TRANSCRIPT OF
TEXAS DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION ADVISORY COMMITTEE
PUBLIC MEETING
THURSDAY, JANUARY 29, 2021
1:05 P.M.
VIRTUAL MEETING VIA WEBEX EVENTS

TRANSCRIBED BY: Angelica Mathews
TRANSCRIPTION DATE: January 29, 2021
APPEARANCES

COMMITTEE MEMBERS PARTICIPATING VIRTUALLY:

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

TxDOT PARTICIPATING VIRTUALLY:

Eric Gleason, PTN Director
Josh Ribakove, PTN Communications Manager
Theo Kosub, PTN Strategic Programs Manager
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10 Adjourn (Action)
1 PROCEEDINGS
2 JOHN MCBETH: Okay. We have a quorum. It’s
3 the -- it’s 1:06 p.m., Friday, January the 29th, 2021.
4 The Public Transportation Advisory Committee will come
5 to order and if you would Josh, provide us with
6 guidance on the virtual meeting.
7 JOSH RIBAKOVE: Pardon me, hang on. There we
8 go. Hi, everybody. This is The Public Transportation
9 Advisory Committee meeting, January 29th. Your line
10 has been muted when you joined the meeting. If you
11 would like to make a comment, and it is a public
12 meeting, and you are certainly entitled to make a
13 comment, use the chat feature or the Q&A that are with
14 this meeting. I will be monitoring both and will read
15 out your comment. If comes during an Agenda Item and
16 is pertinent to that Item, I’ll read it at that time.
17 If it’s not related to one of the Agenda Item’s, I will
18 share it with the Committee after the meeting.
19 It’s important that you’ve entered your name
20 when joining the meeting. If you didn’t do it, please
21 exit the meeting and rejoin. That’ll be real helpful
22 to us. Please don’t place this meeting on hold, we
23 will all hear your hold tone.
24 When (indiscernible) housekeeping in the
25 virtual (indiscernible) -- when it is time for a
standard motion, call on a Committee member to make that motion. Standard motions include the approval of minutes and adjournment. Other action items, when there’s to be a motion the Chair will ask if members can make a motion at that time. Thanks, everyone.

JOHN MCBETH: Okay. And Josh, would you please call the roll?

JOSH RIBAKOVE: Yeah. Well, John McBeth, I just heard that you are here.

JOHN MCBETH: I’m here.

JOSH RIBAKOVE: Ken Fickes?

KEN FICKES: (Inaudible).

JOSH RIBAKOVE: Jim Cline?

JIM CLINE: Here.

JOSH RIBAKOVE: Marc Whyte?

MARC WHYTE: Here.

JOSH RIBAKOVE: J.R. Salazar?

J.R. SALAZAR: Here.

JOSH RIBAKOVE: Dietrich Von Biedenfeld has not joined us yet, but we do have quorum.

UNKNOWN MALE: (Indiscernible).

JOHN MCBETH: Okay.

JOSH RIBAKOVE: That’s all.

JOHN MCBETH: Okay, we have a quorum. Let’s go to Agenda Item Number 3, approval of the minutes.
from January 7, 2021. It’s an Action Item. And if I
could, I’d like a motion to approve by Ken and a second
by Marc.

KEN FICKES: This is Ken. Can you hear me?

JOHN MCBETH: Yep.

KEN FICKES: Okay, I so move.

MARC WHYTE: Second.

JOHN MCBETH: We have a motion; we have a
second. Is there any discussion? Hearing none, we’ll
go to the vote. All in favor signify by saying ay.

(All stated ay.)

JOHN MCBETH: All opposed by saying no.

Being all ay’s and no no’s, the minutes are approved.

Josh, I will sign those and send them to you Monday
morning.

With that, we’ll go to Item Number 4, the

TxDOT Public Transportation Division Director’s report
to the Public Transportation Advisory Committee
regarding public transportation matters. Eric, it’s
your Item.

ERIC GLEASON: Well good afternoon, everyone.

I certainly appreciate your time today. So, my report
is largely going to focus on looking forward throughout
the rest of this year and what an important activity
the Committee is going to be engaged in. Before I do
that though, I do also want to note that -- because this maybe something that is on many of your minds, I do want to note that our discussion in Agenda Item 6 will also include some information on Federal Covid Relief efforts. So, in case you’re wondering or looking for an update on recent Covid Relief Legislation and issues around that, I will cover that as part of our discussion of Federal Authorization.

