



Jod P. Ettinger
Executive Director

New York City Transportation Coordinating Committee Annual Executive Committee Meeting

Thursday September 18, 2014; 6:30 pm – 8:30 pm

Spector Hall, 22 Reade Street, first floor
Lower Manhattan

This meeting will be video recorded and posted within two business days on www.NYMTC.org for later viewing. All times listed are approximate.

AGENDA (revised 9/2/2014)

- 1) Welcome and Roll Call (6:30 pm – 6:40 pm) – **Luis Calderon for Sonia Pichardo, New York City TCC Secretary, New York State Department of Transportation**
- 2) Opening Remarks (6:40 pm – 6:50 pm) – **William Wheeler for Thomas Prendergast, New York City TCC Chair, Metropolitan Transportation Authority**
- 3) Update on Proposed Federal Rulemaking for Metropolitan Transportation Planning (6:50 pm – 7:10 pm) -- **Gerry Bogacz, Acting New York City TCC Staff Director, New York Metropolitan Transportation Council Staff**
- 4) Status Report on the 2014-2018 Transportation Improvement Program (TIP) (7:10 pm – 7:40 pm) – **Angelina Foster, Programming & Analysis Manager, New York Metropolitan Transportation Council Staff**
- 5) Public Participation (7:40 pm – 8:00 pm) – **registered speakers**
- 6) Action Items (8:00 pm – 8:30 pm)
 - a) **Accept: July 30, 2013 Meeting Synopsis**
 - b) **Adopt: Resolution NYC-2014-1 – Adoption of Joint Transportation Coordinating Committee(TCC) Operating Procedures**
 - c) **Adopt: Resolution NYC-2014-2 -- – Recommendation of Additional Changes to New York City Roadway Functional Classifications**
 - d) **Selection of New TCC Chair – Polly Trottenberg, Commissioner, New York City Department of Transportation**
- 7) Adjourn (no later than 8:30 pm)

Synopsis of the New York City Transportation Coordinating Committee Executive Committee Meeting

July 30, 2013; 6:30 pm

NYMTC Office
199 Water Street, 22nd floor
Lower Manhattan

A. CALL TO ORDER AND INTRODUCTIONS

Luis Calderon representing Joseph Brown of the New York State Department of Transportation (NYSDOT), who serves as New York City Transportation Coordinating Committee (NYCTCC) Secretary, opened the meeting and welcomed the participants. Mr. Calderon asked for a roll call of the voting members and the advisory members and declared a quorum present under the NYCTCC operating procedures. The meeting was turned over to Nuria Fernandez of the Metropolitan Transportation Authority (MTA), representing MTA Executive Director Thomas Prendergast, the current Chair of the NYCTCC. Ms. Fernandez made her opening remarks.

B. OVERVIEW OF THE PROJECT LISTING PROPOSED FOR INCLUSION IN THE 2011-15 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

Acting NYCTCC Staff Director Gerry Bogacz provided the NYCTCC members with an update on the development of the next Regional Transportation Plan (*Plan 2040*) and Transportation Improvement Program (TIP). The roles and responsibilities of the NYCTCC within the overall structure of the New York Metropolitan Transportation Council were reviewed, along with the role of these planning products in the federally-mandated metropolitan transportation planning process. The NYCTCC members provided highlights of the projects proposed for inclusion in Plan 2040 and the FFY 2014-2018 TIP. Ms. Fernandez noted the MTA's initiatives for state of good repair, maximizing capacity and service improvements. She mentioned that 2014 will be the end of the current MTA Capital Program and that the 2015-19 Capital Program is currently under development. Karin Sommer of the New York City Department of Transportation (NYCDOT) discussed her agency's emphasis on state of good repair and provided an overview of city initiatives such as bridge projects, ferries and terminals and the implementation of Select Bus Service. Jack Schmidt of the New York City Department of City Planning (NYCDP) described his agency's partnership with NYCDOT on construction of bike paths, pedestrian plazas and an on-line interactive routing application for bike riders. Mr. Calderon noted NYSDOT's initiatives for moving infrastructure into a state of good repair. He mentioned the core projects for preventive maintenance, enhancement, mobility improvements and projects to address bridge deficiencies as well as the Major Deagan Expressway auxiliary lanes, extension of the Long Island Expressway High-Occupancy Vehicle (HOV) lane from 58th Street to 99th Street in Queens, extension of the Staten Island expressway HOV lane from Slosson Avenue to Victory Boulevard; and the Kosciuszko Bridge project. Lou Venech of the Port Authority of New York and New Jersey (PANYNJ) noted long-range capital investments such as the World Trade Center redevelopment, including the Port Authority Trans-Hudson (PATH) station; the replacement of the Goethals Bridge, the Bayonne Bridge clearance project; and general improvements to the PATH system.

