

MINUTES

MEETING OF THE BOARD OF DIRECTORS

PLANNING & EXTERNAL RELATIONS COMMITTEE

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

October 29, 2012

The Board of Directors Planning & External Relations Committee met on October 29, 2012 at 10:03 a.m. in the Board Room on the 6th Floor of the MARTA Headquarters Building, 2424 Piedmont Road, Atlanta, Georgia.

Board Members Present

Robert L. Ashe, III, *Chair*
Harold Buckley, Sr.
Frederick L. Daniels, Jr.
Jim Durrett
Roderick E. Edmond
Barbara Babbit Kaufman

MARTA officials in attendance were: General Manager/ CEO Beverly A. Scott; Deputy General Manager/COO Dwight A. Ferrell; AGMs Davis Allen, Wanda Dunham, Ben Graham, Georgette Gregory, Robin Howard, Mary Ann Jackson, Cheryl King, Miriam Lancaster (Acting), Ryland McClendon, Elizabeth O'Neill and Louise Williams-Jackson (Acting); Sr. Directors Kevin Hurley and Donald Williams; Directors Anton Bryant, Sharon Crenshaw, John Crocker, Garry Free, Scott Haggard, Lyle Harris, Rod Hembree, Jennifer Jinadu-Wright, Barbara Kirkland, Knox O'Callaghan, Antoine Smith (Acting) and Carol Smith; Managers Joyce Brown, Donna DeJesus, Cara Hodgson, Roosevelt Stripling, Robert H. Thomas, Denise Whitfield; Executive Manager to the Board Rebbie Ellisor-Taylor; Sr. Executive Administrator Tyra J. Wiltz; Executive Administrator Renee Willis; Finance Administrative Analyst Tracy Kincaid. Others in attendance Ricky Chambers, Yvonne DeBollette, Eulethia Dooley-McLin, Greg Floyd, Cathy Gesick, Anthony Pines, Srinath Remala, Charisse Richardson, Gregory Snyderman, Tuan Vo.

Also in attendance Charles Pursley, Jr. of Pursley, Lowery & Meeks, LLP; Joshua Mello of City of Atlanta; Melvin Brown and Jeff Parker of HNTB; Josh Hirsh of Jones, Lang & LaSalle; Woody Vaughn of King & Spaulding; Pam Alexander of LTK; Matt Pollack of MATC; Thomas Lauth of McKenna, Long & Aldridge; Michael McDonald of Public Financial Management; Richard Markwith of TranSystems; Jim Brown and John Oliver of URS; William Jones.

Approval of the September 24, 2012 Planning & External Relations Committee Meeting Minutes

On motion by Mr. Durrett seconded by Mr. Daniels, the minutes were unanimously approved by a vote of 4 to 0, with 4 members present.

Resolution Authorizing the Solicitation of Proposals for Planning and Technical Services

Mr. Williams presented this resolution for Board of Directors' approval authorizing the General Manager/CEO or her delegate to solicit proposals for Planning and Technical Services.

The consultants will be required to provide planning and technical assistance in the following areas: Long and Short Range Planning, Environmental Review, New Starts, TOD/Concession Planning and Development, Financial Feasibility and Innovation, Regional Coordination and other planning and technical related services.

Mr. Ashe asked what is the approximate value.

Mr. Williams said \$16.6M over a five-year period.

Mr. Ashe asked if the contract would be two (2) years with three (3) one (1) year options.

Mr. Williams said yes.

Mr. Ashe said he is reluctant in approving long-term contracts with a new General Manager starting soon. He added that it is fine to proceed with two (2) years.

Mr. Durrett agreed it would be fine to proceed.

Mr. Daniels said MARTA has had trouble getting a number of qualified firms to bid on contracts. Staff needs to ensure that the right people know about this.

Mrs. Lancaster said MARTA is advertising in trade publications and is listed on the Georgia Procurement Registry.

Mr. Daniels asked about the DBE process.

Mrs. Lancaster said an award will go to more than one firm. Smaller firms can contract with MARTA directly.

Ms. King said this contract has been greatly anticipated by the A&E community.

Mrs. Lancaster added they are all aware that MARTA's current Planning and Technical Services contract will expire June 30, 2013.

On motion by Mr. Durrett seconded by Mr. Daniels, the resolution was unanimously approved by a vote of 5 to 0, with 5 members present.

