



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN CHESTERFIELD, MISSOURI,  
WEDNESDAY, SEPTEMBER 5, 2018**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, September 5, 2018, at the Department of Transportation building, 1590 Woodlake Drive, Chesterfield, Missouri. Gregg C. Smith, Chairman, called the meeting to order at 8:30 a.m. The following Commissioners were present: Michael B. Pace, Michael T. Waters, Jr., John W. Briscoe, Terry L. Ecker, and Robert G. Brinkmann, P.E.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Patrick McKenna, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, September 5, 2018.

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*“Department” or “MoDOT” herein refers to Missouri Department of Transportation.  
“Commission” or “MHTC” herein refers to Missouri Highways and Transportation Commission.*

**-- CLOSED MEETING --**

**VOTE TO CLOSE MEETING**

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Smith, Aye  
Commissioner Pace, Aye  
Commissioner Waters, Aye  
Commissioner Briscoe, Aye  
Commissioner Ecker, Aye  
Commissioner Brinkmann, Aye

The Commission met in closed session on Tuesday, September 4, 2018 at 1:30 p.m. and adjourned at 4:15 p.m.

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**-- OPEN MEETING --**

**APPROVAL OF MINUTES**

Upon motion by Commissioner Waters, seconded by Commissioner Briscoe, the Commission unanimously approved the minutes of the regular meeting held June 6, 2018. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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**CONSENT AGENDA**

**Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to “consent agenda” is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

## Consideration of September 5, 2018, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Waters, seconded by Commissioner Ecker, the consent agenda items were unanimously approved by a quorum of Commission members present.

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## COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two standing committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee and board reports were made during the September 5, 2018, meeting.

**Audit Committee** – Commissioner Waters stated there was no report.

**Legislative Committee** – Commissioner Pace provided a report on behalf of the Commission's legislative committee that included the Commission and Department's legislative priorities for the 2019 session of the Missouri General Assembly. These legislative proposals align with the department's three core values of safety, service, and stability, and with Governor Parson's two top initiatives of infrastructure and workforce development.

The first proposal is a safety initiative for highway workers who are struck and killed by a motor vehicle in a work zone. Sadly, in 2016, MoDOT's Lyndon Ebker, a maintenance worker, was killed while his crew was cleaning a bridge in rural Missouri. Last legislative session, former-Representative Justin Alferman filed a proposal that would authorize the Department of Revenue to automatically revoke a driver's license upon notice that the individual was involved in a motor vehicle crash where his or her vehicle struck a highway worker. A driver's license will be reinstated upon taking and passing both the written and driving portions of the driver's exam. This proposed change in law will ensure that motorists demonstrate competency to operate a motor vehicle and improve work place safety for all highway workers.

Another safety proposal addresses the dangerous behavior of distracted driving. Missouri's current law, passed in 2009, prohibits drivers 21 years of age and under from using a hand-held electronic communication device for texting while driving. The proposed legislation would prohibit all drivers from using a hand-held electronic communication device for texting and talking while driving. Sixteen states and the District of Columbia currently prohibit all drivers from using a hand-held cell phone. Last year, MoDOT worked with a coalition of external partners to pursue the passage of this legislation. The department plans to continue working with those groups and a growing number of elected officials to pursue the passage of this legislation. In the meantime, the department continues to promote its "Buckle Up - Phone Down" initiative. This program was designed by MoDOT to educate

the driving public on the importance of accepting personal responsibility for changing their driving behavior by buckling up and putting their phone down when driving a motor vehicle. The campaign encourages individuals and business to take the Buckle Up - Phone Down challenge

The third legislative proposal surrounds MoDOT's value of sustainability. This proposal pertains to establishing a *registration fee* based on a motor vehicle miles per gallon (MPG) rating. Stemming from a recommendation outlined in the 2017 report generated by the 21<sup>st</sup> Century Missouri Transportation System Task Force, the committee believes the State of Missouri should recognize and prepare for long term sustainability and diversification of transportation revenue streams. One approach would be to address the state's antiquated (1911) motor vehicle registration system that is based on taxable horsepower and replace it with a MPG equitable model. This change in law would establish a registration fee based on a motor vehicle's MPG rating and would also establish a base rate for electric vehicles and any vehicles that do not operate on motor fuel. An MPG model would work toward sustaining transportation revenues in response to increased fuel efficiencies and alternatives to the use of motor fuels for transportation.

The department received the commission's consensus on these initiatives; with the understanding these proposals will be shared with Governor Parson to be considered as part of his legislative agenda for 2019.

**Missouri Transportation Finance Corporation (MTFC)** – Commissioner Smith stated there was no report.

**MoDOT and Patrol Employees' Retirement System** – Commissioner Pace stated there was no report.

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## DIRECTOR'S REPORT

During the September 5, 2018, Commission meeting, Director Patrick McKenna provided the following report:

**Transportation Awards** – Director McKenna reported MoDOT won two regional America's Transportation Awards at the recent Mid America Association of State Transportation Officials (MAASTO) meeting. In the 11-year history of the awards program, MoDOT has won at least once 10 times including the last seven years in a row. The Ozark County North Fork River Bridge Replacements in the Southeast District tied for first place in the "Operations Excellence, Small Project" category. These were the two bridges that were washed away by last year's flooding. The Route 65: The ReBuild project in Springfield won in the "Quality of Life/Community Development, Small Project" category, and it's now competing for the top two national awards. The Grand Prize is selected by a panel of experts, and the People's Choice Award is chosen by the public through online voting. Those national awards will be presented at the American Association of State Highway and Transportation Officials (AASHTO) Annual Meeting in Atlanta on September 23. Director McKenna recognized the skill and capability of not only the department's teams to construct these projects, but those in the private sector who get out there and get the jobs done rapidly for Missouri.

**2018 PGA Championship** – Last month, the PGA Championship that was held at Bellerive Country Club in St. Louis was a rousing success. Truly a great moment for St. Louis, and MoDOT was a big part of that effort. Southwest St. Louis County Area Engineer Karen Yeomans led a team that was involved in the planning for a year leading up to the event. Assisting her were Jeff Baird, Ryan Rands and Ben Gedris. They worked with staff from the PGA, Bellerive, Highway Patrol, FBI, US Postal Inspectors, police departments from St. Louis County, Town & Country, Creve Coeur and Chesterfield, St. Louis County Transportation, St. Louis County Office of Emergency Management, the National Weather Service and local EMS. They developed plans to address parking and traffic impacts created by the tournament which included road closures in the vicinity of the golf course and traffic control plans near the major parking venues. Jason Bell, Kathy Gettemeier, and Nick Lurtz led our Maintenance forces who pre-staged traffic control devices prior to the event, came in early each morning to set up the road closures then worked in the evening to re-open the roads. Some of the maintenance staff were Larry Johnson, Chaz Baker, Steve Ludens, Roy Mize, Kevin Schlereth, Mike Corley, Mario Lucas, Larry Wagner, and Steve Hoffman. During the week of the tournament, Karen, Jeff, and Ryan were based in the command center to monitor traffic impacts and to adjust signal timing as needed. Karen also used the week as a training exercise for six of our up-and-coming engineers, who each job-shadowed for a day to see how a planned event is executed and how incident command works. They all did a great job. The director shared an excerpt from a radio interview with the PGA’s tournament director that aired on KMOX Radio in St. Louis.

