

TRANSCRIPT OF
TEXAS DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION ADVISORY COMMITTEE
PUBLIC MEETING
TUESDAY, APRIL 28, 2020
10:00 A.M.
VIRTUAL MEETING VIA WEBEX EVENTS

TRANSCRIBED BY: Angelica Mathews

TRANSCRIPTION DATE: May 12, 2020

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APPEARANCES

COMMITTEE MEMBERS PARTICIPATING VIA WEBEX:

- John McBeth, Chair
- Jim Cline, Vice Chair
- Marc Whyte
- Dietrich Von Biedenfeld
- J. R. Salazar
- Ken Fickes

TxDOT PARTICIPATING VIA WEBEX:

- Eric Gleason, PTN Director
- Josh Ribakove, PTN Communications Mgr.

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MEETING AGENDA

ITEM

- 1 Call to Order
- 2 Safety briefing with guidance on virtual meeting participation
- 3 Approval of minutes for February 11, 2020 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 projected 2020 US Census funding impacts to public transportation for Texas transit providers. (Action)
- 6 Coronavirus Aid, Relief, and Economic Security (CARES) Act - presentation and discussion of potential impacts of CARES Act funding on Texas' rural public transportation program
- 7 Discussion on exceptional items for 2022/2023 Legislative Appropriation Request, including additional funding due to 2020 US Census impacts (Action)
- 8 Public Comment - public comment will only be

1 accepted during the meeting. Link and
2 details are below. The meeting transcript
3 will be posted on the internet following the
4 meeting

5 9 Propose and discuss agenda items for next
6 meeting; confirm date of next meeting

7 10 Adjourn

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1 PROCEEDINGS

2 JOHN MCBETH: Okay. It's 10:05 according to
3 my computer. This is John McBeth, Chairman of the
4 Public Transportation Advisory Committee calling the
5 meeting to order at 10:05. We will begin with a
6 welcome to anyone who is tuning in via phone or
7 computer to the April Public Transportation Advisory
8 Committee meeting and we will begin with an
9 introduction of committee members.

10 If we could, we'll start with Marc.

11 MARC WHYTE: Yep, I'm here. Marc Whyte, PTAC
12 member.

13 JOHN MCBETH: And then Dietrich?

14 DIETRICH VON BIEDENFELD: Yep. Gotta unmute
15 myself. Gotta get more quick on that. Good morning.

16 JOHN MCBETH: Thank you, sir. J.R.?

17 J.R. SALAZAR: Yes. J.R. Salazar, PTAC
18 member.

19 JOHN MCBETH: Jim? Is Jim there? Ken
20 Fickes? And Ken doesn't appear to be there either.

21 JOSH RIBAKOVE: I believe Jim Cline is with
22 us, John.

23 JIM CLINE: Yeah, I am online.

24 JOHN MCBETH: Okay, okay. So Jim -- Jim's
25 here. Jim Cline. So, we have a quorum. The only

1 member we're missing is Ken Fickes. We have Dietrich.
2 We have Marc. We have J.R. We have Jim and we have
3 myself so with that we've got a quorum. And we will
4 begin with the Safety Briefing, which I will turn over
5 to Josh.

6 JOSH RIBAKOVE: Hi folks. In lieu of -- and
7 this is Josh from TxDOT, in lieu of our regular safety
8 briefing since we're not all in a room together, let me
9 tell you about -- a little bit about meeting protocols
10 for this virtual meeting. You'll be able to hear the
11 meeting. You can see the presentations on your screen
12 when we have them. Public comment can be made in
13 writing during the meeting via the WebEx chat feature.
14 People who wish to comment should identify themselves.
15 Identify the organization that you represent if there
16 is any and also provide an email address where we can
17 reach out to you. This should all be done in the chat
18 feature. Address it to the host, that's me. I'll
19 respond to let you know that we got your comment. If
20 your comment relates to an agenda item in this meeting,
21 we'll bring it forward during the meeting. If it does
22 not relate to a specific agenda item during this
23 meeting, I will make sure that the committee gets it
24 after the meeting. Thanks.

25 JOHN MCBETH: Thank you, Josh. We will move

1 to Agenda Item Number 3 which is approval of minutes
2 from the February 11, 2020 meeting and I will look to
3 Marc to make a motion to adopt those meetings -- those
4 minutes.

5 MARC WHYTE: Yep. I make a motion to adopt -

6 -

7 JOHN MCBETH: We'll get a second from Jim.

8 MARC WHYTE: -- to adopt the February
9 minutes.

10 JOHN MCBETH: The motions been made by Marc
11 to adopt the February minutes. Jim, do I have a
12 second? Jim, are you there?

13 JIM CLINE: Yeah. Did you -- can you hear me
14 now?

15 JOHN MCBETH: I can. Yes.

16 JIM CLINE: I second the motion.

17 JOHN MCBETH: We have a motion from Marc and
18 a second from Mr. Cline, all in favor signify by saying
19 aye. Aye.

20 ("Aye" spoken in unison.)

21 JOHN MCBETH: All against by saying nay. I
22 hear no nay's, so the aye's have it. The minutes are
23 adopted. And Josh if you will send those to me, I will
24 be happy to sign them and fax them back to you.

25 JOSH RIBAKOVE: This is Josh, I will do that

1 John and Ken Fickes has joined us. We have full
2 membership online now.

3 JOHN MCBETH: Super. Hi Ken. How are you
4 doing? Okay, Agenda Item Number 4. TxDOT Public
5 Transportation Division Director's report to the Public
6 Transportation Advisory Committee regarding public
7 transportation matters. The Chair recognizes Eric
8 Gleason. Eric, it's your show. Eric?

9 ERIC GLEASON: -- to do that at least through
10 May 15th. So, the earliest that we would be back in
11 the office in any fashion would be Monday the 18th of
12 May. Then we're continuing to carry out the entire
13 program, certainly looking to hear back at what we're
14 doing. Is it working or responsive enough for folks?
15 But as far as I know things are going very smoothly in
16 that regard.

17 Couple of items to update the Committee on --
18 a handful of times actually, Commission actions. So,
19 in March the Commission did award FY20 5311 Formula
20 funds to each of the 36 rural transit districts as well
21 as a combination of FY19 and FY20 5399 Bus and Bus
22 Facility funds to all rural transit districts. So that
23 action occurred in March.