Briefing – Atlanta Regional Commission Request to Flex Funds to Support Livable Centers Initiative Projects

Dr. Crocker briefed the Committee on the Atlanta Regional Commission's request to flex funds to support Livable Centers Initiative Projects.

Background & Context of Request

- ARC has requested MARTA Act as an FTA grantee in order to flex funds from LCI (STP-Urban L230) to FTA-Section 5307
 - Previously done with LCI Funds for the Luckie Street Two-Way Conversion with Streetcar
 - Projects in Atlanta, Tucker, East Point, Fairburn and Doraville
 - Total amount is just over \$33 million
- Eight projects originally considered, one added that met 5307 criteria:
 - Pedestrian projects within 14 mile of transit stop
 - Bicycle project within 3 miles of transit stop
- Goal is to reduce project implementation time
- Initial Briefing to MARTA PER on July 30, 2012

Steps since July 30 Briefing

- August

Planning & External Relations Committee

10/29/12

Page 4

- Met with FTA/ARC twice to review responsibilities for FTA Grantee with respect to the proposed projects
- August 29 ARC held meeting with potential project sponsors
- September
 - MARTA internal review of required oversight/implications for Authority
 - City of Atlanta letter to City Appointees

Findings: Required Oversight

- FTA appears to require oversight in the following areas:
 - Proof of continuing control over asset life (20-30 years)
 - Project sponsors meet FTA procurement requirements, including Buy America
 - Project sponsors meet FTA Equal Employment Opportunity requirements
 - Grant administration during project implementation (potentially 5 years)

Findings: Implications for MARTA if MARTA Functions as FTA Grantee

- For capital projects, MARTA is structured to deliver MARTA projects - those projects MARTA owns and is responsible for maintaining
- MARTA is not structured to provide ongoing FTA required oversight of capital assets it does not own or maintain
- A new oversight role would involve at least the following departments:
 - Finance (Grant Administration/Invoicing oversight)
 - Procurement (Compliance with FTA Requirements)
 - DEO (Compliance with FTA EEO requirements)
 - Grants Administration (Grant Administration)
 - Accounting (Invoice Processing)
 - Planning (Administration, intra-agency coordination)
 - Engineering (Monitoring asset condition)

Potential Next Steps

- MARTA staff does not recommend MARTA function as FTA grantee for these projects at this time
 - MARTA does not currently have mechanisms in place to provide oversight of non-MARTA projects for FTA capital grants
 - MARTA is in a state of transformation
 - Sustainable delivery of bus and rail services seems to be the focus of the Board
 - Other agencies could be a more efficient FTA grantee for these projects
- MARTA staff recommends supporting a different agency to function as FTA grantee in order to implement these projects more efficiently
- MARTA staff also recommends providing support in identifying mechanisms for ensuring adequate FTA required oversight

Mr. Daniels asked if staff reached this decision based on lessons learned from the Atlanta Streetcar Project.

Dr. Scott said it is an overall maturation of the region. With the responsibility of being a Grant Recipient comes all of the Federal requirements. MARTA has operated in this role in the past. Today, we must understand the institutional framework. They will come back to whoever is holding the Federal Recipient role.

Mr. Daniels asked who is MARTA declining.

Dr. Crocker said ARC. These were awarded with the intent that ARC could go through GDOT. Working with MARTA was an attempt to speed up the process.

Mr. Daniels said they were looking to go through MARTA because GDOT process is too lengthy.

Mr. Ashe asked if ARC has been made aware of MARTA's position.

Dr. Crocker said yes.

Ms. King said this would be a 20-year responsibility.

Mr. Daniels said that is a lot of liability.

Mr. Durrett said Buckhead CID completely understands MARTA's decision. He added that this is a good opportunity for the regional partners to discuss the future.

Briefing – MARTA Joint Development Policies and Procedures

Mr. Crocker presented an overview of MARTA's Joint Development Policies and Procedures.

