

TRANSPORTATION ADVISORY BOARD
Metropolitan Council
390 N. Robert St., St. Paul, Minnesota 55101-1805

Minutes of a Meeting of the
FUNDING AND PROGRAMMING COMMITTEE
August 15, 2013

MEMBERS PRESENT: Karl Keel (Chair), Craig Jenson, Joe Lux, Brian Isaacson, Colleen Van Wagner, Greta Alquist, Ann Pung-Terwedo, Mary Karlsson, Eriks Ludens, Richard McCoy, John Sass, Jenifer Hager, Steve Albrecht, Andrew Witter, Lyndon Robjent, and Heidi Schallberg (staff)

1. Call to Order

The meeting was called to order at 1:30 p.m.

2. Adoption of Agenda

The agenda was adopted as presented.

3. Approval of the Minutes from the July 18, 2013, Meeting

Minutes from the July meeting were approved with a correction to the Other Business discussion about project sponsors; the MnDOT references to OCPPM should be replaced with SALT.

4. TAB Report

Mary Karlsson said there was not a TAB report because the board had not yet met for August; the meeting is on August 21st.

5. Scope Change Requests

Eagan: TH 149 and TH 55 Projects

In the 2009 solicitation, the City of Eagan received \$2,529,600 in Surface Transportation Program funding for the TH 149 project. Through a previous scope change request in 2012, the federal funding amount was reduced to \$2,146,400. In the 2011 solicitation, the city received \$2,640,000 in Surface Transportation Program funding for the TH 55 project. Because the two projects are tied together and will be constructed under one contract, the scope changes are submitted together. The city presented about its request. The committee had questions about the proposed changes to the trail, which was affected by a federal determination, made after lengthy consultation with the city, that the original trail proposal did not meet the definition of a logical termini. The federal definition of logical termini only includes programmed or scheduled projects, not long-term unfunded plans. The bridge connection is not wide enough to meet standards for a shared-use path. The trail is in the city's plan, and Mendota Heights has been trying to find funding for its portion of the trail. For the TH 55 project, access would not be removed as originally proposed in a location with heavy industry.

MOTION: Joe Lux motioned to recommend the approval of the scope change. Ann Pung-Terwedo seconded. The motion carried with two votes against.

Minneapolis: Bridge No. 9 over the Mississippi River

In the 2009 solicitation, the City of Minneapolis received \$1,040,000 in Transportation Enhancements funding for this project. The city is requesting a scope change based on information from a more recent field evaluation of the bridge. Additional testing done in 2012 after funding was awarded found that emergency repairs were needed for two of the bridge piers, and that work was completed in 2012 and 2013. Additional work will need to be done for these two piers beyond these emergency repairs. The 2009 condition study report indicated that Pier 3 was the one in most need of repair. This scope change request

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would allow the work to focus on this pier, which is consistent with the intent of the application to “preserve the structural integrity of the bridge.” Based on the new information about the bridge condition, it would be difficult to re-evaluate the project application and recalculate scores in retrospect.

The committee was concerned about the five items in the original application being completed since they would not be completed with the federal funding with this scope change. The original intent of the project to preserve the structural integrity of the bridge would still be accomplished, but the change is requested in light of the additional extensive work found to be needed with additional testing. The committee discussed how historic bridges are different projects and can be difficult to predict costs for work. Some members were concerned about this opening the door for future requests, making the point that a road project that had a scope change request to remove elements important in the consideration of the application would likely have had its federal funding reduced. There were concerns about the city coming back to ask for federal funding in the future for some of the project elements that would not be done with federal funding in this project with the scope change. To address those concerns, the city committed to providing a letter as documentation that it commits to doing the bridge work originally outlined in the application without additional federal funding through TAB; the city may pursue federal funding for other work needed for the bridge in the future. This is consistent with the committee’s action for a previous scope change in Ramsey. The committee approved the scope change request with one vote against as long as the city provided its letter, which is attached.

MOTION: Joe Lux motioned to recommend the approval of the scope change contingent on the city providing a letter of commitment to complete the bridge work included in the original application without additional federal funding from TAB. J. Hager seconded. The motion carried with one vote against.

6. **2014-2017 TIP Amendments**

K. Keel said the two TIP amendments would address the previously-presented scope change requests.

MOTION: B. Isaacson motioned to recommend the approval of the Eagan TIP amendment. J. Lux seconded. The motion carried unanimously.

