

# PACTS

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Portland Area Comprehensive Transportation System

## **PACTS Executive Committee Meeting Notice**

March 3, 2009  
8:00 a.m.

GPCOG, 68 Marginal Way, Portland

### **Agenda**

1. Call to order
2. Public Comment
3. Approve minutes of February 3<sup>rd</sup> meeting
4. Committee updates (8:05)
5. Review of Executive Committee process (8:30)
6. TIP Administration Topics (8:45)
7. PACTS planning budget for next biennium (9:15)
8. Updates on other topics (9:30)
9. Policy Committee agenda for February 26<sup>th</sup> (9:40)
10. Adjourn at (9:50)

*Next meeting: April 7<sup>th</sup> at 8:00 a.m.*

***The Metropolitan Planning Organization for the Portland Urbanized Area***

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## Minutes of February 3<sup>rd</sup> Meeting

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

1. **Call to Order.** Bill Shane called the meeting to order at 8:03 a.m.
2. **Public Comment.** None.
3. **Approve minutes of January 6<sup>th</sup> meeting.** *Mike Bobinsky made a motion to approve the January 6th minutes, seconded by John Bubier. All were in favor.*
4. **Federal economic stimulus package.** Mike L. reported that there is an MPO component on the legislation but it is applicable to TMA's only. It was the consensus of the group to stick with the original list of projects. Mike L. reported that legislation came out of the House that DOT's need to make investments in economically disadvantaged communities. Bill urged staff to be ready to go should the money become available. A draft project list on the MaineDOT web site for public comment.
5. **Committee updates.**  
The Planning Committee will be meeting on Thursday. Staff is continuing to work on transportation and land use efforts. They are looking at corridors to try to identify transit oriented development areas. An update of *Destination Tomorrow* must be done next year. The Planning Committee will be assisting with the scoring of study proposals. They are also looking into the possibility of an aerial flight.

Bob reported that the Technical Committee reviewed staff recommendations about changing set-aside policy percentages. The Gorrill Palmer report, which the Technical Committee was integrally involved with, will be presented to the TIP Process Committee and the Policy Committee. It is important that local engineers and PWD's be in the room when the report is presented. The Technical Committee reviewed the report and they understand it but they still need to sell it to the Policy Committee. The pamphlet sums it up. The Policy Committee needs to hear the final findings and decide what to do with the money. Mike L. added that the Gorrill Palmer study is valuable. Paul added that it is important for Policy Committee members to know where we stand regarding collectors and arterials. Paul recently attended a meeting with FHWA and MaineDOT to talk about case studies and to talk about cost differences. Turning paving responsibilities back to the towns has been discussed. A March meeting of the Policy Committee, along with the Technical Committee, will be held to present the report. We will discuss what has been done by MaineDOT on the standards, discuss the funding formula, look at next steps, and determine a way to keep the plan fresh and current.

Ed reported that the Planning Committee and Transit Committee met jointly and discussed TOD and TIFs. The Transit Committee is continuing to investigate AVL, GoogleTransit, etc. and has been working with MaineDOT on the bus procurement process; Phil Nadeau of Lewiston is also working on this issue. The state has been more responsive and we are hoping to get some surplus busses to tide us over. There are currently 28 different types of vehicles being bid so they are talking about lowering the number of vehicle types from 28 to 5. They are looking at streamlining the process.

John Bubier reported that the TIP Process Committee has met twice and will be meeting again next week. They have established a work plan and have chosen a couple of subjects to focus on. Bob Hough from Region 1 has been attending the meetings.

**6. TIP Administration Topics.**

NNEPRA request. The TIP amendment is to change the purpose of the CMAQ funds from operations to capital -- \$2,195,000. The Executive Committee approved the request.

Paul's report on collector road project funding transfers. There were some questions on the \$621,000 in the Holding PIN. Staff will come back to the committee with a recommendation for the money in the Holding PIN.

