

Special Meeting
Southwestern Pennsylvania Commission
Minutes of the Meeting of
March 10, 2005
Regional Enterprise Tower 425 Sixth Avenue - Pittsburgh, PA 15219

1:30 p.m.

1. Call to Order

The forty-sixth meeting of the Southwestern Pennsylvania Commission was called to order by the Chairman, Dave Coder.

Commission Commissioners present were: Bracken Burns, Charles Camp, Dave Coder, Dan Donatella, Rich Fink, David Frick, James Gagliano, Susan Golomb, Dana Henry, Karl Ishman, Jay Jabbour, David Johnston, James Kennedy, Ellen Kight, Larry King, Patricia Kirkpatrick, Allen Kukovich, Scott Lowe, Robbie Matesic, David Miller, Larry Morris, Tom Murphy, William Peduto, Carmen Rozzi, Daniel Santoro, Jim Scahill, Mark Schneider, Dick Shaw, Michael Silvestri, Paul Skoutelas, Bernie Smith, Pam Snyder, Joe Spanik, Byron Stauffer, Jr., Sala Udin, Joseph Widmer, Norma Wintermyer and Charles Zappala.

Commission Commissioners via conference call Tom Balya, Karen Bennett, Tom Ceraso, Steve Craig, Edward Fosnaught, John Gardner, Dan Onorato, William Piper, Andrew Quinn, Rod Ruddock, Vincent Vicites and Dan Vogler.

Commission Commissioners absent were: Glenn Anderson, Susan Borinsky, Eric Carlson, Orlando Capretto, James Cheatham, Robert DeLotto, Joe Hardy, Richard Hogg, Larry Maggi, Henry Nutbrown, Michael O'Barto, Robert O'Connor, James Saylor, Larry Shifflet, Mark Snyder, Anthony Spossey, Joe Szczur, Gealy Wallwork, and Angela Zimmerlink.

Others: Tony Boule, Allegheny County Transit Council; Don Carter, Urban Design Association; Sherrie Crumb, Citizen; Mary D'Ottavio, Citizen; Denise Edwards, Wilkinsburg Council Member; Janet Evans, Cut Committee; Dave Ginns, Sustainable Pittsburgh; Rev. David Gleason, Pittsburgh Downtown Partnership; Lynn Heckman, Allegheny County Economic Development Department; Charles Hitt; Golden Triangle Council of the Blind; David Lewis, Urban Lab CMU; Jonathan Robison, Bellefield Area Citizens Association; Karen Rollins-Fitch, Rep. Jake Wheatley; Marilyn Skolnick, Sierra Club; Jon Smith, Citizen; Stuart M. Strickland, Citizen; John L. Tague, Allegheny County Transit Council; John Verbanac, SPC Consultant; Tim Vining; Thomas Merton Center; Glenn Walsh, Citizen; Peggy Walsh, Citizen/Committee for Accessible Transit; Karen Warman, Save Our Transit, Washington County; Linda Warman, Save Our Transit, Washington County; and John D. Weinhold, Citizen.

Staff: Jim Hassinger, Mary Brangan, Kirk Brethauer, Chuck DiPietro, Vince Massaro, Lew Villotti, Stan Caldwell, Jennifer Cloonan, Ken Flack, Karen Franks, Chuck Imbrogno, Prue Larson, Kristen Mitten, Marge Nalesnick, Shannon O'Connell, Dee Pamplin, Doug Smith, Kay Tomko, Debbie Tritsch, Carol Uminski and Sara Walfoort.

Chairman Coder stated that this special meeting was called by the SPC to consider a proposal from the administration to flex new federal highway program funds to transit and to recognize in the 2005-2006 TIP additional new funding now available to the region from federal and state sources.

2. Public Comments

Chairman Coder opened the floor to public comment, asking that each speaker restrict comments to three minutes.

Marilyn Skolnick, President, Sierra Club –

Ms. Skolnick expressed the opinion that transit has become a political football. It is a sad day that we must come begging to the Commission for flex funds to support essential transit operations. At the last Port Authority of Allegheny County rate hearing, major regional employers stated that they could not operate if transit became unavailable to their employees. All counties would feel the repercussions. She asked Commissioners to support the proposed resolution.

Rev. David Gleason, Pgh. Downtown Partnership –

The Rev. Mr. Gleason described the critical nature of access to Downtown Pittsburgh by public transit. Persons of all socio-economic levels rely on public transit to access jobs or education, as well as Downtown cultural, entertainment and sports venues. The evacuation plan developed for Downtown Pittsburgh following 9/11 specifies the use of public transportation only, in the event of a mandatory evacuation. The Pittsburgh Downtown Partnership endorses the identification of a dedicated, reliable source of funding for public transit and asks that public transportation be a criteria for state funding programs to guide smart growth.

