

Transcript of the Testimony of
TXDOT HEARING

Date:

July 25, 2019

Case:

PUBLIC TRANSPORTATION ADVISORY COMMITTEE

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TRANSCRIPTION OF
TEXAS DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION ADVISORY COMMITTEE
THURSDAY, JULY 25, 2019
9:00 A.M.
200 EAST RIVERSIDE DRIVE, ROOM 2B.1
AUSTIN, TEXAS 78704

REPORTED BY: PAIGE S. WATTS, TEXAS CSR NO. 8311

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APPEARANCES

COMMITTEE MEMBERS PRESENT AND PARTICIPATING:

- Jim Cline, Vice-Chair
- Ken Fickes
- J.R. Salazar
- Marc Whyte

COMMITTEE MEMBERS PARTICIPATING TELEPHONICALLY:

- John McBeth, Chair
- Dietrich Von Biedenfeld

TxDOT PRESENT AND PARTICIPATING:

- Eric Gleason, PTN Director
- Josh Ribakove, PTN Communications Manager
- Donna Roberts, Program Services Section Director

OTHER SPEAKERS:

- Dave Marsh, General Manager, CARTS

COMMENTS BY THE PUBLIC:

- Vince Huerta, East Texas Council of Governments

MEETING AGENDA

ITEM

1 Call to Order.

2 Safety Briefing.

3 Approval of minutes from April 30, 2019, meeting.
(Action)

4 TxDOT's Public Transportation Division Director's
report to the Public Transportation Advisory
Committee regarding public transportation matters.

5 Presentation and discussion on transit agency risk
assessment.

6 Presentation and discussion on Capital Area Rural
Transportation System's intercity bus service
program.

7 Presentation and discussion on Intercity Bus
Program Strategic Direction Report. (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: 1-855-437-3563 [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. CLINE: Okay. Good morning,
2 everyone. Welcome to the 25 July, 2019, PTAC meeting.
3 First order of business, we'll call the meeting to
4 order. My name is Jim Cline. I'm the Vice-Chair.

5 We'll call role at this time. John
6 McBeth?

7 MR. GLEASON: John, you have to unmute
8 your phone.

9 MR. MCBETH: I think it's unmuted. I'm
10 here.

11 MR. CLINE: Okay, got it.

12 Okay, I'm here.

13 Marc Whyte?

14 MR. WHYTE: Present.

15 MR. CLINE: Ken Fickes?

16 MR. FICKES: Here.

17 MR. CLINE: J.R. Salazar?

18 MR. SALAZAR: Present.

19 MR. CLINE: Dietrich Von Biedenfeld?

20 MR. VON BIEDENFELD: (No response).

21 MR. CLINE: Okay. With five members
22 present, we have a quorum and we'll commence the
23 meeting.

24 Josh, could you provide the safety
25 briefing, please?

1 MR. RIBAKOVE: Sure. We are in the large
2 auditorium at 200 East Riverside Drive in Austin. For
3 medical emergencies, please call 9-1-1. We are located
4 at, like I said, 200 East Riverside Drive, ZIP code
5 78704.

6 The AED unit is located here on Level 1
7 in the main lobby in the security booth. First aid kits
8 are marked and located on each floor. In case of a fire
9 or other need to evacuate the building, fire
10 extinguishers are marked and located on each floor. We
11 will evacuate and exit the front door of this building,
12 turn left, and gather near the sidewalks and fence line
13 of the parking lot facing Riverside Drive.

14 In case of a tornado or inclement
15 weather, stay inside. This auditorium is the best
16 place. We will stay here. Move away from exterior
17 walls and windows, which we do not have any of in this
18 room. Proceed -- yeah. And in case of active shooter
19 or bomb threat, we will follow instructions from the
20 public address system and on-site security personnel.

21 A couple of housekeeping notes. We do
22 have a sign-in sheet on the table back there by the
23 door, and we also have speaker sheets. If you would
24 like to address the committee, just fill out one of
25 those -- they're very short -- pass it up to me and

1 we'll make sure that you get your chance to have your
2 say.

3 Thank you for your time. Have a safe and
4 productive meeting.

5 MR. CLINE: Josh, thank you very much.

6 And one thing I'll add is if there's
7 anyone who does wish to make comments, please do fill
8 out the card and let us know. We'll be happy to have
9 you make your comments at the appropriate time during
10 the meeting.

11 So the next order of business is the
12 approval of minutes from the 30 April, 2019, meeting.
13 Are there any comments or corrections to be made to the
14 minutes?

15 All right. Hearing none -- John, are you
16 good?

17 MR. MCBETH: I'm fine.

18 MR. CLINE: All right. Hearing none,
19 I'll entertain a motion from the floor to approve the
20 minutes.

21 MR. WHYTE: Motion made.

22 MR. CLINE: Motion by Marc. Do we have a
23 second?

24 MR. MCBETH: Seconded by McBeth.

25 MR. CLINE: McBeth second. Any further

1 discussion?

2 All in favor say aye.

3 (Chorus of ayes)

4 MR. CLINE: Any opposed?

5 Motion carries unanimously. Thank you.

6 Next order of business is the TxDOT

7 Public Transportation Division Director's report to the

8 PTAC regarding public transportation matters.

9 Eric?

10 MR. GLEASON: Good morning. This is Eric

11 Gleason, Director of Public Transportation for TxDOT. I

12 will keep my remarks relatively short this morning.

13 And, J.R. and Ken, these are largely

14 going to be the same remarks you heard yesterday. So I

15 apologize for that.

16 A couple things from the session. Just

17 from a funding standpoint, there was no change to

18 overall funding levels, state funding levels for public

19 transportation for the next biennium. So the

20 committee's recommendation and the Department's request

21 for GR funding to support the findings from the needs

22 assessment was not addressed during the session. We do

23 stay at approximately the 35 million-dollar-a-year level

24 for state funds for large urban, small urban, and rural

25 transit districts in the state.

1 The other thing of note is that our
2 appropriation also continues to assume the ability of
3 the Department to flex over from the highway side seven
4 and a half million dollars each year of the biennium for
5 a total of 15 million for rural and small urban fleet
6 replacement purposes. This is something the Department
7 has been doing for several sessions. So we continue to
8 be able to do that in '20 and '21 and we typically --
9 we'll try and leverage that with either federal
10 discretionary funding or federal formula funding to
11 address fleet replacement needs in the state.

12 Quick update. The Commission at its last
13 meeting in June did approve almost 60 million dollars
14 worth of grant program awards. 59.1 million exactly.
15 It was a combination of the annual state award. So
16 almost \$35 million was awarded. It included a
17 relatively small amount of returned funds from the
18 urbanized area of McKinney that were then subsequently
19 by the Commission allocated out to all other urban
20 transit districts based on their reported proportional
21 share of the vehicle miles.

22 There was about \$620,000 to continue
23 regional public transportation coordination planning in
24 each of the state's 24 regional planning areas.
25 7.3 million of 5310, enhanced mobility of seniors and

1 individuals with disabilities funding, to small urban
2 and rural areas of the state. The balance of the FY '19
3 5311 formula grant program was awarded out to rural
4 transit districts based on their total vehicle mileage,
5 15.7 million. And then finally a small amount of the
6 remaining TIGER Program/Flex funding for fleet
7 replacement, just under \$42,000 was awarded to Ark-Tex
8 Council of Governments to spend that money down. So
9 June is always a big month for us, and this year was no
10 exception.

11 I'll touch briefly, the Department --
12 since we last met, the Department has submitted an
13 application for discretionary bus and bus facility
14 funding. It's a 24.5 million dollar project of which
15 we're looking for 13.8 million from the discretionary
16 program, combination of statewide fleet replacement for
17 rural transit districts and moving six facility projects
18 from their current status in project development to a
19 ready-to-construct phase and then constructing one
20 facility in Polk County, a maintenance facility operated
21 by the Brazos Transit District.

22 So we expect to hear back on our
23 application in the fall at some point. It's a very
24 competitive environment. And so, you know, it's rare
25 that you get everything you ask for and if you get

1 anything all, you've done well. So we will keep the
2 committee updated on that.

3 Big issue right now in the state is that
4 the State Comptroller has -- the contracts we had, the
5 option we had to go to the SmartBuy Program at the state
6 level -- cooperative level -- and purchase fleet, those
7 contracts lapsed in the spring. There is no replacement
8 set of transit specifications at the moment. It's an
9 unfortunate situation.

10 The Department is pulling together a set
11 of replacement specifications. We hope to have some
12 expertise on board in the next couple of weeks to help
13 us do that. Our game plan is to get those replacement
14 specifications to the Comptroller in October. The
15 fastest the Comptroller has told us we could see
16 anything on the street is five months later and so we're
17 probably looking at the April/May timeframe of 2020
18 before those new specifications are actually out and
19 available for folks to buy off of.

20 So in the meantime, we are allowed to go
21 buy off other state cooperatives. And, you know,
22 Oklahoma looks pretty good. Georgia looks good,
23 although apparently the range of selection with Georgia
24 is not as large as a lot of people would like. And
25 there may be others. But kind of a tough spot right now

1 for the largest rural program in the country not to have
2 a state cooperative available to buy off of. So we'll
3 keep you posted on that.

4 New initiatives for the coming year, a
5 couple important ones. We are moving to get in place
6 and procure a set of consultant services that we have
7 procured and will be available to subrecipients to
8 assist them with finance, financial management, facility
9 development, and operations -- things like comprehensive
10 operational analyses or evaluation of services. This,
11 as opposed to having them have to go procure their own
12 services to do their own study, we will have a set of
13 consultants on board that have been appropriately
14 procured and then we'll have to work out the process on
15 how folks take advantage of that; but we expect to have
16 those services available in January of next year. It's
17 kind of a back-to-the-future effort on our part. There
18 was a time in our history where we had this available
19 and it was allowed to lapse and we're trying to bring
20 that back.

21 The other area of effort from a
22 procurement standpoint for us with statewide
23 significance is we're looking to bring on a consultant
24 to help shape and frame an aggressive training program
25 for subrecipients. And what we have in mind for that is

1 someone to help us actually design the program to begin
2 with and also be able to deliver a core set of courses
3 on a routine basis that go to basic operations and
4 management of transit and then other courses either on
5 an every-other-year or every-third-year basis or an
6 on-demand basis, as well. Again, we expect this going
7 on at the end of August/early September and hopefully
8 having someone on board by January.

9 So with that, I will conclude my
10 comments. I'm open to any questions that any members
11 may have of me.

12 MR. CLINE: Any questions from the
13 committee members regarding Eric's comments?

14 John, any questions?

15 MR. MCBETH: No. Good report. Thanks.

16 MR. CLINE: Okay. Hearing none, Item
17 No. 5: Presentation and discussion transit agency risk
18 assessment.

19 I know, Donna, you're going to do that.
20 But, Eric, I'll turn it over to you to
21 introduce Donna, please.

22 MR. GLEASON: So at our last meeting,
23 there was a request to hear about what has traditionally
24 been called a risk assessment that the Division does in
25 the context of looking at the programs that we provide

1 monitoring and oversight to and I've asked Donna to join
2 us today to provide an overview of this effort to the
3 committee and to address any areas of interest or
4 questions that you might have on it. This is not an
5 action item. It is something that is important to how
6 we do our work though.

7 MS. ROBERTS: Thank you, Eric.

8 Good morning. My name is Donna Roberts.
9 I am the Program Services Section Director for the
10 Public Transportation Division. As Eric mentioned, I'm
11 here to discuss our -- what we are now calling our
12 "agency assessment process." This is what we previously
13 called an "agency risk assessment process," basically
14 measuring an agency's performance in the grant
15 regulatory environment.