24 We have nothing on the agenda for later this
25 week at the April meeting. We do have an item for the

1 May meeting, May 28th meeting which will be an initial
2 distribution of CARES Act funding. We'll talk about
3 that in more detail with Agenda Item 6 today.

4 And then in June, June is typically a pretty
5 big month for us at Commission and at this point it
6 appears to be that for us even this year. We are
7 looking at a distribution of FY21 State funds in June
8 and the results of the Coordinated Call as well as
9 second year 5310 Program funding. So, June should be a
10 pretty -- pretty busy Commission meeting for us.
11 That's it with Commission.

12 SmartBuy, the solicitation is posted to renew
13 the SmartBuy transit offerings and we expect a contract
14 to be available to buy off of by mid-July. So, it has
15 taken us a while to get there but we have finally got
16 this posted and feel like the next several months are
17 pretty well predictable in terms of timing. So
18 hopefully that will be up and available by mid-July.

19 2019 Transit Stat Report is available online
20 and I would volunteer to the Committee that if you
21 wanted, we could put together a report for you on those
22 statistics. We could put together a report for you for
23 your July meeting.

24 Agency Safety Plans, these are on track for
25 completion by July 20th of this year. Now, FTA did

1 announce that they have chosen to not enforce these --
2 having these plans in place until the end of the
3 calendar year. However, in doing that it didn't change
4 the date for which folks are supposed to have these
5 plans in place, which is still July 20th of 2020. We
6 are tracking well for completion on both the rail and
7 the bus side of the house for that. So, I don't see
8 any issues with it.

9 And then finally, as most of you know, there
10 continue to be discussions back in D.C. on what yet
11 another stimulus package might look like. In some
12 instances that is being talked about in the context of
13 authorization or re-authorization FastAct does run out
14 at the end of this federal fiscal year, the
15 authorization for it ends in FY20. And so we are
16 participating in that conversation both on the transit
17 side as well the entire department and we'll have more
18 for you on that at a subsequent meeting.

19 So that concludes my report Mr. Chair. I'd
20 be happy to answer any questions from the Committee
21 members, if there are any.

22 JOHN MCBETH: Thank you, Eric. On the 2019
23 Stats Report --

24 ERIC GLEASON: Yes, sir.

25 JOHN MCBETH: -- I for one would love to get

1 a report from y'all to the PTAC at the July meeting on
2 those stats. I think they're critical to the decisions
3 that we make, but that's just my -- just what I would
4 like to see. I don't know if the rest of the Committee
5 would like to see that report but those of us that do
6 transit, we're kind of geeky about those kinds of
7 things. And then congratulations on the SmartBuy.
8 Thank you.

9 ERIC GLEASON: Well it's been kind of a long
10 haul.

11 JOHN MCBETH: No kidding but I -- the not
12 having it makes me and my staff wonder what we did
13 before we had it. It'll be great to have that back in
14 place. So, with that.

15 KEN FICKES: John?

16 JOHN MCBETH: Yes.

17 KEN FICKES: This is Ken. I'm just checking
18 my mic. I'll go back to mute.

19 JOHN MCBETH: Okay.

20 J.R. SALAZAR: John?

21 JOHN MCBETH: Yes.

22 J.R. SALAZAR: This is J.R. I just wanted to
23 agree with you. I'd like to see the stats as well.
24 And what I would assume would be a downward trend
25 especially going forward with what's going on now but

1 yes, I would like to see the stats as well.

2 JOHN MCBETH: Yeah. I feel based upon what
3 all of us that are out there in the business are doing
4 right now, 2019 stats are gonna be important as a
5 comparative measure for what we're going through right
6 now with 2020. Because everybody is like our system,
7 ridership has plummeted since January. So, anyway I
8 think that'll be a very, very good item to discuss at
9 PTAC.

10 ERIC GLEASON: This is Eric again and I think
11 we can -- why don't we just make sure we identify that
12 when we get to Agenda Item 9.

13 JOHN MCBETH: Absolutely. I will note that.

14 ERIC GLEASON: Okay. Good.

15 JOHN MCBETH: Okay, with that we're going to
16 move on to Agenda Item Number 5. Presentation and
17 discussion on projected 2020 US Census funding impacts
18 the public transportation for Texas transit providers.
19 And I'm going to turn that likewise over to Eric.

20 ERIC GLEASON: Alright. Thank you, john.
21 This is Eric. So, we are actually recommending that
22 the Committee table this topic for today's
23 conversation. TGI has done a tremendous amount of work
24 to pull information together. Our review of it at this
25 point tells us that we need to tighten it up and we

1 don't feel as though its ready today for you to discuss
2 at a public meeting and make decisions on. So, I have
3 directed my staff to pull the presentation down from
4 our website. So, folks on the phone if you were trying
5 to access it, it may not be available if we'd had a
6 chance to do that. And I would ask that Committee
7 members who've received a copy of the presentation as a
8 part of your packet to ignore it. And that we will be
9 in a position I would think by mid-May to -- if the
10 Committee wishes to reconvene and have a special
11 meeting to discuss these results, we would be more than
12 willing to do that with you then but we are
13 recommending that you do table this Item today.

14 JOHN MCBETH: Okay, this is John. I
15 understand that and I understand, as all of us do the
16 importance of particular report because it will impact
17 all of our funding. I for one would love to have a
18 special meeting on this in May. We might even be able
19 to actually get together as a group because this is a
20 fairly tricky issue and will have impacts on all of us,
21 we go up or go down in population, I would entertain a
22 motion to table this particular Agenda Item as
23 recommended by Eric. So, I will open the floor for a
24 motion and a second. Please identify yourself if you
25 make the motion or if you make this second.

1 MARC WHYTE: This is Marc, PTAC member, I
2 make the motion to table it as suggested.

3 JOHN MCBETH: I have motion from Marc. Do I
4 have a second?

5 J.R. SALAZAR: This is J.R. Salazar, PTAC
6 member, I second that motion.

7 JOHN MCBETH: We have a motion and a second
8 to table the Agenda Item Number 5, discussion of the
9 2020 Census until a further date of the recommendation
10 of Mr. Gleason. All those in favor signify by saying
11 aye. Aye.

12 ("Aye" spoken in unison.)

