



POLICY COMMITTEE

Main Conference Room

State of Alaska DOT&PF, 2301 Peger Road

Fairbanks, Alaska

Meeting Minutes – September 18, 2013

1. Call to Order

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

2. Introduction of Members and Attendees

Attendee

*Mayor Jerry Cleworth
 *Mayor Bryce Ward
 *Mayor Luke Hopkins
 *Steve Titus, Chair
 *Guy Sattley, Vice-Chair
 *Perry Walley
 *Cindy Heil for Alice Edwards
 +Joan Hardesty
 +Brian Lindamood
 +Judy Chapman
 +Michael Schmetzer
 +Bernardo Hernandez
 **+Donna Gardino
 **Aaron Buckley
 **Deborah Todd
 **Kellen Spillman
 **Margaret Carpenter
 **Linda Mahlen
 Hannah Blankenship
 Ryan Anderson
 Adam Barth
 Jim Moore
 Brenda Hewitt (via telephone)
 Vivian Stiver
 Sarah LeFebvre
 Paul Ewers

Representative Organization

Mayor, City of Fairbanks
 Mayor, City of North Pole
 Mayor, Fairbanks North Star Borough
 DOT&PF, Northern Region Director
 FNSB Assembly Member
 City of Fairbanks Council Member
 DEC Division of Air Quality
 DEC Division of Air Quality
 Alaska Railroad
 DOT&PF Planning
 City of Fairbanks, Public Works & Engineering
 FNSB Planning
 FMATS, MPO Coordinator
 FMATS Transportation Planner
 FMATS, Administrative Assistant
 FNSB Community Planning
 DOT&PF Planning
 DOT&PF Planning
 DOT&PF Public Information
 DOT&PF Preconstruction
 FNSB Transportation
 Moore & Associates
 Representative Doug Isaacson's Office
 Citizen
 Exclusive Paving/University Redi-Mix
 City of Fairbanks

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

3. Public Comment Period (3 minute limit)

Mr. Titus stated that today was Ms. Gardino's birthday and everyone wished her a happy birthday.

4. Approval of September 18, 2013 Agenda

- **Motion:** To approve the September 18, 2013 Agenda. (Hopkins/Sattley).
Discussion: Mayor Hopkins requested that an update on the Illinois Street landscaping be added to the agenda.
- **Vote on the motion:** None opposed. Approved

5. Approval of August 21, 2013 Minutes

- **Motion:** To approve the August 21, 2013 meeting minutes as revised. (Sattley/Heil)
- **Vote on the motion:** None opposed. Approved.

6. Committee Reports

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

Ms. Gardino provided an update and highlights from all the workshops and meetings she had attended, as well as all other FMATS activities that had occurred since the last meeting from the report included in the meeting packet.

7. Old Business

a. Public Participation Plan Update

Ms. Gardino explained the status of the Public Participation Plan. Ms. Gardino stated that the Plan went out for the 45-day public comment period and she had received the majority of comments from the State of Alaska Title VI Office and made revisions as necessary. Ms. Gardino stated that the Technical Committee had recommended that the Plan be put out in a display advertisement in the newspaper for another public review. Ms. Gardino stated that the Plan is now out for another 30-day public review to afford interested individuals and organizations another opportunity to review and comment.

b. Local Planning Approval Agreement Update

Ms. Gardino explained the status of the Local Planning Approval Agreement draft included in the meeting packet and referenced the additional review comments.

8. New Business

a. Operating Agreement Changes (Action Item)

Discussion: Ms. Gardino explained that the Operating Agreement was revised and those revisions were included in the meeting packet and needed review and approval by the Policy Committee. Mayor Hopkins inquired if there was an action item before the Policy Committee. Ms. Gardino stated that nothing had come from the Technical Committee, but she would recommend approving the changes that were proposed by the State Attorney General and incorporate them into the agreement. Mayor Hopkins inquired if that meant that we had an action item before us.

