



Metropolitan Transit Commission



May 24, 2023

METROPOLITAN TRANSIT COMMISSION

Wednesday, May 24, 2023

5:30pm

Charlotte-Mecklenburg Government Center

Conference Room 267 - WebEx

AGENDA

- I. Call to OrderMayor Vi Lyles
 - Attendance (Roll Call)
- II. Approval of the April 26, 2023 Summary (p.5-42)Mayor Vi Lyles
- III. Public Comments
- IV. Interim Chief Executive Officer’s Report (p.44-54) Brent Cagle
 - Work Group Update
- V. Informational Items
 - Proposed Changes to the Service & Travel Market Policies (p.56-62) ..Jason Lawrence
 - Bus Stop Improvement Plan and Strategy (p.64-72)Jason Lawrence
- VI. Action Items
 - Silver Line – Amity Garden Station LPA Recommendation (p.74-86)..... Andy Mock
 - Title VI – Fare Capping Analysis (p.88-110) Terrence Watson
 - MTC-02 Fare Policy Update (p.112-125)..... Kelly Goforth
- VII. Report from the Chair of the Transit Service Advisory Committee (TSAC)....Krissy Oechslin
- VIII. Report from the Chair of the Citizens Transit Advisory Group (CTAG)..... Edward Tillman
- IX. Adjourn

**METROPOLITAN TRANSIT COMMISSION
MEETING SUMMARY
April 26, 2023**

Presiding: Mayor Vi Lyles, City of Charlotte

Present:

County Commissioner Leigh Altman (BOCC)	Mayor Pro-Tem Renee Garner (Matthews)
City Councilman Edmund Driggs (Charlotte)	Mayor Brad Simmons (Town of Mint Hill)
Marcus Jones (City Manager, City of Charlotte)	Brian Welch (Town Manager, Mint Hill)
Patrick W. Baker, Esq. (City of Charlotte)	Mayor Jack Edwards (Town of Pineville)
Mayor Woody Washam (Town of Cornelius)	Ryan Spitzer (Town Manager, Pineville)
Andrew Grant (Town Manager, Cornelius)	Bill Thunberg (Town of Mooresville)
Mayor Rusty Knox (Town of Davidson)	Mayor Walker Reid III (City of Gastonia)
Mayor Melinda Bales (Town of Huntersville)	Mayor Marion Holloway (City of Monroe)
Anthony Roberts (Town Manager, Huntersville)	Mark Watson (City Manager, Monroe)
Mayor John Higdon (Town of Matthews)	Tony Lathrop, Esq. (NCDOT)

Interim CATS Chief Executive Officer: Brent Cagle

I. Call to Order

The hybrid regular meeting of Metropolitan Transit Commission was called to order at 5:30pm by MTC Chairwoman Mayor Vi Lyles, City of Charlotte.

II. Review of Meeting Summary

The meeting summary of March 22, 2023 was approved.

III. Public Comments

Chris Wallace: I'm a North Mecklenburg resident, have been since I was 8, now I'm 25, and in that time, I have never owned or driven a car. I get around by my bike, feet, and the transit. I'm here today to discuss a program that's going to change up a lot of the mobility access in North Mecklenburg. That's the Microtransit Pilot Program. I've been following it since I learned about it about a year ago, and first a quick refresher: North Mecklenburg has the three towns, Davidson, Cornelius, Huntersville, with a combined population of a little over 100,000 over about 59 square miles of land. They're serviced regionally by the Metro Rapid Lines and locally by the Village Rider Network.

Due to the low ridership of the Village Riders both before, during, and since COVID North Mecklenburg was proposed as the first pilot program area for CATS microtransit implementation, but there's a couple big flaws with the pilot that I'd like to call attention to and propose solutions for.

The first and foremost is the hours of operation. In the various town meetings, it was explained that the microtransit can't operate outside the windows of operation for the Village Riders because the temporary vehicles wouldn't be ADA compliant, but the limited hour of operation is the reason why ridership is so low. I'm working second shift jobs most of my adult life, and I can't take the bus home because they stop at 7:00. My shifts end between 9:00 and 11:00. If I can't take it home, I can't take it there. I have to Uber home from this meeting because there's no buses running there now. I think that during the pilot program the Village

Rider Network hours of operation should be expanded so that way the pilot program can run at those extended hours, because if the current hours don't get ridership and those are the ones, you're basing it off of, you're really not going to get meaningful data.

Also, while I'm at it I would like to propose the idea that either CATS vanpool or the Village Riders be used as maybe common shuttle services to the Metro Rapid commuter lots down Jetton Road, Bethel Church Road, and Torrence Chapel Road in Cornelius. Currently the only way to get to commuter transit is to drive there because, again, the hours of operation of Village Riders don't line up with even the commuter transit so it essentially burdens the regional transit with additional parking costs.

I intend to stick around after tonight's meeting if there's anybody who would like to talk with me about this, which I would greatly invite. Thank you for your time.

Discussion:

MAYOR LYLES (City of Charlotte): Mr. Wallace, I'm really glad that you said that you will be able to stick around. We will have a presentation on microtransit presented by Mr. Lawrence and our planning group as a result of a meeting with the northern town mayors. We have I think some things that you'll be pleased to see. Thank you so much for bringing your vision and voice forward with this.

IV. NCDOT State Safety Oversight Presentation: Jason Orthner – North Carolina State Oversight Representative – shared a presentation; based on pages 66-70 in the MTC Agenda Packet for April 26th, 2023 meeting.

Discussion:

MAYOR HIGDON (Town of Matthews): What percentage of the LRVs currently are operating on a deferred maintenance schedule?

JASON ORTHNER: I don't have that data point right with me right now, but that is certainly something that we can provide if you need it.

MAYOR HIGDON (Town of Matthews): Another question I have is, during your investigation did you look at maintenance for all portions of the LRVs, not just the trucks and the thing that failed; are you looking at all maintenance schedules for all safety critical components?

JASON ORTHNER: Certainly, our investigation is focused on the root cause, but our analysis certainly will spill over into additional corrective action plans and things as we discover other things. There is a tremendous focus in the case of the operation of those vehicles on the axle replacement right now, but as we have the ability to determine and uncover additional things, we can certainly take our investigations as deep and as far as they need to go.

MAYOR HIGDON (Town of Matthews): Again, my concern is, is this an isolated incident or are there other areas where maintenance was deferred.

COMMISSIONER ALTMAN (Mecklenburg County): My first question, which is a holdover from the last meeting and why I wanted so much for you to be here, and thank you for making the trip, your last letter that I believe we have is the March 2nd letter, and I have trouble squaring what you've written here with my ability to represent to the public that it is now safe.

I'm going to read again what has been written here, and if you can explain to all of us why notwithstanding this language we can assure our residents, that's what I'll be looking for.

On page 4 it says: "It has not conducted," meaning CATS, "any form of risk assessment or hazard analysis as required by CATS agency safety plan and NCDOT's program standard to quantify the risks presented by the UHC-1 or to identify additional risks that the condition of deferred maintenance may be causing, nor has CATS examined and presented information on potential other contributing factors and/or mitigations that may exacerbate or reduce hazard risk."

And before you answer, again on the next page the similar question: "Current risk mitigations include the installation and monitoring of temperature strips on the LRV axles. However, the safety risk mitigation alone is reactive and unpredictable in potentially catastrophic LRV axle failures and does not reduce the associated safety risk to an acceptable level."

If you can swear what you all wrote on March 2nd as we sit today so that I will have confidence when people ask me, that would be really helpful.

JASON ORTHNER: Sure, absolutely. What we identified in that letter was that the risk mitigation plan was not sufficient, and I believe some of that was related to the operation of both the high mileage trains and the speed at which they operate. We have since accepted their corrective action plan, which includes those measures of removing the high mileage vehicles and reducing the speed of the system and doing other risk mitigation measures like monitoring of the vehicle temperature. We still reserve the right to take further action if we determine there is cause, but if our office believes that the actions that CATS take do not appropriately mitigate the risk of the operations system then we'd issue a further directive to suspend an operation or change an operation.

COMMISSIONER ALTMAN (Mecklenburg County): Was there a further writing from NCDOT after this or was it just all verbal to say what you said, which is that you're comfortable now with it?

JASON ORTHNER: There has been interactions with CATS. I don't have those details right in front of me right now but there has been lots of interaction with CATS all the way up until this previous week on ways that they are addressing this particular issue.

INTERIM CATS CEO CAGLE: I will say, and I will point Ms. Altman and other members of the MTC to the March 2, 2023 letter which was issued by NCDOT SSO -- and I think it's in the entire packet, in those 500 pages maybe 25% in, but we have also printed that for you and 23 just at your seat because what we are referring to, the March 2, 2023 letter, Subject: NCDOT Approval Of The Charlotte Area Transit System's (CATS) Corrective Action Plan (CAPs) To Address NCDOT's Unacceptable Hazardous Conditions (UHC) Letter and Speed Restriction Directive.

I think, Jason, I was going to point out to the MTC that that is the final acceptance of the CATS corrective action plans related to the derailment and the maintenance associated with that issue stemming from May 21, 2022, and so we did take the liberty of pulling that specifically out of the packet. The packet includes all of the letters that were referenced by Jason and NCDOT, but we didn't want to provide you with the final letter accepting the CATS or corrective action plans.

COMMISSIONER ALTMAN (Mecklenburg County): All right, NCDOT is on record. Thank you, sir.

MAYOR WASHAM (Town of Cornelius): I was wondering, what is the status of this organization in your mind; are we sitting here on probation now? How do you know that the guidelines are going to be adhered to? I know they've been set by this organization and I'm good with that, but how do you know they're going to be adhered to, or is that your responsibility?

JASON ORTHNER: CATS is ultimately responsible for following their agency safety plan. Our role is to ensure that they are following their agency safety plan. What has happened over the last several months is the level of intensity of our oversight functions because of what we've seen in the actions. That includes additional reporting, it includes additional unannounced visits and other types of oversight activities that will provide that level of assurance, but obviously CATS has the responsibility to be properly resourced in safety, to be properly organized in safety in accordance with the plans that we've developed with them.

MAYOR SIMMONS (Town of Mint Hill): That intensive oversight, I noticed in one of the notes you made there for their compliance of their structural inspections, that it hadn't been done since 2019 and it was required every two years, however, you didn't notify them for four years. Is there some trigger there that we're going to make sure that going forward that their two-year plan gets turned in to you in two years and it doesn't slide out to four years?

JASON ORTHNER: Absolutely. We are an audit-based organization, and so the safety of the system relies on the transparency of the organization to report on things that are a deficiency, and if we have a finding of any kind we drill deeper. Now, what we're doing as far as that particular activity now is we are requiring really into perpetuity a monthly update on inspections.

MR. HURMS (TSAC Co-Chairman): I have two separate questions. My first one is excluding unannounced inspections, because again, they're unannounced obviously, what is your present cadence as far as any form of regular extra inspections on CATS, either CATS vehicles, CATS facilities, or other things?

My second question is, obviously there has been increased inspections on our Light Rail vehicles, which is understandable, as well as the notice of noncompliance in regards to our bridges. I want to ask, what other either vehicles or structure things that you typically may or will bring attention to as far as your inspection efforts?

JASON ORTHNER: All right, the first question on cadence, we have very regular cadence of coordination with CATS. There's a monthly coordination that I mentioned where we go over basically the status of safety and very specific items. Now, that list is obviously growing larger so that list is occurring. We also have a quarterly required more intensive analysis with CATS and then the annual as well, and then a very intensive tri-annual audit which we will pick lots of areas to look at and drill deep into. There is several different interactions that go on there in addition to unannounced, in addition to other types of ways that we provide oversight of the safety of the system. And on the second question remind me again?

MR. HURMS (TSAC Co-Chairman): My second question is obviously there's been increased attention with the inspection and the looking at of our Light Rail vehicles, which is extremely understandable, as well as the recent notice of noncompliance in regards to CATS' bridge structures. I wanted to know, what are the typical either vehicle or structures that you may look at as well as you may have an increased look at now given the notice of noncompliance. Essentially, what are the vehicles or structures that you may take a look at or take a look at more now?

JASON ORTHNER: Our purview is over all things safety, so that means tracks, vehicles, signal systems, maintenance facilities. Pretty much everything that's a component of the CATS system is under our purview. There's been a lot of focus on vehicles, obviously, that's going to be an area that we're going to have a heightened focus on right now. But in our audits and our other types of interactions and unannounced visits, if we find other areas that require a significant amount of attention, we will drill into those as well.

MR. HURMS (TSAC Co-Chairman): Thank you, and I also echo Commissioner Altman in her thanking you for your work as well as coming over here, so thank you.

MAYOR KNOX (Town of Davidson): I want to thank you also for being here. I want to go back to the March 2nd letter page I want to read something and then I want to fast forward a year and a month later. "As stated, current risk mitigations implemented by CATS RCM personnel following the May 21, 2022, derailment includes the installation and monitoring of temperature strips on the LVL axles. However, this safety risk mitigation alone is reactive to unpredictable and potentially catastrophic LRV axle failures and does not reduce the associated safety risk to an acceptable level. Additionally, the procedure for inspecting axle temperature strips requires a written procedure and must be adhered to, contrary to noncompliance found by NCDOT. As such, NCDOT identifies a limited mitigation, missing documentation, and inconsistent compliance to be an unacceptable hazardous condition."

For me, words matter and accountability matters. Fast forward a year and a month from that statement that DOT made. Where are you now with the mitigation steps that CATS has taken so I can look somebody in the eye and say we're good?

JASON ORTHNER: For the corrective action plan that we did accept from CATS and our intensive additional oversight of those activities, we can say that to our knowledge now they are in compliance with what they've been directed to do. We won't let our foot off the gas on making sure that that level of oversight for safety stops in any way, and if we find that there are other risks or things that need to be done from our office, we will provide further directives.

MAYOR HIGDON (Town of Matthews): I must admit, I didn't read in detail all 500 pages of our agenda packet, but I did look at some of the analysis of the bearing that failed, and I noted that there was water inside the bearing and other contaminants that caused some corrosion that shouldn't be there. And to be fair to the manufacturer, the maintenance was deferred, however, I wonder as part of the corrective action -- this may be better answered by someone from CATS -- have we considered using a different brand of bearing that might be a little better than, I believe the manufacturer is, SKF.

INTERIM CATS CEO CAGLE: Yes, sir, so nothing against SKF Bearings. They make a great product; however, it is our opinion that Timken Bearings are superior in their useful life, and all

bearing replacements that are being conducted as part of the truck overalls we have specified the exclusive use of Timken Bearings moving forward.

MAYOR BALES (Town of Huntersville): As I'm looking through the timeline of events, obviously we all know the derailment happened on the 21st of May of 2022, more than six months between the time of the accident and the time that the report -- final accident investigation report to NCDOT of January of this year. From the time of the accident to the time that you received the final report did you require any mitigation as we are sitting here going through this investigative piece. Did we need to go to 25-35 miles an hour during that time frame or are we just kind of running full speed ahead waiting on an investigation to be completed?

JASON ORTHNER: I think that the best way to answer that is, and what would certainly have helped during that period, is some open and transparent communication about exactly what was going on with deferred maintenance. We were not provided that information until we received the final investigation report. Short of that, we basically have a single axle drop on the track, which by itself is not a significant issue, but clearly as the manufacturer completed this analysis and the final report was issued it revealed a much bigger issue than we had blindsided during that time. But we did ask for regular updates, and they did provide regular updates that the axle was still at the manufacturer for analysis.

MAYOR LYLES (City of Charlotte): I want to thank you Mr. Ortner, for coming, and I appreciate the participation and the partnership that we have. We understand your role is really very important to our systems operations, and we look forward to continuing this dialogue as well as all of the paperwork that's necessary. Thank you very much.

V. MTC March Meeting Action Follow-Up

Legal follow-up report was presented by Patrick Baker (City of Charlotte's Legal Representative), based on pages 73-75 in the MTC Agenda Packet for April 26, 2023 meeting.
City Council follow-up was presented by Councilman Edmund Driggs (City of Charlotte), based on pages 77-78 in the MTC Agenda Packet for April 26, 2023 meeting.
City Manager follow-up was present by City Manager Marcus Jones (Charlotte), based on pages 82-84 in the MTC Agenda Packet for April 26, 2023 meeting.

Discussion:

MAYOR LYLES (City of Charlotte): You've heard both from the Council member who is leading the work group as well as the committee of the Council that's working on this and our city attorney scoping out the roles under our existing interlocal agreement, our interlocal structure, and then the manager on the operational changes that have been made, so let's open this up as a discussion.

MAYOR EDWARDS (Town of Pineville): I have a question. Mr. Lewis in his interview talk repeatedly about procurement. Is there anything in procurement that substantiates or negates what Mr. Lewis said with the number of days it took to approve maintenance and other requirements of CATS? I understand some of the reasons why the City removed the procurement from CATS but that's not the point. He had some very specific things as far as dates, what was put in, and apparently no results. I'm not looking to shoot anybody. What am looking for is finding out how this has extended itself.

You brought up FTA, Mr. Jones, and FTA was here to do the investigation after the derailment, a month after the derailment, and they didn't even find the maintenance problems. What did they do? I think that's one of the reasons that we voted two months ago to get an outside person to come in, do the investigation. FTA seemed to have missed the big boats that were floating by, and I think we need to look at that, but I would like to find out on the procurement issue how much substantiation did Mr. Lewis have, was it held up, if it was who held it up and why. That's all, thank you.

CHARLOTTE CITY MANAGER JONES: Thank you, Mayor Edwards. I'll try to give it a good shot and then Brent may be able to go into a little bit more detail. I do want to be cognizant of the things that Mr. Lewis said, which have a series of inadequacies with them, so let's see if we can address some of those tonight.

I don't want to discount why the City took over procurement from CATS. There are state requirements and there are requirements that are related to the City Council that just weren't followed. There are a number of audits that we can provide to you that show the history of that: overpayments, vendors not being paid, and that was problematic. But I will tell you is this constant procurement services request, or the PSRs that Mr. Lewis talked about, is not something that is a city thing. It's something that was created in CATS that various audits suggested that is cumbersome and not a good process. I think it's important that when you start to think about some of the things that were provided publicly and trying to make a connection with the city process, that they weren't city processes to begin with.

The other thing I think that's extremely important is that there has been a lot of effort to help CATS with issues related to procurement. There were monthly meetings where CATS put their priorities in order, and they met with other staff in the city and that included the CFO for CATS. This concept of CATS' priorities not coming to the city and procurement is a bit foreign to us because of all the effort we put into it including – Brent Cagle is an ACM over general services and procurement as well as the ACM in the room now – Liz Babson, that CATS was in her portfolio, which she actually became an advocate for CATS to see how we can get results in this case. But I think Brent can provide a little bit more color to these PSRs and some of the things that were said.

INTERIM CATS CEO CAGLE: Yes, Mr. Jones, you did a good job of laying this out. Let me add a little bit more. Let me start by saying the procurement policies are in place for very important reasons, right. We want them there. They're what ensure that we procure things and will follow legal guidelines. And quite frankly, it ensures that we protect the taxpayer, and we make wise decisions when we buy, and we have the right kind of pricing, that we're doing our best to be efficient and effective with the things that we buy. Procurement policies are important, but the key to every effective procurement process is planning ahead, knowing what you need and contracting for it and then knowing when that contract will expire and procuring it or renewing the contract before it expires.

What I believe is, there was some lack of planning in CATS related to that, and as Mr. Jones said, the PSR process that's been referred to that is the purchase service request, that is a process that CATS created so if you are a field manager in CATS and you need to buy tires or you need to buy motor oil, you can then start the PSR process which notifies CATS finance that these purchases need to be made and then CATS finance would go the next step city procurement to make the procurement.

What we've seen through audits is that the PSR process in CATS was inefficient, that there were bottlenecks in the process created by certain members of CATS staff. Mr. Howell

over the last 160 days has been working to improve that process. CATS still uses the PSR process because you do need that planning process to assist with procurement. When I was in the aviation department, they had a process called the PPR process. That's prepurchase request, right? Departments have these processes that help departments to plan for proper procurement processes. The PSR process itself was inefficient, it was ineffective, and we are working to correct that.

The other thing I'll say without going into the weeds, because even though I find this interesting as part of good government I don't know if everyone else in the room wants to hear about it, I will say Mr. Lewis talked about one of his PSRs for bridge inspections, that it had been outstanding for two years. I think he said 200 days so not two years, 200 days. What I will tell you is that same issue was brought to me. We've talked about it tonight. And within a week we had deployed inspectors to do those inspections, and today those inspectors, about four weeks later, about 85% done. In about 30 days we've actually come close to completing something that Mr. Lewis I guess believed was something that couldn't even be started in 200 days.

I don't know the reasons for that, but what I can tell you is I will say in my experience one of the great strengths of the City of Charlotte, and I truly believe this, is when a department head needs assistance, right, when there's a procurement or an issue that needs to be resolved, department heads work together and with the manager's office, with our assistant city manager, and there is always assistance to be had. I don't understand exactly what the issue was with Mr. Lewis or Ms. Sherman or the CATS team, but I will tell you that has not been my experience inside of the City, and quite frankly it's not my experience today in CATS.

MAYOR EDWARDS (Town of Pineville): It still doesn't answer the question, if they process the request into procurement after it was taken away from them and there was nothing done, is there anything to substantiate the number of days it actually took from the time that CATS made the request to when it was finally approved or not approved?

INTERIM CATS CEO CAGLE: Let me be more direct. As we looked at the PSRs, there were PSRs that were accruing days that were not actionable, but CATS did not remove them, and Mr. Lewis continued to report on those as if they were actionable PSRs. They had never made it to procurement, or they couldn't move into procurement because they didn't have a scope of work or a complete scope of work, or because the CATS CFO told procurement to prioritize these things over those.

Let me directly answer your question. I'm not saying that Mr. Lewis was incorrect in the information he provided. I think the information he provided was not correct. He said what he believed. Mr. Lewis had his PSR report frequently with him. He would talk about it in the City, but that PSR report was reflective of processes that really were not processes. They had never started, or they had been de-prioritized, or they were not able to be acted on.

When we talk about PSRs, remember there were PSRs in the system that could never or were never brought to procurement to act on, however, they were not canceled out of the system. They continued to accrue days. There was some PSRs with a thousand days, but they were not actionable PSRs. One of the things that Chad has been working on with procurement is cleaning that up. If there are PSRs that are actionable we need to know that. We know how long it takes. If they are not actionable and not ready, they need to be moved back out of the system and brought forward again so that we do know true cycles time, because we do care about cycle time. In procurement we need to do it the right way, but it also needs to be efficient, and we need to move those forward as quickly as possible.

MAYOR EDWARDS (Town of Pineville): Madam Chair, the other question is the FTA and what they didn't uncover in their investigation supposedly, which are the things that we're talking about now that has thrown all the red flags up and everything else. They did not discover the maintenance issues or any of the other problems that existed. I guess it's a point of is FTA the right person to do an investigation of CATS since they didn't accomplish anything from the first time around, it appears.

CHARLOTTE CITY MANAGER JONES: Without having the report in front of me, what I would say is that as we have NCDOT here tonight, not only CATS but it was learned tonight also or reported to the FTA, so with this level of scrutiny on this item I would believe that you would get a similar response from the FTA as you received from NCDOT tonight as relates to what they call the state of good repair.

INTERIM CATS CEO CAGLE: One thing I will add to that is, as Mr. Jones said, NCDOT isn't empowered or authorized by the FTA, and so when you think about the accident investigation for the May 21st conducted by NCDOT SSO, they are empowered by the FTA. There was a thorough investigation of the accident by NCDOT SSO on behalf of the FTA, the FTA headquarters safety office, as well as a tri-annual review which is looking at financial records and state of good repair type of information and in their words' "operations and maintenance records".

MAYOR BALES (Town of Huntersville): To follow up on Mayor Edwards' question two things jump out. The first thing is why in the world in procurement was that not red flagged and addressed quickly with Mr. Lewis? Why was it allowed to continue those days, items sitting in procurement that no action could be taken?

CHARLOTTE CITY MANAGER JONES: I'll start by saying, and I want to frame this the right way, many of those things weren't in procurement. Again, this is something that's happening in the department that is not necessarily making its way through the system. I would also say to you, and it has been said tonight so let's just put it on the table, as the transfer of procurement from CATS to central procurement occurred, it was clear that there wasn't collaboration between CATS and procurement. There are different ways of saying there wasn't - I'm not saying there was sabotage, but it's clear that it wasn't helpful. CATS wasn't helpful in this transition.

MAYOR BALES (Town of Huntersville): The second point in regards to the FTA, what I heard this evening in the communications with NCDOT was that there was a lack of open and transparent communication with NCDOT from CATS. I would argue then there was probably a lack of open and transparent communication with the FTA. That's going to have to be corrected as we move forward.

CHARLOTTE CITY MANAGER JONES: I don't disagree. I will say I'd like to pull something out of the management partners report that came about this past December, a month after Mr. Lewis and I guess 2/3 of the leadership team left. It was very clear from the management partners review that poor organizational structure within CATS, lack of communication within CATS, and cooperation at the executive level within CATS, lack of transparency from senior staff with CATS, low employee morale in CATS, and an executive team that does not foster a positive work environment is central to what's happening.

I don't know if we stated it this way? I'll state it, Brent comes in, Chad comes in, none of the rules changed, none of the people changed in terms of the manager's office, and all of a sudden things are getting done. I just think that's important as we have this discussion.

MAYOR BALES (Town of Huntersville): Well, I think that as we go through this process - and I'm glad to hear, very glad to hear, that things are changing and we are putting ourselves in a place of being kind of right-footed, right, setting ourselves back up for success. It troubles me that it almost feels purposeful not to provide the information during this process to NCDOT and to the FTA. It's almost as if we withheld, CATS withheld, this information knowing that maintenance had not occurred. If they had known they probably would have put measures in place right after the derailment, and more than six or seven months they would have already implemented to 35 miles an hour. They would have already taken the necessary steps to right the ship. But the communication did not occur. That's what troubles me.

CHARLOTTE CITY MANAGER JONES: I guess it's important to say that based on the presentation tonight, the root cause analysis wasn't totally finished until December from Siemens, and whatever conversations were back-and-forth between them I can't tell you what they were, but I do understand.

MAYOR BALES (Town of Huntersville): But don't you think that information would have been relevant, that particular information that maintenance had not been occurring, that maintenance had been deferred, that was important information to have shared.

CHARLOTTE CITY MANAGER JONES: I don't disagree.

INTERIM CATS CEO CAGLE: One thing I will say, I think I heard it tonight but if not, rest assured this is my commitment, I believe that NCDOT did say that hey, they are now working much more closely with CATS and believe that transparency has increased. So that is my commitment regardless of what happened in May, June, July, so on. Our commitment is to, #1- safety is first. #2-to work closely with the FTA, with the NCDOT SSO to ensure that, and #3-to keep the MTC City Council and the public aware of how we're progressing as we fix these issues. Transparency is important and that is my commitment.

MR. HURMS (TSAC Co-Chairman): So first, in regards to Mr. Lewis had said that he had stated to the MTC about the derailment last year. I would doubt that definitely would not picture. While I may not have been a nonvoting member on the MTC last year, our chair Ms. Oechslin was and she definitely is someone who asks vigorous questions when it comes to this stuff, and both me and her were very much surprised when this first happened, so I just wanted to say that right now.

I have a few questions. First more to Interim CATS CEO Brent Cagle and City Manager Marcus Jones, so first of all, obviously things are becoming much more efficient with Mr Cagle and Mr. Howell in these respective roles. What is now the current timeline with some of these PSRs going through the system compared to before?

INTERIM CATS CEO CAGLE: We can pull that detailed information. Here's what I would say is procurements, there is no specific timeline for procurements. Some can be done in 60 days; some take 12 to 18 months. It depends on what you're procuring. Bus operations contract 12, 18 months; tires 60 days. There is a spectrum, but we can certainly, with general

services procurement, provide this body with statistics on what our term time is and how we have been working through the PSRs. What I would say, I had this conversation with Mr. Howell, Mr. Howell assured me that the PSRs that need to move forward, all procurement processes that need to move forward are moving forward, but we can provide you detailed statistics on that.

MR. HURMS (TSAC Co-Chairman): Thank you. And next more to Councilman Driggs. You mentioned yourself, Mayor Pro Tem Winston as well as Council Members Bakhari and Anderson are on this committee. Since the institution of this ad hoc committee what are your plans on doing so far as well as what was your maybe let's say 30-to-60-day plan for this committee? Now, you've already have mentioned a couple of those, I apologize, but I just wanted to just ask you directly.

CITY COUNCILMAN DRIGGS (Charlotte): I just want to be sure I understand the question. You said what is our plan, what is our group plan?

MR. HURMS (TSAC Co-Chairman): What has been done thus far within that committee as well as what is your kind of plan if there is one, or what are things you plan on either asking or doing within the next, let's say, 30 or 60 days in regards to looking into CATS operations and everything?

CITY COUNCILMAN DRIGGS (Charlotte): As I indicated, we started immediately in fact, before the creation of the working group, with this list of the issues that we know about, we've talked to Mr. Cagle about the actions. He's taking our intentions essentially to build on this initial concept of the scorecard, the dashboard that he wants to develop, and as these issues are processed, we will look for opportunities to review documents, conduct interviews, or take any other action that we feel is necessary for us to get to a level of our own individual comfort on the work that Mr. Cagle is doing. And that is not to second-guess him, but it is just because we wanted to have a primary basis for being able to report to you that we studied this thing and pulled it apart, and we have seen evidence of how substantial the report is that you will receive.

We don't know yet what our own path is because we have only had the two meetings so far, and those were really kind of a work plan thing. Mr. Bakhari was a senior risk manager in a number of large organizations including Wells Fargo, so he submitted this rather intimidating 4-to-5-page document with all the different risk categories and the actions that you take revealing audit reports and other documents. I think we're looking at that as the template, and we will then follow the actions at CATS and satisfy ourselves that there is nothing in any of the paperwork, for example, that should have been made public and wasn't.

MR. HURMS (TSAC Co-Chairman): I will say as someone who's in risk management that is music to my ears. I do thank you for your leadership in this as well as putting this together, so I do want to give you another thank you for that. And then finally to City Manager Marcus Jones. You had mentioned you had requested the FTA to have off-cycle reviews, so are there any differences between the typical on-cycle reviews that they may do versus the off cycles that you may have requested or any additional things you might want to have them look at such as things such as looking into personnel roles, how things relating to finance in terms of being able to either uncover or be able to find other deficiencies that maybe we may not even know at this present day?

CHARLOTTE CITY MANAGER JONES: Yes, in addition to the FTA review as it relates to the state of good repair, there could be opportunities for them to review other aspects of CATS. The idea is between the FTA review, what's happening with the ad hoc group, the dashboard, providing information on this daily it seems and report tonight, we would cover many of the aspects that were presented at the last MTC meeting.

