TEXAS DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION ADVISORY COMMITTEE

TELECONFERENCE

Lone Star Room
4000 Jackson Avenue
Austin, Texas

Wednesday, November 2, 2011

COMMITTEE MEMBERS PRESENT IN AUSTIN:

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

COMMITTEE MEMBERS PRESENT BY TELEPHONE:

Al Abeson
Christina Melton Crain
Brad Underwood

STAFF:

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

ON THE RECORD REPORTING
(512) 450-0342
<table>
<thead>
<tr>
<th>AGENDA ITEM</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call to Order</td>
<td>3</td>
</tr>
<tr>
<td>2. Approval of Minutes from September 8, 2011 meeting</td>
<td>3</td>
</tr>
<tr>
<td>3. Division Director's Report to the Committee regarding public transportation matters, including an update on items the department has been involved with and a recap of Texas Transportation Commission action regarding public transportation projects</td>
<td>4</td>
</tr>
<tr>
<td>4. In accordance with 43 TAC '1.83(c), review and comment on the final draft of proposed revisions to 43 TAC Chapter 31, '31.11 (Formula Program)</td>
<td>24</td>
</tr>
<tr>
<td>5. Review and discussion of PTAC Work Plan consistent with committee duties as described in 43 Texas Administrative Code '1.84(b)(3) And update on current activities related to work plan elements</td>
<td>69</td>
</tr>
<tr>
<td>6. Public comment (no commenters)</td>
<td>81</td>
</tr>
<tr>
<td>7. Confirm date of next meeting</td>
<td>82</td>
</tr>
<tr>
<td>8. Adjourn</td>
<td>82</td>
</tr>
</tbody>
</table>
PROCEEDINGS

MS. BLOOMER: I'll officially call the meeting to order at a little past 9:30.

Item 2 on the agenda is approval of the minutes from September 8, 2011. Do I have a motion to approve the minutes?

MR. GADBOIS: Glenn.

MS. BLOOMER: I have a motion from Glenn and a second from?

MR. SALAZAR: J.R. Seconds.

MS. BLOOMER: J.R. All those in favor. Brad?

MR. UNDERWOOD: Yes.

MS. BLOOMER: Christina?

MS. CRAIN: Yes.

MS. BLOOMER: Glenn?

MR. GADBOIS: Yes.

MS. BLOOMER: J.R.?

MR. SALAZAR: Yes.

MS. BLOOMER: And Michelle, yes. The minutes passed.

And Al, did I hear you join us?

MR. ABESON: I did.

MS. BLOOMER: All right. We just approved the minutes so we're moving on to item 3 on the agenda, the division director's report, so I'll turn it over to Eric.
MR. GLEASON: Good morning, everyone. For the record, this is Eric Gleason, TxDOT director of Public Transportation.

You should have a copy of this month's director's report in front of you, and I'll go through it real quickly.

October commission meeting, three relatively small actions on the part of the commission, some development credit awards and some adjustments to the Recovery Act funding. We don't have anything on this month's agenda for the commission, and then in December we have three items. We are providing NCT COG with some financial funds to help fund the technical assistance study for the McKinney area system, and so the commission will be taking action on that in December. We have a relatively small amount of funds available for some additional regional planning work that we are currently soliciting proposals for and will be in a position to recommend those for award in December as well. And then most importantly, and the next topic on the agenda, the December meeting is when we would introduce proposed rule changes for the census funds, and we'll talk about those in a minute.

Now, I also got some suggested topics for this report that I'll touch on briefly, and you may decide with
each of them that you want to put them on a formal meeting at some future date.

The first one was an update on TxDOT's leadership changes. Most of you probably are aware that we have a new executive director. Phil Wilson started working on the 17th of October, so he's been here two weeks now, and he is the first executive director from outside the agency, he's not an engineer, and in the several meetings that I've been a part of with him, he clearly brings a different way of thinking about the department and thinking about our challenges and issues than in the past, and I would expect that to translate into some changes in the department over the coming years.

I think he plans to move fairly aggressively to set up his administration and we'll just have to wait and see what that might mean for our programs.

I've not had a chance yet to sit down with him privately and talk about the public transportation program here in Texas, I don't have that yet on my calendar, I do know he's going to be traveling pretty extensively across the state over the next six weeks. So I will try and get on his calendar as soon as that's something he's interested in doing and let you know how that goes. But stay tuned. I would think that we may see some changes at the agency because of his coming to join us.
A second item that was suggested is, again, some of you may have been following this, but the FTA over the past six months or so has had a number of discretionary program calls out, they are beginning to move on announcing awards for most of those programs, and Texas has received a fair amount of funding as a state as a result of that. The first one that's on the list here is known as TIGER which is the Transit Investment Generating Economic Recovery program. That's actually one that they've not yet announced awards.

The question that we got from Glenn was the extent to which Public Transportation had been involved in the department's process to select the three projects that the department put forward, and what I can tell you is that I was a part of the project review committee. I believe we looked at only one public transportation project and that was from San Antonio, and VIA actually made the decision to submit on their own. So a lot of the projects we looked at, the individual agencies or jurisdictions elected to submit on their own, and in the end the department forwarded three projects which is what its allotment was, and I think one was the North Tarrant Express as a TIFIA project, I think the Port of Corpus Christi may have been another, and I've forgotten the third. So there were no public transportation projects on
the three that the department forwarded. And I can get some more specific information on those three if the committee would like.

MR. GADBOIS: When you say the department was allotted three, allotted three by whom?

MR. GLEASON: My understanding was that the department was allowed to submit three projects as a part of the call.

MS. BLOOMER: That was a call criteria. Each entity could only submit three.

MR. GLEASON: We could partner on others, and I think we were also a partner in a multi-state project, and we may have submitted that one as well, that was a separate category. But we were only allowed as a department to submit three. So a lot of the ideas we looked at and then they just got submitted by other jurisdictions.

MR. GADBOIS: Okay.

MR. GLEASON: The next category is something we know as TIGGER, different than TIGER, and TIGGER stands for Transportation Investments for Greenhouse, Gas and Energy Reduction, and in this one we've not yet received word of their decisions on this yet, we do expect that to be at some point in the near future. But we did submit a proposal from West Texas Opportunities and All Aboard
America for some alternative energy facilities out in West Texas?

Kelly, was that it, the ones that we submitted as a department?

MR. KIRKLAND: Yes, that's correct.

MR. GLEASON: These were actually some projects that we received as a part of our call for the next one, the State of Good Repair, and when we looked at the project description, rather than submitting those as a part of the State of Good Repair application, we chose to submit them as a part of the TIGGER process because they seemed to fit that better. And I think generally FTA is looking for investments for these programs in rural areas, so I don't really have any basis of knowing how competitive that proposal might be, but I have to believe that coming from a rural area that it will do relatively well.

The State of Good Repair call was the one that we as a department focused on most specifically, and we did submit an application with sort of three sub-projects to it. I think the total for the application was just over $30 million, and we submitted a sub-project for fleet replacement, a sub-project for facilities, and then an intercity bus sub-project. Now, we did not get any funding for our project, and we are in the process of
trying to schedule a call with FTA back in D.C. to try and talk to them about what happened so that next time we can be more competitive. We've been successful in this program in the past, we were successful in getting funding last year and the year before, so I don't really understand what happened this time.

I had a conversation with the regional office and they offered the perspective that as a state they felt Texas did okay, and I just left them with the thought about how the largest non-urban area program in the country didn't get a penny and we're still struggling with that.

MR. GADBOIS: Texas did okay not getting any money?

MR. GLEASON: No. TxDOT's submittal for the rural program was not funded. The state as a whole, from their perspective, looking at all the other awards that were made to agencies around the state, they felt did all right.

MR. GADBOIS: Okay.

MR. GLEASON: And I think he said it was about 6 percent of the total. Now, I don't know how to judge that percentage on whether that's good for Texas or not.

MR. GADBOIS: So if I understand that correctly, you had metros that were applying and the other
MR. GLEASON: I can go through some of them to give you an example. Cap Metro here in Austin asked for $20 million for fleet replacement, they got $3-. City of El Paso vehicle replacement, a $5 million award. Longview for facility rehab, $450,000. DART got $12 million for vehicle replacement. Denton County got $8.2 million for facility replacement. Houston Metro $8 million; Houston Metro another $3.2 million. TAPS, Brad did quite well, $4.2 million. Good job, Brad. Just let us know if you can't spend any of that money.

MR. UNDERWOOD: We worked very hard on that application; it was tough, but I was very pleased.

MR. GLEASON: And then VIA down in San Antonio got $3 million for some facility improvements. So we were not successful in our application which was unfortunate, so we need to work on that a bit. And I'll be glad to report back to the committee the results of our conversation with FTA if that reveals anything.

Livability was another program, and the state, not TxDOT -- well, actually TxDOT got one in that. We submitted on behalf of the City of Conroe a Livability grant, complete streets and transit access to support multimodal options, a $2.1 million award for that.

Others getting Livability awards were Brazos
Transit got $1.8 million for the Woodlands transit terminal. And we'll send a description of each of these awards around to you. I think we'll wait for the TIGGER and the TIGER announcements and then we'll send it out all at once and so you'll be able to see the amounts and a project description for each.

Cap Metro here in Austin got Austin Bike and Rides for Livable Communities Grant Last Mile Solution for metro bike facilities, just over $500,000. City of Galveston Seawall Boulevard Transit/Pedestrian Access and Beautification Plan, construction of bus stop amenities, $2 million. So there's a smattering of Livability grants around the state as well. VIA down in San Antonio got $3 million for their BRT project. So we will update this when all the awards are made and then send it around for your information.

Any questions on the discretionary program awards?

