

GoTriangle Board of Trustees
Meeting Minutes
June 23, 2021
Held Remotely via WebEx

Board Members Present Remotely:

Will Allen III	Valerie Jordan (left 1:23 p.m.)
Michael Fox (arr. 12:19 p.m., left 1:06 p.m.)	Michael Parker, Chair
Brenda Howerton (arr. 12:23 p.m.)	Jennifer Robinson
Sig Hutchinson	Steve Schewel (arr. 12:27 p.m.)
Vivian Jones	Stelfanie Williams

Board Members Absent:

Corey Branch (excused)	Renée Price (excused)
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Chair Michael Parker officially called the meeting to order at 12:10 p.m. A quorum was present.

I. Adoption of Agenda

Action: On motion by Allen and second by Robinson the agenda was adopted. Upon vote by roll call, the motion was carried unanimously.

II. Recognition

Board Chair Parker recognized former General Counsel Shelley Curran. To commemorate her service, she will receive an engraved crystal ice bucket. Board members offered words of appreciation.

III. Public Hearing

Action: Chair Parker opened the public hearing on the FY22 proposed budget at 12:20 p.m. There being no comments the hearing was closed.

Fox arrived.

IV. Public Comment

No comments.

V. Consent Agenda

Action: On motion by Williams and second by Allen the consent agenda was approved. Upon vote by roll call, the motion was carried unanimously.

The following consent agenda items were approved:

- May 26, 2021 – Regular Session Minutes;
- May 26, 2021 – Closed Session Minutes;

- Policy Framework for Use of Wake Transit Funds to Acquire Real Property;
- Authorized the President/CEO to sign a master research agreement with North Carolina State University (NCSU) Institute for Transportation Research and Education (ITRE) to provide continued model development services of the Triangle Regional Model (TRM) and regional Simplified Trips on Project Software (STOPS) model, and to execute Task Order 1 of the agreement for FY22 model management services for an amount not to exceed \$250,000; and
- Authorized the President/CEO to execute a task order for bus planning services with Nelson\Nygaard to develop multi-year bus service plans for Wake and Durham and short-range transit plans for GoTriangle, GoRaleigh, GoCary, GoWake Access, GoDurham and GoDurham ACCESS for an amount not to exceed \$1,093,750.

The Policy Framework and Master Research Agreement are attached and hereby made a part of these minutes.

VI. General Business Agenda

A. Items Removed from Consent Agenda

None.

B. FY21 Budget Ordinance Amendment

Sandra Freeman stated that several general fund departments required an adjustment to close out the year, but the net impact is zero. She added that although the budget shows a deficit of \$2.6 million, once all grant reimbursements are received it will be lower.

Action: On motion by Allen and second by Jones the Board adopted *Ordinance 2021 0013 FY 2021 Budget Ordinance Amendment*. Upon vote by roll call, the motion was carried unanimously. The ordinance is attached and hereby made a part of these minutes.

B. FY22 Proposed Budget - 2nd Reading

Sandra Freeman then presented the changes to the FY22 proposed budget since the Operations & Finance Committee meeting earlier in the month

- Revenue - increase of \$5,140,011 in general fund from American Rescue Plan (CAMPO allocation)
- Revenue – decrease of \$152,468 in general fund and advanced technology fund due to reallocation of ERP costs
- Increase of \$406,003 in revenue and expenditures for Orange Transit due to prior year encumbrances
- Increase of \$38,360,371 in revenue and expenditures for Wake Transit due to prior year encumbrances

The final FY22 budget is proposed as:

	<i>Revenues</i>		<i>Expenses</i>		<i>Surplus</i>
GoTriangle	\$ 77,881,395		\$ 71,257,642		\$ 6,623,753
Durham	58,559,708		43,655,793		14,903,915
Orange	13,805,268		12,814,968		990,300
Wake	286,733,900		239,597,491		47,136,409

Howerton and Schewel arrived.

Action: On motion by Hutchinson and second by Robinson the Board approved the FY22 budget ordinances listed below and adopted the three FY22 county transit work programs/plans. The budget is considered adopted June 24, 2021, to provide for the submission of public comments for 24 hours after the public hearing as required by NCGS §166A-19.24. Upon roll call, the motion was carried unanimously. The budget ordinances and County Transit Plans are attached and hereby made a part of these minutes.

