

Handout #1 - Excerpt of 1/12/2022 TPAC Meeting Minutes
The complete file is saved in the TPAC meeting Archives.

WAKE COUNTY TRANSIT PLAN

Transit Planning Advisory Committee

TPAC Regular Meeting via WebEx • January 12, 2022 • 9:30am- 11:45am

Minutes

I. Welcome and Introductions (Gaby Lawlor, TPAC Chair)

Gaby welcomed everyone to the first meeting of the year and provided a reminder to the attendees that discussion should be limited to TPAC voting members in attendance. She informed attendees that they can review attachment B if they're not sure of their role.

Shannon Cox introduced Katie Schwing as their new Transit Planner. Katie has ties in the Triangle but is coming in from Virginia. Katie will be designated as a voting alternate for the Town of Apex.

| 1/12/2022 TPAC Attendance | | | | | PM= Primary Member, VA= Voting Alternate, OA= Other Alternate, MG= Meeting Guest | | | | | | |
|----------------------------------|---------------------|-----------|-----------|-----------|---|---------------------|------------------------|-----------|-----------|-----------|-----------|
| Agency/Org | Name | PM | VA | OA | MG | Agency/Org | Name | PM | VA | OA | MG |
| TPAC Chair/Garner | Gaby Lawlor | 1 | | | | Morrisville | Caleb Allred | | | 1 | |
| TPAC Vice-Chair/Raleigh | David Eatman | 1 | | | | Morrisville | Danielle Kittredge | 1 | | | |
| TPAC Admin. | Stephanie Plancich | | | | 1 | NC State University | Than Austin | | 1 | | |
| Apex | Shannon Cox | 1 | | | | Raleigh | Andrea Epstein | | | 1 | |
| Apex | Katie Schwing | | | | 1 | Raleigh | David Walker | | | 1 | |
| CAMPO | Shelby Powell | 1 | | | | Raleigh | Het Patel | | | 1 | |
| CAMPO | Bret Martin | | 1 | | | Raleigh | Kristin Treadway | | | | 1 |
| CAMPO | Evan Koff | | | | 1 | Raleigh | Mathew Van Hoeck | | | | 1 |
| CAMPO | Crystal Odum | | | | 1 | Raleigh | Meghan Finnegan | | | | 1 |
| Cary | Kelly Blazey | 1 | | | | Raleigh | Michael Moore | 1 | | | |
| Cary | Kevin Wyrach | | 1 | | | Raleigh | Mila Vega | | | 1 | |
| Cary | Marck MacDougall | | | | 1 | Raleigh | Morgan Simmons | | | | 1 |
| Fuquay-Varina | Allison Wright | | 1 | | | Raleigh | Ryan Boivin | | | | 1 |
| GoTriangle | Saundra Freeman | 1 | | | | Raleigh | Shavon Tucker | | | 1 | |
| GoTriangle | Liz Raskopf | | | 1 | | Rolesville | James Carter | 1 | | | |
| GoTriangle | Curtis Hayes | | | | 1 | RTP Foundation | Travis Crayton | 1 | | | |
| GoTriangle | David Jerrido | | | | 1 | Wake County | Akul Nishawala | 1 | | | |
| GoTriangle | Burgetta Wheeler | | | | 1 | Wake County | Anita Davis-Haywood | | | | 1 |
| GoTriangle | Chuck Lattuca | | | | 1 | Wake County | Tim Gardiner | 1 | | | |
| GoTriangle | Jenny Green | | | | 1 | Wake County | Tim Maloney | | | 1 | |
| GoTriangle | Katharine Eggleston | | | | 1 | Wake County | Tyler Daniel | | | | 1 |
| GoTriangle | Katie Urban | | | | 1 | Wake Forest | Dylan Bruchhaus | | 1 | | |
| GoTriangle | Meg Scully | | | | 1 | Wake Tech | Pamela Little | | | | 1 |
| GoTriangle | Scott Thomas | | | | 1 | Wake Up Wake County | Nathan Spencer | | | | 1 |
| GoTriangle | Sharon Chavis | | | | 1 | Wendell | Mathew Burns | | | | 1 |
| GoTriangle | Steven Schlossberg | | 1 | | | Zebulon | Aaron Chalker | 1 | | | |
| GoTriangle | Suzanne Clyburn | | | | 1 | HDR Inc. | William "Bill" Gilmore | | | | 1 |
| GoTriangle | Wendy Mallon | | | | 1 | HDR Inc. | Patrick McDonough | | | | 1 |
| GoTriangle/CAMPO | Will Allen III | | | | 1 | HDR Inc. | Jorge Luna | | | | 1 |
| Knightdale | Andrew Spiliotis | 1 | | | | Mott MacDonald | Paul Worley | | | | 1 |

