

# Minutes of the REGULAR MEETING OF THE TAC FUNDING & PROGRAMMING COMMITTEE

Thursday, September 17, 2020

**Committee Members Present:** Paul Oehme (Chair, Lakeville), Jerry Auge (Anoka County), Angie Stenson (Carver County), Jason Pieper (Hennepin County), John Mazzitello (Ramsey County), Craig Jenson (Scott County), Emily Jorgensen (Washington County), Elaine Koutsoukos (TAB), Cole Hiniker/Steve Peterson (Metropolitan Council), Anna Flintoft (Metro Transit), Molly McCartney (MnDOT Metro District), Colleen Brown (MnDOT Metro District State Aid), Mackenzie Turner Bargaen (MnDOT Bike & Ped), Nancy Spooner-Mueller (DNR), Aaron Bartling (MVTA), Karl Keel (Bloomington), Ken Ashfeld (Maple Grove), Michael Thompson (Plymouth), Jenifer Hager (Minneapolis), Anne Weber (St. Paul)

**Committee Members Absent:** John Sass (Dakota County), Innocent Eyoh (MPCA), Robert Ellis (Eden Prairie), Jim Kosluchar (Fridley)

## I. CALL TO ORDER

A quorum being present, Chair Oehme called the regular meeting of the Funding & Programming Committee to order at 1:32 p.m. on Thursday, September 17, 2020. Due to the COVID-19 pandemic, the meeting was held via teleconference.

## II. APPROVAL OF AGENDA

Per Council legal guidance, the agenda was approved without a vote.

## III. APPROVAL OF MINUTES

MOTION: It was moved by Spooner-Mueller and seconded by Thompson to approve the minutes of the August 20, 2020, regular meeting of the Funding & Programming Committee. The motion was approved via roll-call vote with Hager abstaining due to not having attended the meeting.

## IV. TAB REPORT

Koutsoukos reported on the September 16, 2020, TAB meeting.

## V. BUSINESS

1. 2020-28: 2020 Regional Solicitation Scoring Appeals and Approval of Final Scores

Barbeau said that he and Oehme discussed having votes after appeals were addressed by each chair.

### **Application 14346: Carver County Highway 11 Intersection Improvement Project**

The applicant requested re-evaluation of Measure 3A: Benefits and Outreach to Disadvantaged Populations. The applicant cited nearby equity populations, project elements, and public meetings as rationales for scoring the application higher. The applicant also cited another application that scored 44 out of 50 points with an identical answer to the outreach portion of the measure. The scorer did not review scores completed by other scorers or in other funding categories. Therefore, the scorer suggests an overall two-point increase.

Keel asked whether the scorer reviewed how this measure with other applications they scored. Barbeau said the scorer did check to make sure they were consistent with themselves but did not compare their scores to those of other scorers. Keel suggested that efforts be made to assure consistency in the future.

MOTION: Hiniker moved to approve the scorer's suggested addition of two points for application 14346. Seconded by Keel. The motion was approved unanimously.

**Application 14347: Carver County Highway 5 Arboretum Area Mobility and Access Improvement**

The applicant requested re-evaluation of Measure 6B: Proactive Pedestrian Crash Reduction. The applicant examined each of the three sub-measures the scorer used (intersection improvements, along-network improvements, and across-network improvements) and suggested several elements that the scorer may have missed. The scoring of this application includes one point out of 10 in the intersection improvements sub-measure. Due to the existing pedestrian behavior patterns and alignment with the proposed improvements, the scorer suggests increasing this sub-measure to five points, an addition of four points.

**Application 14345: Carver County Highway 41 and CSAH 10 Mobility and Access Improvement**

The applicant requested re-evaluation of two measures:

- 3A: Benefits and Outreach to Disadvantaged Populations
- 6B: Proactive Pedestrian Crash Reduction

For Measure 3A, the applicant's challenge is based on the presence of a blank scoring box within the outreach scoring section of the scoresheet. Other applicants received zero, one, or two points and the applicant is checking to see whether one of those scores should have been included. The scorer reviewed the scoresheet and determined that two additional points should have been awarded. The scorer recommends changing the score from 59 to 61.

For measure 6B, the applicant examined each of the three sub-measures the scorer used (intersection improvements, along-network improvements, and across-network improvements) and suggested several elements that the soccer may have missed. The scoring of this application includes two points out of 10 in the improvements sub-measure. Due to the addition of a rectangular rapid flash beacon (RRFB) that the scorer missed in the initial review, the scorer suggests increasing this sub-measure to six points, an addition of four points.