Mr. Titus stated that meant we were obviously looking for a motion. Mayor Cleworth stated that he was not sure that a motion by the Policy Committee was necessary since the protocol was to send it back to the Technical Committee for their overview. Mayor Cleworth commented that an issue that needed to be addressed was how a motion made by the Policy Committee would be handled if the Committee was not all in agreement with the outcome of that motion. Mayor Cleworth stated that when there was no agreement as to the outcome of a motion, there needed to be some way to address that in this document. Mayor Cleworth stated that this was an issue that needed to be addressed for future motions.

Mr. Titus stated that it should have gone to the Technical Committee before coming to the Policy Committee anyway. Mr. Titus stated that this had been brought to the Policy Committee to expedite it, but it could be remanded back to the Technical Committee to review the Operating Agreement changes proposed by the AG and other recommendations then brought back to the Policy Committee. Mayor Ward stated that as it was listed as an “action item”, there probably should have been an action to take it back to the Technical Committee. Mr. Titus stated that if the Committee wanted to make a motion to that effect, the Chair was open to that. Ms. Heil stated that typically operating agreements set the stage or the boundaries between the entities, but details of how and when you made decisions could be made are separate, outside the Operating Agreement. Ms. Heil stated that AMATS had policies that they passed to identify how they internally processed information and they did not have those in an Operating Agreement. Ms. Heil stated that she would not put too much detail into the Operating Agreement or it would never get signed. Mayor Ward stated that the question came down to what authority the Policy Committee had as an entity with regard to the State and would they recognize that action as having any type of authority. Ms. Heil stated that FMATS had the overall responsibility to adopt the elements of the FMATS UPWP, TIP, MTP, and Air Quality Plan but how you went about doing that was up to you as she understood it. Ms. Heil stated that she thought they had more flexibility than what they were allowing themselves.

Mayor Cleworth stated that he thought it was appropriate, as a broad statement, to say what authority the MPO actually had. Ms. Heil stated that she agreed.

Motion: To refer the Intergovernmental Operating Agreement and Memorandum of Understanding for Transportation and Air Quality back to the Technical Committee. (Ward/Sattley).

Discussion: Mayor Ward stated that there were a few things that needed further clarification to help the Committee work more seamlessly with the State, City, and Borough. Mayor Ward stated that he would write down his thoughts and make them available to the Technical Committee. Mayor Hopkins inquired what effect there would be on projects if they did not

have the new FMATS boundary map when dealing with possible projects that went in and out of what the proposed and the current boundaries were.

Ms. Gardino stated that it was her understanding that the Policy Committee had approved the current boundary map and did not know whether it was incorporated into the new Operating Agreement but would check.

Ms. Gardino stated that she thought they had until at least June.

Vote on Motion: None opposed. Approved.

9. Public Comment Period (3 minute limit)

Brenda Hewitt of Representative Isaacson's office commented via telephone. Ms. Hewitt stated that her main concern was the role that the MPO was playing. Ms. Hewitt stated that when the MPO was set up in 1962 with the Federal Aid Highway, it was stated that: *"The MPO was created to ensure that existing and future expenditures of government funds for transportation projects and programs were based on continuing cooperative and comprehensive planning process, and that the planning needed to reflect the recent shared vision for the future."* Ms. Hewitt stated that she was contacted and had spoken with both the Mayors, Ms. Gardino, Mr. Titus, and the Commissioner. Ms. Hewitt stated that she was disturbed by what had happened with the landscaping portion of the Illinois Street project. Ms. Hewitt stated that the City had requested that DOT rethink the way they were landscaping the Illinois corridor. Ms. Hewitt stated that she thought the City had come up with a really great plan for shared maintenance and funding. Ms. Hewitt stated that it looked as if everything was working fine until it hit a brick wall at DOT. Ms. Hewitt stated that she thought that there had been a really great plan derived by the City for the maintenance, but was concerned about the noncooperation of DOT after the resolution was passed at the last Policy Committee meeting. Ms. Hewitt stated since it was getting a little late in the year to put in grass and pavement, she wanted to know why the landscaping could not wait until next spring. Ms. Hewitt stated that DOT could close out the project with the exception of this one piece and then DOT could work with the community to achieve what landscaping was preferred by residents in the Illinois Street corridor.