13 JOHN MCBETH: All opposed replying nay. The
14 aye's have it. Motion carries and we will move to
15 Agenda Item Number 6. Coronavirus Aid, Relief, and
16 Economic Security Act presentation and discussion of
17 potential impacts of CARES Act funding on Texas Rural
18 Public Transportation program and Eric and I will give
19 that to you.

20 ERIC GLEASON: Alright. Well, thank you. I
21 appreciate that very much. So, I'm sure the Committee
22 is aware that with the CARES Act that was passed
23 recently there was a significant amount of funding, 25
24 billion dollars at the national level, a significant
25 amount of funding included in that Act for transit

1 across the country. And as a part of that 25-billion-
2 dollar package we have received and been allocated for
3 our Rural Transit program here in Texas, we have
4 received 143.2 million dollars, which is roughly three
5 times the annual program apportioned it. We have
6 received 143.2 million dollars to be used to provide
7 relief and support recovery from the pandemic. This is
8 -- these funds -- this is 100 percent federal funding
9 so there are no match requirements with these funds.
10 If you're interested in tracking the Texas total, Texas
11 as a whole got 1.18 billion dollars for Transit
12 programs throughout Texas. So that's going to include
13 DART and Houston and all the metropolitan area programs
14 as well. So I believe at the national level what drove
15 this conversation was largely the needs and anticipated
16 issues in many of the country's larger metropolitan
17 areas where the transit systems there are so dependent
18 on local tax revenues and the anticipated decline of
19 those for an unknown timeframe as a result of the
20 pandemic. And just to give the Committee a sense of
21 how important that is, when I was working in Seattle
22 and we were operating a 300 million dollar service
23 program every year, 75% of the funding for that 300
24 million came from either sales tax or motor vehicle
25 excise tax. Both of which would take an enormous hit

1 in this kind of a situation. So you can understand the
2 scale of this issue just on that alone for a lot of the
3 larger systems and I think that the whole scale and
4 magnitude of the conversation trickled down to the
5 world program with what I would consider to be an
6 enormous sum of funding for us. And to that extent, I
7 think it represents an opportunity for the program in
8 general. Not only to address immediate relief needs
9 but to also build in some resilience if you will into
10 the program to put us in a better position either
11 financially or from an asset conditional standpoint to
12 withstand whatever the next pandemic or the next
13 emergency might look like.

14 So, we have, consistent with what FTA has
15 said about how they see these funds being used, we have
16 put together an approach to spending down these funds
17 that divides into three general areas. And the very
18 first area is what we're calling emergency relief. So
19 Phase 1 of implementing the use of these sums in Texas
20 will be a focus on emergency relief. Which translates
21 to providing 100% coverage of rural transit district
22 operational expenses over an eight-month period. And
23 that eight month time frame can begin as soon as
24 February 1st of 2020 and as late as May 1st of 2020
25 running through the end of the calendar year. So, we

1 are working right now, we're working toward an award of
2 eight months' worth of operational service expenditure
3 funding -- coverage and funding, eight months' worth to
4 go in front of the Commission at their May 28th
5 meeting. And so, we have worked with individual --
6 each of the rural transit districts have prepared
7 budgets for what they believe they need. We have
8 confirmed to the best extent that we are able to ahead
9 of time, confirmed those amounts against previous year
10 expenditure amounts and in some cases discussions with
11 each of the rural transit districts as needed. But we
12 are honing in on award amounts for May that will do
13 that.

14 The 143.2 million also includes funding for
15 the Intercity Bus program. These funds come to us
16 through the 5311 Program. So, they're coming down to
17 Texas as 5311 Program funding and I should say up front
18 when they do that, they're picking up all the trappings
19 of the program. So, from the federal standpoint they
20 come to us with the traditional 15% set aside for
21 intercity bus support. So, in this instance that's
22 about 21 and a half million dollars. And so, we will
23 be pursuing investments for emergency relief with
24 intercity bus program providers as well.

25 So, when it comes down to the 5311 Program it

1 also picks up the requirements of the Administrative
2 Code and how we determine that it be allocated to rural
3 transit districts. So, our general counsel division
4 has deemed it important and necessary that we use the
5 formula allocation mechanism that we have in the TAC to
6 at least allocate these funds to rural transit
7 districts. Now we are gonna try and focus -- we're
8 trying to focus these investments on specific
9 objectives as we go through. And so, for example, on
10 this first instance our first objective is eight months
11 of coverage -- 100 percent coverage of operational
12 expenses; that's also subjective if you will. So, we
13 are in the process of allocating funds via formula to
14 those needs for the May Commission meeting.

15 So that's Phase 1. Phase 2 is something we
16 are calling economic recovery. Now Phase 2 is mostly
17 focused or almost entirely focused on addressing
18 revenue shortfalls as a result of the pandemic.
19 Whether they are because of the loss of (indiscernible)
20 revenue, a loss of contract service revenue or, and
21 perhaps most importantly, looking at our traditional
22 state funding amounts and if the economic downturn
23 that's expected impacts the department's ability to
24 sustain those funds at their appropriated levels or
25 traditional levels, then we can use these CARES funds

1 to fill that gap until such time that the economy
2 recovers to the extent that full funding can be
3 returned to that. So, this is a, you know, we don't
4 know a lot about this at this point. I don't think
5 anybody's stepping forward with really good data on
6 what the downturn will be. I have heard that the
7 Comptroller will make a statement I believe sometime in
8 July on a revised a revenue forecast but I think this
9 is gonna be an area of uncertainty for us for some time
10 and these funds do represent an ability to sustain
11 funding to the Rural Transit District Program that
12 would otherwise come from the state. And that extends
13 to the urban transit districts as well.

14 Now, so and then finally, assuming when we
15 get through Phase 1 and Phase 2, we have some remaining
16 funds, what we're looking at is something we're calling
17 resilience. Which is a combination of modernization of
18 fleet facilities and even perhaps talking with everyone
19 about how perhaps a one-time allocation would allow
20 agency's to create and sustain for the future some
21 operating reserves to again to strengthen their ability
22 to withstand any unanticipated demands on their
23 resources.

24 So, lots of opportunity. Lots of unknowns.
25 We are committed to working hand in hand with the

1 transit districts as we make these decisions and I am
2 looking at each point along the way for opportunities
3 to make the program better than it already is. So, I'd
4 be willing and more than willing to make the kind of
5 updates of this effort a part of my regular Director's
6 Report for the Committee. I don't necessarily
7 anticipate the Committee meeting to participate in sort
8 of formal policy direction on these things. I don't
9 anticipate at this point the need for any rule changes
10 to allow us to implement this. But should any of that
11 change then we would certainly bring that to the
12 Committee's attention.