**Application 14049: Carver County US 212 Freight Mobility and Safety Project from CSAH 51 to CSAH 36**

The applicant requested re-evaluation of Measure 6A: Crashes Reduced. Crash reduction scores are based on the HSIP cost/benefit worksheet. The applicant had calculated its cost/benefit at approximately \$136 million. The scorer changed it to approximately \$20 million, by reducing the "cost" of the fatal crashes in the benefit/cost (B/C) analysis. The highest-scoring project was about \$32.5 million. The applicant listed all its crash improvements and requested that the \$136 million be used. The scorer reported that because fatal crashes tend to be random events, the HSIP scoring criteria states that either two fatal crashes or one fatal crash plus two serious-injury crashes that are correctable by a countermeasure in the project must have occurred. The scorer does not believe that this threshold was met. When it is not met, the "randomness" of fatal crashes dictates that the cost used for fatal crashes should not be used in the B/C equation. This project had two fatal crashes near each other, but one was intersection related and the other was not. Therefore, they would not be corrected by the same countermeasure, rendering them both random events. The scorer recommends no change.

**Application 14015: Scott County TH 282, CSAH 9, TH 169 Grade Separation**

The applicant requested re-evaluation of two measures:

- 6B: Proactive Pedestrian Crash Reduction
- 8: Risk Assessment

In Measure 6B, the applicant felt that the score was not reflective of the project's benefits. The scorer reported that proposals that received full points in the intersection improvements sub-measure identified infrastructure improvements specific to people walking in locations that have documented crossing activity. This application was unclear in that area. Additionally, the benefit of a grade-separated crossing is negated by the multiple-threat crash potential introduced by a multi-lane roundabout. In the across network improvements sub-measure, projects receiving full points incorporated regular crossings at intervals. In the along network improvements sub-measure, projects received full points when infrastructure along the proposed facility created space for walking on both sides of the roadway and included connections to the existing local network. The scorer recommends no change. Jenson said that the scorer referenced items not included in the application. Members felt that the project was under-scored and discussed changing the applicant's recommendation of no points. The group settled on a six-point adjustment.

In Measure 8, the challenge is based on a suggestion from MnDOT personnel in April 2020, that staff approval is not a key element of a layout and that the layout provided should receive full points. The scorer, Council staff, and other applicants were not privy to this suggestion. The application language states what is needed to receive full points and this is how all applications were scored. The scorer recommends no change.

MOTION: Thompson moved to accept the scorers' suggestions of adding four points to 14347, six points to 14345, and zero points to 14049, along with adding six points to 14015. Seconded by Koutsoukos. The motion was approved unanimously.

#### **Application 14396: City of Anoka TH 47 Corridor Improvements**

The applicant suggests that the scorer may not have recognized some of the benefits and that its response compared favorably with other, higher-scoring, responses. The scorer reviewed the response and agreed that the "improves designated crossings" sub-measure was overlooked, specifically the addition of a signal at one crossing and a refuge median at another. For the signal the scorer suggests an increase of two points, even though the project is widening the crossing distance; presumably the signal enables safe crossing. For the refuge median, the scorer does not suggest adding points. Based on the volume of the road (19,000), speed limit (45), and lanes of traffic crossed prior to reaching the refuge (2), the FHWA STEP Guide indicates that a refuge median with no type of beacon is not an adequate enhancement to make crossings safer for pedestrians. The scorer suggests an overall increase of two points.

MOTION: Auge moved to approve the scorer's suggested addition of two points for application 14396. Seconded by Pieper. The motion was approved unanimously.

#### **Application 14340: Minnesota Valley Transit Authority Route 346 Expansion – Viking Lakes**

The applicant requested re-evaluation of three measures:

- 1A: Connection to jobs and educational institutions
- 3B: Housing Performance Score / Affordable Housing Connection
- 5: Multimodal Elements and Existing Conditions

For measure 1A, the applicant states that consideration should be given to new housing developments coming in and a recent increase in employment. The scoring measure is based on enrollment and employment data that are generated by the Regional Solicitation's mapping program and is based on the most recent Census estimates available at the time the application was released. The score was therefore correctly determined. Further, it would be impractical and inconsistent to award points for future development. The scorer recommends no change.

For Measure 3B: The applicant reiterated that the application mentioned several new developments, including a 261-unit multi-family development slated for completion in the fall of 2020. The application asks for a description and map of any affordable housing developments. No map was included. Nor was any detailed text included that would have enabled the scorer to verify. No points were awarded in other such instances from this scorer in other categories. The scorer recommends no change.

