

**MPO staff response on 8/25/16 in red text with new text underlined.**

SUBJECT: 2017-2020 Transportation Improvement Program—Aug 19, 2016 Draft

TO: Lawrence-Douglas County Metropolitan Planning Organization (MPO)

Thank you for the opportunity to be heard. These views are my own and are not vetted by any other individual or group.

**Administrative comments:** Please refer to page iii, Definitions. Inconsistent form is used to refer to the three federal public laws cited. Suggest the following format be used for accuracy, consistency and avoidance of the appearance of partisanship.

Change “ADA-Americans with Disabilities Act (ADA) of 1990” to “ADA-Americans with Disabilities Act of 1990 (P.L. 101-336) and ADA Amendment Act of 2008 (P.L. 110-325)”

Change Fast Act definition to “Fixing America's Surface Transportation Act (P.L. 114-94)”

Change MAP-21 definition to “Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)”

**These changes were made.**

**Administrative comment:** There remain a number of undefined acronyms throughout the document. Suggest any identified here be defined at the first instance, spelled out if only used once in the text, or added to the definitions section

<u><b>Acronym</b></u>	<u><b>Page</b></u>	<u><b>Possible Definition</b></u>
FFY	Front Cover	Future Fiscal Years
CFR	ii	Code of Federal Regulations
USC	ii	United States Code
LMCMS	I-19	Liberty Memorial Central Middle School
WES	I-19	Woodlawn Elementary School
RRFBs	I-19	Rectangular Rapid Flash Beacons

All of these definitions were added to the definitions page. However, FFY is defined as Federal Fiscal Year.

Please refer to **page 4**: The term “Legislative Requirement” is misleading. Public Law 114-94 is no longer mere legislation, rather, it is the law of the land. Suggest the following change immediately following “Programming Process” to remove any hint of hagiography and for accuracy: “Mandate of Public Law 114-96--Signed December 4, 2015, the current federal surface transportation authorization is called Fixing America’s Surface Transportation (FAST) Act. The FAST Act governs transportation programs for fiscal years 2016 through 2020. Accordingly, MPOs are required to develop a TIP that is fiscally constrained and contain all capital and non-capital surface transportation projects within the MPO area planned to receive federal funding, as well as other regionally significant transportation projects.<sup>2</sup> “

The MPO is attempting to make the TIP document easier for people to understand, thus rather than adding the federal language into the text of the document; we included a footnote saying “The FAST Act was created as Public Law 114-96. The official legislation can be accessed at <https://www.gpo.gov/fdsys/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf>.”

Please refer to **page 9, State Funds section**. The discussion of the K-10/Bob Billings Parkway new interchange funding is inaccurate. Lawrence contributed \$1,000,000 for pedestrian and bicycle facility improvements to this interchange project per staff briefings provided to the Pedestrian-Bicycle Issues Task Force established by Lawrence Ordinance 7106. One million dollars certainly is a significant impact on the City of Lawrence budget. Suggest this paragraph be revised accordingly for historical accuracy.

The underlined text was added to the sentence:

“Recently KDOT has spent large amounts of funding to build the South Lawrence Trafficway (new K-10 alignment), and to build a new interchange along K-10 at Bob Billing Parkway/N 1500 Road. All of those projects are KDOT administered projects on KDOT routes, which typically do not significantly impact the local governments’ budgets for transportation improvements (although the City of Lawrence/Douglas County contributed \$1,000,000 for pedestrian and bicycle facility improvements to the K-10/Bob Billings Parkway interchange).”

Please refer to **page 10, Douglas County section**. As the County has recently set its mill levy and budget for next year it would be more accurate to add the actual budget for the CIP in fiscal year 2016-2017 rather than use “has been approximately \$4 million.”

This comment was forwarded to the Douglas County Engineer. His response is below.

As of yesterday, the BOCC approved the CIP so we know more accurately the budget amounts for 2017-2020. Below are budgeted (2017) and anticipated (2018-2020) dollar amounts for CIP for 2017-2020. Please note that our CIP also includes building facilities, for which CIP allocations are relatively high in 2017.

Year	Facilities	Roads	Bridges	Total CIP	Total-Roads & Bridges
2017	1,662,500	2,480,000	740,000	4,882,500	3,220,000
2018	1,275,000	2,610,000	790,000	4,675,000	3,400,000
2019	940,675	2,500,000	900,000	4,340,675	3,400,000
2020	800,000	2,970,000	430,000	4,200,000	3,400,000

The CIP has the following fund balances (2016 Reserve plus 2016 Budget):

Facilities	7,497,179
Roads	10,380,867
Bridges	5,849,274

Therefore, the text was adjusted and a new Table 4 was created. The text now says “The Board of County Commissions approved the 2016-2020 CIP on August 24, 2016. Table 4 displays the 2017 budgeted and 2018-2020 anticipated dollar amounts for facilities, roads, and bridges.”

