

**Date:**

January 18, 2018

**Case:**

TEXAS DEPARTMENT OF TRANSPORTATION PTA COMMITTEE

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TRANSCRIPTION OF  
TEXAS DEPARTMENT OF TRANSPORTATION  
PUBLIC TRANSPORTATION ADVISORY COMMITTEE  
PUBLIC MEETING  
Thursday, January 18, 2018  
1:00 P.M.  
200 E. RIVERSIDE DRIVE, ROOM 2B.1  
AUSTIN, TEXAS 78704

REPORTED BY: KELLY E. FISHER, TEXAS CSR NO. 2834

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APPEARANCES

COMMITTEE MEMBERS PRESENT AND PARTICIPATING:

John McBeth, Chair

J.R. Salazar

COMMITTEE MEMBERS PARTICIPATING TELEPHONICALLY:

James "Jim" Cline

Michelle Bloomer

Christina Melton Crain

TxDOT PRESENT AND PARTICIPATING:

Eric Gleason, PTN Director

Kelly Kirkland, PTN Business Operations Manager

Josh Ribakove, PTN Communications Manager

OTHER SPEAKERS:

Michael Walk, Texas A&M Transportation Institute

MEETING AGENDA

ITEM

- 1 Call to Order.
- 2 Safety Briefing.
- 3 Approval of minutes from October 24, 2017 meeting. (Action)
- 4 TxDOT's Public Transportation Division Director's report to the Public Transportation Advisory Committee (PTAC) regarding public transportation matters.
- 5 Presentation by Texas A&M's Texas Transportation Institute (TTI) on current transit needs in Texas. (Action)
- 6 Discussion (follow-up) on pre-award authority and letters of no prejudice. (Action)
- 7 Discussion and development of PTAC Work Plan based on PTAC's guiding principles and comments made at the January 22, 2015 meeting. (Action)
- 8 Public Comment - Public comment will only be accepted in person. The public is invited to attend the meeting in person or listen by phone at a listen-in toll-free number: 1-888-437-3563 [US] with attendee access code: 598 304 40. The meeting transcript will be placed on the Internet following the meeting.
- 9 Propose and discuss agenda items for next meeting; confirm date of next meeting. (Action)
- 10 Adjourn. (Action)

1 MR. MCBETH: It's 1 o'clock. I'll convene  
2 the meeting, January 18th, 2018, to be convened at  
3 1 o'clock local time, Texas Department of  
4 Transportation. We're in Room 2B.1, Riverside Drive.

5 As vice chairman, since Rob has fled the  
6 state, I'll preside over the meeting. This is John  
7 McBeth.

8 J.R. Salazar is here. Christina Crain, Jim  
9 Cline and Michelle Bloomer are on the phone.

10 And I'll call the meeting to order, and our  
11 first order of business will be the safety briefing from  
12 Josh.

13 MR. RIBAKOVE: All right. Well, welcome,  
14 folks, to 200 East Riverside in Austin. Be aware that  
15 Austin, like the rest of Texas, is a handsfree city.  
16 And we do have quite a bit of enforcement here, so it's  
17 good not to be on the phone while you're driving.

18 Also be aware if you're here at the  
19 meeting, we have some sign-in sheets on the table by the  
20 door. Sure would appreciate it if you'd put your name  
21 on there if you haven't already. We also have speaker  
22 sheets. If you'd like to speak during the meeting, just  
23 fill one of those out, give it to me, and I'll make sure  
24 that you get your shot.

25 Should we need to evacuate the building for

1 any reason, don't use the elevator. Just go down the  
2 stairs right here. You'll walk right out the front  
3 door -- it's right outside those windows here -- and  
4 turn right when you get outside. You'll see a complex  
5 of garden apartments back there, and that's where we'll  
6 all get together.

7           Should there be any reason for us to  
8 shelter in place inside the building, terrible weather  
9 or anything else -- we're not expecting it, but the  
10 place to do that is in our auditorium. Same thing. Go  
11 down the stairs. The auditorium doors are the double  
12 doors right there near the guard's desk. And that is a  
13 windowless area and be the best place to shelter in  
14 place.

15           Restrooms are available on this floor just  
16 right out to the left of the elevator.

17           That's it.

18           MR. MCBETH: Thank you, Josh.

19           The next item on the agenda, No. 3, is  
20 approval of the minutes from the October 24th, 2017,  
21 meeting. If there are no additions or deletions, I'll  
22 entertain a motion to approve.

23           MR. CLINE: Move approval.

24           MS. CRAIN: I'll second.

25           MR. MCBETH: We have a motion from -- was

1 that you, Jim?

2 MR. CLINE: Jim.

3 MR. MCBETH: Jim. And from Michelle  
4 Bloomer.

5 MS. CRAIN: Christina.

6 MR. MCBETH: Christina.

7 MS. CRAIN: Christina Crain.

8 MR. MCBETH: Okay. Any discussion?

9 Hearing none, we will vote. All in favor  
10 of adopting the minutes, say aye.

11 COMMITTEE MEMBERS: Aye.

12 MR. MCBETH: All opposed by nay.

13 Sounds like the ayes have it.

14 We'll move along to Agenda Item No. 4,  
15 TxDOT's Public Transportation Division Director's  
16 report to the Public Transportation Advisory Committee.

17 Eric, it's all yours.

18 MR. GLEASON: All right. Good afternoon  
19 members. This is Eric Gleason, director of public  
20 transportation for TxDOT.

21 I'll touch on five items real briefly in my  
22 report. First item, committee membership. We are down  
23 to a committee of five, with Rob's departure to,  
24 hopefully, warmer climates than we have here right now.  
25 Five is what we need for a quorum. So from here on out,

1 until we get additional appointments, if the committee  
2 has an action item on its calendar, all the membership  
3 is going to need to be at the meeting. So we ask all of  
4 you to work with our schedule as best you can, please,  
5 for that.

6 On that note, we are talking with the  
7 various appointment offices: the Speaker, Lieutenant  
8 Governor, and Governor's Office about making  
9 appointments. At this point, the most productive  
10 conversations are with the Lieutenant Governor's Office.  
11 And so hopefully we will see some movement on the  
12 vacancies over the next several months. I remain  
13 optimistic with that.

14 With Rob's departure, the second item is  
15 committee elections. I think it's appropriate, with  
16 Rob's departure, that we -- that the committee elect a  
17 chair and vice chair. And we would propose to have that  
18 as an action item for your next meeting.

19 Next week we have our regularly scheduled  
20 January semiannual meeting with transit providers. And  
21 I just want to give the committee a heads-up on that.

22 I know J.R., you will be there.

23 Someone from the committee is typically  
24 asked to provide a report to the group, so maybe the  
25 membership could talk at the end of the meeting today

1 about who that will be and what they might want to cover  
2 in that report.

3 We'll touch on a variety of different  
4 topics. The needs assessment that you will hear from  
5 TTI on today will also be presented to the folks next  
6 week. So we'll begin that conversation with them as  
7 well.

8 Fourth item, federal funding. So with the  
9 issues in Washington not necessarily looking like  
10 they're going to be cleared up anytime soon, we're  
11 beginning to get very concerned about when we might  
12 receive any portion of our FYA team federal funding.

13 Even with some of the delays in the last  
14 several years, we've always been in a position to make  
15 an award of roughly the first six months of any fiscal  
16 year's funding at the February or as late as the March  
17 commission meeting.

18 I don't even know at this point if we  
19 should consider that as something that will be available  
20 to us. You know, even with a budget being adopted,  
21 which is not on the horizon, we need -- experience is --  
22 typically 60 days before we get apportionment.

