



**NEW BRAUNFELS OUTER LOOP TASK FORCE
SIXTH MEETING
SEPTEMBER 21, 2009
TEXAS AGRICULTURAL EDUCATION AND HERITAGE
CENTER
6:30 - 8:30 P.M.**

MEETING MINUTES

Attendance:

<p>TxDOT REPS:</p> <p>Jonathan Bean, PE Greg Malatek, PE Laura Lopez Maggie Rios</p> <p>ELECTED OFFICIALS: Cesareo Guadarrama III, Commissioner Guadalupe County Jim Fowler, Councilmember, City of Schertz Jay Millikin, Comal County Commissioner</p>	<p>TASK FORCE MEMBERS: In order introduced at meeting:</p> <p>Tom Hornseth Rusty Brockman Janice Schwab Cherise Bell Tom Myers Roy Linnartz Ted West Donna Jones Maegan Kreuger -Blachke Sharon Levett Rod Smith Marilyn Altwein Alicia Herrera</p> <p>Phillip Schultz Glenn Avriett Mitchell Sacco Dean Word Brett Reynolds Jim Folbre</p> <p>Also in attendance but not introduced: George Antuna Karen Dietz Kevin Lehmann Marcie Helmke</p>	<p>CONSULTANTS: Ximenes & Associates, Inc. Linda Ximenes</p> <p>Kennedy Consulting, Inc. Kevin Kennedy, PE</p> <p>RJ RIVERA Associates, Inc. Rudy Rivera, PE Linda Vela Yobana Diaz William Long Salvador Rivera</p>
---	--	--

The meeting followed the agenda set out. To obtain a copy of the meeting agenda, please visit www.nbolstudy.com and click on the "Public Involvement" page. There you will find the agenda and all handouts that were distributed at this Task Force meeting. The following minutes are meant to document the events of the evening in a detailed format. Transcription of public comments are included and made to the extent possible but there is no guarantee of accuracy. These portions of the minutes are indicated and indented.

Agenda Item I - Welcome

Linda Ximenes, the facilitator, convened the sixth meeting of the New Braunfels Outer Loop Task Force shortly after 6:30 PM. She introduced a member of the board at the Big Red Barn who welcomed all in attendance and encouraged TxDOT to hold additional meeting at the facility for the people of Guadalupe County. Ms. Ximenes then acknowledged the elected officials in the room and introduced the members of the consultant team and TxDOT representatives in attendance.

Agenda Item II: Introductions

Ms. Ximenes opened up the meeting with introductions of Task Force members in attendance and asked that during their introductions they say what is most important in a facility whether it be access or capacity.

Agenda Item III: Review of the Task Force's Charge

Ms. Ximenes reviewed the charge of the Task Force.

Agenda Item IV: Review the Desired Results of the Meeting

Handout: This information is located at the top of the Agenda for this meeting.

- Get acquainted with the Task Force members and their interests.
- Review the concerns regarding the facility type.
- Review information addressing the facility type.
- Identify preliminary recommendations regarding the facility type.
- Identify information needed for the October meeting on the screening.
- Allow for public comment at the beginning and end of the meeting.

Agenda Item V: Review the Agenda

Handout: This information is located at the bottom half of the Agenda for this meeting.

Ms. Ximenes reviewed the agenda with the Task Force. She let the Task Force know they would be given a presentation by Rod Smith which would review the process for identifying the facility type. The agenda also included a presentation from Mr. Tom Hornseth talking about the platting authority process and how much property can be designated. She mentioned the Task Force would also participate in a values exercise. Following that, the Task Force would review the concerns regarding constraints identified in the interviews and participate in small group work to discuss the facility type identification process and make recommendations on ways to strengthen the study process. Ms. Ximenes stated they would discuss information the Task Force would like to have in evaluating the screening matrix and screening of alternatives at the upcoming meetings. She stated they would also talk about the schedule and then have comments from the public.

Agenda Item VI: Approval of the Minutes from August 17, 2009

Ms. Ximenes asked for any corrections to the meeting minutes from August 17, 2009. They were approved by the Task Force with no comments or changes.

