

MINUTES

MEETING OF THE BOARD OF DIRECTORS

PLANNING & EXTERNAL RELATIONS COMMITTEE

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

February 27, 2012

The Board of Directors Planning & External Relations Committee met on February 27, 2012 at 12:00 p.m. in the Board Lounge on the 6th Floor of the MARTA Headquarters Building, 2424 Piedmont Road, Atlanta, Georgia.

Board Members Present

Wendy Butler, Chair
Frederick L. Daniels, Jr.
Jim Durrett
Jannine Miller*

MARTA officials in attendance were: General Manager/ CEO Beverly Scott; Deputy General Manager/COO Dwight Ferrell; Chief, Business Support Services Theodore Basta, Jr.; AGMs Davis Allen, Wanda Dunham, Deborah Dawson, Ben Graham, Georgetta Gregory, Robin Howard, Mary Ann Jackson, Cheryl King, Rich Krisak and Elizabeth O'Neill; Sr. Directors Rhonda Briggins and Donald Williams (Acting); Directors Reginald Diamond, Scott Haggard, Lyle Harris and Knox O'Callaghan; Manager Roosevelt Stripling; Executive Manager to the Board Rebbie Ellisor-Taylor; Executive Administrator Renee Willis; Revenue Forecasting Analyst Cathy Gesick.

Also in attendance Charles Pursley, Jr. of Pursley of Pursley, Lowery & Meeks; Jeffrey Boothe of Holland & Knight, LLP; Matt Pollack of MATC.

Approval of the January 30, 2012 Planning & External Relations Committee Meeting Minutes

Approval of the January 30, 2012 Planning & External Relations Committee meeting minutes was deferred to the next meeting of the Committee. The Committee did not have quorum and was therefore unable to vote on this item.

*Jannine Miller is Executive Director of the Georgia Regional Transportation Authority (GRTA) and is therefore a non-voting member of the MARTA Board of Directors.

Briefing – Federal Legislative Update

Mr. Boothe briefed the Committee on the Federal Legislative Update.

Formula

- **State and Metropolitan Planning Programs**
- **Urbanized Area**
- **Rural Transit**
- **Elderly & Disabled Program**
- **Job Access and Reverse Commute**
- **New Freedom**

Discretionary Grant

- **Bus and Bus Facilities – State of Good Repair**
- **Bus and Bus Facilities – Livability**
- **Bus and Bus Facilities – Veteran's Initiative**
- **Clean Fuels**
- **Alternatives Analysis**
- **New Starts/Small Starts**

FY 2013 Budget – The Obama Administration proposes to eliminate and then merge several programs.

- **FY 2012 THUD Bill did not allocate Formula Monies, Discretionary Bus or Fixed Guideway Modernization assuming Congress would adopt an Authorization Bill**
- **New Starts/Small Starts is merged with Planning, Transit in the Parks and Livability Grants**
- **Fixed Guideway Modernization is merged with Bus Monies to form State of Good Repair program**
- **Transit Formula Monies remain intact but included JARC, New Freedom and Elderly & Disabled programs**
- **Research & Technology is expanded to include funding for GHG reduction demonstrations**

Surface Transportation Authorization – House

- **House unable to bring HR 7 to the House floor**

- Coalition of suburban Republicans and a united Democratic caucus opposed shifting balances of the MTA to the HTF and creating an Alternate Transportation Account relying on General Fund offsets
- Opposition to offshore drilling, Keystone pipeline and other "pay fors" cause leadership to delay action and rewrite the bill
- **Key Transit Title Issues**
 - Eliminate bus Discretionary Funds and limit bus Formula Monies to non-rail transit systems
 - Consolidate JARC, New Freedom and Elderly and Disabled into single formula program
 - Retain State Safety Oversight (SSO) and FTA can require up to 100% of Section 5307 to be used for State of Good Repair (SOGR) projects if State has not met SSO requirements
 - Enhanced emphasis on expanding role of Private Sector in Project and Operations
 - New Starts/Small Starts Program
 - Streamline project delivery by eliminating baseline alternative and final design
 - Project begins with NEPA planning and project sponsor requests entry into New Starts/Small Starts program
 - Change eligibility for BRT in New Starts to projects that have a majority of the ROW in lanes dedicated to transit use
 - Seeking to use warrants, whereby FTA would describe characteristics of the project and corridor that would automatically result in a medium rating

Surface Transportation Authorization – Senate

- **Debate on Senate Bill 1813 began last week**
 - Authorizes Surface Transportation Funding through FY 2013
 - Senate is committed to bringing Bill to floor the week of February 27th
- **Key Transit Title Issues**