Item X - TPAC Guidance on Financial Model and Multi-Year Operating Program Assumptions for Baseline Pre-Wake Transit Services (Discussion/Possible Action Item: Bret Martin, CAMPO, 20 minutes)

This item is being brought to the TPAC for discussion because of a disconnect in interpretation and application of how adopted policy is being applied to financials related to bus service expansion. We currently have the two lead agencies interpreting the policy differently and need the TPAC to provide guidance on how to move forward. In August of 2021, in accordance with the Wake Transit Work Plan project funding agreements between GoTriangle and CAMPO, GoTriangle staff submitted to CAMPO staff a final reimbursement request for FY 2021 for performance on projects during the 4th quarter of the FY. After review, CAMPO staff subsequently deemed the reimbursement request incomplete, as well as many of the total requested expenses associated with the reimbursement request ineligible for reimbursement as a result. The information requested by CAMPO staff to be submitted to make the reimbursement request complete included an identification of routes that GoTriangle previously operated but did not operate during FY 21, routes for which GoTriangle operated a reduced number of revenue hours compared to their fully scoped service output, the number of Wake County-attributable revenue hours normally associated with those routes, and the number of Wake County-attributable revenue hours actually provided during the fiscal year. The intent of this request for additional information was to determine the amount of net additional Wake County-attributable revenue hours that were provided above GoTriangle's pre-Wake Transit baseline that could be considered eligible for reimbursement.

Summarily, CAMPO staff's position on the issue is that revenue hours transit providers financially supported before the availability of Wake Transit tax revenues are the transit providers' responsibility to continue to financially support, as the adopted Wake Bus Plan and both the adopted financial model and multi-year operating program components of annual Wake Transit Work Plans require and hold as critical foundational assumptions. Therefore, it is CAMPO staff's position that Wake County-attributable revenue hours of service associated with a pre-Wake Transit baseline are ineligible for reimbursement with Wake Transit tax revenues. It is also CAMPO staff's position that deviating from this determination for GoTriangle's services and allowing GoTriangle's pre-Wake Transit baseline services/revenue hours to be funded with Wake Transit tax revenues would be an inequitable application of established policy across the range of Wake Transit-funded fixed-route service providers (i.e., GoTriangle, GoRaleigh and GoCary). The adopted Wake Bus Plan and the financial model and multi-year operating program components of annual Wake Transit Work Plans are constructed on an essential foundation to only fund the net additional revenue hours for all three fixed-route service providers. If this maintenance of effort requirement did not exist, providers could use tens of millions of dollars in Wake Transit tax revenues to supplant all of their pre-existing services, which would result in the inability for Wake Transit tax revenues to support the level of service expansion envisioned in the Wake County Transit Plan.

As communicated to CAMPO staff, the position on the issue GoTriangle staff holds is that there is not and should not be a maintenance of effort requirement that applies to specific types of baseline expenditures (e.g., bus services, capital infrastructure, staffing resources, etc.) upon which the Wake County Transit Plan intends to build.

Instead, transit providers would need to work toward achieving their pre-Wake Transit baseline level of total expenditures that account for the full suite of potential types of expenditures or investments without isolating and subjecting a specific type of expenditure (e.g., bus services) to a maintenance of effort requirement. Given the opposing positions on this issue, CAMPO staff will ask the TPAC to provide guidance on a path forward to resolve this disconnect in program policy interpretation at its January 12th regular meeting and will share various policy alternative scenarios for the TPAC to consider.

