City of Columbia

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701 East Broadway, Columbia, Missouri 65201

Agenda Item Number:R 129-14Department Source:Public CommunicationsTo:City CouncilFrom:City Manager & StaffCouncil Meeting Date:July 21, 2014Re:Council Resolution Supporting the Innovation in Surface Transportation Act

Documents Included With This Agenda Item

Council memo, Resolution

Supporting documentation includes: H.R. 4726 Text; Transportation for America Publication; Resolution from Mississippi Municipal League; Resolution from Kansas City, MO

Executive Summary

The proposed resolution has been prepared at the request of Council member Thomas and expresses City Council support for the Innovation in Surface Transportation Act, filed as H.R. 4726 in the House of Representatives and not yet filed (at this writing) in the Senate. If Council approves this resolution, your action will be communicated to Columbia's Congressional delegation.

Discussion

If Congress passes the Act, some portion of current federal funds will be available to states to create a competitive grant program. Transportation for America, a coalition supporting the Act, estimates that \$130 million per year could be set aside for Missouri, with Columbia possibly securing \$5 - \$20 million per year. Each state would run its own competitive grant process open to local governments, metropolitan planning organizations, transit providers, tribal governments and other transportation entities. Advocates note that eligible projects would include whatever a local government deems most important: roads, bridges, transit or multi-modal projects. Depending on the City's actual success in a state-based competitive process, funds could become available to achieve more of the community's transportation priorities.

MoDOT has not yet had an opportunity to take a formal position on the legislation, but has informally expressed concern regarding a diversion of up to 33% of the federal funds it currently received for roads and bridges to a local government grant fund.

Fiscal Impact

Short-Term Impact: According to advocates, an estimated \$5 - \$20 million/year, but this depends on:



1) Congressional action to hear the bill; possibly amend its provisions; include it in a federal transportation reauthorization; and pass a bill that the President will sign; and

2) State action to set up a competitive process, assemble a review board, solicit applications and make grant awards to the City of Columbia.

Long-Term Impact: Same as short-term.

Vision, Strategic & Comprehensive Plan Impact

<u>Vision Impact</u>: Economic Development, Transportation <u>Strategic Plan Impact</u>: Economic Development, Infrastructure <u>Comprehensive Plan Impact</u>: Infrastructure, Mobility, Connectivity, and Accessibility, Economic Development

Suggested Council Action

If Council supports this proposal, a motion to approve the resolution, as drafted or amended, and to communicate its position to our Congressional delegation would be in order.

Legislative History

No specific previous action on this legislation but, over the years, 6 ouncil state and federal priority issues have included increased local government flexibility and additional resources to support all transportation modes.

Department Approved

City Manager Approved

A RESOLUTION

expressing support for the Innovation in Surface Transportation Act.

WHEREAS, the economic success of the City of Columbia, Missouri depends upon a transportation system that meets the needs of businesses and residents, and

WHEREAS, local planners, engineers and elected officials are already engaged in developing innovative solutions to current transportation challenges and are in the best position to identify those transportation investments that will achieve the community's transportation goals; and

WHEREAS, the consolidation of programs in the Moving Ahead for Progress in the 21st Century Act (MAP-21, P.L. 112-141) eliminated virtually all competitive federal funding opportunities accessible to local communities; and

WHEREAS, local and regional entities have direct access to less than eight percent (8%) of all authorized highway funds in MAP-21; and

WHEREAS, funding and project selection in the federal transportation program is now handled by a small number of decision-makers, who in some cases largely ignore the transportation needs of local governments that drive economic prosperity in the United States; and

WHEREAS, Senators Roger Wicker of Mississippi and Cory Booker of New Jersey, and Representatives Rodney Davis of Illinois and Dina Titus of Nevada, have proposed the bipartisan Innovation in Surface Transportation Act to provide additional local control of transportation dollars; and

WHEREAS, the Innovation in Surface Transportation Act would create a competitive grant program within states that will provide mayors and local officials with greater access to funds and decision-making authority; and

WHEREAS, the competitive grant program would be accessible to mayors and other local jurisdictions and the project selection panel would include local jurisdictions as well as regional and state entities; and

WHEREAS, local jurisdictions of all sizes are eligible to compete for funding within each state, and funding and representation on the project selection panel must be distributed equitably across the state by geography and population.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council of Columbia, Missouri hereby expresses its support and endorses the Innovation in Surface Transportation Act and calls upon Congress and the President to include that proposal in any legislation reauthorizing the federal surface transportation program.

