

PACTS

Portland Area Comprehensive Transportation System

Executive Committee Meeting Notice

July 13, 2010
10:00 a.m. to Noon
GPCOG, 68 Marginal Way, Portland

Agenda

1. Call to order
2. Public Comment
3. Minutes of June 8th meeting
4. Unified Planning Work Program Topics (10:05)
5. Regional Transit Leadership (10:25)
6. Destination Tomorrow Update (10:40)
7. Transportation Improvement Program Topics (10:55)
 - A. Holding PIN
 - B. 2012/2013 priority setting process
 - C. Credit Program proposals
 - D. Falmouth's Allen Avenue project
 - E. Old Orchard Beach projects
8. Updates from Staff and Committees (11: 40)
9. Agenda for July Policy Committee meeting (11:55)
10. Adjourn at noon.

Next meeting: August 3rd at 8:00 a.m.

The Metropolitan Planning Organization for the Portland Urbanized Area
68 Marginal Way • Portland, Maine 04101
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org

Minutes of June 8th Meeting

In Attendance: John Bubier, Chair; Dan Bacon; Bob Burns; Ed Clifford; Kathi Earley; Judy Harris; Mike Laberge; Nathan Poore; Bill Shane; Greg Tansley; Al Presgraves, Sara Trafton
Staff: John Duncan; Carl Eppich; Paul Niehoff; Maddy Adams

1. **Call to Order.** The meeting was called to order at 8:07 a.m. Introductions were made.
2. **Public Comment.** None.
3. **Minutes of May 4th meeting.** *Bill Shane moved approval of the May 4th minutes. Kathi Earley seconded the motion and all were in favor.*
4. **Executive Committee Process.**

4a. Review of the first two years. The Executive Committee was created to enable the Policy Committee to focus more on the bigger issues and, secondly, for the four PACTS committees to work together more productively. Is the process going well? Bill felt it was going well. As the Chair, he learned a lot about what is going on with PACTS. Also being on the Executive Committee provides you with more information about all aspects of PACTS. You can help advocate for staff on positions that are important to PACTS. He thanked Mike Laberge for what he has brought to the table. He thinks the process should continue. The Executive Committee should continue to take care of the minutia. Greg added that things can get vetted at this forum that might not be exposed to the individual committees. John B. said that the interaction has been very rewarding; there is a sense of honesty among the committees. Bob noted that the Technical Committee is more involved with maintenance; he realizes that we need to be focused on infrastructure as well.

Bill noted the lack of Technical and Planning Committee meetings. The Transit Committee continues to meet monthly. The Tech and Planning Committees need to get energized. At the last joint meeting of the Transit/Planning Committees, only four members of the Planning Committee were in attendance. Bob feels the Committees should stick to meeting monthly. To decide whether or not a meeting should be held, either Paul (Technical) or Carl (Planning) approach the chair of the committee to determine if a meeting is warranted. John B. felt that there are always issues that can be discussed at the Planning and Technical meetings. It is difficult to keep up with the goings-on of PACTS, if you do not attend meetings. The joint meetings have somewhat substituted for the individual meetings of the Planning and Technical Committees. Staff has heard that many committee members like the joint meetings. We don't want to meet just to meet. John B. thought that it is sometimes important to have a meeting to just check in even if there aren't any major issues; there are advantages to just having a discussion. Carl pointed out that sometimes members won't come if there aren't any real topics to discuss.

Members brainstormed briefly on topics for Technical and Planning Committee meetings. The 2012-2013 program will be discussed in July or August. The Simplification Study map would be something that could be discussed as well. Steve Landry's proposal has a big impact on the whole region; everyone should know about this. The pavement study needs to be updated again. This is something that the Technical Committee should be addressing. Traffic movement permits should also be discussed. We could also have Mike Laberge to discuss what's going on in this region. It was

suggested that the Executive Committee take a stronger role in establishing the committee agendas. The Executive Committee could provide some direction and delegate work to the committees (updating the paving report for example).

The Executive Committee formulates numerous topics and presents them to the Policy Committee. Kathi noted that the purpose of the Executive Committee originally said that the Committee didn't have too much authority. To give the Executive Committee more authority would require a bylaws change. Ed noted that through the Executive Committee the work of the Transit Committee has gotten more visibility and he appreciates that. It was suggested that the Executive Committee members present a report to the other Committees about what's been going on. The Executive Committee should serve as a liaison to the other committees. Perhaps we should send EC minutes to the other committees as well.

There was some discussion about the Simplification Study policy and what it entails. Mike L. explained that before MaineDOT turns back mileage to the town, the road needs to be in "good" condition. What is the appropriate way to handle this? How do you get the infrastructure up to standard? Al suggested that a favorable outcome to the process would be to go to the Legislature and say that the towns and MaineDOT agree that we need a certain amount of money; the Legislature needs to step up. Bob noted that John D. has done a lot with the Legislature about our unmet needs. Perhaps we should get someone in the Legislature to attend our meetings.

