



# Lubbock Metropolitan Planning Organization

Working Together



Transportation Policy Committee  
07/20/10 8:30 A.M.  
Lubbock City Hall, 1625 13<sup>th</sup> Street  
Room 103  
Lubbock, Texas

1. Call to Order
2. Acknowledgement of Quorum by Chairman.
3. Public Comment Period / Acknowledgment of Guests.
4. Approval of the June 9, 2010 Special Meeting Minutes of the Transportation Policy Committee.
5. Hold Public Meeting on the Draft FY 2011 – 2014 Transportation Improvement Program and amendments to the Metropolitan Transportation Plan: 2032.
6. Presentation of the Frenship Strategic Plan.
7. Discuss and take action on the findings and recommendations of the Outer Route Feasibility Study.
8. Discuss and take action on amendments to the Metropolitan Transportation Plan: 2032.
9. Discuss and take action on the Draft FY 2011 – 2014 Transportation Improvement Program.
10. Discuss and take action on the FY 2010 - 2011 Budget.
11. Discuss and take action on the draft FY 2011 Unified Planning Work Program.
12. Discuss and take action on a Memorandum of Understanding between Lubbock MPO and Hidalgo County MPO regarding re-direction of FY 2011 Category 7 funding.
13. Reports
  - A. TxDOT
    - E 19<sup>th</sup> Street
    - Project Updates
  - C. Director
    - Status of the FY2010 Unified Planning Work Program projects.
    - Policy Changes – Oversight of Credit Card Statements.

## **AGENDA ITEM 2**

**Call to Order**

## **AGENDA ITEM 3**

### **Public Comment Period / Acknowledgement of Guests**

**DISCUSSION:** The public is welcome to provide comments to the Transportation Policy Committee (TPC).

However, because this meeting is conducted in accordance with the Texas Open Meetings Act the members of the TPC and staff cannot enter into a dialogue with the citizens.

Citizens may request an item be placed on the agenda for a future meeting in accordance with MPO policy. MPO staff will provide the information if requested.

**ACTION REQUIRED:** None

## **AGENDA ITEM 4**

### **Consideration of the June 9, 2010 minutes of the Special Transportation Policy Committee meeting.**

**DISCUSSION:** Review and approve the meeting minutes of the June 9, 2010 meeting of the Transportation Policy Committee.

**ACTION REQUIRED:** Consider approving the meeting minutes of the June 9, 2010 Transportation Policy Committee.

**TAC RECOMMENDATION:** None

**STAFF RECOMMENDATION:** Recommend Approval

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

**June 9, 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 June 9, 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  
Tom Martin, Mayor, City of Lubbock  
Paul R. Beane, City Council, City of Lubbock  
Lee Ann Dumbauld, City Manager, City of Lubbock  
John Wilson, General Manager, Citibus

Visitors/Staff: David Jones, Lubbock MPO  
Darrell Westmoreland, Lubbock MPO  
Tera Davis, Lubbock MPO  
Steve Warren, TxDOT, Lubbock District  
Marsha Reed, City of Lubbock  
Mitch Satterwhite, City of Lubbock  
James Loomis, City of Lubbock

**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 May 18, 2010 minutes of the Transportation Policy Committee Meeting.**

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

***John Wilson made a motion to approve the May 18, 2010 minutes of the Transportation Policy Committee Meeting. L. C. Childers seconded the motion and the motion passed unanimously.***

The Committee moved to the next item.

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

Mr. Jones said that if you will recall at the last meeting it was decided to postpone action on this item to allow the City of Lubbock and Citibus to determine if the estimates listed on the local share of the transit projects were consistent with the City of Lubbock budget. Mr. Jones explained that FTA requires these single project entries for transit in the same way that FHWA requires them for highway projects.

Mr. Jones explained that the object of this agenda item is to send the document into the public participation period. He said that will also allow the City of Lubbock and Citibus more time to look at the numbers and if there are any changes in the thirty day period the numbers can be changed. Mr. Jones stated that if the document is approved to begin the public comment period it would begin on June 12<sup>th</sup> and the first public hearing would be on June 23, 2010 at the Mahon Library from 4:30 to 6:00 p.m. He said the public comment period would end on July 11<sup>th</sup> and the final public hearing would take place at the July 20, 2010 meeting of the TPC. Mr. Leonard stated this is a planning document and that projects that are not listed in the document cannot be worked on but because a project is in the document does not mean that it must be done.