16 It's a -- the grant world is a highly
17 government-regulated program and this process was
18 developed a few years ago to help us assess where an
19 agency is performing at any given time throughout the
20 year and helps us to determine what level of
21 subrecipient oversight we may need to do with a
22 particular agency; if an agency at any particular time
23 throughout the year needs additional monitoring, what
24 that additional monitoring might be and having a
25 conversation with the agency about that; and then what

1 they need to do to get back into compliance at a level
2 of performance that we expect for managing the grant.

3 So I'll go through the process -- go
4 ahead.

5 MR. RIBAKOVE: Oh.

6 MS. ROBERTS: So in previous discussions
7 with our operators at a semiannual meeting where we
8 talked about this subject, the word "risk" was something
9 that people didn't like. So we have changed that "risk
10 assessment name" to "agency assessment" and that's all
11 this little cartoon is trying to tell you there.

12 So this slide demonstrates the variables
13 that go into our assessment process. There are
14 basically two components. We have an assessment score
15 that we assign to each agency, and that score is
16 determined with these main two elements. There is a
17 profile element and a compliance element. The profile
18 element looks at the type of entity that a subrecipient
19 is and what we mean by that is if it's a city
20 organization, if its a standalone transit district, or
21 if it's a nonprofit, various types of entities and they
22 may get different points depending on the type of entity
23 that you are.

24 The next one is the funding that they
25 receive throughout the year. The more funding you

1 receive, the higher points -- the more points you get.
2 Third element is the agency changes. If there are
3 organizational changes, if the agency has turnover in
4 key personnel -- especially personnel that are directly
5 involved in managing the grants -- there are points
6 associated with that.

7 MR. GLEASON: Points are not good.

8 MS. ROBERTS: Points -- well, in the
9 profile, in the profile score, a high score in the
10 profile doesn't necessarily mean anything. This is just
11 a score. These are just inherent in running your
12 organization. But the points may have meaning when you
13 have a higher score on the compliance element. If you
14 are an agency that is not performing well from a
15 compliance standpoint, then we start to look at what
16 that profile score is.

17 If you are having a lot of turnover in
18 your organization and you're receiving a lot of money
19 from us, that could increase the likelihood that you
20 have problems with compliance or it may increase the
21 impact of problems with compliance if you are getting a
22 lot of money from us and you are having a lot of change
23 in personnel. So in and of itself, a high compliance
24 score is not cause for concern; but it is looked at in
25 conjunction with the compliance score.

1 So let me go through the compliance
2 score. There are several bullets you see there under
3 the compliance elements. These are mainly our
4 subrecipient oversight and monitoring that we perform.
5 Some of it is oversight that is performed by the feds or
6 other organizations. So let me go through those.

7 The first bullet there, Quarterly
8 Deficiencies, the PTN-126. This is a quarterly review
9 that our field staff do of all of the subrecipients who
10 received funds throughout the quarter where they look at
11 the financials associated with those reimbursements.
12 They look at a line item review. They make sure that
13 all the costs are eligible, allowable, and supported for
14 the grant. Any deficiencies found in that review, of
15 course, you get points for.

16 The second bullet there, Annual
17 Monitoring/Triennial Deficiencies. I think everyone
18 knows what a triennial is. Those are the reviews that
19 the FTA comes and does particularly for dual recipients
20 who receive not only the 5311 funds through us, but the
21 5307 funds through direct funds through the FTA. The
22 annual monitoring and triennial deficiencies, our own
23 annual monitoring looks at about eight or nine different
24 programmatic areas -- everything from procurements to
25 Title 6 to American Disabilities Act -- compliance with

1 a variety of programmatic requirements that anyone
2 receiving those grant funds is required to comply with.

3 The single audits, that is a federal
4 requirement that agencies that receive over a certain
5 amount of funds each year -- I think the threshold is
6 750,000 of government funds -- they have to have an
7 outside, independent accounting firm come and audit them
8 and there's a whole series of compliance elements and
9 financials that those single audits cover. So the
10 results of those single audits are also factored into
11 our assessment.

12 The last bullet there, it says "Late
13 Improvement Action Plan." Let me explain what that is.
14 So if there are any deficiencies that we find in our
15 compliance reviews, we write what we call an improvement
16 action plan that is basically just putting the agency on
17 notice that we found a deficiency, here's the corrective
18 action, we discuss the corrective action needed, the
19 timeframes associated with that, and then we follow up
20 later on to make sure that the agency has implemented
21 that corrective action. If they are delayed in doing
22 that as committed to, then they get a small number of
23 points on the agency assessment for being delayed in
24 implementing that action. Okay?

25 So the points for both the profile and

1 compliance elements comprise the total score on our risk
2 assessment. And we look at these on a quarterly basis.
3 We pull data from the field, all of the monitoring that
4 has occurred, and at the end of each quarter, we look at
5 what the assessment is telling us with each of our
6 agencies. Any questions on that piece?

7 Okay. I'll go through an example of a
8 typical 5311 transit district. So they are -- this is a
9 5311 agency that is a local government. So their
10 profile score there for the type of entity is 25 points.
11 Throughout the year, they were reimbursed \$911,000.
12 Sixty points there. They had no system or staff or
13 organizational changes. Zero points there. The total
14 profile score: 85 points.

15 On the right side of the screen, you see
16 an agency's compliance score. So from their quarterly
17 line item reviews, there was one financial deficiency
18 found. Twenty points there. They got a programmatic
19 review. Ten points there. Their single audit was
20 clean. Zero points there. But they did have an IAP
21 that was late for a couple of months. So ten points
22 there. Forty points total compliance score. Whopping
23 total overall score of 125.

24 The way that we previously reported this,
25 that would be in the medium risk level. You see the

1 chart in gold there on the bottom of the left, those
2 were the thresholds where we defined low risk, medium
3 risk, and high risk. But again, that word "risk" in
4 those thresholds kind of caused some angst for folks in
5 our semiannual meeting the last time we met. So we are
6 changing how we speak about that and how we report that
7 and we're now not using the word "risk." We're just
8 calling it an "agency assessment." We've gotten rid of
9 the thresholds, and I'll show you on the next screen
10 what that looks like.

11 So last year, the left side of the
12 screen, that's how we reported this risk assessment at
13 the end of the year and we compiled it all together and
14 said here's an agency's picture: Inherent risk,
15 compliance risk, total risk value. On the right, you
16 will see how we will report it moving forward. The word
17 "risk" is no longer in there. The information is the
18 same. Our assessment process is the same. What we have
19 changed is how we talk about it. So you've still got a
20 compliance score of 40, profile score of 85, total
21 assessed value of 125.

22 There are explanations there as to what
23 that means, if you want to take a minute and read
24 through there. The bottom -- the paragraph on the
25 bottom right says, "While a high profile score in and of

1 itself is not cause for concern, a compliance score over
2 60 may trigger additional oversight." So we still have
3 our defined thresholds that allow us to make decisions
4 on monitoring for our agencies, but the way we are
5 reporting it is quite different.

6 We have found the agency assessment tool
7 to be very effective in timely decisions and how we
8 address agencies that may need additional oversight. It
9 also allows us internally to demonstrate to our upper
10 management within TxDOT and our own internal auditors --
11 who like to come and visit us from time to time -- that
12 we do have a very robust and comprehensive mechanism to
13 examine our agencies and how they perform within the
14 government regulatory environment. It's a very helpful
15 tool.

16 MR. CLINE: Are there any questions? I
17 have a quick question.

18 Ken, go ahead.

19 MR. FICKES: Yeah, Donna, the -- and I
20 understand what y'all are doing. I'm not sure what the
21 underlying concept is or what the actual -- your data,
22 how that meshes together. You have a local government
23 agency score of 25. What would a nonprofit score be?

24 MS. ROBERTS: I think it's a -- it's
25 higher. I don't know if it's up 50 points or if it's --

1 MR. FICKES: Well, I would think it would
2 be higher. But what gets you -- what gets the lowest
3 number for that type of agency?

4 MS. ROBERTS: A local government.

5 MR. FICKES: So I'm a local government or
6 a county, so I get a 25. And then we jump into the
7 reimbursement and which, boom, all of a sudden is a 60.
8 And I'm trying to figure out is there a scale that we
9 can find someplace that addresses all this?

10 MS. ROBERTS: So, yeah, the scale used to
11 be the bottom right box -- I mean the bottom left box
12 there. From the agency profile component, that's where
13 we want to kind of minimize people's angst about that
14 because a high profile score in and of itself isn't
15 cause for alarm; but it may have significant impacts on
16 deficiencies that are found.

17 So the highest points you might get on an
18 agency profile, probably in the range of -- probably
19 around mid 100s. If you had multiple turnover in your
20 staff and/or you went through organizational changes
21 of -- if you are a nonprofit and you get several
22 different grant funds to do several different community
23 action or whatever or whatever, you lose grant funds
24 over here or over here, it may impact the overall health
25 of the organization.

1 MR. FICKES: Sure.

2 MS. ROBERTS: We had an agency last year
3 that two key people walked off at the same time, their
4 accountant and another person managing the grants. And
5 so --

6 MR. FICKES: That's a risk issue.
7 Absolutely.

8 MS. ROBERTS: Yeah, that's an issue.

9 MR. FICKES: But what I'm trying to get
10 at -- and I don't mean to interrupt -- is do you have a
11 list someplace that outlines all this different criteria
12 that y'all are utilizing to determine what the risk is?

13 I mean, I understand the threshold box
14 here; but over here you said that if you had a 60 or
15 higher, make sure there's additional oversight --

16 MS. ROBERTS: For the compliance score.

17 MR. FICKES: Right. But the funding
18 alone is 60 on this example.

19 MS. ROBERTS: Okay. The score of 60 is
20 just for the compliance element. A score of 60 for the
21 compliance element may require us to make a decision on:
22 Does this agency need additional oversight? If we don't
23 say that clearly in there --

24 MR. FICKES: Okay.

25 MS. ROBERTS: -- a compliance score over

1 60 may trigger additional oversight. The profile score
2 is not what's going to trigger additional oversight. It
3 could. If there are a lot of organizational changes, we
4 may decide for a limited period of time we want to look
5 closer at the reimbursements that are coming in, the
6 financials, when you're requesting reimbursements, and
7 you've got a new accountant who's doing this work. We
8 may take a closer look at what's going on for a period
9 of two or three months just for due diligence.

10 MR. CLINE: Okay. Anything -- I'm sorry.
11 Ken, go ahead.

12 MR. FICKES: Is there any place on the
13 TxDOT website where we can find the criteria that y'all
14 are using?

15 MS. ROBERTS: So this is basically the
16 criteria. It just doesn't go into detail on how the
17 points are associated with it. Does that make sense?
18 These elements, the profile elements. It just doesn't
19 go into the points spread.

20 The answer to your question, no, we don't
21 have that on our website now. We have it on our
22 internal tool. It's built into tables, you know; but we
23 haven't publicized the points that go with each of these
24 elements, if that's what you're asking.

25 MR. FICKES: Right. Okay.

1 MR. CLINE: I have one suggestion on the
2 compliance part. You may want to consider -- it's got
3 single audit if there are issues identified. I think
4 something even more telling is: Are there issues
5 identified if the audit is late?

