

MINUTES OF BOARD MEETING
MEMPHIS AREA TRANSIT AUTHORITY
June 2, 2014

CALL TO ORDER: A regular meeting of the MATA Board of Commissioners was called to order at 3:30 p.m. on Monday June 2, 2014 in the MATA Board Room at 1370 Levee Road by Chairman Sean Healy.

BOARD ROLL CALL:

Present: Chairman, Sean Healy
Commissioners: Charles Pickard; Lauren Taylor; John Vergos; Andre Gibson (joined the meeting in progress)

Incoming Board Members (awaiting final approval by Memphis City Council): Shelia Williams, Kristen Bland

Absent: None

Quorum: Yes - (Based on five Board Members)

Staff: Lawson Albritton; Ashley Best; Yuri Chambers; Darryl Covington; Linda Eskridge; Lavelle Fitch; Don Forsee; Tom Fox; John Lancaster; Willie Lewis; Glen Lockhart; Shelia Maclin; Maury Miles; Gilbert Noble; Glenda Wade; Tommy Wallace

Guests: **MCIL/STAC Attendees:** Josue Rodriguez; Marian Bacon
Memphis Bus Riders Union: Cynthia Bailey; Bennett Foster; Sammie Hunter; Michael Krause; David Mason; Betty Robinson
Mid-South Peace and Justice/HOPE: Jim V. Brown, III; Paul Garner; Brad Watkins
Others: Kwasi Agyakwa, Memphis MPO; Betty Anderson, Travel Trainer; Tommie Evans, 35th Ward Civic Club; Paul Boone, Basketball shuttle; Sharon Boone, Basketball shuttle; Pastor James Kendrick, Oak Grove Baptist Church; Johnnie Mosley, Citizens for Better Services; Nicholas Oyler, Memphis MPO; Henry Wilson, MATA Retiree; Gilda Williams, MATA Patron; Attorney Robert Wright, Asst. City Attorney

Chairman Healy took the opportunity to recognize two of four new Board Members who will be joining the MATA Board after Memphis City Council approval: Ms. Shelia Williams and Ms. Kristen Bland were present at today's meeting for observation purposes only. Chairman Healy also recognized the past Board Members, Ms. Mattie Carter and Mr. Karl Birkholz, who serviced more than 20+ years each on the MATA Board, as well as Mr. Marion McClendon for his years of service on the MATA Board of Commissioners.

APPROVAL OF MINUTES: Mr. Pickard moved for approval of the April 28, 2014 Board Minutes. Mr. Vergos seconded the motion and the minutes were unanimously approved.

ACTION ITEMS:

A. FINANCE COMMITTEE

1. Resolution to Award a Contract to Mid-South Bus Center for the purchase of 16 Wheelchair-Accessible Vans Res. No. 14-27

Discussion: Mr. Glen Lockhart, Director of Maintenance and Ms. Ashley Best, Contract Administrator, presented this resolution to the MATA Board. Mr. Lockhart stated that these vans will be the Dodge Caravan 5-door with a rear wheelchair ramp entrance. Wheelchair ramps will have a 700 pound capacity, which exceeds the ADA requirement. Ms. Best talked about the procurement process. It was posted on the website and advertised in the newspaper. MATA received one bid. Mid-South Bus Center was deemed responsive and reasonable, as well as met all of our requirements. **Mr. Pickard moved that this resolution be put on the floor for discussion. Mr. Vergos seconded the motion.** Mr. Josue Rodriguez requested to speak on this resolution. He requested that staff ask Mid-South Bus Center to have at least one wheelchair accessible taxi working every shift. Dr. Fox stated that in speaking with the company, they seemed open to having this as a provision to the lease. **Mr. Vergos moved to amend this resolution to add that Checker Cab shall use its best efforts to have at least one of their wheelchair accessible taxis available for passenger-required wheelchair assistance 24-hours a day. Mr. Pickard seconded the motion and the amended resolution was unanimously approved.**

