TEXAS DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION ADVISORY COMMITTEE MEETING

Room 323
Building 6
3712 Jackson Avenue
Austin, Texas

Tuesday,
September 24, 2013

COMMITTEE MEMBERS PRESENT IN AUSTIN:

Michelle Bloomer, Chair
J.R. Salazar, Vice Chair
Glenn Gadbois
Brad Underwood

COMMITTEE MEMBER PRESENT BY TELEPHONE:

Rob Stephens

COMMITTEE MEMBER NOT PRESENT:

Christina Crain

STAFF:

Eric Gleason, PTN Director
Bobby Killebrew, PTN Deputy Director
Kelly Kirkland, PTN

ON THE RECORD REPORTING
(512) 450-0342
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PROCEDINGS

MS. BLOOMER: We will officially call the meeting to order. We'll to item 2, approval of the minutes from the July 9 meeting.

MR. GADBOIS: This is Glenn. So moved.

MS. BLOOMER: I have a motion.

MR. SALAZAR: I'll second that.

MS. BLOOMER: One item I did want to clarify. On agenda item 2, Rural Transit Districts is abbreviated RDS instead of RTD, so if you'll accept a friendly amendment to make that change. Glenn and J.R.?

MR. SALAZAR: Sure.

MR. GADBOIS: Yes.

MS. BLOOMER: Did we have somebody join us?

MR. STEPHENS: Yes. I'm sorry, Michelle, I'm late. This is Rob Stephens here.

MS. BLOOMER: Hi, Rob. That's okay. We're on agenda item 2, approval of the minutes. We have a motion and a second and we're getting ready to do roll call.

Brad?

MR. UNDERWOOD: Aye.

MS. BLOOMER: Michelle, aye.

J.R.?

MR. SALAZAR: Aye.

MS. BLOOMER: Glenn?
MR. GADBOIS: Aye.

MS. BLOOMER: And Rob?

MR. STEPHENS: Aye.

MS. BLOOMER: Okay. Before we move on to the division director's report, I did just want to let everybody know, Bobby sent out a letter; one of our members, Mr. Al Abeson, has resigned from the committee.

MR. GADBOIS: Doctor.

MS. BLOOMER: He doesn't like to be called Dr. Al. Al has resigned from the committee. I did ask Bobby to send out the letter, so you saw that, but Al could not make it here today; he is packing for a big trip to Paris. So we thank him for his service and look forward to seeing him -- at least I do, in the Fort Worth area on some regional coordination efforts that are going on. He's not here, but thank you, Al.

Okay, Eric, we'll turn it over to you for the division director's report.

MR. GLEASON: All right. For the record, I'm Eric Gleason, director of Public Transportation at TxDOT. You all have a copy of the director's report. It highlights four items of interest, I hope, for the committee. We have totally closed and finished off our Recovery Act grant projects here, and 130 different projects, we procured over 400 vehicles, constructed or
rehabbed 41 facilities, and were part of 22 information technology projects. So that was a significant effort on our part, and in large part, I think it worked so well because of the collaboration we have with the rural transit districts throughout the state to get it done. So that's a milestone.

FTA state management review. This is our version of the 5307 review. They come around once every three fiscal years and they review our program. They tell us it's not an audit. And anyways, in my view, we did very, very well for the size of the program, and the consultants who did it were very complimentary of the program we have here in Texas. They're not allowed to put any of that into the report because they're only paid to report on the findings they had.

So we were able to close about half of a handful of minor deficiencies they had identified before the final report was issued, and we have, I think, three, maybe four more to wrap up before the end of October. So it was a good review, by and large.

2010 census impacts, we have a call for projects out similar to what we did last year. Proposals are due back this Friday, and I think we're targeting the November commission meeting, the November 21 commission meeting for award of those funds.
And then finally, we're in the middle of conducting a number of workshops around the state to talk about local match. This is the result of some research that the department funded with PPRI through A&M, and four regional workshops and this is just some general information for folks who want to learn about where to find match and how to use it. We have had a workshop in Corpus. I think the Lubbock one is tomorrow. I know Darla is on her way there. And Houston is when, Kris?

MS. DUDLEY: Houston is the 2nd and 3rd and Dallas is the following week.

MR. GLEASON: We had a great one down in Corpus Christi. I think a lot of folks who attended found it very useful. And it's a kind of a combination of general knowledge by PPRI staff and then some more specific knowledge on the part of our staff to help the conversation. So those seem to be going well.

The one other thing I will add at this point that's not a part of the report is with Al's departure from the committee, it's a reminder that now with Al having resigned, we have three openings on the committee, and I have written our State Legislative Affairs Division to alert them that we need to be contacting the Governor, the Lieutenant Governor and the Speaker's Office to get those three appointments made as soon as we can.
The Governor has an opportunity to appoint a transportation user representative, as does the Lieutenant Governor, and the Speaker has the opportunity to appoint a general public representative, so two users and one general public. And the Governor's Office has been very responsive in the past, the other two offices it's been kind of hit and miss. They've got a lot on their plate and getting them to focus on the appointments has been a challenge, but we will try again. Whatever we end up sending out, I'll copy the committee members on so you can see.

And I would be interested, it's not on our agenda necessarily to talk about at this time, if members wanted to think about and send to me criteria or thoughts they had on not necessarily names as much as the kinds of people we might be looking for to kind of round out the committee, that would be helpful. We'll let these offices know that an appointment needs to be made and then we would volunteer to provide them with any information they might need, including potential names, if they would like. The Governor may take us up on that; we've not had either of the two offices call us and ask for more information on that.

Anyway, that concludes my report.

MS. BLOOMER: Eric, do the other two offices,
like the Governor's Office, have an appointments staff person?

MR. GLEASON: Certainly not to the extent the Governor does; the Governor has pretty well staffed up to make appointments, the others not so much.

MS. BLOOMER: Any comments or questions for Eric?

MR. GADBOIS: Just a followup on that one, and then I do actually have a couple of questions for Eric. Generally speaking, if you know somebody that wants to be on there, if they go talk to their senator or their representative and have their senator or their representative talk to their body's boss, that's generally the way that flows. But I was going to ask you -- thank you for anticipating -- you have the opportunity to put thoughts and/or suggestions?

MR. GLEASON: We'll offer them. We have them if we're asked for them.

MR. GADBOIS: Right. Okay.

Can I ask the couple of quick questions, or what I hope are quick questions? On the state management review, Eric, are there any items that came up that are going to come before us?

MR. GLEASON: No.

MR. GADBOIS: Okay. And then on the local
match workshops, first, just generally not knowing much about it, I love the idea that you're doing that. Is it designed really to kind of be hands-on and to help people to understand how to develop local match or just help them get their minds -- what are the desired outcomes?

MR. GLEASON: Well, I think it's a combination of both, and it probably depends on where the individual attending the session is. It's more generally focused, I think -- the folks from PPRI are not the specific transit match experts, but they're able to give people general ideas, and then combined with TxDOT staff who are there or other peers in the room, some conversations can get going where individuals may actually leave with a very specific idea of something they might be able to do. And certainly, I think we've already had some back and forth with folks from the Corpus Christi workshop with specific ideas that they have.

So I think it's a conversation that has needed to happen for a while and I see this as just the first of some ongoing focus we need to bring to the whole issue of local match and how to go about structuring your organization to take maximum advantage of what you have.

MR. GADBOIS: And just to observe, we have some creative talent at this table and elsewhere in the state that actually do kind of an amazing job.
MR. GLEASON: Oh, yeah.

MR. GADBOIS: To the extent that that can be pulled into the conversation and shared across other areas might be really helpful.

MR. GLEASON: Absolutely. I think in Texas there are just an amazing variety of different approaches that have been used, and most of the challenge is just getting people hooked up with someone who's done something that they have the ability to do themselves.

MR. SALAZAR: And that's actually how it kind of got started, Glenn, was we had a focus group that got together -- I think I was on it, Brad is on it, Rob is on it -- several different people throughout the state got together and threw out a bunch of ideas, and from there, that's kind of how it evolved to this training that we're talking about.

MR. UNDERWOOD: There was focus groups and surveys. I think it's been going on probably two years, I'd like to say about two years, trying to gather information and now there's going to be a resource guide that's going to be given out to everyone as well so that you can go back and look at it, and I think we have scenarios and things like that that people have done across the state.