ADOPTED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

City of Columbia 701 East Broadway, Columbia, Missouri 65201



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

- 1. H.R. 4726 Text
- 2. Transportation for America Publication
- 3. Resolution from Mississippi Municipal League
- 4. Resolution from Kansas City, MO

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Bill Text 113th Congress (2013-2014) H.R.4726.IH									
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H.R.4726 Innovation in Surface Transportation Act of 2014 (Introduced in House - IH)									
		113t	h CONGRESS						
		2	d Session						
		н	I. R. 4726						
To amend title 23, United States Code, to direct the Secretary of Transportation to establish an innovation in surface transportation program, and for other purposes.									
IN THE HOUSE OF REPRESENTATIVES									
May 22, 2014									
Mr. RODNEY DAVIS of Illinois (for himself and Ms. TITUS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure									
ABILL									
To amend title 23, United States Code, to direct the Secretary of Transportation to establish an innovation in surface transportation program, and for other purposes.									
<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i>									

SECTION 1. SHORT TITLE.

This Act may be cited as the `Innovation in Surface Transportation Act of 2014'.

SEC. 2. INNOVATION IN SURFACE TRANSPORTATION PROGRAM.

(a) In General- Chapter 1 of title 23, United States Code, is amended by inserting after section 104 the following:

Sec. 105. Innovation in surface transportation program

`(a) In General- The Secretary, in coordination with State transportation departments, shall establish an innovation in surface transportation program in accordance with the requirements of this section.

`(b) Purposes- The purposes of the program shall be--

`(1) to increase the return on investment in the Nation's surface transportation system;

`(2) to make the Nation's surface transportation system more reliable, safe, and efficient by advancing innovative projects selected through State competitions;

`(3) to increase input from local government and stakeholders on projects receiving funding; and

`(4) to leverage Federal highway dollars further through in-State competitions.

(c) Grants-

`(1) IN GENERAL- A State shall make grants under this section to eligible entities for eligible projects to be carried out in the State using funds reserved by the State for a fiscal year under subsection (e)(1).

(2) STATE COMPETITIONS-

`(A) IN GENERAL- For the purposes of making grants under this section, a State shall conduct a competition each fiscal year under which the State will accept grant applications submitted by eligible entities.

`(B) COMPETITION DATES- A State shall conduct a competition under subparagraph (A)--

`(i) not later than 180 days after the date of enactment of this section; and

`(ii) not later than 30 days after the first day of each fiscal year beginning after such date of enactment.

(3) SELECTION CRITERIA-

`(A) ESTABLISHMENT OF SELECTION CRITERIA- The State selection panel of each State shall establish and make available to the public the project selection criteria that will be used by the State in conducting competitions under paragraph (2).

`(B) FACTORS- The project selection criteria of a State may provide for the approval of project applications based on the extent to which the projects--

`(i) improve safety for all users of the transportation network;

`(ii) strengthen the contribution of a national freight network to the Nation's economic competitiveness;

`(iii) promote multimodal connectivity;

`(iv) strengthen return on investment, particularly the impact on local economic development;

`(v) improve access to jobs, sources of labor, schools, and opportunity;

`(vi) optimize, through better design and operation, the usage and efficiency of existing transportation facilities;

`(vii) improve the reliability of the transportation system of the United States;

`(viii) encourage innovation and the use of technology; or

`(ix) further the purposes described in subsection (b).

`(C) SPECIAL CONSIDERATION OF CERTAIN FACTORS- In addition to the factors specified in subparagraph (B), the project selection criteria of a State may--

`(i) provide that special consideration in the approval of project applications is given to eligible projects that--

`(I) maximize the amount of proposed project costs that can be borne by the applicant from non-Federal sources; or

 $`(\ensuremath{\mathrm{II}})$ have prior significant Federal or non-Federal investment; and

`(ii) give equal consideration to differences in the fiscal capacity of public eligible entities.

