

# PACTS

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Portland Area Comprehensive Transportation Committee

## **PACTS Executive Committee Meeting Notice**

August 5, 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 July 1<sup>st</sup> meeting
4. Committee updates from Greg Tansley, Bob Burns and Ed Clifford
5. Updates on actions taken at the last meeting (8:45)
6. Updates on other topics (9:00)
7. Endorse TIP amendment proposal (9:40)
8. Discuss draft agendas for Policy Committee meetings in September and October. (9:45)
9. Agree on draft agenda for next Executive Committee meeting. (9:50)
10. Adjourn at 10:00 a.m.

*Next Meeting: September 2<sup>nd</sup> at 8:00 a.m.*

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## Minutes of July 1<sup>st</sup> Meeting

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

1. **Call to Order.** Bill Shane called the meeting to order at 8:04 and introductions were made.
2. **Overview of Committee Purpose.** John Duncan explained that this group came about as the result of the two PACTS retreats. The primary purpose of the Executive Committee is to coordinate the work of the four PACTS committees and to take care of certain details to allow the Policy Committee to deal with larger issues. The Executive Committee will have little authority; Executive Committee members cannot send substitutes in their place.
3. **Updates from Technical, Transit and Planning Committees.** Ed Clifford reported that the Transit Committee recently held a joint meeting with the Planning Committee. The Transit Committee is continuing to implement the recommendations of the Transit Coordination Study. A signs and shelters project is currently being worked on. Staff is working on a proposal for Automatic Vehicle Location (AVL) systems for the transit providers. They are looking at developing one system that would work for all of the transit providers. This will allow customers to locate where the buses are and if they are on time, etc. It would be real time. Mobile data terminals would be the next step, and electronic fare collection systems might also be explored. John Bubier added that NNEPRA is also trying to have a real time display for the Downeaster. He further reported that a line between Portland and Brunswick is in the plans for the Downeaster.

Bob Burns reported that the Technical Committee is working on a collector road inventory with Gorrill Palmer. Most towns don't know how their roads are constructed and they don't have up-to-date information on their roads. The money for maintenance of these roads is just not available. He felt that the Technical Committee needs to be more proactive in their meetings rather than being reactive.

Greg Tansley reported that the Planning Committee has been pretty quiet. Their last meeting was the joint meeting with the Transit Committee. They are scheduled to meet next in August to brainstorm their goals for the year. He would like to see deliverables such as sample parking ordinances, etc. A *Destination Tomorrow* update will be due in 2010 and that will keep the Planning Committee busy. Greg recently met with the Transit Committee and talked with them about the relationship between transit and land use planning and presented a Mixed Use Special Transit District Ordinance.

Bill asked if the Planning Committee has looked at zoning ordinances in the various communities to see if they are in conflict, and suggested that this might be something for the Planning Committee to consider exploring. Bill also noted that GIS aerials have not been updated recently; this is another area that should be explored. Bob mentioned that some aerials were recently flown through the stormwater project; also Maine GIS is a good resource. John Bubier also mentioned turning movement rules or ordinances, as another area to explore.

Mike mentioned the Melrose/Eyerman study and asked if the Planning Committee would be taking the next steps to implement the recommendations. Greg responded that it is a big

issue and it is a regional issue. Local implementation is not so easy. Mike noted that the workshop will be a springboard for further communication. There are 17 people signed up for that event. Bill said he was disappointed that the study wasn't at a higher level. We are already doing a lot of the things that were identified; we need to see the next level. Bill also felt that lobbying for funds is something that needs to be done, but the feds won't allow PACTS to do that with federal dollars. John B. mentioned that perhaps local dues funds through GPCOG might be able to be utilized for some type of lobbying. Perhaps a partnership with GPCOG might be something to explore because COG has the ability to borrow. John D. suggested a meeting with the MPO's and the Commissioner. Bill agreed that a meeting with the Commissioner is important but we need to be more aggressive about the funding issue. Without additional funding, we will "be stuck marching in place." John B. mentioned a letter he recently received from MMA seeking municipal appointments to the Governor's Municipal Advisory Board. Having municipal appointees on the Board could prove helpful.

