

**Association of Texas MPOs  
Fall 2016 Meeting – Summary Notes**

Central Texas Regional Mobility Authority Offices  
3300 North IH-35 Frontage Road, Suite 300  
Austin, TX 78705

**Tuesday, October 4**

**I. Welcome and Introductions – Chris Evilia, Waco MPO Director and TEMPO Executive Director**

**II. Summaries for July and August meetings were not available for review**

**III. Review and Discussion regarding proposed changes to Chapter 16 of the Texas Administrative Code (TAC) – Lauren Garduño**

See Handouts:

Exhibit A – *Preamble to the proposed amendments concerning transportation programs and funding*

Exhibit B – *Proposed amendments to Subchapter C Transportation Programs; Section 16.105 Unified Transportation Program (UTP)*

Exhibit C – *Proposed amendments to Subchapter D Transportation Funding; Section 16.152 Cash Flow Forecasts, 16.154 Allocation Funding Formulas, and 16.160 Funding Allocation Adjustments*

Mr. Garduno reviewed the Exhibits, focusing on items of interest:

- Not all projects have to be listed in the UTP; posted on tracker
- Performance Metrics for prioritizing projects addressed in Subchapter C
- Chapter C amendment
  - “What constitutes a major change?”
    - Administrative rules vs. “major change”
    - Management problems to Commission for every update
    - Changes to Cats 4 and 12 projects flagged to automatically go to Commission.
  - two types of financial forecasts
  - alternative programs (pp 6 of 12 preamble).
- Section 16.154 highlights Cat 4 funding

- In past, Cat 4 defined as outside MPO boundaries
- Commission using Cat 4 inside MPO boundaries-target congested corridors
- called Category 4 “**3-C**” for “**Congested, Connectivity Corridor**”
- Language cleanup for projects in UTP allocation programs
  - let without constraints
  - distinguish between two types of forecast
- 16.154.e defines project and changes the UTP’s look
- changes to cash forecast allow modifying associated planning targets

Lauren Garduno opened the floor to questions.

- *Alan Clark – This is a function of HB20, rule changes clear about using performance metrics for project selection, but not how performance metrics guide revisions in fund allocations. Our planning organization steering committee (POSC) has discussed, but don’t see anything written regarding a process, etc.*

Subchapter C, Transportation Programs, page 4: “The Dept will consider performance metrics and measures to evaluate and rank the priority of each project” (and following)

Subchapter D, Transportation Funding, page 7: Determination of funding allocations (and following)

At the meeting tomorrow (**2017 UTP Update for MPOs and Des**) we’ll provide more detail, specifically a project prioritization and optimization instrument called **Decision Lens**:

- helps perform scenario-based exercises relating to future funding categories
- step-by-step process to identify projects in UTP, focus on Cat 4 and Cat 12, most funds today
- by spring (late February), for 2018 UTP, goal is whole portfolio in tool; funds from Cat 2, Cat 1 (Presrv), Cat 11 (ES), Cat 12 Clear Lanes, and Cat 4 3-C.
- want to start prioritizing and optimizing funding cats based on anticipated performance measures.
- *Ashby Johnson – Following up on Alan, looking at Preamble, page 4 of 12, you read (Amendments to Section 16.105[d]) beginning on line 9, but line 18 says, “The amendments also provide that the scoring system must account for the diverse needs of the state so as to fairly allocate funding to all regions of the state.” What does that mean? It seems like an escape clause.*

Good question. We need balance among all the formulas. Current UTP discussion asks for every district and MPO to get something. Not every district gets something from every category. Applying performance measures to project prioritization ranking can account for rural needs in the state, and congestion and other urban needs. Cat 4 is split up so \$11.2B goes to rural areas, and some used to target congestion on metropolitan corridors. That’s one consideration. We could put all that money into solving congestion. We decided to continue closing gaps in our connectivity system.

The Energy Sector and Category 11 is predominant in Texas, but not everywhere in the State. The performance metric will apply most of those funds to those areas of activity. Need to consider existing highways that feed into those areas. Cat 4 broken into 3 defined corridor types in the matrix. But a 4-lane expansion to 6-lane cannot compete for funds with a 2-lane to 4-lane expansion. We need money distributed in a fair and equitable way with competition between same-size projects. We can't carve this UTP up thinking every area will get an equal distribution of funding. We can't apply the performance metrics like that. But we will take into account the needs and diversity of the state.

