

# MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

### **Official Minutes**

### TABLE OF CONTENTS

May 16, 2014

COMMISSION/DIRECTOR ITEMS	
Consent Agenda	3
MoDOT PRESENTATION	
Resolution Authorizing the Issuance of First Lien Refunding State Road Bonds, Series A 2014 and Second Lien Refunding State Road Bonds, Series B 2014	
RESOLUTION	
Resolution Expressing Appreciation to James B. Anderson for Outstanding Service to the State of Missouri	
ADMINISTRATIVE RULES/POLICIES	
Commission Policy Adoption - Commission - Organization - Leadership	5
Commission Policy Revision – Delegation of Contingent Commission Authority	8
Report and Recommendation Regarding Final Orders of Rulemaking – Outdoor Advertising	11
BUSINESS ISSUES	
The Newco Transportation Development District, Consideration of the Project and Appointment	of an
Advisor	
STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM Request for Approval of Location and Design of Highways	12
Reduest for Addroval of Location and Design of Highways	1.3

# MINUTES OF THE SPECIAL HIGHWAYS AND TRANSPORTATION COMMISSION MEETING HELD BY ELECTRONIC BALLOT ON FRIDAY, MAY 16, 2014

A special meeting of the Missouri Highways and Transportation Commission was held by electronic ballot on Friday, May 16, 2014, to take the necessary action on select agenda items from the May 14, 2014 Commission meeting. With only three Commissioners present, there was not a quorum in attendance at the May 14, 2014 meeting. The Commission conducted an informational meeting on May 14, 2014 and postponed all agenda items that required action until the electronic ballot meeting held May 16, 2014. The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

The following members of the Commission submitted ballots: Chairman Stephen R. Miller, Vice-Chairman Lloyd J. Carmichael, Kenneth H. Suelthaus, and Gregg C. Smith. On February 6, 2014, Governor Nixon withdrew the appointment of Commissioner Kelley M. Martin; at the time of the May 16, 2014 meeting, a replacement had not been appointed. On May 6, 2014, Governor Nixon withdrew the appointment of Commissioner Bryan T. Scott; at the time of the May 16, 2014 meeting, a replacement had not been appointed.

\* \* \* \* \* \* \*

"Department" or "MoDOT" herein refers to Missouri Department of Transportation.

"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.

#### **CONSENT AGENDA**

#### **Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

#### Consideration of May 16, 2014, Consent Agenda

No items were removed from the consent agenda. Via electronic ballots received by the Secretary to the Commission, the Commission approved the consent agenda as submitted. Commissioner Suelthaus abstained from voting on the consent agenda item titled "Request for Approval of Location and/or Design of Highways – Route I-64 in St. Louis City."

\* \* \* \* \* \* \* \*

# RESOLUTION AUTHORIZING THE ISSUANCE OF FIRST LIEN REFUNDING STATE ROAD BONDS, SERIES A 2014 AND SECOND LIEN REFUNDING STATE ROAD BONDS, SERIES B 2014

On behalf of the Director, Roberta Broeker, Chief Financial Officer, explained that Constitutional Amendment 3 state road bonds issued by the Commission in 2006 and 2007 could be refinanced at a lower interest rate. Approximately \$954 million of outstanding State Road Bonds, which were issued in August 2006 and September 2007, is currently economical to be refunded consistent with the Commission's Debt Management Policy. The Commission's policy requires there be at least a five percent savings. Based on current market rates when the meeting materials were prepared, the net present value savings on the debt service cost is approximately \$83 million or 8.7 percent, of the refunded par value. The planned sale dates are May 19, 2014 for retail buyers and May 20, 2014 for institutional buyers. Ms. Broeker recommended the adoption of a resolution that expresses the Commission's issuance of the First Lien Refunding State Road Bonds, Series A 2014 and Second Lien Refunding State Road Bonds, Series B 2014. Ms. Broeker also requested delegation of authority for execution of documents related to the bond refunding.

