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August 9, 2018

Via Email, Hand Delivery, and U.S. Mail

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Re: Protest of August 2, 2018 Contract Award Recommendation for April 2018 RFP

Dear Mr. Adams,

This firm represents Transdev Services, Inc. ("Transdev"), which submitted a response to the RFP referenced above, and hereby submits this Protest in response to the August 2, 2018 Contract Award Recommendation for said RFP. Pursuant to Part II., Section F, Subsection 2.b, Transdev is an Interested Party because it has a financial interest in the outcome of the procurement process. This Protest is submitted on Transdev's behalf pursuant to Part II, Section F of the RFP. The Protest is limited to violations of State law and/or the evaluation and award process, all related to the recommendation to make a contract award to Keolis North America (the "Recommendation").

On August 2, 2018, the City of Greensboro/Greensboro Transit Authority ("GTA") Selection and Evaluation Committee (the "Selection Committee"), made its Recommendation to the City of Greensboro/GTA Board (the "GTA Board") at a meeting of the GTA Board held on that date. Thereafter, during the same meeting, the GTA Board adopted the Recommendation, publicly announced it, and thereby published its Recommendation. Pursuant to Part II, Section F of the RFP, Transdev hereby protests the Recommendation, which is arbitrary, capricious, wrongful, unreasonable, and in violation of state law for the reasons set forth in further detail below:

1. The GTA Board conducted two illegal closed sessions in connection with the process of determining the composition of the Selection Committee. Pursuant to N.C. Gen. Stat. § 143-318.9 *et seq.*, "each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting." The GTA Board is a public body as defined N.C. Gen. Stat. § 143-318 in that it "administers the



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legislative, policy-making, quasi-judicial, administrative, [or] advisory functions of North Carolina and its political subdivisions” and “exists solely to conduct the people’s business.”

A public body is only permitted to conduct a closed session for one of the narrowly defined reasons set forth in N.C. Gen. Stat. § 143-318.11. Before calling a closed session, a motion must be made and adopted by the public body at an open meeting, citing which of the permissible purposes set forth in the statute is the basis for the closed session. N.C. Gen. Stat. § 143-318.11(c). While a public body may call a closed session “to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body” **it may not discuss “general policy matters” and nothing in the statute “shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant.”** N.C. Gen. Stat. § 143-318.11(a)(3). “A motion based on subdivision (a)(3) . . . **shall identify the parties in each existing lawsuit concerning which the public body expects to receive advise during the closed session.**” N.C. Gen. Stat. § 143-318.11(c).

On March 27, 2018, the GTA Board conducted an “official meeting” as defined by N.C. Gen. Stat. § 143-318.10(d) because the meeting was “for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body.” Accordingly, North Carolina law requires such a meeting to be open to the public. During that meeting, the GTA Board went into an illegal closed session to discuss the RFP process and the composition of the Selection Committee when it asked members of the public, specifically representatives of Transdev, to leave the room – without any motion to enter a closed session or providing any basis for so doing.

Prior to asking the Transdev representatives to leave the room, the GTA Board did not vote to go into closed session, nor was any motion to go into a closed session even considered, clearly in violation of the procedure set forth under N.C. Gen. Stat. § 143-318.11(c). As set out on pages 8-11 of the March 27, 2018 Board Meeting minutes, the GTA Board engaged in extensive discussion about the composition and make-up of the Selection Committee during this closed session. The GTA Board minutes for this portion of the March 27, 2018 meeting show that the GTA Board discussed, and ultimately selected, specific individuals to serve on the Selection Committee during this closed session. These discussions included substantial consideration of the qualifications of certain potential members of the Selection Committee and decisions regarding the composition of the Selection Committee.



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During this discussion, specific objections were made as to potential Committee members and certain members were ultimately selected. There is no permitted purpose set out in N.C. Gen. Stat. § 143-318.11(a) under which a discussion of this type would be allowed in a closed session.

Additionally, while N.C. Gen. Stat. § 143-318.11(a)(6) is typically referenced in regard to personnel decisions, subsection (a)(6) is relevant here because under that subsection a “public body **may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another public body** and may not consider or fill a vacancy among its own membership **except in an open meeting.**” N.C. Gen. Stat. § 143-318.11(a)(6). By discussing the qualifications, competence, and potential appointments of the Selection Committee in this closed session, such discussion was directly in violation to subsection (a)(6).

The conducting of business related to general policy matters related to the composition of the Selection Committee by the GTA Board in a closed session is clearly illegal as contemplated by N.C. Gen. Stat. § 143-318.9 *et seq.* As a result of the GTA Board’s decision to enter into the unlawful closed session, representatives of Transdev, as members of the public, were unfairly denied an opportunity to be present during said discussion, despite having a stake in the discussion and serious concerns about the decisions made during this closed session.

At the June 26, 2018 GTA Board meeting, the GTA Board made a motion to go into a “private session in order to have discussion with the Board’s Attorney Fox on the telephone.” As set out on page five of the June 26, 2018 GTA Board Meeting minutes, the GTA Board then went into a closed session with the Assistant City Attorney and Attorney Fox. Upon information and belief, during that closed session, the GTA Board discussed the composition of the Selection Committee. Such discussion was not “concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.” N.C. Gen. Stat. § 143-318.11(a)(3). Indeed, such a discussion clearly falls within the “[g]eneral policy matters [which] may not be discussed in a closed session.” Under state law, the GTA Board is not legally allowed “to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant.” *Id.* As such, this closed session was also clearly in violation of North Carolina law.

As a result of these improper closed sessions, the process of evaluating the bids and ultimately making the Recommendation was fundamentally flawed from the outset. Members of the public were deliberately excluded from being present when the very decisions regarding the Selection Committee’s composition were made. As such, the



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process for making the Recommendation was illegitimate from the start, and the Recommendation should be discarded and the RFP should be re-issued.

2. The composition of the Selection Committee ultimately resulted in the Selection Committee making an arbitrary, capricious, wrongful, and unreasonable Recommendation, because the composition of the Selection Committee was deliberately selected to exclude individuals with knowledge of the technical service considerations that make up a majority of the evaluation process.

The Selection Committee was composed of eight people and seven voting members. Upon information and belief, the composition of the committee was: three (3) GTA Board members (only two (2) of which were voting members); one (1) representative from the Piedmont Authority for Regional Transportation ("PART"); one (1) representative from Winston-Salem Transit; one (1) representative from the Greensboro Urban Area Metropolitan Planning Organization ("MPO"); one (1) representative from the Greensboro Department of Transportation ("GDOT"); and one (1) SCAT rider. The representative from GDOT had been with GDOT for less than a year, had limited knowledge of the Greensboro transit system, and was not affiliated with GTA itself.

No one affiliated with GTA served on the Selection Committee, and as a result there was no member who could adequately assess the technical service components of the RFP bids. Members of the Selection Committee had no experience or knowledge as to the workings of GTA's public transit program such that they could assess the Technical Proposal portion of any bid. As a result, a disproportionate focus was placed on bidding party's Price Proposal at the expense of the Technical Proposal.

Under the RFP evaluation process, a bid is evaluated on both its Technical Proposal and its Price Proposal. Over sixty percent (60%) of the possible points come from the evaluation of a bidding party's Technical Proposal, which is evaluated on the following components: "project experience and references," "thoroughness and comprehensiveness of proposed implementation plans and supporting documentation," "financial capacity," and "disadvantaged business enterprise plan." The remaining portion of points comes from the bidding party's price proposal.

Because the Selection Committee did not have anyone who could speak to GTA's technical needs or the service component of the proposed bids, the Selection Committee significantly undervalued the Technical Proposal portion of the bid despite that portion being weighted more heavily than the Price Proposal. By not placing anyone on the Selection Committee who had the capability to adequately assess a bidder's ability to provide the required technical services, the



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Recommendation did not – and could not – accurately reflect a fair and reasonable evaluation of the bids. Upon information and belief, a decision not to include a Selection Committee member with an understanding of GTA's needs was a deliberate decision made by the GTA Board. As noted on page 10 of the March 27, 2018 GTA Board Meeting minutes, Counsel Fox specifically advised the GTA Board of the benefit of "populating the [Selection] Committee with people who have subject matter expertise that can lend itself to the Committee making an informed and good decision." Doing so, he explained "would add value and help produce a better outcome because of their stakeholder interest."

In that same discussion, as memorialized on page 11 of the March 27, 2018 GTA Board Meeting minutes, Board Member Cheryl McQueary stated that she "knew one of the people that is proposed to serve as a non-Board member and she does not feel that person is appropriate." Upon information and belief, Ms. McQueary was referring to a GTA representative in that conversation.

By consciously choosing to disregard this suggestion, opting instead for a Selection Committee which had **no representation** by any stakeholder or representative of GTA, the GTA Board created a Selection Committee which was incapable of accurately assessing the most heavily weighted portion of the bids from the outset.

The end result was an arbitrary and capricious Recommendation made by the Selection Committee – with no GTA representation – that was not based on the criteria set forth in the RFP. As such, the Recommendation was unreasonable and should be disregarded, and a new RFP should be issued by the City of Greensboro/GTA.

Transdev hereby requests that the City of Greensboro/GTA investigate the unlawful closed sessions and decision-making irregularities, hold a hearing, and reissue the RFP. Transdev also requests the public records listed below, pursuant to N.C. Gen. Stat. § 132-1 *et seq.* Transdev finally requests the opportunity to meet with officials of the City of Greensboro/GTA in an effort to resolve this Protest after being allowed an opportunity to review the requested documents below:

1. Copies of all proposals submitted in response to the RFP, with the exception of Transdev's proposal;
2. Copies of the evaluation committee scoring sheets compiled in connection with the committee's review and evaluation of the proposals to the RFP and the August 2, 2018 recommendation to award the RFP Contract made by the City of Greensboro/Greensboro Transit Authority ("GTA"), including the identifies of the individual evaluators;



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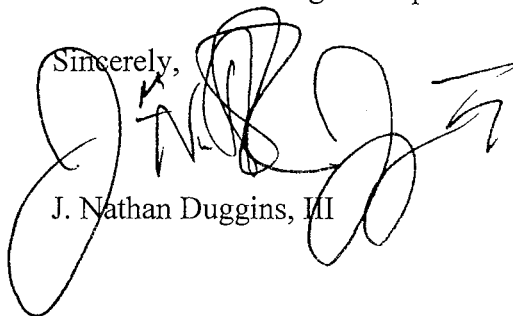
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3. All evaluation committee materials compiled in connection with the committee's review of the proposals submitted in response to the RFP;
4. Minutes of all City of Greensboro/Greensboro Transit Authority ("GTA") meetings relating to the RFP Contract award and evaluation process, including minutes of any such meetings which were closed to the public, including the June 26, 2018 closed session in which the composition of the Selection Committee was discussed;
5. Notes taken at all meetings relating to the RFP Contract award and evaluation process;
6. All correspondence and communications between the City of Greensboro and/or GTA and all entities who responded to the RFP or made inquiries regarding the RFP from the commencement of the RFP process to the present day, except for correspondence and communications between the City of Greensboro and/or GTA and Transdev; and
7. All documents, records, or other information provided to any individual or entity pursuant to a public records request related to the RFP.

