

MEETING MINUTES

Technical Committee Meeting

Thursday, November 7, 2013

1:30 p.m.

Room 113, County/City Building

Members Present: Miki Esposito, Thomas Shafer, Lonnie Burklund, Public Works/Utilities/RTSD; David Pesnichak, Planning; Don Thomas, Doug Pillard, County Engineering; Wynn Hjermstad, Urban Development; Gary Bergstrom, Health; Michael Davis, StarTran; Brad Zumwalt, Tom Goodbarn, Nebraska Department of Roads.

Others Present: Barb Fraser, PBAC; Justin Luther, Federal Highway Administration; Brian Praeuner, StarTran; Lin Quenzer, City Ombudsman; Kim Taylor-Riley, Lancaster County Human Rights; Mike Brienzo, Michele Abendroth, Planning.

The meeting was called to order at 1:30 p.m. The Nebraska Open Meetings Act was acknowledged.

1. Review and action on the draft minutes of the September 26, 2013 Technical Committee meeting.

A motion was made and seconded to approve the minutes of the September 26, 2013 Technical Committee meeting. The motion carried unanimously.

2. Review and action on revisions to the FY 2014-2017 Transportation Improvement Program.

- a) Nebraska Department of Roads
- b) Lancaster County

Brienzo stated that there are two State projects and one County project for inclusion in the FY 2014-2017 Transportation Improvement Program. The State projects are for an intersection improvement on Highway 6 at 40th Street and for rumble strips on I-80 at 27th Street. The County project is for pavement markings for paved rural roads.

Thomas moved to approve the revisions to the FY 2014-2017 Transportation Improvement Program, seconded by Zumwalt. The motion carried unanimously.

3. Review and action on the Lincoln MPO Transportation Alternatives Program (TAP) *Project Prioritization and Selection Process* for developing a program of projects. This is to develop a TAP program and administer a call for project proposals to fund transportation alternative projects as defined by the federal regulations. The resulting program of projects for is to be included in the proposed *FY 2015-2018 Transportation Improvement Program*.

Brienzo stated that we need to reconvene the committee identifying the Transportation Alternative Program (TAP) process that was established. Last year was the first year for TAP funds. We established a committee to review projects and make sure they are in the Transportation Improvement Program (TIP). Since these are federal funds, they have to be reviewed by the MPO and accepted in the TIP. As projects move through the planning programming process, fiscal year 2017 programming is open and a list of prioritized projects is to be developed and programmed for both 2017 and 2018. We have been working with the committee, and they have been helpful in setting up criteria for the program. There is

a draft of the criteria which he distributed. There are requirements that must be met in order to be programmed for the funds. The second portion is criteria that the committee will use in scoring projects. This has been established through the long range planning process. There is more detail to each of these goals in the LRTP that the committee will use. They would like to move ahead with the application process with a Call for Projects. We will follow the criteria for eligible projects in the federal requirements. We will identify the eligible sponsors. There will be a timeframe for returning applications, and the committee will review those and bring them to the Technical Committee, and this recommendation will be forwarded to the Officials Committee. The state has the larger portion of the TAP funds that comes to the state and the Lincoln MPO gets 7% of the state allocation.

Esposito asked about the committee members and asked if Health would be interested in advocating for health benefits and environmental benefits on the transportation side. Brienzo stated that we can include Health on the committee.

A motion was made and seconded to approve the Lincoln MPO Transportation Alternatives Program (TAP) Project Prioritization and Selection Process for developing a program of projects. The motion carried unanimously.

4. Briefing on the 2013 FHWA/FTA Joint Certification Review of the Lincoln Metropolitan Planning Organization.

Brienzo stated that the MPO Administration Team will be meeting to review the 2013 Joint Certification Review. They hope to craft an action plan as needed to address these issues. None of these were serious but they could become serious if we don't address them. The review took place in May of this year. In 2009, there were 12 corrective actions and all of those have been satisfied. This year, there were no corrective actions, 13 programmatic recommendations and 5 commendations. The FHWA/FTA determined that the MPO is certified through September 2017. Brienzo briefly reviewed the recommendations and commendations.

