

Councilmember Nestor R. Garcia
Vice Chair
Chair, Council Committee on Transportation & Public Works

TRIP REPORT
"Railvolution"
October 26 - 30, 2008

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CITY COUNCIL
HONOLULU, HAWAII

Introduction

The City and County of Honolulu is in the midst of what has been considered the largest public works project ever – the estimated \$5 billion elevated fixed guide-way that would connect the two cities – Kapolei and Honolulu. Railvolution is an annual conference, this one staged in San Francisco. It featured more than 60 workshops that addressed nearly every aspect of building livable communities with transit. I noted that the conference was to be held on the eve of a critical vote in Honolulu; that is, a charter question that asked voters to determine whether the City and County of Honolulu's Director of the Department of Transportation Services should pursue "steel on steel" as the preferred technology for the fixed guide-way. I also noted that California was also being asked to consider a ballot question; that is, to decide whether to pursue the country's first high speed train project – this one, to link Northern and Southern California. I also took the opportunity to ride the city's BART from the conference hotel – the Hyatt Embarcadero – to the San Francisco Airport. It cost just under \$6 one-way, and took about 40 minutes from the hotel to the airport. I saw several people (including a woman who attended the conference) with luggage. A bit of a struggle for those with luggage – but they managed. You then need to take a people mover from the Airport BART station to the terminal of your choice (that ride is free).

The other conference attendees included Councilmember Romy Cachola, as well as Bonnie Arakawa from the city's Department of Planning and Permitting.

Opening Plenary Session

Ms. Gail Murray, the President of the Bay Area Rapid Transit Authority's Board of Directors, welcomed attendees. She is actually a consultant, who once served as a mayor and a councilmember. She emphasized that this conference was about "creating sustainable communities around transit." She also introduced a video that featured Congresswoman Barbara Boxer of California, who centered on the coming reauthorization of the SAFETEA-LU bill which authorizes funding for highway and transit projects for the entire country.

Mr. William Millar also addressed the session. He has served as the head of the leading transportation organization in the country – the American Public Transportation Association – since Nov. 1996. He was once Executive Director of the transportation authority for Allegheny County in Pittsburgh (an organization I met with while on a trip to Pittsburgh a year ago). He said transit ridership across the country has increased some 5.4% from April to June of 2008- 2 ½ times faster that over the same period last year. He attributed the increase to transit featuring a better quality ride and being more available to riders – rather than just referring to the rising cost of gas for autos. He spoke of new commuter lines opening in Utah, in Charlotte - North Carolina, in Phoenix – Arizona, in Norfolk – Virginia, and even a Bus Rapid Transit line in East Cleveland (which attracted \$4.3 billion in public and private investment).

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Mr. Steve Heminger was next. He is the Executive Director of the Metropolitan Transportation Commission for the San Francisco Bay Area, and also served on the pivotal National Transportation Policy and Revenue Study Commission. He told the audience that he would rather start with a “clean sheet of paper”, and not use the word “reauthorization” when the U.S. Congress addresses the SAFETEA-LU bill. He said that when it comes to transportation planning, we should envision the 3-legged stool as the “Economy, Environment and Equity” – and the stakeholders should be the “Public, Private and Non-Government Organizations (or citizen advocates).

Then came Mr. Stuart Cohen (whose organization, the “Transportation and Land Use Coalition” was renamed “Transform” during the conference!), who spoke of the Great Community Collaborative” which seeks to “plan for people” and not for cars. He stressed that we should plan for what we think communities need – and he believes people need transit oriented development.

Finally – there was Oregon Congressman Earl Blumenauer (a former state legislator and city councilman in the Portland area), considered the “Godfather” of Railvolution (his conference in his home state in 1991 was the first such conference to deal with transit on a nationwide basis). Until 2007, he served on the U.S. House Committee on Transportation and Infrastructure and is now a member of the key U.S. House Committee on Ways and Means. He is considered a national advocate for transit. He told the audience that transit appears to be gaining momentum and that “we got them right where we want them!” He said that the country is heading towards more two-or-single-person households vs. households with children – and thus no real need for a car.

