

MINUTES  
LAWTON METROPOLITAN PLANNING ORGANIZATION

Minutes of the Lawton Metropolitan Planning Organization meeting held May 16, 2013, in the Council Chambers, Wayne Gilley City Hall, 103 SW 4th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 2:11 p.m. by Chairman Pat Henry.

MEMBERS PRESENT:     Ron Jarvis  
                              John Jones  
                              Jim Nisbett  
                              Dave Davison  
                              David Denham  
                              Pat Henry

MEMBERS ABSENT:     John Pereira (excused)  
                              Charlotte Perkins (excused)  
                              Neil Springborn (excused)

ALSO PRESENT:        Richard Rogalski, Secretary  
                              Steven Greb, Assistant City Attorney  
                              Debbie Dollarhite, Senior Planner  
                              Ha Vu, Transportation Planner  
                              Jackie Monette, Recording Secretary

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APPROVAL OF MINUTES OF THE MARCH 28, 2013 MEETING.

**MOTION by Jones, SECOND by Nisbett, to approve the minutes of the March 28, 2013 meeting as written. AYES: Jones, Nisbett, Davison, Denham, Henry, Jarvis. NAYS: None. MOTION CARRIED 6 – 0.**

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CONSIDER ADOPTING THE FISCAL YEAR 2014 UNIFIED PLANNING WORK PROGRAM FOR THE LAWTON METROPOLITAN TRANSPORTATION PLANNING PROCESS.

Title 23 C.F.R., Section 450.314, requires the Metropolitan Planning Organization to annually develop a Unified Planning Work Program (UPWP). The purpose of the UPWP is to provide the Lawton Metropolitan Area Transportation Study (LMATS) area with a work allocation plan that defines transportation planning and related tasks to be accomplished during the Fiscal Year (FY) 2014. The UPWP outlines the objectives to be achieved and the products resulting from each transportation planning work task, as well as anticipated task funding.

On April 18, 2013, the Technical Committee discussed projects to be included in the FY 2014 UPWP. Work products will include:

- Completion of the study on the relocation/design concept of the multi-modal transit transfer center;
- Update of the Long Range Transportation Plan to include specialized traffic counts and modeling of the network;
- Update of the traffic analysis zone boundaries utilizing new census data;
- An assessment of transit and pedestrian accessibility;
- Study of the feasibility of a freight route to the West Industrial Park;
- Converting to GIS maps data collected on sidewalks, bus shelters, traffic signalization, traffic counts, accidents, speed limits, and lane miles of arterial and collector streets;
- Continue the public awareness campaign for air quality,
- Manage the contract for the Bicycle and Pedestrian Plan improvements;
- Continue developing bicycle safety education campaign; and
- Update the Public Participation Plan to ensure it is in compliance with MAP-21.

Funding of the transportation planning process for the LMATS area is from three sources: FHWA PL fund, FTA Section 5303 fund, and the local match. These federal funds will reimburse up to 80% of the work effort (identified in the UPWP) and the remaining 20% of the work effort is provided by the City of Lawton. Through FHWA the ODOT receives federal planning funds for State Planning and Research (SPR); \$15,000 is budgeted for the LMATS area. Based on an agreed upon distribution formula approved by ODOT, annually the LMPO receives \$120,000. For FY 2014, carryover of PL funds from previous years in the amount of \$190,000 is available for a total of \$310,000. The FY 2014 UPWP identifies \$225,957 for projects using PL funds. Funding for Section 5303 transit planning annually is \$25,000. Total FHWA PL and FTA Section 5303 funds applied for total \$250,957. The LMPO receives \$150,000 in Congestion Mitigation and Air Quality (CMAQ) funds. Total federal funds applied for is \$400,957. There are two Memoranda of Understanding (MOU) between the LMPO and the City of Lawton: one detailing the financial responsibilities of each entity for transportation planning and one detailing the financial responsibilities of each entity for CMAQ funding.

The Transportation Technical Committee will consider recommending approval of the FY 2014 UPWP at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsing the FY 2014 UPWP on May 30, 2013.

**MOTION by Denham, SECOND by Jones, to adopt the Fiscal Year 2014 Unified Planning Work Program. AYES: Nisbett, Davison, Denham, Henry, Jarvis, Jones. NAYS: None. MOTION CARRIED 6 – 0.**

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#### CONSENT AGENDA

CONSIDER APPROVING THE ANNUAL AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE LAWTON METROPOLITAN PLANNING ORGANIZATION FOR TRANSPORTATION PLANNING.

The intent of this Agreement is to provide funding for the metropolitan transportation planning process within the Lawton Metropolitan Area (LMA) as identified in the Fiscal Year 2014 Unified Planning Work Program. This Agreement confirms that the LMPO will continue to maintain the “3 Cs” (comprehensive, continuing and cooperative) transportation planning process

in order to provide the most desirable multi-modal transportation system that is compatible with community goals and at minimum expense.

Funding of the transportation planning process for the LMA is from three sources: FHWA PL fund, FTA Section 5303 fund, and the local match. These federal funds will reimburse up to 80% of the work effort (identified in the Unified Planning Work Program) and the remaining 20% of the work effort is provided by the City of Lawton. Based on an agreed upon distribution formula approved by ODOT, the PL funds are \$120,000 annually. There is a carryover of \$190,000 from previous years which is available for FY 2014. The FY 2014 UPWP identifies \$225,957 in PL funding for projects.. Funding for Section 5303 transit planning annually is \$25,000. Total FHWA PL and FTA Section 5303 funds applied for total \$250,957.

The Transportation Technical Committee will consider recommending approval of the agreement at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsing the agreement on May 30, 2013.