On Item #6 in 'Recommendations' regarding engaging the freight community, Esposito asked if the recommendation is that we need to do a better job. Brienzo stated that he believes this is not a matter of doing something drastically different; it's a matter of documenting it better.

Davis commented about Item #9 in 'Recommendations' regarding a transit survey. He noted that they just completed an online survey and are tallying the results now. This will fulfill that requirement. Also on Item #8, David noted that the UNL Transit Center is looking at regional travel patterns.

Zumwalt commented on the coordination of state projects and stated that in talking with the program management division, they would like someone from that division to come over in the spring to talk about projects. That will give us a start on some of these coordination items.

Luther stated that on behalf of FHWA and FTA, he appreciates all the work that has been done to bring the MPO into fully certified status.

Esposito asked if the action plan will be brought forward. Brienzo stated that as we get responses, we will bring them to the Committee.

5. Review and action on Certification Review Civil Rights requirement recommendations resulting from the 2013 Federal Certification Review.

- a) Establish the Title VI coordinator, contact, and complaint process
- b) Implement the Americans with Disabilities Act (ADA) Title VI requirement
- c) Update the Limited English Proficiency (LEP) requirement

Brienzo stated that since we are working meeting the Civil Rights compliance, we wanted to brief the Committee. We need to bring forward the process and amend the Public Participation Plan (PPP). He identified the three areas that we are addressing, which includes: 1) establishing the Title VI coordinator and the contact, and complaint process; 2) implementing the Americans with Disabilities Act (ADA) Title VI requirement; and 3) updating the Limited English proficiency (LEP) requirement. Brienzo introduced Lin Quenzer, City Ombudsman and Kim Taylor-Riley, Lancaster County Human Rights to give an further explanation on what is taking place and why.

Taylor-Riley stated that they are responsible for federal compliance. She does all of the internal claims that allege discrimination or harassment. Quenzer stated that she takes all of those types of complaints from the public. They have been working on trying to get a Limited English Proficiency (LEP) plan and an Equal Access and Diversity Plan (EADP). We have the EADP but it has not been adopted. If we receive federal funds, the entire City needs to make sure our doors are open and we have an LEP. We are trying to put together an overarching plan for the City. Title VI and ADA are under one umbrella. The Title VI plan was adopted in 2010 and has been modified since. It was adopted by City Council Resolution. This was for Federal Highway Administration and Nebraska Department of Roads purposes. It identified the Human Rights Director and that position has changed since then. When Taylor-Riley was hired, the position was changed to Director of Equity and Diversity. There may be an opportunity that the Technical Committee could adopt that resolution by reference.

Taylor-Riley stated that the draft LEP has been submitted to the Mayor's Office for review as well as to the Directors to make sure it is correct for each department. It will then go to City Council. They hope to have the plan adopted by the end of the year.

Quenzer stated that they have also completed a 504 self-evaluation and document all of the accommodations that are done by every department.

Luther asked if any of those items would be adopted by the Technical Committee. Brienzo stated that he will make sure they are incorporated in the PPP and brought back to the Committee.

Esposito asked how the County is incorporated into this. Brienzo stated that the County has their own program.

Davis asked how they will handle the Title VI coordinator. Brienzo stated that StarTran has that process in place. Quenzer stated that the complaint forms have been updated to comply with the Federal Transit Administration for Title VI and ADA and are on the website.

Brienzo stated that they would like to incorporate this into the Public Participation Plan, but first this needs to undergo public review and comment for a minimum of 45 days. All comments will be reviewed and any proposed changes would be brought to the Technical Committee in February.

Zumwalt moved approval of the public review process for the Civil Rights requirement, seconded by Thomas. The motion carried unanimously.

6. Other topics for discussion.

Schaefer noted that this is Thomas' last meeting and thanked him for his service to the County and the MPO. Brienzo acknowledged and thanked Thomas for his service as well.

There being no further business, the meeting was adjourned at 2:24 p.m.

*** Please note that these minutes will not be formally approved until the next meeting of the Metropolitan Planning Organization Technical Committee. ***

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