

ACTION TRANSMITTAL 2016-23

DATE: February 11, 2016

TO: TAC Funding and Programming Committee

PREPARED BY: Elaine Koutsoukos, TAB Coordinator (651-602-1717)
Steve Peterson, Planning Analyst (651-602-1819)
Joe Barbeau, Senior Planner (651-602-1705)

SUBJECT: 2016 Regional Solicitation for Transportation Projects Public Comment Report

REQUESTED ACTION: Recommend the acceptance of the public comments for the 2016 Regional Solicitation for Transportation Projects

RECOMMENDED MOTION: That TAC Funding and Programming recommend to TAC the acceptance of the public comments for the 2016 Regional Solicitation for Transportation Projects

BACKGROUND AND PURPOSE OF ACTION: Following completion of the 2014 Regional Solicitation, staff worked with the TAC Funding & Programming Committee, TAC, and TAB on updating measures and scoring guidelines. A draft Solicitation with approved changes was subsequently released for public review. Comments were received from four respondents in response to the public review period, which ended on February 10, 2016. The comments are attached to this item. The respondents are the City of Medina, the City of Eden Prairie, SouthWest Transit, and Anoka County.

Committee members should review the comments and suggest whether any recommended changes should come from them.

RELATIONSHIP TO REGIONAL POLICY: TAB develops and issues a Regional Solicitation for federal funding.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming	Review & Recommend	
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Accept	

Comment	Agency	Background Information through Committee Process
Tie in projected future growth to address transportation and pedestrian needs	Medina	F&PC, TAC, and TAB discussed the future needs in the transportation system. With a limited amount of available federal funds and high demand for these funds, the decision was made to focus on funding projects that address existing needs first. It should be noted, that in the four roadways application categories, there is a measure that requests 2040 forecast traffic volumes and this is based on future population and employment.
General Rules and Process - Eliminate provision of not funding more than one transit capital project in a transitway corridor (page 17, #14)	Eden Prairie SW Transit	There was no discussion or recommendation for a change from the previous solicitation where this was a rule. This policy decision was made previously in order to fund of variety of projects throughout the region. This rule also discourages an agency from dividing a large project into many applications (due to the maximum award being \$7 million) and claiming the same benefits in each of the applications. The provision for limiting one transit capital project in a transitway corridor is similar to provisions in the roadway and bikeway and pedestrian applications. It should be acknowledged that there could be an award for one transit capital and one project from a different mode (e.g., Pedestrian Facilities) within the same transitway corridor
SRTS Qualifying Criteria - Remove provision requiring a Safe Routes to School plan to be eligible for funding (page 25, #5)	Eden Prairie SW Transit	There was no discussion or recommendation for change from the previous solicitation. Staff contacted MnDOT, who administers the statewide Safe Routes to School application process and where the original application was developed, to determine whether this was a requirement. MnDOT does not require that a project be specifically included in a SRTS plan, but rather that the project be included in an adopted plan (statewide, regional, SRTS, comprehensive, etc.). This is similar to the qualifying criteria 3 on page 21. The state SRTS application does require that an applicant contact MnDOT to determine eligibility and that SRTS projects comply with all federal and state requirements, which is included in this qualifying criteria. Options include keeping the SRTS plan as a requirement or removing it as a requirement.
General Qualifying Criteria – Disagree that a project must be consistent with the 2040 Transportation Plan (page 21, #2)	SW Transit	There was no discussion or recommendation for change from the previous solicitation. Tying to the federally-mandated long range transportation policy plan has been a long-standing provision.

