



POLICY COMMITTEE MEETING

State of Alaska DOT&PF, 2301 Peger Road, Main Conference Room

Fairbanks, Alaska

Meeting Minutes –April 16, 2014

1. Call to Order

Mayor Luke Hopkins, Chair, called the meeting to order at 10:00 a.m.

2. Introduction of Members and Attendees

Attendee

*Mayor John Eberhart
 *Mayor Luke Hopkins, Chair
 *Mayor Bryce Ward, Vice Chair
 *Steve Titus
 *Guy Sattley
 *Perry Walley
 *Alice Edwards
 **+Donna Gardino
 +Bernardo Hernandez
 +Michael Schmetzer
 **Deborah Todd
 **Kellen Spillman
 **Margaret Carpenter
 Ryan Anderson
 Barbara Tanner
 Janice Golub

Representative Organization

Mayor, City of Fairbanks
 Mayor, Fairbanks North Star Borough
 Mayor, City of North Pole
 Northern Region Director, DOT&PF
 FNSB Assembly Member
 City Council Member, City of Fairbanks
 DEC, Division of Air Quality
 FMATS MPO Coordinator
 FNSB Planning
 City of Fairbanks
 FMATS Administrative Assistant
 FNSB Community Planning
 DOT&PF Planning
 DOT&PF Design
 DOT&PF
 FNSB Borough Assembly

**FMATS Policy Committee Members, **FMATS Staff Members, +FMATS Technical Committee Members*

3. Public Comment Period (3 minute limit)

No public comment.

4. Approval of the April 16, 2014 Agenda

Motion: To approve the April 16, 2014 Agenda. (Sattley/Walley).

Discussion: No discussion.

Vote on Motion: None opposed. Approved.

5. Approval of the March 26, 2014 Meeting Minutes

Motion: To approve the March 26, 2014 meeting minutes as amended. (Ward/Walley).

Discussion: Ms. Gardino stated that she had received an email regarding the 4th paragraph on Page 2 of the meeting minutes. Ms. Gardino stated that the word “did” needed to be changed to “did not” think the project needed to be delayed” in Mr. Roberts’ public comment.

Vote on the motion: None opposed. Approved.

6. Committee Reports

a. Coordinator’s Office Report and Technical Committee Action Items

Ms. Gardino summarized the Coordinator’s office monthly report of meetings, FMATS activities, and Technical Committee Action Items included in the meeting packet.

Ms. Gardino passed out copies of the new FMATS bikeway maps that had arrived and were available for distribution.

7. Old Business

None.

8. New Business

a. Review of Operating Agreement, Bylaws, and Coordinator’s Office Agreement (Action Item)

Ms. Gardino stated that the Technical Committee recommendation was to go through and reconcile discrepancies within the agreements and Ms. Carpenter had gone through and found several discrepancies that needed to be addressed.

Mr. Sattley requested an example of the discrepancies that were discovered and whether they were just incorrect references.

Ms. Carpenter explained that the majority of the discrepancies were minor and read an example of one discrepancy regarding consultant contracts and another regarding FMATS Technical Committee Chair voting authority that conflicted within the different agreements.

Mr. Sattley stated that those types of things were things he did not have a problem with and inquired if there would be a list of those discrepancies provided after the review.

Ms. Carpenter stated that there would be a list and it would be provided to both the Technical and Policy Committees.

Mr. Titus commented on the Technical Committee motion wording of: “a group of us review the documents”.

Ms. Gardino stated that the wording was meant to mean that “staff” would review the documents for discrepancies and make recommendations.

Motion: To direct FMATS staff to prepare amendments of the Operating Agreement, Bylaws, and Coordinator's Office Agreement and bring recommendations back to the Policy Committee. (Ward/Sattley).

Discussion: Mr. Sattley stated that he hoped there would be at least one document that clearly showed typographically what was there and what it was being changed to as he did not want to have to sit down and compare the documents line by line. Ms. Gardino stated that there would be a document provided showing the revisions.

Mayor Ward stated that in his review of the documents there were discrepancies that did not correlate within the documents and also thought it would be prudent to compare them with the current Federal laws to make sure the documents were all in compliance with 23CFR Federal code such as the Public Participation Plan reference.

Mayor Eberhart stated that Mayor Ward's statement made sense and also agreed with Mr. Sattley that there should be a legislative style document that clearly depicted the revisions, so they could compare them.

Mayor Hopkins stated that he found it critical in his view that the "group" described should be clearly identified so those that wanted to listen could do so, and that a motion be made to call it a "subcommittee of the Technical Committee" so that there were no closed door staff meetings that people were not aware of which was how they had conducted business previously.