4. **Act on proposal to send an RTP/METRO merger letter.** Mike brought the Committee up to date on this item. The GPCOG Executive Committee has sent a letter to the RTP/METRO boards regarding the possibility of merging the two agencies. Bill and Mike have drafted a letter to also send to the two boards. Mike recommended that the Committee endorse the letter. It was suggested that the draft letter be e-mailed to the Transit Committee for their input and that the letter be sent out to RTP/METRO before the end of the week. Mike did mention that he spoke with the Chair of the RTP Board and she said that one obstacle would be the union pay, which is different between the two agencies.
5. **Endorse Planning Committee's short list of bike/ped 2010/2011 candidates for further scoping this summer.** Paul has been working with Dan Stewart on the proposed study of bicycle access to Tukey's Bridge. The question of capital money being used for this study has been raised. Long-term solutions could be determined through this study. The proposed Bayside Trail connection is essentially a sidewalk from the ramp under 295 to the trail. There is a possibility that MaineDOT might fund the Exit 7 trail connection work as part of the ramp widening project. The next project in line is a Falmouth project (\$65,000) which would probably need enhanced project scoping. Greg didn't like the idea of using capital funds to fund a study. He suggested that the Committee endorse the OOB project and hold off on the other two until we have more information; it could go back to the Planning Committee in August. Bill recommended that Paul be given some flexibility as to the Bayside Trail project and the possibility of it being funded by being rolled into the ramp project. If the Bayside Trail project can be funded by MaineDOT, then we could add the Falmouth project to the list for EPS. The Executive Committee supported the OOB project.
6. **Amend our planning budget to increase funding for enhanced project scoping.** *John Bubier made a motion to recommend support by the Policy Committee (via e-mail vote) to increase funding for consultant Enhanced Project Scoping from \$10,000 to \$20,000 and that the new \$10,000 be taken from the UPWP Task 1 (staff coordination and administration) which is under budget. Mike Bobinsky seconded the motion and all were in favor.* Bob Burns requested that the Committee see the entire list of projects when reviewing items such as this rather than just the final recommendations.
7. **Act on draft priority list for candidates for MaineDOT's Challenge Fund.** The Technical Committee will have further discussion about this at their next meeting. John reviewed the criteria for projects to be eligible for funding. After some discussion, the Committee agreed to submit the list along with a narrative for each of the projects. *John*

*Bubier made a motion to submit the list of projects as candidates for Challenge Fund dollars. The motion was seconded by Mike Bobinsky and all were in favor.*

8. **Act on request for transit TIP amendment.** *Mike Bobinsky moved approval of the recommendation to endorse the Transit Committee's recommendation to amend the 2008-2010 TIP to include the following FY 2008 JARC projects:*

<i>METRO - \$60,000</i>	<i>Falmouth Flyer operating assistance</i>
<i>METRO - \$50,000</i>	<i>Proposed Lakes Region Transit Service operating assistance</i>
<i>YCCAC - \$140,031</i>	<i>WAVE service operating assistance.</i>