**CONSIDER APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAWTON AND THE LAWTON METROPOLITAN PLANNING ORGANIZATION FOR METROPOLITAN TRANSPORTATION PLANNING FOR FISCAL YEAR 2014.**

This Memorandum of Understanding (MOU) between the LMPO and the City of Lawton sets out the process of filing claims against the grant and providing reimbursement to the City of Lawton. The initial costs will be funded by the City of Lawton and/or the LMPO then reimbursed by the Oklahoma Department of Transportation to the LMPO. The LMPO will reimburse the City of Lawton the amount received minus expenses paid by the LMPO.

The LMPO through this MOU agrees to provide the initial funding for transportation planning administration and activities.

The City of Lawton through this MOU agrees to provide the local matching funds

The Transportation Technical Committee will consider recommending approval of this MOU at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsing this MOU on May 30, 2013.

**CONSIDER APPROVING THE ANNUAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE LAWTON METROPOLITAN PLANNING ORGANIZATION FOR AIR QUALITY PLANNING.**

The purpose of the CMAQ grant is to continue the ongoing public awareness campaign about the public health and environmental benefits of air pollution prevention, purchase of trees, and to continue the construction of routes listed in the Bicycle and Pedestrian Plan. These funds will reimburse up to 80% of the work effort, and the remaining 20% is the local funding match to be provided by the City of Lawton. Fiscal Year 2014 CMAQ fund allocation totals \$150,000. The Fiscal Year 2014 Unified Planning Work Program provides \$79,802 (\$63,842 grant) for air

quality awareness, \$18,750 (\$15,000 grant) for purchase of trees, and \$88,948 (\$71,158 grant) for construction of Bicycle Plan improvements.

The Transportation Technical Committee will consider recommending approval of the agreement at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsing the agreement on May 30, 2013.

**CONSIDER APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAWTON AND THE LAWTON METROPOLITAN PLANNING ORGANIZATION FOR CONGESTION MITIGATION AND AIR QUALITY PROGRAMS AND PROJECTS DURING FISCAL YEAR 2014.**

This Memorandum of Understanding (MOU) between the LMPO and City of Lawton sets out the process of filing claims against the grant and providing reimbursement to the City of Lawton. These funds are provided on a reimbursement basis; therefore, the initial cost will be funded by the City of Lawton and/or the LMPO and will then be reimbursed by the ODOT. The LMPO agrees to reimburse the City of Lawton an amount not to exceed \$150,000 in FY 2014 after receipt by the LMPO of the claim funds from the ODOT.

The LMPO through this MOU agrees to the following:

1. Provide the initial funding for meeting rooms, meeting supplies, publication, office supplies, media, equipment and any other expenses necessary to facilitate air quality planning and air quality public awareness efforts as identified in the FY 2014 UPWP.

The City of Lawton through this MOU agrees to the following:

1. Provide the local matching funds of approximately \$15,960 for salaries and overhead for those planners with designated air quality planning duties and any other expenses incurred related to air quality planning and air quality public awareness.
2. Provide initial funding for the Bicycle and Pedestrian Plan improvements and provide local matching funds of approximately \$17,790.
3. Provide local matching funds of \$3,750 for the purchase and planting of approximately 100 trees in City parks and rights-of-way.

Expenses for this project incurred by the LMPO will be subtracted from the monthly grant prior to reimbursement to the City of Lawton.

The Transportation Technical Committee will consider recommending approval of this MOU at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsing this MOU on May 30, 2013.

**CONSIDER APPROVING THE FEDERAL TRANSIT ADMINISTRATION  
CERTIFICATIONS AND ASSURANCES FOR FISCAL YEAR 2014.**

This document is associated with the grant application for FTA Section 5303 funding. The LMPO, by approving this document, agrees to comply with all Federal Statutes, regulations, executive orders, and administrative guidance required for each application it makes to the FTA in FY 2014. Appendix A, Roman Numerals I, II and III specifically apply to the Section 5303 program and are the only categories the LMPO is certifying. This document must be signed by the appropriate officials and submitted to ODOT as part of the application for Section 5303 funding.

The Transportation Technical Committee will consider recommending approval of the FTA Certifications and Assurances at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsement on May 30, 2013.

**CONSIDER APPROVING THE ANNUAL JOINT CERTIFICATION STATEMENT FOR THE  
LAWTON METROPOLITAN TRANSPORTATION PLANNING PROCESS.**

Code of Federal Regulations 23, Section 450.334 requires the State and the MPO to annually certify to the Federal Highway Administration and the Federal Transit Administration that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements.

- 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.
- Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises (DBEs) in USDOT funded projects;
- 23 CFR part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et. seq.) and 49 CFR parts 27, 37 and 38;
- The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- Section 324 of Title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

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The Transportation Technical Committee will consider recommending approval of the Joint Certification Statement at its May 16, 2013 meeting. It is anticipated the Policy Committee will consider endorsement on May 30, 2013.

**MOTION by Nisbett, SECOND by Jarvis, to approve the consent agenda. AYES: Davison, Denham, Henry, Jarvis, Jones, Nisbett. NAYS: None. MOTION CARRIED 6 – 0.**

END OF CONSENT AGENDA

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#### COMMISSIONERS' REPORTS OR COMMENTS

Commissioner Denham asked if there has been any more discussion about eliminating the LMPO and creating a panel of other people to discuss these matters.

Rogalski stated that the Federal Highway Administration hasn't said anything further on this matter.

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#### SECRETARY'S REPORT

None.

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#### AUDIENCE PARTICIPATION

None.

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Meeting adjourned at 2:27 p.m.

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Pat Henry, Chairman  
LMPO

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