

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

Minutes of a Meeting of the
FUNDING AND PROGRAMMING COMMITTEE
March 17, 2016

MEMBERS PRESENT: Tim Mayasich (chair, Ramsey County), Lynne Bly (MnDOT Metro), Elisa Bottos (MnDOT Metro State Aid), Innocent Eyoh (MPCA), Anna Flintoft (Metro Transit), Jenifer Hager (Minneapolis), Craig Jenson (Scott County), Jane Kansier (MVTA), Karl Keel (Bloomington), Elaine Koutsoukos (TAB), Eriks Ludins (St. Paul), Paul Oehme (Chanhassen), Ryan Peterson (Burnsville), Steve Peterson (MTS), Ann Pung-Terwedo (Washington County), John Sass (Dakota County), Carla Stueve (Hennepin County), Andrew Witter (Anoka County), and Joe Barbeau (staff)

OTHERS PRESENT: Greg Hunt (City of St. Louis Park) and Meg McMonigal (City of St. Louis Park)

1. Call to Order

The meeting was called to order just after 1:30 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 February 18, 2016 Meeting

MOTION: Oehme moved to approve the minutes. Seconded by Steve Peterson. The motion was approved unanimously.

4. TAB Report – Information Item

Koutsoukos reported on the March 16 TAB meeting. TAB approved two action items:

- 2016-23: Accepted Regional Solicitation public comment report and changes recommended to two measures: the removal of the requirement for a Safe Routes to School Plan and a modified Housing Performance measure for interchange, intersection, and bridge projects within a mile radius of an adjacent community.
- 2016-24: Approved release of the 2016 Regional Solicitation with recommended changes.

5. Scope Change Request: City of St. Louis Park, Beltline Blvd LRT Station – Action Item

Barbeau said that the City of St. Louis Park received \$7,000,000, \$7,560,000 adjusted for inflation, for 2019 programming of a park-and-ride structure meant to serve the Southwest LRT (SWLRT) extension. The City seeks a scope change that would reduce the parking structure from four to two stories, reduce the number of spaces provided from 541 to 268, and reduce the CMAQ funding from \$7,560,000 to \$6,453,054. When scope changes are requested, staff estimates the score that the project would have achieved had it been originally proposed as now requested? In this case, the score was judged to have gone down by only seven points, due in large part to the fact that the applicant under-estimated the ridership generation when it originally applied.

Should the scope change be approved, the Committee may also consider whether to award the amount of federal funding requested in the update. Options include:

1. Provide the CMAQ award of \$6,453,054, as requested.
2. Maintain a 32.18% match, which would result in a CMAQ award of \$5,470,610.
3. Reduce federal funding based on the proportional reduction in park-and-ride spaces. This would reduce the CMAQ award to \$3,745,065.

Meg McMonigal provided background on the SWLRT extension and its orientation in St. Louis Park. The scope change request is a result of the SWLRT project reducing its overall park-and-ride construction by 1,317 spaces. The original plan was for a surface lot in this location but the City would prefer something more conducive to transit-oriented development (TOD). The revised project scope reduced the lot from 541 to 268 spaces, leading to the request to reduce the structure from two to four levels. The structure will be constructed with the ability to accommodate two more levels in the future. The request reflects the following:

- Reducing the transit spaces from 541 in four levels to 268 in two levels
- New score is comparable to original application
- Refined cost estimates are higher
- Some costs are the same in a two- or four-level ramp. This includes site preparation, footings, columns, and elevator.
- The City match is similar to original request; the City cannot build a ramp on its own under original proposal but could under this proposal

Thompson asked about the history of the Hopkins SWLRT park-and-ride project. Barbeau replied that TAB changed the Committee's recommendation regarding federal funding share.

Thompson asked how the development parking is separated from the transit parking. Hunt replied that spaces are designated based on use and that the City has experience doing this.

Mayasich asked whether the 268 spaces are for transit use only. McMonigal replied that this is the case.

Steve Peterson asked whether the City would prefer four levels if funding was available. McMonigal replied that she's not certain the City would want 541 spaces that close to Minneapolis. She added that the City is at 268 spaces because that is what the SWLRT project now calls for.

Keel said that the scope change seems like a reasonable request and added that the cost estimate at the time of application is the applicant's responsibility and he'd therefore support the scope change for half of the federal amount, as shown in option 3. McMonigal replied that the cost is more than half of the amount, given that the ramp is being built. Keel said that he would be amenable to using that as a basis for the funding decision if there was a cost breakdown.