In November 2010, the MARTA Board of Directors adopted a series of seven joint development policies and procedures involving:

- Joint Development Procurement and Land Disposition
- Access to Stations
- Parking
- Affordable Housing
- Sustainable Building Practices
- Intergovernmental Activities
- Participation in Station-Area Development Reviews

Policy 1: Joint Development Procurement and Land Disposition

- Joint Development projects take place on MARTA land, within MARTA stations, on air rights MARTA property; or are physically connected to MARTA facility
- Joint Development project requires an affirmative action by MARTA, including one or more Board votes
- The Policy outlines the process for identifying candidate properties, selection of a project developer (through an RFQ/RFP, RFP or other means) and notes that is MARTA's preference to convey property rights on joint development properties through long-term ground lease rather than fee simple sale
- The policy requires that any property offered first be subject to a "Fair Market Appraisal" to determine the value of the property rights which will be offered
- Simplified Example Competitive Joint Development Process
 1. General planning (LCI's, Charrettes, etc.)

2. Identify and analyze potential candidate sites
 3. Recommend site(s) to Board of Directors consideration
 4. Board authorizes RFP
 5. Evaluate RFQ/RFP responses and recommend
 6. Board approves negotiation and final agreement
- *Unsolicited proposals* – MARTA can either reject the proposal or decide to release the property for competitive process
 - *Request from adjacent property owners* – MARTA will evaluate on a case by case basis consistent with the MARTA Act and any Board of Directors approvals
 - *Request from Government Agency* – MARTA may receive requests from other government agencies and is allowed to negotiate with other agencies without pursuing a competitive process with the approval of the MARTA Board of Directors
 - An explicit statement that MARTA will negotiate a long-term lease for any joint development proposal is infeasible without a land sale
 - Recognizes that the retail concessions program is a separate and unique sub-set of joint development

Policy 2: Access to Stations

- This policy establishes a priority of station access
- The policy makes two exceptions, "Collector" stations, i.e., end of the line stations (such as Indian Creek or North Springs) which have large parking demands and "Special Regional Destination" stations (such as Dome/GWCC/Phillips Arena or Airport), i.e., where the station is serves a special purpose

Policy 3: Parking and TOD

- On its own properties, MARTA anticipates that it will undertake joint development projects on lands currently used for Park-and-Ride lots
- The decision as to how much Park-and-Ride to replace will be based on analysis evaluating:
 - Ridership
 - Revenue
 - Actual use of existing Park-and-Ride facilities

- **Park-and-Ride replacement will be decided on a case-by-case basis, with no assumption that replacement will uniformly be 1:1**
- **This policy provides maximum flexibility for MARTA**

Policy 4: Affordable Housing

- **This policy requires residential and mixed-use TOD projects on MARTA property to include a component of affordable housing**
 - **Achieving this will require a collaborative effort among multiple stakeholders:**
 - **Local jurisdictions and housing authorities**
 - **State of Georgia**
 - **For-profit and non-profit developers**
 - **Lenders**
 - **Community Groups**
 - **MARTA**
- **A policy goal of 20% affordability, on average**
- **Affordability broadly defined to allow flexibility for MARTA**
- **According to this policy, affordable housing requirements for each project and any applicable incentives will be expressly stated in the Request for Proposals; affordable housing which will be agreed to by the project developer and MARTA must be included in the Joint Development Agreement**

Policy 5: Sustainable Building Practices

- **The policy states that MARTA strongly supports the use of sustainable building practices**
- **TOD inherently contributes to sustainability by attracting dense, mixed-use development to sites served by transit and by other forms of existing infrastructure**
- **MARTA expects its joint development partners to embrace sustainable design, construction and operating practices at the project level**
- **To the degree consistent with zoning, MARTA's policy will be to allow additional density as an incentive for joint development projects to exceed the applicable local jurisdictional standard**

Policy 6: Intergovernmental Activities

- In advancing joint development projects, this policy states MARTA will take the initiative in interacting with other government agencies and jurisdictions, including
 - Federal Transit Administration
 - As an FTA grantee, MARTA will be responsible for communication with FTA and for compliance with the FTA Joint Development Policy or any other FTA applicable requirements (on those properties in which there is FTA interest)
 - Funding Programs
 - MARTA may apply for funding, financing or incentive programs from any Federal, State, Local or Regional Source
 - Applications may include ARC LCI grants, FTA Joint Development funding, tax allocation districts established under Georgia Law and any housing finance programs available under Federal and Georgia law or the location of Federal, State, County or Municipal Office and Activity Centers at transit locations
 - MARTA will support zoning approvals for its joint development projects and may advocate for zoning relief or modifications to facilitate joint development projects or project objectives, such as mixed uses, affordable housing or sustainability

