



501 Union Street, 6<sup>th</sup> Floor  
Nashville, Tennessee 37219-1705

**East Corridor Oversight Committee**  
Tuesday, January 25, 2005 10:00 a.m.  
Metropolitan Transit Authority (MTA)  
130 Nestor Street, Nashville, TN

**MINUTES**

**THOSE IN ATTENDANCE:**

Paul Ballard	MTA
Diane Davidson	TDOT
Mike Choate	TDOT
Jeff Baines	City of Lebanon
Rob Shearer	City of Mt. Juliet
Deb Varallo	RTA – BAH/VPR
Gene Turnage	NERC
Tom Brashear	Wilson County
Eric C. Beyer	RTA
Eric Bischoff	RTA – NS
Joseph Perry	Citizen
Paul Price	RTA – NS
Kevin Walker	RTA – NS/BAH
Hanne Flippen	RTA
Sam Edwards	RTA/GNRC

**CALL TO ORDER**

Mr. Paul Ballard called the meeting to order at approximately 10:00 a.m. on Tuesday, January 25, 2005. Mr. Ballard mentioned that there were several meetings today, and that a portion of this meeting would be attended, via phone conference, by members of the RTA Finance Committee at 10:30 a.m. Mr. Ballard also thanked Mr. Rob Shearer for chairing the January 11 meeting in Mr. Ballard's absence.

**PUBLIC COMMENT**

There was no public comment.

**APPROVAL OF MINUTES – January 11, 2005**

Mr. Ballard called for approval of the minutes from the January 11, 2005 meeting. Mr. Tom Brashear made a motion to approve the minutes. Rob Shearer seconded and the motion passed unanimously.

**ENVIRONMENTAL REVIEW STATUS AND ACTION PLAN**

Mr. Paul Price mentioned that the minutes from the Public Hearing held on January 11 should be summarized next week and we can move forward with obtaining the Finding of No Significant Impact (FONSI) from the FTA. Mr. Eric Beyer stated that the transcripts of

the hearing were received yesterday and would be forwarded to Mr. Price for summation. Mr. Price notified the committee that the Army Corp of Engineers will be doing their own Public Hearing in mid-February before the sublease to Metro can be approved. This is not necessary from our end, but the Corp determined it was needed from their perspective.

Tom Brashear mentioned that Allyson Shumate had been working on a substantive agreement with Wilson County for local dollars, and he can make this letter available to the committee if desired.

## **PROJECT STATUS REPORT**

### **a. Management Action Plan – Paul Price**

The Operations & Maintenance contractor RFP had closed, proposals have been received, and proposers are being discussed – in fact there was a meeting this morning just prior to the ECOC meeting on this issue. More information will be coming later.

Work on the fare vending machine issues continues. Work is being done to get specifications for ticket stock to Paul Ballard & MTA in order to include our ticket stock needs with MTA's RFP for ticket stock, which is being finalized this week. Paul Ballard stated that MTA can include this in their RFP, so long as they have the specifications, which are expected later today.

Ticket vending machine (TVM) modification details are still being finalized. It has been recently determined that we can use pre-encoded tickets, which may reduce or eliminate some of the modifications to the machines. The plan is to have two TVMs at Riverfront station and one at each of the other stations, thereby keeping a few machines in reserve for sufficient spares. These machines are no longer serviced by SCHIEDT & BAUCHMAN, which is why we are trying to keep the workings very simple.

We will be getting 10 Validators, similar to time-clock mechanism, which will be used to validate purchased tickets. These will only need to be used for single-trip tickets purchased through the TVM in order to validate the ticket for travel on that day. It will not be setup at a gate, as people using multi-ride passes will not need to use the validation machine, only those purchasing tickets through the TVM at the station. Tom Brashear reminded the committee that the fare system will be a "proof of payment" process rather than "pay at entry" system.