MAYOR WASHAM (Town of Cornelius): I'll be fairly quick here, but our 20/20 hindsight is always fabulous and it always is, and it is with this situation for sure too. There are lots of problems that trouble me greatly but I'm ready to move beyond this. I feel confident about where we're headed. I've liked what I've heard tonight. We're not 100% there but I like the guardrails that have been put up. I think there's a lot of alarms that will go off now that wouldn't have. I think we'll be a better organization in the future than we ever have in the past.

I'll tell you right now, I don't know how many days you've sat, Brent, but whatever that number is, not quite six months yet, but I feel like I've learned more about CATS and the operations of CATS and our role, City Council's role, and how this really operates than I ever have known, and I've been mayor and on this board for six years. I think we are better organization going forward and I'm proud of that, but I'll say that in a guarded way because we've been through a lot. We can't ever ever let that happen again.

MAYOR HIGDON (Town of Matthews): Just a quick question. I believe the city manager mentioned that the FTA was going to hire a third-party consultant to help do the audit. Who is paying for that, do we have to pay, does the City of this group?

CHARLOTTE CITY MANAGER JONES: No, we won't, neither this group nor the City.

MAYOR KNOX (Town of Davidson): Two quick, and these are paradoxes of each other but I'm going to ask anyway. In my previous life I was a contractor on five military bases, and the onus of fulfilling procurement requests, or purchase orders if you will, were the backbone behind making sure things got done properly. And I heard Mr. Cagle talk about actionable items and nonactionable items. I'm more concerned about tangible items.

If the PSR was not the right form did anybody bring to light the fact that there's a new form that you've got to fill out? The fault can't be because the right box wasn't checked, okay? That can't be. And the onus of that responsibility lies on two people: procurement, number 1, and procurement was shifted; and number 2, the person that did the PSR that didn't follow up and let it sit in the till for a thousand days or 200 days. That's one of my concerns.

The other one has to do the committee that Ed's on right now and what our role is as voting members of the MTC representing our respective communities. I understand that CATS is a department underneath the guise of the City of Charlotte but based on the guidelines that I reading this interlocal agreement I'm wondering why there's not representation from other voting members of this board on that committee for review.

MAYOR LYLES (City of Charlotte): That is something that I struggle with because it's a 26-year-old document that probably wasn't ever designed to think about rail or many other things that we're doing or the growth in our county. I do think that we have a structure issue, but we right now have an interlocal agreement that is pretty much – ask the attorney any question about it, but it was the way that that was designed. And I wasn't around. I think I've been here six years as well, and I know more about this than I had except I knew that we had a separation between like the union and the city and the way that we manage, and I knew that

there was an advisory role for MTC but not the kind of role that we would have I think if we designed something today. I see the manager and councilmember Driggs also want to address this.

CHARLOTTE CITY MANAGER JONES: Brent, I'll take the second part of the question if you'll take the first part. I believe that as you see information coming out, whether it's through the FTA review or through the workgroup or through the dashboard, there is going to be so much information being pushed out. I can't address the question of who should be on the ad hoc committee, but I do believe that you're going to see more information pushed out than ever before. I will tell you that Brent and I talk maybe half a dozen times a day, and 4 them I wish we weren't talking, but I will tell you that, as everybody else has talked about CATS tonight, I'm getting more information on CATS than I've gotten as city manager. While I'm not addressing what you're saying directly, I just don't believe things are going to get done in a vacuum with this ad hoc group, but through the various items we discussed tonight I believe more information will be pushed out.

MAYOR LYLES (City of Charlotte): Can I add, I do think that we are reorganizing the way that we conduct our meetings and going for the things that have to be talked about is really, really important. And if you think about it, it's 7 o'clock and we started at 5:00 and we're still on the area of where we're talking about improvements and change in CATS, and so that to me says it is a buy-in for more conversation, and I think CITY COUNCILMAN DRIGGS (Charlotte), would you address about updates and how that's going to work?

CITY COUNCILMAN DRIGGS (Charlotte): I do have a couple of comments. One, CATS is a \$160M a year operation. Do you think if a huge amount of procurement had not proceeded normally, they would have been able to operate? There must've been an enormous amount of money that was spent in the ordinary course of business. I don't know what the procurement was Mr. Lewis says was held up, but I will point again to my prior comment: the failure to do inspections and the failure to conduct maintenance were on the management, the then-management, and those are the people that are now complaining. I will just, as I suggested before, ask that we take with a grain of salt some of those allegations. CATS has been running all this time. There was one incident that occurred with the derailment. There hasn't been another one since. I think my goal here is to try and maintain some perspective.

As far as the activity group is concerned, it does raise basic questions about the MTC. My understanding about the MTC always was this was a partnership of communities joined together in pursuit of goals that we had for mobility but that was mainly what it was about. Our intention was to ensure that any of the work that was done by our counters was inclusive and was acceptable to the communities, serve the communities who are our partners.

That's the central mission I see. We have always had on City Council and Charlotte that responsibility for all the stuff that goes on, like decisions that have to be made, spending decisions, other things. A lot of that was kind of part of our work and is part of my work as the transportation chair.

At the same meeting at which we discussed these issues we also had a presentation from Geraldine Gardner about Connect Beyond, and I am very focused on all of us participating and contributing towards the realization of some of those goals and that aspiration. We're going to have to fix this, and we will fix it, but I do think that the operational responsibility of CATS rests with the manager. We oversee the manager. I expect you to demand from us that we satisfy you that the work that we have done was done sufficiently and properly. I would

hope that we would be allowed to decide as elected officials and as the management what are the actions needed or what in particular has to take place.

I will certainly be back here. I'm going to be very answerable to you, but I'm afraid that if we start to agree too big a committee on this process that we are going to frankly encumber ourselves. You can critique what we're doing whichever way you see fit, but I would hope that we would be allowed to be the focal point of the effort to fix these things, overseeing City Manager Jones and Brent Cagle. Thank you.

COMMISSIONER ALTMAN (Mecklenburg County): A lot has happened in the 30 days since we were here, and some of it really goes to trust and transparency. This has been a great meeting. I've heard a lot of things I've liked, but some of it has really not been consistent with what I've heard outside the meeting, and so I feel the need to correct the record and lay out my view of what I've heard over the last 30 days and what I've heard tonight and then I can decide where I am, and I'm sure we'll take about on some of these matters.

The city manager needed to backtrack and let us all know that he had in fact been advised of the derailment the day that it happened. City Council was falsely told that the MTC did not vote for an independent third-party transit investigator. After CATS' representations at the last meeting that we were here when we were told the trains were safe, NCDOT issued a fresh round of warnings that the rail operations and the ROCC were insufficiently staffed, and it would shut down the rail entirely if more staff could not be added. Charlotte announced a flurry of actions subsequent to our vote for a third-party transit investigation, including this Federal Transit Administration off cycle review, with the clear implication being that this would in their minds preempt or take the place of the MTC's unanimous vote during the third-party transit investigation.

I've heard statements of city officials minimizing the derailment and implying that the seriousness of the situation, all of it, including not maintaining the trains for years and all of it, has in some sense been hyped or exaggerated.

Despite promises of changing a culture to encourage employees to come forward, the City has failed to follow up with at least one employee who had the courage to do so. Although having been alerted in late March, I confirmed that as of yesterday no one from the City has reached out to an individual who's prepared to share firsthand knowledge concerning information about the CATS operations. I'm not real sure what the point is to talk about a change in culture, encouraging people to come forward, when if they do nobody gets back to you. I believe this gentleman believes no one will, based upon my conversation with him yesterday.

Regarding our unanimous vote for the third-party transit investigation a City leaders said, quote, We council will consider that when and if that is helpful. This member also said that ultimately the City Council has authority over any expenditures in this context. We've heard from the city attorney today explain his memo which, if I may paraphrase, and please correct me if I'm wrong, but do you believe that we lack authority for the third-party transit investigation?

That seemed to be my impression; that's my impression of what you said.

MR. BAKER (City of Charlotte Legal Representative): The vote was a resolution to request it, which you're certainly entitled to do. The question ultimately is who can enforce it, who can require it, and where the authority comes.

COMMISSIONER ALTMAN (Mecklenburg County): Thank you for clarifying. I have two broad observations. The first is that we had the authority for the vote and for it actually to be followed, and the second is that the FTA's work does not supplant our need for a truly independent third-party transit investigation that answers to us.

Some background: When the Mecklenburg County voters passed the half cent sales tax to fund transit in 1999 the MTC was created by the interlocal agreement to give governance power to the people who were being taxed. No taxation without representation. Thus, the voting members of the MTC are the mayor of Charlotte and the mayors of the towns of Mecklenburg County: Huntersville, Cornelius, Davidson, Pineville, Mint Hill and Matthews, plus a county commissioner. You've heard a lot of talk about how confusing this is out in the community. But under the local agreement the joint nature of the City of Charlotte and the MTC overseeing CATS was intentionally designed to be intermarried and interlocking, because while CATS is run by Charlotte it is funded by all of Mecklenburg. Just like the House and the Senate have to both agree to pass a bill to become a law, both Charlotte and the MTC, which represent different constituencies, have to agree to decisions for this integrated regional transit system.

The MTC is not some sort of advisory board to Charlotte. We are a peer organization. Contrary to what the councilperson said that ultimately City Council has authority over any expenditures, it should be borne in mind that the financial contributions that each of the towns in Mecklenburg County agree to entrust to the CATS operations was done pursuant to a signed governance agreement. For example, the most recent record I have found from 2020 is that Mecklenburg County remitted \$55 million to CATS, and my budget director confirmed today that our 2022 sales remittance for Mecklenburg County to CATS was \$75 million. It would be helpful if all understand that MTC is not auxiliary to the will of Charlotte and that we have a vote that matters, because we tax non-Charlotte residents and we send the proceeds to CATS, not to City Council, to operate the service.

If you read the local interlocal agreement, which was not in our 500-page agenda so I have a copy if anybody needs it, there is an expectation throughout that the MTC will review programs for system performance. The local interlocal agreement states that it's our responsibility to ensure an effective, efficient, responsible, and accountable integrated regional transit system, and I submit to you that we can't have accountability if we don't have the information.

It's not about passing blame, it's about actually getting to the root of each of the steps of failure, because it wasn't just Mr. Lewis. There was for example monies. I can't remember who pointed it out last time but millions of dollars that weren't spent on maintenance that wasn't done. Many people above Mr. Lewis should have seen that and had a red flag and that never happened.

Section 7B of the interlocal agreement provides the MTC review and recommendation process shall provide opportunities for input from the parties to this agreement and the public. By April 30th the MTC shall approve a recommended capital program and operating program. In the event that City Council does not within 90 days approve that budget then a process is triggered for further negotiation with a six-person committee.

The point is, Charlotte does not get to overrule the MTC. There is no provision in the interlocal agreement that the MTC has ability to direct a third-party transit investigation. No one could have foreseen that at the time this was drafted, yet sadly here we are. To claim that the MTC lacks this authority under the broad terms of this agreement is an unreasonably restrictive reading inconsistent with the fair reading of its entirety. Indeed, our ability to do

what we did at our last meeting and have it followed by the CEO of CATS is fairly contemplated by the totality of our oversight and our fiduciary responsibilities interwoven throughout.

Last, I am sorry, but it bears saying, trying to parse the interlocal agreement this way, the one time that the MTC has diverged from what the City of Charlotte wanted is a surprising way to treat one's partners, and surprising given the upcoming budget discussion we have tonight, and more broadly the upcoming discussions that will require everyone's partnership on a transit tax and a regional transit authority. I ask you: How can we vote in good conscience on the CATS budget tonight when we cannot even secure the process that we put in place for a third-party transit investigator to get to the bottom of so many critical system failures that even went above Mr. Lewis, which wasted hundreds of thousands of taxpayer dollars, if not millions, because we're still waiting on further information, and caused significant safety lapses.

Now, regarding the Federal Transit Administration's off-cycle review, it's page 370 in my agenda packet, I don't know if Mr. Ford can pull it up, but this shows the FTA's last report was dated June 22nd, as someone already pointed out, a month and a day after the derailment. If you look at page 399 there's a report dealing with maintenance. It says, quote, one deficiency was found with the FTA requirements for maintenance. One deficiency. We have trains not being maintained and the railing. We have bridges not being inspected. The ROCC is dangerously understaffed.

I'm not faulting the FTA. They were probably looking at other things or maybe they weren't provided information, as Mayor Bales suggested, but what we need is for the CATS CEO to not delay further and executing on our directive to prepare an RFP for a third-party transit investigator with the scope of work consistent with our previous statements.

You know, a Charlotte leader told me when this all first happened that we should be about the business of instilling confidence in CATS in the minds of the public and not overreact, because that would harm public confidence. I think that logic is backwards, that people would have confidence in CATS when it is earned.

It will be hard to earn it back. MTC voted for an independent transit investigation because we know that it is only by a transparent and independent process that is followed by accountability that confidence can be rebuilt, not only to inspire confidence in the people of this community but in our partners, whose help we will need for the transit tax and the transit authority. I was approached by a leader who would be a part of our regional authority outside Mecklenburg County but close to us, and that person underscored to me that they are watching what happens here and that they will not have confidence in the outcome of this process unless the investigation is independent. I respectfully submit to you all that our transit planning is in jeopardy if we do not respond appropriately.

MAYOR LYLES (City of Charlotte): Thank you. Mr. Driggs?

CITY COUNCILMAN DRIGGS (Charlotte): That was a masterfully constructed legal argument. I give you a lot of credit for it. I think it's regrettable that your tone is so prosecutorial in this group. I think we are all part of a partnership that pursues common goals. I think we are all equally dismayed about what has come to light about this, and I don't see a basis for you raising questions as you implicitly are about Charlotte City Council's and Charlotte's ability to get to the bottom of these matters and address them to the satisfaction of the MTC. I would remind you that you were the chairman of the MTC last year when all this was going on and had the authority to remove Mr. Lewis. I don't recall that there was a vote to that effect.

We are all in this together. We have the same responsibility for it. I was the one that made the comment that you quoted. The word "request" was used because you didn't have the

authority to use the word instruct. That's why it was used that way. You didn't have the budget either to impose on Charlotte this action. The manager has \$500,000 of authority to pursue actions that have been authorized by the Council either through out budget process or a separate vote. He does not have authority to write checks that haven't been cleared with us first. To me, that was a circumvention of the authority of City Council if he would have come to us and say okay, this is what we have.

Furthermore, the actual action itself was a request and then there was this long list of comments that people had made. And frankly, processing that into an RFP is not an easy task, and it would take a lot of time and great deal of expense. What we are trying to do in cooperation with everybody in this room is just bring to light this stuff, deliver it to you, try to satisfy you that it has been researched properly and not spend a huge amount of money on an investigation that wouldn't be finished for months and months from now.

I don't think, furthermore, fault-finding is really what we are about here. I think what we all agree on -- and I appreciate what you said -- we need to look ahead. The people who are most responsible for these conditions have left, and those are the heads that would have rolled if there had been a need to roll heads, but they are gone. And now you have a new group of people that have come on the scene, and everything you've heard about tonight is the effort that we're making to put this straight, and I would just appreciate the opportunity to be allowed to do that and not be exposed to, again, what I consider to be a prosecutorial criticism of the way we're going about it. I don't deny the accountability that we have to the MTC. I would like for us to work in a better spirit of cooperation. Thank you.

MR. THUNBERG (Town of Mooresville Representative): Actually, and I hate to step on the little cross-examination that just went on with Mr. Driggs and Ms. Altman, but Ms. Altman actually got to the root of the question that I was going to ask Mr. Baker. I was going to ask Mr. Baker if the MTC had the authority to request an investigation of CATS, and it appears not. Would you explain that to me just a little bit, and I'll have a second question too, Mr. Baker?

MR. BAKER (City of Charlotte Legal Representative): Yes. In having reviewed the minutes from the last meeting and the conversations with Mr. Thomas, the question was, as I understood it, to be a resolution was put forth. Whereas, in normal situations when you're instructing your city manager to do things, you authorize the city manager, or you direct the city manager to do something. With this resolution, it was a resolution to request a third party, it was a unanimous request through a resolution, but the question is who that was directed to and who is under some sort of legal obligation to actually complete that.

That's the issue where, in simple terms, you can request that and you can resolve to request that, but ultimately the question is who is going to do it where's the funding, and where is the legal encumbrance, if you will, to produce this document to enter into a contract with a third party or what have you. That's the part where it's at the City. And if the City Council, city manager, wishes to take that resolution and go do a third-party they are certainly entitled to do that, but the question ultimately is can the MTC direct the city manager and the City Council to conduct this third-party review. And that's where I don't believe we've got the authority to do that.

MR. THUNBERG (Town of Mooresville Representative): Let me follow up on that and then I've got a third question. Can the MTC direct the CATS CEO to do that third-party investigation?

MR. BAKER (City of Charlotte Legal Representative): I don't see the authority in the interlocal agreement they can do that, no.

MR. THUNBERG (Town of Mooresville Representative): My next question is, why do you even need the MTC except for the fact that the jurisdictions are sending you money to run your transit system?

MR. BAKER (City of Charlotte Legal Representative): There are a number of things in your interlocal agreement that speak to the cooperation and the fact that this body is here to review the policies, to put input into the policies that are going forward, and to review the budget of the MTC. When you're talking about the day-to-day operations, it is a city department and that falls under the city leadership. Again, you can certainly -- and I think that this body has -- raise serious concerns about what's going on at CATS, and you can bring that to the Council's attention, and I think that you have. But ultimately, if you've got the ability to make those directions, then it would be the MTC that is actually running the CATS operation, and that's not contemplated in this agreement in terms of unilaterally MTC running CATS.

MR. THUNBERG (Town of Mooresville Representative): Just to follow up, other than checking a few boxes you don't really need the MTC, right?

MR. BAKER (City of Charlotte Legal Representative): That's not what I said at all. What I said is you're operating under the interlocal agreement. This specific issue of directing the City to hire an outside entity, that's the only issue that I'm bringing up. It would be the work that the MTC has done for years and years, since this interlocal was put together in 1995, is very important and is not to be diminished by this particular issue.

MR. THUNBERG (Town of Mooresville Representative): What if the taxpayers in Huntersville or Cornelius or Davidson or whatever, what if they really want to have a third-party investigation, can one of those jurisdictions request some of their tax money back to be able to complete that investigation?

MR. BAKER (City of Charlotte Legal Representative): I haven't looked into that question, but if there were going to be any amendments to this document, that's covered in this document as well.

COMMISSIONER ALTMAN (Mecklenburg County): I respect all of my colleagues and all the branches of government with whom I interact, and I can tell you that everything that I say is based upon the fact that I raised my hand to represent all 1.1 million residents of this community. I represent 870,000 residents of the City of Charlotte and I represent all the residents of all the towns and all the residents in the ETJ. That's why I'm here and that's why I ask the questions that I ask.

Mr. Baker, if I were to make a motion or if all of us were to agree that we wanted to add one additional sheltered bus edifice in each of the towns, would we have the authority to do that?

MR. BAKER (City of Charlotte Legal Representative): That's part of the budget process and I'm not really --

COMMISSIONER ALTMAN (Mecklenburg County): I think the answer is yes. I think that if we all wanted to add a transit amenity, that that is something that we could make a motion for, it would be added to the budget tonight, and then it would go to City Council and they would have to agree or not agree, and then there's a reconciliation process. I'm pretty darn sure that there's nothing in the interlocal agreement that says we have the authority to build another shelter edifice. The point is that it's within the scope of the work that we do, and I think it's a little bit of a strawman, if you want to get lawyerly about it, to say that we are trying to direct City Council. Let me make very clear, I respect my City Council colleagues. This was a direct directive to the CATS CEO who I thought you said has a direct report to us, did I hear that right?

MR. BAKER (City of Charlotte Legal Representative): A direct report to the city manager.

COMMISSIONER ALTMAN (Mecklenburg County): I thought I heard one of you say that he has a direct report to MTC. Does he?

MR. BAKER (City of Charlotte Legal Representative): The MTC, as I stated in the memo, does have the authority in terms of the oversight into the hiring and potential dismissal, yes.

COMMISSIONER ALTMAN (Mecklenburg County): Yeah, I thought I heard one of you say that he has a direct report to us. I just want to be really careful because I want my City Council colleagues to know that I would never presume to direct them to do anything. This was a directive to the CATS CEO who oversees a budget that Mecklenburg County contributed \$75 million to last year in an organization where I have, according to the interlocal agreement, an obligation to ensure accountability. That is the authority.

Again, your statement that MTC cannot unilaterally start running CATS, that also, respectfully, is a red herring. Nobody here wants to do day-to-day running of CATS. The goal was to get a truly independent person with transit experience to pull the information and report back to us so that we weren't only having to rely upon people who were a part of the original problem, which I think is pretty understandable given our duty to our residents. Thank you for letting me clarify that.

MAYOR LYLES (City of Charlotte): This has gone somewhere that I wasn't expecting, but I think I speak for the 11 members of the Charlotte City Council and the 900,000 residents inside of our own city limits, is that we have spent weeks and months working through this with great intention, that we have owned the responsibility in so many ways around this and shared that information with so many of you as we've gone through the MTC, as we've talked about how to address this.

Sometimes I think that what we're doing is arguing over how to get something right or how we feel about who says what's right, and I wonder if that's really carrying us forward in this situation today. We can all say how many people represented and how many dollars we've put into this. We can talk about who has a fiduciary responsibility or how you get the money or whether or not we're going to approve the budget, but when we start talking about what we're going to do. I try to think about that person that's at the transit center right now or walking up those stairs to that rail line right now that have to get to work. If we're going to play around with this idea of the budget and not have something that we're going to actually stop our bus system from working, I can't be a part of that. I just cannot be a part of that. I know that we

have opportunities to do things together, and we generally have. We really have worked, and I think in the last two years I would say that we have worked together in a way that hasn't been accusatory, that has always been put the first thing forward were the people that we're talking about. I just think we are getting to a place where we can talk about who's doing what report, we can have layers and layers of reports, and that might be something that we need to do. But today, if we're not going to approve this budget, if we're going to stop this transit system from working after what we've already had to layer on it, I would be very, very disappointed and I will not be able to support that.

I don't know if this is worth a dialogue that's open and honest about what we can do and what we cannot do or where we disagree or where we should agree. I don't know the next step, but I know that Commissioner Altman has said that we should not do the budget –

COMMISSIONER ALTMAN (Mecklenburg County): No, that's not what I said.

MAYOR LYLES (City of Charlotte): -- if we cannot do this in a way that we agree upon who does the budget and who authorizes. I use the shelter inference, or the idea of the straw person is the shelter. Well, shelters are a commodity that we have inside the budget, and it's actually a part of the plan which is a part of the responsibility that we have as an MTC, because we approve the routes, the plans, amenities and things like that, but when we're talking about the allocation of a report that we would decide to do, someone is going to have to come up.

We have to make some decisions, which what do we want to do what we want to accomplish tonight. That can be voted on, and maybe it works and maybe it doesn't, but I know this, that if we don't have a budget for our transit system, all of the good work that we've cultivated among each other will become another part of what I call our inability to deliver an action to this community that they desperately require for the people that live at least in Charlotte, I know that. I don't know what the next step is. We have another agenda item. Maybe we want to take a break and do something or not, but I'm just saying that as we go through the rest of our agenda if there is an action that someone wants to put on the table as a voting member of course do that, but if this action diminishes our ability to continue to move forward, I will not be able to sit for it.

COMMISSIONER ALTMAN (Mecklenburg County): I absolutely did not say that I don't intend to vote on the budget tonight.

MAYOR LYLES (City of Charlotte): Well, I may have misunderstood. Excuse me if I did.

MAYOR BALES (Town of Huntersville): If I may, I think what we have here are two organizations that really need to go back to basics. You were right in that we have worked very hard over the last few years to build relationships. When I read the interlocal agreement and it talks about consistent with divided principles and other components of the 2025 integrated plans governance recommendations, the parties have cooperatively developed this interlocal agreement to provide the relationships and methodisms that will guide the planning, financing, and implementation of an effective, efficient, responsive, and accountable integrated regional transit system.

I appreciate the working group. And you have heard me, I think each and every one of you have heard me for a year-and-a-half say there are two governing bodies, and we should have opportunities to work together, but we need to be able to listen to one another and bounce ideas off of one another. When the idea of the working group was broached, my

question I wrote down, because in the city manager's memo on 3/30 it says this review will build upon the management partners review of CATS: culture, leadership, budget, operations, maintenance, and governance. Should that working group include members of this body? If we really truly want to work together – and trust me, I don't necessarily know that I'm volunteering for that, but what I am saying is that we cannot work in silos, we cannot. And we all sit representing a segment of Mecklenburg County. We need to be willing to roll up our sleeves and do the work and help CATS be the best organization that it can be. We've all sat here, we've listened to the reports, we know where the deficiencies lie, or at least I feel like we know where the deficiencies lie. I hope there's no other surprises moving forward. Now is the time to create a working group between the two organizations. I firmly believe that if we do not do this, I believe the chasm is going to grow greater between the two organizations, and that is not what we want.

MAYOR WASHAM (Town of Cornelius): Let me go back to the statement that you made, Vi, earlier about the interlocal agreement. It is what it is. It was written 26 years ago and it's probably out of date, but it's the legal document that provides the legal status of each organization. I don't know how to get around it unless we sit around this table and redo that, because we can give each other play authority if we want to but the document says it is what it is, and that's what we have to go on. I don't like aspects of it. I agree with what Melinda says about working together but the document isn't necessarily conducive to that in the ways that maybe we would like it to be. None of us in this room sat around and wrote it 26 years ago. To me that's the crux of the issue that is in the picture somehow.

Now, I don't know how to solve that. I mean we can't make the City of Charlotte do anything and I'm not sure they can make us do anything. I'm not sure it matters whether we vote on the budget or not here, legally. Can they go off and vote on the budget with their City Council? I bet they can keep the trains moving. I'm just not sure, I'm not a lawyer. I think that's what I don't know how to fix.

MAYOR BALES (Town of Huntersville): Well, that goes back to begging the question why do exist in the first place.

MAYOR WASHAM (Town of Cornelius): I agree with that, and I think Vi knows that I've asked that question.

COMMISSIONER ALTMAN (Mecklenburg County): The answer is the City of Charlotte cannot go off and do it by themselves because the interlocal agreement requires our input.

MAYOR EDWARDS (Town of Pineville): I guess I feel the same way, is there's really no sense of us voting because it really means nothing. We rubberstamp everything. I've been on here for nine years and there's never been a conflict of anything. My God, I mean everything has just rolled right along. Suddenly we have a real crap show that's hit, and we're asking for an outside investigation of that because it certainly wasn't all John Lewis. There was a lot of people that were involved in what's going on. You don't take the size of a company in an industry, transportation, and expect other people not knowing what's going on and saying the wheels are falling off.

All I am saying is that the way it's coming across is that really, you're going to do what you want to do no matter what we say. That's the feeling I have. It makes no difference. We

voted already 6 to 1 I think it was to do this and it meant nothing. I guess that's my only comment.

But there are other people involved in this and I'm not the kind of person that wants to headhunt, and that is not the issue. The issue is safety. The issue is getting the answers of why things weren't done and why we went two years without inspections. I mean come on, someone had to see this. Procurement, if it takes you 60 days to order tires you've got a problem. I ran a corporation in 5 plants in 4 countries that people had the responsibility of ordering what they needed to get their job done, and to take 60 days to buy tires? You made a comment about that. That's unacceptable; that's a commodity.

MAYOR LYLES (City of Charlotte): Jack and I have had this conversation about how government works, and I agree with Mayor Bales that we have to work together. We're working on this through the advanced planning with the COG; we're working on it through this. I think, Jack, you said it well: Are we doing a headhunt; are we trying to get people identified in the number? Maybe the real question is what is the study supposed to do; what is this review supposed to be, because I think that one of the things that I hear, and I think it does sound like, well, who shot John because we have to identify that person, the gun, we've got to go test it out, or are we trying to make sure that there are no guns available for other people to be shot? That's what I'm not sure of.

I'm not sure if anyone in this -- the motion was here somewhere. It was an operational investigation to establish facts related to the train derailment and the failure to inspect bridges, the failure to order buses in a timely manner, and any other reason related to bus and rail operations safety, security, and asset maintenance.

I guess this is what I'm hearing, is that we have had NCR and NCDOT SSO come in and talk about safety and security. We have been very upfront sending out information on operations. You've been getting the minutia of it, but we can't even figure out what level of is it every time a bus has a wreck or is it every time a train slows down or it goes 36 miles instead of 35. We've been making these critical decisions inside our organization with an eye towards transparency and openness. This is where I think one of the questions that I have is if we are doing this report and this report is coming back and it's about bus and rail operations, safety, security, and asset maintenance, the manager has applied resources to every part of this. Maybe we're doing this too soon, because we haven't gotten the feedback. My thinking of how we work in Charlotte, and it doesn't mean everybody works that way, but I depend on my city manager to come back and give me a plan and report before I start saying that this is what I have to have in addition, because I don't have the knowledge and all of the asset information that we need, but right now I don't think that we're saying that we will not do a third-party investigation. I think we're disagreeing on the level of that investigation, and I really do think there is a little bit of who shot Johnny and I'm not so sure that we can do anything about that.

When we're talking about people that have left the organization -- and maybe that's part of it that I'm not getting it. I'm just not getting how far we go beyond the things that are in the request: operations, safety, security, and asset maintenance, and still running the bus system. Maybe the real question is there ought to be a conversation about what we are really trying to investigate. Are we trying to investigate to punish or are we trying to investigate to improve, and I'm not sure which one it is.

CITY COUNCILMAN DRIGGS (Charlotte): My thought always was that we would work together, but I can tell you, I found out through the media that that resolution had passed, and frankly I was a little startled. I would have thought there might have been conversations. No

one called me. It felt to me like in the spirit that we're trying to discuss now, there would have been some consultation and we all would have said man, we have a problem, what are we going to do about it. Instead, this directive comes down, and it got us off on the wrong foot I think.

I mean, I'm very open to any suggestion that people have as to how we work together, how you participate. We made a Council decision among our membership as to people that would work on this. It wasn't intended to exclude any input from the MTC. I've known everybody here for some time, and I just think it's unfortunate we now find ourselves arguing about what the power is and who has the right to make somebody do something. We managed to avoid being in that position so far, and I would just hope that we can now. If anybody here has ideas of how this should work? The issue of the specific RFP was something that we all should have been able to participate in the discussion. Counsel was not there, it was our budget, we weren't even allowed to join you in thinking about that before that vote was taken. My reaction was it's a request, but there's things going through my mind about when we should do that or whether it's necessary to spend all that money given the other steps that are being taken, the NCDOT, the FTA. Certainly, if we reached the conclusion together that we would not reach a good outcome without doing that, then I think we could all together say let's do that.

We need to just calm down I think from this condition of examining the agreement to deciding who has the power to make who do what. Charlotte is not telling you guys no; we just didn't take action immediately because we weren't allowed to participate in the decision, and we had a slightly different view about what the appropriate timing would be for that. I think we all know that there are bigger questions concerning our relationship, concerning the progress of the mobility plan and everybody's role in that. The stuff we need to be working on is really not helpful, I don't think, to any of us to find ourselves in this position where we feel like adversaries.