Comment	Agency	Background Information through Committee Process
Transit Expansion application – Tying Thrive MSP 2040 to the Regional Solicitation is not a good idea (page 98, #1)	SW Transit	There was no discussion or recommendation for change from the previous solicitation. Tying to the legislatively-mandated Regional Development Framework has been a long-standing provision.
Transit Expansion application – Disagree with the scoring guidance for measure 1A for total employment and post-secondary enrollment (page 99, measure 1A)	SW Transit	In the previous solicitation, all the applicants received the same score for this measure for serving a concentrated area of employment or an educational institution. Based on the sensitivity analysis completed after the last solicitation, the measure was changed to provide more differentiation between the projects. The measure requests for total employment and educational institution enrollment within ¼ mile of the project’s bus stop or within ½ mile of the project’s transitway stations, not within an entire city. A route provided by Metro Transit or a suburban provider serving the same part of the City of Minneapolis or the same post-secondary education institution will receive the same employment and enrollment numbers.
Transit Expansion application – Disagree with the scoring guidance for measure 1B for route connections (page 99, measure 1B)	SW Transit	The measure requests that the applicant provide the number of transit trips connected with their project. All providers may connect to the transit trips provided by the other transit providers in the region. For example, a Metro Transit route and a SW Transit route connecting to Southdale Center will have the same number of trip connections.
Transit System Modernization application – list of potential transit improvements, a provider proactive with improvements and amenities would not receive many points (page 116, measure 5C)	SW Transit	The measure addresses improvements and amenities within the applicant’s project that improve transit service for the users. Project improvements can extend beyond the examples provided in the application. In addition, there are two application categories for transit projects: Transit Expansion and Transit System Modernization. Agencies have the opportunity to select which application type(s) best fits their needs.

Comment	Agency	Background Information through Committee Process
<p>General Comments in qualifying criteria – include supporting plans in addition to a long range plan, for example Emergency Preparedness Plan and/or Asset Management Plan</p>	<p>SW Transit</p>	<p>Under the Qualifying Requirements for All Projects (page 21), #2 (shown below) does not limit the official plan that can be referenced.</p> <p>2. The project or the transportation problem/need that the project addresses must be in a local planning or programming document. Reference the name of the appropriate comprehensive plan, regional/statewide plan, capital improvement program, corridor study document [studies on trunk highway must be approved by the Minnesota Department of Transportation and the Metropolitan Council], or other official plan or program of the applicant agency [includes Safe Routes to School Plans] that the project is included in and/or a transportation problem/need that the project addresses. List the applicable documents and pages:</p>
<p>Equity and Housing Performance, Measure A - Inclusion/emphasis of socio-economic measure; particularly in highway projects</p>	<p>Anoka County</p>	<p>TAB included this measure starting in the 2014 Regional Solicitation. The sensitivity analysis completed after the solicitation showed that the equity measure had a limited impact on roadway projects (only one of the 29 roadway projects selected for funding would have been different by excluding the equity measure). While TAB members discussed equity at workshops during the fall of 2015, a reduction or removal of this measure was not specifically discussed during the process to draft the 2016 Regional Solicitation.</p>
<p>Equity and Housing Performance, Measure B - Inclusion/emphasis of housing scores and inconsistency of scores city-to-city</p>	<p>Anoka County</p>	<p>Housing scores have been included in the Regional Solicitation since the 1990s. During the latest round of edits, there was no discussion about a reduction or removal of this measure. Regarding scores for individual cities, scores are based on local efforts in developing and maintaining housing that is affordable to low- and moderate-income households through a variety of programs and services.</p>
<p>Railroad Grade-Separated Projects – Create a separate funding Category for railroad grade separations</p>	<p>Anoka County</p>	<p>At their December, 2015 meetings, TAC and TAB discussed whether to create an additional category for railroad grade separation projects and voted not to adjust the number of application categories beyond the existing 10 categories. Instead, TAB directed staff to come up with changes to the measures to better accommodate railroad grade separations within the existing 10 application categories. Major changes were made to the measures that were then approved by TAB.</p>

