

**ANCHORAGE METROPOLITAN AREA TRANSPORTATION SOLUTIONS
TECHNICAL ADVISORY COMMITTEE MEETING**

**Planning & Development Center
Main Conference Room, 1st Floor
4700 Elmore Road
Anchorage, Alaska**

**July 12, 2012
2:30 p.m.**

Technical Advisory Committee members present:

Name	Representing
Jennifer Witt	Alaska Dept. of Transportation & Public Facilities (DOT&PF), Central Region, Planning
Ken Morton	DOT&PF, Central Region
Steve Morris	MOA/Dept. of Health & Human Services
Stephen Ribuffo	MOA/Port of Anchorage
Stephanie Mormilo	MOA/Traffic Division
Jerry Hansen	MOA/Project Management & Engineering (PM&E)
Lance Wilber	MOA/Public Transportation Department (MOA/PTD)
Lois Epstein	AMATS Air Quality Advisory Committee

Also in attendance

Name	Representing
Craig Lyon	MOA/Community Development/Transportation Planning (MOA/CDD)
Vivian Underwood	MOA/CDD
Jamie Acton	MOA/PTD
Bart Rudolph	DOT&PF
Kris Riesenber	Federal Highway Administration, Juneau (via phone)
Karin Landsberg	Alaska Dept. of Environmental Conservation

1. CALL TO ORDER

CHAIR MORMILO called the meeting to order at 2:32 p.m., and a quorum was established. Stephen Ribuffo and Lois Epstein arrived at 2:58 p.m. Cindy Heil, Jerry Weaver and Bruce Carr were absent.

2. PUBLIC INVOLVEMENT ANNOUNCEMENT

MR. LYON encouraged public involvement in this meeting of the AMATS Technical Advisory Committee. He explained staff would first make their presentation, followed by any comments from Committee members, and the floor would then be open to public comment.

3. APPROVAL OF AGENDA

MR. MORRIS moved to approve the agenda. MS. WITT seconded. *Hearing no objections, the agenda was approved unanimously.*

4. APPROVAL OF MEETING MINUTES - None

5. BUSINESS ITEMS

a. Title VI Non-Discrimination Implementation Plan

MS. UNDERWOOD presented the report on the proposed Title VI Non-Discrimination Implementation Plan. Staff is asking the TAC to review the *TAC Draft AMATS Title VI Non-Discrimination Plan* and to forward their recommendation for approval to the AMATS Policy Committee, with any recommended changes. Below is a summary of the background and need for plan as outlined in the Staff memorandum.

Federal transportation planning regulations require Metropolitan Planning Organizations (MPO's) such as AMATS to certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements of Title VI of the Civil Rights Act of 1964 as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21. Title VI prohibits discrimination on the ground of race, color, or national origin under any program or activity receiving federal financial assistance. Under 23 CFR Part 200, the FHWA Title VI Program includes provisions of other non-discrimination federal statutes to the extent that they prohibit discrimination on ground of race, color, sex (gender) or national origin. Various Executive Orders placed further emphasis upon the Title VI protections of race and national origin, adding low-income populations to the list of protected groups, and clarifying that minority and limited-English proficient ("LEP") populations are included under national origin. 49 CFR Part 21 requires applicants, such as AMATS, to provide assurances that transportation programs will be conducted, or a facility operated, in compliance with all requirements imposed by or pursuant to Part 21. Included are requirements for compliance and procedures for effecting compliance, including withholding of funds for non-compliance.

DOT&PF Civil Rights Office (CRO) conducted a Title VI review of the AMATS process. The CRO report dated September, 2011, documented findings and the following:

Recommendation #3: To identify Title VI self-monitoring efforts. Work with DOT&PF Title VI team to develop an appropriate Work Plan, LEP [Limited English Proficient] Plan, and complaint process.

Remedial Action Plan: AMATS will develop a Title VI complaint process. AMATS will work with the Title VI team from DOT&PF to make sure their complaint process complies with Title VI mandates and is compatible with the complaint process from DOT&PF CRO [Civil Rights Office].

