

METROPOLITAN TRANSIT COMMISSION

MEETING SUMMARY

November 20, 2013

Presiding: Mayor Patsy Kinsey (Charlotte)

Present:

Pat Cotham (Mecklenburg County Commission)
Ron Carlee (Charlotte City Manager)
Rick Sanderson (TSAC Chair)
Bobbie Shields (Mecklenburg County Interim
Manager)
John Collett (NCDOT Representative)
Mayor Lynette Rinker (Cornelius)

Mayor John Woods (Davidson)
Mayor Jill Swain (Huntersville)
Greg Ferguson (Huntersville Town Manager)
Mayor Jim Taylor (Matthews)
Ralph Messera (Matthews)
Bill Thunberg (Mooresville Representative)

Chief Executive Officer: Carolyn Flowers

I. Call to Order

The regular meeting of the Metropolitan Transit Commission was called to order at 5:35 p.m. by MTC's Chairperson, Mayor Patsy Kinsey.

II. Review of Meeting Summary

The meeting summary of September 25, 2013 was approved as written.

III. Transit Services Advisory Committee (TSAC) Chair's Report

Rick Sanderson

Mr. Sanderson reported that TSAC met on October 10 and November 14. At the October meeting, CATS staff reported on the Call Center and the Ridership Fare Report. At the November meeting, staff presented information items on CATS Safety and Security programs provided by the new safety contractor and a proposed use of the Independence Boulevard busway by Mecklenburg Transportation Services. TSAC will elect new officers at the December meeting.

IV. Citizens Transit Advisory Group (CTAG) Chair's Report

No report.

V. Red Line Task Force Update

No report.

VI. Transit Funding Working Group Update

Jill Swain

Mayor Swain reported that Council member Howard and she reported on the status of the TFWG at the Chamber's Transportation Committee meeting earlier today. TFWG has four subcommittees that are actively moving forward on issues of funding, the Public Private Partnership (P3) forum, advocacy and communications. The group is working on the P3 summit commitment from the Clinton Global Initiative. The forum is currently scheduled for March 5-6, 2014. The subcommittee is securing sponsorships and determining session topics and the invitation list. One of summit's primary objectives is to educate business leaders and elected officials on how P3s can help with all infrastructure projects. Charlotte will host the East Coast P3 summit; there will be a West Coast summit around that time as well.

VII. Public Comments

Rodney Moore said that he has been working with a group that can help with P3 efforts with regard to the federal EB5 immigrant investor program. That group is working toward projects geared toward municipalities and ties directly into P3 opportunities. Mayor Swain said that there will be a session on EB5s at the P3 summit. She said that she would extend an invitation to Mr. Moore to one of the TFWG meetings, and said that the Financing Subcommittee needed to hear his presentation. Mr. Moore pledged his assistance and said that they are working at the state level to support transit.

VIII. Action Items

a. 2014 Federal Legislative Agendas

Dana Fenton

Mr. Fenton, Intergovernmental Relations Manager with the City of Charlotte, reminded MTC members of last month's presentation on the 2014 Federal Legislative Agenda and said he was prepared to answer questions. The agenda's emphasis for 2014 is to support continuation of federal resources for the build-out of the 2030 Transit System Plan and to support reauthorization of the federal surface transportation program.

Resolution: Mayor Swain motioned to approve the 2014 Federal Legislative Agenda; Mayor Taylor seconded. The motion passed unanimously.

IX. Information Items

a. The Americans with Disabilities Act (ADA) and Bus Stops

Lisa Flowers

Larry Kopf, CATS Chief Operations Planning Officer and Manager of Bus Operations, reviewed bus stops currently in the system and discussed how CATS plans bus stop enhancements. CATS' bus stops are required to comply with ADA Standards. Currently, CATS has close to 3,500 bus stops located throughout Mecklenburg County. Bus stop enhancements are provided through many different processes that can include partnering with other public or private entities when development is considered near an existing or potential bus stop.

Ms. L. Flowers, Assistant City Attorney, reviewed the background of the ADA, beginning with the Civil Rights Act of 1964 and subsequent laws that included accessibility and eventually led to the ADA which was signed into law in 1990. The ADA protects individuals with disabilities and their right to fully participate in all aspects of society. Title II of the ADA applies to Public Services and Transportation. When alterations are made to a public facility, including roads and bus stops, accessibility to current ADA standards must be met. The City of Charlotte has developed processes for including CATS early in both public and private development projects so that accessibility is maintained or enhanced at bus stops located within the City. CATS would like to develop similar processes with neighboring towns so that bus stops located in those jurisdictions maintain ADA compliance. Ms. L. Flowers said that the next steps are to work with appropriate staff from the towns to begin developing processes to ensure ADA compliance for bus stops located in those towns.