So, setting the table, I think for a very significant effort by the Committee over the next 12 to 8(sic) months, we are going to, I think without question, were gonna be diving into the Texas Administrative Code language that addresses any number of programs administered by the Department. There are three things that are driving that need to get into the Administrative Code in a significant fashion. The first you’re very much aware of and that is we do anticipate, assuming they follow their traditional schedule, which I guess this year could be a complicating factor, but typically we would expect the Census to release its urbanized area boundary designations in Spring of next year. And that puts us on a course to obviously look at those conclusions and then to match those conclusions then up with whatever results from this current Legislative session around
additional appropriations to allow us to address the anticipated Census impacts. Now you may recall that was a pretty significant topic of discussion for the Committee last year. And you know, we’re end to the session now that includes fiscal year ’23 which is the first year that we expect federal programs and then consequently State programs to follow the -- the -- the 2020 Census designations. So, at a minimum, I think we have to take -- we will end of up having to go in and take a look at the Administrative Code and make some decisions around changes there both to reflect the (indiscernible) funding as well as to address changes in boundaries.

We’ve seen particularly in the 5311 Program the second issue -- we’ve seen pretty significant growth over time for that Program. Particularly since some of the original requirements that are (indiscernible) such as the 20.1 million identified to be distributed on needs and performance, for example. Since we’ve revisited that number, which is hardwired in, in the context of the overall program size to see if we should be either taking a different approach or looking at changing that number. And as the Program has grown over time, part of the Program that has grown with that is the (indiscernible) location, which I
think at the time we actually implemented the 20.1 million as part of the formula allocation to (indiscernible) element of the overall total was relatively small and it has grown to be as large as $15 million on an annual basis. So, probably time to go look at those kinds of things.

And then finally, as you know, the Federal Authorization (indiscernible) ended in FY’20. It was extended to apply in FY’21 but at some point the Congress is going to have to come to grips with a new Authorization Bill. And typically, when that happens we will see changes in federal program descriptions and requirements that necessitate an action on our part to go into our Administrative Code and update that Code accordingly.

So, all three of those things are out there. There are a lot of unknowns at this point, particularly with respect to timing and when we might know something about each of them. But it’s times to get the conversation underway even if we can’t determine exact changes necessary until later. The rule making process at the Department is, you know, typically a six-to-nine-month, 10-month process. So, we need to get going sooner rather later on that.

You know, and just as a general note for some
of you, others of you are aware of this, Department
does not as a matter of practice undertake formal rule
making activities during a legislative session. So, we
won’t in the next several meetings of your
(indiscernible) be actually undertaking what would
qualify as formal rule making but we can begin talking
about issues and things.

And so, looking ahead to the next two
meetings of the Committee, one in April and one in
July, we would anticipate at your April meeting
describing what we think a reasonable time table for
moving ahead on this effort looks like and trying to
incorporate as much as we know about those three issues
driving it as we can. And at the same to provide the
Committee with an update and an overview of in
particular the State funding and Federal
(indiscernible) area of allocation formula that are in
the tact today. So, we begin sort of a education
series, if you will, for the Committee describing what
the current allocation and formula is. And that is a
pretty significant exercise on our part to go through
and I see it the April meeting as being a good time to
do that.

And then in July, the Session will have ended
and so we’ll be able to provide a recap of all things
State and Federal at that point in time. And identify key issue areas and then a firmer timetable for the rule making effort. So, I see July as a -- the first time where we might be talking about issues, substantive issues that -- that we will need to come to grips with. And then from there on out we (indiscernible) out a timetable to walk through the particles of a rule making process.

Now I will say that in the time between now and July that I will need to be having internal conversations with Commissioners and Administration to -- to tease out and understand issues they may be interested in seeing us look at as a part of this effort. The Commission takes a more active role than perhaps historically. They take a more active role and a higher degree of interest, this particular Commission does, in rule making. And so, we have an internal process that accommodates that and gives them opportunities to -- to weigh in with their thoughts following briefings from us on the -- on the (indiscernible) themselves. So, it’s always a good thing to understand where they want to go before we dive in and work with the Committee on -- on issues of -- of significance. So, I will try and get us to a point internally in the Department where there’s a
comfort level with the Committee starting in July. The Committee talking through issues and then moving forward from there.

So, that completes my report. Mr. Chair, I’d be happy at this point to answer any questions folks might have on what I just said.

JOHN MCBETH: Does anyone have any questions relative to what Eric just said on Agenda Item Number 4? Hearing none, we’ll move forward to Agenda Item Number 5, the presentation and discussion on Intercity Bus Program status (ICB). And Eric is going to introduce the speaker on this particular topic.