6 MS. ROBERTS: So that's a good point. If
7 the audit is late, it gets an IAP, an improvement action
8 plan. And whether it shows up in this risk
9 assessment -- we usually give a little bit of time when
10 an audit is late before they get a ding, so to speak, on
11 here. If they're a week late, two weeks late, we're not
12 that worried about it. But if it goes on for months,
13 yes, then they will get -- they will get a deficiency.
14 And if it goes on to be continuously late, it's actually
15 more points.

16 The single audit, the score that's
17 associated with the single audit will be whether there
18 are any findings related to grant funds or if the single
19 audit denotes or designates that agency as being a high
20 or low risk. If they are a high risk, they get --

21 MR. CLINE: I would just suggest -- just
22 the thought was that it seems like history would tell us
23 that when they're really late, a lot of times that may
24 mean that there's a lot of problems.

25 MS. ROBERTS: Yes.

1 MR. CLINE: So that's food for thought.

2 MS. ROBERTS: And point well taken. We
3 do monitor that closely and keep tabs on that and there
4 is a point associated with being too late on that and we
5 work closely with our own -- the TxDOT audit office
6 communicates with us monthly. They track the status of
7 these single audits, as well. We coordinate closely
8 with them. They have a high interest in those single
9 audits and the results of those single audits, as well.

10 MR. CLINE: And I had one other question
11 kind of following up on what Ken was saying. Does it
12 make sense to share any of those criteria or is that
13 something that kind of changes a lot or it's just more
14 of an internal tool?

15 MR. GLEASON: So this was -- this is
16 Eric, if I can. This was developed first and foremost
17 as an internal tool for a number of different reasons.
18 One reason was we were going through and just coming out
19 of a period -- whether by coincidence or by being
20 provoked by issues in the program -- intense audit
21 scrutiny, internal and external to the Division, with
22 some of our toughest scrutiny coming from our own
23 internal audit people.

24 And so this gives us an ability to
25 describe an approach to our programs that has us on top

1 of all the different kinds of things that might trigger
2 a problem for us. It was very helpful in communicating
3 a little more credibility and confidence for the program
4 internally. Externally it allows us to separate out, if
5 you will, and not put everyone through the same level of
6 scrutiny. Just because we have one or two folks that
7 mess up, it doesn't mean that everyone has to suffer for
8 it. Previous to this, we really didn't have the ability
9 to do that in any sort of a consistent, methodical way.

10 Finally, prior to something like this
11 which is a tool that we can manage internally at
12 headquarters, it lends a great deal of consistency to
13 how we interact with subrecipients in the field. Where,
14 you know, prior to something like this it could be
15 pretty subjective, depending on the field staff and
16 their specific relationship with any given agency on
17 what exactly that additional oversight and when it might
18 kick in. This gets everybody into a much smaller
19 sandbox, if you will, for those kinds of decisions and
20 really give us an overarching level of consistency.

21 So first and foremost, it's an internal
22 tool. We shared it last year because we thought it
23 would be helpful from a transparency standpoint to tell
24 folks how we did things and actually give them what we
25 had for them. And unintended and inadvertently, but

1 understandably, people focused on it and got concerned
2 and we get that. Some of them assumed and appropriately
3 so, they wanted to share it with the board members and
4 now they needed to understand what it meant and then if
5 they did share it, but couldn't explain it, it caused a
6 high amount of consternation because, of course, nobody
7 wants to be high and that's when we were sort of adding
8 in all the -- the agency profile information went into
9 this cumulative risk score.

10 What we've tried to do with this approach
11 is kind of separate that out. So we think this is
12 better. We're not really intending to -- and we're more
13 than willing on an agency-by-agency basis to sit down
14 with them and explain to them exactly why and what it
15 means. But I don't envision us posting this somewhere
16 and I don't envision us really going out and trying to
17 get a large degree of consensus over how we do it. And
18 that -- you know, that may not sit well with the
19 members. It really wasn't our intent to go further than
20 our internal tool.

21 MR. SALAZAR: I had one question kind of
22 following up to Jim's question. And I understand that
23 one year, a transit agency may be at high risk and then
24 medium risk the next year and I understand that we go up
25 and down.

1 But what -- Donna, would you say that the
2 people that are on high risk, that amount or that group,
3 would you say that group grows or does it shrink per
4 year?

5 MS. ROBERTS: So in FY '18, last fiscal
6 year, we had 14 out of over a hundred agencies that were
7 in the high risk range. The year before, it was very
8 close to that as well. Right now, just through the
9 third quarter of FY '19, we probably have about nine;
10 but yet we still have another quarter's worth of
11 information to gather. So it hovers anywhere from
12 between 10 to 15 agencies, but the agencies might
13 change.

14 MR. SALAZAR: Sure.

15 MS. ROBERTS: But it -- if there's an
16 agency that continues to stay there, then we start to
17 look at what other technical assistance can we provide
18 and we've done that. You know, we have some efforts to
19 provide some additional technical assistance to those
20 agencies who need it. And, you know, not all of the 14
21 who were high risk from FY '18 were because of a high
22 profile score.

23 MR. GLEASON: One of the big ones is if
24 you get a single audit finding, that process -- it
25 takes, what, three years to clear?

1 MS. ROBERTS: If you -- yes.

2 MR. GLEASON: And so you can be on there
3 for a while. That single audit is a big deal.

4 MS. ROBERTS: Yeah.

5 MR. GLEASON: And we've learned from
6 experience that it ought to be a big deal.

7 MR. FICKES: I have a question about
8 that. This is Ken. So I'm with Harris County. They're
9 the largest county in the country. We have a single
10 audit every year. They come in every year and do some
11 part of the county.

12 So two years ago, there was a finding on
13 federal procurement. It wasn't us. It was somebody
14 else way over someplace else, and everybody went into
15 panic mode. So how would you treat something like that
16 if they're the largest --

17 MR. GLEASON: We make a distinction.

18 MR. FICKES: You do? Okay.

19 MR. GLEASON: If it's not on the transit
20 program, it --

21 MR. FICKES: I've got a checklist that
22 covered that item. It's never going to happen to us, I
23 don't think. It could, but not if you follow the
24 checklist.

25 MR. GLEASON: It's more complicated with

1 the umbrella type agencies, and we do focus on the
2 specific substantive area of the finding.

3 MR. FICKES: Okay.

4 MR. GLEASON: And, you know, it could be
5 a yellow flag for us just because it's a -- you know, if
6 it's a centralized procurement function, but the
7 procurement issue was found in housing and not in
8 transit, it could be an issue for us because the same
9 procurement group does transit; but it wasn't called out
10 specifically. So, you know, it wouldn't trigger
11 something that --

12 MS. ROBERTS: Right. The way that our
13 assessment tool is set up right now, that would not be
14 cause for any points. We may put a comment to keep an
15 eye on it, but it's not anything that would cause an
16 increase in score on our risk assessment.

17 MR. FICKES: We had kind of a
18 functional -- it had to do with the SAMs and \$50,000 is
19 \$25,000 triggered a new one. Someone didn't do one and
20 they thought somebody else was doing it and, you know,
21 miscommunication.

22 MS. ROBERTS: Yeah. I will tell you that
23 I believe what actually causes -- well, the single
24 element that causes the highest scores on here are the
25 triennials.

1 MR. FICKES: Oh, yeah. Yeah.

2 MS. ROBERTS: There's usually multiple
3 findings generated out of a triennial usually.

4 MR. GLEASON: Which we all knew.

5 MR. FICKES: Oh, I understand. I went to
6 a SWTA conference two years ago and they had this graph
7 that showed, you know, triennial findings and I saw
8 where we were and I thought, "Well, that's pretty good."

9 MS. ROBERTS: Right. You don't know that
10 when you get six findings from a triennial, that's good.
11 Because most people are getting 12.

12 MR. FICKES: Well, we had less than that;
13 but it was surprising the number that had over 20.

14 MS. ROBERTS: Yeah, right.

15 MR. CLINE: Well, good. Well, Donna,
16 thank you for an excellent presentation.

17 MS. ROBERTS: Sure.

18 MR. FICKES: That was great. Thanks.

19 MR. CLINE: Just one comment I'd make is
20 it really makes a lot of sense when you can focus your
21 efforts on those folks that need the love more than the
22 others.

23 MS. ROBERTS: Yes.

24 MR. CLINE: So I think that's a real
25 positive. So thank you so much for coming before us

1 today. I really appreciate it.

2 MS. ROBERTS: Sure. Thank you.

3 MR. CLINE: Item No. 6 is a presentation
4 and discussion on Capital Area Rural Transportation
5 System's intercity bus service program by Dave Marsh.

6 And, Eric, I'll let you introduce Dave.

7 MR. GLEASON: So, Dave, come on up.

8 Where do we want him to sit? Over here,
9 Josh?

10 Okay. So some context for this
11 presentation. So beginning with your January meeting
12 and in April and now July, the committee has been
13 discussing our current intercity bus program in the
14 state, how we spend the approximately 7 million dollars
15 a year that is set aside for these purposes. We've
16 talked about the services generally being West Texas and
17 Northwest Texas.

18 We've not had an opportunity to hear from
19 CARTS, in particular, because the brand of intercity
20 service offered by CARTS is somewhat different than what
21 we find in West Texas in the context of a growing
22 metropolitan region. And so even as we are continuing
23 later today and into October to kind of bring closure to
24 the committee's conversation on this, not having yet a
25 chance to hear from CARTS to expand the committee's

1 understanding of the program scope in general, we
2 thought it would be appropriate to have Dave come and
3 kind of walk the committee through.

4 So with that, Dave.

5 MR. MARSH: Thank you, Eric. I'm pleased
6 to be here. I appreciate the opportunity.

7 When I heard of the discussion on policy
8 changes about intercity bus program, I was particularly
9 interested because CARTS has actually been involved in
10 intercity bus program since 1980. Our affiliation with
11 the intercity bus companies and approaching our services
12 from a terminal and route configuration is longstanding.

13 I'm not going to give a presentation
14 today. I'm going to tell a story. I'm not going to
15 give you a lot of facts. I'm just going to tell you
16 what our experience has been and how we got to where we
17 are today.

18 For those of you that don't know me, my
19 name is Dave Marsh. I'm the General Manager of the
20 Capital Area Rural Transportation System. I've been
21 affiliated with CARTS since 1979, and I've been the
22 General Manager since 1983. On the screen you'll see
23 our San Marcos facility. We operate out of eight
24 transit stations that are scattered throughout our
25 district. We've been building facilities for a long

1 time because of our affiliation with intercity bus
2 companies.

3 The San Marcos one is kind of our best
4 example and it kind of tells a story of what's changed
5 over the years with the intercity bus industry. When we
6 built this and opened it in 2001, we partnered with
7 Greyhound and they paid me ten years advanced rent for
8 us building this facility to help us in the funding for
9 doing it. It was a true partnership.

10 You can't see it, but there's a blade
11 sign in front. A big, tall blade sign that says
12 "Greyhound" on it that shows that that's the Greyhound
13 station for San Marcos and we salvaged that sign from
14 Waco. Got Greyhound to refurbish it for us and so we
15 have a vintage sign, a big blade sign on the street.

16 This facility has two Amtrak trains a day
17 and at the time we opened it, it had 24 Greyhound
18 schedules a day. It also has a fixed route system that
19 hubs here and a transfer center. There where you see
20 where those buses are is where all the buses come. When
21 we opened it, we also had a taxi company that we rented
22 space to. So when we opened that facility, we had every
23 piece of the pie. Plus, the front of the property had a
24 stop for the Texas State University tram that ran. So
25 everything that happened in that city revolved, as far

1 as transit and freight and shipping freight, all that
2 happened right there.