**Table 4: Douglas County Approved CIP (Shown in \$1,000s)**

Year	Facilities, Roads, Bridges
2017	\$ 4,883
2018	\$ 4,675
2019	\$ 4,341
2020	\$ 4,200
<b>Total</b>	<b>\$ 18,098</b>

Please refer to **page 9 text following Table 3** and **page 12 text following Table 5**. If these are indeed the same revenue source (sales tax and transit tax) then consistent language and identical expiration dates should be used in both instances.

**These dates have been adjusted to April of 2019.**

Please refer to the section **“Demonstration of Fiscal Constraint” on pages 13 and 14**. At least two crucial analytical assumptions need to be stated in more fulsome manner. First, a statement as to the need for Lawrence voters to approve a sales tax renewal referendum dedicated to transit programs similar to the 2008 action is assumed in all fiscal constraint calculations. Second, actual inflation rates far above the 1.5% assumed annual rate, should they occur, invalidate the fiscal constraint analysis provided here. Also, these assumptions should be restated in the text in Appendix G.

**The following underlined text was inserted into the paragraph.**

**This TIP document provides realistic cost and funding estimates for improvement projects in the first two years of the fiscal constraint period (2017 and 2018). Predicting the revenues that will be available and costs for projects in the second half of that period (2019 and 2020) are a more**

speculative exercise, especially as the current tax referendum will sunset in April of 2019. Decisions will need to be made regarding future funding. Thus revenues for 2019 and 2020 are based on rough estimates of available funds and costs, which are helpful in showing the four years of fiscally constrained project tables. The MPO has assumed that 2015 levels for federal funding will remain in place for funding through 2020. The Estimated Revenues and Expenditures Tables in Appendix G show that the level of projected funding from reasonable sources and the total level of project funding programmed in this TIP is balanced and this TIP is fiscally constrained.

The following note was added to the footnotes for the Fiscal Constraint in Appendix G.

The 2008 Lawrence sales tax referendum which funds 1) Roads/Infrastructure, 2) Transit Service, and 3) Transit Operating/Capital Improvements will be sunset in April of 2019. Decisions regarding future funding will need to be made. For the purposes of this fiscal constraint, it is assumed this funding will be available in the future.

The 1.5% inflation rate was developed by KDOT for use with federal aid projects. The TAC and MPO Policy Board members agreed to the year of expenditure inflation rate.

Please refer to **page A-1**. There is no reference to Public Law 101-336 or Public Law 110-325 (ADA) compliance. There should be.

The sixth planning factor will be altered to the text below.

Does the project include provisions for transit, bicycle, and pedestrian movements (including students and ADA accessibility) as needed to provide a regional multimodal transportation system?

**RE Appendix D MPO #500 entry:** The “Santa Fe Depot” is used every day by northeast Kansas residents and by out-of-state visitors to our region. AMTRAK operates passenger rail service 365 days per year from this facility. The project description should indicate this is an active passenger facility and not merely a historical preservation project. “AMTRAK” should appear in the project title to denote the current active use of this facility. This comment also applies to TIP #500 description on page I-18.

This comment was shared with the City of Lawrence. The project title is also the KDOT project title, thus it was decided to not alter the title.

**RE page I-10, TIP # 226 Description:** My understanding is that this is a two lane, rather than a single lane, roundabout project at Harvard and Wakarusa. Please correct the entry accordingly, if necessary.

The reference to a single lane roundabout was removed and replaced with a “two lane roundabout”.

**RE page I-12 TIP # 230:** Due to the upcoming large visitor event (Junior Olympics in July 2017 at Rock Chalk Park) and the proximity of this project site, the city of Lawrence should accelerate planned construction improvements to the intersection of Queens Road and Overland Drive to eliminate the gravel road surface, open ditches, and poor sightlines.

This comment was forwarded to the City of Lawrence. Timing of projects is set by local governments as identified in local CIPs.

**RE page I-14 TIP # 237:** My understanding is the description of this project has changed in that the Kasold Drive Intersection is now planned to be right-in and right-out only rather than closed. Please correct the entry accordingly, if necessary.

That is correct. TIP # 103 is the Right In – Right Out configuration of K-10 and E 1200 Road. The entry for #237 has been updated to say “Kasold Dr intersection will be RI-RO [Project #103]”

My thanks go to all MPO staff members for drafting this document.

A handwritten signature in black ink, appearing to read "MK Kelly". The letters are stylized and cursive.

Michael K. Kelly