13 Finally, the final thing I'll mention in all
14 this is that because of this funding and because of the
15 eight months of coverage that we're able to provide, we
16 are going to defer activation of private grant
17 agreements for the FY20 5311 Program funds that were
18 just awarded in March by the Commission. So, we've got
19 the award. We've got the grant executed in the federal
20 grant system. We don't intend at this point to enter
21 into any project grant agreements with transit
22 districts for the use of those funds until after this
23 eight month of CARES funding is expended. The benefit
24 of that -- the benefit of that is it actually allows us
25 to put the entire rural program, entire rural federal

1 program 12 months behind or a year (indiscernible)
2 relative to federal appropriations which is a really
3 great spot for us to be because it means that during
4 any given federal budget year that we are not waiting
5 on congressional appropriation and FTA (indiscernible)
6 to make money -- make federal money available
7 throughout the year for rural transit districts. We're
8 running a year behind on that. Okay, so that is a
9 really good place for us to get back to. We used to be
10 there years ago, I am told, and this will allow us to
11 get everybody back to that point. So again, that's an
12 example of what we're trying to do at each point along
13 the way to strengthen the Program. And that concludes
14 my report. I know it's a lot of information to
15 internalize and we will have, you know, we'll probably
16 be able to put together a more formal presentation at
17 your next meeting on this with (inaudible). I will
18 stop at this point and take any questions that the
19 Committee might have.

20 JIM CLINE: Eric, this is Jim Cline. Can I
21 ask a quick question, please?

22 ERIC GLEASON: Absolutely Jim.

23 JIM CLINE: It sounds -- all of this -- I'll
24 say I really support what you're talking about in this
25 approach. I think it makes a lot of sense. The sales

1 tax numbers are going to be so upside down that we're
2 gonna have certainly a lot of use, you know, agency's
3 or districts will have a lot of issues. I would
4 suggest however one thing to do is make sure you
5 include the intent. Often, we see in these types of
6 Programs that there's a sometimes a second order impact
7 that may not restrict some things. Maybe some spending
8 that would not be supporting the idea of continuing
9 operations through the pandemic and so I think
10 carrying, you know, you made some excellent comments
11 during your remarks about, you know, what the intent
12 was and what you're hoping to achieve and I would
13 certainly like to see that something that's carried
14 into the direction to the rural transit districts. Not
15 necessarily as a rule making but as an, you know,
16 defining that intent and then you certainly have the
17 opportunity with the FY20 or with the current 5311
18 funds that are out there to be able reshape that if
19 needed in the future. But I just -- that's just the
20 one concern I have is nothing I'm not -- I can't think
21 of anything specific that would be at risk that if it
22 was strict -- if it was very clear to everyone what
23 your intent was then I think it would be helpful for
24 the fidelity of the program overall as we -- because it
25 will be looked back at as did you achieve what you

1 hoped to achieve and so I want to -- I'm kind of
2 thinking that a year and a half from now that
3 presentation that's made to the TTC could be a whole
4 lot more comfortable if some steps are taken now. So,
5 again that's just a food for thought.

6 ERIC GLEASON: So Jim, this is Eric, I
7 appreciate that. And that's actually what we're trying
8 to do, and it is a significant departure from our
9 traditional management of these programs. So, and let
10 me try and give the Committee an example of what I mean
11 by that. The traditional approach would have had us
12 identifying an amount to be awarded to transit
13 districts from the formula and then letting them run
14 with it for as long as it lasted to cover their
15 operations. So we could say, you know, we're gonna
16 spend 60 million dollars on this first phase and we'll
17 run it through the formula and this is what you get and
18 it's for as long as it last it's 100 percent funding.
19 What we're doing is saying we have literally -- what
20 we're saying is we have a project. Our first project
21 is going to be to cover eight months of expenditure.
22 And we're gonna -- you've given us estimates of what
23 you think that (indiscernible). We're gonna make sure
24 you're getting enough money through the Commission
25 action to get that done. Then when you get if there's

1 a remaining balance then it's coming back to the
2 program. We've accomplished the project objective.
3 And it gets used in the next step and so on and so on.
4 So, we are going to try to be more, if you will,
5 prescriptive about what we're trying to accomplish with
6 each phase. What the intent of each phase is. And
7 we're gonna work to monitor to make sure that everyone
8 gets the eight months' worth of relief that they get.
9 Whether you're Brazos transit district or the city of
10 Del Rio, you get eight months. And then whatever's
11 left over from what you were awarded, if there is
12 anything, will come back into the program for the next
13 intent, if you will. So that's what we're trying to
14 do.

15 JOHN MCBETH: Eric, this is John. That all
16 sounds great. Just to be clear, you're going to not
17 issue grant agreements on the 2020 5311 funding that
18 was awarded in March and instead we're going to keep
19 that and basically create a one-year cushion for the
20 future. Am I getting that correct?

21 ERIC GLEASON: That's the result of doing a -
22 - yes. So John, if you guys, I'm trying to remember
23 the date y'all picked to begin your eight month period.
24 I think it was -- I want to say it was March. I think
25 it's March. So, you know, March, April, May, June,

1 July, August, September, October. You'll have -- we'll
2 award you enough funding based on what you told us you
3 needed, we'll award you enough funding to cover on all
4 of those expenses through October.

5 JOHN MCBETH: Correct.

6 ERIC GLEASON: Then we will work with you in
7 the September/October time frame to make sure when
8 those are gone that you're FY20 funding grant is
9 available for you to use.

10 JOHN MCBETH: Outstanding. I like the idea
11 of building that cushion. As you said, we did have one
12 at one time and it was for the 5311 Program which at
13 that time was Section 18, it was three years' worth of
14 5311 -- or Section 18 money. For the small urban
15 program, it totaled 56 million dollars. And that was
16 back during the days of congressional earmarks and we
17 got told by our delegation as long as you're sitting on
18 that much money, we're not gonna give Texas any
19 earmarks at all. And so, the decision was made that we
20 would spend all of that money down. Now a large amount
21 of that small urban money was transferred over to the
22 Rural program because it had grown so large and we spit
23 out pretty quickly. So, I like the idea of getting
24 back to having that -- we used to call that the
25 cushion. I like having that cushion particularly

1 during a time through reauthorization because we never
2 know what's going to happen there. We know we're gonna
3 get reauthorized, but we don't know how long it's gonna
4 take. So, I think y'all are to be applauded for doing
5 that. That's a really good idea.