Bret provided clarity on the difference between Supplementation and Supplantation. He noted that there is not a NC court legal decision on defining these terms in relation to our enabling legislation. Wake Transit partners defined and adopted our policy to use 2016 data to set our baseline expenditures and set the parameters of what funds and which expenditures can be supplanted or supplemented with Wake Transit funds. It was a conscious decision to require that each agency's bus service expenditure totals must be maintained each year and that Wake transit would "Supplement" additional costs above their cost/revenue hour baselines.

Bret made a point to make sure that the TPAC understood that the bus service funding baseline buys revenue hours. It is not calculated dollar for dollar.

In short, when a new bus service is established that will replace a service that existed pre-Wake Transit, the providers must back out the original baseline cost for the routes being replaced from the cost of the new route to Wake Transit. Wake Transit cannot take on the full cost each time a route changes or is added. All planning and programming decisions and the financial model, Bus Plan, etc. are based on this rule. CAMPO's perspective is that the bus service baseline MUST be maintained as is and should continue to be our policy for future bus service expansion. If not, the impact to the program is about \$40 million dollars per year.

To demonstrate how the policy has worked so far and is hard coded into our planning process, Bret showed GoRaleigh's Biltmore Hills Route Package as it is reflected in the financial model.

The financial model shows that when this route goes into effect it will be replacing all or portions of 3 other current routes. The cost of those routes/route portions (current route 5, route 13 and route 22) being replaced is then backed out of the total cost to run the new service. Wake Transit is only asked to supplement the costs above what was already being paid for by the provider.

| New Route # (that is connected most closely to item) | New Route Name | BRT? Item ID | Item Name | Implementation | Discontinuing Operator | FY 2023 Cost Change from Existing | FY 2024 Cost Change from Existing | FY 2025 Cost Change from Existing | FY 2026 Cost Change from Existing |
|--|-------------------|--------------|---------------------------------|----------------|------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Capital BRT | Capital BRT | Y NR-1-0H | Begin Capital BRT | 2024 CONT | GoRaleigh | | \$ 4,617,435 | \$ 4,732,871 | \$ 4,851,193 |
| 2 | Falls of Neuse | NR-18-0H | Begin Route 2 Falls of Neuse | 2023 CONT | GoRaleigh | \$ 2,411,201 | \$ 2,471,481 | \$ 2,533,268 | \$ 2,596,599 |
| 2 | Falls of Neuse | NR-18-0G | Replace Route 2 Falls of Neuse | 2023 CONT | GoRaleigh | \$ (1,407,675) | \$ (1,442,867) | \$ (1,478,939) | \$ (1,515,913) |
| 3 | Glascock | NR-6-0H | Begin Route 3 Glascock | 2026 CONT | GoRaleigh | | | | \$ 2,596,599 |
| 3 | Glascock | NR-6-0G | Replace Route 3 Glascock | 2026 CONT | GoRaleigh | | | | \$ (582,753) |
| 4 | Rex Hospital | NR-5-0H | Begin Route 4 Rex Hospital | 2019 CONT | GoRaleigh | \$ 1,880,669 | \$ 1,927,686 | \$ 1,975,878 | \$ 2,025,275 |
| 4 | Rex Hospital | NR-5-0G | Replace Route 4 Rex Hospital | 2019 CONT | GoRaleigh | \$ (1,603,572) | \$ (1,643,661) | \$ (1,684,753) | \$ (1,726,872) |
| 5 | Biltmore Hills | NR-29-0H | Begin Route 5 Biltmore Hills | 2024 CONT | GoRaleigh | | \$ 2,471,481 | \$ 2,533,268 | \$ 2,596,599 |
| 5 | Biltmore Hills | NR-20-0G | Replace Route 5 Biltmore Hills | 2024 CONT | GoRaleigh | | \$ (626,532) | \$ (642,195) | \$ (658,250) |
| 5 | Biltmore Hills | NR-20-0G | Replace Route 13 Chavis Heights | 2024 CONT | GoRaleigh | | \$ (421,731) | \$ (432,274) | \$ (443,081) |
| 5 | Biltmore Hills | NR-29-0G | Replace Route 22 State Street | 2024 CONT | GoRaleigh | | \$ (479,608) | \$ (491,598) | \$ (503,888) |
| 6 | Glenwood | NR-7-0H | Begin Route 6 Glenwood | 2024 CONT | GoRaleigh | | \$ 2,471,481 | \$ 2,533,268 | \$ 2,596,599 |
| 6 | Glenwood | NR-7-0G | Replace Route 6 Crabtree | 2024 CONT | GoRaleigh | | \$ (1,093,292) | \$ (1,120,823) | \$ (1,148,640) |
| 7 | South Saunders | NR-13-0H | Begin Route 7 South Saunders | 2026 CONT | GoRaleigh | | | | \$ 726,975 |
| 8 | Six Forks Midtown | NR-12-0H | Begin Route 8 Six Forks Midtown | 2024 CONT | GoRaleigh | | \$ 1,581,713 | \$ 3,242,512 | \$ 3,323,575 |
| 8 | Six Forks Midtown | NR-12-0G | Replace Route 8 Six Forks | 2024 CONT | GoRaleigh | | \$ (555,916) | \$ (1,139,627) | \$ (1,168,118) |