2. Resolution to Approve Contracts to Ambassador Worldwide Protection Agency and CDA/MaxSent for Security Guard Services - Res. No. 14-28

Discussion: Mr. Willie Lewis, Manager of Security/ADA/DBE Compliance, and Ms. Shelia Maclin, Manager of Purchasing, presented this resolution to the MATA Board. The security contracts are expiring, and MATA solicited bids for new contracts. MATA received 13 bids. Staff is recommending award of two contracts, one to Ambassador and one to CDA/MaxSent. Ambassador will secure the William Hudson Transit Center at a cost of \$785,689 and CDA/MaxSent will be responsible for all other facilities at a cost of \$559,753. This contract is for five years at a cost of \$1,345,442, which is a reduction from the last contract. There was a 5% DBE Goal, which was exceeded. Ambassador has a 100% DBE and MaxSent has a 10% DBE, for a combined total of 63% DBE participation. Ms. Maclin stated this was advertised in the Daily News and on MATA's website. We received 13 proposals and 5 were deemed non-responsive. The evaluation committee reviewed and ranked the 8 responsive proposals. The Evaluation Committee also recommended that the best value for MATA was to award two contracts, Ambassador and CDA/MaxSent. **Ms. Taylor moved that this resolution be put on the floor for discussion. Mr. Pickard seconded the motion.** Several speakers requested to speak on this resolution:

- **Paul Garner, MSPJC** – Mr. Garner's concerns with security is the way they treat people, their lack of restraint, and use of excessive force. He stated that he has been reporting complaints in the past about security, however it seems it took someone getting seriously hurt, and may possibly passing away to make any changes, which was a matter of time. Mr. James Gray who was pushed by the security guard was a friend and a veteran. We need safeguards in place moving forward, there needs to be some training on restraints, as well as how to deescalate situations before it comes to violence. All human beings need to be treated with dignity and respect.

- **Brad Watkins, Executive Director of MSPJC** – He stated that he knew the victim, James Gray. For many years they worked together, and he had begun to start his life anew. He is still in the Med in a coma. The person he was is gone. There is an issue about restraint, training and culture within Protech with how they deal with people.
- Security guards should conduct themselves in a way that makes people feel safe, or they can conduct themselves in a way that threatens, which is what you have with Pro-tech.

Mr. Watkins encouraged staff and the Board to ask this company some very serious questions to include who is training, what kind of training, what kind of oversight and what kind of recourse do people have. I know that the Board takes this serious, and I ask that you have a lot of scrutiny on this new company. Mr. Watkins stated that he would use every resource in his organization to ensure legal justice for the victim of the next attack from the security guard employed by MATA, because this is a serious situation. Mr. Pickard asked if they have had any problem with CDA, and Mr. Watkins stated they have had no problem or complaints with CDA/MaxSent.

- **Josue Rodriguez, MCIL** – He feels this concerns a lot of what they talked about in the previous meeting. He asked that good training be given to MATA employees, whether sensitivity training or training a person to be able to deal with someone with a cognitive disability or no disability at all. Security guards need to see people in a human way instead of an aggressive way that might jeopardize the safety of an individual.
- **Cynthia Bailey, MBRU** – She stated that she is looking for respect of human life. She witnessed the incident that happened to Mr. Gray. She also talked about training for the security guards, and when hiring the next company, MATA makes sure they have the necessary tools to handle situations more safely.
- **Bennett Foster, MBRU** – He stated he appreciates the fact that things are moving forward so quickly in getting ProTech out. There were personal issues with some of the guards and the way they conducted themselves. He would like to urge that the Board is involved with some measure of accountability for whoever the company is for the new security service at Hudson Transit Center. There need to be some oversight and training. We need to look at how they dress, we also need to look at if they are all men (which is an issue), because of the fact they may not be sensitive to women’s issues, and exercise more authority over women. He requested the Board review these contracts as well as the companies. He inquired about who is on the Evaluation Committee, also if the board members were invited, and what are the technical criteria. Dr. Fox stated that the technical criteria are in the memo behind the resolution.
- **Johnny Mosley, Citizens for Better Services** – He stated that he was not surprised about the incident. He stated he has long expressed his dissatisfaction with the how security treats passengers at the terminal. They rule by intimidation, treat passenger as though they were criminals, less than human and inferior. He has asked in the past, that something be done, because he felt something like this would happen. The security guards would disrespect ladies, elderly, as well as use profanity. Everyone should use some common sense and have some kind of respect for every individual. If there is a disagreement, it should be dealt with in a respectful manner. He feels that MATA dropped the ball a long time ago when complaints were coming in. That’s what so frustrating because someone may have to die before change becomes a reality. I hope that if problems arise with this new company, they are dealt with right away, and not wait until something drastic or deadly happens.

