

**MINUTES OF BOARD MEETING**  
**MEMPHIS AREA TRANSIT AUTHORITY**  
**January 27, 2014**

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A regular meeting of the MATA Board of Commissioners was held at 3:30 p.m. on Monday January 27, 2014 in the MATA Board Room at 1370 Levee Road.

**BOARD PRESENT:** Chairman, Sean Healy  
Commissioners: Karl Birkholz; Mattie Carter; Marion McClendon; Charles Pickard; Andre Gibson (via phone); Lauren Taylor

**STAFF:** Lawson Albritton; Ashley Best; Alison Burton; Frances Boyland; Darryl Covington; Linda Eskridge; Lavelle Fitch; Don Forsee; Tom Fox; Warren Henderson; Brandy Hough; John Lancaster; Willie Lewis; Glen Lockhart; Shelia Maclin; Maury Miles; Gilbert Noble; Glenda Wade; Tommy Wallace

**Union Reps:** Willie Barber, Michael Wilson

**OTHERS:** Kwasi Agyakwa, Memphis MPO; Kenny Bond, Citizens for Better Services; Maria Fuhrmann, City of Memphis; Tony Kouneski, KL Executive Search; Jack Leary, KL Executive Search; Johnnie Mosley, Citizens for Better Services; Betty Robinson, MBRU; Shahin Saimie, MBRU; Sarah Sieloff, Strong Cities; Eddie Settles, Back Home Media; Henry Wilson, MATA Retiree

Chairman Healy called the meeting to order. Linda Eskridge, Board Secretary, called the roll. Six Board Members were physically present, and one, (Andre Gibson) present via phone. One Board Member (John Vergos) was absent. Seven Board Members were present, and there was a quorum for the meeting. Mr. Birkholz made a motion for approval of the November 25, 2013 Board Minutes. Mr. McClendon seconded the motion and the minutes were unanimously approved.

**BUSINESS & REPORTS**

**A. FINANCE COMMITTEE**

**1. Resolution to Approve Purchase of Diesel Fuel - Res. No. 14-01**

**Discussion:** Staff recommended that this resolution be removed from the Board Agenda. Staff will review the procurement process for fuel to better address the constantly changing prices and an alternative resolution will be brought before the MATA Board at a later date. **Chairman Healy asked for comments from the Board and hearing none, Res. Nos. 14-01 was removed from the agenda.**

**2. Resolution to Approve Purchase of Gasoline - Res. No. 14-02**

**Discussion:** Staff recommended that Resolution No. 14-02 be removed from the Board Agenda as well for the same reasons as discussed under Resolution No. 14-01. **The Board agreed.**

**3. Resolution to Purchase Re-tread Tires - Res. No. 14-03**

**Discussion:** Glen Lockhart, Director of Maintenance, gave a brief description of why MATA uses retread tires which is to extend the life of tires and reduce costs. Ashley Best, Contract Administrator, stated that MATA issued an Invitation for Bids and received three bids. Quality Tire and Service, LLC was the lowest bidder at \$203,000. This contract will be for three years. Staff is recommending award to Quality Tire and Service, LLC. **Ms. Carter moved that Res. No. 14-03 be put on the floor for discussion and Mr. Birkholz seconded.** Ms. Carter inquired about the DBE for this contract. There was no DBE goal on this project because there were no DBE contractors and no opportunity for subcontracting. **Resolution No. 14-03 was unanimously approved.**

**B. SERVICE AND DEVELOPMENT**

**1. Resolution to Approve FY14 Section 5307 Capital Projects and State Operating Assistance - Res. No. 14-04**

**Discussion:** This grant is used on six Capital Projects and the State Operating assistance was included in this grant as well. Maury Miles, Sr. Grants and Procurement Manager explained each project listed under this grant. **Mr. Pickard moved that Res. No. 14-04 be put on the floor for discussion and Mr. McClendon seconded.** Mr. Birkholz asked is the state assistance confirmed. Maury stated that is the number that MATA is expected to get based on a TDOT formula. Mr. Pickard asked if the fare collection equipment would be credit card accessible. Glen Lockhart stated that anything that MATA receives in the future would have the capabilities of a swipe card. **Resolution No. 14-04 was unanimously approved.**