MR. ABESON: I do have one. This is Al.

MR. GLEASON: Sure, Al.

MR. ABESON: Earlier, Eric, you mentioned some discretionary dollars for regional planning. My question is regional planning for what?

MR. GLEASON: Back up under the previous item on upcoming commission topics, we have a call for project
proposals for some additional planning money we have
available to support the regional coordination planning
which is occurring in each of the 24 regional planning
areas of the state. We have up to $250,000 available and
we're currently soliciting proposals and those are due
back when, Kelly?

MR. KIRKLAND: Tomorrow.

MR. GLEASON: Those are due in tomorrow, and we
are targeting the December commission meeting to make an
award. So this is not a large amount of money. If
everyone applied and everyone got something, I suppose the
average award would be about $10,000. So it's really
intended to just help lead entities enhance the program
funding they already have and do something a little bit
more than what they were already planning on doing.

Does that answer your question, Al?

MR. ABESON: Yes. I missed the word
coordination; now I understand.

MR. GADBOIS: Back to the FTA discretionary
grant stuff, when you're talking to them, one of my big
questions hearing this information is whether there's a
trend going towards funding of locally generated projects
versus giving to the state in an aggregate and letting the
state distribute out. And so I'd like to understand if in
their granting whether that actually is a trend, or
whether it just happens to look that way for this round of applications.

MR. GLEASON: Well, that's the way it looks in Texas. If you would have gone to the FTA website and look at the complete list of awards by state which is there, you'll see that a number of DOTs were successful in getting funding. But we will ask that, if that was something particularly when they thought about Texas. Because the department in the past has done relatively well, and so was it part of their thinking with this one to emphasize the specific agencies.

I'm also interested in the region's comment about: Well, Texas did reasonably well, Texas got a reasonable amount.

MR. GADBOIS: Fair share.

MR. GLEASON: They didn't say fair share, they said reasonable amount. But do they set targets like that, because if they do set a target for a state, that might suggest that maybe we should work together as a state knowing generally we could expect to get about this much, what are the best set of projects to put forward.

MR. GADBOIS: Exactly. If there's kind of roughly a state allocation that they have in mind and if they're not specifically preferring locally generated projects.
MR. GLEASON: Yes. So stay tuned, I'll let you know what we find out.

The last item that was suggested for this report was TxDOT's rural transportation plan, and the first thing I'm going to say to the committee is I think this is a topic that you ought to put on an upcoming meeting agenda to have a complete briefing on it, and I might suggest that if we end up meeting that first meeting for the first of the year would be a good one for that.

Having said that, there was an email that went out which we have copies of, and for those of you on the phone, we will send these to you right after the meeting. I won't get into them substantively, but there was an email that went out in the middle of October, it went out to all kinds of folks, introducing the Texas Rural Transportation Plan, and it talked about what the plan was and what it was for. "It's a foundation for many rural planning efforts underway at TxDOT and will include the efforts of local, regional and federal transportation partners. The plan will also include a needs assessment through 2035 for all modes of the state's rural transportation system." And then it goes on to list all the modes, and in that list of all the modes they do not list public transportation. It says, "including highways, rail, water ports, airports, pedestrian and bicycle
facilities, pipelines and intelligent transportation systems, and a prioritized list of added rural capacity projects."

So that was a mistake. If you were to actually have clicked on the link provided with the email and gone to the newsletter, you would see that public transportation is indeed part of the effort. We had an immediate conversation with our colleagues in another part of the department about that, and they recognized that as a mistake, but that did generate more than one email. For those of you that read these things, it was good news that you're all reading it. And those things happen, it's unfortunate that it happened to be public transportation that was not included, but I can assure you that we read these things and watch out for that.

But there are going to be a number of public meetings in February which might be something for all of you or for agencies in your area to get on your calendar to attend. And there were a number of meetings held in August where stakeholders were invited to come and hear about the plan, and we had a reasonable attendance on the part of public transportation providers at those meetings, not all inclusive by any stretch of the imagination. But they held them in rural areas around the state and a fair number of rural programs attended, a number of rural and
urban joint programs attended.

And so the word is out there and we'll need to be getting some information out on this over the next several months to get people ready to participate in the February meetings. But I would recommend the committee ask for a briefing on it at its next meeting.

MR. ABESON: Eric, this is Al. Is there a plan and is the public activity to solicit reaction, or is this data gathering, opinion gathering to develop a proposed plan?

MR. GLEASON: This is to develop a rural component of the Statewide Long-Range Transportation Plan.

MR. ABESON: I see.

MR. GADBOIS: And is the genesis of this from planning, or does it have some relationship to the legislative charges?

MR. GLEASON: Do you have the answer to that, Kelly?

MR. ABESON: I'm sorry. Can you speak up just a little bit?

MR. GADBOIS: I'm sorry. This is Glenn, and the question was is the genesis of this coming out of TxDOT planning or was it coming out of the legislative charges, some of which or at least one of them might prompt this issue.

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MR. KIRKLAND: This is Kelly Kirkland. It is coming out of TxDOT planning, it is described partly in the new planning rules the department adopted which were effective last January 1, and it is also in response to comments that were made when the Statewide Long-Range Transportation Plan was developed that there wasn't enough in it about rural components, so this is in response to that as well.

MR. GLEASON: Any more questions on that or questions about anything I've just talked about?

MR. UNDERWOOD: Eric, this is Brad Underwood. The RTC plans that we've been working on, will those have any effect or play into any way this long-range plan that's being developed?

MR. GLEASON: I would say yes, they ought to. I would also recognizes that this long-range plan is, I think, more of a traditional plan, it's focused on infrastructure and facilities. Certainly service can be a part of that, but it's a more traditional long-range plan, and I think the plans coming out of the regional coordination effort are relatively near-term in their scope, they don't go out to 2035, but the extent to which those plans identify gaps that need to be dealt with, and some of them may be identifying resources.

MR. UNDERWOOD: Maybe future needs and that
kind of thing.

MR. GLEASON: Yes, absolutely.

MR. ABESON: This is Al. How about in relation to the Strategic Plan that I think the department was working on last year?

MR. GLEASON: The Strategic Plan, Al, is viewed by the commission as an expression of near-term priorities in the context of the long-range plan and issues the department sees. So what it is, it's a deliberate action on the part of the commission to say these are the most important strategies or these are the areas of emphasis that we as the department will have for the next five years, and some of that direction may come from the long-range plan, some of it may come from external issues.

MR. ABESON: Wow, sure sounds like a lot of planning being done.

MS. BLOOMER: This is Michelle. I just wanted to not ask a question but provide a comment, and I understand and I'm glad it was just an oversight that public transit was left off the email, and when I did read it I did see bus mentioned, but I just wanted to put on the record my continued concern. A couple of years ago TxDOT went out and Amadeo Saenz and Commissioner Bill Meadows came to the region and sort of had a listening session, and I think it's just very important that TxDOT
always look at all modes as a mobility agency. There seems to be a tendency toward the big dollar, the big picture, the highway, and I understand that, but the little folks tend to get left out. And I just remember the postcard telling everybody about these listening sessions to hear about all the multimodal options was a picture of a steering wheel and a road.

And so they're little things but it sort of relegates public transportation and the other modes to second status, and so I think it's important as public transit advocates and stakeholders that if there are meetings in your area that you go and we continue to reinforce the importance of public transportation as an equal component in meeting the mobility needs of Texas rather than just kind of reinforcing that. So I look forward to the opportunity to continue this process. And I guess we can formally request that a briefing on the Texas Rural Transportation Plan be provided at our next meeting. Okay, Ginnie?

I did have one followup question and then one comment. And thank you, Al, for going back and asking for a clarification on the regional planning funds. I just wanted to highlight $250,000, 24 agencies, like Eric said, if everybody applies that's not a whole lot of money, and we might want to continue to think about that when we get
to our work plan if we really want to reinforce regional
coordination and innovation and leveraging existing
resources, is that sufficient funding to do that.

And then just take this opportunity to ask you
have you heard anything on the Transportation Development
Credit Advisory Committee, the status of that?

MR. GLEASON: This is Eric Gleason. I asked
James Bass, our chief financial officer, that question two
days ago and he acknowledged that they've not yet laid out
a schedule for that activity. I recommended to him that
they send a letter out to all the folks who have been
appointed or identified to participate and letting them
know this is the plan or this is where we are.

MS. BLOOMER: Okay.

MR. GLEASON: To get back to your earlier
comment on the regional planning funds, I couldn't agree
more, $250,000 is not enough, and that is not the sum
total that we bring to the program each year. I think we
typically each year bring about $1.4- to $1.6 million to
the effort. These are funds in addition to that, so I
wasn't trying to suggest that they were in any way
sufficient for sustaining the program.

We had some remaining balances after some
existing contracts were closed out and some remaining
funds, we kind of pooled them together, we said it's not a
lot of money, but some folks might find it useful. And I'm not necessarily thinking we're going to give something to everyone either, so we'll just have to see what we get, but we thought it would be good to get it out there and give folks a chance.

MS. BLOOMER: And this is Michelle. I guess the good news is we won't be submitting anything for our region.

I think in addition to the $1.4- or the $1.6-, it might be helpful, Eric, we spend in our region a significant amount of our regional resources on regional coordination activities, so in order to get a good sort of grasp of how much as a state we're spending, it might be beneficial not just to sort of capture what TxDOT is providing but what other local entities are providing as far as match, because the amount of money we get from TxDOT is probably about a fourth of the total of what we spend as a region on our regional coordination activities.

MR. GLEASON: And that's similar to the Houston area; the Houston area is spending a lot more money on it. They take the money we have and they focus it on one element of their plan.