- FY22 GoTriangle Budget Ordinance (O 2021 0014)
- FY22 Major Capital Project Fund Budget Ordinance (O 2021 0015)
- FY22 Regional Bus Capital Project Fund Budget Ordinance (O 2021 0016)
- FY22 Advanced Technology Project Fund Budget Ordinance (O 2021 0017)
- FY22 Major Transit Investment Fund Budget Ordinance (O 2021 0018)
- FY22 Triangle Tax District – Durham Operating Fund Budget Ordinance (O 2021 0019)
- FY22 Triangle Tax District – Durham Capital Fund Budget Ordinance (O 2021 0020)
- FY22 Durham Special Tax District Fund Budget Ordinance (O 2021 0021)
- FY22 Triangle Tax District – Orange Operating Fund Budget Ordinance (O 2021 0022)
- FY22 Triangle Tax District – Orange Capital Fund Budget Ordinance (O 2021 0023)
- FY22 Orange Special Tax District Fund Budget Ordinance (O 2021 0024)
- FY22 Triangle Tax District - Wake Operating Fund Budget Ordinance (O 2021 0025)
- FY22 Triangle Tax District - Wake Capital Fund Budget Ordinance (O 2021 0026)
- FY22 Wake Special Tax District Fund Budget Ordinance (O 2021 0027)

D. General Counsel Search Committee Report

Sig Hutchinson reported that the Search Committee reviewed the job description for General Counsel and agreed that it should be more specific for the role moving forward. In the interest of expediting the process, the committee asked the talent services department to handle the job posting. If the committee is not satisfied with the applicant pool, a request to hire a search firm will come back to the Board in August.

1. General Counsel Job Description

Action: On motion by Allen and second by Hutchinson the Board approved the revised General Counsel job description. Upon vote by roll call, the motion was carried unanimously. The job description is attached and hereby made a part of these minutes.

E. Operations & Finance Committee Report

Vivian Jones stated that items from Operations & Finance Committee were approved on the consent agenda, in addition to work on the FY22 budget.

F. Planning & Legislative Committee Report

Will Allen III reported that the committee received presentations on the Orange and Durham County transit plans, with Orange County expecting to have a scenario by October. He shared his observations about the Durham plan which were sent by email to Board members:

- The presentation omitted the fact that demand data drove the development of the three plan options, and not solely community input.
- Community input is insufficient to draw meaningful conclusions regarding community preference, with only 847 total responses (673 online, 174 personal interviews) from an estimated county population of 330,506.
- Commuter Rail is included in only one of the three options, leaving the impression that commuter rail preferences were ignored, as commuter rail was ranked as most important by online respondents and nearly tied for first in the personal interviews. Commuter rail also was identified as a top need along with paratransit in response to a question about how respondents would spend \$10 on future transit service.

Schewel thanked Allen for his observations and said Durham has a long way to go to educate people about commuter rail. He noted there still is confusion between commuter rail and the D-O LRT project. He said there is commitment in Durham to the local bus system and people need to be educated on the need for a good local bus system and a good regional transportation system, including commuter rail.

Howerton noted that people still have a lot of distrust for GoTriangle and agreed that a lot of education is needed.

Ellen Beckmann stated that future presentations will emphasize how data is being used. She noted that comments from Schewel and Howerton help illustrate how important the equitable engagement process is to planning efforts as well as in terms of advancing equity and building community trust.

Parker stated that the Policy Steering Committee for the Orange County Transit Plan Update has decided to take a step back. The group felt some of the underlying assumptions in the scenarios had not been appropriately vetted and discussed. He highlighted the inadequacy of the funding for transit and particularly regional transit in the region and said Orange County is in a position of having to make choices between multiple legitimate needs and priorities both locally and regionally. He said it is important to try to figure out how to get more funding for transit and particularly for regional transit.

Allen agreed and added that cost alone should not drive decisions first and foremost. Schewel agreed that a regional transit plan is important and finding additional funding sources is important, but until then there will be cost-constrained plans.

Allen reported the Committee also forwarded for approval the policy framework for use of wake transit funds to acquire real property, which was on the consent agenda. He stated this policy was prompted by GoTriangle's need to reimburse FTA for their share in parcels along the proposed commuter rail line.

VII. Other Business

A. President and CEO's Report

A list of contracts approved by the president and CEO is attached and hereby made a part of these minutes.

Lattuca highlighted the following items:

- A RAISE grant application being developed in partnership with TJCOG.
- A commuter rail briefing was given to the Wake County state legislative delegation and also met with Congressman Price.
- The joint regional bus operator job fair was successful.

1. Operations Update

The monthly report is attached and hereby made a part of these minutes.

Patrick Stephens and Laurie Barrett reported on the regional transit operator job fair. Barrett shared a video of a news story on the fair. She stated that eight agencies participated: GoRaleigh, GoCary, GoDurham, GoTriangle, Chapel Hill Transit, TransDev (Wolfline), National Transit Express (GoDurham Access) and MV (GoWake). Stephens stated that the event highlighted the various incentives offered by the different agencies as well as the difference in qualifications required by the agencies. Lattuca stated that GoTriangle would be considering its qualifications and incentives to help with recruitment.