**7. PACTS Planning Budget for Next Biennium.** John Duncan reviewed the budget worksheet.

The MaineDOT match went up by \$126,000 which is great news. Bill asked that the budget be shown in a format that shows comparisons. He also asked for a breakdown of what is provided for the PACTS staff plus GPCOG support. There was discussion about locally administered projects. There are certain administrative functions related to LAPs that are covered and some that are not. The LAPs should be factored into the project, whether a consultant is hired or whether it is done by staff. Paul felt that more projects would have been completed sooner if a LAP process was used through PACTS; Bill wasn't convinced. If it is funded out of the project, then the money stays with the project. Judy cautioned about hiring any new positions at this time unless we are sure that there will be cost savings. This will be investigated further and it will be brought back to the Executive Committee.

**8. Scarborough's Dunstan Corner project.** Scarborough is exploring an alternative approach that

would route through/commuter travel on Route One and Haigis Parkway and truncate the southwestern portion of Payne Road to serve only local neighborhood traffic and no longer act as a collector. The study would be done in the next four to five months. Mike L. explained that Payne Road would become a local road and wouldn't be eligible for federal funds. Judy was concerned about the Maine Mall evacuation plan which uses Payne Road as an evacuation route.

**9. PACTS Annual Earmark Proposal.** John D. explained his \$100,000 traffic signals idea. Mike

L. stated that federal and state money could not be used for this because federal money cannot be used to get federal money. A 20% match would be paid for by towns for earmarks. Bill said that he was a little reluctant to move forward with this because we are already pushing for our HPP projects. He didn't think we should push for this through PACTS. John B. suggested that it go through COG rather than PACTS. John D. will talk to Neal about this.

**10. Updates on other topics.** In February the MTA is going to kickoff a major Gorham East-West

Corridor Study. Judy mentioned the Harbor Maintenance Tax bill. This would be a major push to move barge traffic.

**11. Policy Committee Agenda for February 26<sup>th</sup>.** The members agreed on an agenda. It was

suggested that Executive Committee agendas and minutes be sent to the Policy Committee through a link to the PACTS web site.

**12. Adjourn.** The meeting adjourned at 10:00 a.m.

## **Agenda Item 4: Committee Updates**

Member Resource: Greg Tansley, Bob Burns, Ed Clifford and John Bubier

Staff Resource: PACTS and GPCOG Staff

Recommendation: Discussion only

- Planning Committee
  - Established a subcommittee to update *Destination Tomorrow* during the next 12 months. The subcommittee will include members from the Policy, Technical and Transit Committees.
  - UPWP studies
  - Aerial photo flight
  - The Gorham East –West Corridor Study, and the application of the PACTS Land Use Policy in that study
- Transit Committee
  - Exchange of information on many topics
  - Regional route study and regional map/timetable
  - FTA 5307 funds administration topics
  - UPWP studies discussion
- Technical Committee
  - Discussed proposals to change the scoring factors for the future selection of collector paving projects.
  - Economic stimulus update.
  - Paul requested updates from members on recent collector road projects.
  - Updates from other committees.

- TIP Process Committee

The TIP Process Committee has met three times. Their job is to review our TIP priority setting policies and administration and procedures in preparation for the FY 2012/2013 biennium, and to submit a final set of recommendations to the Policy Committee by September.

### PACTS Set Aside Policy

1. The Committee's March meeting will involve an assessment of ways to reduce the collector road miles under the purview of PACTS. Staff will present how we could distinguish between "regional" and "local" collector roads.

2. Initial consensus to increase PACTS “Set Aside” funding for transit capital and bike/ped projects – and elimination of funding to widen roads.

#### PACTS Funding Cap Policy

1. Initial consensus that we stick with our policy to guarantee PACTS funding for 125% of the cost estimates of “one biennium” projects (except transit) at the time of programming by the Policy Committee, and that we provide no additional funding if subsequent cost estimates exceed the 125% amount.
2. Initial consensus to stick with our similar policy on our “two biennia” projects.

#### PACTS Match Ratio Policy

1. Initial consensus that we stick with our policy to fund our STP-funded projects (except transit) at 25% local, 10% state and 65% federal.
2. Also discussion underway on match ratio innovations.

#### Working with MaineDOT’s Highway Design Standards

Paul Niehoff has reported on the work of an inter-agency group whose goal is to improve the development and delivery of projects. More coming on this.

