

Riders' Advisory Council

May 5, 2010

I. Call to Order:

Mr. DeBernardo called the May 2010 meeting of the Riders' Advisory Council to order at 6:35 p.m. He reminded members that Council meetings were run under Robert's Rules of Order and the Council's Standards of Conduct

The following members were present:

Frank DeBernardo, Chair, Prince George's County
David Alpert, Vice-Chair, District of Columbia
Kelsi Bracmort, District of Columbia
Sharon Conn, Prince George's County
Patricia Daniels, District of Columbia
Kenneth DeGraff, District of Columbia
Penny Everline, Arlington County
Chris Farrell, Montgomery County
Dharm Guruswamy, Vice-Chair, At-Large
Carl Seip, At-Large
Pat Sheehan, Accessibility Advisory Committee Chair
Lorraine Silva, Arlington County
Carol Carter Walker, District of Columbia
Lillian White, City of Alexandria
Ron Whiting, Montgomery County
Victoria Wilder, Vice-Chair, Montgomery County
Diana Zinkl, District of Columbia

II. Public Comment:

Ed Gitterman from Montgomery County provide his feedback on the docket of proposed service changes put forward by Metro as part of its FY2011 budget process. He gave examples of what he considered the best and worst proposals from the docket:

- Best: Proposal to realign service on the H2/H3 crosstown route in D.C.
- Worst: Proposal to eliminate the Yellow Line during late nights and on weekends except for a shuttle between Huntington and King Street.

Mr. Gitterman also said that he was disappointed but not surprised by the lack of turnout at the Council meeting. He said that he thinks this reflects the region's disinterest in mass transit. He added that the Council should focus on the "service improvement" aspect of Metro rather than the "business" aspect of Metro and provided recommendations for what the Council should be doing to improve. He suggested dismantling the Council and having individuals familiarize themselves with transit operations and focus on ways to improve service.

III. Approval of Agenda:

Mr. DeBernardo moved to remove Item IV, "Approval of Past Meeting Minutes" from the agenda. Without objection, the agenda was approved as presented.

V. Presentation of FY2011 – FY2016 Capital Plan:

Matt Brown, Managing Director of Metro's Office of Management and Budget, and Nat Bottigheimer, Assistant General Manager for Planning and Joint Development, presented an overview of Metro's Capital Improvement Plan for FY2011 through FY2016. Mr. Brown said that he would try to speak to any changes to the capital plan between what was presented in January and the present and how those would affect changes.

Mr. Brown explained that Metro is at the end of its current capital funding agreement, known as "Metro Matters." He said that Metro is currently negotiating a new capital agreement, and noted that these negotiations are taking place at a very challenging time for local governments due to the state of the economy.

Mr. Brown told members that one of the options under consideration for the next capital funding agreement was a flexible six-year agreement that would require matching funds be provided for federal grants and would allow for additional payments beyond those required to match federal funds.

Mr. Bottigheimer said that the Metro Matters program, when it was agreed to in 2005, laid out a very fixed schedule for obligations, but that it didn't provide for a specific set of projects. He explained that it assigned money to broad categories of projects. Mr. Bottigheimer noted that the structure of the Metro Matters agreement made it difficult to change, and that the need for changes has come up during the course of the program. He said that jurisdictions want flexibility to adjust projects as needed and that they also want greater transparency in how their capital funding is spent. Mr. Bottigheimer said that this new proposed agreement attempts to provide that flexibility and transparency.

He explained that the program can vary more from year to year, depending on the projects planned for that particular year, and that there has been a commitment from the jurisdictions to match federal funds, which will mean approximately \$600 million per year in funding. Mr. Bottigheimer also noted that an agreement would ensure a long-term commitment of funds, which is helpful in planning and executing multi-year projects such as purchasing railcars or buses, or performing system

rehabilitation. He explained that if Metro were unable to obtain a multi-year agreement for its next capital plan it would need to purchase lines of credit to ensure funding availability, which would cost some money.

Mr. Bottigheimer provided a further overview of the proposed structure of the next capital funding agreement. He noted that the agreement would call for Metro to set a draft work program in October which would be revised until the Board adopts the budget in the spring. He said that this would allow local governments to align their proposed budgets with Metro's annual needs and for other stakeholders to provide comments on the capital program. He also noted that this annual process would allow Metro to more easily reprogram funds to respond more quickly to changing needs and that staff is trying to develop rules for how funds are reprogrammed.