***Tom Head made a motion to approve the draft FY 2011 – 2014 Transportation Improvement Program to begin the public comment period. Paul Beane seconded the motion and the motion passed unanimously.***

**Meeting Adjourned.**

***The meeting of the Transportation Policy Committee adjourned at 8:35 a.m.***

## **Agenda Item 5**

### **Hold Public Meeting on the Draft FY 2011 – 2014 Transportation Improvement Program and amendments to the Metropolitan Transportation Plan: 2032.**

**DISCUSSION:** The Policy Meeting today was also posted as the final public meeting in the public participation process required by Law to receive comments on the proposed MTP revisions and TIP update. This agenda item will allow anyone at the meeting to speak on the MTP, TIP and Transit programs.

## **Agenda Item 6**

### **Presentation of the Frenship Strategic Plan.**

**DISCUSSION:** At the request of Darrell Newsom, City Manager of Wolfforth and Transportation Advisory Committee member, Dr. David Vroonland, Superintendent of Frenship Independent School District will present the Frenship Strategic Plan and its vision with regard to the future impact on the transportation network in the school district. The MPO staff believes that this sort of vision can have a definite impact on the Outer Route Study and thought it would be important to hear the presentation before deciding on the next step of the Outer Route planning process.

**ACTION REQUIRED:** No action required.

**TAC RECOMMENDATION:** No recommendation.

**STAFF RECOMMENDATION:** No recommendation.

## **Agenda Item 7**

### **Discuss and take action on the findings and recommendations of the Outer Route Feasibility Study.**

**DISCUSSION:** MACTEC staff will present the findings and recommendations of the Outer Route Feasibility Study.

**ACTION REQUIRED:** Possible action to approve the second phase of the Study, Outer Route Study, to be done by TxDOT as an “in-house” study.

**TAC RECOMMENDATION:** No recommendation.

**STAFF RECOMMENDATION:** No recommendation.

## Agenda Item 8

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

**DISCUSSION:** About a year ago, the Federal Highway Administration notified TxDOT that the Statewide Transportation Improvement Program (STIP) was over-programmed and, therefore, not fiscally constrained as prescribed by Law. TxDOT set a process in motion to correct this finding which required all twenty-five MPOs to have to amend or otherwise update their local Metropolitan Transportation Plans (MTP) since all twenty-five plans are the basis of the STIP. Lubbock's response was to re-prioritize the priority project list contained in the MTP since it was already written out to the planning horizon of 2032. Most other MPOs opted to undertake a complete re-write out to the next target planning horizon of 2035. As a result of the re-prioritization, the priority project listing was scrubbed, completed projects were dropped and the remainder were given new priorities by virtue of a prescribed process that moved the project through both the Transportation Advisory Committee and the Transportation Policy Committee.

One of the main objectives was to bring the STIP and subsequent local long range plans into fiscal compliance. In November 2009, the Texas Transportation Commission approved a new Unified Transportation Plan (UTP) that contained revenue estimates for all twelve highway programs through 2020, and revenue forecasts based on modeling techniques through 2035. These revenue estimates became the targets that each local long range plan had to comply with in order to be fiscally constrained. Once our fiscal target was in place it was a simple matter of applying the re-prioritized project list to the estimated available funding in order to present a recommended long range plan.

Specifically the revised plan contains the following changes:

1. Eleven priority projects estimated to cost just over \$129.4 million running through 2021.  
  
\*Note: Remaining balance \$668,041
2. Adds a bridge at Spur 327 and Milwaukee as a priority stand alone project whereas it was previously a part of a larger group of projects called Phase V Marsha Sharp Freeway.
3. Adds Quaker Avenue from 114<sup>th</sup> Street to F.M. 1585 as a priority project where it was previously not listed as a priority project.
4. Adds Intelligent Transportation Systems (ITS) as a category of projects to select from in the Illustrative List of projects (wish list).