**Critical Workforce Needs** – The director reported the department is faced with a potential shortfall of 900 operators heading into this winter season. MoDOT maintenance operated last season nearly 400 employees below full capacity to handle a two-shift weather event. The department continues to require approximately 500 safety sensitive non-maintenance employees to serve as winter operators which is creating unsustainable turnover throughout the enterprise. Fortunately, the past two winters have been light with lower than average winter conditions. The department cannot rely on chance to address this critical shortage of professional operators. If the equation is not changed, the department’s ability to provide service at levels expected by the traveling public will suffer, as will safety. MoDOT cannot let that happen. During emergency operations, when the public needs MoDOT the most, failure is not an option. Last week, the director announced that beginning September 1, 2018, MoDOT will provide an emergency operations stabilization and market adjustment of \$3 to \$6 per hour, depending on the area of operation, to all full-time, seasonal, and emergency equipment operators handling winter operations activities. MoDOT will also offer a \$250 monetary incentive to employees who recruit new seasonal and full-time maintenance employees. These steps are being taken now in response to the current situation heading into winter operations. The department will evaluate these measures throughout and at the end of the season to determine their effectiveness. The director is optimistic these steps will help recruit and retain a qualified workforce.

**MAASTO Annual Meeting** - The MAASTO Annual Meeting was held last week in Michigan and marked the end of the director’s year as president. During the past year, MoDOT engaged in robust conversations which helped the President’s administration understand Missouri’s unique needs as they create a framework for a much-needed transportation infrastructure plan, and the director testified before Congress. MAASTO worked to align states’ goals and drafted a whitepaper outlining specific policy

recommendations that need to be addressed. The health of rural communities is linked to the overall prosperity and continued success of the nation's economy and its ability to compete globally. During the director's tenure as MAASTO president, he urged the organization to support movement on the federal level that could provide a framework for states to work within and to advance the use of automated vehicle technologies. He still believes in adopting a form of the "smart cities" concept along our borders for modeling and planning purposes to address capacity and congestion issues. This issue must be addressed because Missouri cannot build its way out of congestion. Last year, MAASTO held a summit to discuss and identify needs and priorities regarding the movement of freight. With national freight volume expected to grow more than 40 percent over the next 30 years, efforts must continue to harmonize freight movement between states.

**Efforts of the Governor's Cabinet** - With the leadership of Governor Parson, his cabinet has a number of initiatives underway to address his priorities of building Missouri's workforce and improving the state's infrastructure. That extends beyond just roads and bridges, but water and sewer systems, schools and broadband. Both the Governor and Lt. Governor Kehoe have really taken the lead in advocating for Proposition D, which is greatly appreciated.

**August Redistribution** – The director reported the department received \$83 million in the August redistribution of federal funds. This allows MoDOT to meet the commitments planned in the STIP.

**Planning Meetings** - In October, meetings will be held in each of MoDOT's seven districts with metropolitan planning organizations and regional planning commissions for a general discussion on how any additional transportation funding resulting from Proposition D could best be used in each region. The department expects these to be robust conversations about road and bridge priorities and how we can all work together to develop a plan of action for the future of transportation in Missouri. It will also serve as an early kickoff for future STIP planning.

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## **ST. LOUIS DEVELOPMENT CORPORATION**

Otis Williams, Executive Director of the St. Louis Development Corporation, presented to the Commission about the progress being made in the city and the region, specifically as it relates to the National Geospatial Intelligence Agency (NGA). The NGA announced in 2014 that it was looking for a place to relocate and expand its facility that is currently located in St. Louis south of I-64. The City of St. Louis chose to submit a proposal for a location four miles north of the current location on a 97-acre site at Jefferson and Cass Avenue and was the winning site selected by NGA. The cost of the project is estimated at \$1.75 billion, with a projected 3,150 employees earning on average \$98,000 per year. This

would result in additional annual revenues of \$3 million in city earnings tax, and \$8 million in state withholdings. As part of the winning proposal the City of St. Louis made three promises.

The first promise regarding the location was that it would have one owner, it would be environmentally clean, the buildings would be demolished, the streets and alleys would be vacated, and the utilities would be relocated. The 97-acre site had 551 parcels with 110 different property owners and included 137 structures; about seventy-four percent of the land was vacant. The city remediated 93 acres. In addition, 783,000 tons of material were removed from the site, including 20 underground storage tanks and one hydraulic lift. To address the utilities, thousands of linear foot of materials were removed including over 22,000 linear feet of gas lines, over 19,000 linear feet of sewer lines, over 46,000 linear feet of water lines, and over 37,000 linear feet of curb. The property will be ready to turn over to the federal government by the end of 2018.

The second promise was to improve infrastructure on North Jefferson Avenue, Cass Avenue, and at the I-64/40 interchange at Jefferson Avenue. This work will include a full interchange for I-64 at Jefferson Avenue so that travelers can exit coming from Illinois and use a ramp to go to Illinois. Improvements will need to be made to city streets to gain access to I-64. There will be two projects for improvements made to North Jefferson and Parnell as well as improvements to 20<sup>th</sup> Street. Funding for these improvements will come from several sources including MoDOT, the Land Clearance Redevelopment Authority, Great Rivers Greenway, and a variety of grant applications. These projects will improve mobility for multiple modes of transportation including automobile, bicycle, and transit. Part of the draw for this location is young talent likes an urban environment that is connected to multiple modes of transportation.

The third promise was to eliminate blight, improve safety and security, and transform residential, commercial and retail opportunities. This third promise is part of Project Connect that is looking to transform the community. This effort is to align community and project goals and is being

accomplished through a series of regular community meetings. This effort has also resulted in the completion of a series of studies for the market, storm water, traffic, transit, bicycles, and financial models.

Mr. Williams was pleased to report the first promise will be met soon with turning the project site over to the federal government at the end of this year. He expressed appreciation for the work MoDOT has underway to do their part to make improvements to the transportation infrastructure that is part of the second promise. He noted the third promise continues to be a work in progress as community support continues to grow.

Commissioner Pace thanked Mr. Williams for his presentation and noted this is a great opportunity to transform the community and congratulated him for the city's work on the NGA project.

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## **ST. CHARLES COUNTY UPDATE**

Steve Ehlmann, St. Charles County Executive, shared with the Commission about the Pacific Freight Corridor, which traverses along I-270 from Illinois across I-370 then on to I-70 out to Warren County. The section of I-70 through Wentzville was built in 1951 and carries 82,000 vehicles per day. While this project is not in the region's long range plan currently, St. Charles County is working with East-West Gateway to get this project prioritized.

Mr. Ehlmann noted that this project is shovel ready, so when the money becomes available it is ready to go. He stated the project has been approved by the National Environmental Policy Act (NEPA), the concept plan is approved, and right of way has been purchased. The region is ready and willing to get going if funding was available for the project.

