

# PACTS

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Portland Area Comprehensive Transportation Committee

## **PACTS Executive Committee Meeting Notice**

September 2, 2008  
8:00 a.m. to 10:00 a.m.

GPCOG, 68 Marginal Way, Portland

### **Agenda**

1. Call to order
2. Public Comment
3. Approve minutes of August 5<sup>th</sup> meeting
4. Committee updates from Bob Burns, Greg Tansley and Ed Clifford
5. Updates on other topics (8:45)
6. Update on preparations for setting the 2010/2011 biennium capital priorities (9:15)
7. Draft agendas for Policy Committee meetings in September and October. (9:40)
8. Draft agenda for next Executive Committee meeting. (9:50)
9. Adjourn at 10:00 a.m.

*Next Meeting: October 7<sup>th</sup> at 8:00 a.m.*

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## Minutes of August 5<sup>th</sup> Meeting

**Attendance:** Bill Shane, Chair; John Bubier; Mike Bobinsky; Bob Burns; Ed Clifford, Greg Tansley; Mike Laberge; John Duncan, Carl Eppich, Paul Niehoff, Maddy Adams

1. **Call to Order.** Bill Shane called the meeting to order at 8:00 a.m.
2. **Public Comment.** None
3. **Approval of Minutes of July 1<sup>st</sup> meeting.** The July 1<sup>st</sup> minutes were approved.
4. **Committee Updates from Greg Tansley, Bob Burns and Ed Clifford.** Bob discussed the skyrocketing costs of asphalt. John Duncan mentioned that at recent meetings with Ron Owens, Nat Tupper and Rick Michaud each suggested dropping or radically changing the Collector Paving Set Aside in order to dedicate more or all of our MPO allocation to bigger regional projects. Also, MaineDOT is considering the idea of communities picking up maintenance costs for their own roads if the road is no longer part of a compact area. Bill said that he couldn't see communities stepping up to the plate to take care of their maintenance needs. Bob said we should wait to get the study in from Gorrill Palmer to see what it has to say. The Gorrill Palmer study hopefully will show the status of the roads and will be something that we can bring to MaineDOT to show what needs to be done. John B. asked how the rules are structured. Paul responded that they are MaineDOT standards that FHWA approves.

Paul mentioned that on August 20<sup>th</sup> there will be a working group meeting with representatives from PACTS, MaineDOT and FHWA to discuss innovative ways to do projects cost effectively and maybe come up with different kinds of partnerships. Bob noted that the engineers are the ones that set the standards. Paul stated that this issue is also being looked at nationally. There has been discussion about going from a 20-year design life to a 15-year design life. Design life is what it all boils down to; drainage is another big cost. If you do a lot of drainage work, then the infrastructure will work that much longer. Mike L. stated that reconstruction work (or "dirt work") is more competitive than paving work. Bill stated that this discussion about the Collector Paving Set Aside and the idea of allocating money to regional projects should be brought to the Policy Committee. John D. mentioned that the 2010/2011 project selection will be done at the October Policy Committee meeting. Bill stated that this type of change could not happen that quickly.

5. **Updates on actions taken at the last meeting.**
  - RTP/METRO merger concept.** There have been conversations with the RTP Board President about holding back on the hiring of a director. John, along with Neal Allen and Mike Bobinsky, hope to have a briefing with RTP/METRO to brainstorm this and move it more into a process discussion.
  - MaineDOT's Challenge Fund.** The City of Portland received \$250,000 from the Challenge Fund for the Riverside/Warren Avenue project.
  - EPS of intersection and bike/ped proposals.** Nothing new to report on this.
  - PACTS Director's connection to GPCOG personnel policies.** They have not yet met with Neal; a meeting will be scheduled soon.

