
Chapter 7: Support and Implementation

How Can This Concept Become A Reality?

Changes in many forms will be necessary for this plan to become a reality. One of the fundamental changes necessary is a new way of growing. If the 200,000 additional residents anticipated in the five-county area in the next 30 years are housed in transit-supportive developments, then transit will be an even more viable alternative. Transit-oriented developments do not just happen. There are policies that shape these developments.

SUPPORTING POLICIES

Transit-oriented developments (TODs) are designed to reduce the use of single occupant vehicles by encouraging alternative modes, including transit. TODs bring potential riders closer to transit facilities. Instead of making people more dependent on roads and automobiles, TODs support transit investments by putting more riders on existing buses.

“To be most effective, TOD should be “urban” even in a suburban setting. Pedestrian scale design draws people to return again and again. Urban development supports transit; suburban development does not.

Once that idea takes hold in a community, it becomes a powerful motivator for changing the built environment. The concept includes mixed use, higher-density buildings at the sidewalk; less private and more public open space; smaller blocks; narrow streets with

wider sidewalks, street trees and lights; lower parking-to-occupant ratios; shared parking; parking behind buildings; and on-street parallel parking.”¹

The above describes what a TOD might look like, and design guidelines need to allow for such. Regulations and policies also are needed to allow and encourage TODs. Examples of key regulations and policies follow.

Regulations

- ◆ Zoning that allows high-density development and zoning overlays for transit-friendly districts or corridors.
- ◆ Limits to the amount of parking that can be provided.
- ◆ Urban growth boundaries that focus development in existing urban areas.

Policies

- ◆ Preserve and enhance existing compact urban neighborhoods that are transit-friendly.
- ◆ Support transformation of low-density automobile corridors to higher-density, mixed use urban transportation corridors.
- ◆ Encourage growth in urban centers or corridors.
- ◆ Encourage TOD developments, considering financial incentives such as property tax exemptions or permit expediting.

The region already has growth boundaries, which is a very good step toward focusing future growth. The remaining regulations and policies, if adopted and carried through, can help channel the development into desired locations.

ORGANIZATIONAL MODELS

There must also be a governing body for transit vision. The East Tennessee region is large, diverse and hosts multiple political subdivisions with a wide array of concerns, aspirations and goals. This section of the Final Report highlights the organizational issues that need to be resolved to provide meaningful coordinated public transportation throughout the region.

One of the central prerequisites in implementing expanded public transit service initiatives throughout the region is the resolution of organizational and institutional issues. Because of the number of local jurisdictions and transit agencies involved in the integration of services, it is very important to define the roles and responsibilities of each of the agencies. Other issues directly relate to how a regional public transport system coexists with Greyhound, private taxi services, charter buses and other private and public sector operators that compete for transit riders throughout the region.

Existing Organizational Development

The public transportation industry throughout the United States has undergone a significant change since the end of World War II. Before World War II, for-profit private companies provided

most public transportation services. Since the end of the war, these companies faced a cycle of decreasing ridership and increasing costs. Most of these firms either sold their assets to public agencies or abandoned service altogether. Today, nearly all public transportation service is provided by public agencies. Public ownership of mass transportation service may be carried out in a number of ways. Cities, counties or special purpose political subdivisions of the state, such as a Regional Transportation Authority, can own and operate mass transportation services. As previously indicated, mass transportation services in East Tennessee such as KAT, the Pigeon Forge and Gatlinburg trolleys, the Oak Ridge bus service and ETHRA are supported by public agencies.

KAT is a special purpose authority created by the City of Knoxville. The service area is contiguous to the borders of the City of Knoxville with some limited express and special bus services operated beyond the city limits. KAT is governed by Knoxville Transportation Authority (KAT) that is appointed by the mayor with approval of city council. The transit authority board has wide latitude in setting the policies of the transit system. The City of Knoxville's General Fund, passenger fare receipts and operating assistance from the State of Tennessee provides KAT with needed operating funds.

The local bus services in Gatlinburg and Pigeon Forge are both owned and operated by local municipalities. The cities' general funds, passenger fare receipts and operating assistance from the State of Tennessee provide these trolley systems with needed operating funds.

