

**Minutes**  
**of the**  
**Transportation Policy Committee**  
**Lubbock Metropolitan Planning Organization**  
**May 18, 2010**

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 May 18, 2010.

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

John Leonard, City of Lubbock Representative  
Patti Jones, Commissioner, Lubbock County  
Tom Head, County Judge, Lubbock County  
L.C. Childers, Mayor, City of Wolfforth  
Paul R. Beane, City Council, City of Lubbock  
Lee Ann Dumbauld, City Manager, City of Lubbock  
Doug Eichorst, District Engineer – TxDOT Lubbock District  
John Wilson, General Manager, Citibus

Visitors/Staff: David Jones, Lubbock MPO  
Darrell Westmoreland, Lubbock MPO  
Tera Davis, Lubbock MPO  
Steve Warren, TxDOT, Lubbock District  
Sharmon Owens, City of Lubbock  
Randy Henson, City of Lubbock  
Jere Hart, X8 Environmental, Inc.  
Marsha Reed, City of Lubbock  
Charles Perry, 83<sup>rd</sup> District Representative Elect  
Todd Reno, Reese Technology Center  
Mitch Satterwhite, City of Lubbock  
Nick Olenik, Lubbock County  
Karen Gibson - City Council, City of Lubbock  
Larry Hertel, City of Lubbock  
Darrell Newsom, City of Wolfforth

**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. Mr. Leonard welcomed Mr. Charles Perry to the meeting.

The Committee moved to the next item.

### **Approval of the March 16, 2010 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 March 16, 2010 minutes of the Transportation Policy Committee Meeting. John Wilson seconded the motion and the motion passed unanimously.***

The Committee moved to the next item.

### **Discuss and take action on a revision to Subtask 3.3 Transit Planning in the FY 2009 – 2010 Unified Planning Work Program.**

Mr. Jones stated that Citibus is requesting they be allowed to substitute an eligible planning report as they will be unable to complete the Fixed Route Study. Mr. Jones stated that proposed reports that Citibus included in the caption can all be categorized as Maintenance of Eligibility for grand programs. Mr. Jones said that he recommended three of the ten as they would satisfy the MPO objective but stated he could narrow it down to two. Mr. Jones said he supports the DBE Outreach Report and the Security Report.

Mr. Leonard asked Mr. Wilson if he had any comments. Mr. Wilson stated that some of Citibus' grant funds came in lower than expected and this would help their budget. Mr. Leonard asked Ms. Dumbauld if there were any comments from the City of Lubbock. Ms. Dumbauld did not have comments.

***Tom Head made a motion to approve the revisions of the Subtask 3.3 Transit Planning in the FY 2009 – 2010 Unified Planning Work Program. John Wilson seconded the motion and the motion passed, with Paul R. Beane abstaining as he was not present for the entire discussion of the agenda item.***

### **Discuss and take action on the TAC recommendation regarding the unspent balance of the FY 2009 – 2010 Category 7 funding.**

Mr. Jones stated that after a very lively discussion, unanimous approval was given to the NovaChip Seal Coat project for the frontage roads on Loop 289 from Slide to the Interstate. Mr. Jones stated that a bullet list of projects was discussed but because we are dealing with "real" money that, if left, might be taken back by TxDOT, there was some urgency in the time frame. This was the only project that was ready with the exception of West 4<sup>th</sup> Street but the amount of money would only do a small portion of that project. Mr. Jones stated that the Transportation Advisory Committee recommends this project and the MPO staff supports that recommendation.

Mr. Leonard asked Mr. Warren to approach the podium to elaborate. Mr. Warren stated whatever project was selected must bid before August. Plans are ready for the seal coat and it is ready to bid. Mr. Warren stated that the next agenda item discusses additional Category 7 funding for the next several years. He stated that there is concern with not spending this funding prior to the end of this fiscal year as it could be taken by TxDOT and used in some other area of the State.