### **b. Funding – Eric Beyer**

Eric Beyer stated that in early February the RTA Board Chairman, Cheatham County Mayor Bill Orange, will be going to Washington DC along with the Greater Nashville Regional Council (GNRC) staff, himself, and Diane Thorne. One of the purposes of this trip is to request the remaining \$6.18 million in funding. There is a February 3 deadline for formal requests, which are being drafted currently and will be turned in by that deadline. Also being requested is the annual continuation, which will be structured as a broad request for the entire region. There is strong interest in the Northeast Corridor, and the Southeast Corridor is currently in Alternatives Analysis Study phase. The main question is we don't know if the \$6.18 million Federal New Start dollars will be under the regular appropriation included in the upcoming TEA bill. The provision for funding was included in the O&M RFP, for which proposals received do include funding provisions and are currently being reviewed.

Tom Brashear asked if there was a concise presentation on the \$6.18 million and why it's needed. Mr. Beyer replied that staff is currently drafting such a presentation, which follows the format used last year and was well received. This year's presentation will be of similar format, brief and concise, and a copy will be provided to the ECOC members.

Mr. Beyer mentioned that formal requests to Congressman Cooper and Senator Frist are also being drafted, as we determine the appropriate format for each office. Staff will then provide these formal requests to TDOT, who will combine all requests into one, as they have done in the past.

Tom Brashear stated that he attended the Nashville & Eastern Railroad Authority (NERA) Board Meeting earlier this month, and was asked to reinforce their questions regarding any long-term operating funding sources for the region. Carl Wood,

NERA Board Member, is especially concerned that there's not enough activity devoted to finding this source. Mr. Brashear confirmed that at this time at the state level there is not a long-term funding source.

c. **Construction Status Update – Kevin Walker**

Mr. Kevin Walker briefed the committee on the status of construction and a briefing paper is attached. Kevin stated that there is a lot of work going on presently; in fact on any given day he has up to 8 different crews working at different sites along the corridor.

Change Order Requests:

1. Funding from the Operations & Maintenance (O&M) contractor is anticipated in March or April. In the meantime, the construction team is working on strategies to keep the contractors working. The committee, at the last meeting, agreed with an approach to move part of the Phase II scope into the current contract and to issue a Limited Notice to Proceed to continue work on the corridor. The attached Change Order #2005-001 in the amount of \$606,285.84 requests this change, which does not affect the contingency. **Tom Brashear made motion to recommend this full Change Order 2005-001 to the RTA Board, with the caveat of a Limited Notice to Proceed to be issued by the ECOC up to \$100,000. Jeff Baines seconded the motion, which was approved unanimously.**

At this time, and at the agreement of ECOC members, the ECOC Meeting was suspended in order to address the Legislative issue and to conduct a brief teleconference meeting of the Commuter Rail Director Search Committee. Minutes of the Legislative issue are as noted below:

**Legislation – Sam Edwards**

Before discussion on this item, members of the RTA Finance Committee and Staff joined the meeting via teleconference. Those joining were Mayor Nancy Allen, Sumner County Executive Hank Thompson, and Allyson Shumate.

Sam Edwards stated that the RTA had asked him to draft legislation to grant the RTA the power to borrow money, which is in your packet. This amends the funding section of the existing RTA legislation, Tennessee Code Annotated, Section 64-8-105. Sam read the draft legislation to the committee and stated that this basically provides a stop-gap measure for the ability to borrow funds to continue work on an existing project until revenue is received to finish said project. He further stated that this is a very straight-forward piece of legislation, and that he is being cautious and anticipating questions from the Legislature.

Tom Brashear asked about the collateral which RTA may or may not use. Sam replied that the RTA can use any real property, such as stations, or future grant monies or assessments (dues) as collateral. There may be an issue regarding pledging property paid for by federal funds, but it depends upon the lending institution as to what can be pledged, the terms of the loan, etc.

Sam stated that if the wording of the draft legislation was acceptable to the committee, he can move forward in bringing it before the Legislature. He is hopeful that we can get it passed this year, and would like to proceed ASAP. Even at a rapid pace, we may not see any action until April of this year. Sam then asked the committee if there were any sponsors whom the committee would prefer to use for this bill, or would the committee like to defer to his judgment. He recommended that a Wilson or Davidson County sponsor would be best, but not entirely necessary – sponsorship can come from anywhere.