6 ERIC GLEASON: Well I'll take the applause
7 for the idea and I'll wait for the applause to see if
8 we get it done. But I do appreciate that, John. I
9 think one of the things I'll point out to the Committee
10 and this may be going a little bit further than you'd
11 want to but now we have the ability to work
12 collaboratively with the rural transit districts on
13 these (indiscernible). Now the urban transit
14 districts, who are direct recipients are building their
15 own grant applications in trams for the use of these
16 funds. And I think one of the most important messages
17 that I could send to any one of them is that when you
18 build your applications and when you think about
19 expenditure of these funds, I would build in and
20 safeguard against the unknown of effects of the
21 downturn on state capacity to have state money for
22 public transportation funding.

23 So again, I don't want to send -- no cause
24 for concern but I think we can all understand that the
25 downturn is gonna be, particularly when combined with

1 the oil issue, the price of oil, that those two things
2 are gonna have a significant impact on the Texas
3 economy. And from TxDOT's standpoint we have a
4 dedicated source of revenue which is a gas tax which
5 can only be spent on highways. And then our program
6 along with others is funded through those revenue
7 streams that come to the department that are non-
8 dedicated. And our program is a part of that revenue
9 stream, along with a lot of others at the department.
10 And they expect to which to downturn --

11 UNKNOWN MALE: Hey John, I think we lost
12 Eric.

13 JOHN MCBETH: Sounds like it.

14 ERIC GLEASON: Uh-oh.

15 JOSH RIBAKOVE: This is Josh. I see that
16 Eric went on mute for a moment. I just unmuted him
17 from here and he may be able to speak again.

18 JOHN MCBETH: Okay.

19 ERIC GLEASON: Have you got me know?

20 JOHN MCBETH: Yeah, we got you.

21 ERIC GLEASON: I didn't touch anything.

22 JOSH RIBAKOVE: WebEx is a harsh and strange
23 creature.

24 JOHN MCBETH: It's all Josh's fault.

25 JOSH RIBAKOVE: It's all my fault.

1 ERIC GLEASON: Any questions? Just joking.
2 Okay. So, I was going through a rather long
3 explanation. It's important that the urban transit
4 districts who are entering into these grants directly
5 with FTA, that they build into those grants some
6 flexibility to accommodate changes in state funding
7 levels. And, you know, we don't know a lot about what
8 those are specifically but I would certainly encourage
9 them to build in some anticipation that the downturn
10 will affect the department's capacity with its non-
11 dedicated revenue stream to sustain traditional funding
12 levels for a period of time. That make sense.

13 JOHN MCBETH: Yes. This is John. It makes
14 perfect sense to me since I follow the oil market on a
15 daily basis and, you know, a few weeks -- or last week
16 West Texas Intermediate crude being at minus 35 dollars
17 a barrel, that's just one week worth of gas tax that is
18 not existent. It's just gone, forever. It's in a
19 negative position. I think it's prudent and I would
20 offer up that, you know, you don't control those funds
21 it would be to all of our advantage if you would let
22 the small urbans know, and I think most of them do know
23 that there is going to be a downturn and gas tax
24 revenues if they're not watching them and that they
25 need to program, set aside certain amount of this money

1 for that eventuality. Because it's not isn't going to
2 happen, it's just when is it going to happen. And the
3 oil market right now is explosive. So, I'd just be
4 afraid of seeing the number that your number crunchers
5 are seeing. It would make me not sleep at night.

6 'Cause I know how much TxDOT depends on that money. So
7 I'm glad y'all understand that and I think it would be
8 great if you sent just a cautionary note out to all the
9 5307 Programs that there's a distinct possibility, I
10 don't even want to say possibility, it's probable that
11 gas tax revenues will shrink as then will the amount of
12 money we get out of the non-dedicated/dedicated fuel
13 tax. So that's (indiscernible).

14 ERIC GLEASON: Will do.

15 JOHN MCBETH: Anybody have any other comments
16 on this Agenda Item? Hearing none, I'll move on to
17 Agenda Item Number 7, discussion on exceptional items
18 for 2022/2023 Legislative Appropriation's Request,
19 including the additional funding due to 2020 US Census
20 impacts. And Eric, I will give this to you.

21 ERIC GLEASON: Okay, so we want to talk with
22 the Committee about two things with this Agenda Item.
23 Talk about your -- the transit needs assessment which
24 was conducted before the last session and we want to
25 revisit with you that discussion and see if the

1 Committee want to recommend to the Commission an
2 exceptional item consistent with the results of that
3 study. And the other thing we would like to do with
4 regards to the Census is even though we were not able
5 to present the Committee with information today that
6 would have resulted in a discussion around how much
7 money the impact might represent; between now and the
8 time when we are able to get together with you with
9 those numbers to have that discussion, between now and
10 then as staff it would be helpful if the Committee
11 would express to us what it's intent would be to
12 address with that money. So, in other words, let me
13 phrase a potential outcome to that. So potentially
14 what would be helpful for us would be to hear from the
15 Committee that TxDOT, independent of the amount of
16 money that this represents, we would like the
17 department to include in its baseline appropriations
18 request. Now baseline appropriations request means
19 that the department is funding this item from its
20 projected revenue streams. It is not asking for
21 additional revenue to fund this item. So that is -- so
22 the Committee would direct staff or convey to staff
23 that it's intent would be to include a recommendation
24 to the (indiscernible) out of the baseline request that
25 would be sufficient to cover anticipated negative

1 impacts from the Census on state funding allocations.
2 So, with that general direction from the Committee,
3 staff can go together in this next -- can go forward in
4 this next time frame and if a number is needed between
5 now and the time we meet again, we will be able to
6 communicate a number that we know is consistent with
7 your intent. Make sense?

