

Administration and Finance (A&F) Committee Meeting Minutes Draft Memorandum for the Record Boston Region Metropolitan Planning Organization Meeting

August 25, 2022, Meeting

2:00 PM–3:30 PM, Zoom Video Conferencing Platform

Brian Kane, Chair, representing the MBTA Advisory Board

Decisions

The Administration and Finance Committee agreed to the following:

- Approve the minutes of the meeting of June 16, 2022

Meeting Agenda

1. Introductions

See attendance on page 8.

2. Public Comments

There were none.

3. Action Item: Approval of June 16, 2022, A&F Meeting Minutes— *Brian Kane, Chair*

Documents posted to the MPO meeting calendar

1. [June 16, 2022, A&F Meeting Minutes \(pdf\)](#)
2. [June 16, 2022, A&F Meeting Minutes \(html\)](#)

Vote

A motion to approve the minutes of the meeting of June 16, 2022, was made by the Massachusetts Department of Transportation Office of Transportation Planning (MassDOT OTP) (Derek Krevat) and seconded by the Regional Transportation Advisory Council (Lenard Diggins). The motion carried.

4. Discussion of Operations Plan: Officer Roles and Responsibilities— *Brian Kane, Chair*

Brian Kane introduced the Operations Plan worksheet for Officer roles and responsibilities and began the discussion of the document.

Discussion

B. Kane asked who is encompassed under the Boston Region Metropolitan Planning Organization (MPO).

Lenard Diggins, Regional Transportation Advisory Council, stated that the Boston Region MPO includes all its communities, Board members, and MPO staff. References to an MPO Board meeting would include the Board members and MPO staff.

Derek Krevat, MassDOT OTP, stated that there is a distinction between how Board members speak about the Boston Region MPO formally and informally. The Federal Transit Administration website defines MPOs as the policy board of an organization.

B. Kane stated that he does not believe the Chair is charged with leading all parts of the MPO.

B. Kane noted that in the Chair section of the Operation Plan worksheet, the Chair of the MPO is tasked with responding to requests for information from Massachusetts Department of Transportation (MassDOT). B. Kane asked if this meant the Chair, who would be a member of MassDOT, is tasked with responding to information requests from MassDOT.

Tegin Teich, Executive Director, answered that the referenced section is included as part of the requirements of the Memorandum of Understanding (MOU), which expects the Chair to “disseminate timely information to members.” The proposed text provides context for Board members on requesting information and sets a 48-hour standard for responding to questions regarding business of the Board.

L. Diggins asked why the proposed text only references MassDOT, as opposed to any member of the Board. B. Kane suggested striking “from MassDOT” to clarify the paragraph.

T. Teich asked the Committee members what information the Chair should be officially responsible for and whether the Chair is responsible for the agency they represent or any agency within the MPO.

B. Kane suggested that the Chair should be tasked with finding all relevant information requests from the MPO Board, whether from their organization or another organization.

L. Diggins added that although not directly written, information requests should be reasonable in their scope.

D. Krevat stated that reasonable information requests would be fine, and that if an agenda item is from an organization other than MassDOT, the MassDOT OTP could work with the appropriate entities to obtain needed information. D. Krevat asked if this had ever been an issue.

B. Kane stated that it is good to include additional language regarding information requests in the Operations Plan. The additional language would add to the language already in the MOU and to make it more meaningful.

L. Diggins stated that the Operations Plan would help to codify the processes already in practice today.

B. Kane suggested the Committee move to the topic of the Vice Chair. B. Kane asked if the Chair or the Chair's alternate was not able to attend the MPO Board meeting, who would fill in in their absence.

D. Krevat stated that currently, David Mohler is the Secretary of Transportation's designee and Steve Woelfel is the Secretary's alternate. If the Chair or the Chair's alternate were not present, the Vice Chair would chair the meeting.

L. Diggins suggested that anyone could be designated by the Secretary of Transportation to be the Chair of the MPO as long as that person was officially designated. If no official designee was present, the chair would be given to the Vice Chair

B. Kane suggested that the MOU states that the Chair must be an official designee. B. Kane asked how the Secretary of Transportation would officially communicate their designee to the MPO.

L. Diggins suggested that it would depend on what is meant by official designee. L. Diggins asked if the designee would have to state this to the MPO Board or does the designee have to be officially designated by the Secretary of Transportation.