Tom Brashear made motion to approve the draft legislation to go to the full RTA Board, with a spelling correction to the word "GENERAL" in the title. Rob Shearer seconded the motion. Discussion ensued regarding committee assignments, of which Sam mentioned that it shouldn't have to go through committee, but it could very well be sent to any of the committees, including finance, transportation, or state/local. It all depends upon the different Speakers as to which path to send bills. It could take anywhere from 1-1 ½ months in committees, but he will ask to get it through ASAP.

Eric Beyer asked about the filing deadline, to which Sam replied that the unlimited filing deadline for the Senate is February 3. After the 3<sup>rd</sup>, each Senator has 10 bills, and the drop-dead date is February 17. Tom Brashear then asked if the RTA Finance Committee had the authorization to approve this rather than the full RTA Board, given the timing. Eric Beyer answered that since the Finance

Committee is not an Executive Committee, it does not have that authority. Sam mentioned that if we move forward with the bill now, withdrawing it if the full RTA Board does not approve it, will not be a problem.

Paul Ballard reminded the committee of the motion on the floor, and requested to further amend the motion to ask Sam to find sponsors and meet/beat the February 3 deadline, brief the full RTA Board at the February 16 meeting so as to provide them an understanding of the urgency, to which if they don't approve it can be withdrawn. The motion, as amended, was approved unanimously.

Tom Brashear requested Sam's assistance with the NERA Board concerns regarding operating funding and to get a point of action for the long-term funding strategy to keep the project progressing and keep funding partners happy, to which Sam agreed.

The Commuter Rail Director Search Committee then conducted a brief meeting via teleconference, after which the ECOC meeting was reconvened and Mr. Kevin Walker continued his update on the project's construction status as follows:

Change Order Requests (Continued):

2. Change Order #2005-002 adds \$28,009 to Stansell Electric's Phase I Signal Contract, thereby increasing the total contract price, for several additional items including new electrical services at six Phase I crossing locations, etc. Motion was made by Rob Shearer, seconded by Jeff Baines, and was approved unanimously.
3. Change Order #2005-003 adds \$18,536 to Queen City's Phase I Track Contract, thereby increasing the total contract price, for several grade crossing items. Motion was made by Jeff Baines, seconded by Rob Shearer, and was approved unanimously.
4. Change Order #2005-004 adds \$8,371 to Queen City's Phase I Track Contract, thereby increasing the total contract price, for the quantity of switch timber. Motion was made by Diane Davidson, seconded by Rob Shearer, and was approved unanimously.
5. Change Order #2005-005 actually credits Queen City's Phase I Track Contract by \$8,150, thereby decreasing the total contract price, as a result of the Value Engineering Change Process. Motion was made by Jeff Baines, seconded by Rob Shearer, and was approved unanimously.
6. Change Order #2005-006 adds \$40,608 to Queen City's Phase I Track Contract, thereby increasing the total contract price, for adjustment of the quantity of rail installation by 4,800 linear feet. Motion was made by Rob Shearer, seconded by Jeff Baines, and was approved unanimously.
7. Change Order 2005-007 adds \$52,760 to Queen City's Phase I Track Contract, thereby increasing the total contract price, to adjust the South Yard turnouts. Motion was made by Rob Shearer, seconded by Diane Davidson, and was approved unanimously.

Mr. Walker informed the committee that the PMOC meeting will be held tomorrow at the Field Office, and that the FTA Quarterly meeting will be held February 1, 2005.

**d. Fare Policy – Paul Price**

Mr. Price requested that this item be deferred until the next ECOC meeting.

**e. Spare Locomotive – Paul Price**

Mr. Price stated that we should have the lease back from the Tennessee Central Rail Museum attorney this week, and will bring the information to the next ECOC meeting.