**2. Resolution to Approve FY14 Section 5337 State of Good Repair Capital Projects - Res. No. 14-05**

**Discussion:** This grant can only be used for the Trolley system, which most will be used for preventive maintenance for the system. If any funds are left over, there is an item line included for rail facility improvements. **Mr. Birkholz moved that Res. No. 14-05 be put on the floor for discussion and Mr. McClendon seconded.** After no further discussion, **Resolution No. 14-05 was unanimously approved.**

**3. Resolution to Approve FY14 Section 5339 Bus and Bus Facilities Capital Projects -Res. No. 14-06**

**Discussion:** The MATA Board previously approved a resolution to purchase 30 buses from Gillig. MATA issued a Notice to Proceed for 27 of those buses, and 15 will be coming in around April, and 12 in May. The final three buses are being funded with the FY 2014 Section 5339 grant so MATA cannot give a Notice to Proceed for those buses until the grant is received.. If funds are left over there is a line item included for facility improvements. **Mr. Birkholz moved that Res. No. 14-06 be put on the floor for discussion, and Ms. Taylor seconded.**

Mr. Gibson asked what percentage of MATA buses are diesel vs. natural gas or hybrid and how did MATA staff approach this. Dr. Fox stated going back two or three years, we try to purchase at least 20% hybrids out of each group of buses that we buy.

However this group actually is 50% because we received CMAQ to supplement our formula funds. The breakdown is 15 hybrids and 15 diesel. Ms. Carter asked how the MATA fleet is looking at present. Dr. Fox stated that we still have a few that need to be replaced, and over the next few years we should be able to replace them. We are also looking at a possibility of shifting some of our larger paratransit buses into our fixed route fleet. **Resolution No. 14-06 was unanimously approved.**

#### **4. Resolution to Approve a Grant to Purchase Bike Racks under the Transportation**

##### **Alternatives Program – Res. No. 14-07**

**Discussion:** These funds are mainly used for projects to encourage mobility by modes other than cars. The state of Tennessee and our MPO worked with MATA and we were able to get \$36,000 in federal funds to purchase up to 60 spare bicycle racks. All of our fixed route buses have bicycle racks, and these funds will be used for replacements. The current bicycle racks hold two bikes. Dr. Fox stated that we would look at racks that will hold up to three bikes. **Ms. Carter moved that Res. No. 14-07 be put on the floor for discussion and Ms. Taylor seconded.** Ms. Carter asked if the racks of three cost any more. Dr. Fox stated that we would probably just buy a few less if we decided on the three racks. Mr. Birkholz asked about the utilization of the racks. Mr. Pearson stated that we run anywhere from 1,800 a month to as many as 2,400 a month. If the bike rack is full and there is room on the bus we allow riders to put a bicycle on the bus, as well as on the trolley. Mr. Gibson asked what our current inventory of spare bike racks is. Glen stated that there are about 3 to 5 in stock. **Resolution No. 14-07 was unanimously approved.**