6. **Updates on other topics.**
  - David Willauer is leaving COG to move on to a career in emergency management planning with a national consulting firm in North Carolina.
  - John Duncan has been meeting individually with Policy Committee members; the meetings are going well. He will also meet with Kevin Roche of Ecomaine.
  - The HPP telephone survey is going well. Ten questions are asked about the HPP projects and then they ask what their top three priorities would be, in addition to other questions about the price of gas, etc.
  - John D. and Carl had a meeting with the Buxton Selectmen on July 30<sup>th</sup> in response to their letter to PACTS regarding the HPP list. They would like to be involved in PACTS.
  - The price of liquid asphalt has been skyrocketing. In January the price was around \$300+/ton; in mid-June the price rose to around \$550/ton; and as of last week it was at \$750 and climbing. The costs continue to climb. MaineDOT will be sending a letter to the communities about this.
  - PACTS name change – change it to Portland Area Comprehensive Transportation System, rather than Committee. The Committee agreed to this change.
  - The idea of changing the meeting time of the Policy Committee to 3:30 was suggested by John D. but the Committee did not endorse this change.
  - MaineDOT staff has proposed language regarding restrictions on lobbying activities in the upcoming “Maine Manual on MPO’s.” This is a work in progress. You cannot use Federal dollars to get Federal dollars; state money can be used. When the next budget is put together we will need to look closely at that.
7. **Endorse TIP amendment proposal** to transfer all of the Pickett Street paving project money to the Western Avenue project. A TIP amendment is not necessary because there is no Federal money involved. No action is needed; a letter from John Duncan will be sufficient.
8. **Discuss draft agendas for Policy Committee meetings in September and October.**
  - Brief the Policy Committee on the TIP priority-setting processes between the Transit, Planning and Technical Committees.
  - Mike Laberge reported that there is public opposition to the OOB roundabout design. There was discussion to determine if something could be done on a seasonal traffic basis, such as a signalized intersection. Mike L. added that this project would not be ready for 2010-2011. Bill suggested that the project be left as a placeholder with a PIN but that no funds be tied to it. At the next Executive Committee meeting we should discuss the funding of that project and how it ties in with the larger budget.
  - The second item on the agenda will be MPO allocation funding available for 2010/2011 biennium.
  - Highlights of the Gorrill Palmer Collector Road Assessment Study from the Technical Committee.
  - Rather than include the Eyerman/Melrose study as an agenda item, it will be included as an item on the Consent Agenda. The Planning Committee will be discussing how to take the study to the next level at their next meeting. John D. will meet with MaineDOT, Mark Eyerman and John Melrose on ways to implement the study.
  - A joint meeting with the Councils of Portland and South Portland is being scheduled regarding the 295 Corridor Study.
  - Another item suggested was amending the bylaws to create two new seats on both the Transit and Technical Committees. This is based on a recent “unofficial” Planning

Committee vote to appoint two of its members to serve on the Transit and Technical Committees. Mike Laberge has been appointed to serve on the Technical Committee and Alex Jaegerman to the Transit Committee. Bill thought it was a good initiative and that it should be encouraged but he didn't think it should be mandated. Let the individual committees decide if that appointed person should have a voting seat. He felt an amendment to the bylaws was not necessary.

- 9. Draft Agenda for next Executive Committee meeting.** The TIP will be the major focus of the meeting. Bob Burns asked for an up-to-date project list showing all the projects that are in the hopper or that have been recently funded. Mike Laberge does a quarterly report but the information is not always up to date regarding dates and dollars. Bob asked to see one list that shows everything that is being worked on. Bill asked Mike L. to be at the next meeting so that he can review the list. Mike L. explained that there are two lists – one shows all the PACTS projects and the other shows the projects that MaineDOT is doing. Bill asked that the lists be sorted alphabetically by town and said he'd like to see both lists. Mike explained that the data is fluid so it will provide a ballpark figure and date. It was asked that these lists be provided as part of the agenda packet to give members a chance to review the lists prior to the meeting.
- 10. Adjourn.** The meeting adjourned at 10:00 a.m.

## **Agenda Item 4: Updates from Technical, Transit and Planning Committees**

Member Resource: Bob Burns, Greg Tansley and Ed Clifford

Staff Resource: PACTS and GPCOG Staff

Recommendation: Discussion only. Staff offers the following notes with the understanding that Bob, Greg and Ed will lead the discussion.