After the notice of the electronic ballot meeting was posted, the Commission and department were subsequently advised by Commission bond counsel that an in-person or telephone conference meeting of the Commission to approve the resolution was necessary for bond counsel to give an unqualified opinion on the bonds. Consequently, although all electronic ballots were cast in favor of this recommendation, action related to this agenda item was taken at the May 16, 2014 Special Meeting that was held via teleconference and recorded in the minutes thereof.

\* \* \* \* \* \* \* \*

### RESOLUTION EXPRESSING APPRECIATION TO JAMES B. ANDERSON FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

Via approval of the consent agenda, the Commission unanimously approved the following resolution.

**WHEREAS**, James B. Anderson began his distinguished career in 1971 as an educator at Jefferson City High School, where he soon earned the position of the Director of Community Relations for Jefferson City Public Schools. He then held the position as President of the Jefferson City Area Chamber of Commerce; and

**WHEREAS**, he became the President of the Springfield Area Chamber of Commerce in 1988 where he has faithfully served the community and the state for twenty-six years, and has recently announced his intention to retire in 2014; and

WHEREAS, Mr. Anderson gave generously of his time to contribute to the betterment of Missouri's transportation system through his service to Missouri on the Total Transportation Commission in 1997, the Transportation Advisory Committee in 1999, the Missouri Highways and Transportation Commission from 2001 to 2009, and has continued his advocacy for transportation in Missouri today; and

**WHEREAS**, his passion for transportation and willingness to listen to others' views demonstrated his commitment to promoting a great transportation system that encourages economic development in Missouri; and

**WHEREAS**, his expertise in the development of sound public policy coupled with his humility in resolving complex civic challenges gained his well-known and well-deserved recognition as a great public servant; and

**WHEREAS**, Mr. Anderson performed his duties with extraordinary professionalism, integrity, dignity, and the desire for his actions to reflect the best interest of all Missourians; and

**WHEREAS**, Mr. Anderson's distinguished background in public service and unique knowledge of highway and transportation issues, astute understanding of public funding and fiduciary responsibility, and his respect for the perspectives and input of Missouri's diverse populace have merited acceptance and respect throughout the state; and

**NOW, THEREFORE, BE IT RESOLVED** that the Missouri Highways and Transportation Commission convey to James B. Anderson its deep appreciation of his great contributions to Missouri's transportation systems and extend him best wishes for success and happiness in his future endeavors.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to James B. Anderson so he will know of the high esteem in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation.

\*\*\*\*\*

#### COMMISSION POLICY - COMMISSION - ORGANIZATION - LEADERSHIP

In an effort to provide a single source document for all current Commission-approved policies, the Commission directed the Secretary to prepare a Policy Manual containing new policies, policies to be reaffirmed, and policies that were revised into a document entitled "Missouri Highways and

Transportation Commission Policies." After the comprehensive review and adoption of these policies by the Commission at its November 7, 2013 meeting, it was determined the policy regarding Commission organization and leadership would benefit the commission and future members.

Pamela J. Harlan, Secretary to the Commission, recommended that the Commission Policies be updated to include the new policy as follows:

Category: COMMISSION

Sub-Category: Organization
Sub-Subcategory: Leadership

**Related Statutes:** Section 226.030 RSMo – Number of members – qualifications – term – removal – compensation

Section 226.100 RSMo - Principal office to be in Jefferson City - persons authorized to

administer oaths.

Section 226.120 RSMo - Chairman and vice-chairman, election, term - quorum - monthly

meeting, required.

Section 227.290 RSMo - Highways and transportation commission may convey or exchange land

or leasehold.

#### COMMISSION CHAIR AND VICE-CHAIR

#### **Election and Rotation of Chair and Vice-Chair**

The Commission bi-annually elects a Chair and Vice-Chair to serve the Commission and MoDOT. Commissioners elected to these positions are in leadership roles that require extra time to fulfill the responsibilities. Each officer is charged with ensuring the integrity of the Commission's decision-making processes, facilitating discussion, and motivating the Commission to be as effective as possible in fulfilling its responsibilities and duties.