MR. GADBOIS: Fantastic. That's a huge issue
for lots of people, so thanks.

MR. GLEASON: One of the things we're doing is public transportation coordinators are attending the workshops as well because, you know, they may very well start seeing some match proposals that they're not used to seeing, and so we're anticipating it's going to be kind of a new world for our staff as well.

MR. GADBOIS: Are you getting any folks like United Way or any of the private sector folks kind of engaging on that conversation?

(Nods of agreement.)

MR. GADBOIS: Good, good. Beautiful. Thanks.

MS. BLOOMER: I look forward to the I think it's October 8 and 9 one in Mesquite. I wish it was in Fort Worth, but hey.

Any other questions of Eric on the director's report?

(No response.)

MS. BLOOMER: I did just want to say congratulations to Eric and his staff for closing out 50.6 in ARRA grants and having a successful state management review. Those were both two very large accomplishments.

MR. GLEASON: Appreciate that.

MS. BLOOMER: All right. Then we will move on to item 4, which is the administrative rule revisions.
Bobby, I'll turn it over to you.

MR. KILLEBREW: Thanks, Michelle.

For the record, Bobby Killebrew, deputy director of Public Transportation Division here at TxDOT.

This is probably the lion's share of the package you have in front of you. Don't be scared by the volume; it's not intended to scare you off, so don't leave, we still need the quorum. I'm going to just take a few minutes just to go through what you have, and then maybe we can get to some back-and-forth questions and answers, if needed.

Very quickly, this is agenda item number 4, Rob, in the pack that we sent you electronically, and there are several things in here. The first two pages is an updated timeline. Since the last time this committee met, we did publish the rules in the Texas Register -- yay! We had a public hearing, we didn't have anybody show at the public hearing -- sad -- but we did conduct a public hearing. So we are now to the point in the timeline where this committee is meeting to look at the final draft of rules that are scheduled to be presented to the commission at their October 25 meeting.

Today the committee can do a couple of things in regards to this final review of the rules: one is you can provide comment; the other item is you can actually
just waive your final comment. So if you do decide to
provide comment, that comment could be we endorse this
package as presented, or we endorse this package as
presented but with the following suggested changes. So
we'll leave that up to the committee to discuss in a few
minutes.

Any questions on the timeline as we go forward?
There's very few things left on the timeline, so we're at
the end of this very long, long process. Yes, Michelle is
cracking, and I agree.

We did have two comments that we received
during the public comment period. The public comment
period was open for 30 days, and so we received one
comment in hard copy. That's the next item in your
package. It's from the Panhandle Regional Organization to
Maximize Public Transportation, or as they refer to
themselves, PROMPT. That is seven pages worth of comments
from PROMPT. And we did receive one comment through the
internet from the Alamo Regional Transit. That's actually
ACOG down in the San Antonio area, and they had three
pages of comments to provide to us.

I'm not going to go through their copies of the
comments, I'll just jump straight on to what we did with
those comments, if anything, and then through the rule
package before you today, if that's all right.
As you're flipping through there, there is a page -- with a typo in the title -- The Summary of Nonsubstantive Changes to the Texas Administrative Code. It is a one-page item, and I'll give Rob a minute to locate that.

From the comments we received, there was some thought given to the uses of the terms not urbanized versus rural. You might remember in your previous meeting we talked quite a bit about that. MAP-21 had changed some terminology from non-urbanized to rural. We tried to follow the federal changes as much as possible so we don't have a version in Texas that differs from guidance from FTA.

For the most part we agreed with the comment we received, and we went through and did a scan and a search and replace if we had made a mistake and failed to change a non-urbanized term to the term rural, then we went back and did that. However, we did not go back and do that in the JARC and New Freedom pieces of the Administrative Code, and here's our logic on that. We've heard from FTA that they're not going to change their guidance on JARC and New Freedom because they considered those repealed programs, and quite frankly, they have a lot on their plate, so they're pretty much going to leave the old guidance for JARC and New Freedom alone which does contain
that old terminology, so we did not want to differ in JARC and New Freedom. As we continue to still spend those funds, we wanted to keep that as closely as possible to that existing federal guidance. But elsewhere in the TAC, we went and checked to make sure we were pretty consistent, and if we weren't, we went ahead and made the change.

We also received a comment from the same organization that said our use of the term low income, sometimes low hyphen income, sometimes just low space income, two words, was inconsistent, so we went back and did a little check on that. And so you will not see those type of things highlighted for you in the package before you today because we just went through and did that.

MR. GADBOIS: Bobby, let me back you up.

MR. KILLEBREW: Yes, Glenn.

MR. GADBOIS: Since you did some comment on your responses to the second, the Alamo Area comments, but you didn't really make any about the Panhandle comments, are you coming back to that? Can I just make sure at some point you reflect your thinking on the issue they raise about TxDOT district may be able to collapse into continuous districts and their lack of comfort with that?

MR. KILLEBREW: I think you can discuss that as a group today, if you'd like to talk about the way the
Administrative Code is drafted and how the group wants to weigh in on how the code is drafted as far as does that change need to be reflected in this final version or not. I think that's probably a discussion for the committee to have.

To answer your question, we did not take their comment about collapsing/expanding the districts and made any changes to what this committee had already reviewed and approved.

MR. GADBOIS: Okay.

MR. KILLEBREW: So the other changes that we have highlighted for the committee so you can see where they take place, are in that big piece of your packet today, and just so we all get on the same page, I'll just kind of give a little guidance, again, about how we refer to the different pages. When you actually look at the Texas Administrative Code as it's presented to you, in the lower right-hand corner you'll see Exhibit B, C, D, and so forth, in the upper right-hand corner you'll say page 1 of, or 2 of, or whatever, and then along the left-hand spine you'll see line numbers 1 through 23. And so what we've done in the summary here is we've actually referenced where we've made the changes from the previous version already approved by this committee.

And so the first one is actually in Exhibit B,
page 11, beginning on line 23, and there's where you'll see some highlight. It's at the very last line on that page and continues on to the next page. We did receive a comment regarding the Public Transit Safety Plan. What you're looking at is the definitions section of the Administrative Code, and we had defined the Public Transit Safety Plan using several lines to define it. We also then repeated that back in a later section of the Administrative Code verbatim, and the commenter said that it doesn't seem to make sense why you would do that twice, why you would define the definition with all this number of lines of words and then go back later in the Administrative Code and do the same thing, so we agreed. So this is a truncated version of that definition, and so all we've done is take out several of those lines that were repeated in the later section.

The next exhibit, Exhibit C, page 10 on line 12. This is a change that we actually initiated ourselves as a department and going back and rereading these rules. This always shows that you can't have enough eyes on a set of Administrative Code when you're making changes. When we went back and looked at this again, we realized that we had referenced an incorrect term, talking about the agencies. We had used the term government entity, and we should have used the term public entity, as defined for
this section of the Administrative Code. For the public entity, that would include our rural transit districts, political subdivisions, so forth, the governmental entity definition did not. So our oversight. We're correcting this now as a final adoption to make sure that we do include all those eligible agencies as we intended to do.

MR. GADBOIS: Bobby, given so many of these are responses to the definitions section, do we have the definitions section somewhere?

MR. KILLEBREW: Yes. The definitions section is actually Exhibit B, Glenn.

MR. GADBOIS: B?

MR. KILLEBREW: B, as in boy.

MR. GADBOIS: Okay. Got it.

MR. KILLEBREW: The next change that we made from the previous version this committee approved is in Exhibit D, page 38, beginning on line 8. This also is a department-initiated change. This section that you're looking at on page 38 is actually in one of the new federal programs, it's the new Section 5339 program, what kind of replaced the bus and bus facilities program. The committee wanted to add language that projects awarded under this program needed to be tied to a transit asset management plan, but we realized that the federal government, FTA, has not issued guidance, has not issued
any direction on a transit asset management plan, so it's
difficult for the department to actually impose that
requirement if we've not actually developed a transit
asset management plan. However, we've got money in this
program already that we're probably going to need to
administer so that we make sure we do get a program.

So we've added some language in here that more
or less says that at such time the department implements
the requirement of a transit asset management plan, then
the projects under this section would need to be tied to
that plan. Does that make sense to the committee?

