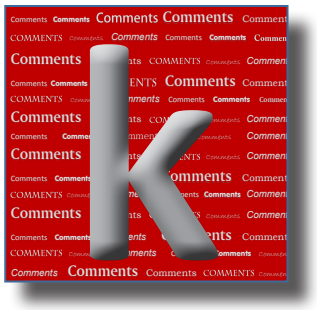

Comments

MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, April 15, 2020, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Tom Beckius, Dick Campbell, Tracy Corr, Tracy Edgerton, Cindy Ryman Yost and Cristy Joy; Shams Al-Badry, Deane Finnegan and Dennis Scheer absent; David Cary, Steve Henrichsen, Paul Barnes, Allan Zafft (via broadcast and by phone), Geri Rorabaugh and Rhonda Haas (via broadcast) of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission Hearing

Chair Corr called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Chair Corr requested a motion approving the minutes for the regular meeting held April 1, 2020.

Motion for approval of the minutes made by Campbell, seconded by Beckius and carried 6-0: Campbell, Edgerton, Joy, Ryman Yost, Beckius and Corr voting 'yes'; Al-Badry, Finnegan and Scheer absent.

MISCELLANEOUS 20001
LINCOLN MPO PROPOSAL: REVIEW OF THE DRAFT FY2021 TO FY2024 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR CONFORMANCE WITH THE CURRENT LINCOLN METROPOLITAN PLANNING ORGANIZATION (MPO) LONG RANGE TRANSPORTATION PLAN PUBLIC HEARING:
April 15, 2020

Members present: Campbell, Edgerton, Joy, Ryman Yost, Beckius and Corr; Al-Badry, Finnegan and Scheer absent.

Staff Recommendation: Miscellaneous 20001
In Conformance with the Long Range Transportation Plan

There were no ex parte communications disclosed.

Staff Presentation: Paul Barnes, Planning Department, came forward and stated this is for the Lincoln MPO Fiscal Year 2021 to 2024 Transportation Improvement Program (TIP) and was discussed at the April 1, 2020, briefing. The TIP is a 4-year program of projects completed annually and brought forward to the Planning Commission. All projects in the TIP must be listed specifically or generally in the Long Range Transportation Plan (LRTP). This document obligates dollars to these projects based on specific project types, i.e., FTA are Federal Transit Administration funds and are solely for transit projects. The Technical Review Committee reviews the proposed projects to be included in the TIP. Agencies in the TIP include: the Nebraska Department of Transportation, Lancaster County, City of Lincoln, Lincoln Transportation and Utilities (LTU), StarTran, Railroad Transportation Safety District (RTSD), Parks & Recreation and others. Comments made at today's meeting will be attached to the TIP and forwarded to the State. This then goes on to Technical Committee and then the Officials Committee. This TIP will be included in the State TIP, with public review.

Campbell stated the TIP refers to the 14th and Warlick Project as still in process. Barnes said the language is on hold; it is a regionally significant project and it must be included in the TIP.

Proponents:

There was no testimony in approval.

Opponents:

1. **Pam Dingman, Lancaster County Engineer**, came forward and communicated concerns with the funding set aside for the MPO and lack of funding for county-related projects.. The Project Selection Committee met three times this year and the projects put forth were described as system maintenance and system optimization. Lancaster County had asked for additional funding for future years for the 98th Street from Old Cheney to A Street and A Street to O Street, Fletcher Avenue from 84th Street to 148th Street, and funding to start the design of the Arbor Road Bridge--she expressed concern about the roundabout to be put in at the intersection by the bridge and inquired as to why the bridge was not included. The bridge does not meet the standards and will need to be larger in the future. The Fletcher Avenue Project needs to be included because Waverly has requested a truck route several times. Dingman stated that Lancaster County only has a single vote in the project selection for funding, and further indicated that for the past 18 years, there has been a problem with the way projects have been selected. Last year was the first year Lancaster County received funding. She is disappointed this year that the County projects were

> not even named. During the meeting on February 14, 2020, when asking why her projects were not named, she was told she should not even be there. She questioned how Lancaster County is losing to unnamed projects. This funding has been available for the past 20 years, but not for Lancaster County. These funds should be intended for the area along the development fringe, which would benefit both the City and County. This system is broken for Lancaster County, as the list of projects presented are for the city.

Campbell asked if the County Board Chair and Vice Chair were both on the MPO. Dingman stated that are both on the Officials Committee. Campbell stated then they do have more than one voice to vote. Dingman clarified that her concern relates to the voice and vote on the Project Selection Committee.

Beckius asked if Ms. Dingman if she felt that the comment made at selection committee meeting questioning her attendance was because of her gender. Dingman said she feels it is a distinct possibility, because she was dismissed at the meeting.

Corr asked if she has suggestions on how Lancaster County could be represented better in this process. Dingman said there should be some funding distribution goal for Lancaster County.

