

Fairbanks Metropolitan Area Transportation System
POLICY COMMITTEE
State of Alaska, DOT&PF, Main Conference Room
2301 Peger Road Fairbanks, Alaska 99701
Meeting Minutes – August 18, 2010

1. Call to Order

Chair Steve Titus called the meeting to order at 10:00 a.m.

2. Introduction of Members and Attendees

The following were present:

- * FMATS Policy Committee members
- ** FMATS Staff members
- *** FMATS Technical Committee members

Name	Representing
* Steve Titus, P.E.	DOT&PF, Regional Director
* Mayor Terry Strle (absent)	City of Fairbanks
* Mayor Luke Hopkins (absent)	Fairbanks North Star Borough
* Mayor Doug Isaacson (absent)	City of North Pole
* Guy Sattley	Fairbanks North Star Borough Assembly
* Chad Roberts	Fairbanks City Council
* Alice Edwards (absent)	ADEC, Air Quality Division
Cindy Heil (by telecom for Alice Edwards)	ADEC, Air Quality Division
** Margaret Carpenter	DOT&PF, Transportation Planner
** Todd Boyce	FNSB Planning
*** Donna Gardino	FMATS, Coordinator
*** Ethan Birkholz	DOT&PF Chief of Planning & Support Services
*** Joan Hardesty	ADEC, Air Quality Division
*** Bob Pristash (for Mayor Strle)	City of Fairbanks, Public Works
*** Mike Schmetzer	City of Fairbanks, Engineering
*** Bill Butler (for Mayor Isaacson) (10:14am)	City of North Pole
Jerry Colp	City of Fairbanks, Engineering
Jeff Jacobsen (for Mayor Hopkins)	Fairbanks North Star Borough
Janet Brown	DOT&F Regional Pre-Const. Engineer
Maureen Carey (10:26am)	DOT&PF Construction, Engineering
Nancy DeWitt	Fountainhead Antique Auto Museum
Gene Salzman	Resident of Taku Subdivision
Rodney B. Rutherford	Resident
Jo Schlotfeldt	DOT&PF

3. Public Comments: Nancy DeWitt, Historian of the Fountainhead Antique Auto Museum, spoke about Robert Sheldon's pioneering involvement in early transportation and numerous civic and professional activities in Alaska. She told the committee about the campaign started to push for naming the new bridge in downtown Fairbanks for Robert Sheldon. She is working on a resolution for the Fairbanks City Council and/or the FNSB Assembly.

4. Approval of the August 18, 2010 Agenda

- **MOTION:** To approve the August 18, 2010 agenda. (Jacobsen/Sattley)
Approved. No opposition.

5. Approval of July 21, 2010 Minutes

- **MOTION:** To approve the July 21, 2010 minutes (Sattley/Roberts).

Comments: Mr. Sattley asked about the format in the minutes of the comments after a motion. After discussion, it was determined to place the comments after the motion, before the listing of the vote of approval or opposition. This will be changed in future minutes.

- **Vote on the motion.** Approved. No opposition.

6. Committee Reports

a) FMATS Staff Report / Technical Committee Action Items

Ms. Gardino referenced the complete report in the packet and discussed the highlights.

- The second Interagency Consultation for the PM 2.5 Transportation Conformity was held August 2, 2010, progressing to the December 14, 2010 deadline. The draft will be reviewed on September 1 at 2pm with all the agencies. The conformity determination will be presented to the Policy Committee on September 15 for approval before going out for 30 day public comment.
- Worked on successful negotiations on the Safe Routes to Schools Grant. Revised notice to proceed will come from DOT Headquarters.
- Ms. Gardino met with the Fairbanks North Star Borough on projects they are considering nominating to the STIP. They will bring three projects to Margaret Carpenter for consideration by DOT for inclusion in the STIP.
- TIP Amendment #2 conformity approval was received. Still waiting for approval on the Long Range Plan conformity, without which projects cannot be programmed.
- Staff reviewed the Bikeways map; the consultant is incorporating the changes.
- Preventive Maintenance 2011 planning meeting conducted on 8/17.
- Obligation report was updated.
- Coordinator's budget is ready for approval.