ERIC GLEASON: Okay. So, Agenda Item 5, you all will recall that about 18 months ago you concluded an effort to develop a Strategic Direction Report for the Intercity Bus Program. And that Report in addition to sort of identifying some high-level objectives for the Program, I think most importantly identified the desire to introduce to the Program a more strategic element to it. One that would have us as a part of our working knowledge base and conversations with you, have us more aware and more easily able to articulate more specific objectives for the Program. The Program (indiscernible) largely sort of a, you know, we see what comes in the door from a (indiscernible)
standpoint and we make our decisions based on what we get. We don’t glide the effort as much as we could be or as much as other States do in fact today.

So that Effort, one of the key recommendations coming from that Effort was for us to pursue a consultant study to help inform us on how we can be more strategic with this Program. You may recall it’s a fairly significant chunk of money for us. It’s over $7 million a year at this point. The way the Rural Program works that is a required set-aside by the Federal Government that we are required to set aside that amount of money and for these purposes. And so, I think it’s important that we make sure that we are leveraging those funds in the most effective and efficient way we can to compliment the other Rural Program investment we have with the State. So, Theo Kosub is our Staff person who is responsible for Strategic Program Development and Theo is the Project Manager for this effort and so I’m gonna turn it over to Theo. I will let the Committee know that in his history he does have -- he did work for the Monterrey Salicitas Transit provider in California. That’s been about 10 years so it’s kind of fading in the rear-view mirror, but he does have some -- some practical application of -- of public transportation issues in
his background. So, Theo I’ll let you take it from here. Introduce the Consultant and work through with the Committee where we are right now. Theo are you on the line?

JOSH RIBAKOVE: Theo is on the line and he is not muted on this end. You hear us Theo?

ERIC GLEASON: (Indiscernible) try and move to the presentation, Josh.

THEO KOSUB: Can you hear me now?

ERIC GLEASON: Yes.

JOSH RIBAKOVE: Yes.

ERIC GLEASON: We can.

THEO KOSUB: Okay. No idea what was happening but thank you for the introduction, Eric.

Good afternoon, Committee members. Before I get into my presentation, I would like to take this opportunity to introduce Fred Fravel who is with the KFH Group and he’s going to introduce himself. So, Josh, could you please unmute Fred.

FRED FRAVEL: I think I’m unmuted. If you can hear me.

THEO KOSUB: We can hear you. Thanks.

FRED FRAVEL: Okay. My name is Fred Fravel and I’m the Project Principal on this Study with Texas. But I’ve been working on intercity bus issues and
policy going all the way back to my graduate school
days which are a long time ago. And that really kind
of come out of the -- when the industry was deregulated
in the 80’s and all the changes in the industry and
trying to work to create Federal policies and State
implementation that would keep rural America linked
with the National Intercity Bus Network and have a way
that people could get around the country from rural
areas to the big cities.

So, over those years our firm, one of our
specialties has been work with the States and sometimes
with Regions on intercity bus studies. Looking at the
services that are out there. How to compliment what
the private market is providing since we really don’t
have a whole lot of subsidy money and developing
policies to -- to implement and manage those programs.
So that’s, like I said, that’s been a specialty of
ours. We’ve probably done that in, I think the last
time I counted was like 35 different States or Regions.
Sometimes they want to just look at a router, a region.
And we are glad to be working with TxDOT on this
Project. It’s -- it’s got a lot of interesting and
unique aspects so we’re in the thick of it now. Theo,
do you want to let everybody know where we are?

THEO KOSUB: In terms of your physical
location?

FRED FRAVEL: No, that’s okay. You don’t --

THEO KOSUB: You can --

FRED FRAVEL: -- have to get into that. But where we are in the Study. What’s the -- what’s on the menu and where we’re going? You’ve gotta --

THEO KOSUB: Oh yeah, sure. I’ll get into that. Thanks for introducing yourself, Fred. So next slide, please Josh.

So, Eric did a great job of setting the scene. If you’ll recall we finalized our Revised Strategic Direction Report back in October of 2019 after which TxDOT went to their procurement and KFH was selected. So, we recently kicked off the Study in late November 2020. So, we’ve had about two months of Study going and we’re discovering interesting things. But with that history in mind, I wanted to show you high-level tasks that are contained in the Work Plan. And as you can see, right here we’re nearing completion of these first two. Next slide, please.

So, these initial items -- these areas of progress to date are really the road map to the future for this Study. They set the scene for what comes next. The Work Plan informed those high-level tasks, and our Work Plan meets PTN needs. And each of these
areas of progress you see right here, I will discuss in
the next few slides. Next slide, please.