If you are in need of any additional information or wish to discuss this matter further, please do not hesitate to contact me. We look forward to receiving the requested documentation.

Sincerely,



J. Nathan Duggins, III

cc: Tom Carruthers (via email thomas.carruthers@greensboro-nc.gov)

James Dickens (via email james.dickens@greensboro-nc.gov)

Article 33C.

Meetings of Public Bodies.

§ 143-318.9. Public policy.

Whereas the public bodies that administer the legislative, policy-making, quasi-judicial, administrative, and advisory functions of North Carolina and its political subdivisions exist solely to conduct the people's business, it is the public policy of North Carolina that the hearings, deliberations, and actions of these bodies be conducted openly. (1979, c. 655, s. 1.)

§ 143-318.10. All official meetings of public bodies open to the public.

(a) Except as provided in G.S. 143-318.11, 143-318.14A, and 143-318.18, each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting.

(b) As used in this Article, "public body" means any elected or appointed authority, board, commission, committee, council, or other body of the State, or of one or more counties, cities, school administrative units, constituent institutions of The University of North Carolina, or other political subdivisions or public corporations in the State that (i) is composed of two or more members and (ii) exercises or is authorized to exercise a legislative, policy-making, quasi-judicial, administrative, or advisory function. In addition, "public body" means the governing board of a "public hospital" as defined in G.S. 159-39 and the governing board of any nonprofit corporation to which a hospital facility has been sold or conveyed pursuant to G.S. 131E-8, any subsidiary of such nonprofit corporation, and any nonprofit corporation owning the corporation to which the hospital facility has been sold or conveyed.

(c) "Public body" does not include (i) a meeting solely among the professional staff of a public body, or (ii) the medical staff of a public hospital or the medical staff of a hospital that has been sold or conveyed pursuant to G.S. 131E-8.

(d) "Official meeting" means a meeting, assembly, or gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business within the jurisdiction, real or apparent, of the public body. However, a social meeting or other informal assembly or gathering together of the members of a public body does not constitute an official meeting unless called or held to evade the spirit and purposes of this Article.

(e) Every public body shall keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in written form or, at the option of the public body, may be in the form of sound or video and sound recordings. When a public body meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Such minutes and accounts shall be public records within the meaning of the Public Records Law, G.S. 132-1 et seq.; provided, however, that minutes or an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session. (1979, c. 655, s. 1; 1985 (Reg. Sess., 1986), c. 932, s. 4; 1991, c. 694, ss. 1, 2; 1993 (Reg. Sess., 1994), c. 570, s. 1; 1995, c. 509, s. 135.2(p); 1997-290, s. 1; 1997-456, s. 27; 2011-326, s. 8.)

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by

a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.
- (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
- (10) To view a recording released pursuant to G.S. 132-1.4A.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. – A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(1) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), c. 570, s. 2; 1995, c. 509, s. 84; 1997-222, s. 2; 1997-290, s. 2; 2001-500, s. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)

§ 143-318.12. Public notice of official meetings.

(a) If a public body has established, by ordinance, resolution, or otherwise, a schedule of regular meetings, it shall cause a current copy of that schedule, showing the time and place of regular meetings, to be kept on file as follows:

- (1) For public bodies that are part of State government, with the Secretary of State;
- (2) For the governing board and each other public body that is part of a county government, with the clerk to the board of county commissioners;
- (3) For the governing board and each other public body that is part of a city government, with the city clerk;
- (4) For each other public body, with its clerk or secretary, or, if the public body does not have a clerk or secretary, with the clerk to the board of county commissioners in the county in which the public body normally holds its meetings.

If a public body changes its schedule of regular meetings, it shall cause the revised schedule to be filed as provided in subdivisions (1) through (4) of this subsection at least seven calendar days before the day of the first meeting held pursuant to the revised schedule.

(b) If a public body holds an official meeting at any time or place other than a time or place shown on the schedule filed pursuant to subsection (a) of this section, it shall give public notice of the time and place of that meeting as provided in this subsection.

- (1) If a public body recesses a regular, special, or emergency meeting held pursuant to public notice given in compliance with this subsection, and the time and place at which the meeting is to be continued is announced in open session, no further notice shall be required.
- (2) For any other meeting, except an emergency meeting, the public body shall cause written notice of the meeting stating its purpose (i) to be posted on the principal bulletin board of the public body or, if the public body has no such bulletin board, at the door of its usual meeting room, and (ii) to be mailed, e-mailed, or delivered to each newspaper, wire service, radio station, and television station that has filed a written request for notice with the clerk or secretary of the public body or with some other person designated by the public body. The public body shall also cause notice to be mailed, e-mailed, or delivered to any person, in addition to the representatives of the media listed above, who has filed a written request with the clerk, secretary, or other person designated by the public body. This notice shall be posted and mailed, e-mailed, or delivered at least 48 hours before the time of the meeting. The notice required to be posted on the principal bulletin board or at the door of its usual meeting room shall be posted on the door of the building or on the building in an area accessible to the public if the building containing the principal bulletin board or usual meeting room is closed to the public continuously for 48 hours before the time of the meeting. The public body may require each newspaper, wire service, radio station, and television station submitting a written request for notice to renew the request annually. The public body shall charge a fee to persons other than the media, who request notice, of ten dollars (\$10.00) per calendar year, and may require them to renew their requests quarterly. No fee shall be charged for notices sent by e-mail.
- (3) For an emergency meeting, the public body shall cause notice of the meeting to be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request, which includes the newspaper's, wire service's, or station's telephone number, for emergency notice with the clerk or secretary of the public body or with some other person designated by the public body. This notice shall be given either by e-mail, by telephone, or by the same method used to notify the members of the public body and shall be given immediately after notice has been given to those members. This notice shall be given at the expense of the party notified. Only business connected with the emergency may be considered at a meeting to which notice is given pursuant to this paragraph.
 - (c) Repealed by Session Laws 1991, c. 694, s. 6.
 - (d) If a public body has a Web site and has established a schedule of regular meetings, the public body shall post the schedule of regular meetings to the Web site.
 - (e) If a public body has a Web site that one or more of its employees maintains, the public body shall post notice of any meeting held under subdivisions (b)(1) and (b)(2) of this section prior to the scheduled time of that meeting.

(f) For purposes of this section, an "emergency meeting" is one called because of generally unexpected circumstances that require immediate consideration by the public body. (1979, c. 655, s. 1; 1991, c. 694, ss. 5, 6; 2009-350, s. 1.)

§ 143-318.13. Electronic meetings; written ballots; acting by reference.

(a) Electronic Meetings. – If a public body holds an official meeting by use of conference telephone or other electronic means, it shall provide a location and means whereby members of the public may listen to the meeting and the notice of the meeting required by this Article shall specify that location. A fee of up to twenty-five dollars (\$25.00) may be charged each such listener to defray in part the cost of providing the necessary location and equipment.

(b) Written Ballots. – Except as provided in this subsection or by joint resolution of the General Assembly, a public body may not vote by secret or written ballot. If a public body decides to vote by written ballot, each member of the body so voting shall sign his or her ballot; and the minutes of the public body shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the clerk or secretary to the public body immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

(c) Acting by Reference. – The members of a public body shall not deliberate, vote, or otherwise take action upon any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the public body to understand what is being deliberated, voted, or acted upon. However, this subsection does not prohibit a public body from deliberating, voting, or otherwise taking action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted upon, are available for public inspection at the meeting. (1979, c. 655, s. 1.)

§ 143-318.14. Broadcasting or recording meetings.

(a) Except as herein below provided, any radio or television station is entitled to broadcast all or any part of a meeting required to be open. Any person may photograph, film, tape-record, or otherwise reproduce any part of a meeting required to be open.

(b) A public body may regulate the placement and use of equipment necessary for broadcasting, photographing, filming, or recording a meeting, so as to prevent undue interference with the meeting. However, the public body must allow such equipment to be placed within the meeting room in such a way as to permit its intended use, and the ordinary use of such equipment shall not be declared to constitute undue interference; provided, however, that if the public body, in good faith, should determine that the size of the meeting room is such that all the members of the public body, members of the public present, and the equipment and personnel necessary for broadcasting, photographing, filming, and tape-recording the meeting cannot be accommodated in the meeting room without unduly interfering with the meeting and an adequate alternative meeting room is not readily available, then the public body, acting in good faith and consistent with the purposes of this Article, may require the pooling of such equipment and the personnel operating it; and provided further, if the news media, in order to facilitate news coverage, request an alternate site for the meeting, and the public body grants the request, then the news media making such request shall pay any costs incurred by the public body in securing an alternate meeting site. (1979, c. 655, s. 1.)

§ 143-318.14A. Legislative commissions, committees, and standing subcommittees.

(a) Except as provided in subsection (e) below, all official meetings of commissions, committees, and standing subcommittees of the General Assembly (including, without limitation, joint committees and study committees), shall be held in open session. For the purpose of this section, the following also shall be considered to be "commissions, committees, and standing subcommittees of the General Assembly":

- (1) The Legislative Research Commission;
- (2) The Legislative Services Commission;
- (3) Repealed by Session Laws 2006-203, s. 93, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.
- (4) Repealed by Session Laws 2011-291, s. 2.50, effective June 24, 2011;
- (5) The Joint Legislative Commission on Governmental Operations;
- (6) The Joint Legislative Commission [Committee] on Local Government;
- (7) Repealed by Session Laws 1997, c. 443, s. 12.30, effective August 28, 1997.
- (8) Repealed by Session Laws 2011-291, s. 2.50, effective June 24, 2011;
- (9) The Environmental Review Commission;
- (10) The Joint Legislative Transportation Oversight Committee;
- (11) The Joint Legislative Education Oversight Committee;
- (12) Repealed by Session Laws 2011-266, s. 1.28(b), effective July 1, 2011 and Session Laws 2011-291, s. 2.50, effective June 24, 2011;
- (13) The Commission on Children with Special Needs;
- (14) Repealed by Session Laws 2011-291, s. 2.50; effective June 24, 2011;
- (15) The Agriculture and Forestry Awareness Study Commission; and
- (16) Repealed by Session Laws 2011-291, s. 2.50, effective June 24, 2011;
- (17) The standing Committees on Pensions and Retirement.

(b) Reasonable public notice of all meetings of commissions, committees, and standing subcommittees of the General Assembly shall be given. For purposes of this subsection, "reasonable public notice" includes, but is not limited to:

- (1) Notice given openly at a session of the Senate or of the House; or
- (2) Notice mailed or sent by electronic mail to those who have requested notice, and to the Legislative Services Office, which shall post the notice on the General Assembly web site.