John Tague, Allegheny County Transit Council –

Mr. Tague stated that the Transit Council was developed to advise the Port Authority of Allegheny County on transit and ridership issues. The Port Authority is a well-run organization. It is Mr. Tague's observation that the General Assembly understands the equal importance of transit with roads and bridges. We need to work together to find a long-term solution for funding transit. He encourages the Commission to vote yes on the proposed resolution based on the Governor's proposal.

Stuart Strickland, Citizen –

Mr. Strickland stated that he drives a car and understands the importance of roads and bridges in rural areas, but now he primarily uses buses. Buses keep the national wheels rolling. He supports the proposal for flex spending.

Sherrie Crumb, Citizen –

As a blind person, Ms. Crumb depends on transit. She urges the SPC to approve the flex funds for public transportation, and during the interim provided by this funding we should work on a better source of predictable, dedicated funding for public transit.

Linda Warman, Save Our Transit –

Ms. Warman asked the Commission to vote yes on the Governor's proposal for flexing of funds for mass transit. She expressed appreciation for the sacrifices made by SPC members in flexing money in the past. What is needed is reliable, dedicated funding for mass transit, not continuous stop-gap measures. Lack of transit service would result in serious traffic jams during rush hour on the Parkway, and this region would suffer from lack of economic growth.

Karen Warman, Save Our Transit –

Ms. Warman asked the SPC to vote yes on the resolution to flex funding according to the Governor's proposal. The Legislature seems unwilling to listen to transit riders. Please help our legislators understand that this region will suffer without public transit.

Glenn Walsh, Citizen/Committee for Accessible Transit –

Mr. Walsh urged the SPC to approve the resolution to flex funding according to the Governor's proposal. He emphasized the importance of this funding plan to suburban and rural public transportation systems in Southwestern Pennsylvania, not just Allegheny County, and to residents of other counties who come into the City of Pittsburgh. A collapse of public transportation in Pittsburgh would result in a drastic decline in economic activity in Pittsburgh and eventually would impact all of Southwestern Pennsylvania.

Peggy Walsh, Citizen –

Ms Walsh thanked the SPC for providing this opportunity for citizens to speak in favor of consistent, ongoing funding for public transit. In the long term we need to find funding that will meet the needs of mass transit and also roads and bridges.

Janet Evans, Committee for Accessible Transit –

Ms. Evans urged the SPC to approve the resolution to flex funding according to the Governor's proposal. She noted that she and many others who use attended care depend on caregivers who rely on public transportation.

David Ginns, Pennsylvania Alliance of Public Transportation Advocates –

Mr. Ginns submitted a letter to Chairman Coder and Dr. Hassinger, expressing appreciation of the January 31, 2005 resolution to flex funding to transit; however the SPC should not be in the position of patching holes in budgets of transit agencies. He recognized the difficult decision before SPC and urged SPC's support for the current resolution.

John Weinhold, Citizen –

Mr. Weinhold noted that the current mass transit funding crisis has been festering for many years. A final solution has to come from the Legislature. The Governor's short-term solution is just a two-year band-aid, but it will provide time to develop a more viable solution. He urged SPC to approve the resolution to flex funding according to the Governor's plan. The Legislature needs to see that public transit is a priority for the local planning commission.

Jon Smith, Citizen –

Mr. Smith expressed his appreciation to the Port Authority for their daily service throughout Allegheny County. Until we adequately fund a transit system that's fast, flexible and cheap, we will be back year after year for stop-gap funding. The answer lies today in diesel buses running on dedicated busways.

Denise Edwards, Wilkinsburg Borough Council –

Ms. Edwards noted that the Wilkinsburg Council has approved a resolution supporting all efforts to fund the Port Authority to keep the buses running. The Port Authority has had a significant impact on economic development. Wilkinsburg received \$16 million in private investment as a result of the Port Authority's far-sighted extension of the Martin Luther King East Busway. Wilkinsburg's resolution urges the Commission to approve the current flexing of funds according to Governor Rendell's plan.

Tony Boule, Allegheny County Transit Council –

The Allegheny County Transit Council was established by an act of the Commonwealth General Assembly in 1986 as the official voice of Port Authority consumers. It serves as a volunteer citizen's advisory council to the Port Authority of Allegheny County, committed to making public transportation work in the region. The East Busway is a wonderful facility to get people to Pittsburgh – far better than putting all those travelers in automobiles on the roads. We need to expand the transit system we have, providing adequate service, with schedules that meet the needs of the people. He urged the Commission to vote in support of flexing funds to transit.