*Bob Burns seconded the motion and it passed.*

9. **Act on request to cash in some of John Duncan's vacation time.** Mike Bobinsky, John Bubier and Bill Shane will meet with GPCOG about this issue. *Ed Clifford made a motion to accept the recommendation to approve reimbursing John Duncan for 2 ½ weeks of vacation time, so that he does not lose it. The motion was seconded by John Bubier and all were in favor.*
10. **Discuss agenda and date for next Policy Committee meeting.** A September meeting date was suggested; a proposed agenda was included in the meeting packet. John Bubier spoke to the group about road construction costs and how the City of Biddeford had recently used a concrete injection process and asked if this was an idea that we should look into and bring to the Technical Committee. Bob Burns said that the subject could be brought up by the Chair of the Technical Committee and perhaps also be addressed by the MaineDOT rep. It would be a great idea to share success stories about locally administered projects. John B. mentioned that MaineDOT was very helpful with their advice even though it was a locally administered project. Bill thought it would be a good idea for the Managers to hear about these types of treatments. Paul spoke about putting a working group together to talk about state and federal standards and innovative ways to partner on projects. Discussions have started in this regard.
11. **Agree on draft agenda for next Executive Committee meeting.** Bill asked that committee members make comments on the agenda and reply to all to give John D. some feedback on the agenda.
12. **Set up a monthly Executive Committee meeting schedule.** The Committee agreed to meet on the first Tuesday of the month from 8:00-10:00 a.m. A quorum is required. The idea of doing a conference call-in was suggested since Committee members cannot send alternates in their place.
13. **Adjourn.** The meeting adjourned at 10:00 a.m.

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

Member Resource: Greg Tansley, Bob Burns and Ed Clifford

Staff Resource: PACTS and GPCOG Staff

Recommendation: Discussion only

Here are some notes from staff.

### Planning Committee Agenda for August 7<sup>th</sup>

- MaineDOT to present their new handbook on local and inter-community transportation planning...and incentives for good plans.
- Topics for the year ahead for the Committee.
- The Center for Clean Air Policy (Washington, D.C.) is doing a “smart growth” study of the Scarborough to Bath to Auburn area.
- GPCOG and PACTS had brainstorm session on land use and transportation coordination.

### Technical Committee

- Paul has initiated a Technical Committee working group to review and develop innovate and streamlined ways to develop and complete projects, including new partnerships...and maybe lobby for revising federal guidelines and/or standards. MaineDOT and the other MPO's are also interested, and have joined in the discussion.
- Draft report due for Regional Collector Road Study
- Working on methodology to select collector paving projects to fund this fall.
- Ron Owens, Nat Tupper and Rick Michaud (at John's three recent meetings) each suggested dropping or radically changing our Collector Paving Set Aside in order to dedicate more or all of our MPO Allocation to bigger regional projects. (In contrast, Dave Cole disagreed when John mentioned it to him.)  
*Is this a “trend” that deserves discussion today? If yes, do we want to begin a policy discussion of allocating our FHWA and FTA dollars toward big regional projects?*

### Transit Committee

- Too few Lakes Region municipalities committed funds to operate the proposed bus service.
- Automatic transit vehicle location systems (PACTS funded) – evolving into less regional an approach than envisioned earlier.
- Other work to implement Regional Transit Coordination Study.

## **Agenda Item 5: Updates on actions taken at the last meeting**

Staff Resource: John and Paul

Member Resource: Mike Bobinsky

Recommendation: Accept reports.

### Background

1. RTP/METRO merger concept – Mike Bobinsky and John Duncan will report.
2. MaineDOT's Challenge Fund – We got \$250,000 for Portland's Riverside/Warren intersection. Great work by Paul Niehoff! (He submitted several applications.)
3. Enhanced project scoping of intersection and bike/ped proposals for 2010/2011 funding – We have hired Sebago Technics. Paul is the key staff on this.
4. Review of PACTS Director's connection to GPCOG personnel policies – John has not looked into this yet, but will soon.

## **Agenda Item 6: Updates on other topics**

Staff Resource: John, Paul and Carl

Recommendation: Discussion only.

### Background

1. We regret to report that David Willauer is leaving GPCOG after 15 years, and is moving on to a career in emergency management planning with a national consulting firm in North Carolina. He has been an ever positive force for good planning for us all. During his years here he developed a very wide range of skills that he applied productively and innovatively for the municipalities and transit systems throughout Greater Portland and Cumberland County, and, in a number of cases, for statewide topics and programs. We will all miss him big time.
2. John has begun his visits to Policy Committee members in order to listen to members' interests. He has met with seven so far, and will meet with seven more in the next two weeks.
3. Twenty-eight (28) people attended the July 17<sup>th</sup> workshop on the Melrose/Eyerman report. John is going to meet in Augusta with MaineDOT, Melrose and Eyerman on August 22<sup>nd</sup>. It is great that MaineDOT staff want to contribute to putting some of the ideas in the report to work.