MS. BLOOMER: Bobby, this is Michelle, for the
record. Just a quick question, trying to remember back,
we know we're waiting for FTA guidance, but I thought the
guidance from FTA was don't wait for their guidance. So
are we still going to go ahead and proceed with developing
asset management plans, or are we going to wait until FTA
comes out with guidance?

MR. KILLEBREW: We're going to go ahead and
start working on the transit asset management plan, and if
FTA develops guidance and issues that guidance during our
development of that, we'll have to, of course, adhere to
it. But we're not going to wait for FTA to come out with
something, but we also don't want to tie the awards in
this program to something that may take the department yet
another twelve months to start implementing. The downside is MAP-21 is a two-year bill and we know we don't have appropriations for 2014 yet but we've got some '13 money in this program and we're fixing to have some '14 money -- knock on wood, Congress gets their act together -- and so we don't want to tie up those funds waiting for MAP-21 to expire. It's just a race to get to the finish line right now, so we want to give ourselves as much leeway as possible.

MS. BLOOMER: Thank you. I would agree. We don't want to hold the money up from being awarded, but I didn't also want to wait till FTA came out with guidance.

MR. KILLEBREW: I attended some meetings in August in Washington, D.C., and FTA had some timelines on some of the MAP-21 provisions. To my amazement, some of those timelines did not have implementation until 2017. Now, again, FTA has a lot on their plate and they're going to go after the big fish first because that's where the money is, and some of those smaller fish may just have to wait until they grow to priority on their list. But yes, we laughed in August, as well. They have limited staff, as well.

The next change is over the program management area, which is Exhibit E, and it begins on page 11 and goes forward. This happens a couple of different times in
Exhibit E. Page 11 is one of the pages, page 13 is another one of the pages with the changes on them where we've added some new language. Our legal counsel had another individual look at our changes in the Administrative Code, they also revisited the legislation passed by the legislature, Senate Bill 59, in regards to data we collect from the transit operators and when reports are due and so forth, and they did not feel, in our good intentions to mirror this as closely to Senate Bill 59 as possible, that we actually did that job, and so they asked us to go back in here and repeat, if possible, verbatim the language that was in Senate Bill 59.

So what you see in these two occurrences in this exhibit is our effort to repeat verbatim what's actually in the Senate bill that was codified into the Transportation Code. It doesn't change the meaning of this, it doesn't change our current practices because we've been doing this for years, years and years and years. We've had a rider in the appropriations bill for years that caused us to do this, as well. So we're just mirroring what was in the actual Senate bill that got codified into the Transportation Code.

MR. UNDERWOOD: It says specifically monthly?

MR. KILLEBREW: Yes, it does. And we collect the monthly data now. That was just a term that we had
not used in the Administrative Code, so the lawyers has suggested put it in there.

The last change on this package, the final package from what you reviewed and approved, is in Exhibit F, page 6, line 23, and page 8, line 3, and this was the use of the word ensure with an E versus insure with an I. One of our commenters, good for them, they read the code very closely and they caught those type of items, and so we went through and made sure we did the proper use of the word ensure versus insure, and so you'll see those changes, as well.

Other than that, what you see before you is exactly what the committee had approved at its last meeting to go forward. So today, again, the committee can provide comment or can waive comment, and so I think now is a perfect opportunity for discussions, and I'm here to answer any questions I may be able to.

MS. BLOOMER: Okay. Before we get to the two comments received, are there any questions for Bobby just related to the changes that he made before we open it up?

MR. GADBOIS: Or clarification on this, can I ask a question about that?

MS. BLOOMER: What's this?

MR. GADBOIS: Particularly Exhibit E. Given the changes you made reflecting the Senate language now in
the Transportation Code, that deals with operations. One of the discussions we had talked about, Bobby -- and I just don't remember whether it's in here, whether it wasn't in here, or even what we actually decided, so just help me remember, if you will -- we discussed getting providers to do some kind of financial reporting. Some of the systems already have to do that, particularly the ones that I think don't are the rural where they have financial management plans, three-year, five-year, whatever it is. Is that in here at all, or did we decide to leave it out, or what?

MR. KILLEBREW: The part that I'm remember, Glenn, on that I thought dealt with some of the asset management type activity, and part of the Transit Asset Management Plan is a requirement to do some of that financial planning, so that's still in the Administrative Code.

MR. GADBOIS: For everybody. Well, here's the example that I remember, just to kind of make sure because I don't remember asset management as much as, somebody will get a grant from you and then won't spend it and will sit on it, and there's no way to even keep good track of that, much less to make decisions on spend it or lose it. And so in my memory, part of the discussion was about that, but what I'm understanding from that is that's not
really dealt with in here.

MR. KILLEBREW: No. And to that comment, we did discuss that at one of the previous PTAC meetings and our conversation was we have some internal practices and things in place, we have milestones in the contracts, we don't like open-ended contracts, they do have a beginning and an end date, and projects are reviewed by the field staff on a regular basis to ensure that we don't have people who are issued funds and sit on it. That's not necessarily something that's Administrative Code as much as a policy of the department and a practice within the division that we need to make sure we keep on top of our projects and the awards.

MR. GADBOIS: Okay. Thank you.

MR. KILLEBREW: yes, sir.

MS. BLOOMER: Okay. Are there any comments or questions specific to the two public comments that weren't covered by the committee? I had a few.

Bobby, I understand these are public comments and so they go into the record, but is there any communication back to the individuals from the division? My one concern is PROMPT and on the second page their comment that they're concerned that the boundary issue may be tied up in the Medicaid boundary issue, and just wanted maybe if you could put it in the transcript that that was
not the intent, that there's no tie between PTAC's discussion of TxDOT being able to take the TxDOT districts and create multi-district groupings or boundaries, that has absolutely nothing to do with the Medicaid districts.

MR. UNDERWOOD: I thought that was interesting too.

MS. BLOOMER: And then I did have a question on the other one, if you could clarify the comment on Exhibit A where they say these two statements are contrary where in one we say that funding will be allocated along the district boundaries, and the second one states that TxDOT may choose to combine contiguous boundaries for project selection. Is that just their interpretation but that's not exactly what we said? We said we'll use the TxDOT district boundaries but we gave TxDOT the authority to add districts together to create multi-district for regional coordination purposes when it made more sense.

MR. KILLEBREW: Sure. Going back to the PROMPT comment about the Medicaid thing, what we do -- and you don't have in your packet because this is something we do in the rulemaking process for the commission -- is we actually have to do a preamble to this rulemaking process, and we have to address every public comment we've received, we also have to address comments that come from the advisory committee, if it's appropriate, so in this
case it's an appropriate since we have an advisory committee, so we'll put your comments today in that preamble as well, and how you vote and so forth, and the department will address those.

When we go through those comments from the individual organizations or receive them from individuals, if they're similar comments from several people, we'll group them, if they're not so similar, then we'll actually list them individually, and we'll say a commenter said, or Jane Little from ABC Transit commented that whatever, and we'll have a response on how we handled that comment. If the department concurs with the comment, which we did in some cases from this, and we think we need to make the change, a nonurbanized versus rural. In other cases, the Medicaid, for example, if that's outside this particular rulemaking package, then we'll say that and we won't handle it any further.

The person providing the comment can see that as part of the public record. It's been a mixed bag in the past. If we don't get a lot of public comments, then we do try to reach out to the organizations that did provide public comment. That's not required, it's a step we go above and beyond because we think that's good customer. Obviously, if we got 500 comments, we might not do that. In this case we will probably reach back to
these organizations to let them know at least the status
of that and invite open conversation, if it's appropriate.

With Medicaid, it may not be appropriate that we have an
open conversation, that's not something that TxDOT has
purview over. So that's how we'd probably handle the
Medicaid comment, and we're working on the preamble right
now.

The comment about the district, whether we keep
that at a very distinct district line on the map, you
can't do anything but that, versus it may make more sense
to consolidate for a planning process, project selection
process, obviously from a project administration process,
it would make more sense to consolidate some of those
things. We took the guidance from the committee, as well
as the department agrees, that that's probably something
we still need that flexibility to do.