Agenda Item VII: Comments from the Public

Rittler Strachan

[From Rittler Strachan] "Rittler Strachan registered nurse, New Braunfels. Last week I may have seemed like an obstreperous fellow who does not like roads. And in fact TxDOT plans and makes some very beautiful roads and I think we've probably got some of the best in the country and it stands to reason [facilitator asked speaker to speak into the microphone.] Oh, excuse me I see the difference, yes. It makes sense that whomever makes TxDOT's roads makes good roads because they are very good. It's the judgment I call into question here about this particular road. I don't think TxDOT is who we need to be negotiating with. They have had inconsistent data and the notification has been inconsistent. At the very least they have been cavalier in the environmental concerns addressing anything in the realm, particularly in the recharge zone, where this six-lane highway will go in over the Guadalupe River, six lanes. At their last meeting they could barely recall who was supposed to do the environmental concerns. One of those persons losing their jobs recently, if I'm not mistaken, actually turned this over to somebody in the family. The Texas lawmakers almost fired TxDOT in the Sunset Review. I am published and I'm studied in stream ecology and macro benthic biology and that is the study of those little larvae and the things that are the foundation of all stream waters and water eco systems and in this part of the world they are under

tremendous duress. These studies are available by people not concerned with the highways. I did a benchmark study in Virginia and found out even light agricultural development profoundly impacted the streams. Now I beg of you to go to the Comal Bridge where it is crossed by the Comal River and the bridge over to San Antonio and you watch in a heavy rain event, within ten minutes that river turns black from the non-point source pollution that comes off the roads and whatever is going on just in New Braunfels. Now later it becomes very muddy just because of the houses and development and all that sort of thing. TxDOT has been very unwilling to upfront do any environmental studies like mapping out all of these streams in a way I know it is supposed to be done. And then what kind of stuff they have wrought once the road is built. They are ignoring this. With the source formation pollution and development is the number one reason for water pollution. It is our destiny to drink what comes out. There will be a rush of land buying that'll raise taxes for everybody and then we'll get a referendum. And we'll block the roads and millions will be lost like in Austin during that movie *The Unforeseen* in the Barton Springs Project. You are not going to have George Bush to come bail you out on this one. So I'm trying to say that there is no road going thru the hill country, no reason. Why not do a survey and find out what the people think? I know why. Because they know the people will reject it and we ultimately have to, if this thing gets voted for. The political careers of those voters will become potentially extinct.

Mel Grones

[From Mel Grones] "Thank you for letting me come before you. I serve as the President of Guadalupe County Farm Bureau and I represent about 2,900 members. We are having our convention right here the first Sunday in October and we plan to propose two resolutions at that convention which we will take to the Texas Farm Bureau Convention in Arlington in December. And those two resolutions are Guadalupe County Farm Bureau supports the construction of the New Braunfels Outer Loop if that construction uses existing right of way and easement to the maximum extent possible. The reasoning for that is we believe it would be appropriate to improve existing state and local transportation rights-of-way to help move the Texas transportation system forward. We prefer no new rights-of-way for transportation corridors. However, if new rights-of-way are absolutely necessary, we prefer the additional space for corridors be located adjacent to existing rights-of-way. The second resolution is any new highway construction should be treated as an officially designated heritage farm or ranch by the Texas Department of Agriculture in the same manner as other protected historically archeological or cemetery sites. And the reason for that is, property that has been designated by TDA as a heritage farm or ranch should not be devalued or divided by new road construction. Persons owning this property should have the same protections allowed as other historical sites. Thank you."

Agenda Item VIII: Address Concerns and Comments Regarding Facility Type

Handouts: The small work group done in the latter part of this section responds to the questions on the handout titled *Worksheet for Facility Type*. The handout titled *Facility Type Recap* gives a summary of the study efforts in identifying facility type and the public involvement efforts undertaken. The *Facility Type Overview* handout gives information on the different facility types including a comparison table on capacity and access.

Brief Review of the Process for Identifying the Facility Type – Rod Smith, PE

Ms. Ximenes introduced Rod Smith who presented information on facility types. She referred the Task Force to the handouts corresponding to the presentation.

Mr. Smith stated that the presentation was from the previous study. The presentation included the study purpose and goals of the study. The study used the facility types to identify the right of way needed for the corridor. Another goal of the study was to identify segments of independent utility to see if there were segments that needed to be built first and made sense by themselves. The last goal was to follow federal standards to qualify for possible federal funding.

