



POLICY COMMITTEE

September 11, 2009; 1:30 – 3:00 p.m.
Common Council Chambers (#115)

- I. Call to Order
- II. Approval of Minutes:
 - A. June 26, 2009
- III. Communications from the Chair
- IV. Reports from Officers and/or Committees
 - A. Citizens Advisory Committee
 - B. Technical Advisory Committee
- V. Reports from the MPO Staff
 - A. FY2009 4th Quarter Progress Report
 - B. North Campus Area Study
 - C. American Recovery & Reinvestment Act Project Update
- VI. Old Business
 - A. I-69 Hardship Right-of-Way Acquisition
*Action Requested**
- VII. New Business
 - A. Transportation Enhancement Review Committee
Nomination Requested
- VIII. Communications from Committee Members (*non-agenda items*)
 - A. Topic Suggestions for future agendas
- IX. Upcoming Meetings
 - A. Technical Advisory Committee – September 23, 2009 at 10:00 a.m. (McCloskey Room)
 - B. Citizens Advisory Committee – September 23, 2009 at 6:30 p.m. (McCloskey Room)
 - C. Policy Committee – October 9, 2009 at 1:30 p.m. (McCloskey Room)

Adjournment

**Public comment prior to vote (limited to five minutes per speaker)*



**Bloomington/Monroe County Metropolitan Planning Organization
Policy Committee**

**Policy Committee Meeting Minutes
June 26, 2009 McCloskey Conference Room 135, City Hall**

Policy Committee minutes are transcribed in a summarized outline manner. Audio recordings are on file with the City of Bloomington Planning Department.

Attendance

Policy Committee: Jack Baker (Citizens Advisory Committee), Lynn Coyne (Indiana University), Susie Johnson (Bloomington Public Works Department), Richard Martin (Monroe County Plan Commission), Kent McDaniel (Bloomington Public Transportation Corp.), Mark Kruzan (City of Bloomington Mayor), Andy Ruff (Bloomington City Council), Jim Stark (Indiana Department of Transportation), Bill Stuebe (Bloomington Plan Commission), Julie Thomas (Monroe County Council), John Collisson (Monroe County Highway Department), Frank Nierzwicki (Proxy Ellettsville Town Council), Bob Tally (Federal Highway Administration) and Mark Stoops (Monroe County Commissioner).

Others: Lew May (Bloomington Transit), Sarah Ryterband (CAC/Bloomington Transportation Options for People - BTOP), Patrick Munson (IU –retired), Clark Sorensen (citizen), Vicky Sorensen (citizen), Tom Glastras (IU – retired), Elizabeth Venstra (BTOP), Thomas Tokarski (Citizens for Appropriate Rural Roads - CARR), Keith Vogelsang (Bloomington Bicycle Club), Betsy Caulfield (CSL/BTOP), Janet Spring (Earth Elders), Ann Kreilkamp (Green Acres), Tom Capshew (Green Acres), Natalie Wrubel (League of Women Voters), Lorraine Sirucek (CARR), Mary Brennan Miller (citizen), Sarah Clevenger (Carr/BTOP), Patrick Siney (CARR), Autumn Siney (student), Emmanuel Nsonwu (INDOT), David Butts (INDOT), Max Azizi (FHWA), Beverley G. Carson (teacher/citizen), Lucille Bertuccio (Center for Sustainable Living), Linda Greene (citizen), Katie Moore (County Planning), Larry Jacobs (Chamber of Commerce), Morgan Hutton (Chamber of Commerce), Patrick Stoffers (County Commissioners), James Haley (CARR), Charles Haley (CARR), Terri Greene (CARR), Robert Selvaggi (citizen), Ann Foster Hughes (citizen), Janette Shetter (CARR), Steve Smith (citizen), Susan Hollis Bassett (citizen), Steve Hendricks (citizen), and Don Lichtenberg (citizen).

MPO Staff: Josh Desmond, Raymond Hess, and Jane Weiser.

- I. **Call to Order**—Kent McDaniel called the meeting to order.
- II. **Approval of Minutes:**
 - A. **May 8, 2009** –Richard Martin moved approval of the minutes. Julie Thomas seconded. The minutes were approved by a unanimous voice vote.
- III. **Communications from the Chair** – There was no report.
- IV. **Reports from Officers and/or Committees**
 - A. **Citizens Advisory Committee**—Jack Baker said the CAC met and discussed agenda items before the Policy Committee. He will make further comments as the items are discussed at this meeting.
 - B. **Technical Advisory Committee**—Adrian Reid had no report.



- V. Reports from the MPO Staff
 - A. FY2009 3rd Quarter Progress Report
 - B. Crash Report CY 2005-2007

***Andy Ruff moved to hear the reports from staff at the end of New Business. Mark Kruzan seconded the motion. The motion was approved by unanimous voice vote.

VI. Old Business— There was no old business.

VII. New Business

A. FY 2009-2010 Unified Planning Work Program Amendment (*Action Requested)**

Mr. Desmond reported. There is a 2-year Work Program in existence now for the FY 2009-2010. The additional funding added for FY 2010 consists of federal funding in the amount of \$311,242 (requiring a 20% local match of \$77,810.50). The total budget for both years is \$961,037.50. The MPO has already spent a significant portion of the 2009 money at this point. The MPO has received planning emphasis areas from Federal Highway Administration (FHWA) related to the 2010 census, ADA transition plans, and quarterly reporting. Census 2010 is coming up which impacts funding. Our transportation dollars are allocated based on population in the urbanized area. Federal Highway places special emphasis this year on the American with Disabilities Act. Staff will help LPAs develop ADA transition plans as they receive new money or develop plans how they will come into compliance over a reasonable period of time. Staff will establish a quarterly reporting system for the LPAs to report to the MPO on all of our local TIP projects detailing amount of money spent, project progress, any anticipated changes, etc. to better manage the funding that the MPO is responsible for and assist the LPAs to move the projects through the system. Additionally, TE Administration has been added to Element 201. BT has requested funding for a transit facility study for their joint operations facility on Grimes Lane. The final new program to be added to the UPWP is a joint project between IU and the City for exploration and establishment of a car sharing program. This amendment was presented to the CAC and the TAC. Both unanimously recommended support. Staff recommends approval. Mr. McDaniel said he is working on the request for proposals for the car sharing program and hopes to have something implemented by the fall.

Mr. Martin asked about Appendix C (p. 79) suggested a text correction from “both plans” to “all plans.” On p. 37 (top of page) a correction to the status date.

Mr. McDaniel asked for public comment. There was none.

***Mr. Coyne moved adoption of the FY 2009-2010 UPWP. Mr. Baker seconded. The motion was approved by unanimous voice vote.

B. FY 2010-2013 Transportation Improvement Program (*Action Requested)**

Mr. Hess presented the final draft of the FY 2010-2013 TIP. One of the significant differences between this year’s TIP and previous editions is the adoption of the Complete Streets Policy. This requires all new local road projects to accommodate all users of the corridor including pedestrians, bicyclists, people with disabilities, transit users, etc. Any new projects had to supply additional information illustrating how they will comply with that policy. There are 6 projects to which that applies—2 from the County and 4 from the City. Today, the Policy



Committee is requested to certify by resolution that those projects are compliant. There was a public participation period for this document from May 20 and to June 18. The document was posted on-line and available at the Library and was taken to the CAC and the TAC in both May and June. He highlighted the more significant changes between the existing TIP and the draft of the next TIP. (Those changes are detailed in the staff memorandum.) For the most part, INDOT projects are relatively unchanged. Any projects identified as FY 2009 were moved to FY 2010. Most projects had some cost increases. Monroe County added a segment of Business 37 to the American Recovery and Reinvestment Act (ARRA) pavement preservation project because it was determined that the bridge deck overlay projects were ineligible for ARRA funds. Mr. Hess reported on other changes to area projects. The two county projects subject to the Complete Streets projects are the Fullerton Pike project and the Mt. Tabor bridge replacement. The City projects subject to the Complete Streets Policy (CSP) include the 17th and Arlington roundabout, Old SR37 and Dunn St. Intersection improvements, Sare and Rogers Road roundabout, and the Tapp/Rockport Road Intersection improvements. Mr. Hess noted that a new section in the TIP has been added for information on School Corporation projects. He pointed out the reorganization of the Appendices. The TAC and the CAC discussed the TIP. The CAC recommended adopting the TIP but postponing the implementation of construction of SR 45/46 from FY 2010 to FY 2011. The rationale was to allow on-going discussions with INDOT concerning alternative transportation improvements. The TAC wanted to correct the City's local match for the Atwater and Henderson intersection improvement project to \$62,700 (on p. 139 of 178). The TAC recommended adoption of the TIP with this change. They did not have the opportunity to review the CAC's suggestion. Mr. Hess said that staff is looking to the PC to certify through resolution that the 6 projects listed are in fact compliant with the Complete Streets Policy. The Policy Committee is also requested to adopt the FY 2010-2013 TIP.

Mr. Nierzwicki asked for the staff recommendation. Mr. Hess said to adopt the TIP with TAC changes but not the CAC recommendation.

Mr. Baker said the CAC recommended changing the start date from 2010 to 2011 to start a dialogue with INDOT. They have had problems with concerned citizens wanting to make contact, express concerns, ask questions about projects (particularly this one because it is such a major project to the City of Bloomington) and receive answers. To the best of his knowledge, they have received nothing back. This is simply an attempt to delay the project by a year to give us enough time and encourage INDOT to talk to us. They think it is a relatively small thing to ask but a very important thing to the community. Also, we are discussing the Complete Streets Policy which passed this year. The idea was that the streets were being just designed for traffic. He read the purpose of the CSP. The idea is to plan for as many features as possible as listed in the policy. In the City, already, much of this work was being done. We wanted to make sure that it was codified as a requirement and policy. The CAC and the TAC will be certifying whether each new project is compliant with or exempt from the policy.

Mr. Hess added that the TAC and the CAC did recommend that all the projects were in fact consistent with the CSP.



Ms. Thomas asked for an explanation of the removal of the pedestrian overpass from the SR 45/46 Bypass project. Is that replaced by an underpass? Mr. Hess said to a certain degree it is. At one point, there was going to be a pedestrian overpass at 10th St. That was discussed between the City of Bloomington and INDOT. There seemed to be some disagreements that evolved between the City, IU and INDOT. The current design includes an underpass at 7th St. just south of this intersection. We received information yesterday that INDOT will be holding a public information meeting on the Bypass on Thursday July 9 at 6:00 pm in the University Elementary School Cafeteria located at 1111 N. Russell Rd. in Bloomington. This is a public information meeting rather than a public hearing. That might be a good time to verify that the underpass is still a part of the plan. Ms. Thomas said she supports waiting a year because she has found the plans underwhelming in their alternative transportation options for foot and bicycle traffic. How does this impact the ARRA funds? Mr. Ruff asked Mr. Baker if he intends to make a motion to amend the TIP to include this delay and if so would that be the time to have this discussion. We are having a discussion within this larger TIP discussion concerning an amendment that may or may not be made.

*****Mr. Baker moved to adopt the TIP with the 2 changes proposed. Mr. Ruff seconded.**

Ms. Thomas asked what impact this delay has on the ARRA funds. Jay Mitchell from INDOT said they would like to ask the PC to approve the TIP as it was originally presented with the recommendations from the TAC but not the delay as proposed by the CAC. INDOT is a large organization. They have budgetary concerns, programming concerns and commitments that they are trying to make. He wasn't certain that he could answer the question about the ARRA funds but wanted to make clear that it is in everyone's interest to have a TIP that is consistent with INDOT's plan so that they can incorporate it into the INSTIP and make sure that the money does flow. At the CAC meeting, some citizens did indeed express concern about safety for pedestrians and for bicyclists along the SR 45/46 Bypass. The best venue to address those concerns and for INDOT to have input for those concerns would actually be at the public information meeting scheduled on July 9. If those concerns are not satisfactorily addressed by INDOT, then perhaps the MPO could serve as a conduit (maybe even the City itself) to get those concerns addressed to whatever satisfaction could be achieved. Mr. McDaniel asked Mr. Mitchell if he attended the CAC meeting. Mr. McDaniel said he is a little puzzled about Mr. Baker's comment about not having communication with INDOT. We've been talking about this project forever. Mr. Mitchell said that he thinks that the frustration is with other departments in the INDOT structure as opposed to the planning guys who are on the scene. Mr. Stark said that this project is not designed for ARRA funds. If it was eligible though, to delay it a year, you would lose the funding. Ms. Thomas thanked the INDOT representatives. Mr. Baker said INDOT has attended many CAC meetings and they appreciate their attendance. The people attending the meetings answer their questions and we assume that they take our concerns back with them. The problem comes when letters are sent to INDOT in Indianapolis. We don't receive anything back. Even the City government has had problems with INDOT not responding. That is why we are asking for this delay and asking for a dialogue with INDOT. We are talking about a meeting coming up in July. It is an informational meeting. That is fine but the practice seems to be more of INDOT telling us what it is going to do rather than them really wanting to receive information and discuss changes that could be made to the project. It is more of a dictation than of a dialogue. We are asking for a dialogue. That is why we are

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asking for a one year delay because there are so many aspects to the project that are of concern to neighborhoods and to the community at large—not the least of which is how pedestrians are going to get across and what it is going to do neighborhoods. That in a nutshell is why we are asking for this.

Mr. Ruff said he remembered hearing several years ago in reference to this Bypass widening project that the Level of Service (LOS) will worsen to what it is now in the not-too-distant future. Mr. Desmond said that was correct. It is shown in our model that the project will have a few years of better traffic but in the long term it will eventually creep back towards that lower LOS. Mr. Ruff asked if the congestion is caused by the number of lanes or the stoplights. Mr. Desmond said he couldn't put a number on which factor effects the traffic more—the stoplights, the number of crossings, or the number of lanes. There are many factors. Mr. Ruff asked how old the majority of the general design is for this project. His understanding was that it was from the 1980s. Mr. Desmond deferred to INDOT. Mr. Mitchell said that this project might indeed be old. The concept might have been prepared back in 1980-1990. They would design the project to current design standards. It is not based on outdated design standards. Mr. Ruff said that was good to know but wondered if the design considered the current context of what we've learned over the last couple of decades about major road widening capacity projects---what impacts they have on communities and the surrounding areas but also what we've learned about alternative ways to move traffic through the area without widening so much. For example, the possibility of a 3rd lane with reversible traffic flow like you see in Indianapolis on Fall Creek Parkway. Mr. Mitchell said he is not directly associated with the design for this particular project. He reiterated that the design would be current and they would anticipate that the design would be carried out for the next 20 years to handle the traffic. If it did not improve the LOS for the next 20 years, they would not be able to proceed with the project. As far as the impacts of the neighborhoods, they went through an environmental analysis and part of that analysis did include impacts to the neighborhoods. They did look at other alternatives. Unfortunately, they did not meet the purpose and need as well as the alternative that was eventually selected for this project. He said he was not keen on reversible lanes. He prefers limiting the number of access points along the corridor. They try to maximize the opportunities for the signalization. All of the signals along the project will be updated to maximize their efficiency along the project. He referred people to ask questions at the July 9th meeting when the people involved with the project will be there.

Mr. Stark said that they have a public hearing before they purchase any right-of-way or any environmental work is done. He is sure this meeting occurred but he didn't know what date it was. That is part of their process to bring people in to look at what is being proposed and what we are going to do. He is a little confused as to why the CAC is asking to delay this at this point. There was an opportunity at that point to raise concerns and be involved with the design process before any of these other things proceed. Mr. Martin said the reason these questions arise now is because of two things: 1) you get a change in personnel on the part of the Policy Committee itself—some of us who have to make decisions aren't privy to the earlier information that was exchanged; and 2) as we go forward with projects like this which have been in the works for at least 20 years, we observe changes that occur. Those changes are continuous. They don't stop at some time when we establish a design standard. He goes through the intersection of 45/46 and Matlock Rd. twice a day every day for the last 30 year.

He has noticed over that period of time some significant changes in the pedestrian and bicycle traffic there. He would be interested to know how all of that is going to be handled. He knows that question was asked previously and the response was nothing. So, if you don't tell people why you are making specific decisions with respect to the questions they ask, then you should expect the question to be asked again because they haven't been answered. That is what Mr. Baker is referring to. You have people that have made statements in public hearing or letters and there is no response. They have a responsibility to their families to ask those questions until the questions are answered. He understands that answering some of those questions can be difficult and some of them come down to cost/benefit analysis but that doesn't do a whole lot of good to someone who has been hit by a car going across the road on a bicycle. But, they do expect an answer and it behooves all of us to be forthright in answering these people's questions. That is what we are supposed to be doing in a public process.