b) Preventive Maintenance Subcommittee Report

The subcommittee decided to do surface approach upgrades in the Badger Road area in North Pole that abut DOT owned facilities. There are 38 approaches in 14 different service areas the Borough has identified. Surface treatments and mill and pave projects will be done for both the City of North Pole and City of Fairbanks. The lists need to be sent to DOT by August 25. Estimates will be developed, and match and maintenance agreements can be done. Starting next fiscal year, DOT can begin work on the environmental documents. There is \$860,000 in the TIP for preventive maintenance construction in 2011.

Included in the meeting packet was an action item from the Technical Committee. The Technical Committee approved funding to bring the Wendell ADA project up to the low bid amount.

7. Old Business

a) Status of North Pole Road-Rail Crossing Project Funding

The \$1 million has been transferred to the FRA for the environmental assessment in the North Pole area. Mr. Titus said this was a monumental effort from DOT, Headquarters, Federal Highways and Ms. Gardino to make this happen.

b) 2011-2012 UPWP

The FY2011-2012 FMATS Unified Planning Work Program is included in the meeting packet. Ms. Gardino attached changes to the document received during the public comment period. The only comments received were from the Borough regarding Task 200.

- **Motion:** To approve the FY11-12 Unified Planning Work Program. (Sattley/Jacobson)

Comments: Mr. Sattley reiterated his objection to the document from the last Policy Committee meeting, which was noted in the minutes. He again said the language regarding livability and other items such as greenhouse gases, public health, etc. does not belong in the document.

- **Vote on the motion:** Six approved; one opposed. (Sattley) Motion carries.

8. New Business

a) Tanana Loop/Alumni Drive Round-about / North Tanana Drive Extension

Chancellor Rogers was out of town and unable to attend the meeting. This topic will be rescheduled as an agenda item at a future meeting.

b) PM2.5 Transportation Conformity Determination Status Update

Ms. Gardino said the meeting is scheduled for September 1. The final determination will be presented at the October Policy Committee meeting for approval. Deadline for approval by FHWA and FTA is December 14. She said she wanted to get interagency input early and keep them involved throughout the process.

c) 23rd Avenue Improvements Change Order

Information was included in the meeting packet. Bob Pristash said 23rd Avenue was built in two phases; first was utility work and the second was the street reconstruction. During the first phase they found the storm drain in worse condition than they had thought and roughly half was replaced from Lathrop to just past Cowles Street. This change order would replace the rest of the storm drain system from just past Cowles Street to Cushman Street. During excavation, the storm drain system was found to have grade problems, corrosion and is made of corrugated steel pipe. The plan is to replace it with smooth plastic pipe. He recommends doing this as it would cut down maintenance costs and protect the future road.

Ms. Gardino said the bid on this recently awarded project came in \$388,000 low so there is still money left in the project. This would leave \$220,000 to use next year on a project. The City has \$150,000 from the HUD grant to pay for half of the change order.

- **Motion:** To approve the PH4 increase on the 23rd Avenue Improvements Project in the amount of \$323,493 of which \$168,423 would come from the FMATS allocation, \$5,070 would be 381 funding to cover the ICAP on the CDBG funding and \$150,000 would come from the City's CDBG grant. (Sattley/Roberts)

Comments: Mr. Sattley asked about the pipe size and the age of the system. Mr. Pristash said it is 30 year old 18" corrugated metal pipe, typical of the installations that age. The plastic pipe with a smooth liner will have higher velocity, less friction. Mr. Roberts asked a procedural question regarding the change order numbering.