We all realize that with the way MAP-21 is
treating the 5310 program that some of the rural areas of
Texas, based on TxDOT district boundary, are not going to
have a lot of funds. We also understand that the transit
operators don't have boundaries based off TxDOT lines, we
know that the regional planning entities don't have lines
based off TxDOT lines, so in some areas of the state, we
do need that flexibility. It's more for the local input
to be there. We think that that is an advantage. And so
we will go that direction if approved by the commission to be able to do that.

MR. GADOIS: Can I explore that a little bit further? Because my understanding was we say district boundary is the preferred, but we can take district boundary and district boundary and merge them into one. That's what our rules say. Right? So I actually don't understand their comment, and really what I want help understanding is what are they actually concerned about.

MR. GLEASON: If I can, this is Eric Gleason. When I read their comment, I think the observation I would make is that there's language -- this committee made a recommendation to not change the formula that is used to allocate funds, and that formula is based on TxDOT districts, so step one, allocate the funding by district. Step two, then, is all the subsequent decision-making that takes place about whether to combine districts, and as you combine districts, each district brings their money to the table, so it seems like where they're confused is thinking that those two processes are somehow related to each other or conflict with each other. It's actually a very linear process, the funding decision is a district-based decision, period. If it's combined subsequent to that decision to make decisions on projects and so forth.

MR. GADOIS: So you think they're just
confused.

MR. GLEASON: I believe so.

MR. GADBOIS: In which case, clarification can greatly help.

MS. BLOOMER: And will that be included in the preamble? I'm just concerned, it may not be appropriate for the preamble, but at some point we get back to them and clarify their comment and what the intent is and if it's a misunderstanding.

MR. KILLEBREW: It probably will not be included in the preamble to that level, but the plans are, again, we only received two comments, it's very easy to get back to these two organizations and have a conversation with them on all their thoughts.

MR. SALAZAR: Is it appropriate for me, as an individual, to chime in with them? Because I know Lylene.

MR. GADBOIS: You, as an individual, can do whatever you want.

(General talking and laughter.)

MR. SALAZAR: I kind of agree with the comments that are going around, I think they're looking at it as somebody is going to come in and take over kind of thing.

MR. GLEASON: Absolutely.

MR. KILLEBREW: This became public record today at this meeting, so these are public records that you're
looking at, these are now open to the public, and as Glenn was saying, you can do whatever you want. But obviously, you can reach out, and certainly a PTAC member, they would be reaching out to you, as well, for your guidance.

MR. GADBOIS: Now, here is, I guess, we go through this rulemaking process, we go through the rulemaking process every so often, it's a laborious task. Right? But it also is something of an experiment that even then when law still depends on kind of how it gets implemented and how things work out, and they will work out differently in different areas. Is there tracking, do we do any kind of tracking assessment or evaluation of new rules that get implemented to see where there are hot spots, unintended consequences, things that didn't work as we thought they might?

MR. GLEASON: This is Eric Gleason. Glenn, I don't think I would say, and to answer your question from a formal standpoint, I don't think we have a history of formally going back six months later, twelve months later and asking ourselves what have we heard, this is what we did, have we heard anything about this one or that one. It's been more we hear from people when things aren't working for them.

MR. GADBOIS: That's the easy way.

MR. GLEASON: Now, that's not to say that we
couldn't, and even that this committee couldn't say we want this topic back six months from now or twelve months from now, we want to hear what, if anything, you have to report from your experience in implementing them. That might suggest that everything is great or that some changes need to be made. That would be perfectly appropriate, I would think.

MR. GADBOIS: And the reason I asked that is most of the comments I've heard on these rules are, you know, they look pretty good, you know, we're pretty happy with the way they are, our worry now is implementation. Right?

MR. GLEASON: And if you look back at the history, it's been a fairly extensive effort to reach out to people and people have had a lot of opportunity to comment, and one of the major general things was don't mess with things too much because, on the whole, things seem to be working pretty well.

MR. GADBOIS: And change is scary.

MR. GLEASON: And change is scary. But I think, on the whole, people didn't want us to do very much, and so in part, that's perhaps why we're not hearing a lot right now. But I think we did do, and this committee certainly put a lot of effort into outreach, which is always the best way to make sure at this point in
the process we don't have a lot to talk about.

MS. BLOOMER: Very extensive outreach.

Bobby, can you just clarify the second comment on the strategic priorities. Was it removed or just relocated? From the PROMPT group, their second major comment, Exhibit B, page 14 to 17.

MR. KILLEBREW: Strategic priorities was a definition that was removed because the term is no longer used in the Administrative Code, and so when we went through the first time to see if there was any obsolete language that hit the mark on that one. It's an old term that we used to use way back in the days when we had like a set-aside program. For some people who are old, like me, there used to be a 10 percent set-aside program for what we called new starts in Texas, and that meant like newly started systems. If you remember, J.R., way back when we had those, 10 percent of funds were set aside for new starts.

We started getting Texas pretty much covered at some point in time, and so we renamed the new starts to being strategic priorities, so it then became other strategic priorities of the commission, so in case there was something that came up in the state that hey, great idea, let's go fund it because it's strategic priority.

After adopting the more recent versions of the
formulas, we don't have that set-aside for strategic priorities or for new starts anymore, and that was a term we just never got rid of. So that's kind of the history and why it's being deleted out of the definitions section.

MS. BLOOMER: Okay. So it's deleted out of the definitions section, but somewhere in those 90 pages of Administrative Code, we had like eight principles that we had listed out, and those are still included: leverage existing resources, coordination and partnerships.

MR. KILLEBREW: Those are the guiding principles in the 5310 program and all that is the new language that the committee decided on, and that is all in there, but that has nothing to do with the strategic priority term that was left over, and we probably should have taken it out a couple versions or changes ago and we just didn't do it.

MS. BLOOMER: Okay. Are there any other changes on the PROMPT comments? And we thank them for submitting their comments.

Going to the Alamo Regional Transit comments, we appreciate them reading them with a fine-tooth comb. One of the recommendations under specific, they asked: "Will TxDOT create a mechanism to facilitate offering disposal property and equipment to other FTA or state recipients?"
I know this is a concept we had talked about when we were doing the regional coordination planning, about creating a statewide listing on the regional service planning website of vehicles that are being disposed of. I believe there actually is something out there.

MR. KILLEBREW: This is Bobby. It's not on the regional service planning website, we actually have it through our PTMS system, our public transportation management system. We have a clearinghouse where we can list I hate to say used vehicles, it's like a used car lot or something, but that's what it is, so if someone has got a decent vehicle that they want to share with other people in the state, then they can certainly advertise it there.

We also have a very strong internal network through our PTCs, and I guarantee you if someone is giving up a vehicle, another PTC is asking for it, and so we have moved vehicles across the State of Texas, we will relocate them if they still have some useful life left and they're still safe to operate.

MS. BLOOMER: Okay. Great. The next comment was: "We realize MAP-21 prescribes a definition of "senior." Nonetheless, we ask that you ask FTA if this makes sense when considered against work transit agencies perform to coordinate activities with the Area Agencies on Aging which define an older adult as somebody who is 60 or
I think we talked a little bit about that last time, but given the federal coordinating committee or council on coordination, it kind of flies in the face that we have one federal agency defining older adults as 65 and another federal agency defining older adults as 60. Is that something that TxDOT can weigh in on and recommend that we pick one?

MR. KILLEBREW: I'll address it as far as this goes. That was a MAP-21 change, it is in federal statute, so we can't change what the federal statute says in our implementation of these particular programs that deal with that definition. Now, can any organization weigh in and say I don't like the federal law, reauthorization is coming up, you federal agencies get together, you all decide what is the cutoff, is it 60, is it 62, is it 65, whatever it is, make sure it's all there, because we do run local programs in my system. I think that's an advocacy type avenue that people can go through the associations at the national level or individually through their Congress folks they can advocate one way or the other.

We understand the difficulty that this may cause and probably will cause some transit systems; there are some, I know, in the Metroplex that are probably going
to have difficulty with this. But it is something that we
don't have the ability to say we're going to go against
what federal statute says, they say 65, we're going to
change it to 60 in Texas. This is unique to the 5310
program so we are going to have to follow that particular
law.

MR. GADBOIS: And if I can jump in on
Michelle's question, I don't think she was asking you to
ignore federal law, I think what she's asking is can the
State of Texas or TxDOT communicate to the federal
agencies that it sure would be helpful to the state and
programs within the state if they would get their act
together and give us one definition, either 60 or 65.