Mr. Martin noted that they are looking at an amount of \$44 million for 2010. The projects for 2011-13 are roughly \$15 million each year. Why is the TIP for 2010 the same amount as the total amount for the following 3 years? He understood that this has something to do with moving some projects down the line. How many of the projects that we have scheduled for 2010 are going to get moved to another year? Are we being realistic in establishing a TIP that does that? This doesn't seem to be a balanced program from what our revenue stream is going to be. Mr. Hess answered that the MPO does have projects that tend to roll over from year to year for various reasons. Typically, the TIP is very heavy in the first year because it reflects the 2010 projects as well as our backlog of projects. The funds for 2010 are in a sense doubled because of ARRA money for projects from City, County, Ellettsville and multimillion dollar transit projects. This TIP has finally cleared all TEA-21 money off the books. That money had been rolled over for several years and these funds are finally obligated. Funding for future years is more difficult to predict. Mr. Desmond said this is why we need to start the quarterly reporting process, so that we as an MPO and you as a Policy board member are aware of how these projects are unfolding in real time. Mr. Martin suggested using column headings (in our report) so that we identify the less than certain values so that the public reading the report is being given the idea that projects are really going to happen in a certain year. There are several roundabouts in the new proposal. He asked how they determine the radius of a roundabout. Mr. Reid explained that it is determined by the anticipated traffic. It is done with modeling software.

Mr. Stoops said he thinks it is unfortunate that there is no downtown trolley in the BT list of projects. Mr. Kruzan said that the City, County and IU are all willing to buy a trolley or two but no one is willing to pay to operate it. Mr. Stoops said he thought that it should be a BT operation. Mr. Kruzan said that BT should provide Mr. Stoops with their study. The City had allocated \$300,000 for the project but since no one was willing to operate it, the money has gone back into the General Fund. Mr. McDaniel said that operating costs are the key to this project. BT has been able to get money for capital replacements but they don't get the money for operating costs from the FTA to the same level. They have been told to expect a cut in money that is based on sales tax and property tax. BT has to be very careful about taking on something that will have an annual cost associated with it. Mr. Stoops suggested that eliminating so much parking downtown will cause the need for this to grow.

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Mr. Nierzwicki asked if the requested delay of the SR 45/46 Bypass is for possible redesign the project. Is Mr. Ruff asking to drop the number of lanes from 5 to 3 lanes? Mr. Ruff said that the current design is to make the whole Bypass like the part that runs west of Arlington School. The CAC has asked that this plan needs to be reevaluated in the current context of community impacts and community's wishes and what we know about conveying traffic efficiently through urbanized areas. Mr. Nierzwicki said that the process itself is not user friendly. There is a lot of time involved in this. To ask for a redesign could delay the project a lot.

Ms. Johnson said that the motion on the table is to approve the TIP as amended and we are not voting on the amendment alone. Mr. McDaniel said that is the way he understands it. If that motion fails, we will have to have another TIP motion. When we open it up to the public for discussion, this will be the public's only opportunity to comment on the TIP and on the certification of compliance to the Complete Streets Policy. Ms. Johnson said she would rather vote on the amendment separately from the TIP. Mr. Kruzan said that if the motion fails then someone could reintroduce the TIP without the qualification.

Mr. Ruff said he appreciates INDOT's concern and responsibility in regards to the Bypass. They have been interested in this a long time. The community is quite interested, too, because there are problems associated with the Bypass. This amendment which proposes a delay for a year is an effort to get INDOT to do this project more with the community than to the community. He read a statement from a member of the community: "This community does not want a giant swath of asphalt with cars racing from one stoplight to the next at high speeds making it difficult for pedestrians and bicycles to cross and that causes a huge loss in the current tree cover and is ugly. Much of this road design came from very old plans created in the '80s. It is a new era with far more understanding of what road design works best in urban areas. Boulevards that are tree lined and that move at 30-35 miles per hour rather than at 45-50 turn out to be much more attractive, much more friendly to other modes of transportation and still move lots of vehicles. Three lane roads that have reversible lanes could be appropriate for the Bypass since the congestion is often always in one direction only. This could be done within the current footprint of the road without the loss of trees and a fraction of the cost. The current footprint has space for 3 travel lanes and bike lanes. This could be implemented with some calming techniques so speeds were 35 mph along with implementing creative approaches at intersections could be a win-win situation for everyone. We know that the long term result of widening roads is more driving, more car dependence, more sprawl, more congestion and a less attractive place to live. Quality of life actually goes down. Let's not do that. Creative solutions exist. Doing nothing is better than doing what is currently designed and planned." Mr. Ruff said that he is not concerned if a delay would cause the whole thing to stop.

Mr. Coyne said that this project has been in design for quite some time. Having been in discussions on this for a long time, he understands delay to be death. We need to be clear about that. If this is taken off the table (and he didn't know that the action would take it off the table, if you approve this) it means that there is no Bypass effectively. First of all, it doesn't have stimulus funds—it is State budget funds. So if this community rejects this, INDOT is not motivated to keep going with it. We need to be very clear about that. There is a large segment of this community that does support this Bypass and has believed in it for a very long time particularly those of us who spend time sitting on the Bypass waiting for the traffic to move.

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He knows that naturally when they do construction, they will remove the trees—which saddens him. But the issue is putting them back and mitigating that. If INDOT doesn't respond to your inquiries, doing this to the community may not be the appropriate method to deal with that. Telling the PC that they are not responding is appropriate so that they can communicate to INDOT. Using the MPO office is another way to deal with that. Delaying the project is a huge way to try to deal with that.

Mr. Baker said that this amendment is not trying to put an end to the Bypass project. It is signaling the need for clarity from INDOT. They have not received any communication back to the questions. It's better to go slowly, get answers to questions and have a dialogue. There should be some concession on each side. At the moment, they just don't know what INDOT has done to address the questions that have been put out there. This is a way of saying that we want answers. This road has great effects on our community. There are things about this project that we know are not going to be good. We know that this community has grown in some ways since this project was begun. There may be some elements of it that are quite out of date. We just can't get any answers. In doing projects, it shouldn't be the case that one side tells you what they are going to do and the other side just rolls over and accepts.

Mr. Kruzan said that for a lot of the community INDOT has become a 4-letter word which is unfortunate because INDOT has done a myriad of projects that have benefited the community. We are celebrating the opening of the B-Line Trail at 4:30 which wouldn't have happened without INDOT. People refer to "the City." The City is made up of lots of different people with differences of opinion. There is not an "INDOT." There are a lot of dedicated professionals—a lot of people who ultimately answer to a governor and voters who put that governor there. He wanted to make sure that this is not personalized as anti-INDOT. On this project in particular, he finds himself caught in the middle because he agrees with both Mr. Baker and Mr. Coyne. Some of the proponents may intend to delay in order to kill the project which is a legitimate stance to take. It is unlikely that the project will be redesigned. The more likely result is that in a year INDOT will have moved the money to a different project and some people will be happy with that result. The Fernandez administration negotiated an agreement which is in writing with INDOT that there would be an overpass across the Bypass along with an underpass. In the subsequent years, there have been negotiations between the University and INDOT, between the City and INDOT, between the City and University and between the City, the University and INDOT. In recent years (particularly the past 5 months), the City and the University have taken a pretty much united front that we wanted to guarantee that there would be underpass, that instead of having the two sidepaths that were very close to the highway (which would make for an intimidating presence for anyone trying to bike or walk along that corridor) that we would have one sidepath that is set aside off the path and that there be a median that is landscape designed so that we don't just have a sea of asphalt through the campus area. The University has agreed to pay to maintain that. The City especially is looking for enhanced pedestrian crossing at 10th and the Bypass and 3rd St. and the Bypass. The goal would be to have some kind of "traffic islands" that makes sure that pedestrians don't have to make that entire intimidating crossing. If we had some assurance that that was happening and that all of this was going to be done in change orders or some kind of a guarantee—if we were assured it was going to happen—he'd feel a lot better about advancing the TIP with the Bypass in it as opposed to having the need for delay. Maybe the delay could be shorter. All he really

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cares about are the pedestrian and bicycle accommodations that will be made. He proposed changing the motion to delay the project until the next meeting and that we get an answer by then. He doesn't want to derail a project that has been worked on for so long. A lot of public input has occurred. We got the first agreement through public input via the Bike and Ped Commission. They ought to be included again. Citizens ought to be included. The public information session is great but we need to have a meeting where there is literally action being taken and responsiveness occurs and we know what we are getting before we vote something like this in.

*****Mr. Kruzan moved to adopt the TIP as it has been proposed with the 3 changes except that instead of the CAC's 1-year delay, it would be a delay until the September meeting and we determine whether or not we can have certainty to the questions that most of us are asking. Mr. Stoops seconded.**

Mr. Nierzwicki asked staff if delaying adoption of the TIP until September would cause a problem. Mr. Kruzan said we could also have a special meeting so that the delay was even shorter. Mr. McDaniel asked staff if the PC approves the TIP today, could they come back in September and amend it to remove this particular project if we don't get satisfaction in the meantime. Mr. Desmond said they could however that might be after the date when INDOT actually wishes to let this project for bids. Also, our TIP goes by fiscal year. We can't adjust it by the month or by the day. Mr. Martin said at this point any changes would incur additional cost. Mr. Kruzan said some changes could actually make it less expensive. Mr. Martin asked if we could add money into the TIP should it be necessary. Mr. Desmond said adding local money would be a problem. Mr. Coyne asked about the letting date. Mr. Stark said that the current letting is set for August. Mr. Coyne said that he has been told that this is a 3-year project which starts at Kinser Pike and moves around the Bypass in phases. So by the time it gets to 10th St. and 3rd St. could be 2 years from now. If that's the case, can't we proceed and still get an answer in the next 2 years. Mr. Stark said if INDOT lets a project and a design change order comes up; typically there will be a whole new letting for a whole new bid process for what that design change is. A lot of times it is on the significance of the design change itself. Coyne said that is true whether you change it now or in the future. Mr. Stark said typically that would be the process. When the change order is for a design change, it becomes almost like a whole new project. Mr. Stoops said that he can only assume by Mr. Stark's comments that the changes that the City has requested haven't been incorporated in the designs. Mr. Stark said that he didn't know what the questions are. Mr. Stoops said for instance if the sidepaths had been combined into one sidepath on one side of the road that would change the road alignment. Mr. Stark said that he has not looked at the plans that exist today so he couldn't answer the question. Mr. Stoops said that he gathers this from Mr. Stark saying that these would be major changes to the current design. Mr. Stark said he can get answers but didn't have the answer today. Mr. Stuebe asked why we don't know. It sounds like the community is asking in every way they can for the things they feel are necessary for safety of bicyclists and pedestrians and we don't have any answers. He doesn't understand why. Mr. Stark said he hadn't expected these questions to come up today or he would have had answers. Mr. Kruzan said that this project got sped up when the stimulus dollars came in and he thinks a lot of people didn't think that we'd be here yet. City and University staff have gotten very specific plans over the years. Those have not been responded to specifically. He wouldn't worry about whether Mr. Stark knew the answer or not except that they are being asked to vote

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on moving something forward. He doesn't want to put the stamp of approval on it and have to backtrack later. Mr. Coyne said that he has seen pieces of the design. The University has committed to work with INDOT to install landscaping in the medium because they agree that the tree loss has to be mitigated in some way. Secondly, the University has developed an intricate system of bicycle and pedestrian paths throughout campus connecting with the City's paths and it includes one that would ultimately replace the sidepath on the west side of the Bypass. As he understands the design it will have a sidepath along the inside. IU's system will connect with that and replace it in parts as it is built out. He understands from INDOT that this is an engineering/design issue as they propose to connect to cross 17th St. at the light the path would come up, connect and go across. That would require a permit from INDOT and meeting their engineering standards and so forth. That will happen over time as projects and funding move forward. Mr. Martin asked if staff has seen any engineering drawings that tell us what they are going to do. Adrian Reid said that he has the plans on his desk. Mr. Reid said that they have been working with INDOT and IU on working out some of these issues. Mr. Martin asked if anyone has been asking to see the plans. Mr. Reid said that Ms. Thomas did. Ms. Thomas said that she only saw a sidepath that ran from 10th to 17th. Mr. Reid said the sidepath is continuous all the way. Mr. Kruzan said that they have the plans and that they don't include the enhanced pedestrian crossing at 10th or at 3rd. There is a meeting set up next week, we hope, to continue to talk about that. It is not definitive. He wants a commitment that something is going to be there. He doesn't have that yet and doesn't know if we can get it anytime soon. He wants to know that there are going to be enhanced bicycle and pedestrian crossings at those two specific intersections. There have been changes in staffing at INDOT. The people they have been negotiating with have all left. Mr. Martin said that Mr. Desmond has pointed out that we have an annual TIP. Mr. Kruzan asked if the TIP doesn't include the Bypass at all for now, does that prevent INDOT from letting in August. Mr. Stark said it would. Mr. Kruzan asked when the letting will happen in August. Mr. Stark said he wasn't sure. Mr. Kruzan said we would have to act prior to INDOT letting the bid. Mr. Kruzan said that if you decide to solve the problem there is plenty of time to sit down and solve it. Mr. Martin asked if there are any other projects that have to be let before this project. Mr. Hess said there are. It also brings up the question of conformity between the TIP and Statewide TIP. The PC was given a memo from Mr. Bob Tally somewhat speaking to this. Mr. Tally said that if your TIP is approved by the Governor (i.e. INDOT as his representative), it is amended into the STIP by reference. So, therefore any action you take is reflected in the STIP and therefore INDOT is bound by that action once it is approved by the Governor and adopted by INDOT.

Mr. McDaniel said that there is an amendment to Mr. Baker's motion on the table. It has been moved and seconded. Mr. Stoops said it is just amending one part of Mr. Baker's motion. Mr. Mitchell said that he has a grave concern about a lapse of a TIP which would halt all projects. If there is an action to delay approval please bear in mind that INDOT needs at least a 3-week lead time so that they can proceed on time with that letting. Mr. Kruzan noted that July 17 would give INDOT a 4-week lead time. Mr. McDaniel asked if Mr. Baker would have a problem with the motion to amend his motion. Mr. Kruzan said his motion was to adopt the TIP with everything except the CAC recommendation is changed to a date of July 17 rather than a year.

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Mr. Desmond clarified that our TIP only gets as fine-grained as the fiscal year. There is no way for us to delay a project by a month. We would have to delete the project and add it back in within that time frame. We could delay it a year by assigning which fiscal year in which it would occur. We cannot get down to the month-by-month level. Mr. Stoops said we could add it in in July. Mr. Mitchell said that if the PC chose to move it to 2011, INDOT would be precluded from basically advertising a project in 2010 as they intend to do. If you came back at a later date and wanted to amend it back into 2010, you could take that as a separate action. Mr. Kruzan said the PC could adopt the TIP and leave the Bypass out entirely until July as Mr. Stoops just said. Mr. Stoops said that way we approve the TIP and then we are just adding the Bypass back in. Mr. Nierzwicki said that we could do that but there is an issue on advertising whereby they have advertised for the informational meeting in July. If we approve the TIP with the Bypass in 2011 but want to come back after some agreement has been done with the community and we want to make some changes, we could actually add that back into the TIP and change it. The problem would be with advertising those changes in time for INDOT to hit the August letting date. Mr. Stark said it would be impossible. There is a 30-day advertising time line before letting that we are constrained to. Mr. Mitchell added that depending on the types of proposed changes that are being asked for and the types that INDOT would consider putting in the project, it very well might trigger us to revisit the environmental decision and reopen that process. The decision was made based upon what is right now in the design. Mr. Stark said that if environmental changes come into play, they change everything. Those things typically take a long time to get through. Mr. Coyne said he wanted to make sure that we understand that we are fooling with some procedural matters that if we are wrong, there is no Bypass project. Putting this in the TIP doesn't mean they must build it. They can choose not to re-design. This has been in the works for 20 years and every year it has been in the TIP. This is the first year where this question came up and now we are putting this entire project in jeopardy because INDOT did not respond to the CAC. That is an extreme penalty for this community to pay. IU agrees with the Mayor and the City about the refuge issues and we need to move that forward. But, to end this in this procedural manner just doesn't seem appropriate.