#### Upcoming Topics

1. Local project administration via PACTS
2. Our inefficient development of projects
3. Factors and weights in our scoring formulas
4. Our Substitution and Withdrawal policies
5. MaineDOT’s new 3-party agreement
6. Overview of FTA Section 5307 funds
7. Revisions to project application processes

## **Agenda Item 5: Review of Executive Committee Process**

The Policy Committee created the Executive Committee last April, and directed that a review of the new committee process be done in March 2009. The Executive Committee's first meeting was July 1, 2008.

Our Executive Committee process is the product of the two retreats in late 2007 and the work of a "Transition Team". The consensus last spring was that:

- The primary purposes of the proposed Executive Committee are to coordinate more the work of our four standing committees, and to take care of certain details so that the Policy Committee can work on bigger issues and, perhaps, meet less often than in the past.
- The proposed Executive Committee will have little authority.
- The primary purpose of the Transit, Planning and Technical Committees having seats on the Executive Committee is as liaisons between our committees.

Article VI of our bylaws provides the committee's specific functions and powers. See the next page.

John Duncan's thoughts on the process are:

- It seems to be working well. Staff enjoys the inter-committee exchange.
- It is helpful that the Executive Committee can take certain TIP amendment actions.
- The Executive Committee members know more about the work of the other PACTS Committees. *Does this mean that the sixty other committee members know more?*
- It's more meetings for staff to prepare for, but it's doable. *It's more PACTS meetings for Executive Committee members to attend!*
- The Policy Committee is meeting more often than we estimated – four times so far this fiscal year, and probably three more times (March, May and the annual meeting in June).
- *Are the Policy Committee meetings more about broader policy topics than in the past? Are the members more confident in their work knowing that the Executive Committee has vetted the topics? Are Policy Committee meetings more efficient due to the "just do it" approach taken by staff this year?*
- I have not heard any comments from members on the pros or cons of the Executive Committee.

By the way, the bylaws do not outline a role for the Executive Committee in the development of the UPWP. We'll discuss under Agenda Item 7?

ARTICLE VI  
Executive Committee

Section 1. The Executive Committee shall have the following functions and powers:

1. To meet with staff to organize Policy Committee meetings and to coordinate the work of the PACTS committees.
2. To offer recommendations for action to the Policy Committee.
3. To make the following TIP project changes:
  - a. To revise the scope of work of funded MPO Allocation and FTA-funded projects as long as the amendments do not increase the PACTS contribution to those projects,
  - b. To endorse project substitution proposals per the PACTS Project Substitution policy,
  - c. To revise the PACTS TIP in order to fix administrative errors,
  - d. To add, delete or change other FHWA-funded and FTA-funded projects as requested by MaineDOT
4. To perform the annual evaluation of the Executive Director and report to the Policy Committee.
5. To appoint “appointees” to the Planning, Transit and Technical Committees (per Article III, Section 3)
6. To take on other responsibilities as requested by the Policy Committee.

Section 2. The membership of the Executive Committee shall be as follows:

1. The Chairperson of the Policy Committee,
2. The Vice Chairperson of the Policy Committee,
3. The Immediate Past Chairperson of the Policy Committee,
4. The Chairperson, or a designated member, of the Transit Committee,
5. The Chairperson, or a designated member, of the Planning Committee,  
and
6. The Chairperson, or a designated member, of the Technical Committee

Section 3. Attendance by four members shall constitute a quorum. Members may not send substitutes to meetings.

Section 4. Each member shall have one vote. However, the members shall strive to make decisions through consensus rather than by voting.

Section 5. The Executive Committee shall meet monthly, or as needed.

## **Agenda Item 6: TIP Administration Topics**

Staff Resources: Paul and John

### Recommendation:

1. Endorse Portland's request to drop PIN 10545 (Brighton Avenue signal) and move the \$200,000 to PIN 5136.30 (Riverside at Warren). This action falls under our "substitution" policy which is under the purview of this committee.

Paul has been working with MaineDOT and Portland on this. Portland is writing a letter to us. This \$200,000 will help with the \$700,000 additional funding needed for this project.