`(D) FUNDING DISTRIBUTION- The project selection criteria of a State shall take into consideration the equitable distribution of funds by geography and population.

`(4) SPECIAL RULE FOR PRIVATE TRANSPORTATION PROVIDERS- An eligible entity that is a private transportation provider may submit a project application in a State competition conducted under paragraph (2) only if the application is sponsored by a public entity. '(d) Innovation in Surface Transportation Selection Panel-

`(1) IN GENERAL- A State, in coordination with local transportation stakeholders, shall establish an innovation in surface transportation selection panel in accordance with this subsection.

`(2) DUTIES- A State selection panel shall--

`(A) review project applications submitted to the State during a competition conducted under subsection (c)(2); and

(B) approve and disapprove the project applications based on the criteria set forth in subsection (c)(3).

`(3) MEMBERSHIP- A State selection panel shall be composed of the following members to be appointed by the State--

`(A) not fewer than 3 individuals representing the State's transportation department;

`(B) not fewer than 3 individuals representing local governments in the State, with at least 1 representative from each of--

(i) a jurisdiction with a population of 50,000 individuals or fewer;

`(ii) a jurisdiction with a population of more than 50,000 individuals and not more than 1,000,000 individuals; and

`(iii) a jurisdiction with a population of more than 1,000,000 individuals, if applicable; and

`(C) not fewer than 3 individuals representing metropolitan planning organizations, councils of governments, and rural planning organizations.

`(4) ADDITIONAL MEMBERS- In addition to the members appointed under paragraph (3), a State selection panel shall be composed of 9 members to be appointed by the State, in coordination with local transportation stakeholders, from among individuals representing--

`(A) local chambers of commerce;

`(B) transportation management organizations, travel and tourism boards, economic development organizations, and other coalitions of employers and commerce;

`(C) local air quality boards or local organizations supporting improved air quality;

`(D) State safety boards or local organizations supporting safety;

`(E) transit agencies;

`(F) port authorities, if applicable;

`(G) active transportation organizations;

`(H) public interest organizations; and

(I) labor unions.

`(5) DISTRIBUTION OF REPRESENTATIVES- A State shall appoint members to the State's selection panel in a manner such that--

(A) the number of members appointed under each of paragraphs (3)(A), (3)(B), and (3)(C) is equal; and

`(B) at least 1 member is appointed under paragraph (4) from each of the entities described in subparagraphs (A) through (H) of paragraph (4), if applicable.

`(6) GEOGRAPHIC DIVERSITY- The members of a State selection panel shall be geographically diverse, to the extent practicable.

(7) REPRESENTATION LIMITATION- Except for the representatives described in paragraphs (3)(A) and (3)(B)(iii), no entity may be represented on a State selection panel for more than 2 consecutive years if a comparable entity can also be represented on the panel.

`(8) CONTINUITY- A State shall appoint members to the State's selection panel using a 2-tiered rotation process that ensures continuity of the panel by rotating the membership of the panel on a staggered basis.

`(e) Funding-

`(1) RESERVATION OF FUNDS- On October 1 of each fiscal year, a State shall make the following reservations of funds:

`(A) NATIONAL HIGHWAY PERFORMANCE PROGRAM- The State shall reserve 10 percent of the amount apportioned to the State for the fiscal year under section 104(b)(1)--

`(i) for carrying out State competitions under this section; and

`(ii) for making grants under this section for eligible projects.

'(B) HIGHWAY SAFETY IMPROVEMENT PROGRAM- The State shall reserve not less than 33 percent of the amount apportioned to the State for the fiscal year under section 104(b)(3) for making grants under this section for eligible projects that are projects described in section 148.

`(C) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM-

`(i) RESERVATION OF FUNDS- The State shall reserve not less than 33 percent of the amount apportioned to the State for the fiscal year under section 104(b)(4) and unobligated balances for section 104(b)(4) from the prior fiscal year for making grants under this section for eligible projects that are projects described in section 149(b).