Mr. Nierzwicki said that he is actually a member of the TAC. The CAC met after the TAC meeting. The TAC has not reviewed this change just because of timing.

Mr. Kruzan replied to Mr. Coyne that the difference is that in each of the 20 years, it wasn't going to be done. Things have changed. He doesn't believe that 20 years worth of silence equates that people didn't care. It wasn't a reality about to happen and now it matters. If the TIP is passed with the Bypass in it as is right now without the CAC amendment, if negotiations with the City, INDOT and IU fail to have any bike and pedestrian accommodations made and the project is let, can we remove it from the TIP. Mr. Desmond said that it would be a done deal at that point. Mr. Stuebe asked what if the TIP is approved with the conditions of the safety crossings and the multipurpose trail spelled out specifically. Can INDOT handle that? Mr. Kruzan noted that there are even more considerations. The neighborhood has concerns, etc. Bob Tally said that from the federal perspective, they look for consistency with the TIP. We check to make sure that the project has been approved in the TIP. Having conditions on it would be very irregular. Your discussion has to be with INDOT as to how they will discuss these things with you in terms of incorporating them into the project and what impact, if any, it would be on the schedule, the scope and the cost of the project.

Ms. Johnson asked if the PC could meet at any time prior to the letting and take the Bypass out of the TIP. Mr. Tally said the PC can decide. Ms. Johnson said we could adopt it today and if couldn't work this out, we could meet the day before the letting and take it back out. Mr. Kruzan and Mr. McDaniel said this sounded like a reasonable compromise.

Mr. Kruzan said he would rescind his motion. Mr. Stoops said he would withdraw his second if he can be sure that the meeting will take place.

Mr. McDaniel said Mr. Baker's motion is still on the table. He called for public comment first. Mr. Ruff asked to comment before the public begins. He said that the assumption that delaying this project significantly would be some great crime to the community is a big assumption and one that is not shared by a lot of people in the community. It is only correct if one accepts that a significantly widened right-of-way and majorly modified corridor is to the community. It is assuming that there's not something that might be done within the existing right-of-way that could be effective at conveying traffic and also reduce the negative impacts.

Janet Spring spoke in favor of delay. Years ago she was on a committee that was getting ready to implement a collection of buildings that had been designed 10 or 20 years earlier. She was the person who said after hours of discussion that they should trust the designers and has regretted the decision since that time.

Greg Alexander said that when the Bypass was designed the assumption was that traffic would remain the same, we would have a very wide road, traffic would move very quickly and people would not wait during rush hour. There are no respectful words for that proposal. What is more likely is that traffic will increase and soon we will have the same congestion we have today—just more of it. This will be bad for everybody especially for the people sitting in the cars. The third option is that gas prices will reach the point where you simply can't afford to drive and we will have built this road.

Sarah Ryterband said she was the one who brought this amendment. Her concerns were that she attempted to contact INDOT on behalf of the Green Acres neighborhood without any response. She was grateful that Mr. Mitchell, after hearing from her very extensively in a CAC meeting, did get back to her with this public information meeting. Unfortunately it falls very close to the original letting date which was July 15. She has many concerns. We are creating a Bypass that was part of our thinking 20 years ago. We no longer believe in bypassing our city. We believe in our city. To sit in automobiles doesn't make sense especially when we are talking about a level of service (LOS) of E/F in most parts of that corridor which is not anticipated to improve in the long term. What sense does it make to take the few dollars that we have to expend on roads and to spend them in a way that doesn't improve LOS? That doesn't even begin to address the issues around pedestrians and bicyclists. In our CAC meeting, we had numerous people from Green Acres talk about being hit crossing that road which is only 2 lanes wide now. When we talk about 4-5 lanes at corners, we are talking about some serious injuries though it has not appeared in our crash reports, she is absolutely assured that it will. We are only creating a big, ugly area that she fears—in spite of whatever lovely median of trees we put there—will look more like the waste land that we see already where the

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Bypass is big and wide. To transect our community in this way seems totally criminal. All she really asked for was communication. She put that forward to INDOT and to the information officer, Ricky Clark, months before in several emails and had absolutely no response. She tried but was sorry that INDOT felt it was important not to respond to the community.

Elizabeth Venstra said that she and her husband work along the Bypass. They sit in the traffic every day but she doesn't want the Bypass widened to 4-5 lanes. She is not convinced that it will provide a benefit to her as a commuter. In the long term it will be a detriment. BTOP has brought in a number of transportation experts who have shown that spending a lot of money to widen roads results in higher levels of congestion, higher number of vehicle miles traveled, and lower use of alternative transportation. Large parts of our community want to move in the other direction. Our Growth Policies Plan (GPP) even says that we want to reduce vehicle miles traveled in the city. The Bypass is a road that should serve our community. It is primarily local travel she thinks. If we widen the Bypass, we will increase the car travel and we will reduce the number of people who are willing to attempt to walk or bicycle in that area. As somebody who does cross the Bypass fairly regularly, she is concerned about the safety issues. She wants to make sure that this project is not let the way it is and that whatever happens on July 9, we have an opportunity to actually change things as opposed to INDOT just telling us what they plan to do—which is what it sounds like is going to happen unless the PC takes action.

Lucille Bertuccio said there are larger issues than whether people have to sit in traffic right now. I think we all know that global warming is occurring. We see that covering the world with asphalt is not going to make this any better. It is certainly not going to cool us down any. She knows that the more roads we build and the wider they are, the less we are going to be able to mitigate the heat. She would like to see all road building held at bay and start thinking about other ways of moving people from place to place.

Anne Kreilkamp said that she echoes everything that has been said here. She is a member of the Green Acres neighborhood which is probably going to be more impacted than any of the others. She can hear the traffic from her home now all day and night including screaming ambulances. We are moving in a direction of a town for people. That is our focus—not a town for cars which has been the focus of America for so long. All of these things about alternative transportation have to do with the fact that we are trying to be a community for people. The Green Acres neighborhood is making a serious attempt to be a sustainable community so it is so ironic that they are the community that is most impacted by this Bypass right at our edge. They are trying to really become a little village which is not using cars much at all.

Katie Moore, as a former INDOT project manager, wanted to point out that if the project is scheduled for letting in August, the plans are already done and they are already at Contracts for processing. At this point it is very difficult to have them changed. She is curious as to why there is a public information meeting scheduled after the plans are already done.

Tom Capshew recently moved back to Bloomington. He grew up here and has been gone for 23 years. Bloomington has changed a lot since he's been gone. One of the ways that it has changed is that what is called the Bypass isn't a Bypass any more. It goes through a big part of

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the town. There is a huge amount of growth on the eastern side of Bloomington that makes it a misnomer to call this corridor a bypass. With all of the residential areas on the west side of this road and all of the commercial areas on the east side of this road, it seems to make sense that we would look very closely at alternative transportation—particularly pedestrians and bicyclists and other forms of transportation. We should make sure not to have a promise that we will have some meeting in the next month but to make sure that people that aren't using gas vehicles can get back and forth across that corridor however it's designed. He suggested taking a serious look at it because none of us are who we were 10 years ago when these plans were developed. None of us certainly are who we were 20 years when these plans were started to be developed. He didn't think it would kill the project because there is enough interest improving the corridor that it will move forward. Giving it one year of looking at it and getting citizen input and looking at what we've learned in the last 10 years about quality of life is very valuable. It is well worth the wait for this beautiful town that he grew up in and is glad to be back in.

Keith Vogelsang is the Advocacy Chair for the Bloomington Bicycle Club. He has a question regarding the decision that this committee makes today. If for some reason your decision causes this project to become delayed in such a way INDOT decides not to move forward, is there any mechanism for the City to come in and put in its own bicycle and pedestrian island for safe crossing or over or underpass. Can the City use part of the INDOT right-of-way to accommodate its citizens' needs?

Steve Smith said he was the City Engineer 30 years ago and there was a proposal and public hearing with opposition and this same project died. It is here again. What Mr. Coyne said is certainly true. If we stop it now, we stop it for a decade. We deal in decades. He supported the idea to pass it in the TIP and then come back and look at it again in a month.

Larry Jacobs of the Chamber of Commerce said that he grew up in the Green Acres addition. He spent about 30 years there. The Bypass wasn't even there. It was a quieter time back then but we have grown as a community and there is a need for a wider Bypass. The original plans as he knows them are sufficient to handle this. Mr. Ruff's suggestion about a 3rd lane might not be a bad compromise unless you've been in Tucson, AZ where they have changing lanes. They call those the suicide lanes because they are very dangerous. People get killed there. We would be making a very big mistake not approving this TIP today. The plans have been on the books for a long time. There has been ample time for people to give their opinions on these issues. Not everybody can take a bus, ride a bike or walk. We need the Bypass. It is a different city whether we like it or not in that part of town. It enhances commerce. Jobs are what afford all of us to live in such a great city. Tax dollars support the arts, restaurants and the B-Line Trail.

Christy Gillenwater of the Chamber of Commerce said that the Bypass project is imperative. Now in the state of our economy jobs are #1. It is the focus of so many communities. We are blessed to have a lower than average unemployment rate. With the announcement of North Star yesterday, we are just in a similar position as many other communities. We have to really focus on job creation and job retention. That leads to the vitality of our entire community. The Chamber believes strongly that the Bypass expansion project is critical to the future of this community. Just focusing on IU's Tech Park at 10th and the Bypass, 4-laning is critical for the

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success of that project. There is great opportunity for growth of jobs and development in that site. The Bypass is a critical piece of infrastructure. She is deeply concerned that if we do not pass the TIP and do not include the SR 45/46 Bypass in the TIP today that this project really could be stalled perhaps for decades. This has been a project that the community has wanted for years. It has been covered in the newspaper. We all knew that this was coming toward finalization for some time now. We have to look seriously at it, understand how many communities in this state are clamoring for dollars and for infrastructure projects and how easy it could be for them to move these dollars elsewhere when you have other communities who have significant needs as well and want these projects. She supported approving the TIP with this project this evening.

Sarah Clevenger, a citizen of the state and a professional botanist, said she was glad that she doesn't have children or grandchildren. The future does not bode well in her estimation. If you like 90 degree weather as we are having now, fine, go ahead and build the Bypass. Global warming will make us a very hot area. We will jeopardize our food supply. It is time that we start worrying about the future and not establishing this status quo.

Rita Lichtenburg said that we live in a very critical time. Many of our old concepts and ideas are being reexamined and re-evaluated. We see that they have led our society into grave difficulty. Transportation is a key element to a town. Quality of life is also key. Many people have been attracted to Bloomington for jobs because we do personify a certain way of life and a certain quality of life. We want to be open to what is changing in our society. The environment really poses a great issue that we have to think very carefully about. There are all kinds of questions and legislation coming up before Congress. Let's try to get out of the old ways and really look at the situation as it is and open our minds to new ideas.

Mr. McDaniel called for the vote on Mr. Baker's original amendment. It includes the change in the funding expense from the TAC and it delays the Bypass project from 2010-2011.

Bob Tally said that he has conferred with a planning person from his office. It is his understanding that this project was included in your MPO TIP for 2009. Based upon that TIP having that project included, INDOT requested FHWA to make an authorization for funds in fiscal year 2009. FHWA did that and made that authorization consistent with your TIP. Those federal funds are in fact committed and authorized. Therefore, they should not be shown in 2010. With that said, INDOT chose at their discretion to not let this project in July and has taken the position to delay it until August. That is their choice to do so. From our perspective, your requirements have been met in terms of the planning requirements in 2009. Therefore, this project really should not be shown in 2010 because you are no longer showing a fiscal constraint associated with the INDOT portion of this project since it was already authorized in 2009. It is INDOT's decision as to how they wish to proceed or not to proceed with this project based on the authorization and the prior approval of this project in year 2009. Therefore, this project should not be shown in 2010 and you should go forward from there.

Mr. Hess said that it was put in 2010 at the request of INDOT. Mr. Desmond pointed out that there is a cost increase associated with 2010. In the 2009 year it is at one fixed amount and they are asking for that amount to go up by about \$1.5 million in 2010. What Mr. Tally is

reporting is correct. If they have already obligated the money and simply delayed the letting date, then that is sort of a done issue. Any delay that we put in right now would be irrelevant to them being able to fund and to move forward with the project. The only issue at hand from them would be if they need to ask us to authorize additional funding on top of what was already obligated. Mr. McDaniel said he wasn't sure where that leaves us. Does that response satisfy the situation? Mr. Hess said that he thought that it would be an amendment to the TIP for the additional funds. Mr. Martin wanted to clarify that staff has a directive from INDOT to put it into 2010 at \$24 million. Is that correct? Mr. Hess said that this discussion came up at the last PC meeting when INDOT had proposed a TIP amendment for the Bypass for fiscal year 2009 which was then withdrawn by INDOT. The direction we were given was that if the letting was expected to be in July, it should be shown in FY 2010. Mr. McDaniel said that in the version that we have of the TIP, it is currently in 2010. Mr. Hess said that in the existing TIP (that we will operate under for the next 4 days), it is in 2009. The proposal today is to move it to 2010 and Mr. Baker's motion is to move it to 2011. Mr. Tally has indicated there is a point where obligation occurs and it sounds like that may have already happened. Mr. Tally said that FHWA doesn't ask the MPO to update the TIP based upon every little change in every single project that's been authorized in the past. We authorized it in good faith that you had it in your 2009 TIP. And if INDOT lets this project and it costs less, they can reprogram those resources. If it comes in over budget, they come up with the additional resources and adjust. Mr. Martin said that we have been told that the cost is over \$1 million more than we have in our current TIP. This was responding to that change in cost. If it was less, we wouldn't have had to take an action. But if it is more, we would have to take an action at some point for that additional money. Mr. Max Azizi (FHWA) said that changes in cost basically depend on the process that the MPO has. If your amendment process requires that every time a project changes within 5%, you need to go to public process—that's your choice. These are the processes that you put in place. If you don't have a process for cost increase, then there is no process. We consider those administrative changes and we make those modifications as required. Mr. Martin said the question is whether we have anything in our process that would require us to take an action when there is this kind of a change in the value of the process. We need to find out if our process tells us we need to do anything here. Mr. Stoops said it sounds like our only leverage is \$1.47 million. They are going to let this in 2009. They already have approval from us for 2009. The only leverage that we have to get changes that hopefully negotiate with INDOT for changes is the additional \$1.47 million that they want. Mr. Martin asked if we have in our process a number. Mr. Hess said, no. Our public participation process requires us to identify, go through a 30-day public comment period anytime there is capacity expansion or right-of-way acquisition—which is pertinent to the next agenda item as well—and for the TIP and the Long Range Plan. So, the reason why this document went through the 30-day public comment period and went before the CAC two times and the TAC two times is because it is a brand new TIP and there are changes to the projects therein. This project was no different than any of the other projects that experienced change.

*****Mr. McDaniel said there is a motion on the floor. He called for a roll call vote for approving the whole TIP as well as the TAC changes and Jack's amendment to move the Bypass project from 2010 to 2011. The motion failed by a vote of 5:8.**



*****Ms. Johnson moved to adopt the TIP with the TAC amendment and without the CAC amendment. Mr. Kruzan seconded.**

Mr. Stoops commented that with some communication and with some cooperation this all could have been avoided. Mr. Kruzan seconded the comment.

Mr. Nierzwicki said he thought that the I-69 issue was going to be controversial—not the Bypass. In his opinion, the Bypass is one of the most backed projects in Bloomington.

*****Mr. McDaniel called for the vote. The motion was approved by a vote of 9:4.**

*****Mr. Coyne moved that the PC certify the projects as listed in the staff report as complying with the Complete Streets requirements. Mr. Stoops seconded the motion. The motion was approved by a unanimous vote 12:0.**

C. I-69 Hardship Right-of-Way Acquisition (*Action Requested)**

*****Mr. Kruzan moved that they postpone consideration of this case. The City has just received an incredibly thorough letter from the Federal Government on what action or inaction on this item constitutes. We have asked INDOT multiple times to discuss this and were told 2 days ago that there would probably be no meeting on this. He would like to have an opportunity to speak with the Governor. Now is not the best time to speak with the Governor on anything until the Legislature adjourns. The City is not ready to act on this. We don't know exactly what will happen if we don't adopt it and it's been a 7-year case already. There is no magic in acting on it today and would ask that we postpone until the next meeting. Mr. Ruff seconded. Voice vote was taken. The motion was passed by a vote of 11:1 (Mr. Stark opposed.)**

Mr. Martin suggested that everyone go out to the opening of the B-Line Trail which as Mr. Kruzan has noted the State of Indiana has helped us with considerably.