For Measure 5 The applicant cited sub-measures for which they were surprised to not receive higher scores. These include bike network (where the applicant thought bike racks should have led to points), pedestrian network, transit stop pedestrian connections, and safety. The scorer explained that the bike racks were awarded points in a different sub-measure and suggested no change.

### **Application 14171: Minnesota Valley Transit Authority Burnsville Bus Garage Modernization**

The applicant requested re-evaluation of three measures:

- 1A: Connection to Jobs and Educational Institutions
- 4: Description of Emissions Reduced
- 6: Multimodal Elements and Existing Conditions

Measure 1A awards the top-rated project in terms of total employment and school enrollment the full 50 points. The applicant notes that aside from the project awarded 50 points, the other projects are all awarded small scores (9, 8, 8, 4, 3, 2, 0, 0) and suggests that an outlier adjustment should have been completed. Starting with the 2018 Regional Solicitation, scoring committees can make an adjustment to a “proportionate” scoring category where an “outlier” creates one high-scoring project along with mostly very low-scoring projects. The history of adjusting for outliers is inconsistent. There is no threshold for when an outlier adjustment can or should be applied. Scoring committees assign them when they see fit to do so. How an outlier is adjusted for is not standardized. No appeals have ever been made related to outliers; therefore, the Funding & Programming Committee has no precedent as to whether it can assign an outlier adjustment and, if so, how to do so. An outlier adjustment was made for Measure 2 (total existing annual riders) but not for the measure in question. The scorer did not make a recommendation about this appeal. Staff suggests that it would be impractical to assign an adjustment at this stage and therefore suggests no change.

For Measure 4, the applicant suggested that the movement of buses into the garage in the winter will reduce emissions. The scorer considered emissions reduction in scoring the application. Additionally, while points were awarded for reduction, the scorer does not agree that this action will “eliminate” pollutants. The scorer recommends no change.

For Measure 6, the applicant noted the proposed project’s safety improvements. This application received some points for the safety improvements cited in the appeal. The measure is focused on safety and improvements for multi-modal transit users. Other applications scored in the other sub-measures because of their connectivity with other modes. Within safety, other applications scored more points because they included safety improvements that will more directly and significantly impact multi-modal transit users. The scorer recommends no change.

Keel suggested that guidance for outliers should be considered going into the next Regional Solicitation.

**MOTION:** Keel moved to approve the scorers’ suggestions to add no points for 14340 and 14171. Seconded by Ashfeld. The motion was approved unanimously.

### **Application 14026: City of Coon Rapids Coon Creek Regional Trail and Bridge over Coon Rapids Boulevard**

The applicant requested re-evaluation of three measures:

- 2: Potential Usage
- 3A: Benefits and Outreach to Disadvantaged Populations
- 7: Cost Effectiveness

For Measure 2, the applicant feels that consideration should be given to new developments slated to be completed soon as well as the project's proximity to a regional park. The population and employment data are generated by the Regional Solicitation's mapping program and are based on the most recent Census estimates available at the time the application was released. The score was therefore correctly determined. Further, it would be impractical and inconsistent to award population points for future development. The scorer recommends no change.

For Measure 3A, the applicant is asking for a revisit of the engagement component of the score, for which the application scored 21 out of 30 points, based on outreach held in low-income areas, as well as additional information provided in the outreach portion of the Risk Assessment. The applicant is also asking for a revisit of the benefits component of the score, for which the application scored 23 out of 40, as well as consideration for hardships based on the COVID-19 pandemic. The scorer provided the following notes:

- Equity scorers, as a group, decided to only review material within their specific measure. Additionally, the additional information the applicant included under Measure 6A, item 5 would not have changed the score, anyway.
  - The applicant points out that the project is in/near an area of concentrated poverty and Opportunity Zone. This would have been accounted for in the bonus point portion of scoring, had they reached that threshold.
  - The proposal would have scored higher if the benefits being claimed were linked more closely with the particular populations in the area.
  - The engagement and planning were well-handled despite the pandemic; this factor did not put the applicant at any disadvantage.
- The scorer recommends no change.

For Measure 7, the applicant suggests that the dollar amount used in the cost-effectiveness equation should be based on the federal request. Additionally, the applicant requested less federal funding than was permitted and feels that this should be reflected in the cost effectiveness score. The funding amount used for this scoring measure is the total project cost. There is no mechanism to recognize a reduced federal funding request. The scorer recommends no change.