I don't want to argue with anybody here. I would like to know what you think is right and we'll work with you. Like anybody who wants to come to our meetings and participate and be a member of the working group, it's not a voting group practice, it's just a working group. I can tell you we're going to spend a lot of hours to go down into the weeds, and that was the commitment that we made on the working group. The staff that knows about these things works for the City of Charlotte, and the building in which a lot of this resides is our building. It just seemed natural to me that we would spearhead the effort, but the suggestion that we don't care as much as everybody else in this room about safety is hurtful to me, and the suggestion that we are trying to exclude you or inviting a power struggle doesn't make any sense.

I don't know how you want to dispose on the issue. We could have a conversation about the investigation, what it should be, when it should happen, how it should get paid for, how useful it would be, but my thought was we will have more information that we could show you that will steer us towards an understanding: do we see enough/have we done enough, without spending that money, and what exactly, as the Mayor points out, would that accomplish.

I hate this frankly that we're sitting here like this. We are all members of the same community, and we are all partners in one very grand enterprise, and we can't afford to let something like this divide us.

MAYOR LYLES (City of Charlotte): I'm going to suggest this. I don't who on the MTC is willing to serve to work with Ed on making and integrating the MTC in this group. I think it's a question of who would be willing to actually spend some time having a conversation to say I have the time, I am interested in doing it, I want to do it, and just if someone is willing to volunteer to do that or if someone is willing to help structure and then create the person to

volunteer maybe that's a better way, because tonight it's a little bit difficult to say this is what we would do. You know, I hope that we would not leave it unsaid and undone tonight.

Is anyone of the voting members willing to agree to meet with Ed to think about how to scope this out in a way that includes participation by the MTC as well as an understanding of the sequencing of the work to be done? Is anyone willing to do that?

MAYOR HIGDON (Town of Matthews): I would love to, but I don't have the time.

CITY COUNCILMAN DRIGGS (Charlotte): My point is we intend to perform a service here. We are going to put in those hours, and we are available to anybody at any time, but I would have thought most people would be grateful not to have the conversation. We've spent three hours so far in two meetings with Mr. Cagle already, and we have a work plan that contemplates meeting with him weekly and there will be stacks of paper looking through documents and so on. You just have to trust us a little bit.

MAYOR HIGDON (Town of Matthews): Let's take a vote.

MAYOR LYLES (City of Charlotte): Let's do this if this is amenable to the group. John is co-chair, and he was on the search committee. Obviously, you're not doing anything for six months. Would you be willing to meet with Ed, work on a structured document, and then check in with people that would be willing to participate? Would you do that?

MAYOR HIGDON (Town of Matthews): Yes, I'll do that.

MAYOR LYLES (City of Charlotte): Thank you, very much, John. I appreciate you doing that.

MAYOR HIGDON (Town of Matthews): I just want to make a comment to our previous discussion, and it reminds me of when I was a younger man with not so much money, I might have driven a vehicle until my tires were totally slick and I'm like well, I can go another couple weeks, maybe I won't have a catastrophic accident. It's kind of like playing Russian roulette a bit.

In this case I put a written comment in. I said it's simply a case where we didn't do maintenance as prescribed, and we paid for it. I think that what we need to do is to make sure that this is not systemic within the organization and that we're doing this in other areas. For me that's what I think we need to do. It's kind of like where there's smoke there's fire kind of thing, are there other issues within the organization that we need to look at. We got caught on this one, are there other areas? That's why I asked the question earlier about are there other maintenance issues that are slipping and not being done as prescribed. I just want to make that comment. I think it goes beyond this one simple incident; we need to make sure there's not any other issues.

MAYOR LYLES (City of Charlotte): I think this is what Brent I said that I can tell you that there will be, okay, and we just hope it's not catastrophic and we hope that it's still just to the level of somebody hit the bus or someone whatever, but we will continue. We don't have a chart that says this stands to be communicating quickly and how quickly. We don't have that, so you're being getting a lot of stuff. I do worry that the more that we continue to do this the less time he has to spend on the big stuff. Like, we can figure out how many tires or whatever in

procurement but to me the number one thing is to get with Siemens, to get the plan ready and to be able to come back with that plan, and I think that if we could give some grace on some of this immediate communication but maybe a weekly or biweekly communication, then that gives Brent and the staff some time to stop and actually think.

I mean, sitting in my office is not where the work gets done, and too many nights and days we've sat just talking about how we do better. I would say that it would be helpful if you were okay with communications coming perhaps every other week, but if it's an emergency or something that involves safety that's really going to be a harm, it would be immediate email or text. Does that seem fair, Brent?

INTERIM CATS CEO CAGLE: I would say with the work group, and it sounds like Mayor Higdon and councilmember Driggs will have lots of discussions, so let me back up and sort of give my take on the work group and also the suggestions so far. I am 100% in support of the suggestions, and I view it almost as 3 buckets.

Councilman Driggs, whether we call it a scorecard, a dashboard, or whatever. Sometimes I think dashboard probably gets used in a lot of situations. What I think there is in my mind are there is a progress report on the things that we already know: the truck overhauls, the bridge inspections. It's a progress report. How are we resolving those issues? Some of those issues, a progress report will really – monthly right, there's monthly changes. Sometimes there won't even be that, but we can do that, and we will commit to providing a progress report on these things. And that progress report unfortunately -- well, hopefully – will get shorter. Unfortunately, it may get longer if we come to find things, so that I think is #1.

#2 – I agree with Mr. Bokhari. In the public sector Mr. Bokhari and I think are of the same mind, we just speak slightly different languages because I come from the public sector, and he comes from the private. The good news is we have a translator. We can still talk the same language even though we might talk about it a little differently.

In the public sector realm, we would call it an enterprise risk management process. In his world he would call it a corporate security risk assessment or something like that. And they're basically both very, very similar if not the same, and goal of the process is to evaluate all of your risks, whether it be technology, whether it be assets, whether it be procurement processes, staffing is to do a top to bottom evaluation of risk, identifying those risks, evaluating the probability/likelihood of those risks, and then developing mitigation plans for those risks. It also goes along with continuity of operations planning or good planning. I think it's a very good idea. I am 100% on board on it and I think we need to start that very soon that we can:

- 1 - Complete the evaluation
- 2 - Report out what that evaluation has identified
- 3 - Develop the mitigation plan

I think that that is a very, very reasonable and rational way to do it, and I think that high-performing organizations do that, including the City of Charlotte but CATS, we can and should do that. Then I think there is a last piece that maybe is important to me, but I think should be important to all of us. I think it is important to all of us, is what I would call a dashboard. And a dashboard I think should be available for CATS staff, or the MTC for the public, and it should provide meaningful data on what we do. What are our metrics, what are our missed trips? Another example would be the safety and security incidents, those kinds of things, and it should be available for everyone to see. It should be user-friendly, right? Sometimes, I'll be honest, I

see some of the information we put out, CATS puts out. I don't know if it is really very helpful. I mean it is completely accurate, but it doesn't actually do a lot, right, it's not in context.

I think all three of those are important, and I think that CATS, we have already started to have discussions about how we can do that. I will also say I've asked Catherine Kummer. Catherine is our sustainability manager, but I will say she has a very detailed and process-oriented way of thinking. I've asked her to help with this. I think all three of those are very, very important. And beyond a work group and MTC I am committed to it, CATS is committed to it, and I think it will give this body and the public better visibility of where our strengths and weaknesses are, better visibility of how we can correct and how we can move forward and talk about the things that we are doing, because every day we do great things. Our employees do great things. And I think sometimes we have to do a better job of talking about that, what we are doing well. Also, technology where we can improve and having a plan for that.

MAYOR LYLES (City of Charlotte): Thank you. I'm going to ask and be certain that the voting members of this body have agreed to have MAYOR HIGDON (Town of Matthews) work with Councilmember Driggs to come back to the MTC with a plan that engages both organizations towards how do we address the issues of safety, security, and those items that were included in the request for the review. Is that an agreement? (Unanimous show of hands.)

MAYOR LYLES (City of Charlotte): You have a couple of weeks to do it, but I think seriously when you think about the work regarding it I think it's achievable, so we'll see you the next meeting.

MAYOR WASHAM (Town of Cornelius): I want to add one quick perspective here. I don't think it's really been said from our vantage point, but our citizens look at us as being board members. We can argue about authority and the lack thereof all day long but that's how they look at us is the authority of an organization, on the board of an organization that they read in the paper is on fire, the house is on fire. And I don't believe it's on fire, but people's perceptions are out there. We feel pretty accountable as to how this all works out and what happens at the end of the day to right the ship. I guess we're all in different places with that, but I just think that's important to get that perspective because that's how our citizens, my 35,000, Melinda's 70 and all that, come together.

MAYOR LYLES (City of Charlotte): I agree, and I want to say that it isn't about the numbers of the people in any community, it's about the people that need the service that we ought to be able to give them in a way that's safe and reliable. It's always been what we talked about.

MAYOR BALES (Town of Huntersville): I would be remiss if I did not have some conversation with Councilman Driggs to clarify and make sure that you understand, and that City Council understands. I do not believe that any member of this MTC is looking to do a headhunt. No, I have had conversations with each and every member of the MTC and our number one concern is safety, and I believe this plan that we kind of formulated here this evening will help address not only safety but will also help address any concerns within the community at large around whether or not riding CATS, the rail, is safe.

I believe the aim is open and transparent, and while this has probably been painful for a lot of us this evening, I do think that it level-sets us and it helps us understand that we all want

the same things, we truly do, and I don't feel that the motion that was made at the last meeting was a demand. I think it was a request. I think we all had that conversation, that we don't have the authority over the budget, let's put the request in. I want to acknowledge that, right, that we are in it together and we will right the ship together.

CITY COUNCILMAN DRIGGS (Charlotte): My daughter who lives in New York has a saying, which is there's no place in New York that's safer to eat than a restaurant that's reopened after it's been closed by the health authorities. I think that's where we're headed, and John, I look forward to working with you.

COMMISSIONER ALTMAN (Mecklenburg County): Two quick questions. In the agenda packet there is a scope of work for TransPro and I wanted ask about that. Mr. Cagle, I seem to recall in December, the last meeting we had with Mr. Lewis, we had a presentation that was like a survey of what people thought, and I was a little bit critical because I felt like it wasn't at all reflecting the reality on the ground. My understanding, Mr. Cagle, is that CATS has now rehired TransPro, because my manager received an email about, they want to meet with her, and is this the company that Mr. Lewis is with now and are we rehiring the company that he had hired before and now he is with it, and I just want to understand that.

INTERIM CATS CEO CAGLE: Okay. We have not rehired TransPro. They are under contract with CATS and have been for several years. Their contract is about to expire in June, at which point or before then we will be putting that out for RFP. Yes, it is our understanding that Mr. Lewis works for TransPro. We have asked, and TransPro has provided us assurances that Mr. Lewis will not work on this account while they are the account holder. We haven't rehired them. We hired them under our contract several years ago. That contract is about to expire.

We provided the scope of work for this review. They do several things or have traditionally done several things for CATS. This is one of those things and they're just performing the requirements under their current contract.

COMMISSIONER ALTMAN (Mecklenburg County): Thank you for that explanation. Then just real fast, although I don't feel that the Federal Transit Administration's review obviously picked up the problems that we later learned were existing, they picked up other issues. I just want to make sure if those haven't been remedied that you will report out to us what the extent FTA concerns as we sit here during our next meeting or whenever you can get it on the agenda, please.

INTERIM CATS CEO CAGLE: Yes, Ma'am. All FTA findings except two, and there's a letter to the effect. There's the original letter plus another letter. All FTA findings have been closed or remedied/satisfied, except the two that are noted in the second letter. That second letter did say that they were due 3/31 I believe. We have a second extension. There is a letter for that. It is not in the packet, but we can add it. The two items are related to drug and alcohol workplace testing. It's not that we don't have a program to do that, we need to clarify our policies around it to better reflect some of the changes in federal requirements or federal programs. All of those findings in the first letter have been satisfied except those two. And as soon as those two are satisfied we will provide you a second update.

VI. Interim Chief Executive Officer's Report – Based on pages 405-415 in the MTC Agenda Packet for April 26th, 2023

Discussion:

INTERIM CATS CEO CAGLE: Our contract with RATP Dev, I think as we've noted or it's been in the media, it expires at the end of February of 2024, which is approximately a year. The RFP has launched or has been put on the street, so at this point the RFP process is open and we are accepting proposals. When it closes, we will then move through the procurement process to move us forward towards making a selection on a provider. I wanted you to be aware of that.

I also wanted you to be aware we did send out some information earlier today to MTC and to City Council related to our North Davidson parking structure. As our engineers were doing the parking structure inspection, they noted with the North Davidson parking structure that there was some cracking in the concrete that they wanted to further review. I will note that this parking structure was part of a legal settlement about five years ago and is still under warranty from that settlement. Basically, in an abundance of caution we have at the inspector's request closed all upper levels of the parking facility of the parking structure. We are accommodating staff who are the primary users of that deck in an adjacent parking facility. As we do more engineering review and legal review of the warranty, we'll certainly share more information, but for now that facility is closed; all but the ground level is closed pending further investigation and review.

MAYOR LYLES (City of Charlotte): Mr. Cagle, I'd like to go back to RATP Dev. What I've been told is that there are very few competitors in this area, and so when we are going out for an RFP, I want to make sure that I understand it's not going to be that you have a lot of choices. That is a pretty small universe or maybe it's just not even, maybe it's a home.

INTERIM CATS CEO CAGLE: It is a very, very small list of qualified companies and that's true worldwide. What I'm told is the universe for a transit system like ours is probably five to ten and so it's a very specialized service, so we hope to have very good response on this but very good response in this case would be five or so. That would be a very, very good response. So again, it's all about sort of perspective. In this world it's a very small universe of contractors. Now, I will say we have the RFP. We are making what we believe are improvements in the next contract that are reflected in the current RFP so that we can have a better partnership with our service provider moving forward.

VII. Informational Items

A. Service Level Update

Jason Lawrence

Jason Lawrence – CATS Planning Director – shared a presentation on Service Level Update; based on pages 417-424 in the MTC Agenda Packet for April 26th, 2023 meeting.

Discussion:

MAYOR HIGDON (Town of Matthews): So back when the media was kind of piling on, I guess or maybe they still are, it was widely reported that there were a couple routes where the drivers would have like one passenger, and they'd run a whole route and have one passenger or two passengers all day. Are we currently monitoring that and if that's the case are we eliminating those routes and/or converting them to some sort of microtransit model like a van or something rather than riding a bus around? It seems incredibly wasteful. I don't know if that story was true but that's what was widely reported.

MR. LAWRENCE: We have a number of routes, what we call passengers per hour. You know, there are some routes that have less than five throughout the course of the day and a lot of those are 60-minute routes. And we would like to get to a place to where we are focusing on main roads and you think about your 77 corridor, your Statesville, Providence Roads. Let 40-foot routes do what they do best, to operate in a straight-line frequency. And then these kind of community circulator routes that aren't the best use of resources, you know, if we have just five passengers or less they'll be willing to do those with microtransit.

With the adoption of that Envision My Ride vision that's also putting us at a point to where we need to update our service policies, and so that's something we're going to bring to you all to have pull this all the way through so that we have the policy to make these changes as well too.

MAYOR BALES (Town of Huntersville): Mr. Lawrence, thank you and I would also like to thank my counterparts over here across the table, Mayors Washam and Knox and their staff along with Mr. Cagle for coming up and meeting with all of us to have this conversation around microtransit to ensure that we launch well and that we do it successfully and we have buy-in from all of our communities.

We did have conversations around second shift, third shift, what could that look like, the hours of operation and I hope that as we continue to go through this process and create the RFP that that will be part of the process, that will be part of the conversation, because we do have a lot residents up in the north end who do have to travel at off-time hours or like I was told from one of our seniors, they'd really like to get to the doctor before 10 AM. I think that's also another caveat to it.

Again, thank you. I think this is the right direction for us in microtransit and going ahead and putting the RFP out. I hope, and I should have asked this before we put it on the budget, but that there are dollars set aside to work through the app and making sure that that app provides the experience that we want all of our residents to have.

MR. LAWRENCE: Improving the data stream with the app is an ongoing daily process, thanking Rachel Gragg and her team, making sure they put this work into the automatic passenger counters, the vehicle locators. If the data is good, then the app will be because that's a constant thing that we're doing each and every day for sure.

MAYOR BALES (Town of Huntersville): Well, and I would say just making sure that it's truly user-friendly so that whether it's our residents who are utilizing that app or you have someone who's from another country getting off a plane at the airport and then chooses to use CATS as an option or microtransit as an option to get around, we want to make sure that it is accessible to everyone. Thank you.

MR. HURMS (TSAC Co-Chairman): I want to address kind of two areas that kind of give me a little bit of heartburn right now, but one of which is you mentioned as far as because of rail operations there's a little bit of a curtailing of the Gold Line. So one of the things I will just very explicitly express is that while I don't understand the justification of it I do hope that is very much temporary, because one of the things that is very notable with the Gold Line, especially coming from someone who lives very close to the terminus, it is often used -- now, I'm not saying myself but it is often used by many people who are trying to either come to or from Plaza Midwood within later hours of the night. Obviously, as we all know, Plaza Midwood is very much an area for drinking. I'm not saying that's a bad thing, but I am saying that we need to

make sure that for the safety of our community we make sure that we have alternative ways for people to get home other than driving their own personal vehicles.

While I do understand the need as far as kind of controlling rail operation for other purposes of the ROCC operation, I do think, however, that it does kind of increase the need for being able to really think about the hiring and retention and being able to think about making sure we have the appropriate numbers of the ROCC because while those numbers for the Gold Line, well, especially the late-night hours, while that may not seem a lot there is a degree of safety concern from that aspect.

Secondly, in regards to microtransit, I do understand the justification in terms of looking at it from kind of a lower ridership levels like the Village Rider be able to utilize some of those bus resources for let's say the 9, the 10, or the 16 or those lines. One of the things I would definitely implore that you be able to think about is those hours of operations because while not to belabor some of Mayor Bales' point, when you need to think of options for Cornelius and Davidson, yes, you do have those suburban riders who may work in Uptown. Those very much do exist. But you do also have those second and third shift workers, and obviously there is a lot of service jobs, especially with it being the Lake Norman area and hospitality in those areas, and as well as seniors who, again, may want to get to their doctor's appointment at 10 AM.

I do want to just make a point to note, noting that on the surface, although I think that microtransit is a pretty decent idea I do think that being able to think about the hours of operation and who is using it in order to be able to make sure that it's kind of workable for those who would definitely benefit from it, such as our public speaker earlier tonight.

MR. LAWRENCE: Thank you. That will be part of the public outreach is understanding what the service level needs are. And we've had a couple conversations with Mr. Wallace and continue to have that dialogue for the streetcar. There are other transit services around there that operate much later. Part of that could be the communication would be maybe take the 9 back to their destination. That will be ongoing dialogue for sure.

B. Silver Line LPA and Amity Garden Station Update

Andy Mock

Andy Mock – CATS Senior Transit Planner- shared is update on Silver Line LPA and Amity Garden Station; based on pages 426-433 in the MTC Agenda Packet for April 26th, 2023 meeting.

Discussion:

MAYOR SIMMONS (Town of Mint Hill): What's the distance between the Coliseum that stop, Amity Gardens, and then again from Amity Gardens to Sharon Amity?

MR. MOCK: It's about two miles between the Boplex station and the Sharon Amity station so there is a gap in between there.

MAYOR LYLES (City of Charlotte): I will tell you right now, and don't know if I can even understand enough about it, but I guess what I would say is what do the neighbors think and your feedback, your adjustment, has neighborhood approval in that section?

MR. MOCK: Yeah, I'd say that most people, once they start to understand the vertical transition they start like, "Oh, boy, I don't know that I'm going to walk down there." And they're like, "Where's the next station?" Then we start talking about Sharon Amity station which is going to have a parking garage and bus phase and ride share access to retail, and there was a lot

of interest, more about, oh, let's talk about how we get to the Sharon Amity station and what is the program for that going to look like and how are the bus routes going to be routed.

It went very quickly once they understood the details to that. It's really, they're better served at Sharon Amity than they would be even if we built the station there.

MAYOR LYLES (City of Charlotte): I really still think that this route is really important to the Pearl and the jobs that are going to be on the Pearl so it's really important to move forward.

C. Title VI – Fare Capping Analysis

Arlanda Rouse

Arlanda Rouse – CATS Civil Rights Officer – shared a presentation for Title VI – Fare Capping Analysis; based on pages 435-457 in the MTC Agenda Packet for April 26th, 2023 meeting.

Discussion:

MAYOR HIGDON (Town of Matthews): I think you answered on your last slide, but you're really using the honor system when somebody's buying -- you don't know if someone is low income or if they're a minority necessarily then?

MR. ROUSE: Well, as far as being local for minorities, the fare capping system is for everyone, but what we determined is based upon our current ridership it's going to benefit low-income and minority individuals.

MAYOR HIGDON (Town of Matthews): Okay, it is for everyone. You don't have to be low income or minority to be able to

MR. ROUSE: No, it benefits everyone.

MAYOR HIGDON (Town of Matthews): Okay, I misunderstood, thank you.

MAYOR KNOX (Town of Davidson): One side, it was page 7 of your slides. I'm just curious, all the numbers were similar. On one-way tickets there was 16,000 in April; 15,000 in May, and then July has 40,000 people. What happened?

MR. ROUSE: For July that was during a time, well, COVID happened and then we had special event. When we reviewed that data the proportions for those pass types was similar to the previous months. You're going to see on monthly passes it's still .005%, weekly passes it's still proportionate to the two previous months.

MR. HURMS (TSAC Co-Chairman): Not necessarily a question but just a comment but also just to clarify something for Mayor Higdon. If you think about a middle or upper middle-income rider, if they know that they're going to be riding a CATS vehicle enough they may know, okay, let me just get a monthly pass. But obviously, a lower income person, unlike me they may not be able to afford the upper cost so that's kind of how they will typically be helped by that.

I do recognize there is definitely flaws in this plan right now, but I do recognize, and I do hope and trust that the technology will kind of catch up and in a way, that's going to be able to help all lower income citizens in the future such as those that may not have a smartphone and other things, but I trust that will happen in the future. And I will also make a note that this is something that TSAC has been really pushing for the past few years. I really

think that this is definitely a really good accumulation of all the discussions made amongst TSAC members in the past years, both newer and longer standing members. Thank you.

MR. TILLMAN (CTAG Co-Chairman-City of Charlotte): I just want to get some clarification. You mentioned credit cards and smartphones. Are you saying debit cards or prepaid Visa cards are not applicable to utilizing this program as well?

MR. ROUSE: They are. What we found when we performed our survey, we found that there was a smaller percentage of low-income individuals which actually possess smartphones with data plans, so they were lower than the population of higher income passengers. We recognize that the higher income passengers, because there's a higher percentage that have smartphones, they could possibly be more likely to use this service.

MR. TILLMAN (CTAG Co-Chairman-City of Charlotte): If they have a debit card instead of a credit card, they can use the service?

MR. ROUSE: You can definitely use the CATS app.

MR. TILLMAN (CTAG Co-Chairman-City of Charlotte): And a prepaid Visa card that they took a money order, got that, they can come back and set that up and utilize it?

MR. ROUSE: You would definitely be able to use the CATS app but with improved technology hopefully you won't have to go through all of those different avenues.

VIII. Action Item

**FY2024 Proposed Operating & Debt Services Budgets
FY2024-28 Capital Investment Plan**

**Brent Cagle
Chad Howell**

Brent Cagle – CATS Interim Chief Executive Officer and Chad Howell – CATS Chief Finance Officer presented for action the FY2024 Operating & Debt Service Budgets and the FY2024-2028 Capital Investment Plan (CIP); based on pages 459-507 in the MTC Agenda Packet for April 26th, 2023 meeting.

Discussion:

MAYOR KNOX (Town of Davidson): Chad, congratulations on your new position. I hope this immersion hasn't made you change your mind. Two quick questions: Replacement buses, I know we've discussed at length in meetings past about moving to the e-buses in lieu of CNG or other forms of buses. What portion of these are electric buses versus CNG or other forms of propulsion?

INTERIM CATS CEO CAGLE: Just to clarify, current year, this fiscal year we ordered 17 buses -- 27 buses, 12 of which are hybrids, 15 of which are battery electric roughly 50-50, not exactly but close. Next year, in the next fiscal year which starts in July, we do believe there will be a mix again of hybrids and electrics, but we can't say for sure exactly where that mix lies because we are currently working with a different consulting firm to give us a detailed evaluation of all of the infrastructure needed to support the growing battery electric fleet.

Again, a lot of folks understand that if they have an electric vehicle, they take it home and plugged into their garage and charge it up. For us it's a little different, as we have 18 currently plus 15 plus more. Each vehicle takes approximately between three and six hours to

charge overnight. Buses usually have about three to five hours of downtime every day. We have to figure that out. And that means we're going to need to really think about what facilities we need, what kind of charging facilities we need. What we don't want to do is buy buses that we don't have the capacity to charge to actually use.

That was my long way of saying there will be some electric buses purchased next year. We don't know exactly what the mix is because we can't get ahead of our skis so to speak and buy more electrics than we actually have the capacity to charge. Clearly, this is the situation we're in, we have to keep buying buses. Our fleet needs to be replaced and we cannot afford to defer replacements any longer because our primary mission is to provide a service and to provide that service, we have to have a reliable fleet. That's sort of the situation we're in. As we start to understand the facility's needs, we will absolutely report to the MTC and City Council and others what that purchase will look like moving forward.

MAYOR KNOX (Town of Davidson): And Chad, the last one, the additional I don't know if it's \$12M or \$13M of midlife maintenance funding, is that because we didn't spend money to do midlife maintenance prior to this and we need additional funds that we haven't already spent that should have been spent, or is it just something that we've targeted that we're trying to get ahead of the curve? I'm trying to grasp since supposedly we had money in the budget that we didn't spend on deferred maintenance, the reasoning behind needing more money to spend on deferred maintenance, how's that?

CATS CFO HOWELL: I would say on the operating side, again, I think that's where we're putting in additional money to make sure that we stay on top of your more traditional, normal type of maintenance function. The midlife overhaul program could cost -- the total for all of the vehicles that it covers, which I think is half the fleet, is estimated to be somewhere in the proximity of \$50M and we've got the federal funding for that. Now, we have spent a little bit of money for that up through, say, today getting ready but the bulk of that money has yet to be spent, and so within this five-year period that runs out through 2028 we will start that process. It may take a little bit longer than that. That's a pretty extensive process and right now we're having to shift these vehicles, literally the entire vehicle, to California so it may take time. On the capital side those funds are not additional, it's just we're now getting ready to actually start spending the money doing the work.

MAYOR HIGDON (Town of Matthews): I think I missed my midlife overhaul. I've got to get that. I've got a question for Mr. Cagle. What is the price delta between a hybrid bus and an electric bus approximately?

INTERIM CATS CEO CAGLE: A hybrid bus is somewhere in the \$900,000K to \$1M range price delta on a hybrid to BEB.

CATHERINE KUMMER: \$900K to \$1.2M.

CATS CFO HOWELL: The other thing I'll say about BEBs and the mix of vehicles we ultimately need, a traditional vehicle gets about 300 miles range daily and is very easy to fuel up. It takes about 15 minutes overnight if somebody fills it up. Current BEBs that we have get about 150 miles range and take about six hours. We have three to six hours depending on depletion of the battery we have to rethink how we operate. Now, the good news is 70% of our routes are 150 miles or less so that does mean 30% or longer but we're working through that. The even

better news is we expect battery technology to increase range as it further develops so we do feel confident that we can do this, right? It is possible to serve the regional needs bus service with battery electrics, but we really have to rethink how we operate because something that we all sort of take for granted the infrastructure of, the gas pump, is now very, very different and we have to relearn and rethink how we operate in that environment and we're doing that. We're committed to that.

CATHERINE KUMMER: My colleagues tell me I may have been confusing \$900K for a hybrid, \$1.2M for a battery electric, just making sure.

COMMISSIONER ALTMAN (Mecklenburg County): Yes, it's a \$300K difference between the two, that's what I heard, thank you. I heard you brief City Council and say that money is not our problem, that we had money for this work, and it just wasn't spent. I have a question from a resident that says if the maintenance money was available why did the City have to use \$24M in COVID funds? I guess I'm sort of asking that in relation to the budget, like were COVID funds used for repairs and if so where is that unspent repair money?

INTERIM CATS CEO CAGLE: Well, even two years ago when CATS brought to the City the midlife overhaul -- and then it hasn't been spent yet -- that was identified at the time of COVID relief funds. CATS received roughly \$250M, Chad, correct me, on the COVID money whether it's CARES, whatever, COVID money of which roughly half is spent, and the other half will be spent. But even at the time, back when CATS talked about it as part of the budget process, it was always anticipated to be CARES money or COVID money and so I guess what I would say is I'm not sure. I mean, it has allowed us to do some of this maintenance for sure or will allow us to do some of this maintenance and it's allowed us to do other things, whether it's ongoing operations and maintenance and capital maintenance as well or bus replacements and those kinds of things.

COMMISSIONER ALTMAN (Mecklenburg County): With the CATS budget, if you have a line item for maintenance and you don't use it all, does it go back to fund balance or the general fund or is it rolled over into that same category the next fiscal year?

INTERIM CATS CEO CAGLE: It does not go back to general fund, let me start there. We are an enterprise fund. Either we spend less than we think, or revenues come in stronger than we thought. It always goes back to our fund balance for future use. It is reserved for CATS. It does not go back to the general fund. And quite frankly, both happen. We try to be conservative in our revenue estimates because you don't want to estimate a certain amount and then not have that happen. We frequently if not always, actual revenues received are in excess of what we estimated in the budget. That money goes straight into the capital account for use on things like the truck overhauls, bus replacement, but it does not go to the general fund. It never went to the general fund, and it never does go to the general fund.

MAYOR WASHAM (Town of Cornelius): Tell me how debt plays into the scenario of this budget. I'm assuming that CATS creates debt for the City of Charlotte, is that a true statement? I'm a banker so I'm trying to figure out who I make a loan to.

INTERIM CATS CEO CAGLE: Yes and no. We are a credit of the City, so the City is the issuing entity, but because we are an enterprise fund our debt is not backed by general fund tax

revenues. It's backed by our revenues, but we are a credit of the City, but it is separate credit from the GL bonds or the general obligation bonds which are general fund backed. It's similar to aviation. They're a credit of the City but they are under their own credit and so we have our own credit rating.

When we issue debt, we work with city finance. The City of Charlotte issues on our behalf but it is a separate credit. And I will say right now we have some debt outstanding and that's reflective of the debt payments we're making. One thing that Chad mentioned, we don't currently have any future issuances planned. That will change. As Chad gets through this budget and we start looking at our five- and ten-year outlook he will be working with the city finance group to really think about how we can balance cash spent and debt issuance.

MAYOR WASHAM (Town of Cornelius): What CATS borrows will count against the City's debt levels and debt constraints and things of that nature based on statute?

