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PACTS

Portland Area Comprehensive Transportation System

Executive Committee Meeting Notice

March 22, 2011
8:30 a.m. to 11:00 a.m.

GPCOG, 68 Marginal Way, Portland

Agenda

1. Call to order
2. Minutes of February 1st meeting
3. MPO Project Efficiencies Team (8:35)
4. Unified Planning Work Program for Next Biennium (8:55)
5. 2011 TIP Process Committee (9:30)
6. 2011 Credit Program (9:45)
7. Voting Requirements (10:00)
8. Updates from Staff and Committees (10:10)
9. Public comment on topics not on today's agenda (10:25)
10. Order to go into Executive Session pursuant to the Laws of Maine to discuss the Executive Director's six-month performance evaluation, pursuant to 1 MRSA Section 405 (6) (A)
11. Adjourn

Next meeting: April 5th at 8:30 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 February 1st Meeting

Present: Kathi Earley, Chair; Dan Bacon; John Bubier; Judy Harris; Nathan Poore; Al Presgraves; Marty Rooney; Sara Trafton; John Duncan; Carl Eppich; Steve Linnell; Paul Niehoff; Maddy Adams

- 1. Call to order.** Kathi Earley called the meeting to order at 8:40.
- 2. Minutes of January 4, 2011 meeting.** The January 4, 2011 minutes were approved by consensus.
- 3. High Cost of Federally Funded Projects.** John D., Jim Gailey, Tom Gorrill, Nathan Poore, and Paul N. met prior to this meeting. They are organizing a meeting with the new Commissioner later this month to let him know that we are aware that he is working to find efficiencies in MaineDOT project work, and that we are very interested in that topic as well and we have some ideas. We will bring a two-page report, and we will invite the MPO Director from Bangor as well. The idea is to keep the meeting with the Commissioner small and keep it frank. They talked about reducing the size of the meeting even so much as having only one manager present. The group discussed the environmental piece, and they talked about having Jeff McEwen (FHWA) attend the meeting as well. The group does not want this to turn into a gripe session, so the tone of the meeting will be important. We want to determine what we can do together to do more with what we have.
- 4. Options for re-programming funds from withdrawn and other projects.** There is almost a million dollars of federal/state money available (a little more with the match). John D. reviewed the options. The Transit Committee is preparing proposals for the CBITD ferry replacement in case the money is available. Al suggested keeping the preservation paving money there, and keeping the transit money in transit. Staff recommends keeping \$100,000 in the Holding PIN. This is money we can spend now but we can't mix it with 12/13 money until those projects are obligated. Transit might use it for AVL, vehicle replacement, or a number of other projects.

Marty pointed out that the next FY doesn't begin until October, so some of the funds could be used for design work. Paul explained that we don't have that many "ready-to-go" projects to start the design work on. Jim G. has asked if he could start his funded Eastern Trail project. The money will not become available until October. Collector paving projects are ready to go. Marty suggested that at the meeting with the Commissioner, some pilot projects could be identified that could be done differently and cheaper. Paul said we could suggest two projects – a bike/ped project and a collector paving project. *A recommendation was made to utilize up to \$240,000 for a transit project; put \$220,000 for designing 12/13 projects instead of putting it into contingency; and the balance be used for a pavement preservation project and a 2011 Credit Program. No contingency money.* Nathan noted that we will need to go down the collector paving list to see what project(s) would meet the money available because many of the projects exceed the amount of funds available. We will need to talk with the municipalities on the list to see if they have the match.

- 5. FTA 5307 sub-allocation formula.** We are still on Congressional Continuing Resolution. Steve explained the FTA 5307 formula. He distributed a handout regarding the history of how the formula has worked. In 2008, the Transit Committee added a small performance reward element to the formula. The difference with the formula this time is that we are trying

to mitigate the sharp peaks and valleys by averaging three years and taking the difference between one three-year chunk and the next three-year chunk. It is a definite improvement over what we were working with before. John B. asked if there is a ratio of passengers and vehicle miles traveled when comparing urban versus rural systems. Steve provided another handout regarding the revenue side. It was suggested that a similar analysis be done for the demand response providers. Sara T. noted that although she voted for this, she doesn't think it's perfect; RTP has taken a hit three years in a row. There were some concerns about the revenue handout. It was suggested that it should also show the population base and a per capita base for transit.

John B. was concerned with the YCCAC numbers versus the fixed route numbers. YCCAC numbers get progressively higher while the fixed route numbers are close to one another, and he asked why this was so. He asked if the algorithm changed. Steve explained that it has to do with miles and also because YCCAC gets the least amount of money. These are only 5307 eligible miles. Steve reminded the group that we are only recommending the formula, not dollars at this time. Demand response has to respond to their calls – they have to make the trip. MaineCare trips have to be made but they don't count toward 5307. There was much discussion about what can and cannot be counted. If the trip begins or ends in the urban area, that is what is counted for miles. If the trip is funded with other than 5307 funds, then it is not counted.