Railvolution 101: An Introduction to Building Livable Communities with Transit

This breakout session first featured Mr. Jim Richards, Principal with Townscape, Inc., of Arlington, Texas. He helped author “Placemaking for the New Economy”, in which he said transit stations result in “places” – whether by design or accident. He referred to a work by Mr. Tom Peters, which spoke of “the rise of awesome talent.” Mr. Peters meant that places have now taken on the role of corporations. The list of “cool” places for this new talent includes Austin, San Francisco, Washington, D.C., Seattle, and Raleigh Durham - Chapel Hill. Richards also spoke of the new demographic nationwide, which shows that 88% of all households are comprised of aging boomers and childless couples. He also said that the emerging reality is that 70 percent of all jobs some 15 years from now do not exist today. Richards said place making should be seen as “economic development strategy.”

So – what kind of places should we be making? He said to determine that, you need to: Go ask! He did a survey of cities where he buttonholed people and asked them why they came to a place, and why stay in this place. He found that there are two levels that planners need to consider: look to determine the core values of a place, and use a toolbox of ideas to go about planning and designing a place. He spoke of a “green framework” in which you create open spaces and of “districts” which feature “self-contained” neighborhoods (e.g. in Washington D.C., where you have neighborhoods like Adams-Morgan and Dupont Circle).

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He sees people connecting with public places more, rather than sitting in private areas; that is, people opting for places where there are public parks and parkways instead of homes with “great rooms” that are focused on sitting in front of a TV.

Richards also spoke of a “compact, urban grid” for places that are walk-able and connected to other places and places where there is an “urban village” at the center of a neighborhood. This urban village would have buildings come up to the sidewalks, where people feel comfortable taking in the city as pedestrians, where there are street trees, public art and even a symbolic park at the center. This place would also feature a range of viable transportation choices, and, would also showcase vital public realm, where streets are designed for cars and pedestrians and walker-friendly connectivity with other neighborhoods.

Richards also said that while public spaces are great – they need to be adjacent to something that people want and need, like coffee shops, markets, retail shops, places of work, schools, etc. He also spoke of the need for a wealth of “3rd places” – or places where people can meet and congregate to exchange ideas. He likened these places to the European piazzas. He said even coffee shops can be designed as a 3rd place – but shops that blend the inside with the outside – or private space and public space (much like a sidewalk café). He also wants to see places preserve vintage landmarks, building and districts. The idea is to preserve authenticity – rather than just historic preservation. He said people like to see things (buildings) that are aged, that show grit, that are cool and even edgy – not trendy! He also likes places that feature a range of cultural opportunities like music, art and theater – fairs and even street musicians fit this bill. Finally, he said a place should feature a stimulus-rich environment – where the intellect and the senses come alive. He referred to Pioneer Square in Seattle. He said one could achieve this kind of environment through architectural design – the facades of buildings, signage, even the flooring and sidewalks.

His core values:

- Diversity: not just racial but environmental;
- Choice: a variety and styles of housing;
- Connectivity: cool neighborhoods that are connected for pedestrians and adjacent to transit and other needs;
- Authenticity: preserved historic features; and,
- Flexibility: places need to be able to transition over time.

Mr. G.B. Arrington is a Vice President with PB Placemaking, Portland Oregon (I actually sat in on a similar presentation by G.B. at the last Railvolution conference I attended – the 2007 conference in Miami Beach). G.B. likes Transit Oriented Development that you can find in Portland vs. Transit Adjacent Development, like what one sees at the Cisco Systems campus in San Jose. He says when you change land use – you change transportation behavior.

Finally, we heard from Ms. Ann Cheng, a Senior Planner with Transform. The mission of the organization is to create world-class public transportation and walk able communities in the Bay area and beyond.

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Transform builds diverse coalitions, helps to influence policy, and develops innovative programs to improve the lives of all people, while protecting the environment.

Transform believes that all people deserve affordable, safe and easy access to jobs, services, and nature on foot, bicycle or through public transportation. It believes that people should play a central role in shaping the future of their communities. Transform believes that communities can become healthier, and more vibrant while also nurturing the diversity and inclusion of existing residents, rather than displacement. The organization believes that growth should be directed towards existing developed areas, not our precious remaining open space, and Transform believes that we it can only achieve its mission by working with people from a wide range of backgrounds, abilities and perspectives. The organization was founded in 1997 by environmental and social justice groups.