23 So we are focusing at -- within our staff  
24 at trying to look at how folks are positioned with  
25 respect to their federal rural program funding, what

1 their burn rates are and trying to get a handle on who  
2 might be approaching a point in the next three to four  
3 months where, without additional federal funding, they  
4 might find themselves in a jam.

5           We do have -- we do have available funding  
6 from FY17 and 16 rural apportionments that we have  
7 accumulated over the last six to eight months through  
8 some work to close down old grants, pay off old grants,  
9 or grants with older money first. And we've accumulated  
10 enough of an unspent amount where we can entertain the  
11 possibility of a focus distribution to those agencies  
12 who are running short and may make a focus distribution.  
13 And then we would simply, you know, account for that  
14 early distribution, and whatever the ultimate  
15 distribution was, when we do receive FYA team money.

16           So that's just a conversation we started  
17 yesterday. So I'll cover this at the semiannual as  
18 well. But I do think we're going to have to pay  
19 attention to that and make sure we are -- even at a  
20 point if it affects our ability to make discretionary  
21 awards in the April-May time frame, like we may usually  
22 want to. If we still don't yet have anything from the  
23 feds, we may be in a position of having to, you know,  
24 make sure we're taking care of the formula needs first  
25 and putting off discretionary spending decisions until

1 we have all the money.

2           So the other element of federal funding  
3 that I wanted to mention is, we did last summer submit a  
4 discretionary project application to the 5339 call for  
5 small urban fleet placement. We have not yet heard back  
6 from FT on the status of that. The last we checked,  
7 they said sometime this winter.

8           So, you know, I bring that up only because  
9 we did pledge an element of STP flex funding as a part  
10 of that overall proposal. And so we are -- and that  
11 same funding, if you had looked at our coordinated call,  
12 it's the same funding it talked about in there as being  
13 available for project proposals for there.

14           So we're hoping to get some clarification  
15 on the award of that discretionary program, whether we  
16 were successful or not, sometime in the next month or  
17 two to help us get through the next set of decisions  
18 around the coordinated call program.

19           And finally -- we'll touch later on this  
20 today -- it is time for the committee to begin thinking  
21 about the next legislative session. The needs  
22 assessment piece you'll hear from TTI on is an important  
23 part of that. If there are other issues of importance  
24 to the committee that they may wish to communicate to  
25 the commission, then, you know, this meeting, next

1 meeting and the meeting after that will be -- sort of  
2 the next three meetings, I think it needs to all come  
3 together for the committee in terms of anything it may  
4 wish to advise the commission on, not only in the terms  
5 of development of our appropriations request but on any  
6 other issues of importance for the legislature.

7 Now, as a reminder, the department doesn't  
8 advocate for or against legislation. And to that  
9 extent, the commission doesn't adopt a legislative  
10 agenda.

11 It is important, however, as we go into  
12 these sessions, to understand what issues of legislative  
13 significance there are for the -- for the committee and  
14 for the industry so that, as we go through the session  
15 and opportunities arise, we are aware of those needs.

16 So with that, Mr. Chair, I will conclude my  
17 remarks and answer any questions the committee members  
18 may have of me at this point in time.

19 MR. MCBETH: Are there any questions of  
20 Eric?

21 MR. CLINE: Eric, this is Jim.

22 MR. GLEASON: Yeah.

23 MR. CLINE: I'm sorry. Excuse me. Would  
24 the discussion about the letter of no prejudice, your  
25 pre-award authority, help any with this budget delay

1 piece?

2 MR. GLEASON: No. We are -- I think --  
3 well, I say that because I think the idea with those,  
4 those are more capital-project focused. They -- and  
5 we'll get to a little later, we're going to learn that  
6 our attorneys are advising that anything different than  
7 what we need -- than what we do today will need  
8 statutory language.

9 And I think first and foremost, though, our  
10 concern is operating programs with the delay in federal  
11 funding.

12 MR. CLINE: Okay, thank you.

13 MR. GLEASON: Uh-huh.

14 MR. MCBETH: Any other questions?

15 Thank you, Eric.

16 We'll move on to Item No. 5, presentation  
17 by the Texas A&M University Texas Transportation  
18 Institute on the current transit needs in Texas.

19 Welcome back, guys.

20 MR. WALK: Thank you very much, John.

21 MR. RIBAKOVE: Identify yourself for the  
22 record.

23 MR. WALK: Hello everybody. My name is  
24 Michael Walk. I'm with the Texas A&M Transportation  
25 Institute. I'm a research scientist there in the

1 transition mobility research program.

2 MR. GLEASON: If I may, Mr. Chair -- this  
3 is Eric again -- let me introduce this topic a little  
4 bit before Michael dives right in.

5 I think, Jim, you may not have been here.  
6 I don't think you were for the last session's  
7 discussions, but the rest of the committee was. You'll  
8 recall that just as a ramp-up to the last legislative  
9 session, we had Michael and his -- his staff do a needs  
10 assessment. They were able to do sort of a sketch-level  
11 look in a very broad way at different ways of capturing  
12 need and quantifying need.

13 What we've asked them to do since that look  
14 is to go a little further. The next, you know, second  
15 or third level of detail, sharpen up the accuracy. And  
16 that's what this product represents today is the next  
17 look at those same kinds of things but with a higher  
18 degree of accuracy associated with it.

19 What we want from the committee today -- we  
20 don't need committee action on this topic. We are  
21 looking for individual committee reactions, questions,  
22 things you think you might like to see more of.

23 Our intent will be to go away from this  
24 meeting and focus on preparing something that is a  
25 finished product for your discussion in March, which

1 will be a good time for the committee to begin drilling  
2 into and drilling down into what elements of this you  
3 may wish to include in a request.

4 Go ahead, Mike.

5 MR. WALK: Thank you, Eric.

6 Okay, so I will dive into the presentation.  
7 It should be in your packet. And I will go ahead and  
8 turn to slide No. 2. The heading of slide 2 is Public  
9 Transit in Texas.

10 Just very quickly, it's preaching to the  
11 choir again how important public transit is in Texas.  
12 And it's used for various different types of trips, not  
13 only work trips, but also people to reach doctors  
14 appointments, run errands, et cetera. And fiscal year  
15 2016, in the state-funded transit districts in Texas,  
16 over 30 million trips were provided to Texans.

17 So for transit to continue to provide this  
18 vital role, it's very important that it operates when  
19 and where it is needed. When we say "when," we mean how  
20 often and in terms of availability and hours of the day.  
21 And of course where, we're talking about, you know,  
22 covering and providing convenient access to transit for  
23 all Texans.

24 And in order to meet -- to be useful, it  
25 needs to be funded to meet the changing demands both in

1 demographics and in ridership patterns.

2 And so slide 3, if you turn to slide 3, it  
3 gives you a little bit of background. Eric already  
4 hinted to this, the needs assessment we're going to look  
5 at today, which are called the geospatial needs  
6 assessment, which is just research language for "We  
7 looked at geography."

8 MR. GLEASON: Thank you.

9 MR. WALK: Yeah. It's built on the needs  
10 assessment from 2016 where we looked at four different  
11 types of needs.

12 But the previous needs assessment did not  
13 look at service area boundaries, where the services  
14 actually do and do not run, which is the geographical  
15 component. And so this needs assessment looks at the  
16 actual service area boundaries that are out there in the  
17 state of Texas and the span of service associated with  
18 those services.

19 MR. GLEASON: If I may, Michael -- this is  
20 Eric -- I think you looked at boundaries the last time  
21 to the extent that you looked at district boundaries.

22 MR. WALK: Correct.

23 MR. GLEASON: But the difference this time  
24 is this is a within-district look at service area, not a  
25 district-level look. Everything we did last time was

1 only illustrated and talked about. So if you had one  
2 fixed route and you had a 12-county system, the entire  
3 12-county system got counted.

