



## REGIONAL TRANSIT DIALOGUE

### Steering Committee Meeting Summary

August 26, 2009 – 3:00 p.m.  
Association of Central Oklahoma Governments (ACOG) Board Room  
21 E. Main Street, Ste. 100, Oklahoma City, OK 73104

Co-Chairs – Mick Cornett and Tom McDaniel

#### Presiding

Hon. Mick Cornett

#### Organization/Entity

City of Oklahoma City

#### Steering Committee Members Present

Jay Hannah

Pam Henry

Danny Hilliard

Grant Humphreys

Dean Jackson

John G. Johnson

Steve Kreidler

Tom McDaniel

Hon. Cindy Rosenthal

Hon. Russell Smith

Blake Wade

#### Organization/Entity

BancFirst

OKC Mayor's Committee on Disability Concerns

University of Oklahoma

The Humphreys Company

United We Ride Governor's Council

ACOG

University of Central Oklahoma

Oklahoma City University

City of Norman

City of Midwest City

Oklahoma Centennial Commission

#### Steering Committee Members Absent

Hon. Patrice Douglas

David Herbert

Cliff Hudson

Hon. Willa Johnson

Chris Kauffman

Klaholt Kimker

Hershel Lamirand

Hon. Kathy McMillan

Jim Roth

#### Organization/Entity

City of Edmond

Midwest City

Sonic

Oklahoma County

COTPA

Devon

Oklahoma Health Center Foundation

City of Moore

Phillips Murrah P.C.

Guests

Jeff Bezdek  
Joe Bryant  
Rick Cain  
Steve Commons  
Brent Corley  
Shannon Entz  
John Fuller  
Beverly Graham  
John Hasley  
J. Guy Henson  
David Holt  
Larry Hopper  
Bob Kemper  
Kenneth LaRue  
Hon. Turner Mann  
Hon. Bill Nations  
Marisa New  
Dean Schirf  
Sarah Welch

Organization/Entity

MTP / Public Outreach Subcommittee  
Tech-Land Use Subcommittee  
COTPA / Finance Subcommittee  
City of Edmond / Finance Subcommittee  
City of Norman Intern  
City of Edmond / Tech-Land Use Subcommittee  
Oklahoma Department of Transportation  
United We Ride Coordinator  
Capitol Chamber / Tech-Land Use Subcommittee  
City of Midwest City / Governance Subcommittee  
City of Oklahoma City  
COTPA / Tech-Land Use Subcommittee  
Northern Flyer Alliance / Governance Subc.  
Oklahoma Department of Transportation  
City of Midwest City / Governance Subcommittee  
State Representative / Governance Subcommittee  
OK Dept. of Health / Tech-Land Use Subcommittee  
OKC Chamber of Commerce / Governance Subc.  
City of Oklahoma City / Public Outreach Subc.

ACOG Staff Present

Douglas W. Rex  
Holly Massie  
John Sharp  
Andrea Weckmueller-Behringer  
Pong Wu  
Kara Chiodo  
Meredith Williams  
Ryan Billings  
Daniel Fazekas  
Jane Sutter  
Jerry Church  
Steve Willoughby

Transportation Planning & Data Services (TPDS)  
TPDS  
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TPDS  
Deputy Director  
Director of Media and Public Relations  
E911 and Public Safety

Welcome and Introductions

Mayor Cornett welcomed everyone to the third meeting of the RTD Steering Committee. He announced that Tom McDaniel will be serving as Co-chair of the RTD Steering Committee. Mayor Cornett also advised that Bob Rader, who was chairman of the Finance Subcommittee, had passed away since the committee last met and stated that he will be missed by everyone.

Presentation on High Speed Rail Application

John Fuller, ODOT Chief Engineer, briefed the committee on the Department's upcoming application for High Speed Rail Program funds, which were made available under the American Recovery and Reinvestment Act for improvements within the ten designated high speed rail (HSR) corridors across

the country. Oklahoma applied for and received the HSR designation in 2001 along the route that is served by Amtrak through Texas and Oklahoma and on up to Tulsa. In 2002, the state conducted a detailed study of the section between Oklahoma City and Tulsa, which gave Oklahoma an advantage.

