

PORT AUTHORITY OF ALLEGHENY COUNTY  
MINUTES OF THE REGULAR BOARD MEETING  
FRIDAY, MARCH 18, 2016

The Regular Meeting of the Board of Port Authority of Allegheny County was held on Friday, March 18, 2016 at 9:30 a.m. at the Authority's Administration Offices, 345 Sixth Avenue, Pittsburgh, Pennsylvania, 15222-2527, pursuant to due public notice given as required by law.

**Board Members:**

Robert Hurley, Chair  
Senator Jim Brewster  
Jeff Letwin  
John Tague  
Rob Vescio  
Tom Donatelli  
Robert Kania  
Michelle Zmijanac  
Joel Lennen, General Counsel

**Media:**

Ed Blazina, Post-Gazette  
Ryan Deto, Pittsburgh City Paper  
Melissa Daniels, Tribune Review

**Port Authority Staff:**

Ellen McLean, chief executive officer, Bill Miller, Chief Operations Officer, Jim Ritchie, Communications Officer, Mike Cetra, assistant general manager Legal and Corporate Services, Pete Schenk, chief financial officer, Keith Wargo, assistant general manager Engineering and Technical Support, Barry Adams, assistant general manager Human Resources, Ed Typanski, director Grants and Capital Programs, John DeAngelis, Manager contract administration, Deborah Skillings, Community Outreach coordinator, Kim Zelen, manager Contract Administration, Breen Masciotra, Communications coordinator, Dan DeBone, Communications and Government Relations officer, Tom Noll, director Technical Support and Capital Programs Andrea Elcock, community planning coordinator, Lynn Fulton, project architect, Josh Banyas, manager Capital Programs, Diane Williamson, executive assistant.

**Other**

Molly Nichols, PPT, Carolyn Lenigan, Casy Stelitano, PPT, Dean Mougianis, PPT, James Love, ACTC, Helen Gerhardt, PPT, Jonah McAllister Erickson, PPT, Tom Hartswick, Castle Shannon Borough, Paul Vietmeier, Castle Shannon Borough, Glenn Walsh, Antonio Ledico, Thomas Merton Center, Chris Sandvig, PCRG, Craig Stevens, Fatema Juma, PPT, Caitlin Fadgen, Chatham University, Carl Redwood, Hill District Consensus Group, Kathryn Schlesiger, PCRG, Nikki Kemp, Fight for Us, Lolene Germany, Fight for Us, Chris Ellis, Mel Packer, PPT, Paul O'Hanlon, Allegheny County/City of Pittsburgh Task Force on Disabilities, Khalid Raheem, Hill District Consensus Group, Rose Mary Davis, Lincoln Park Center, Penn Hills, Alethea Sims, Coalition of Organized Residents of East Liberty, Scott Carter, Chatham University, James Love, John Haer, Thomas Merton Center, State Representative Dan Miller, Jenn Landolina, PA House, Joyce Davis, Lincoln Park Community Center, Dan Dickerman, Chatham University, Lynn Colosi, JRA Development, Molly rush, Thomas Merton Center, Samey Jay, Pittsburgh United, Celeste Scott, Pittsburgh United.

The Chairman called the meeting to order. Following the recital of the pledge of allegiance, recommendation was made for approval of the minutes of the February 26, 2016 Regular Meeting. A motion was moved, seconded and passed.

The Chairman called on Ms. McLean for a report from the chief executive officer. Ms. McLean had a few items to report. First, she reported that today is Transit Driver Appreciation Day, noting that this is fast becoming a national event, starting in Portland, Oregon. The event is intended to do exactly what it says, to encourage riders to show appreciate to drivers in one way or another. There's also a national social media campaign with messages of thanks to transit drivers. She added that some participating cities are planning to hand out thank you cards to their drivers and she is aware of similar activities occurring here as well. Ms. McLean noted that our drivers do a wonderful job and we're very thankful for their hard work.

Next Ms. McLean announced that the public comment period for our fare policy proposal extends through the end of the month and said we certainly encourage people to participate. She noted that she would not go into detail since Mr. Tague will touch on this in his remarks, but wanted to say that she appreciates the time individuals took to attend the hearings to speak to us on this issue.

Ms. McLean concluded her remarks by stating that she is aware of speakers here today to talk about our Transit Oriented Development Guidelines. She noted that having guidelines is a national best practice and we think of it as generating riders and revenue through smart development. Ms. McLean thanked our civic partners and our stakeholders for their comments and suggestions as we work to finalize the Guidelines, which we plan to release at our next Planning and Stakeholder Relations Committee meeting in April.