It was asked if YCCAC bills the communities it serves; RTP does bill the communities it serves for ADA services. FTA defines an urban trip as: A trip with an origination or destination in an urban area. It was asked how important the miles are to the formula. Steve explained that miles have been part of the formula for a long time. It was there to mitigate the fact that if you have a large number of boardings, you are probably in the urban area and you have density. Passengers per hour shows what we are doing; there may be some other ways to come up with a formula. There was a suggestion to have someone from the outside help draft a formula. Dan pointed out that this is a difficult and complex process. Demand response and fixed route are apples and oranges, and to try to have a formula that fits both is difficult. Perhaps they should be exploring a performance measure for RTP and YCCAC and try to measure their performance to each other, and then have a fixed-route formula for the others. The density issue will be a factor for the fixed route. Steve pointed out that the 70/30 split was developed to help alleviate the differences between fixed route and demand response.

John B. made a motion to support the 2007 base amount for a portion of the total funding. The remaining formula has yet to be determined and will be investigated further at the March meeting (performance rolling average). The motion was seconded by Dan and all were in favor. The Committee wants to know what caused the fluctuation with YCCAC. This will be further discussed at the March 8th meeting.

- 6. UPWP for the Next Biennium.** The budget needs to be adopted by May. John D. referred to the budget worksheet. At the last meeting, a request was made to show a balanced budget, and that was shown in the meeting packet.

A detailed breakdown regarding PACTS Staff and GPCOG Support was requested. John explained that the number reflects a 3% increase the first year and a 3% increase in the second year. The Committee also asked for clarification regarding the difference between the PACTS staff and GPCOG support versus GPCOG Planning Services. More information on the Bike/Ped Wayfinding project was also requested.

7. **Draft bylaw language regarding Executive Committee authority to amend UPWP.** A new section was added to Section 1 of Article VI of the PACTS bylaws. *John B. moved and Sara T. seconded a motion to submit the bylaw language to the Policy Committee for approval. All in favor.*

8. **Updates from Staff and Committees.**

- *Destination Tomorrow* is just about complete. Carl expects it will be out in time for the Policy Committee to consider it at their February 17th meeting.
- John introduced a milestones calendar. Kathi thought it provided good guidance. We can update the calendar as part of our updates section of future meetings.
- Kathi compiled the information from John Duncan's annual review and she and Nathan decided to also conduct a six month review, and now it's been six months. Nathan will forward a document to the Executive Committee members and asked them to make some comments right on the document using track changes. Then, Nathan will compile that information and they will have an Executive Session at the March 8th meeting. They will also ask John D. to evaluate the PACTS committees.
- When not working on 5307, the Transit Committee is working on the sign and shelter project, Regional Route Study, and the Southern Maine Regional Transit Study.
- Judy has developed a transportation study list that she has been circulating; it is almost final. Please let her know if you have any additions/revisions.
- Southern Maine Transit Study group met and will meet again on March 3rd at 1:30 at PACTS. Steve and Tom Reinauer have developed a scope and will be turning it into an RFP.

9. **Minor TIP Amendment.** *John B. moved and Dan seconded a recommendation to amend the TIP to add \$128,490 in federal JARC funding for the urban portion of the WAVE van service to the FY 2009 allocation to the York County Community Action Corporation. All in favor.*

10. **Policy Committee Agenda.**

#3. Reallocation of new money in the Holding PIN. This actually might be a reallocation but it could be a recommendation. It was asked if we need to go through the unfunded collector projects list to determine which ones will fit the money available and then check with the town for their match. Paul responded that the dollar figure has to match, the town needs to approve the match, and a TIP amendment will be needed. There is a lot involved to adding a project to the work program.

Remove #5. Action on use of FTA 5307 funding formula since we don't have action ready yet on 5307. Steve mentioned that this has to go out to public notice. Since the Executive Committee only agreed on the 2007 base number, we can only provide an update. Numbers from YCCAC are needed. Steve noted that the Transit Committee did vote on the formula at the last meeting. The Executive Committee wants to know what the big fluctuation is with YCCAC's numbers. Nathan said that is step one, and then he wants to take a look at the formula for the fixed route providers.

The March 1st meeting will be held on March 8th. The 5307 topic will be added to the agenda, as well as an Executive Session.

11. **Public comment.** None

12. **Adjourn.** The meeting adjourned at 10:50 a.m.

Agenda Item 3: MPO Project Efficiencies Team

Staff Resource: John Duncan and Paul Niehoff

Recommendation: Receive the following report, and then report on this topic at upcoming Executive and Policy Committee meetings.