Mr. McDaniel asked if the staff reports could be postponed. Mr. Hess said they are non-action informational items. If there are any questions, you can forward them to us but we can put them in your packet next time if that is the pleasure of the committee.

VIII. Communications from Committee Members (*non-agenda items*)

A. Topic Suggestions for future agendas

IX. Upcoming Meetings

- A. Technical Advisory Committee – August 26, 2009 at 10:00 a.m. (McCloskey Room)**
- B. Citizens Advisory Committee – August 26, 2009 at 6:30 p.m. (McCloskey Room)**
- C. Policy Committee – September 11, 2009 at 1:30 p.m. (McCloskey Room)**

Adjournment

These minutes were _____ by the Policy Committee at their meeting held on September 9, 2009 (RCH 09/11/2009)

F.Y. 2009 Unified Planning Work Program Fourth Quarter Progress Report *April 1, 2009 – June 30, 2009*

Executive Summary

The Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO) is charged with implementation of the Fiscal Year 2009-2010 Unified Planning Work Program (UPWP). The UPWP describes all planning activities that are anticipated in the BMCMPPO study area over the next programming year, and documents the work that will be performed with federal highway and transit planning funds. This progress report for the fourth quarter of the 2009 fiscal year covers activities accomplished between April 1 and June 30, 2009.

The Bloomington/Monroe County Metropolitan Planning Organization had several notable accomplishments this quarter. It successfully updated its annual documents, namely an amendment to the FY 2009-2010 Unified Planning Work Program and a new FY 2010-2013 Transportation Improvement Program. The BMCMPPO also processed numerous amendments to the existing FY 2009-2012 Transportation Improvement Program including amendments related to the American Recovery and Reinvestment Act. Staff produced the CY 2007 Crash Report using data provided by the State of Indiana. Lastly, a new policy to administer and award the BMCMPPO's suballocation of Transportation Enhancement funds was adopted in May.

The BMCMPPO continued its commitment to a comprehensive, cooperative and continuous transportation planning and programming process. The BMCMPPO facilitated communication between all levels of government, including local public agencies (LPAs), the Indiana Department of Transportation (INDOT), and the Federal Highway Administration (FHWA). Additionally, the BMCMPPO engaged the community through various committees and through the dissemination of information. BMCMPPO staff coordinated meetings of the Policy Committee, the Technical Advisory Committee, the Citizens Advisory Committee, and the Safe Routes to School Task Force. Additionally, BMCMPPO staff regularly participated in meetings of the Bloomington Bicycle and Pedestrian Safety Committee, the Monroe County Alternative Transportation and Greenways System Plan Technical Advisory Committee, City of Bloomington Projects Team meetings, and various other committees that are concerned with transportation planning in the BMCMPPO urbanized area.

BMCMPPO staff also performed core functions to ensure the continued operation of the BMCMPPO. Such tasks involved preparing quarterly billings for the third quarter of FY 2009 and providing project input and oversight.

Contract service agencies of the BMCMPPO provided invaluable services as well. Bloomington's Engineering Department conducted routine traffic counts, maintained permanent traffic count stations, analyzed and recorded road pavement conditions, and conducted work on the City's 10 year pavement schedule. Indiana University and a consultant began significant work on the North Campus Area Study, including public workshops and other public outreach measures.

F.Y. 2009 Unified Planning Work Program Fourth Quarter Progress Report April 1, 2009 – June 30, 2009

Work Program Elements

#101 - Transportation Planning Coordination

This element includes activities associated with administering the BMCMPPO Policy Committee, the BMCMPPO Technical Advisory Committee, and daily BMCMPPO administrative activities with the Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT). Additionally, the BMCMPPO must develop and administer the Unified Planning Work Program (UPWP) which describes all planning activities and documents that will be performed with federal planning monies and local matching funds over the course of the fiscal year. The BMCMPPO and its staff must also administer FHWA and Federal Transit Administration (FTA) grants associated with the FY 2009-2010 UPWP. Lastly, BMCMPPO staff participates in monthly meetings of the statewide Indiana MPO Council.

During this quarter, the BMCMPPO accomplished the following tasks:

A. Intergovernmental Coordination:

- BMCMPPO staff coordinated Policy Committee meetings (minutes, packets, staff support at meetings):
 - April 3, 2009
 - May 8, 2009
 - June 26, 2009 (rescheduled from June 12, 2009)
- BMCMPPO staff coordinated Technical Advisory Committees (TAC) meetings (minutes, packets, staff support at meetings):
 - April 22, 2009
 - May 27, 2009
 - June 24, 2009
- The BMCMPPO administered and managed BMCMPPO staff
- BMCMPPO staff fostered interagency coordination with FHWA, INDOT, and local project partners
 - Continued coordination with INDOT concerning the State projects (SR45, SR45/46, I69)
 - Grant coordination
 - Surface Transportation Program (STP);
 - American Recovery and Reinvestment Act (ARRA);
 - Highway Safety Improvement Program (HSIP);
 - Transportation Enhancement (TE);
 - Safe Routes To School (SRTS).
 - Extensive coordination to program American Recovery and Reinvestment Act funds
 - Developed and adopted a local process to award and administer Transportation Enhancement funds (adopted 5/8/09).
 - Provided information to assist with the annual State audit (CTAR).
 - Census and Participant Statistical Areas Program (PSAP) coordination
- BMCMPPO staff participated in Bloomington Transit's downtown transfer facility charrettes (6/17/09)

B. Unified Planning Work Program:

- Developed and adopted an amendment to the FY 2009-2010 Unified Planning Work Program to add FY 2010 Planning funds and address new planning emphasis areas as suggested by FHWA.

C. Planning Grant Administration

- BMCMPO staff tracked the BMCMPO's fiscal activities:
 - Tracked expenditures and receipts for the 3rd and 4th quarters of F.Y. 2009
 - Produced F.Y. 2009 3rd Quarter Billings

D. Indiana Metropolitan Planning Organization Council

- BMCMPO staff attended Indiana MPO Council Meetings:
 - April 23, 2009
 - May 28, 2009
 - June 25, 2009

#102 - Training and Professional Development

This element includes activities to continue development of BMCMPO staff expertise through the attendance and participation in transportation related courses, seminars, and conferences, as well as the purchase of educational/reference materials, professional periodical subscriptions, and technical software training.

During this quarter, the BMCMPO accomplished the following tasks:

A. Staff Training, Education, and Technical Needs

- BMCMPO staff attended the following trainings:
 - Zoning for Transit Oriented Development webinar (4/15/09);
 - American Planning Association National Conference (4/26-29/09)
 - Inclusionary Housing webinar (5/13/09);
 - ADA Compliance webinar (5/19/09);
 - Complete Streets and Context Sensitive Solutions webinar (6/11/09);
 - Census CTPP webinar (6/12/09);
 - 2009 Planning Law Review webinar (6/24/09);
 - Complete Streets workshop (6/29-30/09);

#103 - Public Participation Coordination

This element includes activities to solicit citizen input into the transportation planning process through monthly meetings of the Citizens Advisory Committee (CAC). Additionally, the BMCMPO is to maintain a website so that citizens, businesses, and other interested parties can download reports, data, updates, and other information related to the functions of the BMCMPO. Lastly, the BMCMPO must keep current its Public Participation Plan and the associated Citizens Guide to Transportation Planning so that citizens can become familiar with the workings of BMCMPO activities, contacts, and resources.

During this quarter, the BMCMPO accomplished the following tasks:

A. Citizens Advisory Committee:

- BMCMPO staff coordinated Citizens Advisory Committee Meetings (minutes, packets, staff support at meetings):
 - April 22, 2009
 - May 27, 2009
 - June 24, 2009
- Worked with the CAC on preliminary project prioritization which incorporates the vision statement of the 2030 Long Range Transportation Plan.

B. Web Site Administration

- BMCMPO staff managed web pages
 - Posted materials related to BMCMPO Committees (PC, TAC, CAC) meetings, agendas, and packets
 - Maintained the BMCMPO , Policy/Advisory Committees , transportation planning, and bicycle & pedestrian planning webpages
 - Posted plans and documents on the BMCMPO's webpage as well as the documents clearinghouse webpage

C. Public Involvement Process

- Held a 30 day public review and comment period (5/20/09-6/18/09) for the FY2009-2010 Transportation Improvement Program as well as a hardship right-of-way acquisition project for I-69 (INDOT)

#201 - Transportation Improvement Program

This element includes activities to develop a Transportation Improvement Program (TIP) pursuant to U.S. Department of Transportation requirements which details all federal-aid projects. The BMCMPO is now responsible for administering a local Highway Safety Improvement Program. Staff also attends monthly meetings with representatives from various City of Bloomington departments for transportation project management coordination.

During this quarter, the BMCMPO accomplished the following tasks:

A. Transportation Improvement Program

- The BMCMPO amended the FY 2009-2012 TIP as follows:
 - Awarded the BMCMPO's ARRA suballocation to Monroe County, Bloomington, and Ellettsville (4/3/09);
 - Amended Bloomington Transit's Operational Assistance project (4/3/09);
 - Amended Rural Transit's Stimulus Package Purchases (5/8/09);
 - Added INDOT's SR 48 preventive maintenance project (5/8/09);
- The BMCMPO developed and adopted the FY2010-2013 TIP:
 - Call for projects (4/23/09-5/13/09)
 - Met with LPAs to discuss process and projects (5/4/09 & 5/18/09)
 - 30 Day public comment period (5/20-6/18/09)
 - TAC and CAC review (5/27/09 & 6/24/09)
 - Policy Committee review and adoption (6/26/09)

B. Highway Safety Improvement Program (HSIP)

- No tasks were accomplished by the BMCMPO this quarter with HSIP

C. Project Coordination

- BMCMPO staff attended monthly meetings of the City of Bloomington's Projects Team
 - April 16, 2009
 - May 21, 2009
 - June 18, 2009

#202 – Short-Range Transportation Studies

This element includes special studies to be conducted by the BMCMPO and its project partners, often with the assistance of a consultant. Specifically, the BMCMPO will work with IU and the City of Bloomington to conduct a North Campus Area Study to evaluate current and future transportation conditions for all modes of travel and make recommendations for improvements that would address mobility issues along the 10th Street corridor. The BMCMPO will also work with the City to complete the West 2nd Street Feasibility Study to address traffic congestion, access management, and lack of alternative transportation facilities along this corridor. Lastly, the Citizens Advisory Committee will submit project ideas to a student design team from Rose-Hulman Institute of Technology or Ball State University to address a transportation issue.

During this quarter, the BMCMPO with the help of its contract service agencies accomplished the following tasks:

A. North Campus Area Study

- BMCMPO continued coordination between the University, the City, the BMCMPO, and the consultant.
- Public workshops were held at the Monroe County Public Library and the Kelley School of Business (4/16/09)

-
- B. West 2nd Street Feasibility Study
 - No tasks were accomplished by the BMCMPO this quarter with the 2nd Street Feasibility Study
 - C. CAC/Student Assisted Study
 - No tasks were accomplished by the BMCMPO this quarter with the Student Assisted Study

#301 – Long Range Transportation Plan

This element includes activities to update the Long Range Transportation Plan and the associated Travel Demand Model. Additionally, this element includes activities to develop and maintain a Regional Intelligent Transportation Systems (ITS) Architecture in order to identify technological solutions to improve the safety and efficiency of the transportation network.

During this quarter, the BMCMPO accomplished the following tasks:

- A. 2035 Long Range Transportation Plan (LRTP)
 - No tasks were accomplished by the BMCMPO this quarter with the LRTP.
- B. ITS Architecture Maintenance
 - No tasks were accomplished by the BMCMPO this quarter with the ITS Architecture.

#401 - Vehicular Data Collection

This element includes activities to conduct vehicular volume counts within the Metropolitan Planning Area for arterial and collector streets on a rotational cycle. To standardize how this work will be done, the BMCMPO plans to update its Traffic Counting Manual. Traffic counts will be conducted with assistance from the Bloomington Public Works Department, and the Town of Ellettsville Planning Department so that the BMCMPO's functionally classified roadway network is covered. Additionally, the BMCMPO will produce an annual crash report in an effort to identify potentially hazardous intersections and corridors.

During this quarter, the BMCMPO through the help of its contract service agencies accomplished the following tasks:

- A. Traffic Volume Counting
 - The City of Bloomington Engineering Department conducted fifty-three traffic counts and ten turning movement counts.
 - The Town of Ellettsville conducted 24 traffic counts.
 - The BMCMPO and City of Bloomington continued to support nine permanent traffic volume counting stations, including utility and maintenance costs.
- B. Annual Crash Report
 - BMCMPO staff finalized the 2007 Annual Crash Report and presented it to the BMCMPO Committees in May and June.

#402 - Infrastructure Management

This element includes activities to perform work necessary to develop and maintain a comprehensive infrastructure management plan, with particular emphasis on pavement management. Ongoing assessment of current conditions for existing and new infrastructure is performed and recorded with assistance from the Monroe County Highways Department, Bloomington Public Works Department, and the Town of Ellettsville Planning Department.

During this quarter, the BMCMPO through the help of its contract service agencies accomplished the following tasks:

- A. Infrastructure Management Plan
 - The City of Bloomington conducted work on the three year and ten year pavement schedule and entered data into Cartegraph.
 - The Monroe County Highways Department entered data and analyzed segments as part of infrastructure management.
 - The Town of Ellettsville performed 27 segment reviews and updated the Town's street database system.

#501 - Transit, Bicycle, and Pedestrian Data Collection

This element includes activities to prepare transit ridership data and bicycle and pedestrian volume counts. This information will aid in establishing annual passenger mile estimates for mass transit, will aid in estimating facilities that are under- or over-utilized, and will aid in the prioritization of capital improvements.

During this quarter, the BMCMPPO with the help of its contract service partners accomplished the following tasks:

A. Transit Ridership and Bicycle/Pedestrian Data Collection

- BMCMPPO staff conducted bicycle and pedestrian counts at a few locations in Bloomington.

#502 - Short Range Alternative Transportation Studies

This element includes activities to coordinate the Safe Routes to School Task (SRTS) Force so that local stakeholders can work cooperatively to generate project ideas and apply for SRTS funding. Additionally, BMCMPPO staff will promote and encourage bicycle and pedestrian activities as viable modes of transportation through continued cooperation with the Bicycle and Pedestrian Safety Commission. BMCMPPO staff will also host bicycle skills and safety training seminars for the public. Lastly, Bloomington Transit with the assistance of a private consultant will continue work on a new Transit Development Program (TDP) which will comprehensively analyze the operations of Bloomington Transit and provide recommendations for future improvements to transit.

During this quarter, the BMCMPPO with the help of its contract service partners accomplished the following tasks:

A. Safe Routes to School (SRTS) Program

- BMCMPPO staff coordinated SRTS Task Force and subcommittee meetings (minutes, packets, &/or staff support):
 - April 1, 2009
 - May 6, 2009 (Templeton subcommittee)

B. Bicycle and Pedestrian Project Coordination

- BMCMPPO staff attended meetings and workshops of the Bicycle and Pedestrian Safety Commission:
 - April 6, 2009 (workshop)
 - April 20, 2009 (meeting)
 - May 4, 2009 (workshop)
 - May 18, 2009 (meeting)
 - June 1, 2009 (workshop)
 - June 15, 2009 (meeting)
- BMCMPPO staff attended meetings of the Monroe County Alternative Transportation Technical Advisory Committee:
 - June 15, 2009

C. LCI Training Program

- BMCMPPO staff worked with the City of Bloomington on Bike Week activities including Bike to Work Day (5/15&22/09)
- BMCMPPO staff taught a Learn to Ride class (5/11-13&18/09) to 10 adolescents
- BMCMPPO staff taught a Bike Commuter 101 (5/16/09) to 4 adults

D. Transit Development Program (TDP)

- No tasks were accomplished by the BMCMPPO this quarter with the Transit Development Program.

#503 - Long Range Alternative Transportation Programs

This element includes activities to continue implementation of the SR37/I-69 Alternative Transportation Corridor Study which was produced in FY 2007 and provided design recommendations for bicycle and pedestrian facilities for interchanges and overpasses. Additionally, the BMCMPPO must maintain the locally developed Coordinated Human Services Public



Transportation Plan and evaluate how transit projects serve the needs of the elderly, persons with disabilities, and persons with low income.

