



SCOTT COUNTY BOARD OF COMMISSIONERS

200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8100 · Fax (952)496-8180 · www.scottcountymn.gov

BARB WECKMAN BREKKE, DISTRICT 1
TOM WOLF, DISTRICT 2
JODY BRENNAN, DISTRICT 3
DAVE BEER, DISTRICT 4
JON ULRICH, DISTRICT 5

March 30, 2026

Sean P. Duffy
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Minnesota Metropolitan Council Federal Regional Funding Solicitation – Compliance with Current Federal Policy

Dear Secretary Duffy:

I am writing on behalf of the Scott County Board of Commissioners to express concerns regarding the Metropolitan Council's proposed Federal Funding Solicitation Guidance and its alignment with current federal transportation policy.

The Metropolitan Council recently released its draft funding criteria for public comment. This is a very complex solicitation the Metropolitan Council utilizes to award local Federal Transportation Funds in the region. In our response, the Scott County Board—representing one of the seven metropolitan counties under the Council's jurisdiction—requested that the Council seek a U.S. Department of Transportation review to ensure the criteria comply with federal policy. The Council declined this request and is scheduled to adopt these criteria at its full board in April.

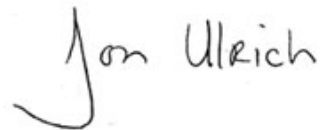
Council staff concluded that the Metropolitan Council has broad discretion in developing funding criteria and emphasized community engagement as a priority. However, from our review, the community engagement component appears to function as a rebranded form of Diversity Equity and Inclusion (DEI) and now accounts for up to 20% of scoring in several project categories. Engagement is narrowly defined as outreach to specific communities along a corridor rather than to the broader user base. As a result, major regional corridors—such as U.S. Highway 169—may be evaluated based on feedback from a small community segment rather than economic impact, freight movement, job access, or corridor-wide safety considerations. The weighting of this criterion and thus importance of this in project selection has expanded significantly in this latest project selection process.

Our Board finds it troubling that an appointed body declined the basic federal compliance review requested by elected county officials. This is an indication of how the Metropolitan Council operates and deals with local agencies within the region. The Metropolitan Council remains the only major Metropolitan Planning Organization (MPO) in the nation composed entirely of gubernatorial appointees without elected representation. This concern has been documented for more than a decade, including in a 2011 legislative auditor report recommending further evaluation of regional transit governance. Suburban communities have repeatedly sought a comprehensive review, beyond the explanation that the current structure is "grandfathered in; against the more recent federal legislation regarding MPO requirements.

Enclosed are the Board's resolution, the scoring criteria, and the Council's response. We are requesting that the U.S. Department of Transportation review these criteria for consistency with current federal transportation policy, provide appropriate oversight of the MPO, and consider whether additional evaluation of its governance structure is warranted.

Thank you for your attention to this matter. I look forward to your response.

Respectfully,

A handwritten signature in black ink that reads "Jon Ulrich". The signature is written in a cursive, slightly informal style.

Jon Ulrich, Chair
Scott County Board of Commissioners
julrich@co.scott.mn.us

C: Scott County Commissioners
Representative Angie Craig
Senator Amy Klobuchar
Senator Tina Smith
Anoka County Chair Schulte
Carver County Chair Workman
Dakota County Chair Halverson
Washington County Chair Bigham
Met Council Representative Deb Barber
Met Council Representative Wendy Wulff

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date: February 17, 2026

Resolution No.: 2026-43

Motion by Commissioner: Jody Brennan

Seconded by Commissioner: Dave Beer

**RESOLUTION NO. 2026-43; AUTHORIZING SUBMITTAL OF COMMENTS ON THE METROPOLITAN
COUNCIL'S DRAFT 2026 REGIONAL SOLICITATION APPLICATION PROCESSES**

WHEREAS, the Metropolitan Council has adopted its Imagine 2050 Regional Development Framework as the region's comprehensive development guide; and

WHEREAS, the Metropolitan Council has adopted its 2050 Transportation Policy Plan; and

WHEREAS, the Metropolitan Council has prepared its 2026 Regional Solicitation, Active Transportation Solicitation, and Highway Safety Improvement Program Solicitation draft packages that reflect nearly two years of work to redesign the solicitation applications and processes to align with Imagine 2050 and the 2050 Transportation Policy Plan; and

WHEREAS, the Metropolitan Council and Transportation Advisory Board have released these draft application packages and processes for a 30-day public review and comment period.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners in and for the County of Scott, Minnesota, that it thanks the Metropolitan Council for the opportunity to review and comment on the draft 2026 Regional Solicitation Application Processes.