5. Adds Milwaukee Avenue from 104<sup>th</sup> Street to F.M. 1585 to the Illustrative List of projects as it was overlooked from the previous Illustrative List.

**ACTION REQUIRED: Approval of the amendments to the Metropolitan Transportation Plan: 2032.**

**TAC RECOMMENDATION: TAC recommends approval.**

**STAFF RECOMMENDATION: Staff recommends approval.**

## **Agenda Item 9**

### **Discuss and take action on the FY 2011 – 2014 Transportation Improvement Program.**

**DISCUSSION:** The Transportation Improvement Program (TIP) is the short range plan of work, usually a window of about four years, that show what projects the stakeholders plan on advancing to construction out of the list of priority projects in the MTP. The proposed plan, FY 2011 – 2014, is consistent with the program schedule set by TxDOT in order to maintain compliancy not only with the fiscal agenda but also with the calendar of programmed events that must take place through 2020 as they implement the new STIP. The FY 2011 – 2014 local TIP also ensures continued funding eligibility for the listed projects. The plan also addresses what the stakeholders have accomplished in the previous year to advance the eight planning factors contained in SAFETEA-LU as required by law as well as what is programmed for the target years 2011 – 2014.

Proposed projects are described by single entry project descriptions per a prescribed format and there is a detailed Transit section that contains single project descriptions just like the highway portion. As with the highway projects, the Transit listings are required in order to maintain eligibility for federal funding for those specific projects.

Lastly, there is one certification required by law, the Transportation Planning Certification that certifies that the MPO is conducting the required transportation planning process as described in the local UPWP to address the major issues facing the area and that the process is being conducted in accordance with Section 134 of Title 23, U.S.C. Section 8 of the Federal Transit Act (49 U.S.C. App. 1607) and part (450); the Clean Air Act (42 U.S.C. 7504, 7506 (c) and (d); Title VI of the 1964 Civil Rights Act; Involvement of Disadvantaged Business Enterprise 49 CFR Part 23; and the Americans with Disabilities Act.

**ACTION REQUIRED: Approval the FY 2011 – 2014 Transportation Improvement Program.**

**TAC RECOMMENDATION: TAC recommends approval.**

**STAFF RECOMMENDATION: Staff recommends approval.**

## Agenda Item 10

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

**DISCUSSION:** The enclosed Statement of Revenue and Expenses shows our final proposed operating budget for FY 2010/2011. It is presented as you approved the preliminary budget at your May meeting with four changes. Those changes are as follows:

1. Added \$2,500 to line item 8107, Office Supplies, for a new total of \$7,500, a 50% increase for two reasons. One, after your May meeting we got notice that our maintenance contract for the copier will increase \$350 annually beginning with the July 2010 statement. Second, we forgot to include any maintenance money for our 44" plotter that went out of warranty during the current fiscal year and we anticipate some work that needs to be done.
2. The City gave notice that our Indirect Service Charges for Information Technology services would increase from \$12,000 to \$20,905, a \$8,905 or 75% increase in line item 8309. I have visited with the City's Chief Financial Officer who is reviewing this charge but has not gotten back with me yet. The CFO's explanation of the increase was that the City had changed the way they assess IT charges so that a "rate" is charged to each computer based on what percent the total number of computers you have in your department is of the total number of units in the City's inventory. This number is then supposed to assimilate a replacement value for each computer.

My basis for asking for a review of the assessment comes from the fact that the MPO owns all of its computers and hardware and the GIS software. The only service the City supports is the internet and intranet services.

3. I added \$258,000 in programming as recommended by the Transportation Advisory Committee. As you approved the preliminary budget in May, to establish the programming level, you sent \$286,249 back to the TAC for programming authority. Upon their recommendation, they are forwarding to you a programming package that includes \$127,000 of annual recurring on-going tasks and \$258,000 of new proposed tasks for a total line item in account 8406 of \$385,000.

