



POLICY BOARD MEETING

May 17, 2007

MINUTES

The regular meeting of the MOTOR Policy Board was called to order at 3:30 p.m. on May 17, 2007 in the Motor Conference Room at the Wright Office Complex by Vice-Chairman, Dr. James Goates.

Policy Board Members Present:

Dr. James Goates, Vice-Chairman, Councilman, City of Odessa
Lauren Garduño, District Engineer, TxDOT, Odessa District
Berry Simpson, Councilman, City of Midland
Freddie Gardner, Commissioner, Ector County

Policy Board Members Not Present:

Mike Bradford, Chairman

Others in Attendance:

Gary Law, Dir.of Transportation Planning and Development, TxDOT, Odessa District
Alfredo Gonzales, Public Transportation Coordinator, TxDOT, Odessa District
Matt Squyres, Director of Public Works, City of Odessa
Ajay Shakyaver, Advance Planning & Development, TxDOT, Odessa District
Larry Fuentes, TxDOT, Odessa District
Fred Marquez, Field Representative, TxDOT, Austin
Abel Gamez, MOTOR Planner
Melba E. Owens, MOTOR Senior Planning Assistant
Lakshmi Gurrām, MOTOR Principal Transportation Planner

AGENDA ITEM

2. Announcements and Introductions

There were no announcements. Mr. Gary Law, Director of Transportation and Development, TxDOT, Odessa District, introduced Mr. Fred Marquez, Texas Planning and Programming Division, TxDOT, Austin, Texas to the Policy Board Members and to others in attendance. Mr. Law explained that Mr. Marquez provides oversight to the MOTOR MPO for the Unified Plan Work Program (UPWP), the MPO budget.

3. Approval of Minutes

Motion was made by Lauren Garduño, and seconded by Freddie Gardner to accept and approve the minutes of the April 19, 2007 Policy Board Meeting. The motion passed unanimously by the following vote:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

4. Public Comment Period

There were no comments from the public.

5. Finance Report

Mr. Abel Gamez, MOTOR Planner, reported the expenditures for the month of March, 2007 to be \$49,798.72, and the budget balance as of May 4, 2007 to be \$389,496.08. Mr. Gamez further advised that the budget was 59% expended as of May 4, 2007.

The Motion was made by Lauren Garduño, and seconded by Berry Simpson to accept the financial report as submitted. The motion passed unanimously by the following vote:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

6. Final Approval of the MTP Amendments

Melba Owens, Senior Planning Assistant advised the Policy Board Members that the 2005-2030 MTP Amendments submitted were the result of many weeks of research and development, numerous workgroup meetings with MPO and TxDOT, Odessa District staffs, public meetings, and a significantly expanded effort to allow the public to be informed and directly involved in the transportation decision making process. Ms. Owens informed the Board that the amendments presented were in compliance with all new SAFETEA-LU requirements.

Ms. Owens provided the following Record of Public Involvement for the 2005-2030 MTP Amendments:

Record of Public Participation

The Public Participation process included:

- In a regularly scheduled meeting of the MPO Policy Board (Thursday, April 19, 2007 at the MOTOR Conference Room), the Draft 2005-2030 Metropolitan Transportation Plan updates (2005-2030 MTP) were approved for general release and public comment. Citizens are given the opportunity to review and comment on agenda items at each Policy Board Meeting.
- The MPO conducted a public meeting (at the MOTOR MPO Conference Room on Monday, May 1, 2007) for the public to review and comment on the detailed information contained in the draft 2005-2030 MTP. Notice of the public meeting was placed in the Midland Reporter Telegram and the Odessa American newspapers. Public notices of the meeting were posted at City Halls of the Cities of Odessa and Midland.
- The public was given a minimum of three (3) weeks to submit comments on the revisions submitted for consideration prior to the adoption of the 2005-2030 MTP.
- A draft MTP 2005-2030 was made available during regular business hours at the MOTOR MPO Office; TxDOT – Odessa District Office, the Ector and Midland County Libraries; the City Secretary Offices of the Cities of Midland and Odessa; and, on the MOTOR MPO website (www.motormpo.com) prior to the final approval by the Policy Board.
- In a regularly scheduled meeting of the MPO Policy Board (Thursday, May 17, 2007), the final 2005-2030 MTP was approved for submission to the TxDOT Transportation Planning and Program Division in Austin, Texas. Citizens were once again given the opportunity to review and comment on the MTP 2005-2030 prior to the final approval by the Policy Board.
- Copies of the approved 2005-2030 MTP remained on file during regular business hours at the MPO Offices for public access and review, and on the MPO website (www.motormpo.com) until it was submitted to TxDOT Transportation Planning and Programming in Austin, Texas on June 1, 2007.
- The approved 2005-2030 MTP will remain on the website for ongoing reference by the public.