G.S. 143-318.12 shall not apply to meetings of commissions, committees, and standing subcommittees of the General Assembly.

(c) A commission, committee, or standing subcommittee of the General Assembly may take final action only in an open meeting.

(d) A violation of this section by members of the General Assembly shall be punishable as prescribed by the rules of the House or the Senate.

(e) The following sections shall apply to meetings of commissions, committees, and standing subcommittees of the General Assembly: G.S. 143-318.10(e) and G.S. 143-318.11, G.S. 143-318.13 and G.S. 143-318.14, G.S. 143-318.16 through G.S. 143-318.17. (1991, c. 694, s. 7; 1991 (Reg. Sess., 1992), c. 785, s. 4; c. 1030, s. 42; 1993, c. 321, s. 169.2(f); 1997-443, s. 12.30; 2003-374, s. 1; 2006-203, s. 93; 2011-266, s. 1.28(b); 2011-291, s. 2.50.)

§ 143-318.15: Repealed by Session Laws 2006-203, s. 94, effective July 1, 2007, and applicable to the budget for the 2007-2009 biennium and each subsequent biennium thereafter.

§ 143-318.16. Injunctive relief against violations of Article.

(a) The General Court of Justice has jurisdiction to enter mandatory or prohibitory injunctions to enjoin (i) threatened violations of this Article, (ii) the recurrence of past violations of this Article, or (iii) continuing violations of this Article. Any person may bring an action in the appropriate division of the General Court of Justice seeking such an injunction; and the plaintiff need not allege or prove special damage different from that suffered by the public at large. It is not a defense to such an action that there is an adequate remedy at law.

(b) Any injunction entered pursuant to this section shall describe the acts enjoined with reference to the violations of this Article that have been proved in the action.

(c) Repealed by Session Laws 1985 (Reg. Sess., 1986), c. 932, s. 3, effective October 1, 1986. (1979, c. 655, s. 1; 1985 (Reg. Sess., 1986), c. 932, s. 3.)

§ 143-318.16A. Additional remedies for violations of Article.

(a) Any person may institute a suit in the superior court requesting the entry of a judgment declaring that any action of a public body was taken, considered, discussed, or deliberated in violation of this Article. Upon such a finding, the court may declare any such action null and void. Any person may seek such a declaratory judgment, and the plaintiff need not allege or prove special damage different from that suffered by the public at large. The public body whose action the suit seeks to set aside shall be made a party. The court may order other persons be made parties if they have or claim any right, title, or interest that would be directly affected by a declaratory judgment voiding the action that the suit seeks to set aside.

(b) A suit seeking declaratory relief under this section must be commenced within 45 days following the initial disclosure of the action that the suit seeks to have declared null and void; provided, however, that any suit for declaratory judgment brought pursuant to this section that seeks to set aside a bond order or bond referendum shall be commenced within the limitation periods prescribed by G.S. 159-59 and G.S. 159-62. If the challenged action is recorded in the minutes of the public body, its initial disclosure shall be deemed to have occurred on the date the minutes are first available for public inspection. If the challenged action is not recorded in the minutes of the public body, the date of its initial disclosure shall be determined by the court based on a finding as to when the plaintiff knew or should have known that the challenged action had been taken.

(c) In making the determination whether to declare the challenged action null and void, the court shall consider the following and any other relevant factors:

- (1) The extent to which the violation affected the substance of the challenged action;
- (2) The extent to which the violation thwarted or impaired access to meetings or proceedings that the public had a right to attend;
- (3) The extent to which the violation prevented or impaired public knowledge or understanding of the people's business;
- (4) Whether the violation was an isolated occurrence, or was a part of a continuing pattern of violations of this Article by the public body;
- (5) The extent to which persons relied upon the validity of the challenged action, and the effect on such persons of declaring the challenged action void;

(6) Whether the violation was committed in bad faith for the purpose of evading or subverting the public policy embodied in this Article.

(d) A declaratory judgment pursuant to this section may be entered as an alternative to, or in combination with, an injunction entered pursuant to G.S. 143-318.16.

(e) The validity of any enacted law or joint resolution or passed simple resolution of either house of the General Assembly is not affected by this Article. (1985 (Reg. Sess., 1986), c. 932, s. 1; 1991, c. 694, s. 8.)

§ 143-318.16B. Assessments and awards of attorneys' fees.

When an action is brought pursuant to G.S. 143-318.16 or G.S. 143-318.16A, the court may make written findings specifying the prevailing party or parties, and may award the prevailing party or parties a reasonable attorney's fee, to be taxed against the losing party or parties as part of the costs. The court may order that all or any portion of any fee as assessed be paid personally by any individual member or members of the public body found by the court to have knowingly or intentionally committed the violation; provided, that no order against any individual member shall issue in any case where the public body or that individual member seeks the advice of an attorney, and such advice is followed. (1985 (Reg. Sess., 1986), c. 932, s. 2; 1993 (Reg. Sess., 1994), c. 570, s. 3.)

§ 143-318.16C. Accelerated hearing; priority.

Actions brought pursuant to G.S. 143-318.16 or G.S. 143-318.16A shall be set down for immediate hearing, and subsequent proceedings in such actions shall be accorded priority by the trial and appellate courts. (1993 (Reg. Sess., 1994), c. 570, s. 4.)

§ 143-318.16D. Local acts.

Any reference in any city charter or local act to an "executive session" is amended to read "closed session". (1993 (Reg. Sess., 1994), c. 570, s. 4.)

§ 143-318.17. Disruptions of official meetings.

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor. (1979, c. 655, s. 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 143-318.18. Exceptions.

This Article does not apply to:

- (1) Grand and petit juries.
- (2) Any public body that is specifically authorized or directed by law to meet in executive or confidential session, to the extent of the authorization or direction.
- (3) The Judicial Standards Commission.
- (3a) The North Carolina Innocence Inquiry Commission.
- (4) Repealed by Session Laws 1991, c. 694, s. 9.
- (4a) The Legislative Ethics Committee.
- (4b) A conference committee of the General Assembly.

- (4c) A caucus by members of the General Assembly; however, no member of the General Assembly shall participate in a caucus which is called for the purpose of evading or subverting this Article.
- (5) Law enforcement agencies.
- (6) A public body authorized to investigate, examine, or determine the character and other qualifications of applicants for professional or occupational licenses or certificates or to take disciplinary actions against persons holding such licenses or certificates, (i) while preparing, approving, administering, or grading examinations or (ii) while meeting with respect to an individual applicant for or holder of such a license or certificate. This exception does not amend, repeal, or supersede any other statute that requires a public hearing or other practice and procedure in a proceeding before such a public body.
- (7) Any public body subject to the State Budget Act, Chapter 143C of the General Statutes and exercising quasi-judicial functions, during a meeting or session held solely for the purpose of making a decision in an adjudicatory action or proceeding.
- (8) The boards of trustees of endowment funds authorized by G.S. 116-36 or G.S. 116-238.
- (9) Repealed by Session Laws 1991, c. 694, s. 9.
- (10) Repealed by Session Laws 2013-234, s. 10, effective July 3, 2013.
- (11) The General Court of Justice. (1979, c. 655, s. 1; 1985, c. 757, s. 206(e); 1991, c. 694, s. 9; 2006-184, s. 6; 2006-203, s. 95; 2010-171, s. 5; 2013-234, s. 10.)



GTA REGULAR MEETING
March 27, 2018
Administrative Office Building
GTA Board Room
223 West Meadowview Road
6:00 PM

BOARD MEMBERS PRESENT

Richard Bryson Janet Wallace
Anita Cunningham David Hampster
Cheryl McQueary Adam Carroll
Wesley McGuire Brantly Grier

CITY/GTA STAFF PRESENT

George Lindsey Bruce Adams
Candace Brown Adam Fischer
Cari Hopson Donna Woodson
Carol Patrick Courtney Johnson
Kevin Elwood Gray Johnston
Councilwoman Sharon Hightower
James Brakens, Attorney for the City
Anthony Fox, Attorney for the Board
(By Conference Call)

I. Call to Order

Chair Bryson called the Regular Board Meeting to order at 6:03 p.m.

II. Speakers from the Floor

None

Chair Bryson stated that Mr. Hampster and Mr. Carroll are on their way and will come into the meeting later.

III. City Council Liaison Report

Councilwoman Hightower stated that at their City Council Town Hall meeting on February 6th, there were three speakers pertaining to transit. She has notified the Transportation Manager, Mr. Adams, and their concerns have already been addressed and resolved.

IV. TMD 2040 Plan Update Presentation

1) Russ Chisholm, from Transportation Management and Design (TMD), stated that he would present a draft of the proposed Mobility Greensboro 2040 Plan. There has been an extensive analysis of market conditions, customer preferences, pattern of use, and operation performance metrics. From that, together with outreach to members of the community, riders, and stakeholders, they worked with staff to develop a number of service alternatives. The approach would be for members to ask questions as he goes along with the presentation.

Mr. Carroll and Mr. Hampsten arrived during this presentation.

2) Mr. Chisholm stated that they will be back in a couple of months sharing this draft with the community, going through a refinement process, and then bringing a final plan to the Board for consideration. There were a series of public meetings and pop-up meetings as well as surveys on the internet and in person for people to provide feedback, with both riders and non-riders included. What they have learned from the public is no surprise: the wait time or frequency matters a lot to the riders. It was important for non-riders and very important as a priority for members of the public who are already riding. Faster service was important and reliability and coverage was also important. Coverage was more important to people not using the system today than the current riders. From that, they set about working with staff to develop the Mobility Greensboro 2040 Plan. There are a number of planning efforts going on in the community, the 2040 Metropolitan Transportation Plan; Vision Zero; The Comprehensive Plan Update and Corridor Plans. They want to make sure that anything that is developed for GTA is consistent with what is happening across the community. In developing the Plan, they started with a vision, moved into identifying building blocks (which was a combination of from an industry standpoint, what they know works in communities like Greensboro) and then selecting a phased action plan. In particular, these components of the Plan are all subject to discussion by the Board and the community in terms of moving forward.

3) Ms. McQueary pointed out that the Planning Board just came out with a new document with information that might be helpful to transit, in addition to a major demographics study published by UNC Chapel Hill on people coming into the state of North Carolina. She has shared this with members of the Board. People are coming into suburban areas, not urban areas, and given that those new folks will be coming to a city like Greensboro, she thinks it might be helpful if they would take a look at that and see if it maybe alters or tweaks the Mobility Greensboro 2040 Plan or perhaps has no impact.