INTERIM CATS CEO CAGLE: No. It counts against CATS but not against the general fund credit.

MAYOR BALES (Town of Huntersville): Chad, how much in debt is CATS currently carrying?

CATS CFO HOWELL: I'd have to look at the exact total number. I'm not sure. This is just our debt payment for the year.

MAYOR BALES (Town of Huntersville): I understand that. That's why I'm asking the question.

CATS CFO HOWELL: I'd have to pull those numbers.

MAYOR BALES (Town of Huntersville): If you wouldn't mind at some point. I'm just curious as to how much we're currently carrying.

CATS CFO HOWELL: I can do that.

MR. HURMS (TSAC Co-Chairman): I have a couple of questions. First of which is, so looking at obviously the procurement of more buses, I do very much agree one of the most important things that CATS needs to do is be able to net more buses and that's very important because again, aging fleet, we've heard a bunch about that. What I wanted to know is what is the cost comparison as far as buying a battery electric bus versus a hybrid bus versus a diesel bus and as well as within a relatively comfortable number within a comfortable budget how many buses would each of those three options net?

My second question is kind of different. It's going back into the operating expenses. You mentioned the apprenticeship program and being able to hire for basically hard to hire positions. What are some of those positions, and I would presume that might also have something to do with the ROCC operations and how does that fit into that. I know those are two very separate questions.

CATS CFO HOWELL: First, we can get you the information because I would have to look at the specific numbers on the positions. I do know some of them deal more with as we would

transition from a diesel type maintenance to maintaining hybrids and BEBs. It's part of the training that folks in those grades would need or train someone new to be able to come in and do that type of new specialized work so that's a piece of it, but I'd have to look back and see what they were. There were a couple of other categories I believe.

As far as the buses go, I think that what we've heard is roughly a BEB is \$1.2M, a hybrid is about \$900K, and I'm thinking a diesel is \$600K now. That's right, it's \$600K now. I mean the amount per -- I do math for a living, but I try not to do it standing up at a podium in my head. Roughly it's \$600K per diesel, \$900K per hybrid, and \$1.2M per BEB. You could get two diesels for a one BEB, but the City is making the effort that we will be procuring hybrids and BEBs and adjusting our fleet that way.

INTERIM CATS CEO CAGLE: And Mr. Hurms and members of the MTC, we'd be happy to come back with and ask Catherine to come back in the future or talk to you individually about it. When you think about BEBs it becomes not the actual up-front cost, it becomes the total cost of ownership and so up-front they're more expensive. Over the long period that's where things start to balance. Again Catherine, this is what she does quite literally and so we'd be happy to set up some time if you'd like to speak to her or get some more information specific to it.

MR. HURMS (TSAC Co-Chairman): Thank you. And you do you want me to repeat the second question? I know we just addressed the first one.

INTERIM CATS CEO CAGLE: Yes, sir, please.

MR. HURMS (TSAC Co-Chairman): My second question is, kind of going back into operating expenses you talked about the apprenticeship program and looking for kind of hard to hire positions. So could you repeat kind of what are some of those positions that that consists of. I'm going to presume that the ROCC or rail operations or the ROCC operations will be part of that and how does that kind of fit in as far as from an operational standpoint, how that program would work in regards to ROCC operations?

INTERIM CATS CEO CAGLE: Dr. Tina Hall is our training manager for rail. Rail is a very specialized area, all areas. There is the maintenance of Way Group which basically takes care of the tracks all of the equipment around it. There are the rail operators and there is the ROCC, or R-O-C-C. Some others do rail car maintenance. Yes, we are looking at apprenticeships, we are looking at other recruitment methods like, to be quite honest, trying to steal qualified people from other rail providers in other cities, but apprenticeships we do believe will be a very good way for us to increase recruitment as well as battery electric bus technicians, right, a mechanic. It's not a mechanic anymore, but it is a technician who is trained specifically in battery electric buses. We think that there are opportunities for apprenticeships in all of those areas and we well be in exploring those with the State of North Carolina, because when I talk about apprentice, I do mean a state-certified apprenticeship program through the State of North Carolina.

MR. HURMS (TSAC Co-Chairman): I also wanted to say that I'm not at all against poaching or stealing from other municipalities that have such talent. Charlotte is a great place to live. Yes, definitely support that.

MAYOR LYLES (City of Charlotte): This requires action to recommend.

MAYOR BALES (Town of Huntersville): Is there any differences between what we heard on January 31st with what you presented this evening, or did you cover all of those differences?

CATS CFO HOWELL: There are no substantial differences. We've continued to refine on the revenue perspective, and all along the way we were focusing on safety security maintenance and valued employees, and so some funds may have a shifted along the way, but it's still been consistently done, so there's no major changes.

MAYOR HIGDON (Town of Matthews): Apologies if this is included in the packet but what portion of the budget is discretionary for the CEO or otherwise? I'm asking because if we decided at some point that we wanted to do a third-party investigation then will we have the funds in this budget to do it?

CATS CFO HOWELL: I mean yeah, there's funds that are for miscellaneous contractual services that are scattered throughout both of the CATS finance and the director's office that are available for different types of services like that.

COMMISSIONER ALTMAN (Mecklenburg County): If I may follow up on that, what is the fund balance for this program?

CATS CFO HOWELL: The fund balance?

INTERIM CATS CEO CAGLE: The minimum balance that we must maintain in the air financial metrics is \$130 million across two different funds and it is in excess of that. We can get you an exact number. I think to Mayor Higdon's question though isn't so much what's in the bank, it's what's appropriated. I would say if at some point the work group, the MTC, decided to do this, then it becomes a question about what is appropriated and how much does it cost, and through that process we would learn that and then we would develop strategies for addressing it. But it's not so much the money is in the bank, but you have to appropriate it to spend it. That is the process we're in at this point.

Resolution: A motion for adoption of the FY2024 Operating Budget, FY2024 Transit Debt Service Budget and FY2024-2028 Capital Investment Plan was made by **Commissioner Leigh Altman (Mecklenburg Board of County Commissioners)**; seconded by **Mayor Jack Edwards (Town of Pineville)**. Motion carried unanimously.

IX. Transit Services Advisory Committee (TSAC)'s Comments

Jarrett Hurms (Co-Chairman): I will make this relatively brief, but over the past few weeks we as a body talked about things, a couple of things such as fare capping, battery electric bus, including the operating budget so we definitely have to really iron out a lot of questions to CATS app, including Jason and everything, so that's been effective. Of course, we are very happy about the fare capping analysis.

One thing that many of us kind of felt is the fact that one of the things that CATS definitely needs to be very laser focused on is hiring and retention, both being able to get bodies into buses and as well as being able to really retain them very well. We do find that there definitely needs to be increased kind of really laser focus on it. I do trust that there is a lot of good plans in place for that but I wanted to make sure to just really hammer it home that there

is definitely a very real effect in terms of to move our riders and the current frequency to see for some of our routes, so just more so just on the note of just really continue to be laser focused on both hiring, getting more bodies, but also need to maintain and really to be kind of creative in some of those thought processes.

Hopefully things like the apprenticeship program might be able to help in other ways, but of course it's something that definitely really -- it's definitely a good time for kind of creative thought processes.

X. Citizens Transit Advisory Group (CTAG) Chairman's Comments

Edward Tillman (Co-Chairman – City of Charlotte): At our last meeting we had the opportunity to hear the budget presentation and we gave our approval to move forward to the MTC which we're here tonight and went forward with that. But we did spend a little time to delve deeper into some conversations regarding an increase in the security budget, which was a significant concern for several of our members talking about increasing by 50% into 2024 and beyond, and that's not just armed but also unarmed and security personnel and extending the ambassadors program, which is a significant benefit and a lot of job openings there.

We also talked about the rail group staffing with a 35% approximately vacancy, looking at ways to try to fill those vacancies and get us back to where we need to be on several levels, but overall had a wonderful informational session and approved the budget to move forward.

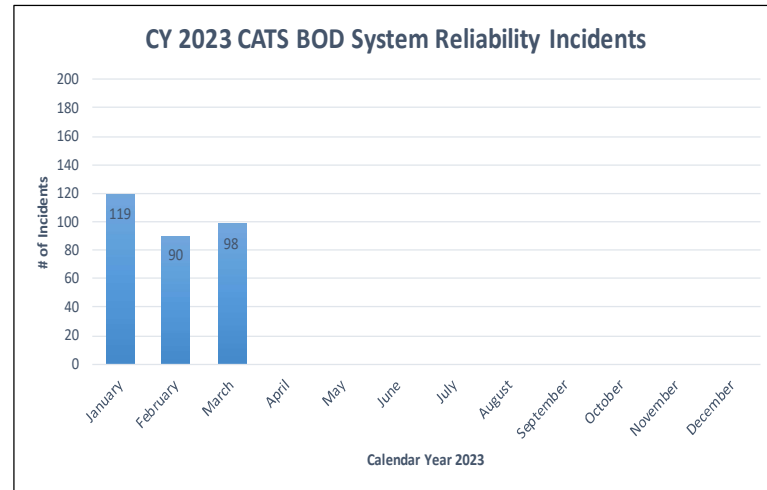
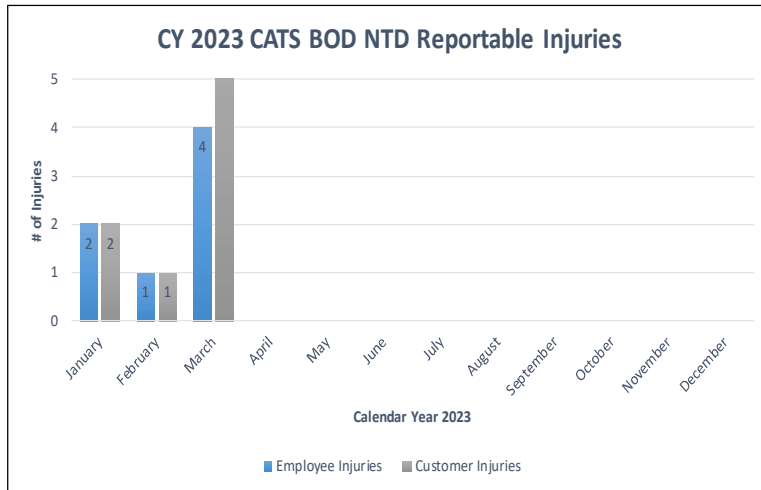
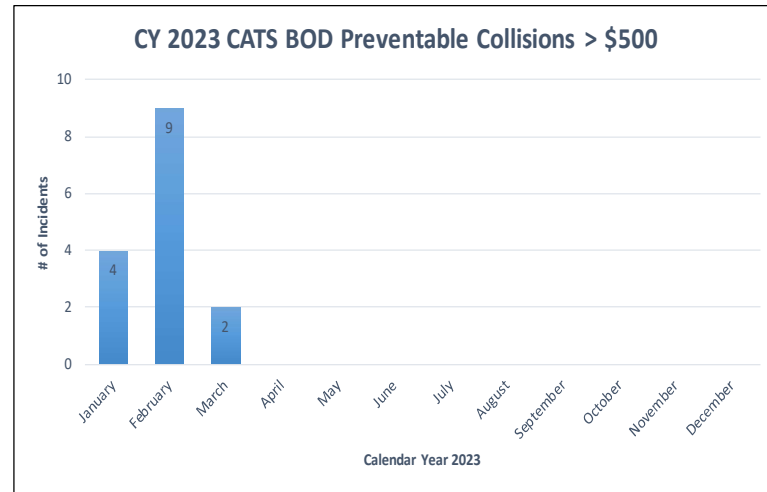
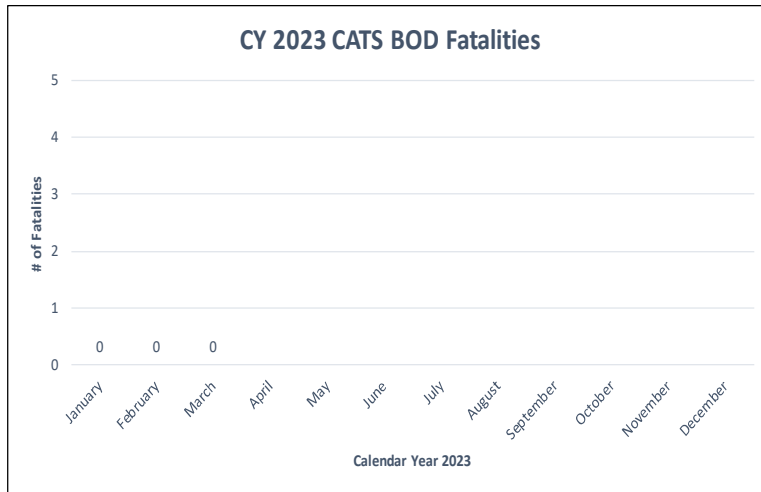
XI. Other Business – None

XII. Adjourn

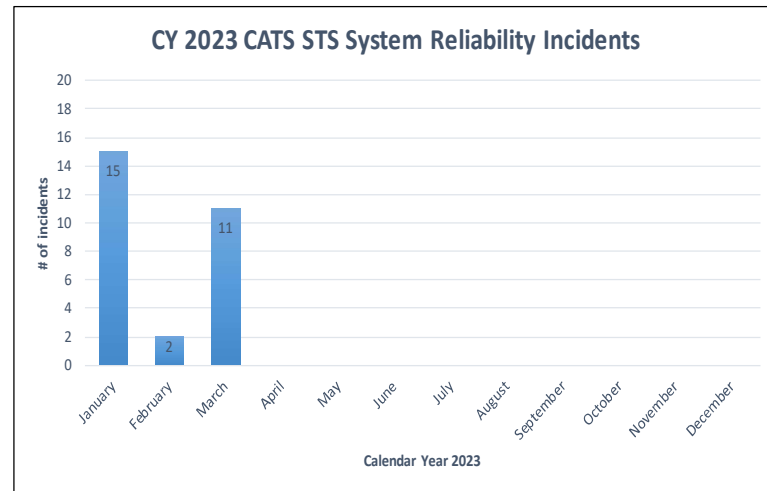
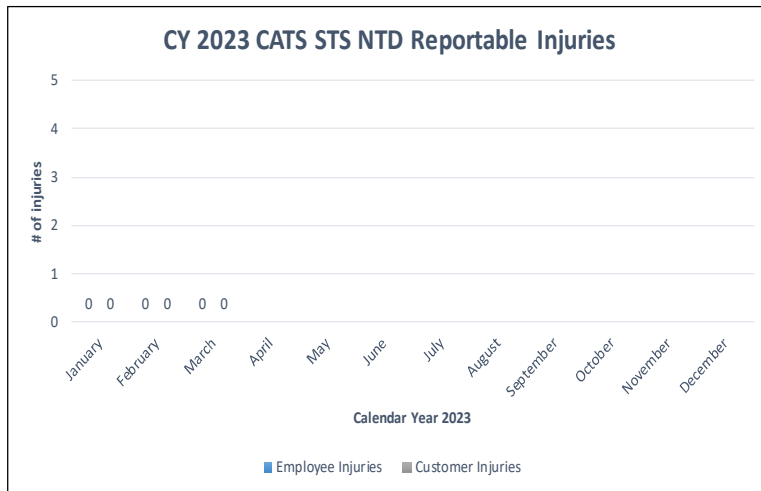
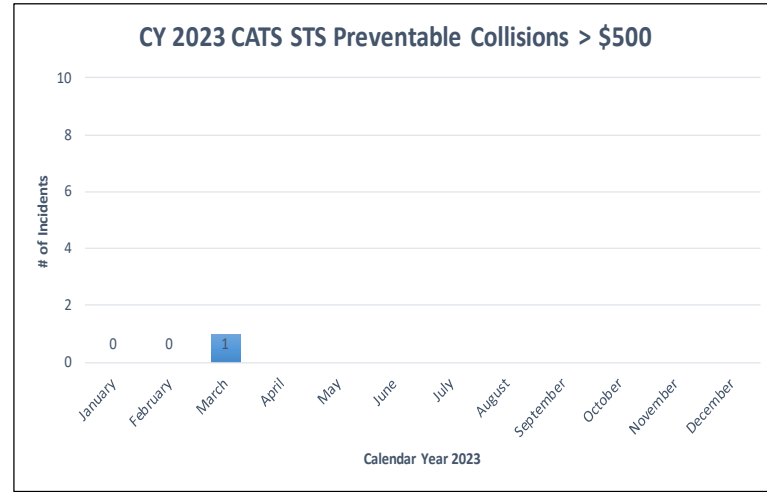
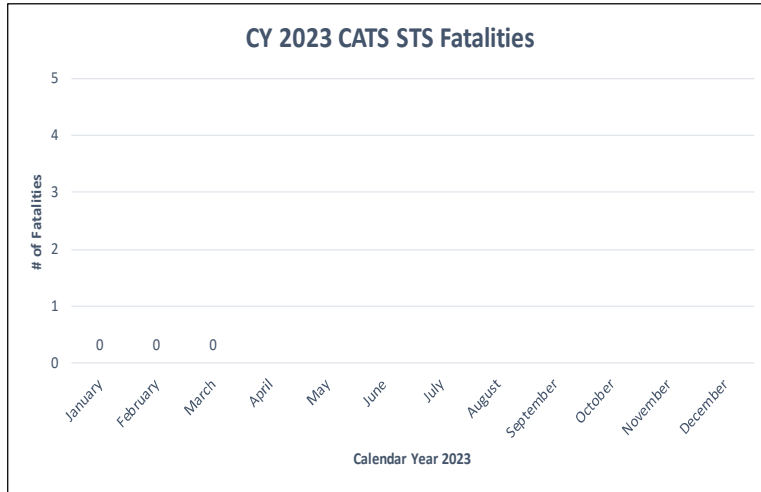
The meeting was adjourned at 9:34 p.m. by Mayor Vi Lyles, City of Charlotte – MTC Chairwoman.

NEXT MTC MEETING: WEDNESDAY, MAY 24TH, 2023; STARTS AT 5:30 P.M.

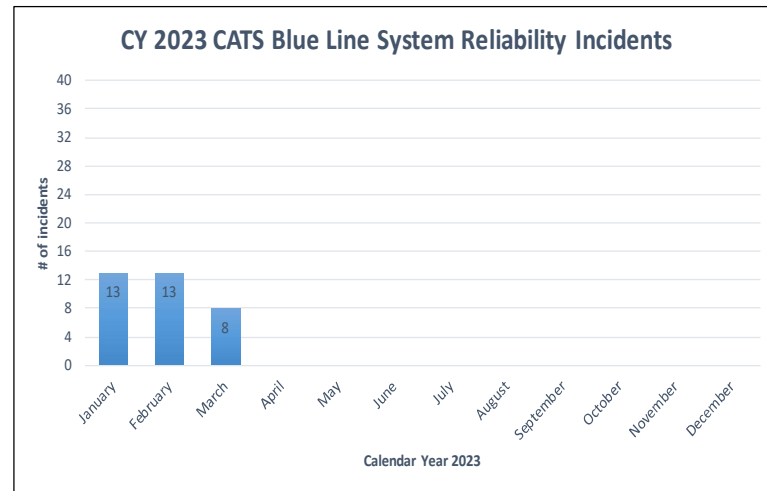
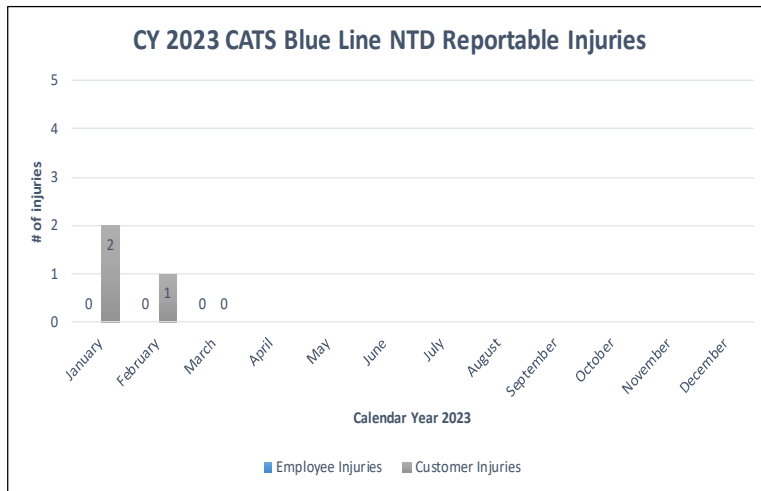
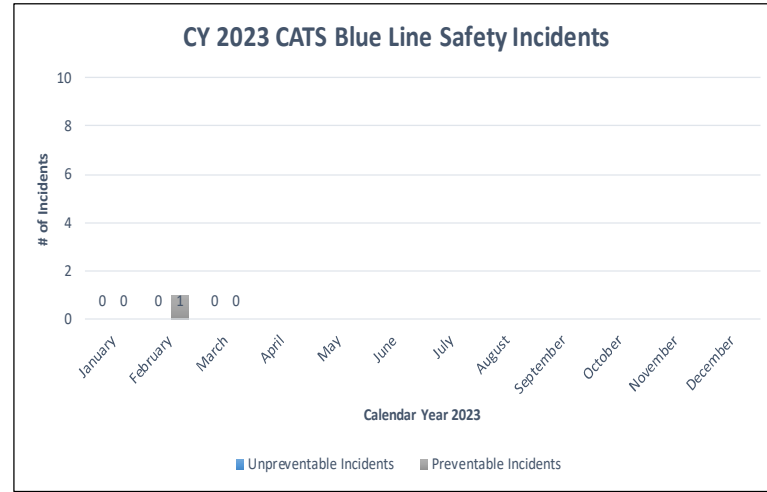
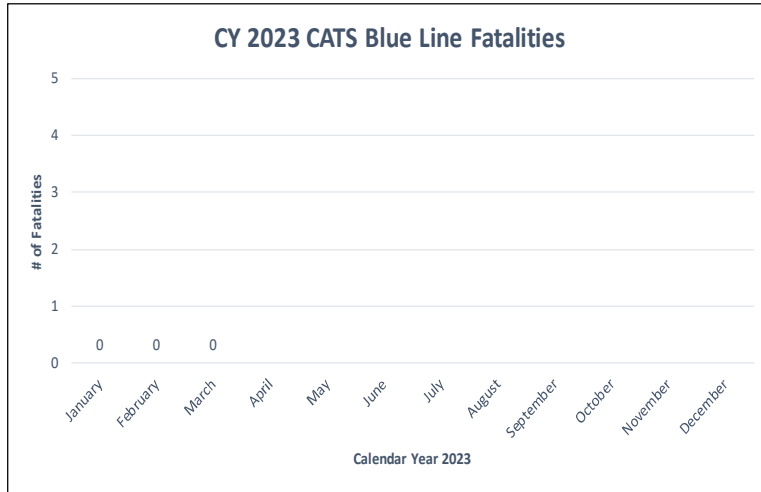
Bus Operations Division Safety Performance Measures



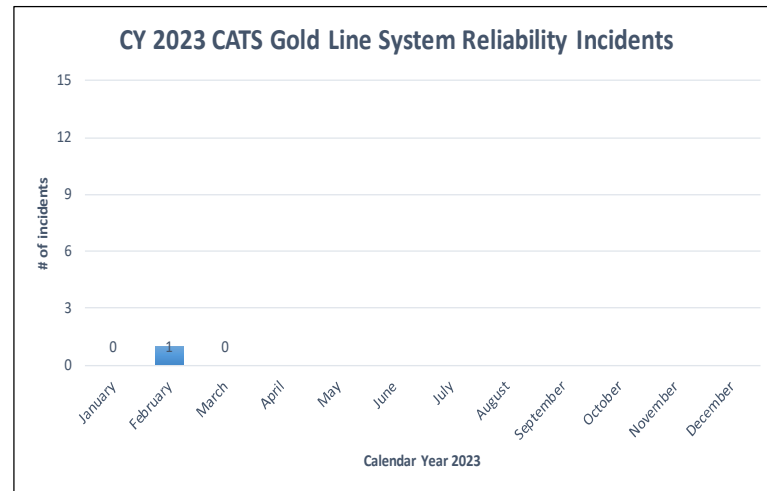
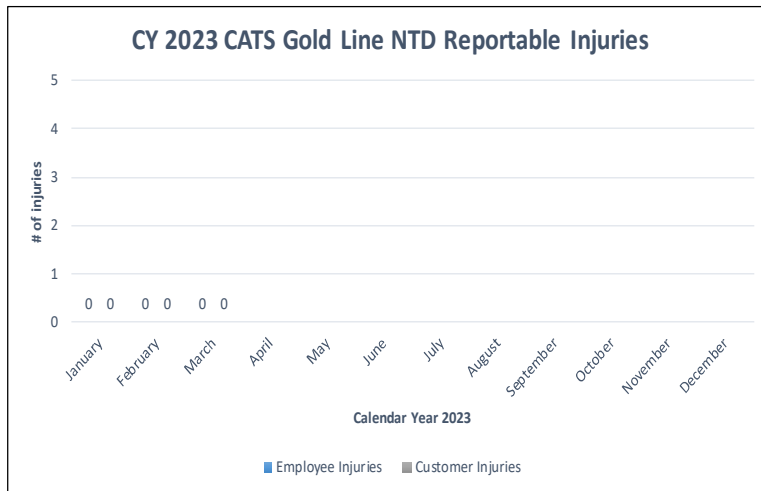
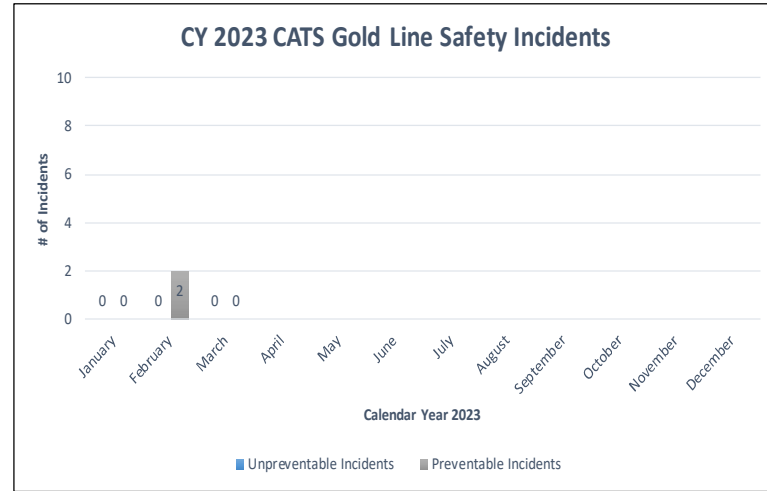
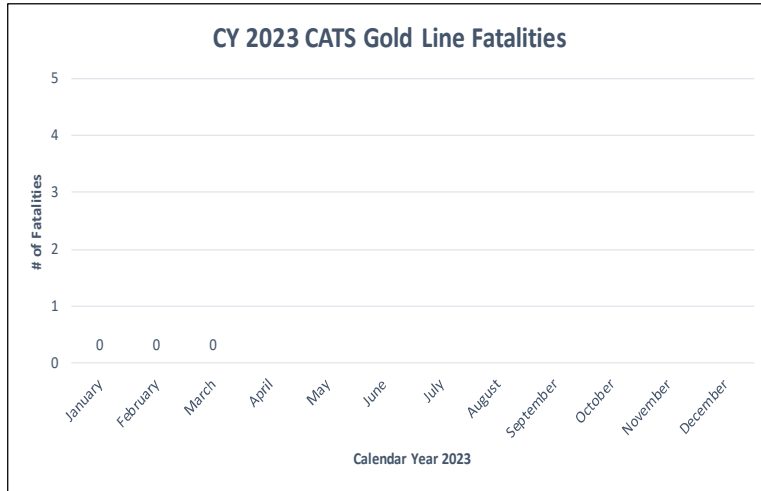
Special Transportation Service Safety Performance Measures



Rail Operations Blue Line Safety Performance Measures



Rail Operations Gold Line Safety Performance Measures



Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report
Apr-23

Source:
Fixed Route Bus - Automatic Passenger Counts
Rail - Automatic Passenger Counts

Mode / Service	Average Daily Ridership					
	Apr-23	Apr-22	Percent Increase / Decrease	Weekday	Saturday	Sunday
Local						
BOD Local	630,127	618,857	1.8%	21,503	19,256	15,123
Subtotal	630,127	618,857	1.8%	21,503	19,256	15,123
Local Express						
Arboretum Express	899	-	-	39	-	-
Harrisburg Road Express	1,038	1,211	-14.3%	45	-	-
Northcross Express	3,360	2,800	20.0%	146	-	-
Idlewild Express	1,106	1,349	-18.0%	48	-	-
Independence Blvd Express	2,457	3,056	-19.6%	107	-	-
Lawyers Road Express	1,449	1,424	1.7%	63	-	-
Steele Creek Express	500	-	-	22	-	-
Northlake Express	2,488	2,282	9.0%	108	-	-
North Mecklenburg Express	5,177	4,775	8.4%	225	-	-
Huntersville Express	3,663	3,410	7.4%	159	-	-
Rea Road Express	1,383	1,861	-25.7%	60	-	-
Mountain Island Express	248	-	-	11	-	-
Huntersville Greenhouse	124	152	-18.4%	5	-	-
Subtotal	23,892	22,319	7.0%	1,039	-	-
Regional Express						
Gastonia Express	1,098	1,477	-25.7%	48	-	-
Rock Hill Express	961	1,194	-19.5%	42	-	-
Union County Express	919	1,170	-21.5%	40	-	-
Subtotal	2,978	3,841	-22.5%	129	-	-

Community Circulator						
Neighborhood Shuttles	20,523	18,261	12.4%	698	749	356
Eastland Neighborhood Shuttle	10,896	10,553	3.2%	343	440	318
Pineville-Matthews Road	2,410	2,194	9.9%	87	102	-
Village Rider	6,751	6,126	10.2%	220	223	186
Subtotal	40,579	37,133	9.3%	1,348	1,394	860
Human Services Transportation						
Special Transportation Services	15,155	12,810	18.3%	640	263	208
DSS	1,215	548	121.7%	58	-	-
Subtotal	16,370	13,358	22.5%	698	263	208
Rideshare Services						
Vanpool	3,568	3,714	-3.9%	158	44	40
Subtotal	3,568	3,714	-3.9%	158	44	40
Rail						
LYNX Blue Line	422,606	409,310	12.9%	15,904	12,774	8,130
CityLynx Gold Line	49,248	40,894	20.4%	1,870	1,397	973
Subtotal	471,854	450,204	4.8%	17,774	14,171	9,103
Total	1,189,369	1,149,427	3.5%	42,650	35,128	25,334

Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report
Apr-23
Source:
Fixed Route Bus - Farebox
Rail - Automatic Passenger Counts