MR. KILLEBREW: And Eric sits on a coordinating
council, a recent appointment for him, here in Texas, and
I think there are some avenues -- not to speak for you,
Eric -- but I think there are some avenues there as well
because that supports coordinating here in Texas, so if
Texas wants to speak with one voice, we have to remember
not just TxDOT speaking but Texas as a whole needs to
speak we'd like to have one definition. Because then it's
just, well, this one agency in Texas says change it, this
other agency says no, keep it at 60, we like it just fine.

MR. GLEASON: While you're talking for Eric,
can you just says yes, I'll take that to the Texas
coordinating council?

(General laughter.)

MS. BLOOMER: And this is Michelle. I don't think we need to make a recommendation if it should be 60 or 65, I would just ask that we highlight it to the federal agency that's responsible for coordinating across all the federal agencies that you have two federal agencies defining it different.

MR. GLEASON: And if I may, I think we did include that in our comments that we submitted on the 5310 program, so we're trying but we can try more, for sure.

MR. GADBOIS: Good. Thanks.

MS. BLOOMER: So Bobby, back to your point, it's the 5310 program so those funds can no longer be used to transport individuals who are 60 to 64 and 364 days old?

MR. KILLEBREW: Not speaking for FTA -- because I know some folks will be getting their 5310 funds directly from FTA, they won't be coming through TxDOT -- my advice to individuals that I have spoke with, including some of my federal partners, is that if there's capacity on the vehicle that you let anybody, because if there is capacity, the general public can ride, and anyone below that age group is certainly the general public. And so my advice to people is to consider that when you're doing
your schedule and dispatch and your route planning and
your coverage areas and so forth, be very flexible at that
end.

MS. BLOOMER: Any other questions for the
Alamo? Any other questions or comments on what the
committee would like to do? Our two options are to
provide comment, we can either endorse as presented or
endorse as presented with changes, but I don't think we've
talked about any, or waive our final comment. So I'd be
happy to entertain a motion.

MR. UNDERWOOD: What did we do last time? Did
we vote to comment?

MR. KILLEBREW: The last time the committee
unanimously voted to take the package as drafted. We had
considered all the comments from the committee and made
those changes, so it was the package as discussed and
agreed to by the committee.

MR. GLEASON: If I may, I think what the
committee talked about last time was whether or not at
that point to formally comment to the commission at the
meeting, and the committee decided to wait until final
rules were before them before they would formally comment
at the meeting. So we can talk about that when you're
done with this.

MR. UNDERWOOD: It would be my motion that we
approve this as presented or recommend approval as
presented. Is that what you want?

MS. BLOOMER: Provide comment, endorse as
presented?

MR. UNDERWOOD: Endorse as presented.

MS. BLOOMER: Okay. I have a motion.

MR. GADBOIS: I'll second that.

MS. BLOOMER: And a second. We will do roll
call. We'll start with Rob.

MR. GADBOIS: Can we have one moment of
discussion? My second is contingent on actually you
looking at ways to just kind of keep your ear to the
ground on how this gets implemented and do some level of
tracking. Let us know if it -- I mean, if it goes really
awry, we'll all hear about it, but if there are any
lessons to be learned. Appreciate it.

MR. GLEASON: Thank you. And if I might say,
the next topic on the agenda will give you a little bit of
a glimpse into how we're moving forward with the 5310
program.

MS. BLOOMER: So we have a motion and a second.
Rob?

MR. STEPHENS: Aye.

MS. BLOOMER: Brad?

MR. UNDERWOOD: Aye.
MS. BLOOMER: Michelle, aye.

J.R.?

MR. SALAZAR: Aye.

MS. BLOOMER: And Glenn?

MR. GADBOIS: Aye.

MS. BLOOMER: So the motion passes unanimously.

Thank you.

MR. GLEASON: Before we move on, do you want to talk about how you want to organize your effort in front of the commission in October?

MS. BLOOMER: Yes. I guess at the last one we talked about having PTAC members at the meeting. Do we have anybody who would like to represent PTAC? What's the date again?

MR. KILLEBREW: October 25, last Thursday of the month.

MS. BLOOMER: It's usually on a Thursday, isn't it? The 24th, October 24. J.R., would you like to represent as the vice chair?

MR. UNDERWOOD: I'll be there to support you morally, if you need me to, J.R.

(General talking and laughter.)

MR. GADBOIS: And what are we talking about that we would do?

MR. UNDERWOOD: I think it's just a matter of
we stand up and say we think this is a good thing, we've worked on it for many months, we're recommending that you take this final adoption last step, thank you very much.

MR. GADBOIS: If that's all you want, I'm here in town and I'm happy to reflect that for the committee, if that's your will.

MR. UNDERWOOD: I'm available, Glenn is available, Rob is available -- I mean, J.R. is available.

MS. BLOOMER: I didn't hear from J.R. that J.R. was available.

MR. SALAZAR: No, you didn't.

MS. BLOOMER: Okay. So Glenn and Brad, if you can attend and represent us and let the commission know the support of PTAC, as well as the transit industry, and as well as appreciation for TxDOT PTN and all the hard work and outreach to get this where it is today. I do think all the outreach that was started probably, I think, last year has a lot of impact on what comments we have received. I think we received a lot of comments along the way and we threw things out that people didn't really like, they let us know, and we didn't get a whole lot of comments to that point at this juncture, so I think that's a reflection of all that work that was done up front, and I do appreciate that.

All right. So Brad and Glenn will represent
PTAC at the October 24 meeting

MR. STEPHENS: Is it October 24 or 31?
MS. BLOOMER: 24th.
MR. STEPHENS: On the TxDOT website the commission meeting is listed on the 31st.
MR. GLEASON: It's the fourth Thursday of the month, not the last necessarily.
MS. BLOOMER: Rob, are you looking at the TxDOT website?
MR. STEPHENS: Yes.
MS. BLOOMER: And it says the 31st?
MR. GLEASON: I've got it on the 31st as well.
MR. KILLEBREW: I stand corrected.
MR. GLEASON: Good catch, Rob. Thank you.
MS. BLOOMER: Glenn and Brad, are you available on the 31st? That's Halloween.
MR. GADBOIS: Yes.
MR. UNDERWOOD: It's just a little spooky but I think I can be there.
(General talking and laughter.)
MS. BLOOMER: All right. If for some reason that doesn't work, let us know.
So let's move on to agenda item 5, which is the 5310 program presentation, and we'll turn it over to staff.
MR. GLEASON: Kris Dudley is here, who is our program manager for 5310. Kris has been working hard to implement 5310 as it's reorganized under MAP-21, and as we were going through our rulemaking process, we were having to also make decisions along the way on how to move ahead with this program that was consistent with the direction and the rules that having them not in place yet, we went ahead and hopefully made some good assumptions. We thought it would be helpful for the committee to simply hear from Kris at this time about how we are moving ahead with implementing the program. This is not an item that we're looking for action on the part of the committee, but I think in the spirit of valuing your feedback and insights into things, we thought we would share this with you and kind of treat it as a first report back.

MS. DUDLEY: Good afternoon. For the record, my name is Kris Dudley. I'm the 5310 program manager. I want to point you to your handout in your book. It's the very, very last page, it's on the back of agenda item number 5.

As Eric intimated, FY 14 is a transition year, and the FY 13 funds are administered already based on projects selected prior, so this is clearly a transition year into the new MAP-21 guidance and to the new TAC rules. And so we're including the TAC information that
you guys have approved to include operating expenses, as well as the PTAC directed overarching goals, guiding principles, and I've listed them there: leveraging existing resources; the only public transportation option for a proposed service area; the projects are sustainable over time; demonstrate efficient use of resources; involve partnerships that include organizations and for-profit transportation providers; or provide service continuity.

So you'll see these also referenced in the application.

The federal guidance is very clear that we have public outreach, good public outreach, and so all PTCs coordinated with this match training is an afternoon of a couple of hours of public outreach training with the Office of Public Involvement from here at TxDOT, and the PTCs have been really happy about that. And so the PTCs are going to work very hard to engage members of the targeted population, specifically seniors and persons with disabilities, and so we're giving different tips on how they might engage those folks.