The on-going and proposed tasks include:

	Total approved Programming Authority	\$286,249
Task 2.2	City Planning Department Demographic Data Development	\$ 60,000
Task 3.3	Citibus Maintenance of Eligibility Planning	60,000
Task 5.1	City Traffic Engineering Congestion Management	<u>7,000</u>
		\$127,000
Task 5.3	TxDOT South Loop Corridor Study, Phase II	58,000
Task 5.4	City Streets Engineering Thoroughfare Plan Update	125,000
Task 5.2	City Traffic Engineering Traffic Calming Study	<u>75,000</u>
		\$258,000
	Remaining Balance	\$ 28,249

4. Lastly, as the Statement of Revenues and Expenditures shows, I have added the \$28,249 remaining balance of un-programmed revenue into the "Reserve" line item which shows up as a 100% increase.

**ACTION REQUIRED: Approval the FY 2011 – 2011 Budget for the LMPO.**

**TAC RECOMMENDATION: TAC recommends approval.**

**STAFF RECOMMENDATION: Staff recommends approval.**

Lubbock  
Metropolitan Planning Organization  
Statement of Revenues and Expenditures  
**Proposed FY 2011 Budget  
Draft**

ACCOUNT	DESCRIPTION	ACTUAL FY 2008-09	ACTUAL FY2009-10 THRU MAR 2010	BUDGET FY 10	% BUDGET REALIZED	PROPOSED BUDGET FY11	OVER <UNDER>	% CHANGE
<b>SOURCES</b>		810,174	602,537	<b>\$602,537</b>		<b>\$719,143</b>	\$116,606	19%
TEXAS DEPARTMENT OF TRANSPORTATION PL 112 ALLOCATION				<b>\$365,376</b>	74.4%	<b>\$485,077</b>		
FEDERAL TRANSIT ADMINISTRATION 5303 ALLOCATION				<b>\$93,761</b>	0.0%	<b>\$93,789</b>		
UNEXPENDED PRIOR YEAR ALLOCATION				<b>\$105,900</b>		<b>\$10,100</b>		
UNPROGRAMMED FY 2010 CARRYOVER				<b>\$1,500</b>		<b>\$10,476</b>		
Task 5.2 Carryover				<b>36,000</b>		<b>\$0</b>		
UNPROGRAMMED RESTORED PROGRAMMING AUTHORITY						<b>\$119,701</b>		
<b>EXPENDITURES</b>								
PAYROLL/BENEFITS								
8002 PAYROLL - FULL TIME		84,017	41880	<b>\$86,538</b>	49.85%	<b>\$89,133</b>	2,595	3
8003 PAYROLL - PART TIME		-		<b>\$0</b>	0.00%			
8005 PAYROLL - STABILITY PAY		600	600	<b>\$700</b>	100.00%	<b>\$800</b>	100	14
8006 PAYROLL - TERMINAL PAY		-		<b>\$0</b>	0.00%			
8009 PAYROLL - EDUCATION INCENTIVE		2,500		<b>\$1,000</b>	0.00%	<b>\$1,000</b>		3
8031 BENEFITS - RETIREMENT TMRS		14,141	7496	<b>\$16,442</b>	53.01%	<b>\$16,935</b>	493	3
8033 BENEFITS - SOCIAL SECURITY		6,428	3087	<b>\$6,620</b>	48.02%	<b>\$6,819</b>	199	3
8034 BENEFITS - GROUP INSURANCE		15,200	7336	<b>\$15,200</b>	48.26%	<b>\$15,200</b>		
8035 BENEFITS - WORKERS COMPENSATION		1,000		<b>\$1,000</b>	0.00%	<b>\$1,000</b>		
8037 BENEFITS - BASIC LIFE INS		20	9	<b>\$19</b>	45.00%	<b>\$20</b>	1	5
8038 BENEFITS - GROUP DENTAL		1,080	527	<b>\$1,080</b>	48.80%	<b>\$1,080</b>		
8042 BENEFITS - CITY PAID LTD		-		<b>\$0</b>				
PAYROLL/BENEFITS SUBTOTAL		124,986	60,935	<b>\$128,599</b>	48.75%	<b>\$131,987</b>	\$3,388	2.6
SUPPLIES								
8107 SUPPLIES - OFFICE SUPPLIES		5,000	2,602	<b>\$5,000</b>	52.04%	<b>\$7,500</b>	2,500	50%
8110 SUPPLIES - OTHER OFFICE SUPPLIES		-		<b>\$0</b>	0.00%		0	0
SUPPLIES SUBTOTAL		5,000	2,602	<b>\$5,000</b>	52.04%	<b>\$7,500</b>	\$2,500	50%
OTHER CHARGES								
8302 PROFESSIONAL SERVICE		92,199	47,696	<b>\$94,964</b>	51.73%	<b>\$97,812</b>	2,848	3
8303 BOARDS AND COMMISSIONS		-		<b>\$0</b>	0.0%	<b>\$500</b>	500	100
8304 ADVERTISING AND PROMOTIONS		7,000	1,448	<b>\$5,000</b>	20.7%	<b>\$5,000</b>		
8309 DATA PROCESSING		12,000	6779	<b>\$12,000</b>	56.5%	<b>\$20,905</b>	8,905	74%
8406 CONTRIBUTIONS-OTHER		521,599	32097	<b>\$304,308</b>	6.2%	<b>\$385,000</b>	80,692	26%
8503 BENEFITS-LIABILITY INSURANCE		4,000	3,334	<b>\$4,000</b>	83.4%	<b>\$4,000</b>		
8701 RENTAL LEASES		14,790	7216	<b>\$14,790</b>	48.8%	<b>\$14,790</b>		
9101 TELEPHONE		1,300	1056	<b>\$1,300</b>	81.2%	<b>\$1,300</b>		
9103 POSTAGE		500	81	<b>\$500</b>	16.2%	<b>\$500</b>		
9106 CAR ALLOWANCE		1,000	221	<b>\$800</b>	22.1%	<b>\$800</b>		
9110 PROFESSIONAL DUES		500	898	<b>\$500</b>	179.6%	<b>\$500</b>		
9111 TRAINING AND TRAVEL		15,300	6527	<b>\$15,300</b>	42.7%	<b>\$15,300</b>		
9146 COMPUTER EQUIPMENT		5,000	1900	<b>\$5,000</b>	38.0%	<b>\$5,000</b>		
Reserve		-		<b>\$0</b>	0.0%	<b>\$28,249</b>	28,249	100
9154 OFFICE FURNITURE				<b>\$0</b>				
OTHER CHARGES SUBTOTAL		675,188	109,253	<b>\$458,462</b>	16.2%	<b>\$579,656</b>	\$121,194	
CAPITAL OUTLAY								
9225 EQ CAP OUT-COMPUTER				<b>\$0</b>	0.0%			
CAPITAL OUTLAY SUBTOTAL				<b>\$0</b>	0.0%			
<b>TOTAL EXPENDITURES</b>		<b>810,174</b>	<b>172,790</b>	<b>\$592,061</b>	<b>21.3%</b>	<b>\$719,143</b>		
<b>TOTAL BUDGETED FOR FY 2011</b>				<b>\$602,537</b>		<b>\$719,143</b>		
<b>EXCESS REVENUE OVER &lt;UNDER&gt; EXPENDITURES</b>				<b>\$10,476</b>		<b>\$0</b>		

