



association of central oklahoma governments

Chair Pete White
Oklahoma City Councilmember

Vice-Chair Jay Adams
Mustang Mayor

Secretary/Treasurer Matt Dukes
Midwest City Mayor

Executive Director
John G. Johnson

Central Oklahoma Regional Transit Authority Task Force

March 15, 2017 – 3:00-4:30 p.m.
ACOG Training Room, 4205 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105

AGENDA

- I. **Welcome and Introductions** ([Attachment I](#))
- II. **Approval of February 15, 2017 RTA Task Force Meeting Minutes** ([Attachment II](#))
Action Requested: Motion to approve February 15, 2017 minutes.
- III. **Discussion and consideration of the proposed language of the scope of work needed for the Request for Quotes and/or Proposals to secure professional consultant support for the Central Oklahoma Regional Transit Authority Task Force with defining and creating a Regional Transit Authority in Central Oklahoma.** ([Attachment III](#))
Action Requested: As desired by the Task Force.
- IV. **Discussion and consideration of authorizing ACOG to prepare and send the budgeted expense portion (invoice) to each member entity for their agreed upon funding of FY 17 amounts as set forth in the MOU between the RTA Task Force members.**
Action Requested: As desired by the Task Force.
- V. **Other Reports**
- VI. **New Business**
- VII. **Adjourn**

Next Meeting: Wednesday, April 19, 2017, 3:00-4:30 p.m.

CENTRAL OKLAHOMA REGIONAL TRANSIT AUTHORITY TASK FORCE

CITY	NAME	TITLE	VOTING MEMBERSHIP
CITY OF DEL CITY	Hon. Brian Linley	Mayor	Member
	Hon. Ken Bartlett	Councilmember	Alternate
CITY OF EDMOND	Hon. Elizabeth Waner	Councilmember	Member
	Hon. Victoria Caldwell	Councilmember	Alternate
CITY OF MIDWEST CITY	Hon. Matt Dukes	Mayor	Member
	Hon. Rick Dawkins	Councilmember	Alternate
CITY OF MOORE	Hon. Mark Hamm	Councilmember	Member
	Hon. Jason Blair	Councilmember	Alternate
CITY OF NORMAN	Cindy Rosenthal	Former Mayor	Member
	Hon. Lynne Miller	Mayor	Alternate
CITY OF OKLHOMA CITY	Hon. Mick Cornett	Mayor	Member
	Hon. Pete White	Councilmember	Alternate
TRANSIT PROVIDERS	NAME	TITLE	NON-VOTING MEMBERSHIP
COTPA	Jason Ferbrache	Administrator	Advisory
CART	Doug Myers	Director	Advisory
Citylink-Edmond	Harry Fenton	Project Engineer	Advisory
PRIVATE SECTOR	NAME	TITLE	NON-VOTING MEMBERSHIP
Greater OKC Chamber	Roy Williams	President	Advisory
	Derek Sparks	Mgr/Gov't Relations	Alternate
Norman Chamber	Tom Sherman	Past Chairman	Advisory
OnTrac	Marion Hutchison	Chair, Exec. Comm.	Advisory

**CENTRAL OKLAHOMA REGIONAL TRANSIT AUTHORITY TASK FORCE
MEETING MINUTES
FEBRUARY 15, 2017, 3:00 P.M.
ACOG TRAINING ROOM, 4205 NORTH LINCOLN BLVD, OKLAHOMA CITY**

Voting Members and Alternates Present

Hon. Ken Bartlett	City of Del City
Hon. Elizabeth Waner	City of Edmond
Hon. Victoria Caldwell	City of Edmond
Hon. Matt Dukes	City of Midwest City
Hon. Mark Hamm	City of Moore
Cindy Rosenthal	Norman Representative
Hon. Lynne Miller	City of Norman
Hon. Mick Cornett	City of Oklahoma City

Non-Voting Members and Alternates Present

Jason Ferbrache	COTPA
Doug Myers	CART
Harry Fenton	Citylink - Edmond
Derek Sparks	Greater OKC Chamber
Marion Hutchison	OnTrac