### **Application 14062: City of Minnetonka Multimodal Elements and Connections**

The applicant requested re-evaluation of two measures:

- 3A: Benefits and Outreach to Disadvantaged Populations
- 5: Multimodal Elements and Connections

For Measure 3A, the applicant highlights the nearby Chabad Center for Jewish Life and suggests that the scorer may not have understood the impact of the project on that facility. The scorer reviewed the application and the letter provided by the applicant and recommends the following adjustments:

- Two additional points for engagement with equity communities.
- Five additional points for general benefits to equity populations. The point about presuming knowledge of the population is well-made and substantive. The scorer feels they should have seen that connection.

- Five additional points for specific benefits to equity populations. The scorer finds the related point about pedestrian needs of the population compelling. This brings the scorer's recommended total addition of points to 12.

For Measure 5, the applicant is asking for the scorer to revisit the score. The scorer recommends no change.

**Application 14097: City of Burnsville New Multiuse Trail on Nicollet Avenue from TH 13 to CSAH 32 (Cliff Rd)**

The applicant requests re-examination of Measure 5: Multimodal Elements and Connections. The applicant examined the five sub-measures from the rubric the scorer used and compared them to the highest-scoring project. The applicant suggested that three of those sub-measures (traveler experience, security, and connection) compared favorably to the other application and requested re-examination. The scorer reviewed each of the three sub-measures and stated that other applications met their objectives better.

- Security (received 5 out of 10 points): While the application does allow separation from vehicular traffic, points were reduced due to the crossing at Trunk Highway 13. At busy spots, a deduction was added for lack of comfort.
- Connections (15 out of 30): Only applications without existing facilities could receive the maximum of 30 pts. This project received 15 points because it serves a strong transportation connection (i.e., connections to transit, employment vs more recreational use). Projects without existing connections are creating more "new" connections.
- Traveler Experience (10 out of 20): Projects that received more points captured improved comfort for non-motorized users, such as pleasant or scenic routes and boulevards to increase separation between modes. The applicant could have further described comfort of crossings from the existing sidewalk on the west side to the new multiuse trail. The applicant only highlights the crossing at TH 13, which is not exceedingly comfortable for non-motorized users. There was also no identification of streetscaping elements that would improve the user experience, such as lighting, benches, and beautification elements, which would have improved their score.

Ryan Peterson from Burnsville said that the connection cited in the Connections sub-measure does not exist. Barbeau showed the scorer's response, which cited a sidewalk on the west side of the project. Ryan Peterson said that a sidewalk on the other side of Nicolet Avenue is not as good as a trail on the side of the road where the transit station will be located.

McCartney asked whether 15 points could be added if the Committee decided that there is no existing facility. Oehme said that the Committee could consider that. Committee members did not suggest a change.

**Application 14367: City of Woodbury Gold Line Station Trail and Pedestrian Connections**

The applicant requests re-examination of Measure 3A: Benefits and Outreach to Disadvantaged Populations. The applicant suggests that the scorer may not have recognized some of the needs for the connections that the project creates. The applicant also stated that another project connected with the Gold Line received more points in this category. That assertion is related to the outreach piece (30 of 70 points in the measure). The scorer recommends adding seven points for the following sub-criteria:

- Two points for "describing demographics/types of equity populations". The scoresheet left this blank due to an omission.
- Five points for "ability to identify, connect and describe benefits". The description of the connection to employment and other uses is more compelling than the scorer had originally realized.

**Application 14290: City of Arden Hills Mounds View High School Trail Project**

The applicant requests re-examination of Measure 4A: Gaps Closed/Barriers Removed and/or Continuity Between Jurisdictions Improved by the Project. The applicant challenges the 60 points in part 1 by reiterating points discussed in the project description (nearby school enrollment) along with some outreach conducted and that the trail's extension will help make a connection over Interstate 35W. The scorer for part 1 awarded 60 points and noted that the application would have been clearer had it shown maps. Additionally, the text addressed general connections. No points were awarded for part 2. The scorers recommend no change.

MOTION: Spooner-Mueller moved to accept the scorers' suggestions of adding 12 points to 14062 and seven points to 14367 along with no changes to 14026, 14097, and 14290. Seconded by Brown. The motion was approved unanimously.