Comment	Agency	Background Information through Committee Process
Modal Funding Ranges – Reduce the level of bicycle and pedestrian facilities funding (page 3)	Anoka County	Inclusion of non-motorized projects in the Regional Solicitation is a reflection of federal policy, as confirmed by the Transportation Enhancements (TE) program, later referred to as the Transportation Alternatives Program (TAP), and now included as part of the Surface Transportation Block Grant Program (STBG). The modal ranges approved at the January 2016 TAB meeting are based upon historic funding levels. TAB reserves the right to go outside of these approved modal funding ranges when it considers funding options at the end of the process.
Funding Maximum and Minimum - Multiuse Trails and Bicycle Facilities \$5.5M maximum (page 3)	Anoka County	At its January meeting, TAB voted to keep the maximum for Multiuse Trails and Bicycle Facilities projects the same as the last solicitation (\$5.5 million), based upon the possibility that the reduced amount recommended by TAC (\$3.5 million) may not fund a bicycle bridge over a large barrier such as a river, freeway, or rail yard. In addition, TAB members noted that three projects applied for the federal maximum award in the last solicitation suggesting that there may be a need to keep the maximum as it is. TAB acknowledged that applications do not have to be made for the maximum federal amount.

From: [Sund, Elizabeth](#) on behalf of [PublicInfo](#)
To: [Koutsoukos, Elaine](#)
Subject: FW: Comments from the City of Medina
Date: Friday, February 05, 2016 3:13:00 PM

Hi Elaine,

This comment came into the publicinfo account.

From: Scott Johnson [mailto:Scott.Johnson@ci.medina.mn.us]
Sent: Friday, February 05, 2016 2:54 PM
To: PublicInfo <public.info@metc.state.mn.us>
Subject: Comments from the City of Medina

The City of Medina has the following comments:

Please keep in mind with the proposed criteria and measures the transportation and pedestrian needs of the cities in western Hennepin County. I think the criteria should tie in projected future growth to address transportation and pedestrian infrastructure needs.

The criteria seem to be focused on the needs of communities within the 494/694 beltway. However, there are large amounts of projected housing development in the west and northwest suburban areas per the Met Council for 2040 and the transportation/pedestrian infrastructure needs must be addressed in these areas. It is important to plan appropriately for the future transportation/pedestrian needs in this area of the Twin Cities.

Thank you for your consideration!
Scott Johnson
City of Medina

From: [Robert Ellis](#)
To: [PublicInfo](#)
Cc: [Koutsoukos, Elaine](#)
Subject: Draft Regional Solicitation for Transportation Project Comments
Date: Tuesday, February 09, 2016 4:14:00 PM

Please accept these comments concerning the Draft Regional Solicitation.

The following provision is detailed on page 17: “In the 2016 Regional Solicitation, **TAB will not fund more than one transit capital project in a transitway corridor** (only applies to two separate applications selected in the same solicitation).”

- This provision should be eliminated. Some transitways have more needs than others and this provision puts them at a disadvantage. Transitways can also vary in the number of people, services and jobs they provide access too. Limiting the number of projects along a transitway does not necessarily focus the funding where it is needed most. Projects should be evaluated on the merits of cost effectiveness, increase in ridership, safety benefits, improved access, air quality enhancement, etc. What transitway they are located along seems arbitrary.

The Draft Regional Solicitation also has the following provision detailed on page 25: “Safe Routes to School projects only: **The applicant must have a Safe Routes to School plan established to be eligible for funding.** MnDOT staff will notify Metropolitan Council staff of all agencies eligible for funding.”

- This provision should be removed because it eliminates a great number of communities with needed safety improvement projects from the solicitation. The benefit of having an official Safe Routes to School Plan appears to be overshadowing the benefit of making safety improvements for school age children. Especially considering that many communities practice the basic tenets of a Safe Route to School Plan (Engineering, Enforcement, Educations, Evaluation, and Encouragement) without calling it that. As an alternative, applicants should be able to demonstrate how their community’s practices are consistent with the principals of a successful Safe Routes to School Plan.