Amendment to the Motion: To change staff to make it a subcommittee of the Technical Committee and make it noticed. (Sattley/Eberhart).

Discussion: Mayor Ward stated that he disagreed with the motion and would advise against it. Mayor Ward stated that there was enough expertise within the staff to review the documents and that also kept the politics out of the review process.

Mr. Titus stated that he agreed with Mayor Ward regarding a public notice type meeting since that came under the Public Meetings Act.

Mr. Sattley stated that public notice did not imply that it was a public hearing, it just informed people of what was going on.

Mr. Walley inquired whether if staff were to perform the review, it would go back to the Technical Committee and he also did not think there needed to be another committee.

Mayor Hopkins stated that it did not say what the makeup of the staff was in the motion and that staff could populate the committee as well as other staff, but he felt the public should be notified as they were when the FMATS Coordinator position was created.

Vote on Amendment to the Motion: Two in favor (Hopkins/Sattley). Five opposed. (Ward, Edwards, Titus, Walley, Eberhart). Amendment failed.

Vote on Motion: Six in favor. One opposed. (Hopkins). Approved.

b. PL Funding Allocation Consultation Comments (Action Item)

Ms. Gardino explained that it had been the recommendation of the Technical Committee that a letter be drafted to address the PL Funding distribution 80-20 split and to inquire how that split was derived. Ms. Gardino explained that she had investigated the funding distribution to determine why DOT&PF believed that FMATS was adequately funded compared to AMATS given the upcoming work that needed to be accomplished.

Motion: To send the letter to the DOT&PF addressing the concerns regarding the PL Funding Allocation Distribution. (Sattley/Titus).

Discussion: Mr. Sattley stated that the hours spent coming up with the distribution verbiage would be better served elsewhere, and inquired if this was the first time this 20 percent had been taken off the top.

Mr. Titus stated that he believed that this was the first time. Mr. Titus agreed with Mr. Sattley that the letter was a lot of work, but thought it addressed and responded to the issues nicely. Mr. Titus stated that it would be interesting to see how Headquarters responded to the letter.

Mayor Ward thanked Ms. Gardino for her efforts on the letter and felt that it fully addressed all the issues.

Mayor Hopkins stated that Ms. Gardino should have the issues bolded so it would be easily reviewed by Headquarters.

Ms. Gardino stated that she had been trying to be kinder and gentler in her verbiage.

Mayor Hopkins thanked Ms. Gardino for the time and effort she had put forth drafting the letter.

Mr. Titus stated that he had read the letter carefully and that Headquarters had treated FMATS well in the past, and what he had wanted to see was a very factual, clear, and non-adversarial letter and the letter contained all those elements, and thought the letter should remain the way it was written without any bolding or additional language.

Vote on Motion: None opposed. Approved.

c. Project Scope for Freight Plan

Ms. Gardino stated that at the last meeting, the Policy Committee had approved recommendations for use of the FY14-15 Planning Funds for a stand-alone freight

plan and requested that a Scope of Services be drafted. Ms. Gardino stated that the Scope of Services presented to them had been reviewed by the Technical Committee and some North Pole-specific information had been incorporated. Ms. Gardino stated that she would also incorporate the email comments she received from Mr. Spillman for the methodology section.

Discussion: Mayor Hopkins inquired if the email from Mr. Spillman had been provided to the Technical Committee.

Ms. Gardino stated that the email had come after the Technical Committee meeting.

Mayor Hopkins inquired if the modifications would be incorporated if the recommendations were sent back to the Technical Committee.

Ms. Gardino stated that FMATS had not yet received authorization to proceed with an RFP.

Mayor Ward stated that he appreciated the last paragraph containing North Pole that had been included in the recommendations.

d. DEC-Transportation Conformity Regulations and SIP Comments (Action Item)

Ms. Gardino stated that this item had not gone before the Technical Committee.

Mayor Hopkins inquired if there were any conflicts for participation in the conversation prior to discussion.

Ms. Edwards stated that she would not vote on this action since her agency (DEC) was the entity soliciting, receiving, and reviewing comments and felt it would be a conflict of interest for her to take part in the vote.

Mayor Hopkins stated that he would like to have Ms. Edwards' participation in the conversation and while he understood her wish to abstain from voting, thought she should vote. Mayor Hopkins stated that since the bylaws allowed for some latitude, he would accept her abstention.