**Application 14288: City of Chaska Highway 41 Pedestrian Improvements in Historic Downtown Chaska**

The applicant requested re-evaluation of two measures:

- 3A: Benefits and Outreach to Disadvantaged Populations
- 5: Multimodal Facilities and Existing Connections

For Measure 3A, the applicant is asking for a revisit of the engagement component of the score (for which the application scored 4.75/30) based on outreach held in low-income areas as well as additional information provided in the outreach portion of the Risk Assessment. The applicant cites its "Circle the Brick Trail" application in the Multi-use Trails and Bicycle Facilities category, which scored better despite being part of the same engagement process. The applicant is also asking for a revisit of the benefits component of the score (for which the application scored 15/40). The scorer reviewed the appeal and application and does not feel that anything was missed. The scorer for this category was a different person than the scorer for the Multiuse Trails and Bicycle Facilities category. While each scorer may have had different interpretations from each other, they are consistent within their own application category. For example, the scorer in the Pedestrian category awarded an average of 25.9 points while the Multiuse Trails and Bicycle Facilities scorer awarded an average of 34.5 points. To adjust this project's score based on another category would be unfair to the other projects in the Pedestrian category. The scorer recommends no change.

For Measure 5, The applicant suggests that the reviewer may not have understood various benefits included within the response. The scorer said that 60 of the 150 points possible were not attainable, as there is no transit. The scorer recommends no change.

**Application 14045: Minneapolis Green Central Safe Routes to School Improvements**

The applicant requested re-evaluation of three measures:

- 1B: Completion of Safe Routes to School Plan or Local Plan
- 4A: Barriers Overcome or Gaps Filled
- 4B: Deficiencies Corrected or Safety Problems Addressed

For Measure 1B, the applicant is asking for the full 100 points because it was recently awarded funding to create a Safe Routes to School (SRTS) plan. The lens being applied in awarding of the full 100 points was that a SRTS plan informed the project. The language states that 100 points is awarded if "the project is specifically named in an adopted Safe Routes to School plan," which is not the case. Therefore, the scorer recommends no change.

For Measure 4A, the applicant generally felt that a better score was warranted, due to the high-traffic roadways with which the proposed project interacts. The scorer said that this project is not

as far along in development as most of the other projects being applied for. While the barriers are cited, information on how they will be overcome is lacking. The scorer does not feel that anything was missed nor that any errors were made in the original review. Therefore, the scorer recommends no change.

For Measure 4B, the applicant generally felt that a better score was warranted, focusing particularly on the project's location near equity populations. The scorer said that this project is not as far along in development as most of the other projects. Points were difficult to award here because while potential treatments are under consideration, the application does not point to planned improvements as well as other applications. The scorer does not feel that anything was missed nor that any errors were made in the original review. Therefore, the scorer recommends no change.

Focusing on Measure 4B, Hager disputed the scorer's assertion that the application did not address how gaps and barriers would be addressed.

MOTION: McCartney moved to accept the scorers' suggestions of no change to applications 14288 and 14205. Seconded by Koutsoukos. The motion was approved unanimously.

### **Approval of Final Scores**

Koutsoukos said that two projects (14348, Washington County and 14208, Rogers) did not provide their letters and should be disqualified. Barbeau said these should not be included on the funding scenarios.

Koutsoukos moved to approve the final scores for all qualified projects, inclusive of the approved changes and any cost-effectiveness changes that result. Seconded by Spooner-Mueller.

Stenson asked whether either of the disqualified projects received the top score, which could lead to a change in other scores. Barbeau said that he had checked that, and none did. Jorgensen said that Washington County accepts the disqualification given its low score and the unwillingness of the city of Oak Park Heights to agree to the project.

The motion was approved unanimously.

## **VI. INFORMATION**

### 1. Highway Safety Improvement Program Draft Project Selection

Kaare Festvog from MnDOT shared the Highway Safety Improvement Program (HSIP) projects proposed for funding after the recent scoring process. A total of 51 projects were submitted, with 11 reactive and 15 proactive projects slated to be funded. Pieper asked how submittals to both HSIP and Regional Solicitation projects will be addressed. Peterson said that only one of the two awards can be accepted. He added that this will not be a concern because none of the HSIP applications will be funded in the Regional Solicitation. Jenson noted that several MnDOT-sponsored projects are included. Festvog replied that MnDOT received 21% of the pot in proactive projects and five percent in the reactive pot.

## **VII. OTHER BUSINESS**

Peterson said that a joint meeting with TAC is planned for October 7 to discuss the funding scenarios prior to TAB seeing them. Koutsoukos added that the October Funding & Programming Committee will still be held so the Committee can react to TAB's discussion.

## **VIII. ADJOURNMENT**

The meeting was adjourned via voice vote.

Joe Barbeau  
Recording Secretary