

**Minutes**  
**of the**  
**Transportation Policy Committee**  
**Lubbock Metropolitan Planning Organization**

**January 19, 2009**

The meeting of the Transportation Policy Committee of the Lubbock Metropolitan Planning Organization was held in Room 103 at 1625 13<sup>th</sup> Street, at 8:30 a.m. on January 19, 2009.

Required notices were given to the members of the Committee and the public. The following Transportation Policy Committee members were present:

John Leonard, City Council, City of Lubbock  
Patti Jones, Commissioner, Lubbock County  
Tom Head, County Judge, Lubbock County  
Tom Martin, Mayor, City of Lubbock  
L.C. Childers, Mayor, City of Wolfforth  
Jim Gilbreath, City Council, City of Lubbock  
Lee Ann Dumbauld, City Manager, City of Lubbock  
Doug Eichorst, District Engineer – TxDOT Lubbock District

Visitors/Staff: David Jones, Lubbock MPO  
Darrell Westmoreland, Lubbock MPO  
Tera Davis, Lubbock MPO  
Mitch Satterwhite, City of Lubbock  
Lonny Kane, Citibus  
Patrick Aten, City of Lubbock  
Todd Reno, Reese Technology Center  
Marsha Reed, City of Lubbock  
Larry Hertel, City of Lubbock  
Neil Welch, City of Lubbock  
Nick Olenik, Lubbock County  
Steve Warren, TxDOT – Lubbock District  
Mary Whistler, U. S. Representative Neugebauer

**Call to Order.**

Mr. Leonard called the meeting to order at 8:30 a.m.

**The Committee moved to the next item.**

**Acknowledgement of Quorum by Chairman.**

Mr. Leonard acknowledged a quorum of the Transportation Policy Committee.

**The Committee moved to the next item.**

**Public Comment Opportunity / Acknowledgment of Guests**

Mr. Leonard asked for any comment from the public. No comment was made.

The Committee moved to the next item.

**Approval of the December 8, 2009 minutes of the Transportation Policy Committee Meeting.**

Mr. Leonard asked for any corrections to the minutes. No corrections were made.

***Patti Jones made a motion to approve the December 8, 2009 minutes of the Transportation Policy Committee Meeting. Doug Eichorst seconded the motion and the motion passed unanimously.***

The Committee moved to the next item.

**Discuss and take action on a Resolution amending the Lubbock Metropolitan Planning Organization's Bylaws by including Standards of Conduct and Ethics Policy pursuant to SB 585.**

Mr. Jones stated that at the December 8, 2009 meeting of the Transportation Policy Committee, a resolution to amend the Bylaws of the LMPO was discussed. The resolution comes from Senate bill 585 which was passed on September 1, 2009 and it deals with Standards of Conduct and an ethics policy. The bill states that not later than January 1, 2010, each policy board of a metropolitan planning organization shall adopt bylaws providing for Standards of Conduct and establishing an ethics policy. Legal counsel prepared an amendment for the Board's review and consideration.

Ms. Jones asked why on the second page last paragraph it specifically stated it applied to the Transportation Planning Director and not the entire board. Mr. Satterwhite explained that the bylaws cover the entire board and MPO staff; however the current Transportation Planning Director is under a contract with the LMPO and not an actual "employee" so it needed to cover as a "blanket statement".

Mr. Gilbreath asked if Mr. Satterwhite had researched his concern of a conflict of interest. Mr. Satterwhite stated that he felt that Mr. Gilbreath would not be subject to a conflict of interest. Mr. Gilbreath stated that he was resigning from the TPC as he felt it was appropriate to avoid any type of question regarding conflict. Mr. Leonard stated that he was disappointed with Mr. Gilbreath's as he has been a benefit to the organization but that he understood and appreciated Mr. Gilbreath's service.

Mr. Martin felt the statute written was overkill for this area and felt that he might vote a protest no. Mr. Leonard stated that he felt he also would like to vote a protest no. Mr. Satterwhite cautioned the TPC that the Statute requires the amendment and that it is not optional. Mr. Satterwhite stated that the bylaws require a two-thirds vote to pass. Ms. Jones stated this type of amendment causes due hardships. Mr. Leonard asked what the implications would be if the amendment did not pass and asked Mr. Satterwhite to research exactly what the bylaws stated the required vote must be.

***Lee Ann Dumbauld made motion to take action on a Resolution amending the Lubbock Metropolitan Planning Organization's Bylaws by including Standards of Conduct and Ethics Policy pursuant to SB 585. Doug Eichorst seconded the motion. The motion was reconsidered to allow Mr. Satterwhite, Legal Counsel, time to research the how the vote reads in the Bylaws.***

The Committee moved to the next item to allow for the above motion to be reconsidered.