That concluded the report of the Chief Executive Officer.

The Chairman called on the first speaker for public comment. Ms. Celeste Scott. Ms. Scott who resides in Homestead is a community organizer with Pittsburgh United, a coalition of community, faith, labor and environmental organizations that fight to improve the lives of working class people.

Ms. Scott addressed the Board because of the fundamental need for affordable housing to be development and retained near consistent and dependable transit lines. She noted that Pittsburgh, like many other metropolitan cities, is experiencing an affordable housing shortage. Ms. Scott stated that she is glad to hear that Port Authority is in the process of developing policies and guidelines around transit oriented development, specifically around the correlation of transit and affordable housing and we are here to ensure that Port Authority plays the best role in the communities that depend upon its services the most.

The next speaker was Mr. Antonio Lodico, from the Thomas Merton Center, who thanked Port Authority for working on Transit Oriented Development Guidelines and for making affordable housing a key principal of those guidelines. He stated that in Pittsburgh, and in cities across the county, we are seeing a shift in how we live. People are making it a higher priority to live in communities that are more connected, connected to others in the community, connected to

families, connected to their work, and their church. Although it is good to see that people are placing a greater value in being connected and developers are taking note, there is a downside. These connected places are becoming increasingly expensive. People, typically poor and working class people, particularly African American people, are being pushed out of their homes and their neighborhoods for this development.

Mr. Lodico hopes that Port Authority's guidelines are strong for affordable housing and urged the Board to make a statement that Port Authority will only help developers who include affordable housing.

The next speaker was Mr. Jonah McAllister Erickson, Chair of Pittsburghers for Public Transit Coordinating Committee. On behalf of PPT, Mr. Erickson commended Port Authority for developing Transit Oriented Development Guidelines which we expect to be public in April. He noted that these are the first guidelines Port Authority has ever developed, and the first in Pennsylvania and in the mid-Atlantic region. Mr. Erickson stated that PPT believes that there should be a policy that requires Port Authority's TOD to include affordable housing and preserve and maintain affordability in communities.

He concluded his report by noting that on Monday, PPT will be celebrating Transit Worker Appreciation Day and will be handing out thank you cards to all of the workers here.

The next speaker Casey Stelitano, also from PPT, stated that their organization wanted to understand more about how these demographic shifts were happening in our region in relation to transit services. Over the last three months, PPT has been working on an equity mapping project, which tracks population by race, income, access to a vehicle and cost of housing. They have been focusing on initial demographic shifts, specifically looking at areas in our region that have lost or gained significant amounts of African-American residents. Ms. Stelitano noted that as they mapped out the data, we noticed a very obvious trend. Almost all census tracts that saw significant decreases in African-American residents were located in the county. Specifically in the East End and the central neighborhoods, areas that are walkable with key transit corridors with frequent service. She stated that these findings help demonstrate the need for equitable Transit Oriented Development. Port Authority must play a role in making sure that development near a transit hub includes options for everyone.

The next speaker, Mr. Khalid Raheem, represented the Hill District Consensus Group as a senior community organizer. He congratulated the Board for making the principles something that you think should be mandatory as you move forward by developing overall policy to help deal with the issues around safe and affordable housing and how we can move away from the re-concentration of poverty and disparity. He urged the Board to don't just stop with the principles, let's move forward with the policy.

The next speaker was Mr. Paul O'Hanlon from the Allegheny County/City of Pittsburgh Task Force on Disabilities. Mr. O'Hanlon said that he applauds Port Authority for deliberately developing Transit Oriented Development Guidelines. As a member of the public, he appreciates the opportunity to be involved in the development of this public process. He also wanted to talk

about Allegheny County's need for affordable accessible housing and how these guidelines can help solve this crisis in our community.

He continued by saying that many people with disabilities are transit-dependent, and often, the most transit dependent of all. So living near good public transit is an incredible bonus and attraction to a person with a disability. Today, the sad fact is that people with disabilities have the lowest average income of all Americans, many getting nothing more than Social Security Disability and SSI, so therefore, accessible housing must be affordable or it really isn't accessible to people who need it most.

He said that he would suggest Port Authority look at Pennsylvania Housing Finance Agency as a model of a public developer who achieves high standards and accessibility by using a scoring rubric for development proposals that are worth bonus points for accessible designs. What they find is that most developers voluntarily submit more accessible designs as a strategy to score those bonus points.