Mary D'Ottavio, Citizen –

Ms. D'Ottavio noted that she has been able to hold down a full-time job for the past 17 years because public transportation was accessible and affordable. Her quality of life depends on availability of transit service at a reasonable fare. She urged the Commission to allow these funds to be flexed to transit.

Jonathan Robison, Bellefield Area Citizens Association –

Mr. Robison supports flex funding as a step towards the reliable, dependable, adequate, dedicated funding for public transportation. This issue should have been decided on a state level in Harrisburg not burdening the SPC, but he urges SPC to support the proposed resolution as a stop-gap solution. This flex funding should demonstrate to the Legislature the need for providing reliable, dependable, adequate, dedicated funding for public transportation in the future.

Tim Vining, Thomas Merton Center –

Mr. Vining noted that we are all here because of the failure of the Pennsylvania General Assembly to provide steady, permanent funding for public transit. It is amazing to witness the many groups who came together in this region in support of public transit. After you flex this money, we pledge to SPC that we will continue to dog the Legislature so that they will prefer to provide the needed, dedicated funding for public transit.

Karen Rollins-Fitch, on behalf of Representative Jake Wheatley, Jr. –

Representative Wheatley asks the SPC to support the current proposal to flex funding to public transit. The Governor as well as many members of the General Assembly recognizes the central role and vital necessity for mass transit in our region and across the Commonwealth. We understand that no project presently funded will lose revenue under this proposal and that when the General Assembly presents the Governor with a viable, long-term, dedicated source of revenue for mass transit, no more funds will need to be diverted beyond the \$68 million asked for now. Representative Wheatley asks the SPC to flex the \$68M now needed to avert a devastating loss of transit service.

Charles Hitt, Golden Triangle Council of the Blind –

Mr. Hitt stated that he is a blind traveler who uses paratransit seven days a week. Blind persons need this service for everyday life. He urged the Commission to pass the funding proposal to support paratransit and bus service.

Don Carter, Urban Design Association –

Mr. Carter spoke in favor of the flex plan. UDA has a staff of 37 people, 34 of whom arrive by bus, one person walks and two people drive. The transit system in Pittsburgh is so good it helps us attract young people from the best universities around the US and the world. They see it as a quality of life amenity. Just like public safety, public transit is a basic public service.

David Lewis, Urban Laboratory at CMU –

Mr. Lewis noted that he has heard from no citizens who are in favor of doing away with the transit system. Our region is composed of small towns and old communities that are fighting for their

lives. We need transit. He urged the Commission to vote in support of the resolution to flex funds according to Governor Rendell's plan and to also work for permanent transit funding.

3. Presentation – Larry King, PennDOT

Commissioner King noted the compelling statements made by the public, which reflect the important role that transit plays in people's lives. Also, we heard the need for a permanent, long-term solution to transit funding problems. He suggested that we all need to redouble our efforts and be advocates for adequate, reliable transit funding in the Commonwealth.

The \$942 million that has been identified consists of \$666 million in federal funds and \$276 million in state funds, over a two-year period (the current federal fiscal year 2005 and the coming federal fiscal year 2006). The Governor's proposal would target \$530 million of those funds for highway and bridge improvements -- money that could be put on Transportation Improvement Programs throughout the Commonwealth in addition to what's there already, either flexing the remaining \$412 million or reserving that for the possibility of a future flex. Of the \$412 million proposed for flexing, the Governor has asked that \$68 million be flexed now to cover the current funding problems at transit agencies in Southeastern Pennsylvania (\$42.7 million) and Southwestern Pennsylvania (\$25.3 million). The remaining \$344 million is proposed to be held in reserve for possible future flexing.

4. Action on Resolution 4-05 to Flex Highway Program Funds to the Port Authority of Allegheny County

Motion was made by Commissioner Kukovich and seconded by Commissioner Burns for a roll call vote on the proposed resolution. Discussion on the motion follows.

Commissioner Charles Camp, Beaver County – Comments from the public were very astute. SPC is not against public transit and has voted in its support three times. However, it is "bad policy" to fund transit this way. Commissioner Camp agrees with the Governor that highway construction dollars should not go into operating costs for buses and that transit deserves its own dedicated funding. He noted that he will vote in favor but is not particularly happy to have to cast this vote.

Commissioner Dan Donatella, Beaver County – Commissioner Donatella noted that we desperately need funds for road and bridge projects. However, the delegation from Beaver County has declared this to be an extreme measure and will vote in favor of the flex.

