

# PACTS

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## Portland Area Comprehensive Transportation System

### **PACTS Executive Committee Meeting Notice**

October 7, 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 September 2<sup>nd</sup> meeting
4. Develop recommendations to the Policy Committee for the 2010/2011 biennium capital priorities
5. Review October 2<sup>nd</sup> High Priority Projects Committee recommendations (9:00)
6. Prepare agenda for Policy Committee October 16<sup>th</sup> meeting. (9:15)
7. Approve MaineDOT/NNEPRA request for TIP amendment (9:25)
8. Committee updates from Bob Burns, Greg Tansley and Ed Clifford (9:30)
9. Updates on other topics (9:45)
10. Adopt agenda for next Executive Committee meeting. (9:55)
11. Reschedule the November 4<sup>th</sup> meeting to another date (9:58)
12. Adjourn at 10:00 a.m.

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## Minutes of September 2<sup>nd</sup> Meeting

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

1. **Call to Order.** Bill Shane opened the meeting at 8:00 a.m.
2. **Public Comment.** None
3. **Approval of Minutes of August 5th meeting.** The minutes were approved by consensus.
4. **Committee Updates from Greg Tansley, Bob Burns and Ed Clifford.** Greg Tansley reported that at the last meeting of the Planning Committee, MaineDOT led a discussion about the new STPA handbook. The Committee is doing some goal setting and a large focus is on tying land use with transit. In October, a joint meeting of the Planning and Transit Committees is scheduled.

Ed Clifford reported that the Transit Committee did not meet in August but instead had a meeting of the transit providers about AVL. METRO had a concern regarding security as it relates to AVL, since they do not have 24/7 coverage and they were not comfortable with giving the public the ability to see where their buses are traveling at all times.

On Friday, Mike Bobinsky had a meeting with Neal Allen, Michael Goldman (incoming Chair of RTP), Jim Violette (Chair of METRO Board), and Dave Redlefsen (METRO General Manager). They talked about improved coordination of METRO and RTP.

The Chair of RTP will take the discussion back to his Board. They need to look into how it would affect grants, etc. We offered to assist on the legal leg but RTP and METRO asked that PACTS and COG hold off on the legal end. Bill suggested that it might be able to work like the PACTS/GPCOG relationship where GPCOG provides administrative services to PACTS. There are models that exist where one bus system runs both types of services (public and paratransit). Mike explained that he had a conversation with Jim Violette and Marsha Martino before the PACTS letter was sent to them just so they could know it was coming. The legal issue would be the next step if they are interested in moving forward. Bill suggested that perhaps we should just plant the seed but not go too far on the legal end until the Boards are comfortable with the idea.

At the Technical Committee meeting, the collector road study was reviewed. A key problem with the report was that there were a lot of ties in the scoring or ranking. The consultant went back and refined the numbers and reduced the number of ties. The driver for the rankings is PCR and FWD (falling weight deflectometer base – the structural integrity of the road. If the road is a transit route that was also taken into consideration. The consultant got the FWD information from MaineDOT and verified it. Bob is hopeful that the scoring system can be refined more. Next steps: the Technical Committee needs to make a decision at their meeting next week about tier paving and make a recommendation to the Policy Committee for review at their October meeting. Asphalt prices will obviously play a part regarding overlay.

Bill asked if there was any flexibility in allowing a town to pay a larger share so that the money could be stretched further. John responded that PACTS has the authority to program federally funded programs with as little as 50% federal share; the best that could be done is a 50/50 situation. Paul N. added that we also need to pay attention to the Tier 3 roads. Bob noted that a town cannot pave an MaineDOT road unless they use MaineDOT specifications. A subcommittee is working with MaineDOT to talk about design standards.