Mr. O'Hanlon concluded his remarks by saying that there's a myth that it is harder to finance deeply affordable housing. The reality is that there are more sources of funding for affordable housing than exists for market rate or only slightly affordable housing. Most people, including experts, would agree that communities of mixed-income households are the healthiest kind and this is not going to happen by accident. We need to carefully plan for it and make it happen.

The next speaker, Ms. Alethea Simms, told a story from back when she was a junior in high school 50 years ago when people were saying that light rail transit was supposed to come and one young man said instead of putting it out in the area where most people have cars, why not put it in the city or closer to an area where people actually need this transportation.

Ms. Simms stated that she is now a 33-year resident of East Liberty and the organization she chairs, Coalition of Organized Residents of East Liberty, sees the big picture, but we also see ourselves as low to moderate income residents of the community getting cropped out of that big picture an awful lot. She noted that the new apartments are beautiful, but we can't afford them. Shouldn't we benefit from the good times as well as the bad times? She understands that money from different government sources was used to build the transit centers and the apartments next to them. Why is money that's supposed to help low-income communities not helping the low-income residents?

The next speaker was Carl Redwood, representing the Hill District Consensus Group. He stated that as we already heard from other speakers, there's a severe affordable housing shortage in our area. That shortage is most critical for families who are very low income, and it's particularly a problem for black families in our region.

He stated that in 1980, there were 100,000 black people in Pittsburgh. By 2010, it went down to 80,000. Conversely, looking at Allegheny County, not including Pittsburgh, in 1980, there were 80,000 black people in the county and the suburbs around Pittsburgh and by 2010 that went up to 114,000.

The black population in the county outside of Pittsburgh is growing. Some people will say, "Well, the white population left as well." And that's true, but the white population dropped in Pittsburgh and also dropped in Allegheny County. So there is a clear difference in what's happening with the black community in terms of population being displaced from Pittsburgh as opposed to the white community.

Allegheny County is changing rapidly. Many homeowners are now becoming renters because of the wage structure in the area has changed. People cannot afford to continue to be homeowners and they're moving into rental situations. So even the so-called middle class that was doing well is not doing as well as they were doing 10, 20, 30 years ago.

He concluded his remarks by saying that Port Authority can play an important role in making Allegheny County accessible for people of all income levels. Transit-oriented development can advance fair housing in our region. There are many tools available that have been used in conjunction with the transit oriented development around the country. We need to investigate those tools. It is good to have principles, but now we've got to put the tools to the principles to make sure that it results in the production of affordable housing.

The next speaker from the Penn Hills NAACP, Ms. Joyce Davis, said that she is speaking from a community that is actually receiving the people being moved out of the city. Our African-American population is growing in our community of Penn Hills, and also those who are seeking affordable housing. But there's a downside. Ms. Davis believes Penn Hills is not ready because the housing that is affordable and decent is often in places where it too far from public transportation and grocery stores. She noted that her community was built for people who drive. There are people who want to improve their lifestyles by attending training programs to get better jobs but if you don't have transportation, you don't have that opportunity.

So we push and push people into affordable housing without transportation and it becomes a trap. People need decent affordable housing with public transportation.

The next speaker, Ms. Molly Rush, questioned what is going to happen to all those people who may be losing free parking at the Castle Shannon Transit Village development. She recognizes some real problems as far as the cost of the new apartments. She said that speaking as a South Hills resident, who is very happy to have access to transportation, she really wishes that it could be available to everyone.

The next speaker was Lena Germany. Ms. Germany stated that she is part of the "Fight for Fifteen," a movement trying to get higher minimum wages and a union for all fast food workers. Ms. Germany explained the hardships she is enduring trying to work two jobs. All she is asking for is affordable housing and public transportation so that she can have a good life for her and her family.

The next speaker, Chris Ellis, is also involved in the "Fight for Fifteen." He has worked in the fast-food industry for about 10 years. In the past 10 years, he has only made a few cents above the minimum wage. He commended Port Authority for development of the Transit Oriented Development Guidelines, and including affordable housing as a key participant. He said

that it cannot stop there. We need policies that require developments that include affordable housing near transit lines, especially because those who benefit the most are making poverty wages. Transportation and housing are the two issues that we all face and for families like his, they need affordable housing being linked to transit locations for a fighting chance.

The next speaker from Pittsburghers for Public Transit, Mr. Mel Packer, also addressed the Board on affordable housing. He said that we see new luxury apartments being built while tearing down the homes of the working poor, predominantly African Americans, but certainly not sparing the white working force from this assault.

