

**A RESOLUTION**

2002--41-41

**SUPPORTING THE CREATION OF AN INTERMUNICIPAL  
COMMUTER RAIL DISTRICT FOR THE AUSTIN-SAN ANTONIO  
CORRIDOR.**

\* \* \* \*

**WHEREAS**, in 1997, the Texas Legislature authorized the formation of an Intermunicipal Commuter Rail District (“District”) for the Austin-San Antonio corridor through the enactment of Senate Bill 657 in order to facilitate the creation of a regional passenger rail system that would help reduce congestion, reduce traffic fatalities, improve mobility, promote economic development and accelerate commerce along the corridor; and

**WHEREAS**, traffic congestion along IH-35 between San Antonio and Austin continues to worsen and increased population growth and NAFTA truck traffic will create an anticipated demand for up to 18 lanes of north/south interstate capacity in this region by the year 2025; and

**WHEREAS**, recently Congress and the U.S. Department of Transportation began work on the reauthorization of TEA-21 funding and the proposed District would provide a formal mechanism to plan, develop and seek this funding for a comprehensive regional transit system; and

**WHEREAS**, construction is set to begin soon on State Highway 130 and the creation of the proposed District would allow planning for the addition of a freight rail element to the SH 130 corridor and would be helpful in coordinating rail passenger and rail freight service along this corridor; and

**WHEREAS**, Senate Bill 657 requires a vote by the cities of Austin and San Antonio, in addition to the counties of Travis and Bexar, to create the District and permits other cities and counties to vote by resolution to join the District; and

**WHEREAS**, the Commissioner’s Court of Bexar County approved a resolution in support of the creation of District on October 9, 2002, the City of Austin also passed such a resolution, and Hays and Williamson Counties have passed resolutions indicating that both entities would join the District once it is formed; and

**WHEREAS**, the City Council of the City of San Antonio finds that it is in the best interest of the City to support the creation of the District; **NOW THEREFORE:**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** City Council hereby supports the creation of an Intermunicipal Commuter Rail District for the Austin- San Antonio corridor.

**SECTION 2.** This resolution shall take effect on the tenth (10th) day after the date of passage hereof.

PASSED AND APPROVED this 7<sup>th</sup> day of November 2002.

M A Y O R

EDWARD D. GARZA

ATTEST:

City Clerk

APPROVED AS TO FORM:

for City Attorney

02-41

BOARD APPOINTMENTS

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT -NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 17 A

DATE: NOV 07 2002

MOTION: Perez Moorhouse

ORDINANCE NUMBER: \_\_\_\_\_

RESOLUTION NUMBER: 2002-41-41

ZONING CASE NUMBER: \_\_\_\_\_

TRAVEL AUTHORIZATION: \_\_\_\_\_

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		/	
JOHN H. SANDERS District 2		/	
ANTONIETTE "TONI" MOORHOUSE District 3		/	
ENRIQUE "KIKE" MARTIN District 4		/	
DAVID A. GARCIA District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
BONNIE CONNER District 8		/	
CARROLL W. SCHUBERT District 9		/	
DAVID CARPENTER District 10		/	
EDWARD D. GARZA Mayor		/	

FILE Inter Municipal  
Commuter Rail Dist.

02-41

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
EXTERNAL RELATIONS DEPARTMENT**

**TO:** Mayor and City Council  
**FROM:** Jim Campbell, External Relations Director  
**THROUGH:** Terry M. Brechtel, City Manager  
**COPIES:** Tom Wendorf, Director, Public Works; Veronica M. Zertuche, Deputy City Attorney; File  
**SUBJECT:** Intermunicipal Commuter Rail District Resolution  
**DATE:** November 7, 2002

**SUMMARY AND RECOMMENDATIONS**

A resolution supporting the creation of an Intermunicipal Commuter Rail District for the Austin-San Antonio Corridor.

Staff recommends approval.

**BACKGROUND INFORMATION**

In 1997, the Texas Legislature authorized the formation of an Intermunicipal Commuter Rail District for the Austin-San Antonio Corridor through the enactment of Senate Bill 657. The purpose of the District is to facilitate the creation of a regional passenger rail system that would help reduce congestion, reduce traffic fatalities, improve mobility, promote economic development and accelerate commerce along the corridor.

The bill requires a vote by the cities of Austin and San Antonio, in addition to the counties of Travis and Bexar, to create the District. Other cities and counties may then vote by resolution to join the District. Hays and Williamson Counties have passed resolutions indicating that both entities would join the District once it is formed. The City of Austin also has passed a resolution supporting the creation of the District. Bexar County approved a resolution of support on October 9<sup>th</sup>, 2002.

