



## MEMORANDUM

**TO:** Mayor and Council Members

**FROM:** Robert Spillar, P.E., Director  
Austin Transportation Department

**DATE:** October 14, 2016

**SUBJECT:** CAMPO Transportation Policy Board October 17, 2016 Meeting Agenda

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The Transportation Policy Board (TPB) will hold its regular meeting on Monday, October 17, 2016, beginning at 6:00 p.m. in Room 3.102 of the Joe C. Thompson Conference Center. The conference center is located on the University of Texas campus at 2405 Robert Dedman Drive. The final agenda and background materials are posted on the CAMPO website and can be accessed [here](#).

**Transportation Department staff is providing information and/or recommendations on the following agenda items:**

- **Action Item 6** – Approval of the Unified Planning Work Program (UPWP) Amendment Three and Accompanying Resolution
- **Action Item 7** – Approval of Requested Transportation Development Credits
- **Action Item 8** – Approval of Federal Register Comments on Proposed Rulemaking
- **Action Item 9** – Discussion and Approval of the Requested *2040 Regional Transportation Plan* and the *Fiscal Year 2017-2020 Transportation Improvement Program* Amendments
- **Action Item 10** – Approval of CAMPO Policy and Personnel Manual
- **Action Item 11** – Approval of Additional Funding for Legal Services Contract
- **Information Item 12** – FY 2016 Enhanced Mobility of Seniors and Individuals with Disabilities (FTA 5310) Project Evaluation Results
- **Information Item 13** – Update on Mobility Study between Georgetown and San Antonio
- **Information Item 14** – Discussion of Upcoming Transportation Funding Opportunities and Previously Allocated TAP Funds

➤ ***Action Item 6, Approval of the Unified Planning Work Program (UPWP) Amendment Three and Accompanying Resolution***

CAMPO staff will request TPB approval of Amendment Three to the FYs 2016-2017 Unified Planning Work Program ([UPWP](#)). Amendment Three will increase the FYs 2016 -2017 UPWP by \$536,000. This action adds the following funds to Tasks 1 and 4 and carryover funds in Tasks 4 and 5 from FY 2016 to FY 2017:

- Task 1 – Add \$355,000 Transportation Planning Funds (TPF) for operating costs.
- Task 4.3 – Add \$45,000 FTA funds to the Regional Public Transit Coordination.
- Task 4.4 – Add \$136,000 Local funds for the Regional Active Transportation Plan (RATP).
- Task 4.4 – Carryover \$416,000 STP-MM funds and \$104,000 local funds for the RATP and Williams Drive studies.

- Task 4.4 – Carryover \$600,000 Concession funds for FM 150 Extension and Yarrington Road Extension studies. Carryover \$225,000 STP-MM funds for US 183 Luling study.
- Task 5 – Carryover \$432,000 STP-MM and \$60,000 Local funds for the Incident Management and Dynamic Traffic Assignment (DTA) activities.

### **Background**

The TPB adopted the FYs 2016-2017 [UPWP](#) on June 8, 2015 and approved Amendment Two on January 11, 2016. The UPWP is required by the federal government and provides details of the CAMPO planning process for each fiscal year. CAMPO receives input from federal, state and local jurisdictions in the development of their annual work program. The UPWP is partially funded by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The federal funds require a non-federal match that is supplied by the Texas Department of Transportation (TxDOT). The UPWP must be approved by the CAMPO TPB and submitted to the FHWA and the FTA for approval.

**Recommendation** – Staff recommends approval of Amendment Three to the FYs 2016-2017 UPWP. Staff is interested in understanding the reasons for increased operating costs, as saving on operating costs was one of the reasons noted for transitioning to Williamson County as fiscal agent.

Staff also recommends having future discussions and recommendations from the Technical Advisory Committee on proposed sub-regional mobility studies to be conducted as part of the UPWP.

### ➤ **Action Item 7, Approval of Requested Transportation Development Credits**

The City of San Marcos is requesting \$500,000 in Transportation Development Credits (TDC) to be awarded for the Hopkins Multi-use Bicycle/Pedestrian Facility as part of the current amendment cycle for the *FYs 2017-2020 Transportation Improvement Program*. The application is located in Item 7, [Attachment B](#).