Ms. Gardino stated that the document contained amendments to the State Air Quality Control Plan. Ms. Gardino stated that she had looked at three different documents and contacted Cindy Heil to get guidance for how to approach it. Ms. Gardino stated that she had laid out the FMATS process used for conformity. Ms. Gardino stated that she had laid out the FMATS process in the memo so that DEC could make the necessary changes since FMATS was different than AMATS. Ms. Gardino stated that she would recommend deletion of the ambient air quality comment.

Motion: To send the letter to DEC containing FMATS' comments on the Air Quality regulations. (Sattley/Walley).

Discussion: Mr. Sattley stated that he felt the document was one that required bold face comments and inquired whether the letter was sufficient to get DEC to revise the document.

Ms. Gardino stated that Ms. Heil had thought that all the comments were good ones.

Mayor Ward inquired if through the intergovernmental support agreement with the State whether the Air Quality Conformity fell to the MPO.

Ms. Gardino stated that because the nonattainment area was twice the size of the MPO, FMATS was required by law to create an agreement for how they would handle air quality conformity. Ms. Gardino stated that currently DOT managed the contracts for consultants to do the travel and emissions models, DOT was charged with maintaining the travel model, and FMATS managed the interagency consultation and development of the conformity analysis.

Mayor Ward inquired if there was another MOU with the Borough for air quality containment. Mayor Ward stated that he was unclear about the conformity requirements of the MPO and thought the document might affect the Borough far more than the MPO. Mayor Ward stated that ultimately the MPO had the responsibility for air quality conformity. Mayor Ward inquired if the Borough was preparing any comments for DEC or if it affected them in any way.

Ms. Edwards clarified that what DEC was trying to accomplish with the air quality conformity was to update the document and bring it up to current standards.

Ms. Edwards stated that Ms. Gardino was correct about the differences in AMATS and FMATS with regard to responsibilities for air quality conformity and DEC was updating several Federal regulations within the transportation component of the regulation package.

Mayor Hopkins inquired if there were other regulations that were being updated within the package as well.

Ms. Edwards stated that there were other updates within the regulation package.

Amendment to the Motion: To delete Comment #1 and renumber the remaining items accordingly. (Sattley/Ward).

Vote on Amendment to the Motion: None opposed. One abstention. (Edwards). Approved.

Amended Motion: To send the letter to DEC with FMATS' comments on the Air Quality regulations and to delete Comment #1 and renumber the remaining items accordingly. (Sattley/Walley).

Vote on Amended Motion: None opposed. One abstention. (Edwards).

e. STIP Amendment #9 (Action Item)

Ms. Gardino stated that the new STIP was released last week and had not gone to the Technical Committee. Ms. Gardino stated that she drafted a letter regarding the STIP and went through her comments which were included in the meeting packet.

Motion: To forward the letter to DOT&PF with FMATS' comments on STIP Amendment #9. (Ward/Walley).

Discussion: Mayor Ward stated that he wanted to know Mr. Titus' opinion on the fact that Northern Region had less projects in the recent SIP.

Mr. Titus stated that if there were other projects that had priority over the Northern Region projects, he was in favor of those projects getting built.

Mayor Ward inquired about the effect of the lack of funding on projects such as Dalton Highway maintenance projects.

Mr. Titus stated that DOT would continue to perform maintenance on the Dalton Highway and they had an operating budget and would continue to be responsible for maintenance.

Mayor Hopkins stated that there had been questions submitted from Northern Region to Headquarters for CMAQ fund use guidance that was important to the SIP and therefore the Fairbanks North Star Borough area. Mayor Hopkins stated that funding was important for continued work on the SIP process for the Borough and would like to see Items #5 and #7 removed from the comments. Mayor Hopkins commented that he had angst about Item #8, but did not want it removed from the letter.

Mr. Sattley asked if Mayor Hopkins would elaborate on his reasoning for wanting Items #5 and #7 removed from the comments.

Ms. Gardino stated that she had been trying to get clarification from Headquarters for the past couple months about the use of CMAQ funds and when she had questioned the use of SIP funds for CMAQ projects she had not received a specific answer to her question regarding their eligibility. Ms. Gardino stated that Ms. Carpenter had also sent an email to Headquarters to get an answer.

Mayor Ward inquired about "Need ID #" and what that meant.

Ms. Gardino explained that the Need ID was required for all projects in the STIP to be put into the database for tracking purposes.

Mayor Hopkins inquired about the banked FFY15-16 funds and whether it was FHWA money.

Ms. Gardino stated that there was banked funds for College Road and Noble Street. Ms. Gardino stated that College Road would hopefully go this year and Noble Street was banked for next year.

Amendment to the Motion: and delete numbers 5 and 7. (Eberhart/Edwards).

