

# Minutes

TAB Technical Advisory Committee



**Meeting Date:** June 7, 2023

**Time:** 9:00 AM

**Location:** Virtual

## Members Present:

- Jenifer Hager, Chair, Minneapolis
- Joe MacPherson, Anoka Co
- Lyndon Robjent, Carver Co
- Erin Laberee, Dakota Co
- Brian Isaacson, Ramsey Co
- Chad Ellos, Hennepin Co
- Craig Jenson, Scott Co
- Lyssa Leitner, Washington Co
- Andrew Witter, 7W

- Karl Keel, Bloomington
- Charlie Howley, Chanhassen
- Robert Ellis, Eden Prairie
- Jim Kosluchar, Fridley
- Paul Oehme, Lakeville
- John Hagen, Maple Grove
- Ross Beckwith, West Saint Paul
- Michael Thompson, Plymouth
- Kathleen Mayell, Minneapolis
- Nick Peterson, Saint Paul
- Bill Dermody, Saint Paul

- April Crockett, MnDOT
- Steve Peterson, Council MTS
- Michael Larson, Council CD
- Elaine Koutsoukos, TAB
- Innocent Eyoh, MPCA
- Bridget Rief, MAC
- Matt Fyten, STA
- Adam Harrington, Metro Transit
- Shelly Meyer, Freight
- Colleen Eddy, DEED
- Vacant, MN DNR
- Kyle Sobota, Bicycle
- Mackenzie Turner Bargaen, Pedestrian
- Josh Pearson, FHWA (ex-officio)

= present

## Call to Order

A quorum being present, Committee Chair Hager called the regular meeting of the TAB Technical Advisory Committee just after 9:00 a.m.

## Approval of Agenda

The agenda was approved with no changes. Therefore, no vote was needed.

## Approval of Minutes

It was moved by Isaacson and seconded by Ellos to approve the minutes of the May 3, 2023, regular meeting of the TAB Technical Advisory Committee. **Motion carried.**

## Public Comment on Committee Business

None.

## TAB Report

Koutsoukos reported on the May 17, 2023, Transportation Advisory Board meeting.

## Business – Committee Reports

### *Executive Committee (Jenifer Hager, Chair)*

Chair Hager reported that the TAC Executive Committee met prior to the meeting. She thanked those that responded to the survey on in-person versus virtual meetings and said that results will be shared in the future. She said that the July meeting is likely to be cancelled. She added that the

active transportation funding was discussed and that while the June Funding & Programming meeting was noticed to be cancelled it might be reinstated with TAC members invited.

1. [2023-35: Streamlined 2023-2026 TIP Amendment – Two New Projects](#)

Barbeau said that the requested action involves two actions adding projects to the 2023-2026 TIP:

1. Sherburne County requests the addition of a project to reconstruct a 2.7-mile portion of CSAH 33 in Elk River. This is funded with Surface Transportation Block Grant Program (STBGP) funds not from the Regional Solicitation.
2. Minnesota Valley Transit Authority (MVTA) requests the addition of its Burnsville Bus Garage Expansion Phase III (SP # TRF-TCMT-22AI). This project is funded with Federal Transit Administration (FTA) Section 5339 funds.

Motion by MacPherson and seconded by Witter to recommend adoption of an amendment to the 2023-2026 TIP to add two new projects. **Motion carried.**

2. [2023-36: Streamlined 2023-2026 TIP Amendment – Two Project Cost Increases](#)

Barbeau said that the requested action involves two actions changing projects in the 2023-2026 TIP:

1. MnDOT requests a cost increase to its Stone Arch Bridge repair project. This change will also be reflected in the 2024-2027 TIP. This project is funded by Surface Transportation Block Grant Program (STBGP) funds.
2. MnDOT requests a cost increase and the replacement of an additional bridge for its MN 65 bridge replacement project in Spring Lake Park and East Bethel. This project is funded by National Highway Performance Program (NHPP).

Motion by Oehme and seconded by Nick Peterson to recommend adoption of an amendment to the 2023-2026 TIP to increase the cost of two projects. **Motion carried.**

***Planning Committee/TPP Technical Working Group (Scott Mareck, Chair)***

Mareck said that the TAC Planning Committee last met on May 11 and had a presentation on the MSP long range airport plan.