ETHRA provides specialized transit services primarily for the elderly and people with disabilities where existing transportation is unavailable, inappropriate or insufficient. Operating costs associated with this service are eligible for federal and state funding and include any administrative or operating expenses necessary to the provision of rural transportation services, e.g., salaries/fringes, fuel, maintenance, supplies, rent, utilities, etc. Eligible capital activities include the purchase of vehicles, office and garage equipment, purchase or construction of facilities, etc. to clients of social service agencies. Trips are usually scheduled in advance. Funding for ETHRA is provided by a complex maze of client fees, agency funds, state and federal Sections 5310 and 5311 operating assistance.

Governance And Structure

Governance relates specifically to ownership, funding and oversight. Public transport operations are highly complex organizations that also have enormous risk and liability exposure. In many areas around the world, special purpose authorities are created by enactment of the government to own, manage and operate public transport systems. Special purpose political subdivisions of states, counties and municipalities all own and operate mass transportation systems in the United States. Each of these governance and organizational structures has advantages and disadvantages. Before discussing proposed organizational structures for the Regional Transportation Alternatives Plan, it would be useful to examine the major forms of public ownership of mass transportation services.

Municipal or County Department

Placing a public transit system within a municipal or county department is very common in small or medium sized cities and rural counties. The transit department is usually a separate entity within city or county government created solely to operate public transportation services. In some cities or counties the transit department is controlled by the City Council or County Commission, which acts as a governing board. Unless state law dictates otherwise, City Council or the County Commission controls rates, fares and services.

In other communities, the transit department may be placed under an independent transit board. In most cases, the mayor with approval of city council or the County Commissioners appoint the board. This is how KAT is organized in Knoxville. Generally, the transit board is free to run the transit agency without recourse to the mayor or city council.

The governing body, either council, the commission or the transit board, appoints a general manager to manage the day-to-day operations of the transit system. The transit system general manager, under ideal circumstances, manages the daily affairs of the transit system similar to the chief executive of a private enterprise.

The municipal or county transit system can organize itself to provide all administrative functions as a separate enterprise or it can rely on the city or county to provide central services for payroll, personnel, data processing and legal affairs.

One of the major constraints of a municipal or county transit system is the limitation on the geographical area it serves unless it can convince neighboring municipalities or counties to contribute operating funds to support services in an extended service area. It is awkward to operate outside the legal jurisdiction of the municipal limits if the service is operated at a loss and requires subsidy. All public transportation systems require public funding.

Another shortcoming of a municipal or county transit system is particularly evident in the area of finance, especially in the area of bonding capacity. Most states grant limited bonding authority to municipalities and counties. Transit agencies, with heavy requirements for capital investment for rolling stock, garages, stations and other facilities, constantly places pressure on this bonding limitation. This may cause the transit system to be short changed in the area of equipment replacement and facility renewal.

In Tennessee, the state legislature has authorized cities and counties to levy a one-cent per gallon gasoline tax to finance public transit services, subject to voter approval.

Special Purpose Transit Authority

A special purpose transit authority can be created in accordance with provisions of applicable state statutes. As a rule, the transit authority only has those powers granted to it by the governmental body or bodies that created it pursuant to applicable law. However, once it has been established, the transit authority typically has the freedom to operate within its service area boundaries and

legal mandate without intervention by other agencies of government, including the one or ones that created it.

A separate public transit authority has some general advantages over municipal or county department arrangements that have made this form of governance the most popular throughout the United States. The following discussion generally applies to transit authorities.

Funding - On the local level it may be easier to finance transit by means of a transit authority than by any other means. Creating a special purpose transit authority with its own taxing and bonding authority usually circumvents the bonding limitations imposed by the state on lower levels of government. With independent taxing powers, the transit authority is relatively free to pursue the planning, organizing and managing of a transit system with limited political interference. Moreover, the jurisdictional boundary of the taxing power often coincides with the service boundary of the transit authority creating equity in the assignment of taxes within a public benefits district.

Independent Administration - The transit authority provides an independent means of administering what is essentially a commercial activity. The administration of public transportation service is a not-for-profit public enterprise. The public transportation service provided could generate passenger fare revenue that offsets operating expenses similar to a commercial transportation carrier like Greyhound. The relative independence of a transit authority enables it to function more like a business than a department of city or county gov-

ernment, which typically is more political in its management orientation.

Multiple Jurisdictions - Transit authorities are often able to overcome the problems caused by the complex political jurisdictional boundaries that comprise most metropolitan regions. Transit authorities can be created to operate over boundaries and have a representative board of directors or trustees that oversee management and service delivery of the transit system.