A board of directors governs the District and is composed of the following:

- two public members appointed by the Texas Transportation Commission;

- one elected member of the governing body of each political subdivision that has become a part of the District;
- one elected member appointed by the regional planning organization of which the creating municipality is a part;
- one member appointed by each creating municipality to represent the business community of the municipality;
- one member appointed by metropolitan transit authorities that serve a creating municipality (e.g. VIA and Capitol Metro);
- one member appointed by each county in which a creating municipality is located to represent transportation providers that provide service to rural areas in the county; and,
- one elected member appointed by all other board members to represent all municipalities in the District that do not otherwise have representation on the board.

Board members are not compensated, but are entitled to reimbursement for reasonable expenses incurred while serving as a member.

The legislation gives the District powers necessary to create and operate a regional passenger rail system, including authorization to:

- 1) be a public body and political subdivision of the state;
- 2) acquire or dispose of real and personal property;
- 3) acquire, construct, develop, own, operate and maintain intermodal and commuter rail facilities;
- 4) exercise right of eminent domain to acquire land under certain conditions;
- 5) make agreements with other public utilities, common carriers, state agency or transportation systems for the joint use of facilities, installations or properties;
- 6) adopt rules to govern the operation of the District;
- 7) sue and be sued;
- 8) enter into joint ownership agreements;
- 9) establish rates for the use of District facilities; and
- 10) make contracts, leases, and agreements with, and accept grants and loans from, the federal and state government, its agencies and political subdivisions

A District may also issue revenue bonds and notes. The District, however, has no taxing authority.

## **POLICY ANALYSIS**

The Austin-San Antonio Corridor Council reports that NAFTA-related commercial truck traffic continues to grow at a rapid pace. Latest statistics indicate that 80 percent of Mexico's trade with the U.S. and Canada passes through Texas, 74 percent of it by truck on Interstate 35. Truck traffic in the corridor is increasing at a rate of six percent per year. This increase, combined with a rise in population growth, will create an anticipated demand of up to 18 lanes of north/south interstate capacity by 2025. The Federal Highway Administration has recommended that 50 percent of truck freight traffic moving between Laredo and Dallas should be shifted to rail during that same time period to relieve congestion.

The creation of a district would allow the development of a strategy to move toward this goal. It would also give citizens of the region an additional effective transit option. In the meantime, construction is set to begin soon on State Highway 130. A District would allow planning for a freight rail element to be added to the SH 130 corridor as well as helping to coordinate passenger and freight service in the area.

## **FISCAL IMPACT**

In 1998, Congressman Lamar Smith earmarked more than \$5.6 million in the Transportation Equity Act of the 21<sup>st</sup> Century ("TEA-21") for transportation projects in the Austin-San Antonio Corridor. This money could be used to develop an operating plan for regional passenger service. Grants would be sought to cover administrative expenses.

This year, Congress and the U.S. Department of Transportation began work on the re-authorization of TEA-21 funding. Competition for this federal transit funding is expected to be contentious. However, a District would provide a formal mechanism to plan, develop and seek funding for a comprehensive regional transit system.

The Austin-San Antonio Commuter Rail study reports that the cost of the capital project would be \$500 million in 1998 dollars. Their analysis assumed that 50 percent of the federal dollars would come from TEA-21, with the future balance projected to come from future earmarks. Additional funds from dedicated local revenue were mentioned, but with no identifiable source. Suggestions included a .0011 sales tax that would be imposed from 2002-2020, which would cover the debt balance incurred for capital development.

Using 1998 dollars as a benchmark, it was estimated that operational expenses would total \$24.25 million. Operating revenues would come from the following sources: fares (\$13.85 million); FTA section 5307 urban formula funds (\$4.7 million); and a dedicated regional tax to cover the remaining balance.

**COORDINATION**

This resolution has been coordinated with the Public Works Department and the City Attorney's Office.

  
\_\_\_\_\_  
Jim Campbell, Director  
External Relations

Approved by:

  
\_\_\_\_\_  
Terry M. Brechtel  
City Manager

<u>Approval</u>	<b>CITY OF SAN ANTONIO</b>	Date Considered:
<u>Finance</u>		Consent <input type="checkbox"/> Individual <input type="checkbox"/>
[    ]		Item No. <b>17 A</b>
<u>Budget</u>	<b>Request For Ordinance/Resolution</b>	Ord. No
[    ]		
<u>Legal</u>		
[    ]		
<u>Coordinator</u>		
[    ]		

Date: October 24, 2002	Department:	Contact Person/Phone # Jim Campbell, 207-8029
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Date Council Consideration Requested: November 7, 2002	Deadline for Action: November 7, 2002	for Dept. Head Signature: <i>Ray Baray</i>
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**SUMMARY OF ORDINANCE**

A resolution supporting the creation of an Intermunicipal Commuter Rail District for the Austin-San Antonio Corridor.