***Funding & Programming (Karl Keel, Vice Chair)***

1. [2023-30: Program Year Shift Request: Highway 252 Projects](#)

Keel said that Brooklyn Center, Brooklyn Park, Hennepin County and MnDOT are requesting a program year extension to 2029 for four smaller projects to coincide with a larger project. He noted that each of these projects has received a program year extension in the past and that the program year policy allows for one one-time program year extension and that this request would be an exemption to the policy.

MacPherson asked whether it would be preferable to ask that the project re-apply, whether an update can be provided, and whether more time will be needed beyond 2029. Keel replied that the larger project has a 2029 deadline. Carla Stueve, Hennepin County, said that there has been consideration for reapplying but since the projects have been through environmental review, they are now considered one project, rendering them unable to be applied for. Koutsoukos agreed that at least three of the four projects are likely one project. Mark Lindeberg, MnDOT, said that the project is not fully funded yet. He said that the project includes Corridors of Commerce funding, which is required to be spent by 2029.

Howley asked whether the six-year delay will lead to the project being short of funding. Lindeberg said that that the hope is to have the project delivered on time.

Steve Peterson said that the Program Year Policy needs to be examined given the trend of project extension requests being tied to larger projects. Hager suggested adding note to a motion

that this request is outside of the policy.

Motion by Keel and seconded by Leitner to recommend approving a request for exemption to the Program Year Policy and approving the request to move the following four Highway 252 related Regional Solicitation grants from 2026 to 2029:

- Brooklyn Center's MN Highway 252 at 66<sup>th</sup> Avenue grade separation.
- Brooklyn Center's MN Highway 252 at 70<sup>th</sup> Avenue pedestrian improvements.
- Brooklyn Park's MN Highway 252 at Brookdale Drive grade separation.
- Hennepin County's MN Highway 252 at 85<sup>th</sup> Avenue grade separation.

**Motion carried.**

2. [2023-31: Program Year Shift Request: Brooklyn Park's CSAH 103 Reconstruction](#)

Keel said that due to delays associated with the Blue Line light rail transit (LRT) extension, the City of Brooklyn Park is requesting an extension of its program year for its CSAH 103 roadway project. He said that the project has received a program year extension from 2022 to 2025 and is the city is now seeking extension to 2026 to coincide with the LRT extension.

Mayell asked that the change to 2026 be addressed in relation to risk in the blue Line extension. Keel said that there is a risk but the request to move the project to 2026 is based on the best information available. Jesse Struve, Brooklyn Park, reiterated that this is the best timeline that sponsors have right now.

Motion by Keel and seconded by Eyoh to recommend approving a request for exemption for the Program Year Policy to recommend approval of the request to move the City of Brooklyn Park's CSAH 103 Regional Solicitation grant from 2025 to 2026, acknowledging that this is a request for exemption from the program year policy. **Motion carried.**

3. [2023-32: Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation \(PROTECT\) funding allocation options for FY 2025-2027](#)

Keel introduced the topic, stating that the action would spend \$14.5M of early year PROTECT funds. Steve Peterson said that the 2021 Infrastructure Investment and Jobs Act (IIJA) established the PROTECT funding program to help make surface transportation more resilient to natural hazards, including climate change, flooding, and extreme weather events through support of resilience improvements. MnDOT provided 30 percent of formula PROTECT funds for regional distribution, including funds to the Met Council and TAB. MnDOT anticipates that this funding program will continue beyond the end of IIJA with funding levels for 2028 and beyond being similar to 2027 levels (approximately \$3.5M per year). Unlike the other federal funding programs that are used in the Regional Solicitation, PROTECT typically funds specific elements within a larger project instead of the entire project. PROTECT has strict and narrow eligibility that includes, but is not limited to, storm sewer, ponding, erosion control, retaining walls, and lifting/realigning transportation infrastructure out of floodplains.

Due to short-term deadlines and narrow eligibility, the 2024 allocation was applied to eligible elements within existing projects selected in past Regional Solicitation cycles. This action focuses on the \$14,518,800 of PROTECT funds available for 2025-2027.