Discussion: Ms. Edwards stated that in Item #5 as she looked at the amendment being made to the STIP on Page 58, there was a change on the funding from mandatory funding to CMAQ funding and that Headquarters might be addressing the concern voiced by Ms. Gardino regarding the use of funding sources.

Mr. Sattley stated that in previous discussions of Items #5 and #7 he did not hear any reason why the comments were harmful or should be removed from the letter.

Mr. Titus stated that he agreed with Mr. Sattley and it would be another opportunity to ask for Headquarters' clarification regarding those projects.

Mayor Ward stated that he agreed and thought the comments would be further clarified.

Mayor Hopkins stated that he that modeling should be added on Item #5.

Vote on Amendment to the Motion: Three in favor. Four opposed. (Ward, Titus, Sattley, Walley). Amendment failed.

Vote on Motion: None opposed. Approved.

9. Public Comment Period (3 minute limit)

Mr. Hernandez stated that this was the last meeting he would attend for the Policy Committee since he would be retiring on May 31st and would not be attending the May meeting. Mr. Hernandez thanked them and stated that it had been a pleasure working with them and they all worked very hard to make it all work. Mr. Hernandez stated that they all had the same goal in making the transportation infrastructure better and he appreciated that.

10. Other Issues

None.

11. Informational Items

a. Capital Budget Update

Ms. Gardino explained that Legislative authority had been received for three projects and had no further updates.

b. Notice of Proposed Rulemaking for HSIP (Hwy Safety Improvement Program)

Ms. Gardino stated that she would get a draft letter to the Technical Committee.

c. FMATS Historical Plaque Update

Ms. Gardino stated that the plaques were being manufactured and would receive final proof and send them out to be produced.

d. Obligations/Offsets

Ms. Gardino explained the obligations/offset list included in the meeting packet.

12. Policy Committee Comments

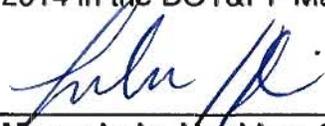
- Mr. Sattley asked for Mr. Titus for a brief explanation on Chena Small Tracts Road and which of the designs was chosen as the preferred design after all the meetings. Mr. Titus stated that the design was a separated path on the north side of the road near the pond. Mr. Sattley inquired if there was fencing on the edge of the right of way along the pond. Mr. Titus stated that pipe railing would be installed.
- Ms. Edwards stated that she wanted to thank Mr. Hernandez for his service to FMATS and wished him well in future endeavors.
- Mr. Titus reminded everyone of the Super Open House on Saturday April 19th from 10-2 pm. Mr. Titus thanked Mr. Hernandez for his service not only to FMATS but to the community as a whole.
- Mr. Walley congratulated Mr. Hernandez and thanked him for his service to FMATS and the community and also thanked Renee Staley for filling in for him last month at the previous meeting. Mr. Walley thanked Ms. Gardino for drafting the three letters and all the weekend hours she spent researching the necessary documents, drafting comments to various agencies, and thanked her for her diligence and for all the work that she did for FMATS.
- Mayor Eberhart stated that it looked like a busy upcoming season particularly in the South Cushman area. Mayor Eberhart stated that he had asked Mr. Schmetzer to look into traffic calming and safety measures to further improve the area. Mayor Eberhart stated that he was disappointed that the City had not received funding in the Capital budget. Mayor Eberhart thanked Mr. Hernandez for his work and congratulated him on his retirement.
- Mayor Hopkins thanked Mr. Hernandez for his work at the Borough and FMATS and congratulated him on his retirement. Mayor Hopkins stated that he was concerned about bringing in asphalt product material into the community and whether Flint hills departure would affect supply and cost. Mayor Hopkins requested that Mr. Titus provide further information at the next meeting about whether there would be an impact with respect to asphalt product use.
- Mr. Titus stated that Tesoro, which was the only other plant that produced asphalt in the state, would be able to provide the asphalt but the problem was limited to transportation and storage of the asphalt. Mr. Titus stated that DOT, the Cities, and the Borough would use approximately 28,000 tons of oil this summer, but would know more after speaking with the AGC.

13. Adjourn

Motion to Adjourn: (Walley/Sattley). The meeting was adjourned at 12:05 p.m.

A special Policy Committee Meeting was scheduled for Thursday, April 24, 2014 at 9 a.m. in the Main Conference Room at DOT&PF on 2301 Peger Road.

The next regular Policy Committee Meeting is scheduled for 10 a.m. Wednesday, May 21, 2014 in the DOT&PF Main Conference Room, 2301 Peger Road.

Approved:  _____ Date: 5/21/14

Mayor Luke Hopkins, Chair
FMATS Policy Committee