Campbell asked if it would be realistic for the county to get 10 percent, based on the city/county population density of 90 percent city, 10 percent county. Dingman said if we focus on the development fringes, it would benefit both, and, therefore, does not seem very equitable. Campbell asked if Fletcher were added back in, would d there be a reduction of funds to other projects, and, if so, how it would be determined. Dingman said that was a question for the City staff. Dingman indicated that the cost of the Fletcher project is $184,400 for engineering, and Arbor Road Bridge is $118,000.

Joy asked if the County had a project list and how their process worked. Dingman shared they are asked to provide projects to the committee with estimates.

Corr thanked Ms. Dingman for coming forward knowing it was tough to bring her concerns forward. The Planning Commission does represent the City and the County and, therefore, Ms. Dingman should be at the meetings. Dingman stated that she believes Lancaster County should have a voice and a percentage of the funding.

Staff Questions:

Campbell asked if they were to add $250,000 for these two projects back to into the MPO, would this be the process to recommend amending the MPO. Cary stated the budgeting of funds would not necessarily be this Commission's action and explained that the process to do this has already happened by the Project Selection Committee, which included the County representative. In order to make changes to the process, it would need to be with the LRTP and the Planning Department. The Planning Department would be open to make changes to the process, stating that he understands the concerns of the County Engineer.

Campbell asked if they are only considering what is before them in terms of conformance to the Comprehensive Plan. Cary said yes. Campbell asked if the Comp Plan revision would be where those projects could be added. Cary said correct.

Edgerton asked if there were questions on the process, who would be involved. Cary stated this could be discussed at the MPO level, which is both the Technical Committee and the Officials Committee.

Corr asked how many people are on the MPO Committee. Cary said the Technical Committee has 20 members-- 2are county representatives. Planning staff represent both city and county. Corr asked how many from Planning are on this committee. Cary said three.

Beckius stated in the future it might be helpful if under the funding summary tab it would show a breakdown of local dollars used for each city and county project. Barnes stated that would be easy to get in a chart or graph form. Beckius asked how to figure out if the funding used is controlled locally. Barnes stated the numbers they receive from the State in the TIP are the numbers that they can control. Beckius asked if the State dollars listed were attached to certain projects. Barnes stated they could be depending on the funding source and the grant type. Beckius stated that he is trying to focus on dollars that they control and not dollars that have strings attached. Cary stated the Surface Transportation Program dollars and Federal funding comes through the State to the MPO's; once allocated at the local MPO level, the decision-making controls the use of those funds.

Beckius stated that if any Planning, LTU or anyone else has a problem working with the County Engineer or anyone else because of their gender, it is a problem. If any employee sees this, they should feel empowered to call it out and put a stop to it immediately. Cary stated that he agrees with Commissioner Beckius.

Corr stated the County Engineer mentioned that the projects listed by the city were in a general term, and she asked if they could be listed more specifically. Cary stated, the way this was handled has been deemed appropriate on how items are represented in the TIP. It can be by project specific or by a program. Barnes stated it is called a group of projects, and it is a process and agreement that the MPO has with LTU and the city. The specific projects are listed in the

appendix. Corr asked if the list was provided during the meetings. Barnes stated it was provided later as part of the discussion with the subcommittee. Corr stated that it would be helpful to have the list in one of the meetings because there might be some cost- sharing projects. Barnes said at the last meeting they went over the drafted list.

Campbell moved to close the public hearing on this item, seconded by Edgerton and carried 6-0: Campbell, Edgerton, Joy, Ryman Yost, Beckius and Corr voting 'yes'; Al-Badry, Finnegan and Scheer absent.

MISCELLANEOUS 20001
ACTION BY PLANNING COMMISSION: **April 15, 2020**

Campbell moved to find the proposed program to be in conformance with the Long Range Transportation Plan, seconded by Edgerton.

Campbell stated he would like to make a recommendation to the MPO Committee to look at adding the two projects discussed earlier back into the program, because if not taken care of now, they will become a city issue. Adding them back to the MPO, we would be ahead of the game and up to speed on what should be moving forward.

Joy agreed with Commissioner Campbell's statement. She shared they need to deal with what is coming up and should work together because they represent everyone.

Beckius stated the projects are in conformance with the Comprehensive Plan. He shared that today's discussion has given more opportunity to discuss ways this group can work together moving forward.

Corr shared that she would like to encourage more collaboration between everyone and look for funding and projects that can be done together. She stated this is in conformance with the LRTP, but encourages the revamping of the process to have more cohesive development discussions in the future.

Motion carried 6-0: Campbell, Edgerton, Joy, Ryman Yost, Beckius and Corr voting 'yes'; Al-Badry, Finnegan and Scheer absent.

Campbell indicated that he would like to make a resolution to pass onto the MPO Committee, and he further stated he would like them to look at adding the Fletcher and Arbor Bridge projects back into the program as soon as possible. **Tim Sieh, City Attorney's Office,** came forward and stated that the agenda items have been set and it would be inappropriate under the Open Meeting Act to start adding resolutions or items to the agenda.

