



## MINUTES OF THE ABILENE METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION POLICY BOARD

June 19, 2018

The Abilene MPO Transportation Policy Board met at 1:30 p.m., Tuesday, June 19, 2018, in the City Council Chambers, Abilene City Hall, 555 Walnut Street, Abilene, Texas.

### **Members Present:**

Councilman Bruce Kreitler, City of Abilene and Policy Board Chairman  
Judge Downing Bolls, Taylor County and Policy Board Vice-Chairman  
Judge Dale Spurgin, Jones County

### **Members Absent:**

Mr. Carl Johnson, P.E., TxDOT Abilene District Engineer  
Mayor Anthony Williams, City of Abilene

### **Staff of Member Agencies in Attendance:**

Mr. Andy Anderson, City of Abilene Interim Public Works Director  
Mr. Ken Flynn, City of Abilene, Interim Director of Planning and Development Services  
Mr. Cliff Hallford, TxDOT, Advanced Planning Manager  
Ms. Linda Lockhart, CityLink General Manager  
Ms. Kelley Messer, City of Abilene First Assistant City Attorney  
Mr. James Rogge, City of Abilene Traffic Engineer  
Mr. Michael Rice, City of Abilene Asst. City Manager  
Mr. Larry Wright, City of Abilene City Engineer

### **MPO Staff in Attendance:**

Ms. E'Lisa Smetana, Abilene MPO Executive Director  
Mr. Ed McRoy, Abilene MPO Transportation Planner II

### **1. Call to Order.**

Chairman Kreitler called the meeting of the Abilene MPO Policy Board to order at 1:30 p.m. noting the presence of a quorum. Chairman Kreitler requested that any member of the public who desired to comment on any item appearing on the agenda identify themselves and the item or items they wished to address. He noted that a public hearing would be called on any such item identified. *Hearing none he proceeded with the meeting.*

### **2. Consideration and possible action on the minutes of the April 17, 2018 meeting.**

Judge Spurgin made a **motion** to approve the minutes as presented, with a **second** by Judge Bolls. *Motion carried (3-0).*

### **3. Discussion and possible action on a supplemental FAST Act Compliance Document.**

Ms. Smetana explained that the FAST Act Metropolitan and Statewide Planning regulations under 23 CFR 450 require numerous changes to MPO documents. To ease review by FHWA and FTA, the MPO Staff has prepared a checklist document which provides a record of our compliance efforts to date in one easily accessible place. She noted that no formal action is needed by the Board. It has been placed on the agenda so the Board can acknowledge it or take other actions deemed appropriate.

With no objections from the other Board members, Chairman Kreitler, **acknowledged** receipt of the document and moved to the next agenda item. (*No vote taken or required*).

**4. Discussion and possible action on a Planning Agreement with TxDOT.**

Ms. Smetana explained that a Planning Agreement between TxDOT, the MPO, and the City of Abilene (operator of the CityLink transit system), which outlines the various responsibilities of each party typically runs for five years. The current agreement will expire on September 30, 2018. She reported that a new draft agreement, received from TxDOT on May 25, 2018, has been reviewed by the City Legal Department resulting in a few proposed revisions. If approved and signed by all parties, she noted, the new agreement would run until September 30, 2024.

One of the changes noted was in Article 2 Section G where performance measures are now being referenced in the agreement. Additionally in Article 5 Section F customized language has been crafted to clarify that the fiscal agent is responsible for discipline and possible termination of the MPO Planning Director for matters not related to work product.

Judge Spurgin asked for an explanation of the involvement of the City of Abilene in relationship to this agreement. Ms. Smetana responded noting the City of Abilene's current role as the MPO's fiscal agent.

Chairman Kreitler made a **motion** to approve the document as presented with a **second** by Judge Spurgin. *Motion carried (2-0-1) (Aye – Kreitler, Spurgin, Nay - Abstain -Bolls)*.

Judge Bolls asked for a clarification on the provision within the agreement related to potential discipline and termination by the City. Ms. Messer responded that if there is a case or claim of inappropriate behavior the City's normal H.R. processes will be used with the City having the supervisory role. Alternatively, she explained that if there is an issue related to a work product that the Board reviews or approves, the Policy Board would be the entity exercising the supervisory function. Ms. Smetana noted that the existing Planning Agreement does not have this distinction but the MOU between the City and the MPO does. When asked, she also clarified that this distinction in supervisory roles as proposed in the pending Planning Agreement has not been reviewed by TxDOT yet.

Ms. Smetana pointed out that the language in the current MOU between the City and the MPO addresses this issue which states:

*“The City acting as the MPO fiscal agent and employee of record shall have the sole authority and responsibility for disciplinary action including termination arising from a violation of the MPO's Policies and Procedures Manual unrelated to work product.”*

She suggested that use of this language may be preferable so the two documents match more closely. Judge Spurgin stated his preference for using this MOU language noting the extensive discussions about this that had been previously held, the vagueness of the language in the proposed agreement and the reference to applicable actions being violations of the MPO Policies and Procedures Manual.