C. PUBLIC PARTICIPATION

Ms. Fernandez noted that there were no registered public speakers. She reported that there were three comments submitted from the public prior to the meeting. Two of these comments were related to the Queensway proposal, one from the Friends of Queensway and the other from the Trust for Public Land. The other submission was from a member of the public supporting the inclusion of the Amtrak Gateway II project, 7 Train extension from the west side of Manhattan to the Secaucus, New Jersey station and widening the New York State Thruway from 3 to 4 lanes from Exit 11 in Central Nyack to Exit 14A in Spring Valley.

D. ACTION ITEMS

1. Accept January 8th Meeting synopsis

A motion to accept the January 8th meeting synopsis was made by Nuria Fernandez representing the MTA. The meeting synopsis was unanimously accepted.

2. Carl King of the NYCTCC staff introduced resolution Resolution NYC-2013-4: Recommendation of the Project Listings for Inclusion in the 2014-40 Regional Transportation Plan (*Plan 2040*) and the 2014-2018 Transportation Improvement Program. A motion to adopt Resolution NYC 2013-4 was made by Karin Sommer of NYCDOT and seconded by Jack Schmidt of NYCDCP. The motion passed unanimously.
3. Carlos Delpozo of the NYCTCC staff introduced Resolution NYC2013-5: Affirmation of the Revised Urban Area Boundary. A motion to adopt Resolution NYC 2013-5 was made by Jack Schmidt of NYCDCP and seconded by Luis Calderon of NYSDOT. The motion passed unanimously.

E. ITEMS OF INTEREST

1. David Drits and Ananya Baruah of NYMTC staff presented their work to spatially visualize the projects contained in the new Regional Transportation Plan and Transportation Improvement Program using the Google Earth platform. This visualization makes project information available to the public and provides the ability to locate and view project information via a computer, laptop or smart phone.
2. Jan Khan of NYMTC staff gave an overview of the 2013 Congestion Management Process Status Report, released in conjunction with Plan 2040. This federally-mandated report summarizes the traffic congestion forecasts and congestion reduction efforts in the NYMTC planning area.

F. ADJOURN

A motion to adjourn the meeting was made by Nuria Fernandez and accepted unanimously at 7:20 PM. The next meeting will be in early 2014.

**RESOLUTION #NYC-2014-01 - ADOPTION OF JOINT TRANSPORTATION
COORDINATING COMMITTEE (TCC) OPERATING PROCEDURES**

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, the 1982 Memorandum of Understanding (MOU) between NYMTC's member agencies that created the organization structured NYMTC as a Council of Transportation Coordinating Committees; and

WHEREAS, through the MOU, NYMTC's three TCCs agreed to join together to form a Council of Transportation Coordinating Committees and, acting through the Council, to constitute the federally required Metropolitan Planning Organization; and

WHEREAS, as standing committees of NYMTC, each of the three TCCs individually adopted procedures to govern their operations and periodically updated those procedures; and

WHEREAS, in response to recommendations from NYMTC's 2011 federal Certification Review, NYMTC's TCCs seek to consolidate their operating procedures; and

WHEREAS, the members of the TCCs, in concert with NYMTC staff, have developed Joint TCC Operating Procedures that comply with the federal recommendation; and

WHEREAS, upon adoption by each of them, NYMTC's TCCs agree that these joint procedures will govern their operations.

NOW, THEREFORE, BE IT RESOLVED, that the New York City TCC adopts the Joint TCC Operating Procedures which appear as Attachment 1 to this resolution.

This resolution shall take effect on the eighteenth day of September, two thousand and fourteen.

Resolution NYCTCC 2014-1

Attachment 1

**JOINT TRANSPORTATION COORDINATING COMMITTEE
OPERATING PROCEDURES**

9/18/2014

JOINT TRANSPORTATION COORDINATING COMMITTEE OPERATING PROCEDURES

FINAL DRAFT FOR TCC ACTION - SEPTEMBER 2, 2014

1. PURPOSE

Federal regulations require that each urbanized area, with a population of 50,000 or greater, have a planning process in order to receive federal transportation and planning funds. In the New York City urbanized area, implementing this transportation planning process is the responsibility of the New York Metropolitan Transportation Council (NYMTC).

As indicated in the Memorandum of Understanding (MOU) between its members that formed the organization, NYMTC is a “council of Transportation Coordinating Committees (TCCs)”. These TCCs remained after the dissolution of the Tri-State Regional Planning Commission in 1982 and they continued within the structure of NYMTC.

This structure enables each TCC to be more responsive to the local needs of the various subregions in the metropolitan area; the three transportation coordinating committees are:

- The Mid-Hudson South TCC (MHSTCC) is the subregional planning forum for Putnam, Rockland and Westchester counties.
- The Nassau/Suffolk TCC (NSTCC) is the subregional planning forum for Nassau and Suffolk counties.
- The New York TCC (NYCTCC) is the subregional planning forum for the five boroughs of New York City.

