



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



MINUTES

Meeting of the MassDOT Board of Directors and Joint Meeting of the MassDOT Board of Directors and the Fiscal and Management Control Board

October 28, 2019

At the call of Chair Stephanie Pollack, a meeting of the MassDOT Board of Directors (Board) was called to order at 2:07 p.m. at the State Transportation Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts joining the Fiscal and Management Control Board (FMCB) meeting for Joint Board presentations.

Those present were Chair Stephanie Pollack, Directors Betsy Taylor Robert Moylan (departed at 4:30 p.m.), Tim King, Joseph Sullivan, Kathleen Murtagh, Chrystal Kornegay, Monica Tibbits-Nutt and Vanessa Otero (departed at 4:26 p.m.), being a quorum of the Board of Directors of the Massachusetts Department of Transportation (Board).

Also present were Highway Administrator Jonathan Gulliver, Aeronautics Administrator Jeffrey DeCarlo, Rail and Transit Administrator Astrid Glynn, Acting Registrar of Motor Vehicles, FMCB Chair Joe Aiello, FMCB Director Brian Lang, Jeff Gonneville, David Panagore, Dave Abdoo, Scott Hamwey, Mike O'Dowd, General Manager Steve Poftak, Owen Kane, Marie Breen, Michelle Kalowski, and Nathan Peyton, Bill Wolfgang and Kate Fichter.

Chair Pollack opened up the public comment session for Joint Board and MassDOT agenda items.

The first speaker was Senator Brian Crighton from Lynn, followed by Lynn Mayor Tom McGee, Superintendent of Lynn Public Schools Patrick Tutwiler, Colin Codan and Mary Sarris from MassHire North Shore commented on affordable and more frequent rail to service to Lynn.

Next, Chris Dempsey from T4MA, Kasia Hart from MAPC and Dan Gotti from the Union of Concerned Scientists, commented on Agenda Item 9, the Transportation and Climate Initiative (TCI).

Next Evan Foss commented on commuter rail coach procurement.

Next, Collique Williams from Community Labor United, Mela Miles from ACE and Saamon Legoski from Clean Water Action and Green Justice Coalition commented on TCI and appropriate funding and electric buses.

Next, Grace (inaudible) from Chelsea, Enilda Lovo and Myra (inaudible) commented on low-income fares and improved service.

Next Sarah Levy from the Green Justice Coalition commented on low-income fares, fare mitigation and Lynn transit services.

Next, Gabriella Cartaga from East Boston commented on low-income fares, reduced fare pass, free public transportation and women and children specific cars.

Next, Collin Codner from Greater Lynn Chamber of Commerce, Frances Martinez and Ariel Noesi from the North Shore Latino Business Association, Gordie Hall of the Hall Group, and Rick Wood commented on Lynn transit service, fares and frequency of trains to Lynn.

Next, Kathy Paul from Mass Senior Action Council and Louise Baxter from TRU commented on accessible and affordable options for seniors and the north shore commuter rail proposal.

Next, Thomas Nally from A Better City commented on the Allston I-90 Project.

Next, former Representative John Businger, Vice Chair of the North/South Rail Link commented on the future of New England rail service.

Jared Johnson and Ethan Finlan from Transit Matters commented on electrified of the entire transit service.

Next, Staci Rubin from CLF commented on three concerns about the Allston I-90 Project and TCI.

Next, Ari Ofsevit from Livable Streets commented on the Allston I-90 project, West Station tracks and bike lanes.

Lastly, former Transportation Secretary Fred Salvucci, Brendan Kearney from Walk Boston and Mary Connaughton from the Pioneer Institute commented on the Allston I-90 Project.

Chair Pollack closed the public comment period at 3:29 p.m.

Chair Pollack skipped to Agenda Item 9 and called on Kate Fichter, MassDOT Assistant Secretary of Policy Coordination to update the Boards on the Transportation Climate Initiative (TCI). Ms. Fichter explained that the TCI was a voluntary collaboration among 13 Northeast and Mid-Atlantic jurisdictions to develop policy and programmatic ways to reduce transportation emissions. In December 2018, the TCI jurisdiction issued a joint statement committing to an intensive one-year process to design a regional transportation emissions-reduction program. She noted that TCI was not a regulatory or legal body and it could not compel the states to participate or take particular actions, and it would not implement any eventual program. Discussion ensued.