So, you see the overarching goal here and
we’ve worked through the goals and objectives of this
Study so that they align with those that have -- that
are articulated in the PTAC ICB Revised Strategic
Direction Report. And these goals and objectives will
also help to inform PTN’s evaluation of the current
program. They really set the stage for a Revised ICB
Program. In terms of project timing, you know, we have
a Work Plan and a schedule that accommodates any
necessary changes to our Texas Administrative Code. It
also accommodates potential updates to our E-grant
System and related forms in advance of the next bi-
annual Coordinative Call for Projects. We get money
annually, but we make decisions about who gets that
every two years. Our current Program Model is
applicant driven. The philosophy is let the industry
make proposals about what they -- where they see the
need but there are different programmatic approaches to
ICB Surface. Next slide please, Josh.

So, you’ll recall this -- you may or not
recall this State Programmatic Matrix from our previous
discussions, but this is an overview of different
delivery models from various states. In KFH’s --
taking a look at other States in coordinating with them for programmatic information and alternative delivery models, one other thing they’re also doing is looking at this matrix and making sure, you know, it’s up to date. Do we have these program models correct? Do we need to add some information on alternative delivery models? In addition to a review of other State models, the consultant is also taking a look at federal ICB guidance and State law pertaining to ICB with an eye to our Texas Administrative Code. Is there -- are there changes we could make that might allow for increased Program flexibility through potential changes? Next slide please, Josh.

So, let’s see something interesting. Ta-da. This is the whole -- what you’re seeing here is one of the first draft items we received from the Study. And this map looks great. It -- it shows you a moment in time of pre-Covid ICB service levels. Please keep in mind that some of those services are temporarily running less capacity. Some have been suspended, but you see the whole enchilada here. This is start, you know, the starting point of mapping the total universe. But we have an eye to the fact that, you know, we really want to focus on the rural area. So, when you’re looking at this map consider that some of these
routes do have multiple trips whereas one -- there may be some areas where there’s one trip, you know, or two. It goes north and comes south. The real story is level of service, you know. We’re looking for the basic coverage and connections but if it only runs once a day, you know, this map can be a little deceptive. The vast majority is probably corridor express services. But we will refine this with an eye to rural areas and be able to show you that at a later date. Next slide, please.

So, another area that we’re currently working on and this one takes a little bit more advance coordination, is the stakeholder outreach portion of this ICB Study. Where is the need? So, we’re working to develop survey instruments and also these stakeholder meetings of course will be virtual. KFH is going to host these meetings but we are spending a good deal of time in developing a broad brush of contact lists for these stakeholder meetings. Now traditionally we have our own contact lists for example, rural providers, you know, 5310’s. 5307’s, but for this effort specifically we’re taking a deeper dive and looking into stakeholders such as independent centers for living. Reaching out to the municipal planning organizations, including community action
organizations. And even veterans’ organizations. So, we’re really trying to paint a broad brush and involve, you know, as many groups as possible. We’re currently homing in on a regional approach to stakeholder meetings. With a State this large I think it’s a good idea to break up into regions, but when we’re doing that, we’re also tailoring these survey mediums and instruments for specific targeted groups. You know, for instance, an MPO might receive a different survey than say a community action agency. You know, they have different needs and different plans. So, with that in mind, we’re looking to begin the stakeholder outreach in late February, and it is likely to run through March. Next slide please.

Looking ahead, we will probably be able to come back to y’all in April as this ICB Study progresses and we will be able to share an update then. This is sort of a high-level intro, an update for y’all. But that concludes my update. Are there any questions from the Committee?

ERIC GLEASON: This is Eric, I think looking at that schedule, the next -- as Theo mentioned the next, I think significant chunk of effort will actually be around stakeholders engagement and generally identified to be happening in the February/March
timeframe so I talked with Theo yesterday about trying
to make sure that when we come back to the Committee in
April that we have a summary of that effort for you.
What we’re gonna try and do over the next several
meetings of the Committee is -- today was pretty light.
Not really anything of any substance other than to try
and reengage you in the effort. But I think at each
subsequent meeting until the Study is complete, we will
provide, and you’ll probably end up hearing more from
Fred and his team than us (indiscernible) future
meetings, we will provide the Committee with
substantive materials that will hopefully allow for
some discussion and feedback -- some additional
feedback and information for the effort. So, we will
try and engage you in a substantive way over the next
several meetings. This is gonna happen rather quickly
and I would imagine, in particular between the April
and July meeting they’ll be a lot of substantive
progress made.