- Technical Committee's August meeting
  - Excellent meeting with great participation (26 people)... Gorrill-Palmer update on collector road study...and much talk of how to decide which collector segments to fund, and next steps.
  - The members voted to recommend that PACTS program the entire \$5 million budget for "Tier 1" paving rather than for Tiers 1, 2 and 3 as the Policy Committee voted last fall.
- Planning Committee's August meeting
  - Presentation by MaineDOT on their transportation-planning handbook.
  - Reached consensus on Committee work plan goals for the year.
  - Prepared further for the October joint meeting with the Transit Committee. They are discussing a regional approach to travel demand management (TDM) and transit oriented development (TOD). Staff is developing maps for with these members' ideas in mind:
    - How to integrate TOD land use at the Town level (Amanda Stearns, Tex Haeuser South Portland comprehensive planning)
    - What would transit lines look like? *Destination Tomorrow* and individual Towns' growth- where's it *really* happening (Donna Larson's question)
    - A regional understanding of what we're doing in land use and compatibility with transit. Portland focused on being the hub, TDM (Alex Jaegerman)
    - Education to communities, especially smaller ones as to better futures and growth patterns [with TDM/TOD] (Robert Kahn)
  - Carl Eppich has taken on the role of staffing the Planning Committee.
- Transit Committee's August workshop
  - Held another workshop on collaborating on automatic vehicle location (AVL) projects. They are trying to regionally integrate their separate AVL investments. This is a major challenge, the likes of which no other PACTS committees are attempting.

## **Agenda Item 5: Updates on Other Topics**

Staff Resource: John, Paul and Carl

Recommendation: Discussion only.

### Background

1. Mike Bobinsky will update us per our 8/29 meeting on opportunities for enhanced RTP/METRO collaboration.
2. Review of PACTS TIP projects quarterly status report...per Bob Burns's request at our August meeting.
3. John met on 8/21 at MaineDOT to help organize a September 22<sup>nd</sup> workshop of the Portland and South Portland Councils on the recommendations in the MaineDOT's draft I-295 corridor study.
4. John met on 8/22 at MaineDOT with John Melrose and Mark Eyerman regarding ways to use our Leveraging Increased Funding report. The group is working to put some of the tools in the report to work – and is talking about a proposal for a substantial increase in the authority of the PACTS process.
5. Paul met on 8/20 here with the PACTS/MaineDOT/FHWA working group to develop innovative and streamlined ways to develop and complete projects.
6. Bill Shane, Mike Bobinsky and John Duncan will meet with MaineDOT Commissioner Cole, his staff and the other MPO's on September 24<sup>th</sup> for a semi-annual check-in. John Bubier is unable to attend.
7. Federal funding topics:
  - The Bush Administration recently proposed a cut in planning funds for MPO's. John is monitoring this via the national Association of MPO's.
  - John has spoken with the staff of Senator Collins about a proposal by Senator Byrd, the Chairman of the Senate Appropriations Committee, to develop a second economic stimulus package. He can provide details when we meet.
  - The Bush Administration recently presented to Congress a position paper for the 2009 to 2014 federal transportation authorization that would set a minimum population for MPO's at 500,000. We are now at 188,000.
8. Our High Priority Projects work:
  - Our High Priority Projects Committee will meet next on October 2<sup>nd</sup>.

- Our telephone survey consultant will get us a draft report by August 29<sup>th</sup>. We received some preliminary results on 8/22. See Carl Eppich if you are interested.
  - MaineDOT is “fast tracking” the design and build of the Veterans Bridge – currently our HPP Committee’s top ranking candidate.
9. Neal Allen is considering options for GPCOG staffing after David Willauer’s departure.
  10. Paul Niehoff and Matti Gurney (GPCOG) are overseeing a pair of college interns doing an exhaustive inventory of the Portland peninsula’s sidewalks. MaineDOT and a foundation are funding the work.
  11. We are setting up a meeting with MaineDOT, FHWA and FTA to learn more about our future as a Transportation Management Areas – possibly late October.
  12. Paul and Carl will attend a conference for small metropolitan areas in Portland, Oregon later this month put on by the Transportation Research Board.
  13. John will attend and speak in Seattle next month at the annual MPO Executive Directors conference of the Association of Metropolitan Planning Organizations.
  14. PACTS outreach/visibility work:
    - Our next sandwich symposium will be on traffic calming on 9/19.
    - Later this month Carl will distribute the first in our new series of “PACTS Quarterly Newsletters” to our “interested parties” people.
    - John Duncan was heard recently on Maine Public Radio about MaineDOT’s ending of paving projects.