The *TAC Draft AMATS Title VI Non-Discrimination Implementation Plan* was prepared to satisfy both the FHWA Corrective Action and the DOT&PF CRO recommendations and remedial action plan. This document was prepared in coordination with DOT&PF Civil Rights Office and Planning staff and incorporates their edits and comments, as well as comments by the Municipality of Anchorage (MOA) Office of Equal Opportunity. The MOA Department of Law reviewed the document for compliance and found that it “appears to substantially fulfill all of the FHWA requirements.”

UPWP funding for this task was not available until 2012. FHWA deadline was June 1, 2012; however, FHWA acknowledged that staff efforts to develop a substantial draft by the deadline constitutes a good faith effort, and complies with the Corrective Action’s intent. Per FHWA and DOT&PF, this document does not require a 30-day public review period.

Discussion by the TAC on the proposed plan followed Ms. Underwood’s report, and included:

- If complaints are received, AMATS cannot investigate itself, and the complaint would go to DOT&PF to adjudicate.
- Mr. Lyon will be the AMATS Title VI Coordinator.
- How the Environmental Justice evaluation of TIP and MTP projects is conducted.
- MOA Public Transportation has a Title VI Plan; there were concerns regarding consistency between their plan and the AMATS plan, and the need for more time to review this.
- If more time is needed to review the Plan that is acceptable to FHWA.
- What is currently being done under Title VI requirements and what needs to be done.
- Cost impacts in relation to staff resources and time to implement the plan and follow the procedures.

There were no comments from the public.

MR. WILBER moved to postpone action on this item and take it up at next TAC meeting for recommendation to the Policy Committee. MS. WITT seconded.

MR. WILBER explained he would like to make sure there is consistency between what AMATS is proposing and what the Public Transportation Department already has in place. He agreed with Ms. Underwood that due to the efforts of Anne Brooks and Gary Katsion, as contractors for the MTP, that when the MTP was developed they did a lot more of the EJ and Title VI efforts. He thinks what they did was recognized and illustrated when AMATS adopted the MTP. He

concurred with Ms. Underwood that AMATS is not doing anything wrong, but has just not been documenting what is being done.

Hearing no objections, the motion to postpone was approved.

MR. WILBER indicated he would provide comments to Ms. Underwood. MS. WITT noted the organizational chart might need to be updated with names.

b. 3rd Quarter Obligation Report

MR. RUDOLPH provided the AMATS FFY12 Third Quarter Project Obligation Report. This report lists all the projects in the TIP. It shows project dollar amounts according to the last TIP amount, any monies that have been obligated or deobligated so far, any changes approved by the TAC or the Policy Committee, and any additional monies anticipated to be left to obligate. The total amount obligated or deobligated when added to the anticipated obligations should be equal or close to the total amount in the amended TIP.

Highlights included:

- Project #53943, Eagle River Road Rehab. This is the big project for this year and it is planned to advance construct (AC) an additional \$18 million from next year into this year. If there are any projects not expected to obligate, or if the full obligation runs short, the money from those projects will be put towards this project, and then AC less from next year.
- Project #53935/53804, O'Malley Road Reconstruction. This project will probably slip to next year, but it will be left on until the next Obligation Report. If it does not go forward this year, the monies will be added to the Eagle River Road project.
- Project #53801/53481, Pavement Replacement Program. This is Dimond Boulevard and is still planned to be obligated this year at \$12.3 million.
- Project #50898/51030, Dowling Road Extension West/Reconstruction (Minnesota Drive to Old Seward Highway). Some money for this project was deobligated, but now a little more money is being added back in to fund utility relocations.
- Project #53942, Abbot Road Rehabilitation (Lake Otis-Birch). Plan is to still obligate \$2.5 million this year for that project.
- Driftwood Bay Drive Study & Freight Mobility Study. These projects will probably slip to next year. He indicated DOT&PF is working on getting a local match from the Municipality.