***Doug Eichorst made a motion to approve the NovaChip Seal Coat Project on the frontage roads of the Loop for funding with the balance of the FY 2009 – 2010 Category 7 funding. John Wilson seconded the motion and the motion passed unanimously.***

### **Discuss and take action on amendments to the Metropolitan Transportation Plan: 2032.**

Mr. Jones explained that unlike the previous agenda item, these dollars are not “money in the bank” but rather estimated allocations through 2014. The Transportation Advisory Committee reasoned that the South Slide Project is one of the most important projects on the priority list and wanted to go ahead and move that project forward. With that in mind, the TAC recommended that all of the Category 7 funding for the next four years go into that project. The TAC also decided to pull the bridge at Spur 327 and Milwaukee Ave. out of Phase 5 of the Marsha Sharp Freeway to become a “stand-alone” project. It was previously funded with Cat 2 allocations in 2014. Mr. Leonard asked if the environmental document is approved. Mr. Eichorst said it is not complete. Mr. Leonard asked if the right-of-way has been acquired. Mr. Warren stated they have right-of-way for the Spur 327 portion but not for the entire Phase 5 of the Marsha Sharp Freeway. Mr. Jones said the rest of the recommendation was to add Milwaukee Avenue from 104<sup>th</sup> to FM 1585 to the illustrative list.

Mr. Jones added that if the Board approves the TAC recommendation for South Slide, the MPO and District Staff will implement a “Trade Fair” strategy in order to advance the project. Literally find another MPO and make an agreement to trade allocations so that we would be ready to construct by 2014 or sooner. Mr. Eichorst said there is not enough money in any one year to do a complete project so we are combining several years worth of projects, allowing another MPO to use our money and then in 2014 we will collect the money and do a substantial project rather than a one-mile section.

Ms. Dumbauld asked if the project is still 2.5 million short and wanted to know where we would get the additional money. Mr. Warren said it is a leap of faith to use the Trade Fair Strategy but the good news is in the first year and one half or two years we will use our regular Category 7 to acquire right-of-way so there is no trading occurring at that point in time. It is the outer years when we are looking for construction that we will have to have a firm written agreement between us and one or more MPOs where we give them our allocation up front and get it back in 2014. Mr. Warren said he cannot guarantee the money will be there in 2014 as we do not have a federal highway bill at this time and do not know what will happen with Category 7 in the future. Mr. Warren said it may be more, it may be less, and you need to be aware, but it does give us a plan to move forward with South Slide Road. Mr. Warren said the first years will allow the right-of-way to be acquired and that way, with whatever money is available, we will be able to move forward. He compared it to the stimulus projects. Mr. Warren said as far as the 2.5 million, right now we are working on an estimate of four million dollars for right-of-way and is not sure how much that will actually be. He said there is going to be a need for the District to put some Category 11 funding in this as well to cover the shortfall.

Mr. Leonard felt it is important to get something going on South Slide and because we have not started work on it, we have had to do other projects. He felt if we get this one in line, it is a start. Mr. Leonard asked if Mr. Warren knew of any other MPOs that have had success with the Trade Fair. Mr. Warren stated he does not believe it has been done in Category 7 before. In the past there was no question that we could bank money year after year and, in fact, Lubbock spent ahead on Marsha Sharp Freeway using our future allocations. He said the allocations were not actually there and we were spending another MPO’s money. He said we did not do anything wrong but we are no longer allowed to do that. He said we do not need to consider this for construction until at least 2014 as he doesn’t feel the attitude of the other MPOs is going to be conducive to giving money to Lubbock up front anymore.

Ms. Dumbauld asked if we think that MPOs can actually make agreements among themselves. Mr. Warren stated that he has run this by John Barton, Assistant Executive Director in charge of funding, and he is in agreement and thinks it is a good plan. Mr. Warren said, if approved today, his plan is to send out “feelers” to other areas in the State to see if there is interest. Mr. Leonard pointed out we have had a lot of success to our creative financing in the past and only wanted Mr. Warren to confirm that we would not be any worse off in two years if we are unable to find a willing participant and will have made some progress on the first steps. Mr. Eichorst said the Trade Fair plan is already being utilized for Category 2 and it is not a new concept.