5. **2012/2013 TIP Priority Setting Status.** John Duncan provided some background. The \$15 million estimate is a little high; it is really about \$14,600,000. We may be able to fill that gap with Holding PIN money. Mike L. mentioned that OOB may be pulling the plug on some of their sidewalk projects. Paul has met with OOB and has told them that they need to make a decision. Bill advised the chair and vice-chair to meet with OOB about the funding process and how it is important for them to make a decision. Tell them it will go to a vote in July or August. John D. and Paul did meet with them two months ago and Paul has been in contact with them on a regular basis.

Kathi suggested that the Technical Committee formulate some consistent standards for the credit program and work on forms that could be used for the program.

6. **Status Report on our Two-Year UPWP.** July 1st will be the mid-point of our two-year program. The study "time clock" is ticking. Staff is working closely with Portland on their projects to get them started. There is \$55,000 available for consultant work that needs to be reallocated. At the next meeting of the Executive Committee, we should make some recommendations about that money. Nathan asked why the Regional Planning Software was being dropped (from the list on page 16). Carl explained that our consultant already has the software. We thought it would be beneficial to have it in-house but we decided that it wasn't realistic because we can have Kevin Hooper do whatever needs to be done with the software. ATRC has an in-house PE who does a lot of work with the model. Bill recommended keeping the \$10,000 for Collector Study II in the budget because it could be used for other collector projects. Judy suggested that anything that drops off the list (page 16) should be replaced with the next highest priority study proposal -- things that have already gone through the process, not new projects. Staff has learned that the Forest Avenue study has a local match which is good news. Judy said that the \$20,000 for the TDM ordinance (page 15) would be beneficial to not only Portland but other municipalities as well. Franklin Street also has a local match. We should get an update on where the studies stand.

7. **Updates from Staff and Committees.**
 - The PACTS Transit Committee won a Regional ReCOGNition Award for the Greater Portland Transit Guide.
 - New officers have been elected for the PACTS Committees
 - The PACTS Annual Meeting is scheduled for June 14th at noon at USM. The Annual Report will be available next week
 - Eight meetings are scheduled this month on the Gorham East/West Corridor Study.
 - GPCOG is the lead agency on a HUD Sustainable Communities Planning Grant. The HUD Regional Administrator visited at COG last week.
 - The Portland North study is almost done.
8. **Draft Agenda for July.** The draft agenda provided with the packet looks good.
9. **Reschedule July Executive Committee meeting.** The Executive Committee's July meeting will be at 10:00 a.m. on July 13th instead of July 6th. The Joint Meeting of the Planning/Technical Committees will begin at 8:00 a.m. on July 13th.
10. **Adjourn.** The meeting adjourned at 9:55 a.m.

Agenda Item 4: Unified Planning Work Program

Staff Resource: John Duncan

Recommendations:

1. Recommend that the Policy Committee endorse the changes to the FTA 5303 funded section of the UPWP described below (and as endorsed by the Transit Committee).
2. Recommend changes to the FHWA-funded section of the UPWP per the staff recommendation below.

Background and recommendation on FTA 5303 Tasks

The 2-year PACTS planning and administration budget includes work done by GPCOG, SMRPC, PACTS staff and consultants. The budget is financed by FHWA, FTA 5303, FTA 5307, MaineDOT, transit operators and municipalities.

The 2-year FTA 5303 budget adopted in May 2009 was based on an estimate of federal funding, as is always the case. We just learned that the actual FY 2010 federal funding amounts are slightly less than estimated. The bottom line is a reduction of \$11,606 from 635,478 to \$623,872. This includes funds carried over from the prior biennium.

Steve Linnell has developed the following proposal, and the Transit Committee has endorsed it.

- Task 6 – Increase this task by \$16,825 to \$100,288. This Task has been used more than expected in the first year of the biennium due to unusual amount of Committee Support required.
- Task 7 – Reduce this task by \$4,000 to 99,984.
- Task 8 – No Change, \$125,777
- Task 9 – No Change, \$117,049
- Task 10 – Reduce this task by \$22,109 to \$56,000

Our bylaws require that UPWP amendment be acted upon by the Policy Committee.

Background and recommendation on FHWA-Funded Tasks

We introduced this topic at our June 8th meeting. We have \$64,949 to reallocate now, and we expect that we will have more study funding to reallocate this fall.

Since June 8th we have learned that Portland and Scarborough still would like PACTS funding to implement the Portland TDM ordinance and to develop a pedestrian plan for the Oakhill area – and that they have the 20% match required and they will do their best to complete the two efforts by next June. These are the two highest ranking study

proposals from February 2009 that we did not fund. We also learned that Windham would also like PACTS funding for one of their studies (which ranked below the Portland and Scarborough proposals) that we did not fund.

We note that in May 2009 we funded two studies in Portland and one in Windham. A year later, none of them have started.