**Discuss requirements of the pending Jobs for Main Street Act 2010 and its implications on local highway and transit projects.**

Mr. Jones stated that this item was placed on the agenda to allow discussion of a possible list of projects that the Lubbock MPO and TxDOT might submit if the Jobs for Main Street Act 2010 passes in the House. The senior staff of TxDOT told the twenty-five MPOs that it is their opinion that the bill would in all likelihood pass and, at this time, it appears that the allocations of funding would be very similar to the first

economic stimulus. Mr. Jones stated that the MPOs were advised to go to their Policy Boards in January to develop a list of candidate projects for when the call comes in.

Mr. Martin said that as a refresher the first round included a sub-allocation of \$6.5 million dollars to the MPO and that the projects had to be "shovel ready". Mr. Jones stated there was also a District Allocation of \$18 million. Mr. Jones stated that the City of Lubbock put in \$13 million as leverage with the Commission on the first project.

**The Committee moved to the next item.**

**Discuss and take action to revise the Metropolitan Transportation Plan: 2032 to bring it into fiscal constraint and add a Climate change chapter and send it forward to the public comment period.**

Mr. Jones stated that the spreadsheet in the packet includes the recommendations made by the Transportation Advisory Committee. Projects were prioritized by the TAC with the limits, descriptions, and 2010 costs given by the project sponsor. The Year of Expenditure was a "best guess" scenario with a three percent inflation rate per year. The beginning balance used was \$95 million which is tied back to two minute orders from the Texas Transportation Commission at their November 19, 2009 meeting. The numbers for 2010-2020 came from the finance department at TxDOT based on estimated revenues. The 2021-2035 funding levels are based on a model from TEMPO/TTI/TxDOT and are "best guess" revenues.

The TPC moved:

Project MPO-007R which was in the 9<sup>th</sup> position into the 2<sup>nd</sup> position  
Project MPO-006R which was in the 12<sup>th</sup> position into the 3<sup>rd</sup> position  
Project MPO-008R which was in the 8<sup>th</sup> position into the 4<sup>th</sup> position

All other projects remain in the order they are currently in and everything below the funding amount will be moved to the Illustrative List.

***Jim Gilbreath made motion to send the revisions to the Metropolitan Transportation Plan: 2032 to the public comment period with the corrections above. Tom Martin seconded the motion and it passed unanimously.***

**RECONSIDERED MOTION: From Agenda Item 5**

Mr. Satterwhite stated that after review of the LMPO Bylaws, the motion must pass by a 2/3 vote of the members present. Mr. Satterwhite said that would be five of the eight members present. Mr. Satterwhite said that he would advise the TPC to reconsider approving the statute as directed.

Patti Jones made motion to approve the Resolution amending the Lubbock Metropolitan Planning Organization's Bylaws by including Standards of Conduct and Ethics Policy pursuant to SB 585. Doug Eichorst seconded and the motion passed unanimously.

**REPORTS**

- A. TxDOT**
  - Marsha Sharp Freeway Phase 4 Status Report
  - Outer Route Study Status Report
  - ARRA (West Loop)
- B. City of Lubbock**
  - Streets Projects from Bond Election

- C. **Director's**
- **Local Option Initiative in the 82<sup>nd</sup> Session.**
  - **Transportation Bill Status Report**
  - **Census 2010**

#### **TxDOT**

Marsha Sharp Freeway Phase 4 Status Report

Mr. Warren stated that construction should begin on Phase 4 around March 1<sup>st</sup>.

Outer Route Study Status Report

Mr. Warren said there would be a stakeholder's meeting at 1:30 at TxDOT on the 26<sup>th</sup> which is Tuesday. He said the second public meeting will be at Cooper School District and everyone is invited. The preliminary findings will be presented at the meeting.

West Loop

Mr. Warren said they began taking bids on January 6, 2010. The low bid was Lane Construction.

#### **City of Lubbock**

Streets Projects from Bond Election

Ms. Reed said that the Indiana widening project from 103<sup>rd</sup> to FM 1585 was awarded to Allen Butler. She said that Quaker, 98<sup>th</sup> to 114<sup>th</sup>, will go to bid next week. She stated that 34<sup>th</sup>, Quaker to Indiana, should be under contract next March and that Milwaukee/114<sup>th</sup> Street project will wait until they complete the treatment of the water line from Lake Alan Henry.

#### **Director**

Local Option Initiative

Mr. Jones said there will be a push in the 82<sup>nd</sup> session for a Local Option bill. Mr. Jones said that one of the goals of the support group is to stop diversions from the Highway Trust Fund and provide an alternative revenue stream to support transportation..

Transportation Bill Status Report

Mr. Jones said we are currently operating on the third continuing resolution that is due to expire at the end of February. The House has passed the Jobs for Main Street bill but the Senate has yet to take action on any kind of extension or new bill.

Census 2010

Mr. Jones said 300 million has already been spent for an advertising campaign for the 2010 census. On April 1, 2010 they will look to fill 1.4 million census jobs. Most will begin to receive forms in the mail about mid March.

#### **Meeting Adjourned.**

***The meeting of the Transportation Policy Committee adjourned at 9:40 a.m.***