Bob informed the committee that SEM Materials has filed for bankruptcy and they will not be available for asphalt; they supplied Dayton Sand & Gravel and others. It costs \$1.5 million per mile for MaineDOT to do paving. For a town to do it, it would be \$680,000-\$700,000 a mile, but that is not to MaineDOT standards. Mike L. noted that MaineDOT uses a target life of 10 years. John reported that the end of October is the MaineDOT deadline for paving projects that we are working with. These will get into the MaineDOT work plan five months from now but they won't be done for a long time. Can we tell the Department that we are going to spend the federal funds but then in January or February come up with a list with our match ratios – that would give us a few months to do some work. Mike L. said that he will find out. Paul was concerned that if we have an in-depth discussion about funding it will take a long time and could affect the list. Perhaps two lists could be developed: a 50/50 match versus a 70/30 or 80/20 match. Mike B. suggested presenting the Technical Committee's recommendations along with the 50/50 recommendation. Bill S. was concerned that the Policy Committee will have concerns about Tier 2 and Tier 3 roads. However, the money is not there to do the work that needs to be done on the Tier 2 and Tier 3 roads. Mike L. pointed out that Tier 1 and Tier 2 are keeping in the spirit of what the Policy Committee recommended. Bill asked if we could limit the scope to just paving on federally funded projects. Mike L. was not sure.

5. **Updates on other topics.** Mike L. provided a status report on projects (hard copy) to the committee. He provides this information to municipalities as a courtesy. He would prefer to keep the distribution rather tight because there are cost estimates on the list and that is privileged information (estimates are confidential by State law). The Committee recommended that the cost estimates be removed before distributing the list. Bill asked how you know how far along a project is when it hits the construction process (10%, 20%, etc.). Mike L. responded that "construction complete" will show up on the list when the project is completed. However, it takes a year or two to officially close a project after the construction is complete. If you have questions on a particular project, call Bob Huff or contact Paul Niehoff and he'll find out for you. Include this as an attachment with the next Policy Committee packet as an information piece.
6. **Update on preparations for setting the 2010/2011 biennium capital priorities.** MaineDOT is doing a draft PDR on the roundabout in OOB. Biddeford and OOB are both works in progress. The projects to go under the various categories will be ready in October. Three intersection projects are asking for PE money only. If we fund PE in the 2010/2011 biennium, we commit to funding construction in the next biennium. These will amount to \$15 million in construction and we will not have that kind of money to fund the projects. Mike L. added that construction has to be underway within 10 years or the feds will come after MaineDOT for the money and they will try to exact what they can from whoever they can. Mike distributed a handout from the draft MPO Guide on the planning process.

There was discussion about the OOB roundabout project. A study was done which determined that a roundabout was the way to go. However, there are significant right-of-way impacts. There was a meeting in OOB recently and the people were concerned about speeding. They decided they should take a look at the whole corridor to see if other things could be done to correct the problems. Paul and John D. will be meeting with OOB officials about all of these issues.

7. **Draft agendas for Policy Committee meetings in September and October.** Bill would prefer to not have the item about the set-aside policy on the agenda for September because it will take up too much time and more important decisions needs to be made. Mike B. mentioned that the TIP process committee could discuss the issues that are being raised by Nat, Ron, Mike and Kevin. The primary purpose of the TIP Committee will be to look at new set-aside policies. Jim Gailey has said that he would be interested in serving on the Committee. Bill also suggested getting some new

members on the Committee such as Nathan, Steve Gunty, John Bubier, Greg T. or another Tech Com rep, Dan Jellis, and perhaps Mike Bobinsky, and Shawn Smith as the MaineDOT rep.

- Regional Collector Road Assessment Study. Tom Gorrill cannot be at the September meeting so that presentation will be moved to the October meeting. Bob Burns can provide a brief update to the Policy Committee of what the report is about. The report will be updated every two years and there are some things that we would like to add to the report.
- HPP survey. The preliminary results from the HPP survey indicate that I-295 safety was the #1 issue in the eyes of those surveyed.
- Position Paper on I-295 Corridor Study. This will be the second item on the Policy Committee's September agenda.
- RTP/METRO update. Third item on Policy Committee agenda.

Consent agenda:

- Add a "state-of-the-state" on asphalt prices. The Committee should be presented with Bob Burns asphalt information along with MaineDOT's graph on asphalt prices.
- The Bush Administration is proposing that MPOs have a minimum population of 500,000. If this happened, Maine would not have an MPO.
- TIP Committee – include correspondence among Ron, Nat, Kevin and Mike.
- Status report – include Mike's information on TIP projects.

**8. Draft agenda for next Executive Committee meeting.** John D. will send out a draft Executive Committee agenda to committee members.

