



**POLICY BOARD MEETING  
August 16, 2007  
MINUTES**

The regular meeting of the MOTOR Policy Board was called to order at 3:30 p.m. on August 16, 2007 in the Motor Conference Room at the Wright Office Complex by Chairman, Dr. James Goates.

**Policy Board Members Present:**

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

**Policy Board Members Not Present:**

Mike Bradford, County Judge, County of Midland  
Susan Redford, County Judge, County of Ector

**Others in Attendance:**

Matt Squyres, Director of Public Works, City of Odessa  
Alfredo Gonzales, Public Transportation Coordinator, TxDOT, Odessa District  
Melba E. Owens, MOTOR Senior Planning Assistant  
Lakshmi Gurrām, MOTOR Principal Transportation Planner

**AGENDA ITEM**

**2. Announcements and Introductions**

There were no announcements or introductions.

**3. Approval of Minutes**

Motion was made by Lauren Garduño, and seconded by Berry Simpson, to accept and approve the minutes of the July 26, 2007 Policy Board Meeting. The motion passed unanimously by the following vote:

Dr. James Goates     Aye  
Berry Simpson        Aye  
Lauren Garduño      Aye

#### **4. Public Comment Period**

There were no comments from the public.

#### **5. Finance Report**

Lakshmi Gurrām, Principal Transportation Planner, gave the following financial report: The report submitted to you today reflects a total expenditure of \$110,805.06 for the month of June, 2007, giving us a current balance as of August 8, 2007, of \$164,903.66. We are now 83% expended in our budget allocations. Individual task breakdowns are provided in your report. We are presently carefully analyzing each task balance and anticipated expenditures in each for the remainder of the fiscal year. At this time we do not anticipate shortages in Tasks 1-5 that would require a UPWP amendment.

TxDOT-Odessa District reviewed our request dated July 23, 2007, to rescind Special Billing No. 6 for cell phone usage by prior MOTOR MPO staff. Mr. Gary Law, Director of Transportation Planning and Development submitted correspondence to the MPO on August 6, 2007 (a copy of which is attached hereto for your review) that officially informed us that the District was denying reimbursement of questionable expenditures for cell phone usage, as detailed in Special Billing No. 6, until satisfactory documentation was provided. I am also attaching a copy of our memo to the District requesting that Special Billing No. 6 be rescinded.

Pursuant to instructions of the Policy Board during the July 26, 2007 Policy Board Executive Session, the MOTOR MPO staff is currently working with the City of Odessa Finance Department to draft a letter to Mr. Brian Roe, prior Executive Director, to request full payment of questionable, undocumented cell phone expenses, which occurred during his tenure with MOTOR, in the amount of \$1,285.12. This correspondence will be submitted to Mr. Brian Roe by the City of Odessa Finance Department. We will keep you apprised of the status of this request.

The Special Billing No. 6 expenditure in the amount of \$1,285.12 has been removed from the financial reports submitted for March, April, and May, 2007. Mr. Law indicated that the District had approved Billing No's 7 and 8 for processing. We delivered Billing No. 9 for June, 2007 to the TxDOT-Odessa District Office on Monday, August 13, 2007. We should remain current in all monthly financial reporting from this point forward.

#### **MPO Staff Recommendations:**

Recommend approval of the Financial Report as submitted.

The Motion was made by Lauren Garduño and seconded by Berry Simpson to approve the finance report as submitted. The motion passed unanimously as follows:

Dr. James Goates     Aye  
Berry Simpson        Aye  
Lauren Garduño      Aye

## **6. MOTOR Staff Reports**

Melba Owens, Executive Director, gave the following staff report:

### **a. Website Updates:**

We continue with the construction of the website. As previously indicated, we have placed the full TIP and the MTP document amendments on the website for public review. We have also placed the FY 2008-2009 UPWP and the MOTOR Public Participation Plan on the website for public review and comment. We continue to work 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. Lakshmi Gurram, Principal Transportation Planner, and I are going to be responsible for taking snapshots appropriate for the website, and providing them to Secured Data Solutions in the formats required. We are trying to get good skyline pictures of both Cities from the Chambers of Commerce.