Examples Of Transit Agency Governance

The following examples of oversight and governance structures for public transport systems are discussed for illustrative purposes:

Nashville

The Regional Transportation Authority (RTA) is a nine-county regional agency created pursuant to Section 64-8-101 of the Tennessee Code in 1990 to plan and develop a regional transit system. Its governance structure and powers are clearly defined by state statute. The nine member counties of the RTA are: Cheatham, Davidson, Dickson, Maury, Robertson, Rutherford, Sumner, Williamson and Wilson. The county executives, mayors of the county seat and mayors of cities over 4,000 population are board members of the RTA. The Commissioner of the Tennessee Department of Transportation and six members appointed by the Governor complete the board's membership. The RTA operates three regional bus routes traveling between downtown Nashville and Murfreesboro, Hendersonville, and Mount Juliet. The RTA's rideshare pro-

gram organizes vanpools and carpools throughout Middle Tennessee. The RTA also serves as the lead agency for the Middle Tennessee commuter rail project. The Metropolitan Transit Authority of Davidson County is a special purpose public agency that owns and operates public transit service in Davidson County. The RTA contracts with the MTA for fixed route service that cross multi-jurisdictional lines.

Tri-County Commuter Rail Authority

In Florida, the state legislature enacted Chapter 343 of the Florida Statutes that created several commuter rail authorities in the state. For example, the Tri-County Commuter Rail Authority (Tri-Rail) receives its authority to acquire, own and operate commuter rail service from this legislative enactment. The Tri-Rail Board is made up of members representing the Florida DOT and local governments that fund its operations. Tri-Rail contracts the operation of train service to a private sector firm.

Virginia Railway Express

The Virginia Railway Express (VRE) is a commuter rail project jointly owned and operated by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission pursuant to a Master Agreement dated October 27, 1989. The two commissions manage the VRE jointly. Certain functions have been delegated to the VRE Operations Board, consisting of three commissioners appointed from each of the Commissions and one representative from the Commonwealth of Virginia's Department of Rail and Public Transportation. Amtrak crews under the direction and schedul-

ing of VRE operations staff operate trains.

Southern California Regional Rail Authority

Metrolink is a regional commuter rail system serving Los Angeles, Orange, Ventura, San Bernardino and Riverside counties and parts of northern San Diego County in California. Metrolink commuter rail operations were developed and are administered by the Southern California Regional Rail Authority (SCRRA). The SCRRA was established August 1, 1991 through a Joint Exercise of Powers Agreement (JPA) under California state statutes. The SCRRA Board is made up of representatives from the Los Angeles Metropolitan Transit Authority, Orange County Transit Authority, Riverside County Transportation Commission, Ventura County Transportation Commission and the San Bernardino Association of Governments. None of these agencies have the ability to unilaterally exercise oversight responsibility. Accordingly, the SCRRA is a separate entity. Amtrak has been contracted to operate the trains.

Greater Cleveland Regional Transit Authority

This regional transit authority in Ohio was created by joint legislative actions of the City of Cleveland and Cuyahoga County pursuant to Section 306 of the Ohio Revised Code enacted by the State Legislature. The regional transit authority is an independent political subdivision of the State of Ohio and has its own taxing powers. A ten member Board of Trustees governs the authority. The Board is appointed by the Mayor of the City of Cleveland and by the Board

of Commissioners of Cuyahoga County. The authority acquires, owns and operates its transit equipment. The authority contracts with private operators for paratransit services. The annual operating budget exceeds \$225 million. All other regional transit authorities in Ohio are created under the same statute. These other authorities coordinate regional planning through joint councils established by mutual agreement of the governing Boards. Policies have been established that recognize transfers among systems. These transfer policies enable a passenger to board a bus anywhere in a seven-county region and travel anywhere else by using the transfer of the issuing system. A person living in Canton and working in Cleveland can travel to work by using three different transit systems. The fare is paid to the transit system where the passenger originates the trip. Because all of the systems are supported by sales tax receipts in addition to fares, the reasoning for honoring transfers among all systems is that sales tax revenue is resident neutral. A person residing in Canton and working in Cleveland will usually purchase something of value in Cleveland and pay the local sales tax. The Canton resident pays the sales tax in Cleveland and should receive some benefit from the Cleveland system.