Ms. Owens advised the Board that there were no comments received from the public during the public involvement period. She stated that these amendments had been through the Technical Advisory Committee review, and that the Technical Advisory Committee had unanimously voted to recommend the proposed amendments forward to the Policy Board for final approval. Ms. Owens asked that the Policy Board Members review, discuss, and approve by Resolution No. 17-05-2007 the proposed amendments to the 2005-2030 MTP for submission to TxDOT Transportation Planning and Programming Division in Austin on June 1, 2007.

Mr. Gary Law, TxDOT, Odessa District explained that the next new MTP document will be developed in the next two (2) years for the period 2010 – 2035. He advised that Mr. Lakshmi Gurram, Principal Transportation Planner for the MOTOR MPO will take the lead in developing this document. Mr. Law advised that TxDOT, Austin had recently informed that in order to restore desired levels of maintenance capability, districts could expect to see some decreases in mobility fund allocations which will impact Category 3 and Category 11 Funds. Mr. Law also informed the Policy Board that Mr. Lakshmi Gurram, MOTOR MPO Principal Transportation Planner, had contacted Mr. Mitch Batuzich, Field Representative for the FHWA regarding changes planned for the F.M. 3503 (JBS Parkway South), and had been advised by Mr. Gurram that they would be able to do an administrative change for revisions under discussion for this project. Changes under consideration will only require a verbiage update in the MTP.

The Motion was made by Lauren Garduño and seconded by Berry Simpson to recommend that the Amendments to the 2005-2030 MTP, as set forth in Resolution No. 17-05-2007, be approved and forwarded to the Transportation Planning and Programming Division in Austin. The Motion passed unanimously, as follows:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

7. Kolpien & Associates Public Participation Plan

Melba Owens, Senior Planning Assistant, advised the Policy Board that Kolpien & Associates would not be presenting their Public Participation Plan at this meeting, but would likely attend the June 21, 2007 Policy Board Meeting to give a final presentation of their plan document.

Ms. Owens gave the following background information regarding the Consultation Agreement with Kolpien & Associates, and detailed MPO Staff comments and recommendations as follows:

Kolpien & Associates entered into a Consultation Agreement with MOTOR on August 31, 2006, to provide consultation on public relations message development, communication and public participation programs as required by SAFETEA-LU throughout the contract period which concluded on May 1, 2007.

Tim Kolpien, President of Kolpien & Associates made a presentation of their Draft Public Participation Plan for MOTOR to the Policy Board at their regularly scheduled meeting on March 15, 2007. Mr. Kolpien detailed the five (5) major objectives of the plan to the Board.

The Board asked for recommendations from Kolpien & Associates regarding a tagline (5-second message) for optimally communicating MOTOR's message to the public, and for Kolpien's recommendations for website additions/improvements. Kolpien and Associates responded with a list of recommendations and action plans for the Policy Board to review at their regularly scheduled meeting on April 19, 2007. The Policy Board made decisions in Executive Session regarding these items which are reflected in your minutes.

MPO Staff Comments:

The Plan presented to you today has been reviewed by Mr. Michael Batuzich, our FHWA Field Representative who met with MPO and TxDOT Staffs on April 20th, 2007. Mr. Batuzich provided recommendations for information he felt should be included in the final Public Participation Plan.

This information was submitted to Kolpien & Associates for inclusion in their final document.

The Plan was also submitted to the Technical Advisory Committee for review and comment at their regularly scheduled meeting on May 4, 2007. It was the unanimous opinion of the TAC that the Draft Public Participation Plan submitted by Kolpien & Associates would need considerable revision to make the document a more comprehensive, specific and relevant plan to the MOTOR MPO. These revisions were not forwarded to Kolpien & Associates as they were received after the conclusion of the Consultation Agreement on May 1, 2007.