During this quarter, the BMCMPPO accomplished the following tasks:

- A. Alternative Transportation Corridor Study
 - BMCMPPO staff coordinated with City of Bloomington and INDOT personnel on new alternative transportation corridors.
- B. Coordinated Human Services Public Transit Plan
 - No tasks were accomplished this quarter with the Coordinated Plan.

Prepared by: Bloomington/Monroe County Metropolitan Planning Organization Staff
July 2009

Bloomington/Monroe County Metropolitan Planning Organization
 F.Y. 2009 UPWP - Task# Quarterly Totals

First Quarter Summary			
Quarter	Q1 / FY 2009		
Period	07/01/2008 - 09/30/2008		
Element #	Local Share	PL/FTA Share	Total Amount
101	\$ 4,711.46	\$ 18,845.85	\$ 23,557.32
102	\$ 227.22	\$ 908.87	\$ 1,136.09
103	\$ 654.48	\$ 2,617.93	\$ 3,272.41
201	\$ 432.62	\$ 1,730.47	\$ 2,163.09
202	\$ 69.06	\$ 276.23	\$ 345.29
301	\$ 938.76	\$ 3,755.04	\$ 4,693.80
401	\$ 1,960.14	\$ 7,840.58	\$ 9,800.72
402	\$ 3,195.02	\$ 12,780.09	\$ 15,975.11
501	\$ 430.30	\$ 1,721.20	\$ 2,151.50
502	\$ 3,199.00	\$ 12,796.00	\$ 15,995.00
503	\$ 100.34	\$ 401.38	\$ 501.72
Total	\$ 15,918.41	\$ 63,673.63	\$ 79,592.04

Second Quarter Summary			
Quarter	Q2 / FY 2009		
Period	10/01/2008 - 12/31/2008		
Element #	Local Share	PL/FTA Share	Total Amount
101	\$ 4,332.30	\$ 17,329.19	\$ 21,661.49
102	\$ 1,275.22	\$ 5,100.88	\$ 6,376.10
103	\$ 858.02	\$ 3,432.06	\$ 4,290.08
201	\$ 410.30	\$ 1,641.20	\$ 2,051.50
202	\$ -	\$ -	\$ -
301	\$ -	\$ -	\$ -
401	\$ 2,748.85	\$ 10,995.38	\$ 13,744.23
402	\$ 420.52	\$ 1,682.10	\$ 2,102.62
501	\$ 392.20	\$ 1,568.82	\$ 1,961.02
502	\$ 480.98	\$ 1,923.92	\$ 2,404.90
503	\$ 303.40	\$ 1,213.61	\$ 1,517.01
Total	\$ 11,221.79	\$ 44,887.16	\$ 56,108.95

**Bloomington/Monroe County Metropolitan Planning Organization
F.Y. 2009 UPWP - Task# Quarterly Totals**

Third Quarter Summary			
Quarter	Q3 / FY 2009		
Period	01/01/2009 - 03/31/2009		
Element #	Local Share	PL/FTA Share	Total Amount
101	\$ 6,067.02	\$ 24,268.08	\$ 30,335.10
102	\$ 458.81	\$ 1,835.25	\$ 2,294.06
103	\$ 709.75	\$ 2,838.98	\$ 3,548.73
201	\$ 148.78	\$ 595.13	\$ 743.92
202	\$ 105.00	\$ 420.01	\$ 525.02
301	\$ -	\$ -	\$ -
401	\$ 2,164.55	\$ 8,658.21	\$ 10,822.76
402	\$ 862.98	\$ 3,451.90	\$ 4,314.88
501	\$ -	\$ -	\$ -
502	\$ 472.17	\$ 1,888.68	\$ 2,360.85
503	\$ 54.01	\$ 216.05	\$ 270.06
Total	\$ 11,043.08	\$ 44,172.31	\$ 55,215.39

Fourth Quarter Summary			
Quarter	Q4 / FY 2008		
Period	04/01/2009 - 06/30/2009		
Element #	Local Share	PL/FTA Share	Total Amount
101	\$ 6,112.37	\$ 24,449.50	\$ 30,561.87
102	\$ 430.20	\$ 1,720.80	\$ 2,151.01
103	\$ 583.73	\$ 2,334.92	\$ 2,918.65
201	\$ 821.76	\$ 3,287.05	\$ 4,108.82
202	\$ 6,179.26	\$ 24,717.03	\$ 30,896.29
301	\$ -	\$ -	\$ -
401	\$ 3,179.77	\$ 12,719.08	\$ 15,898.85
402	\$ 2,546.14	\$ 10,184.54	\$ 12,730.68
501	\$ 135.79	\$ 543.16	\$ 678.95
502	\$ 585.17	\$ 2,340.68	\$ 2,925.85
503	\$ 89.84	\$ 359.37	\$ 449.21
Total	\$ 20,664.04	\$ 82,656.14	\$ 103,320.18



Bloomington/Monroe County Metropolitan Planning Organization
F.Y. 2009 UPWP - Task# Budget Status

AGENDA ITEM V.A.

Financial Status Report: Fiscal Year 2009

Quarterly Spending Summary												
Quarter	Q1 / FY 2009			Q2 / FY 2009			Q3 / FY 2009			Q4 / FY 2009		
Period	07/01/2008 - 09/30/2008			10/01/2008 - 12/31/2008			01/01/2009 - 03/31/2009			04/01/2009 - 06/30/2009		
Element #	Local	PL/FTA	Total									
101	\$ 4,711.46	\$ 18,845.85	\$ 23,557.32	\$ 4,332.30	\$ 17,329.19	\$ 21,661.49	\$ 6,067.02	\$ 24,268.08	\$ 30,335.10	\$ 6,112.37	\$ 24,449.50	\$ 30,561.87
102	\$ 227.22	\$ 908.87	\$ 1,136.09	\$ 1,275.22	\$ 5,100.88	\$ 6,376.10	\$ 458.81	\$ 1,835.25	\$ 2,294.06	\$ 430.20	\$ 1,720.80	\$ 2,151.01
103	\$ 654.48	\$ 2,617.93	\$ 3,272.41	\$ 858.02	\$ 3,432.06	\$ 4,290.08	\$ 709.75	\$ 2,838.98	\$ 3,548.73	\$ 583.73	\$ 2,334.92	\$ 2,918.65
201	\$ 432.62	\$ 1,730.47	\$ 2,163.09	\$ 410.30	\$ 1,641.20	\$ 2,051.50	\$ 148.78	\$ 595.13	\$ 743.92	\$ 821.76	\$ 3,287.05	\$ 4,108.82
202	\$ 69.06	\$ 276.23	\$ 345.29	\$ -	\$ -	\$ -	\$ 105.00	\$ 420.01	\$ 525.02	\$ 6,179.26	\$ 24,717.03	\$ 30,896.29
301	\$ 938.76	\$ 3,755.04	\$ 4,693.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
401	\$ 1,960.14	\$ 7,840.58	\$ 9,800.72	\$ 2,748.85	\$ 10,995.38	\$ 13,744.23	\$ 2,164.55	\$ 8,658.21	\$ 10,822.76	\$ 3,179.77	\$ 12,719.08	\$ 15,898.85
402	\$ 3,195.02	\$ 12,780.09	\$ 15,975.11	\$ 420.52	\$ 1,682.10	\$ 2,102.62	\$ 862.98	\$ 3,451.90	\$ 4,314.88	\$ 2,546.14	\$ 10,184.54	\$ 12,730.68
501	\$ 430.30	\$ 1,721.20	\$ 2,151.50	\$ 392.20	\$ 1,568.82	\$ 1,961.02	\$ -	\$ -	\$ -	\$ 135.79	\$ 543.16	\$ 678.95
502	\$ 3,199.00	\$ 12,796.00	\$ 15,995.00	\$ 480.98	\$ 1,923.92	\$ 2,404.90	\$ 472.17	\$ 1,888.68	\$ 2,360.85	\$ 585.17	\$ 2,340.68	\$ 2,925.85
503	\$ 100.34	\$ 401.38	\$ 501.72	\$ 303.40	\$ 1,213.61	\$ 1,517.01	\$ 54.01	\$ 216.05	\$ 270.06	\$ 89.84	\$ 359.37	\$ 449.21
Total	\$ 15,918.41	\$ 63,673.63	\$ 79,592.04	\$ 11,221.79	\$ 44,887.16	\$ 56,108.95	\$ 11,043.08	\$ 44,172.31	\$ 55,215.39	\$ 20,664.04	\$ 82,656.14	\$ 103,320.18

Fiscal Year Budget Summary											
Element #	Programmed Funds			Funds Expended To Date			Unspent Funds			Total Expenditures Ratio	
	Local	PL/FTA	Total	Local	PL/FTA	Total	Local	PL/FTA	Total	Expended	Unspent
101	\$ 13,407.00	\$ 53,628.00	\$ 67,035.00	\$ 21,223.16	\$ 84,892.62	\$ 106,115.78	\$ (7,816.16)	\$ (31,264.62)	\$ (39,080.78)	158.3%	-58.3%
102	\$ 2,500.00	\$ 10,000.00	\$ 12,500.00	\$ 2,391.45	\$ 9,565.81	\$ 11,957.26	\$ 108.55	\$ 434.19	\$ 542.74	95.7%	4.3%
103	\$ 5,000.00	\$ 20,000.00	\$ 25,000.00	\$ 2,805.97	\$ 11,223.89	\$ 14,029.86	\$ 2,194.03	\$ 8,776.11	\$ 10,970.14	56.1%	43.9%
201	\$ 4,600.00	\$ 18,400.00	\$ 23,000.00	\$ 1,813.46	\$ 7,253.86	\$ 9,067.32	\$ 2,786.54	\$ 11,146.14	\$ 13,932.68	39.4%	60.6%
202	\$ 26,500.00	\$ 106,000.00	\$ 132,500.00	\$ 6,353.32	\$ 25,413.28	\$ 31,766.60	\$ 20,146.68	\$ 80,586.72	\$ 100,733.40	24.0%	76.0%
301	\$ 27,900.00	\$ 111,600.00	\$ 139,500.00	\$ 938.76	\$ 3,755.04	\$ 4,693.80	\$ 26,961.24	\$ 107,844.96	\$ 134,806.20	3.4%	96.6%
401	\$ 11,700.00	\$ 46,800.00	\$ 58,500.00	\$ 10,053.31	\$ 40,213.25	\$ 50,266.56	\$ 1,646.69	\$ 6,586.75	\$ 8,233.44	85.9%	14.1%
402	\$ 10,400.00	\$ 41,600.00	\$ 52,000.00	\$ 7,024.66	\$ 28,098.63	\$ 35,123.29	\$ 3,375.34	\$ 13,501.37	\$ 16,876.71	67.5%	32.5%
501	\$ 2,000.00	\$ 8,000.00	\$ 10,000.00	\$ 958.29	\$ 3,833.18	\$ 4,791.47	\$ 1,041.71	\$ 4,166.82	\$ 5,208.53	47.9%	52.1%
502	\$ 8,250.00	\$ 33,000.00	\$ 41,250.00	\$ 4,737.32	\$ 18,949.28	\$ 23,686.60	\$ 3,512.68	\$ 14,050.72	\$ 17,563.40	57.4%	42.6%
503	\$ 2,140.00	\$ 8,560.00	\$ 10,700.00	\$ 547.60	\$ 2,190.41	\$ 2,738.01	\$ 1,592.40	\$ 6,369.59	\$ 7,961.99	25.6%	74.4%
Total	\$ 114,397.00	\$ 457,588.00	\$ 571,985.00	\$ 58,847.31	\$ 235,389.25	\$ 294,236.56	\$ 55,549.69	\$ 222,198.75	\$ 277,748.44	51.4%	48.6%



**Bloomington/Monroe County Metropolitan Planning Organization
F.Y. 2009 UPWP - Task# Breakdown of Services**

AGENDA ITEM V.A.

Breakdown of Services

Work Element		Programmed Funds		Funds Expended To Date			Funds Expended 4th Quarter		
		Local	PL/FTA	Local	PL/FTA	%	Local	PL/FTA	%
101	Transportation Planning Coordination	\$ 13,407.00	\$ 53,628.00	\$ 21,223.16	\$ 84,892.62	158.3%	\$ 6,112.37	\$ 24,449.50	45.6%
102	Training & Professional Development	\$ 2,500.00	\$ 10,000.00	\$ 2,391.45	\$ 9,565.81	95.7%	\$ 430.20	\$ 1,720.80	17.2%
103	Public Participation Coordination	\$ 5,000.00	\$ 20,000.00	\$ 2,805.97	\$ 11,223.89	56.1%	\$ 583.73	\$ 2,334.92	11.7%
201	Transportation Improvement Program	\$ 4,600.00	\$ 18,400.00	\$ 1,813.46	\$ 7,253.86	39.4%	\$ 821.76	\$ 3,287.05	17.9%
202	Short Range Transportation Studies	\$ 26,500.00	\$ 106,000.00	\$ 6,353.32	\$ 25,413.28	24.0%	\$ 6,179.26	\$ 24,717.03	23.3%
301	Long Range Transportation Plan	\$ 27,900.00	\$ 111,600.00	\$ 938.76	\$ 3,755.04	3.4%	\$ -	\$ -	0.0%
401	Vehicular Data Collection	\$ 11,700.00	\$ 46,800.00	\$ 10,053.31	\$ 40,213.25	85.9%	\$ 3,179.77	\$ 12,719.08	27.2%
402	Infrastructure Management	\$ 10,400.00	\$ 41,600.00	\$ 7,024.66	\$ 28,098.63	67.5%	\$ 2,546.14	\$ 10,184.54	24.5%
501	Transit, Bicycle & Pedestrian Data Collection	\$ 2,000.00	\$ 8,000.00	\$ 958.29	\$ 3,833.18	47.9%	\$ 135.79	\$ 543.16	6.8%
502	Short Range Alternative Transportation Studies	\$ 8,250.00	\$ 33,000.00	\$ 4,737.32	\$ 18,949.28	57.4%	\$ 585.17	\$ 2,340.68	7.1%
503	Long Range Alternative Transportaton Program	\$ 2,140.00	\$ 8,560.00	\$ 547.60	\$ 2,190.41	25.6%	\$ 89.84	\$ 359.37	4.2%
SUBTOTAL		\$ 114,397.00	\$ 457,588.00	\$ 58,847.31	\$ 235,389.25	51.4%	\$ 20,664.04	\$ 82,656.14	18.1%
LESS AMOUNT PREVIOUSLY BILLED				\$ 38,183.28	\$ 152,733.10				
TOTAL DUE THIS INVOICE				\$ 20,664.04	\$ 82,656.14				



**Bloomington/Monroe County Metropolitan Planning Organization
F.Y. 2009 UPWP**

Monroe County

WORK ELEMENT	PROGRAMMED AMOUNT			SPENT AMOUNT			REMAINING BALANCE			EXPENDITURES	
	PL/FTA	Local	Total	PL/FTA	Local	Total	PL/FTA	Local	Total	Spent	Unspent
402	\$ 8,800.00	\$ 2,200.00	\$ 11,000.00	\$ 6,839.62	\$ 1,709.91	\$ 8,549.53	\$ 1,960.38	\$ 490.09	\$ 2,450.47	77.7%	22.3%
TOTALS	\$ 8,800.00	\$ 2,200.00	\$ 11,000.00	\$ 6,839.62	\$ 1,709.91	\$ 8,549.53	\$ 1,960.38	\$ 490.09	\$ 2,450.47	77.7%	22.3%

Bloomington

WORK ELEMENT	PROGRAMMED AMOUNT			SPENT AMOUNT			REMAINING BALANCE			EXPENDITURES	
	PL/FTA	Local	Total	PL/FTA	Local	Total	PL/FTA	Local	Total	Spent	Unspent
202	\$ 8,000.00	\$ 2,000.00	\$ 10,000.00	\$ -	\$ -	\$ -	\$ 8,000.00	\$ 2,000.00	\$ 10,000.00	0.0%	100.0%
401	\$ 26,400.00	\$ 6,600.00	\$ 33,000.00	\$ 20,731.79	\$ 5,182.95	\$ 25,914.74	\$ 5,668.21	\$ 1,417.05	\$ 7,085.26	78.5%	21.5%
402	\$ 8,800.00	\$ 2,200.00	\$ 11,000.00	\$ 18,163.57	\$ 4,540.89	\$ 22,704.46	\$ (9,363.57)	\$ (2,340.89)	\$ (11,704.46)	206.4%	-106.4%
TOTALS	\$ 43,200.00	\$ 10,800.00	\$ 54,000.00	\$ 38,895.36	\$ 9,723.84	\$ 48,619.20	\$ 4,304.64	\$ 1,076.16	\$ 5,380.80	90.0%	10.0%

