

MPO Policy Board
Tuesday, September 22, 2009
Waco Convention Center – DeCordova Room
100 Washington Avenue
Waco, Texas



This meeting was digitally recorded (MPO PB 9-22-09)

Summary Notes

Members Present:

Mr. Keith Bond	Public Works Director, City of Lacy-Lakeview
Hon. Virginia DuPuy	Mayor, City of Waco
Dr. William Falco	Director of Planning, City of Waco
Mr. R.C. Fletcher*	City Manager, City of Robinson
Mr. Larry Groth, P.E.	City Manager, City of Waco
Mr. Chris Gutierrez	Plan Commissioner, City of Waco
Hon. Jim Jaska	Northern Cities Representative, City of Ross
Hon. Joe Mashek	County Commissioner, McLennan County
Mr. Adam Miles	City Manager, City of Hewitt
Mr. Joseph Portugal	City Manager, City of McGregor
Hon. Randy Riggs	Councilmember, City of Waco
Hon. Alice Rodriguez	Councilmember, City of Waco
Mr. Richard Skopik, P.E.	District Engineer, Waco District, TXDOT
Mr. Jed Walker, P.E.	City of Waco Transportation Committee

Members Absent:

Judge Jim Lewis	County Judge, McLennan County
Mr. Yost Zakhary	City Manager, City of Woodway

Staff Present:

Mr. Christopher Evilia	Director, Waco MPO
Ms. Ruth Fajardo	Staff Assistant, Waco MPO

Others Present:

Mr. Russell Devorsky	Rep. Jim Dunnam's Office
Ms. Rochonda Farmer Neal	Baylor University
Mr. John Jasek	TXDOT
Mr. Ed Kabobel	Waco District, TXDOT
Ms. Suzanne Nemmer	Commissioner Mashek's Office
Mrs. Linda Vranick*	Proxy for Mr. Fletcher, Robinson

* indicates member was represented by proxy

I. Call to order, proof of posting

Mr. Mashek called the meeting to order at 2:02 p.m. and Mr. Evilia confirmed proof of posting.

II. Approval of the July 14, 2009 meeting minutes

The MPO Policy Board reviewed the July 14, 2009 meeting minutes. Motion by Dr. Falco to approve the minutes as presented. Second by Mr. Riggs. Motion passed with a 10-0 voice vote.

III. Public hearing of any visitor concerning MPO business not on the agenda

Mr. Mashek opened the public hearing.
No visitors addressed the MPO Policy Board.
Mr. Mashek closed the public hearing.

IV. Election of MPO Policy Board Chair and Vice-Chair for fiscal year 2010

Mr. Mashek opened the floor for nominations for chairman for fiscal year 2010. Ms. Rodriguez nominated Mr. Riggs for Policy Board Chairman for fiscal year 2010. Second by Mr. Bond.

Motion passed with a 10-0 voice vote.

Mr. Mashek opened the floor for nominations for vice-chairperson for fiscal year 2010. Mr. Groth nominated Mr. Walker for vice-chairman for fiscal year 2010. Second by Mr. Bond.

Motion passed with a 10-0 voice vote.

V. Consideration and action on authorizing the MPO director to sign an affidavit affirming that all agencies within McLennan County receiving funds from the American Recovery and Reinvestment Act are abiding by all applicable State & Federal Laws

Mr. Evilia reviewed the purpose for the affidavit and the requirements identified for the MPO.

Mr. Riggs made a motion to give the MPO director the authorization to sign an affidavit affirming that all agencies within McLennan County receiving funds from the American Recovery and Reinvestment Act are abiding by all applicable state and federal laws. Second by Mr. Jaska.

Motion passed with a 13-0 voice vote.

VI. Review and discussion on proposed amendments to the 2008-2011 Transportation Improvement Program

Mr. Evilia began by reviewing the purpose of the Transportation Improvement Program. The TIGER program requires MPOs to list projects that would not otherwise have been funded. He

went to on to say that the Waco MPO is in the middle of a public comment period to receive comments on the proposed amendments to the 2008-2011 TIP. He went on to say that the current Economic Stimulus act requires all projects using stimulus funds to be included within the TIP; however, projects cannot be included within TIP prior to a commitment of funds. TXDOT has submitted an application for stimulus funds for IH-35 between Lacy-Lakeview and West. The FHWA interpretation states that projects are eligible for stimulus funds if TIP amendment is “in process”. Fiscal constraint restricts total costs through 2011 to \$441 million, with the IH-35 construction cost alone being \$211 million. This means that the construction phases for 2 projects must be removed to remain fiscally constrained. These two projects being US 84 at Old Lorena Rd / Speegleville Rd and SH 6 at FM 1860 in Riesel. In addition, engineering and right of way phases must be grouped into statewide categories to maintain fiscal constraint, a process now permitted for MPOs in air quality attainment. Statewide categories constrain costs on a statewide level instead of on a local level but also permits TXDOT to make changes and add or delete phases without a TIP Amendment.

Mr. Evilia explained that this does not require Policy Board action today, but will be presented again for action October.