He showed how the policy/rule was used in developing the Bus Plan, adopted by both governing boards, as well. He showed GoTriangle's year-by-year-service change sheet and showed that when their new service, Route 305 (Apex-Raleigh) comes on line it will replace and service that existed pre-Wake Transit. So in the Bus Plan it shows the total new net cost for Route 305 (Cary-Raleigh), minus the existing net cost of Route 301 which will be replaced.

Maintenance of Effort Requirement for Bus Service Expansion – Adopted Bus Plan

Figure 11 GoTriangle Year-By-Year Service Changes

| Service Change | Route Type | Net Annual Revenue Hours | Net Annual Operating Costs | Net Peak Vehicles |
|---|---------------|--------------------------|----------------------------|-------------------|
| Fiscal Year 2019 | | | | |
| Route 100 Raleigh-RTC extended Sunday service | Core Regional | 212 | \$26,352 | 0 |
| Route 300 Cary-Raleigh extended Sunday service | Core Regional | 67 | \$8,345 | 0 |
| Route CRX Chapel Hill-Raleigh Express improved frequency | Express | 426 | \$52,896 | 2 |
| Route DRX Durham-Raleigh Express improved frequency | Express | 1,701 | \$211,028 | 2 |
| Subtotal | | 2,274 | \$282,194 | 4 |
| Fiscal Year 2020 | | | | |
| Route 310 Cary-Morrisville-RTC service begins | Core Regional | 6,280 | \$798,313 | 1 |
| Route 311 Apex-RTC alignment change and frequency reduction | Express | (272) | (\$34,616) | (1) |
| Subtotal | | 6,008 | \$763,697 | 0 |
| Fiscal Year 2021 | | | | |
| Route 305 Apex-Raleigh all-day and weekend service | Core Regional | 13,706 | \$1,785,969 | 3 |
| Route 301 Cary-Raleigh eliminated | Express | (4,267) | (\$556,006) | (4) |

A similar example is shown in FY2027. It was assumed that when commuter rail comes online, that these services would no longer be needed, so the cost of the routes would be deducted from the Wake Transit funds requested for the new service.