Background

Since our last meeting a contingent met with Dave Bernhardt and Ken Sweeney in Augusta, then Dave and Ken prepared a draft charter, then we discussed it and suggested that Tom Gorrill and Jim Gailey be added. The team will meet first on April 5th.

Since our last meeting a contingent met with Dave Bernhardt and Ken Sweeney in Augusta, then Dave and Ken prepared a draft charter, then we discussed it the charter and suggested that Tom Gorrill and Jim Gailey be added. MaineDOT accepted that proposal. The team will meet very soon.

The focus of this work will be on federally funded projects in the four MPO regions. John will brief the other MPO's along the way. He and Ken Sweeney described this upcoming effort at a recent meeting of the MPO's in Auburn.

We are all approaching this as a team effort. We hope to reduce the cost of future federally-funded projects by:

- Getting project scopes and estimates “right” from day one.
- Achieving a clear public understanding and support of the project very early on.
- Having the city/town fully support and focus on completing the project.
- Reducing the amount of design needed.
- Reducing the administrative cost and construction risks that contractors experience.
- Keeping project development and construction on schedule.

Draft Charter

REVIEW OF MPO PROJECT PRIORITIZATION, SELECTION, SCOPING, ENGINEERING AND CONSTRUCTION DELIVERY OF FEDERALLY FUNDED PROJECTS

Background:

Over the past few years, there are concerns by MPO's and MaineDOT that more needs to be done to streamline the process and reduce the costs of MPO Federally Funded projects. In furtherance of this need, PACTS established a working group to come up with ideas for consideration of the Department and FHWA. These ideas were shared with MaineDOT Commissioner David Bernhardt and Chief Engineer Kenneth Sweeney on February 28, 2011. It was agreed that a team would be formed to review the ideas presented and expand the review to the entire process of identifying and delivering transportation improvements in the MPO areas with Federal and State transportation funding.

Mission:

The team will examine the present process of delivering transportation improvements from planning/selection through completion and audit of Federally Funded improvements and make recommendations for changes with documented benefits to the Commissioner for his consideration by July 15, 2011.

Team:

Joyce Taylor, P.E., Director of Project Development, MaineDOT
Peggy Duval, Acting Director of Planning, MaineDOT
Cheryl Martin, FHWA Assistance Maine Division Administrator
John Duncan, PACTS Director
Bill Shane, P. E., Cumberland Town Manager
Jim Gailey, South Portland City Manager
Tom Gorrill, P. E., Gorrill-Palmer Engineers
Jim Hanley, Pike Industries, Inc.
Mark Barnes, Shaw Brothers

Resources:

The MaineDOT will provide staff support and funding for this effort within available budgets. If other resources are necessary, the requests will be sent to the Director of Planning, MaineDOT for approval.

Agenda Item 4: UPWP for the Next Biennium

Staff Resource: John Duncan

Recommendation: Briefing on the following:

1. Schedule for development of the UPWP
2. Budget worksheet for FHWA-funded work
3. Carryover needs estimate and update on MaineDOT position
4. Budget worksheet for PACTS staff and GPCOG support
5. Budget worksheet for FTA-funded work
6. PACTS staff work outline
7. GPCOG planning services work outline

Schedule for development of Unified Planning Work Program

GPCOG, SMRPC and PACTS staff are working with the Transit Committee to develop tasks to be funded with FTA planning funds. We will coordinate this process with the development of the FHWA-funded work as outlined here.

- February 4th: Study proposals due from municipalities and transit systems.
- Today: Executive Committee continues work.
- March 24th: Staff meets at MaineDOT to review the study proposals that we are considering.
- April: Staff presents scores of proposals for FHWA-funded to the Planning, Technical and Transit Committees.
- April 5th: Staff presents scores of study proposals submitted by members – and comments offered on those proposals based on a staff meeting with MaineDOT.
- April 5th: Executive Committee endorses a draft UPWP (FTA \$\$ and FHWA \$\$) for review by the Policy Committee on April 21st.
- May 3rd: Executive Committee recommends final UPWP budget and tasks to Policy Committee.
- May 19th: Policy Committee final action.

Budget worksheet for FHWA-funded work

John will review the sheet on the next page at our meeting.

March 18th Budget Worksheet
For The Next 2-Year UPWP

This sheet omits the \$177,000 in studies work "carried over" from the last biennium,
and our \$92,000 contingency budget adopted in 2009,

<u>Revenue Budget</u>	<u>Budget for This Biennium</u>	<u>Draft 12/13 Budget *</u>
New FHWA Planning funds (80%) **	\$1,256,367	\$1,256,367
MaineDOT match (13.5%)	\$212,012	\$157,046
Other match	\$102,080	\$157,046
Total	\$1,570,459	\$1,570,459

Notes

* This sheet also omits an estimated \$180,000 in current consultant study work to be completed after June 30, 2010. This is a key topic for March 22nd meeting.