MR. ABESON: Excuse me for my ignorance, but the $1.4 million is awarded on the basis of proposals received? Is that how it's awarded to the regions?
MR. GLEASON: Yes.

MR. ABESON: Do all of the regions typically submit?

MR. GLEASON: Most of the regions typically submit. We have a few regions that we've struggled with over the last several years, but I think everyone but one of them. Do we have an agreement with all of them now, Kelly?

MR. KIRKLAND: Yes, we do.

MR. GLEASON: We have all 24 regions under a grant agreement now to do this work. There have been a number of areas that have changed leads from time to time and that sometimes introduces a gap. We've had one or two areas that have been particularly problematic in getting someone to step forward and be the lead agency, but we've addressed that now, and so everyone is engaged at this point.

MR. ABESON: Good.

MR. GLEASON: And everyone, in one form or another, will have an updated plan shortly after the first of next year.

MR. ABESON: And that competition is totally independent -- this is a question -- is that competition totally independent of the coordinated call that folks are working on now?
MR. GLEASON: It is at the moment, yes. We have not rolled that into the coordinated call, we have talked about doing that, but we've not done that yet. It is also possible sometimes folks will use the coordinated call to go after other sources of funding to help augment their planning effort.

MR. ABESON: Thank you.

MR. GADBOIS: Or vice versa, their planning effort to queue up projects for the coordinated call.

This is Glenn. $1.4 mil is per planning cycle, not per annum, per year. Right?

MR. GLEASON: It's been an annual amount.

MR. GADBOIS: Has it?

MR. GLEASON: It has.

And just before we leave this, I will tell the committee that we have engaged TTI, once these plans are updated, I have asked TTI to do some work that will look across all the plans and draw from those plans common themes and issues of statewide significance, and what I would imagine we would do, is then from all those plans we'll be able to write a statewide chapter, if you will.

MS. BLOOMER: If there are no more questions, we'll go ahead and move on to item 4 on the agenda which is review and comment on the final draft proposed revisions to the Administrative Code. And I believe,
Bobby, you'll be presenting this item.

MR. KILLEBREW: Yes. For the record, Bobby Killebrew, deputy director of Public Transportation Division. Good morning, members.

Hopefully in front of you, the folks here in the room and the folks on the phone, you have several items that were emailed to you last week. I'm not going to be going through in depth all those items, so you can rest a little bit there, but I will be looking at a few of them. Particularly, just so you can get them in front of you while we're talking, I'm going to look at the white paper that was sent to you, I'm going to look at that graphic representation, the one that hopefully you might be looking at printed in color, as well as I'll also be looking at the revised timeline schedule. Those will be the three that I'm going to mainly focus on for my presentation, so if you can locate those, that might be helpful.

Kind of as a background on this, at your last PTAC meeting on September 8, Eric mentioned that the department was going to be pulling together it got called many things, a sounding board, a work group, and various other names, but we're pulling together a group of operators to help the department as we needed to go forward in the rulemaking process.
As way of background, the legislature appropriated some additional state grant money this last session to help the department with the impact that we would see as we started utilizing the new census data, and with that triggered a need for the department to change our Administrative Code to incorporate anything necessary to hand out those dollars, to target those dollars to the systems that were going to be impacted by using new census data.

So Eric mentioned on September 8 that we were going to pull together a group of operators -- PTAC was in agreement with this, and in fact, J.R., as the PTAC representative participated -- a group of operators to help us as a sounding board to figure out what would we draft these rules, what would they look like, what did we need to do, what changes were necessary, what changes would be very helpful in this endeavor.

And as a reminder, in that small group we had Brian Baker from South Plains as part of the group, Dave Marsh from CARTS, John Hendrickson from Waco, J.R. as the PTAC representative of the group, Linda Woods Pugh from the ARTEX Council of Governments, Normal Zamora from the Brownsville area, and Terry Reeves representing Hill Country Transit.

With the assistance of TTI and TxDOT staff, the
group met for several hours and threw some things
together, some comments, some notes, looked at all the
different census data, what TTI has projected would be the
impact to Texas as far as the census data, and talked
about our existing formula program on state grants. And
through that conversation with this work group, we went
back as the department and started drafting the rules
which is that fourth piece that was also mailed to you
that I'm not going to get into line by line so I'm going
to kind of stay away from that.

As the work group and as the department visited
with the work group, there were really three areas that
the work group said we really do need to change, and those
are the three that I'm going to highlight, so this is
going to kind of be looking at that graphic representation
or the white paper that you have in front of you.

Under the current existing formula for state
grants, all the money that is appropriated for state
grants, first thing right off the bat the money gets split
65 percent to the rural systems and 35 percent to the
urban systems. So the work group that we pulled together
realized all of a sudden that if we got extra money from
the legislature to target census impacts to certain
systems, this 65-35 split was not going to work because
that's not where the target needs to be, it's not a 65-35
split on those additional funds.

So one thing that the work group suggested, and the department has agreed with this, is that we need to change the Administrative Code on the state formula so that only the historical amount which happens to be that $57,482,135 is split 65-35, and any amount above that $57,482,135 is actually allowed to be targeted by the commission to where the need actually exists.

So if you're looking at that graphic representation or you're looking at the white paper, what you'll see on there kind of in that green box flowing down, you see a little faint $57,482,135 that says current position. What we were doing is we're moving that above the 65-35 split, and you see on your little graphic here it says change position. So only $57,482,135 would actually be run through what is called the traditional formula which would split 65-35 to the rural and to the small urban, and then it goes down the respective areas and to the need and performance-based formula. So that's one of the changes that the department is recommending to our commission and those are the rules before you today is to move that up above that percent split and only submit the $57,482,135 goes through the formula, the traditional formula.

MR. GADBOIS: Bobby, do you want to go through
all this and then get questions, or do you want questions as they come up?

MR. KILLEBREW: I would say if I say something that's confusing, stop me right on the point so that we don't go any further, so if you've got an item that I've said that's confusing, please let me know; otherwise, for sure at the end we'll have a Q&A and discussion point.

So with the additional money that we have now as proposed in the rules, anything above the $57,482,135 is not going to be split 65-35, what do we do with that? The work group says we need to come up with a census impact allocation piece to the formula which would be a brand new piece, it does not exist today, and the work group discussed about how that should be calculated.

So as you're looking at that graphic representation, over on the right-hand side there's some I call them baby blue blocks and the little word New on there, any amount that's above the $57,482,135 would then flow through a new census impact allocation. So that would be a change to the existing rules, and also as a change to the existing rules, we describe how that census impact allocation would be calculated. And basically, that's taking the 2000 census data and the 2010 system performance data, comparing that with using the 2010 census data and the 2010 system performance data, and
calculating a difference, and that ends up being an impact allocation amount.

So let me kind of go over that again. Using 2000 census data with 2010 performance data compared to 2010 census data and 2010 performance data. So in essence, what changes there is just using the different decade of census data and if a system were to receive less money by using 2010 census data, then an allocation would be calculated for that system. That's above and beyond anything that's generated through the formula program, this is just another piece to the formula program, it's called the census impact allocation.

MR. GADBOIS: So when you say compared to, you're simply looking for getting less money.

MR. KILLEBREW: In this part of the formula it's actually a comparison, so if your allocation were to go down using those comparisons that I described, then it would generate an amount of money for you.

MR. GLEASON: To bring you back up.

MR. GADBOIS: It would generate an amount to which you were eligible for money.

MR. KILLEBREW: Yes. It's all subject to the amount appropriated by the legislature, and we have approximately $3.2 million for the biennium, so obviously, if everybody generated an amount above the $3.2 million
that's appropriated, we wouldn't have that much money.

MR. GADBOIS: Right. Okay.

MR. KILLEBREW: The other thing that we have written into the code for this one is that particular census impact allocation does have an expiration date, so that piece of the formula, just that one piece of the formula does have an expiration date of August 2019, and that's written into the code as well. That's not on your graph in front of you, but that is in the code, and I believe I put that in the white paper as well.

And the third what I would consider a major change that's gone on in this package, if you follow that graphic down you get to those golden type blocks at the bottom which is any leftover money, after you've done everything else if you still have some leftover money, then the commission can make some awards, either competitively, on a pro rata basis, or a combination of both. That's in the formula today. We just kind of had to move that around a little bit, because we've added this census impact allocation piece, we've kind of had to move that around a little bit. So on the flow chart here on the graphic it kind of got moved around just a little bit, you'll see some little dotted lines, just kind of got replaced again.

It's exactly like it is today with the
exception we've added some extra language. The work group that we met with was pretty adamant about that if we have some of this leftover money, the commission might want to consider awarding funds to these newly created urbanized areas for any startup needs that they might have. They wouldn't necessarily get a negative drop in their funding formula, but they might have a need, a census impact need, if you will, for new startup type funding.

MR. GLEASON: One time.

MR. KILLEBREW: So it could be vehicle purchase, it could be someone coming in to look at maybe doing a plan for their route structure, it could be how do I even set up a new system, I've never done this before, so it might be some technical assistance money. So we've written that into the language in the Administrative Code just to make sure it's very plain that the commission might do something like that. Along with everything else that was already in there, we've added that to that.

Also, in addition to that there was something else that our legal counsel suggested at this time we might add and that is another phrase that says: and any other factor. Kind of opens up that door pretty wide now on what that is. In case we didn't think of something, we won't be held up by having to change the code again, now we can point to say this is another factor that we did not
think of at the time, but the commission still would have
the ability and the flexibility to do those type of
awards.

MR. GADBOIS: And Bobby, this is Glenn again. Just clarification, the legislature appropriated dollars
specifically for the impacts of census?

MR. KILLEBREW: That's a good point to make, Glenn. Thank you.

