

Meeting Minutes – September 22, 2022

MINUTES

SPECIAL MEETING

REGIONAL METROPOLITAN TRANSIT AUTHORITY OF OMAHA

2222 Cuming Street

Omaha, Nebraska, 68102

SEPTEMBER 22, 2022

MINUTES

The Regional Metropolitan Transit Authority of Omaha Board met in Special Session on Thursday, September 22, 2022, at 8:30 a.m., in person at the Authority's Administration Building, 2222 Cuming Street, Omaha, Nebraska 68102, and virtually due to COVID-19. Notice was given in advance of the meeting by publication in the Omaha World Herald. For the benefit of the public in attendance, a copy of the Open Meetings Law is posted in the meeting room and the Agenda is published on the display in the facility lobby. The following persons were in attendance at the meeting:

Authority Board:

Ms. Amy Haase, Chair

Mr. Othello Meadows, Vice Chair (Absent)

Mr. Jay Lund

Mr. Daniel Lawse

Ms. Julia Plucker

Authority Staff:

L. Cencic, CEO/Executive Director

I. Maldonado, Deputy Executive Officer

D. Grant, HR Director

E. Simpson, Legal Director (Virtual)

K. Pendland, IT Director (Absent)

W. Clingman, Finance Director

D. Kelsey, Operations Director (Virtual)

J. Willoughby, Senior Project Manager (Absent)

J. Rumery, Grant Administrator

Others Present:

Other Metro staff

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Agenda Item #1: Call to order

Ms. Haase called the meeting to order at 8:31 a.m. Notice of the Special meeting was published in the Omaha World Herald on September 18, 2022. For the benefit of the public in attendance, a copy of the Open Meetings Law has been posted in the meeting room and is available online at ometro.com, and the agenda was published on the display in the facility lobby.

Agenda Item #2: Public Hearing on Amending the 2022 Annual Budget

Public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to amending the 2022 budget that was previously amended and approved on the 23rd of December 2021.

This public hearing is to amend the 2022 budget. This amendment is necessary to ensure adequate coverage for disbursements and transfers related to capital projects that were originally omitted from the budget.

Ms. Haase opened the floor to public comment to invite members of the audience in person and online to be heard regarding this topic. No members of the public came forward to comment.

Motion to close the public hearing by Ms. Plucker; Second by Mr. Lawse

**ROLL CALL:
UNANIMOUS; MOTION CARRIES.**

Agenda Item #3: Public Hearing on the Proposed 2023 Annual Budget

Public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2023 proposed budget.

This is the proposed 2023 annual budget. This budget includes a beginning balance of \$5,842,395.09, plus property taxes of \$30,160,571.29 and other receipts of \$32,328,273.00, for total resources of \$68,331,239.38. This budget also includes operating expenses of \$44,709,724.00, with capital outlays and capital improvements of \$17,751,527.99 for total disbursements and transfers of \$62,161,251.99, with an ending balance of \$5,869,987.39, which will leave us with a 13% cash reserve.

Ms. Haase opened the floor to public comment to invite members of the audience in person and online to be heard regarding this topic. No members of the public came forward to comment.

Motion to close the public hearing by Ms. Plucker; Second by Mr. Lund

**ROLL CALL:
UNANIMOUS; MOTION CARRIES.**

Agenda Item #4: Adjournment

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There being no further business, a motion was entertained to adjourn the meeting at 8:38 a.m.

Motion by Mr. Lund; Second by Mr. Lawse

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Ms. Amy Haase – Chair

Recording Secretary

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REGULAR MEETING

REGIONAL METROPOLITAN TRANSIT AUTHORITY OF OMAHA

2222 Cuming Street

Omaha, Nebraska, 68102

SEPTEMBER 22, 2022

MINUTES

The Regional Metropolitan Transit Authority of Omaha Board met in Regular Session on Thursday, September 22, 2022, at 8:45 a.m., in person at the Authority's Administration Building, 2222 Cuming Street, Omaha, Nebraska 68102, and virtually due to COVID-19. Notice was given in advance of the meeting by publication in the Omaha World Herald. For the benefit of the public in attendance, a copy of the Open Meetings Law is posted in the meeting room and the Agenda is published on the display in the facility lobby. The following persons were in attendance at the meeting:

Authority Board:

Ms. Amy Haase, Chair

Mr. Othello Meadows, Vice Chair (Absent – Virtual Only)

Mr. Jay Lund

Mr. Daniel Lawse

Ms. Julia Plucker

Authority Staff:

L. Cencic, CEO/Executive Director

I. Maldonado, Deputy Executive Officer

D. Grant, HR Director

E. Simpson, Legal Director (Virtual)

K. Pendland, IT Director (Absent)

W. Clingman, Finance Director

D. Kelsey, Operations Director (Virtual)

J. Willoughby, Senior Project Manager (Absent)

J. Rumery, Grant Administrator

Others Present:

Other Metro staff

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Agenda Item #1: Call to order

Ms. Haase called the meeting to order at 8:43 a.m. For the benefit of the public in attendance, a copy of the Open Meetings Law has been posted in the meeting room and is available online at ometro.com, and the agenda was published on the display in the facility lobby.