## **Agenda Item 11**

### **Discuss and take action on the draft FY 2011 Unified Planning Work Program.**

**DISCUSSION:** Our Unified Planning Work Program (UPWP) is the official budget for the MPO as it is presented for approval in the format prescribed by Law. The text is broken into various subtasks that describe the work activity as components to each major task and shows how much funding is allocated to each sub task. The critical check and balance here is to observe that the total revenue and expenses shown on the Budget Summary Table 1, which is included in your backup as an excerpt from the UPWP, are equal to what is shown on the Statement of Revenue and Expenses presented in the previous agenda item.

Associated with the approval process of the UPWP are four certifications that are also required. The Debarment Certification certifies that the MPO and its principals have not been declared ineligible or suspended from covered transactions by any federal department or agency, have not been convicted or had a civil judgment rendered against them for fraud or a criminal offense in connection with performing a public transaction, are not presently indicted for the commission of certain listed offenses, and have not had any public transaction terminated for cause or default in the last three years.

The Lobbying Certification certifies basically that no federal funds were used to lobby any person or agency to get the federal funds and that we will include this certification and all other required documents in all of our sub-consultant contracts.

The Certification of Compliance certifies that our procurement procedures satisfy Title 49 CFR 18, Uniform Maintenance Requirements for Grants and Cooperative Agreements with State and local governments.