The Commission elects its two most senior members, who must be from opposing political parties, as its Chair and Vice Chair for a period of one year; these terms begin in March of years that end with odd numbers. At the end of such year, the members serving as Chair and Vice Chair shall have the option to rotate positions: the member serving as Vice Chair will serve as Chair and vice-versa.

If one of the Commission leadership offices becomes vacant due to death, resignation, removal, or refuses to serve before the one-year leadership term expires, the Commission shall elect one of its members that is of the same political party as the vacating officer to serve the remainder of the vacating officer's leadership term. Such election shall not prohibit that member from later serving as Chair and Vice Chair when such member's seniority in Commission service qualifies him or her for those offices.

Any member reappointed shall only be eligible to serve as Chair or Vice Chair during the final two years of such member's reappointment.

#### **Authority and Responsibilities of the Chair**

In addition to the regular duties and responsibilities inherent in the position of a Commissioner, the responsibilities of the Chair are listed below.

- Setting an example for the Commission and staff in terms of professionalism and ethical behavior.
- Reviewing the Commission meeting agendas created by the Director and ensuring that the timing for each discussion item is appropriate.
- May call special meetings of the Commission upon notice to the members. See 226.120 RSMo
- Presiding over Commission meetings and running them in an orderly manner.
- Keeping meetings on point with the agenda and ensuring discussions stay focused and within the allotted time.

- Ensuring that all Commissioners participate fairly in discussions and all different points of view are heard and considered.
- Helping the Commission "speak in one voice" to best represent the membership as a whole.
- Encouraging Commissioners to have perfect attendance at meetings, including arriving on time and staying until the
  meeting has adjourned, in recognition of the fact that all Commissioners are valuable to the decision making
  process.
- Making sure the Commission has the appropriate amount of time for effective study and review of business under consideration.
- Maintains communication with the Director at all times, especially when issues arise and require immediate
  attention and consideration; and fosters a mutually beneficial relationship with the Director that helps both parties
  avoid surprises.
- Encourages a cooperative relationship between the Commission and the Governor's office by seeking the Governor's advice and counsel when appropriate so that both entities remain well informed of the state of Missouri's transportation system.
- Addressing ethical issues that have been brought up by the Commission, MoDOT staff, or others.
- Representing MHTC to external groups and the media, as requested by the Commission.
- Coordinating the annual performance evaluation of the Director and Commission Secretary and conveying the results to them.
- The Commission has two standing committees, Audit and Legislative. In addition, it elects Commission representatives to two boards, Missouri Transportation Finance Corporation Board of Directors (MTFC) and MoDOT and Patrol Employees' Retirement System Board of Trustees (MPERS). The Chairman ensures Commissioner Members are selected to serve on these committees and boards as provided by Commission policy or statute.
- Establishing ad-hoc committees, as needed.
- May administer oaths so far as such authority is incidental to the performance of his or her duties. See Section 226.100 RSMo
- Certifying any actions taken by the Commission, when required, and executing documents on behalf of the Commission.
- Executes deeds and other documents used to convey property or property rights. See Section 227.290.1
- Issues correspondence that conveys action, explains policy, or otherwise communicates the sentiment of the Commission.
- Performing any additional duties as required by action of the Commission.

#### **Authority and Responsibilities of the Vice-Chair**

In addition to the regular duties and responsibilities inherent in the position of a Commissioner, the responsibilities of the Vice-Chair are listed below.

- Educating himself or herself about the major activities of the MHTC so that he or she is able to take the place of the Chair if necessary.
- Serving as the Chair if the person elected to that position has resigned or cannot serve in that capacity.
- Performing all the duties of the Chair in the event of the Chair's inability to act.
- May call special meetings of the Commission, in the event of the Chair's inability to act, upon notice to the members. See 226.120 RSMo
- Collaborating with the Chair in conveying the performance evaluation results to the Director and Commission Secretary on an annual basis.
- May administer oaths so far as such authority is incidental to the performance of his or her duties. See Section 226.100 RSMo
- Executes deeds and other documents used to convey property or property rights. See Section 227.290.1
- Performing any other duties reasonably related to the office of Vice-Chair of MHTC if requested by the Commission.