Mr. Beane asked to follow up on Ms. Dumbauld's question, he was not sure that he got the answer that he was looking for. Mr. Beane wanted to know how we know this is legal if it has not been done before. Mr. Warren said there is not a legality issue here, but funds allocated to eight MPOs around the state allocated basically on population. He said it is a statewide pot of money and we are voluntarily giving our allocation up front and they agree that in 2014 they give us a portion of their allocation to replace it. Mr. Beane asked if that was dollar for dollar. Mr. Warren said he would leave it up to the TPC to see if they wanted to try and get an interest payment but felt that we would be hard pressed to find someone willing to pay interest on federal highway allocations. He said most likely it would be dollar for dollar. Ms. Dumbauld said if we make an agreement and it is on the minutes here but questioned if MPOs are real organizations. Mr. Warren stated they were. Mr. Jones stated that they are a quasi government body created by federal statute. Mr. Jones stated that the TPC acts in the same way as the City Council does to the City. Ms. Dumbauld asked Mr. Satterwhite to define it. Mr. Satterwhite said that Mr. Jones described it accurately and the MPO does have contracting authority and can come up with agreements among themselves if they want to. Mr. Satterwhite said the tricky thing would be if someone wanted to renege in some way, but an agreement is an agreement.

Mr. Eichorst said that all Category 7 funding is related to the gas tax and felt that it went to Mr. Beane's question of if the money would be dollar for dollar. He said it depends on the funding level for Category 7 and all categories have gone down in the past few years and it is a leap of faith that the money will be there but there is no guarantee. He said the other option is to do it year by year with our 3.5 and do one mile at a time of whatever. Mr. Eichorst said this is a way to get a collective roadway done all at one time. Mr. Leonard said that it is a plan and there would not be an agreement for a couple of years and it would be a written formal agreement when it is made and the TPC would vote on it. He stated he does not see a down side to this today. Mr. Leonard asked if Ms. Reed had anything to say. Ms. Reed said she just wanted to let those City Council and City Representatives know that the right-of-way purchase on Slide Road will require a ten percent match of City dollars and with that ten percent, they are looking at four million dollars in right-of-way costs so that is \$400,000 out of the Gateway Fund for right-of-way match and there is no project proposed for that at this time.

***John Wilson made to accept the Transportation Advisory Committee recommendation and amend the Metropolitan Transportation Plan: 2032. Doug Eichorst seconded the motion and the motion passed unanimously.***

**Discuss and take action on the draft FY 2011 – 2014 Transportation Improvement Program to begin the public comment period.**

Mr. Jones pointed out that we are still under SAFETEA-LU and the text has been updated to address projects that advanced the eight planning factors that drive the bill. Mr. Jones went over the changes in the TIP from the current one to the FY 2011 – 2014.

Ms. Dumbauld stated that the City has not reviewed the Transit grant numbers and that these need to be coordinated with the City's budget preparations already in progress. She said before she is willing to go forward with this, she must be sure they match up with the City's plans. She said she was unsure of the time line in having the plan done, but until she gets it refined she will not vote for them. Mr. Leonard asked Ms. Dumbauld if she had seen these figures. She stated she had not. Mr. Jones stated that the TIP has to be complete prior to August 1, 2010.

Mr. Leonard stated that the TAC has approved this, and the TPC would need to approve it to send it to public comment. He said it may be August but wanted to know how much time was needed for the public comment period. Mr. Jones replied there is a thirty day public comment period. Mr. Leonard asked if it would be possible to delay action on this item until the June meeting. Mr. Jones stated that we have moved the June meeting from the 15<sup>th</sup> to the 22<sup>nd</sup>. Mr. Leonard verified that final approval would come after the public comment period. Mr. Jones agreed. Ms. Davis explained that if there are significant changes during the public comment period, an additional ten day public comment period would be required to allow the public to comment on the changes.

Ms. Jones asked if there could be a special meeting of the TPC once the City has had an opportunity to review the plan. Mr. Jones said that would be possible. Mr. Eichorst asked what would be a fair time line for the City to review the plan. Ms. Dumbauld said it could be done in the next couple of weeks.

**Mr. Leonard stated that it would be appropriate for the City to review the document and asked that in the future this would be done prior to it coming to the TPC. Mr. Leonard stated that the TPC would have a special called meeting to address this item in June. The Committee moved to the next item.**

#### **Discuss and take action on the FY 2010 – 2011 Budget.**

Mr. Jones went over the FY 2010 – 2011 budget. Mr. Jones explained that there is a 17% increase in revenue as a result of the government restoring programming levels. He stated that the MPOs were directed to use the restored authority amounts for the FY 2010 – 2011 budget. He stated that the over/under column shows the increase or decrease in the line items. He pointed out the increase in the payroll and benefits was due to a 3% increase proposed for the staff and that the increase in subtask 8302 was for the same reason. He pointed out that in subtask 8406; the three recurring expenditures were included with \$60,000 for the City of Lubbock Planning Department, \$60,000 for Citibus and \$7,000 for Traffic Engineering.