3 Today, while that facility is still very
4 busy, I have four Greyhound schedules. From 24 to four.

5 Okay. This went backwards.

6 This is our business model. You can
7 laugh at our business model if you want to. It requires
8 some examination. I don't know if you can see it very
9 well. This is in Pie Town, New Mexico. This photograph
10 was taken by Russell Lee, a famous photographer that was
11 from Austin, as a matter of fact. And this vehicle you
12 see there is regulated. This is back when all intercity
13 bus companies were regulated. He's our business model
14 because this guy is doing everything.

15 He's stopping at a U.S. Post Office, so I
16 bet he's carrying mail. You'll see on the back package
17 tray there he's got live chickens. There's freight
18 attached to the top of the truck in every configuration.
19 And if you look on the doors -- you probably can't see
20 it -- but this vehicle is licensed in Oklahoma, Texas,
21 New Mexico, and Arizona. And every one of those states
22 had to regulate and license it. They had to apply for
23 authority. They had to run the numbers on the vehicle,
24 but they did everything.

25 He didn't have much to operate with, so

1 he's using a sedan; but he's doing what needs to be done
2 in those rural areas. We think that any time -- you
3 know, we still say rural transit started with the first
4 intercity -- the first stagecoach that went through the
5 United States was supported by carrying mail. There
6 wasn't anybody else supporting it. It was mail they
7 were carrying that allowed them to carry passengers. So
8 we try to make everything that makes sense for all these
9 boxes we carry around through our district to have some
10 representation of what needs to be done as far as
11 intermodal services.

12 So here's my story. Once upon a time,
13 there was a guy named Fred Curry. A very
14 entrepreneurial fellow that bought Greyhound Lines, and
15 he recognized something that I really identified with.
16 There are two -- at this time in 1988, there were two
17 purveyors of transportation in rural America. It was
18 us, our nascent rural transit network that had developed
19 at that time, and Greyhound. And he decided that he
20 needed to connect them. So he invented this thing
21 called a Greyhound Rural Connection Program wherein he
22 made arrangements with rural bus companies like CARTS to
23 carry passengers to his stations and he'd give us, you
24 know, 15 cents or something. It wasn't very much money.

25 But here's what it was. We were a bunch

1 of poor boys out there in rural transit. Everybody
2 thought we just served the handicapped and the elderly
3 and anybody else and our identification was oftentimes
4 community action based or something. This allowed us to
5 share a profile with what at that time -- well, it still
6 is -- one of the most famous archetype companies in the
7 world. Greyhound Lines has been around forever. So
8 being able to identify and team up with a company like
9 that gave us credibility in our local communities.

10 So we recognized that. And in 1988, this
11 is the Austin bus station. There's a -- you can't see
12 the entire sign; but the sign up there is a big old
13 banner and it says "Greyhound Rural Connection Program
14 Connecting America." And we had this big hoo-ha and
15 sitting just to the left of the podium -- that's my
16 board chairman talking -- is Marcus Yancey. If anybody
17 remembers Marcus Yancey, he was the deputy in charge of
18 public affairs for the entire highway department at that
19 time. A very high profile, elevated guy came to take
20 part in our ceremony.

21 So it did a lot of wonderful things for
22 us as far as identifying with them, having some
23 connections, got a little money from them. But what it
24 really did was position us to where we started becoming
25 the bus agents. At that time, you'd stop at the local

1 7-Eleven store and there would be a bus or a gas
2 station. But we started being their bus agents where we
3 handled the local sale of tickets for them. We handled
4 their freight. In those days, a lot of freight was
5 delivered on buses. Not so much anymore, but still a
6 lot of freight and perishable things go on buses. So we
7 started building facilities -- not just us, other
8 agencies across the country -- so that we would have
9 proper places for passengers to wait and we supported
10 some marginal profit intercity routes.

11 But the thing is -- oops, I need to go
12 backwards. The thing is they discontinued the program
13 in about 1990, and the intercity bus industry got
14 deregulated in 1982. That means they didn't have to do
15 anything to abandon routes. But in Texas, the Railroad
16 Commission wouldn't let them. So for a long time, they
17 couldn't abandon routes. We'd go to -- they'd try to
18 abandon a route and we'd go and the whole community
19 would turn out and they'd say, "You can't take our bus
20 away."

21 Well, in the early 90s they got to start
22 doing that. So they started discontinuing routes. But
23 in 1991, ISTEA happened. And those of you in the
24 business know ISTEA is the highway act that actually
25 changed the way transit and mobility was looked at to

1 where transit really got a seat at the table. And so it
2 created a national intercity bus program right then.
3 That was in 1991. And 15 percent of what was then
4 called Section 18 funding was put aside to enhance
5 intercity bus service in rural areas.

6 The rub was all that money came out of
7 the people that had the least money to give. Okay? It
8 didn't come out of the top. If they had taken -- it
9 would have been 1 percent if they had taken out of all
10 the FTA programs. But they took it out of our poor boy
11 program that there wasn't enough money anyway. So
12 everybody got mad about it, and stayed mad about it.
13 John McBeth is still mad about it, and it's because it
14 wasn't fair. We didn't have that much money, and they
15 took all that money from us.

16 But -- I hate this backwards thing -- 28
17 years later, we've been investing ICB money for 28
18 years. GLI, the Greyhound Lines, has abandoned a lot of
19 routes. There's -- my San Marcos thing is an example,
20 from 24 schedules to four. They started running
21 metropolitan to metropolitan. They didn't stop anywhere
22 they didn't have to. And a lot of service remains. You
23 know, some of the small regionals picked up some of
24 those routes Greyhound got rid of; but all of the ICB
25 service mostly connects urban areas now, and there's

1 still no national network. No national effort, in my
2 mind, to connect rural transit to intercity bus
3 services.

4 This is intercity bus service in Texas
5 before deregulation. Again, you probably can't see this
6 as well, but it's amazing how many dots there are on
7 there. Up in the panhandle, there's two routes that are
8 bisecting going up to Amarillo; but there are like
9 eight, ten stops every hundred miles. They were
10 stopping everywhere because a lot of farmers and people
11 like that used the freight -- it was still worthwhile
12 for them to.

13 But, you know, all across the country
14 they start abandoning service. Everybody started trying
15 to figure out how to meet the -- how to get stuff there.
16 I gave a presentation once at TRB and the name of my
17 presentation was "How do you get a skunk head to Austin"
18 and everybody laughed, you know; but it was serious. In
19 the panhandle, they were having a rabies outbreak and
20 you have to take a skunk head and send it to the Health
21 Department and it has to get there within 24 hours and
22 so the city manager was having to drive all the way from
23 Perryton to Amarillo. I use that as a takeoff, but
24 there are things that intercity bus services do that
25 it's not always about passengers.

1 So what we did is we -- backing up a
2 little bit. Back when we started being an intercity bus
3 carrier and the local terminal agent, we were part of
4 the network for Greyhound. Here we have Greyhound,
5 Arrow Trailways, and us at one bus depot. Here we have
6 Greyhound at our San Marcos station. Here we have
7 Kerrville running through our Smithville station.

8 So we commenced to building stations and
9 making it to where people could still use the bus. But
10 then the buses all went away and we've come to now today
11 and the way it is now where we got -- in 2006, we
12 commissioned a study from the Texas Transportation
13 Institute about how to scientifically address the need
14 to make these connections in our area. So we came up
15 with routes and services. It's called CARTS Interurban
16 Coach Service. You have a brochure here that shows all
17 the things we do, but we didn't just go out and do it.

18 We studied it for two years. We applied
19 for grants and finally in 2010, we launched our first
20 interurban bus service. That went through a lot of
21 study. We put down every destination we served. We had
22 Fred Fravel, the intercity bus guru in the nation, come
23 and analyze our routes and make the best feeds. And so
24 here's what -- here's what they did. They studied what
25 needed to be done, how to do it, how we'd make the best

1 connections, and this is what we have today.

2 We have a service that connects all
3 points of our district on a fixed schedule that operates
4 to where they all come to Austin and they all arrive at
5 the same time. And so if you come from Marble Falls and
6 you want to go to Round Rock, you end up going to
7 Austin, catching a bus, and going to Round Rock. Every
8 one of the buses that comes in, stops at Greyhound and
9 provides service, picking up passengers that are
10 arriving and taking passengers that are departing. All
11 of our stations are Greyhound stations.

12 We sell tickets. If you're going to
13 Minneapolis, you can -- at any of our stations, we can
14 write you a ticket. You get on our bus and go to the
15 Austin bus station or the San Marcos bus station and
16 continue your trip up. We've completely connected our
17 services to where you can travel anywhere in the United
18 States with one ticket from our locations.

19 But also it's clear that the demand for
20 people going to the bus station is not going to justify
21 all that route service. I mean, it's a great thing to
22 do and having the ability from any small town to ship
23 freight and get freight and go catch a bus is fine; but
24 we make it to where we also use it to connect to
25 everything else. So all of our routes you'll see on our

1 brochure connect to Capital Metro at several locations
2 and our hub where they all come together is shared with
3 Capital Metro and so people can access the metropolitan
4 area. We have a paratransit on the Austin end that if
5 you're a person coming in to go to the V.A. Clinic or
6 medical services, you can get a ride from us to get to
7 your final destination. And we've integrated it to
8 where all of our services revolve and connect throughout
9 our district through those routes.

10 So, you know, you can go to the Greyhound
11 website. And Josh said he'd do it for it. Do you want
12 to do it for me?

13 MR. RIBAKOVE: Do you want to go? Let's
14 go.

15 MR. MARSH: Let's go to the Greyhound
16 website, and let's buy us a ticket. The intercity bus
17 industry has changed a lot. It's so much easier to use.
18 The buses have Wi-Fi. You can get your stuff online.

19 We're going to go from -- let's go from
20 Lockhart, home of the capital barbecue, to Austin.
21 Maybe you're going to go down and wait in line at that
22 other barbecue place. That service only operates on
23 Monday, Wednesday, and Friday. So let's pick a date
24 that is a Monday, Wednesday, or Friday that we want to
25 go and let's see what we've got.

1 You notice it says Lockhart, Texas,
2 Walmart. That's where our stop is, is at the Walmart
3 and there you go. Four bucks gets you to Austin.
4 You'll arrive at the Greyhound bus station, or you'll
5 arrive at my main hub to do something else; but then you
6 could connect all the way to where you're going. We can
7 also -- if you're not going online and you come to our
8 station, we can go ahead and write you your ticket for
9 wherever you're going. But what this does is lets you
10 get to that point. And if you try to go from Lockhart
11 to a farther place, it will also put that four-dollar
12 trip on there and then it will add the other legs of the
13 trip as you go through.

14 So we are -- thank you, Josh.

15 We are Greyhound. Any place in our
16 district that Greyhound is, that's us. And so we think
17 we've completely fulfilled the objectives of the
18 program, but we also recognize -- and I know y'all
19 recognize when you're looking at your policy changes --
20 that that's not going to support just intercity bus
21 service. You need to make it be a multitude a things,
22 and that's what we've done. We go everywhere because we
23 do and we serve all those towns, all those little places
24 you can get scheduled service. You don't have to call
25 us. You go wait at the bus stop or go to our station

1 and you can get a ride to Austin or anywhere else you
2 want to go.