**9. Adjourn.** The meeting adjourned at 10:05.

#### **Agenda Item 4: Develop recommendations to the Policy Committee for the 2010/2011 biennium capital priorities**

Staff recommends the following:

1. Collector paving at \$5,000,000. The Technical Committee will finalize projects list for Policy Committee action two days before the Policy Committee meeting.
2. Bike/Ped projects based on the deferred \$329,000 and the \$436,000 new set aside amount – as endorsed by the Planning Committee on October 2<sup>nd</sup>.
3. Transit projects based on the deferred \$538,000 and the \$840,000 new set aside amount – as endorsed by the Transit Committee months ago.
4. Intersection projects at \$600,000. Paul will report on the specifics on Tuesday.
5. See the projects worksheet on the next page for several options regarding the Old Orchard Beach, Biddeford and Forest Avenue projects.
6. Please review the match ratios worksheet which we will explain on Tuesday. This shows more money available than on the projects worksheet. This is a moving target that we will finalize after final Policy Committee action.

**Projects Worksheet for October 7th Executive Committee Meeting**

	<u>Option 1 at Sept Policy Mtg.</u>	<u>Current Estimates</u>	<u>Option 2 on Oct 7th</u>
Collectors	\$5,000,000 Cap		\$5,000,000 Cap
Intersections	\$600,000 Cap		\$600,000 Cap
Biddeford Route 1	\$2,750,000 Cap	\$3,400,000	\$3,400,000 Cap (2)
OOB Roundabout	\$2,750,000 Cap (1)	\$4,000,000	\$1,290,000 Cap (3)
Forest Ave. (NHS)	\$1,300,000 Cap	\$2,600,000	\$2,110,000 Cap (4)
Transit (deferred)	\$538,000 Cap		\$538,000 Cap
Transit (new)	\$840,000 7% set aside		\$840,000 7% set aside
Bike/Ped (deferred)	\$329,000 Cap		\$329,000 Cap
Bike/Ped (new)	<u>\$436,000</u> 3% set aside		<u>\$436,000</u> 3% set aside
<b>Total</b>	<b>\$14,543,000</b>		<b>\$14,543,000</b>

Notes

1. This \$2,750,000 could be programmed over two PACTS biennia (perhaps \$1,500,000 for PE and ROW in 2010/2011 and the balance in 2012/2013). If we did that then there would be more money to program in this biennium (2010/2011), such as for the Biddeford and Forest Avenue projects.
2. Fund at the current PDR amount based on the logic that the 2006 scope has not changed, and the cost estimate is relatively close to our 2006 EPS estimate.
3. The cost for this project has "substantively increased" (see policy below). As such, PACTS does not have to fund the project any further. However, this option is to fund it at the 2006 EPS estimate of \$860,000 plus a 50% inflation adjustment based on recent and future inflation.
4. \$2,110,000 is the original \$1,300,000 plus balance available based on \$1,290,000 for OOB roundabout. As a National Highway System roadway Forest Avenue is a regional/state priority route, and MaineDOT is encouraging us to program more NHS funding (even more than the \$2,110,000).

Transit (deferred)	CBITD ferry: \$300,000 S. Portland bus garage (1): \$238,000	<u>PACTS Policy on Complex Projects:</u> A decision to fund PCE constitutes a commitment also to fund the project for construction in the following biennium provided that: (1) PCE does not require a substantive change in the project, (2) PCE does not discover issues that either substantively increase the cost of the project or necessitates its deferral to a subsequent biennium, or (3) the project is technically infeasible or engenders strong public resistance.
Transit (new)	Regional bus signs and shelters: \$270,000 S. Portland transit hub: \$114,000 S. Portland bus garage (2): \$238,000 RTP three vehicles: \$165,000	
Bike/Ped (deferred)	Biddeford Main Street sidewalk: \$141,000 OOB Saco Avenue sidewalk 1: \$188,000	
Bike/Ped (new)	OOB Saco Avenue sidewalk 2: \$234,000 Falmouth Foreside sidewalk: \$81,000 Portland Transpo center: \$121,750	

*Note: Almost all of the bike/ped projects will require additional local funding beyond the amounts shown.*

**Match Ratios Worksheet for October 7th Executive Committee Meeting**

Assumptions

1. Use all the federal and state monies available.
2. Keep the percentages as whole numbers.
3. Stick with the 2008/2009 biennium match ratios used for the Forest Avenue, and Biddeford Route 1 and OOB roundabout (as requested by MaineDOT).