4 MR. WALK: Correct.

5 MR. GLEASON: This is a more focused look  
6 within the district.

7 MR. WALK: Correct. Thank you, Eric. I  
8 should have you give this presentation.

9 And the last thing on slide 3 talks about  
10 the cost, which is, you know, in -- the cost you will  
11 see in this needs assessment will be presented in fiscal  
12 2020 to 2021 biennium dollar. So we'll talk about  
13 inflation and how that impacts these costs when we get  
14 to that point.

15 Slide 4, we start thinking of the  
16 background, the methodology. So there's really five  
17 steps to performing the needs assessment. I think it's  
18 important to cover these in order just to help you  
19 understand the background methodology.

20 The first step was data collection  
21 validation. We had to inventory essentially every  
22 transit service provided by state-funded transit  
23 districts throughout the state of Texas. That includes,  
24 you know, fixed routes, flexible routes, demand response  
25 of service, limited-eligibility demand response of

1 service. All of that was inventoried and mapped as a  
2 part -- as step 1 of this project. And we -- for each  
3 one of those services, we also collected the span, or  
4 hours of service. So does it run eight hours on  
5 weekdays or maybe only Monday, Wednesday, Friday. All  
6 that data was collected.

7 We confirmed the accuracy of that data with  
8 transit districts. We created customized maps for every  
9 transit district, showing our information. And once it  
10 was confirmed, all that data was put into basically a  
11 master database and we ran our analysis off of that  
12 master database. And that master database is what  
13 powers the Texas transit dashboard. So all that data is  
14 available.

15 All right. So then when you have all the  
16 inventory done, you move to step 2, which is on slide 5,  
17 we call the gap analysis.

18 You turn to slide 6, we start talking about  
19 the three different types of gaps that we sought to  
20 identify during our gap analysis. There were three  
21 different types of gaps. We call first on slide 6, Type  
22 A gaps.

23 Now, again, I apologize for always using  
24 acronyms and things like that. But basically a Type A  
25 gap, where areas outside of transit districts,

1 state-funded transit districts, that do not have  
2 transit. They fall into three different types of areas.

3 So the first example is on the far  
4 left-hand side of the graphic where you see the city of  
5 Lubbock. And you see some white space around the city  
6 of Lubbock. We call those white spaces urban gaps. And  
7 so these are places where the urbanized area has grown  
8 outside the transit district's boundary. This has been  
9 a topic of conversation before. So nothing new there.  
10 So we did include these gaps as gaps in the needs  
11 assessment.

12 The center of the graphic on slide 6,  
13 you'll see sort of a yellow -- this is the transit  
14 authority of met -- sorry, the Metropolitan Transit  
15 Authority of Harris County. And you'll see two  
16 different types of gaps, one that we included and one we  
17 excluded in our gap analysis.

18 So the white space next to the METRO  
19 service area, we call it a transit authority gap, which  
20 is basically anyplace in the state that's sandwiched  
21 between a transit authority and a state-funded transit  
22 district.

23 And so those transit authority gaps were  
24 included in our gap analysis. However, we did not  
25 include what we call donut-hole gaps. Those are places

1 that were inside transit authorities, basically  
2 surrounded on all sides by a transit authority but were  
3 not part of the service area of the transit authority.  
4 And so those were not included. They're on the map, but  
5 we didn't fill them with service.

6 And then lastly, the last type of gap, Type  
7 A gap, where county gaps -- really, Newton County is, I  
8 think, the one and only full county that does not have  
9 transit service that's outside of a transit district  
10 boundary.

11 Are there any questions on the types of  
12 gaps outside of transit districts?

13 Okay. Now you turn to slide 7, and we talk  
14 about Type B gaps. These are gaps that were inside of  
15 state-funded transit districts.

16 So the example you see on the slide is of  
17 the Lower Rio Grande Valley Development Council. Two  
18 counties, Hidalgo and Cameron, were classified. All  
19 that light green space are classified as a Type B gap  
20 because there is fixed-route transit operated in those  
21 two counties. But outside of that -- it's also flexible  
22 service. I'm sorry. But outside of that fixed and  
23 flexible service, those -- the other parts of the county  
24 do not have transit. And so they're inside a transit  
25 district, but there is no transit available. And so

1 that was called a Type B gap. And that's just --  
2 there's one example. There's a couple others you'll see  
3 on the results map.

4 Any questions on Type B gaps?

5 MR. MCBETH: This is John. On doing these  
6 gaps, did you -- anywhere in here did you do an analysis  
7 of what the census -- the population from the census was  
8 in these areas that did not have any service?

9 MR. WALK: Yes.

10 MR. MCBETH: And that's in the report too?

11 MR. WALK: Yes.

12 MR. MCBETH: Oh, great. Super.

13 MR. WALK: Good question, John.

14 MR. MCBETH: It kind of jumps out at you.

15 MR. CLINE: Michael, this is Jim Cline.

16 Just a quick question for you. How did you deal with  
17 cities like Coppell that are bordered on a district but  
18 opted out? Are those seen as the donut-hole cities,  
19 communities?

20 MR. WALK: I would have to guess the answer  
21 is yes. If -- in that particular instance, I don't know  
22 exactly. I'd have to look at the map and see where it  
23 showed up.

24 If -- we inventoried all the services in  
25 the state. So if there's no service there, we

1 considered it in our analysis unless it was inside a  
2 transit authority. So whether historically they opted  
3 out -- you know, what the history was was not something  
4 we considered. We treated all gaps as equals unless  
5 they were a donut hole, basically.

6 MR. CLINE: Okay, thank you.

7 MR. SALAZAR: Michael, I have -- this is  
8 J.R. I have one question. You mentioned Cameron and  
9 Hidalgo County and that there was flex service, but  
10 there is not service in the county. And do we know why?  
11 I mean, I don't expect you to know everything, but did  
12 they just choose not to?

13 MR. WALK: Honestly, I am not that up to  
14 speed on the history. I'm sure there's people in this  
15 room that know better than I do. But -- no? Okay.

16 MR. GLEASON: This is Eric. We did not  
17 include, as a part of the scope, that next step  
18 because -- we just didn't.

19 MR. SALAZAR: Okay.

20 MR. WALK: So it's a good thing to keep in  
21 mind that, you know, the background question for this  
22 was, you know, what would it take to provide a common  
23 level to service to all Texans living outside of transit  
24 authority boundaries? Like, that was the goal; and  
25 that's how we need to look at these gaps, you know?

1 That was our goal in terms of costing this out.

2 Any other questions?

3 Then we'll turn to slide 8. And so the  
4 last type of gaps that we looked at were span gaps. We  
5 call them Type C. These are current transit services  
6 that are in operation. But we compared the current span  
7 of service for those services and we compared that span  
8 of service to a threshold. And we used four different  
9 models of thresholds for span. You can see them listed  
10 on the table in slide 8. They ranged anywhere from  
11 12-hour weekday service, being the threshold, all the  
12 way up to our maximum level of service, which was  
13 14 hours on weekdays and 8 hours on Saturdays.

14 We took all existing services and compared  
15 them to each one of these thresholds to see and identify  
16 any places that did not reach that threshold. And those  
17 are called Type C gaps or span gaps.

18 Any questions on slide 8?

19 Okay. So then you get to the results.  
20 Slide 9 is a very upper-level map of the Type A and Type  
21 B gaps. So to remind -- just to refresh our memories,  
22 Type A gaps were places outside of state-funded transit  
23 districts with no transit. Type B gaps were places  
24 inside state-funded transit districts where there's no  
25 convenient access to transit.