Ms. Dumbauld asked if the MPO had checked the Internal Service charges. Ms. Davis said we were not aware of a change. Ms. Dumbauld said they have just been redone and that she believed the MPO had gotten a portion of that allocation. Mr. Jones stated that we would check it. Mr. Jones stated the bottom line of revenue over the expenditures is what we expect to have for planning programming for the year. Mr. Jones stated that if approved today, the MPO would begin the process of the Draft FY 2010 – 2011 Unified Planning Work Program to go to the TAC. If approved by the TAC, it would return to the TPC at their regularly scheduled June meeting for approval.

Ms. Dumbauld stated she would like to make another suggestion on the budget. She said she has to vote against the budget in its current form as the City employees have not had a raise in years and it would be impossible for her to approve the budget with a raise because it sends a bad message to the other 1800 people that work for the City. She said what could be done to get around this is to put it in at the current level and then once the budget is adopted, you could take a separate action when you get to the new fiscal year and recommend raises and you would still be okay on the bottom line and that would be easier for her to approve. Mr. Beane, stating he is new to the TPC, wondered what the percentage of pay raise last year, if any, was. Mr. Jones stated it was three percent. Mr. Jones stated that it has been three percent since he has been there. Mr. Wilson said it has been for the past ten years. Ms. Dumbauld stated her comments are not a reflection on the work the LMPO does. Mr. Leonard asked if there were any other comments. No comments were made.

***Patti Jones made a motion to approve the FY 2010 – 2011 Budget as recommended by the Transportation Advisory Committee. John Wilson seconded the motion and the motion passed with nay votes from Lee Ann Dumbauld and Paul Beane.***

#### **Discuss and take action to amend the FY 2008 – 2011 Transportation Improvement Program to reflect actual grant awards for Citibus.**

Mr. Jones stated that FHWA and FTA require the MPO to carry the local transit grant numbers in our TIP. Sponsors have authority to spend over or under 25% of the estimated grant amounts without any additional reporting requirements. Mr. Jones stated that the actual grant numbers for Citibus are over the 25% mark and we must amend the FY 2008 – 2011 TIP to show the actual grant numbers. Ms. Dumbauld asked why Citibus went over. Mr. Wilson said the reason they are over is because they

received 3.9 million in ERA funds and 2 million dollars in Capital Replacement Funds from TxDOT, which is 5.9 million that they did not know was coming.

***Paul Beane made a motion to approve the amendment of the FY 2008 – 2011 Transportation Improvement Program to reflect the actual grant awards for Citibus. Patti Jones seconded the motion and it passed unanimously.***

## **Reports**

### **A. TxDOT**

- **Avenue A and 50<sup>th</sup> Street**
- **Category 2 Trade Fair Results**
- **TxDOT Town Hall Meeting**
- **Outer Route Feasibility Study Update**

### **B. Director**

- **Status of Surface Transportation Funding**

## **TxDOT**

Mr. Warren stated that TxDOT conducted a Statewide Long Range Transportation Plan 2035 meeting recently in Lubbock. He said you don't get into project specific issues but more setting a direction and policy of where we want to be as a State as far as future transportation planning. Mr. Warren said they also had an Open House last week on May 11<sup>th</sup> and invited people to TxDOT to talk about the Long Range Plan.

Mr. Warren said that the Texas Rail Plan is a separate plan that is also incorporated into the Statewide Long Range Transportation Plan. Mr. Warren said that plan is being developed by the Rail Division in Austin. He said they had a very good workshop last week on that at TxDOT. He said there were probably twenty-five to thirty people there and they talked about what they envision as the future of rail overall in Texas but primarily focused on West Texas at that meeting. He said they had representatives who were supporting passenger rail and representatives who were supporting freight rail. He said the idea behind it is to take all that information, and develop a long range vision for the future of rail in Texas. He said the group that was there was primarily more interested in freight than in passenger rail in the West Texas area. One of the ideas presented in the twenty to thirty year plan is to focus more on passenger development in the "golden triangle area" of Texas and redevelopment on the western side of the State that would relieve some of that freight rail out of the central part of the state and move it to the west where there is more space.