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. Our contracts with Secured Data Solutions are for Network Support and IP Telephone Services as well as for remote backup. They expanded their services to include MOTOR website design/maintenance in late 2006. Their contract will expire with MOTOR in March, 2008. Copies of the contracts and memorandum from Secured Data Solutions detailing the MOTOR website development

We have met with Tim Lambdin, Secured Data Solutions, at the MOTOR offices on Wednesday afternoon, July 25, 2007, and on Monday, August 13, 2007. Mr. Lambdin has committed to MOTOR that he can complete the website development to our satisfaction within the 45 day time frame that he was given at the July 26, 2007 Policy Board Meeting. This would mean that we should have a well developed product during the week of September 10<sup>th</sup>-14<sup>th</sup>, 2007. We plan to be able to give a presentation to the Policy Board Members at the regularly scheduled meeting on Thursday, September 20, 2007. Meetings will continue to be held with MOTOR staff on a weekly basis to ensure that this timeline is met. We will be purchasing software in the next few weeks that will allow us to keep information updated on the website. Training will be provided by Secured Data Solutions.

Tim Lambdin, Secured Data Solutions, has advised that the total cost to complete the website to our requirements is \$2,000.00. We have indicated to Mr. Lambdin that we would only agree to pay \$1,000.00 now, and the balance at the end of the project. The website costs were not specifically quoted in the original contract with Secured Data Solutions. Subsection 4.7 under 4.0 Payment of the Contract, states “All work not specifically quoted or included herein will be billed at Secured Data Solutions current

rate of \$95.00 per hour for service work.” So, we feel that we are within the terms of the Contract to pay this cost. Secured Data Solutions has been working with a 3<sup>rd</sup> party vendor in Dallas, Texas to assist with the construction of the website.

Mr. Lambdin has assured us that his third party vendor (with a staff of 5 dedicated to this project) is confident that they will be able to complete the website within the 45 day time line. We have provided Secured Data with all required information in the formats required. We will finalize our photo collection within the next few days.

We believe that we will be able to complete the design of the website to our satisfaction within the time frame allowed. We feel that the costs associated with the finalization of the website design are reasonable. A full breakdown of all costs paid to Secured Data on a monthly basis are attached hereto for your review. As previously indicated, we have determined that MOTOR is the owner of the domain. Other services being provided to MOTOR by Secured Data Solutions are being performed at acceptable levels.

The Board Members advised Ms. Owens to proceed with the \$1,000.00 installment to Secured Data Solutions and the balance of \$1,000.00 at the conclusion of the website development. The Board also unanimously agreed that once the website is satisfactorily completed, that MOTOR conclude their relationship with Secured Data Solutions.

#### **b. Annual Saturation Counts – TxDOT District**

Ms. Owens advised as follows:

We had a meeting here at the MOTOR offices in July with the Traffic Analysis Section of the Transportation Planning and Programming Division-Austin with regard to new saturation counts that will be need to be provided by the TxDOT-Odessa District and the MOTOR MPO. The purpose of this meeting was to have the Cities of Midland and Odessa and the MOTOR MPO to identify new counts within the MPO boundary and in the Odessa District. The deadline to submit the map reflecting new counts is August 20<sup>th</sup>, 2007.

Lakshmi Gurram, Principal Transportation Planner, met with both Cities to identify the new streets and new locations for the counts, and came up with about 138 counts for both the City of Midland and the City of Odessa within the MPO boundary .

Lakshmi N.Gurram submitted the final version of the counts to Jack Lambert TxDOT-Odessa District on Friday, August 10, 2007. Mr. Lambert worked on identifying new counts within the 16 counties. Mr. Lambert had Gary Law review their work on the new saturation counts within the MPO boundary and the 16 counties. This information has been approved and will be forwarded to TxDOT-Austin before the deadline of August 20<sup>th</sup>, 2007.

#### **c. Public Participation Plan**

##### **Background Information:**

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 were reflected in previous minutes.