**Status of Commuter Rail Director**

This item was discussed during a break in the ECOC meeting, at which time members of the Rail Director Search Committee joined the meeting via teleconference. Those joining in were Mayor Nancy Allen, Mayor Hank Thompson, and Allyson Shumate.

Mr. Ballard mentioned to the committee that Mr. Sklannik, who declined on this position, had just recently also declined a similar position in Washington State after his acceptance had been published in a national industry publication.

Lora Baulsir briefed the committee on the status of the Commuter Rail Director Position. She stated that Laura Ray declined the offer extended for the position. Lora Baulsir asked the committee what the next step should be. The committee discussed the candidates with Paul Price and then developed a prioritized listing of candidates to go forward. It was also decided that the best, and most economical, way to move forward was to contact the top candidate on this prioritized list via telephone to determine whether there is still interest and if an agreement on terms/conditions can be reached before scheduling a personal interview with the Search Committee. Lora stated she would contact the candidates accordingly and let the committee know the results for scheduling any face-to-face interviews.

#### **NERA Meeting Update**

Paul Price mentioned that he and Eric Beyer attended the NERA Board meeting earlier this month, and that it went well. Mr. Price said he highlighted the importance of NERA's promptness on invoice payments, and NERA stated that the currently requested payment "is in the mail".

Eric Beyer relayed Carl Wood's comments again regarding the need for long-term funding source and that he wants to see action, not just words. Rob Shearer reminded the committee that this is a regional issue, not an East Corridor issue. Rob also asked that we make a commitment now, over the next 8-10 months, to work on a proposal to give it to the next Legislative session for this issue. Will need to coordinate with what TDOT has done with the long-term transportation plan. Tom Brashear mentioned that the Statewide Rail Plan was brought up at the NERA meeting, can we look at a State Rail Enhancement Board or Commission? Diane Davidson replied that they were looking into a Passenger Rail Commission for Tennessee. Also, Diane Thorne acting as a liaison on our behalf may still be viable as she is now in the South Corridor of the network. Eric Beyer stated that there is a report in the RTA Directory, and that the Rail Finance Committee could be resurrected. Diane Davidson also suggested that the MPO Transit Development Plan had good background data, possible revenue sources, etc. and could be a good resource tool. Paul Ballard asked Eric Beyer to pull all of this information together and report at the next meeting. Rob Shearer reminded the committee that elected officials need to be behind this in order to make it work. Diane Davidson informed the committee that the Tennessee Public Transportation Association (TPTA) meeting was being held directly after today's committee meeting, and that she would encourage TPTA to get behind this in their meeting – we can't do it alone.

The next meeting is scheduled for February 8, 2005.

The meeting was adjourned at approximately 11:50 a.m.



## Music City Star East Corridor Commuter Rail Construction Update for the ECOC – January 25, 2005

### Work Performed

#### Railroad Rehabilitation

- Tie Distribution continued toward Mt. Juliet.
- Tie installation continued, currently ties are being installed near the Field Office in Hermitage (M.P. 11.5)
- Work continued on the Stoner's Creek Bridge Rehabilitation at M.P. 13.3.
- Ditching continued near McGavock Pike and embankment widening was done near M.P. 9.
- The Grade Crossing at Anthes Drive was replaced.

#### Signals

- Grade Crossing signal work was continued at McGavock Pike, Central Pike, Old Lebanon Dirt Road, Tulip Grove Road, Tate's Lane and 4<sup>th</sup> Avenue.

### Look Ahead

#### Railroad Rehabilitation

- Queen City will continue installing ties, working from west to east.
- Grade Crossing construction will begin at River Hills Dr. (M.P. 3.7) and Omohundro Place (M.P. 2.38)
- Dry Fork Creek and Stoner's Creek bridge work will continue.
- Ditching and embankment widening will continue.
- Grading for the Donelson Siding will start.

#### Signals

- The signal work at the aforementioned grade crossings will continue along with Anthes Dr.
- Train Signals will be installed.