

**MINUTES OF THE TEMPO GENERAL MEETING  
THURSDAY MARCH 20, 2014  
THOMPSON CONFERENCE CENTER - UT CAMPUS  
AUSTIN, TEXAS**

**INTRODUCTION AND WELCOME**

Mr. Ashby Johnson, TEMPO Executive Director, convened the meeting and thanked the attendees for coming. The minutes from the January 2014 meeting at the Transportation Forum in San Antonio were adopted unanimously.

**ACTION**

**TEMPO EXECUTIVE COMMITTEE ELECTION**

TEMPO Staff sought nominations from the floor to fill two vacancies on the TEMPO Executive Committee: that for a TMA representative (vacated by Maureen McCoy resigning as Director of CAMPO), and a non-TMA representative (vacated by E'Lisa Smetana, Director of Abilene MPO, completing her term). Nominations were received for Dan Kessler, NCTCOG; and E'Lisa Smetana, Abilene MPO. Given no alternative nominations, the two positions were filled by acclamation.

**APPROVAL OF MOU REGARDING TxDOT "TURNBACK" PROGRAM**

Mr. Johnson introduced a draft Memorandum of Understanding to be executed with the Texas Municipal League and TxDOT. The document provides a framework for moving forward on the "Turnback" program announced in August 2013 (see TxDOT Transportation Commission [Agenda item 4.b.](#) for a presentation on the proposed program). TEMPO, TML, and TxDOT formed a committee to consider the details of such a proposal, met initially in January at the annual Transportation Forum, and later TML and TxDOT met again. TML sent the draft MOU to TEMPO to consider adding the Executive Director's signature in support. However, the TEMPO Executive Committee wanted to make clear that Mr. Johnson is not speaking on behalf of any MPO policy board. This MOU would be no different than AMPO (the American Association of MPOs) signing on to a policy letter they support, for example. The distinction would be made known to TxDOT upon TEMPO's decision to sign the letter. The motion to sign the letter carried without further discussion. TEMPO will deliver the final MOU to its members for them to also submit for approval to their policy boards.

**INFORMATION**

**TEXAS A&M TRANSPORTATION INSTITUTE FINANCE EXCHANGE** (Dr. David Ellis, PhD)

Dr. David Ellis, PhD, provided background that transportation policy and financing research exposed a significant need for additional funding capacity for infrastructure in Texas. Without legislative action to provide TxDOT with the necessary resources to address mobility and structural need, investment bankers from around the country began to express an interest in investing in the Texas infrastructure market. Discussions continued between three main parties: public sector agencies, equity partners (those who would build, own, and operate facilities) and finance partners. TTI then began the process of putting together a group they called the "Strategic Finance Group", in order to study the potential for increased private investment in publicly owned transportation infrastructure. It will operate according to the TTI model—which pools study funding to investigate a matter at

length, with leadership from both the private and public sectors. Dr. Ellis then introduced Bob Farley, TTI, who would head up the effort for TTI. Mr. Farley's presentation is available on the TEMPO website.

Questions asked at the conclusion of the presentation included eligibility for funding, probability of success, time period of implementation, and exemplar financial details. TTI stressed the need to further investigate not only the potential operation of the exchange, but also the consequences of its operation. The 2014 TxDOT Planning Conference and an upcoming internal bond conference seem to provide TTI, TxDOT, and TEMPO with opportunities to more immediately and practically consider the future of this effort, as well as answer the questions posed by attendees.

## TxDOT REPORTS

### STATEWIDE ORTHOIMAGERY REPORT (Michael Chamberlain)

Mr. Chamberlain explained he was not representing TxDOT directly in his presentation, though he is a TxDOT employee. Rather, he recommended TEMPO participate in the statewide endeavor to lower the cost of high-quality orthoimagery photos available for public use. The presentation is available on the TEMPO website. This cost-sharing could potentially save local agencies significant amounts of money in acquiring aerial imagery, as it would be shared by entities throughout the State. The availability of high-quality images, which local agencies are able to purchase at increasing levels of resolution at an additional price, could also assist in the drafting of environmental documents as well.

### FEDERAL LEGISLATIVE PRIORITIES (Cindy Mueller, TP&P)

Melissa Meyer, TxDOT Federal Affairs, reported on the acceptance by the Transportation Commission of the 2014 TxDOT Legislative Priorities. The document has been distributed throughout the ranks of the Texas federal delegation, and is the result of extensive stakeholder input throughout the State. The document's origin was at the request of Texas delegates Rep. Farenthold and Senator Cruz for a single source for agency-wide legislative priorities. The document has specifically been marketed toward those Texas delegates on the House Transportation and Infrastructure Committee, the Senate Commerce Committee, and the Senate Finance Committee. Mr. Johnson noted that priorities 3 and 5 were included verbatim from TEMPO's input, and thanked TxDOT staff.

### INTRODUCTION OF NEW TP&P DIRECTOR (Jack Foster, TP&P)

Jack Foster, TxDOT TP&P, introduced James Koch, PE, as the new Director of the TP&P Division in Austin. Mr. Koch noted, as an example of his willingness to do what is necessary to move Texas mobility forward, that in fiscal year 2013 the Houston District let \$1.2 billion of projects without a Comprehensive Development Agreement or Design-Build contract. He encouraged the adoption of a "let's sit down together and figure out a solution" attitude, and referenced recent work with H-GAC to give elected officials a general view of the planning and programming process as evidence of the type of efforts he is looking forward to participating in at his new position. Mr. Johnson welcomed Mr. Koch, mentioning the need to continue coordination between TEMPO and his new office soon with regards to document and travel approval for MPOs and the nexus between State environmental approvals and the metropolitan planning process.