Since the full council is designated as the federally-mandated metropolitan planning organization for New York City, suburban Long Island and the lower Hudson Valley, responsibility for developing and adopting the federally-required planning products and analyses is conferred to the full council by that designation. However, the NYMTC MOU indicates that each TCC has the responsibility for coordinating transportation plans and programs within their respective planning area to ensure proper coordination and consistency with federal regulatory requirements. Further, the MOU delegates the responsibility for adopting local actions to maintain the Transportation Improvement Program, for recommending the Urban Area Boundary and for delineating the Federal Aid Highway designations to the TCCs.

These joint procedures outline the responsibilities of the TCCs as the constituent committees of NYMTC. These procedures apply to all three TCCs.

2. MEMBERSHIP

The TCCs are comprised of an executive-level committee supported by technical staff. The composition of each of the Executive Committees is discussed below. Voting members for each of the TCCs are listed, along with advisory members. Voting members are entitled to cast one vote each. New advisory members may be nominated by existing TCC voting members. Appointments of new advisory members are made by the TCC Chair with the approval of the TCC voting members. As the need arises, the TCC members shall call upon other public agencies or organizations to address transportation-related issues in their area of expertise.

Mid-Hudson South TCC

Voting Members:

- Putnam County Executive
- Rockland County Executive¹
- Westchester County Executive
- Metropolitan Transportation Authority, Chair and Chief Executive Officer²
- New York State Department of Transportation, Regional Director³
- New York State Thruway Authority, Executive Director⁴

Advisory (non-voting) Members:

- Port Authority of New York and New Jersey, Executive Director
- Southwestern Region (Connecticut) Metropolitan Planning Organization, Executive Director⁵
- Federal Highway Administration, Division Administrator
- Federal Transit Administration, Regional Administrator
- United States Environmental Protection Agency, Regional Administrator
- New York State Department of Environmental Conservation, Regional Director

The officers of the Mid-Hudson South TCC Executive Committee shall consist of a Chair and a Secretary. The Chair shall be selected from among the Committee's voting members by consensus, and will hold office for one year or until such time as a new Chair is approved by the voting members.

The position of Secretary will be designated by the NYSDOT Regional Director. The position of Secretary shall have no voting authority. The TCC may establish and fill any other offices necessary to carry out its work. Technical support and administrative services shall be provided optimally by NYMTC staff assigned to the TCC in the NYSDOT Region 8 office.

¹ Changed from the NYMTC Memorandum of Understanding, since the position did not exist at the time the MOU was signed

² Changed from the NYMTC Memorandum of Understanding, since the position did not exist at the time the MOU was signed

³ Changed from the NYMTC Memorandum of Understanding due to delegation by NYSDOT Commissioner

⁴ Added by action of the TCC, April 6, 1992

⁵ Added by agreement of the TCC

New York City TCC

Voting Members:

- New York City Department of Transportation, Commissioner
- New York State Department of Transportation, Regional Director⁶
- New York City Department of City Planning, Chair
- Metropolitan Transportation Authority Chair and Chief Executive Officer⁷

Advisory (non-voting) Members:

- Port Authority of New York and New Jersey, Executive Director
- New York State Department of Environmental Conservation, Regional Director
- New York City Department of Environment Protection, Commissioner
- Federal Highway Administration, Division Administrator
- Federal Transit Administration, Regional Administrator
- United States Environmental Protection Agency, Regional Administrator

The officers of the New York City TCC Executive Committee shall consist of a Chair and a Secretary. The Chair shall be selected from among the Committee's voting members by consensus, and will hold office for one year or until such time as a new Chair is approved by the voting members.

The position of Secretary will be designated by the NYSDOT Regional Director. The position of Secretary shall have no voting authority. The TCC may establish and fill any other offices necessary to carry out its work. Technical support and administrative services shall be provided optimally by NYMTC staff assigned to the TCC in the NYSDOT Region 11 office.

⁶ Changed from the NYMTC Memorandum of Understanding due to delegation by NYSDOT Commissioner

⁷ Changed from the NYMTC Memorandum of Understanding, since the position did not exist at the time the MOU was signed

Nassau/Suffolk TCC

Voting Members:

- Suffolk County Executive
- Nassau County Executive
- New York State Department of Transportation, Regional Director⁸
- Metropolitan Transportation Authority Chair and Chief Executive Officer⁹

Advisory (non-voting) Members:

- Federal Highway Administration, Division Administrator
- Federal Transit Administration, Regional Administrator
- US Environmental Protection Agency, Regional Administrator
- New York State Department of Environmental Conservation, Regional Director
- Port Authority of New York and New Jersey Executive Director

The officers of the Nassau/Suffolk TCC Executive Committee shall consist of a Chair and a Secretary. The Chair shall be selected from among the Committee's voting members by consensus, and will hold office for one year or until such time as a new Chair is approved by the voting members.