Federal and state funds available: \$10,243,217 \$1,280,402

**Option 1 in Exec Committee packet for October 7th**

	<u>Match Ratio</u>	<u>Total Cost</u>	<u>Federal</u>	<u>State</u>	<u>Local</u>
Forest Avenue (NHS)	80-10-10	<b>\$1,300,000</b>	\$1,040,000	\$130,000	\$130,000
Bike/Ped at 3% of federal funds	65-10-25	\$472,764	<b>\$307,297</b>	\$47,276	\$118,191
Bike/Ped deferred projects	65-10-25	<b>\$329,000</b>	\$213,850	\$32,900	\$82,250
Transit at 7% of federal funds	80-0-20	\$896,281	<b>\$717,025</b>	\$0	\$179,256
Transit deferred projects	80-0-20	<b>\$538,000</b>	\$430,400	\$0	\$107,600
Collector paving	65-10-25	<b>\$5,000,000</b>	\$3,250,000	\$500,000	\$1,250,000
Biddeford Route 1	70-5-25	<b>\$2,750,000</b>	\$1,925,000	\$137,500	\$687,500
OOB Roundabout	70-5-25	<b>\$2,750,000</b>	\$1,925,000	\$137,500	\$687,500
Intersections	65-10-25	<b>\$600,000</b>	<u>\$390,000</u>	<u>\$60,000</u>	<u>\$150,000</u>
Grand Totals		\$14,636,045	\$10,198,572	\$1,045,176	\$3,392,297
Remaining balances:			\$44,645	\$235,226	

**Option 2 in Exec Committee packet for October 7th**

	<u>Match Ratio</u>	<u>Total Cost</u>	<u>Federal</u>	<u>State</u>	<u>Local</u>
Forest Avenue (NHS)	80-10-10	<b>\$2,110,000</b>	\$1,688,000	\$211,000	\$211,000
Bike/Ped at 3% of federal funds	65-10-25	\$472,764	<b>\$307,297</b>	\$47,276	\$118,191
Bike/Ped deferred projects	65-10-25	<b>\$329,000</b>	\$213,850	\$32,900	\$82,250
Transit at 7% of federal funds	80-0-20	\$896,281	<b>\$717,025</b>	\$0	\$179,256
Transit deferred projects	80-0-20	<b>\$538,000</b>	\$430,400	\$0	\$107,600
Collector paving	65-10-25	<b>\$5,000,000</b>	\$3,250,000	\$500,000	\$1,250,000
Biddeford Route 1	70-5-25	<b>\$3,400,000</b>	\$2,380,000	\$170,000	\$850,000
OOB Roundabout	70-5-25	<b>\$1,290,000</b>	\$903,000	\$64,500	\$322,500
Intersections	65-10-25	<b>\$600,000</b>	<u>\$390,000</u>	<u>\$60,000</u>	<u>\$150,000</u>
Grand Totals		\$14,636,045	\$10,279,572	\$1,085,676	\$3,270,797
Remaining balances:			-\$36,355	\$194,726	

Numbers in bold are the independent variables in each row.

This overprogramming of FHWA funding would be unacceptable.

## **Agenda Item 5: October 2<sup>nd</sup> HPP Committee Recommendations**

The HPP Committee recommends the following process for completing a list of project priorities:

1. The Policy Committee adopts on October 16<sup>th</sup> a short list of proposals, and directs staff to seek input from our 15 city/town councils, 7 transit boards and the Portland Regional Chamber of Commerce.
2. Staff presents the list to councils, transit boards and the chamber.
3. The Policy Committee adopts a final list for submission to the Congressional Delegation next spring.

The HPP Committee recommends the following list of proposals. Note that the Committee's list is not in priority order.

- Purchase the transit vehicles per the Transit Committee proposal at \$22,500,000 plus an inflation factor to be developed.
- Make capital investments for "Portland North" passenger rail to Brunswick at \$70,000,000 (a rough MaineDOT estimate).
- The Veterans Bridge rehabilitation/reconstruction project if MaineDOT is unable to fund it fully.