We are, as Theo mentioned, our next
Coordinative Call for Projects that we traditionally
include Intercity bus funding in does go out during the
Fall and the next one is the Fall of ’21. So, we’re
gonna try and learn as much about the kinds of things
that would be helpful for us in introducing a strategic
direction to the program. We’re gonna try and learn as much about those things as quickly as we can with KFH’s help. So that we can translate that into some more specific direction as a part of this next Coordinative Call. Even if the Study may yet have more tasks to be done, we’re gonna try and manage it in such a way that we get that information in a timely fashion so that we can make those kind of changes to the Call. And I think Mr. Chair that is all that we wanted to accomplish with this topic at this meeting.

JOHN MCBETH: Okay. Let’s move on to Agenda Item Number 6, discussion on priorities for federal authorization/reauthorization efforts regarding transit funding. This is gonna be done by Eric.

ERIC GLEASON: Okay, let’s talk Federal funding in general. I think it all leads to what we need to have as our priorities for authorization. Simply because the authorization effort as you know will guide the next five to six years’ worth of funding. So, Theo, not Theo, but Josh, can we get to the -- the next presentation, please?

Alright. So, we’re just (indiscernible) jump through different elements of Federal funding. As a background, we just did get as a State, as we get every year at some point, we did get year -- just get the
total Federal fiscal year ’21 FTA apportionments for all the programs that we as a Department administer.

Now, we’ve picked off four of the most significant of those. The 5304 Program is our Statewide planning and research funding. We use that to fund feasibility studies. Every once in a while, we’ll fund a limited term pilot project with that. We use that to provide some of the technical assistance that we typically provide to others. And that -- this Program also is the majority source of funding for the ongoing coordinated regional public transportation planning effort.

5307 is the urbanized area formula funding. The amount that you see here is the amount that the State received for those urbanized areas between 50,000 and 200,000. And actually, at the Federal level, each urbanized area in Texas within that category receives a specific apportionment amount that totals to the number you see here. And they go ahead as urbanized areas, and they apply directly into the Federal Grant System for those funds. The Department does make decisions for them or even go through the action of awarding them those funds.

5310 is the Seniors -- this is the Enhanced Mobility for Seniors and Persons with Disabilities. We
as a State administer this Program for areas of the State under 200,000. There’s a small urban portion of this 7.9 million and a rural area portion of the 7.9 million. Just as an f.y.i, next Monday I believe, a Call for Project will be released to identify funding needs for this Program for fiscal years ’21 -- no, fiscal years ’22 and ’23.

So, then finally, the big enchilada if you will, to carry on with that theme, the 5311 Program, the Rural Area Program, just over almost, almost $49 million now. And you can also see we’re giving you a 2020 versus 21 comparison to look at percent change. So those funds are out. We are, you know, we typically move quickly to get those funds in the hands of transit providers and other non-profits providing basic mobility services throughout the State. In this case, this year we are still focused on getting our CARES funding out the door. And so Josh, let’s go to the next slide.

So, and so, let’s talk about Federal relief funding. I just mentioned CARES. CARES was legislation from last Spring. And in April of 2020 the Department received $143.2 million of Rural Area Program funding from CARES. And yesterday we commissioned, just awarded the last amount of that
funding to rural transit districts. So, all of that $143.2 million has been awarded. And in some fashion is under contract, some of it, not all of it yet, but some of it’s under contract for use by rural transit districts and intercity bus providers.

Most recently, Congress passed the CRRSAA, CRRSAA, I’m not even gonna try and figure out what that means. I know there is an explanation for it. But the most recent round of Federal transit relief legislation for Covid was a total $14 billion. Now, 13, about 13.3 billion of that 14 was for urbanized area programs to be distributed down through 5307. Just under $680 million was set aside for rural area programs to be distributed down through 5311 and then $50 million for the 5310 Program. Now the CARES legislation from last Spring did not include any additional funding for the 5310 Program. So, this is first time relief funding, if you will, for those --- those program recipients.

The issue with this last piece of legislation is that for urbanized area and rural area programs, the legislation itself included criteria in it for eligibility. And it was some very specific language that at the end of the day meant that with the sole exception of the City of Laredo, at the end of the day no State funded urban or rural transit district
received any of this last additional relief funding.

Now larger transportation authorities such as DART, Houston Metro, Cap Metro, VIA, Sun Metro El Paso, and as I mentioned Laredo, all received some additional funding. And in some cases, it was quite a bit of additional funding. The only transportation authority in Texas that did not receive additional funding was the Denton County Transit Authority. And the way this criterion worked is they established some thresholds based on resorptive operating expense in a national transit database. The legislation established a 75% threshold for urbanized areas and 125% threshold for rural areas and they looked back at the CARES award amounts to everyone. And they compared the CARES award amount to the reported 2018 Operating Expense for that entity and if in the case of urbanized areas, if when they made that comparison that area had received less than 75% of it’s reported operating expense for 2018, then they were eligible to get some of this money. And similarly, on the rural side, if State DOT’s with their CARES funding, if that amount of CARES funding that they got last Spring exceeded 125% of their combined reported 2018 Funding in the national transit database, if it already exceeded 125% then they were not eligible. And only those DOT’s where the CARES Act
funding had to cover less than 125% of reported expense.

