

## **Overview**

The Kansas Department of Transportation (KDOT) hosted the second U.S. 69 Expansion and Modernization Project Advisory Group Meeting virtually on Tuesday, January 26, 2021, from 11:00 a.m. to 1:00 p.m. The objectives of the second meeting were to discuss Project concepts and costs, funding expectations and initial toll policies. As part of the 69Express engagement process, the Project Team is seeking feedback from the Advisory Group.

## **Meeting Summary**

1. The meeting and its contents are summarized in the attached:
  - a. Meeting PowerPoint
  - b. Meeting Recording
  
2. The meeting kicked off with a polling question, “What topic from the Public Meeting or community conversations do you think we need to address?” Responses included:
  - Funding options other than ETLs
  - Costs to use toll lanes
  - DBE/WBE goals
  - Public transit access
  - Timing if tolling is not selected
  - Environmental impacts
  - COVID-19 impacts
  
3. **Opening** – Lindsey Douglas, KDOT Deputy Secretary, began by thanking group members for their time and attention to the project. She discussed the importance of local contribution and how the local contributions allow for more projects and priorities to be addressed. She also addressed tolling and how it is one of the many options that can be explored for funding but how it also manages congestion. Last, she reviewed some of the statistics from the public meeting thus far and common questions and comments that the team is hearing.
  
4. **Advisory Group Meetings Timeline / Previous Questions** – Cameron McGown, HNTB Project Manager, reviewed the timeline of upcoming Advisory Group Meetings and what will be covered at those meetings. Meetings will be shaped by input and questions we receive. Cameron noted that many questions have been asked and that the team is working on providing answers for those questions so the timeline provides some clarity when those answers will be addressed. The full notes section provides additional questions that were asked.
  
5. **Near-term and Future Improvements** – Cameron then discussed the Project phasing and discussed that the corridor has been broken down between near-term and future improvements. Near-term improvements will take care of the problem areas that exist today and would cost approximately \$300 million. Future improvements would address the issues that are projected to exist by 2050 due to growth of the area. These improvements would cost approximately \$250 million.

Questions were asked about specific locations and the priority of specific intersections. The north portion of the corridor has near-term projects but does have a portion that is a future improvement. Lindsey mentioned that while sections may be currently be considered “future,” the corridor is under study, so there may be needs and funds available to stretch the project, if needed (example – 167<sup>th</sup> Street).

Configuration – Cameron provided an overview of what the Express Toll Lanes would look like, if constructed. Lanes would be added to the inside of the existing lanes to take advantage of the right-of-way that is already owned by KDOT and reduce impacts to private properties. A concrete barrier would be added between the northbound and southbound lanes.

Access – Cameron showed a draft graphic of potential designated access points to the ETLs along the corridor. He noted that the access points must be positioned for drivers to access safely and be sufficient distance apart to give drivers time to make decisions. The team also wants to place these access points based on where drivers want to access. This is being researched as part of the Driver Preference Survey, so the team will discuss in more detail with the Advisory Group as more information becomes available. The group was reminded at this time to take the survey and encourage others to participate.

Toll Policies – Scott Cooper, HNTB Toll Director, discussed toll policies. He provided an overview of how toll policies work – legislation determines how tolls are designed, deployed and maintained. KDOT will continue to maintain U.S. 69, and it would not move to KTA’s responsibility, although KDOT would leverage its relationships with KTA and other agencies. There are no restrictions on capacity and no free trips on the ETLs. ETLs would also restrict vehicles such as long-haul trucks and trailers but allow First Responders full access.

Pricing can be determined by either dynamic variable pricing or by time of day. Variable pricing would be based on real-time pricing and would be unpredictable. Time-of-day pricing is based on history and will adjust for peak hours. Time-of-day pricing will not adjust to unique events (examples include traffic incidents or events such as a Chiefs parade).

The group had several questions regarding how tolling will look and operate. The questions are included in the more detailed notes below.