The position of Secretary will be designated by the NYSDOT Regional Director. The position of Secretary shall have no voting authority. The TCC may establish and fill any other offices necessary to carry out its work. Technical support and administrative services shall be provided optimally by NYMTC staff assigned to the TCC in the NYSDOT Region 10 office.

Subcommittees

Subcommittees may be formed as needed by the TCC Executive Committees.

⁸ Changed from the NYMTC Memorandum of Understanding due to delegation by NYSDOT Commissioner

⁹ Changed from the NYMTC Memorandum of Understanding, since the position did not exist at the time the MOU was signed

3. RESPONSIBILITIES

NYMTC's TCCs are responsible for the following activities in the context of mandated responsibilities for NYMTC as a designated MPO:

- Supporting the metropolitan transportation planning process in compliance with federal planning regulations and in cooperation and coordination with state agencies and authorities, local governments, elected officials, and transportation, including transit providers.
- Providing subregional forums for cooperative planning and decision-making on transportation issues by local elected officials, agencies and authorities, and transportation providers within the TCC planning area. The Mid-Hudson South TCC has one such forum, the Mobility Advisory Forum. The operating procedures for this subcommittee appear in Appendix 1 to these operating procedures.
- Collecting data on projects to be analyzed through the regional emissions analyses.
- Developing and recommending project listings for inclusion in the NYMTC TIP and making amendments and administrative modifications to the NYMTC TIP.
- Developing subregional components of the NYMTC Regional Transportation Plan (RTP).
- Overseeing studies and other planning activities as outlined in the UPWP and RTP.
- Providing individuals, public agencies, community groups and stakeholders in their respective planning areas with the opportunity to participate in the transportation planning process.
- Recommending Urban Area Boundaries and delineating the Federal-Aid Urban Highway system within these boundaries for submission to NYSDOT.
- Coordinating their activities, with the other TCCs and adjacent metropolitan planning organizations.

As an MPO, NYMTC is responsible for developing and adopting three transportation planning products; the Regional Transportation Plan, the Transportation Improvement Program, and the Unified Planning Work Program; and two planning analyses; the Congestion Management Process and Transportation Conformity. Together, these activities constitute the metropolitan transportation planning process through which federal transportation investments and other transportation improvements are conceived and brought into reality.

Per current federal planning regulations, NYMTC's **Regional Transportation Plan** must include at least a twenty year planning horizon and be updated at least every four years and is intended to lay out a long-range framework for improving the region's transportation system by identifying long-term transportation needs and objectives.

NYMTC's **Transportation Improvement Program** is the fiscally constrained five-year program of improvement projects developed from and consistent with the Plan. It identifies

proposed surface transportation projects in the metropolitan area. Current federal regulations state that a new TIP must be prepared at least every four years and approved by the MPO and Governor. It is amended in the interim as needed.

NYMTC's **Unified Planning Work Program** is an annual program of planning projects including those which are to receive federal funding. It lists planning projects to be undertaken by NYMTC and its member agencies and confers eligibility for use of federal funding for those projects. The UPWP is developed annually and amended by NYMTC as needed.

In addition, NYMTC conducts regional emissions analyses for **Transportation Conformity** as required by the Clean Air Act Amendments of 1990. It also forecasts traffic congestion for the **Congestion Management Process**, a systematic approach to providing for the safe and effective management and operation of new and existing transportation facilities through the use of demand reduction and operational management strategies.

4. TECHNICAL STAFFS

The technical staffs, comprised of the staff of the TCC voting and advisory members and by NYMTC staff (optimally assigned to the TCC in the NYSDOT Regional offices) shall work in conjunction with the Executive Committees and shall provide overall technical support, manage the development of project lists and narrative descriptions for the Transportation Improvement Program, participate in the development and amendment of each annual Unified Planning Work Program, and the development and amendment of the relevant elements of the Regional Transportation Plan. The technical staffs will support the development of Transportation Conformity Determinations and the Congestion Management Process as needed. The technical staffs shall also undertake as well as implement special studies as directed by the Executive Committee and identify other specific areas of concern for further analysis of transportation related issues.

NYMTC staff supports the operation of the TCCs, optimally through staff members assigned to the TCCs in the respective NYSDOT regional offices, by preparing materials and federal products for the review and approval of the TCC members. A TCC Staff Director is responsible for the operation of the staff assigned to the TCCs. Secretarial services will be provided to the TCC by the relevant NYSDOT Region and NYMTC staff assigned to the TCCs in the respective NYSDOT regional offices.