4. We are setting up a staff meeting with MaineDOT and FHWA – and with FHWA folks from Washington, D.C. – to learn more about Transportation Management Areas. In the meantime, Carl Eppich and GPCOG staff are doing a detailed population forecast that will help us to foresee if we will cross the 200,000 population threshold.
5. Status of our High Priority Projects work:
  - Our regional telephone survey began on July 25<sup>th</sup>. Carl has worked closely with our consultant on this \$20,000 effort. The survey process is going very well. We are looking forward to the draft report late this month.
  - MaineDOT is “fast tracking” the design and build of the Veterans Bridge – currently our top ranking HPP candidate.
  - John Duncan signed a letter of support for the Campaign for Active Transportation – the Portland-Trails-led \$50,000,000 vision for Portland, Westbrook, South Portland and Falmouth. Portland Trails has submitted it to the national Rails to Trails Conservancy, as have other groups from 39 metro areas around the country.
  - John and Carl visited the Buxton Selectmen on July 30<sup>th</sup> in response to their letter to us. It went well. Buxton residents put up with a lot of congestion on Route 22 almost every day.
6. PACTS outreach/visibility work:
  - Paul organized and led a successful “Sandwich Symposium” on July 25<sup>th</sup> on bicycling topics. Sixteen (16) people plus staff attended.
  - We intend to hold more “sandwich symposia”. Do you have any topics to suggest?
  - We have sent out seven news releases sent in last two months.
  - We are going to start distributing by email a PACTS “quarterly newsletter” to our 100+ “interested parties” people.
7. Paul will report on the skyrocketing cost of liquid asphalt and its implications.
8. For 15 years we have been the Portland Area Comprehensive Transportation Committee (PACTS). Before that the “S” stood for Study. I suggest that we change to the “Portland Area Comprehensive Transportation **System**” so that the “S” means something. This change would require a bylaw action by the Policy Committee. We work with the MaineDOT’s “Bureau of Transportation **Systems** Planning”. Also, the “S” in BACTS in Bangor is for “**system**”.

9. Let's discuss the idea of having the Policy Committee meet in the future at 3:30 or 4:00 p.m. The benefits would be that members could end their work days (rather than return to their offices), and enabling elected officials to participate more. EcoMaine meets at this time.

This could create problems for people who have to prepare for subsequent night meetings, and travel (MaineDOT for instance) to distant night meetings?

10. MaineDOT staff has proposed the following language for the upcoming "Maine Manual on MPO's" that the MPO's and MaineDOT have been drafting for more than a year. This might create a problem for us during the next twelve months. Starting in July 2009, we might want to fund "lobbying" work by PACTS with our State planning match funds. John will give some background.

#### ❑ **Restrictions on lobbying activities**

Federal law prohibits individuals and organizations from spending federal money to attempt to convince Congress or federal agencies to award contracts or grants. The ban applies to all recipients of federal money, including MPOs and their contracted consultants. The law covers "making, with the intent to influence, any communication to or appearance before an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress" in connection with any of the following: [1][1]

- **Federal grants**, defined as either awards of financial assistance from federal agencies or direct appropriations made by law, including congressional earmarks;
- Federal loans;
- Federal contracts; and
- Cooperative agreements with federal agencies.

Specifically, MPOs cannot use their federal funds to support efforts to convince members of Maine's congressional delegation to earmark additional federal-aid funds for their regions beyond the standard MPO allocations. This restriction prevents an MPO from using its allocated federal funds to assemble lists of so-called "high-priority projects" for the consideration of any of Maine's U.S. senators and representatives or their staffs.

## **Agenda Item 7: Endorse TIP amendment proposal**

Staff Resource: Paul Niehoff

Recommendation: Endorse proposal to transfer all of the Pickett Street paving project money to the Western Avenue project.