- **Vote on the motion:** Approved. No opposition.

d) LED Street-light Conversion Project

The total is \$985,922. There is a compliance issue with the streetlight poles. Mr. Pristash told the committee the contract calls for swapping out high pressure sodium and putting in LED lights. A state electrical inspector told the contractor the city streetlight system is not meeting the National Electrical Safety Code because it is not properly grounded. The system has been in place for 50 years and has never had a problem with grounding. Many of the streetlights are on GVEA poles and under their jurisdiction. Where there is a separate pole for just a streetlight, it is not under the GVEA umbrella. This is a \$1 million change order but it is not known at this point if the system has to be grounded and if there is a violation, and what authority this electrical inspector has over the system. We could consider a separate project to ground the system. It seems we are getting a little ahead of ourselves to approve a \$1 million change order.

Mr. Titus said the process is: the electrical inspector writes up a violation to the construction contractor who is then under a timeline and has penalties if he does not comply to fix this issue. The inspector interprets the code and writes the violation. The designer of record is the City of Fairbanks. Mr. Titus

asked if the city has found if this issue is in fact a violation and where it lies under the NEC or Safety Code as it doesn't sound like a conclusion has been reached due to City or other research.

Mr. Titus introduced Maureen Carey, a project manager for DOT who is managing the contract for the construction. The contractor gets the violation. The effort between DOT and the City is to determine if there really is a violation. The contractor has a contract to do X which is in the contract. Evidently this work is not in there. For him to comply with the citation, the contract needs to be changed.

Ms. Carey said they have been working with the City and with an electrical engineer for the other portion of the project. An electrical engineer is helping research this issue. Today, the state electrical inspector said there is a likely exemption if the City has a standard operating practice and the maintenance manual states only authorized personnel have authority to go up on the poles to change out the light fixtures. If that is the case or if there is something they need to do to amend the city's maintenance manual in order to make it clearly stated that only licensed electricians are allowed to go up and change out fixtures, then the poles do not need to be changed to ground them. That would lower the change order by about \$600,000. This applies to all the poles except for metal poles which would have to be grounded. There are up to 240 metal poles which may or may not be grounded. It would take about \$212,000 to ground the metal poles. It would take a week or two to test all the poles from the ground. The worst case scenario would take about \$250,000 which would include engineering and ICAP.

Mr. Titus wanted to clarify this comes at a very poor time in the fiscal year. The next Policy Committee meeting is in September, too late to get this into FHWA to obligate the money. That causes a lot of problems and would not happen this fiscal year. The TIP and obligation plan are already in line.

Mr. Sattley suggested this discussion be separated into two pieces. What we need to do today and what we need to do second. He asked what is involved in grounding these lights. Mr. Pristash said this system is a tri-plex feed, two wires are electrified and one is a neutral. To ground these lights, a wire is run or the mast arm is used to ground the fixture to that third conductor; run a wire from the cabinet to the neutral. The neutral is considered a ground. Each individual pole can be grounded with a grounding rod, like GVEA has on each pole.

Mr. Sattley asked how far along is the project. Ms. Carey said of the 1767 luminaries, 85% of them are completed now and it will be finished by end of next week. This includes North Pole's 200 lights.

Mr. Pristash said a wire has to be run through the mast arm to the neutral and seal it with the bushings, etc., but it may not be required.

Mr. Sattley asked if the city designed it and DOT administered the contract. What do the contract and bid documents say about grounding? The load center has to be grounded, but it doesn't say anything about the poles.

Ms. Carey said there is one standard drawing in the bid documents showing existing poles with everything grounded. That is the implication this is what our existing poles look like. There is a picture of a pole with a grounding rod and properly grounded. That is what the contractor has to assume, that is what they are bidding on. That is the standard drawing in terms of compliance.

Mr. Sattley asked if there is something different about the LED heads from the high pressure sodium lights, electrically speaking. If the old ones have worked for 50 years and not been grounded, is there something different about the new ones that would require grounding? Mr. Pristash said they use less power, less electrical current. It could affect some different things.