Robert Ellis, PE, PTOE
Public Works Director

City of Eden Prairie
8080 Mitchell Road, Eden Prairie, MN 55344
(952) 949-8310
rellis@edenprairie.org

From: [PublicInfo](#)
To: [Koutsoukos, Elaine](#)
Subject: FW: Draft Comments to the Regional Solicitation
Date: Wednesday, February 10, 2016 4:52:44 PM
Attachments: [image013.png](#)
[image015.png](#)

From: Dave Jacobson [mailto:djacobson@swtransit.org]
Sent: Wednesday, February 10, 2016 4:51 PM
To: PublicInfo <public.info@metc.state.mn.us>
Cc: Matt Fyten <mfyten@swtransit.org>; Len Simich <lsimich@swtransit.org>
Subject: Draft Comments to the Regional Solicitation

To whom it may concern:

Please accept these comments concerning the Draft Regional Solicitation.

Positive Modifications:

1. Page 16, #8: Providing the ability to appeal.

Modifications and Items of Concern:

1. Page 17, #14: TAB limiting funds for not more than one transit capital project in transitway corridor. This provision should be eliminated. Some transitways have more needs than others and this statement puts those needy corridors at a disadvantage. Projects should be evaluated on the merits of cost effectiveness, increase in ridership, safety benefits, improved access, air quality, etc.
2. Page 21, #2: The project must be consistent with the 2040 Transportation Plan. Disagree. Not all good projects conform with the 2040 TPP. For example, suburban areas have a tendency to grow and change their demographics faster than the central cities due to undeveloped land.
3. Page 25, Safe Routes to School projects only: "The applicant must have a Safe Routes to School plan established to be eligible for funding." This provision should be removed because it eliminates several communities with needed improvement projects from the solicitation.
4. Page 98, #1: Tying Thrive MSP2040 to the Regional Solicitation is a not a good idea. Despite Council approval of the plan, there are issues identified by the surrounding counties that still remain.
5. Page 99, Scoring Guidance for Measure A: The applicant with the highest combined total employment and post-secondary education enrollment will receive the full points for the measure. These criteria may be good on the surface but where are the majority of the highest combined total employment and post-secondary education enrollment? It is mostly in Minneapolis. Who is the transit provider in the central cities? Metro Transit. What are they an operating division of? The Metropolitan Council. Who is staffing the majority of the solicitation process? Once again, the Metropolitan Council. This could be considered a

conflict.

6. Page 99, Scoring Guidance for Measure B: It says, “The applicant with the route connections having the highest number of weekday trips will receive the full points.” That may work for the large regional provider but when about the smaller public provider that has one tenth of the bus fleet. In SouthWest Transit’s (SWT) opinion, that skews the scoring towards the large regional provider because they have the resources to add several trips. I would ask that another scoring guidance be developed. The criteria of most trips is used throughout the solicitation scoring guidance sections and should be reconsidered.
7. Page 115, #5C Measures: There are eight bullet points identified on improving amenities. Once again in concept this may be a good idea. However, there are currently small public transit providers that have gone out on a limb and have incorporated these identified measures already. This item seems too late for funding.
8. General transit related comments: there are several related plans that are referenced in this solicitation by both the Metropolitan Council and MN/DOT. For applicants of transit related projects, some of the qualifying criteria should include supporting plans in addition to a long range plan. Some excellent examples include an Emergency Preparedness Plan and/or an Asset Management Plan. In both cases it shows that the applicant is being proactive and attempting to ensure being good stewards of the federal tax payer’s dollar. The incorporation of these plans should be considered for this solicitation as well as solicitations into the future.

Thank you,



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Anoka County

BOARD OF COMMISSIONERS

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February 10, 2016

Mr. Adam Duininck, Chair
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101

Re: DRAFT 2016 Regional Solicitation

Dear Chair Duininck:

Thank you for the opportunity to provide comments on the draft 2016 regional solicitation for transportation projects. As you know, these applications are a critical component of Anoka County's capital improvement program. Overall, the revisions made in the 2016 solicitation represent an improvement from 2014. However, we are still very concerned with the use of Equity and Housing Performance criterion in the selection process in identifying good regional projects. In addition, we have concerns that projects to remove at-grade railroad crossings are not able to compete effectively for funding, as well as comments regarding the funding awarded to the category Bicycle and Pedestrian Facilities. Presented below are our specific concerns with these criteria.

