

Capital Area Regional Transportation Planning Organization

CAPCO Library
2512 IH 35 S; Austin, Texas
Friday, February 21, 2003

Summary Minutes

Participants

Michael Aulick	Executive Director, CAMPO
Walt Bailey	Planner, City of Marble Falls
George Blume	Mayor Pro Tem, City of Lakeway
Bruce Byron	Executive Director, Capital Area Transportation Coalition
Eric Carlson	Mayor, City of Elgin
Ed Collins	Advanced Transportation Planning Director, TxDOT-Austin District
Gerald Daugherty	Commissioner, Travis County
Phil Duprey	Councilmember, City of Cedar Park
Howard Falkenberg	Austin Area Research Organization
William Garbade	District Engineer, TxDOT-Austin District
Bill Hamilton	Councilmember, City of Rollingwood
Paul Hamilton	Director of Service Development, CARTS
Ronny Hibler	Commissioner, Burnet County
Joe Holland	Planner, TxDOT, Austin District
Patrick Marotta	TxDOT Legislative Affairs Office
Jozette Maxwell	Legislative Liaison, Texas Association of Counties
Bob Miller	City Manager, City of Lago Vista
Bob Moore	Executive Assistant to Commissioner Daugherty, Travis County
Rosie Moulinet	Business Developer, HRM
Caroline Murphy	Mayor, Village of Bee Cave
Jenny Peterman	Planner, TxDOT Austin District
Herb Schulze	Commissioner, Caldwell County
David Simons	City of Taylor
Duane Stueven	Commissioner, Llano County
Betty Voights	Executive Director, CAPCO
Richard Kelly	Regional Services Director, CAPCO
Erin Toedtman	Comprehensive Planner, CAPCO

I. Call to Order – Alderman Bill Hamilton, CARTPO Planning & Project Development Subcommittee Chair

Alderman Hamilton welcomed everyone, and said that he is standing in for Mayor Sanders, who could not make it to the meeting. He then led introductions.

II. Legislative Updates

A. Patrick Marotta – Texas Department of Transportation Legislative Affairs Office

Mr. Marotta began by discussing the priorities identified by the Texas Transportation Commission for this session:

(1) Trans Texas Corridor – 4,000 miles of highway that will accommodate three lanes of cars in each direction, two lanes of truck traffic, utilities, and high speed and passenger rail. TxDOT has identified four priority corridors thus far, but it will need some legislative authority before it can do any work – the Commission will be asking for a separate chapter in the Transportation Code that will deal only with the Corridor (right-of-way, utility, and rail issues). TxDOT will need the authority to purchase or condemn property for rail; to exercise exclusive development agreements; to be able to charge public utilities to locate in the right-of-way; and to enable Regional Mobility Authorities, which were authorized during the last legislature, to issue debt and condemn property for R-O-W acquisition. TxDOT will also be looking for opportunities to bank right-of-way (it is cheaper to buy land now than later) and to put some money into the Texas Mobility Fund (this may include increasing overweight vehicle permit fees).

Mr. Garbade added that the Commission has already received a proposal from a developer to work on one of the corridors, but there are still questions and issues about how open development deals will be to the public.

Mayor Caroline Murphy from Bee Cave asked how CARTPO could support or provide input into the process. Mr. Marotta said that the group and its members could attend the legislative hearings, when they occur. He then passed out a TxDOT legislative priorities handout. He added that TxDOT's federal priorities will concentrate on getting more money under the next federal transportation authorization bill: currently, Texas gets 87 cents on the dollar. TxDOT wants to increase this to 95 cents on the dollar, and is also trying to get a list of projects together for possible earmarking under TEA-21 reauthorization.

B. Jozette Maxwell – Legislative Liaison, Texas Association of Counties

Ms. Maxwell first mentioned the Texas Legislature website, which can be searched for specific bills: www.capitol.state.tx.us. CARTPO may want to watch HB 156, which grants eminent domain authority to RMAs, and HB 159, which covers condemning of property for RMAs. HB 186 deals with eminent domain and the authority to issue bonds. TAC is also monitoring two constitutional amendments that seek to give TxDOT more authority: (1) HJR 28 seeks to allow TxDOT to issue bonds and borrow money from the State Treasury or any other source. Its language is very open and broad, which is of some concern to TAC. (2) SJR 21 deals with the same issue, but specifies the sources of funding that TxDOT may access. TAC believes that this amendment is preferable over HJR 28.