1           And so you can see those maps here. The  
2 dark green space on the map were places that were  
3 covered by some level of transit service, okay, state-  
4 funded transit districts that were covered by some level  
5 of service.

6           The blue and light green places on the map  
7 were the Type A gaps. So Type A are the dark blue and  
8 Type B are the light green.

9           So if you added up -- to John's question  
10 earlier, if you look at all these gap areas, which are  
11 the dark blue and the light green places, that's  
12 13,400 square miles of Texas that do not have transit  
13 access in Texas. And that's three and a half million  
14 people that live in those spaces, just to kind of give  
15 you some context there.

16           Any questions so far on that?

17           Okay. Now looking at the places in Texas  
18 that do have service, then we compared all those  
19 services to the span thresholds. And since we had four  
20 different levels of span that we compared the services  
21 to -- this gets complex very quick -- we just wanted to  
22 summarize this for you in terms of how much service  
23 would need to be added to existing service in order to  
24 reach the span threshold. And that's what the graph on  
25 slide 10 shows you.

1           Sort of the lowest level of service,  
2 12 hours on weekdays, you would need around 417  
3 additional span hours a week, okay? If you added up all  
4 the transit services in Texas and got them up to  
5 threshold, that's how many weekly hours of service would  
6 have to be added to reach that threshold. And all the  
7 way up to the highest level of service, which would  
8 require 1400 hours of service every week added.

9           Questions on that?

10           MR. MCBETH: That's an eye opener. A lot  
11 more than I thought.

12           MR. WALK: Now, if you map this and graph  
13 it out, just to dive in one more level down, looking at  
14 these span gaps, if you go to slide 11, we did map out  
15 by transit district --

16           MR. GLEASON: May I take the floor and  
17 clarify this? When you say a span hour, these are --  
18 these aren't vehicle hours.

19           MR. WALK: Correct.

20           MR. GLEASON: I want to make clear to the  
21 committee these are not vehicle hours. So you can't  
22 take these hours and try to do them in your head like I  
23 just did and think, well, this is an awfully small  
24 number. Because it's not vehicle hours. These are just  
25 hours of the day or the week.

1 MR. WALK: Correct.

2 To make it into a real example, you know,  
3 if a transit district operated, let's say, simply 10  
4 hours on weekdays, right, but the span threshold is  
5 12 hours on weekdays, there would be two more hours on  
6 weekdays that we would have to add. And so that's two  
7 times five. So there would be ten more span hours.  
8 That's what would go into this graph.

9 But as Eric's pointing out, that those span  
10 hours might equate to 200 vehicle hours, or whatever  
11 current level of service is being operated. We assume  
12 that would be constant.

13 MR. MCBETH: Yeah, this is John. So you're  
14 basically saying with the span hours, this is basically  
15 a measure of accessibility.

16 MR. WALK: Yeah, service availability.

17 MR. MCBETH: Service availability, whether  
18 there's vehicles or not. That's when you open and you  
19 close.

20 MR. GLEASON: Correct. It doesn't  
21 translate directly to need.

22 MR. MCBETH: To need, no, it doesn't, no.

23 MR. WALK: Okay. Good questions.

24 Slide 11 shows a map by transit district  
25 in terms of the span performance, if you want to call it

1 that, of demand response.

2 So quickly, the easiest way to understand  
3 this map is to start by looking at the blue. The blue  
4 places on the map are the transit districts that provide  
5 demand response service where their demand response  
6 service did not meet the 12-hour weekday, 8-hour  
7 Saturday span threshold. So that's the majority of the  
8 districts in Texas.

9 There are some orange, if you would, is the  
10 color, depending on your printer. Those transit  
11 districts partially met the threshold. What that means  
12 is that they might operate more than one demand response  
13 of service type. They could have an ADA operation and a  
14 general public operation. If at least one of those  
15 services met the threshold, we colored them orange.

16 And then the green places on the map are  
17 where all demand response of service offered met the  
18 threshold of 12 hours weekday, 8 hours Saturday service.  
19 And that's just for demand response.

20 Any questions on that graph?

21 Slide 12 shows you a dive into local bus  
22 service. Because local bus routes that are usually  
23 either flexible or fixed are small in nature to the  
24 state of Texas, we didn't map it because we just really  
25 couldn't see the colors. So this is just a pie chart

1 that shows you, if you look at local bus service, how  
2 many would need to add hours of span.

3 So the biggest slice of the pie is zero  
4 hours need to be added to 50 percent of the local bus  
5 services in Texas.

6 The rest of the slices represent additional  
7 hours that would have to be added at different bus  
8 services. So there's about a quarter needing between  
9 one and ten hours a week added to their span. And then  
10 there's about a quarter needing 10 to more than 20 hours  
11 per week added to local bus in order to reach the  
12 12-hour weekday, 8-hour Saturday span threshold.

13 Any questions on that?

14 So we replicated that analysis for every  
15 type of service that's offered in Texas, and that gives  
16 you a couple of examples of results.

17 Okay. Then we get into the funner part,  
18 more fun, cost estimation.

19 Slide 13 is a cost estimation. And here's  
20 where we're going to take these gaps that we found under  
21 step 2 and then assign cost to them.

22 Slide 14 really boils down the procedure.  
23 There was really a two-step overall procedure to  
24 estimate these costs.

25 First we start by estimating the cost to

1 fill the span gaps, or the Type C gaps. And so we used  
2 existing operating data from existing transit providers,  
3 saw how much their cost per span hour is. Not per  
4 vehicle hour, but cost per span hour. And if they  
5 needed ten more hours a week, we multiply their cost per  
6 span hour times ten more hours. And that's how you  
7 estimate the cost for every transit district in the  
8 state of Texas.

9 But we also had to estimate the costs to  
10 fill those geographic gaps, the Type A and Type B gaps  
11 that do not have transit. Our assumption for those  
12 places that do not have transit was, we at least  
13 provided general public demand response transit in those  
14 areas. And so we costed out how much it would be to  
15 fill those gap areas with general public demand response  
16 service.

17 MR. GLEASON: At 12 hours and --

18 MR. WALK: At whatever -- yeah, at the  
19 given span threshold. Because we had to do it four  
20 times for all four span thresholds.

21 And when we looked at the general public  
22 demand response of service, we did use regional costs.  
23 So, you know, if there was a gap, you know, in East  
24 Texas, we used the general public demand response  
25 average costs around that gap in order to fill that gap.

1                   Okay? And so you'll see the results of the  
2 cost analysis on slide 15 and subsequent.

3                   Slide 15 shows you the results of the --  
4 filling the span gaps where they're getting all current  
5 services up to the different span thresholds. Those  
6 costs are presented in FY16 dollars using FY16 costs.

7                   MR. GLEASON: Single-year costs.

8                   MR. WALK: Single-year. This is one year  
9 of operating expense.

10                  MR. MCBETH: 27 million for the biennium  
11 for the 12 hours.

12                  MR. GLEASON: It's quite a bit more than  
13 you saw last time.

14                  MR. MCBETH: Significantly more, yeah.

15                  MR. GLEASON: I think intuitively it's more  
16 where it might be expected.

17                  MR. MCBETH: Yeah.

18                  MR. WALK: And all of that has to do with  
19 the level of detail that we used at this time.

20                  Okay. Any questions on slide 15?

21                  MR. MCBETH: That's a very helpful chart.  
22 That's very helpful.

23                  MR. WALK: Slide 16 shows you the cost  
24 estimates for the geographic gaps, Types A and B, places  
25 inside transit districts and outside transit districts

1 that do not have transit. There's a lot more numbers on  
2 here because we had to do -- fill the gaps at different  
3 levels of service. So just kind of draw your attention  
4 to the grand total. You can see the estimate for  
5 filling all those geographic gaps with demand response  
6 of service on the bottom four lines of the table on  
7 slide 16. So anywhere between 6- and \$7.7 million in  
8 fiscal '16 operating costs.