8 JOHN MCBETH: Yeah, it makes perfect sense to
9 me. Perhaps this being able to discuss the Census data
10 because we tabled Item Number 5, but I also understand
11 the process of the LAR and that over there at the
12 Keaton building they -- they're not really concerned
13 with our process. They've got their process which they
14 have on a fairly tight schedule so I would have no
15 problem at all if, it's fine with the Committee, unless
16 there's an objection on the PTAC, of basically
17 approving the direction of staff to come up with that
18 number to mitigate any negative impacts of the Census
19 within the base budget and present that number to the
20 powers at be anytime in the future before we can meet
21 again. Is that what you're looking for? That type of
22 direction?

23 ERIC GLEASON: This is Eric. Yes, it is.
24 And I think we can probably two step this Agenda Item.
25 We could, if I could recommend, you could have this

1 conversation with the Committee now about this topic
2 and if there's a desire you can pass a motion directing
3 on us on this topic. And then we could take on the
4 needs assessment piece as a separate action. So, this
5 Agenda Item would actually have two actions from the
6 Committee.

7 JOHN MCBETH: Correct. Well, I will
8 entertain a motion on the first item which is to have
9 staff come up with a number that they can present to
10 Administration that will mitigate any negative Census
11 impacts to the program. I think that's more important
12 right now than the needs assessment. The needs
13 assessments kind of cream on top of the milkshake. So,
14 if that's the Committee's desire I'll entertain a
15 motion and second.

16 JIM CLINE: John, this is Jim Cline. I'll
17 make that motion.

18 DIETRICH VON BIEDENFELD: John, this is
19 Dietrich Von Biednefeld, I'll second it.

20 JOHN MCBETH: Okay, I have a motion from Jim
21 to approve the motion and a second from Dietrich. Is
22 there any discussion?

23 JIM CLINE: Yeah, John this is Jim Cline.
24 Just a quick discussion on -- I agree with the
25 prioritization of first of all if you kind of think

1 really big picture with this, right? We're covering
2 the Covid piece then we're with our federal funds we're
3 covering the gap in the, you know, potentially covering
4 some of the gap in the state funding and then this will
5 be based on the Census. I think the fourth priority
6 that we need to continue talking about though is this
7 gap. You know, from the perspective of the public I
8 think that, you know, to me it's really important that
9 we continue pressing that (indiscernible) so far. And
10 I also believe that this, while this is a lot of money
11 relative to our previous request, in terms of the
12 request in an overall legislative request these are
13 still fairly de minimis numbers in terms in the overall
14 numbers they're dealing with. So whether it's approved
15 or not, I agree with the prioritization but I don't
16 think it's -- I don't think we should stop asking and
17 stop recommending that we continue to the path we've
18 been on with these gaps.

19 JOHN MCBETH: This is John. I agree with
20 that 1,000 percent. Always being aggressive. Knowing
21 if this next legislative session more than ever before
22 they're all going to show up over there at the capital
23 going we ain't got no money. And for sure they're
24 probably gonna be correct relative to their take on
25 sales tax as well as fuel tax. And so, with that being

1 said, any further discussion on this motion that's on
2 the table right now.

3 ERIC GLEASON: John, this is Eric.

4 JOHN MCBETH: Uh-huh.

5 ERIC GLEASON: John, this is Eric.

6 JOHN MCBETH: Right.

7 ERIC GLEASON: If I could clarify? If I
8 could clarify for the Committee; (indiscernible)
9 Census, 2010 Census, the number -- the amount of money
10 needed to mitigate the anticipated negative impacts was
11 1.6 million dollars a year. So --

12 JOHN MCBETH: Right. Very small amount of
13 money.

14 ERIC GLEASON: Yeah. So, to Jim's point it
15 is a de minimis amount.

16 JOHN MCBETH: Yeah, it is.

17 ERIC GLEASON: But very important.

18 JOHN MCBETH: Extremely so.

19 ERIC GLEASON: That's the scale that we're
20 anticipating. This time it might be bigger, but I
21 think generally speaking this is not a big ticket item
22 which is why it makes sense as well to push it as a
23 part of the baseline. The next item that we'll talk
24 about after this motion, the next one will be, you
25 know, what is an exceptional request. Which means that

1 you're not necessarily asking for out of the baseline.
2 You do know that it represents a significant increase
3 that would need to come from somewhere else.

4 JOHN MCBETH: Exactly.

5 ERIC GLEASON: That's how we (indiscernible)
6 those two. I'm sorry. Continue on.

7 JOHN MCBETH: Okay. We have a motion and a
8 second on the table. All in favor signify by saying
9 aye. Aye.

10 ("Aye" spoken in union.)

11 JOHN MCBETH: All opposed of saying nay. The
12 ayes have it and that motion carries and now we'll go
13 to the second item which is the estimated total cost to
14 fill all gaps. Eric, give it back to you.

15 ERIC GLEASON: Ah, thank you. So, for those
16 of you with the Committee three years ago, PTAC went
17 through a very, very extensive and helpful exercise to
18 try and get our ops around. The additional investment
19 needed focusing on the span or the length of time each
20 day and days of week that service is offered in both
21 rural and smaller than places in the state as well as
22 coverage. And I think they looked at this on a county
23 level and they came up with, with the input of the
24 Committee, we came up with four general scenarios that
25 you have in front of you with 2016 numbers associated

1 with scenarios. So -- and the way it reads is this the
2 span description on the left-hand side relates to the
3 gold colored portion of the bar and the dollar amount
4 it takes to go to that level universally throughout the
5 state. The blue and the raspberry colored, watermelon
6 colored blocks relate to what it's going to take to
7 extend coverage into areas that do not have it today.
8 And there is both a service expense associated with
9 that which is blue and then there's a one-time capital
10 cost which is fleet that is associated with providing
11 new service where you don't currently provide service
12 today.

13 Now that fleet number, the 18 million dollars
14 that you see is the one-time expense of buying the
15 fleet that you need. The last time we talked about
16 this we looked at an annualized number for that which
17 was 3 million a year. So, if you set aside 3 million a
18 year and the average life of your vehicle was six
19 years, you'd have enough money every six years to
20 replace those vehicles. So, you may recall a number
21 that was 41 million dollars that we used last time,
22 last session, to communicate an exceptional item
23 request to move to a 14-hour weekday standard service
24 and -- Monday through Friday, 14 hours. And that
25 amounted to 31 million dollars in additional operating

1 cost for the stand. Seven million dollars for coverage
2 and 3 million a year for a fleet. And so that totaled
3 41 million dollars. so that may be -- some of you may
4 remember the 41 million dollar number and that's the
5 difference between what you see on the slide and what
6 we ended up talking about was we used an annualized
7 fleet replacement number. We did not use the 18
8 million dollars in our conversations.