- **Operating Assistance – areas above 200,000 can use Section 5307 for temporary operating assistance for no more than two consecutive years**
 - **Up to 25% first year and up to 20% second year**
- **Corridor-Based Bus Project – majority of ROW dedicated to transit use and project contains features that mimic rail transit**
- **Core Capacity – use New Starts/Small Starts monies for investments to expand capacity or system functionality**
- **Asset Management – each agency must develop an Asset Management Plan to provide an assessment of inventories and condition of assets**
- **Establishes National Public Transportation Safety Program**
 - **Retains SSOs and increase funding**
 - **SSOs are to be independent legal entities with authority, staff training and safety expertise**
 - **Vehicle Safety – FTA will develop vehicle performance standards**
 - **Transit agencies are to establish comprehensive safety plans with are approved by Board of Directors, reviewed and updated annually**
 - **FTA will have enhanced enforcement capacity where an agency is in violation of Federal Law**
- **New Starts Program**
 - **Streamline project delivery by eliminating baseline alternative and establish three-step approval process**
 - **Reduce the criteria used by FTA to evaluate and rate a project**
 - **Warrants – available for projects under \$100M in total cost or that are seeking less than 50% New Starts Monies**

What can MARTA do?

- **Continue communication with House members regarding importance of the MTA to MARTA Operations and Capital Project Funding**

- **Oppose House provision excluding rail systems from receiving bus and bus facility Formula Funds**
- **Support Senate provision allowing Urbanized Formula Funds to be used for Operating Assistance**
- **Be prepared to raise concerns during Hill visits**
- **Support FY 13 proposed funding levels**
- **Support changes to the New Starts program that will streamline project delivery and lower project cost**

Currently Eligible Projects

- **New Starts**
 - **Projects more than \$250M in project cost and seeking more than \$75M in Federal New Starts funds**
 - **80/20 Match but most localities overmatch**
- **Small Starts**
 - **Projects less than \$250M in total cost and seeking less than \$75M in Small Start monies**
 - **80/20 Match**
- **Exempt**
 - **Projects seeking less than \$25M eligible and not subject to project evaluation and rating process**
- **Corridor-Based Bus Project**
 - **Substantial portion of the project operates in a separate right-of-way dedicated for public transit use during peak hour operations**
 - **Project represents a substantial investment in a defined corridor**
- **Very Small Starts**
 - **Service-based, minimum of 3,000 riders**
 - **No more than 5% of budget used to operate**
 - **Maximum Capital Investment of \$50M, no more than \$3M per mile – excluding vehicle**

FTA and New Starts Process

- FTA approval is required at each decision point
- Must satisfy New Starts criteria at each phase of project development to be eligible to advance

New Starts Proposed Rule – Key Proposed Changes

- Eliminate New Starts Alternatives Analysis and baseline alternative
- Bus Rapid Transit Projects must have a majority of right-of-way dedicated to transit use during peak hours
- Cost Effectiveness – changed from measuring travel time to total trips
- Simplify calculation of mobility benefits
- Consider planned and projected economic development – calculate VMT changes as a result
- Environmental Benefits – look at direct and indirect benefits such as GHG reductions, reduced accidents and fatalities and public health
- Warrants – seeking input on what corridors and project characteristics should receive warrants and betterments
- FTA will assign equal weight to Cost Effectiveness, Land Use, Economic Development, Mobility improvements, environmental benefits and operating efficiencies for New Starts

Notice of Funding Availability

- FY 2012 FTA Discretionary Funding Opportunities (77 Fed. Reg. 6178)
 - State of Good Repair (\$650M) – proposals due March 22, 2012
 - Bus Livability Initiative (\$125M) – proposals due March 29, 2012
 - Clean Fuels Program (\$51.5M) – proposal due April 5, 2012

Ms. Miller asked about prioritization.

Mr. Boothe said it is unclear in the Bill.

Ms. King asked about MARTA's projects in Alternative Analysis.

Mr. Boothe said the projects will be expected to meet new rules unless they are Small Starts, which may continue with existing rules. The FTA will give agencies some time to update as necessary.

Draft Board Resolution in Support of Legislation Permanently and Completely Removing Restrictions on the Use of Sales Tax Proceeds

Dr. Scott presented a draft Resolution in Support of Legislation Permanently and Completely Removing Restrictions on the Use of Sales Tax Proceeds.

Dr. Scott said the draft resolution is provided for information purposes as a Board Retreat follow-up item. She asked that the Board members review the draft resolution and provide feedback within the coming days.

Mr. Durrett said language should be included regarding MARTA doing their part to remain fiscally responsible.

Mr. Daniels agreed that more positive comments on the Authority should be added.

Ms. Miller said language should be included regarding what the three (3) years of flexibility has done for MARTA.

Mr. Daniels asked Board Members to send all comments to Dr. Scott and Mrs. O'Neill.

Other Matters

No other matters came before the Committee.

Adjournment

The Planning & External Relations Committee meeting adjourned at 1:28 p.m.