

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

Minutes of a Meeting of the
FUNDING AND PROGRAMMING COMMITTEE
June 16, 2016

MEMBERS PRESENT: Tim Mayasich (chair, Ramsey County), Colleen Brown (MnDOT Metro State Aid), Anna Flintoft (Metro Transit), Jenifer Hager (Minneapolis), Craig Jenson (Scott County), Jane Kansier (MVTA), Karl Keel (Bloomington), Jim Kosluchar (Fridley), Elaine Koutsoukos (TAB), Bruce Loney (Shakopee), Molly McCartney (MnDOT), Gina Mitteco (MnDOT Bike & Ped), Steve Peterson (Metropolitan Council), John Sass (Dakota County), Amanda Smith (MPCA) Carla Stueve (Hennepin County), Michael Thompson (Maplewood), Anne Weber (St. Paul), Andrew Witter (Anoka County), and Joe Barbeau (staff)

OTHERS PRESENT: Mike Albers (City of Brooklyn Center), and Carl Ohrn (MTS)

1. Call to Order

The meeting was called to order at 1:35 p.m.

2. Adoption of Agenda

MOTION: Keel moved to adopt the agenda. Seconded by Thompson. The motion was approved unanimously.

3. Approval of the Minutes from the May 19, 2016 Meeting

MOTION: Thompson moved to approve the minutes. Seconded by Koutsoukos. The motion was approved unanimously.

4. TAB Report – Information Item

Koutsoukos reported on the June 15, 2016, TAB meeting. TAB approved two action items: an administrated amendment to the 2016 Unified Planning Work Plan and the release of the Draft 2017-2020 Transportation Improvement Program (TIP) for public comment.

5. Brooklyn Center Safe Routes to School Scope Change – Action Item 2016-38

Barbeau said that the City of Brooklyn Center is requesting a scope change to its TAP-funded Evergreen School Area Trail and Sidewalk System project to remove curb-and-gutter. The City intends to install the curb-and-gutter through another project. The project would have scored two points lower had it been originally proposed reflective of the scope change request and therefore the scope change should be approved. The applicant said that the curb-and-gutter portion of the project was estimated at \$27,500. Staff adjusted for inflation and federal proportion and said the amount of federal funding to remove should be \$27,650.

Keel asked through what project the curb-and-gutter is going to be installed. Mike Albers from the City of Brooklyn Center replied that it will be installed as part of a street utility program.

MOTION: Thompson moved to recommend approval of the request with no federal funding reduction. Seconded by Loney. The motion was approved unanimously. Keel asked that the minutes reflect that the recommendation not to reduce federal funds was due to the small amount of funding at stake.

6. TIP Amendment; Brooklyn Center Scope Change Request – Action Item 2016-39

Barbeau said that the scope change recommended for approval in the previous item requires a TIP amendment. Because the scope change will be approved in mid-July, after TIP data is finalized, the TIP amendment will be for the 2017-2020 TIP and should be approved pending approval of the TIP in the fall.

MOTION: Keel moved to recommend approval of the TIP amendment. Seconded by Sass. The motion was approved unanimously.

7. FY 2017 Federal Funding Reallocation – Action Item 2016-36

Peterson said that a combination of factors, including increased funding from the FAST Act, project withdrawals, projects closing out under budget, and national redistributions left the region with a surplus of nearly \$33 million in regional funds. This includes roughly \$17.5 million for 2017 that must be programmed into the 2017-2020 TIP. He added that staff has determined approximate modal targets for the funding: 67% roadways, 22% Transit and TDM, and 11% bicycle and pedestrian.

Distribution of the surplus funds starts with two assumed first steps: providing the Minneapolis Bicycle Coalition TDM-funded project with \$134,000 to bring it to full funding after it was originally partially funded and advancing Metro Transit's Penn Avenue Bus purchase from 2018 to 2017. Following those actions, just under \$13 million is still available. At this point there are three funding options that staff has identified:

- Option 1: Fund unselected projects from past Regional Solicitations:
 - Dakota County's CSAH 28 Connector
 - Transit for Livable Communities' TDM project
 - Metro Transit's TDM project
 - Southwest Transit electric buses

A four percent inflation factor could be added to the Dakota County and Southwest Transit projects.

- Option 2: Fund unique projects. Four projects responded to a request to apply for 2017 funds. Staff met with Chair Mayasich and Colleen Brown to vet the proposals. The proposals are:
 - MPCA's technician training project. The federal request is lower than the minimums of all Solicitation categories.
 - Metropolitan Council's Travel Behavior Inventory
 - MPCA's diesel retrofit. The tow boat is not eligible. There are lingering questions about other parts of the application. A legal public-private partnership would need to be in place.
 - Hennepin County's bike corridor slope restoration. This project could apply in the Multiuse Trails and Bicycle Facilities category so staff feels it is not a unique project.

Keel asked how unique projects were solicited. Peterson replied that an email was sent to 4,000 to 5,000 contacts and the request was mentioned in Regional Solicitation notifications.