Ms. Fichter continued discussing the regulatory context; what TCI was and was not; the goals of TCI and how the program would work; capital investment vs. carbon price and the status of the process. Discussion ensued.

Ms. Fichter concluded discussing participating jurisdictions, the TCI decision-making structure and upcoming workshops, as set forth in the attached document labeled, “The Transportation & Climate Initiative, Background and Status, October 28, 2019.” Discussion ensued.

Chair Pollack noted that the Report of the Fiscal and Management Control Board would be submitted in writing.

Next, Chair Pollack called on MassDOT Project Manager Mike O’Dowd to present Agenda Item 10, an update on the Allston I-90 Project. Mr. O’Dowd provided the Boards with an update on the project schedule and work that has been done since his last update to the Boards in May. He discussed FHWA NEPA actions, updates, and Executive Order 13807: One Federal Decision.

Mr. O’Dowd further discussed the FHWA NEPA Scoping Process and concluded with the schedule for upcoming Task Force meetings including topics to be discussed going forward, as set forth in the attached document labeled, “I-90 Allston Interchange – A Multimodal Transportation Project, October 28, 2019.” Discussion ensued.

Next, Chair Pollack announced that Agenda Item 11, the South Coast Rail Update was a written document and was included in their Board materials.

Next, Chair Pollack called on Director of Vehicle Engineering Bill Wolfgang to present Agenda Item 12, Commuter Rail Coaches ISA. Mr. Wolfgang provided the Boards with an overview of the request indicating the MBTA had determined that satisfying the immediate need for new coaches would be best accomplished through a sole-source contract with Hyundai-Rotem for 80 coaches. Vehicle Engineering was seeking MassDOT Board/FMCB approval for funding from Hyundai-Rotem that would come from two sources: SCR was receiving 16 of the 80 coaches and will contribute \$69,037,292 (20% of total) and the balance of funding \$276,149,167 would come through an Interagency Service Agreement between MassDOT and the MBTA, as set forth in the attached document labeled, "Commuter Rail Coaches ISA, October 28, 2019." Discussion ensued.

Director Moylan announced that this item had been reviewed at the last Capital Programs Committee meeting and it was recommended the Boards approve this action.

On motion duly made and seconded, it was:

VOTED:

That the MassDOT Board of Directors hereby authorizes the Department, through the Secretary or her designee, to execute a certain Interdepartmental Service Agreement (ISA) with the Massachusetts Bay Transportation Authority (MBTA), for the South Coast Commuter Rail Program and hereby authorizes the transfer of

\$345,186,459.00 to the MBTA to fund the MBTA Commuter Rail Bi-Level Coach Procurement with Hyundai –Rotem.

On motion duly made and seconded, it was:

VOTED:

That the Fiscal and Management Control Board (FMCB) hereby authorizes the Massachusetts Bay Transportation Authority (MBTA), through the General Manager or his designee, to execute a certain Interdepartmental Service Agreement (ISA) with the Massachusetts Department of Transportation (MassDOT) for the South Coast Commuter Rail Program and hereby accepts the transfer of \$345,186,459.00 to the MBTA to fund the MBTA Commuter Rail Bi-Level Coach Procurement with Hyundai –Rotem.

On motion duly made and seconded, it was:

VOTED: to adjourn the Fiscal and Management Control Meeting at 4:30 p.m.

Next was the approval of the September 16, 2019 minutes.

On motion duly made and seconded, it was:

VOTED: to approve the minutes of September 16, 2019

Next, Chair Pollack provided her report updating the Board on recent activities of and topics of interest to MassDOT, specifically: the Baker-Polito Administration Transportation Bond Bill Hearing; the Transportation and Climate Initiative (TCI); the Allston I-90 Multimodal Public Meeting; the Registry Systems

Upgrade occurring over the upcoming Veterans Day weekend; the 2019 Moving Together Conference; National Teen Driver Safety Week, Halloween Safety and MassDOT 10th Anniversary celebration scheduled to start on November 25, 2019, as set forth in the attached document labeled "Secretary Stephanie Pollack's Report to the MassDOT Board, October 28, 2019."