Mr. Packer commended Port Authority, and PPT acknowledges, for creating the Transit Oriented Guidelines that give weight to the needs of the working poor. This is the first step and one that most transit bodies never consider, so in some ways, Port Authority is pioneering this work.

The next speaker, Ms. Helen Gerhardt, stated that she is not speaking as an official representative of the Steering Committee of the Affirmatively Furthering Fair Housing Task Force, but from what she has learned as part of that body and as a low income resident herself.

She stated that the Fair Housing Act, Title 8 of the Civil Rights Act of 1968, declares that it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. Affirmatively Furthering Fair Housing Guidebook published in December of 2015 states that HUD grantees are required to ensure that persons are not denied equal opportunities in connection with housing because of their race, color, national origin, religion, disability, sex or familial status. The duty to affirmatively furthering fair housing extends to all of the programs, participants, activities and programs related to housing and urban development.

Ms. Gerhardt continued saying that the Community Development Block Grants Fund is an annual grant to assist in the development of viable communities. Those communities are defined by decent housing, a suitable living environment, and expanded economic opportunities. That means, at minimum, 70 percent of the CDGB funds extended by a state or entitlement grantee should be used to benefit low and moderate income people. She stated that Allegheny County secured \$750,000 CDGB funds for site preparation, sanitary line relocation, and utility extension for development that does not offer affordability to low-income residents and may decrease access to economic opportunity as provided by public transit.

Ms. Gerhardt concluded her remarks by saying that according to the law, she is asking, as you cast your vote, please consider this question. Do these developments meet the legal obligation to affirmatively further fair housing?

The next speaker, Mr. James Love, voiced his opinion about the outlying counties invading Port Authority's work. He also gave his opinion regarding the proposed Fare Policy as it relates to going to one zone.

The final speaker, Mr. Andrew Hussein, from PPT and Bus Information Hotline, spoke regarding the Transit Oriented Development Guidelines, and how there needs to be an inclusion for low

and affordable housing near the transit system. He referred to the new apartments in East Liberty and asked how many of these people realistically will take the bus.

That concluded the public comment portion of the agenda.

The Chairman noted that Representative Dan Miller is here today. He came to listen to your comments on the Transit Oriented Development Guidelines as well as to hear the vote for Castle Shannon. Mr. Hurley continued by thanking everyone for their comments on the Guidelines and wanted to compliment staff on working so hard pulling these together. We will be hearing more from Mr. Tague's committee after the Guidelines are introduced to the Planning and Stakeholder Relations Committee for consideration at our meeting on April 21.

The Chairman added that we do appreciate the fact that you acknowledged the work of staff. We acknowledged as a Board as we've gone through the most recent TODs, that something needed to be done as we moved forward on additional proposals, so your input is welcomed and very helpful and we'd like to continue to hear your comments on the Guidelines.

The Chairman called on Mr. Letwin for a report of the Performance Oversight Committee. Mr. Letwin reported that he will be giving this report on behalf of Ms. Connie Parker, the Committee Chair.

Mr. Letwin reported that a meeting of the Performance Oversight Committee was held on Thursday, March 10, 2016, and minutes from the previous meeting were approved by the Committee.

The financial results for the month of February 2016 were reported at the meeting. It was reported that Total Operating Income exceeded budget by \$1.5 million due to the receipt of a large consignment payment for passes. Total Expenses were \$2.0 million below budget and Total Operating subsidies for the month were \$2.4 million over budget due to the receipt of higher State Operating Assistance payments.

From a year-to-date perspective, it was reported that Total Operating Income is \$1.1 million over budget due to higher Passenger Revenues and Advertising Revenues. Total Operating Expenses continue to be under budget by \$16.2 million with significant savings from diesel fuel, retiree healthcare premiums and work-done-by-outside contractors.

From a year over year perspective, Total Operating Income is \$897,000 higher than last fiscal year due to higher Advertising Revenues and slightly higher Passenger Revenues. Total Expenses are \$7.6 million higher than last year due to higher wage rates and healthcare premiums.

It was also reported at the meeting that the Total Operating Subsidy is \$9.8 million higher than last year principally due to higher State Operating Assistance and Preventive Maintenance reimbursements.

There were three resolutions reviewed at the meeting and are being recommended by the Performance Oversight Committee for consideration.

The Committee first reviewed four procurement actions and found the bids to be in accordance with the Authority's procurement policies and procedures, prices to be fair and reasonable, and the bidders to be responsive and responsible. The Performance Oversight Committee therefore recommends for award the four items outlined in the resolution in the total amount of \$711,644.06.