Mr. Butler asked if the whole head has to be changed or just the light.

Ms. Carey said for the exemption to go through, anyone on the pole touching any portion of it would have to be an authorized, licensed electrician. She didn't know if that would be a conflict for North Pole, it would have to be looked at. Mr. Butler said North Pole has an authorized person, but not a licensed electrician.

Mr. Jacobsen asked if the previous system was not grounded but the drawing indicated they were so the bid went out and the contractor assumed it was just a matter of connecting the wires - if they needed to be connected. Mr. Pristash said he would have to look at it, but he thought when they went from aerial to underground or underground to aerial, it showed grounding would be done there. He didn't know if it showed every pole was supposed to be grounded, he would have to look at the drawings.

Mr. Jacobsen asked about the status of DOT light poles and if they are all properly grounded and changed out statewide, are these requirements being applied statewide. Ms. Carey said DOT falls under the exemption where only licensed, authorized personnel are allowed to change out the fixtures. The metal poles are grounded.

Mr. Titus said the problem is there appears to be a violation, possibly enforceable by the state electrical inspector and a change order has to be authorized.

Mr. Sattley asked if the violation is against the city or DOT. Mr. Titus said the contractor has the ticket. These violations get passed on up to the owner, which in this sense, is FMATS, because we are funding it. We have to approve the money to issue a change order, before we can obligate the money. The City is the owner, the designer of record. The funding comes through FMATS, administered by DOT, designed by the City of Fairbanks, which is typical of the projects we do within the city. We need to authorize an amount of money to use for a change order for the contractor. Whether we will have to execute that change order is still up in the air and takes further discussion between DOT, the City and the state to make sure we can get the contractor off the hook as there are some contractual issues there.

Mr. Jacobsen asked where these funds would come from to authorize a change order. Ms. Gardino said she would take the funds from University Avenue for this project then offset with state GO funds.

Mr. Jacobsen asked if a change order not to exceed \$300,000 would cover this project. Ms. Carey said she thought they could work something out with the City of Fairbanks with their standard operating practices for maintenance and be able to get that exemption. Her guess at this point is \$300,000 would cover it.

Mr. Jacobsen said the City of North Pole does not have a licensed electrician. Ms. Carey said that would be something where we would have to use most of this money to go towards grounding in North Pole.

Mr. Titus said a remedy would be to contract that out to a licensed contractor. Mr. Butler said they could issue something formal in writing that documents that city resolution. Mr. Jacobsen said there is an additional budgetary issue for North Pole when they have already budgeted manpower to change out their lights in-house, to now go out of that system - they can't reduce their wages for their city employees because they are not changing out lights, to pay for a contractor to change out lights for a project that was not designed by them. It would be better to not obligate North Pole to spend annual funds they were not anticipating to have to do, by grounding their lights appropriately so they are made whole.

Mr. Sattley said the bids came in really low, almost \$2 million under what was expected. He said he is reluctant to authorize a change order for the low bidder who may indeed have decided this was an area he could ignore on the designs or drawings or could claim there was some ambiguity in the drawings. He asked about the difference between a change order with the existing contractor for \$300,000 or doing it as a separate bid.

Mr. Titus said if the code interpretation is correct there was nothing in the contract for the contractor to do as it relates to grounding, therefore he did not modify his bid. The low bid was because of the emerging technology related to LED. It is not necessarily a grounding issue. It is not that the contractor decided to leave out the grounding and know he was going to get paid for it later. As far as putting another contractor out there, we have the ability to do that. If it is more than a million dollars, we need to be creative. For \$300,000 the contractor already there can pick up the code issues. A number of costs could be saved that way.

Mr. Pristash said for \$1 million, it is worth considering re-bidding, but for \$300,000 – it may not even be that. We may find out that if the manual is rewritten, there may not be a problem, other than grounding the metal poles, which may be a cheaper cost because of grounding at the base.