- **Marion Bacon, MBRU** – She expressed her hurt and concern for her friend James Gray and what happened to him. She stated she has had problems with security guards, especially Deloach. The guards would touch you when they are not supposed to. Nobody should take that type of action, over an argument relating to bus fare. If this new security starts the same things, something like this will happen again, and MATA will have a lawsuit on their hands.

She stated that she is transit dependent; and she reports both bad and good things that the drivers do. She stated that if James dies, someone will pay, she will make sure of that.

Mr. Pickard asked about the plan to review the policy. Dr. Fox stated we will go over the contract and determine what is acceptable and unacceptable. Mr. Pickard also asked that the dress code for security be addressed as well. Ms. Taylor asked for something that breaks down complaints by type, such as complaints against security companies, to assure they are addressed.

Mr. Vergos asked about some language in the contract that could help us get out of the contract, in the event we experience a lot of complaints with this security company. Dr. Fox stated there is a termination clause in the contract for cause or for convenience, but this is a question as to whether we want to get into extended details of the scope of services beyond the amount of detail in our typical contract. Chairman Healy asked after the contract language is done, he asked that the resolution comes back to the Finance Committee for review. **Resolution No. 14-28 was unanimously approved.**

B. SERVICE AND DEVELOPMENT

1. Resolution to Authorize a Lease with the Downtown Parking Authority for the Parking Lot at the Hudson Transit Center - Res. No. 14-29

Discussion: Mr. Pearson presented this resolution to the MATA Board. The North End Terminal has been renamed “William Hudson Transit Center”. The center has about 160 parking spaces. Staff is asking approval to enter into lease with the Downtown Parking Commission, a subsidiary of Downtown Memphis Commission. They are going to contract with Premier Parking to handle 130 of those spaces. We are reserving 30 spaces, 25 for MATA and five for taxis. We are hoping this will give us approximately \$10,000 for the 1st year in additional income for MATA. **Ms. Taylor moved this resolution be put on the floor for discussion. Mr. Pickard seconded the motion.** Mr. Vergos asked if we anticipate parkers for Bass Pro. Mr. Pearson stated the WIN office rented the spaces in the past but they have moved out; however, we are hoping that when Bass Pro opens, the trolley business will pick up, and Megabus will be paying to park as well. Mr. Gibson asked about the fee for spaces. Dr. Fox verified the rate for the parking lot. Premier is recommending \$1.00/1st hour, \$5.00/all day, and \$10/24 hours. Mr. Gibson also asked about the management fee. Dr. Fox stated that 20% of the surplus revenue would go to Downtown Memphis Commission and the management fee for the parking contractor is built into their monthly cost. Mr. Pickard asked the reason we would not have Premier Parking run it for us. Dr. Fox stated that in the past we have had a direct contract with a parking company and it was difficult and time consuming to administer and we felt with a professional entity it would make more efficient. Mr. Gibson asked about negotiating that 20%, and Dr. Fox agreed they certainly could ask. Mr. Vergos asked about our monthly expenses and what they consist of. Mr. Pearson explained what was included in the expenses. **Four Board Members voted for approval on Res. No. 14-29 and one, Mr. Gibson, voted nay. The resolution was approved by majority vote.**

FINANCIAL REPORT

Mr. Gil Noble

April 2014 (Ten months of the 12-month fiscal year)