4) Mr. Chisholm thanked Ms. McQueary for the input. He stated that this, again, is the draft of the plan and there are still opportunities to embrace new materials and new ideas as they move forward. In terms of the overall design principles (and part of this comes from the standpoint that there are customers and they are making mobility choices for every trip), they have to almost think "sales" if they want to get them to use GTA for their mobility. Therefore, they need an easy to understand network. If it is too difficult, they may take the time to figure out to get to work or school, but they are not going to take the time to figure out how to make a one-time shopping trip or something else. An easily understandable network is great for the customers and is easier to operate reliably and consistently. Customers also want a stronger, frequent, and fast network. Those were number one and two in importance from the customers about what they want to see more of and was also important to the non-riders. They know from industry research that frequency and the out-of-vehicle wait time is the most important factor and speed is the second most important factor in terms of capturing riders. Reliability is what keeps them, delivering on that promise every day. As they look at developing the plan, they want to make sure that they have set high expectations, but also make sure that they can deliver it, as promised, every day. They want to match the service to the markets. As they studied the area, they recognized some corridors are more intensely developed, have stronger mixed-use development, and generate a lot more riders than a lower density use, such as a residential area. They need both, but how they invest in service levels and types of service in those areas can be different. They want to lay

the groundwork for the future; it is called the "2040 Plan" but importantly, this will not be the last time prior to 2040 that this plan is reviewed. It is not a plan that you wait until 2040 to implement; it is really a plan that you need to start implementing now because there is the demand and opportunity for it. Lastly, and this is often the most challenging, it is important to coordinate land use, housing, and infrastructure. Mobility is often the last thing thought of and yet developers know they can create much more efficient and effective communities if these components mesh better. This is an opportunity for the City and other partners to reinforce good decisions that will make it possible for GTA to deliver many high quality mobility services at low costs to individual consumers.

5) There are four building blocks of the Plan; new frequent transit corridors; updated supporting transit routes; new cross-town connections; and new infrastructure opportunities to support the network, support rider transfers, and strongly link transit back into the community through good infrastructure investment in key places. A diagram was presented showing the components in the Plan. In terms of the Frequent Core Network, there were 4-5 routes that really resonated in terms of (A) current ridership and productivity and (B) the kind of corridor development that is in place or will be in place to support enhanced transit investment. Route #6, Summit Avenue; #10 Market Street; #11 Gate City Boulevard, and #12 Elm/Eugene and Randleman Road are the Frequent Networks. The question is can we do more on these routes and the answer is yes, these could become 15-minute routes. New rider behavior could result in half of the people walking out to catch the next bus and half using their phone or a timetable to plan their arrivals. Frequency also makes using the system as a network easier. You do not have to come to the Depot or time the routes; they will happen in a convenient fashion outside of the Depot as they improve the frequency. There is now enough service quality that makes collaborating with the City for infrastructure investments feasible. They are talking about the high value, affordable things like transit signal priority, making sure the stops are optimized so they reduce delay and provide good access. Oftentimes, when you put in bike lanes a situation is created where the bus is a little bit constricted, but now you have to cross the lane to get to the curb. The bike lane could be situated against the curb by the sidewalk, which creates a little island where the pedestrians cross the bike lane to get to the island, but the bus stops in a traffic lane, making the service faster because you don't have to pull out of traffic, then wait, and pull back in. Therefore, there is a lot of inexpensive stuff that cities and NCDOT can start to think about on some of the major corridors.

6) Ms. Wallace stated that Spring Garden Street has a lot of bike lanes and asked if there needs to be a stop where GTA would have to carve out part of the right-of-way there into the sidewalk for a sheltered stop. Mr. Chisholm responded that you would want to target the opportunities where space is available. Adam Fischer pointed out that there is a lot of on-street parking on Spring Garden Street next to a bike lane, as well as the bus service. So there is a lot of competition for space along that street. The City is adding more and more bike lanes throughout the City. Ms. Wallace pointed out that there are also bike lanes along Friendly Avenue. Ms. Cunningham stated that people in wheelchairs need to be considered, too, as well as people with visual impairments. Mr. Chisholm stated that there is a lot to be considered on that and there are very safe ways of dealing with that. Part of it is that you create a little pedestrian table, from the sidewalk to the bus island, which is all one height and if you are a biker, you come to it and go up and over the pedestrian table. The other advantage when you park cars, instead of having to take 3, 4, or 5 spaces so the bus can get in and out, they will probably only need 1 or

2 spaces because all you have to do is get the doors against the island. This Plan will give services where that starts to become valuable and that affects reliability and delay, making the service more attractive.

7) The next idea studied is the Cross-town Collector. Locations that could be served by new connectors include New Garden Road, Cone Boulevard, Florida Street, and a potential Southwest connector between the Elmsley Street Walmart and Four Seasons Mall and Holden Road. These connector routes start to cover some of the gaps in terms of major rider movement. These routes are proposed to run at 30-minute intervals. Most of the existing service has been tuned and tweaked. The current 30-minute services are designed to fill those gaps between the Frequent Services. You want to run Fixed Route on them but they just don't have enough demand to support the higher levels of investment today. However, as these routes no longer require everybody to transfer through the Depot, they start looking at the points where different routes start to intersect. They identified five locations for these community connector hubs: the Four Seasons Town Center, Friendly Center, Pyramid Village Shopping Center, GTCC at Wendover, and the Elmsley/Walmart Center at the end of a significantly changed part of Route #12. He is unsure what the new number would be, but it becomes two routes. The other part of this is, beyond just a place for transferring that provides a safe, secure area, it is not going to be anywhere on the scale of the Depot, but it would be more than just a shelter on the side of the street. It is a real opportunity to connect the transit system into the community through place making. There are also other kinds of service available there: bike sharing, car sharing, vanpooling, corporate shuttles, and other kind of destination-based services. Every one of these involves partnerships and working with the community in that area.

8) Mr. Hampsten stated that he has heard comments from other communities that they would like to have those nodes be destinations in their own right, shopping nearby or some reason for somebody to want to go there and he asked if they are looking at those possibilities as far as the land use connections. Mr. Grisham responded that they also have significant adjacent uses from the community college to major shopping. Mr. Hampsten stated that the nice thing about the Depot is that it is near downtown businesses. It is a combination of trying to create a walkable environment and a friendly environment. Adam Fischer added that on Route #1, the Koury Convention Center, they just implemented a streetscape project for that corridor all the way over to the Coliseum. They widened the sidewalks and made it a more walkable corridor, which enhances the transit experience as well. There is still work to do all over Greensboro but they are starting to get work done on it. Ms. Cunningham again pointed out that people with disabilities have to be able to get around and if they are going to add all this extra stuff to the street, it may end up not being safe for the riders with disabilities. All that needs to be taken into consideration.

9) Ms. McQueary pointed out that there is nothing new in the Plan for District 5. She suggested that there is a need for service at the airport as there are 5,000 jobs at the airport and the fact that GTA is allowed to go 10 miles beyond the city limit allows them to go to the airport. Heco America has an average salary of \$60,000 to \$80,000 a year and they have 2,000 employees there right now and are going to add another 500. Honda Aircraft, which makes the Honda Jet, has an average salary of \$70,000 to \$90,000 a year. There are over 1,800 employees and they are thinking about moving to a second shift. There is a young man that took a class at GTCC in aviation and he lives in District 1, and he walks 8 miles to work at Honda because there is no public transit for him to get to his job in an efficient time. We need a hub at the airport.

Population is increasing in District 5 and of the people that live there, there is a good amount of those that are not U.S. born and are used to riding public transit and yet, we do not offer services to those people who would probably be natural clients. There has to be more recognition that there are people in District 5 who are not being served. She sees that they have targeted the GTCC facility, using Route #4, and GTCC is a fixed, defined area with a well-defined population and she suggested that this hub be moved to the Gateway University Research Park. This is a UNCG/NCA&T partnership, they have two buildings there, and they are building a third. There is a manufacturer who is moving their business from High Point there and they are already looking at a potential fourth building. The Hayes-Taylor YMCA is across the street, the Gateway Park is across the street, and they are looking at how they can provide more transportation services. She thinks that a hub should be looked at, moving it further east about ¼ mile off I-85. The City of Greensboro should be getting the revenue that PART collects for transportation to the airport area. She has spoken with Kevin Baker, the Executive Director of the Airport, and he does not have any issue with GTA running service into and out of the Airport area that he communicated to her. Adam Fischer stated that the City used to run service to the airport area. That Career Express service was shifted over to PART because they could serve that area more efficiently. They redesigned the system to make it a more efficient service and serve more people. Mr. Grier added that he used to work at the Bank of America call center and they cannot get there: the bus makes a left turn at McDonald's and goes up to where all the regional businesses are. That is where there is another need for service. Some people have lost their jobs because they could not get from there to PART to get home.

10) Mr. Chisholm stated that this information concluded the presentation of the Mobility Greensboro 2040 Plan and he was going to invite any comments. If there are any other suggestions, they welcome them. Again, they do not expect they got everything right in this draft and they want to make sure it is what the Board expected and they have heard about a couple of things that need more attention. Adam Fischer stated that in 2002, they created a Mobility 2015 Plan. At that time, there was no nighttime service or weekend service, they only had hourly service, and there was no Yanceyville Street route and only one Cross-town connector. There were five goals, established with the 2015 Plan and they have essentially accomplished all those goals since then. Ridership back in 2003 was 2 million and now they are up to over 4.7 million ridership now, primarily because most of those goals were implemented and it increased ridership significantly. In addition, the property taxes that support transit rose as there was a conservative effort to encourage Council members to increase that property tax to support this system. With more ridership comes some more federal funds so that is to their advantage also. There is a baseline network plan where there are some tweaks in service but it keeps the costs the same but the tweaks are hitting service here and there and some routes may lose some service. Therefore, it is the same amount of service and maybe a little bit more, but gives 15-minute frequency on the core routes. To have the Cross-town connector and Mobility hubs will result in an increase in ridership and possibly some more federal funds. To get started, they are going to have to have initial investments from some local funds.

11) Ms. Wallace asked if the Board would be presented with information on that. Adam Fischer stated that the next phase would be the development of a financial plan of what each of these scenarios would cost and how they can get there. This is kind of an outline of the broad picture, incorporating the things that they have heard about more frequency and cross-town connectors in certain areas. Ms. Wallace asked if the on-demand service has been looked into

and how much that would impact GTA's service. Adam Fischer stated that it is really evolving and is having an impact on transit services. Systems nationwide are seeing ridership down because of these on-demand services. They are looking into how these services can be integrated and that may be a way to serve the airport area and some of the other areas. They may need to look at how they can possibly serve those areas with some of this more on-demand service. It is not cost effective for GTA to run out into the suburbs because there is not a dense population and they would be running longer and longer distances with more operating hours, but picking up fewer people.