Mr. Titus said since we do not have the completed staff work today, it is difficult to make a hard dollar decision. He is looking towards authorizing \$300,000. The designer of record and DOT can move forward with electrical engineers and the state electrical inspector to try to mitigate that damage.

Mr. Sattley asked how many problem poles out of the 1787. Ms. Carey said there are 240 metal poles but does not know how many are properly grounded.

Mr. Butler asked if this has to be repaired immediately. Ms. Carey said the contractor faces fines and legal liability until everything is clarified. The contractor has until August 28 to respond formally as to how it is being taken care of, what will happen, what exemptions might be. He will then put that liability onto the contracting agency, DOT. We would not be able to close out the contract. This exemption allows the electrical administrator to sign off - if we can make it very clear for him and the inspector.

Mr. Roberts asked about the next Technical Committee meeting, which can commit up to \$250,000. Ms. Gardino said the next meeting will not be held until October, but if necessary, a meeting could be held sooner. The Technical Committee could commit up to 20% of the original contract amount, for this bid up to \$240,000. Mr. Roberts asked if we could learn more and the Technical Committee could deal with it. Ms. Gardino said we need at least 6 weeks with obligations. August 15 was the day for the final paperwork. University Avenue was pulled back from obligation submission so the funding was available.

- **Motion:** To approve an LED Streetlight Project Change Order in an amount not to exceed \$300,000. (Jacobsen/Pristash) No opposition. Approved.

e) North Pole Interchange Pedestrian Facilities

Mr. Butler said a maintenance agreement was signed by Mayor Jacobsen in 2006 for this particular project which recognized the need for pedestrian facilities. Now it is pushed out until 2014. He asked about the Pedestrian Facilities project in North Pole and why it is not going forward until so far out. He understands the funding is available for it from the Garvee Bond. He asked what the real issue is that prevents this project from going forward on one of the higher speed roads within the city where there are pedestrians.

Janet Brown said she just spoke with Al Beck, the manager on the project. They have a new environmental analyst on the project and they are working on it now. It wasn't worked on for a year or two so it is good North Pole is championing this project. A public meeting will be held this winter on the process. It takes a year or two for environmental, then acquiring ROW will take some time, that is why it was scheduled for 2014. The shoulders are going to be left out there for pedestrians and bike riding. They are trying to come up with other options to minimize ROW acquisition. Basically, they will add the sidewalks. The North Star Fire Chief told her fatalities and major accidents have been resolved since the interchange project was completed.

Mr. Butler said he has walked the shoulders; they are not truly shoulders on St. Nicholas. 4-Wheelers have knocked down the shoulders so they can be walked on. He does not consider it a safe pedestrian facility. Ms. Brown said it is not wonderfully safe, she is saying the process takes time. For some reason it was not prioritized and North Pole was expecting it.

Mr. Jacobsen said he was concerned because when the Richardson Highway Interchange Project as part of the Garvee Bonds was looked at, a lot of initial design of the project was scaled back to fit the scope of the Garvee Bond allocation. The North Pole community spoke up about changing traffic patterns in a residential community where all the interchange on/off traffic was going to be forced through St. Nicholas Drive for that side of town. This was going to impact the community which had no sidewalks. Now there are mothers out there with strollers, walking along a highway that had local traffic now being impacted with an increased volume of traffic. North Pole understood we would be getting sidewalk facilities as part of that safety concern, not only on the part of St. Nicholas Drive, but also on the other side of the Richardson Highway. At the Liberty subdivision on the other side, the shoulder was widened as a part of the construction project so they would have safe passage. Then back on the city side, we are looking at 8 years after the project was completed that we might be getting pedestrian facilities. How do we avoid this happening in the future? We signed a maintenance agreement, expedited the process, committed and jumped through the hoops DOT forced on the community in order to get this project prioritized. We did everything that was expected of us. Now, to find out it was not a priority that somebody didn't work on it for a couple years. How do we avoid that? If we did everything we were supposed to do, how does this body or any community know something is not happening when they have done all their committed responses? How do we know we need to champion it if we thought we had by signing the maintenance agreement. It was a big issue to forward fund this agreement.