9                   Now, of course, we assume that you couldn't  
10 just run and cover a new service area without vehicles,  
11 so we also incorporated an estimate on the capital side  
12 of if you had to buy vehicles in order to fill those  
13 service gaps. So you see the number of vehicles as well  
14 as their associated capital expenses also on the table  
15 in the last two columns.

16                   Any -- any questions about slide 16?

17                   MR. GLEASON: If I can -- this is Eric.  
18 Michael, I need you to rethink the number of vehicles.  
19 And the reason I want to do that -- if the committee  
20 might want to weigh in on this -- I think once you make  
21 an initial investment to cover 12 hours, or any hour,  
22 that addition, your ability to run longer each day  
23 doesn't necessarily mean more vehicles.

24                   MR. MCBETH: Particularly in regard to  
25 Saturday.

1 MR. GLEASON: Saturday for sure. Even  
2 weekday. Once you -- once you've got 12 hours covered  
3 with 234, you can probably do 14 hours with 234.

4 MR. MCBETH: That's what I'm thinking.

5 MR. GLEASON: I think it's because --  
6 you're exactly right that to do more service in areas  
7 that have none, we need more fleet. That's -- we've  
8 heard that consistently. You add money, we need fleet.  
9 But I think when we look at the higher levels of span,  
10 then I don't know if we need to be increasing the fleet  
11 assumption.

12 MR. WALK: Okay.

13 MR. GLEASON: There might be some small  
14 increase associated with it just to get them out of the  
15 service so they can be serviced.

16 MR. WALK: Yeah.

17 MR. GLEASON: But I don't think we need to  
18 ramp up, necessarily, as much as we have.

19 MR. MCBETH: This is John. I think you  
20 could -- the first step would be to eliminate adding  
21 additional vehicles for Saturday service.

22 MR. GLEASON: Yes. I think that's for  
23 sure.

24 MR. MCBETH: You're not going to need any.

25 MR. GLEASON: Right.

1 MR. WALK: Okay. Yeah, we'll take a second  
2 look at that. I'm sure we can come up with a good way  
3 to --

4 MR. GLEASON: We got operators on the  
5 committee. So they're the ones to listen to on that.  
6 I'm just raising it as --

7 MR. MCBETH: This is John. I think the  
8 money number is probably absolutely right on, as far as  
9 operating costs. Saturday service is expensive. It's  
10 just expensive for what you get out of it.

11 MR. WALK: Okay. Any other comments or  
12 questions on the cost estimation so far, either for span  
13 or for the geographic gaps? There's a lot of additional  
14 detail on the background that I don't really have time  
15 to go into today.

16 The -- moving onto slide 17, then.  
17 Everything you've seen so far, what we saw in cost, was  
18 within fiscal '16 dollars. Of course, the price of  
19 thing changes over time. And so we did calculate, like  
20 we did with the last needs assessment, what we call a  
21 transit cost inflation index, or a TCI. And we  
22 calculated it this time in a more precise way where we  
23 used a different inflation index for different modes  
24 because the cost of different modes change differently  
25 over time.

1                   And so you see in the chart on slide 17 the  
2 projected inflation based on real data from Texas  
3 providers. So in the left-hand of the line chart you  
4 see actual costs per revenue mile, per fiscal year, per  
5 mode, and then we forecasted that trend ahead into the  
6 future.

7                   And so, for example, when you see the  
8 number 1.10 for demand response on the line chart, what  
9 you're looking at is that we anticipate inflation to be  
10 10 percent. The cost of running demand response will be  
11 10 percent more expensive in 2021.

12                   MR. GLEASON: Michael, just -- these modes  
13 are based on the NTD categorization.

14                   MR. WALK: Correct.

15                   MR. GLEASON: Motor bus, which means  
16 all-day fixed-route bus service.

17                   MR. WALK: Yes.

18                   MR. GLEASON: Commuter bus means just runs  
19 during peaks.

20                   MR. WALK: Right.

21                   MR. GLEASON: Okay. Motor bus is kind  
22 of --

23                   MR. WALK: That's a weird title.

24                   MR. GLEASON: That's a weird title.

25                   MR. WALK: Yeah. So motor -- thank you,

1 Eric, for pointing that out.

2 And rural, we did not break rural down by  
3 mode because the historical data by mode is not as  
4 reliable as the urban data by mode. So when you see the  
5 inflation indices, we applied a different index based on  
6 whether it was urban or rural. And if it was an urban  
7 transit district, we applied a mode-specific index to  
8 it.

9 Any questions on inflation?

10 MR. CLINE: Michael, just real quick, when  
11 it says, like, 10 percent per for demand response,  
12 that's from -- that's to get -- is that to get 2016 to  
13 20 --

14 MR. WALK: To 2021.

15 MR. CLINE: Okay. So -- help me out with  
16 that again. Is that per year?

17 MR. WALK: So Jim -- Jim, we -- this is  
18 Michael. We calculated the index for every year. So in  
19 our estimates, we have an inflation index for fiscal  
20 '17, '18, '19, '20, 2021, 2222, et cetera.

21 The index on the chart is -- so, like, in  
22 the example, demand response. If you took the fiscal  
23 16's cost per revenue mile, if you wanted to turn that  
24 into fiscal year 2021 dollars, you'd have to multiply it  
25 by 1.1. You have to multiply fiscal '16 by 1.1, and

1 then you get the fiscal '20, '21 costs of demand  
2 response per revenue hour -- revenue mile. Sorry.

3 Did I answer your question?

4 MR. CLINE: Okay, thanks. Yes, you did.

5 MR. WALK: Okay. Moving to slide 18. And  
6 subsequent, the last step in the costs in this needs  
7 assessment was to estimate the 2021 costs and benefits.  
8 So we didn't leave it as just costs. We wanted to also  
9 look at the economic benefits of making this investment  
10 in transit.

11 So slide 19 explains -- it's a lot of  
12 words, so I'll try to just put it succinctly in terms of  
13 explaining how the inflation was applied to these costs.

14 And what you're looking at, when we show  
15 you -- or say that the service will cost, you know,  
16 \$50 million, what does that actually mean?

17 Really, the easiest thing to do is, if you  
18 look at the table at the bottom of the slide. And I  
19 have to issue a correction on the word on this slide.  
20 The table at the bottom, the row that says 12-hour  
21 weekday, 8-hour Saturday expenses, the numbers are  
22 actually the wrong numbers for that.

23 So I'll keep the numbers, but what you're  
24 looking at there is 14-hour weekday span miles. That's  
25 my mistake, and I just caught it this morning, so I

1 apologize to --

2 MR. GLEASON: So the left-hand descriptor  
3 should be 14 hours.

4 MR. WALK: The left-hand descriptor should  
5 be 14-hour weekday.

6 MR. GLEASON: Okay.

7 MR. WALK: And everything --

8 MR. CLINE: Through -- through Saturday?

9 MR. WALK: Zero Saturday.

10 MR. GLEASON: Oh, zero Saturday. Okay.

11 MR. WALK: So we were talking about the  
12 costs. If you look in that table at the bottom, 14-hour  
13 weekday service, we estimated the cost of running that  
14 level of service -- sorry, we estimated the operating  
15 cost of that level of service in fiscal 2016 to be  
16 \$236.4 million. Okay?

17 Now, that is compared to the current  
18 operating investment of -- right below that --  
19 205.3 million. 205.3 million is the current operating  
20 expenses, our total operating expenses for state-funded  
21 transit districts in fiscal 2016.