Lastly, the Self Certification for MPO in Attainment Areas certifies to a whole host of other federal related rules and regulations including MPO Transportation Planning, Mass Transit Transportation Planning, Disadvantaged Business Enterprise participation, non-discrimination, equal employment, Americans with Disabilities, older Americans, clean air and water, and others.

Other prescribed format inclusions that are contained in the UPWP are the approved Public Participation Plan and the FTA/TxDOT Section 5303 Budget Worksheet required by the Federal Transit Authority, and TxDOT/PTN.

**ACTION REQUIRED: Approval of the FY 2011 Unified Planning Work Program.**

**TAC RECOMMENDATION: No recommendation.**

**STAFF RECOMMENDATION: Staff recommends approval.**

**BUDGET SUMMARY**

**Table 1 - LMPO Unified Planning Work Program FY 2011**

UPWP Task	FTA Task	Description	TPF <sup>1</sup> Funds	FTA Sect. 5307	Other Contributions	TxDOT State <sup>2</sup> Funds	Total Funds
1.0	41.11.00	Administration - Management	\$207,727	0	0	0	\$207,727
2.0	41.12.00	Data Development and Maintenance	119,634	0	0	0	119,634
3.0	41.14.00 41.13.02	Short Range Planning	78,876	133,203	33,301	23,253	268,633
4.0	41.13.01	Transportation Plans	47,906	0	0	0	47,906
5.0	41.17.00	Special Projects	265,000	0	0	0	265,000
		<b>TOTAL</b>	\$719,143	\$133,203	33,301	\$23,253	\$908,900

10/11 ALLOCATION FHWA PL112) <sup>3</sup>

\$485,077

10/11 ALLOCATION FTA (5303) <sup>3</sup>

93,789

**TOTAL TPF 10/11**

**578,866**

PROG. BUT UNEXPEND PRIOR YR.

10,100

UNPROG PRIOR YR CARRYOVER

10,476

UNPROG RESTORED PROG AUTH

119,701

**TOTAL FUNDS AVAILABLE TO PROGRAM 10/11**

**\$719,143**

**PROPOSED EXPENDITURES 10/11**

**719,143**

**UPWP**

**UNPROGRAMMED FUND**

**\$ -----**

**BALANCE 10/11**

<sup>1</sup>This includes both FHWA PL-112 funds and FTA Section 5303 funds.

<sup>2</sup>TxDOT will apply transportation development credits (TDC) sufficient to provide the match for FHWA PL-112 and FTA Section 5303 programs. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables. Actual amounts shown indicate direct program match other than TDCs.

<sup>3</sup> FY10/11 allocation of FHWA (PL112) and FTA (5303) Planning Funds are only estimates at this time.

## **Agenda Item 12**

### **Discuss and take action on a Memorandum of Understanding between Lubbock MPO and Hildalgo County MPO regarding re-direction of FY 2011 Category 7 funding.**

**DISCUSSION:** As the Board will recall at the May 18<sup>th</sup> meeting, the Board authorized the staff to pursue a “trade fair” strategy to see if there might be other MPOs that would be interested in trading FY 2011 Category 7 allocations in the name of advancing projects to implementation. Previous to that authorization, the Board had upheld a recommendation from the TAC that the MPO use all of its estimated Category 7 funding, FY 2011 – 2014, on the South Slide project as approved in the amended TIP, 2011 – 2014. Stakeholders agreed that the project would not be ready for construction until 2014, therefore the MPO would basically be unable to use its entire allocation of Cat 7 funding in the early years of project development. As discussed, the strategy was to let another MPO use a portion of our 2011 allocation when we couldn’t use it and then be able to get that same allocation back in 2014 when we would be ready to use it.

Hildalgo County MPO, headquartered in the City of Weslaco, responded to our offer and indicated a need in 2011 for \$2,000,000. Our local TxDOT staff has discussed the plan with their counterparts in the Pharr District and I have discussed the plan with my counterpart at the Hildalgo County MPO and all parties are agreeable to the proposal and conditions. Our local TxDOT staff has also discussed the plan with TxDOT Senior Administration who have agreed in principal and who will help us implement the plan if it is approved.