UPDATE ON THE TEXAS FREIGHT PLAN (Caroline Mays, AICP)  
Ms. Caroline Mays, AICP, Manager of TxDOT's Freight Planning Branch, gave an update to the Texas Freight Mobility Plan. She also solicited continued support and comment through the project website (<http://www.movetexasfreight.com/>). Her presentation is available on the TEMPO website for review.

#### 2014 PLANNING CONFERENCE

Michelle Conkle, TxDOT TP&P, announced the next TxDOT Planning Conference in Corpus Christi, Texas, June 3-5, 2014. Currently, they are looking to identify a few more speakers, and schedule FHWA for more information sessions. TEMPO has elected to meet together on June 3, the day before the official conference activities begin.

#### STATUS OF TEXAS 2040 PLAN

Ms. Conkle also gave an update on the Texas 2040 long-range transportation plan, which was introduced at the TEMPO January 2014 meeting. The project team is currently advancing through the needs analysis phase; and preparing for round 2 of public involvement—which will include stops in every TxDOT District during June and July 2014. Additionally, staff is developing a Scenario Investment Tool for consideration by stakeholders and the public.

### FHWA REPORTS

#### TEXAS PEL WORKSHOPS UPDATE (Kirk Fauver, FHWA)

The Planning-Environmental Linkages workshops continue throughout the state. Kirk Fauver, FHWA-Texas Division, informed TEMPO they are usually one and a half days long, and without charge to the host agency as long as there can be provided a free place to meet. In response to a request for clarification on a NEPA assistance software tool, Mr. Fauver suggested adding an educational aspect to the FHWA and MPO NEPA coordination—perhaps a class or set of materials. This is an urgent matter to FHWA, given the relatively large number of new MPO Directors in Texas.

#### PLANNING REVIEWS FOR NON-TMAs

José Campos, FHWA-Texas Division, announced the new Texas Division initiative of “planning reviews” for non-TMA MPOs. He insisted they are not TMA-level certification reviews, but rather intended to give FHWA the opportunity to become more familiar with the activity and constraints of metropolitan planning in the medium and smaller urban areas. The reviews will be a comprehensive desk audit, without focus on a certain area of operation. FHWA will provide a summary report (currently envisioned as a short paper 10-20 pages in length) documenting observations and possible benefit for other Texas MPO partners. Currently, two MPO planning reviews are scheduled for later this year: Longview and Tyler. Ideally, the smaller MPOs would be visited about once per year, and this work could support annual STIP findings. Mr. Johnson cautioned FHWA, in drafting and distributing the summary reports, not to give ammunition to the notion he has observed among certain elements of rulemaking authorities and regulatory agencies that MPOs operating in smaller urban areas be abolished.

## FUNCTIONAL CLASSIFICATION

Mr. Campos then presented an update of the effort to reclassify or adjust classification on the functional status of Texas roadways on the National Highway System. FHWA, in having committed to a “comprehensive” classification review, is considering both existing classification labels and locally or federally proposed changes to classification. In doing so, FHWA is not considering the total count of arterials or collectors, etc, as a ceiling, but is focused on the data reflecting the activity on the road today. FHWA hopes that any surprises, concerns, or issues with this round of updates will feed into an improved process in the next update cycle with the 2020 Census. Mr. Campos expressed regret at the idea MPO policy boards’ approval processes are being complicated or the thought they are being compromised in their integrity. However, the need to accomplish a comprehensive update is creating an unexpectedly complex job. FHWA’s efforts include both a “wholesale” update of the entire system and the continued periodic, localized changes of a specific roadway or facility. If any MPO policy board disagrees with a change FHWA has made, they can submit a request for FHWA to review the change through TxDOT TP&P, and the involved stakeholders can sit down to review the facility again to understand the disagreement.

In response to reports of attendees at functional classification meetings sensing an atmosphere of antagonism or acrimony, FMWA has taken this under advisement. It is not FHWA’s wish that these meetings go poorly, and they are willing to work with local leaders to ensure a thorough, cooperative atmosphere. FHWA will review some of the negative reports they have heard to determine what, if anything, needs to be adjusted. In the meantime, FHWA is committed to dialogue, and appreciates the input from both MPO planners and policy boards. Mr. Campos stated that local stakeholders and leaders need to work with FHWA to decide on an official version of the functional classification map.

Mr. Johnson requested that FHWA put together an explanation in memo or monograph form of what FHWA uses functional classification for—detailing the “federal interest” in making changes to, or leaving, the current maps. Especially as it relates to matters other than funding. Mr. Koch added that a conflict resolution process should be adopted to ensure MPOs do not have to keep returning to policy boards with requests for approval of changes.

## ANNOUNCEMENTS

FHWA representatives present announced an upcoming National Highway Institute Freight/Land Use course, to begin April 17, 2014. The course is free for attendees, and will be offered in Austin at TxDOT administrative facilities. Additionally, FHWA announced that the Safety Notice of Proposed Rulemaking for MAP-21 is out, and the planning proposal should be coming out shortly.

## FUTURE BUSINESS

Mr. Johnson announced that the TEMPO Executive Committee is considering the formation of an MPO-led training and informal discussion opportunity. He issued a request for feedback from those assembled with regard to areas of interest and willingness to participate. Mr. Johnson suggested re-visiting the topic at the next TEMPO meeting for further discussion or action.

## ADJOURN

Mr. Johnson then adjourned the meeting.