**Agenda Item 6: Update on preparations for setting the 2010/2011  
biennium capital priorities**

The following table lists the “budget” adopted in December 2007 by the Policy Committee for the purposes of guiding our priority setting work up until September 2008, and a current estimate of needs based on preliminary estimates.

**August 25th Worksheet for 2010/2011 MPO Allocation**

	"budget" <u>December 2007</u>	"proposed" <u>August 2008</u>
Collectors	\$5,000,000	\$5,000,000
Intersections	\$500,000	\$1,065,000
Widen Roads (new projects)	\$0	\$0
Rebuild Roads (new projects)	\$0	\$0
Biddeford Route 1 (A)	\$2,086,000	\$3,000,000
OOB Roundabout (B)	\$860,000	\$4,000,000
Reserve for A and B	\$1,000,000 *	\$0
Forest Avenue (deferred)	\$1,300,000	\$1,300,000
Transit (deferred projects)	\$538,000	\$538,000
Transit (new projects)	\$787,000	\$787,000
Bike/Ped (deferred projects)	\$329,000	\$329,000
Bike/Ped (new projects)	<u>\$385,000</u>	<u>\$595,000</u>
Totals	\$12,785,000	\$16,614,000
Anticipated Total 10/11 allocation		<u>\$14,545,368</u> \$2,068,632

\* Reserve account in case Preliminary Design Reports for these two projects come in higher than our 2006 estimates (plus contingency) for construction. This has been moved to the OOB project at the present.

In December 2007 MaineDOT indicated an estimated federal allocation of approximately \$10,000,000. However PACTS staff recommended using a \$9,000,000 federal amount for budgeting purposes during early 2008 which is the basis of the \$12,785,000 in the table. MaineDOT currently estimates a federal allocation at \$10,243,217 (federal) in September 2008 which produces the \$14,545,368 in the table (federal/state/local).

The August 2008 column in the table shows increases in the Intersections Set Aside and the latest MaineDOT estimates for the Old Orchard Beach and Biddeford “complex” projects. The Bike/Ped estimate has also been increased based on an EPS draft report for the proposed Old Orchard Beach sidewalk project. Note: These costs will be revised during the coming weeks as EPS and draft PDR’s reports are submitted.

The purpose of this information is to begin the discussion in respect to what PACTS can realistically expect to fund in the 2010/2011 MPO Allocation given the expected total allocation of \$14,545,368. Based on current preliminary estimates, the current expected unmet need is approximately \$2.1 million. The following bullet points must be considered as we move forward to selecting projects for the next work program:

**Biddeford Route one:** The current preliminary cost estimate from MaineDOT indicates an approximate increase in construction costs of nearly \$1,000,000.

**Old Orchard Beach Roundabout:** Right of way, environmental and construction issues have dramatically increased the cost estimate for this project.

**Forest Avenue:** In the table above the estimate of \$1.3 million for the Forest Avenue reconstruction project remains as is because the PACTS commitment is capped at that amount. Portland agreed to fund costs over that amount when the project was deferred. The cost estimate related to the draft PDR is expected to be well over \$2 million when it is submitted in September. We need Portland to confirm this month that they will provide the additional funds for this project. If Portland cannot do so, then we should consider dropping the project.

**Intersection Set Aside:** The current estimated funding for this set-aside is \$1,065,000 which is the total of the five candidates below:

1. Scarborough: Dunstan Corner: PE at \$345,000
2. Portland: Forest Ave/Newton: \$150,000
3. Scarborough: Payne/Mussey: PE at \$230,000
4. Old Orchard Beach: Saco Rd/E. Cummings: \$210,000
5. Westbrook: Cumberland Mills Triangle: \$130,000

It appears with a set aside figure of \$1,065,000 we could fund these projects for the PE phase in the 2010/2011 biennium as we did with the Biddeford and Old Orchard Beach projects referenced earlier. However in accordance with current PACTS policy we would then also commit to construction funding in excess of \$7 million (at current estimates) in the next biennium (2012/2013). This is an important issue to discuss and decide the best approach to proceed.