22 So the difference between getting everybody  
23 to 14-hour weekday service and the current level of  
24 service, or expense, is subtract down that column, and  
25 you'll get to a cost of \$31.1 million. So that's the

1 cost. When we say "cost," we're really talking about  
2 the delta between the new service, the current  
3 expenditures, and then you have your delta or your costs  
4 of 31.1.

5 Okay. Any questions on that one?

6 Now, you have to forecast this ahead into  
7 the future. So you see in the right two columns of that  
8 same table, 14-hour weekday service -- which in 2016  
9 would cost 236 million -- we forecast that ahead to 2020  
10 and it will cost 256 million in 2020. And that same  
11 level of service would cost 261.9 million in 2021, okay,  
12 using the inflation index.

13 So once you forecast the new expense ahead  
14 and then you subtract those new expenses from the old  
15 investment of 205 million, then you get your deltas. If  
16 you just subtract down each one of those columns.

17 MR. GLEASON: So one of the things for the  
18 committee is the inflation was applied against the  
19 entire base?

20 MR. WALK: Yes.

21 MR. GLEASON: And brought the entire  
22 baseboard as well, not just the incremental amount?

23 MR. WALK: Correct.

24 MR. GLEASON: That's why the inflation is  
25 such a --

1 MR. CLINE: So that assumes that none of  
2 the current -- the current investment doesn't change at  
3 the same time with our --

4 MR. GLEASON: That's correct.

5 MR. CLINE: -- investment with the needs  
6 assessment for 14 and zero.

7 MR. GLEASON: That holds a fixed. That  
8 takes a snapshot, yes.

9 MR. CLINE: Okay.

10 MR. WALK: Okay?

11 MR. CLINE: One other thing, Michael. Are  
12 these -- is this total the total investment, or is this  
13 the investment by the State?

14 MR. WALK: That's a total operating  
15 expenses, regardless of source of revenue.

16 MR. CLINE: Okay.

17 MR. WALK: Any other -- the reason I wanted  
18 to show this is that when you see the numbers on the  
19 following slides, you can kind of lose where they came  
20 from. We wanted to point out that, you know, we  
21 forecasted inflation ahead on the entire operating pool,  
22 right, how much additional operating money would be  
23 needed. So that's why you see the numbers as you see  
24 them.

25 If you go to slide 20, it presents you with

1 the total costs to fill all the gaps in the 2021  
2 biennium. You can see the different span models down  
3 the table and both operating and capital expenses.

4 So the -- the -- just drawing your  
5 attention, for instance, to the 12-hour weekday, 8-hour  
6 Saturday, which is the third row in the table, we  
7 estimated it would be -- \$109.9 million in the biennium  
8 is the difference, right, between what you would need to  
9 run that level of service and what was currently spent  
10 in fiscal '16 is the difference between those two.

11 And the capital expenses for the vehicles,  
12 and then you have your total of \$131.4 million.

13 MR. MCBETH: Wow. That's a big number.  
14 That's a big number.

15 MR. WALK: We did put a note at the bottom  
16 of the slide just to kind of add the perspective, that  
17 inflation is about \$40 million of that, just to account  
18 for the inflation.

19 MR. GLEASON: Against the entire base?

20 MR. WALK: Against the entire base.

21 Now, of course, that's the cost. But the  
22 story doesn't end there, right?

23 MR. GLEASON: Of course.

24 MR. WALK: Of course.

25 The next step was to estimate the benefits.

1 So slide 21 leads you through the background of the  
2 benefits estimate. And we used the methodology that was  
3 very similar and at the core of the TIGER grant  
4 methodology for the statewide on rural vehicle facility  
5 TIGER grant that was awarded to TxDOT -- how many? Two  
6 years ago?

7 MR. GLEASON: 2015.

8 MR. WALK: 2015.

9 So we basically replicated that  
10 methodology, the core of that methodology, here and  
11 applied it here. The benefits break into three  
12 different types of benefits, transportation cost  
13 savings. These are the savings for riders. They don't  
14 have to use their vehicle as much, emission savings, et  
15 cetera. There's several different categories. All of  
16 them have an economic value.

17 There's also low-cost mobility benefits.  
18 So these are the economic value of new trips that are  
19 taken on transit. For instance, for medical  
20 appointments, getting to work. All of those have an  
21 economic value. The economic value of those additional  
22 trips is based on a 2014 report that was actually called  
23 the cost benefit of rural and small urban transit  
24 published by the National Center on Transit Research.  
25 And so we used their figures in our benefits estimate.

1           And lastly, there's also an economic  
2 multiplier benefit. And that was based off of a report  
3 actually commissioned by TxDOT where they estimated the  
4 economic value for every dollar that's spent. And so  
5 the ratio we're using is that there's \$2.11 of economic  
6 activity generated for every \$1 of operating expenditure  
7 on public transit. And so we used that in our benefits  
8 analysis as well.

9           Questions on that?

10           And the last nitty-gritty detail item is  
11 that we prorated vehicle costs because we're estimating  
12 the benefit in the biennium even though you have all the  
13 cash flow. So we used two years of the vehicle expenses  
14 as a part of the cost side of this equation, not all --  
15 all of the entire vehicle life. Okay?

16           So slide 22 presents the summary of the  
17 benefits-cost analysis. So, again, you have this across  
18 all the different span models. This is the -- we have  
19 the operating costs. We saw these operating costs  
20 before. That's filling all the gaps, geographic and  
21 span.

22           You have the prorated vehicle cost you see  
23 added in there, the two years of a six-year average  
24 useful life of expense. And we did estimate the  
25 additional ridership by adding and filling these

1 services. And we estimated that based on current data  
2 and the current transit providers, assuming that that  
3 ridership would remain relatively consistent. We were  
4 conservative. We assumed you wouldn't see it all.  
5 So -- and we assumed that would also ramp up over time.  
6 So those are all part of our methodology because those  
7 riders are actually part of the economic value  
8 calculation.

9           You can see the total estimated benefits  
10 are in the next-to-last column. So if you go down the  
11 scenarios, anywhere between 185- to \$357 million of  
12 economic activity or economic benefit. And the  
13 cost-benefit ratios are on the right. So what you see  
14 there is you see, sorry, a benefit-cost ratio. If you  
15 see a benefit-cost ratio of 2 or higher, that means  
16 there's twice as much economic benefit as the cost, the  
17 operating and prorated vehicle cost.

18           The overall value to society of making this  
19 investment is positive. In fact, it's twice as much as  
20 the investment.

21           MR. RIBAKOVE: Mike --

22           MR. WALK: Yeah.

23           MR. RIBAKOVE: This is Josh. I think that  
24 this slide is one that we had some late corrections to a  
25 couple of the numbers here. And the version that we

1 have in our packets already went out to print before  
2 that happened. So maybe we can just correct those four  
3 numbers for the people that are here in the meeting.

4 MR. WALK: Yeah, sure, not a problem.

5 So Josh is correct. So there is some minor  
6 corrections to the values on the slide.

7 Do you want me to go through them one by  
8 one?

9 MR. RIBAKOVE: Yeah.

10 MR. WALK: So for 12-hour weekday,  
11 estimated additional ridership, you see in your slide  
12 2.1 million. It should be 2.2.

13 In that same row, the total benefits, you  
14 see in your slide 185.1 million. It should be 185.6.  
15 And so the benefit-cost ratio is actually 16 2.09,  
not 2.08.

17 MR. MCBETH: Whew.

18 MR. WALK: Yeah. You have to be right,  
19 people.

20 MR. MCBETH: It's science.

21 MR. WALK: And then the only other -- the  
22 only other change is the total benefits for 14-hour  
23 weekday. So it's the second row, 14-hour weekday. In  
24 the Total Benefits column where you see a total benefit  
25 of \$276.0 million, it's 276.7. Got to get your 700,000

1 in there.