- 6. Local Contribution** – Lindsey talked about local contribution and the efforts that are being made statewide. She also talked about the KDOT IKE Program. Because IKE includes many priority projects, KDOT is seeking ways to accomplish as many projects as possible. Other revenues are falling flat and the project and infrastructure needs outweigh the funds that are available. Lindsey also said that if ETLs are not used on U.S. 69, KDOT will continue to work with Overland Park to find another revenue stream.

7. **Engagement Update** – Chris Tatham, ETC, talked about the focus group discussions that are taking place. Approximately 70 people who completed the previous survey were invited to share their perspectives on the U.S. 69 Expansion Project in focus groups. Chris explained that most people do understand and know that ETLs are but have either had a bad experience while traveling or do not know how to use them. He compared ETLs to roundabouts – once people get used to them, they are more comfortable and accepting. Based on the focus groups, the public needs more education about ETLs and people are worried that the lanes will go unused. However, most people will accept ETLs if they know the project otherwise will not move forward soon.
  
8. **Next Steps** – The team will continue to take input to help form future Advisory Group meeting content. The next meetings will continue to dive into the alternatives and how ETLs will work and will provide information gleaned from the January public information open house.

The pages that follow provide more detailed notes of the meeting.

Date: 01/26/2021

Subject: Advisory Group Meeting #2 detailed notes

The meeting started with an ice breaker menti.com question:

## What topic from the Public Meeting or community conversations do you think we need to address?

Funding options other than express toll lanes	Is there still a need post pandemic	Will there be DBE or MBE/WBE goals on this project
Two themes I heard mention a number of times: Fee considerations for some different groups (buses, low emissions vehicles, low income). Environmental impact of the project.	Timing to do the project if tolling is not selected for funding	Public transit access to express lanes
Costs to use the toll lanes	Public Transit access	Need to create a short, clear list that addresses the primary questions (adding 1 lane each way, only 1 lane will be tolled, data on cost of construction and level of toll still being collected, money from state limited
Cost to use tolls	Ways project can address climate change - mitigation and adaptation strategies. Maybe include this issue in Purpose and Need statement	How many employers will choose to have all employees work from home permanently
Hope we're going to talk about the survey at some point today.	Mass transit plans. Air pollution. How maintenance questions will be addressed.	Active Transportation plans for Overland Park.
Will this project be compatible with the MARC transportation planning process?		

Responses included:

- Funding options besides ETLs
- Is there a need post-COVID?
- Are there DBE/MBE/WBE goals?
- Fee considerations for different groups
- Environmental impacts
- Timing
- Public transit options
- Cost to use tolls

Lindsey Opening:

- Thank you
- Local contribution is an important theme and is necessary to move forward on more projects and priorities.
- Electronic Toll Lanes are just one of many options for funding, but they also address congestion management.

Public Meeting – statistics and what we are hearing include:

1. 208 attendees at live event
2. More than 60 Q&As at live event
3. 300+ attendees at open house
4. Favorability is split
5. Key themes:
  - a. Cost
  - b. Transit
  - c. Tolling
  - d. Road design

Advisory Group Meetings, Content and Questions – Cameron

- AG meetings will be planned and framed around the input we receive from Advisory Group questions and input from the community. The meeting in February will discuss what was heard at the Public Meeting and what was learned during the Traveler Preference Survey.
- A timeline of future meetings and proposed content was reviewed to help demonstrate when the Team will be able to answer previously posed questions for the group.

**Question: Will there be additional public comment meetings?** Yes. The next meeting is scheduled for mid-April. This meeting will help answer questions for the community. Not a specific date set.

- FAQs – The Project website, [69express.org](http://69express.org), has been launched and many of the questions previously asked are incorporated. We are still conducting the Study and research and will present information and answers to other questions as they are available.

**Question: Regarding the bank of KDOT, will this Project be bonded to make sure that money is used on U.S. 69 or will it be left alone?** Toll revenue will be deposited to the state highway fund, but sales tax dollars are the only funds that can be taken out of the account for general state projects. There is not a plan to bond right now but funds will be protected. Funds can be changed with legislative change. Money stream that is constituted for removal is sales tax.