What the department did when we were doing our
legislative appropriations request for this last session,
to our baseline amount, our administration and commission
increased the amount of state grants. Unless you were
internal to the agency, you might not have seen this, but
the reason we increased it was because we knew we were
going to have some census impacts. TTI had done some
research work for us and estimated what those census
impacts would be, so we put that into the baseline part of
the LAR. The legislature appropriated that baseline
amount. So if you look at the General Appropriations Act,
there's not a line item for this, there's not a rider for
this, there's no legislative direction for this, but we
hold true to our word that in our LAR we said we would
take this money and use it for census impacts.

MR. GADBOIS: That makes a lot more sense out
of how you were doing it then. Okay, got it.
MR. SALAZAR: This is J.R. For the record, I just want to say I'm glad that you explained that and you didn't come to me to explain this.

(General laughter.)

MR. SALAZAR: Because I was sitting by Dave Marsh in this meeting that we had and he looked over at me and said, Did you know what? I said, No, I didn't. He said, I didn't know some of that stuff. So we learn things all the time.

My question is walk me through this again as far as the additional funds being this one time only because this may or may not happen at the next legislative session, and so this is a one time thing. Correct?

MR. KILLEBREW: This is Bobby. I hope it's not a one time thing. Since the department has put this as part of their baseline request in this last LAR, we are hoping and anticipating that the next time we do an LAR, this will continue to be part of our baseline need. Of course, you know, we always hope that we will get more money for public transportation because certainly the need exists out there.

The way this formula is structured, the rules before you today, is that if we get appropriated $57 million, that will historically go through the regular formula needs performance and still be split 65 non-
urbanized or rural and 35 percent urban. Anything above that, the census piece kicks in to whatever is needed, and then anything above what's not needed for the census impact goes back to the commission to award again as competitive or pro rata or a combination of both. So we hope we continue to get this in the future, but first and foremost is that first $57,482,135 goes through the regular formula, so if by chance we don't get the additional $3.2 million next time and we only get the $57,482,135, it goes straight to the formula as these rules are drafted.

MS. BLOOMER: This is Michelle. I guess in positive thinking mode of the next legislative session, so the $57- was the baseline, you add the $3.2- or the $1.6- to that for the new baseline, say we do get requests and ask additional to be added to the baseline next year, the way this is currently set up, the $57 million would still only go through and any addition to the $3.2- would be added onto that and then be allocated through the difference.

MR. KILLEBREW: Yes. This is Bobby. That's exactly how the rules are drafted today, that's how that would work. Now, having said that, let's just say -- and I'm dreaming here so no one take me to task on this -- we get an extra $10 million, we can do a couple of things at
the department. We could go back and revise the
Administrative Code -- and this $10 million is for
basically regular formula -- we could go back and revise
the Administrative Code and instead of being $57 million t
the regular formula, we could say it's $67 million. Or if
we don't have time to revise the Administrative Code
because it takes time to do this, we all know that, that
$10 million would eventually end up back in those golden
blocks down there for the commission to do something with,
and the commission could award that on a pro rata basis
that looks just like the formula.

So we wouldn't be necessarily stuck without
having to change the code, there is a workaround, but I
would think if we got an additional $10 million, we would
be coming back to the committee and visiting with you all
on how best that should be allocated because under your
purview are the administrative rules for formulas, and so
that's why we're here today.

MR. ABESON: Bobby, this is Al. So let's say
that $10 million dream actually happens, does it then move
through the blue boxes, or is that an option at that point
in time when the money would become available? Does that
make sense to you?

Here's the problem I have, let's say in five
years that X number of millions is added to the base
amount and yet we're still at $57 million using the basic formula, it goes over to the blue boxes, it can't be called census impact anymore, can it?

MR. KILLEBREW: The way the rules are drafted, Al, the census impact only uses what's necessary for that census impact allocation, and so actually if we were to get this $10 million, it would fall down into those golden boxes the way that these rules are drafted. We would propose if we were to receive an increase in state money for the grant program that we would come back to this committee, I would say we probably need to open up the Administrative Code and do some revisions, maybe change the $57 million to $67 million. I would feel more comfortable doing that than anything else just so that people outside of TxDOT know exactly how the money is going to be distributed.

MR. ABESON: So then the blue boxes really are a one year only proposition.

MR. KILLEBREW: They get calculated each year there are funds available there. The amount that's calculated is going to be the same each year because the data that's calculated never changes until the census changes again, and it expires before the next census round anyway. So the amount that actually gets calculated is going to remain constant but it does get calculated every
single year as long as we have funds above the
$57,482,135.

MR. ABESON: I'm not sure I made myself clear,
or I'm just unusually dense, but the blue boxes that say
census impact allocation and has the line to the right, is
that a one year only proposition because of the census?

MR. KILLEBREW: No, sir. That gets calculated
each year until that part of the formula expires, and
currently we've written into the rules that that part of
the formula expires in 2019. So each year we do state
grant fund allocations, we would actually have a piece in
there that's about the census impact.

MR. ABESON: For nine years. Right?

MR. GLEASON: For every year that we have funds
above the $57 million number.

MR. ABESON: But it was always attributed to
the impact of the census. Do you see what I'm getting at?

MR. GLEASON: This is Eric. The very first
amount of money above that $57 million that we got, the
very first amount of that additional money up until all of
the needs were addressed would be used for census impact.
Any remaining amount above that would fall down into the
gold boxes.

MR. ABESON: Gotcha. I understand that. But
let's go out three years and the same scenario occurs,
there's money above the $57 million, is that still going to be allocated through the blue box approach.

MR. GLEASON: The amount that was calculated initially will be, assuming that that amount is available, will be re-awarded. Yes.

MR. ABESON: Through the blue box process. In other words, you're still calling it census impact allocation even though it's several years from the initial impact of the census. Is that right?

MR. GLEASON: Yes.

MR. ABESON: Okay. I think I got it. Thank you.

MR. KILLEBREW: Yes, sir.

MR. GADBOIS: Okay, Bobby, because I was sort of getting at my overall question so we'll go back to this because I want to look at actually the rules. So on page 7 and page 8 of the rules I see what I think you're pointing to as the language that would cap the allocations for mitigation.

MR. KILLEBREW: And this is Bobby. For those on the phone, because I know this is going to get a little confusing probably, Glenn is looking at the actual code itself which is that ten-page document that looks very legalese. In the upper right-hand corner it has the page numbers that will say 1 of 10, 2 of 10, on the left-hand
margin of the page it will have the line numbers, so Glenn is referring to that document, he's looking at, I believe, page 6.

MR. GADBOIS: Starting on page 7, line 13, going to page 8 and maybe further, is this the language? So we get $10 million, we've made an assessment of the difference between 2000 and 2010, we've made an assessment that's $3 million, we get $3 million plus $10 million. Under this, that $13 million all goes over to the right-hand side towards the blue boxes. Right? You've made an assessment for those blue boxes that $3.2- is needed. You're suggesting that this language is going to cap the amount that can go toward census mitigation or census impact mitigation at $3.2- and the additional $9.8- goes to the gold boxes. Is that correct?

MR. KILLEBREW: This is Bobby. That's correct.

MR. GADBOIS: Okay. So I haven't looked at this closely enough to make sure -- I agree with you, I'm just wanting to make sure I understand your rationale.

So one of the things that we dealt with before I was on PTAC is that putting that much money in commission discretion ended up being a problem. Right? So in reality, if that were to happen, we might have the pressure to, for timing sake, do that one round but then we would look at rewriting rules if we expected that to
continue such that that overage money started going back into formula. Is that correct?

MR. KILLEBREW: That's correct.

MR. GADBOIS: Okay. I think I'm understanding where you are. We'll get to the arguments and substance and all that after you finish. I just want to make sure I'm on the same page.

MR. KILLEBREW: And there are some other changes. If you're looking at the document Glenn is referring to now, those ten pages, and you see all that legalese, you see a lot of strikeouts, a lot of underlines, I will tell you that there are a lot of technical corrections to conform to the Administrative Code Act and how to write code. Because we moved things around, it looks like there's a lot going on there. That's why I did the white paper so that you didn't have to read the legalese part of this.

A lot of the text is existing text today, including the $57,482,135, that's in the code today. That was an amount that was recommended by PTAC before to be the baseline going through the regular formula. So even though it looks like a lot, some of this just got text moved from one page to the next, so we've had to do strikeouts and underlines to move all that type of stuff.

That is the rule changes in a nutshell of what
it is, and before I go on to the next piece which is the estimated timeline, because we don't do rules very often and I wanted to go over the timeline again to kind of paint that picture where things are and also let you know as a committee what you can and can't do under the committee rules regarding this package. So before I go to those next few things, I want to make sure that we've talked about any questions or comments or concerns you have on these rule changes, so I'll just sit here and open it up, turn it back to the chair.

MS. BLOOMER: I was just going to say before we open it up to comments or questions, I just wanted to reinforce, I think, Eric, the intent of this was to do an immediate, quick adjustment to the administrative code to allow TxDOT to program the $3.2 million, recognizing at some later date, because for a while we've been talking about we may need to open up a larger discussion on the formula and addressing once the census impacts are truly known, maybe looking at opening up the formula across the board. And so this is just an intermediate step to addressing how we can program the $3.2-, not a full scale or wide open opportunity to address all the issues that there may be related to the formula.

MR. GLEASON: That's correct. We expect to hear from the census their announcement of the urbanized
areas in the spring of next year, and we typically award state grant funding in June of each year, and so we'll have a relatively small window, say between April and June, to take the results of the census announcement and determine the amounts associated with offsetting the negative impacts from the census.