Agenda Item #2a: Approval of Minutes of Previous Meeting

Ms. Haase entertained a motion to approve the minutes of the Board Meeting on August 25, 2022.

Motion by Mr. Lawse; Second by Mr. Lund

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #3: General Public Comment Period

Ms. Haase opened the General Public Comment Period to invite members of the audience to be heard regarding regular topics related to the Transit Authority of the City of Omaha. No members of the public came forward to comment.

Agenda Item #4: Administrative Report

(L. Cencic)

Ms. Cencic informed the Board that in addition to all of the work on the budget, staff have been working on a number of things to prepare for implementing aspects of MetroNEXT, growing Metro's service, and becoming more efficient as an organization. Staff is running out of office space in Metro's building, but a potential solution has been identified. Metro is currently working with IntelliRide, the company that handles Metro's customer service call center, and are considering relocating them to a smaller space within the building. Due to COVID, many IntelliRide staff have been working remotely and they no longer have the same physical presence in the building that they had previously.

Ms. Cencic updated the Board that Metro is currently working with a number of partners in the Omaha metro community. Ms. Cencic attended a couple of meetings recently with the Chamber of Commerce which covered potential partnerships and working together in the future. Metro has also started a conversation with Metro Community College (MCC) to explore opportunities to partner so as to better serve students, particularly MCC students at the Elkhorn campus. Serving this area has posed a lot of logistical challenges in the past but there may be some renewed momentum surrounding the idea now, especially with the findings of the MetroNEXT plan and the possibility of extending Route 92 out to Elkhorn.

Ms. Cencic informed the Board that, in addition, Metro is preparing to launch the On-Board Survey in the middle of October. This survey is completed every 5 years, in which Metro surveys riders to look at origin, destination, boarding location, and alighting location, which helps Metro with future route planning as well as the Title VI plan. Metro is working with the IDIQ contractor to help deliver this survey once again.

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Lastly, Ms. Cencic updated the Board about the streetcar. The Omaha Streetcar Authority has approved the alignment this month, which has set the stage for the committee to look more closely at the design. Metro staff have been closely involved in the overall streetcar planning with the City and with OSA. In addition to Metro's role on the OSA Board, Metro is also staffing and working on committees related to the CMGC contract, preliminary design, overall project management, and communications.

Discussion was had.

Agenda Item #5a: Administrative Reports

(D. Grant)

In the month of September, 2 individuals started new roles at Metro. The first individual is a new Mechanic here at Metro. The second individual is Mr. Sherping who was recently promoted as Metro's new Safety & Security Director. Metro is excited to have him in this new position and welcomes all of the experience he brings with him. In light of Mr. Sherping's promotion, Metro will also be searching for a new Paratransit Manager, which is an active posting as of today.

Historically, candidate interest in September, October, and November are fairly low due to the renewed focus on back-to-school and the holiday season. Metro still hopes to fill all the new open positions during the month of October.

Discussion was had.

Agenda Item #5b: Administrative Reports

(I. Maldonado)

As Mr. Grant announced, Mr. Maldonado updated the Board that Mr. Sherping who was Metro's former Manager of Paratransit Operations was promoted this week to the new Director of Safety and Security. For the last year and a half Mr. Sherping has served in dual manager roles overseeing Moby services as well as various aspects of Metro's safety and security. Mr. Sherping has 20 years of experience in logistics, transportation, and customer service as well as 15 years of experience in security and law enforcement, having served in the US Airforce and worked with Boeing.

Last Sunday, based on the resurfacing of 31st Ave next to the North Omaha Transit Center, Metro moved layovers and connections of all NOTC routes to the east side of 30th Street by the US Mills building between Taylor and Boyd. Information concerning this change was posted on My Ride and on Metro's website. Metro's Field Supervisors were also onsite to provide information and assistance to customers.

Metro staff continue to participate in Metropolitan Area Planning Agency (MAPA) and the Omaha Streetcar sub-committee meetings.

Earlier this week Metro held a graduation ceremony for eight new Bus Operators and one Paratransit Operator.