The MPO Staff believes that Kolpien & Associates have complied with the terms and scope of their Agreement with MOTOR. They have been paid for all services rendered with the exception of travel expenditures totaling approximately \$2,000.00.

ACTION REQUESTED:

The MPO Staff is providing options for the final decision on the Public Participation Plan presented by Kolpien & Associates. Those are detailed as follows:

OPTION NO. 1:

Approve the final draft of the Public Participation Plan submitted by Kolpien & Associates as the final plan document and proceed to the 45-day public involvement period. The Public Participation Plan would be brought back before the Board at the July 26th, 2007 Policy Board Meeting for review of any public comments, and final adoption.

OPTION NO. 2:

Approve the Kolpien Draft Public Participation Plan as a “final plan for guidance” for the MPO Staff to develop a more comprehensive and specific Public Participation Plan. (NOTE: We discovered in our meeting with Mr. Batuzich, FHWA Field Representative, that it is not necessary for us to have the final Public Participation Plan in place by July 1; only before any amendments are made to the TIP or MTP documents which occur on or after July 1, 2007). The Public Participation Plan would then be brought back before the Policy Board for final approval and release for public involvement.

Gary Law, TxDOT-Odessa District advised the Policy Board Members that the Kolpien Public Participation Plan draft document was more a strategy report which gives guidance to the Policy Board and MPO Staff in developing a final Public Participation Plan. Mr. Law emphasized that the Kolpien draft does not tell the public how and when they would be able to participate, or how their participation would be applied.

Dr. Goates, Vice-Chairman, explained that the Policy Board was under the impression that Kolpien & Associates would produce the final Public Participation Plan. Mr. Law responded that he, too, had felt Kolpien would produce the final plan, but after reading the contract, discovered that they had only entered into contract with the MPO for consultation purposes, and not to develop products and deliverables. Mr. Law advised that he felt he and the MPO Staff would be able to take the Kolpien draft as guidance and develop a final Public Participation Plan. Mr. Fred Marquez, Field Representative, TxDOT-Austin, advised that he could send a few sample plans from other MPO's for reference in the final plan development. Mr. Law stated that if the Policy Board so desired, they could have Kolpien & Associates come back out for a work day during which they could review the final plan, and assist with any final procedures. Mr. Law advised that he had contacted Matt Squyres, City of Odessa, and determined that although the contract with Kolpien has concluded, there would be a way for them to invoice the MPO for professional services and for payment to be made.

The Motion was made by Freddie Gardner, and seconded by Berry Simpson to have Gary Law and MPO Staff Members develop the final Public Participation Plan utilizing the draft document provided to date by Kolpien & Associates as strategic guidance; and, to set a day for Kolpien to return and review the Public Participation Plan developed by Staff Members and assist with any final procedures; and, that this review occur prior to the plan being presented to the Policy Board for final approval and release for 45 day public involvement period. The motion was unanimously approved as follows:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

8. MOTOR Staff Reports

Melba Owens, Senior Planning Assistant advised the Policy Board Members that the Staff had inadvertently omitted a TxDOT IH-20 Corridor update from the Agenda, and requested that the Board allow for this presentation to occur after the Executive Session. The Board Members unanimously agreed to allow the presentation after the Executive Session.

a. Briefing – UPWP

Ms. Owens advised that MPO Staff has had three (3) work group meetings on the 2008-2009 UPWP, and had given two (2) informational briefs to the Technical Advisory Committee on April 11th and May 4th, 2007. Ms. Owens reported the results of all work sessions on the UPWP 2008-2009 as follows:

We have determined the funds that will be available for the 2008-2009 UPWP Development. Those funds descriptions are provided in your packets under Staff Reports, Tab No. 8. Refer to sheets of Federal funding available to the MPO for the development of the FY 2008-2009 UPWP. This includes our total unobligated funds in the amount of \$144,435.17, the FY 2008 allocation in the amount of \$306,147.00 - giving a total FHWA total of \$450,609.17; and, the FTA funds for FY 1008 as \$85,759.00. We have estimated those allocations to be close to the same amounts for FY 2009. We have thus rounded off these numbers as estimates. We have included our unexpended funds for FY 2007 in the amount of \$96,333.41. Giving us a total of Federal Funds available in FY 2008-2009 in the amount of \$1,067,581.58.