Revenues for the month are ahead of budget by \$2.5MM primarily because of the funds that were budgeted to draw down in May and June, but were drawn down in April. We were short on funds in the month of April because some of our federal grant money for our operating maintenance was not available to us in March as in the past. Staff went before Memphis City Council to get approval for a short term loan which we took out for two weeks at the beginning of April. The funds did become available to draw down in April and we were able to draw down and we drew down more than we had budgeted for April. Overall, grant revenue is not expected to exceed Budget for the entire year. Expenses for the month of April exceeded budget by roughly \$200,000. Year to date basis expenses are over budget by about \$600,000. This does include the favorable impact of \$600,000 in an insurance recovery for an earlier burned out trolley. Without the recovery we would have been over budget by \$1.2MM. A significant portion of the recovery might end up being owed back to FTA, to repay grant funds received to purchase the trolley.

Also, MATA recovered \$100,000 from a third party related to a traffic accident last year that took the life of one of MATA's operators. This amount was received in April as well. The net Operating Margin impact favorable to Budget by \$1.9MM; however, by the end of June, the Operating Margin will be a deficit exceeding the \$(7.3)MM loss that was budgeted.

Passenger fares were down again in April. In recent years MATA steadily reduced transit service hours due to budgetary constraints - and a portion of that reduction has been reflected in ridership and in Fare revenues.

We received 15 buses in April, which we had not yet paid for at the end of April. Payables were unusually high, because of the outstanding invoices for these buses. Receivables were also high because of the federal capital grants expected to help pay for the buses. In early May we did receive the grant funds and paid the outstanding invoices - which reduced the related receivables and payables. Chairman Healy asked for questions from the Board. Mr. Vergos asked if cutting service is where the revenue problem lies. Dr. Fox stated that we do not have an answer on that, but we are working on it. Hopefully by next month we will have a more researched answer on this matter.

MARKETING REPORT

May 2014

MOBILE APPLICATION DEVELOPMENT

Marketing and IT selected TransLoc, a transit app agency based in North Carolina, to develop a mobile app for MATA bus and trolley services. The mobile app will include real-time data route information, agency announcements, bus tracking capability, and ADA features such as voiceover and screen adjustment. The app is slated for completion by August 2014.

COMMUNICATION EFFORTS

- Service Changes - Marketing worked with the Scheduling Department to update and print all bus schedules for the June 1st service change. Service change booklets and other marketing material were distributed to the public. Trolley station maps and the system map were also updated.
- System Map Displays - The updated system map will be displayed at all transit centers at 48" X 60".
- Bus line up signs and more - Signage at the William Hudson Transit Center will be updated for better visibility and stronger communication efforts. Bus line up signage has been reformatted with reflective lettering. Code of conduct signage will be designed and ready for posting at transit centers as well as on interior cards for all buses and trolleys.
- Accessibility and website updates - Marketing is currently in the process of making the MATA website, printed schedules, and other marketing materials accessible for the visually impaired. This includes creating text and audio versions for content on webpages and printed media. We are also in the process of transferring our website to an open-source content management system - during the transition, we will re-evaluate the design of the website in terms of readability, ease of use, and placement of service alerts and other pertinent information.
- How to Ride MATA video series- Marketing is looking to make the transit riding process as easy as possible. Not only do we want to increase access to information (on and offline), but we would like to improve our instruction guides for the general public. We would like to begin creating instruction videos on a range of topics (using ramps, wheelchair securement, how to ride, paying your fare, code of conduct, safety) and branch out to hosting "how to ride" workshops at the library.

MATA'S PARTICIPATION IN MAY COMMUNITY EVENTS:

- MATA facilities (Trolley Barn and Central Station) served as morning energizer stations for Bike to Work Day 2014. Bike riders were able to ride free on their commutes. 128 bike riders boarded the bus that day in comparison to 69 bike riders on average.
- Bank On Memphis distributed banking information to MATA employees; they plan to distribute information to bus riders at the William Hudson Transit Center in July 2014.