5. MEETINGS

Meetings of the TCC Executive Committees will be held at least once per calendar year and as needed beyond that to accomplish the functions of the TCCs. A quorum of the Executive Committee must be present for the TCC to conduct business. A quorum of an Executive Committee will consist of 2/3 of the voting members or their official designated representatives

Recognizing that matters arise that demand the immediate attention of the TCC, any individual voting or non-voting member may request that the Chair convene a meeting of the Executive Committee. NYMTC TCC staff shall be responsible for scheduling and making appropriate arrangements for all meetings. The TCC Chair will settle any disputes involving agenda items for each Executive Committee meeting, which will be available to the members and the general public two weeks prior to the meeting.

Meetings of the Executive Committees are open to the public. Technical staffs are invited to attend all Executive Committee meetings. *Robert's Rules of Order* (www.robertsrules.com) shall be observed at all TCC Executive Committee meetings.

The regular order of business, unless otherwise modified by the TCC Chairs, shall be as follows:

- Call to Order
- Roll Call
- Call for Public Participation
- Synopses of the Preceding Meeting
- Communications and Announcements
- Reports and Actions
- New Business
- Reports on Subcommittee Activities
- Adjournment

6. DECISION- MAKING

All actions taken by the Executive Committees shall be by the consensus of the affected parties as determined by the TCC Chairs. Consensus is defined as unanimity of affected parties. Per the NYMTC MOU, affected parties are understood to be from among the voting members. Consensus can be determined through a vote taken at a TCC Executive Committee meeting of the TCC members or their designees or, in the case of amendments to the Transportation Improvement Program (TIP) only, by mail ballot. The TCC Chair in consultation with the Secretary, shall judge the extent to which members are affected by proposed TCC actions and shall declare a consensus, or the lack thereof, of the affected members upon conclusion of the vote.

Voting members can vote on a ballot or other kind of action or they can abstain from any ballot or action. Voting members who disapprove or abstain from an action will be requested to provide an explanation in writing within five business days of the vote to the TCC Chair in order for the staff and other members to be able to address relevant issues.

Voting members may designate in writing to the NYMTC TCC Staff Directors (acting on behalf of the TCC Secretaries) an alternate representative who is empowered to attend meetings and act on the voting member's behalf, with the authority to vote. In the event of a

change in a voting or advisory member, a new designation is necessary.

Members requesting TIP amendments must make their request for such action in writing to the NYMTC TCC staffs acting on behalf of the TCC Secretaries prior to the distribution of a ballot. Requests for TIP amendments should be submitted following the protocols outlined in the TIP/STIP Operating Procedures.

NYMTC TCC staff shall distribute the proposed action and any supporting documentation to all members. Voting members shall respond to the ballot within the period specified in the ballot notice (typically 5 business days).

Once all ballots have been received, the NYMTC TCC Staff Directors (acting on behalf of the TCC Secretaries) shall be empowered to declare the Executive Committees' approval of the proposed action, assuming the ballots indicate consensus, and to transmit the approved action as appropriate. In cases where there is not consensus, approval of the action cannot be declared and it must be tabled until a consensus can be achieved through discussion of the members. If by the specified date no negative responses have been received from voting members, the TCC Secretaries shall presume an abstention and shall be empowered to declare the approval of the proposed action.

If any Executive Committee member has questions, comments, or concerns about a proposed action transmitted by mail ballot, the TCC Secretaries shall be empowered to suspend or terminate all or part of the ballot in question until the matter is resolved or consensus has been reached.

All Executive Committee members shall inform the TCC Staff Director (acting on behalf of the TCC Secretaries) of any questions, concerns or reservations they may have in endorsing project listings for the relevant TCC as soon as possible, but at a minimum one week prior to voting

7. TRANSPORTATION IMPROVEMENT PROGRAM ACTIONS

The TCCs will follow the TIP/STIP Operating Procedures adopted by Program, Finance and Administration Committee (PFAC) Resolution 287 on September 17, 2009 to develop and administer the TIP. These operating procedures appear in Appendix 2.

8. PUBLIC INVOLVEMENT OPERATING PROCEDURES

The TCCs will follow the Public Participation Operating Procedures adopted by PFAC Resolution on September 27, 2012 in all of their activities.