** We could ask MaineDOT for more.

<u>Uses Budget</u>	<u>Budget for This Biennium</u>	<u>Balanced Budget</u>
PACTS Staff and GPCOG Support	\$989,000 1	\$1,095,000
PACTS Model Update and Applications	\$38,500	\$40,000
GPCOG Planning Services	\$32,500 1	\$30,000
GPCOG Maine Clean Communities	\$30,000 1	\$30,000
SMRPC Planning Services	\$30,000	\$30,000
Regional Signal Study II	\$25,000	\$0
Regional Collector Study	\$17,000 1	\$15,000
Regional Dest Tomorrow Update	\$12,500	\$0
Regional EPS	\$9,500 1	\$10,000
Regional Transportation Funding Policy	\$7,000 1	\$10,000
MaineDOT Air Quality Analysis	\$3,000 1	\$0
Locally proposed consultant studies	\$376,000	\$120,459
Regional traffic signals management	na	\$80,000
Local project administration at PACTS	na	\$30,000 2
Regional Aerial Flight	na	\$30,000 3
Gorham East West Land Use Tech. Assist.	na	\$30,000 4
PACTS Bike/Ped Plan Implementation	na	\$20,000 5
Regional Arterials Study	<u>na</u>	\$0 6
Total	\$1,570,000	\$1,570,459

Notes

1. These items will be completely spent by June 30th.
2. Placeholder amount. Finance mostly from capital project budgets.
3. A contribution to the cost of the basic regional flight cost.
4. Gorham EW Study recommends 6 municipalities at \$10,000 each. Only 4 submitted.
5. A staff proposal drawn from the 2009 PACTS Regional Bicycle/Pedestrian Plan.
6. Staff is withdrawing this study proposal.

Carryover needs estimate and update on MaineDOT position

John will explain the situation at our meeting. He wrote the following email to relevant parties on March 4th. Also see current estimate below.

Jennie, Angela, Carl, Alex, Bill, Steve, Brooks, Dan and Dan,

We need you to try to accelerate your PACTS studies which are listed on the attached sheet in which we estimate that we will need \$185,000 to complete these studies after June 30th.

I have just learned that MaineDOT is budgeting zero for these “carryover” studies which will be in the PACTS planning/admin budget that starts in July. Historically, MaineDOT has provided continued federal planning funds for “carryover” study work. This reflects the belt tightening in Augusta. I will encourage MaineDOT to reconsider this position, but I recognize that money is very tight in Augusta.

Beginning in 2009, MaineDOT’s policy was to provide enough “new” federal planning funds to finance carryover work costing up to 5% of our regular “new” federal planning funds. While that was their policy, in 2009 MaineDOT actually provided enough to meet our entire carryover needs (more than an additional 10% for carryover work) for our current planning budget. (Before 2009, MaineDOT was financially able to meet all of our carryover needs every biennium without any concern.)

I think that most or all of you have heard of this gradual MaineDOT belt-tightening from me during the past two years. We have discussed the 5% policy at recent Executive Committee meetings, and we will discuss the 0% situation at our next meeting.

I see these options for a Policy Committee budgeting action in April or May:

- 1. Use new federal funds available to PACTS for your studies...and thereby supplant other proposed study efforts. A companion action could be to Increase the local match for PACTS studies starting July 1st.*
- 2. Require you to fund by other means the completion of your study work after June 30th.*

I note also that MaineDOT plans to reduce their \$210,000 contribution to the PACTS 2-year planning/admin budget by approximately \$50,000.

Originally funded by PACTS	Activity	UPWP Budget	Expenses So Far	Spend by June 30 Est.	Finish after June 30th	Study Status
May 2009 *	Regional Signal Study II	\$25,000	\$0	\$10,000	\$15,000	Study will start on April 1.
Jan. 2010	Regional Transit Focused Region	\$40,000	\$5,000	\$20,000	\$20,000	Study began in December
May 2009	Portland Forest Avenue	\$100,000	\$0	\$30,000	\$70,000	Study just started
May 2007	Transit Bus Route Study	\$30,000	\$0	\$20,000	\$10,000	Study just started
May 2009	Windham Comp. Transpo. Study	\$40,000	\$0	\$20,000	\$20,000	Study just started
Dec. 2010	Oakhill Pedestrian Plan	\$40,000	\$0	\$15,000	\$25,000	Study just started
Dec. 2010	Southern Maine Transit Coordination	\$30,000	\$0	\$10,000	<u>\$20,000</u>	Study will start on May 1?
				Total	\$180,000	

* Scope for this study was developed last month. This was based on the completion several months ago of the Regional Signal Study I, and the adoption of our Regional Traffic Management System policy by Policy Committee in December.