A pre-application was required and submitted by the Department by the July 10 deadline. The ODOT pre-application was submitted under Track 2 (requires no matching funds and allows up to six years to complete construction), looking at two segments: the Red River to Oklahoma City portion, which is the BNSF line currently used by Amtrak, and the Oklahoma City to Tulsa portion. For the first segment, ODOT looked at improvements that would increase speed and efficiency including crossing safety measures, passing tracks and switching improvements. It is estimated that with these improvements, the line could reach speeds up to 90 mph, with an average speed of 60 mph.

For the Oklahoma City to Tulsa portion, the geometrics and topography of the existing alignment were evaluated (in the 2002 study) and it was determined that it would be more feasible to construct a new alignment within the corridor, which would allow speeds up to 150 mph with an average speed of 110 mph. It is important to beat the travel time on the Turner Turnpike to make rail a desirable alternative. Mr. Fuller advised that ODOT will request \$2 billion for these improvements, and the final application deadline is Oct. 2, 2009. He said that nationally there is a total of \$8 billion available, with an additional \$1 billion/year for the next five years.

#### Presentation on TIGER Grant Application

Doug Rex briefed the Committee on the TIGER (Transportation Investment Generating Economic Recovery) grant application that will be submitted by ACOG on behalf of its member governments. He said that TIGER is also part of the American Recovery and Reinvestment Act of 2009, through which \$1.5 billion in discretionary funding will be made available nationwide for transportation infrastructure. The grants must be between \$20 million and \$300 million, and no state can receive any more than 20 percent of the total TIGER funds (\$300 million). He said the U.S. Secretary is required to ensure that the money is spread equally throughout the country, address both urban and rural needs, and give priority to projects that can be completed by 2012.

Mr. Rex said that initial discussion was held in mid July among Transportation Secretary Gary Ridley and the city managers and mayors of the communities along the three commuter rail lines identified by the 2005 Fixed Guideway Study: the Edmond line, Norman line, and Midwest City/Tinker AFB line. He said that a TIGER Workgroup had been established with the sponsoring entities of Edmond, Norman, Oklahoma City, Moore, Del City and Midwest City.

Mr. Rex said that federal funding priority will be given to projects that can hold a ribbon cutting by Feb. 17, 2012. He said that ACOG acquired consultant assistance for the application from Jacobs (formerly Carter::Burgess) who conducted the FGS by amending the Alternatives Analysis contract that it currently has with COTPA. Mr. Rex said the applications are due by September 15, 2009 and grantees will be announced no later than February 17, 2010.

Mr. Rex said that there are four categories of eligible projects: highway and bridge projects, public transportation projects, passenger and freight rail transportation projects, and port infrastructure investments. He said that funding is available for capital costs only at 100 percent federal share;

however, with most federal programs, the provision of local dollars will result in a stronger application. Mr. Rex said there are two primary selection criteria: 1) long term outcomes: state of good repair, economic competitiveness, livability, sustainability, and safety and 2) job creation and economic stimulus.

Mr. Rex said that ACOG is in the process of acquiring letters/resolutions of support from the ACOG Board of Directors and the participating communities in order to submit the strongest application possible. He reviewed the three commuter rail corridors from the FGS with the committee, and stated that the TIGER Workgroup is scheduled to meet again today to discuss the direction of the application. He commented that the consultant has some concern over submitting all three corridors in the application and will have a recommendation for submitting the strongest application possible. He said this will likely result in a recommendation to focus on just one corridor, being the Oklahoma City to Midwest City/Tinker AFB corridor. Mr. Rex said the hope is to get a draft application prepared by August 31 in order to provide opportunity for the sponsoring agencies to review and comment with final submission to USDOT by September 15.

Mayor Rosenthal commented that the lack of readiness on the Norman and Edmond corridors is a wakeup call that we need to be moving forward to get these corridors in a position to be able to take advantage of any future funding opportunities, including identification of an appropriate transit hub location to ensure connectivity among all of the FGS corridors. Mayor Cornett echoed her comments and said that this also speaks to the importance of this group and its task to determine appropriate governing and financing mechanisms to operate a regional transit system.