**Bike/Ped Set Aside:** The Old Orchard Beach draft EPS report has been submitted and we are waiting for the Falmouth report. The table above indicates the total current estimated need of \$595,000.

Another topic for discussion is should we increase the funding in the Bike/Ped and Transit set-asides based on the set-aside amounts of 3% and 7% respectively per the larger \$14,545,368 budget?

We most likely have additional information and cost estimates between the date of this memo and our meeting on September 2<sup>nd</sup>.

## **Agenda Item 7: Discuss draft agendas for Policy Committee meetings in September and October**

### Draft September 18<sup>th</sup> Agenda

*Invite members to arrive at 1:00 p.m. for an informal sharing of “war stories”.*

1. To get an update on our work to make 2010/2011 project priorities per Item 6 above.
2. Discussion of the Ron Owens, Nat Tupper, Rick Michaud and Kevin Donoghue suggestions to change our Set Aside Policy in order to dedicate more or all of our MPO Allocation to bigger regional projects. *This will be a discussion item only at this late point in the 2010/2011-biennium decision-making process. See “email dialogue” on the next two and a half pages.*
3. To hear a presentation on, and accept, our Regional Collector Road Assessment Study. (Note that Tom Gorrill cannot attend. Ralph Norwood will make the Gorrill-Palmer presentation.)
4. To hear a short report from Kat Fuller on MaineDOT’s I-295 Corridor Study. (City staffs, MaineDOT and John are organizing a workshop of the South Portland and Portland Councils on September 22<sup>nd</sup>.)
5. Consent Agenda Items:
  - Acceptance of the Eyerman/Melrose financing study.
  - Amend our bylaws to rename PACTS as the “Portland Area Comprehensive Transportation System”, and to enable the Planning and Technical Committees to designate delegates to serve on the Transit, Technical and Planning Committees.
  - Information items

### Draft October 16<sup>th</sup> Agenda

1. To adopt a final 2010/2011 projects list for submission to MaineDOT.
2. To take action based on “short list” projects recommendations from the High Priority Projects Committee (per their October 2<sup>nd</sup> meeting).
3. To get a report on the work of the Executive Committee after four months.

Recent John Duncan email dialogue on “regional emphasis at PACTS” with Kevin Donoghue, Ron Owens, Rick Michaud and Nat Tupper (in chronological order)

Hi,

I want to thank Kevin, Rick, Nat and Ron for responding to my email. See below. Here is my response:

1. I will share your emails with the Executive Committee at our September 2<sup>nd</sup> meeting. I note that the Executive Committee’s mission is to help me organize Policy Committee meetings rather than shape PACTS policy. That is why the members decided at their August meeting to add this topic – for discussion only – to the September 18<sup>th</sup> Policy Committee agenda.
2. I would like PACTS to give up on setting aside funding for the “simple” collector paving needs (in the 2012/2013 program rather than in the upcoming 2010/2011 program), and put that task back on the communities.
3. The list of new intersection projects that we will adopt in October will be a shorter list than we have had in recent years.
4. I think that Ron’s comment that a more regional strategy “would make it easier for us to rally beyond a few regional projects and change our focus from what can we get to how do we make the region’s transportation system function more effectively” is what many members are saying. That is great!
5. I suggest that a TIP Process Committee convene in 2009 to revamp our system. I note that Paul Niehoff and several Technical Committee members are meeting here with MDOT and three other MPO’s as I write to explore ways to simplify and control costs. This was Paul’s initiative. He’s doing a great job.
6. Kevin, our existing Set Aside policy sets asides funds to project categories rather than to communities.
7. Finally, we adopted Destination Tomorrow in 2006 based on work done in 2004 and 2005. In 2009 and 2010 we will update it. In our new world of higher gas prices we will tackle the land use and TDM topics that Kevin mentions with renewed vigor.

John Duncan

Email of John Duncan to Kevin, Nat, Ron and Rick on August 18<sup>th</sup>

I recently spoke with each of you and I think that I heard you all suggest that PACTS should program more of our MPO Allocation funds on a smaller number of larger *REGIONAL* projects rather than on the larger number of projects as we do now. This

came as a bit of a surprise to me from Nat and Rick who were key architects in the creation of our Set Asides policy, and particularly our Collector Roads Set Aside. I say “surprise” gently given that Nat and Rick are regional thinkers and leaders at PACTS.