- *A. Johnson – That makes sense, but I need more follow-up. What about districts and performance metrics? How do we determine need, and those things to be submitted for the model and ultimately to the Commission to make the decision. For example, pavement has a lot to do with maintenance. Some of our districts (like Austin) are using somewhat sophisticated methodology to come up with pavement conditions and ways to improve pavement scores. Others are not using the same system, so I don't think we have an apples-to-apples comparison in terms of data and rules for maintenance. How are we going to address that?*

Not all pavement is concrete or asphalt. Pavement condition scores, even just those two different types, is not an equal comparison. You need system condition scores and segment condition scores to come up with an appropriate metric to target funding where it's needed. Maintenance Division is keeping and managing data, to study recommendations on overall system condition scores and statewide system pavement condition scores. We'll also develop targets according to methodologies and types of pavement structures within certain districts. We'll put standards in place across the districts on what constitutes good pavement maintenance and what does not. Some performance measures associated with the DE's scorecards will require consideration, such as good practices. That's how we start getting a handle on that type of issue.

#### **IV. Discussion regarding 2017 Unified Transportation Program and required 10-year MPO plans – Chris Evilia**

##### **Discussion continued from previous topic.**

- *Alan Clark – Some of us want to have a workshop or forum to discuss major changes and how amendments need to occur in the UTP. One past topic of interest is that many amendments require TCB approval, public meetings to be held, etc. When we have to go through a similar process in Austin, it doubles the time. Generally, those are the projects of greatest interest when it comes to streamlining the process and making it more efficient.*

L. Garduno - We'd welcome a chance to build case examples and discuss. We need communication between all areas, parties and staff to achieve the most benefit. We could include a 30-minute brainstorming to develop a brief statement to align the MPO plan with the 10-Year Plan. Start with the MTP and carve it onto the UTP.

The tool depends on good project data. It is not our desire to run your projects, but run them through the system that prioritizes projects based on their benefit to the State 10-Year Plan. It shows metrics based on 4 major State objectives, how your projects stands, and what you can take to stakeholders. MPOs can utilize this information to assist your

individual planning to align with the Statewide Plan. Consider your procedures and individual metrics and strategies.

- NCTCOG will speak/demonstrate at tomorrow's meeting
- 10 year modeling
- Details of decision lens
- Steps with districts to identify Cat 4 & 12 potential projects
- Individual MPO strategies and funding utilizing local partnerships

*Questions/Comments:*

- *Chris Evilia- Should districts focus first on existing trunk system?*

L. Garduno - Cat 4 – the 2017 UTP has no time to acquire Commission's blessing. Went back to 2003 plan network with refreshed freight; have a map of strategic corridors to identify those with potential rural boundaries to put into metric. Work off that for 2017 and go back to the Commission as needed to verify the validity.

According to *Texas Highways Magazine*, a majority of Texas corridors hadn't changed from 1917 to 1960, and that is likely still true today. No need to reinvent the wheel.

- *Alan Clark – Is there a defined list of projects?*

We have identified several projects to run through the system.

- *Peggy Thurin – We pulled data from DCIS that had development authority and project descriptions that met our parameters.*
- *Cameron Walker – what about the deadline in **Subchapter d, Chapter 9**?*

We are in the comment period now. Updated Cat 2 info will be presented at the meeting tomorrow. A target list under current performance goals and formulae.

- *C. Walker – We can see value in aligning MTPs with UTP for those on the development process. Do you see a time when the ones that don't score high won't be included?*

We won't control that. We provide the metrics tool for you to compare where your projects stand. The tool could also change how the Commission looks at it, if enough of these projects show an impact statewide.

- *Drew Cannon – "Project shaming" is a worry. Stakeholders and partners have local issues, and priorities may not compare on a statewide comparison.*
- *Hope it encourages stakeholders to look more regional.*

We are trying to change distribution of funds so rural areas will get something without having to directly compete with metropolitan MPOs. Congestion on 2-4 lane corridors can be defined, but won't compete with I-35.

Additional funds are Prop 1 and Prop 7- affects how much money can be spent.

- *Maps are going out and will be shown tomorrow and are making data available.*
- *A. Johnson – Does this new legislation clarify Prop 7 funding? The law is unclear.*

There is no direction on that, but using scenarios to determine intent. Alternative funds options will likely get further direction.

- *C.Evilia – is the intent of TAC changes to remain vague or provide more specifics?*

They will remain vague but allow for flexibility while remaining transparent.

**V. Discussion regarding the MPO Coordination and Planning Area Reform NPRM – Andrew Cannon**

NPRM Coordination Process:

- Comment period extended
- 527 submissions on NPRM
- Shocking statistics
- 86% opposed NPRM as is
- Out of 202 MPOs, 89% opposed
- Out of 43 states, 91% opposed
- Out of 105 CEOs, 86% opposed
- 150 COGs, etc. want to do away with completely
- Secretary Fox moving forward

AAMPO looking at avenues to work with legislature to make sure NPRM doesn't go to rule-making.