MEETING RECORD

NAME OF GROUP:	TECHNICAL COMMITTEE MEETING
DATE, TIME AND PLACE OF MEETING:	April 17, 2020, 2:00 p.m., City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE
MEMBERS AND OTHERS IN ATTENDANCE:	David Cary – Planning Department, Pam Dingman – County Engineering, Elizabeth Elliott – Lincoln Transportation and Utilities; Paul Barnes – Planning Dept.; Lonnie Burklund and Thomas Shafer – Lincoln Transportation and Utilities (LTU); Michael Davis – StarTran; Roger Figard – Railroad Transportation Safety District; Sara Hartzell – Parks and Recreation; Larry Legg – Lancaster County Engineer; Rick Bishop – Urban Development; Kellee Van Bruggen – Planning Dept.; Gary Bergstrom, Thomas Goodbarn, David Haring and Craig Wacker absent. Allan Zafft of the Planning Dept.; and Jesse Poore of Felsburg Holt & Ullevig.

Chair David Cary called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Cary then requested a motion approving the minutes of the meeting held January 23, 2020. Motion for made by Figard, seconded by Hartzell and carried 12-0: Barnes, Bishop, Burklund, Cary, Davis, Dingman, Elliott, Figard, Hartzell, Legg, Shafer and Van Bruggen voting 'yes'; Bergstrom, Goodbarn, Haring and Wacker absent.

REVIEW AND ACTION ON THE PROPOSED FY 2021-2024 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

Zafft stated that the TIP is done annually. The purpose is to coordinate a list of transportation projects for the Lincoln MPO. These are transportation projects that typically receive federal transportation funds, regionally significant and are subject to federally required actions. The TIP is a four year schedule based on a federal fiscal year which is October 1 to September 30. The projects must be consistent with the Long Range Transportation Plan. The State has the South Beltway and roadway projects, along with bridge, culvert, and maintenance projects. Lancaster County Engineering has one safety project and two roadway capital projects. Lincoln Transportation & Utilities has seven projects for Transportation System Preservation. The next is Transportation System Optimization that has four projects listed. There is also Transportation System Growth, Transportation Livable Neighborhoods and the Transportation Sidewalk Program. Then there are four projects highlighted for the Capital Roadway Program

which we see as regionally significant. StarTran has a number of projects listed which includes replacing some buses and handivans along with maintenance, amongst other items. Lincoln Airport Authority has a number of projects such as runway improvements. Federal Transit Programs highlights the 5310 program. We work with NDOT (Nebraska Dept. of Transportation). The next section is Ped, Bike & Trails. This includes projects from the Lower Platte South Natural Resources District and City of Lincoln Parks & Recreation. The last is Railroad Transportation Safety District which lists the 33rd and Cornhusker Highway project. The TIP appeared before Planning Commission on April 15, 2020 and they found the TIP to be in general conformance with the LRTP. The next step is for this item to go before the MPO Officials Committee on May 1, 2020.

Dingman pointed out that the comments she made on the Unified Planning Work Program also apply to this item.

Figard inquired if Dingman was indicating that the County had not received any federal aid in a 20 year period or hadn't received an appropriate share of any federal aid in that 20 year period. Dingman responded that for this particular funding source, County Engineer has not received an appropriate share over the duration of that period. Figard is concerned that regarding transparency and talking to the public, he thinks everyone would agree, he started in this process in 1991 and over the years, none of us have had the resources to do the breadth of everything that they wanted to do. On the City website, the TIP is available for viewing back to 2003. There are ten programs in there that totaled almost $60 million. Each of those programs had around $5.9 million in Federal aid. He thinks there was always an effort to put dollars where they needed to be. We never did have enough. He knows in 2013, there was a change in the process and program. Dingman acknowledges there were changes in 2013. Her statements are in regard to the funding that was allotted on an annual basis to the MPO for projects, not to funding allotted overall to the program. Figard stated that the majority of funding that comes from the state is for projects. The MPO planning money is a pretty small percent. There are safety funds, STP funds and other categories. No one has all the money they want. It is a challenge for all of us. Dingman noted that in particular, she is referring to the STP funds that are allotted to the MPO and project selection process which has been laid out for those funds.

ACTION:

Figard moved approval of the FY 2021-2024 Transportation Improvement Program, seconded by Barnes and carried 10-0: Barnes, Bishop, Burklund, Cary, Davis, Elliott, Figard, Hartzell, Shafer and Van Bruggen voting 'yes'; Dingman and Legg voting 'no'; Bergstrom, Goodbarn, Haring and Wacker absent.

Pamela L. Dingman, P.E.
County Engineer

Kenneth D. Schroeder, R.L.S.
Deputy County Surveyor

444 Cherry Creek Road, Bldg. C
Lincoln, Nebraska 68528
Phone: 402-441-7681 Fax: 402-441-8692
Email: coeng@lancaster.ne.gov

April 28, 2020

RE: FY21 Transportation Improvement Plan (TIP)

Dear MPO Officials Committee Members,

This year at the project selection committee Lancaster County Engineering brought forth the following request for LCLC Funds from the MPO:

1. South 98th Street from Old Cheney to A Street:
    a. FY 20 - $186,400 for Design and Environmental
    b. FY 23 - $2,118,000 for Construction
    c. There are several development projects moving forward in this corridor. 98th Street in this corridor has consistently had traffic counts over 400 ADT.
    d. Lancaster County Engineering Department believes that there is a possibility of constructing this road next year with the assumption that no environmental work is needed because the road has already been graded for pavement.
2. South 98th Street from A Street to O Street:
    a. FY 20 - $151,200 for Design and Environmental
    b. FY 24 - $1,484,000 for Construction
    c. Approximately ¼ mile of this road is already in the City of Lincoln. Lancaster County is currently on hold with this project while planning conducts a study to determine the cross section of the road.
    d. NDOT/FHWA has agreed that the ROW was acquired to their standards.
    e. Per the ROW Contract for this property, the City of Lincoln and Lancaster County **agreed that the project would be constructed prior to 2030** or the ROW would revert to the original owner.
3. Fletcher Road from 84th Street to 148th Street:
    a. FY 21 - $176,400 for Design and Environmental
    b. FY 23 - $8,000 for ROW and Utilities
    c. Beyond Program - $3,728,000 for Construction
    d. This project has been requested by the City of Waverly for several years. Approximately 1/3 mile of Fletcher road east of 84th Street is already in the city. This route would create a much-needed farm to market route for this region of the city and county. In addition, as the Steven's Creek Drainage Area continues to develop by the City of Lincoln this road would provide an additional paved route. Paving this road would also take truck traffic off Amberly Road in Waverly which currently has an elementary school, middle school and high school adjacent to the road.
4. Arbor Road Bridge Replacement East of 27th Street and Arbor Road:
    a. FY 21 - $110,400 for Design and Environmental
    b. FY 24 - $8,000 for Right of Way and Utilities
    c. Beyond Program - $1,106,000 for Construction

d. This project is just east of the City of Lincoln boundary. This bridge, known as County Bridge F-201, is scour critical and was built in 1965. The bridge would serve as a future trail location and should be sized by modern design methods prior to constructing the proposed roundabout at the intersection of North 27th and Arbor Road.

The following Federal MPO funds are available FY 21 - $6,500,000, FY 22 - $6,500,000, FY 23 $6,500,000 and FY 24 $10,758,400.

Historically, from 2003 to 2020, $78,936,500 in MPO (LCLC & PC) Federal Funds have been programmed for use by the City of Lincoln Public Works by the MPO. FY20 was the first time that Lancaster County received any MPO funding. This included funding of $186,400 for 98th Street - Old Cheney to A Street as well as $151,200 for 98th Street A Street to O Street. There was a lot of discussion about project selection this year, much like last year. As Lancaster County Engineer, I am disappointed that for the second year in a row the City of Lincoln Transportation Department did not submit named projects to the project selection committee. In addition, for the second year I am asking how, did Lancaster County's Named Projects lose to the City of Lincoln Transportation Un-named Projects.

As Lancaster County Engineer, I am asking the MPO Officials Committee to place the Engineering of Fletcher Road and of the Arbor Road Bridge back into the TIP in FY 2021. Completing projects like these on the urban fringe enables the county and the city to work together to ensure that our growing community is prepared for the future with an infrastructure system that will better meet the needs of traveling public and urban growth. In addition, supporting projects like these will enable the city to pull future projects out of the CIP as the city continues to grow.

Please feel free to contact me if you would like to discuss these issues with me in greater detail.

Sincerely,

Pamela L. Dingman, P.E.
Lancaster County Engineer

CITY OF LINCOLN NEBRASKA

OFFICE OF THE MAYOR
555 South 10th Street, Suite 301 | Lincoln, NE 68508
402-441-7511 | F: 402-441-7120 | mayor@lincoln.ne.gov

April 30, 2020

Members of the Lincoln MPO Officials Committee:

A letter sent to all members of the Officials Committee by County Engineer Pam Dingman this week included some information that I believe requires additional explanation. I hope you will view this letter as additional clarification as you review the Transportation Improvement Program (TIP) that is slated for a vote at our Officials Committee meeting tomorrow.

The document proposed for approval followed the established customary process. The TIP as proposed is the result of many months of work by the MPO that followed the process established for the creation of this funding document. This includes three meetings of the Project Selection Committee (which is a subcommittee of the MPO Technical Committee). The Committee recommended the projects to be included in this TIP. This recommendation then went to the Planning Commission to receive a finding of conformity with the Long Range Transportation Plan on April 15. After that finding of conformance, the TIP went to the MPO Technical Committee on April 17 and received approval. Now the TIP is coming to the MPO Officials Committee for approval so that it can be sent to the Nebraska Department of Transportation for inclusion in the State's TIP. This is the established process for creation of the TIP and it was followed appropriately.

Identification/Prioritization in the LRTP is required for project approval. This year's request from the County Engineer included the Fletcher Avenue project from 84th Street to 148th Street. This project was not selected for inclusion in this year's TIP due to the fact that this stretch of Fletcher Avenue is not represented as a priority project in the Long Range Transportation Plan (LRTP) and therefore cannot be funded in the TIP at this time. If it were placed in the TIP without being identified in the LRTP, we put at risk the entire TIP and all the federal transportation funding our community receives. The LRTP is currently being updated as part of the regular five-year review process. This update provides an opportunity to enhance the program to be clear about what projects are priorities for the County to qualify them for federal funding.