Mr. Ehlmann commended East-West Gateway, the freight district and MoDOT for raising the importance of freight today. He noted that this project could have a significant economic development impact. As new logistics companies have located in St. Charles County and are relying upon a good

transportation system for their trucks to deliver their goods and services. He expressed concern about the impact congestion would have on these companies due to congestion on I-70 at Wentzville. He stated without this improved infrastructure job growth will be unable to continue at the current rate.

Mr. Ehlmann explained this project has recently become a priority for St. Charles County even though most of the people that will use this portion of I-70 are not from St. Charles County. He believes this project is of both statewide and regional significance. He explained St. Charles County has been working to improve its local road network to reduce congestion on I-70 with improvements to Wentzville Parkway from US 61, as well as Duello Road to Interstate Drive from I-64, improvements to Route N, and in the future a David Hoekel Parkway connecting from US 61 in the north traveling southwest to I-70. These local roads are getting people home to Wentzville without having to go through the bottleneck on I-70.

He expressed his appreciation for the completion of fourteen major infrastructure projects in St. Charles County since 2012. He noted that five of the fourteen projects were funded by MoDOT, and the remaining nine projects included some form of cost share with local entities. He expressed his desire for the use of Statewide Interstate and Major Bridge (SWIMB) funds on the I-70 bottleneck at Wentzville due to the statewide significance of the project.

Commissioner Ecker thanked him for his presentation and noted that the movement of freight is an issue of statewide significance so that a project in St. Charles County impacts Missourians in the far northwest corner of the state as well.

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**PUBLIC COMMENT – NORTH COUNTY INCORPORATED SUPPORT FOR I-270 CORRIDOR PROJECT**

Mark Tranel, North County Incorporated, expressed the organization’s appreciation for and support of the I-270 corridor project. He thanked the department for all of the planning that has taken

place and the tremendous cooperation with staff and the citizens of the region. The significance of the corridor to the region and its impact on freight and economic development in Missouri is noteworthy. The region looks forward to the future construction of the project. Mr. Tranel also expressed the organization's support of Proposition D, a measure that will increase the fuel tax.

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**PUBLIC COMMENT – CONCERNS REGARDING HIGHWAY NN IN JEFFERSON COUNTY**

Mick Fischer, Fire Chief for the Cedar Hill Fire District, shared his concerns regarding safety on Highway NN in Jefferson County. He reported following a recent resurfacing project the fire department is seeing more accidents on this route. These accidents tend to be single vehicles that have lost control and end with severe injuries. He requested the Commission place additional safety improvements to Highway NN on its radar for future improvements. These safety measures could include better shoulders or guardrails to prevent these accidents from happening.

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**PUBLIC COMMENT – CONCERNS REGARDING TRANSPORTATION FUNDING**

Thomas Schneider, Mayor of the City of Florissant, explained that he was a member of the Twenty-first Century Missouri Transportation Task Force. The task force recommended a fuel tax increase that passed in the legislature and is now Proposition D on November's ballot. He expressed his appreciation for the Governor's support of this measure, and that he is also seeking the support of the Engineer's Club of St. Louis, the Greater North County Chamber of Commerce, as well as rural Missouri. Mr. Schneider was very complimentary of Director McKenna, Chief Engineer Hassinger, and the Commission for doing a great job with the assets that have been provided to the state and that the department and commission will continue to be able to do so with additional funding. He stated he believes that Proposition D will put Missouri in a position for great progress for decades to come.

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## **PLANNING STUDIES – IDEAS TO REALITY**

On behalf of the Director, Ed Hassinger, Chief Engineer, and Wesley Stephen, St. Louis District Planning Manager, reported on planning studies and how those studies lead to fully constructed projects. The process for selecting and developing corridor or environmental studies begins with a global view and understanding of transportation trends and needs, both at the national and state levels. Missouri's Long Range Transportation Plan and Missouri's Freight Plan set the vision for Missouri's transportation future.

Mr. Hassinger reminded the Commission that they approved the thirty year long range plan on June 6, 2018. Missouri's Long Range Transportation Plan (LRTP) outlines five goals centered around preservation, safety, economic development, choice and reliability/congestion. The LRTP goals set the foundation for future studies and projects in Missouri. The LRTP is reviewed and updated every three to five years. Missouri's Freight Plan outlines four goals centered around maintenance, safety, economy and connectivity/mobility. The plan goals along with the supporting data depict issues such as freight bottlenecks and intermodal connectivity and mobility. Missouri is critically positioned in the heart of the country with a massive freight network that is connected to the nation.

Each of the state's nine Metropolitan Planning Organizations (MPOs) develops a Long Range Transportation Plan. In addition to setting vision, those plans also identify specific transportation system improvement priorities and the region's financial capacity to fund those projects. Identified problems and needs, such as bottlenecks that cause congestion, are then analyzed in planning or corridor studies. The planning and corridor studies are discussed with local stakeholders and ultimately drive project selection decisions. MoDOT works with planning partners and stakeholders to prioritize projects. Public and stakeholder outreach is a critical component when studies and projects are developed and are an integral part of transportation decision making.

In the St. Louis region, regional corridor and environmental studies are conducted jointly by MoDOT, East-West Gateway and other interested stakeholders. Over the years, these collaborative efforts have successfully turned ideas into reality. The I-70 Planning and Environmental Linkage Study (PEL) started in spring 2014 and is nearing completion. This study will establish a vision for a 40 mile section of the corridor, document current conditions, establish goals, identify and prioritize conceptual strategies and set groundwork for future environmental studies. The I-270 Environmental Assessment (EA) started in spring 2013 and completed in fall 2016 with formal approval by the Federal Highway Administration (FHWA) who issued a Finding of No Significant Impact (FONSI). The study outcome provided a selected alternative that included upgrading sixteen interchanges, converting outer roads to one-way operations, adding auxiliary lanes to address congestion, and providing safe access for pedestrians. This 15 mile segment of interstate was approved for a design-build project by the Commission on August 1, 2018.

The regional transportation network is a connected, multi-modal network serving the region, the state and the nation. These studies work to integrate the transportation system and maximize the use of the six ports in the region as well as the Class I railroads and the third largest rail hub in the United States. It also includes a focus on non-motorized use of the transportation system and is exploring ways to provide mobility for pedestrians and bicyclists.

Commissioner Waters thanked Mr. Hassinger and Mr. Stephen for their presentation and asked how the department is balancing doing studies so they are completed, on the shelf and ready to go, with the limited budget that is available to construct the projects. Mr. Hassinger explained the department stopped studies a few years ago but have started them again in a limited way that wisely uses the resources available to strike the right balance. The department works closely with the planning organizations to make sure that studies are conducted on projects that will have funding available prior to the expiration of the study.