Ellettsville

WORK ELEMENT	PROGRAMMED AMOUNT			SPENT AMOUNT			REMAINING BALANCE			EXPENDITURES	
	PL/FTA	Local	Total	PL/FTA	Local	Total	PL/FTA	Local	Total	Spent	Unspent
401	\$ 3,200.00	\$ 800.00	\$ 4,000.00	\$ 2,055.45	\$ 513.86	\$ 2,569.31	\$ 1,144.55	\$ 286.14	\$ 1,430.69	64.2%	35.8%
402	\$ 3,200.00	\$ 800.00	\$ 4,000.00	\$ 3,095.44	\$ 773.86	\$ 3,869.30	\$ 104.56	\$ 26.14	\$ 130.70	96.7%	3.3%
TOTALS	\$ 6,400.00	\$ 1,600.00	\$ 8,000.00	\$ 5,150.89	\$ 1,287.72	\$ 6,438.61	\$ 1,249.11	\$ 312.28	\$ 1,561.39	80.5%	19.5%

Bloomington Transit

WORK ELEMENT	PROGRAMMED AMOUNT			SPENT AMOUNT			REMAINING BALANCE			EXPENDITURES	
	PL/FTA	Local	Total	PL/FTA	Local	Total	PL/FTA	Local	Total	Spent	Unspent
501	\$ 1,600.00	\$ 400.00	\$ 2,000.00	\$ 1,600.00	\$ 400.00	\$ 2,000.00	\$ -	\$ -	\$ -	100.0%	0.0%
502	\$ 20,000.00	\$ 5,000.00	\$ 25,000.00	\$ 7,542.79	\$ 1,885.70	\$ 9,428.49	\$ 12,457.21	\$ 3,114.30	\$ 15,571.51	37.7%	62.3%
TOTALS	\$ 21,600.00	\$ 5,400.00	\$ 27,000.00	\$ 9,142.79	\$ 2,285.70	\$ 11,428.49	\$ 12,457.21	\$ 3,114.30	\$ 15,571.51	42.3%	57.7%

Indiana University

WORK ELEMENT	PROGRAMMED AMOUNT			SPENT AMOUNT			REMAINING BALANCE			EXPENDITURES	
	PL/FTA	Local	Total	PL/FTA	Local	Total	PL/FTA	Local	Total	Spent	Unspent
202	\$ 60,000.00	\$ 15,000.00	\$ 75,000.00	\$ 21,784.00	\$ 5,446.00	\$ 27,230.00	\$ 38,216.00	\$ 9,554.00	\$ 47,770.00	36.3%	63.7%
TOTALS	\$ 60,000.00	\$ 15,000.00	\$ 75,000.00	\$ 21,784.00	\$ 5,446.00	\$ 27,230.00	\$ 38,216.00	\$ 9,554.00	\$ 47,770.00	36.3%	63.7%

MEMORANDUM



To: MPO Policy Committee Members
From: Raymond Hess, AICP
Senior Transportation Planner
Date: September 4, 2009
Re: American Recovery and Reinvestment Act Projects Update

Background

The Bloomington/Monroe County Metropolitan Planning Organization was sub-allocated \$3,057,822 in American Recovery and Reinvestment Act (ARRA) funds from the Indiana Department of Transportation. The Policy Committee programmed these funds in April and requested that an update be provided at the September meeting.

Monroe County Projects

Pavement Preservation: \$1,137,160

Engineering estimates on this project came in higher than expected. Consequently, the County scaled back the scope of the project from five segments to three segments of pavement preservation. The three remaining segments that can be funded with the programmed amount of funding are:

Hartstrait Rd. from Vernal Pike to Walcott Ln.;
Old SR37 from Rogers Rd. to Rhorer Rd.; and
Business 37 N from SR 37 to Old 37.

Status: This project is on schedule. All necessary documents were submitted to INDOT's Seymour Office by the project submittal deadline of September 1st. After INDOT's review is complete, the County will have the opportunity to make any last-minute corrections before a December letting.

City of Bloomington Projects

Jackson Creek Trail: \$748,045

Status: This project was ahead of schedule. All necessary documents were submitted to INDOT's Seymour Office in April. This project could have been let as early as May but has not been let to date.

Sidewalk Restoration: \$225,559

Status: This project is on schedule. All necessary documents were submitted to INDOT's Seymour Office by the project submittal deadline of September 1st. After INDOT's review is complete, the City will have the opportunity to make any last-minute corrections before a December letting.

Pavement Preservation (S. Walnut St.): \$647,058

Status: This project is on schedule. All necessary documents were submitted to INDOT's Seymour Office by the project submittal deadline of September 1st. After INDOT's review is complete, the City will have the opportunity to make any last-minute corrections before a December letting.

Traffic Signal Modernization: \$300,000

Once it was learned that the Town of Ellettsville's Heritage Trail Ph II project could not meet ARRA deadlines because of unanticipated permitting requirements, the Policy Committee voted to reprogram these funds to the City's traffic signal modernization project at 4th/College and 4th/Walnut (8/12/09).

Bloomington/Monroe County Metropolitan Planning Organization

Status: This project is on schedule. All necessary documents were submitted to INDOT's Seymour Office by the project submittal deadline of September 1st. After INDOT's review is complete, the City will have the opportunity to make any last-minute corrections before a December letting.

Alternate 'Back-Up' Projects

Recently, INDOT encouraged MPOs to have alternate (or back-up) projects in case of a surplus of ARRA funds. The surplus could be the result of bids that come in significantly lower than expected or if a programmed project encounters problems and can't be implemented using ARRA funds.

Pavement Preservation:

Monroe County has two pavement preservation projects that are ready to go but do not have any dedicated ARRA funds (as mentioned above). It is therefore suggested that the following projects, which are already programmed in the TIP, be used as the MPO's alternate projects:

Pavement Preservation (That Rd from SR 37 to Rogers St): \$297,275

Pavement Preservation (Woodyard Rd. from Curry Pike to Vernal Pike): \$230,300

Status: These projects are on schedule if ARRA funds become available. All necessary documents were submitted to INDOT's Seymour Office by the project submittal deadline of September 1st. After INDOT's review is complete, the County will have the opportunity to make any last-minute corrections before a December letting.

Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO)
American Recovery and Reinvestment Act (ARRA)
Suballocation Distribution for Local Projects

Total ARRA Funding Available to the BMCMPPO			\$ 3,057,822
Sponsor	Project	Location	Cost
Monroe County	Pavement Preservation	Hartsrait from Vernal to Walcott	\$ 1,137,160
		Old 37 from Rogers to Rhorer	
		Business 37 N. from SR37 to Old 37	
<i>Monroe County Subtotal</i>			<i>\$ 1,137,160</i>
Bloomington	Jackson Creek Trail	Rogers to Sherwood Oaks Park	\$ 748,045
Bloomington	Sidewalk Restoration	Multiple Locations	\$ 225,559
Bloomington	Pavement Preservation (Resurface)	Walnut from Country Club to 1st	\$ 647,058
Bloomington	Traffic Signal Modernization	4th & Walnut; 4th & College	\$ 300,000
<i>Bloomington Subtotal</i>			<i>\$ 1,920,662</i>
Total Awards			\$ 3,057,822

Alternate 'Back-Up' Projects

Monroe County	Pavement Preservation	That from 37 to Rogers	\$ 297,275
Monroe County	Pavement Preservation	Woodyard from Curry Pike to Vernal	\$ 230,300

MEMORANDUM



To: MPO Policy Committee Members
From: Raymond Hess, AICP
Senior Transportation Planner
Date: June 19, 2009
Re: Transportation Improvement Program (TIP) Amendment – I-69 ROW

Indiana Department of Transportation (INDOT)

I-69 Right-of-way acquisition (1 parcel)

INDOT wishes the Bloomington/Monroe County Metropolitan Planning Organization to reconsider their request to acquire one property at the SW corner of SR37 and Tapp Road for the future I-69 alignment. Action on this matter was postponed at the last Policy Committee meeting (6/26/09) to allow Policy Committee members an opportunity to review a letter from Federal Highway Administration (attached).

As detailed in the attached email from David Butts of INDOT, the project is deemed to be regionally significant and therefore must be amended into the TIP regardless of funding source. INDOT deems this purchase as a Hardship Acquisition because of the property owner’s inability to sell the property since moving out-of-state. They wish to purchase this parcel at this time to alleviate the burden to the property owner and because all proposed alignments of the I-69 corridor show a need for this parcel. INDOT requests the TIP be amended to include the following project:

State of Indiana Projects		Funding Source	Fiscal Year			
			2010	2011	2012	2013
Project: I-69 Right-of-way acquisition	PE ROW CON	NHS State	\$ 10,000			
Location: SW corner of Tapp Rd. and SR 37 (3301 W. Tapp Rd.)		NHS State	\$ 150,000			
Description: Hardship acquisition of property (owner unable to sell property)		STP State	\$ 25,000			
DES#: n/a						
Support:						
Allied Projects:		TOTAL	\$ 185,000	\$ -		

Public Participation

A thirty day public comment period was held between May 20 and June 18, 2009 (advertised in the Herald Times on 5/20/09). No written public comment was received during that time period. However, several comments were received shortly before the last Policy Committee meeting. These comments have been compiled and are attached to this memo.

Committee Recommendations

Both the Citizens Advisory Committee and Technical Advisory Committee recommended adoption of this amendment at their June 24, 2009 meetings.

Requested Action

The Policy Committee is requested to take action on the Indiana Department of Transportation's I-69 right-of-way acquisition TIP amendment.

Attachments: Email from David Butts of INDOT 5/7/09
Project description provided by David Butts
23 CFR 450.324
Letter from Robert Tally of FHWA 6/24/09
Compilation of public comments
Letter from Kent McDaniel of BMCMPPO 9/4/09

From: [Butts, David](#)
To: [Desmond, Josh](#); [Micuda, Tom](#); [Hess, Raymond](#); [Holtz, David](#);
CC: [Ude, Jim](#); [Smith, Steve \(INDOT\)](#); [Mitchell, Jay](#); [Nsonwu, Emmanuel](#); [Seeman, Tom](#); [Kicinski, Greg](#); [Penturf, Steve](#);
[Dumontelle, Jay](#); [Osadczuk, Janice \[FHWA\]](#);
Subject: Agenda Item for the June 12th Policy Committee Meeting
Date: Thursday, May 07, 2009 3:57:03 PM
Attachments: [Request for TIP Amendment Reconsideration - 061209Mtg.doc](#)

Mr. Desmond, Mr, Micuda and Mr. Hess:

Per my telephone conversations over the last week with Mr. Raymond Hess, I have attached information regarding reconsideration of the TIP Amendment Request for the Hardship Acquisition of the property, house and other out buildings located at the southwest corner of Tapp Road and SR 37. We are requesting this item be placed on the Bloomington Monroe County MPO's Policy Committee's June 12, 2009 meeting agenda. Please inform me once this is placed on the requested agenda.

In the telephone conversations with Mr. Hess, he mentioned there had to be a "compelling" reason for the BMCMPPO's Policy Committee to "reopen" this issue. Also, according to Mr. Hess, after internal discussions there in Bloomington, it was determined that this request would be treated as a new request since there was a final vote not approving this amendment request at the March 13, 2009 meeting. It would go through the public involvement process including the 30-day advertisement/public comment period. Mr. Hess mentioned that the committee would be taking written and verbal commentary from the public during this comment period as well as at the meeting on June 12th. In one of the later telephone conversations, Mr. Hess also asked what would be the ramifications of not approving this amendment request.

One of the compelling reasons for the reconsideration of this amendment

request to the BMCMPPO's TIP is demonstrated under the Code of Federal Regulations (CFR), in particular, Title 23 CFR 450.324, Paragraph 'D'. This paragraph provides direction for TIP Amendments of Regionally Significant Projects. All of I-69 in Indiana falls within the category of being a Regionally Significant Project. In addition, I-69 is in the Bloomington Monroe County MPO's (BMCMPPO) Long Range Plan in multiple forms. The critical aspect of this particular CFR states that regardless of the source of the funding, any regionally significant project shall be amended into the TIP of the local MPO.

Regarding Mr. Hess's question on the possible ramifications if the MPO does not approve the TIP Amendment Request, there is not an absolute answer to that question at this time. This question can be best answered by Mr. Desmond, Mr. Hess and/or other MPO staff members having an in-person discussion with the Department's Integrated Transportation Planning Division Director, David Holtz. If desired, I can arrange a meeting between the parties, most likely at the Seymour District with Jim Ude.

If you have any questions or need more information, please let me know.

David A. Butts, P.E.
I-69 Deputy Project Manager
Office of Project Management
Production Division
Indiana Department of Transportation
(317) 232-3767

Request for TIP Amendment Reconsideration

INDOT is requesting to have placed on the agenda for the Bloomington Monroe County MPO's Policy Committee's June 12, 2009 meeting a reconsideration of the Tapp Road Hardship Acquisition Amendment to the MPO's FY 2009 – FY 2012 TIP. Following is the project information:

Road: I-69

Des#: 0810395

Location: Hardship Acquisition of property, house and other out buildings located in the SW Quadrant of the Intersection of SR37 & Tapp Rd., Monroe County

Work Category: New Road Construction Project

Work Type: Protective Buying

Phase: PE - \$10,000.00 (FY 2010) – NHS Funds

RW - \$150,000.00 (FY 2010) – NHS Funds

CN - \$25,000.00 (FY 2010) – NHS Funds

Federal Highway Administration, DOT**§ 450.324**

interim metropolitan transportation plan as a basis for advancing projects that are eligible to proceed under a conformity lapse. An interim metropolitan transportation plan consisting of eligible projects from, or consistent with, the most recent conforming transportation plan and TIP may proceed immediately without revisiting the requirements of this section, subject to interagency consultation defined in 40 CFR part 93. An interim metropolitan transportation plan containing eligible projects that are not from, or consistent with, the most recent conforming transportation plan and TIP must meet all the requirements of this section.

§ 450.324 Development and content of the transportation improvement program (TIP).

(a) The MPO, in cooperation with the State(s) and any affected public transportation operator(s), shall develop a TIP for the metropolitan planning area. The TIP shall cover a period of no less than four years, be updated at least every four years, and be approved by the MPO and the Governor. However, if the TIP covers more than four years, the FHWA and the FTA will consider the projects in the additional years as informational. The TIP may be updated more frequently, but the cycle for updating the TIP must be compatible with the STIP development and approval process. The TIP expires when the FHWA/FTA approval of the STIP expires. Copies of any updated or revised TIPs must be provided to the FHWA and the FTA. In nonattainment and maintenance areas subject to transportation conformity requirements, the FHWA and the FTA, as well as the MPO, must make a conformity determination on any updated or amended TIP, in accordance with the Clean Air Act requirements and the EPA's transportation conformity regulations (40 CFR part 93).

(b) The MPO shall provide all interested parties with a reasonable opportunity to comment on the proposed TIP as required by § 450.316(a). In addition, in nonattainment area TMAs, the MPO shall provide at least one formal public meeting during the TIP development process, which should be ad-

ressed through the participation plan described in § 450.316(a). In addition, the TIP shall be published or otherwise made readily available by the MPO for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, as described in § 450.316(a).

(c) The TIP shall include capital and non-capital surface transportation projects (or phases of projects) within the boundaries of the metropolitan planning area proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53 (including transportation enhancements; Federal Lands Highway program projects; safety projects included in the State's Strategic Highway Safety Plan; trails projects; pedestrian walkways; and bicycle facilities), except the following that may (but are not required to) be included:

(1) Safety projects funded under 23 U.S.C. 402 and 49 U.S.C. 31102;

(2) Metropolitan planning projects funded under 23 U.S.C. 104(f), 49 U.S.C. 5305(d), and 49 U.S.C. 5339;

(3) State planning and research projects funded under 23 U.S.C. 505 and 49 U.S.C. 5305(e);

(4) At the discretion of the State and MPO, State planning and research projects funded with National Highway System, Surface Transportation Program, and/or Equity Bonus funds;

(5) Emergency relief projects (except those involving substantial functional, locational, or capacity changes);

(6) National planning and research projects funded under 49 U.S.C. 5314; and

(7) Project management oversight projects funded under 49 U.S.C. 5327.