Once we do that calculation one time, that will be the number, we will know next spring what the annual number is, we're just going to do it one time. And so the $3.2 million that we've talked about is actually a two-year number. At the time we did the research, we estimated the annual impact to be about $1.6 million. Given what we know now, we expect it to be a little bit higher than that, but we're in good shape for this biennium because it's a two-year number for 2012 and 2013 and the impacts themselves aren't going to be felt until 2013, so we're in good shape for this biennium for sure.

But just to clarify, we will calculate that number next spring and that will be the number. We will know from here on through 2019 that if there's an amount above $57 million available for distribution, that the impact of the census to cover all of the impact is X, it's one point something million.

MR. ABESON: This is Al. J.R., you might comment on how the group came together to develop this
approach. Was there a lot of consensus that this was going to go or did they propose different perspectives? Can you comment on that?

MR. SALAZAR: Sure. I think as a group we all got together and I think we were all in agreement on what we wanted to do which is basically help those in need now, and that is essentially what we want to do. Another thing that we didn't want to do is over-complicate the formula, even though it is very complicated to begin with, so we were all in agreement that that's what we should do, so there was no disagreement between any urban provider or rural provider that had really any comments other than what we all decided on.

MR. ABESON: Thank you.

MR. GLEASON: And Al, this is Eric. What I will say is we sent out to each of those individuals what you have in front of you for their comment and we did not get back any comments from any one of them.

MR. ABESON: That's a good sign.

MR. GLEASON: So my experience with the group says then that there were no issues with what we sent out. I know there's a bit of a risk associated with that assumption on my part, but that has typically been the dynamic that when we send things out that people are comfortable with, it's not uncommon for us to not hear
back. So that's my assumption.

    MS. BLOOMER: This is Michelle. Either J.R. or
Bobby, can you help me understand the August 31, 2019? Is
there something special about 2019, or is that just a date
that was far enough out?

    MR. KILLEBREW: Thank you, J.R., for
volunteering for this one. I'll take this, that's not an
issue.

We looked at that and we thought if we develop
this new part of the formula that talks about census
impact allocation and it's so specific in detail about how
you calculate it, does this part of the formula need to
expire at some point in time, how long do you carry this
census impact allocation additional money to keep helping
systems, do they eventually catch up and help themselves
on their own, or is this a now and forever type of thing.

    The August 31, 2019 happens to be a date at an
end of a biennium, so we put an expiration date in there
thinking, well, the next census is going to kick in,
around 2020 we'll be looking at another census, so at that
point in time we felt we probably need to have some type
of expiration on this piece of the formula. We'd be
interested in any comments PTAC may have on having an
expiration date, either at that point in time or never or
at another point in time.
MS. BLOOMER: And I guess what I'm having a hard time wrapping my head around is to me the census impact isn't a one year impact. Because we're capping the $57 million, it's ongoing, that impact is going to be there from 2013 when the census populations are available and used in the formula going forward until more money is available to address that. And so not only is the impact on 2013 but all the way through probably 2023 when the next census happens and it's also exacerbated by the fact that we're using population data that is at some point 10 to 13 years old. So you have the census impact which hits on 2013 and continues until the next census data comes, and on top of that you have continuing population that isn't being accounted for.

So I guess I'm having trouble understanding the concept being thrown around that it's sort of a one shot impact because to me it seems like a long-term impact, and then I don't have a problem with an expiration date, but to me it would seem like it should be more after the impact of the next census, or at this point we're maybe what, eight years out, we don't worry about it, and we address it through a full scale review of the rules and update.

MR. GADBOIS: Can I jump in on that before they do? Are you okay with that, or was that a question
specifically to them?

MS. BLOOMER: If anybody can help me understand.

MR. GADBOIS: And actually, I want to ask if there's an option A to put on the table. They're subject to their biennium appropriations and so to some extent what the legislature will give them for two years is what they actually have to look at. We want to think longer term than that, but it's the way appropriations go.

But I think the core of your question, and one of my frustrations here, so option B is we're not really looking at integrating the new census data and impacts of that census data into the formula approach, we're continuing this mitigation of impacts throughout the decade, whereas, what we ought to be looking at, I would think, let's mitigate impacts until we understand exactly what they are and then integrate the whole thing, new population shifts, all of that into a formula'd approach throughout the rest of the decade, but there's no anticipation of that in these rules.

MR. GLEASON: This is Eric. This effort today with these changes is not intended to address what I think are the larger issues about how the systems are changing, how the population growth is affecting things. It is a very small part of that larger issue and until we had a
chance to get our arms around those larger issues, we wanted to make sure that someone didn't wake up on September 1 of 2013 with a significantly less amount of money to deal with. We didn't want the formula allocation to be driving that issue.

I would agree, I think as a committee it's appropriate to look at the whole ball of wax once we understand it better. I mean, obviously the 2010 population numbers are going to be used with the $57 million, so the impacts will be rippling through, and in fact, that's what's shifting these funds around because it's all a proportional share of calculation. But if the committee wants to try and wrap its arms around what does the bigger picture mean, then absolutely, that's a look at the complete formula, and we're not trying to suggest that.

MR. GADBOIS: Or we simply recognize up front that we're going to be looking at another round of rule changes in 2012, 2013, and as part of these discussions we simply say that we understand once we know the real impacts that we're going to do that.

MR. GLEASON: And I would say that clearly that can be part of the record, the committee could clearly take an action to that extent, and I have always felt that this is convergence of census impact, maybe federal
authorization would be the time when we'd want to step back, and it's been kind of a moving target for us and we can't put it off forever. It's been good that the formula has been relatively stable for as long as it has, I think it's been stable for longer than I would have expected it to be when we did it back in 2006, but obviously it needs to be looked at, obviously, and I don't think it's appropriate to keep putting it off.

MR. GADBOIS: Can I ask a more detailed question? In the original formula construction, right or wrong, the recognition was because historically the way funding had played itself out over decades, that there were some areas that were getting more than their fair share -- that's shorthand -- more than was appropriate based on criteria like population, performance, area coverage, et cetera, and so there was an attempt to shift over time a limited pot, and that is, to some extent, retained in this formula. Right?

What I'm just wanting to make sure I'm clear about is when you have language in here that uses "as necessary to mitigate the formula," does that have an impact on the original intent of the formula to create that reallocation? And that may be solved as easily as providing a crisper, cleaner definition of "as necessary" because I don't really see definitions in here for "as
necessary" or "mitigation formula." And here's a for
example, and I don't know whether this is accurate or not,
if there's a system out there that we've said needs to get
less money because that's really the only way this is a
problem, and so they're scheduled to get less money over
time over that census impacts, and those census impacts
may make that gap look bigger and therefore they get more
money than they would under the intent of the formula, is
that a scenario that -- I mean, do you even understand the
scenario, number one?

MR. KILLEBREW: Absolutely.

MR. GADBOIS: And number two, is that a
scenario that we've anticipated and already thought about,
or am I just borrowing trouble, or what?

MR. GLEASON: Yes to all of them.

(General laughter.)

MR. GLEASON: You're at a level of complexity
which, for better or for worse, is a part of the formula.
And your recollection of history is absolutely correct.
The decisions back in 2005 and 2006 -- I guess 2004, and
'05 and '06, set in motion, under different definition of
need, a reallocation of base among systems. For the most
part -- and Kelly, correct me if I'm wrong -- for the most
part, my understanding is that reallocation has occurred,
for the most part. We still have a little bit going on,
but for the most part, everybody is where they should be under the current definition of need. Now, in this whole time frame, of course, performance has been moving everybody around too, so it's really hard to isolate things, but for the most part, all that reallocation has occurred.

MR. GADBOIS: And let me just make sure I understand. That reallocation has occurred and would be reflected in the 2010 census column that we're going to be comparing against?

MR. GLEASON: Well, now the 2010 census is going to move it around again because folks' proportional share, but that's just the formula working the way it works. The formula also includes right now a provision in it that says if you're a system and because of the formula your amount from one year to the next decreases by more than 10 percent, the maximum decrease that you will sustain from one year to the next is 10 percent. So that cap on a decrease in spending has been in effect now for five years and that had been a part of this adjustment process.

MR. GADBOIS: Hang on one second. Maybe a crisper way to ask this is why are we comparing. When we compare new census stuff, why are we comparing against 2000 census versus last formula where it's played out?
MR. GLEASON: We were trying to isolate on the need side the difference, the impact from a population standpoint because that's been the same throughout this entire time frame, that part of the formula. We looked at the need before we introduced that 10 percent cap on how much you'd go down, so it's a straight-out look at how much money should you get based on population and land area in 2000 and how much should you get based on that same calculation using 2010 numbers, and it was an attempt to isolate that. That's all it was, it wasn't trying to be tricky or anything, it was just an attempt to, in an imperfect world, isolate that. That's how we chose to do it. There may be other ways to do it, but that seemed to us to be a relatively straightforward way to do it that we could defend.

MS. BLOOMER: And that was the recommendation of the advisory group, the working group put together?

MR. GLEASON: They agreed with that approach.

MR. UNDERWOOD: And this is Brad. I'm following everything but sometimes I feel like it's gets lost between phone and in person, so I just want to make sure that I'm fully understanding.

Glenn, is your concern that these new rules remove the original intent of the funding formula? Are you concerned that it's making it something that it
shouldn't be with these changes, is that what the concern is?

MR. GADBOIS: I guess my concern is yes, sort of. I just want to make sure that taking care of the impacts of census takes care of the impacts of census, not undermines the formula.

MR. GLEASON: Yes. I understand that.

MR. UNDERWOOD: I think that's what I heard you say and I'm trying to get it.