Mr. Warren said the consultants have had their last public meeting on the Outer Route study and had hoped to present the report to the TPC this month but he wants to make sure the report is in good shape before it is presented. Mr. Warren said they want to have a good report to present at the next month's meeting. He said it has been determined that some type of facility is feasible in the 2030 – 2050 time frame. He said a freeway was not shown to be feasible in 2030 but it is marginally feasible in 2050. He said they would probably present a facility that is more of a four lane divided roadway that would have expansion capabilities to go to a freeway in the future. He said they would not be presenting a line on a map that shows exactly where it will go as that was not part of the study. Mr. Warren said the idea was to determine what is feasible to be built and narrow the corridor down. Mr. Warren said TxDOT will take it from there and go through the route study to more firmly define that line on the map.

Mr. Warren stated the Town Hall Meeting was an all day affair. He said there was a good turnout at the local Mayor and MPO group. He said the County Judges' meeting did not go as well as only three judges showed up. He said TxDOT appreciates the City of Lubbock allowing them to meet in City Hall for the meeting that evening. He said there was a good turnout and went better than expected. He said there

was not a lot of controversy and a lot of valid points were brought out by the public. Mr. Eichorst said he would like to make a couple of comments. He said he really appreciated the efforts of the City of Lubbock, the MPO, and the Chamber of Commerce in making that a very successful meeting. He said that one of the persons getting on the airplane leaving commented that they wished they could film it to show all the other districts on how to put this together and he felt that contributes to those here and those working behind the scenes to make it successful. Mr. Eichorst said they got a lot of good information but more than anything it was a better understanding of our needs out here.

### **City of Lubbock**

Ms. Reed said it has been a while since she has updated this group on City projects and the status of those projects. Ms. Reed said the Erskine project from Frankford to Salem looked like it was almost done but it is not. She said they had a problem with the concrete paving out there in the center turn lane and after four months of going back and forth with consultants and contractors it is coming out. She hoped the project would complete by mid June. Mr. Leonard asked if coming out meant it would be torn out. Ms. Reed said they would tear out the concrete pavement for about two thirds of a mile.

Ms. Reed said that they did have their ground breaking on Quaker Avenue. She said they are holding up as there are some utilities in the way, primarily AT&T. She said the contractor should be in there by the end of this month and things will start moving.

Ms. Reed said the last major rain delayed Indiana Ave. She said they had a lot of problems at FM 1585 because the contractor was working and had the drainage blocked. She said they shut that down and it is still shut down. Ms. Reed said they are working with the contractor on trying to get it open full width by the time they open it up.

Ms. Reed said that Lubbock Business Park Blvd. is just about complete. She said they paid the last payment on it recently and that one is done.

Ms. Reed said the 34<sup>th</sup> Street design is underway. She said they are out walking 34<sup>th</sup> Street visiting with the business owners from one end to the other and a number of meetings are coming up with the business owners.

Ms. Reed said that last Thursday the City Council approved their consultant for the Traffic Signal Upgrade which is part of the bond package. She said they are meeting tomorrow to kick that project off. Hopefully construction will begin in about a year.

Ms. Reed said at the next Council meeting there is an amendment to the design contract of the Milwaukee Bond Project to get the design underway. The Council agreed to move up the water line project that has to go in before Milwaukee is built. She said it has recently gone out for bid and hopefully will get some of that moved up.

Ms. Reed said that the Street Maintenance Program on University is under reconstruction right now. She said a lot of people are complaining about it being down to one lane but it is moving along pretty quick and the same contract includes 82<sup>nd</sup> Street from University back to Elgin so when they get University finished they will move over to 82<sup>nd</sup>.

Ms. Reed said this year's 3 million dollar Micro-Surfacing Project starts today.

### **Director**

Mr. Jones said SAFETEA-LU has been extended to the end of this year. He said Congress restored the programming levels back to the amounts in 2009. He said the outlook is bleak for a new transportation bill and that nothing will probably be done until after the November elections. He said they will continue to operate with continuing resolutions until then.

**Meeting Adjourned.**

*The meeting of the Transportation Policy Committee adjourned at 9:30 a.m.*