APPENDIX 1 – MID-HUDSON SOUTH TRANSPORTATION COORDINATING COMMITTEE MOBILITY ADVISORY FORUM PROCEDURES

- A. Purpose:** The Mobility Advisory Forum will serve as an advisory steering group to the Mid-Hudson South Transportation Coordinating Committee (MHSTCC). The objectives of the Mobility Advisory Forum (MAF) are to:
- 1) Advise MHSTCC members on public outreach and input regarding transportation related projects and programs.
 - 2) Provide a regional forum for proactive public outreach and obtain public input for MHSTCC activities, including proposed projects and programs, and additional items of regional interest related to transportation.
 - 3) Provide a mechanism for public outreach for member agencies, at their option, to obtain public input on all required FHWA and FTA activities.
- B. Participation:** The Mobility Advisory Forum consists of technical staff from the six voting MHSTCC members, representatives from the employer community, the environmental community, disability community, government agencies, other interested parties, as well as the general public. Agencies and organizations in neighboring counties and areas are also invited to participate.
- C. Officers:** The MHSTCC Technical Committee shall designate a chairperson who will chair the meetings, establish meeting agendas and provide administrative support services. Vice chairpersons can also be selected by the MHSTCC if desired and will share administrative support responsibilities. The chairperson and vice chairpersons will be selected from the six MHSTCC members. Items deemed not appropriate for the MAF agenda by the MAF chair may be forwarded directly to the MHSTCC for further consideration.
- D. Meetings:** Meetings are open to the public and will be held as necessary to handle the functions of the MAF. Meetings are usually held at least two times per year. Meeting notices will be sent out at least 14 days prior to the meeting to the extent possible. Meeting notices, sign in sheets, and presentations, when available, will be retained. To facilitate coordination, MAF will be a regular item for discussion at all MHSTCC meetings.
- E. Subcommittees:** Subcommittees shall be set up on an ad hoc basis on issues related to mobility as the need arises. Subcommittee chairs shall be designated by the MHSTCC Technical Committee. Representatives shall be invited to participate by the MHSTCC Technical Committee based on their area of expertise.

Subcommittees shall report on their activities at the MAF meetings. The MAF chair or his/her representative will report to the MHSTCC on the status of MAF and subcommittee activities, and on the public input received through the MAF and its subcommittees.

The chairperson or vice-chairs may speak on behalf of MAF. Other MAF participants may not speak on behalf of MAF or use their affiliation with MAF to endorse their own agency's view.

APPENDIX 2 – TIP/STIP REVISION OPERATING PROCEDURES

Adopted September 17, 2009

Introduction

These *TIP/STIP Revision Operating Procedures* outline the procedures agreed upon by the NYMTC TCC members* to revise project listings on the approved *Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program (STIP)*. FTA and FHWA do not approve NYMTC's TIP document presented for council approval or TIP modifications to the TIP. FTA and FHWA do approve amendments to the STIP. Since the STIP must include all projects listed on the TIP, the use of the terms TIP and STIP are synonymous in these procedures.

There are two types of revisions to the TIP. A minor revision is considered an administrative modification, and a major revision is considered an amendment.

The following procedures are consistent with 23 CFR Part 450 of the Statewide Transportation Planning; Metropolitan Transportation Planning; Final Rule.

Definitions

Administrative Modification

In the Metropolitan Transportation Planning Final Rule an administrative modification “means a minor revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).” (23 CFR 450.104 Definitions)

Amendment

In the Metropolitan Transportation Planning Final Rule an amendment “means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope...” “An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination.” (23 CFR 450. 104 Definitions)

* These *procedures shall also apply to other public transit operators which are not members of NYMTC but which are designated recipients of the Federal Transit Administration, as specified in the metropolitan planning agreement per federal requirements.*

Clarifications on Specific or Unique Situations

While the Metropolitan Transportation Planning Final Rule provides the above definitions, FTA, FHWA, NYMTC members and NYMTC staff thought that certain specific processes needed to be addressed to avoid uncertainty on how to proceed under specific or unique situations. These operating procedures are to be used as a guide in administering all TCC TIP administrative modifications and/or amendments.

Fiscal Constraint

In non-attainment and maintenance areas, projects included in the first two years of the TIP and STIP shall be limited to those for which funds are available or committed. Federal guidance on financial planning and fiscal constraint is available at http://www.fhwa.dot.gov/planning/guidfinconstr_qa.htm.

Fiscal constraint must be maintained for all actions. For the purpose of these Operating Procedures, fiscal constraint for FHWA projects is defined as maintaining the amount of funding programmed in each year of the TIP so that it does not exceed the fiscal funding allocated for each of the STIP years and the overall amount of funds available over the timeframe of the STIP. Fiscal constraint shall be documented for each action.

In the case of FTA funded projects, future year TIP allocation estimates are based on transportation authorization. Annually, appropriations bills are enacted and apportionments and allocations are published by the FTA in the *Federal Register*. As a result, in order to maintain and document fiscal constraint, FTA funds programmed on the TIP need to be consistent with the amounts shown in the *Federal Register*.

Earmarks and Discretionary Funds

Earmarks and other discretionary funds are new revenue sources that can only be used for a specific purpose as outlined in the *Federal Register*, and are by their nature fiscally constrained. These funds do not require the redemonstration of fiscal constraint unless the sponsoring agency is also adding other federal funds to the project. Transit earmark amounts need to be consistent with the amounts published by FTA in the *Federal Register*, including any rescissions.