Chair Pollack announced that there would not be a Highway Administrator's Report presented.

Next, Chair Pollack called Acting Registrar of Motor Vehicles Jamey Tesler to present Agenda Item 16, Report from the Acting Registrar of Motor Vehicles. Mr. Tesler gave a brief overview of the Atlas Release 2 "Go Live" scheduled on November 12, 2019 noting that the project will replace the RMV's automated license registration system 24/7 transaction based system ALARS. Release 1 was completed in March 2018.

Mr. Tesler continued providing an update on external review recommendations resulting from the Grant Thornton Final Report (the "Report") including improvements to the Finance and Audit Committee, Internal Audit Operations and other organizational improvements currently underway. Mr. Tesler continued to discuss the status of other recommendations from the Report including the hiring of a chief compliance officer, initiation of regular merit rating board meetings, creating of One-Unit for Out-Of-State processing, reprocessing

all notifications in the OOS backlog including less serious offenses, the streamlining of the RMV organization structure and the initiation of RMV Enterprise-Wide risk assessment, as set forth in the attached document labeled, "RMV Update, October 28, 2019." Discussion ensued.

Director Taylor asked to Mr. Tesler to introduce two of his newly hired staff responsible for implementing the changes identified as crucial in the Grant Thornton Report. Ms. Joanne Norman was hired as the first Chief Compliance Officer, an attorney with 20 years of experience and Mr. Dan Florent has joined the team as the Deputy Registrar for Safety, with many years of law enforcement experience.

Director Taylor indicated that the Finance and Audit Committee had a robust discussion on the proposed draft charter proposal, another recommendation of the Grant Thornton report, and asked that anyone who had any comments or suggestions to submit them to her. The proposed changes in the new Finance and Audit Committee Charter, which is to be approved by the MassDOT Board, is to focus on all manners of risk identification, mitigation, systems control, policies and procedures and tracking them within this agency.

Lastly, Chair Pollack asked Highway Administrator Jonathan Gulliver to present Agenda Item 19, an update on the Cape Cod Canal Bridges.

Mr. Gulliver discussed the MassDOT Transportation Study and the United States Army Corps of Engineers (USACE) Evaluation Report in detail.

The MassDOT study's purpose evaluated existing/future transportation, safety and congestion deficiencies in the Cape Cod Canal area. The final report included the study's analytical findings, a recommended plan of transportation improvements, and preliminary cost estimates for multimodal transportation alternatives for roadways, transit, bicycle and pedestrian facilities. Mr. Gulliver noted \$10 million was included in the 2020-2024 CIP to advance to a preliminary design and has requested \$350 million for construction in the pending Transportation Bond bill for design work that will begin in November 2019.

Mr. Gulliver continued to discuss the report of the USACE that was released on October 3, 2019 recommending the replacement of the Bourne and Sagamore highway bridges with new structures, and further discussed the continued coordination with USACE, the Federal Highway Administration and Federal Lands to determine the size and scope of the new bridges, as set forth in the attached document labeled, "Cape Cod Canal Area USACE/MassDOT Update, October 24, 2019."

Chair Pollack noted for the record that the reports from the Rail and Transit Administrator and Aeronautics Administrator were written submittals and included in their board materials.

On motion duly made and seconded, it was:

VOTED: to adjourn the MassDOT Board of Directors at 5:05 p.m.

Documents relied upon for this meeting:

Report from the Fiscal and Management Control Board, October 28, 2019
The Transportation & Climate Initiative, Background and Status, October 28, 2019
I 90 Allston Interchange – A Multimodal Transportation Project, October 28, 2019
South Coast Rail Program Update, October 28, 2019
Commuter Rail Coaches ISA, October 28, 2019
Minutes of September 16, 2019
Secretary Stephanie Pollack's Report to the MassDOT Board, October 28, 2019
MV Update, October 28, 2019
Cape Cod Canal Area USACE/MassDOT Update, October 24, 2019
Rail and Transit Administrator's Report, October 28, 2019
Board Report: Lidar for Airport Obstruction and Analysis & 3D Ortho-mosaic Imagery, October 28, 2019