I spoke with you all during the same two-week period and began to sense a trend. I shared this “trend” with the Executive Committee recently. The result was an Executive Committee decision to present your perspectives to the Policy Committee on September 18<sup>th</sup> for discussion – and *for discussion only* given that in October we are scheduled to make our final programming decisions for the 2010/2011 biennium per MaineDOT’s schedule.

Please let me know if I misunderstood you, or if you want to comment further.

I note that I also recently spoke with Dave Cole (Gorham), Mike Bobinsky and Joe Gray on this “trend”. Their initial reactions were to support the status quo.

#### Nat Tupper Response

I still like the set aside for collector paving as a significant component of the PACTS allocation. That helps us address maintenance and makes sure the funds get spread around to all the communities based on roadway conditions rather than traffic counts or political or economic clout or staff “grant writing” skills. I think some set aside for safety, pedestrian, and transit is necessary both from a practical and political standpoint.

But for the rest of the money, I think we should consider throwing in the towel on our current approach. It’s obvious that there simply is not enough money or predictability for PACTS funds to be a reasonable way for individual communities to solve intersection, capacity, rebuild, or other priorities....we might just as well focus the PACTS funds on those projects of the greatest regional significance. Unfortunately I don’t think those will be easy to define or choose, but we are only frustrating ourselves and delaying projects by trying to squeeze a lot of projects and priorities out of way too little money.

#### Ron Owens Response

Nat, as usual you have stated the case very well for refocusing PACTS away from this treadmill of chasing too many projects with too little funds and becoming very frustrated with the conflicts that it creates among communities and the PACTS members. I was ready to give up on setting aside funding for collector paving and putting that task back on the communities but you make a good point that a pot of maintenance monies would assist the communities overall to maintain roads and at least provide most communities with something tangible while most of the funds get allocated to a few truly regionally significant projects of high priority. I think the strategy would make it easier for us to rally beyond a few regional projects and change our focus from what can we get to how do we make the region’s transportation system function more effectively. Finally some set aside for pedestrians, bicycles and transit would be essential to help promote alternatives but also we need to recognize political reality.

### Rick Michaud Response

I agree with Nat in part. We need to review how funds are allocated with no constraints. If we were starting as if this was a new program I do not believe there would be much resemblance to what we do today. I am ready to “throw the towel in.”

### Kevin Donoghue Response

I confess my ignorance up front, but if "set aside" refers to every community being entitled (all carrot, no stick) to thin sliver of pie, then I'm not sure why we would even bother calling ourselves an MPO. If, however, one received a slice because of compliance with land use goals (perhaps to be better developed) from *Destination Tomorrow*, it'd be unimportant to me whether projects were small or large in scale or local or regional in significance. I believe this should be the case for all varieties of funding within each "set aside" category like bike-ped and transit and would submit, perhaps that we increase our shares allocated to alternative modes as well. I'll be well informed to listen to the perspective and experience of others in a meeting, but, generally speaking, I believe that where we target funds for regional transportation projects should be predicated in large part on municipal land use practice or, perhaps much more simply, adoption of an (as yet undeveloped) model ordinance for Travel Demand Management. I look forward to thinking about this more with open ears with an eye toward a future we are gaining ground despite diminished resources.

## **Agenda Item 8: Agenda for next Executive Committee meeting**

Here is a draft agenda for October 7<sup>th</sup>:

1. Final prep for the 2010/2011 projects list for Policy Committee action.
2. Briefing on the High Priority Projects Committee's October 2<sup>nd</sup> meeting and recommendations.
3. Monthly updates from and discussion between the Technical, Planning and Transit Committees.
4. Briefing on the actual expenses at PACTS for planning and administration during FY 2008, and a forecast for FY 2009 (July 2008 to June 2009).
5. Updates on the Portland Regional Chamber's Transportation Task Force, the Turnpike's study of Gorham East-West Corridor, the Turnpike's study of Portland area widening and MaineDOT's "Small Starts" rail/bus study.