`(ii) USE OF RESERVED FUNDS- If the State has one or more nonattainment areas (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))), the State shall use amounts reserved under this subparagraph for making grants under this section for eligible projects described in section 149(b) in such areas.

(D) SURFACE TRANSPORTATION PROGRAM- The State shall reserve not less than 33 percent of the amount allocated to the State for the fiscal year under section 133(d)(1)(B) for making grants under this section for eligible projects.

`(E) TRANSPORTATION ALTERNATIVES PROGRAM- The State shall reserve 33 percent of the amount reserved by the State for the fiscal year under section 213(c)(1)(B) for making grants under this section for eligible projects that are projects described in section 213(b).

`(2) SPECIAL RULE- Any funds that a State directly suballocates to metropolitan areas or direct recipients of funds under section 5307 of title 49 or awards through an open statewide competition to eligible entities shall be excluded from the funds from which reservations are to be made under paragraph (1).

`(3) NON-AWARDED FUNDS- For each fiscal year, a State shall--

`(A) determine--

`(i) the total amount of funds, if any, that have been reserved by the State for the fiscal year under paragraph (1) but have not been awarded by the State in grants under this section on or before the last day of the fiscal year; and

`(ii) the total amount of funds, if any, that have been awarded in grants by the State under this section but remain unobligated by the grant recipient after the last day of the 5-year period beginning on the date on which the grant was awarded; and

(B) distribute or redistribute such funds, as appropriate, using the process under subsection (c)(2).

(f) Definitions- In this section, the following definitions apply:

`(1) ELIGIBLE ENTITY- The term `eligible entity' means--

`(A) a local government;

`(B) a regional transportation authority;

`(C) a transit agency;

`(D) a tribal government;

`(E) a private provider of public transportation;

`(F) a nonprofit transportation organization;

`(G) a port authority;

`(H) a joint power authority; or

(I) a local rail authority.

`(2) ELIGIBLE PROJECT- The term `eligible project' means--

`(A) a project eligible under--

`(i) section 133(b), relating to the surface transportation program;

`(ii) section 148, relating to the highway safety improvement program;

`(iii) section 149(b), relating to the congestion mitigation and air quality improvement program; or

`(iv) section 213(b), relating to the transportation alternatives program; or

`(B) a surface transportation project that will improve the movement of goods along a primary freight network, including multimodal facilities near a primary freight route.

`(3) PROGRAM- The term `program', except as otherwise specifically provided, means the innovation in surface transportation program established under this section.

`(4) STATE SELECTION PANEL- The term `State selection panel' means an innovation in surface transportation selection panel established by a State under subsection (d).

`(g) Transparency- Not later than 30 days after a State has selected projects for a fiscal year to receive funding under this section, the State shall make available, in a publically accessible medium that is easy to navigate--

`(1) the criteria and methodology used to select the projects;

`(2) a list of all the projects for which funding was requested, including, for each such project--

`(A) the total estimated project cost; and

`(B) the amount of funding requested;

`(3) a list of projects that were selected to receive funding under this section, including, for each such project--

`(A) the amount of funding requested;

`(B) the amount of funding granted; and

`(C) the source of the non-Federal share of cost of the project; and

`(4) the ranking and scoring of all projects for which funding was requested.

`(h) Reporting Requirements-

`(1) STATE REPORTS- Not later than 180 days after the last day of each fiscal year, a State shall submit to the Secretary a report that describes--

`(A) the information required under subsection (g);

`(B) the organizations that were represented on the State's selection panel;

`(C) the portion of the funds available to the State for the program that have been obligated; and

`(D) the percentage of the funds available to the State for the program that were used for administrative expenses.

`(2) BIENNIAL REPORT TO CONGRESS- Not later than September 30, 2016, and biennially thereafter, the Secretary shall submit a consolidated report on the program, including a review of the State reports submitted pursuant to paragraph (1), to--

`(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

`(B) the Committee on Commerce, Science, and Transportation of the Senate;

`(C) the Committee on Environment and Public Works of the Senate; and

`(D) the Committee on Transportation and Infrastructure of the House of Representatives.

`(3) AVAILABILITY- The Secretary shall make the report submitted under paragraph (2) available on the public Internet Web site of the Department of Transportation.