Mr. Bottigheimer and Mr. Brown reviewed the funding assumptions that went into the development of the CIP. Mr. Brown explained that anticipated federal grants would not grow as quickly as initially thought and that jurisdictions will not be able to contribute as much in System Performance funds (funding over-and-above what is required to match federal grants) as initially anticipated. Mr. Bottigheimer explained how funds that had previously been called "overmatch" funds would now be referred to as "System Performance funds."

Ms. Walker asked why jurisdictions would provide an "overmatch." Mr. Bottigheimer explained that federal grants (and their associated local matches) did not provide sufficient capital funding and that jurisdictional "overmatches" allowed Metro to complete more capital projects.

Ms. Zinkl asked if "overmatch" funds were committed to specific projects. Mr. Brown responded that they were not committed to specific projects, but would be used for projects in the capital program. Mr. Bottigheimer noted that federal grant funds had certain restrictions associated with them, so those funds are limited to certain projects, while local funds are not similarly restricted. He explained that Metro makes decisions about which funds to use for which projects to comply with those restrictions.

Mr. Bottigheimer added that as the capital plan developed, Metro also decreased the amount of assumed borrowing in the plan due to requests from jurisdictions. The amount of money borrowed went from \$442 million (out of \$5 billion) when the plan was first proposed in January to around \$179 million at present.

Mr. Brown reviewed specific projects and how the funding for those projects had changed since the capital plan was originally shown in January. He discussed the proposed funding for railcar, bus and MetroAccess vehicles, railcar rehabilitation, replacement of service vehicles, bus fleet expansion, rail system rehabilitation, and other projects and how proposed funding levels for those projects had been reduced or otherwise changed since the first draft of the capital budget was released. Mr. Brown noted that there had been some reduction in elevator and escalator funding and significant cutbacks in funding for bicycle and pedestrian facilities and station enhancements, such as canopies over station entrances.

Mr. Bottigheimer then briefly reviewed the proposed timeline for the approval of the next capital funding plan.

Mr. DeBernardo then opened the floor for questions from Council members.

Mr. Sheehan asked Mr. Bottigheimer and Mr. Brown to discuss the impact of the revisions to the proposed capital plan on MetroAccess. Mr. Brown said that the initial capital plan had anticipated \$63.5 million for MetroAccess of its six year lifespan, which has now been reduced to \$59 million in the latest version of the plan. Mr. Bottigheimer explained that this will mean that MetroAccess vehicles are replaced less often and vehicles will need to be kept in service longer. Mr. Sheehan said that he is concerned at how MetroAccess will be able to cope with significantly expanding demand if its capital funding is cut.

Mr. Bottigheimer noted that the revised capital plan will also not include funding for expansion railcars or for 321 additional buses to deal with forecast increased demand on Metrobus.

Mr. Sheehan said that Metro needs to also look at why demand for MetroAccess service is increasing so rapidly.

Ms. White asked if the 1000-series railcars were planned for replacement, and if they were planned to be replaced, why money was included in the capital plan for rehabilitation of these cars. Mr. Brown explained that the \$4.2 million shown in the plan is for the final payment for a contract for heating and cooling system repairs; he noted that the cars have already undergone a midlife rehabilitation and are planned to be retired beginning in 2014. Ms. White noted that the capital program calls for the replacement of the 4000-series railcars, but not the 2000- and 3000-series and asked why those were not planned for replacement first. Mr. Brown responded that the 2000- and 3000-series railcars have undergone mid-life rehabilitation, while the 4000-series railcars have not yet been rehabilitated. Mr. Bottigheimer said that Metro has calculated that it will be more cost-effective to replace the 4000-series railcars with new railcars rather than to rebuild them.

Mr. Whiting asked who was responsible for negotiating with the jurisdictions to determine their capital contributions. Mr. Bottigheimer said that he and Mr. Brown work with Jurisdictional Coordinating Council members to determine capital contributions. As a follow-up, Mr. Whiting asked about the political considerations that go into developing those amounts. Mr. Bottigheimer responded that the agreement presented was staff's best effort to frame an agreement that would be acceptable to Maryland, the District of Columbia and Virginia.