Near-term vs. future improvements

- What does the project look like when considering the phasing of near-term vs future improvements?
  - o What are problems today? North of 151<sup>st</sup>.
  - o Growth will continue south of 151<sup>st</sup> and is projected to have congestion issues in the future.
  - o Cameron explained the difference between a \$300M (only near-term improvements) vs \$500M (near-term and future improvements) Project

- cost.
- **Question: What is the blue project (future improvement) around 95<sup>th</sup> Street?** It is a collector road to be built in the future as it is not a high priority in the near term.
  - **Question: So none of the immediate near-term improvements include improving the merging of Hwy 69 with I-35?** No – KDOT just completed additional lanes on U.S. 69 north of 75<sup>th</sup> St which should help improve this connection but will not help all issues on I-35.
  - **Question: Are there going to be improvements to 167<sup>th</sup> St interchange?** This is part of the blue / future improvements but not part of near-term improvements. Lindsey noted this is in the lens of what we are studying now so that might change and if there are opportunities to stretch the project, it will be considered.
  - **Question: Can you provide more detail on blue line on northern part – the parallel road, collector/distributor road – is it similar to lane that is currently southbound?** These are configurations that have been studied previously but in the current study will be revisited to see if still needed and there is flexibility to previous concepts.
  - **Question: Why is the north access off College not involved at this point? Getting on 69 when people are trying to exit to 435 east is harrowing at times.** This will be reviewed once all traffic data is in hand.

What will ETLs look like?

- **Section lane configuration** graphics were shown to help show the existing lanes vs. what it would look like in the future after adding lanes. Taking advantage of middle green space right of way will minimize impacts to existing properties on the outside of current lanes. The Project Team will potentially use buffers instead of barriers between the general-purpose lanes and ETLs.
- **ETL access points** must be positioned for drivers to access the toll lanes safely and be enough distance apart to help drivers make decisions. The team is currently reviewing how drivers want to use ETLs. This is where the team is doing more research such as the Traveler Preference Survey. A link to the survey will be sent for the AG committee to encourage people to take the survey and help the team understand how people will use ETLs.
  - **Question: Will this be in line with using K-TAGs?** KDOT is still discussing and coordinating with KTA to utilize the system as a vendor.
  - **Question: Will we pay premium for not having K-TAG?** KDOT will leverage KTA as well as all transponders across the US as they are interoperable around multiple hubs. Rachel Bell from KTA noted that K-TAG is compatible with Oklahoma and Texas toll agencies. As Cameron mentioned, if the customer has a PikePass, it will be used to collect the toll just as if they had a K-TAG. There are many ways to accommodate users: Car makers/apps starting to provide toll transponders to pay tolls. Without a transponder and video tolling, costs could vary to 50%-100% and only for those with no registration to a tolling transponder/app/etc. could be charged but there are lots of ways to avoid premium charges. Not all of this has been determined yet.

- **Question: Regarding safety, is it envisioned that shoulders will be expanded – inside and outside?** Additional conversations need to be had with first responders and it will be thought through before construction. Not having hard barriers would make it easier for responders to get to accidents.
- **Comment: I would suggest that the DMV collect a few extra dollars so we don't need K-TAG at all.**
- Toll Policies – Legislation can affect how the toll policy is designed, deployed and maintained.
  - KDOT will maintain the roadway and it will not go to KTA but KDOT wants to leverage all agencies and their partnerships.
  - No restrictions on capacity. No free trips. Tolls typically restrict heavy long-haul truckers and trailers. It is the intent of policy for first responders to have full access of lanes and not restrict their movement.
  - No free trips (Lindsey) – Regarding transit, the team is looking at potentially changing this policy to allow flexibility. This is being explored.
  - **Question: Have we contemplated using SCOUT to read license plates?** SCOUT will not be utilized to read license plates. A third-party vendor will be utilized for this.
  - Dynamic vs. Time-of-Day Pricing – Variable pricing is based on real-time traffic so pricing may be unpredictable. Real-time pricing utilizes a formula based on the history of traffic based on the time of day. It does not adjust to a special event (e.g., Chiefs parade). Some agencies begin with time-of-day pricing based on the need to show accountability to the system.
  - **Question: Is anyone looking at impact to low/moderate income?** Yes. That is part of the study process and there is data from around the country that shows ETLs don't have an adverse impact on low/moderate income because it's a choice and can also help improve their trip reliability and travel times. Around the county, research shows that managed lanes are used more infrequently by many users vs. being used by the same people daily. This is one of the driving reasons we are looking at flexibility with policy – to allow transit to use and help with all income levels. Gretchen noted that socio-economic/environmental justice impacts are reviewed as part of the Environmental Process. This project is also doing special outreach to the community to make sure all can be heard.
  - **Question: Are there examples of efficiency of managing traffic or examples from other states about both types of pricing?** Yes, there are examples. Some states have restrictions, and many go with time of day. Some agencies start with Time of Day pricing initially to build consistency with users and help minimize risks of technology. Then many agencies graduate to Variable pricing once the community is used to the ETLs and understand how they work.
  - **Question: How will tolls be collected (addresses SCOUT question):** The toll collection system will use a third-party vendor, which will include maintenance, operations. Drivers will not have to have K-TAG to

