTS

4. Report from the General Manager

General Manager Steve Poftak began his presentation in accordance with the

power point presentation provided to the committee members, with a review of ridership by mode. He explained that future ridership reporting would consist of a five-day rolling average and will highlight trends.

He continued with his report with a review of a return-to-work survey of customers and employers concerning planning and ridership at specific times and for particular days of the work week. Chair Taylor asked for the source of the data regarding the rider frequency. General Manager Poftak replied that source of the data is the automated fare collection system which records the total number of riders and provides determination of whether they are frequent riders or intermittent. He clarified that the data collection does not allow specific identification of any rider's particular habits, only general use.

Director McCready asked General Manager Poftak if the survey collected data from customers in jobs not amenable to hybrid work, and what was the percentage breakdown of overall ridership in the respective groups amenable and non-amendable to hybrid work. General Manager Poftak stated that he would have to follow-up with precise answers to the Director's question. Director McCready stated that the point of his question was to ensure that the data reflected true trends of the majority of the ridership. General Poftak agreed as to the importance of the question.

Director Koch asked if the price of gasoline, and the recent rise in prices, affects ridership numbers in any way. General Poftak replied that he did not know but would consult with staff on the topic.

General Poftak continued with his report with an update on the mandatory vaccination policy, and the operating budget. He asked Chair Taylor if she had any comments at this time. Chair Taylor stated that she hopes wages and benefits expenses rise due to increased hiring, and the increase in fare revenue is positive, and will help with preparation for the coming winter months. General Poftak reiterated that the budget savings on wages is not a strategic choice, and that the MBTA is actively trying to attract and retain good candidates to fill open positions.

Director Mello complimented General Manager Poftak and the staff for the quality and type of data analysis presented to the Board regarding the operating budget. General Manager Poftak praised Chief Administrative Officer David Panagore and Chief Financial Officer Mary Ann O'Hara for their hard work and commented the transparency in their reporting and overall efforts.

General Manager Poftak continued his presentation with a review of capital spending and Capital Investment Program ("CIP") priorities. He concluded his report discussing new vending machines for the Fare Transformation program.

Secretary Tesler commented on two aspects of General Manager Poftak's report. He lauded the capital plan, saying that when looking back over further years, the growth and buildup of projects is substantial. Secretary Tesler added that the new federal funding law gives the General Manager the option having a deeper conversation on infrastructure and asked that a further conversation occur at future meetings.

General Manager Poftak replied that analysis continues on the infrastructure legislation and staff are beginning to understand the funds expected via formula funding and the competitive grant funding. He will return in December with a greater level of detail for the Board.

Secretary Tesler reiterated the function of the two categories of the new infrastructure bill. One portion is programmatic in nature with funds allocated for transit, with the other portion being the competitive grant option for which more guidance from the federal government on the parameters and metrics involved is needed. This latter option will take more discussion as it is different and new.

PRESENTATIONS AND ACTIONS

5. GLX Update

6. GLX Project Participation Agreement Amendment with Somerville and Cambridge.

Chair Taylor introduced the Executive Director of the Office of Transportation Planning David Mohler, and the GLX Program Manager John Dalton to present information on the GLX Project and amendment to participation agreements respectively.

Executive Director Mohler reviewed the GLX Project to date, in accordance with the power point presentation provided to the committee members, providing details of how a budget shortfall was solved with a participation agreement with several municipal contributions. Mr. Mohler turned the discussion over to GLX

Program Manager John Dalton who reviewed his update, in accordance with the power point presentation provided to the committee members.

Mr. Dalton described the GLX Participation Agreement Amendment and addressed questions posed by the MassDOT Finance and Audit Committee, and the MBTA's Audit and Finance Subcommittee concerning existing and future risks, and the timing of the return of funds.

Chair Taylor stated that Fiscal Management and Control Board voted in June, 2021 on a settlement regarding change orders and asked Mr. Dalton to speak to the impact of that settlement. Mr. Dalton explained that a contract modification addressing the impacts of the Covid-19 pandemic and resolved approximately 180 change orders and resolved performance payments. Those payments served as an incentive to achieve performance dates, and to provide the contractors sufficient resources to deliver the project.

Director Darling asked, after funds are returned to Somerville and Cambridge, where any surplus dollars will go. Mr. Mohler replied that any surplus savings would be bond savings and if funds are not used, they would be programmed back into other MBTA projects. He added that to the extent that underspending occurs on the Green Line, it would reduce the Commonwealth's contribution, and that additional bonding authority allows funding of new MBTA projects.

Director Darling followed up by asking how quickly the municipalities can expect to receive the return of the funds. Mr. Mohler stated that discussions were

on-going but that the goal would be to return funds to Somerville and Cambridge by the beginning of the upcoming fiscal year.

After Mr. Dalton read the vote to the Board, Director Mello stated that she was pleased to see the monies being refunded from Commonwealth sources and added that this was good news. Secretary Tesler echoed Director Mello's comment and said that it is important to note that for Somerville and Cambridge to invest in the project was critical at the time, and provides a model for future projects.

General Counsel Marie Breen clarified for the Board that the amendments are tri-party agreements, requiring the approval of the MassDOT Board as well, to authorize the Secretary to execute the amendments, which is the document that implements the directive.

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

VOTED: To authorize the General Manager, or his designee, to execute an amendment to the Project Participation Agreement, in a form approved by the General Counsel with the City of Somerville and an amendment to the Project Participation Agreement, in a form approved by the General Counsel with the City of Cambridge for the Green Line Extension Project whereby the funds currently held in trust by MassDOT, including accrued interest, shall be returned to Somerville and to Cambridge and previous expenditures from the trusts shall be reimbursed to Somerville and to Cambridge using Commonwealth sources.

Chair Taylor	Yes
Director Butler	Yes
Director Darling	Yes
Director Koch	Yes
Director McCreedy	Yes
Director Mello	Yes

Secretary Tesler Yes

EXECUTIVE SESSION

7. Executive Session to discuss strategy with respect to collective bargaining. Board will not return to Open Session.

Chair Taylor turned to the final item on the agenda, an executive session to discuss strategy with respect to collective bargaining. Chair Taylor determined, and the General Counsel concurred, that discussion of these matters during an open session may have a detrimental effect on the bargaining position of the MBTA.

She stated that the Board would not return to open session at the conclusion of the executive session.

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

VOTED: to adjourn to Executive Session at 11:03 p.m.

Chair Taylor	Yes
Director Butler	Yes
Director Darling	Yes
Director Koch	Yes
Director McCready	Yes
Director Mello	Yes
Secretary Tesler	Yes

Documents relied upon for this meeting:

- October 27, 2021 Agenda
- Report from the General Manager
- GLX Update
- GLX Project Participation Agreement Amendment with Somerville and Cambridge