Public Review

An amendment to the TIP requires 10 calendar days for public review. If the TIP amendment is due solely to project cost increases and the scope of the project – or project phase as programmed in the TIP – does not change, and in the case where public review has already been conducted on the project (or project phase) by the sponsoring agency (for example as part of a federally required Program of Projects notice, required for FTA Section 5307 formula funds), that public review shall constitute the required amendment public review. The sponsor-held public review must have occurred within three years of the requested TIP amendment, otherwise a new public review must occur. The notice of a project published in the *Federal Register* shall constitute the required amendment public review.

In the case of an amendment where a project is shown on the TIP, including the committed column, and has gone through either the TIP or a project level public review process, an additional public review will not be necessary prior to processing the amendment. Public review for non-exempt projects may be combined with the public notice in the NYMTC Conformity Determination. The public review notice will be sent to the applicable TCC mailing list via email, mail or fax. If an e-mail address is available, the notice shall be sent by e-mail. If not, fax will be utilized. If a fax number is not available, mail will be utilized. The mailing list will be updated on a regular basis along with periodic major updates. The proposed amendment may also be posted on the NYMTC website during the public review period and paper copies will be made available upon request. Any public comments will be forwarded to the TCC voting members as part of the amendment approval process.

Changing Project Funding from Local Funding to Federal Funding

If a project is shown with 100% local funds and is being changed to include federal funds, this action will be processed as an amendment. If public review has already occurred, then only approval by the TCC voting members and subsequent STIP processing is required.

Rollover

Rollover could occur for projects that were shown in the previously approved TIP/current TIP committed column, but due to delay in progressing the project are not in the current TIP. Projects that are listed in the last year of the immediate prior TIP and that will be obligated in the first year of the current TIP, do not require an amendment and may be moved into the TIP with an administrative modification as long as the TIP's fiscal constraint is maintained or the action results in an amount of funds programmed in the TIP that are consistent with the allocation in the *Federal Register*. This is referred to as the "rollover" and is consistent with NYMTC's rollover clause in the TIP approval resolution.

FHWA projects do require a STIP amendment to be added back on to the STIP.

Withdrawn Projects

Projects which are withdrawn due to lack of expenditures or progress will need to be added back on to the TIP as an amendment. If the project is not shown on the current TIP, including the committed column, an additional public review will be necessary. A STIP amendment is also necessary to add the project back onto the STIP.

Cost

For federally funded projects, amendments are required when the total project cost increases, based upon the following threshold criteria:

- FHWA – an increase of \$10 million or greater
- FTA – an increase of 25% or greater.

NYMTC will work with project sponsors to determine the total project cost, e.g. in cases in which a project is programmed over multiple years, assigned multiple project identification numbers (PINs), or represented in multiple phases in the TIP and/or Regional Transportation Plan.

CMAQ Funded Projects

Voting member concurrence will be required when changes to CMAQ (and STP Urban in MHSTCC) funded projects are processed as Administrative Modifications. TCC member concurrence will occur via e-mail, telephone, fax, or paper notification. Voting members will be notified of the revision request and allowed five calendar days to voice any objections to the revision.

Steps in the Process

1. Project sponsor completes a TIP Change Request Form with marked up TIP strips, and submits to TCC staff.
2. TCC staff determines if the change is an administrative modification or amendment based on these Operating Procedures. If requested by TCC staff, the project sponsor shall provide additional information on the proposed TIP change (for example, the number of traffic lanes, project cost).
3. TCC staff, in coordination with the project sponsor, submits the project for NYSDOT Environmental Science Bureau/Interagency Consultation Group review.
4. Public review occurs, as applicable.
5. TCC staff process the action.
6. For Administrative Modifications, the action is entered into the eSTIP database and then forwarded to NYMTC Central Staff for further processing to NYS DOT.
7. For Amendments, the action is entered into eSTIP, forwarded to NYMTC Central Staff, and then

NYSDOT. NYSDOT will approve (or disapprove) the request in eSTIP for subsequent approval/disapproval by the federal agencies.

8. Project sponsors will be notified of completed actions by the individual performing the action.
9. Project sponsors will be copied on all TIP action/amendment correspondence.

Voting Member Approval

Amendments can be voted on by NYMTC TCC voting members (or designee) by mail, fax, e-mail, phone or paper ballot, or at a meeting. As per the TCC Operating Procedures, consensus is required for the approval of an amendment. If any negative votes are received or objections are raised, the action will be suspended until the objection is resolved or consensus is declared. The names of the voting members and their designee are kept on file with the TCC.

Resolution of Issues

The project sponsor and TCC will work to resolve issues of whether the project falls within the category of administrative modification or amendment. If an issue cannot be resolved, the TCC would seek guidance from FTA and FHWA, as applicable.

In the event an amendment is approved and then there are subsequent issues with a project, a subsequent action would need to be approved by consensus to revise the approved amendment.