MR. GADBOIS: And the devil's in the details on this, and unfortunately, I'm not sure we have the modeling capabilities to understand the details even if we had all the numbers from census, but either way, we can't really get at -- I mean, some of it's art and guesswork at this point, it's not science yet, and I get that.

MR. GLEASON: Appreciate that.

MR. KILLEBREW: And this is Bobby. And may I also add to that one area that Glenn is talking about, the census impact allocation, there is a clause in there too that that allocation is not subject to the funding stability, this 90 percent that Eric was talking about. That does not enter into that calculation that holds you at that 90 percent, so it does take that part out of the equation.

MR. GADBOIS: Well, but that's actually why I
was concerned about it. Taking it out of that stability opens the door for it to impact not just impacts of census but formula.

MR. GLEASON: And this is Eric. What we tried to do as best we could is isolate that.

MR. GADBOIS: We'll see.

MS. BLOOMER: And this is Michelle. Maybe what we can do is just sort of jot down what the larger formula concerns or issues are so we can bring those up when we do know the impacts of the 2010 census and hopefully we do have authorization and know where we're headed longer term.

MR. GLEASON: I think the issue of how this state is changing and growing and urbanization and all that stuff and we've got areas that are getting larger population and they have system needs that aren't necessarily completely financed or they don't have the capacity to finance it, there's lots of big, big issues that we need to get into.

MS. BLOOMER: And just one final comment, if there aren't any on the phone, sort of back to the bigger issue. Bobby, your third bullet on here on the white paper: Clarifying that the remaining state funds may be awarded by the commission to include funds needed to initiate public transportation service in new designated
urban areas and any other appropriate factors. And we talked about sort of one time startup. If there's any statewide policy regarding initiating new service, my concern is new service being started up, we do have very limited funds, sort of creating a duplication of effort and administrative structure if there's already an existing provider in the area.

I know in our region we have a regional policy that we leverage our existing resources first so that we don't have an entity that may become a new urbanized area when we have an existing provider in the area or multiple existing providers in the area, that an entity becoming a small urban or a large urban area doesn't see this as an opportunity to start their own transit system and now we've created another layer that then draws down duplicative administrative structure, service, et cetera. If there was any policy either at the state level or allowing the local regional level to weigh in on how that happens, because you could easily have multiple, of the five new urbanized areas that Linda Cherrington and TTI are proposing, you could literally have five new systems, and do we really need five new systems to address the need, or can the existing systems meet that need.

MR. GLEASON: We were not intending to suggest one or the other with the language we added, and we've
always felt that those decisions are local decisions, so clearly, we would look to the local area for what they wanted to do. I would generally agree with you, Michelle, that I would certainly hope that these new urbanized areas in particular would look really, really hard at existing providers for their services because I do think there are economies associated with that. And in the event that they did that, these funds could still be brought to bear on whatever additional fleet requirements might be needed, for example, with that. But we weren't trying to suggest and open the door or make it any easier, necessarily, for a new area to set up their own system.

MR. GADBOIS: Although one of the things I liked about seeing that recognition in there, Michelle, is historically we've taken the same pie and simply re-divided it when a rural moves to a small urban or where there wasn't a system there now is the formation of something. We've simply taken that pie for rural or urban and divided it adding another piece in there, and where we really need to get to is keeping that pie the same for the existing services at a minimum and finding new money for the new systems. We really need to get to that point, because re-dividing it every time simply means less money, everybody takes a cut, and that's a ridiculous place for us to be if we're ever going to grow transit in
this state.

MS. BLOOMER: And this is Michelle. I agree. We can't continue to take the same size pie and divide it between more people, and that was sort of where my concern is coming from and back to our regional coordination effort to leverage the state's existing resources, and we see that in our region too. But yes, I would like to hold harmless the existing folks eating off the one pie. But my whole thing is even if you can find new sources of funding to find new startups, is that the best path to go down.

And what we have in our region is generally the first thought on everybody's mind is I'm going to go create my own system, and trying to create sort of a regional or a statewide policy that gets back to that may be the best way to do it but you have to go through a set of questions and answers before you get down to entity X going out and buying its own vehicles, its own scheduling and creating that infrastructure, because then now you've added one more entity that fills a niche that you're then having to coordinate with all your other entities.

And so just sort of that recognition, but yes, not adding any more slices to the pie. It's like your sliver of pumpkin pie just keeps getting smaller and smaller and smaller, and I don't think we're getting a
whole lot more service as a result.

MR. GADBOIS: And one way to do that, just kind of for a parking lot, Michelle, one way to do that would be to have new money being required for new formulations of service, in which case you then get to set up the questions of criteria and is it really necessary or can we do that through existing providers or something along those lines. You get to set up all that before they'd ever have access to new money.

MR. GLEASON: Now, keep in mind these new urbanized areas will be getting federal funding. They'll be allocated 5307 funding.

MS. BLOOMER: The urbanized area will be.

MR. GLEASON: The urbanized area will be, yes.

MS. BLOOMER: Not necessarily the entity or the cities that make up that urbanized area.

MR. GLEASON: That's correct.

MS. BLOOMER: And hence, the regional policy plays in with the federal funds, because in our region we have the same thing where we encourage entities that would become eligible for federal funds to work with the existing provider to do that, and we have a little leverage because our policy body programs those funds and we have an existing regional policy that states we leverage our existing resources. So if you're an entity
within our region and you decide to opt out of an existing resource, your access to those federal funds disappears. So we encourage, through the availability of funding, for folks to coordinate because I don't know that if we don't have some sort of -- it may not be a requirement, but some sort of leverage, that encouragement on its own may not work in some instances, and then you have another entity that's then taking funds from a very small pot. So sometimes we have to encourage and sometimes we have to strongly encourage with a carrot or a stick.

MR. GLEASON: And then we always need to be mindful of respecting the local jurisdiction if they don't feel as though their existing provider alternative addresses their needs. Then we need to make sure that whatever process and policies we have recognizes that.

MS. BLOOMER: Right.

MR. GADBOIS: Okay. So this is Glenn. This is an action item.

MR. KILLEBREW: If I may, Glenn, I think you're fixing to make a motion. This is Bobby.

MS. BLOOMER: Bobby, you're going to take us through the calendar.

MR. KILLEBREW: If I may let the committee know what type of action can be taken today before you make your motion, if you don't mind, sir.
MR. GADBOIS: Please.

MR. KILLEBREW: A couple of things. First of all, let me go to the estimated timeline which is another piece that hopefully you have in front of you, and then I'll speak to possible actions today for the committee.

On the estimated timeline, we don't do this very often as a department in public Transportation, and I know this committee even less often, so it's always good to look at where we sit on the timeline and what future opportunities in this particular rulemaking -- and I'm only talking about this rulemaking -- are going to come back to this committee. Going down the timeline very quickly, the first item here was the preliminary notification which happened back on September 15. The second item is today's meeting which, as Glenn pointed out, this is an action item for today. This is your first opportunity as a committee to look at these sets of rules so we would be looking for committee action, if any, today, so that's what today is for.

MR. GADBOIS: And the action today is really what actions we might want to take with regard to the draft rules, i.e., what instruction we might want or things we might want to tell staff regarding the draft rules. Correct?

MR. KILLEBREW: There's a possibility of
several actions today: you can take actions today and
provide comment in the form of a motion, as a committee,
again, on these draft rules; you could also waive taking
any action today as a committee; and you could also defer
any action on these rules until a later point in time.
That's up to the committee as a whole to decide what to
do, and so if you do take action today to provide comment,
then we'll put that on the official record.

Our next stop on this is once the committee
provides comment is taking these rules to the commission.

Part of that package that goes to the commission includes
this committee's comments, so whatever the committee makes
as a formal comment, we write a preamble to these rules
and those are incorporated in the preamble. The
commission right now is scheduled to look at these rules
as proposed rules at their December 15 meeting, after
which point in time we will go into a public comment
period. The rules will be published in the Texas
Register, we'll hold a public hearing, we'll have a 30-day
public comment period.

PTAC will look at them again either during that
public comment period or at the end of that public comment
period and that will be your opportunity, as a committee,
once again to either provide comment or not. At that
point in time they will then go back to the commission for
final adoption, and a few days after that, after they're filed with the Secretary of State, they'll actually become final rules. All that takes a lot of time, so we're looking at final rules taking effect all the way back down the line at April 19, 2012.

So you have two opportunities as a committee. Today is an opportunity which you can provide comment, waive or defer. After the commission takes action on these rules, you'll again, as a committee, look at them one more time to provide comment.

So with that said, then Glenn.

MR. GADBOIS: Madam Chairman, this is Glenn. I'd like to make a motion that we do make comment and the comments include at least these items, and maybe more. Since I'm making the motion, I'll entertain friendly amendments all day long or at least for the next three minutes.

The comments are: number one, that we do some recognition, either in an explanation cover or somewhere, that we will take up rulemaking on this item again as we understand what the census numbers are; that we ask staff to clarify, as best they can, squishy terms like "as necessary"; and that we get back before we see the final rules at least two things for consideration of the rules, one is any public comments that have come in, and two,
some sort of scenario run for what this formula would look like in terms of its application to systems. You can do a spreadsheet of runs on what this allocation looks like.

MS. BLOOMER: Is that last one possible, Eric?

MR. GLEASON: We can do it, yes. It would not yet reflect the final determinations of the U.S. Census, it's our best guess at this point in time.

MR. GADBOIS: Right. I understand it's all draft. And really what I want to see is sort of the change factor, so if you want to simply graph that out and not dedicate yourself to real numbers because I understand that always creates problems, or actually even draft numbers that might be interpreted as real numbers, that's fine. What I really want to see is changes.

MR. GLEASON: Got it.

MS. BLOOMER: So we have a motion.