Via approval of the consent agenda, the Commission unanimously approved the adoption of the

Commission Organization and Leadership Policy described above.

\*\*\*\*\*

#### COMMISSION POLICY – DELEGATION OF CONTINGENT COMMISSION AUTHORITY

Director Nichols reported there may be times when the Commission cannot meet to conduct business if it lacks sufficient members to achieve the statutory quorum for a scheduled Commission meeting. At the Commission's direction, staff identified the crucial department functions which by law require specific Commission approval but are necessary for MoDOT to continue operating efficiently. Director Nichols recommended the following:

- (1) **Delegation:** Delegate contingent authority to the MoDOT Director, effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled Commission meeting due to delays in the appointment and confirmation process for Commission members so that the Director after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, may approve:
  - (A) the operating budget and/or amendments to it;
  - (B) the statewide transportation improvement program and/or amendments to it: and
  - (C) award and rejection of bids for the construction of state highways.
- **Ratification:** Require an act of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular meeting a statutory quorum is attained.
- (3) **Minor Revision:** Approve a minor revision of the existing Commission policy regarding the approval of construction contracts for emergency work.

Director Nichols further recommended that the Commission's policies related to this subject be revised as follows:

Category: COMMISSION

Subcategory: Delegation of Authority to Director and Chief Engineer

#### DELEGATION OF AUTHORITY TO DIRECTOR AND CHIEF ENGINEER

In addition to the policies below delegating broad authority to the Director and Chief Engineer, see subject-related policies for delegation of authority as it may relate to specific issues.

#### DIRECTOR

#### **Authority to Implement Policies**

The Director is authorized to establish procedures and directives necessary to implement the Commission's policies. Notwithstanding delegation of authority to the Director, all issues deemed by the Director to be unique, sensitive, and/or potentially controversial will be submitted to the Commission.

#### **Personnel Policies**

The Director, or his/her designee, is authorized to establish policies and procedures pertaining to:

- Employment and separations.
- Employee conduct and performance.
- Grievances and complaints.
- Discipline.
- Salary administration.
- Working hours.
- Training and development.
- Leaves of absence.
- Safety and health.
- Relocation and travel.
- Employee recognition and awards.
- Like subjects pertaining to personnel.

In those areas where the Commission has adopted specific policy statements related to personnel issues, the Director's policies shall adhere thereto. Notwithstanding the provisions of this policy statement, all unique, sensitive and/or potentially controversial personnel policies will be submitted to the Commission.

#### **Delegation of Contingent Authority**

Effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled meeting due to delays in the appointment and confirmation process for Commission members, the Director, after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, may approve:

- the operating budget and/or amendments to it;
- the statewide transportation improvement program and/or amendments to it; and
- award and rejection of bids for the construction of state highways.

This delegation of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular monthly meeting a statutory quorum is attained.

#### **CHIEF ENGINEER**

#### **Engineering Issues**

In accordance with Section 226.040 RSMo 2000, as amended, the Chief Engineer shall be responsible for the preparation and approval of all engineering documents, plans, and specifications and shall have general oversight of construction and maintenance work for the department as determined by the Director. In complying therewith, the Chief Engineer shall develop and keep current engineering standard plans, specifications and policies for the planning, design, construction, maintenance and operation of the state highway system that further the mission of the department and are aligned with the department's values and tangible results. Federal and state law and federal guidance shall be the foundation for said plans, specifications and policies. The Commission may delegate additional authority for certain related administrative actions such as execution of documents, procurement and administration.

#### **Engineering Policy Guide**

To facilitate public knowledge and understanding of engineering processes and requirements of the Department, the Chief Engineer shall be responsible for preparation and upkeep of an Engineering Policy Guide (EPG) as a single reference for all engineering and engineering-related guidance; however, in those cases where the Commission has adopted a specific policy, the provision of the EPG will be in conformance therewith. The EPG shall be made easily accessible to the public via the Internet and such other means deemed by the Chief Engineer to be beneficial to the public and MoDOT business partners.