In its TDC application, the City of San Marcos described the need for the TDCs as matching funds that will assist the City of San Marcos in completing the Hopkins Multi-use Bicycle/Pedestrian Facility and allow local funds to be used on other projects that will address drainage in the City. The City of San Marcos is recovering from two massive floods and the direction from its City Council is to focus City funds on projects that address drainage.

Within the project limits, there are three transit routes and several stops that connect to the San Marcos City Hall, Public Library, Activity Center, Parks, large grocery store and the San Marcos River. This area of town receives a high volume of bike and pedestrian traffic due to the proximity of these facilities and this project will promote greater use of the transit system.

### **Background**

TDCs are a financing tool that allows states to use federal obligation authority without the requirement of non-federal matching dollars. Credits are earned when the state, a toll authority, or a private entity funds a capital transportation investment with toll revenues earned on existing toll facilities, excluding revenues needed for debt service, returns to investors, or the operation and maintenance of toll facilities. The Texas Transportation Commission allocates 75% of the state's locally

earned credits to the Metropolitan Planning Organizations (MPOs) in whose planning area they were earned.

TDCs acquired by MPOs are used to offset the required local match for federal funds, typically 20 percent of the funding. Projects that utilize TDCs are thus awarded a greater share of the available federal funds than they would have if they provided local matching funds, making non-federal funds available for other projects. CAMPO currently has a balance of approximately 705 million TDCs. Additional information on CAMPO's TDC Policy can be found in the agenda [backup](#).

**Recommendation** – Staff recommends approval of the requested TDCs. Based on discussions at the TPB and TAC in the past, staff recommends that criteria, in addition to the CAMPO TDC Policy Goals, be developed and recommended to the TPB by the TAC in order to guide the award of TDCs in the future.

➤ **Action Item 8, Approval of Federal Register Comments on Proposed Rulemaking**

Draft [comments](#) pertaining to the Notice of Proposed Rulemaking ([NPRM](#)) in the Federal Register, 81 FR 41473, from CAMPO staff will be presented to the TPB and approval will be requested. These comments would be submitted to the U.S. Department of Transportation.

CAMPO has reviewed the proposed rulemaking pertaining to the transportation planning regulations and is requesting that the U.S. Department of Transportation withdraw the current NPRM. The draft comments by CAMPO staff are excerpts of [joint comments](#) submitted by the Association of Metropolitan Planning Organizations, the National Association of Development Organizations and the National Association of Regional Councils. The comments include that the NPRM would “likely cause legal issues, create additional financial burdens, hinder planning efforts and threaten regional relationships.” Additionally, “there is a lack of comprehensive research defining the need for the NPRM and how it would improve on current collaborative planning efforts.”

The summary of the NPRM is as follows: The FHWA and FTA propose revisions to the transportation planning regulations to promote more effective regional planning by States and metropolitan planning organizations (MPO). The goal of the proposed revisions is to result in unified planning products for each urbanized area (UZA), even if there are multiple MPOs designated within that urbanized area. Specifically it would result in MPOs developing a single metropolitan transportation plan, a single transportation improvement program (TIP), and a jointly established set of performance targets for the entire urbanized area and contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan.

**Table of Key Changes Proposed by the NPRM**

<i>Proposed Change</i>	<i>Description</i>
Metropolitan Planning Area (MPA) boundaries.	The metropolitan planning area shall include—at a minimum—the entire urbanized area plus any contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan.
Determination that more than one MPO in an MPA is appropriate.	If after the publication of this rule or the release of the Decennial Census, there is more than one MPO designated within a single MPA, the Governor and MPO must determine whether the size and complexity of the MPA make designation of more than one MPO appropriate. If they determine it is not appropriate, those MPOs would be required to merge.

Coordination for multiple MPOs within an MPA.	Where multiple MPOs are designated within a metropolitan planning area, they shall jointly develop the metropolitan transportation plan, TIP, and performance targets for the MPA. Additionally, the MPOs shall establish procedures for joint decision making as well as a process for resolving disagreements.
Coordination of planning process activities between State and MPO.	States and MPOs shall maintain a current planning agreement, including a process for resolving disagreements. States and MPOs shall coordinate on information, studies, or analyses within the MPA.