Commissioner Joe Spanik, Beaver County – Commissioner Spanik agreed that Beaver County will support the flex.

Commissioner James Kennedy, Butler County – Commissioner Kennedy observed that this issue of transit funding should not be before the SPC. The problem should have been remedied in Harrisburg. He noted a concern with the way the resolution is written, wondering how we can better define the manner for handling the \$344 million reserved for future flexing, and how we can also fund road improvements.

Commissioner Charles Zappala, Allegheny County representative – Commissioner Zappala noted that this is a tough decision from a policy perspective. However, County Executive Onorato and the other members of the Allegheny County delegation are supportive of the current flexing.

Commissioner David Miller, Allegheny County representative – Commissioner Miller gave tribute to the way this Board has come together over the last two years, reflecting the multitude of

perspectives in this region. We should acknowledge the growth of SPC as an institution which can bring us together and make tough decisions like the one today. We are to be congratulated.

Commissioner Pam Snyder, Greene County – Greene County is one of the few counties that public transit does not touch. However, students from Greene County attend the University of Pittsburgh, and public transit touches their lives and is a concern of their parents. Greene County's five votes will be cast to pass this resolution.

Commissioner Patricia Kirkpatrick, Armstrong County – Armstrong County is also a rural county where mass transit is not an important issue, but we understand the importance of this issue to the region. We do understand our highways and our bridges and how they are deteriorating. This puts us in a difficult position, with a decision that we think should not be ours to make. I challenge the Legislature to take action. I vote in favor of this resolution, but I also represent the people in Armstrong County in saying that we want our funding for highways and bridges.

Commissioner Rich Fink, Armstrong County – This is the Legislature's job not SPC's job. Commissioner Fink challenges the Port Authority to think out of the box. However, he is voting in favor of the resolution.

Commissioner Jim Scahill, Armstrong County – Commissioner Scahill noted that the SPC has come to bat for transit in Allegheny County twice before, at great cost. When Downtown Pittsburgh can't reach out and work with Armstrong County or any other county, that is a problem. Commissioner Scahill did not commit yet to how he would vote.

Commissioner Allen Kukovich, Governor's representative – Commissioner Kukovich noted that the Governor, along with Secretary Biehler, Commissioner Larry King and the rest of the state transportation team didn't want to come to this point either. They recognize because the Legislature has been unable to conclude its work, they had no choice. The Governor is strongly committed to having the Legislature come up with a dedicated source of revenue so this situation doesn't happen again. This reserve money is proposed to maintain some predictability and continuity for our mass transit systems beyond June, but hopefully it will end up going into our roads and bridges. Commissioner Kukovich noted that he is getting a sense of how this vote is going to go, and he hopes the unanimity of spirit (regardless of the exact vote) will keep pressure on the Legislature to do the right thing.

Commissioner Bracken Burns, Washington County – Commissioner Burns supports this action, stating that it would be unconscionable to do anything else. But, there is a bigger issue before us today -- why is the Port Authority a one-county transit authority in a 10-county region? We talk about being a region, yet we don't act as a region. When Commissioner Burns talks about the need for a regional transit authority, he will expect the Commission to support him en masse.

County Executive Dan Onorato, Allegheny County, via conference call – Commissioner Onorato agrees with Commissioner Scahill that it's a shame to have to flex money for the third time, but it's necessary. Commissioner Onorato stated that he would co-sponsor any action by Commissioner Burns for a regional transit authority.

Commissioner Bernie Smith, Indiana County – Commissioner Smith stated that the important thing is not to look for blame, but to solve the problem. It is up to the Legislators to solve the transit issue. He feels he will have to vote yes this afternoon to provide funding on a temporary basis.

Commissioner Dana Henry, Indiana County Chamber of Commerce – Commissioner Henry noted that he is here to represent businesses in Indiana County and support the 10-county region in terms

of new and continuing economic growth and vitality. We have time and again demonstrated our regional approach to economic development. As a representative of a major business association in rural Indiana County, Mr. Henry notes that his is being asked to support two businesses in the Commonwealth -- SEPTA and PAT -- who in his opinion have demonstrated "how not to run a railroad." The vote on this resolution is a difficult decision. SPC and its staff work hard to provide the best transportation options for this region. Commissioner Henry will be looking to them for support and guidance in solving this most difficult decision.

Commissioner Byron Stauffer, Indiana County – Commissioner Stauffer asked for clarification on the resolution itself. Would the future year's funding have to be re-approved by this Board and not be automatically flexed without prior approval?