12) Mr. Chisholm stated that one of the things they are planning on bringing back to the final Plan is how people connect into the network because, from the network, there are a million things that can be done and if you look at an employer that has shifts, you don't want to necessarily run an all-day bus doing that. What you want is a model that enables either the employer, GTA, or some form of partnership to be able to make those connections. As a lot of the suburban areas develop, they are very difficult to serve cost effectively with transit and they are very difficult to be effective for the customer because, typically, they try and do too much and you get into an area and it takes another 30 minutes to get everybody to their building. So part of the whole thing behind the community connector hubs as well as the Depot is how to provide an interface to facilitate those connections, both within the city but also out of the city. They just are not generating enough rides for big buses or even small buses, things that require a lot of expense. That is something they will bring back as part of the planning process. Their job is to develop a very good fixed route system that helps people move around, but also gets people to these key nodes so they can connect to these services. Making someone long distances versus much closer to the destination really changes the price point. Encouraging economic growth is critical and transit and mobility are huge parts of that in quality of life, but at the same time, as different destination or location choices are made, things they have done in other places is actually create a menu of choice that if a business wants to come on, here are the options. If you locate on one of these routes, there will be awesome transit mobility on those corridors. They are doing work in Rochester where their City and County policy is that businesses that are not on the network will connect in and if they build some public agencies, connecting into the system is their responsibility. They are very unique in terms of how they approach it. They create mobility hubs that have great all-day, all-week service so that people have that access to the whole network from that connecting point.

13) Mr. Chisholm shared some thoughts on how they get to the full final Plan. The baseline is predicated on today's funding. They found some short-term innovation through some modeling just to get a ballpark sense of what can be expected in terms of ridership change. They are trimming that up so when they get to the final plan, it will be even more precise. Clearly, some of the things they have to do right away is start thinking about all the deviations. There are lots of areas where you can only go in one direction or you go on a very long trip. They want to start creating the all-week network, having different service on different days. He showed a chart with the different model types which were color-coded and he explained them in detail. Mr. Chisholm stated that they would bring back more of a menu of choices for the Board to review.

After more discussion, Ms. Wallace moved that staff come back to the next Board meeting with a list of routes that are budget neutral that the Board can change in April, seconded by Ms. McQueary.

Chair Bryson asked that that motion be tabled for the moment, as he wants all of the questions out there first. He asked Counsel Dickens if there needed to be a motion to table the motion. Counsel Dickens stated that technically, the Chair has not opened the floor for motions and a motion has been made and properly seconded but the Chair is the presiding Officer of the Board and he would leave it to the Chair to make that decision to accept the motion or not. Chair Bryson stated that he did not open the floor for a motion, therefore, he is not ready for a motion yet. He wants to make sure that there is an understanding and he wants to move on this, but ensure that staff has time to complete the request. Bruce Adams stated they would have to go look at the routes and some bus stop signs would have to be moved or changed. It would have to be taken to the general public to inform them of what is going on. He would hate to make a decision without at least talking with the public about it. Adams Fischer stated that is part of the information that will be brought back to the Board in April.

Chair Bryson stated that he now feels comfortable by entertaining a motion.

Ms. Wallace moved that staff bring information for the proposed changes for the baseline proposal for cost neutral service changes and information on the existing routes, so the Board can consider improving the system at the April meeting, seconded by Ms. McQueary. The Board moved 8-0 in favor of the motion. (Ayes: Bryson, Cunningham, Carroll, Wallace, McGuire, Hampsten, McQueary and Grier. Nays: None.)

14) Mr. Chisholm stated that he had one more thing to bring to the Board and that is the community outreach component, which is underway. Yesterday the team went out and met with colleges and universities in the area. There are public open houses scheduled and tomorrow there is a stakeholder workshop. There is an on-line set of surveys and a mapping tool that shows all the routes and what changes are proposed so people can see what the new transit services will look like. They can provide comments on every route in the system. There is a connection button on the current GTA website. In response to a question by Mr. Hampsten, Mr. Chisholm stated that they don't actually have the route-to-route time improvements, partly because people get on the bus at different places along the line. The plan is to put the presentation on the website so that people who could not attend can also see it. He added that there have also been drop-in sessions and there was a big one at the Depot today and the customers are quick to share both things they like and things they don't like.

15) Chair Bryson thanked TMD for their presentation and thanked staff for all their hard work on the Greensboro Mobility 2040 Plan. He added that the growth of Greensboro is paramount. There is a continuing partnership between GTA and the Greensboro Planning Board. Greensboro is a voluntary annexation area and he is seeing many subdivisions that are being proposed outside of the corporate area. GTA needs to make the Planning Department aware of more potential growth in these areas. Mr. Chisholm responded that there are ways of designing subdivisions that make transit virtually useless and there are ways of designing subdivisions where transit, biking, and pedestrian facilities can be excellent. This is something we are re-learning because we used to know how to do this very well. There was mixed-use development with density located on the main street. They are seeing communities around the country rethinking subdivisions so you still have the housing and all the other services and how they are oriented, making transit much more useful and cost effective.

V. Transit Services RFP Updates

Chair Bryson asked the Transdev representatives to leave the room during this presentation.

1) Candyce Brown stated that on February 27, 2018, the GTA Board asked the Public Transportation Division staff to reach out to individuals from different transportation entities to be included on the Selection and Evaluation Committee as well as devise a new rubric for the Committee to use during the scoring process. In order to meet the request of the GTA Board, the Public Transportation staff has provided the draft Addendum and Draft Proposal Evaluation Rubric. Staff would like the Board to provide comments and/or suggest changes so staff can proceed in the Transit Services RFP process to ensure a timely solicitation schedule to meet the necessary deadline needed for the Greensboro City Council's approval. This Addendum would be provided to the proposers who did bid on the actual contract. This basically describes what took place on December 19, 2017, with the Greensboro City Council rescinding the Resolution 17-06-30 awarding the Service Contract for Management Operations of Transit Services provided by the Greensboro Transit Authority, to Transdev. There will be a completely new Evaluation and Selection Committee to review the RFPs that were previously submitted by the proposer. Proposers are allowed to substitute members of their key management personnel and to submit a new best and final offer to be reviewed. In order to meet those requirements, with the approval of the GTA Board, the City of Greensboro is allowing proposers to submit an updated price proposal, updated key management personnel, and a new best and final offer for review with a new Evaluation and Selection Committee. Basically, items for review would be the term of the contract, which would be changing from January 1, 2019, through June 30, 2022, with the contract containing options for an extension of two (2) additional years. Also, as well as the price proposal, an updated detail costing sheet would be needed. In regard to the management team, they will be allowed a new management team to present for the interview process, which would consist of a General Manager, Operations Manager, Maintenance Manager, Safety and Training Manager, Quality Assurance Manager, and Customer Service Manager and whatever else they may deem as being appropriate to fit the job for the contract. In looking at the solicitation schedule, staff has submitted a copy of this schedule for the Board members' review. Staff is looking at issuing this potential Addendum to the proposers no later than April 2, 2018 and allowing them request any clarifications no later than April 17, 2018, as well as GTA staff responding back to them no later than April 24, 2018. Proposers must submit the required new documents no later than May 24, 2018, with interviews done no later than June 14, 2018. The best and final offer is due back to GTA staff by June 22, 2018, with the contract award to be reviewed by the GTA Board sometime in July, with award going to City Council no later than August 2018.

The contract would begin January 1, 2019. In regard to the draft proposal evaluation, it was requested that staff have some type of numerical rubric for the Selection and Evaluation Committee to use when they are doing their scoring proposals. There is different criteria and in the criteria boxes, it says, "Excellent", so if a proposer was excellent, the response is specific, comprehensive, and addresses each area in the scoring criteria. There are complete detailed and clearly articulated information as to how the criteria is met. Ideas presented are innovative, well-conceived, and thoroughly developed. That is what they would look at as, "Excellent". For "Good", the response is reasonably comprehensive and includes sufficient details. It contains

many of the characteristics of a response that is very good, even though it may require additional specificity, support, or elaboration in places. For "Fair", the response is non-specific, lacks focus and detail, and some ideas presented are sound but others are not responsive to the purpose of the RFP, with additional information needed in order to be reasonably comprehensive and meet the criteria of a response that is "Good". For "Poor", the response does not meet many criteria, provides inaccurate information, and provides information that requires substantial clarification as to how the criteria is met, lacks meaningful detail, demonstrates lack of preparation or otherwise raises substantial concerns about the applicant's understanding of the issue in concept and/or ability to meet the requirement in practice. For "Not Addressed", the response does not address the criteria; it simply restates the criteria. When it comes down to each particular area under the Technical Proposal and Price Proposal, each one has points. The Technical Proposal is 120 maximum points, and then the Price Proposal is 80 points.

In response to a question, Ms. Brown stated that they couldn't do a 1 to 5 point system because each particular criteria has a point value attached to it. For instance, "experience of management team and references", you can get a maximum of 48 points in that area.

2) Ms. McQueary stated that Durham does the 1 – 5 point system. She has those pages copied from their RFP if anyone would like to see it. Ms. Cunningham stated she thought that would be a lot simpler.

3) Ms. Brown stated that staff did reach out to various individuals that said they would be on the Selection and Evaluation Committee. She shared their jobs and/or interests, but she did not share their names.

4) Ms. McQueary stated that this is her personal feeling, that the eight members that sit on the Board have fiduciary responsibility and they should be the only members voting, not someone from Winston-Salem or Raleigh or City employees or someone else. Fiduciary responsibility means the members can be sued, they can lose their homes and their credit ratings, therefore, it is her view that only the Board members should be voting.

5) Counsel Fox stated that he has heard Ms. McQueary's comment and she is correct, there is a fiduciary duty of Board members, but remember that it is the Selection and Evaluation Committee that will make a recommendation that the Board will ultimately vote on as a Board. So he believes that the fiduciary duty will be fulfilled at the Board level through the vote of the full Board. Ms. McQueary stated that five (5) members that are not on the Board and two (2) members that are on the Board make the recommendation. That seems a bit skewed, in her opinion. Ms. Wallace stated that it is a recommendation from the Committee. Everyone got to see the numbers on how everything was scored and who got where and that information will not be hidden from the Board; there will be a report from the Selection Committee. The Board members will then have the opportunity to either follow the recommendation of the Selection Committee or not.