TAC is also heavily focused on rules relating to the acquisition of county roads. HB 340 from last session sought to give those counties with populations of 50,000 or less (which covers six CAPCO counties) the ability to acquire roads via a county road map process. It did not pass because of time limitations. The House Land and Resource Management Committee had an interim subcommittee session on county roads that was chaired by Representative Krusee. The subcommittee recommended that Chapter 281 of the Transportation Code, which sets how counties can purchase/condemn/acquire county roads, be repealed. The subcommittee wanted to replace this chapter with language that would allow counties to acquire county roads via the county map process, as outlined previously in HB 340. The follow-up legislation this session comes in the form of HB 1116, which simply repeals Chapter 281 of the Transportation Code, and 1117, which is a polished version of HB 340. It would be problematic to pass one of these bills without the other, but this is not likely to happen. TAC is also following potential follow-up legislation to a constitutional amendment that was approved last year dealing with improving roads in colonia counties along the Texas/Mexico Border. The existing language covers improvements up to but not within the colonias. The follow-up legislation would clean up this language.

Ms. Maxwell then provided legislative handouts to the group and invited questions. Mr. Ed Collins, Advanced Transportation Planning Director for the TxDOT Austin District, then asked about potential legislation that would allow for a local option gas tax. Ms. Maxwell had not heard anything about it, but mentioned HB 865, which would give counties more money than is currently dedicated under the Motor Fuel Tax.

III. CAMPO Update – Michael Aulick, Executive Director of the Capital Area Metropolitan Planning Organization (CAMPO)

Mr. Aulick introduced himself, and mentioned that two of the attendees in the room are on the CAMPO Board: Commissioner Daugherty and Mr. Garbade. He reminded the group that CAMPO is a long-range transportation planning organization that does primarily two things: prepare a long-range, 25-year plan for transportation and approve federal funding for projects in the metropolitan region. CAMPO boundaries previously covered all of Travis County and only portions of Williamson and Hays; its boundaries were recently expanded to the full three counties. The Board also considered adding Bastrop and Caldwell Counties, but felt that this would be expanding too much too fast. Therefore, the PAC agreed to expand to only three counties now, but to invite Bastrop and Caldwell to participate as ex-officio members. Two years from now, the Board will again consider expanding to cover the additional two counties. CAMPO has received the Governor's approval of its most recent expansion, and is now considering its Board composition. It currently has 23 members, but will probably add another member from Hays County. Currently, CAMPO must update its long-range plan every five years. Its last plan was adopted in 2000, and the next one is expected to be complete in 2004. Mr. Aulick then thanked the group for its time.

IV. CAPCO's Legislative Update – Alderman Bill Hamilton and Ms. Betty Voights, CAPCO Executive Director

Alderman Hamilton asked Ms. Voights to discuss how CAPCO is monitoring the legislative process. Ms. Voights said that she asked the CAPCO Executive Committee to help identify some key legislative issues prior to the session. There did not seem to be a great deal of interest early on, so CAPCO has not really done anything legislatively yet, and unfortunately does not have the staff to follow legislation closely. Some other COGs subscribe to Gallery Watch, and she would like to do this for the next legislative session. For now, however, she is watching what TML, TAC, and TARC are doing (TARC looks at more regionally and COG-specific issues, but has recently expanded its scope to cover more local issues as well). She then invited members to contact her if they come across bills that would be interesting or significant to CARTPO or to the region. CAPCO's main focus will be trying to get more 9-1-1 funding this year; maintaining funding through tipping fees for the Solid Waste Program; and making sure that COGs get the State Planning Grant, which is critical for a number of CAPCO's functions and dollar matching capabilities.

Mr. Hamilton thanked Ms. Voights and added that CARTPO would periodically bring in guest speakers to provide legislative updates.

V. CARTPO Delegation Presentation Update – Alderman Bill Hamilton, CARTPO Planning & Project Development Subcommittee Chair

Alderman Hamilton mentioned that a small working group met the previous week to view a sample Texas Transportation Commission (TTC) presentation and refine CARTPO's PowerPoint presentation and speeches for the April 24th TTC meeting. This planning group will meet again on March 7, 2003. There will be two more TTC meetings before CARTPO's presentation on April 24th, in case people would like to attend and see how the process works. He also mentioned that a small group would probably meet with the Commissioners individually before the April 24th meeting, and that members are also making some legislative contacts.