Equity and Housing Performance

As written in the draft Regional Solicitation Guidelines, produced by the Metropolitan Council, the criterion of Equity and Housing Performance states, *"This criterion addresses the project's positive and negative impacts to low-income populations, people of color, children, people with disabilities, and the elderly. The criterion also evaluates a community's efforts to promote affordable housing."* Depending on the funding category, this criterion represents anywhere from 10 to 20 percent of the total score of a project. As such, performing poorly in this can mean the difference between a project scoring high enough to be selected for funding. In reviewing the measures for achieving this objective, it is evident that projects in Anoka County will be at a disadvantage due to the way the scores will be calculated. Provided below is more detail on how this criterion and its performance measures will negatively affect our projects.

Measure A – "Socio-Econ" Map

Measure A of the criterion Equity and Housing Performance considers whether the project is located in an area populated by lower income and/or people of color. For the category Roadways including Multimodal Elements, which represents the category type for most of Anoka County's project applications, there is a possibility of receiving 30 points.

While Anoka County does have poverty and a diverse racial makeup, we do not have any areas that can be categorized under Met Council's definition of being an Area of Concentrated Poverty with 50 percent or more of residents being people of color (ACP50). Despite having a sizable population of lower-income people, our project submittals will start each application with a score less than zero when compared to a similar project in an ACP50 area.

Aside from the methodology used for scoring this measure, it must be stated that the inclusion of this measure in the selection process distorts federal concern of *environmental justice*. In the planning of transportation projects that involve federal funds, we are required to evaluate the extent that minority populations are impacted by the project and are not adversely affected by the project. The inclusion of this measure implies more transportation projects should be implemented in areas that would likely be categorized as environmental justice areas. While certain projects, such as transit and non-motorized modes of transportation may actually be beneficial to these communities, we strongly disagree with the amount of emphasis this is being given to highway improvement projects.

Measure B – Affordable Housing Score

The second measure of Equity and Housing Performance, 'Measure B,' assigns project points based on the 2015 Housing Performance score (calculated by Met Council) for the city where the project is located. For the category Roadways including Multimodal Elements, there is a possibility of getting 70 points. In reviewing the 2015 Housing Performance scores of cities, it becomes evident that there is a wide variation in the scores received by communities, which do not consistently seem logical. For instance, it is difficult to find the validity of why Wayzata and Plymouth (home of the second highest median household income zip code in Minnesota) would register 95 and 97, respectively on the Housing Performance score when the city of Columbus receives a score of only 17 considering household income is much lower. This brings into question why such a wealthy area as Wayzata would have a vastly higher Affordable Housing score than a lower income area such as Columbus. It appears as though the methodology to determine Affordable Housing scores is not accurately reflecting the availability of affordable housing in a community.

Furthermore, the city of Columbus shares its zip code with the city of Forest Lake, yet Forest Lake's Housing Performance score is 80 points higher at 97. In the case of these two cities, they share a common transportation need as both are served by the operationally deficient interchange of I-35 at TH 97. However, because the interchange falls just within the city of Columbus, the Housing Performance score that would be used to determine 70 percent of the Equity and Housing Performance would only be 17. If the interchange was located just one quarter-mile to the east, Forest Lake's score of 97 would be used. Considering the difference between being selected for funding often comes down to less than 70 points, the issue of geography presents serious consequences.

Equity and Housing Summary

Anoka County is in the business of fighting poverty and promoting self-sufficiency. We are doing this by addressing many of the root causes. However, as stated in a February 6, 2016 Minneapolis Star Tribune article (<http://www.startribune.com/anoka-pushes-back-on-new-wave-of-homeless/367931571/>), homelessness is becoming decentralized and is no longer primarily associated with central cities. The article referenced the 2015 Met Council study that reported low-income people in the Metro suburbs now outnumber those in Minneapolis and St. Paul by a ratio of two-to-one. This will only become a bigger issue for suburban communities as this decentralization continues.