6) Counsel Dickens added that in the federal rules, if the entire Board, with the exclusion of Mr. McGuire who will be recused, does not want to be in the evaluation of all the details of the RFP, then the only way to really accomplish that is to have this Evaluation Committee go through all the details, score the proposals, and make a recommendation. You do need to be comfortable

with the Evaluation Committee and believe that they are going to do a thorough job and trust their recommendation. If the Board decides to do something different from the recommendation, the Board then becomes the Evaluation Committee and must go through those evaluations and write up an opinion as to why the Board came to a different decision. So basically, you have to go back and justify and demonstrate through the RFP and everything as to why you believe someone else should have scored higher. And the Board, actually at that point, would then be required to use the Selection Committee. So it is important that you pick a Committee that you have confidence in and that you trust. The only other way to do it is for the entire Board to be the Selection and Evaluation Committee but his understanding is that there are several members of the Board who did not want to or did not have the time to take those several days and hours to review all these proposals and to go through them and evaluate them. It is a very laborious process, so that is the best place to do it to keep the Board from becoming an Evaluation Committee where you can make the recommendation if you trust the work that the Committee has done. Ms. McQueary asked if the Board has to accept the recommendation of the Selection Committee or if not, if the Board has to go and do all their work. Counsel Dickens stated that the Board would have to justify, by virtue of objective evidence through the RFP, the proposals that are received and each member would have to score it if you are going to want to award to a different contractor that that recommended by the Selection Committee. Because then the Board becomes the new Evaluation Committee and has to justify why you are making that recommendation. The recommendation of the Evaluation Committee does carry some weight. You do not have to accept it, but cannot reject it lightly, because it is going to require the entire Board to consider the recommendation of the Evaluation Committee.

7) Counsel Fox interjected that the important thing to keep in sight here is that one school of thought is to populate the Evaluation Committee with people who have subject matter expertise that can lend itself to the Committee making an informed and good decision. It is not to suggest that the Committee members are going to work at cross-purposes to decide issues for the Board members. He thinks if the Board were to approve a Selection Committee that is composed of individuals other than Board members, implicit in that is a determination that those Committee members are going to add value and help produce a better outcome because of their stakeholder interest. The other thing to keep in mind is that each Board member, even if they are not a member of the Selection Committee, will have access to the information that is being reviewed by the Selection Committee so that Board member can be informed when they review the recommendation. Therefore, if they need to disagree with the recommendation, they will have information to do so.

After a short discussion, Ms. Wallace moved to recuse Mr. McGuire from voting on any RFP subject, seconded by Ms. McQueary. The Board voted 7-0-1 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier and McQueary. Nays: None. Recused: McGuire.)

During the subsequent discussion related to meeting dates and times for the Evaluation and Selection Committee, Mr. Hampsten stated that he would be willing to be an alternate member if he is needed. Ms. Wallace, Mr. Grier, and Ms. McQueary stated their willingness to serve on the Evaluation and Selection Committee. Chair Bryson stated that he feels they can find another SCAT person to serve on the Committee. There are other people out there that would be qualified. The GTA Board decided to not have Ms. Wallace serve on the new Evaluation and

Selection Committee as she has already participated in a previous Evaluation and Selection Committee.

Chair Bryson moved that there be three (3) Board members, one being an alternate (Mr. Hampsten), only having two (2) voting members, Ms. McQueary and Mr. Grier, which would make up eight (8) people with only seven (7) voting, seconded by Ms. Wallace. The Board voted 7-0-1 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier and McQueary. Nays: None. Recused: McGuire.)

8) Ms. McQueary stated that she knew one of the people that is proposed to serve as a non-Board member and she does not feel that person is appropriate. She will not identify them but there is someone that she believes is not appropriate to serve.

Mr. McGuire left at 8:12 p.m. for the remainder of the meeting.

9) Counsel Fox stated that there is representation from staff of certain individuals meeting certain criteria of stakeholder experience that is before the Board. The Board has made the determination to adopt that recommendation of five (5) of the individuals and also voted to add three (3) Board members with one (1) being an alternate to serve on the Committee.

10) Ms. Wallace stated that recommendation was to have a representative from PART, a representative from Winston-Salem Transit, a representative from the MPO's Technical Advisory Committee, a representative from the GDOT staff, a SCAT rider, and three (3) Board members, one (1) serving as an alternate,

Ms. Wallace moved that the Addendum to proposers for clarification of changes to solicitation schedule as proposed by staff be approved, seconded by Ms. Cunningham. The Board voted 7-0-1 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier and McQueary. Nays: None. Recused: McGuire.)

At this time the representatives from Transdev returned to the meeting room. Counsel Fox also left for the remainder of the meeting.

VI. Concerns from the General Public to the City Council

Kevin Elwood stated that, as Councilwoman Hightower had previously acknowledged, there were three speakers on transit matters at the February Town Hall Council meeting. Their concerns have been addressed.

VII. Action Item(s):

A. Approval of minutes

January 23, 2018 Board Meeting

Mr. Hampsten moved approval of the January 23, 2018 Board meeting, seconded by Ms. Cunningham. The Board voted 7-0 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier, and McQueary. Nays: None.)

February 27, 2018 Board Retreat

Ms. McQueary stated that there was a section of the February minutes that she felt needed to be addressed. At the end of the meeting, there were comments by Councilwoman Hightower that are not included in these minutes and she thinks that they needed to be added, so she would suggest they be added before voting takes place. Councilwoman Hightower stated that she felt that the information in the minutes reflected what she had said and she had read the minutes. If they are not verbatim minutes, she does not see the need for every statement she makes being in the minutes. Ms. Wallace stated that it was her understanding that the process is the Board members are sent a draft and asked for any changes and then the final "unofficial" minutes were issued. Therefore, she suggested that the minutes be tabled until the April meeting, which was approved by unanimous vote. The Board voted 7-0 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier and McQueary. Nays: None.)

B. Approval of Revisions to the SCAT Appeals Policy

Candyce Brown stated that Public Transportation Division staff is asking the GTA Board to consider and approve procedural revisions to the SCAT Paratransit Eligibility Appeals Policy 1.C.3.c. The purpose for implementing changes to this policy is to transfer the responsibility of the first level of the ADA paratransit appeal process from the Public Transportation Division Manager to the Assistant Public Transportation Division Manager. Also, within the policy, the second level of the appeal process will transfer from the GDOT Director to the Public Transportation Division Manager. The GDOT Director's role will transition to become part of the Eligibility Appeals Review Committee. Documents were submitted to compare the previous Paratransit Eligibility Appeals Policy 1.C.3.c to the newly proposed policy and copies of the proposed changes were presented for the Board members' review.

Ms. Wallace moved approval of the proposed changes, as presented by staff, seconded by Ms. McQueary. The Board voted 7-0 in favor of the motion. (Ayes: Bryson, Cunningham, Wallace, Carroll, Hampsten, Grier, and McQueary. Nays: None.)

VIII. GTA Focus Group Meeting Updates

A. Fixed Route/HEAT

1) George Linney stated he wished to forward some highlights of the Focus Group meeting held on January 24, 2018 for Fixed Route Services. A copy of the minutes of that meeting are included in the Board packet. It was a great meeting and it was well attended with about 15-20 people as well as some Board members. He thanked everyone for attending. There were discussions about some of the issues raised by some of the operators concerning no eating or drinking on the buses and an issue about taking a child out of the car seat and baby stroller before boarding the bus. He thanked Operations staff for being there to clear up these matters. The use of profanity and electronic devices that are being played inside the bus were also addressed. Then there were discussions concerning new services and bus stops and he went over the process of what is done in those matters. There was also a discussion concerning the

inclement weather policy and media notifications concerning updates for the buses running. There was discussion about some of the reduced rate passes and student and veteran passes with some consolidation being considered. There was some positive feedback on that discussion. They also talked about the Mobility Greensboro 2040 Plan that was presented and gave information on where that currently stands and what is being looked at in the future. Overall, the Focus Group went well and he was pleased with the attendance and questions and input from the riding public. The next Focus Group meeting will be held on May 2, 2018 for Fixed Route and he will provide an updated timeline, as there have been some changes in the meeting dates.

2) Ms. McQueary stated that in the SCAT minutes, Mr. Bryson and Ms. Hightower's attendance was noted and she pointed out that she and Mr. Bryson were in attendance at the Fixed Route forum and yet they are not acknowledged at the top of the minutes. She asked that this be consistent with SCAT minutes.

3) Chair Bryson stated that staff did a good job of answering questions and organizing the Focus Group meeting. He thanked them for their time and work.

B. SCAT

Candyce Brown stated that at the SCAT Focus Group meeting, held on January 30, 2018, there was a similar outlined agenda as Fixed Route but the SCAT Focus Group focused more on various items that seem to be topics of discussion for the SCAT riders. One of those topics was the new Ripple system that has been implemented. Ripple is the automated call system and staff explained how it works and what to expect. The IT Systems Analyst was in attendance and answered questions in reference to various experiences that the riders have gone through. Staff also went over cashless fare options as the riders had previously voiced their comments about how they wanted different options for payment methods to be accepted on SCAT. Staff is in the process of researching to find the best option and a way they can move forward in that direction. There was also a policy review, which included door-to-door, curb-to-curb, subscription trips, inclement weather, and reasonable modifications. Any concerns that were voiced at that meeting have already been taken care of and handled by Customer Service. The next meeting is scheduled for May 1, 2018 at the Central Library at 5:30 p.m.

Chair Bryson thanked Ms. Brown for her hard work and a successful Focus Group meeting.

IX. GTA Fixed Route Updates

A. Fixed Route Pass Consolidated Plan

1) George Linney stated that staff has been working on a Fixed Route Pass Consolidation Plan, as presented in the Board members' package. The Board is asked for recommendation to implement the Plan for a Consolidation of the current passes. Many of the GTA passes have been in place for about 15 years and it is felt that some of these passes need to be revamped and updated, specifically the reduced fare for students, seniors, veterans, disability, and Medicare clients. Staff is recommending consolidating these into one pass. They wanted the riding public to give feedback as to what this new pass should be called. They also want to consolidate the 11-ride pass, which is currently declining in sales and it is felt that this particular pass can be consolidated into the "Go-Pass". If used as the "Go-Pass", a rider can benefit more with cost savings per trip. The riding public has indicated that this is something they would like to

see as well. Staff would like to implement the new plan and provide additional feedback from the riding public. This information would be brought back to the Board at their May meeting for a vote by the Board members. The proposed timeline to have this plan implemented is to hold a total of three (3) public meetings; one on April 2nd, also the same date as the Rider Advisory Panel meeting held at the Depot at 5:30 p.m.; the second meeting will be held on April 16th, at the Depot at 5:30 p.m.; and the third on May 2nd at the Depot at 5:30 p.m. Staff plans to hold a public hearing to bring back information gathered to the Board. If approved at the May 22nd Board meeting, implementation would begin July 1, 2018. That would give a total of 30 days in May through June to move the process along.

2) Ms. Wallace stated that she checked the website and there was no mention of the "Go-Pass" anywhere on the website. Bruce Adams stated that there is a link on the website that says, "GTA Go-Pass" for information. George Linney stated that it tells how to use it, how to purchase it, what to do with it, et cetera.