Possibility expected from Congress after election:

- Omnibus bill proposed (AAMPO make sure not funded)
- CR short term
- Comments with OMB – significant to review, need it to drag out
- Negotiations – none other than CR, work with appropriations
- Preamble written – may not move forward regardless of comments

As AAMPO chair, I support legislature, but this is not the way to do this. We could have MPOs larger than states and smaller areas could be lost and have no voice.

*Questions/Comments:*

- *Secretary Fox may not be there after election*
- *A.Clark – Worst case scenario-phase in?*

I don't know, I heard 6 months

- *C.Evilia – If Secretary doesn't have authority – legal action by affected MPOs?*

This was totally unprecedented, so this has been considered because it seems personal.

If anyone wants to be engaged, get in AAMPO and have a voice (including conference calls). There's an AAMPO Conference in Fort Worth this month, with a Tuesday morning session on this topic.

- *C. Evilia – I have questions about TEMPO formulating a position. We have traditionally shied away, with 25 MPOs, many restricted about what they can say and to whom. We usually leave it up to each MPO to voice their individual opinions. We're open to other roles as needed.*

- A. Johnson – *If you haven't looked at NPRM, you should.*
  - *Language mandating – not in support*
  - *Optional not mandated*
  - *PL funding and FTL funding not thought through*
  - *Sec. Fox is from North Carolina, where 17 MPOs are crammed tight.*
  - *Mandate this portion needs to be removed*

AAMPO holds their annual conference in Texas every 5 years.

- C. Walker – *We are automatically AAMPO members, as MPOs*
- C. Evilia – *Yes, every MPO member, and PL funds cover that cost right off the top. The TEMPO Director pays the bill.*
- E'Lisa Smetana – *Don't know enough about our 10-Year Plan to put it together.*
- C. Evilia – *short term Component of our long range plan.*
- Jeff Pollack – *Easy to do for the fiscally constrained portion. Beyond that its hard because its topically arranged.*
- A. Clark – *The 10-Year Plan reveals what you're working on and what your funding is. I'm not happy with where we are. I want the 10-Year Plan more complete and fulfill what the state requires.*

*Things not in the plan, but 3-year EPA required, don't need short term 4 years that has to be redone frequently.*

*I hope TxDOT will be able to define a minimum needed, allowing for more as possible. Update e very year?*

*I'm more concerned with rapid move to priority-based project outcomes; we don't have enough to be included in all metrics; a lot needs to be done.*

*Tomorrow, we need a roadmap for both sides.*

- E.Smetana – *Major amendments vs. minor amendments?*
- C. Evilia – *Intended for UTP, not same as TIPs? Very strict language streamlines some.*
- E.Smetana – *More aligned if we're 10-year vs. TIP.*

D.Cannon – *Proposition 7 would be detrimental if getting today. Need coordination for forecasting.*

- C.Evilia – *Legislation needs lots of clarification out of Prop 7. Would Category 2 formula work?*
- A. Johnson - *Appears rushed to make project list for legislature to show effort for Prop 7. Shouldn't we work more on project prioritization and selection first?*  
*Tomorrow we need to make that clear. There's no specific process to proceed.*  
*It's unclear why we are in such a rush to put step 1 in Steps 2 and 3.*
- E. Smetana – *We have to select projects before we can use it.*

**VI. Discussion and Assignments for Subcommittees**

- Cameron Walker – Legislative or Freight?
- Zach Graham – TDM
- E’Lisa Smetana – TDM
- Jeff Pollack – Livability and Sustainability
- Diane Dohm – Livability and Sustainability
- Clay Barnett – Legislative or Performance Measures?

Members should contact Carol if they’re interested in joining or if they need to be removed or changed. Carol will update the lists and email them out to each subcommittee and the executive committee, and correct the website listings.

**Lunch on your own – 12:00pm to 1:30pm**

**VII. Unscheduled announcement by Tina Geiselbrecht, TTI**

She’s working on a new research project, preparing a report regarding MPOs specific to Texas. She asked for help from all attendees and will send out a profile for their review and corrections.

**VIII. Discussion and Action regarding TxDOT Category 2 Distribution Formula  
Chris Evilia, Bill Frawley and Peggy Thurin**

- Why do we have Category and what is the purpose for these funds?
- Seems to always be the “Big 6” vs. everyone else when it comes to crashes and congestion measurement
- There is a 10% increase of Cat 2 funding in the UTP and we want to ensure funds are being used properly.
- We may need to reign in the number of scenarios

*See Chris Evilia’s presentation on the purpose of review*

- Two groups identified for Cat 2 funding

**IX. Discussion regarding TxDOT Sunset Review**

**X. Briefing regarding TxDOT Transportation Systems Management &  
Operations Program Plan – Marco Cameron, TxDOT**

**XI. Discussion regarding TEMPO meetings for 2017 & 2018 & Subcommittee Assignments – Chris Evilia**

**Adjournment**