2. Endorse staff proposal to reprogram approximately \$600,000. (We will send details on Monday.) This will be a recommendation for action by the Policy Committee on March 26<sup>th</sup>.

Paul and John have been working on this for two months. We discussed this with the Executive Committee last month. The projects involved changed on Thursday with the passage of the Economic Recovery projects list.

3. Endorse MaineDOT request to change the use of a small amount of JARC money. (We will send details on Monday.) This falls under the purview of this committee.

## **Agenda Item 7: Planning/Administration Budget**

Last month we did the following:

- Reviewed a revised budget worksheet.
- Decided to propose to keep the “PACTS dues” budget at the current biennium’s \$92,000 rather than reduce it.
- Discussed staff’s initial local project administration proposal.
- Asked staff to provide more historical budget info at today’s meeting.

Today we will review the attached tables, and identify issues to address.

- Table 1 – Sources of funds, and carryover funding, and FTA 5303 funding
- Table 2 – Revised draft expense budget (FHWA only)
- Table 3 – Hours and cost details for PACTS staff and GPCOG support
- Table 4 – Study proposals received

We will also review the next steps.

- Executive Committee works with staff to recommend the following to the Policy Committee:
  - Budget for PACTS-staff-and-COG-support
  - Descriptions of PACTS staff work for the next two years (available before our next meeting)
  - Staff’s local project administration proposal (Input from the Technical Committee is also being sought.)
- Staff refines scopes and budgets of proposals for new studies, ranks the members’ study proposals, and forwards the rankings to the Planning Committee. The Planning Committee recommends to the Policy Committee a set of consultant studies to be funded with FHWA funds.
- Transit Committee works with GPCOG, PACTS and SMRPC staff to develop the transit planning component of the UPWP which is funded 80% with FTA funds.
- Staff briefs the Policy Committee on March 26<sup>th</sup>. *No Policy meeting in April?*
- Policy Committee adopts final budget and work plan on May 21<sup>st</sup>.
- Staff writes and submits a draft UPWP (30 pages) to MaineDOT, FHWA and FTA by April 30<sup>th</sup>, and then finalizes after the Policy Committee’s May 21<sup>st</sup> approval and per comments from MaineDOT, FHWA and FTA.

**Table 1 -- Draft March 3rd**

**Sources of Funds for PACTS Planning and Administration for Next Two Years**

<u>Draft Revenue Overview</u>		<u>Notes</u>
FHWA "PL" Funds (80% share)	\$1,256,367	Same "new" funds as in current budget. We could make a pitch to MaineDOT for more. We will also "carry over" \$\$ for some studies.
MaineDOT match (13.5% share)	\$212,012	Per MaineDOT's Jan. 21st letter. Budget for existing biennium is \$126,000.
Local match for local and subregional studies	\$41,092	20% share of the line items in Table 2 whose sources of match are "municipalities".
GPCOG and SMRPC match	\$18,000	20% share of the line items in Table 2 whose sources of match are GPCOG and SMRPC.
PACTS dues *	<u>\$60,988</u>	Budget for existing biennium is \$92,000.
Total for FHWA-funded work	\$1,570,459	
* PACTS supplementary dues account The math is \$92,000 minus \$60,988. Per direction given at February meeting of the Executive Committee.	<u>\$31,012</u>	For PACTS staff lobbying work, and for other contingency purposes.
Total Budget	\$1,601,471	

**Carryover**

We have always "carried over" funds for the completion of studies that straddle biennia. Table 2 shows (at the bottom) that we have six studies that will not be done by June 30th.

In 2007, for budgeting reasons, MaineDOT strongly encouraged all the MPO's to try to complete the work in their UPWP's as much as possible during the biennium itself.

Two months ago MaineDOT advised that they would limit our carryover budget for the FY 2010/2011 UPWP to 5% of our FY 2008/2009 UPWP budget. The math for PACTS is: 5 percent of \$1,785,000 is \$89,250.