The comment period closed on August 26, 2016, but was extended to October 24, 2016. This item was not brought to the TAC for recommendations.

**Recommendation** – At this time the changes proposed in the NPRM would not affect the CAMPO area; however in the future if the US Census determines that urbanized areas surrounding the Austin/Round Rock and San Marcos urbanized area should merge, then CAMPO could be required to merge with other MPO(s) by decision of the Governor.

➤ **Action Item 9, Discussion and Approval of the Requested 2040 Regional Transportation Plan and Fiscal Year 2017-2020 Transportation Improvement Program Amendments**

CAMPO staff will present and request approval of requested amendments to the *2040 Regional Transportation Plan* and the *FYs 2017-2020 Transportation Improvement Program (TIP)*.

CAMPO received requests for 40 amendments to the *2040 Plan* and 98 amendments to the *FYs 2017-2020 TIP*. The 138 amendment requests were received from the following project sponsors:

- Capital Metro
- City of Cedar Park
- City of Georgetown
- City of Kyle
- City of Pflugerville
- City of Rollingwood
- City of San Marcos
- The Central Texas Regional Mobility Authority
- Travis County
- Williamson County
- Texas Department of Transportation

These amendments were to modify existing projects or to add new or grouped projects. Additionally, 44 projects undergoing environmental analysis (listed in Appendix E of the TIP) are also included. In addition to the requested amendments, CAMPO staff and the TAC recommend that FM 2304 (Manchaca Road) be funded in this TIP update cycle with a portion of the \$17,000,000.00 of STP-MM funds that recently become available from the FM 1431 and SH 45 projects. This would be the only new project to be added to the TIP that was not supported by local funds. This project was selected to receive \$7,600,000.00 in STP-MM funding because it had the highest score of the unfunded projects from the original project call. This project has been under development and the additional STP-MM funds will fund the completion of the project.

No amendments to City of Austin-sponsored projects were needed at this time with regard to the City's portfolio of federal-, state- and locally-funded regionally significant projects. However, Lone Star Rail is included as one of two projects to be removed from the 2040 Plan, see [pg. 80](#) of agenda back-up (Item 8 Attachment A).

The adoption of amendments to the *2040 Plan* and the *FYs 2017-2020 TIP* requires a Tier 2 public involvement process per the *CAMPO Public Participation Plan*. On September 12, 2016, the TPB held a public hearing. Nine in-person open house meetings were held throughout the CAMPO region from August 30 – September 20. An online open house went live on August 26 and was open until the public comment period closed on September 26, 2016. A summary of public comment can be found [here](#). Of the 42 comments received by email and in person at open houses, 14 were in favor of keeping the Lone Star Rail District (LSRD) commuter rail project in the 2040 Plan, two were in favor of removing LSRD from the *2040 Plan*, 12 were related to RM 620, and 14 were related to other topics. Included in the comments is the Urban Transportation Commission's [resolution](#) approved at its September 13, 2016 meeting requesting "the City of Austin representation to CAMPO reflect the positions:

PART 1. The Urban Transportation Commission opposes removing Lone Star Rail from the CAMPO 2040 Regional Transportation Plan, and supports continued funding of Lone Star Rail.

PART 2. The Urban Transportation Commission supports the completion of the Environmental Impact Study begun by Lone Star Rail to consider all options for the routing of the passenger rail line, even if Lone Star Rail ceases to be the lead agency to bring commuter rail service to the Central Texas Region."

## **Background**

### *TAC Discussion and Recommendation*

The Technical Advisory Committee (TAC) recommended approval of the requested amendments at its meeting on September 28, 2016, except for the removal of Lone Star Rail from the 2040 Plan. The TAC had a lengthy discussion of the technical merits of the Lone Star Rail project and its function in the plan, and ultimately voted 15-9-1 to keep the project in the 2040 Plan until it can be replaced with an alternative.