Bottom line, as I said, with the exception of Laredo, none of the -- the transit districts that the Department routinely funds with either State and/or Federal funds received any of this relief funding. And to make it even more extreme, on an urban side, I think only -- only 43 of the largest urbanized area transit systems in the country received allocations of that $13.3 billion. And that on the State DOT side, only 22 States and one territory, Guam, only 22 States received funding from the 679 million. So, 28 states did not. And we can go into and talk about details around that, but bottom line is no additional relief funding at the moment for Texas, aside from the largest of the group.

Now, 5310, as I said that was new and our apportionment amount of that 50 million is 1.36 million, roughly half and half between small urban and rural.

And then of course, the Biden Administration has proposed the American Relief plan. It has, obviously a way to go as it makes it way through Congress, but at the -- the introduction of the Bill identified $20 billion for public transportation. And there really is not a significant amount of additional detail on that at this time. So that’s the relief
funding picture as it stands now. So, we are
continuing to work our way through the 143 million we
received last Spring. Let’s go to the next slide.

So, all that sets the context then for what
we anticipate to be an upcoming conversation in
Congress on authorization. And we as a Department have
identified four priority areas that we want to work
with our Congressional delegation on to see progress
with this authorization. These aren’t anything new.
You know, there’s been a number of false starts on this
authorization conversation over the last couple of
years. And in each instance, these have been the four
that we have been focused on as a Department. First
and foremost, of those four is in any number of Federal
grant programs, they’re generally is a -- a gap, if you
will, and sometimes it’s significant in the Federal per
capita funding levels among rural area and urbanized
area programs. So, an example of that is the formula
problems themselves. Per capita basis, the 5307
Program, which is the Urbanized Area Program, is funded
at about 2 ½ times the Rural Area Program. Now some of
that in the context of the largest urbanized area
systems makes some sense given the, you know, the
enormous capital investment associated with them. Not
so much in our opinion when you begin to move down into
the smaller and mid-sized urbanized areas. And as most
of you know, in Texas here (indiscernible) there are a
lot of similarities in terms of cost structures and
needs between those two programs here. So, we think it
makes sense to close that gap at the Federal level.

Another example is in the bus and bus
facility program. Where the rural area amount is
capped and is a same amount for every State in the
country, no matter what the size of your rural area is.
Whereas the urbanized area amounts for bus and bus
facilities are in fact related to your population. So,
two examples of where we need to focus on trying to
make ground on a per capital expenditure level.

We also know from our Census conversations
that we need some flexibility going into the Census
changes that would allow us to, I think be more
effective in our efforts to bridge service funding for
those areas impacted by changes and designations to
allow a time frame for local consensus to be reached
about how to address that. And the most prominent
example we have of that is when the current urbanized
area boundary around a large metropolitan area, say
Dallas/Fort Worth or San Antonio. So that was
established in 2010, well then, the 2020 Census is
going to change that boundary and in a growing state
like Texas we can expect that boundary to expand outwards. Well, when it does that it brings into then the urbanized area, areas that were formerly rural and served by the rural transit district. Those areas inside the boundary now are -- no longer qualify for rural area funding. So overnight there in this urban gap area or the (indiscernible) area, as we’ve (indiscernible) to. And it takes times to sort out arrangements with the larger urbanized area to make sure that coverage continues to be provided. So, we find ourselves in the position we’re trying to bridge that timeframe with funding that allows rural area service levels to be sustained. So, we need some additional flexibility at the federal level to allow us to be more effective in that capacity.

Streamlining a federal transit grant approval process, we are interested in, you know, moving toward a program requirement, program restriction at the Federal level that continues to expand and allow for local decisions on how best to spend Federal transit program dollars. And, you know, it’s difficult at best to negotiate and navigate all the different stylos that federal money currently comes down to us as. Even though they are well intentioned and well documented needs of target populations that need to continue to be
met, looking for more flexibility at the local level to mix/match, blend and use transit program funding in general to best address whatever the specific local need might be. And then the other form of streamlining is simply, you know, looking at basic criteria and threshold requirements say in procurement and things like that, you know, simplify that process for Federal grant program users.