9 So what we want to do today is to, with this
10 slide, the only slide we have, we wanted to remind the
11 Committee of the various scenarios we talked about and
12 open it up for Committee discussion about whether or
13 not, and if so what you would recommend to the
14 Commission that it included exceptional item request in
15 the Commissions FY22 and FY23 Legislative
16 Appropriation's request. So, happy to answer any
17 questions on this. We didn't create any new
18 information for this conversation.

19 JIM CLINE: Hey John, this is Jim Cline. I
20 would like to see us be consistent in how we send our
21 message and not dial back to say 12 hours or something
22 like that. Let's remain consistent with the 3 million
23 and the budget. If we go to the 14-hour work week/
24 work day and now Eric, did the eight hour Saturday,
25 that was not included last time? Or it was?

1 ERIC GLEASON: It was not. The request last
2 time was Monday through Friday, 14-hour weekday
3 coverage and stand.

4 JIM CLINE: This is Jim again. I think we
5 should be consistent in how we ask for those things.
6 John, I'd throw that out there.

7 JOHN MCBETH: This is John. I also agree
8 with the -- Jim's comment on consistency. I think from
9 an economic development point of view, which is gonna
10 be a big deal in this upcoming session, the 14 hour
11 day, just adding one hour in the morning and one in the
12 afternoon, does a lot for people out there looking for
13 jobs and also trying to keep their jobs. It allows us
14 to get them to work at those early morning shifts and
15 pick them up in those late evening shifts when they get
16 off. I think that is more important now than Saturday
17 service. I have very few communities I serve that are
18 asking for Saturday service because even in the
19 family's that only have one car, that one car normally
20 is available to the whole family on Saturday's because
21 the rest of the family members have five day a week
22 jobs. So I think the consistency is a good idea and it
23 would just be my recommendation that we go with the 14
24 hour day over adding an additional eight hours on
25 Saturday that may not give us the bang for the buck

1 that we need to justify that money. I don't know that
2 the ridership will be there. That's just my two cents
3 worth.

4 J.R. SALAZAR: John, this is J.R.

5 JIM CLINE: -- resonate on the idea -- this
6 is Jim again. I think it will resonate with the idea
7 of getting people back to work and sustaining --

8 JOHN MCBETH: Absolutely.

9 JIM CLINE: -- people in our rural
10 communities.

11 JOHN MCBETH: Absolutely. And we are going
12 to have to get a lot of people back to work. Some of
13 these jobs are gone and they're not coming back. New
14 ones have to be created.

15 KEN FICKES: This is Ken. This is Ken.
16 (indiscernible) to John and Jim, we have Saturday
17 service but its only about nine hours and they'd like
18 to add more of it. About 40 percent of our riders on
19 Saturday are going to work. Which is a little higher
20 than a normal work weekday, so Saturday service is
21 needed. We even get request for Sunday service but I'm
22 not -- we don't have enough -- there's not enough
23 demand for that but that's just my two cents worth.

24 J.R. SALAZAR: Hey John --

25 JOHN MCBETH: Yes.

1 J.R. SALAZAR: -- this is J.R. I just wanted
2 to say, you know, I agree with your comments and with
3 Jim's comments. I think the 14-hour weekday is
4 something we need to shoot for and especially with
5 what's going on now. It would be wonderful if we could
6 provide that service. You know, the only other comment
7 really that I have is that I think Eric had that
8 discussion or those comments, you know, what if we ask
9 for 56 million but we only, you know, whatever figure,
10 25 million then it creates another problem but I guess
11 we can wait if that happens and, you know, see what we
12 could work out. But that maybe an issue.

13 JOHN MCBETH: Correct and I think if we pair
14 it with what Eric commented earlier on the CARES Act,
15 their Phase 3 which is increasing -- enhancing the
16 program if there's CARES money sufficient after all --
17 after Phase 1 and Phase 2 that we could use some of
18 those funds for enhancing the program as well as
19 building an operational reserve. Those are good
20 things, I mean, knowing the numbers that the
21 legislature are facing right now in the upcoming
22 session I don't think it's gonna be that much better.
23 Maybe. Maybe it will. I think going -- just going for
24 the act to ask for money we need for a 14-hour work
25 week is probably a much better ask than asking for

1 Saturday service.

2 UNKNOWN MALE: Hey John, I think a way to
3 frame and certainly in deference Ken's comment is that,
4 we're not asking for Saturday service yet.

5 JOHN MCBETH: Right. Exactly. It's
6 something we want but right now the most important
7 thing is to add that extra hour in the morning and an
8 extra hour in the afternoon to get people to and from
9 jobs that are maybe not as accessible as other jobs.
10 Any further discussion? Could we -- Eric, I assume you
11 want a motion on this because it's an exceptional item.
12 How would you like that motion worded?

13 ERIC GLEASON: So, I think -- this is Eric.
14 I think the way for the Committee -- the Committee just
15 needs to express its desire to see the Commission
16 include in the FY22/FY23 Legislative Appropriation's
17 Request to include an exceptional item request to
18 address the need to expand service across Texas with an
19 initial expansion amount totaling an additional 41
20 million dollars a year. Yeah.

21 JOHN MCBETH: Okay.

22 ERIC GLEASON: And it, you know, comprised --
23 that it's comprised with service and capital. What I -
24 - what I -- so assuming the Committee comes up with
25 something like that, well lets the Committee finish

1 this conversation and then I want to come back and talk
2 to the Committee about how this information gets
3 communicated to the department but that's separate and
4 apart from this decision. So, go ahead and finish this
5 conversation.

6 JOHN MCBETH: Eric has placed what he wants
7 on the table, do I have a motion to approve that?

8 JIM CLINE: This is Jim. I would say yes,
9 I'd make that motion.

10 JOHN MCBETH: I have a motion from Jim. Is
11 there a second.

12 ERIC GLEASON: John, this is Eric. I hate to
13 do this, but somebody's got to repeat that in the
14 motion. I can't make a motion.

15 JOHN MCBETH: Oh, okay. Well I know you
16 can't make a motion.

17 JIM CLINE: Let me restate it then. I would
18 move that the Committee support the Legislative
19 Exceptional Request to continue our process of
20 expanding coverage to provide 14 hour weekday service
21 as our priority.