Budget worksheet for PACTS staff and GPCOG support

John will review this sheet at our meeting.

March 18, 2011 Forecast for next biennium for PACTS staff plus GPCOG support

Staff	FY 09 Actual Hours	FY 10 Actual Hours	FY 11 Est. Hours	FY 12 * Est. Hours	FY 12 Budget Cost **	FY 13 Budget Cost **	Two-Year 12+13 Budget Total
PACTS	5,491	5,306	5,304	5,305	\$493,923	\$508,073	\$1,001,996
GPCOG Support	486	496	528	512	\$29,826	\$30,616	\$60,442
GPCOG Planning***	<u>219</u>	<u>28</u>	<u>95</u>	<u>0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Subtotals	6,196	5,830	5,927	5,817	\$523,749	\$538,689	\$1,062,438
Direct Costs		\$17,500	\$17,500		<u>\$16,000</u>	<u>\$16,000</u>	<u>\$32,000</u>
				Total Costs	\$539,749	\$554,689	\$1,094,438

* Based on average of FY 10 actual hours and FY 11 estimated hours. Assume same hours in FY 2012 and FY 2013. 10+11 budget: \$989,000
Difference: \$105,438
12+13 % increase: 10.66%

** Hourly rate budget assumptions are average 3% annual increases, and an additional FY 12 increase for the PACTS Transportation Planner position.

*** These technical support services will be billed in 12/13 to GPCOG Planning Services, but the budget for GPCOG Planning Services will be same as 10/11 biennium.

Budget Worksheet for FTA-funded Work

See worksheet on next page. Next steps are:

- GPCOG staff will develop short descriptions of each effort.
- GPCOG staff will describe current tasks that will be carried over into the next UPWP.
- Transit Committee will review the proposals and make a recommendation to the Policy Committee.
- We will share that recommendation with the Exec Committee on May 3rd.

Task	GPCOG FTA 5303 Transit Planning Budget FY 2012-2013				DRAFT	
	9-Mar-11				FY 12	FY 13
6	Program Support - 171101	Total	Federal	Local		
	Administration	\$55,000	\$44,000	\$11,000		
	PACTS Committee Support	\$75,000	\$60,000	\$15,000		
	Total Administration	\$130,000	\$104,000	\$26,000	\$63,000	\$67,000
					\$50,400	\$53,600
7	Short Range Support - 171102				\$12,600	\$13,400
	Traveler Information	\$43,730	\$34,984	\$8,746		
	Optimize Funding Opportunities	\$12,500	\$10,000	\$2,500		
	Regional Sign & Shelter	\$48,642	\$38,914	\$9,728		
	Total Short Range Support	\$104,872	\$83,898	\$20,974	\$60,000	\$44,872
					\$48,000	\$35,898
8	Long Range - System - 171103				\$12,000	\$8,974
	Transit Coordination Implementation	\$25,000	\$20,000	\$5,000		
	Regional Pass Phase II	\$25,000	\$20,000	\$5,000		
	Regional Transit & Land Use	\$40,000	\$32,000	\$8,000		
	Regional Marketing	\$25,000	\$20,000	\$5,000		
	Maine Clean Communities	\$60,000	\$48,000	\$12,000		
	State & federal assistance	\$10,000	\$8,000	\$2,000		
	Trans/Human Service Planning	\$20,000	\$16,000	\$4,000		
	Total Long Range System	\$205,000	\$164,000	\$41,000	\$100,000	\$105,000
					\$80,000	\$84,000
9	Long Range - Project - 171104				\$20,000	\$21,000
	Update Regional ITS Architecture	\$50,000	\$40,000	\$10,000		
	Regional Transit Authority	\$60,000	\$48,000	\$12,000		
	Maintenance/Admin Implementation	\$24,000	\$19,200	\$4,800		
	Total Long Range Project	\$134,000	\$107,200	\$26,800	\$94,000	\$40,000
					\$75,200	\$32,000
10	Technical Support - 171105				\$18,800	\$8,000
	Databases, Training	\$12,500	\$10,000	\$2,500		
	Mapping & GIS Support	\$12,500	\$10,000	\$2,500		
	ITS Planning/AVL Support	\$25,000	\$20,000	\$5,000		
	Total Technical Support	\$50,000	\$40,000	\$10,000	\$40,000	\$10,000
	Total Planning Budget	\$623,872	\$499,098	\$124,774	\$357,000	\$266,872
	PROPOSED FY 2012-2013 ACTIVITIES for Transit Providers (5307 Funds):-					
7	Providers, proposed projects	Total	Federal	Local		
	CBITD					DRAFT
	METRO: On/Off Survey - Task 7	\$25,000	\$20,000	\$5,000		
	NNEPRA					
	RTP Shopper Shuttle - Task 7		\$0	\$0		
	SPBS					
	ShuttleBus					
	YCCAC					
	5307 Totals	\$25,000	\$20,000	\$5,000	\$16,000	\$9,000
	5303 plus 5307	\$648,872	\$519,098	\$129,774	\$373,000	\$275,872