#### Status Report from RTD Public Outreach Subcommittee

Chairman Jeff Bezdek recognized the efforts of subcommittee co-chair, Sarah Welch. Mr. Bezdek mentioned that the Steering Committee had charged his subcommittee at its last meeting with developing an easy-to-read brochure that summarizes the results of the 2005 Fixed Guideway Study. He said that work is underway on a tri-fold brochure that will provide that summary and could be used to convey key recommendations of the RTD as well. He said that the committee felt it was important to convey the distinction between a study and a plan because the public does not always know the difference. He said that the subcommittee plans to have a proof of the brochure available for the review by the Steering Committee at its next meeting.

#### Status Report from RTD Technical/Land Use Subcommittee

Chairwoman Shannon Entz reviewed the tasks that the subcommittee has worked on. She said that in August, they completed peer reviews of Austin, Denver, Charlotte and Ft. Worth. Additionally, the subcommittee had a presentation by COTPA staff on the background, corridors and modes included in the Fixed Guideway Study so they could gain a better understanding of the work that went into it. And finally, the subcommittee has reviewed various local survey results including the ACOG Encompass 2035 survey, Edmond transportation survey, and 2008 Oklahoma City Direction Finder Survey. Ms. Entz stated that the committee proposes to prepare a toolkit that would be made available for local elected officials and the public. It will list sample development policies and resolutions that communities can consider when looking at their own ordinances and how they can be enhanced to encourage transit supportive development.

She said that at the subcommittee's next meeting, they will discuss the concept of "no broken links", which means that public transportation needs to be reliable, safe, affordable, efficient, accessible and accountable to the taxpayers. She said the subcommittee will also be discussing transit-oriented development and the types of development and densities that make sense near transit stations.

She asked the Steering Committee members if there were any other issues that they would like to see the Technical/Land Use Subcommittee explore. Mayor Rosenthal reiterated the importance of a hub study for the region.

#### Status Report from RTD Governance Subcommittee

Chairman Guy Henson recognized the subcommittee members and ACOG staff liaison Meredith Williams for their work. He said that the subcommittee has researched many different cities and their governing structures. He said that they discovered many similarities, but also many differences, and these comparisons and contrasts have been summarized in a matrix, which was provided as a handout at the meeting. The cities evaluated were Portland, Dallas, Nashville, Denver, Albuquerque, Salt Lake City and Charlotte. The following questions were used to evaluate each of community's governing structure:

- How was the regional transit authority created?
- How is board representation defined?
- How many entities are involved in the RTA?
- How many people sit on the governing board?
- Are board members elected or appointed?
- How is the voting structure defined?
- What funding mechanisms are available to the RTA?
- What is the process for adding or withdrawing entities from the RTA?
- How were the RTA boundaries determined?
- Does the RTA have the power of eminent domain?
- Does the RTA operate all modes of public transportation or does it contract out services?
- What happens to the existing transit operators?

Mr. Henson said that there appears to be three different governance models – city by city, county by county, and a regional model using a district where participation is defined by a combination of cities and counties. He said that the type of governing structure also ties to financing issues and how revenue is generated to operate the RTA. He asked the Steering Committee members if they had any preference or strong feelings toward any particular governance model.

Mayor Cornett commented that the district model seems to be the most appropriate for the region because we would need to include at least two counties and multiple cities. He asked if Oklahoma already had state legislation in place that would give an RTA the powers of taxation and eminent domain. Mr. Henson stated it would still require that each community take individual action; probably council action to participate in the RTA and a vote of the people to participate in the financing. Bob Kemper stated that the current law allows multiple cities, towns and counties to come together to form a transportation authority to generate capital revenues, perform eminent domain and so forth, but it does not allow taxation for operating revenues.

Mr. Henson said that another issue is the voting structure and that there is wide variation among the cities they reviewed. Mayor Cornett said that the governance model will be one of the key decisions that the RTD will have to determine.

Mayor Rosenthal said that it would be interesting to know what the current barriers are in Oklahoma state law in relation to each of these models, and what would have to be done to make each model work as this may make some models more appealing than others. Grant Humphreys asked if a district model were put in place, would the participating municipalities exercise the taxation and eminent domain powers or would the district itself exercise those powers. John Johnson stated that whoever the participating local governments were would have to give up that taxing authority to the new entity. Mr. Humphreys noted that would operate similar to a school district.