2. Capital Projects Status Report

The capital projects status report and presentation on major project updates is attached and hereby made a part of these minutes.

Greater Triangle Commuter Rail

Katharine Eggleston reported that additional items have been identified through public engagement and coordination that warrant evaluation to insure all the questions are answered that are needed for decision making at end of study. She said there could be a budget amendment in coming months for this additional study.

Eggleston pointed out that railroad capacity modeling is critical for the study schedule and an update on that progress should be available in August. Materials developed from TJCOG's work will be shared with the Planning & Legislative Committee as it becomes available as well as information on the engineering work in downtown Cary and downtown Durham.

RUS Bus

Eggleston said that work continues on development of the agreements for RUS Bus. The Hoffman team is proceeded with interim design, focused on the administrative site review for City of Raleigh approvals. GoTriangle continues to meet with FTA and their oversight contractor monthly to refine some elements of the scope related to coordination with the City of Raleigh's BRT projects. RK&K will be assisting with risk assessment, a typical FTA-prescribed process for major capital projects.

B. Office of the General Counsel Report

Karen Porter reported for Interim General Counsel Tom Henry. She stated that there are three main agreements for RUS Bus in draft form and being negotiated now with the private developer: ground lease, development services agreement and joint development agreement for project overbuild. The agreements are complicated and will go through several rounds of revisions.

Porter also reported that Governor Cooper's State of Emergency ends July 30. She said the legal department has contacted the UNC School of Government and outside counsel at Parker Poe and both have confirmed that committee meetings could continue virtually because final decisions are not made by committees. The recommendation is that full Board meetings occur in person, with an option to allow some members to participate virtually as long as all votes are transparent and the public can also attend virtually. A quorum of voting members would need to be present in person for Board meetings.

Parker added that the Board's August meeting would be in person and there will be no meeting in July. He said that Operations & Finance Committee would continue to meet virtually and tentatively the Planning & Legislative Committee would meet in person on the same day as the Board meeting.

C. Chair's Report

Chair Parker clarified the authority and duties of the General Counsel Search Committee that was named last month:

- The committee shall establish and publish the date/time and location of its meetings.
- All actions taken by the committee, which are subject to a vote, should be decided by a majority of those in attendance at such meetings.
- The committee shall develop or enhance the job description of the General Counsel position, if necessary.
- The committee shall secure, with the permission of the GoTriangle Board of Trustees, the services of a professional external search firm to assist in the search, if it is the determination of the Search Committee that such services would be needed.
- The committee shall conduct the necessary interviews of potential candidates.
- The committee shall provide periodic reports to the GoTriangle Board of Trustees on the status of the search committee.
- The committee shall conduct background checks on the potential finalist(s) for the position, to include any references that may be provided on the candidates.
- The committee shall invite the GoTriangle Board of Trustees to meet the finalists or sit in on the final interviews.
- The committee shall obtain the approval of the GoTriangle Board of Trustees before making a final offer for the position.

D. Board Member Reports

1. CAMPO Executive Board Representative

Will Allen III reported on several items pertaining to transit from the most recent CAMPO meeting:

- Approved the FY22 recommended Wake Transit work plan.
- Approved the LPA for the southern BRT corridor in Wake County.
- Received an update on the Bus on Shoulder System expansion study.
- Approved the policy framework for the use of Wake Transit funds to acquire real property.

2. Regional Transportation Alliance (RTA) Representative

Will Allen III reported that RTA is holding the annual transportation breakfast next week and a new concept will be introduced, an integrated, accelerated approach to transit.

3. DCHC MPO Board Representative

Michael Parker reported that updates were received on the Triangle Bikeway Study and the DCHC MPO governance study.

VIII. Closed Session – Personnel

Action: On motion by Schewel and second by Howerton the Board entered into Closed Session at 1:46 p.m. pursuant to NCGS §143 318.11(a)(6) to consider the qualifications, competence, performance, character, fitness or conditions of appointment of an individual public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Upon vote by roll call, the motion was carried unanimously.

Action: The Board returned to open session at 2:27 p.m.

Action: On motion by Allen and second by Robinson the Board approved a 4% merit increase for the President/CEO, his FY22 work plan, a 4% merit increase for the Clerk to the Board and approved her FY22 goals. Upon roll call, the motion was carried unanimously.

IX. Adjournment

Action: Chair Parker adjourned the meeting at 2:31 p.m.

Prepared by:



Michelle C. Dawson, CMC
Clerk to the Board of Trustees