### Background

The \$3,000,000 Western Avenue widening project is almost done, and needs more money. PACTS staff, MaineDOT and South Portland recommend that the \$21,000 in a PACTS South Portland Pickett Street project be transferred to the Western Avenue project.

Two years ago the Policy Committee voted that this project and many others would get no more money from our MPO Allocation unless the municipality “substitutes” funds from another existing PACTS project. (A precedent for this is the May 15, 2008 Policy Committee vote to move monies from a PACTS Congress Street paving project to some other PACTS projects in Portland.) As such, this proposal is consistent with our Substitution Policy – and South Portland may not request funding for Pickett Street in the next biennium (2010/2011).

## **Agenda Item 8: Discuss agenda and date for next Policy Committee meeting**

Staff Resource: John Duncan

Recommendation: Discussion only

### Background

The current items for the Policy Committee in September are:

1. To get updates regarding work on 2010/2011 project priorities for bike/ped, collector paving, intersection projects, and our two 2008/2009 design projects for which we have committed to provide 2010/2011 construction funds.
2. To get an update from MaineDOT on MPO Allocation funding available for 2010/2011 biennium, and to do what might need to be done to prepare to adopt a final 2010/2011 projects list at the October Policy Committee meeting.
3. To hear a presentation of Gorrill-Palmer’s Collector Road Assessment Study. To adopt it, possibly.

4. To adopt the Eyerman/Melrose financing study.
5. To get a report on the work of the Executive Committee after its first three months.
6. To take some action based on MaineDOT's completion of their I-295 Corridor Study if it's done?

Note that MaineDOT has just agreed to make a presentation this fall at a Portland-South-Portland City Councils workshop on this corridor study and on the Portland North rail/bus planning process.

7. To amend our 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 Tech Committees.

The current items for the Policy Committee in October are:

1. To adopt a final 2010/2011 projects list for submission to MaineDOT.
2. To take some action based on recommendations from the High Priority Projects Committee. They will meet in late September.

### **Agenda Item 9: Agenda for next Executive Committee meeting**

Here is a draft agenda for September:

1. Monthly updates from Technical, Transit and Planning Committees.
2. To get updates regarding work on 2010/2011 project priorities for bike/ped, collector paving, intersection projects, and our two 2008/2009 design projects for which we have committed to provide 2010/2011 construction funds.
3. To get an update from MaineDOT on MPO Allocation funding available for 2010/2011 biennium, and to do what might need to be done to prepare to adopt a final 2010/2011 projects list at the October Policy Committee meeting.
4. Agree on an agenda for September Policy Committee meeting.
5. Continue today's policy discussion of allocating our FHWA and FTA dollars toward big regional projects?
6. Insert list of what staff is doing and will soon be doing?

7. Discuss major upcoming regional studies?
  - Turnpike Authority's Gorham east west connector corridor study
  - Turnpike Authority's widening alternatives analysis
  - MaineDOT's I-295 Corridor study completion
  - MaineDOT's "Small Starts" rail/bus corridor planning study
8. Insert list of PACTS meetings for next three months?
9. Hear a brief report from Steve Linnell in his role as Chair of the Subcommittee on Passenger Transportation to the Governor's Working Group on the High Cost of Transportation Fuels which is part of the Governor's Pre-Emergency Task Force on Energy.
10. Insert calendar for our major milestones for the next 12 months? Such as:
  - Collaborate with Portland Regional Chamber's transportation task force this fall.
  - Explore the use of some of the financing mechanisms in the Eyerman/Melrose report.
  - Program the \$10,000,000 in federal funds for TIP projects for 2010/2011 biennium.
  - Submit High Priority Projects candidates next winter to Congressional Delegation.
  - Create a clear regional awareness of the need for our region to adapt to the loss of federal transit operating funds eligibility in 2012.
  - Organize to begin update of *Destination Tomorrow* for adoption in 2010.