BE IT FURTHER RESOLVED, that the Scott County Board of Commissioners believes that the comment letter should be considered and incorporated into the final application packages and processes, including:

- The proposed Community Considerations criterion is partly scored on community needs and future community engagement. The draft application material specifically calls out that the term “community” does not include motorists, commuters, truckers or system users who only travel through the area without connection to destinations within it. Excluding input from this segment of the regional population in scoring will disproportionately and negatively impact developing communities. Developing communities do not have traditionally defined neighborhoods adjacent to them. They tend to be highway or transit systems that move through or connect communities. Ignoring input from these regional users of the system and instead only accepting highly localized, location-specific input does not provide a full or equitable scope of voices or benefits. We strongly urge that this narrow definition of “community” in the final application material be revised or deleted.
- Community Considerations are also scored on community context. Demographic and socioeconomic data is a consideration in regional investments. However, when reading through the draft application material, it appears to reward applications and ultimately distribute federal funds to projects where it can be demonstrated that historical “harms” have been caused by the transportation system. We strongly oppose rewarding points based on an applicant's subjective analysis of perceived historic “harms”; “harms” presumably based solely on highly-localized, location-specific input. Scott County would like the USDOT/FHWA to advise the region if this is even consistent with current Federal funding policy.
- Community Considerations are important and should remain part of the scoring framework, however we are concerned that the current 20% weight outweighs core technical objectives within each funding category. Community Considerations are primarily narrative-based, rely on applicant-provided information, and are not easily verifiable. As the weight of qualitative, subjective scoring increases, so does the potential influence of narrative strength, reviewer bias, or unverified information relative to measurable performance outcomes

- It is concerning that the draft Active Transportation solicitation process does not limit the number of applications one community or agency can submit. It is our understanding that the Active Transportation funding was to provide a simplified application process, where small agencies can complete themselves, without hiring consultants. It is also our understanding that the Transportation Advisory Board's goal is to spread Active Transportation funding awards region-wide. Without a cap, the County is concerned larger agencies with more resources could monopolize the application pool. We recommend a cap of not more than two applications per agency.

BE IT FINALLY RESOLVED, that the Scott County Board of Commissioners authorizes submitting this resolution and signed comment letter to the Metropolitan Council and Transportation Advisory Board.

VOTE RESULTS:

Yes: Barb Weckman Brekke, Tom Wolf, Jody Brennan, Dave Beer, Jon Ulrich

No: None

Absent:

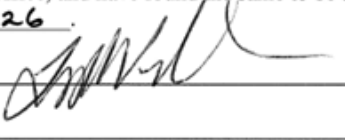
Abstain: None

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on 2/17/2026 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, on 2/17/2026.



County Administrator

Administrator's Designee



SCOTT COUNTY BOARD OF COMMISSIONERS

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BARB WECKMAN BREKKE, DISTRICT 1
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DAVE BEER, DISTRICT 4
JON ULRICH, DISTRICT 5

February 17, 2026

Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

SUBJECT: Scott County Comments on 2026 Regional Solicitation

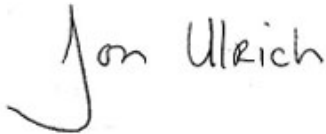
Dear Metropolitan Council and Transportation Advisory Board Members,

Thank you for the opportunity to review and provide comments on the DRAFT 2026 Regional Solicitation Process. As an overarching theme driving all our comments below, it is important to state upfront that the original purpose for regional solicitation is to prioritize and invest Federal funding for Principal and Minor Arterials that efficiently move people and goods long distances across the region. We recognize and support the extensive effort that has gone into this updated solicitation cycle, which has resulted in a few changes the County supports, such as adding more safety categories and reducing the dependence on consultants to do required technical documentation for several applications. While these are changes the County supports, we do have the following concerns:

- The proposed Community Considerations criterion is partly scored on community needs and future community engagement. The draft application material specifically calls out that the term "community" does not include motorists, commuters, truckers or system users who only travel through the area without connection to destinations within it. Excluding input from this segment of the regional population in scoring will disproportionately and negatively impact developing communities. Developing communities do not have traditionally defined neighborhoods adjacent to them. They tend to be highway or transit systems that move through or connect communities. Ignoring input from these regional users of the system and instead only accepting highly localized, location-specific input does not provide a full or equitable scope of voices or benefits. We strongly urge that this narrow definition of "community" in the final application material be revised or deleted.
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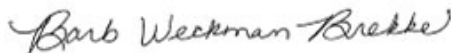
Respectfully,



Jon Ulrich, Chair
Commissioner District 5



Jody Brennan, Vice Chair
Commissioner District 3



Barb Weckman Brekke
Commissioner District 1



Tom Wolf
Commissioner District 2



Dave Beer
Commissioner District 4

Commenter	Comment	Response
Scott County Board of Commissioners	Dear Metropolitan Council and Transportation Advisory Board Members, Thank you for the opportunity to review and provide comments on the DRAFT 2026 Regional Solicitation Process. As an overarching theme driving all our comments below, it is important to state upfront that the original purpose for regional solicitation is to prioritize and invest Federal funding for Principal and Minor Arterials that efficiently move people and goods long distances across the region. We recognize and support the extensive effort that has gone into this updated solicitation cycle, which has resulted in a few changes the County supports, such as adding more safety categories and reducing the dependence on consultants to do required technical documentation for several applications. 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Scott County would like the USDOT/FHWA to advise the region if this is even consistent with current Federal funding policy. • Community Considerations are important and should remain part of the scoring framework, however we are concerned that the current 20% weight outweighs core technical objectives within each funding category. Community Considerations are primarily narrative-based, rely on applicant-provided information, and are not easily verifiable. As the weight of qualitative, subjective scoring increases, so does the potential influence of narrative strength, reviewer bias, or unverified information relative to measurable performance outcomes.	Thank you for your comments. Met Council staff will do a full evaluation of all scoring measures including the three Community Considerations measures following the 2026 cycle and report back findings to the TAB and technical committees. This could lead to potential changes for the 2028 funding cycle for Community Considerations or any of the other criteria and measures used in the Regional Solicitation. FHWA gives latitude to MPOs in how they allocate federal funds. One of the few requirements is that the projects selected by the MPO must align with the region's Multimodal Transportation Plan (i.e., the 2050 Transportation Policy Plan). The overall purpose of the Solicitation evaluation and redesign was to ensure that the structure and process for awarding regional federal funds worked to implement the region's adopted goals, objectives and policies. The three measures within Community Considerations directly align with regional policy. The Community Considerations criterion includes three measures, each of which focuses on a different aspect of working with community. The community data and context measure documents the applicants' knowledge and understanding of who lives, works and plays near and will be impacted by the proposed project. The measure includes understanding the community demographics, context, key destinations, important community resources and any history of the community related to the transportation system. There is no recommendation or guidance that scorers award points based upon past or current harms. Travelers or commuters passing through a community or project area accrue benefits that are valued through other Solicitation measures including safety, delay and efficiency measures. Qualitative measures do provide measurable and verifiable data and information on the community. The measures document what the applicant knows and understands about the impacted community, how the community will benefit from the project and how they intend to work with community throughout the project. A scoring rubric which indicates some best practices for each measure is included within the Solicitation packet.
Scott County Board of Commissioners	It is concerning that the draft Active Transportation solicitation process does not limit the number of applications one community or agency can submit. It is our understanding that the Active Transportation funding was to provide a simplified application process, where small agencies can complete themselves, without hiring consultants. It is also our understanding that the Transportation Advisory Board's goal is to spread Active Transportation funding awards region-wide. Without a cap, the County is concerned larger agencies with more resources could monopolize the application pool. We recommend a cap of not more than two applications per agency.	Thank you for your comment. The Active Transportation Working Group has considered this potential issue in past discussions and has made the decision not to limit applications for this solicitation. Applied projects are required to be found in existing programming or planning documents and must be identified for the years 2027, 2028 or 2029. These requirements may limit the amount of project applications any one applicant can submit. As this is the first formal Active Transportation solicitation and demand for the program is not yet known, future solicitations will consider the level of response and public feedback and make changes as recommended by TAB.