On behalf of the Performance Oversight Committee, Mr. Letwin respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution authorizes the Authority to settle a liability claim. On January 10, 2003, Mr. Thomas J. Vandora, a University of Pittsburgh student, was crossing the street at or near the intersection of Bellefield and Fifth Avenues in Oakland. As he was crossing, he was struck by a Port Authority bus and died at the accident scene.

On November 14, 2003, Mr. Vandora's estate and parents filed suit against the Authority in the Court of Common Pleas of Allegheny County. It was noted at the meeting that the monetary damage exposure for the Authority, per the applicable statutory limit under the Pennsylvania Sovereign Immunity Act, is \$250,000.

The parties have reached an amicable agreement to fully and finally settle the litigation in the amount of \$165,000, subject to approval by the Board. This resolution authorizes a settlement payment from the Authority to the estate and parents of Mr. Thomas J. Vandora in the not-to-exceed amount of \$165,000 to fully and finally settle this litigation.

On behalf of the Performance Oversight Committee, Mr. Letwin respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The final resolution for consideration will authorize the Authority to award contracts for the general construction and HVAC upgrades for the Collier Garage Roof Replacement project.

The General Construction Contract provides for the furnishing of all engineering, labor, material, equipment, tools, supervision and incidental items necessary to replace the roof on the Collier Garage.

The HVAC Contract provides for the furnishing of all engineering, labor, material, equipment, tools, supervision, and incidental items necessary to replace the existing four rapid fire roof units, two roof top units and one roof mounted exhaust fan at the Collier Garage.

To perform the work, bid documents were prepared and publicly advertised. Four bids were received for the General Construction Contract and three bids were received for the HVAC Contract.

After review of the responsive bids, it was determined that the bid of Miller-Thomas-Gyekis, Inc., in the amount of \$2,873,556 for the General Construction Contract and the bid of SSM Industries, Inc., in the amount of \$597,000 for the HVAC Contract, are the lowest responsive bids from responsible bidders.

This resolution will award Construction Contract #COL-16-02G to Miller-Thomas-Gyekis, Inc., in the amount of \$2,873,566 and Contract #COL-16-02H to SSM Industries, Inc., in the amount of \$597,000, all subject to completing the pre-award requirements.

On behalf of the Performance Oversight Committee, Mr. Letwin respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

That concluded the report of the Performance Oversight Committee.

The Chairman called on Mr. Tague for a report of the Planning and Stakeholders Relations Committee.

Mr. Tague said that he had two items of note and one resolution to present. First, he updated everyone on the public comment period for the Fare Policy proposal. He stated that Port Authority hosted our final public hearing on March 8 in Oakland where about 20 people spoke. Overall, we've collected more than 300 responses via email, survey, website, U.S. mail and public hearings.

Mr. Tague reported that the responses have been mostly positive, with some criticism regarding the proposal of the ConnectCard fee.

The second update is a nod to Karen Hoesch, director of ACCESS. Last Friday, Ms. Hoesch and Mr. Tague, along with a few Port Authority employees, hosted a roundtable discussion with Russian visitors through a program entitled, "Advocating for the disabled, physical access, education and employment." The group was in Pittsburgh, in part, to learn about accessible transportation. They were really interested in how our ACCESS system actually works, noting that he was there to talk advocacy. Although he didn't get to say much, it was really interesting sitting the room with translators and hearing what they had to say.

Mr. Tague then reported that at the Planning and Stakeholder Relations Committee on March 10, the Committee heard from the Shannon Transit Village team, a private development group that discussed its Transit Oriented Development project on the Authority's current 6.3 acre surfaced park and ride lot located adjacent to the Castle Shannon T Station. The project consists of a nine-level apartment complex with 15,000 square feet of retail space on the first

level. Riders would be displaced for about a year and after the project is complete, the number of parking spaces would increase from 507 to 541, noting that parking would cost \$3.00 a day.

This resolution would authorize the Authority to enter into a Lease Agreement with the Shannon Transit Village for the project.

On behalf of the Planning and Stakeholder Relations Committee, Mr. Tague respectfully requested approval of the resolution.

It was moved, seconded and a majority agreed that the resolution be approved as presented with Mr. Letwin's abstention.

That concluded the report of the Planning and Stakeholder Relations Committee.

There was no further business to conduct.

The next Regular Meeting of the Board will be Friday, March 18, 2016.

The meeting was adjourned.

Approved