

Board of Directors – Remote Meeting
April 23, 2020 at 4:00 p.m.
Meeting Minutes

Minutes of the Board of Directors Remote Meeting of Thursday, April 23, 2020 held at 4:00 p.m.

Zoom Audience link: <https://zoom.us/j/91756966091?pwd=d3JlZE84MElyUEhIRTRHWlVpdkhMdz09>

Board Members Present:

Belinda Ray – Board President
Paul Bradbury – Treasurer
John Thompson - Secretary
Jeff Levine
Mike Foley
Ryan Leighton
Ed Suslovic
Jim Violette
Merrill Barter
Nat Tupper

Staff and Others Present:

Greg Jordan
Glenn Fenton
Denise Beck
Ellen Sanborn
Lauren Shaw
Joshua Crooker
Ed Knutson
Gary Vogel – Metro Counsel

Board Members Absent:

Bill Rixon
Kim Cook
Hope Cahan

Public:

None

- 1. With a quorum in place, the meeting was called to order at 4:02 p.m. by Belinda Ray, Board President.**
- 2. Overview of Zoom Meeting Protocols**
For those attending on-line, use the raise hand feature for a question. For those attending via telephone, press *9 to raise your hand.
- 3. Public comment: (Comments will be paraphrased in the meeting minutes)**
No members of the Public were present.
- 4. Meeting Minutes**
Mike Foley moved, seconded by John Thompson, to approve the minutes of the February 27, 2020 and March 18, 2020 meetings of the Board of Directors as written. A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**
- 5. General Manager’s Report**
Greg Jordan and the Board shared their appreciation for the great service being performed by Metro Staff, especially those on the front lines. Jeff Levine complimented Metro on being well ahead of the curve on best practices. Greg Jordan then reviewed Metro’s Pandemic Response Actions and Policies:
 - Pulse and Metro HQ Closed to Public – Non-operating Staff Working Remotely.
 - Enhanced Nightly and Daytime Bus Cleaning.

- Passenger policies on maintaining physical distance on cough/sneeze etiquette.
- Suspension of Fares and Service Reduction.
- Rear Door Boarding Policy.
- Restriction on Use of Front Seats.
- Passenger Loads Limited to 10.
- Daily Cleaning Supplies Provided to Bus Operators.
- Restriction on Passengers Entering Forward Cabin.
- Roping off Seats to Facilitate Sufficient Physical Distance.
- Communications on Using Transit for Essential Trips Only.
- Face Masks/Coverings Mandated for Bus Operators and Passengers.

Other items:

- Peninsula Loop Reboot project – on hold.
- Electric Bus project moving slowly due to crisis.
- Automated Fare Payment System launch has been delayed.
- Possible Partnership with MTA and BSOOB – some progress.
- Metro 2025 Strategic Plan, Maine Climate Control Council, PACTS Transit Tomorrow, and Federal Funding Prioritization Framework – more information in May
- Fleet Replacement – although New Flyer is currently shut down, delivery of seven buses to replace seven Gilligs is still expected late summer/fall. May explore adding a barrier around the operator’s area on these new buses.

Questions Raised by Public at 2/27/2020 Board Meeting:

1. Will the federal budget recently put forward impact Metro?

Answer: the fiscal year 2020 federal budget includes approximately \$13 billion for transit nationwide. Of this amount, the Portland urbanized areas (i.e., PACTS) received \$10.7 million. Metro’s 2020 allocation is \$4.5 million for operations and capital projects.

2. The FTA has reports on their web site and suggests Metro post on its website.

Answer: This refers to the National Transit Database Agency Profile Report. This is a good suggestion and Metro can create a link to annual NTD reports.

3. Concern expressed about Metro’s capacity to maximize coordination with major property developments.

Answer: Metro staff agree current coordination is insufficient and is working on a staffing and budget plan to improve in 2021.

6. Report on the Coronavirus Aid, Relief, and Security (CARES) Act

The CARES Act was passed by Congress and signed into law by the President on 3/27/2020. Out of this \$2 trillion package, the CARES Act provides \$25 billion to the FTA to be allocated to regions and states. The PACTS region has been apportioned \$53,022,637 to be used by transit agencies to respond to the present crisis, offset the impacts of lost revenue, and rebuild services and ridership post crisis. There is no drawdown date or obligation date. Funds are available until expended.

Effective 1/1/2020, all activities normally eligible under the Urbanized Area (49 USC 5307) and Rural Area (49 USC 5311) formula programs are eligible for CARES Act funding. Transit agencies are not required to limit use of this funding to expenses that are directly related to the COVID-19 pandemic. All CARES Act funding is considered to be in response to COVID-19 so no special documentation is required to be submitted. Agencies do need to demonstrate compliance with standard federal

requirements under the 5307 program. Major categories, eligible for 100% federal share, are: planning, capital projects, operations. There is also a question of whether this funding will be enough.

PACTS has met and will break this funding into two phases.