-----

Category: FINANCIAL Subcategory: Budget

**Sub-Subcategory:** Operating Budget

#### **OPERATING BUDGET**

The Commission shall approve the Operating Budget by operating budget category. (The operating budget categories shown on the budget are Administration; System Management; Program Delivery; Fleet, Facilities, and Information Systems; and

Multimodal.) Within the operating budget categories, State Road Funds shall be approved solely at the discretion of the Commission; all other state and federal fund disbursements shall be approved by the Commission but subject to federal appropriation or appropriation by the Missouri General Assembly.

#### **Delegation of Contingent Authority**

The Director may approve the operating budget and/or amendments to it, after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled meeting due to delays in the appointment and confirmation process for Commission members. This delegation of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular monthly meeting a statutory quorum is attained.

#### **Expenditures within Operating Budget Categories**

In those cases where other provisions within the MHTC Policies may be in conflict with this section, the other provisions will prevail. The Director, Chief Counsel, Chief Financial Officer, Chief Engineer, Assistant Chief Engineer, Division heads and District Engineers may approve bids and quotes, expend funds and execute agreements and contracts up to the operating budget category in the Commission-approved Operating Budget LIMITED TO the amounts noted below:

- a. **Greater than \$200,000** All single transactions greater than \$200,000 shall be approved by the Director, Chief Financial Officer, Chief Engineer, or Assistant Chief Engineer.
- b. \$200,000 or Less –The Director, Chief Financial Officer, Chief Engineer, Assistant Chief Engineer, and, subject to their respective areas, the Chief Counsel, Division Heads, and District Engineers, (any one) are authorized to approve single transactions of \$200,000 or less. These staff members may delegate authority to others under their supervision to approve bids and quotes, expend funds and execute agreements and contracts in an amount not to exceed \$200,000 per transaction. Such delegation must be by written advisory from the staff members noted above to the Financial Services Director for the Central Office employees or to the manager responsible for processing district invoices for district employees.

-----

Category: STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

Subcategory: Approval

#### STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM APPROVAL

The Statewide Transportation Improvement Program (STIP), which includes the Five-Year Highway and Bridge Construction Schedule and the Multimodal Operations Work Program, must be approved by the Commission. **Revisions to the STIP must also be approved by the Commission.** 

#### Highway Right-of-Way and Construction Program

The Commission will be furnished a monthly report showing the aggregate final cost of completed highway and bridge projects compared to the respective program estimates and must authorize additional funds for the program should the annual aggregate final costs exceed the program estimate by more than two percent (2%).

#### **Multimodal Work Program**

The Director, Chief Financial Officer, Chief Engineer, Assistant Chief Engineer, or the Multimodal Operations Director may execute all documents necessary to carry out the approved Multimodal Work Program.

#### **Delegation of Contingent Authority**

The Director may approve the STIP and/or revisions to it, after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled meeting due to delays in the appointment and confirmation process for Commission members. This delegation of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular monthly meeting a statutory quorum is attained.

-----

Category: HIGHWAYS
Subcategory: Construction
Sub-Subcategory: Contract Awards

#### AWARD OF CONSTRUCTION CONTRACTS

Related Statute: Section 227.100, RSMo 2000, as amended – Construction Bids

The Commission shall approve bids and award all roadway and bridge contracts, except as otherwise specifically designated by the Commission in subparagraphs a, and b and c below. Commission awarded contracts may be executed by the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer.

- a. Delegation of Contingent Authority: The Director may approve and/or reject bids for all roadway and bridge contracts, after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled meeting due to delays in the appointment and confirmation process for Commission members. This delegation of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular monthly meeting a statutory quorum is attained.
- b. Emergency Work: The Director, Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, and the respective District Engineer (any one) are authorized to execute contracts for emergency roadway, bridge, and/or other transportation facility repairs, structure demolition, and/or services necessary for the benefit of public safety. All contracts for emergency construction work shall be presented to the Commission for ratification.
- c. **Maintenance by Contract:** The Director, Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, and the State Maintenance Engineer (any one) are authorized to determine the responsiveness of bids requested and award and execute roadway maintenance contracts in the amount of \$200,000 or less.