Mode / Service	Percent		YTD FY 2023	YTD FY 2022	Percent Increase/Decrease	Avg Daily Ridership per Month			
	Apr-23	Apr-22				Increase/Decrease	WeekDay	Saturday	Sunday
Local									
BOD Local	473,459	432,637	9.44%	4,621,244	4,587,125	0.74%	18,301	12,030	9,477
Subtotal	473,459	432,637	9.44%	4,621,244	4,587,125	0.74%	18,301	12,030	9,477
Local Express									
Arboretum Express	766	-	n/a	2,958	-	n/a	38	-	-
Harrisburg Road Express	922	899	2.56%	8,923	5,858	52.32%	46	-	-
Northcross Express	2,148	2,007	7.03%	23,327	7,756	200.76%	107	-	-
Idlewild Road Express	832	633	31.44%	7,356	5,623	30.82%	42	-	-
Independence Blvd Express	1,800	1,932	-6.83%	16,363	7,925	106.47%	90	-	-
Lawyers Road Express	743	947	-21.54%	8,071	4,936	63.51%	37	-	-
Mountain Island Express	145	-	n/a	545	-	n/a	7	-	-
Northlake Express	2,058	1,561	31.84%	15,074	6,156	144.87%	103	-	-
North Mecklenburg Express	3,374	3,115	8.31%	31,843	14,273	123.1%	169	-	-
Huntersville Express	3,107	2,563	21.23%	26,045	12,434	109.47%	155	-	-
Rea Road Express	1,132	1,216	-6.91%	10,568	6,509	62.36%	57	-	-
Steele Creek Express	306	-	n/a	1,114	-	n/a	15	-	-
Huntersville Greenhouse Express	56	125	-55.2%	1,009	1,358	-25.7%	3	-	-
Subtotal	17,389	14,998	15.94%	153,196	72,828	110.35%	869	-	-
Regional Express									
Gastonia Express	754	1,138	-33.74%	6,893	7,029	-1.93%	38	-	-
Rock Hill Express	571	921	-38.0%	6,509	4,889	33.14%	29	-	-
Union County Express	731	719	1.67%	6,614	3,828	72.78%	37	-	-
Subtotal	2,056	2,778	-25.99%	20,016	15,746	27.12%	104	-	-

Metropolitan Transit Commission
Charlotte Area Transit System Ridership Report
Apr-23

Community Circulator

Neighborhood Shuttles	14,913	13,110	13.75%	146,017	124,155	17.61%	602	350	224
Eastland Neighborhood Shuttle	8,453	7,778	8.68%	82,986	72,916	13.81%	316	243	184
Pineville-Matthews Road	1,541	1,473	4.62%	16,349	12,698	28.75%	67	42	-
Village Rider	3,701	3,342	10.74%	38,084	32,393	17.57%	154	74	51
Subtotal	28,608	25,703	11.3%	283,436	242,162	17.04%	1,139	709	459

Human Services Transportation

Special Transportation Services	15,155	12,810	18.31%	155,600	133,419	16.63%	640	263	208
DSS	1,215	548	121.72%	9,720	19,663	-50.57%	58	10	-
Subtotal	16,370	13,358	22.55%	165,320	153,082	7.99%	698	273	208

Rideshare Services

Vanpool	3,568	3,714	-3.93%	38,225	31,714	20.53%	158	36	46
Subtotal	3,568	3,714	-3.93%	38,225	31,714	20.53%	158	36	46

Rail

LYNX Blue Line	422,606	409,310	3.25%	4,208,721	3,101,510	35.7%	15,904	12,774	8,130
CityLynx Gold Line	49,248	40,894	20.43%	497,558	264,045	88.44%	1,870	1,397	973
Subtotal	471,854	450,204	4.81%	4,706,279	3,365,555	39.84%	17,774	14,171	9,103

Total	1,013,304	943,392	7.41%	9,987,716	8,468,212	17.94%	39,043	27,219	19,293
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APRIL CATS Sales Tax Report FY2023

November Receipts

Sales Tax Collections and Distribution – January 2023

- The January 2023 receipts of \$11,902,754 were \$1,691,625 (16.6%) above budget target for the month
- The January 2023 receipts were \$1,783,530 (17.6%) above forecast for the month
- The January 2023 receipts were \$1,680,966 (16.4%) above January 2022

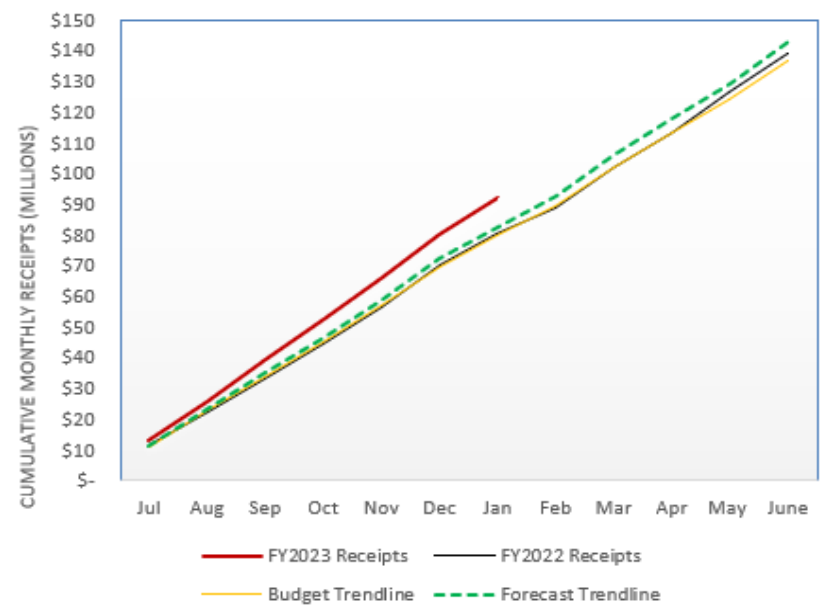
Sales Tax Budget Data

- FY2023 sales tax budget is \$136,807,021
- The FY23 model forecasts year-end receipts of \$152,453,694 which is \$15,646,673 (11.4%) above the FY23 budget target of \$136,807,021
- FY2022 actual sales tax was \$139,225,568

Local Government Sales and Use Tax Distribution

- Source: North Carolina Department of Revenue Sales & Use Distribution Report for the month February 28, 2023
- Published by NC Secretary of Revenue on 04/12/2023 with actual receipts through February 2023.
- CATS sales tax report only includes Mecklenburg County Article 43 sales tax

FY2023 Sales Tax Receipts Forecast



FY2023 Budget Sales Tax Receipts (Actuals and Forecasts)

Jurisdiction	Population	% of Total	Jul 22 Actuals	Aug 22 Actuals	Sep 22 Actuals	Oct 22 Actuals	Nov 22 Actuals	Dec 22 Actuals	Jan 23 Actuals	Feb 23 Forecasts	Mar 23 Forecasts	April 23 Forecasts	May 23 Forecasts	Jun 23 Forecasts	Total	
Charlotte	878,778	40.4%	\$ 5,125,892	\$ 5,204,877	\$ 5,465,688	\$ 5,366,667	\$ 5,313,561	\$ 5,916,721	\$ 4,808,991	\$ 4,197,849	\$ 5,288,458	\$ 4,809,052	\$ 4,717,794	\$ 5,379,312	\$ 61,594,862	
Cornelius	31,442	1.4%	\$ 183,400	\$ 186,227	\$ 195,558	\$ 192,015	190,115	211,696	172,062	150,196	\$ 189,217	172,064	168,799	192,468	2,203,817	
Davidson	14,907	0.7%	\$ 86,952	\$ 88,292	\$ 92,716	\$ 91,037	90,136	100,367	81,577	71,209	\$ 89,710	81,578	80,029	91,251	1,044,854	
Huntersville	61,840	2.8%	\$ 360,711	\$ 366,270	\$ 384,623	\$ 377,655	373,918	416,362	338,411	295,405	\$ 372,151	338,415	331,993	378,545	4,334,458	
Matthews	29,502	1.4%	\$ 172,084	\$ 174,736	\$ 183,492	\$ 180,168	178,385	198,634	161,446	140,929	\$ 177,542	161,448	158,384	180,592	2,067,839	
Mint Hill	26,465	1.2%	\$ 154,370	\$ 156,748	\$ 164,603	\$ 161,621	160,022	178,186	144,826	126,421	\$ 159,266	144,828	142,080	162,002	1,854,971	
Pineville	10,651	0.5%	\$ 62,127	\$ 63,084	\$ 66,245	\$ 65,045	64,402	71,712	58,286	50,879	\$ 64,097	58,287	57,181	65,199	746,544	
Meck. County	1,121,482	51.6%	\$ 6,541,578	\$ 6,642,379	\$ 6,975,221	\$ 6,848,852	6,781,079	7,550,822	6,137,155	5,357,226	\$ 6,749,042	6,137,232	6,020,771	6,864,990	78,606,348	
Total	2,175,067	100.0%	\$12,687,115	\$12,882,613	\$13,528,146	\$13,283,060	\$13,151,617	\$14,644,501	\$11,902,754	\$10,390,113	\$13,089,483	\$11,902,903	\$11,677,031	\$13,314,358	\$152,453,694	
															YTD Budget	\$ 79,485,315
															Variance (YTD)	\$ 12,594,492

FY2023 Budget Sales Tax Comparison Year over Year

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	YTD Total
Year-over-Year Comparison (FY23-FY22)	12.3%	20.9%	22.2%	17.1%	8.6%	8.5%	16.4%	25.0%	-2.0%	4.7%	-9.7%	2.1%	9.5%
FY23 Budget Target	\$10,837,385	\$11,730,084	\$11,265,334	\$11,050,554	\$11,990,897	\$12,399,931	\$10,211,129	\$9,806,473	\$12,405,318	\$11,428,653	\$10,914,935	\$12,766,327	\$136,807,021
% of FY23 Budget Achieved	9.3%	18.7%	28.6%	38.3%	47.9%	58.6%	67.3%	74.9%	84.5%	93.2%	101.7%	111.4%	111.4%

FY2023 Budget Tax Receipts: FY2019 - FY2022

Fiscal Year	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Total
FY2022	\$ 11,298,388	\$ 10,659,682	\$ 11,073,183	\$ 11,342,634	\$ 12,115,265	\$ 13,501,568	\$ 10,221,788	\$ 8,315,108	\$ 13,351,825	\$ 11,369,039	\$ 12,932,254	\$ 13,044,834	\$ 139,225,568
FY2021	\$ 8,921,474	\$ 9,466,946	\$ 9,245,058	\$ 9,317,741	\$ 9,964,913	\$ 11,402,907	\$ 9,134,772	\$ 6,785,996	\$ 11,253,531	\$ 10,287,447	\$ 8,942,957	\$ 11,945,450	\$ 116,669,192
FY2020	\$ 9,683,570	\$ 9,787,973	\$ 8,671,558	\$ 9,890,136	\$ 9,858,570	\$ 9,800,116	\$ 8,278,036	\$ 8,606,547	\$ 8,735,473	\$ 7,635,380	\$ 6,997,727	\$ 9,833,896	\$ 107,778,982
FY2019	\$ 7,708,503	\$ 9,621,386	\$ 9,103,726	\$ 8,067,019	\$ 9,425,129	\$ 8,906,774	\$ 8,195,787	\$ 7,918,012	\$ 10,155,891	\$ 9,880,419	\$ 9,435,500	\$ 9,117,052	\$ 107,535,197

**METROPOLITAN TRANSIT COMMISSION
INFORMATION ITEM
STAFF SUMMARY**

SUBJECT: Proposed changes to CATS Travel Market and Transit Services Guideline Polices

DATE: May 24, 2023

- 1.0 PURPOSE/SCOPE:** The purpose of this information item is to brief the Metropolitan Transit Commission (MTC) on policy changes to the CATS Travel Markets and Transit Service Guidelines
- 2.0 BACKGROUND/JUSTIFICATION:** With the adoption of the Envision My Ride study by MTC in May 2022 a number of policy changes are recommended to the following MTC policies:
- MTC-05 Travel Markets
 - Provides guidance for travel markets where transit is most competitive
 - MTC-06 Transit Service Guidelines
 - Provides guidance on service development and changes as well as design standards and performance measures
- 3.0 PROCUREMENT BACKGROUND:** N/A
- 4.0 POLICY IMPACT:** Retaining these guidelines as is would maintain existing policies
- 5.0 ECONOMIC IMPACT:** N/A
- 6.0 ALTERNATIVES:** N/A
- 7.0 RECOMMENDATION:** N/A
- 8.0 ATTACHMENT:** N/A

SUBMITTED AND RECOMMENDED BY:



**Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte**

Travel Market & Transit Service Guidelines: Proposed Policy Changes

Metropolitan Transit Commission
March 24, 2023



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Service Related Policies

- ▶ MTC-05 Travel Markets
 - Provides guidance for travel markets where transit is most competitive
- ▶ MTC-06 Transit Service Guidelines
 - Provides guidance on service development and changes as well as design standards and performance measures



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MTC-05 Travel Markets

▶ Proposed changes

- Retain primary and secondary markets
- Expand consistency with plans as amended and updated by MTC
- Replace “Centers, Corridors, and Wedges” with System Plan corridors
- Add high-frequency corridors from Envision My Ride as new primary market after System Plan corridors



3

MTC-06 Transit Service Guidelines

▶ Proposed changes

- Bus Stop Design Standards
- Bus Stop Spacing
- Relocation and Removal of Stops, Benches, and Shelters
- Bus Stop Amenities
- Service Monitoring System
- Vehicle Assignment



4

Bus Stop Design Standards

Design Standards

The bus stop is the first point of contact with the transit system for customers, therefore it is important to incorporate designs that improve the overall customer experience while waiting for services provided through CATS. Bus stop designs shall include, at minimum, an accessible boarding pad that meets requirements established by the 2010 American with Disabilities Act (ADA). Design types for bus stops are broken down as follows:

Standard Stop – Functions as the default stop systemwide and can be applied at many intermediate points along bus routes. Standard stops may have varying levels of amenities including benches and shelters.

Mobility Hubs – Functions as enhanced bus stops that help connect passengers to various modes of mobility including other bus routes, bicycle & scooter services, rideshare programs, and on-demand services, among others. Mobility hubs are located primarily along High Frequency bus routes and at other major transfer destinations within the CATS service area.



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Bus Stop Spacing

Stop spacing should be thoroughly considered when creating new routes, modifying existing routes, or when evaluating performance issues along a route. Adequately spaced bus stops across the transit system enhance accessibility in general. Recommended spacing standards for fixed route bus routes are as follows:

Service Type	Spacing Guidelines
High Frequency	4 stops per mile (every 1,320 feet)
Common / Local	4-6 stops per mile (every 850-1,320 feet)
Neighborhood / Connector	4-6 stops per mile (every 850-1,320 feet)
Express	Limited stops at key destinations



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Relocation and Removal of Stops, Benches, and Shelters

- ▶ CATS aims to be responsive to requests for bus stop adjustments where passenger safety, comfort, and convenience are not compromised. When a request is made to remove or relocate a bus stop, cooperation with requesting residents or owners of residences or businesses that are adjacent to bus stops is appropriate when ridership levels and the availability of a reasonable alternative location affords reasonable accommodation of CATS riders. CATS will review each request with the internal Bus Stop Committee to explore the feasibility of each request.
- ▶ Where stops are located at intervals that do not meet the targeted spacing thresholds as identified above, requests to remove or relocate stops may be accomplished through consolidation of adjacent stops at an appropriate location. Consolidation of stops may have the positive result of improving travel time and resolving adjacency issues.
- ▶ It is CATS' policy to not remove or relocate bus stops, bus benches or bus shelters when such action would negatively impact passenger convenience, safety or comfort. CATS policy prohibits bus stop removal or relocation where such requests have the appearance of being motivated by bias based on the ethnicity, income level or social status of passengers using the bus stop location.



7

Bus Stop Amenities

- ▶ The bus stop is the first point of contact with the transit system for customers. A bus stop with inadequate amenities could hinder and deter passengers from accessing the transit network. The following section establishes amenity guidelines for facilities based upon various metrics including ridership, land use, equity, and accessibility.
- ▶ Placement of amenities should be based upon factors that consider equity in distribution throughout the service area and factors that consider the benefit to the user and site-related constraints. Greater consideration should be given to stops on high frequency bus routes due to a generally higher level of demand. Bus stop amenities will be rolled out based on a scoring system that determines the appropriate stop level design. Minimum scoring criteria for each stop design are as follows:

				Mobility Hubs		
	Type A	Type B	Type C	Enhanced Stop Pair	Mobility Plaza	Mobility Center
Minimum Score	---	15	25	50	55	65



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Service Monitoring System

- ▶ CATS will regularly calculate Passengers per Revenue Hour for all bus routes and identify targeted thresholds based on service type. CATS will monitor routes that fall below targeted thresholds and make changes to the service as needed. Routes falling between targeted thresholds should be subject to a more detailed analysis that examines performance by route segment and time of day and makes appropriate recommendations. Routes consistently falling below targeted thresholds will be considered for conversion to microtransit as detailed below.
 - ▶ **Micro Transit Conversion:** When a route fails to carry targeted passengers per hour for two or more consecutive quarters, that route, where feasible, will be a candidate for conversion to micro-transit service. Where two or more adjacent routes both fail to meet targeted passengers per hour, conversion to micro-transit operation becomes more feasible and potentially cost-effective. Should the conversion result in overall savings to CATS, then saved hours should be reinvested in improved bus service in other parts of the bus system network.
 - ▶ **New Route Candidates:** Any micro-transit zone performing above targeted passengers per hour thresholds for more than three consecutive quarters will be a candidate for conversion to a fixed route. Candidate zones will be analyzed for trip origins and destinations to determine any potential route patterns. If there is sufficient clustering of the zone trips, the candidate zone may be viable for route conversion and a new service will be considered at the next practical programmed service change.



9

Vehicle Assignment

Fleet types should be assigned based on the service type it is intended to serve when feasible.

- High Frequency Routes = 40-foot low floor or larger
- Common / Local Routes = 40-foot low floor
- Connector Routes = 30-foot low floor or smaller
- Microtransit = Cutaway style vehicles, vans, or other small vehicle types
- Express Service = 40-foot suburban and coach buses



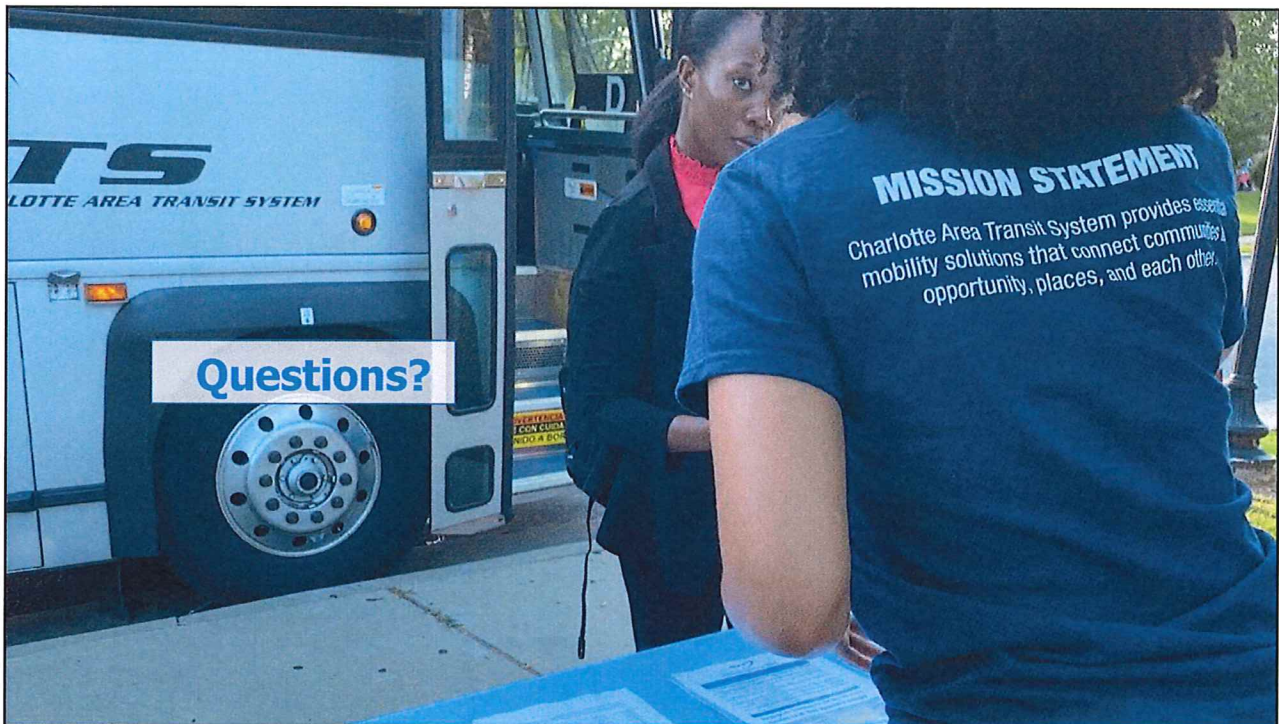
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Next Steps

- ▶ Present changes to TSAC on June 8
- ▶ Present changes as action item to MTC on June 28



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**METROPOLITAN TRANSIT COMMISSION
INFORMATION ITEM
STAFF SUMMARY**

SUBJECT: Bus Stop Improvement Plan

DATE: May 24, 2023

- 1.0 **PURPOSE/SCOPE**: To update the MTC on a Bus Stop Improvement Plan.

- 2.0 **BACKGROUND/JUSTIFICATION**: With the adoption of the Envision My Ride study by MTC in May 2022 new guidance and strategies were put in motion to develop a bus stop capital plan. The presentation will provide background on a new priority strategy for bus stop improvements as well as details on related strategies to improve the transit customer experience.

- 3.0 **PROCUREMENT BACKGROUND**: N/A

- 4.0 **POLICY IMPACT**: Retaining these guidelines as is would maintain existing policies

- 5.0 **ECONOMIC IMPACT**: N/A

- 6.0 **ALTERNATIVES**: N/A

- 7.0 **RECOMMENDATION(S)**: N/A

- 8.0 **ATTACHMENT**: N/A

SUBMITTED AND RECOMMENDED BY:



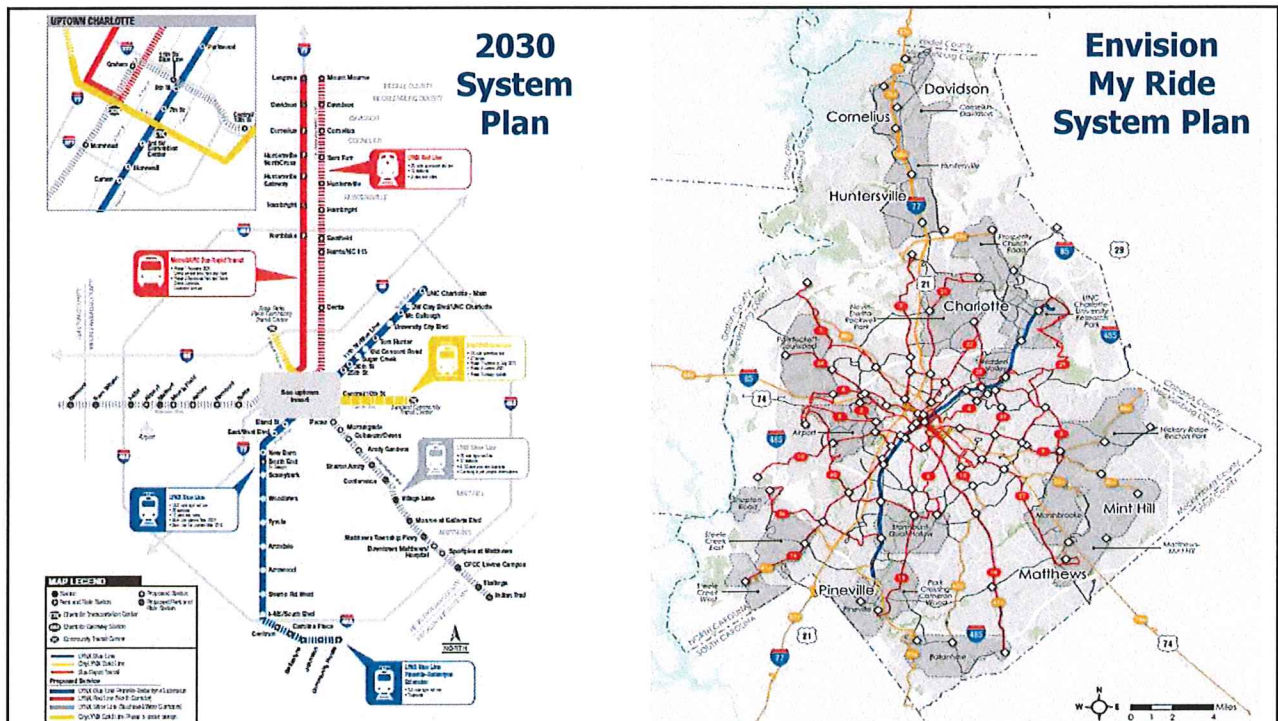
Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte

Bus Stop Improvement Plan & Strategy

Metropolitan Transit Commission
March 24, 2023



1



2

Envision My Ride

Adopted by MTC in May 2022

Improving time

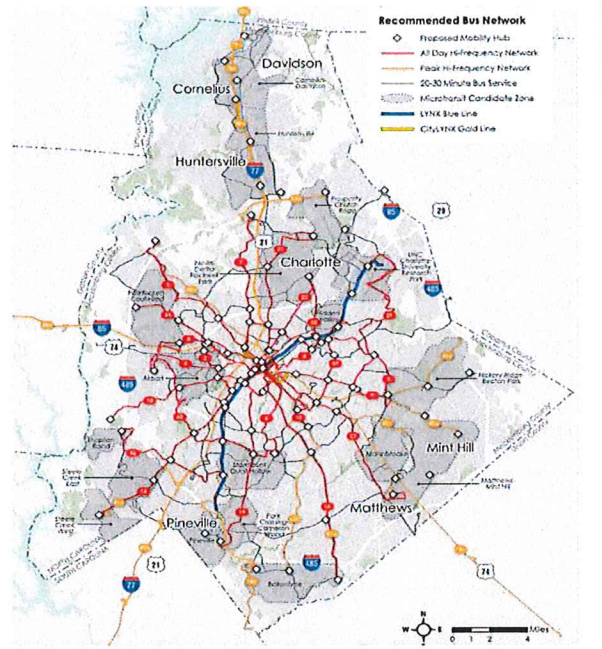
- More frequent service
- Consistent schedules
- Priority bus treatments

Enhancing experience

- Bus stop, amenity, and ADA improvements
- Mobility hubs

Increasing access

- New crosstown connections
- First / last mile & On-demand solutions
- Single app for Microtransit



3



4

PROCESS FOR DETERMINING BUS STOP TYPOLOGY

- ▶ New “scoring” approach to determine amenity type for each bus stop
- ▶ Higher score reflects need for additional improvements and amenities
- ▶ Scoring used to identify set of near-term bus stop improvements

Evaluation Category	Evaluation Criteria	Score Unit
Ridership	Boardings	1 per Boarding
	On Bus Priority Corridor	Yes/No
Wait Time	Transfers	Yes/No
	Wait Time (Not on BPC)	Yes/No
Rider Profile	Equity Populations	Greater than 50%
	Reliant Populations	Greater than Average
Activity Generator	Human Service Facility	Yes/No
	Activity Destinations	Yes/No
	Major Employer	Yes/No
	Operator Relief	Yes/No



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Evaluation Category	Evaluation Criteria	Criteria Scoring	Scoring Unit	Unit Input	Notes
Ridership	Average Daily Boardings	1	per Boarding	NA	Based off October 2019 AVL/APC Data
	On Bus Priority Corridor	50	Yes/No Binary AND Passengers must exceed:	15	Based off October 2019 GTFS, stops served by HF route
Wait Time	Transfers	5	Yes/No Binary	NA	For each stop, when the number of unique routes served by stops with a 1/8 mile buffer is greater than 1
	Wait Time (Not on Bus Priority Corridor)	0	Yes/No Binary	NA	Based off October 2019 GTFS, stops NOT served by HF route
Rider Profile Interpolated totals and density within a 1/8-mile buffer of each stop. Source: 2019 ACS 5-Year Totals	Equity Populations	10	Either/OR:	NA	
	Minority Population		Greater than Percentage of:	50%	All population except white, non-Hispanic
	Low-Income Population	Greater than Percentage of:	50%	Less than 100% AMI	
	Reliant Populations	Either/OR:	NA	NA	
Activity Generators within a 1/4 mile of stops	Elderly Population	10	Greater than Percentage of:	12%	Population 65 years and older, area average is 12 percent
	Disabled Population		Greater than Percentage of:	11%	Area average is 11 percent
Activity Generators within a 1/4 mile of stops	Human Service Facility	10	Yes/No Binary	NA	Results of Google Maps scraper tool that includes hospitals, dialysis centers, clinics, and social security offices.
	Activity Destinations	5	Yes/No Binary	NA	Results of Google Maps scraper tool that includes the following terms: City Hall, Senior Center, Community Center, Library, YMCA, College, University, High School, Recreation Center, Pharmacy, Grocery Store, Supermarket, Walmart, Target
	Major Employer	5	Yes/No Binary	NA	Facilities provided by CATS
	Operator Relief	5	Yes/No Binary	NA	Facilities provided by CATS

6

PROPOSED AMENITIES BY STOP TYPE

Stop Amenity	Standard Bus Stop (Level 0)			Mobility Hubs		
	Type A	Type B	Type C	Enhance Stop Pair (Level 1)	Mobility Plaza (Level 2)	Mobility Center (Level 3, Types A, B, C)
5'X10' Or 5'X15' Shelter			•	•	•	•
Bench		•	•	•	•	•
Simme Seats		•	•			
Trash Receptor	•	•	•	•	•	•
Bicycle Rack			•	•		
Scooter & E-Bike Storage					•	•
Bus Stop Marker: Signpost With Sign	•	•	•			
Bus Stop Marker: Pylon				•	•	•
Sidewalk Wayfinding				•	•	
Boarding & Alighting Area	•	•	•	•	•	•
Crosswalk Improvements			•	•	•	•
Operator Restroom						•
Bus & Sidewalk Bulb				•	•	
Bus Bay						•
Offboard Fare Payment						•
Public Wifi				•	•	•
Microtransit Pickup/Dropoff Area						•
Lighting	•	•	•	•	•	•
Information Kiosks					•	•



7

PRIORITIZATION PLAN FOR BUS STOP IMPROVEMENTS

- ▶ Developed priority ranking based on the following metrics:
 - Severity Ranking/Score as determined in the ADA Transition Plan
 - Activity Ranking (destinations served, etc.)
 - Wheel-Chair Boardings (per route)
 - Total Boardings/Alightings
 - Equity Factor

- ▶ Maximum of **4 points** per category
- ▶ Total possible score of **20 points**
- ▶ Highest stop received **16 points**

