

**TPO Executive Board Minutes  
October 22, 2014  
9 a.m.  
Small Assembly Room  
City/County Building  
Knoxville, Tennessee**

The Knoxville Regional Transportation Planning Organization (TPO) Executive Board met on October 22, 2014 at 9:00 a.m. in the Small Assembly Room of the City/County Building in Knoxville, Tennessee. Mayor Ralph McGill chaired the meeting and called it to order. It was determined there was a quorum.

*Tom Beehan	Mayor, City of Oak Ridge
*Terry Frank	Mayor, Anderson County
*Brooke Keyes	Sevier County, <i>for Mayor Larry Waters</i>
*John Lamb	Blount County, <i>for Mayor Ed Mitchell</i>
*Ralph McGill	Mayor, Town of Farragut
*Brenda Palmer	City of Knoxville
*Pat Phillips	City of Loudon, <i>for Mayor Judy McGill Keller</i>
*Don Mull	Mayor, City of Alcoa
*Cindy Pionke	Knox County, <i>for Mayor Tim Burchett</i>
*Jack Qualls	State of Tennessee, <i>for Governor Haslam</i>
*Madeline Rogero	Mayor, City of Knoxville
*Amber Scott	City of Lenoir City, <i>for Mayor Tony Aikens</i>
*Ed Shouse	ETDD
*Eddie Simpson	Loudon County, <i>for Mayor Buddy Bradshaw</i>
*Tom Taylor	Mayor, City of Maryville
TPO Staff	
Partner Agency Staff	
Members of the Public	
* <b>voting members</b>	

Board Chair Mayor McGill called the meeting to order and stated there was a quorum. He then recognized Mayor Tom Beehan, City of Oak Ridge for his service to the City of Oak Ridge, our region and the TPO Executive Board and noted he is retiring as Mayor. Mayor Beehan thanked everyone on the Board for their service and noted serving on the Board has been an honor. He noted he sees our region moving forward into the future, acting more as a region, and that TPO is the ideal vehicle for that to occur. Board members voiced their thanks and appreciation for his leadership and dedication to our region.

**1. Approval of September 24, 2014 Minutes**

**Item Summary:** Approval of September, 2014 TPO Executive Board Minutes.

**A Motion was made by Mayor Rogero and seconded by Mayor Frank to approve the September 24, 2014 Minutes. The Motion carried unanimously.**

**2. Motion to Approve a Resolution to Amend the FY 2014-2017 Transportation Improvement Program**

**Item Summary:** The following proposed Amendments to the TIP are listed below.

**Technical Committee recommends approval.**

**Discussion:** Bryan Berry briefly reviewed the 2 proposed Amendments recommended by the Technical Committee for approval. The first was requested by the City of Knoxville and is to add a project into our 2014-2017 TIP for a Tennessee River pedestrian bridge and path to connect the south waterfront to the University of Tennessee and north waterfront trails for a total cost of \$1.5 million using L-STP funds for public engineering and design for FY 2017. The project was in our 2011-2014 TIP. Mr. Berry noted the second project is in Sevier County but falls into our planning area and is in our existing TIP, and it was requested by TDOT. He noted this project involves a 1.2 mile section along Chapman Highway, widening 4 lanes to 5 with curb and gutter. He further noted the Amendment moves the funding from FY 2014 to FY 2015 and adds just over 4.8 million in NHPP funds for Right-of-Way.

**A Motion was made by Mayor Taylor and seconded by Ed Shouse to Approve a Resolution to Amend the FY 2014-2017 Transportation Improvement Program. The Motion carried unanimously.**

**3. Motion to Amend the TPO Executive Board Bylaws to add a Public Transportation Representative to the TPO Executive Board Membership**

**Item Summary:** MAP-21 requires that representation by provider(s) of public transportation be on the Policy Board of MPO's that have a population of greater than 200,000. The Technical Committee has approved a recommendation to add transit representation to the Board. The Recommendation is:

**That the Executive Board public transportation membership on the TPO Board be a representative of the Federal Transit Administration (FTA) Section 5307 – Urban Area – Designated Recipient (currently the City of Knoxville), and also that the Executive Board designate a Steering Committee to assist and guide staff in their study of developing a Regional Transit Authority.**