Staff recommends that we reallocate \$64,000 as follows:

- \$17,000 implementation of the Portland TDM ordinance
- \$35,000 Oakhill pedestrian plan
- \$12,000 regional bicycle and pedestrian promotion initiative by the Bicycle Coalition of Maine

Paul Niehoff will forward the two-page BCM proposal to members on Monday. It is in Paul's computer at the time of sending this meeting packet (and he took Thursday and Friday off).

Staff would also like to do a second PACTS video (\$7,000 estimate). We propose to wait a month to see if there is enough of a balance in another account to pay for this. If there is then we will return with a recommendation.

The table on the next page provides details on the FHWA-funded section of our planning and administration budget.

July 7, 2010 PACTS Planning/Administration Budget Change Recommendations

<u>Budget Items</u>	<u>Budget</u>	<u>Current Estimate</u>	<u>Change Estimate</u>	<u>Comments</u>
PACTS Staff and GPCOG support	\$989,000	\$989,000	\$0	
Maine Clean Communities	\$30,000	\$30,000	\$0	
SMRPC Planning Services	\$30,000	\$30,000	\$0	
GPCOG Planning Services	\$30,000	\$30,000	\$0	
PACTS Model Consultant	\$43,459	\$38,459	-\$5,000	
Portland Forest Avenue (1)	\$100,000	\$100,000	\$0	
Portland Franklin Street (1)	\$100,000	\$100,000	\$0	RFP send soon.
Portland Congress St. Bus Priority (1)	\$55,000	\$55,000	\$0	Funded with FTA 5303 \$.
Regional Aerial Photo Flight	\$20,000	\$20,000	\$0	Do by Spring 2011???
Regional Collector Study II	\$20,000	\$11,000	-\$9,000	Draft report under review.
Regional Dest. Tomorrow Update	\$25,000	\$20,000	-\$5,000	Developing a scope.
Regional Enhanced Project Scoping	\$25,000	\$20,000	-\$5,000	
Regional Signal Study II	\$25,000	\$25,000	\$0	
Regional Transit Focus Initiative (1)	\$40,000	\$40,000	\$0	Hired Nelson-Nygaard team.
Regional Urban Finance Study	\$10,000	\$10,000	\$0	\$4,200 spent so far.
Simplification MPO's/MaineDOT	\$20,000	\$20,000	\$0	Melrose...spent \$17.5k so far.
Windham Comp. Transpo. Study (1)	\$40,000	\$40,000	\$0	RFP send soon.
Yarmouth Route One Phase III	<u>\$40,000</u>	\$40,000	<u>\$0</u>	Hired Gorrill-Palmer
Pre-Carryover Subtotal	\$1,642,459	\$1,618,459	-\$24,000	
<u>Carryover from 2008/2009 UPWP</u>	<u>Note 2</u>	<u>Note 3</u>		
Portland Libbytown Trail	\$2,000	\$1,765	-\$235	
Regional Bike/Ped Plan Update	\$5,000	\$4,669	-\$331	
Regional Planning Software	\$16,000	\$0	-\$16,000	No longer a priority.
Regional Signal Study I	\$28,500	\$26,966	-\$1,534	
Regional Traffic Counts	\$16,000	\$16,000	\$0	Scope being developed.
Scarborough Running Hill Road	\$13,000	\$4,600	-\$8,400	
TIF TOD Outreach	\$2,000	\$1,954	-\$46	
Transit Bus Route Study	\$30,000	\$30,000	\$0	RFP sent. No bidders.
Transit Regional Ride Guide	\$3,000	\$0	-\$3,000	
Tri-Community Transportation Plan	\$53,290	\$48,702	-\$4,588	
Veterans Bridge Facilitation	\$3,000	\$750	-\$2,250	
Westbrook Downtown Streetscape	\$2,210	\$0	-\$2,210	
Windham Route 302 Study	<u>\$3,000</u>	<u>\$645</u>	<u>-\$2,355</u>	
Carryover Subtotal	\$177,000	\$136,051	-\$40,949	
Total	\$1,819,459	\$1,754,510	-\$64,949	Available to reallocate

New Efforts as proposed by PACTS Staff

		<u>Original Request</u>
Portland TDM Ordinance Implementation	\$17,000	\$20,000
Scarborough Oakhill Pedestrian Plan (1)	\$35,000	\$40,000
Bicycle Coalition of Maine Education Effort	<u>\$12,000</u>	\$14,000
	\$64,000	

Notes

1. Study will not be done by June 2011, so the balance will be carried over into next fiscal year.
2. These budget amounts are April 2009 estimates to finish these studies after June 2009.
3. These are revised estimates based on actual expenses before July 2009 and since.

Agenda Item 5: Regional Transit Leadership

Staff Resource: John Duncan

Recommendation: Discussion

Background

Ed Clifford's departure as General Manager of the Shuttlebus-Zoom has prompted a conversation on the potential opportunities for more regionalizing of our transit systems. I have spoken briefly with the following people: Nathan Poore, Sara Trafton, Neal Allen, Steve Linnell, and Kathi Earley. The Transit Committee discussed this briefly at their July 8th meeting.