The HPP Committee's recommends that PACTS not propose to the Congressional Delegation that HPP funds be sought to make I-295 corridor safety and mobility improvements in Portland (\$20,000,000).

## **Agenda Item 6: Draft agenda for Policy Committee's October meeting**

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

1. Call to order
2. Adopt September meeting minutes
3. Public Comment – Budget 15 minutes for public comment regarding the High Priority Projects Committee recommendations, and other items of public interest.
4. Review and take action on a "short list" of recommendations from the High Priority Projects Committee per their October 2<sup>nd</sup> meeting.
5. Review and take action on Executive Committee recommendations for a final set of 2010/2011 biennium PACTS projects
6. Hear a presentation on our Regional Collector Road Assessment Study.
7. Consent Agenda – Only information items

## **Agenda Item 7: Approve MaineDOT/NNEPRA request for TIP amendment**

The Executive Committee has the authority to approve this. Staff recommends approval.

Marina Douglass, the NNEPRA Manager of Budget and Administration, submitted this to us:

NNEPRA is respectfully requesting a change to our fiscal year 2009 budget to include two capital line items. *The requested total subsidy will not change.* We are only requesting that the requested CMAQ funds for operating include two capital purchase line items.

We are requesting funds to provide two new Quik-Trak ticketing machines in the amount of \$35,000.00 to install in locations that currently do not have any ticketing options. We are also requesting funds for a pick up truck with sander to use at the layover facility for plowing and sanding the yard for safety and efficiency in the amount of \$15,000.00.

NNEPRA will also require a change to the CMAQ grant to include reimbursement for both operating and capital.

Thank you for your immediate attention to this matter.

## **Agenda Item 8: 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 September meeting
  - Continued work on the 2010/2011 collector road projects list
- Planning Committee's October 2<sup>nd</sup> meeting
  - Presentation on Portland's new bicycle ordinance
  - Preparation for October 9<sup>th</sup> joint session with the Transit Committee
  - Discussion of a Tex Haeuser TIF legislation proposal
  - Action on 2010/2011 bike/ped projects funding
- Transit Committee's September meeting
  - Continued work on specific projects to implement our Regional Transit Study
  - Much exchange of information on many topics of interest to all at the meeting
  - Discussion of status of current UPWP planning tasks

## **Agenda Item 9: Updates on Other Topics**

Staff Resource: John, Paul and Carl

Recommendation: Discussion only.

### Background

1. GPCOG and PACTS staff will meet at 10:00 today with transit operators to discuss the process for developing and executing the FTA-funded transportation planning done under the PACTS process.
2. Paul met again in September with the PACTS/MaineDOT/FHWA working group to develop innovative and streamlined ways to develop and complete projects.
3. MaineDOT is drafting a letter to us regarding next steps with some of the financing mechanisms in our Leveraging Increased Funding report.
4. John Duncan and Mike Bobinsky met recently with MaineDOT Commissioner Cole, his staff and the other MPO's for a semi-annual check-in.
5. Federal funding topics:
  - The Bush Administration recently proposed a cut in planning funds for MPO's. John continues to monitor this threat to our planning budget.
  - John is monitoring the possibility of a second economic stimulus package.
6. November 4<sup>th</sup> meeting here with MaineDOT, FHWA and FTA to learn more about our future as a Transportation Management Areas.
7. The next meeting regarding discussion of RTP/METRO collaboration will be in December.
8. PACTS outreach/visibility work:
  - We held a successful sandwich symposium will be on traffic calming last month. Our next one will be in November on "complete streets".
  - Press release this week regarding our High Priority Projects survey.
  - Carl will soon distribute the first in our new series of "PACTS Quarterly Newsletters" to our "interested parties" people.
  - The MBTA magazine, Maine Trails, will soon feature a story on PACTS.

## **Agenda Item 10: Agenda for next Executive Committee meeting**

1. Monthly updates from and discussion between the Tech, Planning and Transit Committees.
2. A discussion of how the members feel the Executive Committee process is going.
3. 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).
4. Discuss the process for developing the FY 2010/2011 UPWP between Jan. and May.