COMMUNITY CONSIDERATIONS

Foundational Policies

The Regional Solicitation Community Considerations criterion draws on multiple Metropolitan Council and Transportation Advisory Board (TAB) policies, including:

1. **Imagine 2050 and Transportation Policy Plan (TPP) Goal:** Our region is equitable and inclusive. Racial inequities and injustices experienced by historically marginalized communities have been eliminated and all people feel welcome, included, and empowered.
2. **Imagine 2050 Equity Statement:** Equity means that historically excluded communities – especially communities of color – have measurably improved outcomes through an intentional and consistent practice of adapting policies, systems, services, and spending so that they contribute to the repair of both historic and ongoing injustice.

Imagine 2050 contains an Equity and Environmental Justice Framework, which is a people-centered approach that should guide regional processes and actions to work toward a more equitable region. A description of the framework is linked here [Imagine 2050: Regional Vision, Values, Goals - Revised for Adoption](#). The three components of the framework include:

- A people-centered, data-driven decision-making approach
 - Prioritized engagement with overburdened communities
 - Provision of benefits to the communities that go beyond harm mitigation
3. **TPP Policies or Objectives:** TPP Policies and Objectives related to achieving the regional equitable and inclusive goal include:
 - Conduct engagement activities and implement shared decision making with historically underrepresented communities throughout policy making, planning, and project development to ensure equitable distribution of the benefits and burdens of transportation investments.
 - Evaluate processes, policies, programs, and plans to ensure that community benefits and burdens from transportation investments are distributed equitably.
 - Implement investments that repair harms and impacts to historically disadvantaged communities from past highway investments.
 - Implement strategies against gentrification and displacement caused by transportation investments.
 4. **TAB Communities to Consider:** Beginning with the Regional Solicitation redesign in 2014, the Transportation Advisory Board has identified **“specific communities”** that should be prioritized in transportation decision-making processes: **people of color, Indigenous people, low-income, disabled, youth, and older adult populations**. These specific communities should be engaged and empowered in transportation decision-making processes, and projects should be developed to specifically address their transportation needs.

Metropolitan Council staff have provided an interactive map that can be used to understand the composition of the communities of consideration within your project area. This map will serve as a basis for your response to each measure.

COMMUNITY CONSIDERATIONS

Other Key Concepts

Community Definition: For the Community Considerations scoring criterion, “**community**” is defined as people and groups of people who are adjacent to and/or impacted by the proposed project. This includes those who live, work, attend school, or access essential destinations (such as healthcare, shopping, or services) within the project area. Prioritized consideration is given to communities of color, Indigenous communities, low-income, disabled, youth, and older adult populations. The term “community” does not include transportation system users who only travel through the area without connecting to destinations within it. Transit users and others outside personal vehicles may be considered part of the community if their trips begin, end, or include stops within the project area.

Scoring: Three qualitative measures are used for the Community Considerations criterion as described below. Applicants will receive a High, Medium/High, Medium, Medium/Low, or Low rating for each of the three measures: **(1) Community Data and Context, (2) Community Needs and Future Engagement, and (3) Community Benefits**

Funding Priority: Projects receiving a high score on each of the three measures, if any, will be considered for funding priority. Up to one (1) project from each solicitation round that was not otherwise selected for funding will be recommended for full funding in either the Roadway, Bike/Ped, Transit, or Environment categories.

Applicant Training Opportunities: The Met Council will provide optional yearly trainings for local agency staff to build their understanding of the Community Considerations criterion and measures. This training will also be centered around best practices set forth by the Council's [*Equity Evaluation of Regional Transportation Investment Processes study*](#).

Community Considerations Scoring: Scorers for the Community Considerations criterion will be selected based upon their experience and knowledge in community work, will have completed the Community Considerations training, and will meet multiple times as a group of scorers to discuss and agree upon scoring expectations. Projects recognized as a funding priority will be reviewed and agreed upon by all Community Considerations scorers 2-3 Community Considerations scorers will be assigned to each project application.