Mr. Farrell asked if the capital program was cyclical. Mr. Bottigheimer responded that prior to the Metro Matters agreement, there was no multi-year capital agreement. He explained that Metro was still building the system and the system didn't need rehabilitation and repairs because it was still new. He said that, at that time, the capital program focused on funding new railcars and buses, however, now, parts of the system need maintenance or complete replacement due to their age.

Ms. Walker noted that the railcar commissioning facility had been removed from the latest iteration of the capital plan; she suggested that Metro investigate a public-private partnership with the railcar manufacturer to build the facility since it would enhance the manufacturer's ability to deliver its railcars to Metro. Mr. Bottigheimer said that he would take that suggestion back to Dave Kubicek, who is involved in the negotiations on that project.

Mr. Seip asked about the difference between the Capital Needs Inventory (CNI) and the currently-proposed capital plan. Mr. Bottigheimer responded that the CNI listed \$11 billion in needs over ten years while the capital plan proposes \$5 billion in spending over six years. He said that the capital budget is focused on a state of good repair, but doesn't fund expansion or other projects. Mr. Seip then asked what staff is doing to get more money for Metro's capital needs. Mr. Bottigheimer said that the question of "What is staff's responsibility to 'shake the tree' to find funds?" has been asked of him. He said that Metro staff has published the CNI and has provided information about Metro's significant funding needs, and that information can be used by transit advocates to push for more funding for Metro.

Ms. Everline asked if there was a prioritization of the CNI and what kind of timeline there was to provide feedback on the CNI. Mr. Bottigheimer explained the prioritization process that staff used to rate projects in the CNI, though he noted that it was a more technical process that did not produce a strict priority listing. Mr. Brown elaborated that the proposed capital plan represents staff's view of the highest and best use of the available funds. Mr. Bottigheimer added that feedback on the capital plan would be helpful either before the Board's May 13th Finance and Administration Committee meeting or in the fall when Metro will develop its annual capital plan for the following year.

Ms. Silva asked about the reconciliation process outlined in the document. Mr. Brown said that the reconciliation process had been handled through the annual budget process, and for the new agreement staff will include a list of projects at the end of each year, as well as their sources of funds and the funds requires to complete each project. As a follow-up, Ms. Silva asked what happens if jurisdictions are unable to provide the funding anticipated in the capital plan. Mr. Brown responded that the capital plan will be reprioritized annually based on the expected funding available. He noted that projects already underway will be given first priority.

Ms. Daniels asked if Metro found the \$95 million in missing equipment reported in the newspaper. Reggie Woodruff, from Metro's Media Relations Office explained that Metro was never missing \$95 million in equipment and that the story that ran in the paper was misreported.

Ms. Zinkl asked about the "jurisdictional overmatch," when local governments provide funding over and above what is required to match federal grants. She asked whether this money was directed to specific projects. Mr. Bottigheimer said that jurisdictional overmatch funding was not directed to specific projects, but it went into the overall Metro Matters program, which outlined specific projects. He noted that the Metro Matters agreement fixed projects, which didn't allow for priorities to be adjusted as time went out. He said that in the FY2011 – FY2016 agreement, that it went to fund projects in the capital budget that are outlined annually as part of the adoption of the capital budget.

Dr. Bracmort asked about the funding for bus facility expansion and why that was reduced in the capital plan. Mr. Bottigheimer explained that the funding for expansion buses (buses over and above those needed to replace existing buses) was cut, so there would not be a need to expand Metrobus facilities. Dr. Bracmort also asked about the timing of the bus garage enhancement funds. Mr. Bottigheimer explained that the funds didn't increase in regular increments, but rather funds would be expended when the actual bus garages were constructed.

Dr. Conn asked when Metro was planning to replace the 1000-series railcars. Mr. Brown said that the 1000-series railcars would be replaced with the 7000-series railcars that Metro is getting ready to order. Dr. Conn also asked if Metro was still planning to relocate its headquarters. Mr. Brown said that was not currently planned. Lastly, Dr. Conn said that funding for bicycle and pedestrian facilities should be included in the capital plan; she noted that Metro is planning to raise its bike locker rates and so it should improve its facilities.