MR. GLEASON: If I could interject for just a second a point of clarification. Glenn, in your motion you talked about you wanted to revisit this item, that was the exact word you used. I would prefer topic, if you will, because item suggests this specifically, as opposed to what I think is the general topic.

MR. GADBOIS: Revisit the topic of formula.

MS. BLOOMER: This is Michelle. Any other items to clarify regarding the comments?
MR. ABESON: Yes. This is Al. I'd like to offer consideration of altering that conclusion date from 2019 to 2022 or '23.

MS. BLOOMER: Okay.

MR. GADBOIS: I'll consider that a friendly amendment, and Eric is shaking his head up and down so he considers it a friendly amendment too.

MS. BLOOMER: And this is Michelle. I'd probably just recommend we go with 2023 to coincide with the impact of the 2020 census.

MR. ABESON: That's exactly my intent.

MR. KILLEBREW: That's the end of a biennium too, so that's good.

MS. BLOOMER: Okay. So we have one, two, three, four, five comments. Any other comments?

MR. GADBOIS: Al, does that win your second that I've now included your amendment?

MR. ABESON: Yes, that wins my second.

MR. KILLEBREW: This is Bobby. Also, as a point of clarification, if it's okay with the committee, Glenn was referring to some squishy terms that if after this committee meeting that I can get those terms from Glenn so I know which ones are squishy and not so I don't miss any.

MR. ABESON: I'm not sure there's an
operational definition of squishy.

(General laughter.)

MR. GADBOIS: Some terms that it would be nice to have a little more clarity on.

MR. GLEASON: If I can address that. I know this may be informal from the process, but I understand the desire for additional clarification. What we'll try and balance, though, is the purpose of the term being to give us the flexibility to do something we may not have anticipated. So I think we're into what I might, if I can, it's kind of a trust and credibility issue with how the decision might be made by the department on what would qualify as "as necessary" and I don't know quite the way through that from a specific language standpoint. I'm a little anxious about starting to try and string together what might be more specific language because I don't know what that might look like without becoming too specific, if that makes sense.

MS. BLOOMER: And this is Michelle. I think we probably need to find the balance between providing some clarity and do need to provide the flexibility, because we don't want to get into a situation where we put into the Administrative Code something so specific that we have to go through another revision to make a minor tweak.

MR. GADBOIS: And my intent by that was for you
to be drafting and to not suggest off the cuff some specific definition. I simply think, because of our conversation about given that this is exempted from the formula's caps and kind of percentage change stuff, that we at least point back to, under "as necessary," the intent to focus these provisions on impacts of census. So it may be nothing more than "as necessary" for impacts of census but that's for you to decide. I don't want to draft that for you here off the cuff. But on things like that, given our conversation, it would be nice to have that at least so we understand intent.

MR. GLEASON: Okay. That's fair enough.

MR. ABESON: This is Al. When the Congress does hearings, the hearings record then accompanies the legislation so that one could look backwards and see exactly what was discussed and intended by the enactment of the statute. Is there a comparable document that's developed along with these rules?

MR. KILLEBREW: This is Bobby. I would say the comparable document in this case is we develop what's called a preamble which accompanies these rules when it goes to the commission. It will be published, along with the rules, in the Texas Register and it explains all the changes, line item detail level. So if there is clarification, that's where I would say it is posted.
During a public hearing or any other public meetings that we have on these rules, they all become public record and we do keep those records as well, but the preamble probably explains it in that level of detail best that I can point to a single document.

And I hope we don't get hung up on these words. Some of these words, like "as necessary," I think these may have just been put in there because that's kind of department language that they use in lots of areas and I think this may be wordsmithing that we have no problem in trying to clarify a little bit, so I'm hoping this will be real minor type change to get through the legal counsel downtown.

MR. ABESON: Well, I would suggest that what you just described, the preamble, is the place to do some word crafting that conveys the intent as opposed to necessarily define everything.

MR. KILLEBREW: This is Bobby. Absolutely, and we will do that in the preamble.

MR. ABESON: Great.

MS. BLOOMER: Okay. So we have a first and a second. Is everybody clear on the action and the comments, or do we need to reiterate them for the record?

MR. GADBOIS: So actually, that's a good point of clarification. On the squishy term item of my motion,
I'm fine with that clarity occurring either in the preamble or in the rules. I simply want to make sure there's clarification of intent.

MR. ABESON: Madam Chairman, I'd like to call the question.

MS. BLOOMER: Okay. So we have a motion and a second. All those in favor? We'll start on the phone this time. Brad?

MR. UNDERWOOD: I believe I'm an aye. I've written down everything he said, so I'm an aye.

MR. GLEASON: So the motion was in support of recommending these with those changes?

MR. UNDERWOOD: Yes, support.

MS. BLOOMER: Of providing comments. I thought our options were to provide comment, waive comment or defer comment.

MR. KILLEBREW: This is Bobby. And I think what Eric is suggesting here, your comment is -- and I'm not going to rephrase Glenn's comment, I'm just asking the question -- is your comment is that PTAC supports these rules as drafted with the comments that have been made.

MR. GADBOIS: I didn't understand that was an option, and so I'm happy to add that -- I think I'm okay with this. I would add that I am in support of these rules as drafted with the comments and clarifications, but
I also reserve the right to review these again, based on our timeline, after the comments and after seeing the additional information scenario changed, et cetera.

MR. GLEASON: Absolutely. This is just the first step, this gets them to proposed.

MR. GADBOIS: Yes.

MS. BLOOMER: Back in January or February we'll have the second shot.

Okay. So we're all clear on the action, the second. Brad?

MR. UNDERWOOD: I still support.

MS. BLOOMER: Okay. Christina?

MS. CRAIN: Yes.

MS. BLOOMER: Al?

MR. ABESON: Yes.

MS. BLOOMER: Glenn?

MR. GADBOIS: Yes.

MS. BLOOMER: J.R.?

MR. SALAZAR: Yes.

MS. BLOOMER: Michelle, yes.

MR. GLEASON: There's nothing like a formula to bring the committee out.

(General laughter.)

MS. BLOOMER: Before we move on to the next item, I did want to thank J.R. for representing us on the
working group that put this together. So thank you for your effort.

MR. SALAZAR: Absolutely.

MS. BLOOMER: Wow, that was a long discussion.

Item 5 on the agenda is review and discussion of the PTAC work plan, and how would we like to handle this, given we're where we are on time. I know this item is a long item as well, and Glenn, you had mentioned there's still some of us that have scoring to provide you. What do we all think about maybe just walking us through what we've done since our last meeting and seeing where we are, and then we can talk about how to proceed with the discussion at that point.

MR. GADBOIS: And I'm happy to walk us through what was done and kind of where we are. I would also lay out on the table that I think we need to finish our work before we can actually make good, solid decisions. So let me kind of walk through what we did.

At our last meeting, we, the PTAC, agreed to some guiding principles, and the request thereafter was, in my shorthand, how do we operationalize that or apply those principles to the various activities we've talked about as a PTAC doing to help us figure out where we might have highest priorities. In which case, after some conversation with staff and our beloved chair, we put out
a request to the PTAC members for any activities that they wanted to get on a list for consideration and some members of the committee submitted back recommendations that were either a refinement of items we had already talked about or in some cases new items.

Since the entire PTAC did not submit items, we also, per our chair's suggestion, went back to our discussion in Arlington and looked at the items and activities we had talked about during those conversations and basically built a long spreadsheet with those activities along the top as the items for us to consider.

Once that was done, we then attempted to figure out an easy and hopefully not too confusing way to maybe score those such that we can put into some kind of a matrix how our guiding principles apply to each one of those activities with the hope that we might be able to prioritize activities based on how they furthered our guiding principles or how they were consistent with -- I'm not even sure how to say that at this point.

So what we did was we have that table that I think Ginnie gave it in one table, I have it in an Excel file, but it's basically a table where you have on the left-hand side our guiding principles, you have on the right-hand side our activities. Each activity has a column for each PTAC member to provide scores, and so, for
example, Glenn is the first column in each one of those activities, Al, because he submitted his scoring next was second column in each one of those activities, J.R. third column, and whichever one of you gets me scores next will be fourth column.

MR. ABESON: Actually, I think J.R. and I should be switched.

MR. GADBOIS: Okay. Sorry about that, J.R.

MR. SALAZAR: That's fine.

(General laughter.)

MR. GADBOIS: So then the only thing we did that's worth noting is to kind of look across activities. We provided an aggregate raw score down at the bottom which helps you see kind of which ones of those activities are getting the highest score, and then way over on the right-hand side we're doing basically a standard deviation because the other question is in this scoring, that is sort of squishy in and of itself, is there a lot of deviation between the scores, is somebody scoring that principle and activity a one and somebody else a five. Well, that either evens out or kind of moves towards the middle, or it's very radicalized, the standard deviation score should at least help you understand where it's radicalized. So if three people give it a one and three people give it a five, that standard deviation is going to
be really big and you're going to be able to see that real
easily if that kind of thing is happening.

Having said that, three people providing scores
doesn't give us much of an indication for this committee.
If we're finding this process helpful at all in deciding
what we ought to focus on, let's continue by those three
people who haven't given scores to give scores. If we're
not finding this helpful in deciding priorities, let's
just say so now and figure out a different way to do this.
I'm fine either way because what I really want to get at
is us deciding some priorities to focus on to help us over
the next year to actually do something. That's my close
to the introduction.

MS. BLOOMER: Madam Chairman, may I speak?

MS. BLOOMER: Go ahead, Al.

