

## **MINUTES FOR ADOPTION**

Public Transportation Advisory Committee – Teleconference Meeting  
3712 Jackson Avenue, Room 216  
March 19, 2013

### **Committee Members Participating:**

Michelle Bloomer, Chair  
J.R. Salazar, Vice Chair  
Dr. Al Abeson  
Glenn Gadbois  
Rob Stephens  
Brad Underwood

### **TxDOT Present and Participating:**

Eric Gleason, Director, Public Transportation Division (PTN)  
Bobby Killebrew, Deputy Division Director, PTN  
Kelly Kirkland, PTN

### **AGENDA ITEM 1: Call to Order.**

Michelle Bloomer called the meeting to order at 1:35 p.m. Two members participated via conference call.

### **AGENDA ITEM 2: Approval of Minutes from January 23, 2013 meeting.**

**MOTION** Brad Underwood moved to approve the January 23, 2013 meeting minutes as corrected.

**SECOND** JR Salazar seconded the motion

Dr. Abeson abstained since he was not at the meeting. The remaining committee members unanimously approved the motion.

### **AGENDA ITEM 3: Division Director's Report.**

- Staff working to assist with determination of designated recipients for the Sec 5310 program in areas over 200K population
- Small urbanized areas in the Governor's Apportionment need to decide on a direct recipient for Sec 5307
- Collin and Jack Counties reconsidering their rural transit district affiliation.
- Kerrville Bus is no longer an intercity bus carrier. TxDOT working to resolve contract issues for intercity bus projects
- No further formal communication with the Health and Human Services Commission about a joint Medicaid transportation study
- A bill in the State Senate addresses this issue.

**AGENDA ITEM 4: Rulemaking necessary to implement MAP-21.** Summary of PTAC direction to the Public Transportation Division:

Sec 5310 Seniors and Persons with Disabilities TAC Concepts

1. Operating expense will become an eligible activity.
2. State goals for the Section 5310 program are to be reflected in the project selection process. These are:
  - a) projects that leverage existing resources;
  - b) projects that are the only public transportation option for the proposed service area;
  - c) projects that are sustainable over time;
  - d) projects that demonstrate efficient use of vehicles;
  - e) projects that involve partnerships with non-profit organizations and for-profit transportation providers.
3. There will be a competitive, statewide call for projects.
4. The geographic area for local project selection changes from TxDOT districts to state planning areas (COGs).
5. The local selection process will be carried out by the regional lead agency identified under Texas Transportation Code Chapter 461.
  - a) Lead agencies will prioritize projects prior to submitting them for consideration in a statewide competitive call. Projects must be included in the public transit-human services coordinated plan.
  - b) TxDOT reserves the right to intervene in areas where the lead agency is non-functional, non-existent, or unable to fulfill these responsibilities.
6. There is no requirement, at the local or state level, to select New Freedom projects.
7. TxDOT's selection of projects will ensure the MAP-21 imposed cap of a maximum of 45% for operating within the urbanized and rural programs is not exceeded.
8. TxDOT may transfer money between rural and small urban areas if there are an insufficient number of eligible projects within a given apportionment.

### Sec 5311 Rural Area Program Concepts

1. Make no changes to the formula program except as in #2
2. In cases where an RTD experiences a negative impact in its performance factor calculations due to the acquisition or loss of service area or a natural disaster (wind, fire, flood, etc.), the division director may, on a one time basis, calculate the performance factors on a two or three-year basis.
3. The undertaking of JARC-type projects is solely at the discretion of the RTD.
4. There should be a set-aside in the intercity bus program for RTD use.

### 5326 Asset Management TAC Concepts

#### Sec 5329 Safety TAC Concepts

Mirror the basic requirements of MAP-21 law in the TAC. Modify later, if necessary, once FTA provides substantive guidance for these programs.

### Sec 5339 Bus and Bus Facilities TAC Concepts

1. Each eligible subrecipient will receive a proportional share of available funding based on the remaining useful life of its fleet and the cost of replacing its fleet. (This is consistent with the process used for prior Sec 5309 awards).
2. While fleet condition will determine each agency's allocation, Sec 5339 funds can be used for any eligible program activity.
3. Use of Sec 5339 funds should be linked to the asset management plan.
4. Sec 5339 funds should remain in that program and not be transferred into Sec 5311.
5. Additionally, as an administrative action, TxDOT will allow agencies to "bank" a limited number of allocations toward expenditure in a future year.

### **AGENDA ITEM 5: Transportation Development Credits TAC Change**

Mark Williams, TxDOT Director of Planning, came to discuss the pending changes to the transportation development credits (TDC) portion of the TAC. The proposed changes accomplish two goals:

1. Clarify that the public transportation set-aside is to be replenished to a \$15M level at the beginning of the fiscal year. TxDOT Finance Division felt the current wording suggested that \$15M would be added each year, regardless of the ending balance.

2. The Commission will have the authority to award TDCs to a program, as well as specific projects. This means that not every TDC award needs Commission action linking it to a specific project.

PTAC members asked clarifying questions about the proposed amendments as well as requesting that TxDOT develop a transparent mechanism to show exactly where the credits are used.

**MOTION** Michelle Bloomer moved that PTAC endorse the proposed changes as well as request TxDOT show the use of TDCs in program awards in a manner that is accountable, transparent and easily searched.

**SECOND** Brad Underwood seconded the motion.

The committee unanimously approved the motion.

**AGENDA ITEM 6: Presentation on Recent Federal and State Legislative Matters**

The item was deferred in the interest of time. Support documents were sent to members in advance of the meeting.

**AGENDA ITEM 7: Public Comment.** None

**AGENDA ITEM 8: Confirm Date of Next Meeting**

The committee decided to set the last Tuesday of the month for regular quarterly meetings. Rebecca Black will send out future meeting dates, based on this schedule, and beginning with May 28, 2013.

**AGENDA ITEM 9: Adjourn**

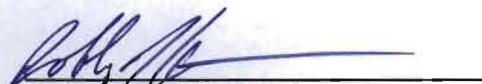
**MOTION** Brad Underwood moved to adjourn the meeting.

**SECOND** JR Salazar seconded the motion.

The meeting adjourned at 4:15 PM.

Prepared by:

Approved by:

  
Bobby Killebrew  
Public Transportation Division

  
Michelle Bloomer, Chair  
Public Transportation Advisory Committee