Mr. Smith stated that the topic being reviewed now is the selection of the facility type. Mr. Smith referred to a chart representing the balance between capacity and access. He mentioned that you can have a lot of access to the facilities from properties, but allowing that could limit the speeds and capacity. The first facility type option was Expressway 1 which has capacity of probably over 100,000 cars per day. It has both mobility and access because it is a highway with frontage roads. The highway provides capacity and high speeds while the frontage roads allow for access to the facility. The right of way required for an Expressway 1 facility is about 300 to 400 feet. The speed is 60 miles an hour and so it has a lot of capacity and a lot of speed and because it has frontage roads, it has a lot of access. It is the Cadillac of all the options and in planning for the long-term it is where most engineers and planners go. On a fifty year stance that probably works. A step down is Expressway 2, a freeway facility with no frontage roads that would carry about 70,000 cars per day. This has less access since there are no frontage roads. The speeds are roughly similar. The right of way is less because the frontage roads are not there and the interchanges are smaller than with an Expressway 1.

The third option is the parkway. Mr. Smith stated he disagreed with the title since there was not much landscaping, but it was the nomenclature used for the study. The difference is the other options had full grade separation and frontage roads and intersections. The parkway would allow for right turns in and out, so it is not exclusively limited. That brings the capacity down and the speed down somewhat.

The fourth option, principle arterial, the way it is defined here, has a grade separation at major cross streets and the ability to have streets tie into it, but probably no driveways. It has the ability to turn left, which would probably get signalized if it had a lot of traffic to it. The handout says no signalization and that is probably not always true. There might be an exception based on volume.

Last is the minor arterial which is a four or six lane arterial highway with a continuous left turn. It might have a median with occasional left turns. It is a standard typical highway without grade separation that would probably be signalized at major intersections.

Mr. Smith reviewed the capacities for each facility type from the handouts. He stated he had 2004 traffic counts for the area which was 70,000 to 80,000 a day on IH-35; Highway 46 towards Seguin was about 26,000 a day; west of town was a similar number. The traffic volume for Loop 337 was 25,000 and in the high teens; Highway 46 West was 20,000 dropping off to 10,000 or 12,000 out past FM 1863. Design speeds are 60 miles per hour for the expressways, 50 miles per hour for the parkway and 40 miles per hour for the arterials.

Since the study was planning for the long term and starting with a green field site, Mr. Smith stated that Expressway 1 was chosen with an overall 800-foot corridor route to study with a 300 to 400 foot right of way. Mr. Smith stated that we need to look at that and also talk about other facility types for some parts of the loop. He stated the Farm Bureau solution stated earlier addresses some of that. It is hard to impose a new roadway on existing right of way because there are usually homes and business on both sides. The decision to use the Expressway 1 and 2 as the facility type indicated a need to move the route to new alignments instead of using existing roads.

Phillip Schulze had a question regarding the chart showing the median type as a concrete barrier for the expressway version and on the diagram they have a 72-foot median. Mr. Smith stated that the concrete traffic barrier was designed to stop a runaway eighteen-wheeler, so they are typically used in the median even if there is a gap between the lanes. Mr. Rivera reiterated Mr. Smith's comment that when you are planning for the long term you tend to plan for more than you might need ultimately, so that in the future if you need a concrete barrier, you will have the room to fit it in.

Sharon Levett asked if there was a quick and easy formula that could be applied to the traffic needs of the area. She asked if this was indeed for our transportation needs? What would a population be that would have 100,000 vehicles per day on a road? Mr. Smith stated that it depends a lot on the travel patterns. The 610 freeway in Houston on the west loop has about 225,000 a day. Houston's Southwest Freeway carries 200,000 plus. Those are the busiest and the newest so they have a lot of capacity. Mr. Rivera responded that he was

not aware of any correlation because you can take a small city like Fort Stockton that has heavy traffic but a small population. He noted that the correlation is more prevalent when you look at the smaller types of facilities. The higher spectrum of roadways do not carry exclusively local traffic.

There was a question about the width. It is known that the corridor is twice the required right of way and if the green line might end up half its size. Mr. Rivera responded that the next phases of study would further study the facility type that would be needed and the band could end up being half the width. Mr. Smith commented that the study assumed before that the corridor would be included on the Thoroughfare Plan and when the land was developed, they could fit the facility within the corridor and have room for flexibility.