Mr. Butler said DOT went to North Pole two years ago to tour the city and look at their sidewalks with the idea of combining two existing pedestrian projects with that one that could be bid at a lower price. So two years ago, we were led to believe this was going to occur.

Mr. Birkholz said DOT restructured that project with city-wide sidewalks and other pedestrian facilities to expedite one of the projects. Unfortunately, DOT has had a lot of employee turn-over the last few years and this project slipped through the cracks. It was not prioritized as well as it should have been.

Ms. Gardino said she should have dogged it, but she was under the impression it was moving. She missed it when it slipped.

Mr. Titus said everybody has some potential blame in this, but to keep in mind FMATS was not put together when the issue was going on. There was not a coordinator like there is today. Donna Gardino, the FMATS coordinator, is now a champion for all the projects in the TIP. We will try to make sure it moves forward now.

Mr. Jacobsen asked if there is any way to expedite it moving forward as a way of recognition that this shouldn't have slipped, that there was an in-house situation with turnover that DOT can re-allocate extra resources and fast track it in-house. Mr. Titus said DOT has that message. In the environmental process, you can't put twice the people on it to do the job, it still has time constraints. The message has been sent and heard and DOT will react to that.

f) Coordinator's Office FFY11 Budget Approval

A draft budget was included in the meeting packet. Ms. Gardino noted the differences in the budget and new significant items. Paper, toner supplies, advertising and Bikeways map printing costs were increased. The current year budget was also included in the packet.

- **Motion:** To approve the FFY11 Coordinator's Office Budget. (Sattley/Roberts).

Comments: Mr. Sattley asked questions on the current year costs. Mr. Butler said including the budgets from other previous years would be helpful.

- **Vote on the motion:** Approved. No opposition.

g) STIP Nominations

Ms. Gardino said there is a call for nominations for the STIP. If there are any non-FMATS projects to nominate, these are due September 13. Turn them in to Margaret Carpenter at DOT&PF to help with the nomination process. Resolutions of support from organizations, or if a project is in the long range plan can both help improve the score.

Mr. Roberts asked about the nominations process. Mr. Birkholz explained the steps a project goes through for scoring. Ms. Gardino said the Borough had three ideas for projects: Rosie Creek Road to Chena Ridge to Becker Ridge, Lower Goldmine Trail and the Fairbanks to North Pole pedestrian/bike path.. Mr. Roberts said people have asked for a bike trail along Chena Ridge. Mr. Titus said projects for the STIP do not have to be from within the MPO area.

9. Public Comments Gene Salzman, resident of Taku Subdivision, spoke about the LED Streetlight project. The light outside his home has been out for 3 weeks, but he has watched the contractor remove the meter, install it on another pole, then put the original meter back on the original pole. This has been happening throughout the neighborhood and was told because it was due to a load center issue. Ms. Carey explained the load center issues are being worked on with the contractor relocating them for best efficiency with resolution within a week to four weeks. Mr. Salzman said he is going to the City Council meeting and plans to talk with the mayor.

10. Other Issues None

11. Informational Items

a) Obligation Plan Update

Ms. Gardino reported FMATS funding is currently 73% obligated. College Road will be obligated by Tuesday. University Avenue will be sent today. The LED will need a revised change order to go in this week. There are no foreseeable blocks for obligating the funds.

12. Adjourn

- **Motion to Adjourn** (Roberts/Butler) Approved. Adjourned at 11:31am.

Next Scheduled Policy Committee Meeting, 10:00 a.m., Wednesday, September 15, 2010 at DOT&PF Main Conference Room.

Approved: Steve Titus
Steve Titus, P.E., Chair
FMATS Policy Committee

Date: 9/15/10