Now, in the case of the Rural Program here we have to pay in particular attention to the State side of that and so even with those changes federally, we may or may not be able to make companion changes here in Texas, but --

And then finally, and very important, not only for the City of Galveston but for the rest of our rural and small urban agencies as well, Galveston’s status as a rural or an urbanized area has been influx now ever since the 2010 Census when the impact of the 2008 Hurricane Ike on Galveston resulted in the population in 2010 being counted as less than 50,000. Taking Galveston from long standing urbanized area status, suddenly into the rural area. And the rural area program as you just heard on a capita basis is nowhere nearly as robustly funded as the urban programs. And so, in Galveston’s case when you go from a, you
know, a per capita funding (indiscernible) it’s 2½ times what it is on the rural side, that’s a million-dollar swing for them in Federal funding. Going from a high level of funding to help them sustain a higher level of service in Galveston to a significantly lower amount federally. Now some of that is offset on State side but not nearly to the degree that that federal impact is felt.

So, it, you know, in 2013 then Galveston officially went from urban to rural in Federal funding decision. In 2018 they were successful in getting language attached to appropriations language that allowed them to be treated as a urbanized area for the balance of authorization which ended in, you know, September of 2020. So right now, effective with fiscal year ’21 funding, Galveston is at the Federal level recognized as a rural area, again. So, we’re trying to stop this back and forth, flip flop nature of things with a retroactive language and authorization. And then to more generally address it on a national level, the language (indiscernible) as a result of a natural disaster that Census impacts, you know, impacts of a natural disaster on a next decennial census whenever that is, you know, if that area would be held harmless to the negative impacts on population. And would
prevent the kind of situation we’ve had from, you know, with Galveston.

So, I’ve kind of gone on a bit on this but it’s an important point. The good news in Galveston is with James Oliver there that they determined that they actually have enough funding current FY’20 funding or over to sustain them, along with CARES Act funding for about a year at their current service levels. At least that’s what it was the last time we talked with James. And so, they’re able to sustain their current service levels while a Federal fix is put in place, hopefully. But as we go through this year without a fix, they need to do their planning to get ready to implement some pretty dramatic changes to their service, which no one wants to see.

So, I believe that that is the last slide. And I’ve been going on here for a little of time and I apologize for that. But open it up for discussion, questions. This is not an action item. But it is an important item, and we would certainly be -- at least I don’t -- well perhaps it is action. Josh, maybe you could remind me, that I believe we did give the Committee an opportunity to take action that might add or modify (indiscernible) priorities.

JOSH RIBAKOVE: That’s correct. With this --
is listed as an Action Item.

    ERIC GLEASON: Okay, thank you. So, Mr. Chair, if the Committee wants to formally comment on what you see here for priorities or recommend to the Department that we consider adding to this list, that is (indiscernible).

    JOHN MCBETH: Okay. Josh, have we had any public comments on this particular Item?

    JOSH RIBAKOVE: We have not had any public comments on this particular Item. I do also want to let you know that our sixth PTAC member, Dietrich von Biedenfeld has joined the meeting.

    JOHN MCBETH: Great. At this point in time, Eric, I think while this is listed an as Action Item, do you need us to take action on it and approve what you’re proposing? Or are you just going to go forward with what’s there (indiscernible)?

    ERIC GLEASON: So, yes, that’s it exactly. We would plan to go forward with what you see here. We did want to give the Committee an opportunity, if it chose to, to take action but there is no need for action today.

    JOHN MCBETH: Okay.

    JIM CLINE: Can I ask a couple of question -- or a question or two real quick? This is Jim.
JOHN MCBETH: Sure.

JIM CLINE: One of the things and maybe it’s kind of buried in here (indiscernible) be a kind of a perfect storm develop in the course of the next 24 months with -- when we talk about changes in boundaries, the historic performance characteristics are gonna be degraded because of Covid impact on service and ridership. And then potentially turmoil even at the Federal level, right, with this -- and there’s always a risk of, you know, authorization/reauthorization, particularly with our Bill, you know, when needing to extend the bill a second time or come up with new language. And I’m wondering if we -- we can kind of think through how to -- maybe one of the targets ought to be sustain-ness -- again it’s been implied in the discussion to at earlier. In fact, maybe you stated it, but adding something in there about sustaining service as we transition or kind of as it seeks a new level. I’m not sure how to exactly frame that but I could just see a lot of -- I could see some of the transit, particularly the rural transit districts, really taking a hit or an urban -- or a rural district that becomes -- it transitions because of -- or, you know, because of the population changes. Small and large urban. I think
there’s some bridging, you know, that -- and I think
you use those words Eric, but I’m not sure how to say
that in a right way but there was some pretty
extraordinary things are happening all at the same time
that are coming together. So, I would think that we
would want to consider that as we go forward.

JOHN MCBETH: Okay.