3 So we built the fleet that's particularly
4 for just that. They're all equipped with luggage -- I
5 mean with luggage, of course. A place to carry luggage.
6 But also they have a freight compartment in the back.
7 We do carry freight. And the beauty of it is, is that
8 you build all these routes and then on the inside of it,
9 on early morning side, you have the infrastructure in
10 place and the route structure where you can add service.

11 And in this case, we added express
12 service that goes from Austin to San Marcos 11 times a
13 day. It's called the Interurban Express, using our same
14 station facilities, our same infrastructure, our same
15 network. It's not supported 5311(f). It's supported by
16 other funding. But that bus carries ridership on it.
17 Its 40-foot buses are full on every trip because of
18 Texas State University being a commuter school, and so
19 we're able to have a lot of robust route service that
20 can grow from these services.

21 But mostly these serve a need in our
22 district for people that need to move to anywhere they
23 need to go. The same people we carry to dialysis or any
24 wherever else, can ride those buses to get to Austin to
25 do whatever they need to do.

1 So here's our timeline of history and
2 I -- you know, I hate to read a bunch of letters off the
3 thing; but I just want you to know that 1980, when
4 Section 18 first came to Texas and TxDOT got it, they
5 would not give anybody any money because all the
6 intercity bus companies objected to us being competition
7 and so they held up the distribution of any money for
8 rural transit for over two years.

9 Finally, we held a public hearing in
10 Austin. It brought a lot of people to it. And it turns
11 out the Kerrville lawyer, one of the lawyers that was
12 protesting it -- because they had the Railroad
13 Commission behind them. You can't run service over
14 those routes unless you get the Railroad Commission.
15 The lawyer for Kerrville's mother came on our bus to say
16 she needed a way to get to the doctor. And overnight,
17 we formed an agreement to where we could carry
18 passengers on their routes only if they were elderly or
19 disabled or they were going to a medical appointment;
20 but we were able to open up the flow of dollars that had
21 been embargoed.

22 In 1988, we joined the Rural Connection
23 Program. In 1990, we started constructing our first two
24 bus stations. '93 to '95, two more bus stations. In
25 2001, we partnered with Greyhound to build and operate

1 the San Marcos station and so on and so forth.
2 Everything has been a logical progression of events to
3 get us to the part where we are now. And the next thing
4 that we're working on is a real regional hub in Austin.

5 This east side bus plaza, which is going
6 to be built at the intersection of Fifth and Shady Lane
7 on TxDOT property that was originally dedicated as a
8 rest area on old Highway 20 in the 30s and has been
9 vacant ever since, is going to become a convergent point
10 for all of our routes that come from all directions
11 being interurbans or other routes and Capital Metro's
12 routes, where we're building it together to where we
13 have frequent 15-minute service all originating at this
14 station. It's going to make all those things we've been
15 working for all these years kind of have a nexus to
16 where we can actually particularly distribute and give
17 rural people access to the metro system where it really
18 works for them. There will be a MetroRapid that runs
19 from here all the way east/west. And that system will
20 open in 2020.

21 But we haven't forgotten country because
22 we still serve the country. Everybody wants to go to
23 town and the big city and they want to be able to move
24 around when they get there, but you still need people
25 like this bus stop here in the middle of nowhere. We

1 think this one might be somewhere outside of Marfa.

2 We're not sure. But we plan to be wherever people
3 travel from and to get them to where they need to go.

4 So thank you for your attention. I hope
5 my story was entertaining, and I will answer any
6 questions you may have.

7 MR. CLINE: Any questions from the
8 committee?

9 MR. MCBETH: This is John. First of all,
10 I want to thank Dave for coming to make this
11 presentation. The first person I met back in 1982 when
12 I went to work for the Community Action Agency running
13 the transit system was Dave Marsh. I was told, "You've
14 got to go with me to Austin and meet this weird, crazy
15 hippy." And so I went, and I met Dave.

16 It's been on Dave's mind, like he said,
17 since 1980. Well, I've known him since '82 and I know
18 it's been on his mind because he was been talking about
19 it then. This is not just a grand plan, this is
20 something that came to fruition and continues to develop
21 and serve people in rural areas.

22 Dave and I share one thing and it's that
23 we're from way out in rural, rural, rural West Texas and
24 out there -- as I was telling Eric the other day -- most
25 people didn't rely on their cars or their pickup trucks.

1 If they needed to go to Post or Big Springs or Abilene
2 or Sweetwater, those were long distances. You got on a
3 Greyhound bus and you went that way and it cost you
4 about \$2.00. \$3.00 if you bought a box lunch there at
5 the station.

6 So I really appreciate Dave coming and
7 sharing this with us because this is -- this is a very
8 much needed program. I don't know the exact amount of
9 money that Dave gets through intercity bus to do all
10 this. I think you would be surprised because it seems
11 like a whole lot, and I think the money is really not
12 that much. What would be great is if we could have this
13 program throughout the state; but it does take a lot of
14 resources, and it takes a lot of planning to make this
15 happen.

16 And it's just a fabulous presentation,
17 Dave. As always, it's a great story. But the nice
18 thing about this story is it's true. I've been to the
19 stations. I've seen the stations. I've seen the full
20 buses. It's pretty amazing and I think it's a great
21 model for what intercity bus was actually meant to be.

22 Hopefully, in our deliberations, we can
23 come up with a method of getting this replicated, even
24 though it's a small amount of money when you look at the
25 scheme of things. I think the one thing that's going to

1 be problematic is performance measures because as Dave
2 said, he picked up routes that everybody else abandoned.
3 That's the case that I had here at Brazos Transit in
4 Bryan-College Station. We picked up routes that
5 Kerrville, Greyhound, Continental Trailways, they
6 weren't profitable so they abandoned them. That did not
7 diminish the need of those people in those very rural
8 areas to get to a metropolitan area.

9 We're the only medical complex in our
10 seven-county Brazos Valley Region and Lufkin is the only
11 medical complex in the East Texas Region. And we have a
12 bus station there that Greyhound serves. We have a bus
13 station here in Bryan-College Station that Greyhound
14 serves. So the model -- the model works. It takes a
15 lot of work, but I think it's something that we need to
16 look at.

17 I think we do need to be careful when
18 we're looking at the performance measures because these,
19 as we have discussed at PTAC, these routes are not super
20 productive; but they do fill a need. And it's like I
21 tell people when they say, "I saw that empty bus of
22 yours driving between Madisonville and Bryan," and I
23 say, "Well, that empty bus on that day was carrying two
24 dialysis patients and if one of them was you're mama,
25 that bus ain't empty, is it?" So I think that's what

1 we've got to look at.

2 But again, Dave, outstanding
3 presentation. Masterfully delivered. And, again,
4 congratulations on everything you do because I think
5 this is what intercity bus is meant to be.

6 MR. MARSH: Thank you, John.

7 If could, that is the difference. These
8 routes provide access and access is a lot different than
9 mass transit. It serves a area where, you know, if a --
10 if one of our customers lives 15 miles from town, they
11 still get a ride. But you know what? You've got to
12 drive 15 miles out there to get them. So performance
13 measures I think are a relative term. I think there has
14 to be some way to develop some way to say kind of
15 coverage and access you provide and some way to measure
16 performance, as well.

17 But Ken was trying to say something. So
18 I'll drift away.

19 MR. FICKES: Yeah, you got me all choked
20 up. About how much of your revenue comes from freight?
21 Just curious.

22 MR. MARSH: Probably not much. You know,
23 I think our revenue a year through all of our Greyhound
24 stations are less than -- we get 12 percent of the cost
25 of the ticket. We continue to work with Greyhound and

1 their people. We really if it was promoted, we could
2 have some significant activity there. But it's not much
3 money, to be honest.

4 MR. FICKES: Well, I just -- I spent most
5 of my youth -- I was born in Houston; but grew up a lot
6 in East Texas and, you know, you see buses pull into a
7 gas station and they open up the lower doors and they've
8 got the bumper for a car in there and --

9 MR. MARSH: Fenders, bumpers. A lot of
10 fenders and bumpers.

11 MR. FICKES: I mean, I can remember
12 waiting for an alternator when I was Stephen F. Austin
13 that had to come on the bus. I mean, it's just a lot of
14 freight gets hauled. Just like that picture you had of
15 the old car and the chickens and all the --

16 MR. MARSH: Yeah.

17 MR. FICKES: That's it. And I've done
18 freight forwarding as an occupation before. And it's
19 just people don't know the linkages that fit together to
20 make everything get there.

21 MR. MARSH: And we think we have a part
22 of our business we haven't opened up yet we call
23 "Jackrabbit Express." This will make everybody nervous.
24 And that is: Why not carry packages station to station
25 within our district and charge it just like a bus

1 ticket? \$4 gets you a package -- you know, give them
2 the box or something -- to where we provide that service
3 to a little community. I don't want FedEx or I don't
4 want UPS or I don't want anybody crawling around saying
5 I shouldn't do that because I haven't. But we think
6 we're carrying all these boxes around our district, we
7 think we ought to use them just like those chickens on
8 the back of that '37 Ford. You know, we just think
9 that's the way it should be.

10 But don't worry. I haven't done that
11 yet. But Greyhound freight, you know, there are
12 perishable things. I don't want talk about -- you know,
13 people that breed bulls ship stuff?

14 MR. FICKES: Yeah.

15 MR. MARSH: And that's the only way to
16 get it there within a certain amount of time. You know,
17 I can get you whatever your bull wants to give to
18 somebody else in Lubbock in one day, okay, from
19 anywhere. People depend on that.

20 With that, I thank you very much for
21 deliberations and attention.

22 MR. CLINE: Dave, thank you so much.
23 That was very good.

24 All right. Item No. 7 is presentation
25 and discussion on the Intercity Bus Program Strategic

1 Direction Report from Eric. And I think just for the
2 guidance for the committee, our -- the intent with this
3 is that we'll be asked at the end to endorse this report
4 and send it out to districts and the intercity bus
5 carriers.

6 And for anyone who wants to -- any member
7 of the public that wants to make comment on that since
8 it is an action item, if you'll make sure you give us
9 the comment card before the end of the presentation,
10 then we can take your comments before the committee
11 takes action.

12 So with that, Eric, I'm going to turn the
13 floor over to you for your discussion.

14 MR. GLEASON: All right. I'm trying to
15 find my copy of the report. So I do not have a
16 presentation for the committee. I thought we would --
17 I'm hoping that everyone has had a chance to look
18 through it. We tried to create a summary for you of our
19 conversations to date that picked off what we felt were
20 the most important conclusions and then summarize what
21 we hoped were some fairly succinct statements that could
22 be thought of as a new direction for the program.

23 As Jim has said, we would recommend to
24 the committee that you treat today's discussion and
25 today's action as really as a starting point to expand

1 the discussion of this effort to include transit
2 districts and intercity carriers before the committee
3 would actually bring this conversation to a close. So
4 that would be our recommendation to the committee today
5 that, as Jim described, that you -- depending on what
6 you've just heard from Dave and so that may have
7 introduced a lot of new thinking on your part and if it
8 has, we can slow this whole thing down. We're not on a
9 timetable with this. I think it's more important to get
10 it right than it is to rush into something.

11 If you believe that what we've produced
12 for you is largely consistent with your thinking, then
13 you could find it helpful to expand the discussion on
14 it. So I was going to walk you through this really
15 quickly, almost on a page-by-page basis and I apologize
16 for that if that seems overly deliberate on our part;
17 but I think I'm not going to read it to you.