Trends such as decentralization are not accounted for in the Equity and Housing Performance criterion when selecting transportation projects. The regional solicitation is unfair and inconsistent with the larger issue of environmental justice. Furthermore, Equity is not a federal requirement for funding. Some projects, such as highway, may actually be detrimental to the ACP50 neighborhoods.

We know that a comprehensive set of conditions and supports need to be in place to fight poverty, but we feel that few of these have to do with transportation infrastructure in general and highways in particular. Given these concerns, we request that this criterion be eliminated from the scoring process.

Railroad Grade Separations

The North Dakota oil boom has brought to light an issue that Anoka County has known about for decades – that at-grade railroad crossing with Principal and A-Minor Arterial highways is a serious problem that needs to be corrected via the construction of grade separated crossings. In the 2014 solicitation, we submitted two such applications but were very disappointed in the way that these projects scored near the bottom of their respective categories. While the 2016 solicitation criteria were revised in an attempt to allow these types of projects to compete against other projects, we feel that this type of project – and the uniqueness of the problem trying to be corrected – deserves its own funding category. It is very apparent in Governor Dayton’s bonding proposal for the 2016 legislative session that this is a high priority and the metropolitan region should support this priority.

Bicycle and Pedestrian Facilities

We recognize that travel by bicycling and walking is a part of our transportation system. In fact, as noted in the 2040 Transportation Policy Plan (TPP), walking accounts for the second highest amount of trips representing 6.5 percent compared with transit (3%) and biking (2%). However, considering the limited financial resources available to the region through the solicitation, we feel that this category is funded at too high a level relative to the Roadways Including Multimodal Elements category. Furthermore, the Roadways Including Multimodal Elements category incorporates criteria that benefit those projects with a bicycle and pedestrian facility element. Recognizing this, we feel that the maximum amount of Federal funding awarded to projects in this category should be reduced relative to the category Roadways Including Multimodal Elements. For perspective, the maximum award for a single multiuse trail and bicycle project is \$5.5 million while a roadway project (generally more complex and expensive) is only \$7 million. We request that the maximum federal funding awarded to a multiuse trail and bicycle project is reduced to a more reasonable level. The result of this higher limit may cause a fewer number of projects to be funded at the expense of a single or fewer number of high cost projects. This is one of the reasons that the Technical Advisory Committee (TAC) forwarded a recommendation to TAB to lower the maximum grant allowed. We should recognize their expertise and advice on this matter.

Conclusion

The regional solicitation program is extremely important to Anoka County to help close the funding gap on our critical transportation projects. This is consistent with the intent of the federal transportation bill entitled Fixing America’s Surface Transportation Act, or “FAST Act.” As you are aware, this bill was a long time coming as it was the first law enacted in over ten years that provides long-term funding certainty for surface transportation. The intent of this bill is to make our transportation systems safer and to reduce congestion on roads and meet the increasing demands on our transportation system. Similarly, should not our regional solicitation to spend

these federal funds also reflect the critical components of safety, congestion relief, and betterment of infrastructure decay? To select projects based partially on whether an area meets a threshold for a concentrated area of poverty is not consistent with the intent of the FAST Act. Simply said, transportation dollars should be spent on transportation projects based on transportation criteria.

We hope that you find these comments constructive and make appropriate modifications to the selection process as necessary. If you have any questions on our comments, please feel free to contact me.

Sincerely,

Rhonda Sivarajah, Chair
Anoka County Board of Commissioners

RS:de

c: Lona Schreiber, Met Council District 2 Member & Transportation Committee Chair
Edward Reynoso, Met Council District 9 Member
Marie McCarthy, Met Council District 10 Member
Sandy Rummel, Met Council District 11 Member