#### **5. Resolution to Amend Awards for New Freedom Projects – Res. No. 14-08**

**Discussion:** In September 2013, the MATA Board approved projects to be funded under the New Freedom formula program. MATA has since received approval from FTA to relocate certain funds to increase the amount of New Freedom funds that are available. This resolution is requesting that Checker Cabs be able to purchase up to 10 Wheelchair-accessible vans (up from five) and for MATA to be able to purchase up to 12 vehicles for MATAplus. These vehicles have a higher ramp capacity than what the ADA requires. **Ms. Carter moved that Res. No. 14-08 be put on the floor for discussion and Mr. McClendon seconded.** Ms. Carter asked if we have monitored the use of the cabs, as MATA has received complaints at one time. Maury stated that we get reports on a monthly basis. Dr. Fox stated that we have been sporadically been getting ridership data from Checker Cab because they implemented a new dispatch system. They are working on a procedure for generating those reports. We have not received any ridership reports from Metro Advantage Cab. Mr. Birkholz asked about the capacity of the ramps. Mr. Pearson stated the capacity was 700 lbs; however he stated that on an everyday use it could pick up a person weighing 900 lbs and should not damage the lift. Mr. Healy asked about the passenger capacity. Mr. Pearson stated we are looking at vehicles with a capacity of 10 ambulatory passengers or eight ambulatory passengers and two wheelchair passengers. Mr. Gibson asked if we are comfortable with holding them to a certain standard of responsiveness. Dr. Fox stated the lease does include reporting on maintenance, mileage and ridership. The next step would be to involve our attorneys if they are not complying with the lease requirements. **Resolution No. 14-08 was unanimously approved.**

#### **6. Resolution to Approve MPO Agreement for 5303 Funds – Res. No. 14-09**

**Discussion:** This resolution is to approve a new agreement between MATA and the MPO for transit planning. MATA has had a Memorandum of Agreement with the MPO since 2004 to share the FTA section 5303 planning funds with MATA getting 85% and MPO 15%. The new funding split is approximately 75% MPO, 25% MATA.

TDOT determined last year that the funds need to flow to the MPO first and then be sub-allocated to MATA and directed MATA to enter into a new agreement. This new agreement is being presented to the MATA Board, and if approved will be presented to the MPO Policy Board later this month. **Mr. Pickard moved that Res. No. 14-08 be put on the floor for discussion and Mr. McClendon seconded.** Mr. Gibson asked is the MATA Board is represented on the MPO Board. Dr. Fox stated yes that MATA has one vote on the MPO Policy Board and one vote on the Engineering and Technical Committee. Mr. Birkholz asked does this substantially improve MATA's position. Dr. Fox stated financially it does not. Ms. Taylor asked is that funding shift tied largely to the planning studies. Dr. Fox stated going forward that is the intent. Ms. Carter asked if we know why it was changed. Dr. Fox stated that TDOT is basically going by the letter of the regulations, which seems to indicate that the planning monies go to the MPO. MATA is going to continue to carry out our responsibilities related to compliance with the FTA, and the MPO will do the studies. Mr. Healy asked if we engage our Counsel on where our options are going back to TDOT. Dr. Fox stated that Attorney Bruce Smith has reviewed the agreement and made some suggestions about MATA over-committing given the small amount of money that we are getting and he is comfortable with the language. Mr. Healy alluded back to Dr. Fox's comments about other states that have a different approach to this. Dr. Fox stated that in the regulations it is fairly clear that the planning grant monies be sub-allocated to the MPO. It is up to the MPO to decide how the grant funds are allocated between the MPO and MATA. Dr. Fox stated that MATA staff requested a higher percentage of the funds and a dedicated MPO person housed at MATA but were unsuccessful in getting the MPO to agree. Ms. Carter asked if this was the final negotiated agreement. Dr. Fox stated yes. Ms. Taylor asked where do we stand on the option of having an MPO staff based at MATA. Dr. Fox stated that MATA has made the request, but it was not accepted, and maybe this is something that we can revisit. Mr. Birkholz asked will we basically be tracking what MPO will be responsible for versus what they weren't doing in previous years. John Lancaster stated that is true. Dr. Fox stated that we did get a provision added that the funding split would be revisited on an annual basis. **Resolution No. 14-09 was unanimously approved.**

#### **7. Resolution for Disposal of Surplus Vehicles - Res. No. 14-10**

**Discussion:** This resolution is for approval to dispose of surplus vehicles that have met their useful life. Bus 1009 is being disposed of due to the bus burning. **Ms. Carter moved that Res. No. 14-08 be put on the floor for discussion and Mr. Pickard seconded.** Ms. Carter asked for the procedure for bidding on the vehicles. The vehicles are placed on Public Surplus.com. If no one bids on the vehicles after going through the bidding process, the MATA Board can authorize a donation of the vehicles to a non-profit group. Mr. Pearson stated that the Fire Department is seeking a vehicle to make an ambulance out of. **Resolution No. 14-10 was unanimously approved.**