PACTS Staff Work Outline

Policy Development and Regional Coordination

1. Work with the members of our **5 standing committees** and at quarterly joint sessions of our Planning, Technical and Transit Committees.
2. Continue a regional education and state-level collaboration processes related to **transportation needs** and funding options.
3. Monitor and advise our members on the development of and the implications of state and federal **legislation**, including the next federal transportation **authorization act**.
4. Lead the implementation of the recently adopted **PACTS region traffic management system policy** regarding traffic signals.
5. Continued close collaboration with (and development of relationships with new staff at) the **MaineDOT, the Turnpike Authority, SMRPC and GPCOG**.
6. Maintain the PACTS website and blog, and perform other **public outreach** work such as videos, forums and presentations at conferences.
7. Implement the PACTS Regional **Bike/Pedestrian Plan** through education, design guidelines, public outreach and assistance.
8. Work at the state and national levels on transportation issues and alternative transportation topics.

Project Programming and Development

1. Work with our municipal members, MaineDOT and FHWA on opportunities to **streamline the development of projects and to reduce project costs**. This will include follow-up on the recommendations of the MPO Project Efficiencies Team created by MaineDOT in March.
2. Lead and support the 2011 **TIP Process Committee** which will work on “Efficiencies” topics and others.
3. Manage the 2011 **PACTS Credit Program**, and subsequent ones if created.
4. Lead an update of the **PACTS Collectors Study** and its project selection process.
5. Facilitate the **development of funded projects** in our region. This might include a greater PACTS role in **local project administration/management**.
6. **Monitor** changes in the scope and cost of funded projects, and then **administer** the amendment process as appropriate.
7. Perform the priority setting for the **2014/2015 PACTS MPO Allocation** list of projects.

Planning and Administration

1. Participate in the land-use-transit-highway planning in **Phase II of the Gorham East-West Corridor Study** led by the Turnpike Authority and MaineDOT, in the **Regional Sustainable Development Plan and other health and energy sustainability projects** led by GPCOG and SMRPC, and in the **Northern York County Corridor Study**.
2. Organize, administer and participate in PACTS-funded consultant **studies**. In early 2011 we have 12 studies in process with consultants, and we estimate that we will start 12 new ones in the next UPWP. This includes work with our PACTS model consultant team who will update the model with the new data from the 2010 U. S. Census.
3. Administer the 2012/2013 Unified **Planning Work Program**, and develop the next one in early 2013.

4. Work with our federal and state partner agencies to meet federal and state planning and programming **requirements**. This will include work related to our region's new air quality non-attainment status.

GPCOG Planning Services Work Outline

Budget in current UPWP – \$30,000

Budget proposal for next UPWP – \$30,000

Lead staff involved – Steve Linnell

Local match required -- \$6,000 – to be provided by GPCOG

Municipalities involved – The twelve PACTS municipalities in the Cumberland County.

Work Done in Current UPWP – This is the GPCOG planning services requested by PACTS staff – not the administrative services provided by GPCOG. So far in this biennium GPCOG staff did the following planning work for PACTS within this budget:

- Collaborated with MaineDOT in organizing a regional meeting of traffic incident management personnel (February 9, 2011).
- Provided update of demographic data and long range forecast for Destination Tomorrow, and prepared charts for Chapter 3.
- Provided input, coordination and review for PACTS staff of population, housing, employment projections for the Gorham East West Study.
- Prepared for and participated in Destination Tomorrow regional plan update advisory committee meetings.
- Provided mapping and graphics services for 20 PACTS staff requests
- Coordination/exploration of the feasibility of a regional aerial orthophoto project
- Technical assistance for the PACTS website, 2010 PACTS video and ftp site
- Created PACTS Blog website - <http://pactsblog.org/blog/>.
- Created PACTS YouTube account
- Advised with the creation of MaineTransit.org website, and renewal of maintransit.org and .com domains, and created Analytics acct and added code to main site, blog and supplied code for Maintransit.org site.
- Posted PACTS reports on the PACTS website.
- Researched and purchased, along with Go Maine, a bicycle helmet camera to use to support bicycle infrastructure projects.
- PACTS staff training in Wordpress and discussion of best practices and management.
- *There is a 3-page version of the work done. Do you want to see that?*

Work Proposal for Next UPWP – Similar to the services described above, GPCOG will provide to PACTS staff upon request the following:

- Demographic data analysis relative to the 2010 U. S. Census results due in 2011 and 2012, and American Community Survey
- Mapping and graphics services
- Technical assistance for the PACTS website, blog and other telecommunications functions.
- Other services, as requested by PACTS staff.