South 98th Street Road Projects. Last year's TIP approved $3.95 million in federal funding for this project. The two 98th Street projects, one segment from Old Cheney Road to A Street and the other from A Street to O Street, continue to be included in the TIP in this year's

recommended program and continue to be identified to receive federal funding on the schedule determined last year.

Project v. Program Funding. The County Engineer intimates that there is a difference in status between funding requests for a generalized program of projects compared to a named specific location project. To be clear, under the established process to appropriately develop the TIP, there is no priority difference between a program of projects or a specific location project. Federal Surface Transportation Program (STP) dollars can be used for both types of requested projects and have been used that way locally for many years. Also, the City of Lincoln Transportation & Utilities TIP programs for System Preservation and System Optimization do include detailed information about what projects will be accomplished in the Appendix of that section of the TIP document.

Finally, I want to emphasize that the TIP must be fiscally constrained and only include projects that can be funded using known funding levels from federal, state, and local sources. It cannot be a listing of needed but not affordable projects. With this reality, there will be projects that cannot be funded at the time they are requested due to limited federal dollars. All our MPO participating partners should pursue additional funding opportunities in order to fulfill the important needs of our regional road network. This is what the City of Lincoln was able to do with the ballot approval of the Lincoln on the Move funding to better fund system preservation projects and growth projects.

I appreciate your review of these clarifications. Please contact me or our MPO staff if you have additional questions or concerns.

Sincerely,

Leirion Gaylor Baird

Leirion Gaylor Baird, Mayor
Executive Officer, Lincoln Metropolitan Planning Organization

cc: Lancaster County Engineer Pam Dingman
David Cary, Director – Lincoln/Lancaster County Planning Department
Allan Zafft, MPO Transportation Planner

MEETING RECORD

NAME OF GROUP:	OFFICIALS COMMITTEE MEETING
DATE, TIME AND PLACE OF MEETING:	May 1, 2020, 1:00 p.m., City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE
MEMBERS AND OTHERS IN ATTENDANCE:	Mayor Leirion Gaylor Baird, Sean Flowerday, Ryan Huff, Richard Meginnis, Jane Raybould and Rick Vest. James Michael Bowers; David Cary, Paul Barnes, Allan Zafft and Teresa McKinstry of the Planning Dept.; Elizabeth Elliott of Lincoln Transportation and Utilities; Pam Dingman and Larry Legg of County Engineer; and Roger Figard of Railroad Transportation Safety District.

Chair Jane Raybould called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Raybould then requested a motion approving the minutes of the meeting held October 18, 2019. Motion for made by Flowerday, seconded by Meginnis and carried 5-0: Mayor Gaylor Baird, Flowerday, Huff, Meginnis and Raybould voting 'yes'; Vest abstaining.

REVIEW AND ACTION ON THE PROPOSED FY 2021-2024 TRANSPORTATION IMPROVEMENT PROGRAM (TIP):

Zafft stated that MPO staff is preparing the new TIP. It will go out for public review and comment. This document identifies projects that will be regional and significant to the area. The TIP has to be consistent with the LRTP. Developing the TIP is a coordinated effort. It goes through subcommittees. This includes staff from Planning Dept., Lincoln Transportation and Utilities, Lancaster County, NDOT and StarTran. The document is reviewed by Planning Commission, Technical Committee, and then finally by Officials Committee. Projects are broken down in the TIP by agency. This was reviewed by the Project Selection Committee as well.

Raybould asked where this document can be found for review. Zafft stated this is available on the Planning Dept. website. It was advertised for a 30 day review.

Meginnis believes minor revisions can be made administratively. Zafft replied that is correct. There are two ways to modify, either administratively or with an amendment. An amendment is a substantial change. NDOT has provided criteria for these reviews. Meginnis understands that an administrative modification is less than 20 percent of the MPO and less than $2 million dollars, per se. Zafft replied he was correct.

Raybould inquired if an administrative modification for an existing TIP must also be in the LRTP. Zafft replied yes.

Vest wanted to know if specific projects are listed, for example Fletcher Rd. from 84th St. to 148th St. Is this project in the LRTP? Zafft replied yes, but only for a short section. He believes 70th St. to 84th St. is shown.

David Cary stated that there is a one mile stretch in the current LRTP. The project that was discussed for potential placement in the TIP was out to 148th St. Vest questioned given the guidelines, if it is impossible to put something in the TIP if it is not in the LRTP. Cary replied a project must be in both. We have to be consistent with the plan. If an MPO would attempt to do that, it would put the rest of the program at risk. Vest asked if it is an 18 month process to get programs in the LRTP. Cary responded that there are two different things that happen. This is updated every five years. We update the travel model. There is a large amount of public participation. Often times, there are significant changes for a major update. There is an amendment process that can take place in between that. We try to avoid those because they can be complicated. You might have to rerun a model. We reached agreement for financing on the South Beltway. We did this with an amendment. The State was able to say they had the funding source. That was a good example of an amendment.