22 JOHN MCBETH: Okay. We have a motion from
23 Jim. Do I have a second?

24 KEN FICKES: This is Ken. I second.

25 JOHN MCBETH: Jim has made the motion to

1 approve the exceptional item, the 14-hour service. Ken
2 has seconded it. Is there any discussion? Hearing
3 none I will call for a vote. All those in favor
4 signify by saying aye.

5 ("Aye" stated in unison.)

6 JOHN MCBETH: All those oppose by saying nay.
7 Hearing all ayes and no nays, the motion passes. Okay,
8 Eric, now your next discussion item.

9 ERIC GLEASON: Well so just to communicate, I
10 think the way to communicate most of these motions
11 under this Agenda Item, I would suggest that we can
12 take a cut at a draft of a letter to be signed by John
13 on behalf of the Committee to go to Chairman Buck with
14 the two motions that passed today and that's that we
15 would go ahead and draft a version of that. And I
16 think I would probably recommend that both John and Jim
17 as Vice Chair take a look at it to make sure that we
18 have captured the intent of the Committee and that they
19 sign -- that look of this action that that letter would
20 be sent.

21 JOHN MCBETH: Sounds like a good idea to me.

22 JIM CLINE: This is Jim. I would be happy to
23 do that, and we'd could certainly share it with the
24 other Committee members as well.

25 JOHN MCBETH: Yeah.

1 ERIC GLEASON: That's up to you. That's
2 fine.

3 JOHN MCBETH: Yeah. I think send it myself
4 and Jim but also copy the Committee members so that we
5 all are on the same boat.

6 ERIC GLEASON: Alright. We will take a stab
7 at that and get something out to all of you to look at
8 by the end of next week.

9 JOHN MCBETH: Alright. Okay. That finishes
10 Item Number 7. We can now go to Public Comments.
11 Josh, have we received any public comments during the
12 WebEx?

13 JOSH RIBAKOVE: We have not received any
14 public comments that arise to this level.

15 JOHN MCBETH: There being no public comments
16 that Agenda Item is done. We'll go on to the --

17 ERIC GLEASON: Can we go back to the agenda,
18 Josh? Can we go back to the agenda on the screen
19 please?

20 JOSH RIBAKOVE: Yes.

21 JOHN MCBETH: That'll take us to Agenda Item
22 Number 9, propose and discuss agenda items for the next
23 meeting and confirm the date of the next meeting. One
24 of the things that we talked about earlier was a report
25 to the Committee on the 2019 stats so we will put that

1 on the next meeting agenda. Anybody have anything else
2 they would like to add?

3 ERIC GLEASON: Mr. Chair, this is Eric. If I
4 could interrupt again, I'm sorry. So just to be clear,
5 our next regularly scheduled meeting would be in July.

6 JOHN MCBETH: Correct.

7 ERIC GLEASON: We talked today about a
8 meeting sometime in May with the Committee when we have
9 been able to finely tune the research work that TGI has
10 done to the extent that we can present it to you and
11 talk about numbers and impact. So I really think this
12 conversation on Number 9 is really probably talking
13 about two meetings with the next meeting being sometime
14 in mid-May.

15 JOHN MCBETH: Relative to the Census data?

16 ERIC GLEASON: For just the Census data. And
17 then anything else, such as the Stat Report review
18 would be for the regularly scheduled July meeting.

19 JOHN MCBETH: July meeting, yeah. I'm all
20 for that. I just assumed we were gonna meet in May
21 anyway. Is there any objections with the members to
22 meeting in May relative to the Census? And then July
23 relative to things. Hearing none, I assume --

24 ERIC GLEASON: Hey John --

25 JOHN MCBETH: -- we will go ahead and

1 schedule a meeting at the call of the department
2 sometime in mid to late May for just the Census data.
3 And then we will have our normally scheduled July
4 meeting and one of the items on that meeting will be
5 the 2019 stats. Is there anything that anyone else
6 would like to add to that July meeting?

7 ERIC GLEASON: Hey John, should we do a
8 target the May meeting as a WebEx meeting and then the
9 July meeting as in person? I mean be optimistic.

10 JOHN MCBETH: A WebEx meeting would be fine
11 with me for the May Census meeting unless Eric and
12 staff thinks we need to be there.

13 ERIC GLEASON: I think I suspect it's prudent
14 to assume that that is WebEx format.

15 JOHN MCBETH: Okay. Sounds like a good idea
16 to me. Well the May meeting will be a WebEx format.
17 The July meeting will be an in (inaudible) meeting with
18 safe distances.

19 ERIC GLEASON: We will try for that for July,
20 yes. We will try for that.

21 JOHN MCBETH: Super. And Josh can go ahead
22 and send out the official dates for both of those when
23 they're available.

24 JOSH RIBAKOVE: You bet.

25 ERIC GLEASON: Alright, well. Yes.

1 JOHN MCBETH: Okay. Is there anything else
2 on Agenda Item Number 9? Hearing none we'll go to Item
3 Number 10, which is adjournment and I'll call upon J.R.
4 to make the motion and Dietrich to second it.

5 J.R. SALAZAR: Yes, this is J.R. I move to
6 adjourn the virtual meeting.

7 DIETRICH VON BIEDENFELD: This is Dietrich
8 and I second.

9 JOHN MCBETH: Great. Thank y'all.
10 (Inaudible) objection to adjourning. We are adjourned.
11 Thank you all.

12 (END OF PROCEEDINGS.)

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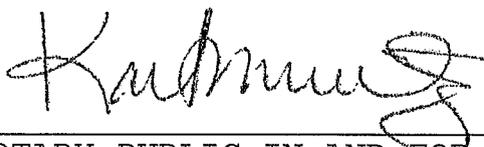
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1 THE STATE OF TEXAS)

2 COUNTY OF TRAVIS)

3 Before me, Katheren Martinez, on this day
4 personally appeared Angelica Mathews, known to me to be
5 the person whose name is subscribed to the foregoing
6 instrument and acknowledged to me that they executed the
7 same for the purposes and consideration therein
8 expressed.

9
10 Given under my hand and seal of office this
11 12th day of May, 2020.

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NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
COMMISSION EXPIRES: 5/6/2023