Members and Alternates Absent

Hon. Brian Linley	City of Del City
Hon. Daniel McClure, Jr.	City of Midwest City
Hon. Jason Blair	City of Moore
Hon. Pete White	City of Oklahoma City
Roy Williams	Greater OKC Chamber
Tom Sherman	Norman Chamber

Guests Present

Lee Nichols	WSB & Assoc.
Pat McFerron	CMA Strategies

ACOG Staff

	<u>Position</u>
John G. Johnson	Executive Director
Jennifer McCollum	Director of Public Relations and Outreach
John Sharp	Division Director, TPS
Jennifer Sebesta	Program Coordinator, TPS
Shelby Templin	Assistant Planner, TPS

I. Welcome and Introductions

Task Force member Cindy Rosenthal called the meeting to order. John Johnson welcomed everyone and members and alternates introduced themselves and who they represent.

II. Approval of January 18, 2017 RTA Task Force Meeting Minutes

John Johnson made a motion to approve the minutes of the January 18, 2017 meeting. Task Force member Lynne Miller seconded the motion, and the motion carried.

V. Review and discussion of the RTA timeline since March 2015.

John Johnson suggested the group discuss Item V on the agenda before moving on to the other topics. He presented several graphics of the current timeline as created by ACOG staff and said that the group was currently on track based on the forecast created at the beginning of the regional transit dialogue. Task Force member Mick Cornett agreed and stated that this group has always stuck to the process of creating a regional transit vision and that requires some regulatory steps. John Johnson mentioned that there are federal goals and tracks that must be adhered to for regional transit and it is to be seen how transit will or will not be maintained as a priority for the current federal administration.

III. Discussion and consideration of polling questions for transit and a regional transit initiative.

Pat McFerron arrived to the meeting and John Johnson stated it was time to move on to the topic of polling questions. Task Force member Derek Sparks stated that he had spoken with Greater OKC Chamber President, Task Force member Roy Williams, and R. Williams had conveyed that the Chamber is happy to participate in this polling initiative but that there are realities of financing this endeavor that still need to be worked out. Mr. McFerron gave an overview of the work he has been doing for the group and asked for any questions or concerns regarding the draft polling questions that were sent out on February 6. Mr. McFerron stated that he had received the emailed comments and was already working to address the concerns sent to him. He reiterated that the main reason for conducting a poll is to determine the potential success of a measure eventually at the ballot box. Mr. McFerron asked for clarification about what type of system this group was working towards, rail system versus overall transit system? Is the system going to be for connecting communities or an overall transit system for the metro? Mr. McFerron stated that these questions need solid consensus answers so his team conducting the poll is clear on what they need to be asking.

Task Force member Elizabeth Waner stated that the survey was helpful to her in regards to figuring out what information the group is ultimately trying to get from the public. She stated that the general public is unaware of the terms "Regional Transit Authority" and "Regional Transit Dialogue," so this poll could be helpful with spreading this information as well as collecting it. E. Waner also stated that the first poll should be conducted over as broad of an area as possible.

Task Force member Victoria Caldwell asked whether or not the group had ever considered or is considering the use of light rail in Central Oklahoma. John Johnson stated that the group has not and will not be considering light rail due to the cost of a light rail system. Task Force member Marion Hutchison stated that light rail is the most expensive transit option and would cost more

than would ever be made. M. Hutchison said that commuter rail is a technical term that most people would not understand. He said that using that term could make people think that the system is only for commuters to and from Oklahoma City.

Task Force member Lynne Miller stated that she had some concern over the terms “metro” versus “Central Oklahoma.” She said that while there could be confusion over any term used to describe the region in question, that “metro” is most likely the term that most people will understand. Task Force member Cindy Rosenthal also mentioned that there should be an early indication for the person participating in the poll as to what six communities are currently paying and participating in this effort.