use the lane. They can be billed through their license plate registration. **Will we use SCOUT to mount or read?** Discreet gantries will be used to mount the cameras. **Can the cameras be used for Amber Alerts?** Law enforcement has ability to get license plate lists but this is reserved for law enforcement only.

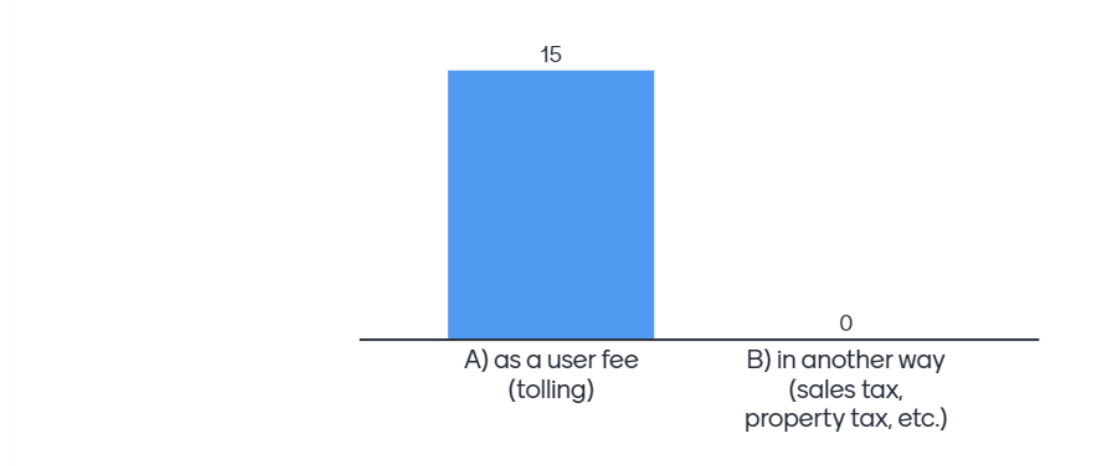
- o KDOT will continue to own, operate and maintain the U.S. 69 corridor. KTA will maintain operations and back office for tolling.

Local Contribution - Lindsey Douglas

- Local contribution is a statewide effort.
- IKE program will help KDOT evaluate projects and get them in a pipeline to help get projects done - phasing, compromising (passing lanes), local sources of funding.
- Fuel taxes - The fuel tax revenue stream is flat and projects/infrastructure needs continue to grow. Electric vehicles impacts are a portion of the reason this revenue stream is not enough to keep up. The needs outweigh sources available. If ETLs are not used, KDOT will continue to work with OP to find another revenue stream.
- **Question: Is legislature open to raising gas tax?** Gov. Kelly is closing bank of KDOT and there is a commitment to not increase revenues but maintain resources we have and leave the money there for transportation projects.
- Lindsey acknowledges that while no one likes tolling fees, it is a direct user fee that is a choice. Everyone will benefit from additional capacity.

Menti Question: 14 people selected user-fee. 0 votes for another way.