**Discussion:** Jeff Welch briefly reviewed the federal mandate requiring a transit representative on the Executive Board. Jeff noted this meeting was serving as the first reading of the proposed Amended TPO Executive Board By-laws. He noted there was interest by the Technical Committee to explore the possibility of creating a Regional Transit Authority (RTA) to assist and guide transit services in our urban area over the next 25 to 30 years. Staff has committed to continue to look at this possibility as it is a task in this year's Work Program. Pat Phillips noted he made the Motion as a member of the Technical Committee to designate the City of Knoxville, because they are the official designated recipient of (FTA) Section 5307 – Urban Area funds, to be the transit representative on the Board. This would be a new position, representing all transit interests in the urban area, and that person would be appointed by the City of Knoxville. He noted with regards to transportation in our area we need to be looking at long range transit service delivery and further, coupled with dwindling federal funds, KAT would best suited to serve in this role for the region. Mayor Beehan noted that the PlanET project made it abundantly clear that regional transit is very much needed in our region. Mayor Frank asked for clarification on the proposed RTA Steering Committee and whether it was designed to study transit in the many rural areas of the region. John Lamb clarified that his intent to study development of a RTA was to have KAT, CAC and ETHRA be the core of that Committee, guiding staff. John also noted, understanding that this initiative is part of the TPO Work Program he noted should the Motion go forward today he will be moving to amend it to have CAC, ETHRA and KAT be appointed as the initial Steering Committee and that they identify other entities or agencies that should also participate in the RTA discussion. He further clarified his intent was to address the need for transit services in rural areas as Blount County shares the same concern.

**A Motion was made by Mayor Beehan and seconded by Mayor Taylor to adopt the Recommendation by the Technical Committee, adding a representative of the Federal Transit Administration (FTA) Section 5307 – Urban Area – Designated Recipient (currently the City of Knoxville) to the Executive Board, and also that the Executive Board designate a Steering Committee to assist and guide staff in their study of developing a Regional Transit Authority.**

**John Lamb moved to Amend the Motion on the floor to clarify that representatives from CAC, ETHRA and KAT be appointed as the initial Steering Committee and that they bring other groups, as well as staff, to the Steering Committee. The Amendment to the Motion was seconded by Mayor Frank. The Amendment to the Motion carried unanimously.**

**Board Chair McGill called for a vote on the Amended Motion. The Amended Motion carried unanimously.**

#### **4. Overview TDOT Response Letter RE: Transit Funding**

**Item Summary:** The Executive Board requested staff to correspond with TDOT over concerns about a policy change that could impact the amount of State funds provided to local agencies to help match FTA transit grants. Attached to the Agenda is the response from TDOT. TDOT has committed to finding some one-time matching funds for projects just recently approved by the Executive Board (FY13-14). TDOT stated any future capital projects will continue to be matched at the traditional rate. However, starting in FY 2015, operating projects may be in serious jeopardy of not receiving any TDOT match.

**Discussion:** Doug Burton gave a brief overview of the transit funding match issues facing the region with regards to FTA Section 5310 funds that come to the TPO to administer and are used to assist seniors and those who are disabled and FTA Section 5307 funds that come to the City of Knoxville to administer for the provision of general public transit to our urban area. The City awarded Section 5307 funds to CAC and ETHRA to continue services when they could no longer access rural area funds as a result of the 2010 US Census. Mr. Burton noted that TDOT has been a long time funding partner with these grants often splitting the local match required to receive the federal funds. In the past TDOT has provided a 10% match for capital projects and a 25% match for operations. But, early in the year TDOT notified the TPO and the transit providers they were re-assessing their match policy and recent approved grants could be impacted. The Executive Board asked the staff to write a letter to TDOT express concerns over these possible policy changes. He reviewed TDOT's response letter in detail (Attachment #4) noting TDOT has agreed to match these 2 grants at the traditional rates for FY 2013 and 2014 for both capital expenditures and operations. However, going forward into FY 2015, although they will continue to provide a 10% match for any capital expenditure, funding matches for operations for both grants will be limited and TDOT has yet to determine how they will allocate matching funding across the state. For FY 2015 TDOT has apportioned enough state funds to represent 19% of the Section 5310 budget and 10% of the Section 5307 budget to possible match operating grants. However, the actual amount awarded (if any) will be determined by how many requests they receive for the funds statewide. Hence, he noted, TDOT cannot give us a firm commitment beyond FY 2014 for matching funds for operations. Mr. Burton noted that staff is meeting internally within the TPO Technical Committee's Human Services Transportation Coordination Committee which consists of representatives from CAC, ETHRA and KAT to discuss these potential funding shortfalls and to look at creative ways to come up with replacement matching funds.

#### **5. Overview of ETHRA Transit Concerns related to Loss of Call Center Operations**

**Item Summary:** United Healthcare Community Plan (UHCCP) announced starting January 1, 2015, ETHRA will no longer be the Call Center for East and Middle Tennessee for Non-Emergency Medical Transportation. ETHRA has operated the Call Center since 2009 and the termination was "without cause" as allowed under the contract. Besides providing public demand-response transit, both ETHRA and Knox County CAC Transit are official transportation providers for UHCCP. Revenue received by ETHRA and Knox County CAC Transit through UHCCP, helps match grants and provides additional services to the community. Mike Patterson will discuss how this situation will impact transit services in the urban area.