#### **8. Resolution to Revise Contingency Fleet - Res. No. 14-11**

**Discussion:** MATA maintains a contingency fleet of buses that are available to supplement the active fleet in times of emergency or other unforeseen circumstances. This resolution establishes that contingency fleet of 20 buses. Staff is also asking for approval to rotate the contingency fleet based on seasonal changes and to be able to keep the buses in operating condition. **Mr. Birkholz moved that Res. No. 14-11 be put on the floor for discussion and Ms. Taylor seconded.** Mr. Healy asked what would happen during the time they are not in the contingency fleet. Staff would move them into the active fleet. **Resolution No 14-11 was unanimously approved.**

**9. Resolution to Rename MATA's North End Terminal to William Hudson Transit Center - Res. No. 14-12**

**Discussion:** At the November 25, 2013 Board Meeting, Ms. Carter made a recommendation to rename the North End Terminal (NET) to the William Hudson Transit Center. The Board directed staff to take the request to the city; the city attorney's office made a ruling that the MATA Board had the authority to name its facilities. Staff is asking for MATA Board approval to rename the North End Terminal in honor of Mr. Hudson's 49-year legacy with MATA. **Ms. Carter moved that Res. No. 14-12 be put on the floor for discussion and Mr. McClendon seconded. After no discussion Resolution No. 14-12 was unanimously approved.**

**DISCUSSION OF MIDTOWN ALTERNATIVES ANALYSIS STUDY**

*(Dr. Tom Fox)*

This was an item that was re-opened for discussion as requested by Mr. John Vergos. However, due to the fact that he was absent from his meeting, and there was no discussion from Board Members, it was recommended that we pass on this item. Dr. Fox asked if staff can move on with signing the contract. Chairman Healy stated that majority of the Board voted yes, so for that reason staff can move on with the contract.

**FINANCIAL REPORT**

**Mr. Gil Noble**

**December 2013**

**Six Months of the fiscal year**

Revenues are showing a \$5.7MM unfavorable variance primarily due to delayed receipt of a state grant that we normally receive in November. However, this grant was received during January, 2014 for \$5.9MM. Expenses are \$1.1MM unfavorable variance. It includes about \$0.7 million that was spent on a diesel retrofit on certain older buses from years 2000-2003. The expenditure was not budgeted, but we are expecting to receive a grant to reimburse MATA. The grant was initiated by the Health Department to access a special state program. Neither the grant revenue nor the expenditures were budgeted. We are expecting to receive the reimbursing funds during the month-of-February. Commissioner Pickard asked if the MATA Board pre-approved the \$0.7 million emission retrofit expenditure. Dr. Fox stated 'yes' the Board approved the contract with Clark Power earlier (in 2013), and the program itself would have been approved in 2012. Mr. Noble further stated that MATA's overall budget situation is still difficult; however we are still hopeful for sufficient cash flow for the fiscal year.

In April and May, depending on the timing of some federal grants, MATA may encounter a difficult cash situation to deal with, as we are heavily relying on these grants to be received in the spring.

The FY2013 Audit was completed and the report was mailed to each Board Member.

### **MARKETING REPORT**

A December 2013/January 2014 marketing report was forwarded to each Board Member for review before the Board Meeting. Ms. Burton gave highlights of the report. There was some bus filming and Marketing is working with the Memphis Film Commission in both February and March, 2014. One final event in recognition of Mr. Hudson's Retirement will take place on February 15, 2014 at Central Station, where we will be congratulating him on his 49 years of service.