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## **POPLAR STREET BRIDGE SLIDE**

On behalf of the Director, Michelle Forneris, Area Engineer, reported the Poplar Street Bridge (PSB) over the Mississippi River was opened to traffic in 1967 and carried the traffic of three interstates: I-55, I-64 and I-70. After the completion and relocation of I-70 across the Stan Musial Veterans Memorial Bridge in 2014, work began in 2015 on the PSB to address three main factors: congestion, condition, and safety. The PSB is a major bridge. The project will improve the condition of the bridge from poor to fair condition and is expected to extend the life of the bridge by 25-30 years. This project is a priority for East-West Gateway Council of Governments, City of St. Louis, Missouri and Illinois as it is a major artery between both states. The source of funding is through the Statewide Transportation Improvement Program (STIP) and the cost of the project is equally shared with Illinois.

In 2015, a new driving surface was placed on westbound PSB and the single lane off-ramp connecting to southbound I-55/westbound I-44 was removed and replaced with a more gradual, two lane ramp. The westbound improvement was awarded for \$26 million. The project started in April 2014 and was completed in August 2015.

The current contract started in December 2016 with a project cost of \$53.8 million. The improvements include a new driving surface on eastbound PSB, adding a new fifth lane eastbound connecting the 6<sup>th</sup> Street on-ramp on the Missouri side across the bridge to Illinois Route 3, and removing and replacing the single lane ramp from northbound I-55/eastbound I-44 to eastbound PSB with a more gradual, two lane ramp.

On March 31, 2018, crews very slightly raised up the existing 2165 foot long and 54 foot wide, 20 million pound eastbound bridge's driving surface and shifted it 9 feet to the south resting it on the recently widen piers. The "slide" design was chosen as the most cost-effective option to adding an additional lane utilizing the existing bridge as well as providing the safety benefits of tying both the

eastbound and westbound PSB bridges together making a stronger unit for handling any seismic activity or against potential barge collisions. Tying the two bridges together also means they are no longer fracture critical.

The PSB carries 106,000 vehicles per day, daily commutes are congested and these improvements will significantly improve delays. One of the main challenges is maintaining a smooth driving surface on the bridge which resulted in frequent lane closures. The new driving surface is more robust and will be longer lasting.

Commissioner Ecker commended the department for the innovative engineering work that went into this project. Commissioner Waters expressed his appreciation for the contractor and MoDOT employees who work on this project in traffic and the effort to keep them safe in the work zone.

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**MISSOURI DEPARTMENT OF TRANSPORTATION PROPOSED FISCAL YEAR 2020 APPROPRIATIONS REQUEST AND FISCAL YEAR 2019 SUPPLEMENTAL APPROPRIATIONS REQUEST**

On behalf of the Director, Brenda Morris, Financial Services Director, presented the fiscal year 2020 appropriations request for \$3 billion, the fiscal year 2019 supplemental appropriations request for \$6 million, and the fiscal years 2020 and 2021 port capital improvements request for \$13.3 million.

Ms. Morris explained the department is required by law to submit an appropriations request to the Office of Administration (OA) by October 1 of each year. This appropriations request is the basis of the Governor's recommendation, which is submitted to the Missouri General Assembly within thirty days of when the legislature convenes the regular session. She also explained the supplemental appropriations request and port capital improvements request were requested to be submitted by OA this fall as well. Ms. Morris briefly explained the budget timeline beginning in March, when the districts and divisions submit their budget requests. In July and August, the Financial Services division reviews and compiles the appropriations request. In September, the Commission potentially approves the

appropriations request. From October to May, the budget is submitted to the Office of Administration and the department's Financial Services staff supports the request through the legislative process. In May, the Commission will review the budget request. In June, the budget request is submitted to the Commission for final approval. On July 1, the new fiscal year begins.

Ms. Morris explained the importance of having flexibility within appropriations and that this appropriations request includes several items to increase flexibility within appropriations. The estimated appropriation or "E" designation allows state agencies to increase appropriation authority without going back to the General Assembly. The General Assembly eliminated all estimated appropriations from the state budget for fiscal years 2018 and 2019 for MoDOT as well as all other state agencies. With this request, MoDOT is seeking the E designation on all state road fund appropriations, all personal service and fringe benefit appropriation from other funds, some transfer appropriations, and all refund appropriations. In addition the department is requesting flexibility language that will allow the department to move twenty-five percent of the appropriation between personal service and expense and equipment appropriations within the same fund and appropriation type. Many state agencies, request, receive, and use this type of flexibility. The department is also requesting reallocation of fleet facilities and information systems appropriation to the administration and maintenance appropriations. The reason for this reallocation is to better align expenditures with the budget category the activity best relates; this change will also provide additional flexibility.

She then reviewed some of the significant items that are included in these requests including pay plan, construction program, new freight rail plan, fleet, state transit assistance, Amtrak, and port capital improvements.

Pay continues to be a concern for all state employees including MoDOT employees and is the largest contributing factor to the rising turnover rate at MoDOT. Turnover comes with hard and soft costs that totaled \$30.7 million for the department in fiscal year 2018. MoDOT's turnover rate was

11.99 percent in fiscal year 2018. As part of a long-term pay strategy, this request for fiscal year 2020 includes the personal service and fringe benefit dollars that would allow the implementation of a 1.1 percent cost of living adjustment (COLA), a one-step pay increase for eligible employees and a one-step pay increase for all employees within steps one through nine of their salary grade. This also includes an increase for an emergency operations stabilization and market adjustment which will allow MoDOT to pay employees either \$3 or \$6 an hour more for working operations like flooding or plowing snow, depending on the location the work occurs. The department continues to have many challenges with hiring and retaining maintenance workers. The department is currently understaffed by about 350 – 400 maintenance employees. This differential will address this challenge so the department can continue to provide the same level of service Missourians expect. The cost for this pay plan is \$15.5 million and includes \$9.8 million for personal services and \$5.7 million of related fringe benefits. The pay plan is intended to mitigate salary compression issues and improve employee satisfaction and morale in relation to pay. The desired outcome is improved employee retention and a reduction in costs associated with employee turnover. Any actual pay increases will be determined as part of the Commission’s approval of the operating budget in June 2019.

The construction program is the largest appropriation and it totals just over \$1 billion. This appropriation is used to pay consultants to design projects, purchase right-of-way, pass federal monies through to local entities, and pay contractors who build the construction projects. MoDOT is requesting an increase of \$5 million in construction expense and equipment. There are several items to be funded from this increase one example is associated with the ARAN van that is used to collect road data. Overall however, the construction program is decreasing by \$84.1 million primarily due to a decrease in debt service on bonds.

The new freight rail plan is estimated to cost \$1.25 million. The current rail plan expired in December 2017 and the current freight plan will expire in November 2022. These two plans will be

combined to cover all modes of freight, update passenger rail plans, and outline the future of rail. The plan will research and analyze data to determine how to move goods efficiently through Missouri's infrastructure to support economic development and address future transportation needs.

For fiscal year 2020, the department is requesting an additional \$10 million for the maintenance appropriation to increase investment in the fleet. The age and condition of MoDOT's fleet has fallen behind with no increase in the fleet budget for the last several years. A team of department employees worked with a consultant to determine how long we should be keeping our fleet before disposing of it and what the fleet budget should be to keep the fleet in better condition. The consultant recommended an additional annual investment of \$32 to \$50 million. This modest increase will begin to address this need.