PERFORMANCE MEASURES REPORT (April)

Dr. Fox reported that we were at our target on 11 of the measures and within 10% on 4 of the measures. We have incomplete data on one of the measures, which is the average customer call wait time, because the phone recording system was down for a good bit of the month. Dr. Fox reported that as of June 1, 2014 staff put in June sign up changes, and with that we pushed out the new data for the geo coding for the trolley system that should be correcting information on the signs and the on-time performance data. We will track it to make sure it is working. Tests were also done on one of the bus routes to see if the re-coding on the Poplar route would fix that problem as well.

Within a week or two we should be able to tell if this test worked, and if so, we will deal with the rest of the corrections and get this on-time performance data right. Mr. Gibson asked if this works how long would it take. Dr. Fox stated the trolley should be done now. However, the bus system still has some intersection re-coding to be done. If everything works as planned, within a couple of months we should have this done as well. Chairman Healy asked how long did the phone system stay down. Tommy Wallace, Sr. Manager of IT, stated that the phone system was not down but the reporting software was not operational for about a 1 ½ months.

Chairman Healy also stated that it would be helpful to get the complaints broken down by types. Chooch added that it would be good if when breaking down the complaints by types to monitor how many complaints are security problems at transit centers and discussing those issues with the security company before signing a security contract.

Ms. Glenda Wade, Senior Manager of MATApplus discussed a presentation on in-depth procedures of MATApplus. Dr. Fox also discussed parts of the presentation that pointed back to performance measures. Dr. Fox stated that we are not trying to grow the ridership on MATApplus, but trying to serve the demand, and shift the riders that can into fixed route bus service.

Dr. Fox stated that we had First Transit professionals come in to do a review of MATApplus. Also in comparing our peers, they found that we have the highest passengers per hour in the amount of peers they looked at. A hard copy of the presentation is available.

INTERIM GENERAL MANAGER'S REPORT

A copy of the general manager's report was forwarded to the MATA Board prior to the meeting. John Lancaster stated that the Shelby County Commission agreed to fund MATA to provide limited service to Shelby Farms in the amount of \$70,000. They did an amendment to their operating budget earlier in the day. The funding is for weekend service between downtown and the park for one year with one bus. The number of stops has not been determined. MATA is submitting a proposal to TDOT for another express route that would run along Summer Avenue on weekdays that would be funded out of their construction budget. That would be another option on how to do the weekend service. Using Walnut Grove Road is another option.

Dr. Fox talked about conduct from the standpoint of the security service as well as employees and passengers. We are updating the MATA Rule Book, we have discipline codes in place for customer service for employees, and we are working on Code of Conduct for passengers to ensure the safety of passengers. By the time the new security guards are in place, we should have this comprehensive code of conduct in place. The new security will be in place by July 1, 2014.

Memphis City Council budget wrap up will be June 3, 2014 from 10:30 to 12:30. Board Members are welcome to attend. Full Council begins on June 17, 2014, which will be a full evening. They have tentatively scheduled June 25, 2014 if necessary to finish the budget.

Mr. Pearson reported that last year AMTRAK carried 76,171 persons in and out of Memphis. An average of 107 boarded each days and 102 deboarded.

Memphis in May ridership was not as high as in the past. In 2013 on the trolley we carried 84,661 people on Memphis in May event days, and in 2014 we only did 60,192. We were down approximately 24,000 people. Rain was a factor.

The bikes are up. For the month of April MATA had 1,668 bikes on buses and carried 2,780 wheelchairs on buses. The rain was a factor as well for the Barbeque Fest.

APTA Review teams will be here beginning Tuesday June 3, 2014 for the rest of the week to review the trolley system.

SPEAKERS:

Mr. Tommie Evans - 263 W. Waldorf, Memphis, TN - Mr. Evans presented a 300-signature petition to the MATA Board of Commissioners regarding the concern with modification of the Route #12 Florida Levi. This has created an inconvenience and riders now have to walk a 1 ½ miles to the bus stop.