2 MR. GLEASON: We actually have 276.4.

3 MR. WALK: I'm sorry. But 276.7 is the  
4 correct value. And cost-benefit ratio doesn't actually  
5 change. The value's not large enough to change it.

6 Thank you, Josh.

7 MR. GLEASON: So this would be a -- this is  
8 Eric. This would be a good time for me to issue a  
9 general caution and request. We really do intend to put  
10 this presentation in the data through a lot more  
11 scrutiny between now and March. I think it would be a  
12 disservice to the committee if this information were to  
13 begin to become circulated and used in discussions. I  
14 think we are almost there.

15 I do think you may see some numbers  
16 changing, based on today's conversation, and a more  
17 detailed look before the March presentation. March is  
18 when we'll be willing to put our stamp on it saying  
19 we're confident with the numbers in there.

20 But I think -- my own view of this is it  
21 represents an enormous step forward from the level of  
22 detail we saw before. Michael, you guys have done a  
23 tremendous job.

24 It also scares the living daylights out of  
25 me from the size of the increases that we're now being

1 able to substantiate talking about as being, you know,  
2 significantly larger than anything we've seen before.

3           And so it's one of those things where I  
4 would ask that you give us a couple months to make sure  
5 we fine-tune this to a level where if it begins  
6 circulating, it's something that we're confident the  
7 numbers, you know, are the best they can be. Appreciate  
8 that.

9           MR. WALK: Any other questions for me? The  
10 last slide probably can be more read on your own. Just  
11 sort of summarizes the key findings. But I'll be happy  
12 to take any other questions or comments on it at this  
13 time.

14           MR. GLEASON: So, again, what we're looking  
15 for here from the committee members, we're not looking  
16 for committee action; we're looking for individual  
17 reactions to what you've seen, what you've heard,  
18 anything else that may have peaked your interest in what  
19 you might want to see in March.

20           That's the kind of conversation we need  
21 right now, Mr. Chair.

22           MR. MCBETH: Well, this is John. From my  
23 point of view, this is a quantum leap forward. This is  
24 something that I was looking for because this is the  
25 same type of data that the highway side used to justify

1 the huge infusions of money that have been infused into  
2 building us out of a hole on the highway side.

3 And so as far as I know, this is the first  
4 that we've done this where we can actually -- and I  
5 would want to make sure the numbers were absolutely  
6 completely one million percent correct before I walked  
7 into the appropriations chair and said, Look at this. I  
8 sure don't want to get laughed out of the room.

9 But this is good data. This is really --  
10 it's a good report. I think we have to be -- like Eric  
11 said, we got to be real careful that we know these  
12 numbers are solid and concrete before we start throwing  
13 them around.

14 I think I've known forever that that's  
15 probably what the cost-benefit was. And it's about --  
16 what we see in The Woodlands, it's just about that.  
17 It's just about that, the benefit that we reap on the  
18 other side of having those buses.

19 Excellent report. Thanks. Great work.

20 UNIDENTIFIED COMMITTEE MEMBER ON THE PHONE:  
21 Yes.

22 MR. GLEASON: Again, Mr. Chair, if I can  
23 kind of wrap this up. I think strategically looking  
24 ahead to March, the committee needs to be thinking  
25 about, you know, what level of investment would

1 represent a -- strategically a next best step.

2           And, you know, I guess that's the crux of  
3 it. I think going forward with numbers such as these, I  
4 think there's going to be some eyes wide open when we do  
5 this or when the -- you know, depending on what the  
6 committee decides to do.

7           I do think it's a nice -- the conversation  
8 is a nice jump-off to what I neglected to mention in any  
9 report, is that at next week's commission meeting the  
10 commission will be pushing out the door the result of  
11 this committee's work over the last several years. And  
12 that is, we're pushing out the additional funding, which  
13 was appropriated into our budget largely following the  
14 work of this committee and the legislation that  
15 introduced the larger of in-transit district.

16           So, you know, just as that is wrapping up  
17 at next week's commission meeting, the committee's  
18 launching off into the next effort. So it's nice timing  
19 that way. I was remiss in not recognizing that in my  
20 earlier remarks.

21           MR. SALAZAR: So do we know when that  
22 amended order comes out?

23           MR. GLEASON: So the amended order will be  
24 available with exhibits, I'm thinking Monday or Tuesday  
25 next week. I'm not quite sure when it actually gets

1 posted with exhibits, if that is your question.

2 MR. SALAZAR: It is.

3 MR. GLEASON: Yeah. So -- but, again, keep  
4 in mind that this distribution in January of the  
5 remaining balance of '18 is something that was  
6 explicitly recognized in the rules itself and reflects  
7 and accounts for the distribution already made back in  
8 June.

9 So it won't be until this coming June when  
10 we distribute the FY19 money all at once that you will  
11 see the complete picture of how things have changed.  
12 Just to muddy it up a little bit.

13 Any more on this topic, Mr. Chair?

14 MR. MCBETH: This is great. Exactly what I  
15 was hoping for.

16 MR. GLEASON: So I would tell committee  
17 members that should thoughts occur to you over the next  
18 week to ten days with questions that may come to mind  
19 over this presentation, make sure you send those  
20 questions to Josh. And we will make sure that they get  
21 communicated to Michael and his team.

22 And lacking anything else, we will just  
23 simply focus on this information and fine-tune it.

24 MR. WALK: Thank you very much.

25 MR. SALAZAR: Thank you.

1 MR. GLEASON: Is this the same one you're  
2 giving tomorrow -- not tomorrow, but next week, Michael?

3 MR. WALK: Yes, with the corrections, yes.

4 MR. GLEASON: Okay.

5 MR. MCBETH: Agenda Item No. 6, discussion,  
6 which is a follow-up on pre-award authority and letters  
7 of no prejudice, which I think I brought up the last  
8 time.

9 MR. GLEASON: Yes, sir. What we have for  
10 the committee -- and Kelly is available to talk about it  
11 further. In your handout you have a single-page  
12 description of what our research has yielded following  
13 the two issues, if you will, that was talked about at  
14 the last meeting, pre-award authority letters with no  
15 prejudice.

16 This is our -- you know, having looked at  
17 federal guidance -- and this is our take on what federal  
18 guidance says about those things. And I want to be  
19 clear, this is what the federal guidance says. This is  
20 not us paraphrasing the federal guidance. It is, as you  
21 might expect, not quite as clear as you might wish it to  
22 be.

23 We have run this past our attorneys, our  
24 general counsel. And as you can see at the bottom,  
25 bottom-line conclusion is that to do anything more than

1 we currently do with respect to these issues in Texas  
2 will require statutory action.

3 So, Mr. Chair, I think you raised the issue  
4 last time. We wanted to at least clarify the  
5 definitions for the committee. And it is up to the  
6 committee on where all you want to go with this issue  
7 now that you have this.

8 MR. MCBETH: This is John. I guess my  
9 question would be, did TxDOT's general counsel basically  
10 provide where we could make a statutory change, or would  
11 we have to write new statute? Is there some -- is there  
12 some statute that TxDOT's currently operating under that  
13 we could go in and tweak that statute so that this can  
14 be done as a pass-through?

15 MR. GLEASON: I don't think we asked them  
16 that question.

17 Maybe you know, Kelly, if there is a  
18 statute -- if there's an area of the statute that they  
19 have looked at for this. If not, we can certainly  
20 provide the committee with that.