**FTA-Funded Planning and Administration in the PACTS UPWP**

GPCOG and PACTS staff are developing the FTA-funded component of the PACTS UPWP with input from the Transit Committee. FTA 5303 funds may only be used for planning. FTA 5307 funds may also be used for planning, but the transit providers prefer to use those funds primarily for capital and operating purposes.

The FTA-5303-funded budget for our current biennium is \$516,000. The next budget will be similar.

**Table 2 -- Draft March 3rd  
FHWA-Funded Portion of  
PACTS 2-Year Planning Budget for FY 2010 and FY 2011**

<b>08+09 Budget</b>		<b>10+11 Budget</b>	<b>Comment</b>	<b>Sources of Match Funds</b>
\$970,000	PACTS staff and GPCOG support	\$1,050,000	See Table 3	Dues and MaineDOT
\$0	Local project administration	\$100,000	Place holder.	Municipalities
\$25,000	Maine Clean Communities	\$30,000		GPCOG
\$25,000	SMRPC Planning Services	\$30,000		SMRPC
\$40,000	GPCOG Planning Services	\$30,000		GPCOG
\$50,000	PACTS Model Consultant	\$50,000		Dues + municipalities
\$0	PACTS Model Enhancements	\$20,000	Place holder.	Dues
	...just received \$110,000 proposal. Will discuss with MTA and MaineDOT.			
\$0	Regional Aerial Photo Flight	\$20,000	Place holder.	Municipalities
\$20,000	* Regional Bike/Ped Planning	\$0	Finish next year	Dues
\$75,000	Regional Collector Study I	\$0	Done	Dues
\$0	Regional Collector Study II	\$20,000		Dues
\$0	Regional Dest. Tomorrow Update	\$25,000		Dues
\$10,878	Regional Education and Training	\$0	Done	
\$20,000	Regional EPS	\$25,000		Municipalities
\$20,000	Regional Priorities Survey	\$0	Done	
\$10,000	Regional Funds Leverage Report	\$10,000	Melrose work	Dues
\$5,655	Regional PACTS Process Review	\$0	Done	
\$60,000	* Regional Signal Study I	\$0	Finish next year	
\$0	Regional Signal Study II	\$25,000		Municipalities
\$35,000	Cape E. Sidewalk/Bikeway Plan	\$0	Finish by June	
\$25,000	Freeport School Street Extension	\$0	Finish by June	
\$10,000	Portland Libbytown Trail	\$0	Finish by June	
\$75,000	Portland Peninsula Transit Study	\$0	Finish by June	
\$25,000	Portland Wayfinding Plan	\$0	Done	
\$40,000	* Portland Woodford's Corner	\$0	Finish next year	
\$35,000	Scarborough Running Hill Road	\$0	Finish by June	
\$8,667	TIF TOD outreach	\$0	Finish by June	
\$30,000	* Transit Bus Route Study	\$0	See note below	
\$15,000	Transit Regional Ride Guide	\$0	Finish by June	
\$80,000	* Tri-Community Transpo Plan	\$0	Finish next year	
\$30,000	* Wsbk Downtown Streetscape	\$0	Finish next year	
\$9,800	Windham Impact Fee Analysis	\$0	Finish by June	
\$35,000	Yarmouth Route 1 Phase II	\$0	Finish by June	
\$0	New '10/'11 Consultant Studies	\$135,459	See Table 4 proposals	
\$1,785,000	Totals	\$1,570,459		
	* <u>Carryover Needs</u>	<u>Estimate</u>		
	Regional Bike/Ped	\$10,000	Start soon?	
	Regional Signal I	\$30,000		
	Woodford's Corner	\$35,000	Start soon?	
	Transit Bus Routes	\$30,000	Do next year with FTA 5303?	
	Tri-Community	\$50,000		
	Wsbk Downtown	\$10,000		
		\$165,000	<i>MaineDOT will not support this much. See Table 1.</i>	