SAFETEA-LU: The Program and Its Challenges and Opportunities

This breakout session first featured someone that I heard from at the 2007 Railvolution Conference: Mr. Richard Steinmann, Senior Advisor to the Administrator for the Federal Transit Administration. He spoke of the SAFETEA-LU legislation, which has been in existence in one form or another since 1964. It is found in Chapter 53 of Title 49. He said in order for a project to qualify for federal funding, there must be a Metropolitan Planning Organization in place (for Hawaii – the only MPO is found on Oahu – due to a minimum population threshold. I currently chair the Oahu Metropolitan Planning Organization). The MPO must develop a Transportation Improvement Program, or TIP – **and the project must be on the TIP**. He said each project must also include public participation, take into account environmental concerns, and must include features that meet security considerations.

He said a new project can utilize FTA fixed formula funds – and does not need to just use New Start funds. He said there are about 31 projects in the pipeline – and that the projects, on average, get only 40% of their money from the feds. He said the federal government has a review process that tries to level the playing field. He says a Bus Rapid Transit project can qualify for Small Starts project funding – projects that cost less than \$250 million.

He said that when the FTA determines a project's financial rating and its project justification rating, the agency looks at two main points: cost effectiveness and land use planning.

We next heard from Mr. Michael Allegra, Chief Capital Development Officer for the Utah Transit Authority, based in Salt Lake, Utah. He said that about 34 years ago – there was little or no transit modes in the Salt Lake area. He said with the transit project that will soon open, about 85% of the population within a walking (or quarter-mile) radius will be able to access the mode of transportation. He said the city embarked on early acquisition of railroad right-of-ways – even though officials weren't quite sure at the time what to do with them. He said those who plan for transit need to adopt a "philosophy of risk analysis"; that is, you need to address 'what if' questions in order to keep the project on schedule and on budget.

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He said one way to approach projects is to do a side-by-side analysis of private and public projects (it might help streamline project delivery).

We then heard from Mr. Gregory Walker, Policy and Planning Officer with Sound Transit in Seattle, Washington. He spoke mainly on the need for a transit agency or board that would define how and where transportation funds would be spent.

Finally, there was Ms. Elizabeth Day, Director of the Office of Project Planning in the Office of Planning and Environment with the Federal Transit Administration. She said there are 10 standard cost categories. This is the process in which cost comparisons of different projects are analyzed. She said the office does try to pay heed to innovative construction techniques in analyzing project cost data.

Eminent Domain and TOD

This session is of importance to me since my district includes Waipahu – where the first stretch of the elevated fixed guide way is to come through on its way east to Honolulu. Affected property owners have already been given the heads-up about the potential impacts this project will have on their respective properties.

The first speaker was Mr. John Shirey, the Executive Director of the California Redevelopment Association, based in Sacramento. Shirey focused much of his talk on the June 23, 2005 U.S. Supreme Court decision in *Kelo vs. the City of New London, Connecticut*. He said *Kelo* did not create any new law – that, in fact, it was in line with precedents such as *Parker vs. Ferguson*. In spite of that analysis, 34 states passed laws restricting the use of eminent domain. Many of those states restricted the use of the practice for economic development or private to private transfers of property. Shirey said *Kelo* herself was a “flipper” of real estate, who lived some 20 to 25 miles away from the impacted area. He pointed out, however, to a public opinion poll in California that revealed that eminent domain is not popular, and that people perceive it as a practice that is abused. Still – respondents want eminent domain to be reformed, not eliminated, and that they can distinguish its purpose and will support it for public purposes.

Next came Mr. Benjamin Limmer, a Planner with METRO in Phoenix, Arizona. He said 90% of the light rail project in Phoenix will be “in the street”, so there will be little in the way of condemnation. He said the \$1 billion project will attract \$1 to \$2 billion in private investment. But, he said the *Kelo* backlash resulted in Proposition 207, which all but killed the use of eminent domain for TOD projects along the Phoenix alignment. Limmer likened the proposition to “private property rights on steroids.” He also said that tax increment financing – a means by which developers can use a special property tax targeted to help build infrastructure for their projects - is illegal in Arizona.

Finally, we heard from Mr. Bill Sirois, TOD Manager for the Regional Transportation District – FasTracks Team, in Denver, Colorado.