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Metro also held an Employee Safety meeting and a Safety Committee meeting that were comprised of equal members of management and front-line employees.

Between September 28th and 30th Metro will be hosting its quarterly Operator training, where employees will receive training on customer Service, conflict avoidance, de-escalation and other relevant training and information.

As a reminder, on October 2, 2022, Metro will be adding six additional buses in service and enhancing various routes.

On weekdays, Metro will implement a twenty-minute frequency on the route 3, restore a 15-minute frequency on route 24, and 30-minute pre-covid levels on the routes 26, 35, and 36. Metro will also restore 15-minute peak from the Aksarben Transit Center to Downtown.

- On Saturdays will restore a 15-minute frequency to the route 15 and a 20-minute frequency to the route 24.
- On Sundays will add a 20-minute daytime frequency to the route 18.
- Complete schedules are available on Metro's website.

Next month, Metro will be participating in an annual airport emergency plan review and tabletop emergency exercise.

Discussion was had.

Agenda Item #5c: Administrative Reports

(N. Ebat)

Ms. Ebat informed the Board that Ms. Cencic, Metro's CEO, recently participated in an interview with KETV's Chronicle series on public transportation. Metro Communications staff also attended Afrofest in the beginning of September to connect with the community about on-going and future Metro projects.

The Communications team worked with Public Works to prepare for a weekend closure of the North Omaha Transit Center for repaving that took place earlier this month. Metro worked through all necessary internal touchpoints to make sure operators could help riders navigate the temporary pickup spot. Metro also worked with the City on a number of messages placed near NOTC so riders could find where to catch their bus. Even through weather delays and a longer closure than originally anticipated, Metro did not receive any complaints.

Ms. Ebat updated the Board that the main focus of September has been preparing for the long-term downtown closures. Metro closed 4 different stops within the downtown core surrounding the former library. It took a large effort to ensure Metro operators and riders received plenty of notice so they could plan ahead. Metro has a large number of touchpoints, both online and at physical stations.

Lastly, the Communications team is in the middle of building Metro's communication strategy to lay out the upcoming routes with increased trip and frequencies. The online portion of the strategy will roll out over the course of the next 2 weeks. Next week, staff will be heading out into the community to reach out to people along routes that will see larger changes in the upcoming pick.

Discussion was had.

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Agenda Item #6: Resolution #427 – Request Approval of the 2023 Tax Levy

(W. Clingman)

Per State Statute 18-822 the Board must, by resolution, on or before September 30 of each year certify the tax levy.

The proposed Property Tax levy for the 2023 budget year is \$30,462,177 or 0.06743 mills.

Discussion was had.

Motion by Mr. Lawse; Second by Ms. Plucker

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #7: Resolution #428 – Request Approval of the Amended 2022 Annual Budget

(W. Clingman)

It has become necessary to amend the previously adopted budget due to unforeseen circumstances related to capital expenditures the originally adopted budget cannot be reduced or remain the same during the remainder of the current fiscal year because of the unforeseen increased expenditures related to the current economic changes.

The required public hearing for this budget is planned to be held at 8:30 am on September 22, 2022.

Discussion was had.

Motion by Mr. Lawse; Second by Ms. Plucker

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #8: Resolution #429 – Request Approval of Proposed 2023 Annual Budget

(W. Clingman)

The proposed total disbursements and transfer for the 2023 budget is \$62,461,251.99. The required public hearing for this budget is planned to be held at 8:30 am on September 22, 2022. Additional details and assumptions for the 2023 budget can be found on subsequent pages of this Board packet.

Discussion was had.

Motion by Mr. Lawse; Second by Mr. Lund

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

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Agenda Item #9: Request Approval of Agreement with Eide Bailly for Annual Audit Services for Fiscal Years 2022 through 2026

(W. Clingman)

Staff is seeking approval to enter into an agreement with Eide Bailly for external annual audit services, including the review of our annual NTD filing, for the next 5 years beginning with the fiscal year 2022. This approval is for an amount not to exceed \$320,270 over the next 5 years.

This cost is not eligible for Federal funding and will be paid 100% by local match funds.

Discussion was had.

Motion by Ms. Plucker; Second by Mr. Lund

**ROLL CALL:
UNANIMOUS; MOTION CARRIES.**

Agenda Item #10: Request Approval of Metro Advertising Policy

(W. Clingman)

Staff is requesting approval of a formal advertising policy as it relates to paid advertising on Metro owned and/or operated assets.

This policy will ensure consistent guidelines are applied in all advertising. The policy includes a list of prohibited items to ensure only viewpoint neutral advertising is allowed and advertising that may be disruptive to traffic is also prohibited. A copy of the proposed advertising policy will be provided under separate cover.