COMMUNITY CONSIDERATIONS

Measures Description

Measures	Rating/Points	%
A. Community Data and Context Describe the project area's community data and context* including locations of specific communities and important regional and local destinations those communities. Relate the community data to the project purpose. Supplement widely available demographic data with community-specific information via additional maps or descriptions. Include any transportation history impacting the communities and intentional or unintentional past and ongoing harms caused by the transportation system. *Examples of detailed community data: demographics (race, ethnicity, age, low income, disabled), affordable housing locations, essential services, employers/job centers, schools, cultural and social destinations.	Low / Low-Medium / Medium / Medium-High / High	33% (6.7 points)
B. Community Needs and Future Engagement Describe how the project was identified, and how it addresses a community need. Community needs may be identified through long-range or strategic planning, community surveys, formal or informal meetings and conversations with community members, neighborhood groups, outreach, and other means. Describe any discussion with specific communities, and how it contributed to identifying the project need. Describe how community engagement will occur throughout the project. Reference the engagement spectrum on page 55 of the Imagine 2050 Regional Vision, Values, and Goals chapter of the Regional Development Guide. Describe and link (if possible) documented organizational structures that support future engagement on the project; these structures could include policies, procedures, financial or staff resources, or other documents.	Low / Low-Medium / Medium / Medium-High / High	33% (6.7 points)
C. Community Benefits Provide a description of the anticipated project benefits and how these benefits address the needs of the identified communities. Describe any past or ongoing burdens that the project may bring to the specific communities. Describe how any potential burdens will be mitigated.	Low / Low-Medium / Medium / Medium-High / High	33% (6.7 points)
Final rating/score	-	100%

COMMUNITY CONSIDERATIONS

Scoring rubric

Applicants will receive a High, Medium/High, Medium, Medium/Low, or Low rating for each of the three measures. The expectations should be considered as cumulative, i.e., Medium builds on Low; High builds on Medium. Scoring via this rubric will be based exclusively on the application materials provided.

A. Community Data and Context

The project application...

Low	Medium	High
- Includes general census data on “specific communities,” (e.g. “community has x% low-income population, versus the regional average of y%”) - Has a basic list of important destinations without demonstrating local knowledge - Has a project area description but lacks community insight or context	- Has local maps and/or description beyond census data - Has granular data or maps (e.g., knowledge of a concentration of specific communities in this neighborhood or location) - Identifies affordable housing locations and areas of low-income - Links data to project purpose - Identifies past system burdens	- Has granular, neighborhood-scale data and context on specific communities - Identifies cultural assets & significant sites validated by the communities (e.g., this community of low-income residents expressed a need to be able to walk to a health care destination). - Describes any past and present transportation harms to communities - Has data on cultural history of communities,

COMMUNITY CONSIDERATIONS

B. Community Needs and Future Engagement

The project application...

Low	Medium	High
- Does not link past planning and information-gathering work with communities to identify project need - References planning work that is too broad to practically influence project need - Does not include description of input and interactions with "specific communities" that helped identify the project need - Does not include description or commitment to future engagement efforts with communities	- Describes how the project need was identified through planning and information-gathering work with communities - Describes how input from "specific communities" helped identify the project need and purpose - References Imagine 2050 Engagement Spectrum (engagement and power sharing levels) and identifies future community engagement activities - Describes how specific communities will be included and prioritized in future engagement efforts	- References documented organizational policies, procedures and commitments that support future engagement with specific communities on the project, E.g. -Policy, procedure, and/or budget to compensate engagement participants -Formal, approved engagement plan -Anti-displacement policy, strategy, or funding -Reparative project goals shaped by community -Commitment to financial opportunity for local businesses and contractors -Advisory committee charter -Dedicated engagement staff -Other governing board or council action demonstrating a commitment to community considerations

COMMUNITY CONSIDERATIONS

C. Community Benefits

The project application...

Low	Medium	High
• Does not describe project benefits for specific communities • Describes benefits in general terms for all users • Does not acknowledge potential project burdens, despite high potential for them to arise	• Describes benefits for specific communities • Ties benefits directly to community-identified needs • Describes how benefits were identified through engagement • Includes early mitigation plans for project burdens	• Describes how project repairs past burdens and removes barriers • Describes how project improves safe access to priority destinations • Describes how project adds context-sensitive features beyond transportation needs (e.g. art, greenspace, other community-influenced elements)