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He said the Regional Transportation District has eminent domain powers. He said that of the 1% sales tax adopted for the project, 6/10 is for the existing system, and 4/10 is for the extension program (a \$4.7 to \$7.9 billion project capital cost). He said all projects, with or without the use of eminent domain, still need to abide by the federal law that is found in the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970.

Sirois spoke of a Colorado anti-eminent domain bill – HB 1278 – that was defeated by a coalition of developers, business interests and local jurisdiction. He said that effort will probably be revived in the 2009 session. He outlined what went wrong:

- Lack of clear communication between the Regional Transportation District, the city of Denver, and the community and affected property owners;
- Eminent domain is clearly a lightning rod from previous sessions;
- Not prepared for the massive anti-eminent domain campaign. On the defensive most of the time.

He said the lessons learned included the following:

- Eminent domain and TOD project developers not a good mix for an agency with limited focus;
- One must be cognizant of the local political environment;
- Local jurisdictions need to be engaged in the planning;
- Build coalitions with developers and business interests;
- Discuss the potential for properties to be acquired with owners early in the process

He said other rules to follow include:

- First, do no harm;
- Avoid controversial purchases like churches, Boys and Girls homes, senior citizen homes;
- Do not land on Fox News!
- Spend a lot of time in the community;
- Brief members of the press. Be accessible!
- Be prepared to spend more than Fair Market Value for properties that will be acquired (balance between the time is money argument vs. gift of public funds); and,
- Be prepared to walk away from the property.

Starting Out in New Starts/Small Starts: For Better or Worse, for Richer for Poorer

This session first featured Mr. Peter Varga, Executive Director/CEO of The Rapid, in Grand Rapids, Michigan. He said that in the past 10 years, his city has grown to become a more vibrant, instead of what it once was – a decaying Midwestern city.

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His streetcar project will work well with the established bus rapid transit line (he said the BRT will handle the steeper grades. Grand Rapids is hilly – but not like San Francisco). He said his street car project could not qualify for New Starts funding. He also said that Detroit is also undertaking a street car project. Varga said that 18% of all the country's LEED projects are in Grand Rapids – this despite a jurisdiction with Republican leanings!

Next came Mr. Stephen Del Guidice, Transit Bureau Chief, Arlington County Department of Environmental Services, Arlington, Virginia. He said Arlington has a history of successful TOD and transit projects. He spoke of livable and walk able communities along the Rosslyn – Ballston corridor. He said 80% of the county's tax base live along the corridor – and that 250,000 people utilize transit along this same corridor. He said Arlington started with land use planning – and with the idea of moving away from an auto-centric jurisdiction to one that would utilize public transit. He said the planning resulted in the Pike Transit Initiative – which featured signal priorities, enhanced bus services, “super” bus stops. The county's population was growing: in 2000 it was 112,595 – projected to be 141,334 – or a 25.5% increase. He said they found that when you increase transportation capacity within this corridor – you would improve mobility and access to jobs and services, as well as increase and enhance economic development opportunities. Del Guidice said the funding for his Columbia Pike Streetcar project did not come from New Starts – but local and state funds. The local was a tax on commercial real estate – 12.5 cents per 1,000 of value. The state funding was struck down by the Virginia Supreme Court. They are now considering a Design-Build, Design-Build-Operate-Maintain, or a Public-Private Partnership arrangement.

He said these were the lessons learned:

- There are benefits to coordinating land use and transportation planning;
- Beware of base-line creep. Incremental improvements will change the baseline; and,
- Maintain flexibility

The third speaker was Mr. Doug Moore, Vice President, Planning and Development, Central Ohio Transit Authority, based in Columbus, Ohio. He said that before you decide on what project to pursue. You need to ask yourself these questions:

- What are the long-range goals. Is economic development?
- Whose support is critical? The business sector? The politicians? The media?
- How fast do you want to move on this project? Within the term of the chief executive?
- How much control are you willing to give up? If you use other people's money – they will want equity and control.
- What can we afford? What are the reasonable capital and operating costs? What will our current cash flow support? What are our likely funding sources? Can we afford this project without federal support? How long will it take before we can use the federal funds? What will it cost to follow the federal rules and regulations?
- Will this project likely generate substantial travel time savings?
- Are we positioned to receive Congressional support?

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Moore said if you continue to pursue, you should take the time to reassess and ask these questions:

- Does the project still make sense?
- Does it need to change in scope?
- What has been the political capital spent on this project?
- Are there other tasks still to be done?