Vest inquired if we could make an amendment to the LRTP. Cary believes there is an opportunity to submit an application for an amendment. Vest is motivated to put Fletcher Rd. in the long term plan. Cary stated this needs to have a request for a new application. Staff must look at the proposal, review the information and take it to a public forum. There is a process, but it can be done. It starts with an application to the Planning Dept.

Meginnis wanted to know how minor adjustments are done. Do they go through the Technical Committee and Planning Commission? Cary explained that if the amendment proposes an adjustment to something that is not in the LRTP, that would be a major adjustment. Meginnis understands that if a project is not in the LRTP, it is not considered a minor amendment. Cary replied that would be correct.

Flowerday inquired about the rough time frame for a major adjustment. Cary replied it could be as much as a two month process. Raybould believes this could be taken up at the next MPO meeting. Cary replied yes.

Raybould inquired about the Arbor Rd. bridge replacement. Cary responded that the concept of a maintenance program is in the LRTP. We would want to have the County portion of the program in that plan, so we are more informed of decisions. We want to have more information to support things like a consistent bridge rehabilitation. Raybould stated that Pam Dingman made a compelling argument about the bridges and Fletcher Rd. She hopes to have further discussion on this, perhaps at the next meeting.

Mayor Gaylor Baird believes finances will look a lot different at the next meeting, based on sales tax being the number one funding for roads and the current situation with the pandemic.

Cary state that the majority of items in the TIP are surface transportation federal dollars. There are a lot of other sources of federal funds such as transit funds and safety funds. He would add that when you program these types of dollars, there is a local match. The local agency has to fund that money.

ACTION:

Flowerday moved approval of the proposed FY 2021-2024 Transportation Improvement Program (TIP), seconded by Mayor Gaylor Baird and carried 6-0: Mayor Gaylor Baird, Flowerday, Huff, Meginnis, Raybould and Vest voting 'yes'.

Lincoln Metropolitan Planning Organization

County-City Building
555 S. 10th Street, Suite 213
Lincoln, Nebraska 68508
(402) 441-7491

Lincoln MPO Resolution: 2020-4
FOR THE PURPOSE OF ADOPTING THE FY 2021-2024 TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the Lincoln Metropolitan Planning Organization (Lincoln MPO) is the designated Metropolitan Planning Organization (MPO) responsible for undertaking the transportation planning process for the Lincoln Metropolitan Transportation Management Area (TMA), Lancaster County, in accordance with 23 U.S.C. 134 and defining principle of 23 CFR 450.306; and,

WHEREAS, the Fixing America's Surface Transportation Act (FAST Act), passed by the United States Congress and signed into law by the President in 2015, requires that each MPO adopt a transportation program that consists of federally funded and/or regionally significant transportation improvement projects within the metropolitan area; and.

WHEREAS, various federal, state, regional, and local agencies and organizations concerned with transportation planning for the MPO area have cooperatively developed the Transportation Improvement Program (TIP) for FY 2021 through 2024 to satisfy federal planning requirements of the FAST Act; and.

WHEREAS, the TIP is comprised of projects that are derived from the Lincoln MPO's adopted 2040 Long Range Transportation Plan, is consistent with local and state transportation plans, and has met the requirements of Title 23 Code of Federal Regulations Part 450.326; and,

WHEREAS, the MPO has involved the public and interested stakeholders in an open and transparent process as detailed by the MPO's Public Participation Plan which includes a public review and comment period of no less than 30 days;

NOW, THEREFORE, BE IT RESOLVED that the Lincoln Metropolitan Planning Organization Officials Committee adopts the Transportation Improvement Program for FY 2021 through 2024.

Approved by a vote of the MPO Officials Committee and signed this 1st day of May, 2020.

Lincoln MPO Officials Committee Chair

ATTEST

David Cary, Planning Director and MPO Administrator
Lincoln MPO Technical Advisory Committee Chair

ONE DOT
WORKING BETTER TOGETHER
U.S. Department of Transportation

Federal Transit Administration
901 Locust Street, Room 404
Kansas City, MO 64106
816-329-3920
816-329-3921 (fax)

Federal Highway Administration
100 Centennial Mall North, Rm 220
Lincoln, NE 68508
402-742-8460
402-742-8480 (fax)

October 8, 2020

Kyle Schneweis, P.E.
Director
Nebraska Department of Transportation
Lincoln, NE

Dear Mr. Schneweis:

FHWA/FTA Approval of the Nebraska FY 2021-2024 Statewide Transportation Improvement Program

This letter is to inform you of the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) review and approval of the highway and transit projects contained in the Nebraska Department of Transportation (NDOT) FY 2021-2024 Statewide Transportation Improvement Program (STIP), as well as the projects from the incorporated Metropolitan Transportation Improvement Programs (TIPs) for Lincoln and South Sioux City (SIMPCO), Omaha (MAPA), and Grand Island (GIAMPO).

The Draft FY 2021-2024 STIP was available for public comment starting August 17, 2020 running thru August 31, 2020. During this period, NDOT received no comments on the proposed STIP.