3) Ms. McQueary stated that this got started when Councilwoman Thurn was approached by a constituent who said she rode the bus and a rider's pass said, "Disabled" and this rider felt that this was degrading and demeaning to this person. She asked if there was something that could be done so that we do not label people with a potentially unpleasant or inappropriate word. Bruce Adams stated that they are looking to make a change to the 1/1-ride pass anyway, and that will cover that. Ms. McQueary stated that it might help to put a large letter on the pass. i.e., "S" for Student, "M" for military, et. cetera. Ms. Cunningham pointed out that the "Go-Pass" does not distinguish disability or anything like that, it's just a pay for fare so if a rider has a disability or a senior, they will pay whatever is swiped on the pay machine. Ms. Wallace expressed concern that staff is spending a lot of time organizing several different meetings to address the issue of the naming of a card. She feels that staff already works hard enough and there is no need for all those meetings. Ms. Cunningham suggested that an announcement be made on the buses stating that GTA is thinking about implementing a new card, what it would do, how it would be used, and ask the riders for suggestions and comments.

B. Service Animal Use of Seating Reserved for GTA Patrons

1) George Linney stated that a policy regarding Service Animals has been provided for each Board member. There was an issue back in April 2015, where a passenger with a service animal was handled inappropriately and at that time, the operator and the Supervisor were disciplined and there was an investigative meeting along with the passenger and she explained the reason she had to have the service animal close to her and accommodating the seat. At that time, it was noted that it was mandated to Operations that any time a passenger needed a service animal close to them, that they will allow them to take up that particular seat. In the policy, it really does not state that and in the FTA policy, it does not specify that a service animal can take up a seat. Since this incident, there have been some issues from Operations about having service animals using a seat. The issues were the service animals shedding or leaving hair on that seat, which also discourages other passengers from using the seat. There were also issues of service animals relieving themselves on the seat, which causes the bus to be taken out of service and cleaned. Staff is asking the Board for some direction for handling or enforcing this in the future to alleviate problems with Operations and they can follow the policy to the letter so there will be no

discrepancy. Ms. Cunningham asked why the rider could not just hold the dog or at least put some newspaper down in the seat.

2) Ms. McQueary asked if people are requested to show evidence of the necessity of service animals. Mr. Linney stated that GTA is not allowed to ask for that because of FTA Regulations. Ms. McQueary stated that under bullet #5, "If the animal growls, the Operator must ask the passenger to take control of the animal." She feels that is unfair to the bus operator that they have to mediate that situation. Why not ask that if the animal growls, the passenger and the animal will be asked to leave the bus? Counsel Dickens stated if a dog growls, he feels at the very least, you want to give the passenger the opportunity to control the animal. If the passenger then cannot control the animal, they would be asked to leave the bus. You have to remember that they want to make the bus accessible for a disabled population, and as long as the passenger has control of the animal and demonstrates that they have control of the animal and secure it, he thinks that is fine. We always want to make sure we are adhering to the minimum standards and doing everything reasonably possible to adhere to those standards. Ms. McQueary pointed out that if she is a non-ADA passenger and a dog growls at her, why aren't the standards friendly to her. Ms. Wallace pointed out that she would not be under the protected class. Ms. Cunningham pointed out that if the dog is actually a service animal it should have gone through training so that it would not growl. That, to her, is a red flag that this animal may not be, in fact, a service animal.

3) Chair Bryson asked how other municipalities handle this situation. Mr. Linney stated that in his research, he did not see any that would allow a service animal to sit in the seat. Mr. Linney stated he would check into that and report back on that at the April meeting with more information.

X. Sub-Committee Reports

A. STAC

Ms. Cunningham stated that she did not have a report at this time.

B. Marketing and Communications

Kevin Elwood stated that he did not have a report at this time.

Ms. McQueary thanked GTA, and specifically Kevin, for working and offering TedEx Greensboro banners on the sides of the bus so that the community was aware of their one-day event. GTA was listed as a sponsor and it was very nice.

Chair Bryson stated that he felt that Mr. Elwood did a great job for the Black History celebration, particularly with the Black History Heritage Ride, and he thanked him for all his hard work.

XI. General Manager's Report

1) Donna Woodson stated that Transdev has adopted a concept that a lot of large corporations have identified as helping with the key proposed indicators, called the OKR Concept, and it provides objective key results. It has been adopted here in Greensboro and each department has been tasked to come up with different goals and objectives for short term as well

as long term in order for them to improve on their performance. As far as Customer Service, they do have the Mystery Rider program and they performed at least 15 service rides per month and 15 mystery calls where they evaluate different ideas and different performance levels for the calls. That is reported to her on a monthly basis for improvements. They have a Customer Service Recognition winner for GTA, LaMont Miller, who is a Fixed Route Operator. He actually received a total of 217 compliments over a period of 3 months in the last quarter of 2017. For Paratransit Operations, they had the implementation of performance improvements to meet reservations and "Where's My Ride" standard levels. Prior, that level had been low and in the last several weeks, they have made some improvements and they are moving in the right direction for that. In regard to Safety, they are trying to create a better safety environment overall to reduce accidents, preventable as well as non-preventable, so they have a lot of safety initiatives going on in-house, including five safety meetings monthly with the Fixed Route Operations one month and then Paratransit Operations on the next month. That way they can focus on each department's individual needs and comments, suggestions, and concerns from the Rider Advisory Committee meetings as well as the Rider Advisory Panel. The Drive Team, which is a committee of operators that actually focus on safety and create safety messages, meet on a monthly basis to determine ideas and suggestions to help to improve safety.

2) Carol Patrick, Transdev, stated that the Valid Complaints for the month of February are down slightly from previous months, with a total of 90 and it is good to see the decrease. There were 85 in SCAT and 5 total in Fixed Route. The type of Valid Complaints is different from what was in the Board's packages; over the past 12 months, there has not been a big change in what they have been seeing. The bus being late is the highest incidence of complaint, followed by no show, reservations, and rides over an hour. They are seeing the same trends there. In regard to safety, there were a total of 9 accidents in February 2018, seven preventable and 2 non-preventable. For operational Data in Fixed Route and SCAT, SCAT scheduled trips were down compared to January and February but there were less days in the month, and ridership was up, as it continues to go up with over 2,100 trips for the month of February, which is a short month. On-time performance looks good with 96% and the Call Center data and Reservations, they are close at 92% for on-time performance and they are looking good in March. Where's My Ride, is again, getting close to the goals and she is very encouraged by the numbers they are seeing. Depot Customer Service is always good at 99.6%.

Discussion/Questions

Chair Bryson thanked everyone for coming out tonight. He asked about switching the April meeting as staff has informed him that the April meeting conflicts with a conference that everyone will be attending during that time period. Looking at dates that are available, prior to the meeting, he looked at April 16th, 17th or 18th. It was decided that the meeting would be held Monday, April 16th at 6:00 p.m.

Adjournment:

There being no further business, the meeting ended at 9:15 p.m.

Respectfully submitted,

UNOFFICIAL



GTA BOARD MEETING
June 26, 2018
Administrative Office Building
GTA Board Room
223 West Meadowview Road
6:00 PM

BOARD MEMBERS PRESENT

Richard Bryson David Hampsten
Cheryl McQueary Adam Carroll
Anita Cunningham Janet Wallace

CITY/GTA STAFF PRESENT

George Linney Bruce Adams
Candyce Brown Kevin Elwood
Adam Fischer Cari Hopson
Sherria High Carol Patrick
Donna Woodson
Councilwoman Sharon Hightower
James Dickens, City Attorney
Anthony Fox, Board Attorney
(by Conference Call)

BOARD MEMBERS ABSENT

Wesley McGuire
Brantley Grier

I. Call to Order

Chair Bryson called the Board Meeting to order at 6:02 p.m. for the public hearing portion of the meeting to discuss the Fixed Route Pass consolidation.

PUBLIC HEARING

1) George Linney stated that this is a public hearing to discuss the Fixed Route Pass Consolidation Plan. In the past, this has been brought up several times before the GTA Board. Staff is asking for recommendations for the Board approval. Prior to bringing this to a public hearing, he pointed out that the Fixed Route Pass Fare structure has been constant during a 15 year period. Passes consist of the 1 day unlimited ride pass, the one ride pass, the 11 ride pass, and the 31 day unlimited pass. Each of those passes has categories of Adult Fare, Senior, Disability, or Military. Since the implementation of the Go Pass, staff has seen a decline of the 11 ride pass; specifically, a decline of 33% since 2017. It is felt that this would be the best time to do some type of consolidation with the passes.

Staff presented a proposed Fixed Route Pass Consolidation Plan that includes information on replacement of the existing 11 ride pass with the Go Pass and establishes a more user friendly

explained that they are available at the GTA Operations and Administration building and the Greensboro Public Libraries. Existing 11 ride passes would be honored until the end of the year. Some of the recommendations from public speakers at the focus meetings were staff should honoring the 11 ride passes, not only throughout the end of the year, but indefinitely and also consider eliminating the \$1.00 fee for the Go Pass indefinitely. Staff took those comments presented at these various meetings into consideration and they would like to provide a recommendation to GTA Board. In regard to the 11 ride pass, staff is recommending that as of August 1, 2018, GTA will no longer sell 11 ride passes. Patrons that normally purchase the 11 ride pass will now purchase the Go Pass, which can be loaded with the applicable amount of money to cover 11 rides. GTA will allow patrons who maintain an existing 11 ride pass after August 1st, 2018 to use it up to January 1st, 2019. The 11 ride passes will not be accepted after that date. GTA will also forfeit the \$1.00 service charge for purchase of a new Go Pass card thirty days from the first day of implementation, from August 1st through August 31, 2018. Regarding the name of pass fare media, staff is recommending that as of August 1st, 2018, all current pass fare media and the Go Passes that currently have senior, disability, student, Medicare/Medicaid, military/veteran classifications will be consolidated to have the word "Discount" on it. Patrons who qualify for one or more of these classifications will use the Discount Pass when boarding the bus. Bus Operators may still have to ask for I.D. when patrons are utilizing these passes.

2) Mr. Hampsten asked what the original reason for offering an 11 ride pass was. George Linney stated when the pass was first implemented many years ago, it was to give an opportunity for patrons to use 10 rides plus 1 free ride. Basically, that gave patrons a weeks' worth of travel.

3) Lonnie Cunningham, 1007 Ashe Street, stated that he does not have a problem with the changes of the passes, as that information was covered in the Rider Advisory Board. One thing that concerns him is that people have passes and at the end of the year, there may still be some out there that have not been used. Those people should be allowed to use those passes until they are used up, especially since they will not be sold in the future. They should also be allowed to trade them in for the Go Pass.

4) Nicole Lindahl, 1804 Marion Street, stated that she is commenting on behalf of the Greensboro Interactive Resource Center. She is a Self-Sufficiency Coordinator there. That organization gives out passes on a constant basis to their clientele in order for them to get through that first few weeks on their first job or looking for a job. They provide them with the 11 ride pass. For people experiencing homelessness, this is a big help. It would be difficult for them to provide those passes to their clientele if the only option is to fill on the card, as they would have to buy single passes. In response to a question by Ms. Wallace, Ms. Lyndall stated that it is an individual card that can be reloaded so when buying in bulk it makes it more difficult. Ms. Lyndall asked if they could get preloaded Go Passes in bulk at a discount like they are doing now with an 11-ride pass.