**Table 3 -- Draft March 3rd**

**Hours and cost details for "PACTS Staff and GPCOG Support" in Table 2**

<u>Staff</u>	<u>FY 06 Actual Hours + \$</u>	<u>FY 08 Actual Hours + \$</u>	<u>Adopted FY 09 Budget</u>	<u>Draft FY 10 Hours</u>	<u>Draft FY 10 Budget</u>	<u>Draft FY 11 Budget</u>	<u>Draft FY 10 + FY 11 Budget</u>
PACTS Staff	4,631	5,384	5,340	5,340	\$453,653	\$467,263	\$920,916
GPCOG Staff	<u>902</u>	<u>581</u>	<u>710</u>	<u>720</u>	<u>\$44,228</u>	<u>\$45,555</u>	<u>\$89,783</u>
Totals	5,533	5,965	6,050	6,060	\$497,881	\$512,818	\$1,010,699
Direct Costs	\$19,809	\$14,431	\$17,400		<u>\$20,000</u>	<u>\$22,000</u>	<u>\$42,000</u>
Total Costs	\$391,877	\$469,904	\$500,000		\$517,881	\$534,818	\$1,052,699
						Add 10% in case of increase in indirect rate:	<u>times 1.1</u> \$1,157,969

Notes and Assumptions

1. In FY 2006 PACTS staff was less than three full time people.
2. The GPCOG staff time is primarily for support staff (plus mapping and PACTS website work).
3. We can easily prepare a summary of the actuals for FY 2007 if requested.  
Total hours were approximately 5,700.
4. The increase to 710 hours for GPCOG staff in FY 2009 is for work on the PACTS website, and the regional population forecasting for our TMA workshop last fall.
5. The continued increased hours for GPCOG staff in FY 2010 reflects need for their help in demographic analysis for PACTS model work for the Destination Tomorrow update.
6. The FY 2010 and FY 2011 draft budgets both include 3% average increases in staff hourly rates.
7. The FY 2011 draft budget assumes the same hours as in the draft FY 2010 budget.
8. The 10% indirect rate contingency is based on a December conversation with GPCOG's Finance Director, Ann Mazerolle. John will talk with Ann before today's meeting on this.

**Table 4**  
**Study Proposals Received**

	<u>Proposer</u>	<u>Request</u>	<u>Function/Study</u>	<u>Category</u>
1	CBITD	\$50,000	Multi-modal transit hub	B/P Transit Rail
2	GPCOG	\$36,000	Signs/shelter implement	B/P Transit Rail
3	Portland	\$100,000	Franklin Street feasibility	Corridor/Intersect
4	Portland	\$100,000	Forest Avenue land use	Access Mgt +
5	Portland	\$50,000	Congress St bus priority	B/P Transit Rail
6	Portland	\$20,000	TDM ordinance implement	Policy Other
7	Scarborough	\$40,000	Oak Hill pedestrian plan	B/P Transit Rail
8	S. Portland	\$65,000	Fixed Guideway	B/P Transit Rail
9	S. Portland	\$10,000	Bridge ITS	Policy Other
10	Windham	\$53,600	Parallel service road III	Corridor/Intersect
11	Windham	\$25,000	Alternative funding study	Policy Other
12	Windham	\$50,000	Comp transportation study	Policy Other
13	Yarmouth	<u>\$45,000</u>	Route 1 Phase III	Corridor/Intersect
	Total	\$644,600		

Funds available based on Table 2 calculations: \$135,459.

### **Agenda Item 8: Updates on Other Topics**

1. The Turnpike Authority and MaineDOT recently convened the Steering Committee for the Gorham East-West Corridor Study. The Committee voted to have John Duncan serve as chair of a “study advisory committee”.
2. Carl and Paul continue to work with MaineDOT and local folks on the public involvement for the fast track planning for the reconstruction of the Veterans Bridge.
3. It appears that the Legislature is going to name the Gorham bypass after Bernard Rines.

### **Agenda Item 9: Policy Committee Agenda for March 26<sup>th</sup>**

1. Tom Gorrill presentation on Regional Collector Roads Assessment Study, and member discussion of the implications for future funding policy.
2. Assessment of Executive Committee process
3. Action on the \$600,000 reprogramming per Item 6 above.
4. Briefing on the development of the UPWP, including the need for endorsement on May 21<sup>st</sup>.
5. Report from our TIP Process Committee.