The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 25, 2020 and NDOT approval for inclusion into the NDOT STIP was given on July 31, 2020. The Lincoln MPO TIP was approved by the Officials Committee on May 1, 2020 and NDOT approval for inclusion into the NDOT STIP was given on July 16, 2020. The Siouxland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy board approved the TIP on July 9, 2020 and on July 16, 2020 NDOT approved the TIP for inclusion into the STIP. The Grand Island TIP was approved by the Policy Board on May 26, 2020 and NDOT approval for inclusion into the STIP was given on July 16, 2020.

Throughout the year, FHWA and FTA have had ongoing communication with the NDOT, the metropolitan planning organizations (MPOs), and the state's transit agencies. In accordance with 23 CFR Part 450.218(b) and 23 CFR Part 450.334(a), we have determined that the highway and transit projects included in the STIP and the metropolitan TIPs are based on a transportation planning process that substantially meets the requirements.

The enclosed planning finding was prepared to demonstrate how the NDOT planning process meets the planning requirements. Based on the FHWA review of the FY 2021 -2024 STIP, the aforementioned monitoring activities throughout the year, the MPO's self-certifications, and the attached planning finding, the FY 2021-2024 Statewide Transportation Improvement Program (STIP) is hereby approved.

If you have any questions or need additional information, please contact Gerri Doyle, FTA, at 816.329.3928, or Justin Luther, FHWA, at 402.742.8464.

Sincerely,

Mokhtee Ahmad
Regional Administrator
Federal Transit Administration

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Division Administrator
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FY 2021-2024 STIP
Nebraska FHWA and FTA Planning Finding

As part of the stewardship responsibilities, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) must ensure that both the statewide and metropolitan transportation planning processes satisfy the requirements of 23 U.S.C. 134 and 135, 49 U.S.C 5303-5304, and 23 CFR 450. From a statewide perspective, the Nebraska Department of Transportation (NDOT) certifies the process through the submittal of the Statewide Transportation Improvement Program (STIP), while the Metropolitan Planning Organizations (MPO) certify the metropolitan transportation planning process through the submittal of their respective Transportation Improvement Program (TIP) and self-certifications.

In accordance with 23 CFR 450.220 and 450.330 (a) the FHWA and the FTA, based on the certification of the statewide transportation planning process for and within Nebraska and the FHWA's and FTA's participation in the statewide and metropolitan transportation planning processes (including certification reviews conducted in transportation management areas), hereby find that the projects included in the fiscal year 2021-2024 STIP are based on a transportation planning process that substantially meets the requirements of 23 CFR Part 450 subpart A, B, C, 49 U.S.C. Sections 5303-5304, and 23 U.S.C. Sections 134 and 135.

TIP/STIP:

The NDOT STIP is composed of a listing and description of all regionally significant capital and non-capital projects or phases of project development which are FHWA and FTA funded projects. The listing shows a project or phase of a project to be advanced by year for the next four-year period. The MPO TIPs contain a listing and description of all regionally significant capital and non-capital projects or phases of project development which are FHWA and FTA funded projects. The listing shows a project or phase of a project to be advanced by year for the next four-year period.

During the review of the FY 2021-2024 STIP it was noted the apportionment amounts and beginning balance forecasts were inaccurate. The main reason for this discrepancy is that the NDOT STIP was prepared prior to the fiscal year ending. FHWA and FTA recognizes a large portion of the NDOT and the MPOs programs were obligated between the time the STIP was prepared and the end of the 2020 federal fiscal year. Please ensure the next STIP amendment accurately portrays the beginning balances.

The MPOs TIPs were approved by their respective policy committees and NDOT for inclusion into the NDOT 2021 -2024 STIP on the following dates:

- The Metropolitan Area Planning Agency's (MAPA) Board of Directors approved the TIP on June 25, 2020 and NDOT approval for inclusion into the NDOT STIP was given on July 31, 2020.
- The Lincoln MPO TIP was approved by the Officials Committee on May 1, 2020 and NDOT approval for inclusion into the NDOT STIP was given on July 16, 2020.
- The Siouxland Interstate Metropolitan Planning Council (SIMPCO) TIP Policy board approved the TIP on July 9, 2020 and on July 16, 2020 NDOT approved the TIP for inclusion into the STIP.
- The Grand Island TIP was approved by the Policy Board on May 26, 2020 and NDOT approval for inclusion into the STIP was given on July 16, 2020.

FHWA and FTA have determined that the FY 2021-2024 NDOT STIP, which is inclusive of each MPO TIP, adequately demonstrates fiscal constraint by year. All the TIPs included self-certifications and discussion on Transportation Performance Management target establishment.

The STIP and TIPs are all developed utilizing the Nebraska STIP Development Guidelines which were agreed to by FHWA, FTA and NDOT in April 2011 and were updated in 2014. This document contains many of the

administrative procedures for developing the STIP and TIPs. Also, this document outlines the amendment thresholds that the transportation partners have agreed to in Nebraska for both TIPs and Long Range Transportation Plan amendments. This document continues to be a major streamlining tool to help advance projects through the planning process in Nebraska.