Pung-Terwedo said that she likes the concept of enhancement at the site and supports the City's application.

Flintoft asked whether land for TOD has been reduced since the original application. McMonigal said that there had been three sites and there are now two: one for which the City would like half parking and half development and another City site that could be developed. Flintoft asked whether the footprint has changed. Hunt said that the parking footprint is smaller with the structure, but that the scope change proposal has the same footprint as the original proposal.

Stueve asked whether spaces from the original plan were being moved to the Louisiana Avenue station. McMonigal said that that is the case.

Steve Peterson asked whether the City contribution would be the same for the updated project. McMonigal replied that it would be very close to the same.

Koutsoukos asked whether the commitment from the County and cities to make up the gap, including \$2million from St. Louis Park is going anywhere. McMonigal replied that it is not.

Keel said that the park-and-ride lot is the project and that the discussion, therefore, should be about the park-and-ride lot, as opposed to the development.

Steve Peterson asked whether the only way the financing works is if all the funding requested is awarded. McMonigal replied that the City is unsure how it would fill the gap of lost match. She added that option 3 would create a difficulty.

MOTION 1: Keel moved to recommend approval of the scope change with CMAQ funding option 3. The motion was not seconded.

Jenson asked whether option 2 carried a similar rate of match. Barbeau said that that is the case, though the he was unable to account for the City's adjustment of cost cost due to inflation and other factors. Jenson replied that there may not be enough information to determine a fair CMAQ amount. Keel said that he'd support the approach of using the proportionate match if the applicant could prepare an estimate.

Sass pointed out that the Scope Change Policy says that amended projects should have the same benefits as the original applications, which this does not, rendering it unfair that big roadway projects cannot get the same amount of funding.

Flintoft said that without the project, the number of stalls is the same, so the benefit is really in the land freed for development, rendering the number of stalls less important.

MOTION 2: Oehme moved to approve the scope change request with a CMAQ contribution reduced to \$5,470,610. Seconded by Thompson.

Keel said that the decision on federal funding is precedent-setting and care should be taken that clean logic is used to arrive at it. Thompson said that if the benefit is the TOD, then a \$5 million CMAQ award is about right.

Motion 2 was passed with two votes against.

6. 2017-2020 TIP Schedule – Action Item

Barbeau presented the draft schedule for approving the 2017-2020 TIP.

MOTION: Kansier moved to recommend approval of the schedule. Seconded by Bly. The motion was approved unanimously.

7. Defederalization – Information Item

Barbeau said that TAC decided to send the policy and process to defederalize projects back to Funding & Programming after TAB had questions about disadvantaged business enterprise (DBE) and environmental review requirements. Any defederalized project would lose all federal DBE requirements. Some local units of government have programs that address similar goals while others do not. A TAB member asked whether DBE requirements can be retained even if other requirements are not. MnDOT has said it prefers not to take that approach.

Determining what is actually lost with the loss of environmental review is difficult. Loss of federal oversight does not necessarily mean a loss of all requirements. Some stakeholders have provided feedback indicating some local initiatives as well as their takes on the amount of effort that would be saved by defederalization.

Bottos clarified that the MnDOT Office of Civil Rights will not set DBE goals for non-federal projects. She added that equal employment opportunity is still required on all State Aid projects and most projects will still have State Aid funding. The list provided by MnDOT shows the difference between State Aid and federal review requirements, but some requirements still may persist.

Pung-Terwedo said that some projects need environmental assessment worksheets (EAWs) and that Washington County completes them to help respond to the public.

Keel asked whether the transfer of federal funds from one project to another leads to a simple shifting, rather than a loss, of DBE requirements. Bottos replied that a DBE goal for a federally funded project does not change, as it is based on the total project cost. The DBE goal for the defederalized policy would be lost, leading to a loss in overall DBE.

Keel said that projects would have to follow Minnesota Environmental Quality Board (EQB) regulations instead of NEPA so the result is similar.

Kansier said that the Metropolitan Council already swaps providers' NTD funds in order to avoid federal requirements.

Eyoh said that it is important to find out what State Aid projects need to do compared to federally funded projects, particularly in regard to environmental justice, which is a growing issue. He added that water quality is not on the attached checklist of requirements.

Bly asked whether eliminating noise requirements could adversely impact anyone. Keel replied that there are statewide standards that still must be followed.

It was suggested that the original defederalization committee be convened before the next meeting.

8. Other Business

No other business.

9. Adjournment

The meeting was adjourned.