This appropriation request includes a little over \$12 million of additional general revenue for multimodal needs. The state transit assistance program includes a \$3 million increase from General Revenue. If appropriated, these funds will be passed on to local public transit agencies to help defray operating costs. There are a total of 34 transit providers in Missouri and this includes both rural and urban operators. For fiscal year 2018 the General Assembly appropriated no general revenue for this program, however, in fiscal year 2002 the General Assembly appropriated \$8.8 million for this program. The state transit assistance program also receives funding from the State Transportation Fund.

Amtrak, also called the Missouri River Runner, is Missouri's twice daily passenger rail service between St. Louis and Kansas City. MoDOT is requesting \$16.6 million of general revenue for Amtrak. This is a \$7.5 million increase; \$4.6 million is needed to cover arrears at the end of fiscal year 2018 and a shortage of \$1.9 million and \$1.0 million between the estimated contract amount and the existing appropriation authority for fiscal years 2019 and 2020 respectively. This increase will allow the state to be current with its payments to Amtrak at the end of fiscal year, which hasn't happened since fiscal year 2010.

Ms. Morris explained Missouri has fifteen ports and one tri-state port commission. The department is requesting \$13.3 million from General Revenue for port capital improvements. The port capital improvements budget bill will be a biennial bill and will include funding for fiscal years 2020 and 2021.

Ms. Morris recommended approval of the proposed fiscal year 2020 appropriations request totaling \$3 billion, the proposed fiscal years 2020 and 2021 port capital improvements appropriations request totaling \$13.3 million for capital improvements, and approve the proposed fiscal year 2019 supplemental appropriations request totaling \$6 million.

Following discussion, and upon motion by Commissioner Briscoe, seconded by Commissioner Pace, the Commission unanimously approved the Missouri Department of Transportation Fiscal Year 2020 Appropriations Request, as noted in the table below, and authorized staff to release the request to the Office of Administration – Division of Budget and Planning; approved the proposed Fiscal Years 2020 and 2021 Appropriations Request totaling \$13.3 million for port capital improvements, and approved the Fiscal Year 2019 Supplemental Appropriations Request totaling \$6.0 million.

	<b>Fiscal Year 2020 Appropriations Request</b> (Dollars in Thousands)		
	<b>Fiscal Year 2018 Actual Expenditures</b>	<b>Fiscal Year 2019 TAFP<sup>1</sup> Budget</b>	<b>Fiscal Year 2020 Appropriations Request</b>
<b>Administration<sup>2</sup></b>	\$54,522	\$68,589	\$114,934
<b>System Management<sup>2,3</sup></b>	\$468,827	\$514,071	\$595,768
<b>Program Delivery<sup>2,3,4</sup></b>	\$1,356,936	\$1,711,206	\$1,627,135
<b>Fleet, Facilities and Information Systems (FFIS)<sup>2</sup></b>	\$78,301	\$95,454	\$0
<b>Multimodal<sup>5</sup></b>	\$92,473	\$150,988	\$161,060
<b>Refunds and Transfers<sup>5,6</sup></b>	<u>\$478,906</u>	<u>\$541,000</u>	<u>\$542,078</u>
<b>Total MoDOT Appropriations Request</b>	<b>\$2,529,965</b>	<b>\$3,081,308</b>	<b>\$3,040,975</b>

1	Fiscal year 2019 Truly Agreed to and Finally Passed (TAFP) budget.
2	The fiscal year 2020 request includes the reallocation of the Fleet, Facilities and Information Systems (FFIS) appropriations to the Administration and Maintenance appropriations. The portion of the FFIS appropriations being reallocated to Administration is for personal services, fringe benefits and expense and equipment related to information systems and procurement activities. The portion of the FFIS appropriations being reallocated to Maintenance is for personal services, fringe benefits and expense and equipment related to fleet and facilities investment.
3	Includes federal funds MoDOT pays to contractors and providers for goods and services.
4	Includes appropriations for Contractor Payments, Design and Bridge Consultant Payments, Accelerated Program, Right of Way and Federal Pass-Through.
5	The fiscal year 2020 request includes a change to the Support to Multimodal Division appropriations from expense and equipment appropriations to transfer appropriations. The Support to Multimodal appropriations reimburse the State Road Fund in providing support to the Multimodal Division. Transfers are accounting entries only and will allow the Multimodal Division to reimburse the State Road Fund from other non-highway funds without double counting the expenditures.
6	Appropriation request amount is estimated at \$1 in the event the appropriation is needed.

The Commission thanked Ms. Morris for her presentation.

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**REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – PROCUREMENT OF SUPPLIES**

On behalf of the Director, Debbie Rickard, General Services Director, presented the final orders of rulemaking for 7 CSR 10-11.010 through 7 CSR 10-11.030, Procurement of Supplies. The department reviewed and recommended changes to the rules to comply with the requirements of Executive Order 17-03. At the May 2, 2018 meeting, the Commission authorized the filing and publication of notice of proposed amended administrative rulemaking 7 CSR 10-11.010 through 7 CSR 10-11.030, Procurement of Supplies. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of Secretary of State, who published the proposed amended rules in the *Missouri Register* for public comment. The public had from June 15, 2018 to July 15, 2018, to submit comments in support of or in opposition to the notice of proposed amended rulemaking. No comments were received during the public comment period.

The following is a summary of the significant changes; add authority for procuring indefinite delivery contracts, invitation for quotation, and request for information; clarify definitions in the rules to make them easier to understand; and delete unnecessary restrictive wording.

The department supports this final order of rulemaking for the Procurement of Supplies. After consideration, the Commission via approval of the consent agenda, unanimously approved the final order of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to complete the final rulemaking process.

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#### **COMMISSION POLICY REGARDING GRIEVANCES AND COMPLAINTS**

With the passage of truly agreed to and finally passed Senate Bill 1007, beginning August 28, 2018, the Commission is no longer required by state law to provide a formal termination hearing to former department employees contesting MoDOT's decision to release them from employment. In addition, state law no longer requires appeals of disciplinary actions allegedly taken in violation of Missouri's whistleblower protection law to be handled internally by a Commission hearing examiner. Instead, MoDOT employees have the right to file an administrative appeal with the Administrative Hearing Commission. The commission policy is recommended for revision consistent with these statutory changes. On behalf of the Director, Micki Knudsen, Human Resources Director, and Bill Rogers, Audits and Investigations Director, recommended the EMPLOYEES-General-Grievances and Complaints policy be revised as indicated with the green text for new language and the red strikethrough text for deleted language as follows:

**Category: EMPLOYEES**  
**Subcategory: General**  
**Sub-Subcategory: Grievances and Complaints**

**GRIEVANCES AND COMPLAINTS**

The Director of Audits and Investigations (AI) will be charged with the responsibility of hearing employee complaints and grievances when discussions with supervisors prove unsatisfactory or when the complaint alleges an Equal Employment Opportunity (EEO) violation.

