

Executive Committee Meeting Notice

April 5, 2011
8:30 a.m. to 10:30 a.m.

GPCOG, 68 Marginal Way, Portland

Agenda

1. Call to order
2. Minutes of March 22nd meeting
3. Unified Planning Work Program for Next Biennium (8:35)
4. 2011 TIP Process Committee (9:30)
5. 2011 Credit Program (9:45)
6. Voting Requirements (10:00)
7. Updates from Staff and Committees (10:10)
8. Finalize April Agenda of Policy Committee (10:20)
9. Public comment on topics not on today's agenda (10:25)
10. Adjourn

Next meeting: May 3rd at 8:30 a.m.

Minutes of March 22nd Meeting

In attendance: Kathi Earley, Chair; John Bubier; Judy Harris; Nathan Poore; Sara Trafton; Maddy Adams; John Duncan; Carl Eppich; Steve Linnell; Ann Thompson

- 1. Call to order.** Kathi Earley called the meeting to order at 8:53 a.m.
- 2. Minutes of February 1st meeting.** The February 1, 2011 minutes were accepted as written.
- 3. MPO Project Efficiencies Team.** John D. provided some background on this item. A group recently met with the Commissioner and Ken Sweeney and they came up with a charter to work on finding efficiencies. The team includes Joyce Taylor and Peggy Duval from MaineDOT, Cheryl Martin from FHWA, Bill Shane, Jim Gailey, Tom Gorrill, Jim Hanley from Pike Industries, Mark Barnes from Shaw Brothers, and John Duncan. The team's mission is to examine the present process of delivering transportation improvements from planning/selection through completion and audit of federally funded improvements to make recommendations for changes with documented benefits to the Commissioner for his consideration by July 15, 2011. It is a very important, multi-faceted endeavor.
- 4. Unified Planning Work Program for Next Biennium.** Any questions that arise today can be discussed further at the next Executive Committee meeting in a couple of weeks. The budget worksheet on page 8 assumes constant FHWA money and less MaineDOT funding. The PACTS budget assumes a 3% salary increase over the next two years plus an adjustment for the PACTS Planner position. Some of these numbers may change.

The number for Locally Proposed Consultant Studies has gone down. The Regional Aerial Flight number was zero but John put in \$30,000 because that is the proposed PACTS contribution for 15 communities for an aerial flight for 2-foot resolutions. The balance of York County and Cumberland County towns would be paid for by others. Any community that wants more than a 2-foot resolution would pay for that themselves. The Regional Arterials Study was withdrawn by staff for various reasons.

We've got \$180,000 of unspent study funds for studies not yet completed. That money will need to be spent by June 30th because MaineDOT is saying they will not carry over funds this year for those studies that haven't been completed. The towns involved may need to pay for those studies themselves, or the federal money will have to come from the new budget. There were questions about why MaineDOT wouldn't carry over the federal funds since the contracts have already been signed. John pointed out that in July of 2009 we decided to do these studies and they still haven't been completed two years later, and that's MaineDOT's logic on not carrying over the funds. Nathan asked what the policies were in July of 2009 regarding these studies and whether or not there was a "use it or lose it" policy. John explained that two years ago MaineDOT said we could carry over 5% of the initial budget. This \$180,000 is more than 5%. Kathi mentioned that we did have a reminder from PACTS staff that we needed to be under contract in the first year and done in the second year. It was mentioned that some municipalities were unable to produce matching funds in year one and that is why the studies weren't started.

If we can't convince MaineDOT that we already have a contract, what options do we have? John D. suggested that we could perhaps use some Holding PIN money for this, or perhaps FTA 5303 funds. If the Franklin Street Study runs into a stone wall then that money could go to the Forest Avenue study. John B. asked if the money (\$180,000) could be reallocated to transit. John D. stated that perhaps we could suggest that the unused planning money be turned to capital money. Perhaps we could move the money to transit now, and then take that amount of money back from transit in July and put it to the studies. Carl noted that several of the consultants have said they will do their best to have these studies done prior to July 1, but some studies have only just begun. *Another option would be to require the towns to fund by other means the completion of their study work after June 30th. This is the option that the group reached consensus on.*

A handout was provided on PACTS dues. John reviewed the handout and noted that in 2010-2011, MaineDOT provided \$212,000. The next biennium will be \$157,000. The current budget for PACTS Assessment is \$92,000; John D. is proposing increasing that number to \$100,000. When the state money went up, the local matches went down and vice versa. A worksheet for the next 2-year PACTS assessment was distributed. An example of a contingency expense was that MaineDOT asked us to pay a local match for an enhancement to the PACTS model, which we did.