B. Kane stated that currently, the MPO takes the Chair's designation at face value because it is reasonable. However, if the MPO was to be reestablished tomorrow, the Operations Plan would state what the MPO should do.

L. Diggins stated that if the designee can produce official papers, the designee should be able to take the chair. B. Kane asked if L. Diggins was suggesting the Chair could be appointed ad hoc, so long as the proper documents were created. L. Diggins answered yes, so long as the designee is officially designated by the Secretary of Transportation.

B. Kane suggested that there may be functional challenges to going to the Secretary of Transportation for a new designation letter each time there is a new designee. B. Kane suggested the Vice Chair take the chair if both the Secretary's designee and alternate are absent.

D. Krevat stated that having the Chair position move from the Secretary's two designees to the Vice Chair made sense. D. Krevat asked if the Vice Chair has an alternate designee. B. Kane answered yes, the alternate Vice Chair would be the alternate from the organization that is elected as Vice Chair.

B. Kane suggested adding text to the draft Operations Plan, suggesting that the Vice Chair presides at MPO meetings in absence of the Chair or the Chair's designees. B. Kane suggested adding another section to the draft Operation Plan about how designees are appointed.

B. Kane asked if the Metropolitan Area Planning Council (MAPC) would run the MPO elections process regardless of whether they are elected as Vice Chair. Jonathan Church, MPO staff, answered that for at least 20 years, MAPC has run the MPO elections process. T. Teich added that the MOU states that the elections process shall be managed by MAPC.

B. Kane suggested striking the sentence "The Vice Chair shall jointly manage the elections process with the representative or designee of the MBTA Advisory Board."

B. Kane asked what the MOU states regarding agenda setting for MPO meetings. T. Teich directed the Committee to the highlighted points from the MOU in the Operations Plan worksheet, as well as to the agenda setting process listed in the Operations Plan worksheet.

B. Kane stated that the Chair sets the agenda with advice from the Vice Chair and MPO staff. B. Kane further noted the process for MPO Board members to add items to the agenda and asked what the process was for setting the agenda.

T. Teich highlighted the question marks throughout the Operations Plan worksheet and noted that they were intended to trigger questions and conversations around undiscussed issues. T. Teich asked if the Vice Chair had any formal roles in the agenda setting process that can be defined in terms of collaboration, and should the Committee consider adding additional text in addition to what the MOU already states.

J. Church gave an overview of the agenda setting process. Four to six weeks before an MPO meeting, MPO staff are solicited for agenda items including standing items, such

as the Transportation Improvement Plan or the Unified Planning Work Program, and presentations of MPO studies and work. Approximately two weeks prior to the MPO meeting, MassDOT OTP staff, the Vice Chair, the Executive Director, and other members of the MPO staff will meet to agree on the agenda items. Afterwards, MPO staff will draft and publish the agenda.

B. Kane suggested the Committee return to the topic of agenda setting during another meeting due to the absence of Eric Bourassa of MAPC from the committee meeting. B. Kane suggested the Committee move to discuss the process for nominating a Vice Chair. B. Kane asked the Committee if any member of the MPO should be allowed to nominate a candidate for Vice Chair or should only members eligible to hold the position of Vice Chair be allowed to nominate a candidate.

D. Krevat asked if the nominee had to agree to be nominated. D. Krevat suggested borrowing language from the MPO elections procedures to help define the nomination process.

B. Kane stated that the nominations process has two pressing questions, who can nominate candidates for the Vice Chair position, and what the process is for nominating a candidate.

L. Diggins asked regarding nominations processes whether there are limits on who can nominate a candidate in other areas of the government.

B. Kane suggested the Committee move to discuss the annual meeting. B. Kane stated that his idea of an annual meeting would be a meeting to introduce new officers and new MPO Board members, as well as to elect the Vice Chair. B. Kane also suggested inviting the Secretary of Transportation to be the chair of the meeting.

L. Diggins asked what would happen if the Secretary of Transportation could not attend. B. Kane replied that their designee or alternate would chair the meeting instead.

T. Teich noted that the MOU states that the Vice Chair needs to be elected at the next meeting of the MPO after the election of new members.

B. Kane asked if the nomination of the Vice Chair could take place during the annual meeting. T. Teich answered no, because the Vice Chair will need to be elected during the first meeting after the election of new MPO members.