Thompson asked for clarification as to why Hennepin County is not eligible. Peterson replied that there is a system gap, so it can be treated as a normal bike project. Stueve said that this is a gray area and suggested that it is unique because it is a slope project and does not fit the criteria. Mayasich said that care must be taken to assure applicants do not invent unique projects by avoiding one scoring measure. Mitteco said that the cost/benefit of the project would be low given the cost of stabilization.

Mayasich said that care needs to be taken because unique projects take away from competitive process. Smith replied that in this case, however, there is extra money available.

- Option 3: Pro-rate remaining federal funds up to the federally allowed maximum. This is usually the last resort.

Brown cautioned that the list of projects shown in Option 3 is not likely exhaustive.

Stueve asked whether the programming would adhere to the modal target.

Brown asked whether Highway Safety Improvement Program (HSIP) projects could be included, to which Mayasich replied in the affirmative. Peterson cautioned that timing could make that difficult. Brown said

that there are 2018 HSIP projects that could be advanced constructed in 2017. Ohrn cautioned that HSIP projects have never been considered in this process because MnDOT administers that program.

Loney asked whether the TAB Federal Funds Management Process should be followed. Peterson replied that staff did follow it, but since 2017 is an out-year, there is an opportunity for discretion.

Keel said that a number of overlay projects were once bundled. Ohrn said that that was done with American Recovery and Reinvestment Act funds that needed to be spent in a short timeframe.

Keel said that he favors Option 3, does not like Option 2 and is comfortable with option 1. He suggested using Option 3, with a funding cap, as a starting point. Stueve said that she agrees, though modal targets should be adhered to. Koutsoukos pointed out that TAB tends to prefer adding projects as opposed to spreading money out among already-programmed projects. Peterson suggested starting with the projects they like first, as opposed to starting with Option 3, which is uncertain in amount. Koutsoukos said that TAB prefers funding more projects to providing money to already-programmed projects. Keel said unselected projects are analogous to new projects, to which Koutsoukos replied that funding unselected projects is in the Federal Funds Management Process.

Flintoft asked how the unfunded projects scored. Peterson replied that the Dakota County CSAH 28 project was the highest-scoring unfunded project in its category, the two TDM projects were further down the scoring list since most TDM projects were funded, and the SouthWest Transit project was ranked 11th out of 12 applications. That project scored 478 points, while the lowest-scoring funded project scored 739.

Stueve said that if a project can be given more money, it can add to the sponsor's CIP, effectively enabling more projects to be funded. Loney added that it is fairer to fund projects that have already been selected.

Thompson said that caution needs to be taken when funding unique projects because it could open a can of worms for the future. He added that he supports using Options 1 and 3.

Stueve said that she likes the Dakota County project because it scored reasonably well and it helps adhere to the modal split.

Smith said that diesel retrofits are frequently funded in other regions and are very cost-effective for particulate reduction. Koutsoukos said that TAB funded a diesel retrofit once, though it was for public vehicles.

Witter said that projects that have been through the selection process have typically been supported.

MOTION: Thompson moved to recommend funding of the Minneapolis Bicycle Coalition and Penn Avenue projects along with the projects in Options 1 and 3, considering incorporation of HSIP projects as well. Seconded by Kosluchar.

Keel said that he prefers not to include the SouthWest Transit project.

Smith said that unfunded projects from previous solicitations are essentially the same as unique projects. She added that the Travel Behavior Inventory and diesel retrofit are regionally beneficial. Thompson said that soliciting of unique projects bypassed committee members so there is uncertainty about those projects. Keel said that the process relies on predictability.

Kansier said that Option 3 should be equitable, regarding mode.

Jenson said that regional equity has yet to be discussed.

AMENDMENT: Keel moved to amend the motion to include only the Dakota County project from Option 1. Seconded by Loney. Mitteco requested a friendly amendment to adhere to modal targets in distributing funds to Option 3. This was agreed to by Keel and Loney. The amendment was approved with one dissenting vote and one abstention.

The amended motion was approved, with one dissenting vote.

8. Federal Funds Exchange Policy – Information Item

Barbeau said that at the last meeting a motion was approved to reconvene the project work group. However, local participation was not attainable. There had been feedback that the benefits have not been articulated to TAB, so some are added to the information. Staff has worked with the Metropolitan Council’s Office of Equal Opportunity (OEO) and determined that it cannot enforce any DBE-type requirements. It probably can provide some advisory information. OEO is going to provide some options in the near future.

Hager said that the benefits take a negative tone regarding what the applicants can “get out of.” Barbeau asked for assistance making that more positive.

Kansier said that the problem with using OEO even for an advisory role is that most applicants are bound to select the lowest qualified bidder.

Thompson suggested presenting the policy as-is to see whether it passes and addressing the DBE issue if TAB requests it.

The policy will come back to the Committee as an information item with amended “benefit” language and options from OEO.

9. Other Business

No other business.

10. Adjournment

The meeting was adjourned.