Alderman Hamilton then asked Erin Toedtman, CAPCO Planner, to go through some additional materials in the agenda packet. Ms. Toedtman first mentioned that she has received confirmation from TxDOT that CARTPO is on the April 24th TTC agenda, and that TxDOT has provided a list of delegation appearance procedures and deadlines. She said that a copy of CARTPO's delegation petition, which outlines details about each project, is included in the meeting agenda packet for easy reference. Mr. Hamilton added that a laymen's explanation of this information will soon be available in a handout that staff is putting together. A draft copy of the handout should be available at the March 7th working group meeting.

Ms. Toedtman then discussed the three main tasks that the working group will attempt to accomplish before its March 7th meeting:

- (1) Continue to refine the presentation speeches (ensure that they make the necessary points and fit within the time requirements). Currently, the presentation will use the following format: Mayor Sanders will give a brief introduction about CARTPO; Alderman Hamilton will discuss the process that was used to select the three priority projects; Commissioner Pitts from Lee County will talk about Priority Project #1 on US 290; Mayor Carlson will discuss Priority Project #3 on US 290; and someone from Bastrop County will discuss Priority Project #2 on SH 71.
- (2) Develop supporting materials and visuals for the presentation. Staff has developed a draft PowerPoint presentation, which will require additional maps and reorganization. Staff will also work on the CARTPO flyer/handout previously discussed by Alderman Hamilton, as well as a sticker or button for CARTPO supporters to wear at the TTC meeting.
- (3) Pass resolutions and write letters of support for CARTPO and its priority projects: Staff has already received four resolutions in support of the projects, none of which were from Lee or Bastrop Counties. The CARTPO meeting agenda packet includes copies of Mayor Sander's memo requesting that local governments and organizations pass resolutions and write letters of support, as well as a sample resolution and letter. Digital copies are available upon request. CARTPO hopes to have a letter or resolution from every county in the ten-county region.

Mr. Hamilton said that everyone he has talked to has been impressed about the unanimity and support for CARTPO's process. They also say that this support must be proven to the Commission on the day of the meeting, through the letters and resolutions passed by local communities, as well as through the number of people that show up. He then asked Mr. Howard Falkenberg, who has participated in many TTC meetings, to comment on this issue. Mr. Falkenberg encouraged everyone to show up at the TTC meeting and to seek additional support from members of their respective communities. He also suggested getting resolutions from key civic and business organizations in CAPCO communities. Several organizations in the Austin area, including the Capital Area Regional Transportation Coalition (CATC), the Austin Area Research Organization (AARO), and the Real Estate Council of Austin (RECA), are currently considering passing a resolution. Mr. Hamilton added that the three selected projects have significant implications for safety and mobility both within and to and from the region. These expected impacts, as well as the idea that other communities will have similar opportunities to ask for funding in the future, can be used to answer the question, "What's in this for me?" Mr. Falkenberg also mentioned that the Commissioners consistently express appreciation when a region comes together and has a list of established priorities, which is exactly what CARTPO has done.

Mr. Bill Garbade, District Engineer for the TxDOT Austin District, said that TxDOT will notify the group about its appearance time two weeks in advance. The Commission is pretty sensitive to the amount of time allocated to and used by the delegations for their presentations. There are never more than three delegations on any TTC meeting agenda.

Mr. Hamilton then invited everyone to participate in the March 7th working group meeting and any other meetings designed to refine the presentation.

Commissioner Duane Stueven, from Llano County, said that CAPCO staff would soon be presenting information on CARTPO to the Llano County Commissioners Court. The County is interested in learning more about CARTPO, and will be considering passing a resolution of support for its projects. He mentioned that Llano County is tourist-oriented, and that it attracts a lot of people from Houston. Therefore, the three priority projects have significant implications for even Llano County.

VI. Discuss and Approve CMAQ Funding Resolution – Erin Toedtman, CAPCO Planner

Ms. Toedtman requested that CARTPO members consider passing a resolution supporting the expansion of CMAQ funding eligibility to near-non-attainment areas. Currently, Congestion Mitigation Air Quality (CMAQ) funding is only available to those areas that have been designated as nonattainment. Five counties in the CAPCO region currently have a near-nonattainment status. Expanding CMAQ funding eligibility would allow these counties to access a "new" source of funding. The CAPCO Executive Committee passed a similar resolution last year. Mayor Eric Carlson of Elgin made a motion to pass the resolution. Mayor Pro Tem George Blume of Lakeway seconded. The motion passed unanimously.