- Grievances not involving state or federal Equal Employment Opportunity laws will be investigated by the Director of AI with recommendations made to the Director for final determination with regular reports to the Commission on disposition of the grievances.
- Complaints involving state or federal Equal Employment Opportunity laws will be investigated by the Director of AI with reports and recommendations made to the Commission (as final arbiter) for final determination.
- ~~Formal termination hearings and a~~ Actions involving whistleblower reporting will be handled by the **Administrative Hearing Commission hearing officer with written reports and recommendations made to the Commission for final determination.**

*For the purpose of this section, “Grievance” involves disputes regarding differences of opinion between the department and its employees and disciplinary issues; “Complaint” pertains to an alleged unlawful act of discrimination.*

Effective Date: ~~November 7, 2013~~ September 5, 2018

Supersedes Policy Dated: ~~September 1, 2000~~ November 7, 2013

Last Reaffirmed:

Date of Origin: March 10, 1966

Related Commission Minutes: March 10, 1966; September 1, 2000; November 7, 2013 – Comprehensive Policy Review.

After consideration, the Commission via approval of the consent agenda, unanimously approved the revised EMPLOYEES-General-Grievances and Complaints policy as recommended.

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**THE SOUTH RIDGE TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR**

On behalf of the Director, Tom Blair, St. Louis District Engineer, advised the Commission that in response to a petition filed on October 3, 2017, with the Circuit Court of St. Charles County by SR Development LLC; the court established the South Ridge Transportation Development District (TDD) as a political subdivision on June 8, 2018. The proposed project includes the construction of a three lane road on Orf Road between relocated Route N and Hawk Ridge Trail, construction of new public roads within the boundaries of the TDD, reconstruction of existing roads and construction of new public roads outside of the boundaries of the TDD that will directly benefit the TDD and construction of a turn lane from relocated Route N onto Orf Road. Route N is part of the state highways and transportation system

and, therefore, under the jurisdiction of the Commission. The Commission does not own any real property and no state roadway is located within the TDD boundaries.

In keeping with Sections 238.220.4 and 238.225.1, RSMo, the Commission via approval of the consent agenda, (1) appointed the St. Louis District Engineer, or his designee, as the Commission advisor to the South Ridge TDD board of directors, and (2) found the upgrades to the area noted above, to be a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions on the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project. In keeping with the Commission's Execution of Documents Policy, and the Financial – Project Funding and Financing Alternatives – Transportation Development Districts Policy, the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer may execute the related agreements.

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**HEARTLAND PORT AUTHORITY OF CENTRAL MISSOURI APPLICATION TO BECOME A POLITICAL SUBDIVISION**

On behalf of the Director, Michelle Teel, Multimodal Operations Director, recommended the Commission approve the application of the Heartland Port Authority of Central Missouri to become a political subdivision of the state. The proposed boundary of the Heartland Port Authority of Central Missouri is the entirety of Cole and Callaway Counties.

The Counties of Callaway and Cole, and the City of Jefferson passed resolutions to jointly create the Heartland Port Authority of Central Missouri. These entities have submitted a port authority application to the Commission, in accordance with §68.010.1 RSMo, for approval to become a political subdivision of the state. Section 68.010 RSMo authorizes the Commission to accept applications,

conduct hearings, and approve or disapprove applications for approval of local or regional port authorities as political subdivisions of the state.

The Multimodal Operations Division's waterways unit assists authorized cities and counties in forming port authorities to foster economic development. MoDOT promotes the use of Missouri's navigable rivers to make low-cost waterborne transportation benefits available to business. Freight moved through the public ports reduces truck traffic.

Via approval of the consent agenda, the Commission unanimously approved the application of the Heartland Port Authority of Central Missouri to become a political subdivision of the state.

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#### **REPORT AND RECOMMENDATION REGARDING BOND COUNSEL LEGAL SERVICES**

On behalf of the Director, Rich Tiemeyer, Chief Counsel, reported that on May 11, 2018, the department issued a request for proposal for bond counsel services that are required in order for the Commission to issue state road bonds. Mr. Tiemeyer reported that the department received two responsive submissions from law firms.

Mr. Tiemeyer recommended the Commission approve the retention of Gilmore & Bell, P.C. and Bushyhead, LLC to serve as the Commission's co-bond counsel based on their joint proposal. He also recommended the chief counsel be authorized to execute a bond counsel services agreement with the co-bond counsel that shall be effective for three years from the agreement's date of execution. The agreement shall include an option for the chief counsel to execute two, one-year extensions, and would not require Commission approval to execute such extensions. The agreement and all extensions shall be approved as to form by the Chief Counsel's Office.

After consideration, the Commission via approval of the consent agenda, unanimously approved the bond counsel legal services recommendations described above.

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## CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Eric Schroeter, State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Mr. Schroeter recommended (1) award of contracts to the lowest responsive bidders for bids received at the August 17, 2018, letting, as recommended and noted in Table I below. (2) Rejection of Call D01 due to no bids being received as noted in Table II below. (3) Declare the bid by St. Louis Bridge Company for Call F01 as non-responsive per Section 102.8 of the Missouri Standard Specifications for Highway Construction due to not providing a bid guaranty with their bid. (4) Declare the bid by CSD Environmental Services, Inc. for Call H01 as non-responsive per Section 102.8 of the Missouri Standard Specifications for Highway Construction due to not providing a bid guaranty with their bid.

**Table I  
Award of Contracts  
August 17, 2018, Bid Opening**

Call No.	Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	Various	Daviess	J1P3147	\$1,210,643.51	\$0.00	PCIRoads, LLC	4 Bridge Rehabilitations
	I-35	Carroll, Daviess, Linn, Livingston	J1I3192				4 Strip Seal Gland Replacements
A02	I-29	Holt	J1I3019	\$7,315,446.64	\$0.00	Herzog Contracting Corp.	Coldmill and Resurface
A04	24	Chariton	J1P3177	\$2,064,457.56	\$0.00	Lehman Construction, LLC	Bridge Rehabilitation
			J1P3178				
	24, 65	Carroll	J1P3176				
			J1P3175				
A05	111	Holt	J1S3153	\$3,204,066.68	\$0.00	Herzog Contracting Corp.	Resurface and Add Shoulders
	371	Buchanan	J1S3076				