Procedures Review

The TIP Revision Procedures shall be reviewed after one year from the approval date. The procedures shall also be reviewed following passage of new federal re-authorization legislation.

**RESOLUTION #NYC-2014-2 - RECOMMENDATION OF ADDITIONAL CHANGES
TO NEW YORK CITY ROADWAY FUNCTIONAL CLASSIFICATIONS**

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, NYMTC has delegated responsibility to its Transportation Coordinating Committees (TCCs) for recommending changes to roadway functional classifications for the five boroughs of New York City; and

WHEREAS, under *CFR §470.105(b) (1)*, the state transportation agency shall have the primary responsibility for developing and updating statewide highway functional classifications in rural and urban areas to determine functional usage of the existing roads and streets. The state shall cooperate with responsible local officials, or appropriate federal agency in the case of areas under federal jurisdiction, in developing and updating the functional classifications; and

WHEREAS, *functional classification* is the process by which streets and highways are grouped into classes, or systems, according to the character of traffic service that they are intended to provide; and

WHEREAS, functional classification is used in transportation planning, in roadway design and for the allocation of federal roadway improvement funds; and

WHEREAS, National Highway System (NHS) connectors are the functional classifications for public roads providing access to major intermodal terminals; and

WHEREAS, public roads classified as NHS connectors are key conduits for the timely and reliable delivery and movement of goods; and

WHEREAS, in 2013, NYMTC's New York City TCC recommended changes to the New York City functional roadway classifications, including NHS connectors.

NOW, THEREFORE, BE IT RESOLVED, that the New York City TCC recommends that New York State consider additional changes to New York City's NHS connectors as listed in Attachment 1 to this resolution.

This resolution shall take effect on the eighteenth day of September, two thousand and fourteen.

Resolution NYCTCC 2014-2; Attachment 1

<u>NO.</u>	<u>ROADWAY</u>	<u>AGENCY</u>	<u>BOROUGH</u>	<u>RECOMMENDED ACTION</u>	<u>CONNECTOR DESCRIPTION</u>	<u>RELATED INTERMODAL FACILITY</u>	<u>FACILITY TYPE</u>
1	EB Entrance to Bruckner Blvd	NYCEDC	Bronx	Add to NHS Connectors	Ryawa Ave @ Halleck St. to Hunts Point Ave. to Food Center Drive to Hallack St. to Edgewater Rd. to Bruckner Blvd to EB Bruckner Expwy	Hunts Point Distribution Center	Truck/Rail Facility
2	EB Entrance to Bruckner Expwy	NYCEDC	Bronx	Add to NHS Connectors	Ryawa Ave @ Halleck St. to Hunts Point Ave. to Food Center Drive to Hunts Point Ave. to EB Bruckner Expwy	Hunts Point Distribution Center	Truck/Rail Facility
3	Tiffany Street to Food Center Drive	NYCEDC	Bronx	Add to NHS Connectors	Southern Blvd. to Tiffany Street to Spofford Ave. to Halleck St. to Food Center Drive	Hunts Point Distribution Center	Truck/Rail Facility
4	Legget Avenue to Food Center Drive	NYCEDC	Bronx	Add to NHS Connectors	Southern Blvd. to Leggett Ave. to Randall Ave. to Halleck St. to Food Center Drive	Hunts Point Distribution Center	Truck/Rail Facility
5	Food Center Drive to Tiffany Street	NYCEDC	Bronx	Add to NHS Connectors	Halleck St. at Food Center Drive to Spofford Ave. to Tiffany St. to Southern Blvd.	Hunts Point Distribution Center	Truck/Rail Facility
6	Food Center Drive to Legget Avenue	NYCEDC	Bronx	Add to NHS Connectors	Randall Ave. at Halleck to Legget Ave. to Southern Blvd.	Hunts Point Distribution Center	Truck/Rail Facility
7	EB 278 to New York Container Terminal	NYCEDC	Staten Island	Add to NHS Connectors	EB 278 to Western Ave. to Forest Ave. to Goethals Rd. N. to Western Ave. to Richmond Terrace	Howland Hook/New York Container Terminal	Port Terminal
8	WB 278 to New York Container Terminal	NYCEDC	Staten Island	Add to NHS Connectors	WB 278 to Goethals Rd. N. to Western Ave. to Richmond Terrace	Howland Hook/New York Container Terminal	Port Terminal
9	New York Container Terminal to EB 278	NYCEDC	Staten Island	Add to NHS Connectors	Richmond Terrace to Western Ave. to 6th to Western Ave. to EB 278	Howland Hook/New York Container Terminal	Port Terminal
10	New York Container Terminal to WB 278	NYCEDC	Staten Island	Add to NHS Connectors	Richard Terrace to Western Ave. to 6th Ave to Western Ave. to Forest Ave. to Goethals Rd. N. to WB 278	Howland Hook/New York Container Terminal	Port Terminal