MATA is working with Downtown Memphis Commission, as well as the City, on an event to increase our trolleys service during the lunch period on January 31 from 11:00 a.m. - 2:00 p.m. to encourage people to leave their offices and enjoy lunch on Beale Street and ride the trolleys. A News Release was sent out on Dr. Fox's announcement as Interim General Manager of MATA. Another News Release will be sent out on about the Retrofit of 60 MATA buses, which Dr. Fox will discuss later. MATA will work with the Memphis Division of Park Services on a grant they submitted for a green internship, which will focus on MATA's Trolley Unplugged project. Marketing is working on a code of conduct signage for all of MATA's transit centers. This is an initiative to get people to respect others. MATA is working in conjunction with the city of Memphis on an initiative called the 30-day car-free challenge. Maria Fuhrmann, with the mayor's office was present at the meeting and gave a brief synopsis of what this challenge is all about. This is an initiative to try to change the behavior of how people get around the city, as well as give us an idea of the "pain" points of getting around. More information is forthcoming on this initiative. Ms. Burton reported that MATA's North End Terminal received a 12% increase in revenue in 2013 for a total of \$1.2MM in collections; American Way received a 16% increase for a total of \$289,000, and there was a slight decrease at Airways Transit Center down from \$25,000 to \$24,000.

## **PERFORMANCE MEASURES REPORT**

Dr. Fox showed a power point presentation on an assessment of how MATA did on performance measures for calendar year 2013. Dr. Fox went over the presentation and entertained any questions from the MATA Board. Mr. Healy asked how soon before we feel we would have reliable data for fixed route on-time performance.

Dr. Fox stated one of the contributing factors is the time points in our data bases are not all correctly geo-coded. We are in the process of correcting those intersection geo codes at all 200 time points. The contract is still under warranty, and the contractor is working on the hardware and software to assure the information is getting transmitted correctly.

Chooch inquired about the status on being able to watch the clocks to tell where trolleys are at a certain time. Tommy Wallace stated that we still have some data corrections to be made, and after that the time should come in correctly. Dr. Fox stated we expect to have this issue corrected within six months. Mr. Birkholz again mentioned allowing the MATAplus riders to ride fixed route free, and what effect would that have on MATA. Mr. Pearson stated that the ridership would pick up; however, it would not take a lot of people off MATAplus. Daily riders of MATAplus want that curb-to-curb service, other riders just want the discount card to ride fixed route. Mr. Birkholz asked if there is a way to monitor and challenge these agencies for signing people up for MATAplus that should not be riding. Ms. Carter asked how is Ms. Anderson's position as Travel Trainer working to get more people on fixed route. Mr. Pearson stated it is working well and people are transferring from MATAplus to fixed route. Ms. Carter asked to see some estimate figures on how many riders have gone from MATAplus to Fixed Route since Ms. Anderson has been travel trainer for MATA.

Mr. Ayakwa, with the MPO asked if we have ever advertised that people can use Google maps when waiting to catch the bus. Ms. Burton stated that staff has a complete campaign that we are getting ready to get out. Because of the reservation with the trolley piece, we are holding out until that issue is rectified. Chooch again suggested that staff do research on mobile Apps that have live updates in other cities. MATA staff is holding a demo this week and the Board is welcome to sit in on the demo on Wednesday January 29<sup>th</sup> from 2:00 to 3:00 p.m. Mr. Birkholz alluded to the Wendy Thomas newspaper article regarding the Conduit Global Call Center and not having enough bus service to accommodate new businesses, and does MATA get involved with new businesses coming to town. Dr. Fox stated that we do get involved if we are contacted during the recruitment process.

MATA was contacted by the Memphis Chamber about this company and MATA gave them some information on what they were asking. They will be in an area that could possibly have some potential for fixed route service. Mr. Birkholz asked for an update at the next meeting on what the status or probability of doing or not doing something to accommodate this new business or other businesses that may be moving into the city. Dr. Fox stated that staff would have an update at the next meeting.

Chooch alluded to a complaint that a rider had on the trolley and transferring to fixed route service. He stated that MATA needs to have a better attitude when it comes to satisfying our customers. We need to take care of the customers regardless to what it costs, and he feels that MATA just does not have that culture and needs to create that culture, as well as giving bus drivers the authority to do what it takes to help the customers out.