The application process. Historically, the application was just part of the regular 5311 application part 1, and it was kind of disjointed and all over the map and it was about 30-plus pages, and you had to skip back and forth. So what we've actually done is we've consolidated that and it will look like, those of you that
are familiar with the coordinated call for projects, the first part is language directly from the TAC, talking about the 5310 process, and then the rest of it is evaluation criteria which takes those questions that were previously asked, there are no new questions, we're just asking that it be done in a narrative format.

The one thing different is we are also asking for a budget. Historically, it was just kind of a little how much money do you need and then it was a one-liner, so we're asking for a bit of a budget this time.

The schedule. Historically, the schedule has run from May, the application is put out on the street, and then the program of projects is due in Austin on October 1, and that's in line with the federal funding. So what we're looking at this time to kind of align ourselves a little bit with the new rules and be in place, we are looking at October we're having a VTC, video teleconference with the PTCs on October 3 to talk about the new application, and they'll all have had, for the most part, their public outreach training. So the process will start in October, applications will be accepted through the end of January, February 1 the program of projects will be due here. And that's just for FY 14 only, then we'll go back to the regular process May through October, in the event that maybe one day we'll
have a federal budget on October 1.

So once the applications are turned in by the local areas, the state staff will review the applications, make sure that they are in line with the criteria, especially those overarching principles or the guiding principles. And the funding, just like we talked about earlier, will be given on a TxDOT district basis, and as Bobby mentioned earlier, some areas have limited funds and now how the funding is allocated in small urban and rural and then the large urban projects, if you're a rural area and you don't have a small urban area, you really don't have a lot of money, especially if you're bordered by a large urbanized area.

We've been working collectively with the PTCs and the local areas, if you have a small urban and a rural pot, you could perhaps work with those dollars interchangeably and look at the needs of the regions. And then as we've been working with the major metro areas, we've been talking about historically with JARC and New Freedom we talked about trip origination to determine which pot of money we would use, but now we're looking at maybe trip destination -- there's nothing written in the TAC -- it's just how we might work better with our major metropolitan areas.

Houston is very amenable to that because
Houston has about $3 million and so they're looking at trip destination as far as being able to fund some of the rural projects out of the urbanized money.

And I just kind of want to recap what happened with the FY 13. The rural allocation alone was $2,666,157, and the requests from the rural area was $5,682,214. And what happened there was we didn't have a lot of applications from the small urban areas, so we were able to certify that the needs were met in small urban and transferred those dollars to the rural areas. In addition, we had about a million dollars left from FY 12 that we were able to help other projects with. So it looks like this is going to be a lot different this particular year.

MR. GADBOIS: To fully fund requests.

MS. DUDLEY: And so one of the considerations that we'll be talking to PTCs about -- and you guys may want to comment on this -- is how they use their TDCs. Historically, the projects have used TDCs for any of the funding categories, the vehicles, the purchase of service, the preventive maintenance, any of those we allowed TDCs to be used. Some areas chose not to use TDCs for preventive maintenance.

The only thing is when you use TDCs, you use a lot more of the federal money a lot quicker, because if
you use the TDCs, because it's like phantom match, the full cost of the vehicle or the purchase of service has to be subtracted from the actual allocation. So you guys might have something to say about that. We're going to talk to the PTCs to make sure that everybody knows when you use TDCs you go through the money a little bit quicker.

So there you have it. Do you have any questions?

MS. BLOOMER: Thank you, Kris. Any questions for Kris?

MR. SALAZAR: I have one. When you talk about consolidation of districts, is that going to be a transit provider, are we going to request that, or are the PTCs going to look at that, or how is that?

MS. DUDLEY: That's interesting you should ask, J.R. We've discussed that a lot up here. Currently, the only districts that have actually done that historically are in the east region, Houston, Beaumont and some parts of Lufkin and Colorado Valley, they've all kind of come. But right now, transit providers, PTCs, folks can make recommendations, but it will have to be blessed by us up here at the state level at the PTN, department level. So if you have a recommendation, you know.

MR. GLEASON: If I may. We're not necessarily
looking as a department to impose a decision of ours on a
group of stakeholders or districts, our preference would
be that it sort of be the result of a bubble-up
communication. I talked to staff about this specific
year, fiscal year 14, not wanting to jump into that too
quickly and needing some time to think about how we'd
actually identify the opportunities, but my preference
would be to hear from stakeholders. And so as I sit here
and think about this right now, one thing we might talk to
PTCs about is as a part of this process is engaging their
stakeholders not for this fiscal year but for next fiscal
year if they think it could be helpful to combine, and we
could get some information about of the current process to
help us with next year.

MS. DUDLEY: Because as I went through the FY
13 projects, what I saw, like in your case, J.R., and in
your case, Brad, you all had to kind of go to lots of
different areas and get bits and pieces and bits and
pieces. So when I was thinking about it, you know, to
kind of eliminate all that duplication on your part, but I
think, to take Eric at his word, that you guys might look
at that this year as you're working and work with your
PTCs to make some recommendations.

MR. UNDERWOOD: Would the PTCs then work
together to do the 5310 meeting, I'm assuming?
MR. GLEASON: Absolutely.

MS. DUDLEY: That's how they do it in the east.

MR. UNDERWOOD: Like I have four districts to go to this year and if we were to combine, say, Paris and Wichita Falls, that would be Susan and Sonia, and yet neither one of them manage the contract and Bobby would get the contract.

MR. GLEASON: We can work through that, that's fine. I mean, I would be looking for it as an opportunity for not only our staff to work together but all of you, as well. So it's whatever makes the most sense.

MS. DUDLEY: It's worked quite well in the Houston east area, having everybody around the table and understanding those needs.

MR. UNDERWOOD: But even though you combine the district doesn't mean that you could take any more out of one district than what you would have been allotted for. So if we were to combine Paris and Wichita Falls, providers out of the Wichita Falls District couldn't take any more money from the Paris District than they would have been allotted out of the Wichita Falls District funding pot. Correct?

MR. GLEASON: What I would say to that is that I would hope that the dynamic of the combined stakeholder group would allow them to reach a decision that may or may
not result in that happening. So in other words, in an
ideal world it's not really about my fair share when you
come through the door for the first time. That is going
to be some of the dynamic, and absolutely, if that is
something that is part of it, it will have to be
addressed. My preference, because it's been the
experience of the program before it got split up from an
allocation standpoint, is people sat down and did the
right thing, they did what needed to be done with the
money.

MR. UNDERWOOD: Right.

MR. GLEASON: And so if it is an issue for the
group of stakeholders, then we will need to respect that
issue; if it's not, then there's no need to lay it out
there up front as a condition of the decision-making.

MR. UNDERWOOD: Okay. But it's trying to get
needs met across the area.

MR. GLEASON: Absolutely.

MR. GADBOIS: And Kris, so one of the things
you said is in metro areas that they get their own
allocation. Correct? Does this line up fairly well in
terms of timing with metros' decisions for how they
allocate their money?

MS. DUDLEY: Well, as they all have each their
own designated recipients, some of them -- what they have
to do as a designated recipient for 5310 in the metro area, the first thing they have to do is a program management plan. Many of them accepted the projects for FY 13 that we had laid out. But now that we're looking at FY 14 and sometimes balances of FY 13, they're going to have to do their program management plans. And we're working collegially with them to get those done because what's going to happen is if they don't get them done and they don't get their processes in place, those agencies that used to receive money from us and are used to that regular process might be in a little bit of trouble.

So as soon as we finish this process, I intend to get a call together with all the designated recipients in the urbanized area to kind of talk about what we had done. And I found it interesting, I was talking to one of those areas today and they talked about maybe doing a combined call for projects in FY 15 so that urbanized area would stick to the schedule that TxDOT does so everybody could be in sync. We tried to do that with JARC and New Freedom, Glenn. Some areas chose to play, some didn't, so we're going to try again.

MR. GADBOIS: And I'm sure you know better than I do the opportunities missed when they don't align. Right?

MS. BLOOMER: Any other questions for Kris?
No?

MR. UNDERWOOD: Sounded good.

MS. BLOOMER: All right. Thank you, Kris.

Moving on to the next item on the agenda, which is review and discussion of the PTAC work plan. We had a little trouble finding the work plan. If you all recall, we had developed -- and this was thanks to Bobby, and I think Karen was able to find it -- a hard copy of the work plan. We had been moving along as a PTAC group to develop the work plan.