On page 8, six municipalities are involved in the Gorham East West project but only four have submitted their contribution. The details will be worked out with those communities involved.

The PACTS staff and GPCOG Support number has gone up. John D. has worked with Ann Thompson regarding the numbers (sick time, vacation time, etc. all play a part). Regarding the GPCOG Planning Services line (\$30,000 for two-year period), John has asked that COG planning hours be billed to this line item rather than GPCOG support. The GPCOG indirect rate is 68.46%. Actual cost of salary is probably about half of what the total number shows. Ann explained that there are three pools: Leave (annual, holiday) in one pool, fringe, and indirect (leave, salary and fringe). She further explained. This is the same financial software program that the other COG's use.

A part of the indirect rate is for office space, accounting, etc. Ann explained how the direct and indirect expenses were shown in the PACTS budget. This was all broken down in the February Policy Committee packet. The PACTS bills show the breakdown of indirect hours, etc. Ann explained that because of the way federal funding works, all programs are charged the same for indirect. There was much discussion about how the indirect worked. Nathan said that he had an equity concern and had a hard time understanding how the indirect worked. Ann responded to a number of questions from the Committee and explained that there are a lot of variables involved. (Prior to this meeting, there was a brief meeting that more deeply reviewed how GPCOG's indirect rate is determined.)

FTA 5303 Transit Planning Budget. The Transit Committee has reviewed this a couple of times and has made some changes. Descriptions will be drawn up. The Transit Committee may have \$100,000 in carry forward money that they may not be able to carry forward. It was mainly due to a capacity issue; we weren't at full staff. Because of

the lack of carry forward money, it may change some of the numbers and adjustments may need to be made.

There are some new or continuing projects:

- Phase 2 for Regional Pass.
- Regional Transit and Land use is a nod toward the Gorham East West study – trying to assist in further study of that effort.
- Regional marketing is another item from the Regional Coordination Plan.
- The Regional ITS Architecture Plan needs to be updated.
- Looking at a Regional Transit Authority
- The Southern Maine Transit Coordination study that just got funded includes options for consolidating maintenance.

5. **2011 TIP Process Committee** – postponed to April meeting.
6. **2011 Credit Program** – postponed to April meeting
7. **Voting Requirements** – postponed to April meeting
8. **Updates from staff and committees.**
 - Commissioner David Bernhardt will be the speaker at the PACTS Annual Meeting in June.
 - Carl briefed the committee on two workshops being held this week on Moving Greater Portland to a Transit Focused Region – one on Thursday evening and one on Friday morning. Individual letters were sent to all councilors from Ann Peoples.
 - Staffing change: Rebecca Lambert is leaving COG at the end of March. Jennifer Puser has been hired as a Planner and she started yesterday at COG.
 - Maine Clean Communities is holding a propane vehicle workshop on Thursday morning at SMCC.
9. Public comments on topics not on today's agenda. None
10. Executive Session to discuss the Executive Director's six-month performance evaluation. *At 10:50, a motion was made and seconded to go into Executive Session. All were in favor.*
11. **Adjourn.** The meeting adjourned at 11:30 a.m.

Agenda Item 3: UPWP for the Next Biennium

Staff Resource: John Duncan

Recommendation: Briefing on the following:

1. Schedule
2. Budget worksheet for PACTS staff and GPCOG support
3. Budget worksheet for FHWA-funded work
4. Carryover needs estimate
5. Proposal for new Studies Time Clock
6. Staff scores of proposals for new studies
7. Scope and budget for FTA-funded Work
8. Local project administration proposal
9. Responses to public comments
10. Coordination of future land use, highway and transit planning
11. PACTS Staff Work Outline
12. GPCOG Planning Services Work Outline

Schedule

- Today: Executive Committee continues work.
- April 7th: Planning and Technical Committees comment on scores of proposals for new FHWA-funded studies.
- April 14th: Transit Committee continues work on FTA-funded budget.
- April 21st: Policy Committee comments on draft budget and scope outline, and provides direction on the funding of current studies which might need completion after June 30th.
- May 3rd: Executive Committee recommends final UPWP budget and tasks to Policy Committee.
- May 12th: Transit Committee puts final touches on FTA-funded budget.
- May 19th: Policy Committee final action.
- May 27th: Staff submits draft 60-page UPWP to MaineDOT, FHWA and FTA for comment.
- June: Staff finalizes UPWP. Policy Committee Chair and MaineDOT Chief Planner sign agreement.