Mr. Henson asked if there were other items that the Steering Committee would like for the Governance Subcommittee to research. Steve Kreidler requested that a link to the current enabling legislation be provided to the Steering Committee members so that they could read it for themselves, and he requested some staff analyses of the pros and cons of the three governing models. It was also requested that the Steering Committee be provided with a more subjective “lessons learned” type of analysis from each of the communities evaluated.

#### Status Report from RTD Finance Subcommittee

Chairman Russell Smith mentioned that he became chairman upon the passing of Bob Rader. He said that the subcommittee’s first area of concern is to look at how capital costs can be financed using both federal and local funding sources in order to build the system. He said that according to the 2005 Fixed Guideway Study, we would be looking at a total cost of almost \$400 million (in 2005 dollars) for build-out of the system. The subcommittee must also look at how the region would pay to operate the system with most of that funding coming from dedicated local sources.

Mayor Smith said that the subcommittee has been looking at two main dedicated funding sources – sales tax and property tax. He said that there are many other viable funding sources, such as hotel/motel taxes, but they would generate much less funding and would be considered secondary sources. He also noted that using several different funding sources would make the revenues more stable. He then reviewed the annual operating costs reflected in the Fixed Guideway Study for each of the recommended transit modes – enhanced bus, bus rapid transit, commuter rail, and modern street car – which totaled nearly \$96 million/year (in 2005 dollars).

Mayor Smith then presented slides of estimated revenues that could be generated from various amounts of dedicated sales tax within the OCARTS area and dedicated property tax within Oklahoma and Cleveland Counties. He said that implementation will be a major task, which gets back to the governance structure and what the current state legislation allows in terms of capital and operating revenue generation by multi-jurisdictional entities. He said that the Governance and Finance Subcommittees plan to meet jointly at their next meetings because the two matters are so interrelated.

#### Establish Future Meeting Schedule

Kara Chiodo mentioned that the Steering Committee has a handout reflecting the next meeting date as Wednesday, October 28, 2009, at 1:00 p.m. at ACOG.

### New Business

John Johnson asked if there was any other guidance that the Steering Committee members would like to provide the subcommittees other than what has already been stated. Mayor Cornett said that one idea to get the Committee more engaged in a conversation would be to have some talking points on the results from each of the subcommittees in addition to the [verbal] reports. Mr. Kreidler stated that as more detailed information is developed by the subcommittees, it would be very helpful to have that information emailed to the Steering Committee members a few days in advance, as that will help them have better feedback and be able to ask better questions.

Guy Henson asked the Steering Committee members how they would feel about the prospect of giving up control over a portion of sales tax so that it could be used at a district level as was discussed earlier. Mr. Kreidler stated that as an economic developer he is a believer in regional systems and that the most successful areas of the country have found ways to have highly integrated cooperative entities that are not bound by geopolitical boundaries. Mayor Cornett stated that he is on record as having stated that post MAPS 3, transit needs to be regional.

Grant Humphreys stated that the Technical/Land Use Subcommittee, on which he serves, is putting together recommendations for zoning policy and land use policy. He asked if the Steering Committee would like to have this information presented as a model to be implemented or as an example and then each local jurisdictions could implement it as they wish. Mayor Cornett said that he can't imagine any of the communities wanting to give up their authority over local planning matters.

Mayor Rosenthal agreed that land use decisions are always going to be local, but guidance from the subcommittee about what's worked in other places and the kind of practices that benefit a healthy transit system would be useful. She suggested that a future task of the Finance Subcommittee might look at estimated revenues that could be generated from transit-oriented development near transit stations, such as through TIF districts. John Johnson mentioned that similar development can be generated near park-and-ride lots that are integrated into the regional transit system.

Tom McDaniel asked about the role of the private sector. He said that he assumes that the group will be counting on the assistance of the private sector to help promote regional transit and its funding, but he would like to see the private sector's role addressed in the discussions in the future.

### Adjourn

The meeting was adjourned at 4:25 p.m.