He stated there are a lot of people in that area, and some consideration should be made to put the loop back into the Riverview Community, which is on the west side of Kansas, where services are really needed.

Pastor James E. Kendrick - Pastor of the Oak Grove M.B. Church in the Riverview Community. Pastor Kendrick is speaking on behalf of the modification of the Route #12 Florida/Levi. This is a struggling community with lots of crime, but measures have been taken to improve this community. Pastor Kendrick feels that changing the bus route would work against a lot of the work that has been put forth in improving the community. There are great people in that community, such as Mr. Evans, and Ms. Gilda Williams that has been there for years, and need that bus service. Pastor Evans asked that the Board would give consideration to the community keeping the service.

Robert Wright, Asst. City Attorney - He stated that he was not present as a representative of the City to tell the authority how to run their bus service. He came to the meeting to update the Board on the crime statistics in the Riverview Community. Prior to October, 2013, this was basically a war zone. There was a gang called the Riverside Rolling 90's out of Los Angeles that basically took over that community. There is some concern that this is some of the reason that the bus service is being modified because it reflects the old statistics before the gang injunction. In September 2014 we came up with a new form of litigation called the gang injunction to try to help deter some of the gang problem, and have had some remarkable results. That area has been cleaned out and robberies are down 70%, drug dealing is down about 55 to 60%, and weapon violations are down about 50%. There is a task force created in that area, and a multi-agency gang unit, and we hate to see that area get cut off any more than it already is. Attorney Wright also stated that he took the bus to the Barbeque Fest, and he had a great experience on his ride.

He also encouraged staff and Board to feel free to reach out to his office, if there are any questions especially regarding the crime statistics in that area within the last year.

Mr. Sammie Hunter, 3225 Applewood Cove, Memphis, TN - Mr. Hunter stated that he spoke to the Board last year about cutting the #43 and replacing it with the #42, which he felt was a bad idea. His concern is that in his community the people have no means of transportation to work or anywhere after 6:25 p.m. because that is the time of the last #20. There are a lot of jobs in his area; however, people cannot get to the jobs. He is asking the Board to please consider bringing Routes 31 and 43 back, as it would help this city a lot.

He stated that he has had conversations with visitors from as far as Ireland that could not get to Beale Street because of Memphis poor bus services. We are a city that is trying to grow. This bus system needs to be upgraded and we are very far behind. In the 90's and 80's this bus system was much better. It's bad that people cannot get to jobs. He stated that he is glad to be a part of Memphis, but he wants the bus system to be upgraded.

Mr. Gibson asked what course we have after those decisions are made to respond to the citizens, especially with a 300-signature petition. Dr. Fox stated that the service changes went into effect June 1, 2014. There could possibly be some changes before the December service changes take effect. We could also revisit the ridership. The changes to the Route 12 are consistent with the Short Range Transit Plan. The #20 is in MATA's next round of adjustments for different and hopefully better service for that area. Also the change in Riverview community route was not because of the crime, but because staff was following what was in the Short Range Transit Plan. The reason the #31, #43, and #10 does not exist as independent routes is because we needed to save some money, and by consolidating the three routes into one, the #42, it did save MATA a good bit of money.

OLD/NEW BUSINESS

Ms. Eskridge updated the Board on some handouts to include a new System Map, an updated Informational Handbook, Proximity cards for new Board Member's access to the gate as well as access to the building. She also informed they could have a picture ID made at William Hudson Transit Center, which would allow them free rides on the trolley and fixed route bus service. Arrangements will also be made with the new Board Members for professional photos for the web site, as well as be placed on the wall at 1370 Levee Road.

Mr. Pickard asked if we have a date for the Board Retreat. Chairman Healy stated not at this time.

The next Board Meeting is scheduled for June 23, 2014 at 3:30 p.m. at 1370 Levee Road. Mr. Gibson moved that the meeting be adjourned. Mr. Vergos seconded the motion and the Board Meeting was adjourned.

Mr. Sean Healy
Chairman of the Board