In the following email I refer to the 1989 and the 2007 PACTS studies of the potential for transit systems communication, cooperation, collaboration and consolidation.

June 28th John Duncan email to Nathan Poore

I have reviewed the 2007 report carefully and I also find no cost comparison for operating multiple agencies versus one consolidated district. I also looked in my study notebook at the meeting minutes in order to see a record of how the decision was made to not do such a comparison, but I found nothing in the minutes on that. Steve Linnell is at a conference today, so I cannot ask him about it today. He would be able to speak to that better than I. My memory from 1989 is that the study participants did not reach a consensus on the \$320,000 annual savings amount and its feasibility.

After looking through the report just now, my sense is that the participants in the recent study chose to focus on the opportunities for improved communication, coordination and collaboration rather than spend much effort on estimating the uncertain (?) financial savings from a consolidation scenario. That approach is summarized on pages 35 and 36. While that approach has certainly produced progress in improved regional communication, coordination and collaboration, the cost comparison question does remain.

Given the diverse nature of the agencies in our region and the progress that we are seeing at implementing the Transit Coordination Study, I am inclined to focus our energies on staying the course and to not divert any of our energies to a cost comparison effort similar to the 1989 version. However, I welcome further conversation on this.

Agenda Item 6: Destination Tomorrow Update Status

Staff Resource: Carl Eppich

Recommendation: Accept report.

Background

We are required to update our long-range transportation plan every four years. We adopted Destination Tomorrow in 2003, and then updated and expanded it in 2006.

Here is an excerpt from the federal regulations on long-range metropolitan transportation plans:

The long-range plan, covering at least 20 years, describes a long-term regional vision for transportation investments. It identifies the policies, goals and strategies needed to meet an MPO region's demand for transportation services. The plan should consider all modes and foster: 1) mobility and access for people and goods; 2) efficient performance and preservation of the system; and 3) good quality of life within the metropolitan region. Plans are updated every four years in air quality non-attainment and maintenance areas, and every five years in attainment areas. (*PACTS is in a maintenance area*)

Since the spring of 2009 a committee has been meeting comprised of representatives from all of PACTS standing committees to review and update our 2006 long-range plan. Early in the process the committee agreed that considering that new 2010 Census data would not be available until 2012, this effort would be an update to the existing plan and not be a complete replacement. Rather this effort would be to review what is required by the federal agencies, and to then identify major changes that have implications for the plan's existing policies, goals, objectives and strategies.

Examples of major changes identified include:

- Increasing inadequate funding
- The Obama Administration and new Federal initiatives/directions
 - USDOT, HUD, EPA partnership (Livable and Sustainable Communities)
 - High Speed Rail
 - US DOT Policy change on Bike/Ped
- New Maine Sensible Transportation Policy Act Rules
- Increasing transit ridership while funding decreasing
- PACTS August 2008 survey indicated broad support for transit expansion
- Increasing % elderly population
- Energy costs increasing at a faster rate
- Health implications/obesity epidemic, "Active Transportation"
- Global climate change from carbon emissions
- Better understanding of land use implications on transportation system

The committee then set out to review the tiered structure of the plan which includes a Vision Statement, Guiding Policies, Goals, Objectives, and Strategies. Many felt and the committee agreed that these 5 layers were too many and if possible, that some should be eliminated to simplify. All were reviewed and currently the structure now includes a revised draft resulting in Vision Statement, Policies, and Strategies.

In an effort to further simplify, the Policies have been reviewed and consolidated from the 8 currently to 5:

1. Regional Focus,
2. Maintaining and Improving the Current transportation System,
3. Economic Development,
4. Environmental Quality and Energy,
5. Transportation-Land Use Connection.

Concurrently the existing 89 Strategies in the 2006 Destination Tomorrow plan have been reviewed in light of the changes identified as well as to identify any that have been completed or implemented. This effort has led to a list of highest priority strategies for the coming four years, most from the existing plan, although with modifications, but also the development of some strategies that were not part of DT 2006, but have evolved through PACTS processes such as the current ongoing evaluation of Collector Roads and a policy of pavement preservation.

As of this writing the highest priority strategies for the update stand at 33 and the Committee is currently considering other new strategies. It appears we will end up with around 40 high priority strategies for the Update.

Over the summer and into September the committee will be considering finished and ongoing developments for the plan, including 2009 PACTS Regional Bicyclist and Pedestrian Plan Update, the results of the Gorham East-West Corridor Feasibility Study, the DOT's Highway Simplification Study, PACTS concluding Tri-Community Study for Biddeford, Saco and Old Orchard Beach, PACTS Strategic Initiative to Facilitate Greater Portland's Economic Growth as a Transit Focused Region, and others.

Funds in our UPWP are available for consulting support and this will be used primarily for marketing and outreach of the plan.

A draft plan will be available in October and Public Process will begin in the fall for a projected Final Draft in late November.

