

MINUTES

AMARILLO METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE MEETING

The Policy Committee for the Amarillo Metropolitan Planning Organization met at 1:30 p.m., December 17, 2009, in Room 306 of City Hall, 509 South East 7th Avenue, Amarillo, Texas.

Voting members present were: Debra McCartt, Alan Taylor, Howard Holland, Kenneth Petr, Kyle Ingham, Arthur Ware, H.R. Kelly, and Robert Karrh.

Voting members not present were: Ernie Houdashell, Dick Davis, and Brian Eades.

Staff coordinators present: Gary Holwick and Travis Muno.

Item 1. Consider approval of the October 15, 2009 meeting minutes.

Debra McCartt, Mayor, called the meeting to order. The minutes of the previous meeting on October 15, 2009, were presented. Ms. McCartt asked if there were any changes or deletions; there were none. Arthur Ware, Potter County Judge, made a motion to accept the minutes as presented. Howard Holland, TxDOT Amarillo District Engineer, seconded the motion. The motion was carried on an 8:0 vote.

Item 2. Consider re-application of American Recovery & Reinvestment Act project funding.

Gary Holwick, MPO Director, informed the committee that the Texas Department of Transportation had requested action by MPO Policy Boards for the re-application of surplus American Recovery and Reinvestment Act (ARRA) funds to other ARRA funded projects. He said these surplus funds were the result of projects receiving lower bids than the original project cost estimates. He told the committee that of the four Amarillo MPO projects that had been bid, the bid under runs resulted a surplus of \$161,817.26. He said these surplus funds must be applied to other MPO projects that had been previously identified by the committee for ARRA funding, but not yet let to bid. He said that no new projects could be added. Randall County Commissioner, Robert Karrh, asked if there were safety issues on any of the projects. Mr. Holwick said the area along Hillside Rd, west of Loop 335, serviced a new residential area, a large church, and an elementary school. He asked why a sidewalk or pedestrian/bicycle facility wasn't included in the cost of the roadway rehabilitation. Mr. Holland stated a lack of pedestrian facilities had come up during FHWA's Environmental Review, which was conducted for improvements on Loop 335. He said, one reason was that the property fronting Loop 335 had not been developed and those types of improvements (sidewalks) would be included in the development. He said that the area along Hillside Rd, which includes schools, certainly needed pedestrian facilities. He felt the railroad overpass project on Grand St should not be considered for reapplication of funds, because funding had been determined and it was not advantageous for the MPO to apply additional funds to that project. If there were additional funds required, TxDOT would handle them. Alan Taylor, Amarillo City Manager, asked if a cost estimate had been done for a sidewalk along Hillside Rd. Mr. Holwick said an eight foot sidewalk was estimated to cost \$80,000; Ken Petr, TxDOT TP&D, said they had estimated \$50,000 for a five foot wide sidewalk. Mr. Petr told the committee that whatever additional improvements were to be included, the plans needed to be to TxDOT by Tuesday of next week. Mr. Taylor asked about applying some of the surplus ARRA funds to the project on Loop 335. He said this could allow additional improvement along the Loop while funds were available and bid prices were low. Howard Holland made a motion to apply \$100,000 of the surplus ARRA funding to sidewalks along the roadway rehabilitation on Hillside Rd west of Loop 335 to Nancy Ellen Dr (TxDOT CSJ # 0904-11-045); with the \$61,817 balance of the surplus to be applied to the ARRA funded improvements on Loop 335 (TxDOT CSJ # 2635-03-014). The motion was seconded by Arthur Ware and carried on an 8:0 vote.

Item 3. Consider MPO Bylaws Code of Ethics Policy amendment.

Mr. Holwick spoke to the committee about recent action by the Texas Legislature calling for MPO's to establish ethics policies within the MPO's Bylaws. He said the legislature had amended the Texas Transportation Code to prohibit MPO policy board members and employees from actions that could compromise or influence their performance of official duties. Mr. Holwick said that staff had prepared an amendment (Attachment A) of the Amarillo MPO Bylaws, which addressed the changes to the Texas

Transportation Code. He said staff had also prepared an ethics standard declaration for each policy board member and MPO employee to execute. He explained that the declaration also addressed MPO business matters that could create conflicts of interest for members or employees. Mayor McCartt made sure everyone had a declaration to be executed and returned to the MPO. Kyle Ingham, Panhandle Regional Planning Commission, made a motion to accept the MPO Bylaws Code of Ethics Policy amendment. The motion was seconded by Alan Taylor, and carried on a 7:0 vote.