MR. KILLEBREW: Ask Rob if he got a copy?

MS. BLOOMER: Rob, did you get an emailed copy of the PTAC guiding principle document? I believe Karen sent it to you before the meeting started. Rob, are you still there? We might have lost Rob.

MR. KILLEBREW: Michelle, if I may. What Eric handed out, the way it's stapled, the two pages on top is the history as best we could put together, and the last three pages is actually the work plan.

MS. BLOOMER: And I will take thoughts from the committee, but what I was thinking, since it's been quite a while and we haven't had a chance to read either one of the two items, is we might want to think as the committee where we want to go. We had sort of developed the work plan and were moving forward, and then MAP-21 came out and
sort of sidelined. We wanted to see how the dust sort of settled, and then the administrative changes to the rules, so I think we can put the rules behind us, go back and look at the work plan, see what areas we want to focus on.

We had our committees, Working Group 1 and Working Group 2, but I think we've lost some members and those may not be the appropriate committees to be on. But get your thoughts on how you would like to proceed with the committee's work from this point forward.

MR. GADBOIS: And can I make some observations? Even ignoring the work plan specifically, I actually think we've made headway on some of these items, and the first thing to do may be to kind of update and/or acknowledge the headway we've made.

MS. BLOOMER: I think that's a great comment, Glenn. And I think we had started -- and this may be part of the electronic documents I left at COG -- sort of like an Excel spreadsheet that had the items in it, timelines and accomplishments as we were going through. I thought we had created something to that effect. I've slept since February of 2012.

MR. SALAZAR: I know I was on the promote and coordinate transportation and Al was.

MR. UNDERWOOD: I think that was the old committee.
MS. BLOOMER: I think it was you all and Glenn, and Brad, Rob and I were on the support public transportation.

But why don't we do that, why don't we take, maybe between now and the next meeting, some time to think about if these guiding principles still apply. I'll work with Bobby and we can go back and try to add some of the accomplishments or milestones that we've made since it was first drafted. And there was another sheet behind it too, wasn't there, that Al had created?

I have all my old PTAC minutes, binders, packets, but like I said, I've moved twice since this was done, so they're in a box in my garage. So we will try to find that information and we'll bring that back next time for further discussion.

And like you said, I think we've made some significant progress since February of 2012. I think we need to document that, and then from that point determine where we go.

MR. GADBOIS: And Michelle, I'll look to see if I have some of these documents as well, electronically, and if so, I'll send them to you, and you can disburse as you will.

MS. BLOOMER: Great. Thank you, Glenn.

All right. Any other thoughts on the work
plan? We're good? Okay.

Item 7 was public involvement in PTAC. I just wanted to bring this item to the committee. At the last TxDOT semiannual meeting in July, in talking with some of the transit providers that were in attendance, there were some ideas shared about how PTAC could be more open and enhance our outreach to the industry.

Bobby, if you can help me, one of them, I believe, was they asked if there was a way that the transit providers could be notified of when the PTAC meetings were instead of having to go out on to the TxDOT website, find the date, if it changes, et cetera. And we had talked about TxDOT traditionally sends out emails to all the rural or urban providers when we need something, is there a way we could notify all the providers when that information is available on the website.

I think the second one was a request for members to be able to call in. A lot of members can't drive down but they would like to participate or listen.

One of the ideas was, what do you call it?

MR. KILLEBREW: A webinar.

MS. BLOOMER: A webinar where they could see us, or maybe just an audio conference that they could call in.

What was the third one?
MR. KILLEBREW: There were three items that I captured, and the first one was notification of the PTAC meetings. I have updated the portion of TxDOT's website that features PTAC. It's live now. I'll be emailing you individually as members. Some of my contact information that we have on the website is wrong. There are some members who post information that other members don't, and I don't know if it's by choice or we just didn't ever ask for it.

For example, some people have their telephone numbers posted on the website, other members of PTAC do not. And that certainly is your choice, I'm not advocating one way or the other. We don't have any of your email addresses posted on the website. I thought that was rather strange, but I know that is also a problem sometimes with people capturing those and doing spam, but there's ways around that too that we can keep that from happening.

So I'm looking to make that website better. We have not been posting your future meeting dates out there, but this committee has decided meeting every other month. Last Tuesday at 1:00 p.m., I think is the time for us to meet. So we can actually post future dates now with the rework of the website. We do have all of the minutes, the agendas, the transcripts posted out there as they become
available, so I think we do an even better job there.

And going along with that, Michelle, the other
thing I got from the feedback, listening to you and some
of the operators was when you do send out a notice about a
PTAC meeting, can you send us out more information about
what that meeting entails, don't just say PTAC is meeting
at one o'clock on September 24 in Austin, Texas.  How do I
know I want to be there or not?  Even if I see the agenda,
how do I know I want to be there or not?  So is there a
way to tell me more about what's behind that agenda item,
then I might want to make a presence known and perhaps
appear before the committee and make public comment.  So
they had asked for that.

They did talk about being able to participate
from off site.  This committee does have to abide by the
Open Meetings Act.  Doing a webinar or a video
teleconference is problematic under that act.  There are
certain guidelines and restrictions.  We have to post
every meeting location if it's a two-way conversation.  If
it's like the commission where it's just broadcast, that's
another issue.  We just have to get beyond having a camera
in here and being able to broadcast it.  If it's a two-way
conversation, that becomes problematic.

So what I had suggested to one of the operators
was how do you feel about just listening in, where you
can't actually speak but listening in, and we could
actually open up another conference line. I'd hate to
open up a conference line not only to the members, like
Rob calling in today, as well as the public in case
something happens. By opening two conference lines where
one is available to the general public for just dialing in
and listening, and the other is available to this
committee for any members who can't make it here in person
but want to actually participate by telephone. So we can
do two conference lines on the telephone, and that might
help with people who want to listen in.

MR. GADBOIS: I mean, the other option, Bobby,
is simply videotape it and stack that on the website.
Then people get to view it. If they can't participate, it
doesn't really matter whether it's live or they're
watching it at two o'clock in the morning at their
convenience. Right?

MR. KILLEBREW: We can either record the audio
part of the conversation. You know, we typically don't
put up a power point presentation or something, it's your
committee packets in front of you, so they'd be looking at
you at the table. But yes, we can check with TxDOT people
to see if that's possible for them to have someone
available for us to record these meetings in that format
and post that, as well, to the website.
So those are some options, but those was the feedback that I think that folks were saying.

You know, if we open up the phone line, we can count the number of people who call in. That's kind of a nice thing, you can actually get a record of that. If we do some other things, we can ask them to count the number of people who visit the website and click on things as well, but I don't think this is a true picture of people checking out the committee's web page and so forth. But I'm open to suggestions.

MR. GADBOIS: Maybe I've gotten skewed. Nobody is asking for a happy hour? I'm shocked. The people I work with these days, happy hours are all the rage.

MR. KILLEBREW: Well, we don't have your phone number on the web page. As Judy told me, she said, I'm trying to find Glenn's phone number. And I said, Well, I can't really give that out because I'm not sure that he would want us to publicize that phone number. She found you, I know.

MS. BLOOMER: Yes. People have a way of finding us. So I think one of the things is we're going to go ahead and post the dates, since we have set dates, to the website for the upcoming PTAC meetings. We'd also, I think, talked about an RSS update. I don't know how to use it but apparently some people do. Like if the date
were to change, it would automatically notify folks that have enabled that on their computer. But I think the specific comment I got was that's great putting it on the website, but then I've got to go out and make sure to have those dates if you change it, et cetera. Is there a way that we can email, like you do with the commission agenda, when there is a PTAC meeting, the agenda to all the providers based on your groups, like the metros, small urban.

MR. KILLEBREW: The lead agencies, the rural operators, the urban operators.

MS. BLOOMER: Right.

MR. KILLEBREW: Our 5310 list. We can certainly broadcast those emails.