Agenda Item 5: 2011 TIP Process Committee

Staff Resource: John Duncan

Recommendation: Recommend that the Policy Committee convene a 2011 TIP Process Committee to review our policies and procedures in preparation for our 2012 selection of \$15,000,000 in FY 2014/2015 projects

Background

For many years now we have convened a TIP Process Committee every other year for the purpose outlined above. We recommend the following topics for 2011:

1. Work on the recommendations from the upcoming MaineDOT-chartered MPO Project Efficiencies Team. The deadline for completion of their work is July 15th. At this time it appears that the team might address some of the items below.
2. An L. A. P. function at PACTS.
3. Revise our Credit Program...or that might get done this spring. See next agenda item.
4. Review our funding cap policy
5. Review/revise the eight factors in our Road Formula....and review/revise our other proposal scoring procedures.
6. Other

Agenda Item 6: 2011 Credit Program

Staff Resource: John and Paul

Recommendation: Recommend that the Policy Committee create a 2011 Credit Program which is similar to our 2010 Program – with the following changes:

1. Clarify the local 100% expenditures on arterials are also eligible.
2. Reduce the \$400,000 local 100% expenditure to \$300,000.
3. Use the Credit Program federal and state funds for **any** federally eligible transportation project. See note below.

Background

The 2010 Program was well received by our members. The Policy Committee asked in February that we review it and recommend a 2011 Program. Mike McGovern suggested that we drop the requirement that Credit Program funds be spent on projects already proposed to PACTS or funded by PACTS. John recently left a message for Mike on this topic.

The FHWA requires that a FHWA-funded project have a minimum 50% FHWA contribution. This could create a stumbling block for us.

Agenda Item 7: PACTS Voting Requirements

Staff Resource: John Duncan

Recommendation: Recommend bylaws changes:

1. To require that a PACTS committee meeting motion passes only if a quorum is present and a majority of voting members present vote in favor. Note: this recommendation is not intended to remove the authority of our committees to take action by consensus.
2. To emphasize that voting members have a responsibility to vote, and to clarify when abstentions are appropriate.

Background

A January Transit Committee vote (a recommendation to the Policy Committee) regarding federal funding has raised a question for us to consider regarding our voting rules. With nine voting members present, four votes in favor were a winning vote. The other members voted against (1), abstained (1) and chose not to vote (3).

After the meeting, John Duncan was asked and subsequently concluded from our bylaws that the Transit Committee vote was valid. *His conclusion was based on our bylaws language that a motion passes with a simple majority vote of the representatives present and voting.* (The only wording in our bylaws that addresses this topic is in the context of amending the bylaws.)

Excerpt from a Nathan Poore email in response to John's conclusion: I think it is worth a discussion at the Executive Committee level to discuss what is expected with regard to voting rules. Based on your current interpretation, a matter of significant substance, could be approved by the Policy Committee with two people in favor and one opposed. We may determine that the Sub-Committees can operate under the current rules but there may need to be changes in the rules for the Policy and Executive Committee. We expect a quorum to hold a meeting – I think it is only logical to expect a minimum number of people to vote in favor of a motion.

Excerpt from an earlier Nathan Poore email: I have always had an understanding, in typical situations that the focus needs to be on how many votes are in favor of the motion. And, other than where by-laws or voting rules are drafted to mandate something different, a motion can only pass if there is a majority, of those present, in favor of the motion. In the situation described below, it looks like the motion did not receive enough votes.

Maddy Adams' research on Abstentions

Do abstention votes count? The Robert's Rules of Order answer: The phrase "abstention votes" is an oxymoron, an abstention being a refusal to vote. To abstain means to refrain from voting, and, as a consequence, there can be no such thing as an "abstention vote."

In the usual situation, where either a majority vote or a two-thirds vote is required, abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast. On the other hand, if the vote required is a majority or two thirds of

the members present, or a majority or two thirds of the entire membership, an abstention will have the same effect as a “no” vote. Even in such a case, however, an abstention is not a vote.
Recent Neal Allen email regarding Abstentions

I think a discussion of this item with the goal of clarification is appropriate. I was surprised that Roberts Rules offer abstaining as discretionary. That said I would think that a modification of PACTS bylaws could clarify when abstentions will be permitted. My view is that one should only abstain when they personally stand to gain by the outcome. And they should openly explain why they are abstaining or if the rule is tight enough request that the Chair or the committee as a whole determine whether the abstention is appropriate. Simply choosing not to vote is even more ridiculous. When people agree to serve on a committee that makes decisions through voting they have a responsibility to vote. Otherwise they should not serve. You might want to bounce this off Mike McGovern. Thanks. *(John called and left a message for Mike.)*