Phoenix Transit System

Public Transit is the City of Phoenix department that oversees and monitors the several private companies that provide transit services to its citizens including fixed route bus service, Dial-a-Ride, and DASH (Downtown Area Shuttle). The department also partners with the Regional Public Transportation Authority (RPTA) and other Valley cit-

ies to deliver regional transit services under the name Valley Metro. Daily the public transit vehicles have over 120,000 boardings; almost 32 million boardings each year and travel more than 13 million miles on Valley roads. The Phoenix Public Transit Department operates on a \$79.7 million budget. Of that amount, fares collected will account for \$19.7 million.

San Francisco Municipal Railway

The San Francisco Municipal Railway (Muni) is the seventh-largest public transit system in the United States. Muni is the first publicly owned transit system in a major city in the United States. Prior to the creation of Muni, public transport service in San Francisco, as in most large cities, was managed by the private sector. A company called the United Railroads of San Francisco operated most of the city's transit services. That company's disregard for the public welfare, corruption of city officials, and callous labor practices angered the voters so much that they approved bond issues for a municipal transit system in December 1909. The Municipal Railway (Muni) started service on December 28, 1912 and has operated as a department of city government continuously ever since then. Its annual operating budget is in excess of \$380 million.

ESTABLISHING A REGIONAL TRANSIT SYSTEM

The political jurisdictions that govern the many diverse entities throughout the region must evaluate the structure of the proposed regional transit service in view of the common goals articulated by *Nine Counties One Vision*. A political proc-

ess marked by negotiation and intense self-interest among competing entities will ultimately determine the requirements for the governance and management of a regional public transportation system.

Evaluate the Existing Administrative Structure for Public Transportation

Existing transit service providers in the region must be evaluated in terms of governance, service area coverage and capabilities. There are four essential steps in evaluating a regional transit service. They are as follows:

Step 1: Identify all agencies that are directly or indirectly involved in the integration of services and modernization of facilities and public transportation infrastructure.

Step 2: Define roles and responsibilities of each of the participating agencies. A functional analysis should be made to determine the extent to which functions are split between agencies. Related functions should remain in the same agency.

Step 3: Develop an organizational chart that depicts each of the participating agencies and the interaction between and among agencies. The structure could form the basis for the development of a legal entity.

Step 4: Develop a mechanism for conflict resolution. Because a number of agencies will be involved, it is likely that the differing agendas and organizational issues of diverse interest groups may arise.

Much of this information has been collected and summarized in preceding paragraphs. The essence of this evaluation suggests that a nucleus of a regional transit system already exists within East Tennessee. With some expansion of roles and responsibilities and expanded funding, the existing service providers can easily evolve into a regional transportation system. The emphasis is on the term system rather than authority in deference to the fiercely independent nature of the political jurisdictions that comprise East Tennessee.

Proposed Structure for the Regional Transit System

Based on the familiarity of the region and the existing public transportation service providers in the region, the organizational model presented by the Greater Cleveland Regional Transit Authority and other Northeast Ohio transit authorities seems to fit the natural environment of East Tennessee.

This organizational model permits each jurisdiction to establish its own county-wide transit agency with the freedom and independence needed to establish service policies that match local demand and funding capacity.

The merger of the Gatlinburg and Pigeon Forge transit systems into a county system seems logical given the multi-jurisdictional nature of resident and visitor travel in Sevier County. A county transit authority could be established by joint resolution of the two cities and the County Commission pursuant to applicable Tennessee Codes.

Similarly, KAT can be expanded to a county system in similar fashion. Other counties have the option of either contracting for service, joining the transit authority or creating their own county-wide system.

A joint council of the participating county transit authorities could mutually agree to coordination of services, schedules and fares. Regional transportation planning could be managed by the Knox Area TPO staff and by formalizing the RTAP process as part of the region wide joint planning council.

These are issues that should be explored in greater depth by elected and appointed public officials in the region.

FINAL THOUGHTS

This study was initiated with a long-term horizon – looking at what the region could offer in the way of transportation alternatives 30 years from now. It is a pragmatic investigation of what could be, and what needs to change for that future to become a reality.

The transit concept and the corridor opportunities are practical guides for future transportation planning. As important are the policies that shape land use as well as transportation decisions. Each new development that does not support transit will make this concept more difficult to achieve. Hence, the biggest change that is necessary to implement this plan is to “think transit” during every land use and transportation decision.

¹ Web site – King County, Washington – Transportation Alternatives – Transit Oriented Development
www.metroke.gov/kcdot/alts/tod/todindex