18 I think, generally speaking, what you
19 have here is a report that suggests as we've talked
20 about our program as being generally a very
21 nonprescriptive approach to the program, we basically
22 embrace the federal program and let the market, if you
23 will, bring us proposals and we pick from among them and
24 we have what we have today largely as a result of that
25 process. We think that a -- given what we've heard, it

1 seems to us that a more deliberate and strategic
2 approach to the program may be warranted and in that --
3 with that in mind, keeping in mind the fact that we
4 looked at five other states and how they approached it,
5 we're suggesting that we move from the least
6 prescriptive level toward the middle. Something that
7 relies on a higher level of understanding on our part of
8 need and potential results and outcomes that -- and --
9 but still allows for the creativity at the local level
10 to bring specific proposals forward. And to that
11 extent, we think we need to look a little more like the
12 North Carolina and Colorado programs do.

13 So let me walk you through it. Page 2 is
14 a very -- again, not attempting to cover everything
15 we've covered; but to capture what we felt were
16 important conclusions that could drive a conversation on
17 what the future looks like. Current program model is
18 nonprescriptive. We have talked about markets, and Dave
19 alluded to it. You know, it's clear to us that all of
20 the energy and the focus of the intercity bus industry
21 continues to be moving away -- moving at a direction
22 away from the more traditional market that this program
23 has served and in its conception as a rural area
24 program, I think continues to serve a more traditional
25 market of, you know, compromised of lower income folks,

1 low car ownership, folks with mobility impairments,
2 senior citizens, basic mobility network needs.
3 Particularly where the intercity industry is
4 consolidating its presence, reducing access, and the
5 need for access connections remains.

6 And I think, you know, Dave's point is
7 well taken and we've talked about this before as well
8 that it's -- this program is not necessarily first and
9 foremost about performance. It may first and foremost
10 be about preserving access and connections and in the
11 determination of which of those access and connections
12 to work with first, performance can be a consideration.
13 And then having made an investment in those connections
14 in that access, does the expected performance result?

15 So I would offer that up to the committee
16 as something to consider. Program performance on
17 page 3, again, kind of a high level summary. You know,
18 honestly, if you look at some of the performance numbers
19 that we were -- that we saw from Washington State, which
20 is on the other end of our spectrum of delivery models
21 where they are the most prescriptive. They put out an
22 RFP for route and schedule and it's derived from a lot
23 of background work on their part in trying to understand
24 where they need to be first.

25 And, you know, for all of the focus, I

1 think, and interest on Washington State, they do operate
2 just four routes, if you recall; and one of them, quite
3 frankly, is an airport service from the Olympic
4 Peninsula. And, honestly, having lived there for 20
5 years, I can't understand why a private carrier can't
6 make that work; but that's just me with my personal
7 experience of the area and that one knocks the socks off
8 from a performance standpoint. But the other three,
9 we're right in the mix.

10 So, you know, it doesn't necessarily
11 translate to more cost effectiveness and more efficiency
12 as much as it may translate to a more strategic knowing
13 attempt on the part of the program manager on where
14 these investments can have the greatest impact. And we
15 think, again, that that makes sense for us to think
16 about moving in that direction.

17 Within the route -- so what you have in
18 the paper here are average performance numbers. And
19 keep in mind that we have that pretty broad range within
20 those averages. And so one of the disciplines we could
21 introduce to the program would be, "You know what? We
22 understand there's always going to be ranges of
23 performance; but maybe we need a program that takes a
24 look at those real low end performers and says, 'You
25 know what? This just isn't going to work out for us and

1 we need to move that money elsewhere.'" And so
2 introducing that kind of discipline and management to
3 the program through performance.

4 At the bottom of page 3, we begin to
5 transition from the current program to looking at
6 possible ways forward and we make a series of
7 statements, summarized by a really overly pithy
8 overarching theme that helped to try to bring into focus
9 intent with different kinds of -- what compromises
10 intercity bus service here in Texas, what do we want to
11 say about performance and how will we use it to help us
12 make the initial decision on an investment and then to
13 guide decisions subsequent to that initial invest about
14 whether or not its performance continues to promote
15 sustained funding.

16 I think one of the things that jumped out
17 at me from the Washington State presentation was the
18 extent to which they really focused on integration and
19 coordination with other services and programs and we
20 heard some of that with Dave's presentation, as well.
21 So looking for a way to kind of elevate the significance
22 of proposals with those kinds of attributes in what we
23 end up funding.

24 Capital investments, you know, we can't
25 forget about the significance of that. It may make some

1 sense to tie the concept of a capital investment more
2 closely to what a service investment is intending to
3 accomplish, as opposed to just renovating current
4 facilities to make them nicer; but a more deliberate
5 focus that says if you're going to put a route in place
6 with ten key intersecting points for integrating
7 services, then maybe you ought to put some money into
8 each of those ten points that make that a better place
9 to be to make that connection. So a more direct tie to
10 service.

11 And then as I mentioned before at the
12 bottom of page 4, the program delivery model. It
13 remains applicant-driven; but those applications are in
14 a more specific statement on our part about what we're
15 looking to get proposals about. And then looking at how
16 we would then look at what a good proposal might look
17 like in those bullets at the bottom.

18 And, you know, we know that we're not
19 going to have enough funding to do everything that needs
20 to be done. And so how though do we begin to accumulate
21 descriptions of what we would do if we did more, if we
22 had more money? And that's the point of the last bullet
23 on the page.

24 And then finally, you know, a series of:
25 Where do we go next? And, you know, we don't -- this is

1 not, in our minds, an effort where we go into a phone
2 booth and come out and everything looks new and
3 different. We think it's kind of a gradual transition
4 over a several year timeframe to get to where we need to
5 go; but we need to have a vision of where that needs to
6 be. And so we've kind of laid out here with proposed
7 near-term and long-term actions some of the things we
8 would do to move us in a direction like this if the
9 committee agrees with us. And not the least of which is
10 engaging some consultants onboard to really, really
11 increase our knowledge of what's going on out there and
12 where we should be making investments.

13 And then finally, we have included this
14 table that you've seen before on the different kinds of
15 delivery models. What we've done here though is we've
16 inserted a new column that is, you know, in the kind of
17 green -- light gray/green shade which is proposed Texas,
18 this is where we would land. So where we are today is
19 over on the left-hand side and we've attempted --
20 working with the distributive variables down the
21 left-hand margin of the table -- to place us literally
22 sort of picking and choosing from Colorado and North
23 Carolina on either side the best of each and ending up
24 in the middle somewhere.

25 So in conclusion, what we would recommend

1 to the committee would be that if you are largely
2 comfortable with this, that you endorse this today. You
3 direct us to expand the conversation by sending it out
4 to transit districts and intercity carriers. We will
5 get comments back and summarize them for your October
6 meeting so that you can make a final determination
7 there.

8 Alternatively, if what you heard today
9 from CARTS, if you need more information on that and
10 want to continue the discussion, we can do that as well.
11 So it's up to the committee. We're not on a timetable
12 here, other than to -- you know, we don't want to spend
13 the rest of our careers talking about this. I would
14 rather get something done.

15 MR. CLINE: Could I -- are you finished?

16 MR. GLEASON: I am.

17 MR. CLINE: So let me make a suggestion,
18 if I could. We did get one speaker card request from
19 Vince Huerta. Could I take his comments, and then we
20 could then have his discussion? I think it would
21 benefit us if we heard from him.

22 Vince, would you like to come forward,
23 please?

24 MR. VINCE HUERTA: Sure. Am I good here
25 or...

1 MR. CLINE: You just need to be close
2 enough to where you can be picked up on the microphones
3 and so the court reporter can see you talk.

4 THE REPORTER: Thank you.

5 MR. RIBAKOVE: Just have a seat right
6 here (indicating).

7 MR. VINCE HUERTA: Vince Huerta with the
8 East Texas Council of Governments. I just want to make
9 a couple of comments. I've been following the
10 conversation and I would like you-all to kind of just
11 give a little bit of thought to -- doing rural transit,
12 I've been able to do it pretty much across the state.
13 El Paso, started there. Went to Concho Valley and now
14 in East Texas; but the observation has been pretty
15 consistent, much of what Dave was talking about.

16 As this intercity bus service goes away
17 in some of the rural areas, the challenges that we face,
18 you know, with our small transit districts, our rural
19 transit districts, and having to take people to --
20 giving them access is really a big challenge. We don't
21 necessarily get funding for it. The challenge that we
22 have in talking -- you know, I haven't found a Fred yet.
23 Fred Curry or -- you know, unfortunately working with
24 Greyhound, some of the challenges that we face are not
25 being able to just essentially set up that frequent

1 service, that regular service which is what, in essence,
2 they want and they honor.

3 Unfortunately for us, it's those onesies,
4 twosies. It's those folks that may not have access to
5 internet and so on. So we carry the burden. We're
6 having to continue to provide that service because we
7 do -- you know, our goal is to maintain that access to
8 the service as best as we can with the folks that we
9 serve and the communities that we serve. So, you know,
10 through that process, having to do that and making sure
11 that we're still taking care of our normal schedules is
12 really a challenge.

13 So I don't necessarily have an answer;
14 but I certainly want you-all to think about that
15 because, again, having done this across the state, it's
16 the same challenge that we face. I know in Concho
17 Valley, for example, we had challenges. We're off of
18 the I-10. We were fairly close to the I-10 in terms of
19 some of the areas that we served and we actually had a
20 agreements or more like gentleman agreements with police
21 departments, with county sheriffs departments, where
22 people were stranded off the side of the road, having to
23 find a way to go down there and get them and bring them
24 to that Greyhound station or that intercity bus carrier.

25 So, again, it's just something to think

1 about as we're faced with that challenge to continue
2 providing the service and as that service becomes less
3 and less. Essentially, the burden goes to us. So we're
4 having to provide more and more. That's pretty much my
5 comment.

6 MR. CLINE: Thank you, Vince.

7 Are there any other comments from the
8 floor before we begin the committee discussion?

9 Okay. I'll open the floor to the
10 committee.

11 MR. WHYTE: My question would be how can
12 CARTS sort of emulate what you just presented?

13 MR. GLEASON: So I think --

14 MR. WHYTE: Is there a way to integrate?

15 MR. GLEASON: So I think there's a couple
16 of places there, Marc. I think we need to look at the
17 description in here on what we think of as intercity bus
18 in Texas and see if what they're doing fits into that.
19 I think the -- it's -- in my mind, you know, the model
20 that is in place, say, in West Texas which is long, you
21 know, distance intercity routes -- Amarillo to San
22 Antonio through Big Spring -- and then we have more of a
23 regionally focused interurban service that CARTS is
24 providing, I think it integrates basically if that's a
25 concept for intercity service, which makes sense even

1 though it's demonstratively different perhaps than what
2 is happening in West Texas or East Texas and we just
3 need to embrace it in the description of the program and
4 recognize that. You know, with limited funding, we have
5 to decide what's the proper level of investment for it.

6 You know, as regions grow and rural areas
7 around those regions shrink with population growth and
8 urbanization, does that change anything about those
9 programs? And with the source of this funding being
10 rural funding, does that change anything about that?

11 So I think it fits if it's within the
12 scope of what we consider to be intercity bus services.
13 Connects communities; connects to national travel,
14 markets; integrates with Greyhound; is relatively long
15 distance; allows for transport of luggage. It's not a
16 requirement; but embraces freight as an option, as well.