(d) The TIP shall contain all regionally significant projects requiring an action by the FHWA or the FTA whether or not the projects are to be funded under title 23 U.S.C. Chapters 1 and 2 or title 49 U.S.C. Chapter 53 (e.g., addition of an interchange to the Interstate System with State, local, and/or private funds and congressionally designated projects not funded under 23 U.S.C. or 49 U.S.C. Chapter 53). For public information and conformity purposes, the TIP shall include all regionally significant projects proposed to be funded with Federal funds other than

§ 450.324

those administered by the FHWA or the FTA, as well as all regionally significant projects to be funded with non-Federal funds.

(e) The TIP shall include, for each project or phase (e.g., preliminary engineering, environment/NEPA, right-of-way, design, or construction), the following:

(1) Sufficient descriptive material (*i.e.*, type of work, termini, and length) to identify the project or phase;

(2) Estimated total project cost, which may extend beyond the four years of the TIP;

(3) The amount of Federal funds proposed to be obligated during each program year for the project or phase (for the first year, this includes the proposed category of Federal funds and source(s) of non-Federal funds. For the second, third, and fourth years, this includes the likely category or possible categories of Federal funds and sources of non-Federal funds);

(4) Identification of the agencies responsible for carrying out the project or phase;

(5) In nonattainment and maintenance areas, identification of those projects which are identified as TCMs in the applicable SIP;

(6) In nonattainment and maintenance areas, included projects shall be specified in sufficient detail (design concept and scope) for air quality analysis in accordance with the EPA transportation conformity regulation (40 CFR part 93); and

(7) In areas with Americans with Disabilities Act required paratransit and key station plans, identification of those projects that will implement these plans.

(f) Projects that are not considered to be of appropriate scale for individual identification in a given program year may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. In nonattainment and maintenance areas, project classifications must be consistent with the "exempt project" classifications contained in the EPA transportation conformity regulation (40 CFR part 93). In addition, projects proposed for funding under title 23 U.S.C. Chapter 2 that are not region-

23 CFR Ch. I (4-1-08 Edition)

ally significant may be grouped in one line item or identified individually in the TIP.

(g) Each project or project phase included in the TIP shall be consistent with the approved metropolitan transportation plan.

(h) The TIP shall include a financial plan that demonstrates how the approved TIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommends any additional financing strategies for needed projects and programs. In developing the TIP, the MPO, State(s), and public transportation operator(s) shall cooperatively develop estimates of funds that are reasonably expected to be available to support TIP implementation, in accordance with §450.314(a). Only projects for which construction or operating funds can reasonably be expected to be available may be included. In the case of new funding sources, strategies for ensuring their availability shall be identified. In developing the financial plan, the MPO shall take into account all projects and strategies funded under title 23 U.S.C., title 49 U.S.C. Chapter 53 and other Federal funds; and regionally significant projects that are not federally funded. For purposes of transportation operations and maintenance, the financial plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain Federal-aid highways (as defined by 23 U.S.C. 101(a)(5)) and public transportation (as defined by title 49 U.S.C. Chapter 53). In addition, for illustrative purposes, the financial plan may (but is not required to) include additional projects that would be included in the TIP if reasonable additional resources beyond those identified in the financial plan were to become available. Starting December 11, 2007, revenue and cost estimates for the TIP must use an inflation rate(s) to reflect "year of expenditure dollars," based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator(s).

(i) The TIP shall include a project, or a phase of a project, only if full funding



U.S. Department
of Transportation
**Federal Highway
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

AGENDA ITEM VI.A.

June 24, 2009

In Reply Refer To:
HDA-IN

Mr. Tom Micuda, Planning Director
Bloomington Area Metropolitan Planning Organization
401 N. Morton, Suite 160
Bloomington, IN 47404

Dear Mr. Micuda:

We have been asked to provide technical information and assistance to clarify the federal planning regulations as they pertain to a proposed Hardship Acquisition for a property located at the southwest corner of Tapp Road and SR 37 in Bloomington, Indiana. It is our understanding that on June 12, 2008, the property owner of said property requested consideration for the purchase of her property under INDOT's Hardship Acquisition Policy (HAP). On September 23, 2008, INDOT agreed with the property owner that her property was eligible for acquisition under their HAP. In February 2009, INDOT requested that a project to acquire the property be amended into the Bloomington Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP) to allow for the funding to be approved for the acquisition of this property under their HAP. The amendment request was approved by the MPO Technical Advisory Committee and by the Citizen's Advisory Committee on February 25, 2009. When this amendment was brought before the MPO Policy Committee, it was denied on March 13, 2009. We are aware that this project has been resubmitted to the Policy Committee for their consideration during their next scheduled meeting that will occur on June 26, 2009.

To be clear, the Federal Highway Administration (FHWA) must reiterate that we are neither an advocate for nor against this or any other project. Our role is to ensure that Federal laws and regulations are complied with and to ensure that all parties are aware of and carry out their respective roles and responsibilities and that any ramifications for non compliance are fully understood.

According to Federal laws and regulations, projects in metropolitan areas must be included in a TIP to be advanced. This is especially true with projects that are defined as "regionally significant," regardless of whether Federal funds are used to fund them or not. This is based partially upon the following Federal regulations:

23 CFR 450.104 includes definitions for both a "Regionally Significant" project and the "Transportation Improvement Program," as follows:



“Regionally significant project means a transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA's transportation conformity regulation (40 CFR part 93)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guideway transit facilities that offer a significant alternative to regional highway travel.”
[emphasis added]

“Transportation improvement program (TIP) means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.”
[emphasis added]

23 CFR 450.324 (d) further clarifies what the TIP must include:

“(d) The TIP shall contain all regionally significant projects requiring an action by the FHWA or the FTA whether or not the projects are to be funded under title 23 U.S.C. Chapters 1 and 2 or title 49 U.S.C. Chapter 53 (e.g., addition of an interchange to the Interstate System with State, local, and/or private funds and congressionally designated projects not funded under 23 U.S.C. or 49 U.S.C. Chapter 53). For public information and conformity purposes, the TIP shall include all regionally significant projects proposed to be funded with Federal funds other than those administered by the FHWA or the FTA, as well as all regionally significant projects to be funded with non-Federal funds.”
[emphasis added]

Ordinarily, the acquisition of properties for a federally assisted project does not begin before the completion of the environmental review process. However, in extraordinary cases or emergency situations, an acquiring agency may request that FHWA approve Federal participation in acquiring a particular parcel or a limited number of particular parcels within the limits of a proposed highway corridor prior to such completion. The reason for such requests includes: A request from a property owner alleging an undue hardship caused by the impending project due to his or her inability to sell the property at fair market value within a time period typical for similar properties not affected by the project. Undue hardship, in such cases, means a hardship particular to the owners/parcels in question and not shared in general by all the owners of property to be acquired for the project.

23 CFR 710.503 states that, prior to the State Department of Transportation (DOT) obtaining environmental approval; a State DOT may request FHWA agreement to provide reimbursement for advance acquisition of a particular parcel or a limited number of parcels to alleviate hardship to a property owner, provided:

- a. The project is included in a currently approved statewide transportation improvement program (STIP),
- b. The agency has complied with applicable planning and environmental public involvement requirements in 23 CFR parts 450 and 771,
- c. A determination has been made for any property subject to 23 U.S.C. 138, preservation of parkland, and
- d. Procedures are completed for historic properties.

For clarification, the stipulations above apply to the “project,” which for this situation is defined as the project to acquire a single parcel of property under the HAP and not the I-69 project as was alluded to during the last MPO Policy Board meeting.

Therefore, based on the above regulations, definitions and interpretations, FHWA has determined that the property owner’s request meets the requirements to be eligible for acquisition through the Hardship Acquisition process. The justification to acquire this property is based on the potential to be included in a regionally significant project. Therefore, FHWA has determined that the only means by which this property can be acquired is through a revision of the Bloomington MPO TIP to include the “project” to acquire the property. Once revisions to the TIP have been approved by the MPO and the Governor of the State of Indiana, they become part of the STIP by reference.

In addition to the above, FHWA is providing the following citations regarding the Federal planning requirements for States, which can be found in 23 CFR 450.206. This citation requires States to plan and prepare planning documents in a manner that is cooperative in a statewide manner, but which by definition involves metropolitan as well as non-metropolitan areas:

“(a) Each State shall carry out a continuing, cooperative, and comprehensive statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will address the following factors:

(1) Support the economic vitality of the United States, the States, metropolitan areas, and non-metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;”

Federal regulations are written so that both MPOs and State agencies must work together to advance projects. According to 23 CFR 324 (a), TIPs must be approved by both the MPO and the Governor, in order to take effect:

“(a) The MPO, in cooperation with the State(s) and any affected public transportation operator(s), shall develop a TIP for the metropolitan planning area. ***The TIP shall cover a period of no less than four years, be updated at least every four years, and be approved by the MPO and the Governor.*** However, if the TIP covers more than four years, the FHWA and the FTA will consider the projects in the additional years as informational. The TIP may be updated more frequently, but the cycle for updating the TIP must be compatible with the STIP development and approval process. The TIP expires when the FHWA/FTA approval of the STIP expires. Copies of any updated or revised TIPs must be provided to the FHWA and the FTA.” ***[emphasis added]***

At the March MPO Policy Board meeting, questions regarding the ramifications for not approving this project amendment request were requested. As we stated above, the FHWA is neither an advocate for nor against this or any other proposed project, however, FHWA expects that the continuing, cooperative, and comprehensive planning requirements for States and Metropolitan areas are met. This is verified through our certification reviews which may be conducted annually or as appropriate.

The MPO Policy Board and INDOT should be aware that 23 CFR 630.112 (c) (2) contains provisions that States may be subject to having to pay back Federal funds, if any project does not advance as follows:

“(2) *Preliminary engineering project.* In the event that right-of-way acquisition for, or actual construction of, the road for which this preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the [State] will repay to the FHWA the sum or sums of Federal funds paid to the transportation department under the terms of the agreement. The State may request a time extension for any preliminary engineering project beyond the 10-year limit with no repayment of Federal funds, and the FHWA may approve this request if it is considered reasonable.”

The MPO Policy Board should also be aware that the Governor of the State of Indiana, or his representative, retains approval authority over the MPO’s TIP as follows:

23 CFR 450.324 (a) states:

“(a) The MPO, in cooperation with the State(s) and any affected public transportation operator(s), shall develop a TIP for the metropolitan planning area. The TIP shall cover a period of no less than four years, be updated at least every four years and ***be approved by the MPO and the Governor.***” *[emphasis added]*

23 CFR 450.326 (b) states:

“(b) After ***approval by the MPO and the Governor.*** the TIP shall be included without change, directly or by reference, in the STIP required under 23 U.S.C. 135. *[emphasis added]*

Due to the population of the Bloomington urbanized area being less than 200,000, the Bloomington metropolitan area is designated as a non-Transportation Management Area (non-TMA). As a non-TMA, the Bloomington MPO Policy Board should understand that:

23 CFR 450.330 (b) states:

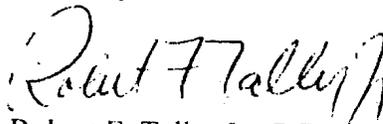
“(b) In metropolitan areas not designated as TMAs, projects to be implemented using title 23 U.S.C. funds shall ***be selected by the State*** and/or the public transportation operator(s) in cooperation with the MPO from the approved metropolitan TIP.” *[emphasis added]*

It is also important for the Bloomington MPO Policy Board to recognize that Federal funds are not suballocated to non-TMAs. Funding to non-TMAs is made through the State to the non-TMAs at the discretion of the State of Indiana. It is therefore important that metropolitan and state agencies communicate well and understand the roles of each other as they work together. Both need to be aware of each other's responsibilities and authorities so that projects can be advanced in a manner that provides the maximum benefits to the taxpayers in both metropolitan areas, and statewide.

The most important aspect of this project request that the MPO Policy Board should recognize is that it involves a distressed property owner who has requested and been deemed eligible to have their property acquired through the Hardship Acquisition process. It is expected that all levels of government cooperate together to ensure that rights and benefits due to this citizen are not jeopardized without appropriate justification. In this situation, the MPO's denial of INDOT's request has resulted in a negative impact to this distressed property owner without a clear understanding of the justification for the denial.

We hope that this additional information helps you to understand the federal planning requirements and authorities provided to the State of Indiana. Should you need any additional information, please feel free to contact Janice Osadczuk who is the FHWA Planning/Environmental Specialist assigned to your area and to the INDOT Seymour District.

Sincerely,



Robert F. Tally, Jr. P.E.
Division Administrator

cc:

Commissioner Michael W. Reed, INDOT

Mr. Joe Gustin, Deputy Commissioner of Planning, INDOT, Room N-758

Mr. Jim Stark, Seymour District Deputy Commissioner, 185 Agrico Lane, Seymour, IN 47274

Ms. Janice Osadczuk, FHWA, Indiana Division Office

Public Comments Concerning I-69 ROW Acquisition

From: Stephanie Kane [mailto:kane.stephanie@gmail.com]
Sent: Friday, June 26, 2009 11:39 AM
To: Micuda, Tom
Subject: do NOT include property acquisitions for I69 in TIP

Dear Tom Micuda,

Please protect our quality of life in Monroe County. Please do not include property acquisitions for I-69 in the TIP.

Thanks for you attention,

--

Stephanie C. Kane
4412 E. Trailridge Rd.
Bloomington IN 47408

-----Original Message-----

From: Terri Greene [mailto:tgreene@indiana.edu]
Sent: Friday, June 26, 2009 11:06 AM
To: Micuda, Tom
Subject: Please do not include I-69 in TIP

Hello:

Please do NOT include I-69 property acquisitions in the Bloomington/ Monroe County MPO Transportation Improvement Plan.

The citizens of Bloomington and Monroe County as well as the City Council have been more than clear that they do not want I-69 cutting through the city and county. Please stand up to INDOT's persistent badgering and don't allow them a "foot in the door."

The highway's negative impacts and costs far outweigh any potential benefits. The I-69 extension is unwanted by many . . . not needed . . . and economically, environmentally, and socially unaffordable. It is time for the new-terrain I-69 extension to be put to rest.

Terri Greene
9510 S. Snow Rd.
Bloomington, IN 47403
812-855-8742 (day)

-----Original Message-----

From: Thomas & Sandra Tokarski [<mailto:carr@bluemarble.net>]

Sent: Friday, June 26, 2009 10:08 AM

To: Micuda, Tom

Cc: Kruzan, Mark; Andy Ruff; Mark Stoops; Jack Baker

Subject: MPO TIP Amendment

Hello, Mr. Micuda,

Please distribute the following statement to the members of the MPO Policy committee and please include it as part of the public record.

Thank you.

To Members of the Bloomington/Monroe County MPO Policy Committee

Re: MPO TIP Amendment I-69 ROW Acquisition

Please do not vote to include the "hardship buyout" of the property at SR37 and Tapp Road into the MPO TIP.

It is apparent from INDOT's insistence on the MPO's passing this amendment, that it is very important to INDOT to secure I-69 ROW in Bloomington and Monroe County.

If INDOT is truly concerned about the hardships that the property owner is suffering (and we do not dispute her suffering) then there are other funds and other ways that they can buy this property, without including it in the TIP.

INDOT created this hardship and loss of property value for the property owner.

It is not the MPO's responsibility to relieve her at a cost to Monroe County citizens. There are other, much larger issues involved in this requested action.

It is very difficult to stand firm in the face of INDOT 's (and Governor Daniels') pressure, but please take courage and protect our quality of life in Monroe County. It is despicable and very bad public policy for INDOT and FHWA to resort to coercion and blackmail to force the adoption of this amendment.

We are sure that you understand that if this amendment is passed, it will be used by INDOT to mislead federal agencies and politicians statewide about the acceptance of I-69 in Bloomington/Monroe County and to help secure federal funding for I-69.

Citizens for Appropriate Rural Roads, Inc. (CARR) is a grassroots organization working to protect the integrity of our farmlands, forestlands and rural communities by supporting fiscally conservative and environmentally sound transportation policies. We have worked for nearly 19 years to educate the public about the costs and impacts of the proposed new terrain I-69.