To that end, the staff has crafted a proposed Memorandum of Understanding for your review and consideration that provides a basis for the proposition in the recitals and an agreement for implementation. The document has also been reviewed by Legal Counsel.

**ACTION REQUIRED: No action required.**

**TAC RECOMMENDATION: No recommendation.**

**STAFF RECOMMENDATION: No recommendation.**

## **Memorandum of Understanding**

This Memorandum of Understanding is entered into by and between the Lubbock Metropolitan Planning Organization (LMPO) and the Hildalgo County Metropolitan Planning Organization (HCMPO), on this, the \_\_\_\_\_ day of July, 2010.

### **RECITALS**

WHEREAS, The Texas Transportation Commission approved Minute Order 112048 on November 18, 2009, establishing the estimated funding levels for the 2010-2020 Unified Transportation Program (UTP) Categories 1-12; and

WHEREAS, the 2010-2020 UTP reflects the estimated allocation to the Lubbock MPO for the Category 7 Statewide Transportation Program Metropolitan Mobility/Rehabilitation (STP-MM) funding in the amount of \$2,486,110 for fiscal year 2011; and

WHEREAS, the LMPO Transportation Policy Committee finds that the LMPO would be unable to utilize the entire allocation of CAT 7 funding in FY 2011; and

WHEREAS, the LMPO Transportation Policy Committee finds a benefit and advantage to securing additional funding for FY 2014, if possible by way of redirecting the LMPO's 2011 allocations to another metropolitan planning organization; and

WHEREAS, the HCMPO has indicated a willingness to accept a redirection of LMPO's FY 2011 allocation of Cat 7 funding in order to advance projects in their Metropolitan Area Boundary (MAB); and

WHEREAS, the 2010-2020 UTP reflects an estimated \$8,054,192 for Cat 7 funding for the HCMPO for fiscal year 2014; and

WHEREAS, the LMPO has agreed to accept a future redirection from the HCMPO's allocation of Cat 7 funding for FY 2014 in an amount equal to that amount of FY2011 allocation that the LMPO will hereunder redirect to the HCMPO.

NOW THEREFORE IT IS AGREED as follows:

1. The LMPO hereby agrees to authorize the Texas Department of Transportation to redirect an amount equal to \$2,000,000 of FY 2011 STP-MM Category 7 funds to the HCMPO; provided, however, that the actual FY 2011 STP-MM Category 7 allocation for the LMPO is at least in an amount sufficient to support the \$2,000,000 request.

2. The HCMPO hereby agrees to authorize the Texas Department of Transportation to redirect \$2,000,000 of FY 2014 STP-MM Category 7 funds to the LMPO; provided, however, that the actual FY 2014 STP-MM Category 7 allocation for the HCMPO is at least in an amount sufficient to support the \$2,000,000 repayment.

3. The HCMPO hereby agrees that, if for any reason it is not allocated sufficient FY 2014 STP-MM Category 7 funds to redirect the total \$2,000,000, the HCMPO shall be obligated to redirect FY 2015 STP-MM Category 7 funds, and other future STP-MM Category 7 funds as necessary, in the amount sufficient to aggregate the total amount redirected to LMPO to \$2,000,000.

4. The relationship between the City and the Entity is at all times solely that of contractor/contractee, and may not be deemed, in any event, a partnership or a joint venture and conveys no other rights or privileges.

5. The execution, delivery and performance of this Memorandum of Understanding and the activities contemplated hereby have been duly and validly authorized by all requisite corporate action on the part of the Parties.

For Lubbock Metropolitan Planning  
Organization:

For Hidalgo County Metropolitan  
Planning Organization:

\_\_\_\_\_  
Mr. John Leonard III, Chairman

\_\_\_\_\_  
The Honorable Noe Garza,  
Chairman

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
H. David Jones  
Transportation Planning Director

\_\_\_\_\_  
Andrew Canon, Director

## **Agenda Item 13**

### **Reports**

#### **A. TxDOT**

- **E 19<sup>th</sup> Street**
- **Project Updates**

#### **B. Director**

- **Status of the FY2010 Unified Planning Work Program projects.**
- **Policy Changes – Oversight of Credit Card Statements.**