Bret Martin Kelly Blazey Gaby Lawlor - Town of Shelby Powell Stephanie Planchich

Maintenance of Effort Requirement for Bus Service Expansion – Adopted Bus Plan

| Service Change | Route Type | Net Annual Revenue Hours | Net Annual Operating Costs | Net Peak Vehicles |
|--|---------------|--------------------------|----------------------------|-------------------|
| Subtotal | | 9,439 | \$1,229,963 | (1) |
| Fiscal Year 2022 | | | | |
| Route 100 extended service hours | Core Regional | 14,084 | \$1,881,105 | 1 |
| Subtotal | | 14,084 | \$1,881,105 | 1 |
| Fiscal Year 2024 | | | | |
| Route 300 Raleigh-Cary eliminated | Core Regional | (10,030) | (\$1,407,475) | (2) |
| Subtotal | | (10,030) | (\$1,407,475) | (2) |
| Fiscal Year 2025 | | | | |
| Route 310 Cary-Morrisville-RTC all-day and weekend service | Core Regional | 14,666 | \$2,109,425 | 1 |
| Subtotal | | 14,666 | \$2,109,425 | 1 |
| Fiscal Year 2026 | | | | |
| Route NRX North Raleigh Express added trips | Express | 5,642 | \$831,782 | 2 |
| Subtotal | | 5,642 | \$831,782 | 2 |
| Fiscal Year 2027 | | | | |
| Route 105 Raleigh-RTC eliminated* | Express | (4,593) | (\$694,105) | (3) |
| Route CRX Chapel Hill-Raleigh Express eliminated* | Express | (3,978) | (\$601,147) | (7) |
| Route DRX Durham-Raleigh Express eliminated* | Express | (4,902) | (\$740,715) | (6) |
| Subtotal | | 13,473 | \$2,035,967 | (16) |

This rule is also incorporated into the Multiyear Operating Program (MYOP), adopted with the FY22 Work Plan.

He focused on Cary route expansions to offer Sunday and Holiday service to their routes. Increasing mid-day frequency on pre-existing routes. Most of Cary's services are relatively new but Route 100 did exist before Wake Transit was a thing. You can see that what Wake Transit will cover for the route is above what was already being covered pre-Wake Transit.

Bret Martin Kelly Blazey Gaby Lawlor - Town of Shelby Powell Stephanie Planchich

Maintenance of Effort Requirement for Bus Service Expansion – MYOP and Financial Model

TO003, TO004, TO005 - BUS OPERAT

| Project Sponsor | Project ID | Project | Fixed Route Bus Service | | |
|-----------------|------------------------------|--|-------------------------|---------------------|---------------------|
| | | | FY 2021 | FY 2022 | FY 2023 |
| GoTriangle | TO005-A | Route 100 Frequency and Sunday Span Improvements | \$ 541,893 | \$ 555,440 | \$ 569,326 |
| | TO005-B | Route 300 Improvements | \$ 648,753 | \$ 664,972 | \$ 681,596 |
| | TO003-A | Fuquay-Varina Express Route | \$ 285,971 | \$ 293,120 | \$ 300,448 |
| | TO005-C | Additional Trips for Durham-Raleigh Express | \$ 245,055 | \$ 288,110 | \$ 295,313 |
| | TO005-D | Reliability Improvements for Chapel Hill-Raleigh Express | \$ 61,424 | \$ 62,960 | \$ 64,534 |
| | TO005-X | New Route 310: RTC-Cary | \$ 1,147,001 | \$ 1,272,233 | \$ 1,304,039 |
| | TO005-AC | Improvements to Route 305 – Apex-Raleigh (all day and weekend service) with peak period extension to Holly Springs | \$ 1,575,511 | \$ 1,501,452 | \$ 1,338,988 |
| | TO005-AF | Route 100 Improvements (full route buildout with extended service hours) | \$ - | \$ - | \$ - |
| | TO005-AQ | Route 310 Improvements (all day and weekend service) | \$ - | \$ - | \$ - |
| | TO005-AS | Route NRX Improvements (replacement of Route 201, added trips, full buildout) | \$ 313,200 | \$ 321,030 | \$ 329,056 |
| | TO005-BH | GoTriangle Complementary ADA Services | \$ 187,285 | \$ 468,385 | \$ 480,095 |
| | | Western BRT Replace Route 300 | \$ - | \$ - | \$ - |
| | | Savings from Replacement of Existing GoTriangle Service | \$ (615,104) | \$ (615,104) | \$ (615,104) |
| | | GoTriangle Subtotal | \$ 3,672,989 | \$ 4,812,598 | \$ 4,948,291 |
| Town of Cary | TO004-A | Sunday and Holiday Service on All Pre-Existing Routes (Prior to FY 2018) | \$ 453,807 | \$ 418,291 | \$ 428,748 |
| | TO004-B | Increase Midday Frequencies on Pre-Existing Routes | \$ 415,000 | \$ 490,377 | \$ 502,636 |
| | TO005-H | New Route – Weston Parkway | \$ 753,874 | \$ 946,908 | \$ 970,581 |
| | TO005-BE | Apex-Cary Express | \$ 129,114 | \$ 148,038 | \$ 151,739 |
| | TO005-AG | Route 9B - Buck Jones Span Improvements | \$ - | \$ - | \$ 443,590 |
| | TO005-AK | New Route: 9A Hillsborough-Trinity | \$ - | \$ - | \$ 1,226,063 |
| | TO005-BI | GoCary Complementary ADA Services | \$ 125,000 | \$ 132,360 | \$ 135,669 |
| | Town of Cary Subtotal | \$ 1,941,795 | \$ 2,136,974 | \$ 3,859,027 | |