It was again noted that the September 1, 2020 request letter which NDOT submitted to FHWA and FTA for review and approval of the STIP does not request our respective agencies approval. In addition, the letter incorrectly references the wrong fiscal years of the STIP. In future submittals, please ensure NDOT reflects the appropriate action NDOT is requesting FHWA and FTA to take.

Public Involvement:

Public involvement is required in the development of the STIP. Specific to the planning process NDOT has developed a Public Involvement Plan specific to the process of outreach efforts for development and approval of the STIP. This document helps to ensure the State meets federal requirements regarding public participation during the development of the STIP. A letter is sent annually to all non-metropolitan elected and appointed officials offering them an opportunity to comment on the STIP. In the letter, a link is provided to the online STIP to facilitate review and comment by non-metropolitan local officials. The draft STIP is posted on the website and made available at the eight district offices. In addition, NDOT prepares a news release for media outlets informing the public that the draft STIP is available for public comment. The 2021 -2024 STIP outreach was disseminated as follows:

- A press release to 1,810 media outlets statewide
- A Tweet to 19,000 followers
- Gov. Delivery note to 800 subscribers of RSS feed of our Twitter page
- Gov. Delivery note to 480 subscribers of the STIP page

In addition to the STIP, NDOT prepares a six- year surface transportation program book. This program book contains many of the projects listed in the STIP. The program book seeks public involvement through the Highway Commission meetings and is approved by the Governor. The latest six-year surface transportation book can be found at the following link: NDOT six-year transportation program book

The Draft FY 2021-2024 STIP was available for public comment starting August 17, 2020 running thru August 31, 2020. During this period, NDOT received no comments on the proposed STIP during the public outreach period.

Self-Certification Statements:

The self-certification statements are an opportunity for the MPOs and NDOT to present how they have incorporated participation in the transportation planning process, be it citizens or contractors. The agencies use these statements to outline how their operations are conducted in a comprehensive, cooperative, and continuous (3C) manner. It ensures that the transportation planning process occurs to satisfy the objectives of a non-discriminatory, environmentally respectful and citizen-oriented atmosphere.

NDOT has completed its self-certification requirements and has posted the statement as part of their letter requesting approval of the STIP. In addition, each of the MPO self-certifications are included by reference.

MPO Obligation Limitation in FY 2021

A State with STBG funds sub allocated to urbanized areas with over 200,000 in population must make formula obligation limitation available to each of these areas based on the criteria set forth in 23 U.S.C. 133(e). During the period of fiscal years (FY) 2016 through 2020, a State must make available to each of these urbanized areas an aggregate (5-year) amount of obligation limitation based on the formula outlined in the November 30, 2016 FHWA memorandum. The section 133(e) requirement applies to the entire 5-year period.

The requirement to "make available" obligation limitation is satisfied by providing obligation limitation to a UZA over 200,000 in a reasonable manner. This reasonableness determination may include an evaluation of whether the obligation limitation is made available in a manner that permits the UZA sufficient time to utilize it and if the affected UZA is practically able to use the obligation limitation given its currently available projects. Ensuring compliance with this requirement is a joint responsibility of the Federal Highway Administration, the States, and the metropolitan planning organizations for the affected urbanized areas.

The Lincoln MPO is an urbanized area over 200,000 population and the state is required to make available obligation limitation, as required under 23 U.S.C. 133(e). FHWA has reviewed the Lincoln MPOs previous years' obligations, de-obligations, and the projects programmed in FY 2021-2024 Lincoln MPO TIP. FHWA's review found the Lincoln MPO has not been fully programming STBG projects over the last few years and as such have built up an available apportionment balance. Importantly, it appears the FY 2021-2024 Lincoln MPO TIP has been programmed with sufficient projects to utilize available apportionments for the 5-year aggregate period and previous accumulated balance such that all amounts available for obligation should be obligated by FY 2024. NDOT will need to continue ensuring obligation limitation is made available to the Lincoln MPO during FY 2021 and into the future in order to meet the requirements of 23 USC 133 (e).

Recommendations:

1. The September 1, 2020 request letter which NDOT submitted to FHWA and FTA for review and approval of the STIP does not request our respective agencies approval. In future submittals, please ensure NDOTs submittal letter reflects the appropriate action NDOT is requesting FHWA and FTA to take for the STIP approval.
2. The Lincoln MPO has not been fully utilizing their obligation limitation over the last several years, and has built up an apportionment balance. The FY 2021-2024 Lincoln MPO TIP has programmed sufficient projects to utilize available apportionments for the 5-year aggregate period and previous accumulated balance such that all amounts available for obligation should be obligated by FY 2024. FHWA, NDOT, the Lincoln MPO and their member agencies should meet in the first quarter federal fiscal year 2021 to discuss the available funds, status of projects programmed to utilize those funds, and whether there are risks that should be addressed to improve project delivery in the region. In addition, FHWA, NDOT, and the Lincoln MPO should establish ongoing conversations to monitor the delivery of projects in the region until the outstanding available apportionments are utilized.

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