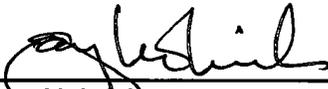
Item 4. Open Forum, time reserved for anyone to speak on any transportation related item; however, no action can be taken on items not on the agenda.

Dub Davis, residing at 310 Browning St, Amarillo, Texas asked how much money did the government agree to pay on the Grand Street overpass. Howard Holland explained that the project is being paid completely by federal money, with the exception of the funds paid by the City of Amarillo. Mr. Davis asked if the federal funds are called "stimulus money" and did that money have to be repaid? Howard Holland said that the funds are ARRA funds and was not to be repaid.

Mr. Holland said TXDOT would hold a meeting on December 22, 2009 for discussion of funding for the MPO's. He said the discussion would include future projections of transportation funding throughout the state. Mr. Holland said that funding for the MPO's would be zero for the next three (3) years based upon the 10-year projections.

Item 5. Adjournment.

The meeting was adjourned with no further business to discuss.



Gary Holwick
Director, Amarillo MPO

Amarillo Metropolitan Planning Organization Policy Committee Meeting Attendance Record

Date: December 17, 2009
Time: 1:30 P.M.

Place: Room 306 City Hall,
509 SE 7th Ave, Amarillo, TX

	Name	Organization Represented	Phone Number	E-mail Address
1	GARY HOLWICK	AMARILLO MPO	378 6293	gary.holwick@amarillo.gov
2	Travis Muno	Amarillo MPO	378-4219	travis.muno@amarillo.gov
3	Sub Davis		374 2392	
4	Robert Paul	Pandall Co	654-5955	krarrh@suddenlink.net
5	Jamie S Allen	PRPC	372-3381	
6	Kyle Ingraham	"	"	
7	HR Kell	Potter County	358-6838	
8	Taylor Withrow	COA	378-9718	
9	Howard Holland	TxDOT	356-3201	hhollan@dot.state.tx.us
10	Kenneth Pate	TxDOT	356-3203	KPate@dot.state.tx.us
11	DAVID MILLER	TxDOT	356-3246	dmiller@dot.state.tx.us
12	ALAN TAYLOR	CITY OF AMARILLO	378-3012	
	VICILY CRIPPE	COA		

Amarillo Metropolitan Planning Organization Policy Committee Meeting Attendance Record

Date: December 17, 2009
Time: 1:30 P.M.

Place: Room 306 City Hall,
509 SE 7th Ave, Amarillo, TX

13	Gary Denton	COA	378-9307	gary.denton@amarillo.gov
14	ARTHUR WALKER	POTTER COUNTY		
15	Michael Rice	COA		
16	KARON WATKINS	MPO		
17	DEBORA MCCARTY	COA		
18				
19				
20				
21				
22				
23				
24				

**AMARILLO METROPOLITAN PLANNING ORGANIZATION
AMENDMENT TO BYLAWS TO INCORPORATE A CODE OF ETHICS**

The Policy Committee of the Amarillo Metropolitan Planning Organization, in accordance with Section 472.034 of the Texas Transportation Code, hereby adopts the following amendment to the bylaws of the Amarillo Metropolitan Planning Organization for the purpose of incorporating the following code of ethics for committee members and employees.

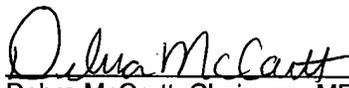
Policy Committee members and employees of the Amarillo Metropolitan Planning Organization shall not:

1. participate in any matter in which the member or employee has a conflict of interest described in Chapter 171, Local Government Code. In the event such a conflict arises, then the member or employee shall execute the required affidavit and abstain from participating;
2. accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should have known is being offered with the intent to influence the member's or employee's official conduct;
3. accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the offices position;
4. accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties;
5. make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or
6. intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor or another.

Metropolitan Planning Organization Policy Committee members are considered to be local public officials for the purposes of Chapter 171, Local Government Code. A member must abstain from discussion and voting if he or she has substantial interest in a business entity or real estate that would be affected by a vote or decision of the Policy Committee. If a Policy Committee member must abstain from a matter, then that member must file an affidavit as required under Section 171.004, Local Government Code.

If a member or employee reasonably believes that another is or will violate this Code of Ethics, then such member or employee shall notify the City Attorney of such concern.

Adopted this 17 day of DECEMBER, 2009.



Debra McCart, Chairman, MPO Policy Committee