We have estimated our FY 2008-2009 Expenditures for TASKS 1-4 to be as follows. Give amounts from chart for each task. The total of these estimates for each task is \$1,095,000. This will call for us to further work on our numbers to be certain that we remain within budget. We hope to have this accomplished by June 1, 2007, when

we are required to have our first draft to the Transportation Planning and Programming Division in Austin. Costs associated with each task are primarily identified under the following categories: Salaries/Benefits Staff + 5% projected increase per year for Staff- This coincides with the rate of increase given to the City of Odessa employees each year for cost of living. (Dr. Goates and Matt Squyres, City of Odessa, pointed out that the 5% cost of living increase is not a given for the City of Odessa's FY 2008 Budget). Merit increases were also factored in; Office space expansion to allow for adequate storage; Four (4) scenario planning workshops during the two (2) year period which would require the need for Consulting Services; Equipment costs for a plotter; Possible addition of one (1) vehicle (lease) for staff to utilize when making the many trips required to attend meetings, make deliveries, pick up numerous financial documents from the City of Odessa; To cover anticipated increases in the cost of supplies to support the day to day operations of the MPO; and costs associated with contracting for audit support services, and to establish an inventory control system.

I would refer you back to the timelines that have been established for the 2008-2009 UPWP development and Business Plan document. We are well within the timelines set out, and will be presenting another draft of the 2008-2009 UPWP to you at the June 21, 2007 Policy Board Meeting, the final UPWP document for approval at your Policy Board Meeting on July 26th Policy Board Meeting.

b. Midessa Study Updates

Ms.Owens provided the following updates:

The Policy Board approved at their April 19th meeting to approve a minor revision to the Kimley Horn Contract Deliverables, Task III.5 to read as follows:

TASK III.5: Amend the MTP Selection Criteria to read as:

Recommend performance standards that can be measured using output from the MPO's traffic model which will aid in the selection and prioritization of candidate projects. Performance standards are to positively influence access and emergency response management.

This revision was agreed upon and incorporated into the Work Plan and Deliverables by Kimley-Horn, and they have submitted three (3) originally signed contracts for Professional Services, Supplemental Agreement No. 1 for your review and final execution.

The Kimley-Horn Project Team will be presenting their final Midessa Study comments and deliverables to the Technical Advisory Committee on Friday, June 1, 2007, and to

the Policy Board on June 21, 2007. Their Contract will conclude with MOTOR in June, and final invoices will be paid during the month of July, 2007.

We are moving forward in the established timelines, and the results will hopefully be a meaningful, viable study document that will meet all the original goals and objectives of the study. Ms. Owens had the Policy Board Members sign the Contract.

c. Website Updates

Ms. Owens provided the following updates on the Website:

The construction of the website continues. We have placed the full MTP document amendments on the website for public review. We are working with them to get our 5-second tag line message on the site, and some picture changes, to possibly include a busy intersection, pedestrians and/or bicycle riders, and the E-Z Rider bus in traffic – traffic patterns at busy times near recognizable areas, i.e. the Horseshoe, etc.

We will continue working with Secured Data Solutions to be certain that all information is current, correct, submitted in appropriate formats, and generally to be sure that we ultimately have a user-friendly, relevant first class web site as our final product.

d. State Planning Contract

Ms. Owens advised as follows:

The State Planning Contract was originally signed by the Fiscal Agent, City Manager for the City of Odessa, and the Policy Board representatives on November 15, 2006. Five copies of the State Planning Contract need to be signed in order for Austin to have adequate numbers of originally signed documents for distribution.

Chairman Mike Bradford's signature is required. Ms. Owens advised that she would obtain Judge Bradford's signature and forward the Contract to Tx-DOT-Odessa District for submission to the Texas Planning and Programming Division in Austin.

As a final comment under Staff Reports, Ms. Owens announced that Abel Gamez, MOTOR Planner, was resigning his position at the end of June, 2007 to return to school full time at North Texas State University. The Policy Board Members extended congratulations and best wishes in his endeavors.