Call No.	Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C01	I-70	Jackson	J4I3124B	\$47,557,220.93	\$0.00	Emery Sapp & Sons, Inc.	Coldmill and Resurface
	I-435	Jackson	J4I3126				Interchange Improvements
	I-70, I-435	Jackson	J4I1597C				
C02	350	Jackson	J4S3283	\$334,835.76	\$0.00	Tasco, LLC	Slide Repair
F01	364	St Louis	J6P3355	\$615,616.00	\$0.00	Plattin Creek Excavating, LLC	Detention Structure Clean Out
F02	EE	Franklin	J6S3364	\$1,504,944.15	\$0.00	N.B. West Contracting Company	Resurface and Guardrail Improvements
	VV		J6S3363				Resurface
G01	176, EE	Taney	J7P3142	\$637,291.38	\$0.00	Blevins Asphalt Construction Company, Inc.	Resurface
G02	NN	Webster	J7S3240	\$2,371,562.40	\$0.00	Leo Journagan Construction Co., Inc.	Resurface
	OO, C, BB	Douglas, Webster	J7S3146				
G03	A	Barton	J7S3237	\$948,201.67	\$0.00	Blevins Asphalt Construction Company, Inc.	Resurface
	K		J7S3239				
	T		J7S3238				
H01	21	Reynolds	J9P3509	\$123,598.00	\$0.00	H.R. Quadri Contractors, LLC	Drainage Structure Replacement
H02	Bus 60	Howell	J9S3498	\$422,449.00	\$0.00	Robertson Contractors, Inc.	Bridge Replacement
			<b>TOTAL:</b>	<b>\$68,310,333.68</b>	<b>\$0.00</b>		

**Table II  
No Bids Received  
August 17, 2018, Bid Opening**

Call No.	Route	County	Job No.	Description
D01	I-44 Spur	Pulaski	J5M0283	Pipe Repair

### Commission Consideration and Action

After consideration, and upon motion by Commissioner Briscoe, seconded by Commissioner Tom Waters, the Commission took the following action with no abstentions noted:

1. Awarded contracts to the lowest responsive bidders for bids received at the August 17, 2018, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Noted no bids received on Call D01 as noted in Table II above.

3. Declared the bid by St. Louis Bridge Construction Company for Call F01 as non-responsive.
4. Declared the bid by CSD Environmental Services, Inc. for Call H01 as non-responsive.
5. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

\* \* \* \* \*

**2019-2023 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT**

On behalf of the Director, Ed Hassinger, Chief Engineer, requested approval to revise the 2019-2023 Statewide Transportation Improvement Program (STIP) that was approved in July 2018, for the implementation of thirty highway and bridge projects and 7 multimodal projects, as noted in the tabulations below.

**2018 – 2022 STIP  
Highway and Bridge Construction Schedule  
September Amendment  
Project Changes**

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds	Change in Engineering Funds
				(Dollars in Thousands)	(Dollars in Thousands)
NW Buchanan J1P3188	US 59	Pavement resurfacing and upgrade guardrail from Rte. 752 in St. Joseph to north of Rte. 45 intersection near Rushville.	2019 CN	-\$358	-\$24
NW Chariton J1S3170	MO 129	Pavement preservation treatment from Macon County line to Rte. W near Salisbury.	2019 CN	-\$1,667	-\$139
NW Chariton J1S3170B	MO 129	Pavement resurfacing from Rte. W to Rte. PP near Salisbury.	2019 CN	\$583	\$50
NW Chariton J1P3024	MO 5	Pavement resurfacing and add rumblestrips from Marceline to Rte. 24 in Keytesville.	2019 CN	-\$899	-\$62

<b>District County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Construction and Right of Way Funds</b> (Dollars in Thousands)	<b>Change in Engineering Funds</b> (Dollars in Thousands)
NW Livingston J1P3287	US 65	ADA Transition Plan improvements along Rte. 65 in Chillicothe, Rte. 5 in Marceline, Rte. 5 in Keytesville, Rte. M in Brookfield, Rte. 129 in Salisbury and Rte. J in Kidder. \$799,000 Statewide Transportation Alternative funds.	2020 CN	\$597	\$0
NW Livingston J2P2217	US 65	Pavement preservation treatment from north of County Road 228 to Rte. 36 in Chillicothe. Includes Linn County Rte. M in Brookfield from Haliburton Street to Rte. 11.	2019 CN	-\$415	-\$49
NW Mercer J1P3291	US 136	Pavement preservation treatment on Rte. 136, Rte. 5, and Bus. 5, in Mercer, Putnam, Sullivan, and Linn counties.	2019 CN	\$2,615	\$229
NW Nodaway J1P3292	US 71	Pavement preservation treatment on various routes in Daviess, Gentry, Harrison, Holt, Nodaway and Worth counties. Includes Rte. 71 Nodaway, Rte. 136 Gentry/Harrison, Rte. 159 Holt, Rte. 59 Holt, Rte. 246 Nodaway/Worth and Rte. Z Gentry/Daviess counties.	2019 CN	\$2,450	\$218
NW Sullivan J1S3167	RT M	Pavement preservation treatment from Rte. O to the north city limits of Brookfield.	2019 CN	-\$1,291	-\$88
NW Various J1P3288	Various	ADA Transition Plan improvements at various locations in the Northwest District. \$823,000 Statewide Transportation Alternative funds.	2021 CN	-\$106	\$0

<b>District County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Construction and Right of Way Funds</b> (Dollars in Thousands)	<b>Change in Engineering Funds</b> (Dollars in Thousands)
NE Adair J2P3132	MO 6	Pavement resurfacing and add rumblestrips from the Chariton River near Novinger to the east city limits of Green Castle and add rumblestrips from the west city limits of Green Castle to Rte. 129 in Green City in Sullivan County (two disconnected sections). \$732,000 Open Container funds.	2019 CN	-\$523	-\$36
NE Lincoln J2L19CUI	PK CUI 46G	Pavement resurfacing and slide repair in Cuivre River State Park near Troy. \$1,121,000 Department of Natural Resources funds.	2019 CN	\$1,000	\$75
NE Randolph J2P3220	US 24	Payment to Moberly for ADA Transition Plan improvements and construction of new sidewalks from Bus. 63 to Rte. 63 east Outer Road and on Bus. 63 from Rte. 24 to Coates Street in Moberly. \$590,448 Cost Share funds.	2019 CN	-\$307	\$11
KC Clay J4I2006	IS 35	New interchange south of Rte. 92 at 19th Street in Kearney. \$20,271,342 city of Kearney funds.	2020 CN 2020 RW	\$19,365	\$1,952
KC Clay J4I2006Z	IS 35	Payback to Kearney for the construction of new interchange south of Rte. 92 at 19th Street in Kearney. \$8,218,302 Cost Share Funds.	2020 CN	\$8,218	\$0
KC Jackson J4S3287	US 24	Bridge replacement over Delaware Avenue/Truman Library Drive 3.6 miles east of I-435 near Independence. Project involves bridge L0840.	2020 CN	\$1,269	\$233