(i) Special Rule for States With Competitive and Suballocated Programs-

`(1) IN GENERAL- The Secretary may permit a State to distribute funding described in subparagraphs (A), (B), (C), (D), or (E) of subsection (e)(1) through the mechanisms described in paragraph (2) if the Secretary certifies that the State is distributing such funding in a manner that fulfills the purposes of this section.

`(2) DISTRIBUTION MECHANISMS- Distribution mechanisms that qualify under paragraph (1) include--

`(A) an open and competitive State program that is substantially similar to the requirements of this section;

`(B) direct suballocation to metropolitan areas of a majority of all funds--

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amende	ed by inserting after	ne analysis for chapter 1 of title 23, United States Code, the item relating to section 104 the following: urface transportation program.'.
		on for the proposed certification.'.
	`(A) a notificatio	on of the Secretary's intent to make the certification; and
ur cc	nder paragraph (1)(E ongressional committ	GRESS- At least 15 days before making a certification B), the Secretary shall submit a notice to the tees referred to in subsection (h)(2) and the members o mal delegation that includes
	`(C) take into co period.	onsideration any comments received during the commen
	`(B) provide the proposed certification of the proposed certificat	public not fewer than 90 days to comment on the cation; and
	`(A) publish in th certification;	he Federal Register the Secretary's intent to make the
	3) PUBLICATION IN aragraph (1)(B), the	FEDERAL REGISTER- Before making a certification unde Secretary shall
	`(ii) allocat	ted to the State under section 213(a)(1).
	(/))	ioned to the State under section 104(b)(1), 104(b)(2), or 104(b)(4); or
		ve State program or direct suballocation to metropolitan ecipients of funds under section 5307 of title 49 of more of the funds
	`(ii) allocat	ted to the State under section 213(a)(1); and
	104(b)(3),	and 104(b)(4); and



Advancing Innovation in Transportation and Securing Economic Prosperity

Innovation in transportation is born within local and regional governments. Local and regional entities of all sizes are the	MAP-21 Highway Programs	Funding (billions)	Percentage of MAP-21 Funds
centers for economic growth and continued prosperity for the nation. Communities across	National Highway Performance Programs (NHPP)	\$21.8	58.6%
the country are stepping up efforts to maintain their existing infrastructure and prepare for	Surface Transportation Program (STP)	\$10.0	26.9%
future demands on their transportation systems. Local leaders in these communities	*STP Suballocation for Local and Regional Control	\$5.0	13.4%
are best able to identify the particular transportation investments needed to address their community's unique challenges. Since the turn of the 21 st century, local governments	Highway Safety Improvement Program (HSIP)	\$2.4	6.5%
	Congestion Mitigation Air Quality (CMAQ)	\$2.2	5.9%
have dramatically increased their commitment	Transportation Alternatives (TA)	\$0.8	2.2%
to our transportation systems by increasing local revenues to meet demands.	*TA Suballocation for Local and Regional Control	\$.04	1.1%

Support the Innovation in Surface Transportation Act, HR 4726

It is important to give local leaders the tools and resources to invest in innovative transportation solutions that are critical to their economic competitiveness. Through the consolidation of programs in MAP-21 virtually all competitive Federal funding opportunities were eliminated, making it harder for local communities to directly access Federal funds. These were the same programs that communities looked to help fund their innovative transportation projects. Formula programs now make up nearly 93 percent of all Federal highway funding, an increase of 10 percent from SAFETEA-LU. Furthermore, local and regional entities are provided access to less than 15 percent of all authorized highway funds from MAP-21. In short, funding and project selection have been streamlined in a way that only a select few determine how Federal funds are spent, in some instances, largely ignoring the needs of local governments both large and small.

Additionally, the primary source of funding for local transportation projects, the Surface Transportation Program (STP), had more than \$5.0 billion of new responsibilities added to it by MAP-21; while that program only was increased by \$1.2 billion.

Advancing Innovation in Transportation and Securing Economic Prosperity through In-State Competition: The solution Transportation for America proposes will create in-state competitions within every State for a small portion of a State's formula funds. This proposal will strengthen accountability, increase return on investments, and allow local and regional governments to build infrastructure connections that provide better opportunities for local businesses and residents to prosper.