### **GENERAL MANAGER'S REPORT**

Dr. Fox forwarded the general manager's report to the MATA Board prior to the meeting. He gave a few highlights of the report. There is a grant application pending with TDOT at present for an improvement for a super stop at Poplar/Cleveland for \$750,000. MATA is optimistic that we will get funding at some point. Mr. Healy asked if there is anything that they can do to help influence or lobby for this as this is one of our biggest stops. Dr. Fox stated that he would give Mr. Healy some contact information for TDOT.

MATA has 23 more bus shelters on order. When the newer shelters come in we will be swapping out some of the major locations with larger shelters. The new larger shelters are the same designs as the previous order. Chooch stated that we need to make sure that the Kroger on Union is designing a site to accommodate one of the nicer shelters. Mr. Fox mentioned the transit signal priority project at Poplar/Elvis Presley all equipment is installed on Poplar Avenue at the system and on the buses and are in testing and should go live soon. Mr. Healy asked if there is a plan to measure that. John Lancaster stated that is what they are testing, which is a before and after study. Dr. Fox stated that in terms of budget, this year as we did last year, staff will be going to the city to ask for the opportunity to have a line of credit in case our federal grants do not come in on time that we can draw some additional city monies to pay our bills through the end of the fiscal year. Dr. Fox also mentioned that Mr. Hudson was recognized by a resolution from Memphis City Council in December for his 49 years of service. Also a MATA bus operator (Mary Hodge) was also recognized by Citizens for Better Services on January 12, 2013. Dr. Fox stated that regarding the Triennial Review, FTA comes to Memphis every three years and does a review of our compliance with federal regulations.



They completed the review in December where they looked at 18 different functional areas. They cited MATA on 15 findings out of a total of over 200. MATA has responded to most of them and within a few months will have all of the findings closed out.

### **SPEAKERS**

There were no speakers.

### **OLD/NEW BUSINESS**

Ms. Carter stated that she would like to piggy-back on what Chooch stated earlier in the meeting. We may need to pay more attention to what we are hearing about complaints. We cannot solve every problem nor can we do everything that is asked of us. However, the one thing that we can do is be nice about it. She stated that it is about respect for others. She also mentioned that she has an issue also with drivers not wanting to announce stops. The main point that Ms. Carter was making was we have got to make sure that our riders are treated with respect, kindness and with understanding.

Ms. Carter then recognized all visitors that were present, and thanked them for taking time to come to the MATA Board Meeting. She recognized the two gentlemen from the KL Search Team, Mr. Tony Kouneski and Mr. Jack Leary.

Ms. Eskridge stated that next MATA Board Meeting is scheduled for February 24, 2014. She also reiterated that the Mobile IT Apps Demo is Wednesday January 29, 2014 at 2:00 p.m. and all Board Members are invited to attend.

Mr. Healy stated that we have engaged an Executive Search Firm for the new general manager of MATA. Mr. Kouneski and Mr. Leary gave a brief explanation on their company and elaborated briefly on why they are here at MATA and stated that they will work hard with the Board, as well as other stakeholders in the community in an effort to come up with potential candidates for this position. They hope to have some qualified candidates back to the MATA Board within 90 days of the search. Ms. Taylor stated that she and Andre met with individuals from the Bus Riders Union and Livable Memphis about a public meeting, which is scheduled for February 13, 2014 at 5:30 p.m. at the Benjamin Hooks Library. This is in an effort to get input from the public on the new general manager's search.

After no other old/new business, Chairman Healy called for a motion to adjourn. Ms. Carter moved that the meeting be adjourned and Mr. Birkholz seconded the motion and the Board Meeting was adjourned.

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**Mr. Sean Healy**  
**Chairman of the MATA Board**

*NOTE: A taped recording of the MATA Board of Commissioners Meetings is always available in the event of clarity on a particular item.*