Agenda Item 7: Transportation Improvement Program Topics

A. Holding PIN

Staff Resources: Paul Niehoff and John Duncan

Recommendation: Accept report and recommend that in September the Policy Committee program the balance in the Holding PIN to projects in each of our Set Asides according to the percentages in our TIP Policies and Procedures document.

Background

On June 8th the members asked staff for a report today on our Holding PIN.

Mike Laberge and Paul Niehoff have been administering the Holding PIN for three years. They discuss the Holding PIN in terms of federal and state funds only. *This is because the Holding PIN's federal and state fund sources (and uses) come from (and go to) projects with different match ratios.* See page 5 of our TIP Policies and Procedures document for our three project ratio policies.

Administration of the Holding PIN requires attention to many details given the varying match ratios mentioned above and the many TIP amendments, project withdrawals, the PACTS 2006/2007 collector funding policy transactions, and several project substitutions during the past three years.

Mike Laberge was on vacation last week. Paul needs Mike's review of the following.

PACTS Holding PIN Account Status July, 2010

	Federal	State	Fed+State	Notes
July 8th balance	\$1,454,531	\$276,041	\$1,730,572	Pending further review with Mike Laberge
<u>Upcoming additions</u>				
OOB sidewalk withdrawal #1	\$151,882	\$24,301	\$176,183	See agenda item 7E.
OOB sidewalk withdrawal #2	\$122,200	\$18,800	\$141,000	See agenda item 7E.
<u>Upcoming reductions</u>				
OOB intersection substitution	-\$162,954	\$2,380	-\$160,574	See agenda item 7E.
Credit Program -- Read Street (Ptl'd)	-\$54,000	-\$6,000	-\$60,000	
Credit Program -- Route 88 (Cumb)	-\$237,500	-\$12,500	-\$250,000	
Credit Program -- Route 77 (Cape)	<u>-\$45,000</u>	<u>-\$5,000</u>	<u>-\$50,000</u>	See agenda item 7C.
Balance after additions/reductions	\$1,229,159	\$298,022	\$1,527,181	
Buying power of \$1,527,181 with 25% local match:			\$2,036,241	
John D. has not reviewed this calculation with Mike L. and Paul N.				

The approximate \$1,500,000 federal+state balance above – and the approximate \$2,000,000 “buying power” – is good news!

Staff recommends that the Policy Committee allocate the \$1,229,159 in federal funds (above) as follows in September – using the federal-state-local match ratios in our TIP Policies and Procedures document. (John, Paul and Mike need to discuss the State match.)

	<u>%</u>	<u>Federal Dollars</u>
Collector Paving	57%	\$700,621
Bike/Ped	4%	\$49,166
Rebuild Roads	10%	\$122,916
Intersections	20%	\$245,832
STP Transit	<u>9%</u>	<u>\$110,624</u>
Total	100%	\$1,229,159

B. Update on 2012/2013 priority setting process

Staff Resource: John Duncan and Paul Niehoff

Recommendation: Accept report

Background

The process is on schedule and generally going well.

Last fall we adopted a \$15,000,000 budget – slightly more than the \$14,600,000 that we programmed two years ago for the 2010/2011 biennium – as a guide as we prepare for programming the 2012/2013 funds this September. Last month staff advised members that so our \$15,000,000 estimate might be high. We are glad to report now that we appear to have \$15,300,000 available to program (plus the dollars described in Item 7A above!). This also needs review with Mike L.

	<u>Match Ratio</u>	<u>Federal</u>	<u>State</u>	<u>Local</u>	<u>Total</u>
Collector paving (57%)	65-10-25	\$5,838,634	\$898,251	\$2,245,628	\$8,982,513
Bicycle-pedestrian (4%)	65-10-25	\$409,729	\$63,035	\$157,588	\$630,352
Rebuild roads (10%)	65-10-25	\$1,024,322	\$157,588	\$393,970	\$1,575,880
Intersections (19%)	65-10-25	\$1,950,000	\$300,000	\$750,000	\$3,000,000
Transit (9%)	80-0-20	<u>\$921,890</u>	<u>\$0</u>	<u>\$230,472</u>	<u>\$1,152,362</u>
Total		\$10,144,574	\$1,418,874	\$3,777,659	\$15,341,107
Actual Allocation Amount:		\$10,243,217	\$1,280,402		
Difference:		\$98,643	-\$138,472		

1. Collector Road Projects (\$8.98 million budget)

Paul is working with Gorrill-Palmer on a recently received draft update of our Regional Collector Roads Study. He and the Technical Committee and MaineDOT will use the results this summer to develop a list of projects for programming by the Policy Committee this fall. The process will be:

- The Technical Committee discussed a first draft list of potential candidates at their 8:00 a.m. meeting here today.
- Technical Committee to present a short list of proposals (for field review this summer by MaineDOT and municipalities) for endorsement by the Policy Committee in July.
- Field review work in July and August.
- Technical Committee finalize list of proposals for programming by the Policy Committee in September or October (deadline).