Mr. Groth asked if these two projects (US 84 at Old Lorena Rd / Speegleville Rd and SH 6 at FM 1860 in Riesel) will be delayed if they are funded by TIGER.

Mr. Evilia responded that they may be delayed until FY 2012.

Mr. Skopik explained that there is no funding commitment yet and that there are 3 or 4 highway segments from Woodway to McGregor; it may take 20 years to get all the way there.

Mr. Riggs asked why the MPO Policy Board is taking out projects if they are only going to get put back in later.

Mr. Skopik explained that it is the nature of what we have to do to uphold federal requirements since there is not enough money to get all the projects done at once. That’s what TIGER funds are; extra funds for the state and region.

VII. Review and discussion on socio-economic, traffic and crash trends for the Waco Metropolitan Area

Mr. Evilia began by explaining that the next MTP will carry the Waco MPO through the year 2035. The MPO has a comprehensive list of regional needs that we can communicate to state and federal leaders to emphasize, “This is what needs funding in our region.”

VIII. Review and discussion on a draft list of transportation projects proposed for evaluation within the 2035 update of the Waco Metropolitan Transportation Plan.

Mr. Evilia asked for guidance from the board about project S040, the IH-35 reliever route. The reliever route would be a toll road, which would basically provide additional capacity for traffic

traveling from Dallas to San Antonio. Even after I-35 is completely updated, then there will still be more traffic than we can accommodate on I-35.

Mr. Groth asked if this is a project for long range plan.

Mr. Evilia responded affirmatively. It may be classified as “regionally significant but unfunded” project.

Mr. Groth asked what if there is an unforeseen population change.

Mr. Evilia answered that the MPO is required to update the MTP every 5 years.

Mr. Riggs noted that the reliever route would bypass the population core of Waco. Other cities have loops that go all the way around town.

Ms. DuPuy expressed a concern that a loop could lead to urban sprawl.

Mr. Groth asked if a significantly expanded Loop 340 corridor assist in alleviating IH 35.

Mr. Evilia responded affirmatively; an expanded Loop 340 would help Waco traffic.

Dr. Falco noted that population sprawl is what we will see if we do not reverse past trends. He mentioned that the question to ask is, “Is this development sustainable?” He expressed that the MPO might need to ask that question sooner than later. Building an outer loop would be a self-fulfilling prophecy.

Mr. Groth commented that without question, we have to do something to address traffic.

Mr. Gutierrez asked how other counties are dealing with congestion on I-35.

Mr. Evilia responded that other counties are dealing with traffic congestion in many ways. The Austin area uses SH-130 as a reliever to I-35.

Ms. DuPuy reiterated that building an outer loop has a way of attracting development and urban sprawl.

IX. Review and discussion on small city representation for the MPO Policy Board

Mr. Evilia began by explaining how the small cities are represented in the MPO Policy Board. He explained that there are 13 cities with population under 5,000, which are considered “small cities”. These small cities are divided into 3 geographic regions. The selection of representatives has been based on the majority vote of the respective city councils. The city of McGregor has raised a concern in that their population is nearly twice the next largest small city. He also explained that the city of Bruceville-Eddy has requested that the bylaws be amended to rotate the small city representative between cities.

He went on to say that the 3 geographic regions are unbalanced since the northeast and southeast have regions have 4 cities and the western region has 5 cities. He explained that the bylaws must be amended prior to Jan 1st to incorporate State mandated ethics standards for Policy Board members and staff. He mentioned that the question of voting proxies should also be addressed.

Mr. Portugal explained that it is important for the MPO Policy Board to maintain a regional perspective. McGregor is in a unique position because of the airport, industrial park, US84, SH317, Amtrak (boarding over 4000 people per year), and a recipient of grant funds to improve the Amtrak station. Mr. Portugal stated that he is in favor of McGregor having a stand alone vote.

Mr. Miles asked who determines the population for purposes of the MPO.

Mr. Evilia responded that census data and Texas data center are used to determine populations, as spelled out in the by-laws.

Mr. Groth suggested changing the by-laws to allow individual representation at a minimum of 4000 population.

Ms. Rodriguez commented that she would rather wait to re-assign numbers until the census comes out.

Mr. Riggs noted that continuity is important on the MPO Policy Board so you know what is going on.

Mr. Groth suggested that the four cities should decide. Each city has one vote.

Mr. Portugal suggested changing the bylaws to grant home rule cities one voting member on the Policy Board in addition to cities with a population greater than 5,000.

X. Recognition and presentations

- A. Commissioner Joe Mashek for service as Policy Board Chair – Fiscal Years 2008 and 2009

Mr. Riggs presented Mr. Mashek a service plaque recognizing his service as Policy Board chair..

- B. Russell Devorsky for service as the Bellmead Representative to the Policy Board from 1985 to 2009

Mr. Mashek presented Mr. Devorsky a service plaque recognizing his service as the Bellmead Policy Board representative.

XI. Adjournment

Mr. Mashek adjourned the September 22, 2009 meeting of the MPO Policy Board at 3:25 p.m..