Sincerely yours,

Sandra and Thomas Tokarski

*

Thomas & Sandra Tokarski
Citizens for Appropriate Rural Roads, Inc.
PO Box 54
Stanford, IN 47463
812-825-9555 800-515-6936

From: Ann Seagraves [mailto:ann.seagraves@gmail.com]
Sent: Thursday, June 25, 2009 4:08 PM
To: Micuda, Tom
Cc: kemcdani@indiana.edu
Subject: re: no property for I69

As a citizen outraged by the continued push for I 69, I urge you not include property acquisitions for I 69 in the TIP. This would undercut the Bloomington City council's Resolution opposing I 69. Thank you for voting this down again. Ann Seagraves

From: amatthew [mailto:amatthew@bloomington.in.us]
Sent: Thursday, June 25, 2009 7:58 AM
To: Kruzan, Mark; Micuda, Tom; kemcdani@indiana.edu; markastoops@yahoo.com
Subject: MOP meeting

Dear MOP members,
Please stand up to INDOT! Don't include property aquisitions in TIP. I-69 is not an accepted project and the Bloomington City Council passed a resolution opposing I-69.
Please protect our quality of life in Monroe County.
Sincerely,
Antonia Matthew

From: bill polansky [mailto:billpolansky@hotmail.com]
Sent: Wednesday, June 24, 2009 11:41 PM
To: Micuda, Tom
Subject: I'm against I-69 in Bloomington

Dear Mr. Micuda:

As a resident of Bloomington who commutes to Indianapolis, I have good reason to support the new terrain I-69 through Bloomington. However, on balance I think I-69 would be so detrimental to the quality of life in Bloomington that I am anti I-69 even though it would make my commuting to Indy faster and easier. So I urge you to keep property acquisitions for I-69 out of the 2009 TIP. Thank you.

Sincerely,

Bill Polansky
E. Longview Ave., Bloomington

-----Original Message-----

From: Leann Lipe [mailto:llipe@mccsc.edu]
Sent: Wednesday, June 24, 2009 2:14 PM
To: Micuda, Tom
Subject: No I 69

Dear Mr. Micuda,

Please protect our quality of life in Bloomington. We do not want an interstate and cookie cutter shops in our town. We love Bloomington because it is not like everywhere else. It is a special place.

LeAnn Lipe

From: Brooks, Nancy Diane [mailto:nabrooks@indiana.edu]
Sent: Wednesday, June 24, 2009 2:51 PM
To: Kruzan, Mark; Micuda, Tom; McDaniel, Kent Edward; markastoops@yahoo.com
Subject: Please Do Not Include I-69 in the MPO TIP.

Dear Honorable Mayor Kruzan,

Please protect our quality of life in Monroe County. Please do not include I-69 property acquisitions in the MPO Transportation Improvement Plan (TIP). PLEASE STAND UP TO INDOT'S BULLYING TACTICS!

THE BLOOMINGTON/MONROE COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) IS

BEING ASKED AGAIN BY INDOT TO INCLUDE I-69 IN ITS TRANSPORTATION IMPROVEMENT PLAN (TIP) FOR 2009. This would be done by amending the TIP to include the acquisition of a piece of property on Tapp Road into the I-69 right-of-way. This property is now vacant. INDOT is proposing to purchase it as a "hardship" buyout. INDOT is not doing this out of concern for the property owner. It has ulterior motives which it is not disclosing, but we can guess what they are

**Putting this property acquisition into the TIP is an official act by the MPO acknowledging that I-69 is an accepted project and Bloomington/Monroe County is planning for it. It is meant to fabricate support for I-69.*

****This action will be used by INDOT to mislead federal agencies and politicians statewide about acceptance of I-69 in Bloomington/Monroe County and to help get federal funding for I-69.***

**This act would undercut the Bloomington City Council's Resolution opposing I-69.*

Please protect our quality of life in Monroe County and do not include the I-69 property acquisitions in the MPO TIP.

*Many thanks,
A concerned Monroe County citizen*

*Nancy Diane Brooks
1207 W. Greentree Lane
Bloomington, IN 47403
nabrooks@indiana.edu*

-----Original Message-----

From: Don Lichtenberg [<mailto:lichten@indiana.edu>]
Sent: Wednesday, June 24, 2009 11:37 AM
To: Micuda, Tom
Subject: TIP

Dear Tom Micuda,

I urge you to oppose acquiring property acquisition on Tapp Road in the TIP plan. Approval is a way to support

I-69 by the back door. I am strongly against I-69, as it is expensive, bad for the environment, and will contribute to global warming. My wife Rita feels as I do.

Thank you.

Don Lichtenberg
715 S Fess Ave
Bloomington IN 47401

From: Merriman, Jerry S [mailto:jmerrima@indiana.edu]
Sent: Wednesday, June 24, 2009 9:22 AM
To: Kruzan, Mark
Cc: Micuda, Tom; McDaniel, Kent Edward; markastoops@yahoo.com
Subject: I-69 and Monroe County

Mayor Kruzan,

Thank you and the others who are receiving this for your firm and reasoned stand against INDOT's heavy-handed push for I-69. You clearly understand how short-sighted and destructive--of farms, forests, and our limited economic resources--this highway would be.

As an average citizen, I believe I am among the majority of Indiana citizens who believe we can and must do better than an antiquated highway project whose only benefit will be for a relatively small group in the short term. I am hopeful that Bloomington and Monroe County will continue to be a positive force toward a sustainable future.

Sincerely,
Jerry Merriman
Bloomington, Indiana

From: Shodo Spring [mailto:shodo.spring@gmail.com]
Sent: Wednesday, June 24, 2009 9:20 AM
To: Kruzan, Mark; Micuda, Tom; kemcdani@indiana.edu; markastoops@yahoo.com
Subject: I-69

Dear Friends,

I appreciate your past firmness in standing up to INDOT about I-69. Please continue to be firm. Our way of life does not depend on giant superhighways or even on cooperation from INDOT and Federal subsidies. Our way of life depends on us.

Thank you for understanding what makes a community safe, happy, and prosperous.

Sincerely,

Shodo Spring
812-339-4021

From: ellen epstein [mailto:esepstein@hotmail.com]
Sent: Wednesday, June 24, 2009 8:48 AM
To: Micuda, Tom
Cc: kemcdani@indiana.edu
Subject: I-69 and TIP request by INDOT

This is a plea to secure your help in making sure that property acquisition for I-69 in Monroe County continues to be thwarted - INDOT is bullying us and we need to stick by the original wishes of Monroe County. Please help to see that the TIP is not amended...thank you

From: Mobie McCammon [mailto:m.mccammon@comcast.net]
Sent: Wednesday, June 24, 2009 8:47 AM
To: Micuda, Tom
Cc: m.mccammon@comcast.net
Subject: TIP

Please protect our quality of life in Monroe County. Please do not include property acquisitions for I-69 in the TIP.

Mobie McCammon
3702 W Maple Leaf Dr
Bloomington, IN. 47403

From: Jofridr@aol.com [mailto:Jofridr@aol.com]
Sent: Wednesday, June 24, 2009 8:06 AM
To: Micuda, Tom
Subject: TIP 2009

Tom Micuda, Planning Director

Dear Tom Micuda,

Please continue to protect our quality of life in Monroe County. Please do not include property acquisitions for I-69 in the TIP. It is quite clear that the vast majority of people of Monroe County and Bloomington are opposed to the highway.

I cannot attend the meeting Friday, June 26th, at 1:30 p.m. because I have recently had heart surgery and will be in rehab at that time. Given my heart condition I am concerned that if I-69 is built through Bloomington that, if needed, an ambulance might not be able to get me to the hospital in time.

Sincerely Yours,

(Ms.) Lary Smith

Check all of your email inboxes from anywhere on the web. [Try the new Email Toolbar now!](#)

From: Denise Szocka [mailto:dls@toast.net]
Sent: Wednesday, June 24, 2009 7:00 AM
To: Kruzan, Mark; Micuda, Tom; kemcdani@indiana.edu; markastoops@yahoo.com
Subject: Request to not include I-69 property acquisitions in MPO TIP

Dear Sirs,

I am a visitor to Bloomington and Monroe County and I ask you to do the following:

Please protect the quality of life in Monroe County. Please do not include I-69 property acquisitions in the MPO Transportation Improvement Plan. Please stand up to INDOT's bullying tactics!

Thank you.

Denise Szocka
4107 Meander Bend, Apt. 2C
Indianapolis, IN 46268

6/25/09

AGENDA ITEM VI.A.

Dear Mr. Micuda:

I cannot attend Friday, June 26 meeting pertaining to INDOT's new request to include The Tapp Road property in the TIP program for 2009. But I again urge you not to approve this request. As you know, there is a sizeable segment of our citizenry that does not want I 69 routed through Monroe County. Period! So, whatever rationale INDOT may have for renewing its request, it would not be sufficient to change our minds.

Thank you for giving serious consideration to my request.

Respectfully,



Proud Supporter of The Fund for Animals

Harry Hollis
4393 N Old State Road 37
Bloomington, IN 47408-9734

Harry Hollis

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Tel # 332-7571



September 4, 2009

Mr. Samuel Sarvis
Deputy Commissioner of Major Program Management
Indiana Department of Transportation

Dear Mr. Sarvis,

As you are aware, the Bloomington/Monroe County MPO is in receipt of a TIP amendment request from INDOT pertaining to a hardship acquisition within its proposed I-69 highway corridor. The Policy Committee previously voted to deny this request at its March 13, 2009, meeting. When the request was resubmitted, it was placed on the June 26, 2009, agenda but then postponed to the September 11, 2009, meeting.

In order to be as prepared as possible for the deliberations that will take place at the September 11 meeting, the Policy Committee is seeking further clarification from INDOT on several issues. While we did receive a detailed letter from the Federal Highway Administration (dated June 24, 2009) outlining the Federal regulations and policies pertaining to our consideration of your request, the Committee is interested in a more direct response from INDOT. Specifically, we are seeking guidance on the following points:

1. If the Policy Committee again votes to deny the request, what will be the specific repercussions from INDOT? For example, the MPO has several ARRA-funded projects awaiting letting. Will those projects be specifically affected as a result of a negative vote on the TIP amendment?
2. If there are to be negative consequences for the MPO as a result of the vote, will there be an opportunity for the MPO to take further action in response and potentially avoid such consequences?

The Bloomington/Monroe County MPO Policy Committee respectfully requests that INDOT provide a written response to the above questions prior to the September 11 meeting. If this is not possible, we would request that a direct response be provided as part of the discussion at the meeting.

The Policy Committee is very concerned about acting on this request in the absence of a clear indication of the specific ramifications of its action. It is important that the members of the committee know exactly what is at stake as they consider their vote on the matter. I appreciate your attention to this important issue.

Sincerely,

A handwritten signature in blue ink that reads "Kent McDaniel".

Kent McDaniel
Policy Committee Chair
Bloomington/Monroe County MPO

CC: David Butts, INDOT
Jay Mitchell, INDOT
Jim Stark, INDOT
Policy Committee, Bloomington/Monroe County MPO

INTRODUCTION:

The Bloomington/Monroe County Metropolitan Planning Organization (BMCMPPO) is now responsible to review and award eligible Transportation Enhancement (TE) grant applications that fall within the BMCMPPO urbanized area. Indiana Department of Transportation (INDOT) will provide technical assistance and review to ensure that any submitted TE application meets federal requirements and are activities eligible to receive TE funding (compliance review). INDOT will also continue to administer TE funds and all subsequent project management aspects (e.g. engineering design reviews, contract bids, contract awards, etc.) once the BMCMPPO has awarded TE funds to a Local Public Agency (LPA).

Under this local TE administrative system the BMCMPPO will issue an annual call for projects to closely coincide with INDOT's state-wide program and call for projects (e.g. for non-MPO areas). All LPA members of the BMCMPPO will be appropriately notified of any pertinent dates and deadlines associated with the TE program. The reason for running the local and INDOT calls for projects concurrently is twofold. First, INDOT requires their application to be used and submitted to INDOT electronically for their compliance review. Second, this will help to ensure that the BMCMPPO uses the current and most up to date application issued by INDOT.

This information packet contains general information about the Local TE Program which is a process used to select and award TE grants within the urbanized area of the BMCMPPO. The packet also contains important reference material that will be needed by an LPA to submit a TE application.

SELECTION COMMITTEE:

A TE Selection Committee will be formed after the deadline for applications has passed (usually two months after the call for projects is issued). The TE Selection Committee is responsible to review and score all applications received during the respective call for projects and to provide their recommendation to the BMCMPPO committees. At a minimum, the TE Selection Committee shall be comprised of at least one, but not more than two, member(s) from each of the BMCMPPO committees: the Policy Committee (PC), the Technical Advisory Committee (TAC), and the Citizens Advisory Committee (CAC). Members that are chosen to serve on the TE Selection Committee can do so provided the following conditions are met:

- The member is in good standing with the BMCMPPO;
- The member is nominated by their respective BMCMPPO committee to serve on the TE Selection Committee; and
- The member understands that in a good faith pledge their role is to serve in the best interest of the BMCMPPO community and not to any subordinate agency, group, or association where a perceived or real advantage may come to being through their association by serving this committee.

In addition to the BMCMPPO members serving on the TE Selection Committee, up to three at-large members may also be selected to serve on the TE Selection Committee if the MPO staff finds the composition of the committee could benefit from additional expertise outside the existing BMCMPPO membership. These at-large members may be asked to serve by the MPO staff provided the following conditions are met:

- The individual resides within the BMCMPPO urbanized area, with the exception for representative(s) of Indiana Department of Transportation, Indiana Department of Environmental Management, and other pertinent state agencies; and
- At least one of the at large members is directly associated with one of the following: Bloomington and Monroe County Visitors Bureau, Downtown Bloomington Inc., Bloomington Bicycle Club; Indiana Department of Natural Resource; Council of Neighborhood Association, a local bicycle or pedestrian advocacy or safety group, a local historic preservation group (HPC, Monroe County

Historical Society), a licensed engineer, architect, landscape architect, or planner, Indiana Department of Environmental Management, and Indiana Department of Transportation.

PROJECT SELECTION CRITERIA, REVIEW, AND AWARD PROCESS:

The TE Selection Committee shall review all applications and score them on a 100 point system as prescribed by INDOT's methodology. This scoring system is comprised of two components. One is a general score that evaluates the level of: public participation/local support, maintenance, connection to existing plans, benefit/need/quality of proposal, relation to surface transportation, assurance of local match, supplemental funding, and early coordination/consultation. The general score has a maximum of 50 points. The other component is specific to the type of TE activity for which the project is seeking funding (see Eligible Activities for the types). This component also has a maximum of 50 points. The BMCMPPO may implement a different prioritization system in the future; however currently all TE activities are considered equal and thus no additional selection criteria is needed to further consider local priorities. The merits of each application and its corresponding TE activity will be evaluated with no predetermined local priorities which would favor one TE activity over another TE activity.

Each TE Selection Committee member will be responsible to review and evaluate the submitted TE application(s). Each application/project shall be scored as described above by each TE Selection Committee member. Once the applications have been scored by the committee, the average of their respective scores will determine the rank order of the applications. In addition to the scoring and subsequent rank order of the applications, the TE Selection Committee members will also make funding recommendations based upon the estimated amount of available TE funds, the respective rank score, and the relative application funding request for each application/project. The TE Selection Committee shall not recommend partial awards.

The results of the TE Selection Committee review will be their recommendation for which application(s) to award and how much TE funding the application(s) should receive. Their recommendations then will be sent to the CAC and TAC for their consideration and subsequent recommendation. The PC will finally consider all these recommendations and make the final determination.

ELIGIBLE ACTIVITIES:

Eligible activities to be considered for TE awards are promulgated by the Federal Highway Administration. Generally these activities are described as follows:

- Provision of facilities for pedestrians and bicycles;
- Provision of safety and educational activities for pedestrians and bicycles;
- Acquisition of scenic easements and scenic or historic sites;
- Scenic or historic highway programs;
- Landscaping and other scenic beautification;
- Historic preservation;
- Rehabilitation and operation of historic transportation buildings, structures, or facilities;
- Preservation of abandoned railway corridors;
- Inventory, control, and removal of outdoor advertising;
- Archaeological planning and research;
- Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity; and
- Establishment of transportation museums.

LIMITATIONS:

TE grant awards are based upon a grant formula where no more than 80% of the eligible costs will be reimbursed; which in turn requires a minimum of a 20% local match to be paid by the applicant. The BMCMPPO