Judge Spurgin requested **reconsideration** of the item to address this issue. After consultation with and advice of legal counsel (Ms. Messer) Chairman Kreitler ruled **in favor** and removed his previous motion to approve.

Judge Spugin made a **motion** to approve the proposed Planning Agreement **amending** Article 5

Section F such that this section shall be exactly worded as it is in the MOU regarding the discipline and termination of the MPO Planning Director with a **second** by Judge Bolls. *Motion carried (3-0)*.

**5. Discussion and possible action on an amendment to the Memorandum of Understanding between the MPO and the City.**

Ms. Smetana explained that this document had been placed on the agenda in case actions related to the previous item resulted in a situation where changes to the MOU might be needed.

Judge Spurgin took the opportunity to note that the current MOU still lists the previous physical address of the MPO office and this needs updating.

Judge Spurgin made a **motion** to approve the item **amending** the physical address of the MPO office to reflect the current location with a **second** by Judge Bolls. *Motion carried (3-0)*

**6. Discussion and possible action on the 2019 UTP proposed projects and the MPO's Ten-Year Plan.**

Ms. Smetana introduced the item noting that TxDOT is currently working on the State's 2019 Unified Transportation Program. She reported that on May 30<sup>th</sup> at 5:05 PM the MPO received a request to rank proposed projects on the State's list by June 1<sup>st</sup> at noon. It was determined that two projects on the State list fell within the Abilene MPO Planning Area. A proposed intersection project at FM 89 at Antilley Road was found to have been previously included and ranked in the MPO's Ten-Year Plan as #5 so this was submitted as such. A US 83 frontage road project however was submitted as "in progress" because this project is not in the MPO's MTP, TIP or Ten-Year Plan. Ms. Smetana explained that this agenda item provides the Board the ability to include this proposed frontage road project into the Ten-Year Plan if desired. She noted that due to limited timing the Technical Advisory Committee (TAC) has not reviewed or made a recommendation on this matter.

Mr. Cliff Hallford (TxDOT), addressed the Board explaining that the proposed project is intended to address traffic related to a new elementary school and associated development in the area. He stated that the project will also address weaving movements from northbound drivers entering US 83 from Beltway and then exiting again at Antilley Road. He stated that the short timing is related to his attempt to obtain Category 4 funding from the State for the project. To obtain these funds he said, officials like to see a local match. The current cost estimate is \$7 million with \$3.5 million being proposed from the State and a matching \$3.5 million from MPO funds. He then clarified that the current \$7 million estimate is likely high so the final local match may be less than shown on this proposal. He added that consultants are already working on this project and that needed ROW would come from property owned by the City of Abilene. The project is proposed for year 2020 but may be moved up if possible.

Ms. Smetana advised the Policy Board that if approved for inclusion in the Ten-Year plan the project would also need to be included in the TIP and MTP. When asked by Chairman Kreitler, she responded that inclusion of the project into the Ten-Year Plan would allow the project to move forward in the planning process.

Chairman Kreitler made a **motion** to add the project to the Ten-Year Plan as proposed with a **second** by Judge Bolls. *Motion carried (3-0)*.

**7. Discussion and review of transportation projects.**

**TxDOT – Mr. Cliff Hallford** updated the Board on the following projects:

Winters Freeway – In process. One lane is closed south of I-20 with expected completion in the Fall 2018. Loop 322 Ramp Relocation – Ramp is complete. Expected total project completion is July 2018. S. 1<sup>st</sup> St. Overlay Project - Awaiting a Right of Entry from the railroad to begin.

**City of Abilene - Mr. Larry Wright** briefed the Board on the following projects:

Industrial Blvd. – Utility relocation is almost complete. Pre-construction is complete. SoDA Ph. II – Preconstruction complete. CBD West – Expected to begin on July 1<sup>st</sup>. TSTC/Airport/Industrial Park Road - Construction has begun.

**CityLink - Ms. Linda Lockhart** reported the new Bus Routes are now active as of June 4<sup>th</sup>. She provided Board members a copy of the new route books.

**8. Discussion and review of reports:****• Financial Status**

Ms. Smetana reported that we have received work order #3 on June 8, 2018. With carryover funds now released the total authorization is \$440,369.76 with expenditures being \$124,938.27 for a remaining balance of \$315,431.49 Billings for March and April were included in the packet.

**• Operation Report**

Ms. Smetana reported that staff has worked on both the Ride of Silence and Ride to Work. In addition, staff has been working on FAST Act compliance, the FY 2019 budget, the FYs 2019-2022 TIP/ESTIP and an update to the Sidewalk Layer Map.

**• Director's Report**

Work continues on the Travel Demand Model. Since the last meeting Staff has been focused on establishing a partnership with TxDOT regarding obtaining Demographic Data.

**9. Opportunity for members of the Public to make comments on MPO issues.**

None at this time.

**10. Opportunity for Board Members, Technical Advisory Committee Members, or MPO Staff to recommend topics for future discussion or action.**

Ms. Smetana stated the MPO will be updating the TIP and the MTP in the near future based on action at today's meeting.

**11. Adjournment**

Having completed action on all items listed on the agenda, Chairman Kreidler announced that the Board was adjourned at 2:16 p.m.