9. Consider Resolution to amend the 2006-2007 UPWP (Amendment No. 3)

Ms. Owens advised the Policy Board Members as follows:

Under consideration is Resolution #17-05-2007-2 which amends the 2006-2007 UPWP to transfer funds from Task 1.0 (Administration-Management) to Task 5.0 (Special Studies) in order to have adequate funds available for payments due in FY 2007 to Kimley-Horn & Associates, Consultants for the Midessa Study. The current balance of funds available in Task 5.0 will be insufficient to cover this expenditure.

The need to amend the FY 2006-2007 UPWP is further justified as follows:

- The Kimley-Horn Contract for the Midessa Study will be finalized in FY 2007 and final payment will be due and payable to them in the amount of \$85,000.00. The current projection of all expenditures for Task 5.0 (Special Studies) is \$171,801.94. This includes the Kimley-Horn final payment in the amount of \$85,000.00. The amount programmed for Task 5.0 in the FY 2006-2007 UPWP is \$123,492.00. This would result in a \$48,308.94 negative balance. In order to avoid the deficit in this account, it is recommended that the UPWP be amended to transfer \$50,000.00 from Task 1.0 (Administrative- Management) to Task 5.0 (Special Studies) which will give a new Task 5.0 balance of \$173,492.00. Once projected expenditures for the remainder of FY 2007 are deducted in the amount of \$171,801.94, a balance will remain in the amount of \$1,690.06. This will allow funds to cover any unanticipated costs relating to the finalization of all pending contracts for FY 2007. Funds are available in Task 1.0 to make this transfer due to the Executive Director/Administrative Assistant positions remaining open for the first eight months of FY 2007.

The Motion was made by Lauren Garduño and seconded by Berry Simpson to approve Resolution No. 17-05-2007-2 which amends the UPWP (Amendment No. 3) as detailed above. The Motion passed unanimously as follows:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

Lauren Garduño pointed out that the Texas Transportation Forum is scheduled in Austin, Texas on July 18, 19, and 20, 2007. He stated that as this will conflict with the regularly scheduled Policy Board Meeting on Thursday, July 19th, 2007 and suggested that the

Policy Board Meeting for July be rescheduled to July 26th. The Board unanimously agreed to reschedule the Policy Board Meeting for July, 2007 from July 19th to July 26th at 3:30 p.m..

10. Conduct Executive Session concerning any and all subjects and for any and all purposes permitted by Chapter 551 of the Texas Government Code, including, but not limited to:

- a. Texas Government Code Section 551.071 for the purpose of consulting with the board's attorney;
- b. Texas Government Code Section 551.072 to deliberate the purchase, lease or value of real property;
- c. Texas Government Code Section 551.074 to discuss personnel matters.

The Policy Board went into Executive Session at 5:25 p.m. and concluded Executive Session at 6:00 p.m..

11. Take action concerning Executive Session Matters-

No action was taken by the Policy Board in Executive Session.

12. Project Status – TxDOT-Odessa District – IH-20 Corridor Updates

Ajay Shakyaver and Larry Fuentes, TxDOT-Odessa District gave a presentation of the IH-20 Corridor preliminary design concepts for Ector and Midland Counties. Mr. Shakyaver explained that the main purpose of the presentation was to present an overview of the project, to present the concept alternatives for main lanes, interchanges, and one way frontage roads, and to seek consensus of the MOTOR MPO Policy Board. Mr. Shakyaver explained that the need for the IH-20 project exists due to deteriorated levels of service at interchanges, insufficient intersection capacities, inefficient two way frontage road operation, inconsistent driver expectancy, significant increase in truck traffic and through traffic volume on IH-20, and the need to upgrade IH-20 to current geometric and cross sectional standards. Mr. Shakyaver and Mr. Fuentes discussed various Alternatives (3) and gave cost estimates for the alternatives presented. They also discussed FHWA environmental documentation requirements.


13. Adjourn

Freddie Gardner made the Motion to adjourn the meeting. The Motion was seconded by Berry Simpson. The Motion passed unanimously as follows:

Dr. James Goates	Aye
Freddie Gardner	Aye
Berry Simpson	Aye
Lauren Garduño	Aye

The next Policy Board Meeting will be conducted on Thursday, July 26th, 2007, in the MOTOR Conference Room at 3:30 p.m..

Minutes submitted and approved by:



Melba E. Owens, Senior Planning Assistant