2. Bike/Ped Projects (\$630,000 budget)

In March, the Policy Committee endorsed a short list of proposals to undergo further scoping (EPS). We have hired Sebago Technics to do the EPS work. The process will be:

- The Technical and Planning Committees jointly will recommend to the Policy Committee a set of projects to be field reviewed. We will brief you today on what transpired at this morning's 8:00 a.m. meeting.
- Policy Committee final programming action in October.

3. Rebuild Roads (\$1,575,000 budget)

Paul and Carl are scored the proposals, and submitted to the Policy Committee a short list of proposals for EPS to be done this summer. On May 20th the Policy Committee chose three proposals for which EPS will be done (being done by Gorrill-Palmer). Like Bike/Ped above, the process will be:

- On July 13th the Technical and Planning Committees jointly will recommend to the Policy Committee a set of projects to be field reviewed. We will brief you today on what transpired at this morning's 8:00 a.m. meeting.
- Policy Committee final programming action in October.

4. Intersections (\$3,000,000 budget)

We are going to use the entire amount (plus) on the Dunstan Corner project per the Policy Committee vote in January.

5. STP Transit Capital Projects (\$1,152,000 budget)

The Transit Committee adopted a list of projects on July 8th for action by the Policy Committee in September.

C. Credit Program Proposals

Staff Resource: Paul Niehoff

Recommendation: Discussion

Background

The Policy Committee created this pilot \$1,000,000 program in March. Paul Niehoff received the following four proposals. He had been briefed on the details of the Falmouth, Portland and Cumberland projects, so he already knew the scope of each when the Credit Program proposals arrived.

- Falmouth has spent \$1,350,000 in local funds on Johnson Road and Middle Road, so is eligible for \$135,000 from the Credit Program. Paul and MaineDOT have applied \$39,000 toward the PACTS-funded Falmouth Route 88 sidewalk project in order to meet a MaineDOT project deadline. The balance is expected to be used for the PACTS-funded Allen Avenue project (see Item 7D below).
- Portland has spent approximately \$650,000 in local funds rebuilding a section of Read Street. Paul is working with Portland on options for using Credit Program funds – as was discussed with the Executive Committee recently.
- Cumberland expects to spend approximately \$4,000,000 in local funds this year on Route 88. This will make the Town eligible for \$250,000 from the Credit Program. Paul is working Bill Shane on the scope and budget of the Town's recent bike/ped application to PACTS (which was not funded).
- Cape Elizabeth estimates spending \$441,879 on three projects on Route 77. Paul has reviewed the projects, has discussed them with Gorrill-Palmer and has met with Mike McGovern and Bob Malley. Mike is going to join us today to discuss options for his proposal.

See Paul's recent email to Mike and Bob below. In it he concludes that the Town's proposal does not meet the requirements of our Credit Program even after spending \$441,879 on a state highway. Paul and John hope to work out something with Cape Elizabeth after this major expenditure by the Town. Mike has asked that we send his proposal and staff's conclusions to the Policy Committee for consideration.

Paul has looked around the region to see if other towns have also spent significantly on their state roads, but less than the \$500,000 Credit Program threshold. Biddeford and South Portland have spent significant amounts, but not nearly as much as Cape Elizabeth has.

From: Paul Niehoff [mailto:pniehoff@gpcog.org]
Sent: Thursday, July 01, 2010 10:11 AM
To: Michael McGovern; 'Robert Malley'
Cc: John Duncan
Subject: RT 77 Paving Projects and Credit Program Follow Up

Hi Mike and Bob,

I am following up on our recent meeting about utilizing sections of paving projects related to Route 77 in Cape Elizabeth that were either completed in 2009 or scheduled to be completed in 2010 to be considered under PACTS Collector Credit Program. The details of each road section, the methods used and the applicability of the program within the program parameters will follow this brief overview of the PACTS credit program history and guiding policies.

The idea of a PACTS collector road credit program was initiated in a TIP Process Committee meeting in the summer/early fall of 2009. It was based on the premise PACTS and/or MaineDOT would conceivably never have the funding to complete either rehabilitation or reconstruction of the 121 miles of collector roads in the PACTS funding region considered to be in “poor” condition based on the 2008 Collector Assessment Study. Related to this idea was the Policy Committee decision to fund to the best of our ability the region’s 83 miles of collectors deemed to meet, or substantially meet, design standards and were in a condition warranting pavement preservation (consisting of pavement overlays or pavement milling of the surface with a subsequent overlay.)

Throughout the fall and winter of 2009/2010 PACTS staff worked with the TIP Process Committee, the Technical Committee and both the Executive and Policy Committees to define the program and develop parameters and administrative guidelines. The program was voted on and approved at the March 2010 Policy Committee meeting. Please note staff recommended that the work would not necessarily have to meet state standards, but the Executive Committee recommended to the Policy Committee that it must meet state standards and the Policy Committee concurred.