**MPO Staff Comments:**

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 Policy Board, at their May 17<sup>th</sup>, 2007 Meeting voted unanimously to utilize the Kolpien & Associates Public Participation Draft as strategic guidance for the MPO Staff to develop a more comprehensive, specific, and relevant Public Participation Plan for the MOTOR MPO. The Board agreed to have Kolpien & Associates return for a one (1) day workshop to review the Public Participation Plan developed by the MPO Staff, and make final recommendations, and assist with any final procedures. The Board agreed to allow for invoices to be paid for professional services and travel expenses for this overview by Kolpien & Associates, even though the Consultation Agreement between Kolpien & Associates and the MOTOR MPO concluded on May 1, 2007.

The MPO Staff and Gary Law, TxDOT-Odessa District, met with Tim Kolpien, President of Kolpien & Associates, at the MOTOR offices on July 10, 2007 for a one (1) day intensive workshop to go over the public participation plan document. Several recommendations were made at this workshop for changes within the document, which have been made in the document before you today. A lot of thought was given by our group to each of the techniques that will be utilized in our outreach efforts, one of which was the use of surveys. Surveys are a very helpful tool when specific input from the public is desired such as whether a person supports a specific alignment in a corridor study.

In addition to the one (1) day workshop, the draft public participation plan was submitted to Fred Marquez, TxDOT-Austin Field Representative, and to Mitch Batuzich, FHWA Field Representative, who have made recommendations for the plan that have been incorporated into the document before you today. The TAC Committee Members reviewed the Public Participation Plan at their regularly scheduled meeting on Friday, July 6, 2007, and unanimously agreed to recommend the plan forward for final approval by the Policy Board.

We believe the Public Participation Plan is a comprehensive, specific, and relevant plan that brings us into compliance with all SAFETEA-LU requirements, and a plan that substantially increases our public outreach to the communities. It is a living document, and will be continuously monitored by the MPO Staff for its overall efficacy.

The Policy Board at their regularly scheduled meeting on Thursday, July 26, 2007, recommend approval of the Public Participation Plan as submitted, and approved the release of the plan for the required 45 public comment period. The public notice was published in the Midland Reporter Telegram and the Odessa American on Wednesday, August 1, 2007. Copies of the Public Participation Plan were distributed to TxDOT-Odessa District, the City Secretary's Offices of Midland and Odessa, and the county libraries of Midland and Ector for public review/comment. A copy of the Public Participation Plan was placed at the TxDOT-Odessa District Office, and a copy is on file at the MOTOR MPO offices. The 45-day period will conclude on September 14, 2007. We will review all comments made, and submit a final report and recommendation for final approval of the Public Participation Plan to the Board at the regularly scheduled meeting on Thursday, September 20, 2007. Copies of the plan and the public notice are attached for your reference.

#### **d. 2008-2009 UPWP**

##### **Background Information:**

We had seven (7) work group meetings on the 2008-2009 UPWP. We have given four (4) informational briefs to the Technical Advisory Committee: April 11, May 4, June 1, 2007, and July 6, 2007. The TAC Committee Members voted unanimously on July 6, 2007 to forward the draft 2008-2009 UPWP to the Policy Board for final approval. We have given two (2) informational briefings to the Policy Board on May 17, 2007, and June 21, 2007. A final draft is included in this section for your reference. We are also providing in this section, a summary of all funds that will be available for the FY 2008-2009 UPWP development. We have more specifically defined all categories of funding that will be available. The total funds that will be available are \$1,207,514.58.

We have estimated our FY 2008-2009 expenditures for Tasks 1-4 to be as follows: Task 1 (Administrative-Management) - \$515,273.58 – includes salaries and benefits for the Executive Director and Administrative Assistant; Task 2 (Data Development and Maintenance) - \$161,600.00 – includes salary and benefits for Planner I position; Task 3 (Short Range Planning) - \$171,280.00 – includes salary and benefits for Senior Planning Assistant; and Task 4 (Long Range Planning ) - \$359,361.00 – includes salary and benefits for the Principal Transportation Planner. This equals a total expenditure of

\$1,207,514.58. It should be noted that no funds have been dedicated, or expenditures identified in Task 5 (Special Studies) for FY 2008-2009.