The questioner continued asking if there could be a focus in future studies to not divide properties. Mr. Rivera stated that future studies would have to go back and evaluate the needs for the sections of the roadway. To the extent that future studies might even look outside the corridor, Mr. Rivera emphasized that in the next phases of study, it may be necessary to look outside the corridor. The recommended study route was intended to be used as a tool by the county to plan for development.

Maegan Kreuger-Blachke stated that she keeps hearing talk about planning for the future of the area but there has been no consideration of different types of modes of transportation. She stated that in the future transportation would need to change since people are becoming more green-friendly. She asked if there were plans to include those considerations. Mr. Rivera responded that future studies would need to go back to square one. First they would look at the needs and then perform an alternatives analysis to consider different modes of traffic that would best meet the need. He stated that perhaps the Task Force might consider recommending that the corridor not be exclusively a roadway corridor but a transportation corridor that could include different modes of travel.

Mitchell Sacco asked for clarification stating that just because there are 800 feet of right of way that does not mean that an Expressway 1 facility would be built. Mr. Rivera responded that Mr. Sacco was correct and the next phases would determine what facility types would go into the corridor.

Mr. Tom Hornseth, Comal County Engineer, gave a presentation on right of way dedication and how it would be carried out in Comal County. He explained that in the local government code there is a statute that allows counties to adopt regulation to require right of way dedication for existing roads as well as future roads. It lays out a Major Thoroughfare Plan option for Commissioner's Court to adopt. He stated that Comal County's Commissioner's Court adopted the Major Thoroughfare Plan in 2003 that laid out dedication widths for existing roads and required dedication for new development. He pointed out that the right of way preservation only applies to tracts that are subject to subdivision regulations. So if someone creates a subdivision or subdivision plats that is subject to one of the existing roads or future corridors, they would be required to dedicate the right of way according to the plan. It is triggered by subdivision activity. It does not contemplate running a corridor through open space but would coordinate with the development of a subdivision being created. He emphasized this was a Comal County order and the county has Inter-local Agreements with local municipalities such as the City of New Braunfels. One of the conditions is that if the city is approving subdivision plats in their Extra-territorial Jurisdiction (ETJ) that they also apply this particular rule within their ETJ. Since most of the New Braunfels Outer Loop Corridor lies in the ETJ of New Braunfels, what will most likely happen is if the corridor is adopted, then New Braunfels will enforce the acquisition of the right of way by developers as they come forward to the City of New Braunfels for subdivision plats.

There was a question whether the regulations applied to Guadalupe County. Mr. Hornseth responded that he was not aware of the Guadalupe County regulations.

Mr. Smith asked if there were restrictions limiting the amount of land that could be required depending on facility type. Mr. Hornseth stated that the statute allowed up to 120 feet and beyond that it has to be consistent with a Metropolitan Planning Organization (MPO) in the region. Comal County has chosen to use San Antonio/Bexar County MPO standards that include up to "freeway/control access facility," which allows a 200 to

500- foot width, which is the maximum width on the plan the way it is currently adopted and goes down to a 60-foot typical County Road.

Mr. Smith asked if the information was on the website. Mr. Hornseth indicated it was available on the Comal County website.

There was a question if what was related applied to subdivisions and developers and whether rural property-raw land- was addressed. Mr. Hornseth replied that if the land was not in an ETJ and was in an unincorporated area of Comal County, then the regulation would apply. He stated that he believed the proposed corridor all lies in the ETJ, unincorporated ETJ or city limits of other cities or New Braunfels. This particular order would be enforced through the New Braunfels Subdivision Regulations in the vast majority of Comal County. Other parts that lie in other areas would be subject to those city's regulations.

There was a request to find out what Guadalupe County's regulations are regarding this. Ms. Ximenes indicated she would ask for that information.

There was a clarification requested whether if the corridor lies in Guadalupe County and is in New Braunfel's ETJ whether the regulation would still apply. Mr. Hornseth stated that this regulation only applies to the portion of the corridor that lies in Comal County.