Finally, we heard from Mr. Jay Duncan, Vice President, AECOM, of Boston, Massachusetts. He focused on his firm's project in Maine. He said of the 1.2 million people in that state, most live in Eastern Maine. He said his project is in the Portland area, where five out of the 6 largest population centers are situated. He said there are very limited transportation options in the area – especially for commuters in the north of Portland.

He shared these lessons:

- Define the corridor for your project;
- Focus on land use and economic benefits;
- Arm yourself with relevant case studies;
- Involve the Federal Transit Administration early in the process;
- Develop a good public outreach process;
- Get local community support;
- Clearly define boundaries to take away anxiety over TODs

He said there are five things to ponder:

- Proximity- accessibility-mobility;
- Sustainability;
- Livability;
- Destiny;
- Vitality

How To Balance Development Needs and Transit in Station Design

This last breakout session first featured Mr. Don Arambula, Principal, Crandall-Arambula, of Portland, Oregon. He spoke of his firm's project, the Denver RTD FasTracks Corridor Project. He was first interested in whether there was a market analysis for future development along the corridor. The city of Denver did something along those lines with the "Blueprint Denver" plan and a TOD strategic plan. He said they focused on a ½-mile radius – with a ¼-mile emphasis – around a district, not a station.

Arambula spoke of these lessons learned:

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- Focus on planning for the area in and around the station;
- Make sure the station is safe and secure;
- See if you can incorporate a visual link between the station and where the “front door” is (this is a favorite saying of the Wal-Mart people) of the service facility or entertainment center, job center, or other major building adjacent to the station;
- Do your TOD planning early, before, say 65% of the transit project design is finished or at least during the EIS phase;
- Establish early partnership between the transit folks and the land use planning folks (see www.ca-city.com – this is the Crandall-Arambula web site).

Next came Mr. Ralph Petty, Community Development and Parks Director, Millbrae, California. I was struck by what it seems to me like a similarity between this northern California community in the Bay area, and my town of Waipahu (I drove by there during this trip). Both are essentially low-rise density jurisdictions, with a mix of commercial and residential. Millbrae utilizes tax increment financing for its projects. He envisions the main thoroughfare, from San Francisco to San Jose, the El Camino Real, to one day become the Grand Boulevard (I envision the same for that strip of Farrington Highway that cuts through the heart of Waipahu – and continues on to Pearl City as Kamehameha Highway).

Next up was Mr. Troy Russ, Principal, Glatting-Jackson, of Orlando, Florida. Russ focused on a project in the city of Charlotte, North Carolina, where 600,000 people reside (of the 1.2 million in the county). He spoke of a station (that was similar to my Village Park community in Waipahu) which was moved from one area to another. This created a more pedestrian based community – rather than a car-based one. He referred to a project called 3030 South, pushed by developer Andy Heath. This project will eventually develop what is now a largely warehouse district. The project will set the framework for the future – and when the market becomes available, then redevelopment will occur in the area.

Russ emphasized bringing all parties to the table to discuss station location and access and development. **He said that while people like to talk about the cost of things – they do not realize the value of things – like ridership savings in time, potential development, and tax revenue.**

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Nestor R. Garcia
Honolulu City Councilman
District 9

City Council
City and County of Honolulu


CLAIM FOR TRAVEL REIMBURSEMENT

Date: 11-18-08

Traveler: NESTOR GARCIA
 Event: Rail-volution 2008
 Location: San Francisco, CA
 Dates: From 10/26/08 To 10/30/08

Description	Amount	Notes:
1. Registration Fee	425.00	
2. Airfare	570.00	
3. Hotel	1,340.15	Rate: No. of Billable Days:
4. Meals	30.04	
5. Ground Transportation	20.00	
6. Tips		
7. Other		
Other		
Other		
8. Adjustment		
TOTAL REIMBURSEMENT	\$2,385.19	
		TOTAL TRAVEL REIMBURSEMENT: \$2,385.19

This is to certify that the above data, based upon receipts submitted to Council Administrative Support Services via a CCLTRVL02 form, is accurate. Further, I am claiming reimbursement for expenses associated with a trip in which City business was conducted and personal funds were used to advance payment:


Signature of Traveler

11/19/08
Date