Task Force member Mark Hamm mentioned that he is curious as to the responses that will come out of Moore because the city’s residents already are paying high property taxes and he assumes that most people in Moore would not be in favor of raising any taxes, but especially property taxes, at this time.

Task Force member Cindy Rosenthal stated that she has concerns regarding the length of the poll overall, as the draft list that was sent out by Mr. McFerron was 44 questions long. Mr. McFerron said in most cases, if someone conducting an over-the-phone poll can get the other person to stay on the line for at least 20 seconds, there is less than a 2 percent chance that that person will hang up and not finish the poll, regardless of length or number of questions.

Task Force member Marion Hutchison pointed out that currently this group is stuck with sales tax as the only option for generating revenue for a regional transit system. Task Force member Mick Cornett asked whether it had been determined if that includes putting a tax on gasoline. John Johnson responded that a gasoline tax has been determined to be a viable option. Task Force member Derek Sparks pointed out that the RTA can only collect one tax from one source at a time as the law currently sits. Mr. Johnson also stated that it is important to maintain the same tax amount and source across all six participating communities. Task Force member Cindy Rosenthal mentioned that there is a logical connection for most people between a gasoline tax and transit so that may be the best option for a funding source. She also asked that the poll and background information mention to the voter that Oklahoma City and the region are behind peer cities in regards to transit and commuter options.

Mr. McFerron stated that the biggest issue for him and his team is deciding when to conduct the poll. He said that the first thing to accomplish on getting a timeline set is to receive a solid confirmation of payment from whichever group will be financing this poll, most likely the Greater OKC Chamber. He said that there are various other issues at play in the realm of politics, i.e. the current legislative session, just after an election, etc. Task Force member Cindy Rosenthal stated that she felt that the best time to run the poll would be late March to early April in order to beat the end of the state legislative session. Task Force member Mick Cornett agreed and said that the sooner, the better with this poll because this group needs the information/results.

Mr. McFerron asked that everyone in the group send him an email with 2-3 statements that they feel would convince a voter that commuter rail and a regional transportation system would be a good thing. He said he would take the comments received at this meeting along with the emailed comments and suggestions and would come up with a more final draft of polling questions. He shared his email address for future comments – pat@chs-inc.com

IV. Review and discussion of the Task Force 3-year budget and a review of the financial report reflecting expenditures and revenues through December 31, 2016.

John Johnson stated that in the handouts at each seat was a spreadsheet showing the FY 2016, FY 2017 and FY 2018 budgets as approved previously by the Task Force. Mr. Johnson said that while there were collection amounts listed for FY 17 and 18, only the invoices for FY 16 have been sent to the communities and paid. He said that ACOG feels uncomfortable sending FY 17 invoices due to the fact that the money collected so far has not all been spent. Task Force member Mick Cornett asked if the Task Force and ACOG need to collect the FY 17 funds because the money has not been spent. Task Force member Elizabeth Waner said it was her opinion that it would be better to stay on schedule with the invoice collection in order to keep the tasks ahead moving forward and on schedule. E. Waner also stated that when the budget was approved, the City of Edmond factored the RTA Task Force payments into their three-year budget. Task Force member Ken Bartlett stated that the communities need to be aware of what they are paying for and when they will be expected to see results from this money. Mr. Johnson said that ACOG and the Task Force may also need to take into account the current budget shortfall situation that many communities are currently facing. E. Waner then said that the best course of action would be to stay on schedule and still invoice the communities, but to not worry or track down the City Managers if they are unable to pay at this time. Task Force member Mick Cornett said that it may be smart to wait for the poll results to direct the Task Force in regards to how much money the group needs and how soon it will be needed. He requested an agenda item for the next meeting to discuss the topic of whether or not to invoice for FY 17 after the Task Force members had a chance to talk to their respective City Managers.

VI. Discussion and consideration of the proposed language of the scope of work needed for the Request for Quotes and/or Proposals to secure professional consultant support for the Central Oklahoma Regional Transit Authority Task Force with defining and creating a Regional Transit Authority in Central Oklahoma.