The guiding principles, program details and definitions of the program are as follows:

1. The concept of the program emphasizes bringing the “poor” roads which may not meet state standards or require substantial capital improvements (in the form of rehabilitation such as substantial pavement milling or full-depth reclamation or full depth reconstruction) up to a structural and cross-sectional standard.
2. The road(s) must at least meet state standards or meet state standards including design exceptions per the PACTS Regional Collector Road Assessment Study thus being eligible for future PACTS pavement preservation funding.

3. The city or town must spend at least \$500,000 on a single project or a combination of collector road projects utilizing 100% local funds.
4. The “credit” consists of 10 percent of the amount of local funding expended on the qualifying project(s).
5. A cap of \$250,000 maximum “credit” per community is in place.
6. The credit may be used on existing, but unobligated PACTS funded projects or projects that have been submitted and ranked as part of the 12/13 capital program.

The following three Cape Elizabeth projects as submitted are being considered for the Collector Credit Program. The list consists of the project, the project scope of work and the project cost or estimated cost for the proposed 2010 project. PACTS staff comments related to the project follow each description.

Project #1 - Route 77 (Ocean House Road)

Project Length: 5,240' - Fowler Road/Old Ocean House intersection to Wentworth Road

Type of Rehabilitation: Mill & Fill both travel lanes and shoulders
From Collector Assessment: “Meets or exceeded current standards, with the exception of existing guardrail segments (non-compliant terminal ends)

Cost \$189,479.00

Date Completed: May 2009

Staff Comments: The pavement surface treatment consisting of mill and fill across the entire road cross section meets the report definition under “Rehabilitation” by its “substantial milling of pavement surface”. However, to be fully considered under the credit program the road must “be brought up to state standards (including design exceptions)” which in this case means replacing the guardrail terminal ends.

Project #2 Route 77 (Bowery Beach Road)

Project Length: 7,750' - Breakwater Farm Road to Fowler Road

Type or rehabilitation: Mill & Fill shoulders only

Meets or exceeds current standards, with the exception of existing guardrail segments (cable-type)

Cost: \$85,706.00

Date Completed: May 2009

Staff Comments: The PACTS Collector Road Study report recommended treatment is shim and overlay and the field notes recommend full depth reclamation in at least select sections of this roadway segment to alleviate vertical undulations in the travel lanes. In addition substandard (cable) guardrail must be replaced, or a design exception granted before this section could meet state standards. Given the travel lanes were not improved by the recommended treatment and the guardrail does not meet standards this section completed in 2009 cannot be considered unless other improvements are made.

Project #3 Route 77 (Ocean House Road)

Project Length: 4,500' - Wentworth Road to MDOT Compact line at the Inn by the Sea

Type of Rehabilitation: Mill & Fill, both travel lanes and shoulders

Meets or Exceeds current standards: Yes

Estimated Cost: \$252,400.00

Anticipated Completion Date: August 2010

Staff Comments: It is our understanding that the mill and fill includes a shim prior to finish paving. Therefore it appears this section when completed as proposed will meet the requirements under both the type of rehabilitation and the state standards.

Conclusions:

Under the current credit program, in order for Project #1 to meet the intent of the program the guardrail terminal ends must be replaced (or a DE granted). Project #3 as proposed and if completed as scoped would appear to meet the program intent. Project #2 clearly does not meet the intent of the program related to both the rehabilitation of the road structurally and the design standards intent.

Additionally, the cost, both realized and as estimated for the two qualifying projects total \$441,879 is below the minimum \$500,000 currently defined in the program.

PACTS staff certainly appreciates Cape Elizabeth's situation on collector road funding. In fact, as you know only too well, this situation illustrates the difficult times that Maine and the Greater Portland region – and most other states – continue to face. There is too little transportation funding to meet the enormity of needs (as MaineDOT put in a recent letter to the Town of Falmouth).

PACTS staff also appreciates the Town's recent expenditures on Route 77. At \$441,879 the Town has spent a tremendous amount on a regionally significant road. Given that the goal of the Credit Program is to help compensate our members for using 100% local funds to rehabilitate or reconstruct collector roads, we truly would like the Credit Program to work for Cape Elizabeth. As such, we will continue to work with you to make determinations, suggestions and recommendations to enable use of the program.

Please let us know if you have questions or would like to further discuss ways to move this initiative forward.

Paul Niehoff
PACTS

D. Falmouth's Allen Avenue Project

Staff Resource: Paul Niehoff

Recommendation: To recommend that the Policy Committee amend the TIP. *Paul will explain at our meeting. John thought he knew this item well enough before Paul some vacation last week.*

Background

June 18th Paul Niehoff email:

Nathan and Jay,

Not that you need to digest this accounting nightmare, but the bottom line is we got the go ahead to use the following figures to get Allen Ave started.

Basically, I am using nearly all of Falmouth's credit balance (after the RT 88 sidewalk to lower your match from \$103,500 (25%) to \$66,240 (16%).

I will formally request DOT to do this next week. Let me know if you have any questions.