21 MR. KIRKLAND: No. And for the record, I'm  
22 Kelly Kirkland, public transportation division of TxDOT.  
23 No, general counsel just looked at the statute generally  
24 and determined that there was nothing in there that  
25 would allow us to do that at this point and would

1 require specific authorization.

2 MR. GLEASON: So we will follow up with  
3 them and see if they could point the committee in a  
4 general direction.

5 MR. MCBETH: That's always easier to go in  
6 and tweak something that's there than it is to write a  
7 brand-new statute.

8 MR. GLEASON: Well, it may be a case, as it  
9 often is, where it is not explicitly addressed. And the  
10 conclusion is, without that explicitly being addressed,  
11 it is not allowed. And so there may not be anywhere to  
12 tweak, if you will. We will see what our folks are able  
13 to provide.

14 MR. MCBETH: That would be my only  
15 question, yeah.

16 MR. GLEASON: Kelly, make a note of that,  
17 and we can follow up on that.

18 MR. MCBETH: Thank you.

19 Anybody else have any other questions? If  
20 not, great.

21 MR. CLINE: This is Jim. I had a question  
22 on this one. Is this -- is this so that we can -- is  
23 the authority so that the -- that TxDOT could pass down  
24 this authority to an end user, or is this where TxDOT  
25 could ask for a letter of no prejudice from FTA, or

1 both?

2 MR. MCBETH: My asking the question -- my  
3 reason for asking it was, as a grantee, even if we  
4 didn't have a state grant to pay for this, if we had a  
5 bank that was willing to loan us the money to develop a  
6 project, how do we go about making sure that money could  
7 be utilized as local share to max that project?  
8 Currently you couldn't. Because unless you have a  
9 grant, you can't incur an expense. So you would borrow  
10 the money from the bank, but it wouldn't be eligible to  
11 be refunded to repay that loan once a grant became  
12 available. Am I making sense?

13 So that was my reason for asking. If I  
14 wanted to build a \$2 million building and a bank said,  
15 I'll give you \$2 million and you pay it back out of  
16 future grant revenue when you get the grant revenue,  
17 right now in Texas, we can't do that with State money.  
18 We can do it with federal money, which is how we've been  
19 able to build everything we've built in The Woodlands,  
20 basically through letters of no prejudice where The  
21 Woodlands corporation fronted the money. And then as we  
22 got federal grants, we paid the money back to those  
23 federal grants, to The Woodlands corporation. That's  
24 what I was -- that's the direction I was going with my  
25 question.

1 MR. KIRKLAND: So if I might, a clarifying  
2 question on passing it through to our general counsel,  
3 you would be asking to see if state funds could be  
4 treated in a similar way?

5 MR. MCBETH: In a similar way.

6 MR. KIRKLAND: In a similar way, okay.

7 MR. MCBETH: If you're a direct federal  
8 grantee, you can already do it. This is John. If  
9 you're not using federal grant funds but instead you  
10 want to use state grant funds, you've never been able to  
11 do it. You've never been able to incur a cost before  
12 you had a signed grant ever.

13 So that was -- my question is, is there a  
14 way that we can approach it so that we can fix that.  
15 Because it would then allow grantees that had the  
16 financial wherewithal to go to their banks, borrow the  
17 money, build the project at today's cost instead of the  
18 cost three years down the road. If we got a grant three  
19 years down the road, we could use that grant to  
20 basically pay off the money we borrowed.

21 Right now, you can't do that. We can do it  
22 with our federal funds, but we can't do it with our  
23 state funds.

24 MR. KIRKLAND: Thank you.

25 MR. MCBETH: Yeah.

1 MR. GLEASON: John, let me ask a clarifying  
2 question. So in that situation, what kinds of -- what  
3 has the bank required of you -- if your intent is to pay  
4 it back through future federal grant program funds when  
5 they become available, what has the bank required over  
6 time?

7 MR. MCBETH: They require the fact that we  
8 have a letter of no prejudice where the federal  
9 government said, Yes, we're going to put the full faith  
10 and credit in the federal government. You get a future  
11 grant, you can use it to pay back the costs that the  
12 bank is giving you. And that -- not all bankers are  
13 comfortable with that.

14 MR. GLEASON: Right. No, I know.

15 MR. MCBETH: But ours certainly is because  
16 we've been doing it since 1987. So it would just seem  
17 to be the next step. It's kind of like -- well, not  
18 really. I was going to say it's kind of like bonding  
19 toll roads. Really, it's not.

20 MR. GLEASON: I wouldn't use that example.

21 MR. MCBETH: No, I'm not going to use that  
22 example. Forget I said that. But it's just a thought.

23 Thank you, Kelly.

24 Moving on to Agenda Item No. 7, which is  
25 always on here, the discussion and development of PTAC

1 Work Plan based on PTAC's guiding principles and  
2 comments made at the January 22nd, 2015, meeting.

3 Does anybody -- we have this one every  
4 agenda item in case anyone wants to address anything  
5 about the PTAC guiding principles.

6 MR. GLEASON: It's an opportunity as well,  
7 members, to raise areas that they might be interested in  
8 exploring as a part of a future agenda item.

9 MR. MCBETH: Anybody have anything they'd  
10 like to discuss in respect to this item?

11 Hearing none, we'll move on to Agenda Item  
12 Number 8, which is public comments. Do we have anybody  
13 signed up for public comments, Josh?

14 MR. RIBAKOVE: We have not had anybody sign  
15 up for public comments. But a couple people came in  
16 after the announcement.

17 Is there anybody that wishes to address the  
18 committee?

19 MR. MCBETH: Hearing none, that item is  
20 gone.

21 Agenda Item No. 9, propose and discuss  
22 agenda items for the next meeting and confirm date.

23 Josh, you have dates in mind for us?

24 MR. RIBAKOVE: The last Tuesday of March is  
25 the 27th. That's -- our traditional, you know, meeting

1 date is the last Tuesday of every othermonth.

2 MR. MCBETH: Is March the 27th available  
3 for everybody?

4 MR. GLEASON: That's an important question.

5 MS. CRAIN: The 27th, you said?

6 MR. MCBETH: 27th of March.

7 MS. CRAIN: Let's look.

8 MR. CLINE: This is Jim. That works for  
9 me.

10 MS. CRAIN: Yeah, it works for Christina.

11 MR. MCBETH: It works for me.

12 So we have Christina, Jim, J.R. and myself.  
13 Michelle?

14 MS. BLOOMER: That's fine.

15 MR. MCBETH: Okay. Looks like March the  
16 27th it is.

17 MR. GLEASON: What time?

18 MS. CRAIN: 1 o'clock? 1 o'clock?

19 MR. RIBAKOVE: 1 o'clock is our traditional  
20 starting time.

21 MR. MCBETH: 1 o'clock is fine with me.

22 And does anybody have anything they would  
23 like to place on that agenda other than Eric mentioned  
24 we'll have election of officers at that next meeting?

25 MR. GLEASON: Needs assessment.

1 MR. MCBETH: Oh, the needs assessment, yes.  
2 Hearing no other comments, I will entertain  
3 a motion to adjourn.

4 MR. SALAZAR: So move.

5 MS. CRAIN: So move.

6 MR. GLEASON: Second.

7 MR. MCBETH: We have a motion of second.  
8 All in favor, signify by saying aye.

9 COMMITTEE MEMBERS: Aye.

10 MR. MCBETH: Looks like we can adjourn and  
11 all go home, then.

12 MR. GLEASON: Thanks, everybody.

13 MR. MCBETH: Thanks everybody.

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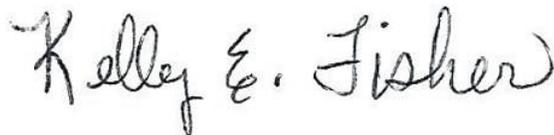
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