MS. BLOOMER: Okay. And then I do think if we can -- I mean, I don't have preference one way or the other, but I think the one-way communication so they can listen. If they can't participate in person, they can at least listen and go back to the discussion and maybe try to understand some of the discussion on how it got to a particular place. If that's real-time, that's fine. I think maybe if we can record it, if they can call in and listen to it real-time, if it's not too much more difficult to record it and post it so if there's those folks who can't sleep at two o'clock in the morning and
want to listen to it, they have that option, versus the
only time they can hear it is the last Tuesday of the
month at one o'clock when we actually have the meeting.
Sort of like the commission, you can go back and you can
listen to it, if that's possible. But I would agree, I
don't want to use the same phone number, that needs to be
separate. That would make it really difficult to manage.

MR. KILLEBREW: The phone numbers will allow
lots of users to call in, but the quality of the phone
call decreases when you get somewhere above 150.

MS. BLOOMER: Well, then you have no idea if
they're going to be working, background noise.

MR. KILLEBREW: That's true. And using two
phone numbers, we can make the second phone number muted
at all times so you don't have that background noise.
It's an automatic mute when they dial in. And then
allowing the PTAC members to have a separate phone line
will allow those to be unmuted; otherwise it becomes a
maintenance headache for the person at the computer back
at the office muting and unmuting certain people.

MR. GADBOIS: And I'm agnostic to what it turns
out like. I would just start with the easiest possible,
if that's recording and getting it on the web, it's that.
Just start with that and let's see how it goes from
there.
MS. BLOOMER: And then back to the information that's on the website, Brad just pulled it up. Apparently mine still says North Central Texas Council of Governments. And then do we need to talk about consistency? I don't have a problem putting my work email or my work phone number out there, but I can understand where maybe Al and Glenn don't.

MR. GADBOIS: Al is not here anymore.

MS. BLOOMER: Right. Probably don't want his home phone number on there.

MR. GADBOIS: Yes, because what I use is my cell phone so I'd just as soon not, but I'm happy to give you my work email and have that on there, and I think it's completely legitimate for somebody to want to be able to talk to any one of the members.

MS. BLOOMER: So if everybody can just check their own information out there and make sure it's as accurate as it needs to be, and then as much information as your comfortable putting out to the general public.

MR. UNDERWOOD: My other thought was if you sit on a committee that is subject to the Open Meetings Act, are the members of that committee also not subject to it, meaning that you're required to give out a working telephone number and a working email address and address?

MR. KILLEBREW: I do not know the answer that a
member has to provide that.

MR. UNDERWOOD: I'm not really sure we have that option is what I'm trying to say. It's part of the whole being accessible to the public if you're going to make decisions. I'm not certain.

MR. GADBOIS: And I'm not either. Right now we wouldn't be in compliance as the only thing on here is an old company address and an old address for me. So I'm happy to update this, Bobby, and I'll send you an email with new address, telephone number and email. You decide what we need on there for compliance.

MR. GLEASON: We can check on that. We'll research that for sure.

MR. KILLEBREW: The other option is, and I've seen this done with some of the committees, and maybe a way to get around it is that the email address for the committee may be a TxDOT email address. So there is that opportunity. I don't need another mailbox to check, I already have two or three myself that I have to check. But yes, that's maybe another option. Some people actually want to reach out to individual members, they don't want to email TxDOT and have TxDOT forward their correspondence to the committee, they may want to tug on your shirttail and an individual member and not to go through TxDOT.
MR. UNDERWOOD: Well, that comes into mind is like when we used to do appointments to like EDCs and community boards and that kind of stuff, they all had to be under the same regulation the council was under, with name, address, phone number kind of thing. It's all open meetings, I don't think there's different levels of open meetings, I think it's all across the board.

MR. GADBOIS: Bobby is right. I mean, my experience is you can manage access even via email so you can give a switchboard number, a one point of contact phone number or email, you just need to be able to access.

MR. UNDERWOOD: Yes, I think so.

MS. BLOOMER: Well, if you could just let us know, Bobby, so we make sure we're in compliance, and then we'll each update our information. If you could just send out a reminder tomorrow.

MR. KILLEBREW: I will. Maybe I'll send you out a template that you can just fill in so it will be very easy, and you can just stick it in a letter or send it through an email, either way, I'll take it.

MS. BLOOMER: Okay. So we'll post the dates to the website and we'll send out an email reminder to the providers letting them know probably about a week in advance of the meeting, with the agenda. I think if we have our updated information on the website, they can feel
free to contact us to get further detail about what a particular item might be to help them determine if they want to attend or not, and then posting the updated information and recording the meetings and posting it to the website. And so we'll go back to, I guess, the January semiannual meeting and let them know that we've done that based on their comments and see if anybody has participated between now and January, if we have any meetings.

MR. KILLEBREW: And I'll report back on the progress of me getting all this done before January. And I think, Michelle, what you just said you made in the form of a motion for the committee to have their weigh-in on this?

MS. BLOOMER: Yes. Do I have a second?

MR. GADBOIS: This is Glenn. Second.

MS. BLOOMER: Rob, did we get you back?

MR. STEPHENS: Yes.

MS. BLOOMER: Do you have your vote, Rob?

MR. STEPHENS: Yes. Aye.

MS. BLOOMER: Brad?

MR. UNDERWOOD: Aye.

MS. BLOOMER: Michelle, aye.

J.R.?

MR. SALAZAR: Aye.
MS. BLOOMER: Glenn?

MR. GADBOIS: Aye.

MS. BLOOMER: All right. Motion passes.

MR. KILLEBREW: Thank you. If I may, Michelle?

I had hoped to have a new individual at this meeting for you all to meet as in support of the committee. Ginnie supported this committee for many, many years, and we all miss her. I really miss her. I did hire a communications individual, I had him for three and a half days and I lost him. He was hired away by another TxDOT division, so it hurt for a little while, it's still hurting a little bit.

So while I'm working diligently on this one, be patient. If you find that I need to do something, you need my attention, you may have to actually just wake me up real quickly by shaking me and saying: Wake up, I really need your attention on something. It's not that I'm ignoring any of the committee members. Call Eric, he'll get on my case. It's a lot right now on my desk, and so I will do the best I can. And I do have the communications position which posted again yesterday, so it will be up for two weeks and we're getting applications in, so hopefully we'll have someone soon. So thanks for your patience.

And the web page has been updated, if you want to go out there and see. It looks pretty much the same
but has kind of a different feel to it. So we've got a lot more PTAC stuff on the page, as far as your meetings, and so I've had to organize that in a better fashion.

MS. BLOOMER: And then Bobby, just a point of clarification, because I'm sure we all do miss Ginnie, but I would like to say I really appreciate all your efforts with PTAC over the last year or so. That won't be transitioning. Correct? You've done an excellent job.

MR. GLEASON: This individual will work for Bobby.

MS. BLOOMER: Will work for Bobby, and you will jointly handle PTAC in support of PTAC.

MR. KILLEBREW: I'm not going anywhere.

(General talking and laughter.)

MS. BLOOMER: Are there any public comments?

(No response.)

MS. BLOOMER: Seeing no public comments, the next meeting date is?

MR. KILLEBREW: It would be at the end of November, and that is one of the meeting dates we had talked about may be shifted. We get into the holiday time frame, the November-December time frame, so November would be the next every other month, January would follow that.

MS. BLOOMER: So I think if it's the last Tuesday of the month, that would be the week of
Thanksgiving. Right?

MR. GADBOIS: Could we look at don't one kind of early December-ish or something instead? Because otherwise, November and December are both going to hit the same problem.

MS. BLOOMER: Well, we don't have December; our next one would be January, because we do every other. So the idea is if we stop for this year and take a breath and come back in January, or if we try and take up the work plan between now and the end of the year. So we can think about that. But we currently have a meeting on the agenda for Tuesday, November 26, according to Brad's calendar.

Do I have a motion to adjourn?

MR. UNDERWOOD: So moved.

MR. SALAZAR: Second.

MS. BLOOMER: All those in favor?

(A chorus of ayes.)

MS. BLOOMER: Meeting adjourned. Thank you.

(Whereupon, at 2:52 p.m., the meeting was concluded.)
CERTIFICATE

MEETING OF: Public Transportation Advisory Board

LOCATION: Austin, Texas

DATE: September 24, 2013

I do hereby certify that the foregoing pages, numbers 1 through 70, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Nancy H. King before the Texas Department of Transportation.

10/02/2013
(Transcriber) (Date)

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3636 Executive Ctr Dr., G-22
Austin, Texas 78731