For 2028 and 2029 PROTECT funds, additional language has been added to the draft 2024 Regional Solicitation application materials for project sponsors to identify PROTECT-eligible items. The 2028 and 2029 PROTECT funding years will line up with the years for the other federal programs making PROTECT funds easier to utilize.

As part of the Regional Solicitation Evaluation, the selected consultant will identify the best and most appropriate way to use the PROTECT funds, including changes to the 2026 Regional Solicitation cycle (program years 2030 and 2031). Potential changes may include the creation of a separate application category for projects that address resiliency, for example. The Regional Solicitation Evaluation, which begins in August, will be the best opportunity to focus on what the region wants to do with the new funding source.



Leitner suggested separating conversations about the Funding & Programming Committee recommendation from the Surface Transportation Program (STP) funds. Ellos agreed and expressed support for inclusion of the Shingle Creek Regional Trail. Keel said that if the \$1.18M excess of STP funds is not addressed by the committee it will be addressed in the Federal Funds Reallocation Policy. Steve Peterson said that the action transmittal shared with TAB will express TAC's preference to follow existing policy for the excess funding.

Ellos asked about the timing of the funding. Steve Peterson replied that the reason staff is asking what to do with the funds is because it is 2026 funding, which could be challenging for projects selected in the 2024 Regional Solicitation to use.

Brian Shekleton said that other places have used PROTECT funding to award funding to specific project types, such as failing stormwater systems, as opposed to pulling from lists of existing projects.

Hager suggested having separate motions for PROTECT funding and STP funding, adding that given the immediacy of the PROTECT funds, there is not time for a solicitation like Shekleton referred to.

Motion by Keel and seconded by Robjent to recommend distribution of \$14,518,800 of PROTECT funding for fiscal years 2025 through 2027 along with \$2,481,200 in 2026 STP funding to fully fund the federal requests for the Highway 5 Carver County Lake Minnewashta & Arboretum and Washington County CR 19A/100<sup>th</sup> Street projects from the 2022 Regional Solicitation cycle.

**Motion carried.**

Hager asked whether members wanted to discuss the remaining \$1.18M of STP funding. Leitner asked whether that needs to be decided immediately, as the issue lacks clarity and sponsors may need time to prepare for it. She added that the Funding & Programming Committee should weigh in. Hager suggested that with no action, TAB will act based on existing policy. Ellos said that TAC could provide TAB with guidance on the options. Hager suggested that TAC could recommend that the item come back through the technical committees. Steve Peterson agreed with this suggestion. Keel questioned why there is consideration for multiple options at this time, as that does not seem to match historical practice. Ellos said that the difference is that future projects have been paid off. Hager expressed agreement but mentioned that there are projects that can take more funding to get closer to the 80% federal, adding that there are more projects going through the development process than usual. Ellos expressed interest in accelerating the decision on distribution of federal funds to projects able to absorb more. Steve Peterson said that following the policy would likely result in the funding being placed into the 2024 Regional Solicitation, adding that a transit project could probably use the funding.

4. [2023-33: Adoption of the Draft 2024-2027 Transportation Improvement Program \(TIP\), pending public comment](#)

Motion by Keel and seconded by Ellos to recommend that TAB recommend the draft 2024-2027 Transportation Improvement Program (TIP). **Motion carried.**

## Information

1. [Transportation System Performance Evaluation](#) (Liz Roten, MTS)

Liz Roten, MTS, presented on the topic.

Mareck said that a lot of the roadway data highlighted the MnDOT system as opposed to the Council's minor arterial system. Roten said that what was shown was based on the data that is available.

Eyoh said that MPCA is responding to EPA changes, including tightening the standard for PM<sub>2.5</sub> and possibly ozone, along with improving fuel efficiency. Johnathan Ehrlich, MTS, stated

that a lot of detail was removed for simplicity. He added that each criteria pollutant has several measures that have been collapsed into one graph. He said that PM<sub>2.5</sub> and ozone standards will change, which will impact whether the region meets National Ambient Air Quality standards.

### **Other Business**

None.

### **Adjournment**

The meeting adjourned.

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#### **Committee Contact:**

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