Improvement Score	Stop ID	Stop Name	Latitude	Longitude	Proposed Typology	Simme Seat (Existing)	Bench (Existing)	Shelter (Existing)	Shelter Rating	Proposed ADA Solution
16	60399	36th Street Station	35.249106	-80.90588	Mobility Center	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area. Remove or Relocate Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
16	160	Central Ave & Reddman Rd	35.2041705	-80.7483266	Level 1 (Enhanced Stop Pair)	Y	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
15	8240	3rd St @ Marshall Park	35.2200353	-80.8386696	Level 1 (Enhanced Stop Pair)	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
15	1310	Ashley Rd & Alleghany St	35.2378743	-80.8971372	Mobility Plaza	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
15	60010	Church St & 11th St	35.238569	-80.816485	Level 0, Type C	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
15	725	Albemarle Rd & Leveyers Rd Park and Ride	35.2039265	-80.7261066	Mobility Center	N	N	N		Remove & Replace Clear Floor Space. Remove or Relocate Protruding Objects/Obstructions.
15	5560	Central Ave @ 49th	35.2115166	-80.7606133	Level 0, Type B	N	N	N		Remove & Replace Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
15	5580	Central Ave & Winterfield Pl	35.2107931	-80.7592183	Level 1 (Enhanced Stop Pair)	N	N	Y		Remove & Replace Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
15	28810	Sharon Rd & Collgate Rd	35.1489766	-80.8304405	Level 1 (Enhanced Stop Pair)	Y	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
14	5050	Central Ave & Oakland Ave	35.2215466	-80.8199701	Level 1 (Enhanced Stop Pair)	N	N	N		Provide Clear Floor Space.
14	5060	Central Ave & Heath Ct	35.2216103	-80.8197483	Level 1 (Enhanced Stop Pair)	N	N	Y		Remove & Replace Sidewalk To Boarding Area. Remove or Relocate Protruding Objects/Obstructions.
14	7500	4th St & Torrence St	35.2132607	-80.8279415	Level 1 (Enhanced Stop Pair)	N	N	N		Remove & Replace Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
14	7200	Morehead St & Harding Pl	35.2062021	-80.8377550	Level 0, Type C	N	N	N		Provide Boarding Area. Provide Sidewalk Connection to Boarding Area.
14	7900	7th St & Alexander St	35.2232295	-80.8321161	Level 0, Type B	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
14	7910	7th St & McDowell St	35.2232672	-80.8320246	Level 0, Type B	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
14	8150	3rd St & McDowell St	35.2189238	-80.8376773	Level 1 (Enhanced Stop Pair)	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
14	8260	3rd St & Kings Dr	35.2144189	-80.8316098	Level 1 (Enhanced Stop Pair)	Y	N	N		Remove & Replace Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space.
14	8530	Trade St & Alexander St	35.2221012	-80.8371717	Level 1 (Enhanced Stop Pair)	Y	N	N		Remove & Replace Boarding Area. Remove & Replace Sidewalk To Boarding Area. Provide Clear Floor Space. Remove or Relocate Protruding Objects/Obstructions.
14	18000	Elizabeth Ave & Kings Dr	35.2182607	-80.8321161	Level 1 (Enhanced Stop Pair)	Not Surveyed	N	Not Surveyed	Not Surveyed	Remove or Relocate Protruding Objects/Obstructions.
14	18100	Tryon St & West Fourth Pl	35.2362043	-80.8329991	Level 1 (Enhanced Stop Pair)	N	N	N		Remove & Replace Boarding Area. Remove or Relocate Protruding Objects/Obstructions.
14	20630	Park Rd & Park Slope Dr	35.1852201	-80.8529003	Level 0, Type B	N	N	N		Provide Boarding Area. Provide Sidewalk Connection to Boarding Area.
14	20770	Park Rd & Heather Ln	35.1745578	-80.8512697	Level 1 (Enhanced Stop Pair)	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
14	30600	Statesville Ave & Alma Ct	35.2669481	-80.8372573	Level 1 (Enhanced Stop Pair)	N	N	N		Provide Boarding Area. Remove & Replace Sidewalk To Boarding Area.
14	31420	The Plaza & Herrin Ave	35.242485	-80.7951353	Level 0, Type C	N	N	N		Provide Boarding Area. Provide Sidewalk Connection to Boarding Area.
14	45760	4th St & McDowell St	35.2207103	-80.8375111	Level 1 (Enhanced Stop Pair)	N	N	N		Remove & Replace Sidewalk To Boarding Area.
14	45914	Tryon St & 13th St	35.2338563	-80.8318016	Level 1 (Enhanced Stop Pair)	N	N	N		Remove & Replace Boarding Area. Remove & Replace Clear Floor Space.
14	45947	Tryon St & Tom Hunter Rd	35.2768122	-80.7667647	Level 0, Type C	N	N	Y		2 <Null>

8

PROCESS TO IDENTIFY INITIAL IMPROVEMENT BATCH

- Filtered list to remove stops that will be improved through other projects
 - Land Development, streetscape improvements, road projects, etc.
- Prioritized stops based on the following:
 - Does not currently have an amenity in place
 - Does not currently have a boarding area
 - Ridership
 - Customer requests, etc.
 - Geographic distribution (Towns, Council Districts)
- Initial list for FY 23 consists of 30 stops (**25 stops in Charlotte and 5 in Towns**)
 - **26 stops** will be upgraded to accommodate a shelter
- Identified **16 additional stops** for the next round of improvements
- Will continue to add to list and develop plans for the upcoming FY's



9

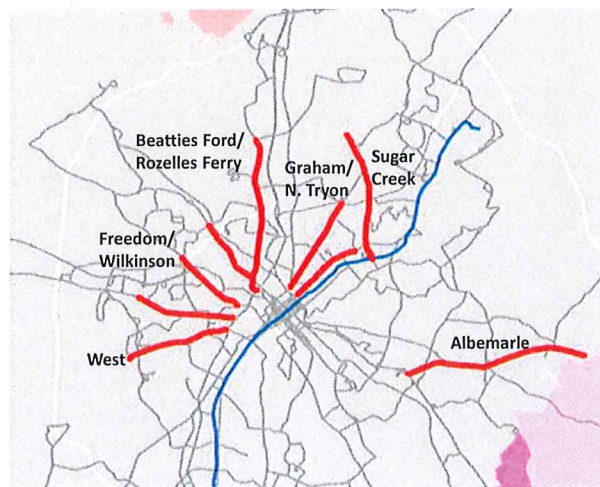
CITY OF CHARLOTTE CORRIDORS OF OPPORTUNITY

► Funded Projects

- West & Remount mobility plaza
- Beatties Ford Rd sidewalk improvements
 - Improvements to 2 inbound stops between LaSalle and St. Paul St

► Pending & Possible Projects

- West & Clanton mobility plaza
- CRTPO funded improvements along Albemarle Rd
- RAISE grant submission for Sugar Creek Rd mobility hubs
 - Includes Sugar Creek & Reagan stop
- North Graham mobility hubs (design)



10

PROCESS TO IDENTIFY INITIAL STOPS FOR SHELTER REPLACEMENT

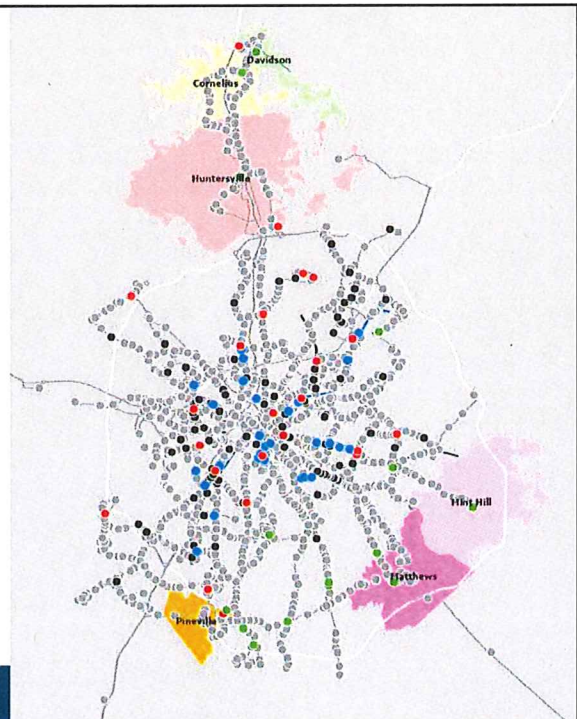
- Filtered list to remove stops that will be improved through other projects
 - Land Development, streetscape improvements, City projects, etc.
- Identified shelters that are currently in poor condition
 - Based on assessment provided through Facilities
 - Shelters were ranked on a scale of 1-4, with 1 indicating poor condition
 - Included stops that received a score of 2 or less
- Prioritized locations based on the following:
 - Ridership
 - Customer requests, etc.
 - Condition
- Initial list includes **30 stops**
- Will continue to add to list and develop locations for the upcoming FY's



11

IMPROVEMENT MAP

- 30 stops**
- + Additional stops (16)**
- + Shelter replacement (30)**
- + Improvements from other projects (113)**
- + Remaining stops (2,458+)**



12

TRANSIT AMENITY PROCUREMENT

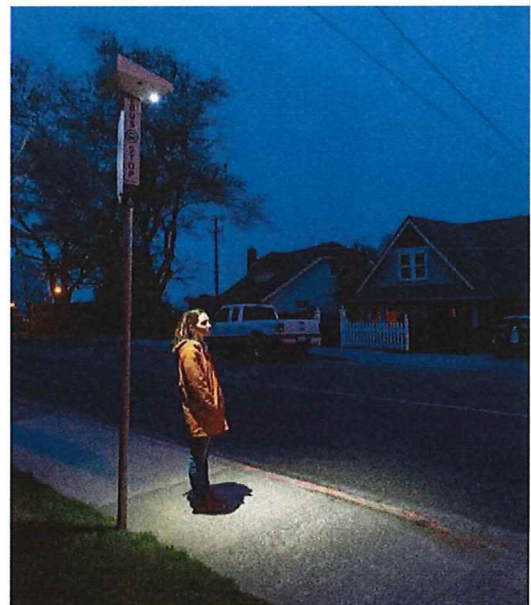
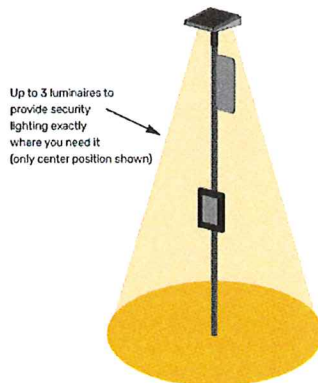
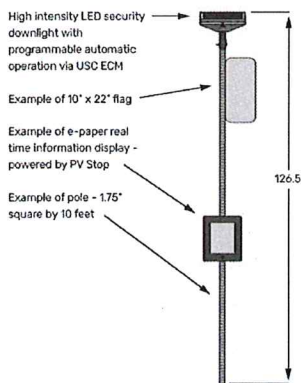
- New stop amenity contract approach
 - Shelter
 - Benches
 - Trash Cans
 - Solar Lights
 - Bike Racks
 - Glass



13

Solar Lighting Pilot

- “Urban Solar” lighting at bus stops
- Opportunity to pilot units in the field
- Will function as “push to activate”
- Emits light in any direction CATS sets



14

ADDITIONAL BUS STOPS IMPROVEMENTS STRATEGIES

- Seeking additional funding through CRTPO and other grant sources
- Align bus stop improvement list with jurisdictional priorities.
- Bus stop consolidation plans
 - Start with recommendations from EMR for six priority corridors
 - Microtransit focused stops
- Adopt-a-stop
- Signage replacement in Uptown Charlotte
- Eye level display removal



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16

**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
STAFF SUMMARY**

**SUBJECT: LYNX Silver Line Refined Locally Preferred
Alternative (LPA) – Project Title VI Maintenance Facility
Update and Amity Gardens Station Removal**

DATE: May 24, 2023

1.0 PURPOSE/SCOPE: The purpose of this presentation is to provide an informational update for the Title VI Vehicle Maintenance Facility (VMF) process, and to adopt the removal of the Amity Gardens Station from the Locally Preferred Alternative (LPA), based on staff recommendations and community engagement.

2.0 BACKGROUND/JUSTIFICATION:

As part of continued refinements to the Silver Line project definition, CATS is pursuing Title VI analysis and additional public engagement associated with three proposed Silver Line VMF locations. There will be a live virtual public meeting on this topic on May 23, 2023, at 5:30 to collect public feedback on the current alternatives.

CATS also proposes to remove the Amity Gardens station from the Silver Line LPA. During design development, it became apparent that adequate neighborhood access could not be provided because of severe topographic challenges. Removing this station will also achieve several overall project benefits, while reducing the potential for negative community impacts. Oakhurst and Amity Gardens neighborhood access to the Silver Line would be maintained at the proposed Sharon Amity station and parking garage.

This proposed change to the LPA was presented to the following community groups. The presentations included a general project update, the summary of the benefits and risks associated with the potential Amity Gardens Station removal along with appropriate time for Q&A.

- 3/7 – CharlotteEAST meeting via Zoom
- 3/14 – Oakhurst in-person meeting at Common Market
- 4/4 – Amity Gardens in-person meeting at Eastern Hills Baptist Church
- 4/20- City Council District 5 Councilmember Engagement
- 4/26- Metropolitan Transit Commission- Info
- 5/16- Citizens Transit Advisory Group

3.0 PROCUREMENT BACKGROUND: N/A

4.0 POLICY IMPACT: N/A

4.0 ECONOMIC IMPACT: N/A

5.0 ALTERNATIVES: N/A

- 6.0 **RECOMMENDATION**: Staff recommends the following:
A. Adopt the LYNX Silver Line Refined Locally Preferred Alternative alignment and stations as shown on Attachment A, which removes the Amity Gardens Stations

- 7.0 **ATTACHMENT(S)**:
Attachment A: LYNX Silver Line Refined Locally Preferred Alternative
Attachment B: LYNX Silver Line Locally Preferred Refinement

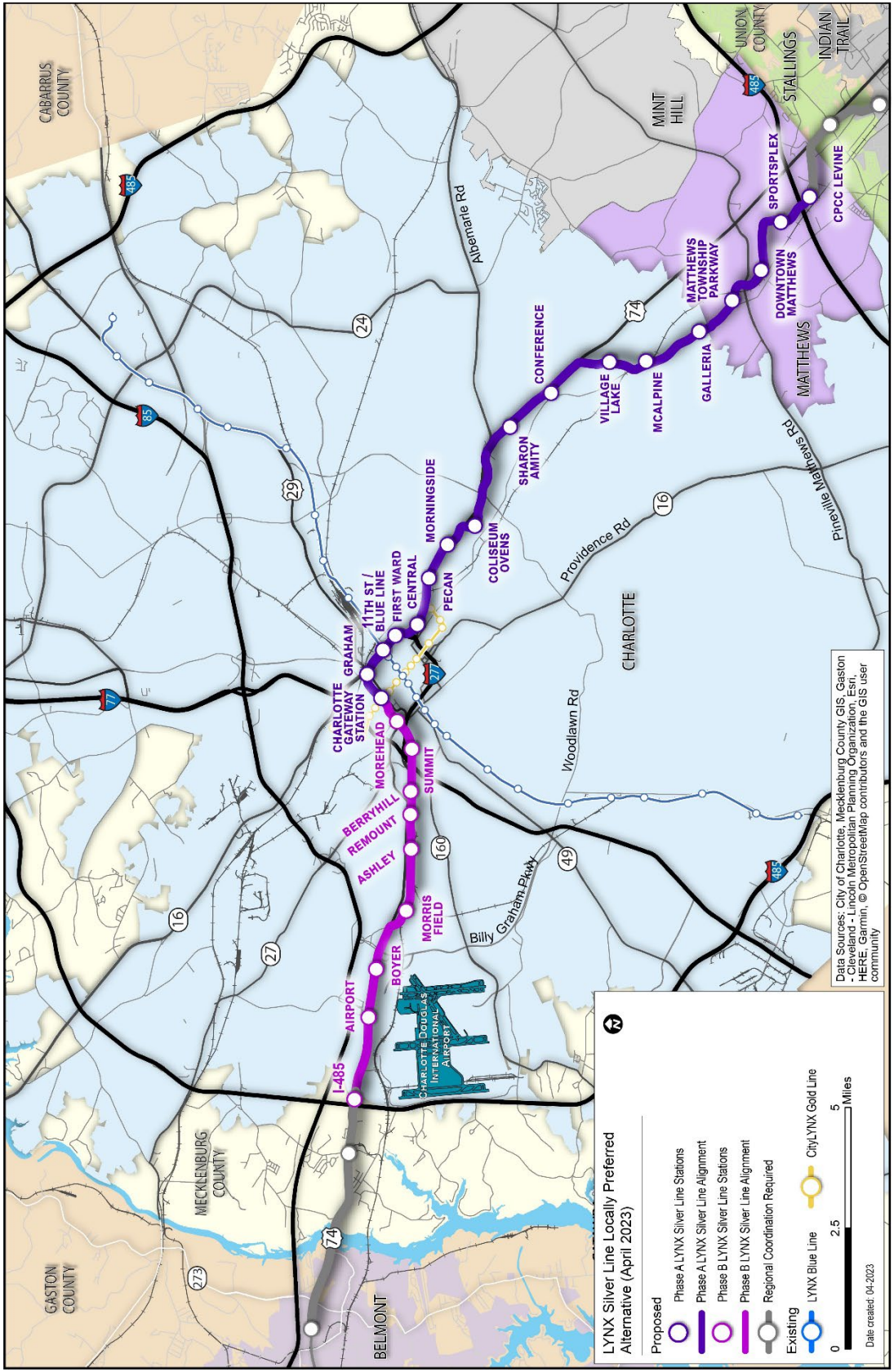
SUBMITTED AND RECOMMENDED BY:



Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte

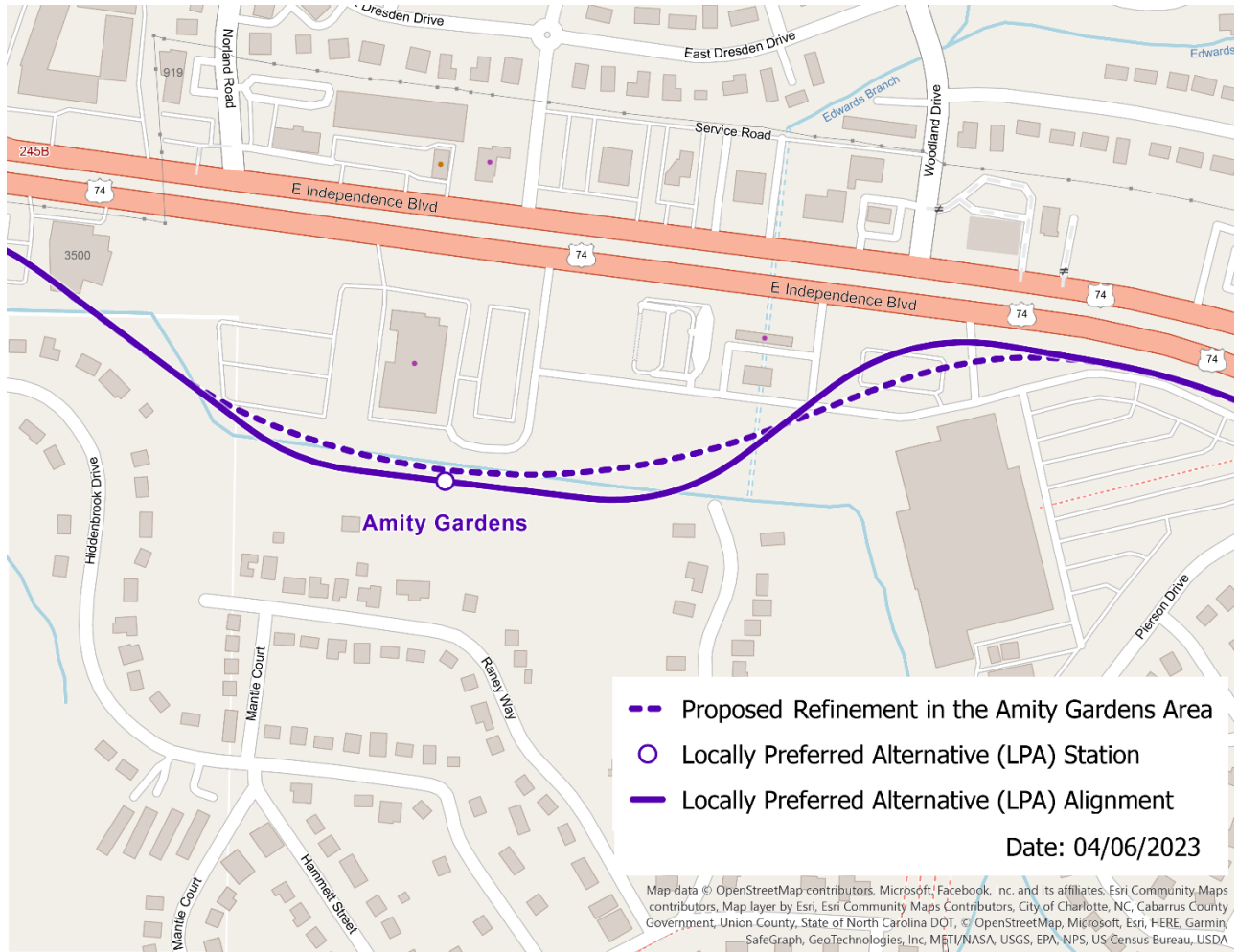
Attachment A

LYNX Silver Line Refined Locally Preferred Alternative with potential refinement



Attachment B

LYNX Silver Line Locally Preferred Alternative Potential Refinement



RESOLUTION No. 2023-04

ADOPTION OF LYNX SILVER LINE STAFF RECOMENDATIONS

A motion was made by XXX XXXX (XXXXXXXX) and seconded by XXXX XXXXX (XXXXXXXX) for the adoption of the following resolution and upon being put to a vote was duly adopted.

WHEREAS the Metropolitan Transit Commission was formed by Mecklenburg County and its municipalities located herein to review and recommend long-range public transportation plans as well as to guide the planning, financing and implementation of an accountable regional transit system, and

WHEREAS the Metropolitan Transit Commission adopted its 2030 Transit Corridor System Plan in 2002, which was amended in 2006, 2016, 2019, 2021, and 2022 to develop primary transportation corridors, linking our area's key centers of economic activity, and

WHEREAS the 2019 adoption of the LYNX Silver Line Locally Preferred Alternative defined the Silver Line as one continuous light rail corridor from the Town of Matthews to Center City Charlotte and continuing west to the Charlotte Douglas International Airport and beyond to a western terminus in the City of Belmont in Gaston County, and

WHEREAS on January 25, 2023, the MTC adopted a refined Locally Preferred Alternative based on engineering and environmental analysis in coordination with local stakeholders and jurisdictions.

WHEREAS the Silver Line team continued coordination and engineering activities to include one additional refinement for the **removal of the Amity Gardens Station**, which was presented for community input in the March and April of 2023.

NOW, THEREFORE, be it resolved by the Metropolitan Transit Commission that:

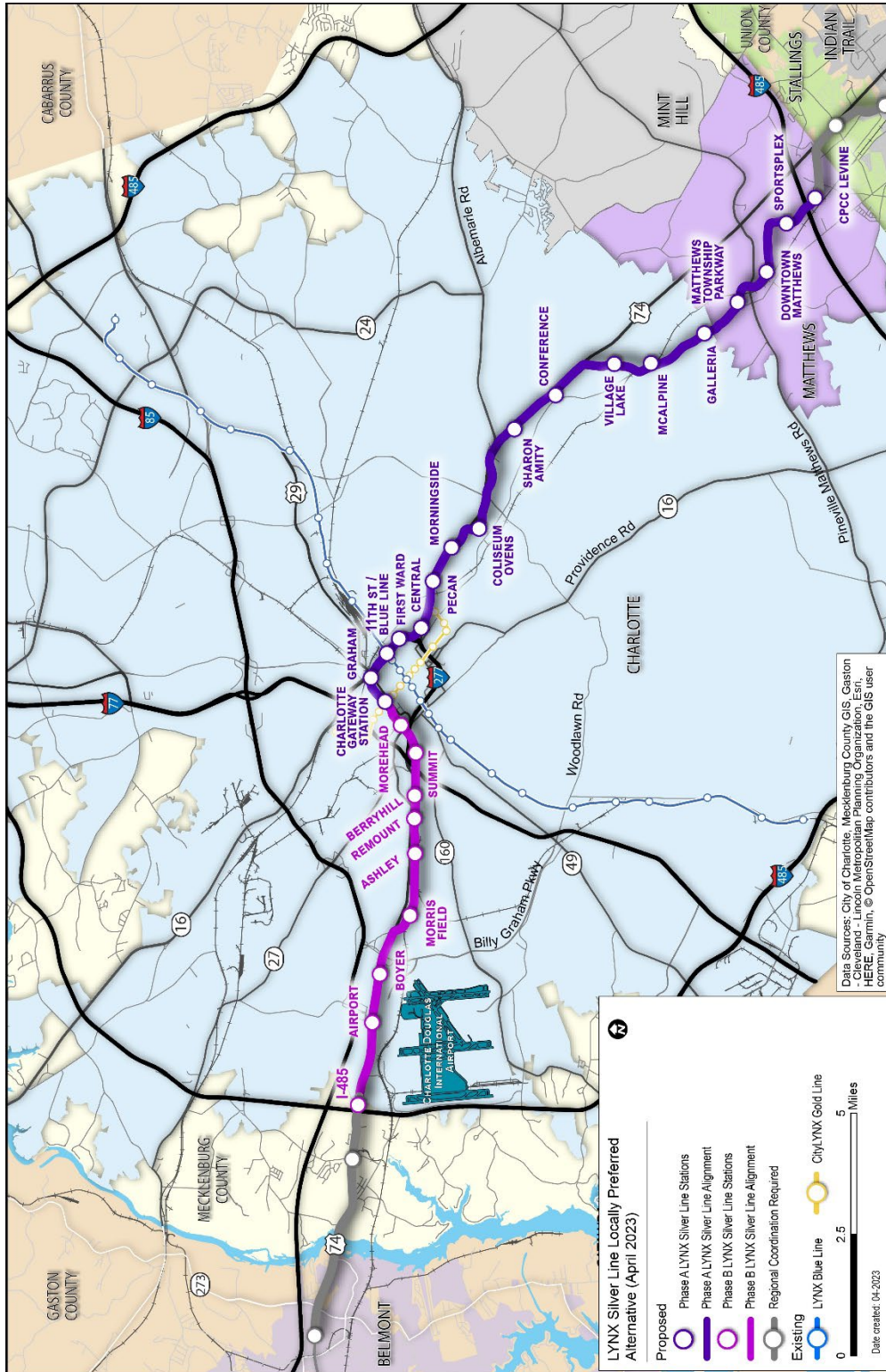
1. The LYNX Silver Line Locally Preferred Alternative as adopted by the MTC in January 2023 is hereby amended to constitute a 29-mile light rail alignment with 30 stations.
2. This resolution shall take effect immediately upon its adoption.

Attachment A- LYNX Silver Line Refined Locally Preferred Alternative

I, Mayor Vi Lyles, Chairwoman of the Metropolitan Transit Commission, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Metropolitan Transit Commission, duly held on May 24, 2023.