I think you’re right on the mark with that. You know,
the overarching objective of the Federal relief
legislation is to maintain and sustain existing
services. Clearly the, you know, the overarching
intent of what I call bridging is to sustain service
levels (indiscernible) difficult decisions get made on
who’s gonna provide service in the area.

And then just as a note for people, because
you started off with a comment which is gonna -- I’m
not sure when we’re gonna see ourselves clear of this,
the data -- obviously the performance data coming from
last year in this is obviously skewed tremendously by
Covid. We do have the ability as a Department to
continue to use the last best year of data, that being
2019, without having the impact of Covid. We do have
the ability to continue to use that in subsequent year
performance measurement and calculations. Particularly
how it effects formula distributions. So, the
Department does have that (indiscernible) and we do
intend to exercise it and I don’t know when we might
(indiscernible) conclude that data is back to a point
where we can move ahead with more current data.

JIM CLINE: No, it sounds good. I was just,
I guess is making sure we don’t have any unintended
consequences of our actions.

ERIC GLEASON: Absolutely.

JIM CLINE: Thank you.

JOHN MCBETH: Any further comments on this
particular Agenda Item? There being none we’ll move on
to Item Number 7, discussion on upcoming Committee
topics for 2021. This is gonna be a topic handled by
Eric, if you would.

ERIC GLEASON: So, I think I’ve already
identified next steps for both intercity bus study and
getting into the rule making process that we envision
needing to happen. Obviously, I would put those two
out there as pretty significant items for the Committee
over the next 12 months. We are open to hearing from
Committee members in this Item other areas that you
would like us to get on a future Agenda.

JOHN MCBETH: Well, this is John, and I can
tell you those two items you mentioned are more than
enough to keep our plates very full. Having been
through the administrative hearing side of the formula
in previous life’s, I know that alone could be a topic
that would exhaust us if we met every month for the
next year. So, I think those two alone we should
probably limit ourselves to those because those are
both big bites out of the apple. But I’ll entertain
anybody’s having suggestions for any other topics.
Josh, so we have any public comments on this particular
Item?

JOSH RIBAKOVE: No public comments at all so
far, John.

JOHN MCBETH: Okay. Well hearing no other
suggestions, I would say we go forward on just the two
topics Eric has mentioned. Do we need this an action
item, Josh?

JOSH RIBAKOVE: This was an opportunity for
action but since you’re not asking for something that
Eric has not already mentioned, I don’t think that this
requires a motion.

JOHN MCBETH: Great. Let’s move on to my
final question, are they any public comments Josh that
have come in since the last time I asked you?

JOSH RIBAKOVE: No, sir.

JOHN MCBETH: Okay. There being no public
comments, Item Number 9 is to propose and discuss Agenda Items for the next meeting and confirm the date of the next meeting. I think Eric has already told us what the Agenda Item for the next meeting is going to be, but we do not know the date. Josh, when would the date be?

JOSH RIBAKOVE: The general date would be on Thursday, April 29. Will that work for everyone?

ERIC GLEASON: Josh, if we can make that in the afternoon because that will be the April Commission meeting.

JOSH RIBAKOVE: Ahh.

ERIC GLEASON: I’m fine with the 29th but it will have to be in the afternoon.

JOHN MCBETH: Well, I really don’t want to crowd you on that date knowing how Commission meetings go. Could there be -- could we go back one week?

JOSH RIBAKOVE: We could go back to April 22.

JOHN MCBETH: April 22 would be good for me. I don’t have anything on that date. Is that good for everybody else?

ERIC GLEASON: Works for me.

MARC WHYTE: Could we do the morning?

JOHN MCBETH: The morning would be fine with me.
MARC WHYTE: Yeah, I’m good with the morning on the 22nd.

JOHN MCBETH: 10 o’clock on the 22nd?

MARC WHYTE: Yes, sir.

JOHN MCBETH: Is that fine with everybody?

Okay. That’s the date we’ll set it for.

JOSH RIBAKOVE: I’ll set it up.

JOHN MCBETH: Okay. And our final Agenda Item is adjourn. I need a motion and a second to adjourn.

JIM CLINE: So moved. This is Jim.

UNIDENTIFIED MALE: Second.

KEN FICKES: This is Ken, I second.

J.R. SALAZAR: Second. This is J.R.

JOHN MCBETH: We have a motion and a second. Any discussion? All those in favor signify by saying ay.

(All stated ay.)

JOHN MCBETH: All opposed by saying nay.

Sounds like the ay’s have it. Thank y’all all for attending.

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

Given under my hand and seal of office this 23rd day of February, 2021.

Katheren Martinez

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