Via approval of the consent agenda, the Commission unanimously approved the revisions to the Commission policies described above.

\*\*\*\*\*

# REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – OUTDOOR ADVERTISING

On behalf of the Director, Kelly Lucas, Right of Way Director, presented the final orders of rulemaking, 7 CSR 10-12.010 through 7 CSR 10-12.030, Scenic Byways. The following is a summary of the significant changes to the aforementioned rules: (1) add the Missouri Chamber of Commerce and Missouri Retailers Association as members of the Scenic Byways Advisory Committee; (2) correct name references throughout to the Missouri Highways and Transportation Commission and the Missouri Department of Transportation, as appropriate; and (3) clarify that Commission approval for scenic byway designation may be made if the Commission determines the road or highway will promote a

continuous system of scenic byways for the public health and welfare. If rejected, the applicant has 90 days upon receipt of Commission rejection to correct any deficiencies in the nomination.

On January 8, 2014, the Commission approved and authorized staff to file proposed amended administrative rules regarding Title 7 CSR 10-12.010 through 7 CSR 10-12.030, Scenic Byways. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules (JCAR) and the Secretary of State (SOS), who published the proposed rules in the *Missouri Register* for public comment. The public had from February 18, 2014, through March 20, 2014, to submit comments in support of or in opposition to the notice of proposed amended rulemaking. No comments were received during the public comment period.

After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders to complete the rulemaking, authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute any documents appropriate to finalize this rulemaking process.

\*\*\*\*\*

### THE NEWCO TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR

On behalf of the Director, Greg Horn, St. Louis District Engineer, advised the Commission that in response to a petition filed by St. Louis Bank, on July 27, 2012, the Circuit Court of St. Louis County established the Newco Transportation Development District (TDD) as a new political subdivision on December 21, 2012. The proposed project includes signalization improvements, signage, additional traffic lanes and entrance modifications at the intersection of Lindbergh Boulevard/Route 67 and Sunswept Drive. The Commission does not own any real property within the proposed TDD.

In keeping with Sections 238.220.4 and 238.225.1, RSMo, the Commission via approval of the consent agenda, (1) appointed the St. Louis District Engineer, or his designee, as the Commission advisor to the Newco TDD board of directors, and (2) found the upgrades to the area noted above, to be a necessary and desirable extension of the state highways and transportation system, subject to the Newco TDD making any revisions on the plans and specifications required by the Commission and subject to the Newco TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project. In keeping with the Commission Policy Financial – Project Funding Alternatives (Cost-Share), the Director, Chief Financial Officer, Chief Engineer, or Assistant Chief Engineer may execute the related agreements.

\*\*\*\*\*

#### REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS

Route I-64 at the Poplar Street Bridge, St. Louis City Job No. J6I2377C Public Hearing Held December 5, 2013 On-line Public Hearing Held December 5, 2013 – December 19, 2013

The proposed improvement provides for replacing the existing ramp from northbound Route I-55 with a dual lane ramp, extending the acceleration lane on eastbound Route I-64 from 6<sup>th</sup> Street, and widening the Poplar Street Bridge and approach to Illinois Route 3. Route I-64 will remain open to traffic during construction. Two stages of traffic control will be used to construct the eastbound Route I-55 ramp. The technique to widen the Poplar Street Bridge will involve an innovative construction method. The existing bridge will be slid over during a weekend closure and the median widening will follow. The project is 0.52 miles in length.

On behalf of the Director, Greg Horn, St. Louis District Engineer, recommended approval of the design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission via approval of the consent agenda unanimously found and determined the recommended design would best serve the interest of the public and approved the recommendation. Commissioner Suelthaus abstained from voting on this agenda item.

\* \* \* \* \* \* \*

\* \* \* \* \* \* \*

### The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

\* \* \* \* \* \* \*