VII. Announcement of March 4, 2003 CMAQ Workshop – Jenny Peterman, Planner, TxDOT Austin District

Ms. Peterman said that TxDOT and CAMPO staff are working together to develop a list of possible projects that could be funded with CMAQ money, should our region become eligible for it. TxDOT and CAMPO has issued an official call for projects, and has scheduled a workshop for March 4th to cover the quite extensive application process. The projects nominated for CMAQ funding need to reduce emissions from automobiles. The March 4th workshop will help those wishing to submit projects complete their applications, which are available online. Eligible projects include the following: traffic flow improvements; travel demand management strategies; ride-sharing; pedestrian/bicycle programs; public education and outreach; inspection and maintenance programs; alternative fuels; and other similar projects that would result in emission reductions.

Any CMAQ money would be distributed between the three-county CAMPO area (Hays, Travis, and Williamson) and the two-county non-CAMPO area (Bastrop and Caldwell). The region expects to receive between \$5 and \$10 million/year. Ms. Peterman then referred to a handout that included some suggested funding distribution formulas for the CAMPO and non-CAMPO area. This formula is still being considered, and TxDOT may ask CARTPO for additional input at a later date. CAMPO, TxDOT, and other local planning staff will be working together to review the applications and select projects. Once the selection committee has approved the projects, the FHWA will make

the final funding decision based on the projects' expected emission reductions. Ms. Peterman then invited questions.

Ms. Voights asked if CARTPO could submit projects for Bastrop and Caldwell Counties. Ms. Peterman said that contracts must be made with a governmental-type entity, so CAPCO, counties or cities could apply. TxDOT would be happy to help these entities complete the nomination forms. The selection committee will look at Bastrop and Caldwell projects separately from the CAMPO area projects, so the two areas will not be competing directly with each other. The committee will use the same selection criteria and staff to consider all projects to save time and resources.

Mr. Garbade reminded the group that CMAQ projects should be geared towards emission reductions, so those projects that have the greatest air quality benefits will have a better chance of being selected. Ms. Peterman added that the CMAQ committee patterned its selection criteria after those used by the North Central Texas Council of Governments, which already receives CMAQ funding. The project funding would be 80% federal dollars, with a 20% local match.

Commissioner Daugherty asked if CMAQ funding is part of the motor fuel tax, and Ms. Peterman answered in the affirmative. Commissioner Daugherty mentioned that if we have less motor fuel being purchased for automobiles, then we will have fewer dollars available to build infrastructure. Mr. Garbade suggested that TxDOT staff prepare a list of projects that have been funded in other areas to serve as examples.

Ms. Peterman said that the Governor will make designation recommendations later this spring, and that the EPA will make its nonattainment designations sometime in 2004. TxDOT and CAMPO staff are trying to have a list of projects available should our region receive funding, and are also working on the Early Action Compact to defer designation – that is why groups in our region are asking Congress to make CMAQ funding available to near-non-attainment areas. A nonattainment designation creates real transportation hassles.

VIII. Set next meeting and discuss other business

Mr. Collins, from the TxDOT Austin District, presented an update about proposed projects to be earmarked under TEA-21 reauthorization. He reminded the group that CARTPO suggested projects to be included in TxDOT's proposed earmark list back in December 2001. TxDOT considered these projects (and those suggested by CAMPO and other local governments) by congressional district. District staff also considered various additional criteria to determine which projects to recommend to TxDOT headquarters for possible earmarking. These recommendations would be available if and when a congressman calls to request them. Mr. Collins explained that TxDOT used some discretion in "tweaking" CARTPO's recommendations, and wanted to leave some flexibility in the language. Mr. Garbade thanked CARTPO participants for helping prioritize proposed projects. If CARTPO had not gone through this process, then some of the projects may not have shown up on the list at all. Mr. Bruce Byron, Executive Director of the Capital Area Transportation Coalition, added that through this process, CARTPO may have put together a good model to help the region prioritize projects for congressional earmarking in the future.

The next meeting was set for Friday, April 11, 2003 in the CAPCO Board Room for a "dry run" of CARTPO's TTC presentation.

VI. Meeting adjourned