Mr. Guruswamy commented that it would be helpful to show the impact of this proposed capital plan on Metro's future level of service (i.e. anticipated bus crowding, rail delays, etc.) Mr. Brown said that staff is trying to provide additional detail in advance of the following week's Board meeting. Mr. Bottigheimer noted that it is always difficult to get political support for rehabilitation of facilities – that it is always easier to get funding for expansions. He said that he is trying to get an agreement on system rehabilitation which would then allow for any additional funding to be directed toward expansion.

Ms. Wilder asked for an overview of the difference between what is funded in the operating budget and what is funded through the capital budget. Mr. Brown provided examples of items that would be funded by operating or capital budgets and noted that the capital budget funds facilities and things that would be expected to last more than one year.

Mr. Alpert said that it was alarming the degree by which the region's priorities for maintaining the Metro system had been reduced over the past few weeks. He asked if there were any specific items that would improve the capital agreement that the Council could advocate for. Mr. Bottigheimer said that the most important thing is to have a forecastable amount of money. He added that Metro needs funding for capital program management which would aid in reviewing funding and the delivery of projects and would make the jurisdictions more comfortable with sending money to Metro because they would know that it would be well spent. He said that the proposed agreement contains a lot about accountability and transparency and that Metro needs a longer-term strategy to address that.

Mr. DeBernardo thanked Mr. Brown and Mr. Bottigheimer for attending.

VI. Questions on R.A.C. and A.A.C. Chair Reports:

Mr. DeBernardo asked if members had any questions on either his or Mr. Sheehan's reports that had been previously distributed.

Ms. Wilder asked why conditional eligibility for MetroAccess customers will take three years to implement even though it is expected to be established by July 1st of this year. Mr. Sheehan explained that MetroAccess users are recertified for paratransit eligibility every three years, so they would be found conditionally eligible as part of their recertification process. Mr. Sheehan also noted that MetroAccess is already informally using conditional eligibility in some circumstances. He said that MetroAccess is looking to save \$5-6 million next year by shifting some trips to fixed-route transit. Ms. Everline added that conditional eligibility would only apply to some trips which could be taken by fixed-route transit, while other trips would be eligible for paratransit service.

Ms. Walker clarified that new users would be assessed for conditional eligibility when they are first evaluated for MetroAccess service, while existing users would be assessed for conditional eligibility when they undergo recertification. She also noted that, all of the MetroAccess vehicles that she sees only have one passenger in them and asked whether any studies had been done to improve the system's efficiency. Mr. Sheehan said that MetroAccess is a shared-ride system and MetroAccess does try to maximize the number of shared rides because that brings costs down.

VII. Orientation and Committee Scheduling:

Mr. Pasek directed members to information in their packets about upcoming committee meetings. He said that he would also be asking members for their availability for dates during the weeks of May 24th and June 7th for an orientation session.

Mr. Alpert noted that the Long-Term projects had not met previously because he had not received many replies to an earlier email to try and set a date. He asked if there was still interest in scheduling a meeting of the Long-Term Projects Committee. He asked whether there is a date that would work for those individuals interested in attending. Ms. Everline said that the topic would drive meeting attendance. Mr. Alpert said that the group would be looking at longer-term projects and proposed that the group meet on Monday, May 17th. He said that he would identify a topic by the end of the week and noted that based on past discussion, that might be 7000-series railcar design, based on Pat's report.

VIII. Report from Congressional Hearing:

Mr. DeBernardo explained that the Council was asked to testify at a hearing of the House Oversight and Government Reform Committee and that Mr. Alpert had testified on the Council's behalf. He added that the Council has been asked that to provide testimony on Metro to a Senate subcommittee later in May as well.

Mr. Alpert thanked all of the Council members who contributed their comments on the testimony. He noted that only a small number of Congress members were present at the hearing – Congress Ed Towns called the meeting to order and chaired for a portion of the meeting and then handed off the chairmanship to Congressman Chris Van Hollen from Maryland. He noted that Congresswoman Eleanor Holmes Norton and Congressman Gerry Connolly also participated. He said that questions focused on safety and how Metro is working to improve safety issues and how it communicates with its riders. Mr. Alpert noted that Congressman Van Hollen asked questions about the analysis of

Metro conducted by former General Manager David Gunn, which Metro had initially not wanted to release publicly, though it eventually did provide the report on its website.