The following rationale was presented to the TAC for consideration in keeping Lone Star Rail in the *2040 Plan*:

- 1) With the large population growth by 2040 (CAMPO - 1.8 to 4.1 million, AAMPO - 2.1 to 3.6 million) and the resultant large increase in congestion, a high person-carrying capacity project is essential in the IH 35 corridor. The CAMPO regional travel time index will increase from 1.18 (2010) to 1.68 (2040) even with all the projects adopted in the 2040 Plan. LSTAR ridership in the Austin-San Antonio corridor is forecast to range from 3.2 million to 5.8 million annual boardings in 2035.
- 2) Analysis by CAMPO staff is necessary to ascertain the impact on roadway congestion of removing the passenger rail project from the 2040 Plan.
- 3) The need for a rail/transit project in the IH 35 corridor has been recognized and included in several past CAMPO long-range plans.
- 4) CAMPO should encourage UPRR to rejoin the passenger rail project planning, and should not remove the project from the CAMPO Plan in order to keep that possibility open.

5) The anticipated \$2 billion funding for the LSR project (New Starts, TRZs, etc.) is as “reasonably available” as the rest of the \$35 billion revenue estimate in the 2040 Plan for all projects. Union Pacific’s action did not change the fiscal constraint for the project or for the 2040 Plan.

*Purpose of Transportation Improvement Program (TIP)*

According to federal law and regulations, CAMPO, in cooperation with the state, transit operators and local jurisdictions, develops a Transportation Improvement Program for the six-county region. The four-year TIP lists projects that are funded with federal dollars and are consistent with the *2040 Regional Transportation Plan*. The TIP may also include non-federally funded projects that are regionally significant.

**Recommendation** – In concurrence with the TAC’s action, staff recommends approval of the requested amendments to the *FYs 2017-2020 TIP* and *2040 Plan*, except for the removal of Lone Star Rail. Staff agrees with the rationale presented to the TAC for consideration in keeping Lone Star Rail in the *2040 Plan*. Staff believe LSRD should be able to complete the environmental review process in order to fully evaluate the technical feasibility of project alternatives in order to respond to UP’s current position on the rail corridor. The technical feasibility of the project should be held separate from other considerations. If this project is removed from the plan it is strongly encouraged to be brought to the TAC to discuss the reallocation of the remaining STP-MM funds.

➤ **Action Item 10, Approval of CAMPO Policy and Personnel Manual**

CAMPO staff will present the proposed [CAMPO Policy and Personnel Manual](#) related to the fiscal agent change to Williamson County and recommend the TPB approve [Resolution 2016-10-10](#) adopting the manual.

**Recommendation** – Staff has no recommendation on the personnel policies of CAMPO.

➤ **Action Item 11, Approval of Additional Funding for Legal Services Contract**

CAMPO staff will request TPB approval of Resolution [2016-10-11](#) authorizing the Executive Director to execute Amendment 4 of the CAMPO legal services contract with Tuggey McCutcheon LLP. Amendment 4 would add \$40,000 of funds to the contract, for a total contract amount not to exceed \$98,000 and would extend the contract termination date from December 31, 2016 to December 31, 2017.

Legal services under the agreement are provided at the request of the Executive Director or TPB Chair and include attendance at routine CAMPO meetings, telephonic consultation and advice; follow-up activities from TPB meetings; presentations to the TPB; provision of legal opinions; assistance with CAMPO policy development; litigation support; participation in CAMPO contract negotiations, settlements, changes, and initial evaluation of protests; and other professional legal services, as requested.

CAMPO indicates that the contract amendment is needed for the following reasons:

- There has been an increase in billable hours related to the development of the Fiscal Agent Agreement with Williamson County.
- CAMPO intends to request legal counsel attend TPB meetings on a more frequent basis.



- CAMPO intends to have an increasing role in assisting smaller jurisdictions with planning activities and project development which is anticipated to generate a need for additional legal services.

This item was not brought to the TAC for recommendation.

**Recommendation** – Staff has no recommendation on the legal services contract amendment. Staff is interested in understanding the reasons for increased legal counsel attendance at TPB meetings and CAMPO's increased role in assisting smaller jurisdictions with planning activities and if these changes have been requested by the TPB.

➤ **Information Item 12, FY 2016 Enhanced Mobility of Seniors and Individuals with Disabilities (FTA 5310) Project Evaluation Results**

CAMPO staff will review the [projects recommended](#) for funding through FTA Section 5310, the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This item is presented for information only; TPB approval of the recommended projects will be requested at its November 14, 2016 meeting.

The program is intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the needs of transit-dependent populations beyond traditional public transportation services and American with Disabilities Act (ADA) complementary paratransit services.