Discussion: Mayor Swain said that some nonprofit groups ask occasionally about what they can do to put up a bench or bus shelter. She asked if there is a prototype for private donors so they can do that. Mr. Kopf indicated that there is a prototype that CATS can offer to people interested in donating, and he said that CATS has received some donations of that type through church groups, Boy Scouts and other groups that want to do projects. All projects are reviewed for location appropriateness and shelter standards. Mayor Swain

commented that it may be helpful to schedule a workshop with the planners in the Towns. Director of Planning Debra Campbell had said that she would mention it in one of the monthly Planner meetings with the regional towns. The towns are not always involved with NCDOT projects. Ms. C. Flowers said that CATS will need to work with Louis Mitchell from NCDOT on State projects. Mayor Taylor asked if MTC members could get a list of the bus stops that have been sources of complaint for individual towns. Mr. Kopf said that staff can provide that information, and said that CATS has surveyed all of its stops, and has proposed enhancements where appropriate. Mayor Taylor said he would like that list as well. Ms. C. Flowers said that since ADA compliance is tied to all Federal grants, CATS must be ADA-compliant or risk losing all Federal grants.

X. Chief Executive Officer's Report

Carolyn Flowers

Under the CEO's report, Ms. Flowers discussed the following:

a. Legislative Update:

Ms. Flowers reported that she, Mr. Fenton and Mr. Carlee met with the NC Congressional delegation this morning as well as FTA Administrator Rogoff. They discussed LYNX Blue Line Extension (BLE) appropriation funds in the next federal budget. To keep the project on time and on budget, the continued Federal commitment is necessary. Staff also shared that CATS intends to submit a letter next week to enter the Small Starts process for the CityLYNX Gold Line project, including community support letters. This will utilize the City's funding commitment as a local match for federal dollars. The federal government is now providing safety assessments for bus systems, and CATS notified FTA that it intends to request a safety assessment. Ms. Flowers also discussed with Administrator Rogoff FTA's new grant program under MAP-21 on core capacity. An existing project must show that the grant will give a 10 percent increase in ridership capacity, so that grant may be a possibility for Blue Line Capacity Expansion (BLCE) platform expansion funds. In response to questions on whether FTA could intervene with Norfolk Southern (NS) on behalf of the Red Line project, Administrator Rogoff said that FTA does not normally speak with the railroads until there is a funded project and recommended that CATS speak with the State first. They are supportive of the project but think the State is the best place to start. Ms. Flowers also asked about the status of a requested Buy America exemption on BLE utility cabinets. AT&T has indicated that they can comply with federal Buy America requirements for all but one utility cabinet. FTA said that they can grant that exemption. In the future, AT&T should have them manufactured in America.

Mr. Carlee added that he felt that while there is a lot of support in Washington for this region, the big concern was the federal budget and whether sequestration or continuing resolutions will take place in the future. He encouraged MTC members to reinforce in their discussions with Congressional delegates and staff the importance of passing appropriation bills for transit, so the BLE is not affected by future sequestrations and so there is money for future transit projects. Some Congressional delegates are skeptical of transit, so its importance must be emphasized.

Ms. Flowers said that they also discussed applying for a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for permanent financing for the BLE. This would improve cash flow and defer payments further in the future, which would give more sales tax capacity. Ms. Flowers said she will speak with staff in the TIFIA office in early December, which will be moving under the office of FTA's Secretary. North Carolina does not authorize

entrance into a TIFIA contract, so staff will send a letter of interest to gain a placeholder in the process as the ability to use TIFIA is developed in NC. Triangle Transit is also interested in the ability to use TIFIA.

b. Labor Negotiations:

There is still no agreement, but the union contract is extended through December 9. The next negotiation meeting is scheduled for December 2. Both parties seem to have committed to work together on negotiations so the riding public is not affected.

c. Charlotte Regional Transportation Planning Organization (CRTPO) Update:

Last month, the Mayor of Pineville was named an alternate to the CRTPO but he was not re-elected. A new alternate will be named at a future meeting. Mayor Swain is the principal representative from MTC to the Board.

d. Next MTC Meeting:

Ms. Flowers reported that there is one item on the December MTC agenda. It is not critical and could be carried over until the January 22, 2014 meeting.

Resolution: Mayor Taylor motioned to cancel the December MTC meeting. Mayor Swain seconded the motion, which passed unanimously.

e. MTC Membership:

Mayor Rinker and Mayor Kinsey will transition off MTC at the end of the year. Ms. Flowers said that she wanted to recognize transitioning members at the January 22, 2014 meeting for their service. Mayor Kinsey said that she has enjoyed working with MTC very much.

f. Miscellaneous:

There will be two BLE public meetings in December, on December 5 and December 10. CATS is working closely with the businesses to mitigate impacts during the BLE's construction.

Discussion: Mayor Rinker asked about the status of a bus stop accessible to Hough High School. Mr. Kopf said that staff received that request and is trying to contact the principal. There is no current service to Hough High. Mayor Woods said that he has had good luck contacting the principal's Administrative Assistant. Mayor Rinker said she has had luck with email.

Mayor Taylor asked for an update on the accident Monday evening before the Panthers game. Allen Smith, CATS General Manager, Rail Operations, reported that a car driver went around the barrier and struck a rail car. Injuries in the car were minor. One rail passenger was injured. The rail car is out of service for repair and will be back in service within two weeks. Risk Management and Legal have been notified. Service was restored to one track after around 25 minutes and was fully restored about an hour later. CATS will work with the automobile driver's insurance company to recover costs resulting from the accident.

XI. Other Business

None.

XII. Adjourn

The meeting was adjourned at 6:20 p.m. by Mayor Kinsey.

NEXT MTC MEETING: WEDNESDAY, JANUARY 22, 2014, 5:30 P.M.