John Johnson stated that ACOG staff is ready and willing to work on hiring a consultant to work on forming the official Regional Transit Authority for Central Oklahoma as soon as the Task Force votes and gives them the go-ahead. Task Force member Cindy Rosenthal stated that the fact that approving the RFP language is not an action item is a frustration because it was discussed at a previous meeting that it would be voted on. Task Force member Elizabeth Waner stated that the group is motivated to get the RFP and consultant hiring process going. She said the group has funding and is ready to move forward and asked whether ACOG staff could send out the draft RFP with the changes due to previous feedback one more time for review by the Task Force. Task Force member Cindy Rosenthal requested that voting on allowing ACOG staff to publish the RFP be added as an action item to the agenda for the March RTA Task Force meeting. Task Force member Mick Cornett asked if ACOG staff had any idea or ballpark range as to what a consultant

would cost for this type of work. Mr. Johnson said that it could be a wide range depending on how much work needs to be completed.

VII. New Business

Task Force member Marion Hutchison shared that he found a study online that is very similar to this group's situation and search for a consultant. He said that he would forward the study on to John Johnson to send out to the other Task Force members.

Task Force member Mick Cornett shared that Oklahoma City held a groundbreaking ceremony for the new Downtown Circulator streetcar on February 7. He said it was very well attended and that he and the city are very excited to finally have kicked off this project. He said the projected opening of the streetcar would be December 2018.

VIII. Adjourn

Task Force member Ken Bartlett made a motion to adjourn. Task Force member Mark Hamm seconded the motion. The meeting was adjourned at approximately 4:25 p.m.

The Association of Central Oklahoma Governments (ACOG) seeks professional legal consultant support to provide subject matter expertise, moderated discussion, and technical services for the Central Oklahoma Regional Transit Authority Task Force (Task Force). This Task Force, established through a 2015 Memorandum of Understanding (MOU) among six Central Oklahoma municipalities, has been charged with defining and creating a Regional Transit Authority in Central Oklahoma.

For historical context, since 2009 ACOG planning staff has worked with the volunteers and elected officials of Central Oklahoma under the umbrella of Regional Transit Dialogue (RTD) to discuss, consider, determine and decide certain guidelines for the governance structure, district boundaries and functions of a Central Oklahoma RTA. It is expected that the Consultant will review and consider the robust nature of the previous work of the RTD in the development of potential governance models, service areas and board structures so as to benefit from the quality work of the previous efforts of the RTD.

The consultant shall provide supportive legal counsel and guidance regarding transit agency structures, policies, governance, and possess extensive legal experience with transit system development and operations. The Task Force will look first and foremost for experienced legal counsel to lead the efforts to create a Regional Transit Authority which best fits the political landscape of Central Oklahoma and the six Central Oklahoma municipalities which have united to create a regional transit system.

The consultant will be engaged to support and help moderate this collaborative effort, with the end goal of establishing the geo-political structure of the Central Oklahoma RTA and determining the next steps to fund and staff the RTA. The consultant will be asked to be an extension of staff, become familiar with local issues and RTA research and efforts to date, conduct and present research on best practices from peer regions for establishing and launching a new RTA, help facilitate collaboration in determining and achieving the necessary and sequential steps to establish and launch a RTA, and support the Task Force's work in crafting the related public messaging and related public opinion surveys.

Consultant activities will be defined as:

Project Management

- Contract terms. The selected bidder will be required to enter into a written agreement for services with ACOG, which outlines the specific terms and conditions of the services to be provided. All of these terms are subject to negotiation between the bidder and ACOG, including the price for the provision of the services. Failure to reach a written

SCOPE for RTA Task Force Planning Support

agreement of all terms, or an impasse in the negotiations, will authorize ACOG to reject the bid and to continue with the bid selection process as defined by ACOG procurement policies and procedures.

- Invoicing requirements with progress reports and/or deliverables, all as outlined and set forth in the final written agreement with ACOG.