The call for projects was released on May 19, 2016 with final applications due on July 19, 2016. Eight project applications were received from eight project sponsors. The federal funding available for this call for projects is approximately \$1.28M. At least 55% of the program funds must be used on capital projects, which require a 20% local match. The remaining 45% may be used for operations projects, which require a 50% local match. Applications requesting a combined 158,145 in Transportation Development Credits were submitted by six project sponsors.

**Recommendation** – No action will be taken on this item.

➤ **Information Item 13, Update on Mobility Study between Georgetown and San Antonio**

CAMPO staff will present an [outline](#) of a scope of work for a feasibility study to examine mobility options between Georgetown and San Antonio. CAMPO staff have consulted with TxDOT and the Alamo Area Metropolitan Planning Organization (AAMPO) regarding this study at the direction of the TPB, per resolution [2016-08-08](#). The TPB approved the resolution "to initiate the public process to remove the Lone Star Rail District commuter rail project from the CAMPO 2040 Plan because the project cannot demonstrate fiscal constraint."

The feasibility study for mobility options between Georgetown and San Antonio is currently unfunded. Removal of Lone Star Rail from the *2040 Regional Transportation Plan* could release up to \$9,000,000 of the remaining STP-MM funding awarded in 2009 that could be reallocated to this study. Release of the STP-MM funds requires the Notice of Intent for the LSRD Environmental Impact Statement to be rescinded by FHWA, contingent on AAMPO's removal of the LSRD from its long-range plan. AAMPO has not formally contemplated removal of the project from the long-range plan.

Lone Star Rail has approached various jurisdictions to identify alternatives to continue the Lone Star Rail Environment Impact Statement in the event that the current STP-MM funding is reallocated.

This item is related to Action Item 9, which includes the requested amendment to the CAMPO 2040 Plan to remove the Lone Star Rail commuter rail project. See above for staff's recommendation on that item. Information on UP's actions and the City of Austin's relationship with the Lone Star Rail District was provided by staff in the [August 4, 2016 memo](#) to Council on this item.

**Recommendation** – No action will be taken on this item.

➤ ***Information Item 14, Discussion of Upcoming Transportation Funding Opportunities and Previously Allocated TAP Funds***

TxDOT and CAMPO staff will discuss upcoming transportation infrastructure funding opportunities related to TxDOT Funding Category 4 (Connectivity) and Category 12 (Texas Clear Lanes). This item is also to advise CAMPO members about FYs 2014 and 2015 Transportation Alternatives Program (TAP) funds that will lapse if projects do not meet letting targets.

The TAP provides funding for bicycle and pedestrian programs and projects as well as other types of community improvement activities, including construction of scenic viewing areas, historic preservation of transportation facilities, and environmental mitigation activities (Map-21 §1103).

TAP funds are required to be obligated within three years of being awarded by CAMPO; thus, funds received in FY13 that are not obligated by October 1, 2016 will lapse. This year, FHWA gave some latitude on early obligation of projects that were being let through December; however, that will not be the case next year and beyond. TxDOT has indicated that local agreements need to be executed prior to requesting federal obligation of a project. Over \$1.7 million in TAP funds are subject to lapse in 2017 and over \$2 million are subject to lapse in 2018.

In 2015, the City of Austin received TAP awards for three projects: Bike Share Expansion, Pedestrian Safety Improvements Citywide, and Upper Boggy Creek Trail for a total of \$4.2 million. The Advanced Funding Agreement (AFA) for the Bike Share Expansion project was executed on April 15, 2016. ATD and PWD staff are currently working with TxDOT to execute AFAs for the Pedestrian Safety Improvements Citywide and the Upper Boggy Creek Trail. Council approved the AFA for Upper Boggy Creek Trail on August 4, 2016 and PWD anticipates being able to let the project in spring 2017.

**Recommendation** – No action will be taken on this item. Staff will continue to work with TxDOT to establish AFAs for Pedestrian Safety Improvements Citywide and the Upper Boggy Creek Trail projects.

City staff will attend the Transportation Policy Board meeting. If your office has additional questions or would like an individual briefing prior to the meeting, please contact Gordon Derr at (512) 974-7228.

cc: Elaine Hart, Interim City Manager  
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