17 MR. CLINE: Go ahead, Ken.

18 MR. FICKES: Yes. This is Ken. You
19 know, Eric and I have had several conversations about
20 this over the last several months and I'm a big believer
21 in connectivity and there's people out there that need a
22 way to get to the doctor or, you know, go to the
23 hospital or whatever and some of those are real critical
24 needs for people, especially if they're on dialysis.
25 And the data in the report, which I found to be really

1 good, even if it's a very narrow range in the averages;
2 but having spent a lot of time -- and Eric know I do
3 this -- analyzing that data we initially got and there's
4 a very broad range of costs in there and there's no
5 question we need some kind of performance factors.

6 I mean, we can't afford to spend over
7 \$100,000 transporting one person for a year. And I
8 don't know what the cost breakdown in that is. There's
9 probably some salary in there or whatever, but that's
10 very expensive. I was talking to somebody on my staff
11 about it and they go, "Well, why don't we just buy them
12 a car?" It's that kind of attitude; but, I mean, that's
13 kind of where you are.

14 I mean, it's very expensive to do it and
15 you have question: Is there a better way to do it? And
16 so I don't -- I've spent a lot of time looking at it
17 now. I know that Pearland, Texas, just hired Kerrville
18 Bus Lines to do park and ride on a market basis. No
19 subsidy. They're just going to charge whatever it is
20 per trip and then they're going to get on the bus and
21 then off they go. So there is a need out there to get
22 around and you can do through on a large bus service
23 like that or whatever, but you've got to look at what
24 the cost is.

25 And I just think that we've got some very

1 good examples of what's cost effective. I like what
2 CARTS is going. I see how they have the spokes of the
3 wheel going out of the hub and all this and you've got
4 all these interconnections and it looks like it's pretty
5 cost effective in some respects. But, yeah, I support
6 the document. I think we need to move forward with at
7 least coming up with some kind of criteria.

8 MR. CLINE: J.R.?

9 MR. SALAZAR: Just a couple of things. I
10 know, you know, when I think about the intercity bus
11 program, I have some personal relationships with --
12 especially with Vince when he was at San Angelo and we
13 had a line that came from San Angelo to Brownwood and it
14 went back top to Fort Worth and what they did is exactly
15 what CARTS -- or what they didn't do is exactly what
16 CARTS do.

17 CARTS marketed. CARTS does all this
18 stuff and really embraces that. And the provider at the
19 time produced no schedules, no advertising, no anything.
20 And I just -- you know, it wasn't my program that was
21 running; so I kind of stayed out of it. But I'm
22 thinking to myself, "You know, why are they not
23 advertising? How do you do service and not advertise?"
24 But that's a personal issue.

25 But I do think about accessing

1 connections and the area where I'm from -- and John
2 mentioned Sweetwater, Texas, and that's one of my cities
3 that I provide service in -- you know, those connections
4 and access to the intercity bus is going away. And so,
5 you know, I have an issue with that and, you know, it is
6 what it is.

7 Secondly, I support what you presented
8 and I do support also what you said about, you know,
9 maybe we need to look at those systems that are at
10 1 percent and down the road and see if we can help them
11 or maybe this isn't going to work out five years from
12 now and, you know, it's hard. I would think it would be
13 hard for them to justify that level of service for that
14 amount. And so, you know, that's the way I'm thinking.

15 I also had thoughts of minimum service
16 and then I started thinking about at the operator
17 meeting yesterday, we had several providers say, "Well,
18 you know, we don't have minimum service for the 5311
19 program. There's no numbers that are given to us, the
20 minimum level of service." So I backed down a little
21 bit from that. But I do think, you know, if you're at
22 1 percent, we need to do something down the road.

23 MR. WHYTE: I'm just thinking outside the
24 box.

25 MR. GLEASON: Absolutely.

1 MR. WHYTE: But to your point of can we
2 just buy them a car. Well, obviously, we're not going
3 to do that.

4 MR. FICKES: The grant funds probably
5 won't allow you to do that, but it makes more sense.

6 MR. WHYTE: Is there a way to use
7 technology to somehow, you know, skin this cat in a
8 different way? And what's coming to my head is when you
9 said, "Can we buy them a car," is the ride share, right?
10 Uber and then Lyft and all of that.

11 Is there a way to integrate something
12 like that where you don't necessarily have to have these
13 huge buses that cost all this money going out to areas
14 and one or two people get on it and that's it. You
15 know, maybe a suburban or something where four or five
16 people and -- you know, you sign up.

17 I mean, I don't know. I'm just thinking
18 out loud because I think that the performance issue and
19 the cost is obviously -- it's a huge issue. So is there
20 a way to minimize costs with something like that?

21 MR. FICKES: Well, Marc -- this is Ken.
22 To Marc's point, yesterday at the operator's meeting we
23 talked about TNCs, network companies. Uber and Lyft is
24 fairly rare out in the rural areas; but, you know, in
25 the Houston region we have STAR vanpool. It's run by

1 Metro. And there are van programs. In some cases, it
2 might make more sense to have something way out up in
3 East Texas maybe where there's some sort of a van
4 program where you can share a van or whatever and that
5 might make some sense, too; but I think that would be
6 kind of pioneering a little bit, but I think it's
7 certainly possible to do something like that.

8 MR. CLINE: Yeah. I was going to -- if I
9 could, unless there's somebody else who wants to
10 comment?

11 MR. FICKES: No. Please, Jim.

12 MR. CLINE: I think there's a couple of
13 things that came to mind.

14 And, Marc, I'm with you. I think that --
15 and I really like what you've done, Eric, or your team.
16 This is really good.

17 I'd like to take to frame this though
18 when we send this out and what we're really trying to
19 define is answer the question: What does right look
20 like? And it's answering the transportation question.
21 And, you know, I think the mobility on demand, the TNC
22 model, there's a second order benefit to that in that it
23 also provides some part-time work opportunities in some
24 of these rural areas that may well need -- that maybe a
25 benefit that we could -- not we -- but TxDOT or the

1 system, right, whichever it is, could do -- you know,
2 why isn't there Lyft and Uber or whatever brand X out
3 there? Is it something that where -- is there a subsidy
4 if be built into it?

5 And there are models for that. We can
6 talk offline about that. But I can tell you an
7 experience I had where I previously worked where we did
8 that and it works. The technology is there. It can
9 happen. Maybe we don't buy them a car. Maybe we buy
10 them a smart phone. Seriously.

11 MR. FICKES: I know.

12 MR. CLINE: And that's not off the
13 charts. That may be something that might make sense.
14 So I would ask that we -- and, again, a couple of a
15 thoughts that I got looking at this is: No. 1, is if
16 we're trying to find what right looks like, how do we --
17 you know, Dave brought up a solution that fits that -- a
18 shoe that fits that area, right? And it may not be the
19 same way in every other place. So how do you bring
20 solutions that solve the transportation problem?

21 MR. FICKES: And, Jim, you just made me
22 think about something.

23 So, Eric, is there any room in -- you
24 want to do a little study, right, or some analysis on
25 options?

1 MR. GLEASON: Well, it's actually a
2 pretty big one, honestly.

3 MR. FICKES: I know. Right. But can we
4 add to that looking at other functional ways to
5 accomplish this without necessarily, you know, using ICB
6 funds to do it or is there an opportunity out there to
7 set up some kind of a small van program? What are the
8 options available if we don't do this? Can somebody
9 reach out and do something like that for us, you think?

10 MR. GLEASON: So, yes. What I want to
11 say -- and I mentioned this yesterday, as well -- I
12 think the whole extension of the mobility-on-demand
13 notions and those solutions, the ride share application
14 solutions, looking for experience and application
15 experience with those in the lower density areas that
16 aren't the normal markets that those folks go to on
17 their own, is pretty limited across the country right
18 now.

19 It comes up every time we talk to
20 someone, you know, why don't they -- well, they're
21 not -- you know, so I have been talking with Scott
22 Bogren, who's the Executive Director of the Community
23 Transit Association of America back in D.C., and talking
24 about getting them to organization and host a workshop
25 here in Texas to explore that and talk about that. And

1 try and get a better understanding of what that actually
2 looks like. It's talked about in the metropolitan areas
3 because everybody is -- it's the current topic de jure
4 there. There's all kinds of stuff happening there.
5 First mile, last mile, all that stuff; but not so much
6 where we are with this.

7 And remember, I mean, this program is
8 largely conceived of, I think, in the notion of what's
9 going on in the intercity industry. They are pulling
10 back. They have been pulling back for 20 years, and
11 they continue to do so. They continue to reduce access
12 so they can focus on competing in the more competitive,
13 large markets and offering a higher level premium
14 service in those larger markets because that's where the
15 growth is. Extent to which we can run them profitably,
16 we don't want to be there either. You know, we're not
17 in the business of trying to compete with something
18 that's already being done.

19 And so, you know, by definition I think
20 we are in areas with markets that will generate low
21 performance numbers. I think our challenge is
22 understanding even with that environment, we need to
23 introduce performance into what we do. And then even
24 though with something there that is the only thing, if
25 it's not being used, we need to get out of that

1 business. Whether there's an option for folks in those
2 instances, I don't know. And that's an interesting and
3 another dimension to this conversation is that, you
4 know: What other kinds of alternatives are there for
5 longer distance rural area travel?

6 And, you know, intercity bus kind of
7 brings with it its own perceptions of what is. There
8 are some -- within the program itself is how it's
9 conceived. The intent and anticipated use of these
10 funds built into the program is that we will involve and
11 engage and provide traditional, private-for-profit
12 intercity carriers with access to these funds. And
13 anything short of that, requires a determination by the
14 Governor of the state that all the intercity bus needs
15 of the state have been met.

16 And so that's quite a -- you know, it's a
17 little hard to imagine how that would be a conclusion
18 here that would be reach in Texas. And so, you know, if
19 not with those funds, then how else can we get there?

20 MR. CLINE: Well, one of the things that
21 I thought about, Eric, is kind of flip the script on how
22 the changes in the intercity bus is happening. How do
23 we actually leverage that, right?

24 I mean, it is -- and I thought Dave made
25 a good point. It's about access. You know, the routes

1 running up and down I-45 and whatnot, are going to be
2 how some of these folks coming from rural areas get to,
3 say, from Marble Falls to Dallas. If they could tie
4 into that and even the -- I took the bus from the
5 airport to downtown here in Austin. Fifteen minute
6 headway. It works. You can get to the airport very
7 easily in terms of access, right? So you really can
8 access a whole lot of things.

9 And maybe think about instead of about
10 how this dropping back, is how to leverage that and how
11 to turn that story around a little bit. I would think
12 we shouldn't be using the funds to subsidize a
13 profitable route. We're really talking about how to
14 deal with the routes that are not profitable.

15 MR. GLEASON: Correct, by definition.

16 MR. CLINE: And then the last thing --
17 and I'm sorry. Just one other comment I wanted to make
18 is that if we think back to in the last couple of years
19 what we've done in this committee and we've looked at
20 the rural system and we did a whole -- and there was a
21 big analysis that was done over the scope in frequency
22 of service or the coverage and then the hours, the
23 amount of area that's covered. And so the story that
24 was told to our funding -- you know, to the Legislature
25 and to the commission was, "Wow, wouldn't it be great if

1 we could get a good level of coverage in the same kind
2 of scope throughout the state? How do we get to that
3 point?" And that seemed to resonate in terms of what we
4 heard back, and they responded with additional funding.

5 So I wonder if we made a really good case
6 for how -- if a really good case was made for this --
7 the -- providing the access and adapting to the changing
8 environment, would that not ring true with the people
9 who can provide the funding?