Signature of MTC Chairwoman

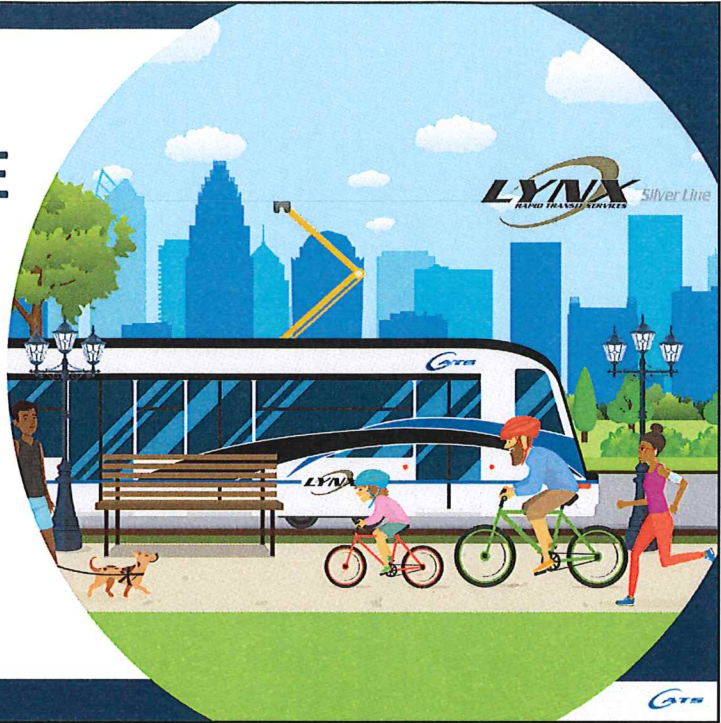
Attachment A- LYNX Silver Line Refined Locally Preferred Alternative



LYNX SILVER LINE LIGHT RAIL

Metropolitan Transit
Commission

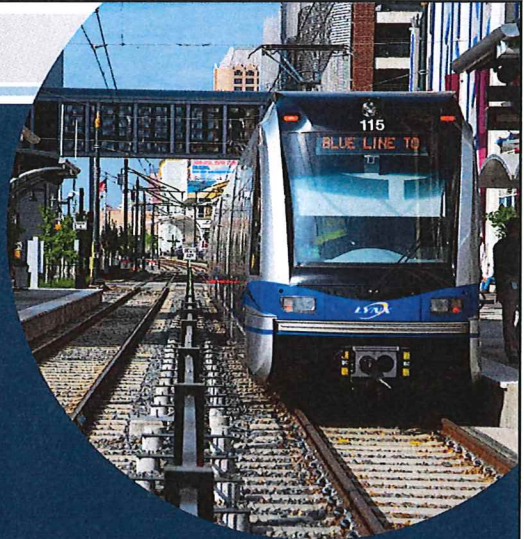
May 24, 2023



1

Agenda

1. Title VI VMF Strategy and Upcoming Public Engagement
2. Upcoming MTC Action Amity Gardens Station Removal- ACTION



SILVER  LINE

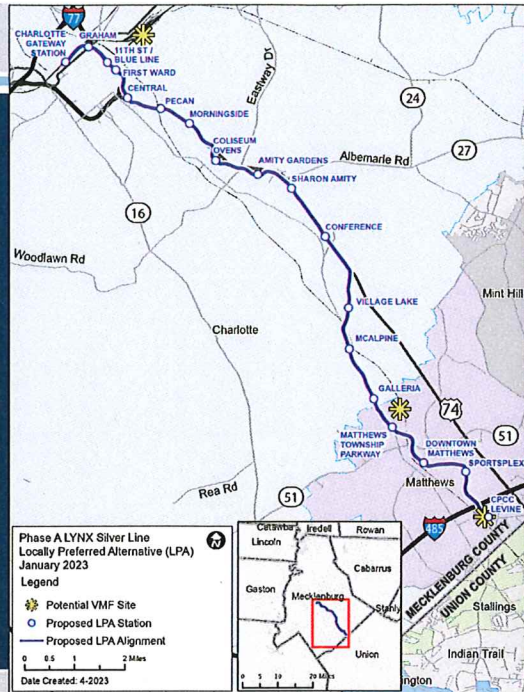


2

Title VI VMF Strategy Update

LYNX Silver Line LPA (Phase A)

- Three suitable VMF sites identified
 - North Yard
 - Industrial Drive
 - Near CPCC



SILVER LINE

3

Silver Line VMF Strategy

Daily activities split between North Yard and Southeast Corridor

1. **What is the balance between the North Yard and Southeast Corridor?**
 - 25% North Yard / 75% Southeast
 - North Yard maintain heavy maintenance programming
 - Daily activities split between North Yard and SE Facility
 - Avoids single point of failure operational risk
 - Decreases limitations on Blue Line tracks from Silver Line usage
2. **What should be the ultimate capacity of the Southeast facility?**
 - Initial sizing to support Phase A needs, but with ability to expand
3. **What is the preferred site for the facility in the Southeast Corridor?**
 - Options are CPCC Levine and Industrial Dr.
 - Preliminary evaluation indicates Industrial Dr. as the desired Southeast site because of consistency with existing land use and operational connectivity

SILVER LINE

4

Title VI VMF Strategy Update

FTA Guidance

- Complete a Title VI equity analysis before selecting preferred facility sites
- Compare equity impacts of various siting alternatives based on Census data
- If there are disparate impacts, may only locate at that site or sites:
 - If substantial legitimate justification, and
 - No alternative sites with less disparate impact

Nexus of Title VI Equity Analysis and NEPA

- Pre-NEPA – assessing equity of three facility sites under consideration
 - Public and stakeholder outreach occurring in Spring 2023
 - Live virtual public meeting on Tuesday, May 23 at 5:30 p.m. via [CATS' YouTube](#)
 - On-going coordination with CATS civil rights
 - Future MTC Action regarding Title VI Analysis
- During NEPA – detailed evaluation of impacts related to preferred facility site(s)
 - Multiple opportunities for continued outreach and engagement

5

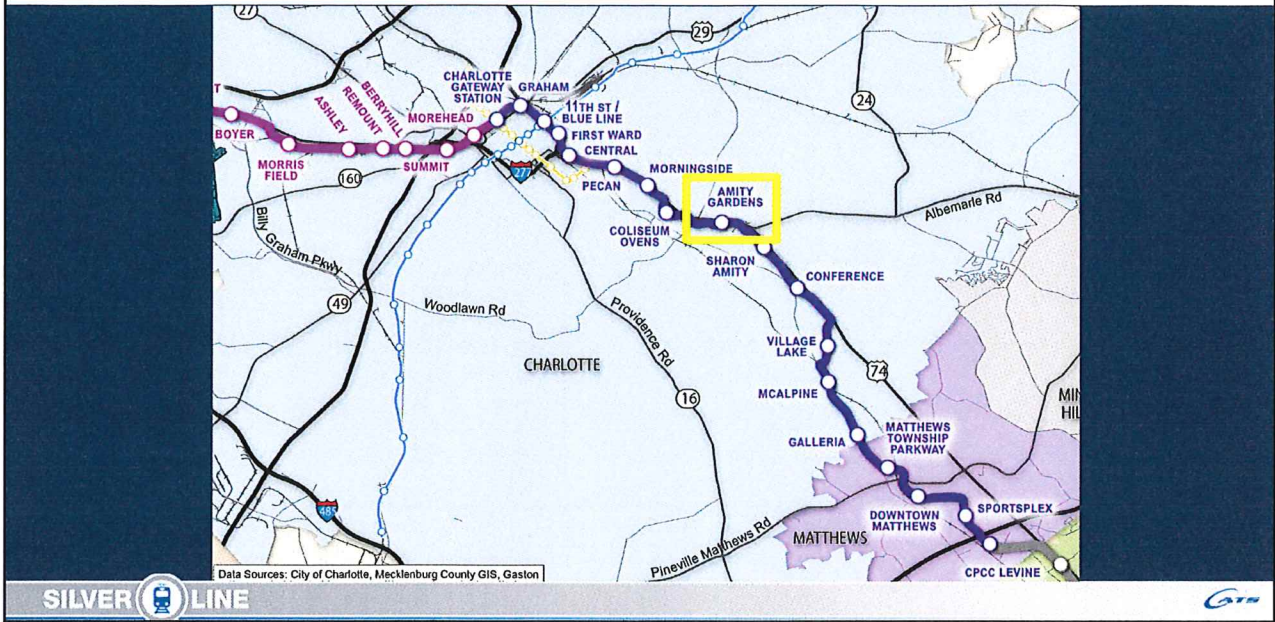
Agenda

1. Title VI VMF Strategy and Upcoming Public Engagement
2. Upcoming MTC Action Amity Gardens Station Removal- ACTION



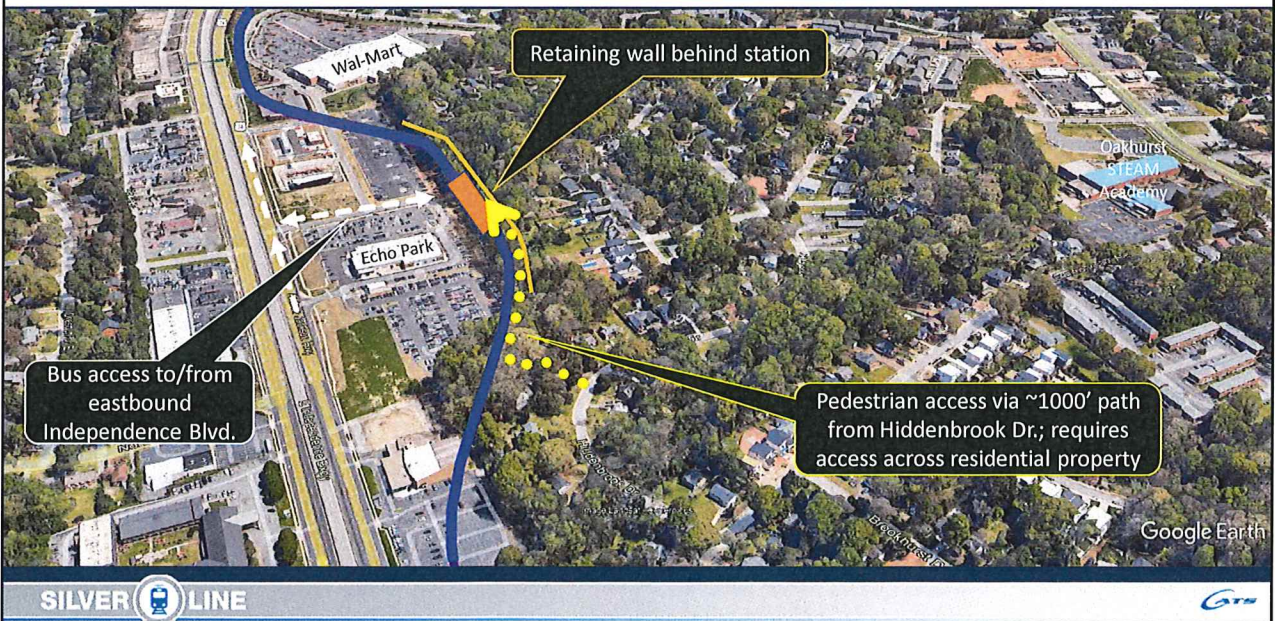
6

Amity Gardens Station



7

Amity Gardens Station



8

Benefits and Risks

BENEFITS



TRAVEL TIME

- Approx. 2 minutes corridor travel time savings by removing station



LOCAL CONNECTIVITY

- Pedestrian access is limited from Oakhurst and bus and vehicle access is only available from eastbound US 74; Sharon Amity station is close by



DEVELOPMENT OPPORTUNITIES

- Limited transit-oriented redevelopment opportunity fronting US 74

SILVER  LINE



9

Benefits and Risks

RISKS



COST

- Approx. \$10-15M savings (year of expenditure) by removing station



ENVIRONMENTAL CONSIDERATIONS

- Removing station results in less potential for residential property acquisition on Hiddenbrook Dr., Raney Way, and Seifert Cir.



COORDINATION WITH OTHERS

- Not a distinguishing factor

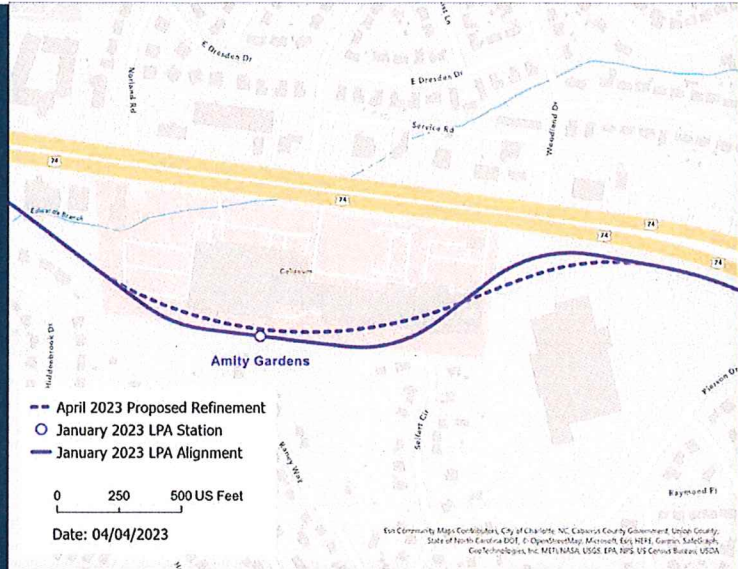
SILVER  LINE



10

May 24, 2023 – Proposed MTC Action Item

1. Amity Gardens Station Removal



SILVER LINE



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Engagement Summary

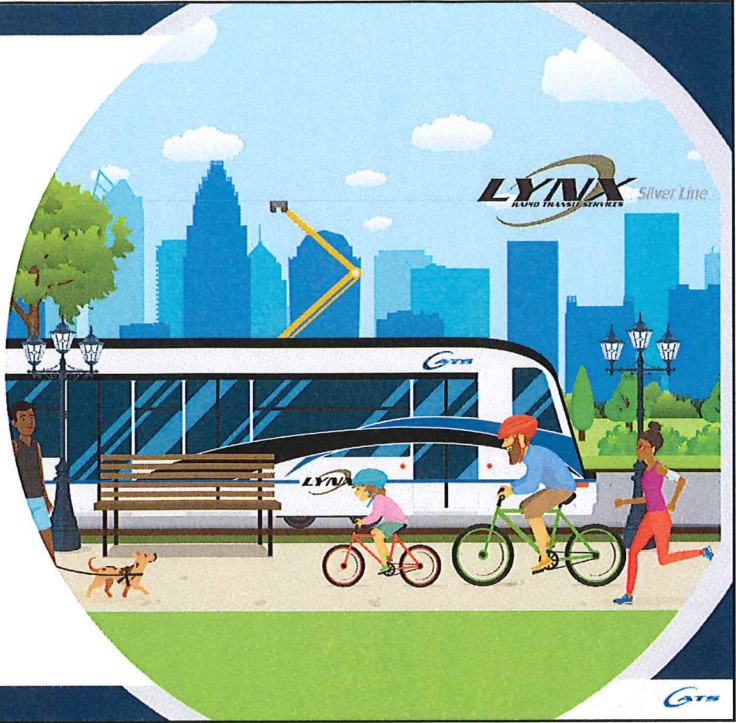
March 7	Charlotte East
March 14	Oakhurst Neighborhood Meeting
April 4	Amity Gardens Neighborhood Meeting
April 20	District 5 Council Engagement
April 26	Metropolitan Transit Commission- Information
May 16	Citizens Transit Advisory Group (CTAG)
May 24	Metropolitan Transit Commission- Action
	-Progress Design and Environmental Analysis-
September 2023	Environmental Scoping Public Meetings

SILVER LINE



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Thank you!



**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
STAFF SUMMARY**

SUBJECT: Fare Equity Analysis CATS Fare Capping

DATE: May 24, 2023

- 1.0 **PURPOSE/SCOPE**: Presentation on the process, observations, comments and conclusions of the fare equity analysis for the CATS Fare Capping policy. The MTC vote on the analysis is scheduled for the May 23, 2023 MTC meeting.

- 2.0 **BACKGROUND/JUSTIFICATION**: As a recipient of federal funding, CATS/City of Charlotte must conduct a fare equity analysis whenever a change in fares or fare media is due to occur. CATS found that some customers could not afford the upfront cost of a monthly pass at the beginning of the month, and Fare Capping was introduced on the September 1, 2022, to assist. Fare Capping is the rewarding of a monthly pass for the remainder of the calendar month, once a customer has paid the equivalent value of \$88 in any combination of eligible fares through the CATS Pass mobile app in a calendar month.

- 3.0 **POLICY IMPACT**: Per CATS policy CATS CivR01 “Major Service Change and Fare Change Reviews” an equity analysis was conducted to evaluate the impacts of the Fare Capping policy on low income and minority customers.

- 4.0 **RECOMMENDATION**: The MTC should approve the analysis, as Fare Capping expands fare options and provides benefits to both low income and minority customers. The analysis concluded that Fare Capping will provide a higher proportional benefit to minority customers and that minority and low-income riders who reach the Fare Cap will benefit from the policy by paying less in fares over the course of the calendar month.

- 5.0 **ATTACHMENT(S)**: 2023 CATS Fare Capping Analysis

SUBMITTED AND RECOMMENDED BY:



Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte



Fare Capping Policy Financial & Equity Assessment

February 2023



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1 INTRODUCTION

Charlotte Area Transit System (CATS) implemented a fare capping policy on September 21, 2022, to reward customers with a monthly pass once they have paid the equivalent value (\$88) in any combination of eligible fares through the CATS-Pass mobile app. When customers reach this threshold, a monthly pass is automatically added to their CATS-Pass wallet, enabling them to ride local bus and light rail for free for the remainder of that month. The goal of this policy is to both improve customer experience and ensure CATS services are affordable and accessible to all, especially for customers who ride frequently but cannot afford the upfront cost of a monthly pass.

The fare capping policy is currently implemented as a pilot to evaluate success over an approximate six-month period. During this time, a financial analysis was completed to estimate both the cost savings to CATS-Pass customers under the new policy. An assessment of the corresponding reduction in fare revenue collections resulting from customers being awarded a monthly pass, rather than paying fares for the remainder of the month, was also completed.

As a transit agency receiving federal funding through the Federal Transit Administration (FTA), CATS must conduct an equity assessment to evaluate the potential for impacts of any fare policy change on minority and low-income populations using guidance found in FTA Circular 4702.1B.

This report documents the results of the financial assessment and fare equity assessment for the CATS fare capping policy.

2 FARE CAPPING POLICY FINANCIAL ANALYSIS

2.1 Financial Analysis Assumptions

An analysis of fares purchased by customers through their CATS-Pass mobile app leading up to the implementation of the new fare capping policy was completed to estimate the customer benefits and corresponding monthly fare revenue reductions. The dataset included all CATS-Pass mobile fare purchases over the four-month period of April-July 2022. The parameters of this analysis include:

- The fare cap is based on the full fare monthly pass (\$88) for the Local Bus and LYNX service.
- Reduced fares for Local Bus and LYNX or other services, or fares for other services such as Express Bus, Express Bus Regional, etc., are not counted toward the fare cap.
- Only tickets/passes activated via a CATS-Pass account within a calendar month are eligible toward the fare cap. Tickets purchased are not counted toward the fare cap until activated within the CATS-Pass app.
- CATS-Pass accounts with multiple monthly passes activated within a calendar month were excluded from the analysis as the purchase of a secondary monthly pass would not apply toward the fare cap under the current policy. The analysis otherwise assumes that any combination of tickets/passes activated within a calendar month counts toward the fare cap as intended under the current policy.

2.2 Financial Analysis Results

This section presents the methodology used to review and calculate the potential financial impacts of the fare capping policy from both the customer and agency perspectives. Table 2-1 summarizes the dataset of activated fares by type during each month of the analysis period.

TABLE 2-1: SUMMARY OF TICKET COUNT BY ACTIVATION MONTH

Activation Period	Fare Type & Value				Total Activated Ticket Count
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20	
April 2022	97	126	1,166	16,181	17,570
May 2022	169	125	944	15,831	17,069
June 2022	225	124	954	14,861	16,164
July 2022	177	251	1,902	40,117	42,447
Total	668	626	4,966	86,990	93,250

Source: CATS Mobile Ticket Purchases (April-July 2022)

The 93,250 activated fares were each linked to a distinct CATS-Pass account and summarized based on the month activated (Table 2-2).

TABLE 2-2: # OF UNIQUE MOBILE ACCOUNTS & FARE COUNT BY ACTIVATION MONTH

Activation Period	Total Fare Count	# of Individual Mobile Accounts
April 2022	17,570	4,969
May 2022	17,069	5,069
June 2022	16,164	5,113
July 2022	42,447	8,368
Total	93,250	23,519

Source: CATS Mobile Ticket Purchases (April-July 2022)

The fares activated under each CATS-Pass account were then analyzed to determine if the combined value exceeded the equivalent value of a monthly pass (\$88) for the month. As shown in Table 2-3, less than 1% of the CATS-Pass accounts activated eligible fares that exceeded the \$88 fare cap, equating to an average savings of approximately \$17 per customer each month. From the agency’s perspective, this corresponds to an estimated fare revenue reduction of \$679 per month.

TABLE 2-3: # OF MOBILE ACCOUNTS WITH FARE CAP REACHED BY ACTIVATION MONTH

Activation Month	Total # of Mobile Accounts	Mobile Accounts Where Fare Cap Reached		Total Fare Value for Month	\$ / % of Total Fare Value Exceeding Monthly Fare Cap (\$88)	
		#	%			
April 2022	4,969	23	0.5%	\$111,421	\$436	0.4%
May 2022	5,069	26	0.5%	\$119,561	\$385	0.3%
June 2022	5,113	29	0.6%	\$62,610	\$422	0.7%
July 2022	8,368	78	0.9%	\$124,117	\$1,472	1.2%
Total	23,519	156	--	\$417,710	\$2,715	--
Monthly Average	--	--	0.6%	\$104,427	\$679	0.6%

CATS 2022 Customer Survey; total and monthly percentages reflect weighted averages for the four month period.

Appendix A details the tickets/passes purchased under the 156 CATS-Pass accounts, along with the total fare value and estimated fare cap benefit (amount of the total fare value exceeding the \$88 monthly pass cost for each month).

3 FARE CAPPING POLICY EQUITY ASSESSMENT

In accordance with Title VI of the Civil Rights Act of 1964 and FTA Circular 4702.1B, CATS conducts an equity assessment any time a change is proposed to its fare structure to ensure that changes do not unfairly impact persons of color or who are low-income. For proposed changes that will increase or decrease fares system-wide, on certain transit modes, or by fare payment type or fare media, CATS shall analyze available customer data to understand whether the change will result in a disparate impact (when minorities are disproportionately represented) or disproportionate burden (when the low-income community is disproportionately impacted). If disparate impacts or disproportionate burdens are identified, an analysis will be performed to determine the effect on the impacted population(s).

For purposes of this assessment and consistent with FTA Circular 4702.1B, the following definitions apply:

- **Minority** is defined as a person who identifies being part of one or more racial/ethnic groups besides White, non-Hispanic. Customer responses during survey questions regarding their race and Hispanic ethnicity were used to determine minority status.
- **Low-Income** is defined as a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Customer responses during survey questions regarding their annual household income and number of people living in their household were used to determine low-income status.¹

3.1 Equity Assessment (Current Fare Capping Policy)

2022 Customer Survey Data

To conduct this equity assessment, weekday data collected during the most recent CATS customer survey (August–October 2022) were used to determine whether enacting the fare capping policy indicates a disparate impact or disproportionate burden.

The fare capping policy applies to a subset of customers who use the CATS-Pass mobile app to purchase any combination of eligible full fares, including one-way tickets, day passes, weekly passes, and monthly passes. Although the purchase of a monthly pass automatically equals the fare cap, there is nothing to preclude the purchase of individual tickets prior to the purchase of a monthly pass that would still provide the cost savings benefit of the fare cap. The type of fare a customer indicated for the surveyed trip was used to determine eligibility under the fare cap.

¹ The mid-point of the income range provided by the customer was used as the proxy for the customer's annual household income amount. This, along with the persons per household response, was used to determine whether the customer is low-income based on the 2022 HHS poverty guidelines.

Although customers were asked where they purchased the fare used, there was not a sufficient response rate to further separate customers who purchased fares eligible toward the fare cap through the CATS-Pass mobile app versus other venues. Therefore, for purposes of this analysis, eligible tickets/passes purchased by customers via CATS-Pass or other venues are considered equal.

CATS implemented the fare capping policy as a key strategy to improve rider experience and ensure its service is affordable and accessible to all, especially those who cannot afford the upfront cost of a monthly pass. The fare capping policy involves no change (increase or decrease) to the fare structure itself but may affect how much a customer pays for fares within a calendar month. For customers eligible for the fare cap there are no adverse impacts to the policy, only benefits in terms of cost savings once the fare cap is met in a calendar month.

For this proposed change, the analysis examined whether minority or low-income customers may experience a lesser share of the positive impacts due to the implementation of this policy.

Customer Demographic Profile

Table 3-1 compares the percentage of minority and low-income customers for all surveyed (systemwide) to the subset of customers using a fare eligible toward the fare cap policy. The percentage of minority customers using an eligible fare is 18% higher than the systemwide dataset, while the percentages of low-income customers are similar across both datasets. This indicates that minority customers are more likely to purchase a fare type eligible toward the fare cap policy compared to all available fare types.

TABLE 3-1: DISTRIBUTION OF WEEKDAY MINORITY & LOW-INCOME CUSTOMERS

CATS Customers (weekday)	Minority Customers	Low-Income Customers
Systemwide	62.6%	21.8%
Fare Type Eligible for Fare Cap ¹	74.1%	22.4%

Source: CATS 2022 Customer Survey

¹Includes full fare one-way ticket, day pass, weekly pass, or monthly pass.

For reference, Table 3-2 provides the percentage of minority and low-income populations for CATS' overall service area, as documented in the agency's 2020 Title VI Program.

TABLE 3-2: DISTRIBUTION OF WEEKDAY MINORITY & LOW-INCOME CUSTOMERS

Service Area	Minority Population	Low-Income Population
CATS Service Area Population	49.0%	15.9%

Source: CATS 2020 Title VI Program—Table 13 (minority) and Table 14 (low-income); data in the source document from the U.S. Census Bureau, 2011-2015 American Community Survey.

Equity Assessment

The customer survey data were filtered based on fare types eligible toward the fare cap, then analyzed to understand the correlation between usage and fare price by demographic group.

As shown in Table 3-3, the data indicate that minority customers are more likely to purchase lower-cost one-way tickets and less likely to purchase higher-cost multi-trip passes. This suggests that a higher proportion of minority customers could benefit from the fare capping policy by eliminating the up-front cost of purchasing a calendar month pass and enabling customers to purchase a monthly pass in smaller increments.

TABLE 3-3: DISTRIBUTION OF TICKET PURCHASES BY TICKET TYPE – MINORITY CUSTOMERS

Fare Type	Amount	All Customers		Minority Customers		Non-Minority Customers	
One-Way	\$2.20	2,173	63%	1,668	65%	505	56%
Day Pass	\$6.60	211	6%	150	6%	61	7%
Weekly Pass	\$30.80	451	13%	287	11%	164	18%
Monthly Pass	\$88.00	626	18%	459	18%	167	19%
Total		3,461		2,564		897	

Source: CATS 2022 Customer Survey

A similar assessment for low-income customers was undertaken. As shown in Table 3-4, low-income customers are more likely to purchase higher-cost multi-trip passes. However, it is important to note that, of the fare types listed in the table, a higher proportion of low-income customers purchase discounted tickets/pass options (23%) compared to higher-income customers (12%). Further, there is a higher percentage of low-income customers that ride CATS frequently (86%), defined as riding three to seven days per week on average, compared to higher-income customers (82%).

TABLE 3-4: DISTRIBUTION OF TICKET PURCHASES BY TICKET TYPE – LOW-INCOME CUSTOMERS

Fare Type	Amount	All Customers		Low-Income Customers		Higher Income Customers	
One-Way	\$2.20	2,173	63%	435	58%	1,738	64%
Day Pass	\$6.60	211	6%	35	5%	176	7%
Weekly Pass	\$30.80	451	13%	144	19%	307	11%
Monthly Pass	\$88.00	626	18%	142	19%	484	18%
Total		3,461		756		2,705	

Source: CATS 2022 Customer Survey

Summary

The proposed fare policy changes required a fare equity assessment to identify any potential disparate impact on minority riders and/or disproportionate burden on low-income riders. The technical analysis using survey data found:

- No potential disparate impact/disproportionate representation on minority riders associated with the introduction of a fare capping policy.
- No potential disproportionate burden on low-income riders associated with the introduction of the fare capping policy.

- The result of this equity assessment concludes that minority and low-income riders will not be limited or denied the benefits of the proposed fare changes. The data indicate a higher proportional benefit to minority customers because of the new policy.

3.2 Other Considerations

The findings of this analysis do not prompt CATS to consider possible measures to avoid, minimize, and/or mitigate adverse impacts on minority or low-income riders within the parameters of the current fare capping policy. Albeit, there were no adverse impacts presented, as customers who reach the cap will benefit from this policy by paying less for fares over the course of a calendar month compared to if the policy were not in place. Other considerations related to fare capping and CATS’ specific policy are discussed below.

Barriers to Fare Capping Benefits

Although the intention of fare capping is to provide equity in fare cost versus trips taken among transit customers, there are potential barriers to accessing the benefits of fare capping, particularly for vulnerable users. These barriers primarily include the need for both a smartphone (mobile device with internet) and credit/debit card to pay for fares via the mobile account.

An analysis of smartphone and credit access was undertaken for those customers surveyed and using a fare type eligible towards the cap. As shown in Table 3-5, a higher percentage of minority customers (13%) do not have access to a smartphone and a credit card compared to non-minority customers (7%).

TABLE 3-5: DISTRIBUTION OF CUSTOMER SMARTPHONE & CREDIT CARD ACCESS (MINORITY STATUS)

Access to Both Smartphone & Card	Fare Cap Eligible Ticket Purchases by:					
	Systemwide Customers		Minority Customers		Non-Minority Customers	
No	386	11%	327	13%	59	7%
Yes	3,075	89%	2,237	87%	838	93%
Total	3,461		2,564		897	

Source: CATS 2022 Customer Survey

Similarly, a higher percentage of low-income customers (14%) do not have access to a smartphone and a credit card compared to higher-income customers (10%), as shown in Table 3-6.

TABLE 3-6: DISTRIBUTION OF CUSTOMER SMARTPHONE & CREDIT CARD ACCESS (INCOME STATUS)

Access to Both Smartphone & Card	Fare Cap Eligible Ticket Purchases by:					
	Systemwide Customers		Low-Income Customers		Higher-Income Customers	
No	386	11%	104	14%	282	10%
Yes	3,075	89%	652	86%	2,423	90%
Total	3,461		756		2,705	

Source: CATS 2022 Customer Survey

To help improve access to mobile fares, CATS advertises the Federal Communications Commission's income-based Affordable Connectivity Program (ACP) through which qualifying households can receive one free smartphone and free monthly service.

Discounted Fare Cap Policy Consideration

CATS' current fare capping policy applies only to full fare options as there is not currently a way to verify customer eligibility for discounted fares through purchases in the CATS-Pass app. Should this verification mechanism be added, CATS could then explore implementing a discounted fare cap policy.

Under a proportional fare cap approach, customers eligible for discounted fares would reach a monthly cap based on the cost of the discounted monthly fare (\$44). This would provide a proportional benefit after the same number of trips as a regular-fare rider, and both regular-fare riders and discounted-fare riders would experience similar percentage discounts for any number of trips. As noted previously, a higher proportion of CATS' low-income customers use discounted tickets/pass options, but do not benefit from a fare cap on the discounted monthly pass value and must, therefore, purchase twice the equivalent fare value to gain benefit of the fare cap.

An analysis of the customer mobile ticket purchases for the April-July dataset used in the financial analysis was undertaken to understand the extent of customers who purchase discounted fares and may benefit from a proportional discounted fare capping policy (Table 3-7). Using the \$44 discounted monthly pass as the cap, a significantly higher percentage of customer mobile accounts that purchase discounted tickets would likely benefit from the discounted fare cap – 4.8% on average compared to 0.6% of mobile accounts purchasing full fare tickets (from Table 2-3).

TABLE 3-7: # OF REDUCED TICKET MOBILE ACCOUNTS WITH FARE CAP REACHED BY ACTIVATION MONTH

Activation Month	Total # of Mobile Accounts*	Mobile Accounts Where Discounted Fare Cap Reached*		Total Fare Value*	\$ / % of Total Fare Value Exceeding Monthly Fare Cap (\$44)*	
		#	%			
April 2022	709	34	4.7%	\$9,304	\$916	9.8%
May 2022	660	21	3.2%	\$8,538	\$586	6.9%
June 2022	712	24	3.3%	\$8,720	\$736	8.4%
July 2022	1,254	81	6.4%	\$19,937	\$2,270	11.4%
Total	3,336	159	--	\$46,499	\$4,509	--
Monthly Average	--	--	4.8%	\$11,625	\$1,127	9.7%

CATS 2022 Customer Survey; total and monthly percentages reflect weighted averages for the four month period.

*Includes CATS-Pass accounts with only discounted eligible tickets. Customers that purchased both full fare and discounted fare ticket options within a month are not included in this analysis.

Appendix A: Financial Analysis Detail

TABLE A-1: ANALYSIS OF MOBILE ACCOUNTS WITH FARE CAP REACHED – APRIL 2022

Mobile Account Sequence*	Fare Type & Amount				Total Ticket Count	Total Fare Value	Estimated Fare Cap Benefit
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20			
1	1			1	2	\$90.20	\$2.20
2	1			1	2	\$90.20	\$2.20
3	1			1	2	\$90.20	\$2.20
4	1			1	2	\$90.20	\$2.20
5	1			1	2	\$90.20	\$2.20
6			13	3	16	\$92.40	\$4.40
7		3			3	\$92.40	\$4.40
8		3			3	\$92.40	\$4.40
9	1		1		2	\$94.60	\$6.60
10		3		1	4	\$94.60	\$6.60
11				43	43	\$94.60	\$6.60
12			6	26	32	\$96.80	\$8.80
13		3	1		4	\$99.00	\$11.00
14		3	1		4	\$99.00	\$11.00
15				49	49	\$107.80	\$19.80
16				50	50	\$110.00	\$22.00
17		4			4	\$123.20	\$35.20
18		4			4	\$123.20	\$35.20
19		4			4	\$123.20	\$35.20
20		4			4	\$123.20	\$35.20
21		4			4	\$123.20	\$35.20
22		5			5	\$154.00	\$66.00
23				75	75	\$165.00	\$77.00
Total	6	40	22	252	320	\$2,459.60	\$435.60

Source: CATS Mobile Ticket Purchases (April-July 2022)

*For privacy purposes, individual mobile account #s not shown.