MR. ABESON: My concern here is that -- it's
really not a concern, I think it's a confounding factor is
that we really don't have activities at the top, we have
content areas or we have a mix of content areas, for
example, the one dealing with legislative issues, or
whatever that language is. That's a huge area, Section
5310, it's a huge area, it's not an activity, it's an area
of potential focus. I would encourage us to finish, to
have the three other committee members complete this. I
think then maybe we could drop some of the lowest rated
areas, then come back and see if we could define some activities in the higher rated areas, applying some criteria for that process as well, and then maybe make some decisions.

MS. BLOOMER: This is Michelle. Thank you. I think that's been one of my struggles is sort of the concept versus concrete. Like Glenn said, we want to do something, and I was having trouble sort of ranking based on not really knowing what we were going to do.

I guess if we're just at the concept point, then we really don't have to have a very good understanding of what content and structure of coordinated call means other than what we have.

MR. ABESON: That would be the next step.

MS. BLOOMER: That would be the next step. I think I would feel more comfortable that I could put some numbers based on that if we go on a concept, and then narrow down the two to three concepts we want to work on, and then underneath that next step, phase two, put detail as to what that means related to each one of those.

Do the other two committee members that still owe scoring, in addition to myself, feel comfortable with that?

MR. UNDERWOOD: Michelle, this is Brad Underwood. And I just want to apologize for not filling
out this score sheet. I had the best intentions, I just kind of had an unexpected vacation last week.

MR. GADBOIS: An unexpected vacation.

MR. UNDERWOOD: Yes. A few days in the ER and that kind of stuff. Anyway, I apologize for that, it's not an excuse. But I feel like kind of understanding and seeing what everyone is saying now, I could probably have this thing knocked out and to you, Glenn, by Friday, close of business, if that would be helpful in moving this process along. So like Michelle, understanding this and we'll come back to where it says Section 5311, if that's the highest ranked one, to come back and try to find some deliverables or some tasks under that assumption, I could definitely go back and try to work on this and have it to you by EOB on Friday, if that's acceptable.

MS. BLOOMER: And Brad, let me just clarify, meaning close of business next Friday. Right? Wink-wink.

(General laughter.)

MR. UNDERWOOD: I'm all on your time frame, Michelle, so whatever makes you feel most comfortable.

MS. BLOOMER: And if you can get them in sooner, I'm sure Glenn will be happy to receive them.

MR. UNDERWOOD: Okay, perfect.

MS. CRAIN: And this is Christina. As a public member, I really wanted to see kind of where people were
headed with this that work in the industry, and this has been very helpful to see this now, and especially after our previous conversation, I will get this to Glenn by next Friday as well.

MR. GADBOIS: Okay. And so if I understand the process suggested by Al, and let's just make sure we're all in agreement on this, everybody is getting scores in by next Friday, and I assume that next Friday actually was a bump, meaning not -- today is the 2nd -- not the 4th or 5th, whenever it is.

MS. BLOOMER: Not this Friday.

MR. GADBOIS: Not the 4th but seven days after that, week after that. So everybody has their scores in by a week from next Friday, this coming Friday, and once those scores happen, those that are low scoring are kind of knocked out of consideration and we will look at developing a short list of those content areas that we're going to better define for tasks, deliverables, what we want to focus on.

When we get to that short list, I can deliver that based on your scores. I'll note where there are any problems that we might want to consider, it's a low score but some people were scoring it really high and a lot of others really low, something like that, I'll note that. Once that happens, how are we going to find those content
areas that we want to focus on?

MR. ABESON: This is Al. I think that the next round after all of us have submitted our numbers to you would lead to the highly ranked areas being given specific activities in response to that particular area. Now, the question for me is how do we come up with those activities. I would suggest that we attempt to define the area, the highly ranked areas in such a way that every committee member would have the opportunity to suggest one or two activities that would be responsive to the principles, because that's how we're making the judgments, as well as responsible to another set of criteria, and I'll get to that in a moment. Then the committee could select those activities that it wants to work on and everything else just gets held aside.

Some of the criteria that I would suggest or propose be considered in selecting activities to be done is that they are useful from Eric and his staff's perspective, that they're useful from the field perspective and we have operations people on the committee, we have a public representative, that they are activities that would build credibility of PTAC, would contribute to the credibility of PTN, and they are relatively easily accomplished in a fairly short time, and finally, can be done.
I would hate for us to take on, after all of this process, to take on some incredibly involved activity that we're never going to be able to finish. I want us to be able to take on a task with a relatively short time frame that we can actually finish that might make a difference. And I'd be glad to provide those criteria to Ginnie or Bobby or whoever I'm told to send it to.

MS. BLOOMER: Thank you. I think that was getting back to Glenn's question of phase one, to close out, the three remaining members will submit our scoring to Ginnie by close of business next Friday. Glenn, you'll take that information, consolidate it, get it back out to the committee as far as the scoring of all three which will then allow some to float to the top and some maybe to go below.

Now, as a committee, back to your question, Eric, do we have to have a meeting to then say these are the three or the two we're going to work on, or can we informally agree that based on the scoring these are the two or three that came to the top and then proceed to identify the specific tasks, as Al has suggested?

MR. GLEASON: Let me say this. I think you would need to decide today in this conversation what you wanted to do so that in the absence of not having a committee meeting, the minutes would say that at this
meeting the committee decided that when the scores are in, the top three --

MR. GADBOIS: Or four.

MR. GLEASON: Well, however you want to say that, but lay it out here today at this meeting and I think we're probably okay. We just can't make decisions on things as a committee outside of a meeting.

MR. GADBOIS: So given the way the scores are now, there are four that are actually, I think, at top scores; 78 or 79, there are four that are there now. So we simply decide the top four scoring are the ones that we will then do something with -- we haven't decided the something.

MR. GLEASON: There's one other option for the committee, and that is you could do an interim charge, like you've done in the past, where two members could make progress on something on behalf of the committee.

MS. BLOOMER: Okay. Because we're at six so we can't have three. Is it we're limited to two because we can't have a quorum?

MR. GLEASON: Yes.

MS. BLOOMER: Okay.

MR. GADBOIS: I would rather suggest that we say top four are the ones we'll work on and then I would rather get commitment not just do scoring by November 1
but by before next meeting we're also going to provide our suggested activities for those four topics. And then at next meeting -- we're doing quarterly meetings?

MR. GLEASON: Well, I was going to say that the hearing on the rules we talked about in the previous item is scheduled for January 11, so your meeting will be after that because you've said you wanted to look at the comments from that. The public comment ends January 30, so we're looking at something mid February.

MR. GADBOIS: So realistically, if we could do scoring November, and the very difficult task of defining activities for those top four in December and January, we could come all prepared in February for final decisions of here's our 2012 game plan once we decide which ones of those activities we're really focusing on.

Is that something everybody will agree to? Because I'm going to stop doing work if you don't.

MR. ABESON: I have a question. Why could we not have another conference call meeting prior to that date to perhaps give all the committee members a chance to vote, if you will, and then move forward? Is that not possible?

MS. BLOOMER: Al, this is Michelle. I think that's possible. I think what I'd like to propose is maybe a hybrid of let's finish out phase one, let's score,
get that in by next Friday, let's get that out to the members so they can see it, take the approach that we'll take the top four, and then with an interim charge of if Glenn and I can work to sort of narrow down and agree what those four are and develop a schedule to get us to your phase three which is identify the tasks and activities and have a work plan to present in advance of the February meeting.

MR. UNDERWOOD: Michelle, is that a motion that you're making there?

MS. BLOOMER: That is my motion.

MR. GADBOIS: Second that.

MR. UNDERWOOD: And I will second that.

MS. BLOOMER: Okay. We have two seconds.

Great.

MR. GADBOIS: And we could still retain the option of calling a January telecom meeting if we needed to do that because we'll know that in November or early December.

MR. GLEASON: Yes. We'll have to do all the proper notification, but just a quick conference call to do something is possible.

MS. BLOOMER: And that was sort of my intent of the interim charge is to allow us that flexibility if we needed to do a conference call. Hopefully we won't.
MS. MAYLE: Michelle.

MS. BLOOMER: Yes, Ginnie.

MS. MAYLE: This is Ginnie. If you would please cc Glenn on your email because next Friday is a federal holiday and I don't plan to be here, if Glenn wants them on Friday.

MS. BLOOMER: And this is Michelle. I will try, Glenn, to get it to you before Friday, but definitely by next Friday, my close of business, November 11.

So we have a motion and a second. All those in favor? We'll start with those here in the building.

Glenn?

MR. GADBOIS: Aye.

MS. BLOOMER: J.R.?

MR. SALAZAR: Aye.

MS. BLOOMER: Michelle, yes.

Al?

MR. ABESON: Yes.

MS. BLOOMER: Brad?

MR. UNDERWOOD: Aye.

MS. BLOOMER: Christina?

MS. CRAIN: Yes.

MS. BLOOMER: All right. The motion passes.

That takes us to item 6, public comment. Do we have any public comment?
MS. MAYLE: No.

MS. BLOOMER: No public comment.

Confirm date of next meeting. Ginnie, I think we'll save that till next time, but everybody sort of keep middle February in mind.

And if that's it, do we have a motion to adjourn the meeting?

MR. UNDERWOOD: So moved.

MS. BLOOMER: A second?

MR. ABESON: Second.

MS. BLOOMER: All those in favor?

(A chorus of ayes.)

MS. BLOOMER: Thank you.

(Whereupon, at 11:38 a.m., the meeting was concluded.)
CERTIFICATE

MEETING OF: TxDOT Public Transportation Advisory Committee

LOCATION: Austin, Texas

DATE: November 2, 2011

I do hereby certify that the foregoing pages, numbers 1 through 83, 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.

11/09/11
(Transcriber) (Date)

On the Record Reporting
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