B. Kane asked what business related to the Chair should take place during the Annual meeting. T. Teich answered that the MOU requires the Vice Chair to be elected during the first meeting after the election of new MPO members.

D. Krevat asked if the election of a Vice Chair has happened before. B. Kane answered that the MPO has not been electing a Vice Chair annually, and that the annual meeting would be a good reason to start doing so.

T. Teich suggested that the nominations for the Vice Chair could happen the same day the Vice Chair is elected, or the Vice Chair could be nominated before the new MPO members are elected.

L. Diggins suggested having the annual meeting in November after the election of new members to allow them to nominate and elect a Vice Chair.

B. Kane suggested having the Vice Chair elections process explained at the annual meeting instead of nominating or electing the Vice Chair.

L. Diggins suggested having the election of the Vice Chair at the end of October. B. Kane suggested that that idea may be a violation of the process set out in the MOU.

T. Teich stated that the first meeting after the election of new MPO members is when the Vice Chair would have to be elected, according to the MOU. T. Teich suggested soliciting nominations at the first meeting before the election of the Vice Chair.

B. Kane said that if the MOU states that the Vice Chair election must take place the meeting after the election of new MPO Members, the MPO Board will have to elect a Vice Chair at the Annual meeting.

J. Church clarified that the results of the MPO election would be announced at the MAPC Fall Council meeting, which is tentatively scheduled for October 26, 2022. The first meeting with new MPO members would happen at the beginning of November.

B. Kane suggested adding text to the Operations Plan worksheet stating that the Vice Chair *may* be elected at the Annual meeting to allow for flexibility in the case that MAPC's Fall meeting is delayed.

L. Diggins stated that the issue of the nomination and election of a Vice Chair comes down to how involved MPO members would like new members to be in the election of a new Vice Chair. L. Diggins suggested it may not be currently workable to incorporate new MPO members.

B. Kane suggested the Committee discuss the topic of presiding officers. B. Kane asked what would happen if none of the designees of the Chair or Vice Chair were available.

B. Kane suggested that the MPO Board may elect a Chair for the meeting.

T. Teich suggested adding text to clarify that the Chair would be elected by a majority vote in absence of the Chair or Vice Chair's designees.

D. Krevat asked if there would be a motion to nominate a Chair in the absence of the Chair or Vice Chair's designees. B. Kane replied that there would be.

T. Teich noted that the MOU memo highlighted the need to better define roles and responsibilities regarding who represents the MPO Board when addressing the press.

B. Kane stated that the next Administration and Finance Committee would be held on September 15, 2022, at 9:00 AM.

5. Adjourn

A motion to adjourn was made by the Regional Transportation Advisory Council (L. Diggins). The motion carried.

Attendance

Members	Representatives and Alternates
MBTA Advisory Board	Brian Kane
Regional Transportation Advisory Council	Lenard Diggins
MassDOT Office of Transportation Planning	Derek Krevat

Other Attendees	Affiliation
Jon Seward	

MPO Staff/Central Transportation Planning Staff

Tegin Teich, Executive Director
Jonathan Church
Logan Casey
Annette Demchur
Gina Perille
Hiral Gandhi
Sandy Johnston

The Boston Region Metropolitan Planning Organization (MPO) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, Federal Transit Administration, or both, prohibit discrimination on the basis of age, sex, and disability. The Boston Region MPO considers these protected populations in its Title VI Programs, consistent with federal interpretation and administration. In addition, the Boston Region MPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance on federal Executive Order 13166.

The Boston Region MPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 sections 92a, 98, 98a, which prohibits making any distinction, discrimination, or restriction in admission to, or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, the Boston Region MPO complies with the Governor's Executive Order 526, section 4, which requires that all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

A complaint form and additional information can be obtained by contacting the MPO or at http://www.bostonmpo.org/mpo_non_discrimination. To request this information in a different language or in an accessible format, please contact

Title VI Specialist

Boston Region MPO
10 Park Plaza, Suite 2150
Boston, MA 02116
civilrights@ctps.org

By Telephone:

857.702.3700 (voice)

For people with hearing or speaking difficulties, connect through the state MassRelay service:

- **Relay Using TTY or Hearing Carry-over:** 800.439.2370
- **Relay Using Voice Carry-over:** 866.887.6619
- **Relay Using Text to Speech:** 866.645.9870

For more information, including numbers for Spanish speakers, visit <https://www.mass.gov/massrelay>.