Phase 1: Quickly allocate \$13.7 million the seven transit agencies to cover 100% of the agencies' net operating costs for the period of February 1 thru June 30; Metro's portion is \$3.8 million. Metro Board committees will develop direction on funding use in May.

Phase 2: Focused on medium-long term needs and priorities. PACTS will facilitate a process to develop needs and priorities. Metro Board will advise General Manager on Metro's priorities in May-June timeframe. Major priority should be to serve as a shock absorber to offset multi-year fare revenue loss.

Discussion followed regarding how this funding could lessen the burden on municipalities and build on the infrastructure of Metro.

7. **COVID-19 Related Employee Paid Sick Leave and Pay Benefits**

Greg Jordan gave an Overview of the CARES Act and the six categories of leave time options, the federal government has made policy under this act, effective 4/1/2020-12/31/2020, for businesses with less than 500 employees. Metro has worked with staff and attorneys to augment leave requirements through May 2 to provide 32 hours per week paid time that employees may augment with sick, PTO, or vacation time. May 2 date was chosen to align with the State's April 30 date, as well as a pay period. Coordinating with union on this. Metro is also providing an additional \$5.00 per hour for those who continue to work to give incentive to not go out under one of the categories; the additional pay is only for hours worked by front-line staff, not on-call hours.

Motion made by John Thompson, seconded by Jeff Levine, to approve extending the supplemental leave and metro emergency pay benefits from May 2, 2020 through May 30, 2020.

Additional discussion followed regarding increased pay at other transit agencies, ATU's nationwide policy piece for employees working on the front line receiving a bump in pay, the \$3.8 million requested initially is an estimate, and extra expenditures will be put in for reimbursement during Phase 2 as more definite numbers are available by late May.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

8. **Extension of Temporary Service Reduction**

The agency's strategic reduction of service early in the crisis allowed for a coordinated, well communicated and easily implemented service change. Making this change early also allowed Metro to spread its active bus operators across few hours of service and absorb eventual reductions in staff. Due to the various forms of leave required by the *Families First Coronavirus Response Act* (FFCRA), an increasing number of staff taken leave and are no longer available to drive. However, Metro is able to continue operating Saturday service levels, plus one early Breez trip for commuters, and staff believe the current service level is sustainable unless one or more bus operators/mechanics contract COVID-19 and an extensive precautionary quarantine is required.

John Thompson moved, seconded by Mike Foley, to extend the temporary service reduction thru May 31, 2020 and authorize the General Manager to implement further reductions, including full-service elimination, during this period as needed to respond to emergency conditions, or to reinstate full service earlier as conditions warrant. Following further discussion, the motion was amended to remove an end date and extend temporary service reduction until the General Manager deems that service levels should change.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

9. Extension of Temporary Suspension of Fares

Reinstatement of fares before June 1 is unlikely as Metro staff are working to plan fare reinstatement in connection with the planned fare increase and launch of the automated fare payment system. The principal reason for the suspension of fares is to eliminate the cross-handling of cash and fare media and maximize the degree to which bus operators and passengers can maintain appropriate physical distance. The reinstatement of fares must be evaluated in relation to the state of the public health crisis. Additional factors that may be considered include the economic impacts of the crisis on the public generally and transit passengers in particular.

Staff are preparing a plan for the reinstatement of fares and launch of the automated fare payment system and will present to the Ridership Committee in May.

John Thompson moved, seconded by Mike Foley, to approve the temporary suspension of fares until a time the General Manager deems it is prudent to reinstate fares; upon fare reinstatement, the General Manager will bring a date and fare price proposal back to the Board for approval.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

10. Rock Row – Dirigo Center Developers Lease

Ed Suslovic reaffirmed that he had worked with the developers of Rock Row until 6/30/2019, and that relationship ended at that time.

Paul Bradbury moved, seconded by John Thompson, that pursuant to 1 MRSA Section 405 (3) and 1 MRSA Section 405 (6) (E) the Board enter into executive session to discuss the proposed MOU with Dirigo Center Developers LLC. Executive session to include the General Manager and Gary Vogel, legal counsel from Drummond Woodsum.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

The Committee entered into Executive Session at 5:04 p.m.

The Committee exited Executive Session at 5:24 p.m.

Jim Violette moved, seconded by John Thompson, to approve the lease agreement as presented.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

11. General Manager's Performance Evaluation

Paul Bradbury moved, seconded by Ed Suslovic, that pursuant to 1 MRSA Section 405 (6) (A) the Board enter into executive session to discuss the General Manager's Performance Evaluation and any related contract items.

A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present.**

The Committee entered into Executive Session at 5:30 p.m.

The Committee exited Executive Session at 5:35 p.m.

12. Future Agenda Items:

- Create Procedure for full contract review – Executive Committee
- Mobility needs brought forward at PACTS – Ridership Committee
- Update by GM on METRO's role re: Maine Climate Action Council – Executive
- Update by GM on METRO's role under MTA's main line assessment – Board & Committees
- TMC & micro transit – Strategic Planning
- Advertising policy – Executive

13. Upcoming Meetings

- Finance Committee – May 6, 2020 at 4:00 p.m.
- Executive Committee – May 13, 2020 at 4:30 p.m.
- Ridership Committee – May 21, 2020 at 4:00 p.m.
- Board of Directors – May 28, 2020 at 4:00 p.m.