Mr. Pasek added that Mr. Connolly and possibly Ms. Norton also brought up the idea of federal operating subsidies for transit, something which is not currently provided.

Mr. Alpert that since the Metro's proposed capital budget had just been released, he wasn't able to include it in his testimony, which was somewhat regrettable given the scale by which the most recent iteration of the capital budget had been scaled back.

IX. Open Mic Session:

Mr. DeBernardo then opened the floor to members for an "Open Mic" session .

Dr. Conn said that the Bus Committee should plan to take a ride with Metro's new General Manager. She explained that she had read that he hadn't yet ridden a Metrobus or a MetroAccess vehicle. She also noted an issue on the Red Line earlier in the week and that while she waited on the platform for an hour for the disruption to be resolved, no Metro officials came down to the platform to assist customers. She said that staff should have come down to provide assistance and information. Ms. Silva agreed and said that in situations where there are service disruptions, platforms can become dangerously crowded and there are not enough Metro employees to keep customers off the platforms and prevent them from getting overcrowded.

Ms. Everline asked if the group wanted to set up a working group on the capital program in response to the presentation earlier in the meeting. Mr. Alpert said that he would be happy to have that discussed in the context of the Long-Term Projects Committee. In response to questions, Mr. Pasek said that the Metro Finance Committee would be considering the capital agreement at its meeting on May 13th and then the agreement would need to be approved by all of Metro's partner jurisdictions and then come back to the Board for approval before the end of June, in time for the new fiscal year which begins on July 1st.

Ms. Zinkl said that she recently took a vacation to New Orleans and used that city's transit system. She said that their streetcar and bus fareboxes accept cash and tokens and accept and dispense paper transfers. She added that New Orleans has people available to sell tokens and answer questions and help acclimate riders to the system. She said that it made using the system very easy for someone who hadn't ridden the system before.

Ms. Daniels suggested that at the May 10th Bus Subcommittee meeting, the group should suggest some bus routes for the new General Manager to ride.

Mr. DeGraff noted that there was a meeting of the Council's Fare Collection and Policy Committee planned for May 11th. He noted that many decisions about Metro's fares would be decided in the context of the FY2011 budget, so he wanted to see if there were other items that people would want

to discuss related to fare collection (such as SmarTrip) or if it would make more sense to fold this committee into the Long-Term Projects Committee.

Mr. Alpert said that some issues that could be discussed could be reforming the system of Metro passes, especially if those passes will be available on SmarTrip following SmarTrip upgrades. He said that it may also be useful to look into how parking is paid for, since it is his understanding that Metro is looking into alternate parking payment methods.

Ms. Walker said that she thinks that it would be better for the Council to have groups focused on specific projects and should focus its attention on things that it can accomplish. She added that the Council also needs a “parking lot” to get follow-up information on topics previously presented to the Council (such as vending at Metrorail stations, etc.). Mr. DeBernardo said that his recollection was that the Long-Term Projects committee was to function as this “parking lot” and suggested going back to look to see what those topics might be.

Mr. Seip said that one of the items that the Fare Collection and Policy Committee could focus on would be “post-SmarTrip” fare payment – i.e. payment directly by debit or credit card that Mr. Benjamin had previously mentioned.

Ms. White noted that she has concerns about Metro operations. She noted that she was offloaded on her way to the Council meeting and also described an incident in April where she was offloaded at Arlington Cemetery due to a crime situation at the Pentagon. She explained that customers were told that buses would be coming for them. She said that she caught a ride to Pentagon City, which was actually the station that had been closed because of a suspicious package (not Pentagon) and noted her concern about poor communications of the incident. She explained that when she finally got to Crystal City, there was confusion about where passengers were supposed to catch a train to reach their final destination. Ms. Everline suggested that Ms. White put something in writing to Metro to try and get an explanation or response.

X. Adjournment:

Without objection, Mr. DeBernardo adjourned the meeting at 8:40 p.m.