Mayor Hopkins inquired about the statute that Ms. Hewitt referenced in her comments and wanted to know if she could forward that statute to Ms. Gardino. Ms. Hewitt stated that the reference was from the Federal Aid Highways in the Congressional Record and she would send the statute she referenced to Ms. Gardino.

Sarah LeFebvre stated that she had been a resident of City of Fairbanks for 29 years and wanted to mirror the comments previously made by Ms. Hewitt. Ms. LeFebvre stated that as a resident she would really like to see the improvements made to the downtown area and asked that DOT continue the improvement and landscaping option while there was opportunity to do so.

10. Other Issues

None.

11. Informational Items

a. Illinois Street Landscaping

Mayor Hopkins stated that an update was needed from DOT&PF as to what was happening on the Illinois Street project and current project activities that were occurring. Mr. Titus stated that landscaping that was included in the DOT contract was currently being completed. Mr. Titus stated that the areas that were not landscaped were areas that were going to receive paving via requests from adjacent property owners. Mr. Titus stated that DOT would take care of the landscaping maintenance, while the City would be responsible for the road maintenance. Mr. Titus stated that it was his understanding that the mainline paving, which consisted of the intersection of Illinois Street and College Road, was completed by DOT at midnight the previous evening. Mr. Titus stated that he was not sure whether the other areas on the road corridor had been paved yet. Mr. Titus stated that DOT wanted to get all the paving completed and the main structural paving was completed and the project would be nearly completed by the end of September. Mr. Titus stated that there was talk of leaving the project open, but it was not always a good idea to leave projects open and the FHWA liked to get the projects closed out and off the books. Mr. Titus stated that leaving the project open for a certain period of time was not in their wheelhouse. Mr. Titus stated that he was sure there were probably extenuating circumstances that would justify that action in some places, but this was not one of them.

Mayor Hopkins inquired about the grass planting and what would happen if those areas that had been seeded did not germinate. Would the contract be null and void, or what would happen? Mr. Titus stated that it was included in the contract that areas which did not germinate properly would be reseeded next summer in a "warranty period".

Mayor Cleworth stated that the motion passed by the Policy Committee last month approved the landscaping and he understood that Mr. Titus took exception to that motion, but inquired about his reasons for that. Mr. Titus stated that the motion that was passed after lengthy discussion read; "To have the landscaping put in along this area where people are willing to maintain it (along the Illinois Street Reconstruction project)." Mr. Titus stated that the motion was voted on and passed 4 to 3. Mr. Titus stated that he had made comments that the maintenance responsibility was the Department's. Mr. Titus stated that they had maintenance agreements that were federally funded. Mr. Titus stated that he did not believe it was appropriate for DOT to ask people to maintain property that was in State right-of-way, which was why he was not in favor of that motion. Mr. Titus stated that it was a maintenance responsibility and not under the purview of the Policy Committee.

Mr. Sattley inquired if the landscaping information had been included in the previous month's meeting packet and inquired if Mr. Titus was saying that "landscaping" meant grass in that two pages rather than "trees and shrubs".

Mayor Ward inquired if Illinois Street was State right-of-way.

Mr. Titus stated that it was State right-of-way. Mayor Ward stated that in previous conversations they had discussed the State transferring right-of-way to the City but had been told that there was State law that prohibited that. Mr. Titus stated that maintenance responsibility could be transferred to the City of Fairbanks but not the right-of-way ownership. Mr. Titus stated that the right-of-way had been purchased from the Alaska Railroad and was held in fee simple.