Under this proposal, states will conduct annual competitions for a small portion of Federal formula funds. That competition will be open to local jurisdictions, metropolitan planning organizations, transit providers, tribal governments, and other transportation entities, and projects would be selected by a panel with equal representation from state departments of transportation and local jurisdictions, as well as other stakeholders. Project selection will be based on a set of criteria aimed at improving the transportation system, promoting innovation, and spurring economic development. The transparency of this process will ensure that the best projects are selected and that federal funds are used to provide the highest return on investment.

Triat this proposal from the firmssouri							
FY2014 NHPP	FY2014 STP	FY2014 HSIP	FY2014	FY2014 TAP	Total for In-		
10.0%	16.66%	33%	CMAQ 33%	16.66%	state program		
\$56,382,961	\$43,223,814	\$18,815,038	\$7,841,844	\$3,260,204	\$129,523,860		

What this proposal would mean for Missouri

MISSISSIPPI MUNICIPAL LEAGUE SUPPORTING THE INNOVATION IN SURFACE TRANSPORTATION ACT

WHEREAS, the economic growth of our cities depends upon a transportation network that can meet the needs of businesses and residents, and

WHEREAS, mayors are in the forefront in developing innovative solutions to their transportation challenges and are in the best position to identify those transportation investments that will achieve their communities' goals, and

WHEREAS, the consolidation of programs in the Moving Ahead for Progress in the 21st Century Act (MAP-21, P.L. 112-141) eliminated virtually all competitive federal funding opportunities accessible to local communities, and

WHEREAS, local and regional entities have direct access to less than eight percent (8%) of all authorized highway funds in MAP-21, and

WHEREAS, funding and project selection in the federal transportation program is now handled by a small number of decision-makers, who in some cases largely ignore the needs of local governments that drive economic growth and prosperity in the United States, and

WHEREAS, Senators Roger Wicker of Mississippi and Cory Booker of New Jersey, and Representatives Rodney Davis of Illinois and Dina Titus of Nevada, have proposed the bipartisan Innovation in Surface Transportation Act to provide additional local control of transportation dollars, and

WHEREAS, the Innovation in Surface Transportation Act would create a competitive grant program within states that will provide mayors with greater access to funds and decision-making authority, and

WHEREAS, the competitive grant program would be accessible to mayors and other local jurisdictions and the project selection panel would include local jurisdictions as well as regional and state entities, and

WHEREAS, local jurisdictions of all sizes are eligible to compete for funding within each state, and funding and representation on the project selection panel must be distributed equitably across the state by geography and population,

THEREFORE, BE IT RESOLVED, that the Mississippi Municipal League endorses the Innovation in Surface Transportation Act and calls upon Congress and the President to include that proposal in any legislation reauthorizing the federal surface transportation program.

RESOLUTION NO. 140493

Establishing an additional position on the City legislative priorities that may come before the 113th United States Congress, 2nd Session in 2014.

WHEREAS, the City Council established Priorities and Performance Indicators on January 10, 2013, through the adoption of Resolution No. 130025; and

WHEREAS, the aforementioned priorities have been the Council's guide in policymaking; and

WHEREAS, the City Council initially established its federal legislative priorities outlined in Resolution No. 130958 on December 12, 2013; and

WHEREAS, the Council recognizes that subsequent issues of concern may arise that should be included among the established priorities; and

WHEREAS, the City desires to publish a general statement of its position on a matter that may become the subject of or be affected by proposed federal legislation during the 2nd Session of the 113th United States Congress in 2014, relative to said City Council priorities;

NOW, THEREFORE, BE IT RESOVED BY THE COUNCIL OF KANSAS CITY:

That the City Council of Kansas City hereby adopts an additional priority outlined below to be included in the Transportation & Infrastructure category on a matter that may come before the 113th United States Congress, 2nd Session in 2014.

Innovation in Surface Transportation Act of 2014 – Support the passage of H.R. 4726 and any companion legislation which would give local communities greater access to federal transportation funds to invest in homegrown, innovative transportation plans and projects.