Paul Niehoff

From: Paul Niehoff
Sent: Thursday, June 17, 2010 2:27 PM
To: 'Laberge, Michael'
Cc: John Duncan
Subject: Falmouth Allen Ave figure verification

Hi Mike,

Falmouth has a credit of \$118,120 available. We used \$30,432 Fed and \$7,479 St for a total Fed/St of \$37,911 for the Rt 88 sidewalk. Therefore we have \$80,209 available.

I would like to apportion the balance to Allen Ave as follows:

Fed: \$62,100 added to the current (65%) \$269,100 for \$331,200 or 80% Fed
State: \$16,560 or 4% down from the current 10% programmed
Local: \$66,240 16% down from the \$103,500 programmed

That should leave a balance of \$1,549 from the \$118,120 credit and \$24,840 of the original state programmed amount of \$41,400 because we're going from 10% to 4% state. I can't see another way to do this given the credit

balance and wanting to use 80% Fed funds. The side benefit is we've increased (or let remain) our state amount in the holding PIN by the \$24,840 noted above.

Believe me I know this is complicated, but the credit program has helped Falmouth "save" \$118,120" by reconstructing and/or rehabilitating at least two "state" roads that DOT or PACTS would not have been able to fund. A win-win?

Let me know.

Paul Niehoff

E. Substitution of Old Orchard Beach projects

Staff Resource: Paul Niehoff

Recommendation: To endorse a project substitution as described below. The Executive Committee has the authority to do this, and has done so several times.

Background

The Old Orchard Beach Town Council recently voted request a withdrawal and substitution under current PACTS policy to withdraw two Saco Street sidewalk projects and to request a transfer into the underfunded East Cummings/Saco Ave intersection project. The estimated federal and state dollar figures (total) to be withdrawn are: Federal - \$274,082 and State - \$43,101. The federal/state funds to be transferred into the intersection project are \$162,954 and -\$2,380 respectively. The state figure is a negative because more remains in the Holding PIN because the state ratio goes from 7% to 5%.

Agenda Item 8: Updates from Staff and Committees

- We recently advised Policy, Technical and Planning members of a July 21st Highway Simplification Study statewide workshop for compact communities. MMA is sending out invitations to all 70 compact communities.
- GPCOG and PACTS staff are still working with others to organize a \$1,000,000-plus study proposal under the HUD/EPA/DOT Sustainable Communities Planning Grant Program. The proposal is due in late August.
- A team led by the South Portland Land Trust has asked that PACTS submit an application for a planning grant under the TIGER II program. The team (not PACTS staff) is writing the grant application. Staff thinks this is an appropriate role for PACTS because it's a regional proposal, it's an exciting bike/ped concept, we have been asked, and the TIGER II rules allow MPO's to apply. *However, we want the blessing of the Policy Committee before doing this (unless the Executive Committee feels that we do not need that endorsement).*
- In early 2009 Paul convened an informal gathering of "bike/ped" parties in order to share what's going on in the region. He has convened them three or four times, and calls them the "PACTS Area Bike/Pedestrian and Preferred Modes of Transportation Group". We have mentioned these meetings in our committee reports. Paul will write a description of the group and what they have discussed at their meetings. Donna Larson recently asked how this group fits into the PACTS process. We think that is a good question, and we would like to discuss with the Executive Committees the pros and cons of having an informal "PACTS" group meet periodically. *This subject could be postponed for discussion later if the agenda gets too full*
- SMRPC is working with Saco, OOB and Biddeford on a study of the future implications of rising sea level.
- September Policy agenda:
 - Final action on TIP projects for 2012/2013 biennium, on the use of the Credit Program funds and on the use of the Holding PIN money. MaineDOT's deadline for us is October, but we would like to get it done in September.
 - MaineDOT overview on Portland North Study process and recommendations, and the MaineDOT study regarding extension of Amtrak service to Lewiston/Auburn.

Agenda Item 9: Policy Committee Agenda

Here is a draft for consideration by the Executive Committee.

1. Annual check-in on Executive Committee process (as we discussed last month).
2. Kat Beaudoin presentation on MaineDOT's new draft local match policy regarding capital improvements. She would share a draft with us now, but it is not ready for prime time today.
3. TIP project and priority setting reports and actions per today's agenda, such as:
 - Consideration of Cape Elizabeth's Credit Program proposal
 - Decide on a policy to program the Holding PIN \$2,000,000
 - Act on collector paving short list if the Technical Committee has a recommendation
 - Act on Falmouth's Allen Avenue project funding
4. Amend our UPWP per today's agenda.
5. Endorse PACTS submitting an application for a planning grant under the TIGER II program per the request described on page 20.
6. Accept Executive Director's Report – information items.
7. Consent Agenda (or put in Executive Director's report)
 - Summary of today's transit leadership discussion.
 - The Transit Committee's annual accomplishments report to the Policy Committee.
 - The Transit Committee's report, as requested in May, on the negative effects of cuts in FTA 5307 funding.
8. Annual performance evaluation of the Executive Director