Mayor Ward inquired if there were provisions where the State could transfer right-of-way. Mr. Titus stated that he would have to defer that question to Mr. Bennett, the Right of Way Chief, but did not know of any situation in his tenure where the State had transferred right-of-way to another entity. Mayor Ward stated that this could possibly prohibit that from being an issue in the future.

Mr. Sattley inquired if there was a width requirement for right-of-way and whether the excess right-of-way could be transferred to the property owner. Mayor Ward stated that his question involved the transfer of the entire right-of-way to the City of Fairbanks. Mr. Titus stated that the current right-of-way width issue had come up in a previous discussion. Mr. Titus stated that the right-of-way width varied on the project.

b. Long Range Transit Plan Briefing-FNSB

Ms. Gardino introduced Adam Barth from the Borough and Jim Moore of Moore & Associates to give a presentation of the Borough Transit Plan. Mr. Barth stated that the same presentation had been presented to the Technical Committee a couple weeks ago. Mr. Moore stated that he was the consultant from Moore & Associates out of California and had worked with FNSB Staff in 2013 to develop both a short and long range transit plan.

c. Illinois Street Reconstruction Update

Ms. Gardino stated that paving was complete on the main line and paving was being completed on the approaches today. Ms. Gardino stated that the anticipated completion date was September 30, 2013 or possibly sooner. Ms. Gardino explained the current change orders that were included in the meeting packet. Mr. Sattley inquired about Change Order #27. Ms. Gardino explained that the change order was regarding traffic signals, street lights, and other safety features.

d. Historical Plaque and Artwork Update

Ms. Gardino explained that she would be having monthly meetings with DOT and the artist beginning in October. Mr. Titus inquired what the monthly meetings were for. Ms. Gardino explained that the meetings would be to receive progress reports from the artist. Mayor Hopkins inquired about the due date for the completion and installation of the art. Ms. Gardino stated that the art was due to be installed in September 2014.

e. State Rail Plan Advisory Group Meeting October 1

Ms. Gardino explained that the State Rail Plan meeting was in Anchorage on October 1st and the State Rail Plan Board of Directors meeting would be held in the DOT&PF Main Conference Room on October 17th. Mayor Hopkins stated his concern that other entities were not invited to participate in the board meeting. Mr. Sattley inquired whether this was the Board of Directors for the State Rail Plan and not a Board of Directors meeting for the Railroad. Mr. Lindamood stated that it was more of an advisory meeting as opposed to a board meeting for the State Rail Plan but was not entirely sure of the context for the meeting.

f. Obligations/Offset List

Ms. Gardino explained the obligations for the fiscal year were complete.

12. Policy Committee Comments

- Mr. Walley inquired how many people had responded to the College Road Corridor Study. Ms. Gardino stated that 30-50 people had commented and had received email comments as well.
- Ms. Heil stated that EPA did not receive any adverse comments on the Fairbanks CO Limited Maintenance Plan and it would take effect October 8th.
- Mr. Titus stated that he wanted to thank Ms. Heil for attending the meeting in place of Ms. Edwards.
- Mayor Hopkins requested that it be put on the next agenda that the Policy Committee meeting in November be changed from November 20 to November 13 due to the AML Convention. Mr. Titus stated that it would be put on the October Policy Committee meeting agenda as an action item. Mayor Hopkins further stated that on the issue of air quality there would be a rollout of the SIP regulations coming out very soon. Mayor Hopkins stated that there would be open houses and many chances for public comment.

13. Adjourn

Motion to Adjourn: (Walley/Hopkins)

The meeting was adjourned at **11:26 a.m.**

The next Policy Committee Meeting is scheduled for **10 a.m. on Wednesday, October 16, 2013** at the DOT&PF Main Conference Room on Peger Road.

Approved: Steve Titus Date: 10/16/13
Steve Titus, P.E., Chair
FMATS Policy Committee