Task 1 –Onsite Meetings

- The Task Force is expected to meet monthly, with the potential for called meetings, with the goal of collaboratively identifying and establishing the preferred governance structure and functions of the Central Oklahoma RTA. The consultant will be asked to attend and support the monthly Task Force meetings, anticipated to occur for 6-12 months or until the RTA is established through a Memorandum of Agreement (MOA) among municipalities.
- To advance the formation of the RTA, consultant will present the Task Force with best practice expertise, regional transit authority governance standards and requirements, and appropriate facilitated guided discussion about, but not limited, the following topics:
 - Past committee work on potential RTA governance models, service areas, and board structures.
 - RTA formation and governance historical best practices from peer regions.
 - Legal review of RTA considerations and requirements.
 - Consideration and determination of preferred governance model.
 - Consideration and determination of preferred district geography.
 - Consideration and determination of preferred board structure.
 - Consideration and determination of RTA's initial strategic first steps
 - Drafting of a Memorandum of Agreement to establish an RTA

These general topics are further discussed in Tasks 2 and 3.

- Consultant will generate information to help educate the Task Force on transit governance, fundamentals of the provision of transit, Federal Transit Administration (FTA) regulations and on funding requirements.
- Consultant will provide research and best practices on transit financing mechanisms and yields to assist the Task Force in identifying funding sources most appropriate and legally possible for Central Oklahoma.
- Consultant will help generate information necessary for developing related public opinion surveys or polling to support this effort.

Deliverables

- Agendas, meeting materials, presentations.
- Meeting summaries will be delivered by the consultant within 5 business days of each Task Force meeting.

Task 2 – RTA Governance Model, District, and Board Structure and Bylaws

- The Task Force will be undertaking an aggressive schedule to meet regional goals for establishing the RTA and subsequent funding for transit.
- Consultant will assist the Task Force in defining the RTA structure. Assistance includes providing peer research, developing language for RTA bylaws, or appropriate governing rules and procedures. Consultant will provide information and support on the following decision points:
 - Review of past work and recommendations on RTA structure, geography, and governance
 - Establishing the RTA district geography
 - Further defining RTA Board representation, selection process and term limits
 - Formalizing the process for amending/expanding/ and/or reducing the RTA district geography
 - Formalizing the relationship between the RTA and the municipalities
 - Staffing requirements for the RTA
- Consultant will provide research and make recommendations on the role and functions of the RTA. Existing transit systems including Central Oklahoma Transportation and Parking Authority (COTPA/dba EMBARK, Cleveland Area Rapid Transit (CART), and Edmond Citylink will be part of the Task Force. Consultant will make recommendations on how the RTA interacts with, funds, and/or operates the existing transit systems over time.
- A general implementation timeline has been drafted for RTA establishment. The consultant will refine and update the implementation schedule and adjust it based on Task Force discussion and decision points.
- Consultant will develop a draft MOA that will be designed for cities to execute and establish the RTA.
- Develop and refine RTA budget leading up to referendum for funding.
- Develop contingency plan for RTA should initial referendum for funding be delayed or fail in first election.

Deliverables

- Sequential schedule of critical path elements and necessary action items
- Draft Bylaws or appropriate rules of governance and policies or process for the RTA
- Districting plan and service area amendment procedure
- Draft MOA
- Budget Plan for RTA (Pre-referendum) and Contingency Budget
- Identification of RTA's strategic first steps after formation
- RTA Staffing Plan

Task 3 – FTA Compliance

- Consultant will provide guidance on RTA start-up in terms of establishing a relationship with FTA, including the following:
 - Legal review of local, state, and federal requirements of an RTA
 - Legal review of COTPA, CART, and Citylink (City of Edmond) charters, ordinances, governance statutes, and labor contracts
 - RTA's recipient status with FTA
 - FTA Master Agreement
 - Certification & Assurances
- Examine and recommend a regional strategy for managing FTA 5307 formula funding to support the creation of the RTA and existing local transit capital needs and services.

Deliverables

- White paper on Regional Sub-allocation of FTA Formula Funds