Discussion was had.

Motion by Mr. Lund; Second by Mr. Lawse

**ROLL CALL:
UNANIMOUS; MOTION CARRIES.**

Agenda Item #11: Staff Briefing on Title VI Program Update

(L. Cencic)

Every three years, Metro is required to submit a Title VI Program Update to the Federal Transit Administration (FTA). Title VI of the Civil Rights Act of 1964, as amended, is a federal statute that provides that no person shall, on the grounds of race, color or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

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Staff is working diligently on this program update and will bring it to the Board for approval at a future Board meeting. In particular, this program update will look at Metro's services over the last several years as well as set new definitions and thresholds for the future.

Among other things, the Title VI Program Update will look at service monitoring (including vehicle loads, headway, on-time performance, service accessibility, vehicle assignments and distribution of transit amenities), updating our Public Participation Policy, updating our Limited English Proficiency Plan, and will incorporate updated Census data for our use in equity analyses.

An important aspect of the Title VI Program is Metro's definitions of "Major Service Change", "Disparate Impact Policy", and "Disproportionate Burden Policy". These three definitions will need to be approved by the Board along with the overall program update.

The purpose of the Major Service change Policy is to define the thresholds for a major change warranting an equity analysis. The thresholds should not be set so high as to never require an analysis, but to yield a meaningful result in light of Metro's service characteristics.

The Disproportionate Burden Policy establishes a threshold for determining whether proposed service or fare changes have a disproportionate effect on low-income populations relative to non-low-income populations.

The Disparate Impact Policy establishes a threshold for determining whether proposed service or fare changes disproportionately affect minority populations relative to non-minority populations.

The Disproportionate Burden Policy and Disparate Impact Policy consider both the burdens borne by and the benefits experienced by the relevant affected populations.

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	Current Policy	Draft Proposed Policy
Major Service Change	<ul style="list-style-type: none"> • The addition and/or elimination of a bus route • 12% or more for system revenue miles • 25% or more revenue miles on any individual route 	<ul style="list-style-type: none"> • The addition and/or elimination of a bus route • 10% or more for the system revenue miles • 15% or more revenue miles on any individual route
Disproportionate Burden Policy	+/-25%	15%
Disparate Impact Policy	+/- 25%	15%

Metro will hold public meetings in October to seek input from the public on proposed changes to these three policies before returning to the Board to request approval.

Discussion was had. No motion was necessary.

Agenda Item #12: Request Approval of Title VI Service Equity Analysis for Ongoing Temporary COVID-Related Service Reductions

(E. Schweitz)

In 2020, in response to the COVID-19 pandemic, Metro temporarily reduced service on numerous routes. At the time, no Title VI Service Equity Analysis was required because of the temporary nature of these service reductions. However, as the impact of the COVID-19 pandemic has lasted longer than expected extending the length of these service reductions, staff completed a Service Equity Analysis in compliance with Metro’s Title VI Program. However, it is worthy to note that these reductions are still intended to be temporary in nature and Metro has already begun the process to increase services on these routes, with plans to return many of them to the pre-pandemic levels.

Metro’s Title VI Policy requires a Service Equity Analysis be completed for any proposed changes that meet the definition of a Major Service Change. A Major Service Change includes any significant change in transit service that meets at least one of the following:

- The addition and/or elimination of a bus route
- A 12 percent or more addition or reduction in the system revenue miles
- A twenty-five percent or more addition or reduction in revenue miles on any individual route, whether by frequency, span of service or route realignment beyond a three-quarter mile buffer

The temporary COVID-19 related service reductions meet this definition of a Major Service Change by reducing system revenue miles by more than 12 percent. The Service Equity Analysis was completed to identify if the

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proposed changes would have a discriminatory impact on minority and/or low-income populations. The Title VI Service Equity Analysis found:

- No disparate impact on minority riders.
- No disproportionate burden on low-income riders.

Board approval will ensure Metro's continued compliance with the Federal Transit Administration's Title VI requirements. The Title VI Service Equity Analysis will be provided under separate cover. Staff recommends the full Board approve the resolution as presented.

Discussion was had.