CAMPO's Position and the Reason the Policy Exists

- As a matter of adopted policy, there is a maintenance of effort requirement built into our financial assumptions for bus service expansion
- Deviating from this requirement in financial planning cannot be done unilaterally and administratively by either lead agency or applied to one project sponsor but not others
- Changing this requirement takes an action of the governing boards and should be informed by a TPAC recommendation
- Deviating from the requirement severely undermines the ability to achieve a number of major goals of the Wake Transit Plan: Bus service X 3, Proximity of jobs + population to frequent service, Proximity of all-day FR service to jobs + population
- Why?: Because without it, operators can use Wake Transit funds to completely backfill previous financial contributions and only maintain service hours previously provided
- Impact → \$40.7 million



CAMPO's position is that there is an agreed upon and adopted policy that requires a maintenance of effort baseline amount to be met for services that existed pre-Wake Transit.

That this policy has been approved and adopted by the TPAC and Governing Boards each year in varying policies and documents and that a change to the policy can only be done by action of the governing boards.

CAMPO feels strongly that no one agency, or both lead agencies can unilaterally decide to apply the policy differently for themselves or any other partner. That the policy must be implemented fairly and equally across all impacted partners.

Should there be an adjustment to the policy, it could "severely undermine our ability to accomplish the goals of the Wake Transit Plan." For example, to expand the bus service network by 3x and to increase population and job located near transit. We can't reach these goals if we use Wake Transit revenues to back fill and pay for services that already existed. Allowing supplantation and not sticking firm to supplementation would impact our budget by \$40.7 million each year.

This puts all projects in the Work Plan in jeopardy of not being funded or being pushed to later years, and with Bus Service Expansion being the lowest priority investment type that could mean that there will be no or very little expansion through 2030 and beyond.

To further demonstrate how the maintenance of effort requirement works, Bret showed an example of a project that existed pre-Wake Transit and how the annual cost per hour + 2.5% inflation rate is applied and how the Wake Transit portion of the overall route cost gets calculated. He stated that Wake Transit is only responsible for net revenue hours above the 2016 baseline and those service that were funded through an adopted Wake Transit Work Plan.

David Eatman commented that he is not in favor of changing or recommending a policy change today, but is interested in discussing the creation of a workgroup or committee to look at whether or not a policy adjustment is needed or if we need to develop some type of process to address one-off situations.

Bret asked to hold a motion for a few more slides, He wants to make sure that the TPAC members who are new or may not be as aware of this policy as the providers are, have the chance to understand the policy as it is today, before we get into further discussion.

Why is This In Front of You Today?

- Difference in lead agency interpretation and application of maintenance of effort requirement can result in huge impacts to financial planning
- We cannot assume revenue will be available for bus service expansion if it is going to be made available for pre-existing service (i.e., service/revenue hours previously provided)
- Will put future assumptions of revenues and expenditures for other projects on shaky ground
- Impacts financial planning for FY 23 and beyond with development of FY 23 Work Plan
- Impacts financial planning for bus service expansion in Wake Bus Plan Update
- Need for policy that establishes consistent expectation over time, which we have done with current policy
- Cannot apply requirements differently to project sponsors
- If desire to change → Understand impacts and the danger, develop recommendation for governing boards to change current policy (**not recommended**)



Saundra Freeman also supports the idea of creating a workgroup to further discuss if changes to the policy are needed. CAMPO has done a good job explaining their perspective on the issue and she agrees that the partners should get together in committee to talk more about different perspectives and come back with a recommendation that makes sense.