**Discussion:** Mike Patterson noted TennCare contracts with 3 Managed Care Organizations (MCO) to manage the Non-Emergency Medical Transportation services across the state: Blue Cross Blue Shield, Amerigroup and United Health Care (UHC). ETHRA first became a Call Center for these services in 2007 under John Deere and continued under UHC when they became a MCO in Tennessee in 2009.

He then said ETHRA was recently notified of the termination of their contract, without cause, effective January 1, 2015 and when they contacted UHC regarding the termination they were told it was strictly a business decision. Mr. Patterson noted that further complicating matters was that last year TennCare decided to have 3 statewide Call Centers for Non-Emergency Medical Transportation Services using the same 3 MCO's as noted above, each one serving 1/3 of the need. Tennessee Carriers out of Memphis will be replacing ETHRA. He noted they are a statewide Call Center for Amerigroup and now will be one for UHC, thereby brokering 2/3 of the transportation trips in Tennessee. Tennessee Carriers is also a private transportation provider and we can expect to see their presence here in the Knoxville region as well as Johnson City and Bristol within a year. Mr. Patterson noted this will impact ETHRA and CAC as approximately 25% of their revenue is received from TennCare through third party contracts and these funds basically constitute the bulk of their matching funds used to leverage federal and TDOT transit grants. He noted ETHRA may have to eventually reduce services because of this loss of revenue and again, not having sufficient funds to secure or match state and federal grants. CAC most likely will see a funding impact as they provide trips under contract to TennCare and this revenue source helps provide additional trips in Knox County. Mr. Patterson noted ETHRA has been very successful in expanding transportation in the region utilizing this revenue and fears this may place this expansion at risk. He also stressed that this termination was not due to any deficiencies in their contractual obligations and that they have in fact regularly met or exceeded those obligations. Mr. Patterson further noted that ETHRA plans to keep their call center open and are exploring other call center work to replace it.

## 6. Update on the 8 Hour Ozone Non-attainment Status for the Urban Area

**Item Summary:** The Tennessee Department of Environment and Conservation has prepared a Knoxville 2008 8-Hour Ozone Redesignation Request and Maintenance Plan that is currently available for public review. This plan, if approved by EPA, will bring Blount, Knox and part of Anderson County into attainment status for the 8-hour ozone standard by late spring of 2015. A local public hearing on this Plan is scheduled for Monday, November 10 at 1:00 PM at the Knox County Health Department.

**Discussion:** Mike Conger noted staff wanted to update the Board on the ongoing process to re-designate Blount, Knox and a portion of Anderson County (around Bull Run Steam plant) that were deemed to be in attainment in 2012 with regards to the 2008 standard for ozone. The air quality for the area now meets the standard based on 3 years of data from 2011 to 2013. Part of the process also requires a Maintenance Plan which needs to demonstrate to EPA's satisfaction that the improvements in air quality are the result of permanent and enforceable measures. He noted the immediate next step is for TDEC to hold a public hearing (November 10th) and then it will be heard by the state Air Board at their meeting on November 12<sup>th</sup> for possible adoption and then back to EPA for final approval of the re-designation request, which requires a somewhat lengthy process as required under the Clean Air Act. Mr. Conger noted that EPA is allowed to take up to 18 months to review and process the re-designation request, however it is estimated that the process could be completed by around May or June of 2015. Mr. Conger noted another current issue is the pending announcement of the new ozone standard, is currently set at 75 ppb (parts per billion) and that it could be lowered to somewhere between 60 and 70 ppb. An announcement is expected around the first of December. He stated that if kept closer to 70 ppb we are in a good position to meet the standard but if it is set too much lower than that the area will have major issues meeting the standard, as would the entire state. The new standard will take up to 3 years to become finalized and if the area fails to meet it then the official non-attainment designation will most likely not occur until October of 2017. Therefore, there should still be a window of time of around two years in which the area should be attainment for Ozone. Mayor Tom Beehan asked if there had been any updates on the ongoing issue of the PM2.5 data being possibly nullified. Mr. Conger noted he was unaware of any resolution to the PM2.5 testing issue at this time, but he would pass along any information in that regard to the Board as it became available.

**7. Other Business**

- TDOT quarterly status report listing regional highway projects under development/construction. **Jeff Welch encouraged members to seek clarification from staff or TDOT as necessary.**
- Technical Committee Meeting **Wednesday, November 12**, at 9 a.m. in the Small Assembly Room of the City County Building. *Please note the Wednesday date due to the holiday.*
- Executive Board Meeting Wednesday, **November 19**, 2014 at 9 a.m. in the Small Assembly Room of the City County Building. *Please note due to the holiday the Board will meet the 3<sup>rd</sup> Wednesday of the month.*

**8. Public Comment**

Members of the public may address the Executive Board with a five-minute time limitation for each person. There was no public comment.

**9. Adjournment** There was no further comment and the meeting was adjourned.