Motion by Mr. Lawse; Second by Ms. Plucker

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #13: Request Approval of Title VI Service Equity Analysis for Upcoming Service Changes

(E. Schweitz)

In compliance with Metro's Title VI Program, a Service Equity Analysis was conducted on the proposed service changes planned for October 2022. Metro's Title VI Policy requires a Service Equity Analysis be completed for any proposed changes that meet the definition of a Major Service Change. A Major Service Change includes any significant change in transit service that meets at least one of the following:

- The addition and/or elimination of a bus route
- A 12 percent or more addition or reduction in the system revenue miles
- A twenty-five percent or more addition or reduction in revenue miles on any individual route, whether by frequency, span of service or route realignment beyond a three-quarter mile buffer

The proposed changes for October 2022 meet this definition of a Major Service Change by increasing services on several routes (Routes 3, 24, 26, 35 and 36) by more than 25% of their revenue miles.

The Service Equity Analysis was completed to identify if the proposed changes would have a discriminatory impact on minority and/or low-income populations. The Title VI Service Equity Analysis found:

- No disparate impact on minority riders.
- No disproportionate burden on low-income riders.
- Minority and low-income riders will not be limited to or denied the benefits of the proposed service increases.

Board approval will ensure Metro's continued compliance with the Federal Transit Administration's Title VI requirements. The Title VI Service Equity Analysis will be provided under separate cover. Staff recommends the full Board approve the resolution as presented.

Discussion was had.

Motion by Mr. Lawse; Second by Ms. Plucker

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ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #14: Request Approval of the 2023 Transportation Improvement Program

(J. Rumery)

Staff requests approval of the 2023 element of the 2023- 2028 Transportation Improvement Program (TIP). This amendment is to program STBG and TAP funds in the 2023 Program of Projects (POP).

Staff recommends programming Surface Transportation Block Grant (STBG) Funds and Transportation Alternatives (TAP) Funds as 5307 Funds in the FY 2023 element of the TIP.

Staff is recommending approval of the 2023 Program of Projects in the following manner:

PROJECT	SOURCE OF FUNDS	AMOUNT	DESCRIPTION
A&E	STBG 5307	Fed: \$1,360,000 Local: \$340,000 Total: \$1,700,000	Architecture and Engineering services to help define transit enhancements long 24 th Street Corridor.
PLANNING	STBG 5307	Fed: \$1,640,000 Local: \$410,000 Total: \$2,050,000	Funds for management and planning services to help define transit enhancements long 24 th Street Corridor
TRANSIT ENHANCEMENTS	TAP 5307	Fed: \$500,000 Local: \$130,000 Total: \$630,000	Architecture and Engineering, procurement and construction services to place shelter pads, shelters and sidewalks around the area of 72 nd & Ames

Board approval will allow the projects to be committed for FY 2023. Projects will be submitted to MAPA for consideration at the September 2022 MAPA Board Meeting. Total new local encumbrance of federal funds from these changes will be: \$3,500,000. Total new encumbrance of local funds from these changes will be: \$880,000. Total new encumbrance of all funds will be \$4,380,000.

Approval will ensure Metro’s compliance with FTA planning requirements.

This item will be reviewed by the procurement committee prior to the Board Meeting. Assuming committee concurrence, staff requests the Board approve the Resolution as presented.

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Discussion was had.

Motion by Ms. Plucker; Second by Mr. Lund

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #15: Request Approval of Agreement with Cleaver-Brooks Sales & Service, Inc. for Boiler Repairs

(W. Clingman)

Staff is seeking approval to enter into an agreement with Cleaver-Brooks Sales & Service, Inc to repair the boilers in the Metro Administrative building.

The existing boilers are in a state of disrepair and this work is needed to be able to utilize the boilers to heat the building for the winter. Metro received two proposals. Cleaver-Brooks is the lowest price and demonstrated the experience to meet the project requirement. Total cost is quoted at \$114,667.91.

This cost is 80% funded by Federal Grants with the local match portion not to exceed \$22,933.59.

Discussion was had.

Motion by Ms. Plucker; Second by Mr. Lund

ROLL CALL:

UNANIMOUS; MOTION CARRIES.

Agenda Item #16: Board Chair Report

(A. Haase)

Ms. Haase shared with the Board that the Planning & Policy Committee met this month and reviewed the advertising policy. The next big item for review by the committee will be the Title VI program.

Mr. Lawse shared with the Board that the Operations Committee did not meet, and that there are no more additional items for the Planning & Policy Committee other than the items that were on the agenda.

Discussion was had.

Agenda Item #17: Date, Time and Place of Next Board Meeting

Thursday, October 27, 2022, at 8:30 a.m. to be held at Metro Transit Authority's Administrative Building.

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Agenda Item #18: Adjournment

There being no further business to come before the Board, a motion was entertained to adjourn the meeting at 9:45 a.m.

Motion by Mr. Lund; Second by Mr. Lawse

**ROLL CALL:
UNANIMOUS; MOTION CARRIES.**

Ms. Amy Haase – Chair

Recording Secretary