Bret stated that today we need to get some type of confirmation from the TPAC on how to move forward. There are numerous planning activities that need to know how to move forward, and they can't do that while the lead agencies have a difference in opinion.

Saundra followed up that this issue has to do with a GoTriangle reimbursement and that the two lead agencies can sit down and figure out how to resolve that issue without bringing the TPAC into the discussion. That she wants to work through and come up with a compromise to move their reimbursement forward, but that the policy doesn't need to change for any of the other partners right now, or not until it has been reviewed further and a recommendation from committee comes before the TPAC.

Bret asked for clarity, "Are that the two lead agencies agreeing at this time that the current policy will be applied as it stands?"

Saundra said she is unfamiliar with the term "maintenance of effort" and asked if that is a term used in the ILA or somewhere else to interpret what that means. She clarified that what she is saying is that the two lead agencies will discuss the matter offline to come up with a resolution for the issues.

Bret responded that the lead agencies have tried that approach for 6 months and it hasn't worked. They agreed to bring it to the TPAC for guidance because they were at a stalemate.

Saundra doesn't believe that the TPAC members can offer effective feedback on their issue. She has had recent talks with the GoTriangle team and they are ready to get this situation resolved and move on from it.

Tim agrees that there is some room to discuss if adjustments to the existing policy are needed to better address inflationary impacts. He noted that they did discuss maintenance of effort requirements when developing the original policy, but that they did not specifically dive into what would happen if the cost of services jumped significantly. For example, if they double in a year. He agreed with Bret though that a change to the policy is not a unilateral thing. It is to be adopted and incorporated into our plans. The financial policies are meant to be agreed upon and offer clarity and guidance on how we do things. It makes the Work Plan and other financials predictable. Pulling together a group to talk about what happens as service hour costs go up, and how to incorporate that into the plan. Prefer, at this time, that we have the discussions about possible needed changes and follow proper process to have them integrated into the Work Plan. This may be addressing COVID related impacts and labor shortages to increased costs. The Work Plan is the place where we can incorporate changes if they are approved. The unilateral decision to apply the policy differently is his biggest concern, not that there are emerging challenges that the TPAC or subcommittee should talk

through. It is the job of project sponsors to bring these issues to the TPAC for discussion and to get guidance on how to move forward.

Bret asked the TPAC if, for the FY23 Work Plan we should continue applying the policy as it stands, until and unless the current policy changes by act of the governing boards, or if we should assume allowing backfill so reduce the liquidity by \$40.7 million, or some lesser amount for back fill. We need guidance from the TPAC on how to move forward for the Work Plan, Bus Plan, reimbursement requests, etc.

Saundra stated that she thinks we have agreed that we are not going to change the policy now. \$40.7 million impact needs to be further assessed. GoTriangle will continue to apply the policy as it stands until or if something else is approved. CAMPO and GoTriangle will work through what they need to work through and are not suggesting that anything change right now.

Bret and Saundra agreed to apply the policy as is for both agencies planning processes until a change is made, but still said that they need to work through their reimbursement.

Stephanie noted that what she is hearing is that GoTriangle still wants special treatment for their reimbursement and that they are not actually comfortable with the policy standing as is for all current activities to be reassessed if/when a change to the policy is adopted.

Saundra replied that they need their money that is in flux. That GoTriangle doesn't want to have this conversation in front of the TPAC. That they need to get what they can at this time and will put the outstanding funds in a separate bucket to try and get reimbursed later if/when the policy is amended.

Received as information. TPAC provided guidance stating that the financial maintenance of effort requirement for bus service expansion will continue as is until and if the current policy is changed. Stephanie will support Tax District Administration lead agency staff to develop a workgroup to further discuss the issue and see if a recommendation for a change in policy is needed.

--END--