Staff recommends approval.

Other Depts., Boards, Committees Involved (please specify): Public Works and City Attorney's Office
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Contract signed by other party    Yes <input type="checkbox"/> No <input type="checkbox"/>
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<b>FISCAL DATA (If Applicable)</b>	<b>Budgetary Implications</b>
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Fund No.	Amt. Expended	Funds/Staffing Budgeted	Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No.	SID No.	Positions Currently Authorized	Yes <input type="checkbox"/> No <input type="checkbox"/>
Index Code	Project No.	Impact on future O&M	
Object Code	If positions added, specify class and no.		

**Comments:**

**Intermunicipal  
Commuter Rail District  
Resolution**

**City Council  
Agenda Item #17  
November 7, 2002**

# Background

- In 1997, the Texas Legislature authorized formation of an Intermunicipal Commuter Rail District for the Austin-San Antonio Corridor through the adoption of SB 657.
- Purpose of the district is to facilitate creation of a regional passenger rail system that would:
  - reduce congestion
  - reduce traffic fatalities
  - improve mobility
  - promote economic development.

## **Background (cont.)**

- **The bill requires a vote by the cities of Austin and San Antonio, in addition to the counties of Travis and Bexar to create the district. Other cities and counties may then vote to join the district.**
- **To date, the City of Austin and the counties of Bexar, Hays, Travis and Williamson have passed resolutions supporting the district.**

# Membership

- **The governing board of the commuter rail district will be comprised of the following:**
  - **two members appointed by the Texas Transportation Commission;**
  - **one member of each political subdivision that becomes a part of the district;**
  - **one member by the regional planning organization of which the creating municipality is a part;**

## **Membership (cont.)**

- one member by each creating municipality to represent the business community;**
- one member by metropolitan transit authorities that serve a creating municipality;**
- one member by each county in each creating municipality; and**
- one member appointed by all other board members to represent all other municipalities not represented.**

# **Commuter Rail Board Appointments**

- **The following appointments are recommended by the Mayor:**

- **An elected member of the City Councilman Carroll Schubert**

- **A member appointed by the City to represent the business community**

**Mr. Sam Barshop - Chairman, Barshop and Oles**

# Powers of the District

- **Be a public body and political subdivision of the state;**
- **Acquire or dispose of real and personal property;**
- **Acquire, construct, develop, own, operate, and maintain intermodal and commuter rail facilities;**
- **Exercise right of eminent domain to acquire land under certain conditions;**

# **Powers of the District (cont.)**

- **Make agreements with other public utilities on joint use of facilities;**
- **Adopt rules to govern the operation of the District;**
- **Sue and be sued;**
- **Enter into joint ownership agreements;**
- **Establish rates for the use of District facilities;**

# **Powers of the District (cont.)**

- **Make contracts, leases, and agreements with, and accept grants and loans from, the federal and state government, its agencies and political subdivisions; and**
- **Issue revenue bonds and notes.**

**\*\*The district has no taxing authority.**

# 1998 Feasibility Study

## ■ Train Schedule

- Peak hours - every 30 mins.
- Off peak - every 90 minutes

## ■ One-Way Fares - \$9.00 (Austin to San Antonio)

## ■ Travel Time - 103 minutes (Austin to San Antonio)

## ■ System Length - 110 miles

# 1998 Feasibility Study (cont.)

- **Stations - 12**
- **Average Speed - 45 mph**
- **Operating Hours - 6am to 10pm**
- **Ridership**
  - **Year 2000: 8,000 per weekday**
  - **Year 2020 11,000 per weekday**

# Fiscal Impact

- **Estimated cost of the capital project is \$500 million (1998 dollars).**
  - **50% of funding would come from federal transportation appropriations. A \$5.6 million earmark is currently pending creation of the District.**
  - **additional funding would come from local and/or state sources.**

## **Fiscal Impact (cont.)**

- **Estimated cost for operational expenses is \$24.25 million (1998 dollars).**
- **Funding sources include:**
  - **fares (\$13.85 million)**
  - **FTA section 5307 urban formula funds (\$4.7 million)**
  - **other local or regional revenue yet to be determined.**

# Coordination

- **This item has been coordinated with the City Attorney's Office, Economic Development and the Public Works Department.**

# **Recommendation**

- **Staff recommends approval of this resolution.**