10 And I'm sorry I'm not looking at you when
11 I'm talking.

12 THE REPORTER: That's fine.

13 MR. WHYTE: Yeah, I would like -- if
14 possible, I would love to see some sort of
15 out-of-the-box van ride share, some sort of pilot
16 program. Would it not be possible to set that up -- and
17 I don't know how we would pick the rural area, but
18 people smarter than me can do that -- and just run some
19 sort of test program for a year to see if there's
20 another way?

21 MR. GLEASON: Let me offer something up
22 for you, Marc, in the context of this report that if --
23 and if I'm straying out of my scope, I apologize. But
24 if the motion to move forward with this report were to
25 also include direction to include language in it

1 recognizing, you know, the role of innovative pilot
2 programs testing new technology and alternative mode
3 strategies, we can add that to this report as long as
4 y'all are comfortable with us adding that without your
5 review of it and then we'll just send it out as a part
6 of what gets talked about. And we can -- I think we can
7 easily accommodate that interest if the committee wants
8 to see that.

9 We could even go so far as to revise the
10 report. We can send it out to you as individuals and
11 you get back to us as individuals, not as committee; and
12 we can make adjustments based on that. But that could
13 be easily accommodated.

14 MR. CLINE: I would suggest this:
15 Whether it's us asking the questions or the legislators
16 asking the questions or the commissioners, someone is
17 going to ask the question --

18 MR. GLEASON: Well, strategically, it
19 makes sense for us to be positioning ourself as open to
20 that notion.

21 MR. CLINE: Well, and the other thing is,
22 if you think about provision of transit service as a
23 spectrum that goes everything from providing a train to
24 providing an individual ride -- and it has to
25 accommodate the disabled too, right? That's usually

1 where the -- that's one of the things where the Lyft and
2 Uber model or the mobility-on-demand model can fail is
3 because it doesn't have -- you know, there just isn't a
4 fleet of accessible vehicles. Particularly for the
5 larger mobility devices. So --

6 MR. WHYTE: But some of the vans do have
7 them.

8 MR. CLINE: Some of the vans do. You're
9 right. And if there's a way and if there's a market,
10 there will be someone that will answer the call.

11 And so to me, that's what I'm thinking
12 "When I say what does right look like," is asking the
13 question: Is there another way? Is there a smart way
14 to do it? Can we leverage what's going on in the
15 industry? How do we make that happen? And then also
16 all the good work that's being done by the regional
17 transit districts.

18 You know, there's a bunch of really smart
19 people doing smart things said "Well, what if we took
20 some of the reins off or" -- I'm not saying take the
21 controls off, but take some of the -- open up the
22 opportunities if it was available to do that and then
23 particularly, again, I like the idea of saying, wow,
24 there may be an ability for someone in a rural area to
25 make money as a part-time employee and then all of a

1 sudden, we're starting to slay a bunch of dragons all at
2 one time.

3 MR. WHYTE: Yeah, I love that.

4 And I like your proposal and I think
5 however you just phrased it two minutes ago, would be
6 fine. I don't feel the need that I have to see it again
7 and review it, but if everybody else does. If you want
8 to add to this what you just said a couple minutes ago,
9 I'd be happy.

10 MR. GLEASON: We'll add a bulleted item
11 that will talk about innovation and technology.

12 MR. SALAZAR: Just for the record, I
13 support that as well. I think that's a great idea.

14 MR. CLINE: I'm complete -- yeah, I think
15 we get this out the door. There's no need to have a
16 big -- you know, a churn of this information. Let's get
17 it out there and open it up and say what -- you know, is
18 there something else outside the norm that we could do?

19 And I think that would be -- you guys --
20 you've heard what we've said and I think that would be
21 very -- your office and your staff is more than --

22 MR. FICKES: I'm good with it.

23 MR. CLINE: You can represent that and
24 get the feedback.

25 MR. GLEASON: We'll make sure it's in the

1 motion and we're good.

2 MR. CLINE: So any more discussion that
3 we need to have? Any more that we desire to have, not
4 need to have.

5 MR. FICKES: Do we need a motion?

6 MR. CLINE: John, is there anything you
7 want to add? I'm sorry. I don't mean to leave you out
8 of the discussion. Are you good?

9 MR. MCBETH: This discussion is a
10 discussion I hoped would take place. I think there's
11 probably no greater group of innovative people out there
12 than those of us in rural transit because we operate on
13 a shoestring and so we have to be creative. We have to
14 be innovative. So I would agree with adding that to the
15 motion that we also look at the new technologies and all
16 that kind of stuff.

17 But as J.R. said, while I've got Uber and
18 Lyft in Bryan-College Station, it does not exist in any
19 of my other 16 counties that I operate.

20 MR. CLINE: Yeah.

21 MR. MCBETH: Even in Bryan-College
22 Station, it's unreliable at best. You can call them.
23 It doesn't mean they're going to respond. And, of
24 course, there's absolutely no accessibility. And then
25 as a transit provider that has been attempting to

1 contract with those people, which is one of the things
2 that is on Liz's -- Liz Bruchez's list of things to do,
3 the federal requirements for just the drug and alcohol
4 screening alone, keep us from doing that. Not to
5 mention the bigger issue, which is the background
6 checks. They just -- that's not in their business
7 model. It's just not in their business model and they
8 don't want to add it to their business model and we've
9 had a lot of discussion with them.

10 So I think putting that recommendation
11 there to let's look at innovative things -- I think
12 buying people cell phones is a good idea. The State of
13 Texas does it. We do it because of the Lone Star Card.
14 It's a good idea. The Legislature didn't like it, but
15 then it was explained to them that that's what you've
16 got to do if you want to get to the 21st century. So I
17 think that's the direction we need to go. I really do.

18 MR. CLINE: Well, and I would add one
19 other thing. The feds are making a lot more inroads
20 into how to tackle some of these issues with
21 implementing mobility on demand and TNCs and there's a
22 lot of things that may well -- you know, there was an
23 example in Las Vegas. You get a 15-dollar subsidy if
24 you're willing to take Lyft instead of taking
25 paratransit.

1 MR. FICKES: Right.

2 MR. CLINE: If you're an eligible
3 paratransit rider. And I can tell you, that's about a
4 three-to-one ROI.

5 MR. FICKES: Yeah, DARTS is doing the
6 same think with their programs. The have incentives if
7 do this, you don't pay or whatever. It's working well
8 for them apparently.

9 MR. CLINE: So I would -- okay. If we've
10 wrapped up, then I would entertain a motion.

11 And I think, Marc, you summed it pretty
12 well is that take what -- as I heard it -- take what
13 Eric's got here, add the innovative and, you know,
14 different service approaches, send it out, get that
15 feedback, and then we'll talk about it in October.

16 MR. WHYTE: Yes.

17 MR. CLINE: All right. So I'll take that
18 as a motion.

19 MR. FICKES: I'll second that.

20 MR. CLINE: And then second by Ken.

21 Any further discussion?

22 All in favor say aye.

23 (Chorus of ayes)

24 MR. CLINE: All apposed?

25 The motion carries unanimously.

1 Thank you. And, Eric, I think that
2 should go along with the confidence we have in what
3 y'all do and we look forward to that discussion. That
4 will be great.

5 All right. I think we may have tackled
6 our public comment. Is there anyone else wishing to
7 make a public comment?

8 MR. RIBAKOVE: Nothing else received.

9 MR. CLINE: Nothing else received. So no
10 additional public comments.

11 Next item is to propose -- we've talked
12 about -- propose to discuss agenda items for the next
13 meeting.

14 Confirm the date of the next meeting.
15 That is an action item to get that together. We've
16 talked about this item specifically, the last one we
17 just looked at on intercity bus which really relates
18 back to the rural transit and how that synchronizes
19 together.

20 Are there any other agenda items from the
21 committee that wish to talk about?

22 And then also, Josh, do we have a date or
23 a couple of dates? Because let's try to pick a date if
24 we can.

25 MR. RIBAKOVE: Our traditional date in

1 October would be last Tuesday of the month and that is
2 Tuesday, October 29.

3 MR. CLINE: What time?

4 MR. RIBAKOVE: 10:00 a.m.

5 MR. CLINE: I would personally request
6 10:00 a.m. because if I'm driving from Dallas --

7 MR. FICKES: That's what I need, too.

8 MR. CLINE: Yeah. I mean, it's a little
9 bit hard getting here by 9:00 o'clock. I came in last
10 night. 10:00 is a little bit on the manageable --

11 MR. VON BIEDENFELD: Dietrich on the
12 speaker. I'm sorry I came in late, but I don't mind
13 coming in at 9:00 or 10:00; but the Austin traffic is a
14 little bit challenging. And sorry I couldn't be there
15 personally today.

16 MR. CLINE: Oh, no problem. Dietrich, is
17 that you?

18 MR. VON BIEDENFELD: Yes, sir.

19 MR. CLINE: Oh, very good. So we'll add
20 you to the attendance. So if we did --

21 MR. VON BIEDENFELD: I've been logged in
22 on the webinar. I sent a chat, but I don't know if Josh
23 could see it.

24 MR. RIBAKOVE: I couldn't see the chat
25 here on my screen. Is there anything pertinent that you

1 would like to bring up to the committee?

2 MR. VON BIEDENFELD: I don't think anyone
3 has ever accused me of having pertinent things to
4 contribute, but I'll send you an e-mail.

5 MR. CLINE: So let's revise the record to
6 reflect Dietrich Von Biedenfeld was online for the
7 meeting.

8 MR. FICKES: Yes, please. There you go.

9 MR. CLINE: Okay. So as it stands right
10 now, that would be ten hundred -- I'm sorry,
11 10:00 o'clock in the morning on the 29th of October here
12 in Austin.

13 MR. FICKES: Right.

14 MR. CLINE: Done.

15 And, Josh, if you could send out a
16 meeting notice on that so we could just lock that in our
17 calendars and be set to go?

18 MR. RIBAKOVE: I will.

19 MR. CLINE: That would be awesome.

20 Okay any further agenda items?

21 I'm hearing crickets.

22 Is there a motion to adjourn?

23 MR. FICKES: I move for adjournment.

24 MR. SALAZAR: So moved.

25 MR. CLINE: Wait, wait, wait. Who said

1 that?

2 MR. FICKES: Ken Fickes did.

3 MR. CLINE: Ken is first. J.R. is
4 second.

5 All in favor say aye or vote with your
6 feet.

7 (Chorus of ayes)

8 MR. CLINE: Thank you all so much for
9 your attendance.

10 And, John and Dietrich, thank you so
11 much.

12 (Meeting adjourns at 11:02 a.m.)

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1 COUNTY OF TRAVIS)

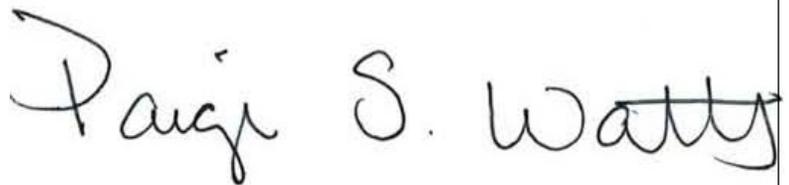
2 STATE OF TEXAS)

3 I, Paige S. Watts, Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify that the above-mentioned matter occurred as
6 hereinbefore set out.

7 I further certify that the proceedings of such
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11 and correct transcription of the original notes

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 and seal this Turn in date 18th day of August, 2019.

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CSR No.: 8311
Expiration: December 31, 2020
Firm Registration No. 631
Kim Tindall & Associates
16414 San Pedro, Suite 900
San Antonio, Texas 78232
Phone 866.672.7880

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