- Regional Household Travel Study. Anticipated to obligate the money this year, put the RFP out in the fall, and conduct the survey next spring.
- Completed Projects. Deobligations from projects that were closed out over the past year are also shown. Deobligations from closed out projects will go towards construction overruns or additional projects.
- Project #55066, Chester Creek Trail Connection. An additional \$420,000 is anticipated for mitigation costs.
- CMAQ (Congestion Mitigation & Air Quality). Projects are on schedule to obligate. Completed projects reflect deobligation monies.
- Summary. \$36.3 million total in the TIP. \$4.4 million has been obligated with an anticipated obligation of an additional \$29.9 million for a total of \$34.3 million, which is \$2 million under budget. If this remains under budget, the monies will go towards the Eagle River Road project resulting in less money to AC from next year's program.

MS. WITT discussed concerns expressed at the Policy Committee by Mr. Flynn about the amount of AC's. She discussed the flexibility to AC money from next year into this year for projects noting there is less risk of losing the money because there are so many unknowns.

MS. WITT explained the TIP expires in 2013, and the Policy Committee asked Staff to look at adding FY14 and 15 to ensure there are enough projects in the making and to look at different scenarios based on the new authorization.

Mr. Ribuffo and Ms. Epstein arrived @ 2:58 p.m.

MR. WILBER discussed the possibility to AC CMAQ funds for bus purchases in order to take advantage of better prices that are available. He noted buses are purchased every two years.

There were no public comments.

MR. RUDOLPH stated no action was required by the TAC on the Third Quarter Obligation Report.

c. **Other Business Items - None**

6. INFORMATION ITEMS

a. SOA Legislative Appropriations Report

MR. RUDOLPH provided the State of Alaska Legislative Appropriations Report in accordance with the AMATS Public Participation Plan. He reviewed the list of capital budget items for DOT&PF projects in the Anchorage area, which included general funds, supplemental funds, General Obligation (GO) bonds and reappropriations. If this appropriation passes, DOT&PF will receive \$41 million for general funds and \$101 million in GO Bonds for Anchorage area projects.

AMATS discussed MAP21 (Moving Ahead for Progress in the 21st Century), the recently signed federal transportation two-year authorization bill through 2014. It looks like AMATS as an MPO will likely be kept whole on funding, and there could be impacts to FMATS. DOT&PF Headquarters is still reviewing the numbers and assessing the impact and levels of flexibility.

MR. REISENBERG discussed MAP21 and the emphasis on performance management. He noted there is a requirement in MAP21 for Federal Highways or U.S. DOT to come out with national performance measures, and then the State and MPO's can work towards targets to make those performance measures, but this is in development. He indicated FHWA will also be coming out with guidance for any of the change areas and will work with AMATS as they move forward on any of the changes.

MS. WITT discussed the new emphasis areas in MAP21 to be considered as AMATS staff takes a fresh look at the selection criteria for the TIP to possibly align them with some of the funding availability categories or emphasis areas. She indicated one of the major efforts would be amending the existing TIP to show 2014 and 2015, and a new TIP will be required within a year.

MS. WITT noted DOT&PF has some good links to ASHTO, AMPO and FTA. She will forward those to Mr. Lyon to send out to the TAC. She indicated there were no Alaska specific handouts related to MAP21 available yet from DOT. Mr. Lyon was asked to add the links to the AMATS website as well.

MS. EPSTEIN discussed the TIFIA expansion noting it was not anywhere near what KABATA expected.

b. Other Informational Items

MR. LYON reported that AMATS received a letter from the U.S. Department of Transportation approving the air quality conformity determination for the 2035 MTP.

7. SCHEDULED AMATS MEETINGS

Policy Committee, July 26, 2012

Technical Advisory Committee, August 9, 2012

Policy Committee, August 23, 2012

Technical Advisory Committee, September 13, 2012

8. ADJOURNMENT

The meeting adjourned at 3:13 p.m.