Dr. Hassinger answered that the future monies will be held in reserve at the state level for potential flex. If it is necessary to flex any funds out of the source, the question would come back to the Commission for approval prior to the flex. At present, these funds are simply held in reserve and not programmed.

Commissioner Paul Skoutelas, Port Authority – Commissioner Skoutelas acknowledged that he understands the difficulty of the vote for each Commission member. The Port Authority thinks other solutions would be more appropriate; however, there is no other place to go. Hopefully this provides the additional time and pressure to get a permanent funding solution worked out in Harrisburg.

Commissioner Mike Silvestri, Washington County – Commissioner Silvestri asked Commissioner Larry King whether there is any commitment on PennDOT's part to give the Commission more of a say in how the additional \$100 million that's coming to the region for transportation is going to be spent.

Commissioner King answered we have been collectively successful because of our collaborative MPO process. All the member governments, the Commission, PennDOT and others bring their views to the table and participate in a consensus-building process. The State pledges to work with each and every member of the Commission to reach a consensus on the expanded program.

Dr. Hassinger added that the collaborative process includes all members in conjunction with PennDOT. The MPO is integral to this process.

Commissioner Silvestri asked Commissioner Paul Skoutelas whether there is anything the Port Authority is going to be doing to try to improve their funding situation. Commissioner Skoutelas answered that he has met with various groups within the State Legislature. He's testified in front of the State Senate. A House Republican Committee came in and reviewed the Port Authority budget and finances, including the track record of how Port Authority's budget has grown over time, documentation of cost savings made and initiatives undertaken over the last couple of years. The proposal before the Commission is not a permanent solution in any regard. The Port Authority has an aggressive agenda of continuous ways to reduce costs. Steps already taken are well documented, and Port Authority would be happy to share them with the Commission. Port Authority will continue to be very aggressive, but that will not change the basic fact that public transit does not have proper funding in the Commonwealth of Pennsylvania.

Commissioner Carmen Rozzi, Lawrence County – Commissioner Rozzi commended the Governor's Office for their lead in addressing the immediate problem. However, after the \$25.3 million to the Port Authority, is there something left on the table to meet the dire need for bridge and road work? Is the \$25.3 that we're flexing today a fixed number?

Commissioner Larry King responded that this figure has been analyzed and found to be the total necessary for the remainder of this fiscal year through June 30 to avoid fare increases and service cuts.

Commissioner Sala Udin, Allegheny County – Commissioner Udin looks forward to an opportunity when Allegheny County can demonstrate its desire to work for the good of the entire region, such as creating a regional transit authority. If we could put together the Democrats and Republicans from this entire region along with those from the southeastern region, we could put pressure on the legislative leadership to create permanent, adequate funding for public transit. Mr. Udin would like to see SPC take a major role in getting that done. The strongest message the Commission could send would be a unanimous vote today to authorize the flexing of funds.

Mayor Tom Murphy, City of Pittsburgh – Mayor Murphy stated that he is proud to be part of this action and proud to be having this frank discussion about where this region ought to go. We have a remarkable community. The challenge is whether we can speak with one mind and one voice to decide how to move forward.

Commissioner Bill Peduto, Pittsburgh City Council – Commissioner Peduto agrees with the need for a regional transit authority, and praised Commissioner Burns for his proposal. He suggested the name SPARTA, for the Southwestern Pennsylvania Area Regional Transit Authority. This crisis has brought an opportunity. The old economy was based on transportation models that bought product to work. The new economy is based on transportation models that bring people to work. SPC was created to be the planning organization for this region -- for planning, land use, transportation and work force development -- and we're starting to get our legs under us.

Commissioner Tom Ceraso, Westmoreland County – Commissioner Ceraso noted that the last time we flexed funding to transit he didn't want to do it. This is not really solving a problem. This is the worst time to ask for highway money. The roads in Westmoreland County are in bad shape because of flooding over the last year. When we passed the last resolution to flex funds, people said, "If it happens again we're going tell them no." I will be a no vote.

Commissioner Rodney Ruddock, Indiana County – Commissioner Ruddock commented that roads and bridges support our transportation system, both public and private. We've got to be sure we're giving our dollars where they're needed most. He expressed concern about how far we take this into the future, because this is a temporary fix, not a solution.

Commissioner Coder called for a vote. The vote was called by roll by Vince Massaro, with 47 voting yes and 3 (Commissioners Ceraso, Vogler and Fosnaught) voting no.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 3:30 p.m.

Respectfully submitted,

Dan Onorato
Commission, Secretary-Treasurer