

**Transportation Advisory Board**  
of the Metropolitan Council of the Twin Cities

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**ACTION TRANSMITTAL No. 2021-38**

**DATE:** September 8, 2021

**TO:** Transportation Advisory Board

**FROM:** Technical Advisory Committee

**PREPARED BY:** Joe Barbeau, Senior Planner ([joseph.barbeau@metc.state.mn.us](mailto:joseph.barbeau@metc.state.mn.us))

**SUBJECT:** Streamlined 2021-2024 and 2022-2025 TIP amendment for MnDOT: I-35W Frontage Road Turnback

**REQUESTED ACTION:** MnDOT requests an amendment to the 2021-2024 and 2022-2025 TIPs to add an installment of an automatic gate and associated crime prevention features for night closure the Burns Avenue Overlook in St. Paul (SP # 6220-92).

**RECOMMENDED MOTION:** That TAB recommend adoption of an amendment the 2021-2024 and 2022-2025 TIPs to add an installment of an automatic gate and associated crime prevention features for night closure the Burns Avenue Overlook in St. Paul (SP # 6220-92).

**BACKGROUND AND PURPOSE OF ACTION:** Using state funding, MnDOT would like to install an automatic gate and associated crime-prevention features for night closure of the Burns Avenue overlook, located on Burns Avenue just east of US 61 / US 10/.

This project is entirely state-funded and therefore was not funded through the Regional Solicitation.

**RELATIONSHIP TO REGIONAL POLICY:** Federal law requires that all TIP amendments meet the following four tests: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. It is the TAB's responsibility to adopt and amend the TIP per these four requirements.

The streamlined TIP amendment process allows projects that meet certain conditions to be streamlined, which entails forgoing the TAC Funding & Programming Committee review and results in saving a month of process time.

**STAFF ANALYSIS:** The TIP amendment meets fiscal constraint because the state funds are sufficient to fully fund the project. This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020, with FHWA/FTA conformity determination established on December 4, 2020. Public input opportunity for this amendment is provided through the TAB's and the Council's regular meetings. The Minnesota Interagency Air Quality and Transportation Planning Committee determined that the project is exempt from air quality conformity analysis.

**COMMITTEE COMMENTS AND ACTION:** At its September 1, 2021, meeting, the Technical Advisory Committee recommended adoption of an amendment the 2021-2024

and 2022-2025 TIPs to add an installment of an automatic gate and associated crime prevention features for night closure the Burns Avenue Overlook in St. Paul.

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE SCHEDULED / COMPLETED</b>
Technical Advisory Committee	Review & Recommend	9/1/2021
Transportation Advisory Board	Review & Recommend	9/15/2021
Metropolitan Council Transportation Committee	Review & Recommend	10/11/2021*
Metropolitan Council	Review & Adopt	10/13/2021*

\*Following the Transportation Advisory Board, the amendment to the 2021-2024 TIP will be forwarded to Transportation Committee. However, the amendment to the 2020-2025 TIP will not be forwarded until the 2022-2025 State Transportation Improvement Program (STIP) is approved by the USDOT.

Please amend the 2021-2024 and 2022-2025 Transportation Improvement Program (TIP) to change this project in program year 2022. This project is being submitted with the following information:

**PROJECT IDENTIFICATION:**

Seq #	State Fiscal Year	ATP / Dist	Route System	Project Number	Agency	Description
TBD	2022	M	US 61/10	6220-92	MnDOT	US 61/10- Burns Ave Overlook in St Paul, install automatic gate and associated crime prevention features for night closure of the site.

Miles	Prog	Type of Work	Prop Funds	Total \$	State \$	Other \$
0.0	EN	Other	SF	50,000	50,000	-

**PROJECT BACKGROUND:**

1. Briefly describe why amendment is needed (e.g., project in previous TIP but not completed; illustrative project and funds now available; discretionary funds received; inadvertently not included in TIP).

This amendment is needed to add a new 100% state funded project into fiscal year 2022.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?

- New Money
- Anticipated Advance Construction
- ATP or MPO or MnDOT Adjustment by deferral of other projects
- Earmark or HPP not affecting fiscal constraint
- Other X

No federal funds are being added to the project, therefore fiscal constraint is maintained.

**CONSISTENCY WITH MPO LONG RANGE PLAN:**

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020.

**AIR QUALITY CONFORMITY:**

- Subject to conformity determination
- Exempt from regional level analysis
- N/A (not in a nonattainment or maintenance area)

\*Exempt Project Category NC. Not classifiable per Section 93.126 of the Conformity Rules.