Values Exercise

Ms. Ximenes then engaged the Task Force in a values exercise where she designated four areas. The areas corresponded to "Agree," "Strongly Agree," "Disagree" and "Strongly Disagree." She then read a statement and the Task Force members were asked to stand in the area that best represented their view on the statement made. Once in the area everyone in the group would discuss why they held the stance that brought them to that response and their own personal reasons for choosing the response.

The first statement made was: "This facility should move people from one point to another but have minimum access."

Responses to this statement from the various groups included:

Strongly Disagree Group:

- The spokesperson for the group indicated that people in the area affected should have access because it is their land and they should have access to the facility since they are giving up their property for the facility. Also, if they are giving up their property it could increase the value of their property. If you are splitting a farm in half, you need access to move your cattle or other things across your property.

Disagree Group:

- They\ group disagreed because you would not be able to get to your property if you need to. Since people's land is currently being split by the corridor then they would be unable to get from one side of their property to the other. The spokesperson for the group stated he was not against the road but against what might happen if it is not straightened out.

Agree Group:

- They wanted access but wanted it minimized because they wanted to limit the footprint of the facility. They wanted some access, but limited. This way it would still move traffic but not take up a lot of land.

Strongly Agree Group:

- The spokesperson explained that the group saw this as being a way to move traffic because there are so many choke points at this time. He said people are concerned about splitting property but that hopefully in the next phases this could be minimized or done away with, but their opinion of the facility was that it was meant to move traffic.

The second statement made was: “Some segments of the loop are more important than others and some may never need to be built.”

Responses to this statement from the various groups included:

Agree Group:

- The group thought one of the more important segments would be the southeast part with particular interest on the part that crosses the river.
- To not make it four segments but to make one segment on the east side from South IH 35 all the way to North IH 35 with a cross at the river.
- To minimize the impact over the Edwards Aquifer Recharge Zone.

Strongly Agree Group:

- The group agreed because of the environmental impact over the Edwards Aquifer. Also areas now on the east side of IH 35 are not as heavily populated.

Disagree Group:

- There were no people in this group.

Strongly Disagree Group:

- This group believed the loop concept was valid and developed for a long time and that having movement and connectivity in a full circle, or something approximating a full circle, will be necessary to the long term development and orderly growth of the region. It may not all be done at once but eventually it will become a complete loop.

The third statement made was: “We should plan this facility to discourage growth in the area.”

Responses to this statement from the various groups included:

Strongly Agree Group:

- This group’s spokesperson reported that they agree if they plan the loop to not have shopping centers spring up all around then you would have a balanced situation. But on Loop 1604 you have shopping centers spring out all around it and then you just have stop-and-go traffic. She explained that they want to plan it to stay more residential than all shopping centers.

Disagree Group:

- The group’s spokesperson indicated the group thought it was inevitable to have population growth and would prefer to have planned growth so, in their opinion, the loop provides some plan for the orderly growth in that situation.

Agree Group:

- A group member commented that people say they want planned growth, but that it was a loaded question because it is hard to answer without saying the same thing.
- The group believed it [the loop] could induce demand and urban sprawl and for smart growth we would have to consider alternatives.

Strongly Disagree Group:

- This group stated that you cannot stop development. The demand from the buyer, the developer’s client, is what drives it. They tried it in Austin and it didn’t work. It made a huge mess that has contributed to the problems they still have in Austin. He stated, “We do not want to be like that.”

Review Comments from the Interviews

This information was handed out prior to the meeting and was meant to provide the Task Force with some general comments that were heard during the interviews held with potential Task Force members regarding the study process's facility type selection.

Work in small groups to discuss the information and identify lessons learned and recommendations

Ms. Ximenes asked the Task Force to break into small groups to work on the handout titled "Facility Type Worksheet". Ms. Ximenes stated that the worksheet was similar to past ones. She stated they would have about twenty-five minutes in their small group and then the groups would report out.

Small groups report out on their recommendations

Ms. Ximenes asked the groups to report out to the Task Force the recommendations they came up with to strengthen the process utilized by the study to select the facility type. The small groups reported in the following order:

Group 4

- Disclose loss of additional acreage and homes at intersections
- Create limited access and driveways to control development
- Disclose noise levels outside the 800 ft right of way
- Customize ROW and facility design based on environmental conditions
- Include landscaping in design
- Have hike and bike as a separate and secure facility – not as a paved symbol on the asphalt

Group 1

- Clearly define the purpose of the roadway
- Ample egress and access on all intersections

Group 2

- What would a minimal footprint look like? How small and still accommodate transportation needs?