TABLE A-2: ANALYSIS OF MOBILE ACCOUNTS WITH FARE CAP REACHED – MAY 2022

Mobile Account Sequence*	Fare Type & Amount				Total Ticket Count	Total Fare Value	Estimated Fare Cap Benefit
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20			
1	1			1	2	\$90.20	\$2.20
2				41	41	\$90.20	\$2.20
3	1			1	2	\$90.20	\$2.20
4	1			1	2	\$90.20	\$2.20
5	1			1	2	\$90.20	\$2.20
6	1			1	2	\$90.20	\$2.20
7	1			1	2	\$90.20	\$2.20
8		3			3	\$92.40	\$4.40
9		3			3	\$92.40	\$4.40
10	1			2	3	\$92.40	\$4.40
11	1			2	3	\$92.40	\$4.40
12	1			2	3	\$92.40	\$4.40
13	1			2	3	\$92.40	\$4.40
14		3			3	\$92.40	\$4.40
15		3			3	\$92.40	\$4.40
16	1		1		2	\$94.60	\$6.60
17	1		1		2	\$94.60	\$6.60
18				43	43	\$94.60	\$6.60
19		3	2		5	\$105.60	\$17.60
20		3	3		6	\$112.20	\$24.20
21		3		11	14	\$116.60	\$28.60
22		4			4	\$123.20	\$35.20
23		4			4	\$123.20	\$35.20
24		4			4	\$123.20	\$35.20
25		5			5	\$154.00	\$66.00
26				73	73	\$160.60	\$72.60
Total	12	38	7	182	239	\$2,673.00	\$385.00

Source: CATS Mobile Ticket Purchases (April-July 2022)

*For privacy purposes, individual mobile account #s not shown.

TABLE A-3: ANALYSIS OF MOBILE ACCOUNTS WITH FARE CAP REACHED – JUNE 2022

Mobile Account Sequence*	Fare Type & Amount				Total Ticket Count	Total Fare Value	Estimated Fare Cap Benefit
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20			
1	1			1	2	\$90.20	\$2.20
2	1			1	2	\$90.20	\$2.20
3	1			1	2	\$90.20	\$2.20
4	1			1	2	\$90.20	\$2.20
5	1			1	2	\$90.20	\$2.20
6	1			1	2	\$90.20	\$2.20
7	1			1	2	\$90.20	\$2.20
8	1			2	3	\$92.40	\$4.40
9		3			3	\$92.40	\$4.40
10		3			3	\$92.40	\$4.40
11	1			2	3	\$92.40	\$4.40
12	1			2	3	\$92.40	\$4.40
13	1			2	3	\$92.40	\$4.40
14	1			2	3	\$92.40	\$4.40
15		3			3	\$92.40	\$4.40
16		3			3	\$92.40	\$4.40
17		3		1	4	\$94.60	\$6.60
18		3		1	4	\$94.60	\$6.60
19	1			4	5	\$96.80	\$8.80
20			14	4	18	\$101.20	\$13.20
21	1		2		3	\$101.20	\$13.20
22		3		6	9	\$105.60	\$17.60
23		3	2	2	7	\$110.00	\$22.00
24		2	9		11	\$121.00	\$33.00
25		4			4	\$123.20	\$35.20
26		4			4	\$123.20	\$35.20
27		4			4	\$123.20	\$35.20
28		5			5	\$154.00	\$66.00
29				74	74	\$162.80	\$74.80
Total	14	43	27	109	193	\$2,974.40	\$422.40

Source: CATS Mobile Ticket Purchases (April-July 2022)

*For privacy purposes, individual mobile account #s not shown.

TABLE A-4: ANALYSIS OF MOBILE ACCOUNTS WITH FARE CAP REACHED – JULY 2022

Mobile Account Sequence*	Fare Type & Amount				Total Ticket Count	Total Fare Value	Estimated Fare Cap Benefit
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20			
1	1			1	2	\$90.20	\$2.20
2	1			1	2	\$90.20	\$2.20
3	1			1	2	\$90.20	\$2.20
4	1			1	2	\$90.20	\$2.20
5	1			1	2	\$90.20	\$2.20
6	1			1	2	\$90.20	\$2.20
7	1			1	2	\$90.20	\$2.20
8	1			1	2	\$90.20	\$2.20
9	1			1	2	\$90.20	\$2.20
10			14		14	\$92.40	\$4.40
11		3			3	\$92.40	\$4.40
12		3			3	\$92.40	\$4.40
13		3			3	\$92.40	\$4.40
14				42	42	\$92.40	\$4.40
15	1			2	3	\$92.40	\$4.40
16				42	42	\$92.40	\$4.40
17	1			2	3	\$92.40	\$4.40
18				42	42	\$92.40	\$4.40
19	1			2	3	\$92.40	\$4.40
20		3			3	\$92.40	\$4.40
21	1			2	3	\$92.40	\$4.40
22	1		1		2	\$94.60	\$6.60
23				43	43	\$94.60	\$6.60
24		3		1	4	\$94.60	\$6.60
25			1	41	42	\$96.80	\$8.80
26	1			4	5	\$96.80	\$8.80
27	1		1	1	3	\$96.80	\$8.80
28				44	44	\$96.80	\$8.80
29			2	38	40	\$96.80	\$8.80
30			14	3	17	\$99.00	\$11.00
31		3		3	6	\$99.00	\$11.00
32		3	1		4	\$99.00	\$11.00
33				45	45	\$99.00	\$11.00
34		3	1	1	5	\$101.20	\$13.20
35		1	11		12	\$103.40	\$15.40
36		3		5	8	\$103.40	\$15.40
37		3		5	8	\$103.40	\$15.40
38		3		5	8	\$103.40	\$15.40
39			3	38	41	\$103.40	\$15.40
40			16		16	\$105.60	\$17.60
41			1	45	46	\$105.60	\$17.60
42		3	2		5	\$105.60	\$17.60

Mobile Account Sequence*	Fare Type & Amount				Total Ticket Count	Total Fare Value	Estimated Fare Cap Benefit
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20			
43		3	2		5	\$105.60	\$17.60
44		1		34	35	\$105.60	\$17.60
45		1	5	20	26	\$107.80	\$19.80
46		2	7		9	\$107.80	\$19.80
47	1		3		4	\$107.80	\$19.80
48		3		7	10	\$107.80	\$19.80
49				49	49	\$107.80	\$19.80
50				49	49	\$107.80	\$19.80
51		3		7	10	\$107.80	\$19.80
52		3	2	1	6	\$107.80	\$19.80
53		3	2	1	6	\$107.80	\$19.80
54		1	11	3	15	\$110.00	\$22.00
55				51	51	\$112.20	\$24.20
56			5	38	43	\$116.60	\$28.60
57			18		18	\$118.80	\$30.80
58		4			4	\$123.20	\$35.20
59		4			4	\$123.20	\$35.20
60		4			4	\$123.20	\$35.20
61		4			4	\$123.20	\$35.20
62		4			4	\$123.20	\$35.20
63		4			4	\$123.20	\$35.20
64		4			4	\$123.20	\$35.20
65		4			4	\$123.20	\$35.20
66		4			4	\$123.20	\$35.20
67	1			16	17	\$123.20	\$35.20
68		4			4	\$123.20	\$35.20
69		4			4	\$123.20	\$35.20
70			17	6	23	\$125.40	\$37.40
71		4		1	5	\$125.40	\$37.40
72	1	1		5	7	\$129.80	\$41.80
73				59	59	\$129.80	\$41.80
74		4		4	8	\$132.00	\$44.00
75				60	60	\$132.00	\$44.00
76			21		21	\$138.60	\$50.60
77		2		37	39	\$143.00	\$55.00
78				65	65	\$143.00	\$55.00
Total	19	112	161	978	1270	\$8,335.80	\$1,471.80

Source: CATS Mobile Ticket Purchases (April-July 2022)

*For privacy purposes, individual mobile account #s not shown.



Title VI Fare Equity Analysis Fare Capping

Presented to:
Metropolitan Transit Commission

Terrence Watson
CATS Transit Compliance Officer

May 24, 2023

1



Title VI Definition

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance



2

- **Minority** is defined as a person who identifies being part of one or more racial/ethnic groups besides White, non-Hispanic. Customer responses during survey questions regarding their race and Hispanic ethnicity were used to determine minority status.
- **Low-Income** is defined as a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Customer responses during survey questions regarding their annual household income and number of people living in their household were used to determine low-income status.

3

- CATS CivR01:** A fare change review will be conducted anytime
- Any change to the passenger fare charged by the organization for service
 - Any change to the type of media used for consideration of for fare



4



Fare Capping

- **Fare Capping** is the rewarding of a CATS Monthly pass for the remainder of the calendar month after a passenger's monthly spend total reaches the fare equivalent of a **local Monthly pass** (\$88) through purchases on the Mobile App
- Implemented to assist customers who ride frequently but cannot afford the upfront cost of a monthly pass and improve the rider experience
- Available to all CATS customers
- Pilot program started September 21, 2022

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Assumptions

- Fares counted toward the fare cap are; Regular one way, Regular day pass, Regular weekly, and Regular monthly
- Fare cap based upon cost of a full fare monthly pass
- Reduced fares for local bus, and other fares such as Express bus, Express Regional are not counted toward cap

Pass Type	Cost
Regular One Way	\$2.20
Regular Day Pass	\$6.60
Regular Weekly	\$30.80
Regular Local Monthly	\$88.00

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Analysis


- Analyzed fares purchased by customers through the CATS mobile App from April – July 2022.
- Only passes activated during the calendar month were analyzed and counted toward the fare cap

Table 2-1 Summary of Ticket Count by Activation Month

Activation Period	Fare Type & Value				Total Activated Ticket Count
	Monthly Pass \$88.00	Weekly Pass \$30.80	Day Pass \$6.60	One-Way Ticket \$2.20	
April 2022	97	126	1,166	16,181	17,570
May 2022	169	125	944	15,831	17,069
June 2022	225	124	954	14,861	16,164
July 2022	177	251	1,902	40,117	42,447
Total	668	626	4,966	86,990	93,250

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Analysis

- A higher percentage of minority customers use a fare type which is eligible for the Fare Cap
- Minorities eligible fare usage is 11.5% higher than Systemwide usage
- Low income is 0.6% higher than Systemwide usage

Table 3-1 Distribution of Weekday Minority & Low Income Customers

CATS Customers (weekday)	Minority Customers	Low-Income Customers
Systemwide	62.6%	21.8%
Fare Type Eligible for Fare Cap ¹	74.1%	22.4%

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- Minority customers are more likely to purchase lower cost one-way tickets and less likely to purchase higher cost multi-trip passes

Table 3-3 Distribution of Ticket Purchases by Ticket Type

Fare Type	Amount	All Customers		Minority Customers		Non-Minority Customers	
One-Way	\$2.20	2,173	63%	1,668	65%	505	56%
Day Pass	\$6.60	211	6%	150	6%	61	7%
Weekly Pass	\$30.80	451	13%	287	11%	164	18%
Monthly Pass	\$88.00	626	18%	459	18%	167	19%
Total		3,461		2,564		897	



- Low income customers are more likely to purchase higher cost multi-trip passes. The data found that low income riders tended to purchase weekly passes at a higher rate than all other customers.
 - ❖ A higher percentage of low income customers purchase discounted tickets/passes compared to higher income customers
 - ❖ Lower income customers ride more frequently 86% compared to 82% for higher income

Table 3-4 Distribution of Ticket Purchases by Ticket Type

Fare Type	Amount	All Customers		Low-Income Customers		Higher Income Customers	
One-Way	\$2.20	2,173	63%	435	58%	1,738	64%
Day Pass	\$6.60	211	6%	35	5%	176	7%
Weekly Pass	\$30.80	451	13%	144	19%	307	11%
Monthly Pass	\$88.00	626	18%	142	19%	484	18%
Total		3,461		756		2,705	

Summary

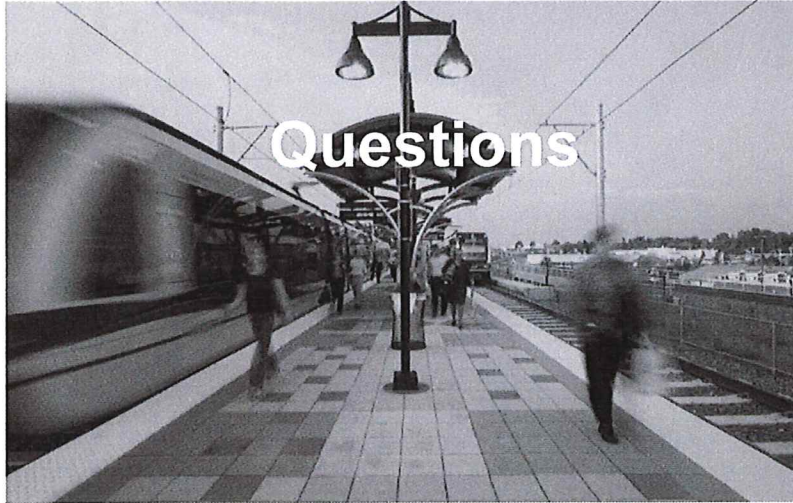
- No potential disparate impact / disproportionate representation on minority riders associated with the introduction of a fare capping policy
- No potential disproportionate burden on low income riders associated with the introduction of the fare capping policy
- The findings found that customers who reach the cap will benefit from this policy by paying less in fares over the course of the calendar month
- The findings do not prompt CATS to consider measures to avoid, minimize, and/or mitigate adverse impacts on minority or low income riders within the parameters of the current analysis.

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Other Considerations

- A higher percentage of minority and low income customers do not have access to credit cards and smartphones.
- CATS does advertise the FCC income based Affordable Connectivity Program (One free smartphone and monthly service)
- Only full fare options available for the fare cap. CATS does not currently have a way to verify customer eligibility for discounted fares through the App.

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**METROPOLITAN TRANSIT COMMISSION
ACTION ITEM
STAFF SUMMARY**

SUBJECT: MTC-02 Fare Policy Update

DATE: May 24, 2023

- 1.0 PURPOSE/SCOPE:** The purpose of this item is to update the MTC-02 Fare Policy to incorporate the Fare Capping policy and modify the All-Access Pass Program.
- 2.0 BACKGROUND/JUSTIFICATION:** MTC-02 Fare Policy is proposed to be updated to incorporate changes in two areas. The first change is to incorporate the Fare Capping policy. Fare Capping is the rewarding of a CATS monthly pass for the remainder of the calendar month once a passenger has paid the equivalent of the cost of a Local Monthly pass (\$88) in any combination of eligible fares. A Fare Equity analysis has been conducted on the Fare Capping policy.

The second change is to modify the All Access Pass Program related to Universities. The proposed change will set the rate at \$25 per semester/\$50 per year. All accredited colleges and universities would be eligible to participate in the program. Universities must opt-in for all students; faculty/staff may opt-in individually. The proposed change would not require additional MTC approvals if consistent with the terms set forth in the Fare Policy.

Additional minor changes to the policy are shown in the attached, red-lined document.

The proposed changes to the Fare Policy were presented to TSAC on May 11, 2023, and CTAG on May 16, 2023.

- 3.0 PROCUREMENT BACKGROUND:** N/A
- 4.0 POLICY IMPACT:** Update to MTC-02 Fare Policy
- 4.0 ECONOMIC IMPACT:** N/A
- 5.0 ALTERNATIVES:** N/A
- 6.0 RECOMMENDATION:** Staff recommends MTC approval of the updated Fare Policy as shown in Attachment A.

7.0 **ATTACHMENT(S)**: MTC Fare Policy (red-line)

SUBMITTED AND RECOMMENDED BY:



Brent Cagle
Interim Chief Executive Officer, Charlotte Area Transit System
Assistant City Manager, City of Charlotte

1.0 Purpose

This fare policy is intended to describe the CATS fare structure in relation to different types of transit services and fare media offered. Fare Policy issues affect all aspects of public transportation and fare-related decisions have enormous effects on ridership, revenue, the amount of service that can be offered, and community perceptions of public transportation.

~~A modest increase in fare levels is recommended every~~ Fare policies will be reviewed every two years to ensure consistency with the Financial Policies adopted by the MTC, to ensure that fare revenues keep pace with inflation and reflect a fair share contribution by riders to the costs of operating a transit system.

The fare policy elements presented herein provide guidance for fare-related decisions in the context of fulfilling the mission of the transit system, protecting the public interest, and supporting the Financial Policies adopted by the MTC.

2.0 Objectives

- ◆ Encourage ridership by pricing transit affordably for all segments of ~~Mecklenburg County's~~ the service area population, particularly those whose mobility options are limited.
- ◆ Establish a fare structure that is simple and readily understandable by current and potential riders.
- ◆ Provide fare media that maximizes the convenience of paying fares.
- ◆ Price different types and levels of service equitably.
- ◆ Meet the Financial Policies' mandated minimum operating ratio ~~of 20 percent, with the long-range objective of having operating revenue cover an increasing proportion of the operating program expense.~~

3.0 Elements

- ◆ **Base Fare**
The base cash fare for local bus service shall be at a level that is reasonably affordable for riders and that represent a fair share of the costs of operating transit services. Limited-stop services that principally cover the same geographic territory shall also charge the base local fares.
- ◆ **Express Bus Fare**
Express bus service shall be offered at a premium fare, in recognition of the greater travel speeds, longer average trip lengths, and additional passenger amenities offered by such service. The express bus fare for routes within Mecklenburg County shall be maintained at approximately 40 percent greater

than the base cash fare rounded to the nearest logical dollars and cents. Express customers may transfer to local service at no additional charge.

◆ **Regional Express Bus Fare**

Regional express bus service for routes that extend beyond Mecklenburg County shall be maintained at a level twice the base cash fare, in recognition of much longer average trip lengths and the fact that the dedicated sales tax is not levied outside of the County. Regional express bus customers may transfer to local or other express service at no additional charge.

The adopted CATS Financial Policies require reimbursements from governmental units outside Mecklenburg County for service delivery into those areas.

◆ **Reverse Commute Fares**

CATS shall charge the base local fare for reverse-commute express service to utilize available capacity with no significant additional operating cost and to serve the wider societal goal of offering an opportunity to access suburban jobs at a reasonable cost. Until noon, customers traveling outbound on express and regional express buses will be charged the local base cash fare. After ~~noon~~ **12:00 PM**, customers traveling inbound on express and regional express buses will be charged the local base cash fare. Reverse commute customers may transfer to local service at no additional charge.

◆ **Community Shuttle Fares**

A community shuttle service fare shall be lower than the base fare in recognition of the shorter trip lengths on these services and the different roles of these shuttles as feeders to local routes and as a means of mobility at the neighborhood level. When transferring to a local or express shuttle, customers shall be required to pay an additional charge equal to the difference between the shuttle fare and the service to which they are transferring.

◆ **Employment/Activity Center Fares**

Where shuttle service operates at employment/activity centers with CATS sharing funding responsibility with business groups, local governments, or other entities, fares shall be set based on mutual agreement among the funding partners on a case-by-case basis. Additionally, CATS shall have the discretion to temporarily suspend the charging of fares for all or any portion of the public transportation system in response to operational needs, emergencies, or safety concerns.

◆ **Fares for Special Event Services**

Where special event service is implemented for sporting events or similar activities, fares shall be set by CATS on a case-by-case basis.

◆ **VanPool/Vanpool Fares**

Vanpool fares shall be based in part on the roundtrip miles, with higher fares associated with longer trip lengths. In addition, a flat monthly rate shall be applied based on van size. Vanpool fares shall be priced in recognition of the greater travel speeds, longer average trip lengths and the additional passenger amenities offered by such service.

◆ **Light Rail Transit**

Light Rail fare shall match the local bus fare, in recognition of the similarity in trip lengths, the desirability of attracting as many riders as possible to the system, and the availability of a bus-rail transfer in many cases where the local fixed-route bus network provides feeder service to light rail.

◆ **Streetcar Service** ~~is shall be free of charge until the opening of Phase 2 of the CityLYNX Gold Line Streetcar Project.~~

◆ **Commuter Rail/Bus Rapid Transit** fares will be established prior to initiation of new service.

◆ **Transfers** shall be available free of charge except from less expensive to more expensive services (e.g., local bus to express bus). The cost of transfers to higher priced services shall be the difference in fares. Transfers are valid for up to 90 minutes from issuance.

Free transfers in the same direction of travel will be offered to/from bus service and Light Rail Transit service.

◆ **Discounted Fares**

Discounted fares shall be available for senior citizens, passengers with disabilities, students through high school, and children 12 years and younger. Appropriate identification shall be required for discounted fares. The fare for senior riders (age 62 and over) and passengers with disabilities shall be 50 percent of the cash fare for the service ~~riding~~ rounded to the nearest logical dollars and cents. The fare for students through high school and children 12 years and younger shall be 50 percent of the cash fare for the service riding. Children 5 years and younger or under 46 inches tall shall not be required to pay a fare.

◆ **Passes**

Monthly passes shall be priced at the equivalent of 40 single trips, for both local and express passes. Seven-day/weekly passes shall be priced at the equivalent of 14 single trips.

All 10-Ride passes except the ADA 10-Ride pass, shall be priced at the cost of 10 individual rides. The ADA 10-Ride pass will retain the 15% discount.

◆ **Special Transportation Services Fares**

Special Transportation Services (STS) provides services mandated by the Americans with Disabilities Act (ADA). Federal regulations permit a fare of no more than twice the local bus fare, but CATS has historically charged less than the maximum allowed. STS fares are all prepaid through ten-ride ticket books or an unlimited-use monthly pass. STS monthly passes can be used on non-STS services in which the fare is equal to or less than the STS fare.

◆ **Fare Capping**

Fare capping shall be implemented to reward a CATS monthly pass for the remainder of the calendar month after a passenger's monthly spend total reaches the fare equivalent of the cost of a Local Monthly pass.

4.0 Fare Capping

Fare capping is the rewarding of a CATS Monthly pass for the remainder of the calendar month after a passenger's monthly spend total reaches the fare equivalent of the cost of a Local Monthly pass through the CATS Pass mobile app.

The only fare types which will count toward the monthly Fare Capping spending totals are as follows: Regular Fares for Local Monthly; Weekly; Day Pass; and One Way; No other CATS fare type or reduced fare type will count toward the monthly Fare Capping spending total.

4.05.0 Sales Discounts

Sales discounts may be offered to the following types of organizations: 1) for organizations that sell passes in volume (100+) which is currently a maximum of 10% discount and (2) to provide non-profit organizations service providers, who provide targeted services to clients who are at or below the federal poverty level, with reduced prices a 25% discount on passes for their clients who are at or below the federal poverty level which is at the 25% discount level.

5.06.0 All-Access Pass Agreements

For the purposes of this Policy, the following definition shall apply:

All-Access Agreement: An agreement negotiated by CATS with a third-party organization wherein CATS extends a discounted bulk rate and the third-party purchases passes at that rate for substantially all members, clients, or employees

of that third party. Such passes may be for a time period of no less than 1 (one) month and must apply to all CATS services.

The key terms of each such potential All-Access Agreement shall be brought before the MTC for approval of the discount before such agreement is executed, except as otherwise stated in this section.

Accredited college and universities may opt-in for all students with a rate set at \$25 per student and faculty/staff members per semester or \$50 for the entire academic year. Colleges and universities must opt-in for all traditional students. Future rate increases based on MTC approval of fare policy changes. Fee capped at 3% increase annually. Faculty and staff have the option to opt-in individually. If the agreement is consistent with these key terms, then colleges and universities may opt into the program without requiring additional MTC Approval.

6.07.0 Fare Adjustment Policy

Fare adjustments will be evaluated every two years for consistency with the Financial Policies. An increase of either \$0.25 or the average of 2-year inflation (whichever is higher) is recommended for the base cash fare every two years. The purposes of the planned fare increases are to ensure that fare revenues keep pace with inflation, to reflect a fair share contribution by riders to the costs of operating a transit system, and to practice wise stewardship of public funds generated by the dedicated sales tax. This does not preclude the MTC from approving fare adjustments at other times to compensate for unusual, uncontrollable increases in operating costs, e.g. very significant fuel cost increases. The MTC also may choose to not adjust fares due to economic conditions or other reasons.

Fares for all other services shall be adjusted to maintain their relationship to the base cash fare as outlined in this policy.

Due to the greater cost per passenger of operating ADA service and the extension of this service countywide, fares for services operated by STS shall increase by twice the amount of local bus fare increases. For example, if local bus fares increase by \$0.10, the STS increase will be \$0.20.

Proposed Fare increases will be included in the Transit Operating Program, which must be approved by the MTC. After approval of the Transit Operating Program, current fares will be updated as an attachment to this policy. In unusual circumstances, fare increases may be approved by the MTC outside of the annual Transit Operating Program schedule.

Summary of Changes

- ~~1.0 Updated policy to review fare policy every two years~~
- ~~2.0 Modified reference to CATS Financial Policies to reference only, not restate~~
- ~~3.0 Modified Streetcar fare description to clarify Streetcar fare to remain free; Added definition of Fare Capping~~
- ~~4.0 Added section on Fare Capping~~
- ~~5.0 Re-worded for clarity~~
- ~~6.0 Modified All-Access Pass to set a standard fare rate at \$25 per student/faculty, with requirement for all students to opt in; removed requirement for additional MTC approval of University All Access agreements that are consistent with the Fare Policy.~~
- ~~7.0 Modified the Fare Adjustment Policy to evaluate fares every two years for consistency with the Financial Policies and added conditions under which MTC would not adjust fares.~~
- ~~5.0 Added language to provide approval for All-Access Bulk purchase agreements.~~

Previous Revision: ~~April 20, 2016~~ February 22, 2017

Current Fares as of ~~July 1, 2016~~ **XX/XX/2023 and Fare Policies by Fare Type**

Information provided in this attachment will be updated to reflect any current fare changes.

Type of Service	Current Fare	Recommended Fare Adjustments
Local bus, light rail, express services reverse commute	\$2.20	\$ 0.25 or the average of 2-year inflation, whichever is greater, every two years
Express routes within Mecklenburg County	\$3.00	40 percent greater than local bus fare
Regional Express* routes to neighboring counties	\$4.40	Twice the local bus fare
<u>Streetcar</u>	<u>Free</u>	
Activity Center Services: Gold Rush and Streetcar	<u>Free</u> <u>Set by agreement</u>	Fare determined by mutual agreement with partnering organization(s)
Community shuttle service	\$0.90	40 to 50 percent of the local bus fare
Local bus and light rail All-Day Pass	\$6.60	Priced at equivalent of 3 one-way rides
Vanpool Service 7 passenger minivan	\$349.25 per month plus \$0.161 per mile	Increase by a percentage based on percentage increase in local service
15 passenger van	\$461.18 per month plus \$0.253 per mile	
Commuter rail/bus rapid transit	N/A	If implemented, pricing to be determined
People 62 years and up and passengers with disabilities, with valid Transit ID or Medicare card	\$ 1.10 Local bus & light rail \$ 1.50 Express Bus \$ 2.20 Express Plus*	50 percent of service fare excluding STS & vanpool
K-12 students with valid current year school or Transit ID 6am to 4:30 pm	\$1.10 Local bus & light rail \$1.50 Express Bus \$2.20 Express Plus*	50 percent of service fare excluding STS & vanpool
Children 5 years and younger or Children 46" tall or less (accompanied by an adult)	Free	
STS (ADA service) STS yellow tickets	\$3.50 \$35.00 (book of 10)	Valued at up to twice that of the local bus fare
Monthly passes	\$88.00 Local \$121.00 Express \$140.00 STS (ADA Service) \$176.00 Express Plus*	Priced at the equivalent cost of 40 single trips
Senior/ADA Monthly passes	\$44.00 Local \$60.50 Express \$88.00 Express Plus*	One half of monthly price for service
10-Ride Pass	\$22.00 Local \$30.00 Express \$44.00 Express Plus*	Pass is valid on bus only
Weekly local passes (unlimited rides)	\$30.80 Local	Priced at the equivalent cost of 14 single trips

Subject/Title: **Fare Policy (Attachment)**

Policy Number: **MTC-02**

Approved by: Metropolitan Transit Commission

Date Approved: ~~XX/XX/2023~~ February 22, 2017

Responsible Division: CATS Operations

Page 1 of 1

<u>University All Access Pass</u>	<u>\$25.00 per semester</u> <u>\$50.00 per academic year</u>	<u>Based on survey; capped at 3% annual increase</u>
Fares for Special Event Services		Set by CATS on a case by case basis

* Regional Express is identified as "Express Plus" on fare media.

Previous Fare Increase: July 1, 2014

MTC-02 Fare Policy Update

Metropolitan Transit Commission
May 24, 2023



1

Fare Policy Update

Purpose

- ▶ Fare Policy to be reviewed every 2 years
- ▶ Add Fare Capping
- ▶ Modify University All-Access Pass Fare Policy

- ▶ No proposed changes to Fare Rates or Fare Structure



2

Fare Capping

Add new section for Fare Capping Policy

- ▶ Fare capping is the rewarding of a CATS Monthly pass for the remainder of the calendar month after a passenger's monthly spend total reaches the fare equivalent of the cost of a Local Monthly pass.
- ▶ The only fare types which will count toward the monthly Fare Capping spending totals are as follows: Regular Fares for Local Monthly; Weekly; Day Pass; and One Way; No other CATS fare type or reduced fare type will count toward the monthly Fare Capping spending total.



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February 22, 2017 MTC Action (All Access Pass)

- ▶ The All-Access Pass Discount program is based on the premise that if all employees/members of an organization are charged a greater discounted fee that the overall annual All-Access Pass price would be significantly lower for each employee/member but CATS would receive a significant increase in overall revenue from the organization.
- ▶ Future All-Access Pass opportunities: Due to the unique nature of each higher education/business/organization number of enrollment/employees, contactless chip integration, etc., that each request will be brought to the MTC as negotiated.



4

University All Access Pass

Modify All Access Pass Policy for Universities

- ▶ \$25 Fee per Student/Faculty/Staff per Semester or \$50 for the entire academic year
- ▶ University must opt-in for all students; Faculty/staff may choose to participate individually
- ▶ Consistent with current UNC Charlotte All-Access Pass Agreement
- ▶ All accredited colleges and universities eligible to opt in
- ▶ No additional MTC approval required if consistent with key terms in Fare Policy
- ▶ Future increases subject to MTC approval, capped at 3% per year
- ▶ Proposed rate based on:

$$\begin{aligned} & \text{Average Daily Users of All-Access Pass (based on survey)} \\ & \quad \times \text{Monthly Local Pass Fare} \times 4 \text{ months} \\ & \quad \div \text{Total Student Enrollment} \end{aligned}$$



5

University All-Access Pass Interest

- ▶ University of North Carolina at Charlotte
 - Current Agreement ends May 2023
- ▶ Central Piedmont Community College
- ▶ Johnson C. Smith University



6

MTC Action Item

- ▶ Staff recommends approval of the updated Fare Policy as shown in Attachment A



7

Questions?



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