MOTION: Colleen Van Wagner motioned to recommend the approval of the Minneapolis TIP amendment. B. Isaacson seconded. The motion carried unanimously.

7. **CMAQ TDM Solicitation**

Katie White presented about the upcoming CMAQ TDM solicitation for \$1.2 million for 2014 funds. The purpose of this solicitation is to focus on new activities, not ongoing TMO functions. The committee discussed that the solicitation was open to applicants beyond just existing TMOs; other possible applicants could include organizations such as Nice Ride, HOURCAR, or the University of Minnesota. The selected projects will return through the committee structure for approval. The projects will not need to be amended into the TIP because the funds are already shown for TDM activities.

MOTION: B. Isaacson motioned to recommend the approval of the solicitation. M. Karlsson seconded. The motion carried unanimously.

8. **HSIP Solicitation Recommendations**

B. Isaacson said the recent HSIP solicitation resulted in 71 proactive projects being recommended for funding. Many of the projects are small. A typical solicitation would recommend 10-15 projects, so there are considerably more projects from this round. A contributing factor to the larger number of projects was that the new county safety plans recommended treatments in similar locations, so some applicants applied for each location separately, while others combined locations in applications. MAP-21 added funding to the program, so MnDOT was underprogrammed for HSIP before this solicitation. State Aid is working to combine the projects where possible to present a condensed recommendation and TIP amendment at a

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future committee meeting. Projects selected for 2014 will need to wait until January to move forward. The solicitation was delayed in the metro area in part due to waiting for the area county safety plans to be completed for use to identify projects for solicitation applications.

9. Eligible Project Sponsors Discussion

Ted Schoenecker from MnDOT State Aid reported an update on the eligible project sponsors discussion that was raised under Other Business at the July committee meeting. He explained the stewardship process with MnDOT State Aid and the Federal Highway Administration since State Aid receives federal funds for local agencies, who enter agreements with MnDOT. State Aid has had issues with sponsors that do not have State Aid accounts. The State Aid manual states that the district State Aid engineer has the ability to decide who can be a project sponsor. Considerations for being a State Aid sponsor include factors such as experience managing federal projects. The previous discussion about only allowing project sponsors with State Aid accounts has evolved, and they will not be the only ones allowed as project sponsors. The decision will be made by State Aid on a case by case basis, considering experience with delivering federal projects for non-State Aid sponsors. It remains a state decision in the end because TAB has given State Aid the authority to manage those funds, but some discussion will be needed before the next solicitation to decide who can apply for funding in the future to prevent situations where a non-State Aid applicant is recommended for funding and then determined by State Aid to need a project sponsor. The solicitation in the past has not provided guidance on who may be required to have a separate project sponsor.

10. Defederalizing Projects Discussion

Dan Erickson from MnDOT State Aid said they have been considering how to use defederalizing projects to help manage the local program. They would need input on how to decide which projects could be defederalized and which projects have the ability to accept additional federal funds. Additional discussion could also address what State Aid could do with reporting to address any perceived loss of control over projects that are defederalized. This process has been used more in the rest of the state, but a couple of bridge projects in the area have used this process. A committee of different stakeholders, such as cities and counties, could help address these questions about implementing such a program in the region.

MOTION: Lyndon Robjont motioned to ask the TAC Executive Committee to initiate work on this issue, possibly through forming a task force. B. Isaacson seconded. The motion carried unanimously.

11. Regional Solicitation Evaluation Update

H. Schallberg provided a brief update on the evaluation study status. Earlier this year the study included a review of the solicitation process and funding history; surveys and interviews with stakeholders about the process; and a May policy maker workshop. Technical memos have been produced to summarize this work to date, and they will be posted on the Council's web site in the near future for easier access. The study's schedule has been lengthened to allow for more time for discussion and TAB involvement; the target for TAB approval of the recommendations was previously October, but that has been pushed back to February. Staff will also be providing increased communication by providing regular updates at this committee, TAC, and TAB, in addition to posting core information about the project on the Council's web site.

12. Other Business

H. Schallberg said that staff is discussing possibilities for schedules for the next solicitation. Funding for 2017 is a concern in light of STP funding reduction in that year due to other projects that have slipped in schedule. Staff has also been participating in MnDOT discussions on how the Transportation Alternatives program will be handled.

13. Adjournment

With no other business, the meeting adjourned.