Group 3

- Accommodate large trucks in non-environmentally sensitive areas
- When relating capacity of roadways that it references N.B.
- Better presentations to public on facility types to show clearly what it would be

Group 5

- Better traffic studies and forecasts – especially long-range 50-100 years

Agenda Item IX: Identify information needed for the October Meeting on Screening

Ms. Ximenes asked the Task Force to include information they would like to see in discussing the screening process on their evaluation form.

Agenda Item X: Update on the Schedule

Ms. Ximenes stated there are three meetings scheduled to review the screening of alternatives. First the whole loop would be reviewed and then the alternatives would be reviewed by segments. The October, November and December meetings would focus on these issues. The Information Subcommittee meeting will discuss how to best review this information. She asked if there were any thoughts regarding this to please include a note on the evaluation form or to contact her to discuss any thoughts or ideas.

Ms. Ximenes stated that the January meeting would most likely be a full day meeting tentatively scheduled for January 9th. The location is still to be determined because the New Braunfels Civic Center was not available.

She asked if anyone had objections to holding that full day meeting at the location of this evening's meeting. If there are thoughts or suggestions to please also include them on the evaluation sheet.

Agenda Item XI: Comments from the public

Don Burquest

[From Don Burquest] "My name is Don Burquest and I live in the County Hills North Subdivision of New Braunfels. I want to just take a moment to express my appreciation to you as members of the Task Force because I know you all do not agree with one another on every topic, but I've seen you discussing issues with one another with respect and appreciation and I am grateful for that. It's a good thing to see. There are a couple of things that I would like to suggest to you. This is the fourth meeting that I have attended. The first three there was some discussion at each meeting to the effect that this is just a planning tool so we know how to direct developers and other interested entities into how to look at New Braunfels and the surrounding area and there is no money available and we are not going to do anything right away. I am very glad that tonight we didn't hear any of that. The Herald-Zeitung, following our last meeting, reported that TxDOT was prepared as soon as the deliberations on the whole process were completed, they are prepared to seek federal funding for this outer loop. So I am glad that it is being acknowledged now at least implicitly that in fact this is not just a planning tool but it is a development project. Secondly, I am a newcomer, I've only been here a couple of years but it seems to me that there is a little bit of confusion about the origin of the whole outer loop idea and I just want to raise that issue with you as well. At the July meeting Kathleen Krueger who is a member of the City Council of New Braunfels and Mayor Pro Temp said as I understood her, that she had been unable to find in the records of the City Council any official formal request for investigation of an outer loop. So as you write your final report I would encourage you to not be seen as necessarily endorsing this outer loop and to put a statement in there to that effect. Finally, please in the next few weeks go for a leisurely drive along River Road. This entire area in my mind is a glorious gift that we were fortunate to be blessed with and River Road itself is a refreshing scenic drive that can enrich one's soul with its beauty. As you approach Second Crossing slow down for a moment. Notice the scenic bluffs along one side and the dense trees along both sides as the river flows gently by. This is part of the heritage that has been entrusted to us to enjoy and to pass along to our grandchildren. Try to imagine what that idyllic scene will look like now with a four lane or six lane or ten lane freeway going through there. Once this area is destroyed we will never get it back and we will have lost something very precious."

Roseann Maurer

[From Roseann Maurer] "Can everyone hear me? Okay. When I came in here I thought, okay, I really want to understand what is going on. I missed the other meetings. I could see that everyone was trying to get to the bottom of it and to try to get the details. But my big thing is the overriding "What for?" That's really what I have not gotten. I don't see what for all this area should be devoted to a loop for a very relatively small population at this point. I did hear some facts tonight that San Antonio had had 600,000 people before they had their first loop built. And we already have one loop. And if it involves devastation of our most precious resources which makes us happy here, I don't see what for and I would really appreciate understanding that."

Agenda Item XII: Adjourn

Ms. Ximenes thanked all of those in attendance for their time and comments and adjourned the meeting. She stated the next meeting would be held on October 19th in the New Braunfels Civic Center. She asked those in attendance to please fill out their comment cards and evaluation forms and put them in the comment card box.