Policy 7: Participation in Station Area Development Reviews

- This policy states that, as a TOD stakeholder, MARTA's policy is to play a proactive role in the planning and review of all station-area development proposals, including those not involving joint development (i.e., not on land owned by MARTA)
- The policy provides foundation for MARTA staff participation in:
 - Development and updating of LCI plans
 - Development of Regional Impact (DRI) Reviews
 - Requests for zoning relief or modification
 - Participation in Development Review Committees (DRC) of Special Public Interest (SPI) Districts

- Other planning efforts (i.e., community charrettes, municipal master plan developments, etc.)
- Participation focuses on:
 - Providing technical support
 - Educating about MARTA processes and role of MARTA Board of Directors
 - Educating about MARTA TOD Guidelines

Other Considerations

- These policies are for properties released for joint development
- These policies do not cover:
 - Short-term leases
 - Property acquisition for MARTA use (i.e., Hamilton Garage)
 - Concessions

Next Steps

- Upcoming anticipated PER briefings
 - September – Joint Development Policies and Procedures
 - October – Overview of Work Program
 - November – Partnership Roles and Activities
 - December – Year End Review/2013 Outlook
 - Winter 2013 – Prepare and Release RFP

Mr. Ashe said the opportunity cost for MARTA being asked to go into agreement with Decatur needs to be assessed.

Dr. Crocker said the Authority has to receive Fair Market Value while getting the best deal. A government agency brings tax incentive.

Ms. King said MARTA will get assistance from the Planning and Technical Services consultants in determining costs.

Mr. Durrett thanked Dr. Crocker for providing a good summary. He added that MARTA did a good job in engaging its regional partners. These policies are still good guidelines for the future.

Mr. Daniels said the development community will provide feedback and MARTA should remain open.

Mr. Durrett said this just gives MARTA some guiding principles.

Briefing – Media Monitoring – 2nd Quarter 2012

Ms. Hodgson briefed the Committee on MARTA's Media Monitoring for the 2nd quarter, April to June 2012.

Media Monitoring Service

- Provides almost immediate access to news
- Enables us to organize, distribute and analyze news coverage
- Quick access to video clips assists MARTA with media training for subject matter experts
- 1-year \$11,140 contract began in January 2011 (6-month extension to June 30, 2012)

Analysis of News Stories – 2nd Quarter, April to June 2012

- Tone
 - Positive – either entirely positive or very few negative or dissenting points
 - Negative – either entirely negative or primarily negative
 - Neutral – purely informational, general mention of MARTA, balanced
- Subject Matter
 - MARTA's budget
 - Transit expansion
 - Regional Transportation Sales Tax Referendum
 - "Take MARTA"
- Earned Media vs. Other
 - Earned media includes any media story generated from a press release or event that MARTA manages or organizes
 - Other includes a media generated story, incident or customer/public complaint

Earned Media Analysis

- Budget – 60 stories
- Expansion Planning Projects (Clifton Corridor, I-20 East, GA 400) – 52 stories
- Debit Card Issue (informing customers of issue) – 25 stories
- Braves Shuttle – 24 stories
- Dump the Pump Day – 20 stories

Publicity Value* of Positive vs. Negative Coverage

- Positive Coverage - \$693,063
- Negative Coverage - \$319,711

Findings and Recommendations

- Capitalize on the popularity of the Authority's "Take MARTA" message
- Continue to regularly highlight system improvements and service enhancements
- Grow our partnership programs and projects (Dump the Pump and voter registration drives)

Mr. Daniels asked how does MARTA mitigate the negative stories.

Ms. Hodgson said MARTA is using social media to tell their own story and arm supporters with good news.

Mr. Daniels said MARTA's side of the story should include responses to inaccurate information and responses to both media and employees should be timely.

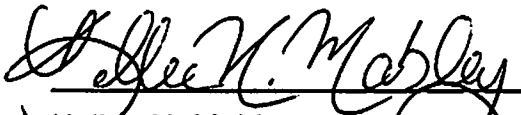
Other Matters

No other matters came before the Committee.

Adjournment

The Planning & External Relations Committee meeting adjourned at 10:50 am

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kellee N. Mobley", written over a horizontal line.

Kellee N. Mobley
Senior Executive Administrator to the Board