Board. Kevin Elwood stated that the pass donation policy is for single ride passes only.

7) Kenneth Crawford, 301-C East Montcastle Drive, stated that he has no issues with the changes in the passes but there should be a distinction between the \$1.20 per ride cost of the Go-Pass and the per ride cost of the 11 ride pass.

Mr. Hampsten moved to close the Public Hearing, seconded by Mr. Carroll. The Board voted unanimously in favor of the motion. (Ayes: Bryson, Hampsten, Carroll, Wallace, and Cunningham. Nays: None.)

Chair Bryson stated that Ms. McQueary has been absent during the Public Hearing. He thanked staff and Board members for their work on this item.

REGULAR MEETING AGENDA ITEMS

Chair Bryson called the Regular GTA Board meeting to order.

Special Recognition

Resolution to Honor the Late Bluford Thompson, Sr.

Chair Bryson stated there is a Resolution for the Late Bluford Thompson, Sr., honoring the life and legacy of Mr. Thompson. He read the Resolution for this honor to be given to Mr. Thompson's family. A plaque was presented to the family in Mr. Thompson's honor.

Ms. Wallace moved to approve the Resolution of Honor, as presented, seconded by Mr. Hampsten. The Board voted unanimously in favor of the motion. (Ayes: Bryson, Hampsten, Carroll, Wallace, and Cunningham. Nays: None.)

Ms. McQueary took her position on the dais of GTA Board members.

Action Item(s):

Approval of Minutes of May 22, 2018, Board Meeting

Mr. Hampsten pointed out a minor correction to be made to page 10 stating that when he asked about the bicycle riders concerning discussion between City staff and the Bike Share companies, it was not intended to be bike riders within the City; his intent was whether there had been interactions between the City staff and the Bike Share companies here in Greensboro, connected to transit. He would say, "concerning discussions between Bicycle Share companies and City staff."

no Speakers from the floor concerning transit matters. They did pass the Budget. She hopes that the contract will be approved soon because extra money is being spent that does not need to be spent and they need to be getting on to the changes that they want to see made in transportation. They know they can amend some things down the line, but it's got to be done. They are spending a lot of unnecessary money for unnecessary reasons. City Council members are seeing that in the Budget and are not going to put more and more money in the Transportation Budget until the Board becomes more conscientious of what they're doing by getting the other Operations contract moved on so they can get about the business of transit. She is very concerned about the extra money that is being spent unnecessarily. There are changes that need to be made, changes she has talked to the Assistant City Manager and the City Manager about and they have a concern about unnecessary spending.

2) Ms. Wallace asked if they had a contract extension in place, are they spending that much more money than they would if a normal contract was in place. Councilwoman Hightower responded that money is being spent outside the contract. She stated that they need to move on. She said she comes here every month and they want change in routes and efficiency and yet they are unable to get a contract in place. Ms. Wallace stated that she is asking about what money is being spent. Councilwoman Hightower responded that she thinks they can find ways to save money once they get in a contract and they can start to utilize some of those other dollars. She has talked to the City Manager about doing some things that were not shared at the Retreat.

3) Ms. Wallace asked staff how much money is estimated to being spent, over and above what a three year contract would have cost. Councilwoman Hightower stated that she would be happy to bring that figure back to the Board. Ms. Wallace stated that she directed her question to staff and not to Councilwoman Hightower. Adam Fischer stated that there were additional attorney fees because an outside attorney has been hired. Ms. Wallace stated that the Legal Department hired that attorney for the Board. Adam Fischer stated that it still comes out of the City Budget. He stated he would have to look into the contract when it was extended and there could be some overages of extending the contract. He does not have those figures off the top of his head.

4) Ms. McQueary asked when that information would be received by the Board. Adam Fischer stated that it should be available by the end of the week.

North Carolina Folk Festival

1) Kendrick Mays, Special Events Coordinator for the City of Greensboro, stated that Josh has been promoted to Art and Events Superintendent. He is excited to tell the Board about the new North Carolina Folk Festival for the first weekend in September. The National Folk Festival was held in Greensboro from 2015 to 2017 and that has now moved on to Salisbury, Maryland. September 7th through the 9th will be the kick-off for Greensboro to host the new state event. He hopes everyone will attend to celebrate the spirit and legacy of the National Folk

Festival in our community. There will be hundreds of artists and thousands of smiling faces and he hopes Board members and guests will plan to attend. The Board is being asked to consider a fare-free weekend which would be approximately \$14,695.58, and they will work to get that money back to the Board through proceeds from the parking decks. The City's three (3) parking decks will be open for a flat-rate of \$10.00 per vehicle per day.

After a short discussion, Ms. Wallace moved approval of the proposed fare-free weekend for the North Carolina Folk Festival in Greensboro, in the amount of \$14,695.58, as presented, seconded by Mr. Hampsten. The Board voted 5-1 in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Wallace. Nays: Cunningham.)

Fixed Route Pass Consolidation

1) George Linney asked if there were any questions regarding the Pass Consolidation Plan presented earlier during the public hearing.

Ms. Wallace moved that the reading of the Pass Policy be waived, seconded by Mr. Hampsten. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Wallace, Cunningham. Nays: None.)

2) Mr. Hampsten asked about the costs related to the proposed consolidation. In response, George Linney stated that it is \$1.20 per ride on the Go-Pass and with the discounted Go-Pass it would be \$.60 per ride.

Ms. Wallace moved to approve the Fixed Route Pass Consolidation plan as presented by staff, seconded by Mr. Hampsten. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Wallace, Cunningham. Nays: None.)

3) Chair Bryson thanked staff and the Board members that participated for working to make it better for the riders.

4) Ms. McQueary stated that the Board attorney is now trying to call in to participate in the meeting. She just got a text from him. Candyce Brown stated that she would call him for a connection to the meeting.

5) Ms. McQueary stated that for this report, prior to Ms. Brown speaking about the Transit Services RFP Update, she would need the Board to go into Private Session in order to have discussion with the Board's Attorney Fox on the telephone. She stated that this is important.

6) Counsel Dickens stated that the request is to go into Closed Session to discuss a legal issue with the Board's Attorney. Ms. McQueary stated that was correct.

Ms. McQueary moved to go into Closed Session, seconded by Mr. Hampsten. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

7) Counsel Dickens recommended that the members of the public stay in the meeting room and members of the Board adjourn to the conference room for some privacy.

8) Ms. McQueary stated that she also needed the Assistant City Attorney to participate in the Closed Session.

Thereupon, the Board went into Closed Session.

Upon completion of the Closed Session, the Board members and Assistant City Attorney returned to the meeting room to continue the meeting.

Chair Bryson asked for a motion to return to Open Session. Mr. Hampsten moved that the Board go back into Open Session, seconded by Ms. McQueary. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

Attorney Fox was on the phone for the continuing discussions in Open Session.

Chair Bryson stated that the Board Secretary, Janet Wallace, is resigning her position as Secretary, and he would entertain a motion to accept the resignation. Mr. Hampsten moved to accept the resignation of the Board Secretary, Ms. Wallace, knowing that she will continue to serve the Board until a replacement is acquired and will continue to serve as a Board member for District 4, seconded by Ms. Cunningham. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

Ms. McQueary thanked the Board Secretary for all of her efforts and her time.

Chair Bryson stated that the floor is now open for nominations for Secretary to the Board. Ms. Wallace nominated Cheryl McQueary for the position of Secretary to the GTA Board effective immediately, seconded by Mr. Hampsten. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

Transit Services RFP Update

1) Candyce Brown stated the Selection and Evaluation Committee is on schedule with the solicitation schedule. The interview process for all of the proposers will begin tomorrow. Best and Final Offers are due July 10th. Any updates will be provided at the next meeting.

2) Ms. McQueary stated that in order to allow time for the Evaluation and Selection Committee to come back to the Board to present their scores for each proposer, the Committee is requesting that the meeting for the end of July be moved to Thursday, August 2, 2018.

Ms. Wallace moved that the regularly scheduled meeting of July 24th, be moved to Thursday, August 2, 2018 at 6:00 pm, seconded by Ms. McQueary. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

Sub-Committee Reports

A. STAC

No report at this time.

B. Marketing and Communications

1) Kevin Elwood stated that the GTA Board approved participation in a Triad Advertising Program group with Winston-Salem, High Point, and PART in 2016. At that time it was anticipated that it would probably be about three years before the high level mark of \$77,000 annually in Advertising was reached. He is pleased to share with the Board that as of today, there is over \$104,000 in revenue from advertising. They have been able to meet the goal a year early and they are excited about that. The agency they have been working with has been working very hard to bring in those advertising dollars. Staff looks forward to continuing to work with them in the Advertising Program.

2) The Board has before it a Bus Pass Donation Request. The Board has approved in its Policy that in order to approve a donation, there were certain requirements and one of those is that the Agency would have to provide a copy of their latest 990 or 990EZ Form recognizing them as a non-profit organization. However, they have received a request from a non-profit organization named, Project Uplifted, and they provided a 990-N, which staff was not aware of at the time, but that is a third choice for non-profits. A non-profit with proceeds of \$50,000 or less per year does not have to file a 990 or 990EZ; rather, a 990-N is filed. They still submit that once a year to IRS. Staff wanted to bring this to the Board to obtain guidance if this should be approved or not and also if the Policy needs to be changed to include a 990-N

Ms. McQueary moved that the Policy be altered to include a 990-N Form as acceptable for non-profits to submit when requesting bus pass donations, seconded by Ms. Wallace. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

Chair Bryson stated that the floor is open to accept the bus pass request from Project Uplifted.

Mr. Hampsten moved to accept the bus pass request from Project Uplifted, seconded by Ms. Wallace. The Board voted unanimously in favor of the motion. (Ayes: Bryson, McQueary, Hampsten, Carroll, Cunningham, Wallace. Nays: None.)

General Manager's Report

1) Donna Woodson presented an overview of some highlights they wanted to bring to the Board's attention. When they go above and beyond having an outstanding compliment, they want to make sure the Board is aware. In the Board members' package is an outstanding compliment they received from one of the paratransit riders that was using Fixed Route service and received exceptional service. Also, there are still areas of focus and opportunities for improvement in the Paratransit, Safety Department, and Quality Assurance. They are now providing the Quality Assurance Manager with roll-out programs that the different departments are reviewing on a monthly basis. They can see what is being done wrong and quickly make any changes necessary. It is their goal to make things better.

2) Carol Patrick stated that valid complaints are up a little bit this month, driven by late trips. There were a total of 124 for the month, mostly paratransit as usual. As their trips increase, more late trips are occurring. In regard to Safety, there were a total of seven accidents, four being preventable, last month and that is a good average for the month. Operations data shows 32,650