### Do you prefer funding the Overland Park Local Contribution to be:



- **Question: Who regulates amount of toll?** Toll rates schedule will vary. The team will make a proposal to the KTA board and they have responsibility for approving. Adjustments will be made periodically to set, then review toll rates.



## Public Engagement – Chris Tatham, ETC

- Focus Groups – 70 people were followed up with based on their survey responses to understand why they feel the way they do.
- During the Focus Groups, participants were shown videos of ETLs. Most people do know what they are. Negative opinions are based on bad experiences, they do not know how to use them (similar to roundabouts) and entitlement of “why do we have to pay?” Participants asked, “If there is really a need, why are other sources not being used?” The conclusion is that the public needs education. Participants also questioned if people will really use the toll lanes and worry about the lanes sitting empty.
- Most people will accept tolling if they know the project would not move forward soon without ETLs.
- **Question: Are the focus groups completely separate from the electronic survey?** Yes.
- The group members noted that they want to make sure people have context and do not jump to bad assumptions. Once the summary is ready, Robyn will share information as it is available that the group may share with others. It was noted by the project team that we are trying to be as transparent as possible. Robyn also reminded the group that there is a place to sign up on the website if you want the project team to come visit with your group.
- Question: If it’s AG members’ role to communicate, can the project team push out communication for members to use? Yes. KDOT and team will put together communication that the AG can cut and paste into channels and help get out messaging. Link to the Colorado video would be helpful as well as other visuals.
- Lindsey asked the group if there is a gap in understanding how ETLs will work? No – people do understand. People like the option but prefer free. There is hesitancy to do something new.
- Focus groups are different than the traveler survey. Deadline is February 12 for the survey. It is open 4-6 weeks to get a good cross section of understanding.
- Social media on Facebook, Twitter, Nextdoor are up for the Project. Links will be sent out to follow and share.

## Open Discussion

- If you want the team to chat with your organization, contact us!
- Collaboration, transparency is going well.
- Chris asked the group if any of the results from the survey or if any statistics are surprising?
  - **Question: How do our results compare to other surveys?** Other places tend to be less opposed, but many cities are used to tolls. The lack of tolls now is causing the resistance.
  - It was noted that in terms of some community “entitlement” that people feel they shouldn’t have to pay more and KDOT should use other existing sources. It is important to educate why these sources cannot be tapped.
  - One member, a past Denver resident, noted that she saw resistance happen in Denver. The ETLs have now become very popular over time and have become busy all day long – not just during rush hours.
  - Cameron noted that regions that have implemented ETLs have gone on to

add more in their area.

**Next Steps**

- In preparation for next meeting, we will take input, make tweaks to alternatives, dive into how ETLs will work. The public meeting with full results will be closed and ready to discuss. Traveler survey will be finishing up and shaping into what toll rates look like.

**Attendees:**

Kelsey Heavin, HNTB (Me)	david lindstrom	
Robyn Arthur (Host)	David Sell	
Teona Jerman, HNTB	fred spears	
Michael DeMent, HNTB (Co-host)	Greg Musil	
Chief Dehner, OPFD	Gretchen Ivy	
jaskubal's iPhone	Jason Sanders	
jneuberg	Joe Reardon, KC Chamber	
Josh Powers, Johnson County G...	Julie Brewer, UCS	
Lindsey Douglas	Keely Schneider	
Rachel Bell, KS Turnpike	Kelly Kultala - KDOT	
Adam Timmerman   KC Chamber	Kip Strauss, HNTB	
Ann Melton, KDOT	Libby Hayes, Shannon Valley H...	
Ashley McDonald	Lorraine Basalo-City of Overland Park	
Brandon Yarbrough, HNTB	Martin Rivarola (MARC)	
Brian Pietig	Meg Ralph - City of OP	
Cameron McGown	Michael.E.Rinehart	Suze Parker
Carlos Gomez/Hispanic Chamber	Scott Cooper	Tom Herzog
Chad Stafford	Sean	Tom Mitchell
Chad Tenpenny	Steve Rockers	Tracey Osborne Oltjen - OP Cha...
Chris Tatham	Stuart Day	Wendy Reynolds- Bank of Blue ...