We forwarded our first draft to Fred Marquez, TxDOT-Austin, on June 1, 2007. Subsequent drafts have been submitted to Mr. Marquez for review/comment. Mr. Marquez made recommendations for changes that are reflected in this draft document. We have also submitted drafts to Karen Dunlap, TxDOT-Austin to review the Transit Section of the UPWP. Ms. Dunlap made recommendations which have been incorporated into the final document. We are well within the originally established timelines, and should have the approved UPWP to the TxDOT Transportation Planning and Program Division by August 1, 2007.

The primary costs associated with each task are identified as follows:

Salaries/Benefits for MOTOR MPO Staff + 5% projected increase per year for Staff – Cost of living and potential merit considerations were factored in;

Office space expansion to allow for adequate storage. We have discussed the office expansion with Justine Ruff, Deputy Airport Director. Ms. Ruff has submitted a proposal which is provided in this section for reference. They have reviewed our request for additional space, and have submitted a cost of \$9.57 per square foot for the additional space requested which is 1,318.95 square feet. This would increase our cost by \$1,262.00 per month, or \$15,144.00 per year. Our current lease has been slightly adjusted in accordance with the Consumer Price Index for this area which increased the \$9.50 per square foot charge for the existing space to \$9.57 per square foot, or to \$1,886.18 per month. The increased rate to \$9.57 per square foot was also applied to the expanded space as calculated above. The requested expansion would increase our monthly lease to \$3,148.18, or the annual cost to \$37,778.16. I attempted unsuccessfully to negotiate a lower rate on the expanded space as we are not requesting a “finish out” in this area. All correspondence with the Airport regarding this matter is included for your review. We have included funds to cover this cost in Task 1 (Office Lease). *The City of Midland furnishes the following as part of this lease agreement: heat, water, gas, air conditioning, weekday pick-up of small trash placed by MOTOR in the common hallways, janitorial services in common areas, and 110 VAC electricity. Routine maintenance and major replacement on the heating and cooling systems is the responsibility of the City of Midland (See Page 4 of the Lease Agreement provided in your packets for further detail).*

Four (4) Scenario Planning Workshops during the two (2) year period, which would require the need for consulting services;

Equipment cost for lease/maintenance for a plotter for the MPO Staff to be able to produce large scale color maps;

Some software purchases and updates;

Anticipated increases in the costs of supplies to support the day to day operations of the MPO; and

Audit support services and an Inventory Control System.

We had previously discussed the possibility of a leased automobile for the MPO Staff to make the many required pickups and deliveries to the Cities of Midland and Odessa, and to attend meetings within the MPO boundary. We have, however, decided in our work group sessions that this expense would be too great for the amount of usage anticipated during FY 2008-2009. We would request that we be allowed to rent a vehicle for specific days as needed.

**MPO Comments:**

We hand delivered all required copies of the final 2008-2009 UPWP which was adopted by the Policy Board on July 26, 2007 to the Transportation Planning and Programming Division in Austin, Texas on August 3, 2007.

**e. Access Management Workshop**

On August 8, 2007, Bill Frawley with the Texas Transportation Institute conducted a workshop at the MOTOR MPO Conference Room regarding the new rules for access management, and ways to present access management to the public. Approximately 20 were in attendance from the TxDOT-Odessa District, other TxDOT Districts, the Texas Transportation Institute and the MOTOR MPO.

**7. Project Report – TxDOT-Odessa District**

Lauren Garduño, TxDOT-Odessa District, gave updates on project letting dates, environmental documents, and right-of-way acquisitions for all construction projects.

**8. 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 had no items to discuss in Executive Session.

**11. Take action concerning Executive Session matters.**

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

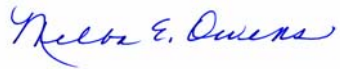
**12. Adjourn.**

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

Dr. James Goates     Aye  
Berry Simpson        Aye  
Lauren Garduño      Aye

The next regularly scheduled Policy Board Meeting will be conducted on Thursday, September 20, 2007, in the MOTOR Conference Room at 3:30 p.m.

Minutes submitted and approved by:

A handwritten signature in blue ink that reads "Melba E. Owens". The signature is written in a cursive style.

Melba E. Owens, Executive Director