14. Adjournment

Motion made by Nat Tupper, seconded by Mike Foley, to adjourn. A roll call vote was called for by Belinda Ray, Board president. With approval by John Thompson, Mike Foley, Jeff Levine, Ed Suslovic, Paul Bradbury, Nat Tupper, Merrill Barter, Jim Violette, Ryan Leighton, and Belinda Ray, **the motion passed unanimously by all those present, and the meeting adjourned at 5:39 p.m.**



General Manager's Report
April 23, 2020



1

**Thank You
to America's
Bus Drivers**



2

Pandemic Response Actions and Policies

- Pulse and Metro HQ Closed to Public – Non-operating Staff Working Remotely.
- Enhanced Nightly and Daytime Bus Cleaning.
- Passenger policies on maintaining physical distance on cough/sneeze etiquette.
- Suspension of Fares and Service Reduction.
- Rear Door Boarding Policy.
- Restriction on Use of Front Seats.
- Passenger Loads Limited to 10.
- Daily Cleaning Supplies Provided to Bus Operators.
- Restriction on Passengers Entering Forward Cabin.
- Roping off Seats to Facilitate Sufficient Physical Distance.
- Communications on Using Transit for Essential Trips Only.
- Face Masks/Coverings Mandated for Bus Operators and Passengers.

3

Other Items

- Portland Peninsula Reboot Project.
- Electric Bus Project.
- Automated Fare System and Fare Increase.
- Possible Partnership with MTA and Biddeford-Saco-Old Orchard Beach Transit.
- Metro 2025 Strategic Plan.
- Maine Climate Council: Transportation Working Group.
- PACTS Transit Tomorrow & Federal Funding Prioritization Framework.
- Fleet replacement: Seven (7) New Flyers anticipated to be delivered this summer which will replace seven 2005 Gilligs.
 - Exploring possibility of testing bus operator barriers with this order of buses.

4

Public Comment Questions Raised at 2/27 Board Meeting

- **Will the federal budget recently put forward impact Metro.**
 - *The fiscal year 2020 federal budget includes approximately \$13 billion for transit nationwide. Of this amount, the Portland urbanized areas (i.e., PACTS) received \$10.7 million. Metro's 2020 allocation is \$4.5 million for operations and capital projects.*
- **The FTA has reports on their web site and suggests Metro post on its website.**
 - *This refers to the National Transit Database Agency Profile Report. This is a good suggestion and Metro can create a links to annual NTD reports.*
- **Concern expressed about Metro's capacity to maximize coordination with major property developments.**
 - *Metro staff agree current coordination is insufficient and working on staffing and budget plan to improve in 2021.*

5

Item 6 – CARES Act Funding

CARES Act provided \$25 billion to transit industry:

- Shock absorber and, hopefully, foundation for recovery.
- May be used for all expenses normally eligible under FTA Section 5307 Program, including operating, capital and planning.
- 100% federal share and no spending deadlines.
- \$53 million allocated to PACTS region.
- May be insufficient in long-run – *NY MTA already lobbying for additional \$8 billion on top of \$4 billion received.*

6

Item 6 – CARES Act Funding

PACTS Process for Allocation:

- **Role of Transit Agencies and PACTS Transit Committee**
- **Phase 1 – Focused on immediate crisis period:**
 - Allocated \$13.7 million to 7 transit agencies; \$3.8 million to Metro.
 - Amount developed to cover 100% of operating costs for Feb 1-Jun 30 period.
 - Metro board committees to develop direction on funding use in May.
- **Phase 2 – Focused on medium-long term needs and priorities:**
 - Remaining balance is \$40 million.
 - PACTS to facilitate process to develop needs and priorities.
 - Board to advise General Manager on Metro’s priorities in May-June timeframe.
 - Major priority should be to serve as shock absorber to offset multi-year fare revenue loss.

7

Item 7 – COVID-19 Employee Paid Sick Leave and Pay Benefits

- **Families First Coronavirus Response Act (FFCRA)**
 - Establishes 6 categories of additional paid leave - Provides up to 80 hours of paid leave.
 - Effective April 1 thru December 31
- **Metro Supplemental Leave:**
 - Adheres to FFCRA categories, but adds one for situations in which work hours reduced.
 - Allows up to 32 hours per week for duration of needed leave.
 - Implemented for March 22 thru May 2 on emergency basis.
 - **Requesting board approval for extension thru May 30.**
- **Metro Emergency Pay:**
 - Additional \$5.00/hr provided to on-duty hours for hourly workers (bus operators, maintenance staff and dispatchers).
 - Implemented for March 22 thru May 2 on emergency basis.
 - **Requesting board approval for extension thru May 30.**
 - Estimated cost through May 30 is approximately \$160k

8