<b>District County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Construction and Right of Way Funds</b> (Dollars in Thousands)	<b>Change in Engineering Funds</b> (Dollars in Thousands)
KC Platte J4S3391	MO 9	Payment to Parkville for added sidewalks, bicycle/pedestrian trails, and for lighting and traffic signal improvements from Rte. 45 to Lakeview Drive. Project let by Parkville. \$1,734,500 Cost Share funds.	2019 CN	\$1,734	\$15
KC Various J4P3118	Various	Job Order Contracting for fence repair at various locations in the urban Kansas City District.	2019 CN	\$100	\$8
CD Boone J5S3159	MO 763	Upgrade sidewalk for ADA Transition Plan from Bus. 70 to Rte. 740 in Columbia.	2019 CN	-\$701	-\$96
CD Boone J5S3159B	MO 763	Pavement resurfacing from Bus. Loop 70 to Rte. 740 in Columbia.	2019 CN	\$701	\$56
CD Callaway J5P3363	US 54	Median slide repair at Hillers Creek. Project involves Bridge A2913. ER eligible due to Spring 2017 flood event.	2019 CN	\$354	\$7
CD Callaway J5S3370	MO 94	Slide repair east of Portland. ER eligible due to Spring 2017 flood event.	2019 CN 2019 RW	\$145	-\$87
CD Camden J5P3361	MO 5	Slide repair from 2 miles north of Rte. 54 to north of Business 5/Pier 31 interchange. ER eligible due to Spring 2017 flood event.	2019 CN	\$1,483	\$72
CD Gasconade J5P3373	US 50	Scour repair on Rte. 50. Project includes bridge A3878. ER eligible due to Spring 2017 flood event.	2019 CN	\$370	\$86
CD Pulaski J5S3372	MO 133	Scour repair at the Gasconade River. Project involves bridge A5835. ER eligible due to Spring 2017 flood event.	2019 CN	\$260	\$58

<b>District County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Construction and Right of Way Funds</b> (Dollars in Thousands)	<b>Change in Engineering Funds</b> (Dollars in Thousands)
CD Pulaski J5S3312	RT Y	Payment to St. Robert to add sidewalks and upgrade signalized intersection at St. Robert Boulevard in St. Robert.	2023 CN	\$679	-\$68
SL Jefferson J6P3371	US 61	Pavement repairs from I-55 to the Ste. Genevieve County line. \$1,500,000 District Operations Budget.	2019 CN	\$1,500	\$62
SL St. Louis J6S3141B	MO 109	Adding roundabouts and ramp improvements at Rte. 100 ramps in Wildwood. \$947,500 Cost Share and \$952,500 city of Wildwood funds.	2019 CN	\$1,696	\$199
SL St. Louis J6S3141C	MO 109	Bicycle/pedestrian trail from south of Rte. 100 to Cambury Lane in Wildwood. \$294,774 Transportation Alternatives Program and \$746,226 city of Wildwood funds.	2019 CN	\$650	\$95
SE Stoddard J9S3521	RT Y	Add intersection turn lanes on Rte 25 and pavement resurfacing from Rte. 25 to Railroad crossing at Purina. \$310,250 Cost Share funds and \$434,350 Stoddard County funds.	2019 CN	\$745	\$124
			<b>Total:</b>	<b>\$40,247</b>	<b>\$2,901</b>

**2019 – 2023 STIP  
Multimodal Operations  
Amendment  
Project Changes**

<b>District County</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Project Funds</b> (Dollars in Thousands)
SE Cape Girardeau	Construct haul road and embankment fill, phase 1 loop track	2019 Waterways	-\$1,309
SL Jefferson	Construct dock and access road at Kimmswick	2019 Waterways	\$1,228.9

<b>District County</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Project Funds (Dollars in Thousands)</b>
	Freight Enhancement Program	2019 Freight	-\$1,250
KC Pettis	Construct rail spur in City of Sedalia	2019 Freight	\$7,248
SL Franklin	Construct rail transload facility in Union	2019 Freight	\$178.2
CD Boone	Purchase shipping casks for new radioisotopes transport to clients	2019 Freight	\$329
KC Jackson	Construct fertilizer storage dome	2019 Freight	\$1,997.9
		<b>Total:</b>	<b>\$8,423</b>

Via approval of the consent agenda, the Commission unanimously approved the amendment to the 2019–2023 STIP as noted in the tabulation above. Commissioner Ecker abstained from voting on job number J1P3292 on Route 71 in Nodaway County.

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**-- REPORTS --**

The Commission received the following written reports.

**REPORT REGARDING EXECUTIVE ORDER 17-03 ADMINISTRATIVE RULE REVIEW PROCESS UPDATE**

Ed Hassinger, Chief Engineer, submitted a report that provides a status update on administrative rules. By enacting Section 536.175 RSMo, the general assembly required state agencies to periodically review their administrative rules and repeal those rules that are obsolete or unnecessary and amend those rules to reduce regulatory burdens on individuals, businesses, or political subdivisions or eliminate unnecessary paperwork. MoDOT started its periodic administrative rule review process as required by law on July 1, 2016, and had prepared amendments and rescissions deemed necessary in order to complete the report to the Secretary of State that was submitted on June 30, 2017.

On January 10, 2017, Governor Eric Greitens issued Executive Order 17-03 that requires all state agencies to review all of its rules in the Code of State Regulations and to provide a report to the Governor by May 31, 2018. The executive order stated Missouri government has codified an excessive amount of administrative rules and Missouri citizens and businesses deserve efficient, effective and necessary rules but that such rules should not reduce jobs, limit innovation, or impose costs far in excess of the rule's benefits. It says rules that are ineffective, unnecessary or unduly burdensome must be repealed to attract businesses to Missouri and encourage job growth. The executive order prohibits the Commission from putting proposed new rules, or amended current rules, for notice and comment until approved by the Governor's Office. The executive order requires the Commission to review all of its rules and provides a list of items the department must consider during this review process.

As a result of the Governor's executive order all rulemaking was temporarily suspended until February 28, 2017. The rule review process under the Governor's executive order is separate from and in addition to the Section 536.175 RSMo periodic rule review process and report. Consequently, the

continual review of administrative rules led to the Commission’s desire for a better understanding of where each rule is at in the review and rulemaking process. This report was prepared in response to the Commission’s request and provides a summary of the status of administrative rules currently under review and in the rulemaking process.

As of September 5, 2018 no rules were presented to the Commission for impetus approval, nor for Governor’s Office review and approval, nor for Commission approval, nor filed with the Secretary of State and Joint Committee on Administrative Rules, nor for a public comment period. One set of rules were approved for filing final orders of rulemaking: Procurement of Supplies. Final Orders were filed with the Secretary of State for four sets of rules: Financial Assistance – STAR, Ignition Interlock, Railroad, and Transportation Corporations. No rules were published in the Missouri Register. Three sets of rules were published in the Code of State Regulations: Plant Collection, Rest Areas, and Traffic Regulation. One set of rules became effective: Disadvantaged Business Enterprise.

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**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING JULY 31, 2018**

Brenda Morris, Financial Services Director, submitted a written financial report for fiscal year to date July 31, 2018, with budget and prior year comparisons.

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**CONSULTANT SERVICES CONTRACT REPORT**

Eric Schroeter, State Design Engineer, submitted a written report of consultant contracts executed in the month of August 2018, for both engineering and non-engineering related projects. The department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget.

There were 347 active contracts held by individual engineering consultant firms prior to July 1, 2018. Twenty-one engineering consultant services contracts were executed in July 2018, for a total of \$6,490,722. There were two non-engineering consultant contracts executed in July 2018, for a total cost of \$118,228.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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**The Mission of the Missouri Highways and Transportation Commission is to:**

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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