Agenda Item 8: Updates from Staff and Committees

1. Staff will be prepared to report on the following:

- Last month the Policy Committee adopted the FTA 5307 funding formula for FY 2011 and FY 2012.
- Our annual meeting will be **on June 23rd**. Commissioner David Bernhardt has agreed to be our speaker.
- We have started a dialogue with **FHWA** to be involved presenting or developing a panel discussion (or both) for the November 8-9 2011 **Northeast Transportation Safety Conference**.
- Staff is working with our **PACTS Model consultant** to prepare our 700 traffic analysis zones for use by the U. S. Census Bureau in allocating 2010 census data to them.
- We are going to do a regional **traffic and bicycling and pedestrian count program** this spring.
- Holding PIN funds; Paul is proposing to add funding to PIN 14363.00 for the **Portland Bike Lanes Project** by extending Gorrill Palmer’s contract (if possible) and adding funds for revising existing inconsistent infrastructure and to help implement additional bike lanes and infrastructure related to Portland’s Neighborhood By-Way project.
- In conjunction with adding four projects to the current TIP for PE and RW out of the Holding PIN as recently approved by the Policy Committee, staff is recommending PACTS begin all four projects under the LAP program.
- Last week GPCOG’s Eben Marsh hosted a second meeting of State Police, municipal officials, Turnpike, MaineDOT, SMRPC and others regarding interstate highways **traffic incident management** coordination. Eben’s time is being paid for by PACTS.
- Carl Eppich and the **Transit Focused Region Initiative** team are hosting a regional forum in Westbrook on Thursday evening this week.
- Staff attended a productive quarterly meeting of the four MPO’s and MaineDOT last week (39 people attended). **Commissioner Bernhardt** attended and reported from his recent trip to Washington, D.C. We discussed the MaineDOT’s intent to allow no “carryover” in our next UPWP’s, and many other topics.

- Paul has spent numerous hours working on additions and revisions to both the MaineDOT’S (with Dan Stewart) “**Why We Need to Consider All Users**” talking points document and the **National Technical Oversight Working Group** rural non-motorized safety guidebook.
- John has communicated with Portland, South Portland and MaineDOT about MaineDOT’s work in progress **to enhance the distribution of public information about the openings of the Casco Bay Bridge.**
- Paul has been working with **S. Portland and BCM** (Bicycle Coalition of Maine) on an initiative to create a S. Portland Bike/Pedestrian Committee which was positively received by Council on March 14th. Note this stemmed from bike/pedestrian conflict concerns on the **Casco Bay Bridge.**
- We will be working with our communities on distributing the recent BCM video PSA’s to community TV, local police departments (and other entities) as well as embedding the videos on the PACTS blog website.
- Updates from the March meetings of the **Transit, Planning and Technical Committees.**
- The **Gorham East West Corridor Phase I Study** recommendations are available in draft form. A public forum will be held in Westbrook this week.

2. April 5th Executive Committee draft agenda

- More work on development of the next UPWP
- Other

3. We will finalize the April 21st Policy Committee meeting agenda at our next meeting. Here is a draft.

1. Create 2011 TIP Process Committee
2. Create 2011 Credit Program
3. Receive a report on the work of the Project Efficiencies Team
4. Update on the development of the next 2-year UPWP
5. Act on bylaw language proposal regarding voting rules in agenda above
6. Executive Director’s Report

2011 PACTS Milestones Calendar

Staff will add to this for our next meeting

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
PACTS sign consortium agreement for GPCOG/SMRPC 3-year regional sustainable development plan process				X								
Join Phase II Consortium of Gorham East West Study				X								
MPO Project Efficiencies Team work with MaineDOT et al Prepare for 2012 work to develop '14/'15 TIP list				X	X	X						
Technical Comm. work on collector ranking			X	X	X	X						
TIP Process Committee					X	X	X	X	X			
Solicit municipal and transit proposals for 2014/2015 TIP											X	
Members/staff work with Legislature on funding	X	X	X	X	X							
Develop 2-Year UPWP												
Executive Committee role		X	X	X	X	X						
Transit Committee proposes FTA-funded work						X						
Planning Committee recommends FHWA-funded studies					X							
Policy Committee adopts UPWP						X						
New UPWP work begins							X					
PACTS Annual Meeting						X						
Destination Tomorrow												
Policy Committee adopts Update			X									
Brochure development and distribution		X	X	X								
Video development		X	X	X								
Video completion and distribution						X						
Revise Public Participation Plan												
Staff and committees work on draft					X	X	X					
Public input								X				
Policy Committee adopts										X		