Budget worksheet for PACTS staff and GPCOG support

John will review this revised budget at our meeting. See next page.

GPCOG staff is working to reduce the GPCOG Indirect Cost Plan for next year. They will have a draft ready this week. This reduced indirect rate will lower the estimates in the table on the next page.

March 31, 2011 Forecast for next biennium for PACTS staff plus GPCOG support

For April 5th Executive Committee meeting

GPCOG staff is working to reduce the GPCOG Indirect Cost Plan for next year. They expect to produce a draft rate this week. This will reduce the costs in this table.

| <u>Staff</u> | <u>FY 09 Actual Hours</u> | <u>FY 10 Actual Hours</u> | <u>FY 11 Est. Hours</u> | <u>FY 12 * Est. Hours</u> | <u>FY 12 Budget Cost **</u> | <u>FY 13 Budget Cost **</u> | <u>Two-Year 12+13 Budget Total</u> |
|-------------------|-----------------------------------|-----------------------------------|---------------------------------|-----------------------------------|-------------------------------------|-------------------------------------|--|
| PACTS | 5,491 | 5,306 | 5,304 | 5,305 | \$478,054 | \$490,405 | \$968,459 |
| GPCOG Support | 486 | 496 | 528 | 512 | \$29,628 | \$30,418 | \$60,046 |
| 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 | \$507,682 | \$520,823 | \$1,028,505 |
| Direct Costs | | \$17,500 | \$17,500 | | \$16,000 | \$16,000 | \$32,000 |
| | | | | Total Costs | \$523,682 | \$536,823 | \$1,060,505 |

* 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: \$71,505
12+13 % increase: 7.23%

** Hourly rate budget assumptions are average 2% 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. This is a reduction in the budget for this function in the next biennium.

Budget worksheet for FHWA-funded work

John will review this revised budget at our meeting. We shared draft scopes of work for these line items with you and the Policy Committee in February. Would you like to see updates of those scopes?

March 31st 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 2012/2013 Budget</u> |
|---------------------------------|-------------------------------------|-----------------------------------|
| New FHWA Planning funds (80%) * | \$1,256,367 | \$1,256,367 |
| MaineDOT match (13.5%) | \$212,012 | \$157,046 |
| Other match | <u>\$102,080</u> | <u>\$157,046</u> |
| Total | \$1,570,459 | \$1,570,459 |

* We could ask MaineDOT for more.

| <u>Uses Budget</u> | <u>Budget for This Biennium</u> | <u>Draft 2012/2013 Budget</u> |
|---|-------------------------------------|-----------------------------------|
| PACTS Staff and GPCOG Support | \$989,000 1 | \$1,060,000 |
| 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 1 | \$0 |
| Regional Collector Study | \$17,000 1 | \$15,000 |
| Regional Dest Tomorrow Update | \$12,500 1 | \$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 | \$135,459 |
| Gorham East West Land Use Tech. Assist. | na | \$50,000 |
| Regional traffic signals management | na | \$80,000 |
| Local project administration at PACTS | na | \$30,000 2 |
| Regional Aerial Flight | na | \$30,000 3 |
| PACTS Bike/Ped Plan Implementation | <u>na</u> | <u>\$20,000</u> 4 |
| 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. A staff proposal drawn from the 2009 PACTS Regional Bicycle/Pedestrian Plan.

Carryover needs estimate

At your last meeting your consensus was that the organizations doing the studies should be responsible for funding the completion of the studies if continued work is needed after June 30th.

I conveyed your consensus to the relevant parties that afternoon, and noted that the Policy Committee on April 21st will decide how to handle this situation. Since then all of the study leaders have decided to try to complete the studies by June 30th. See table below.

I also note that the staffs of the four MPO's have recently asked FHWA to confirm that the MaineDOT has the authority to curtail carryover funding. We expect to hear soon on this.

We also face the same situation with the carryover of FTA 5303 transit planning funds. Steve Linnell recently spoke with FTA staff on this.

PACTS Estimate of Need for Carryover into 12/13 UPWP

March 30, 2011

| Originally funded by <u>PACTS</u> <u>Activity</u> | <u>UPWP</u> <u>Budget</u> | <u>Expenses</u> <u>Thru Feb.</u> | <u>Spend by</u> <u>June 30 Est.</u> | <u>Needs after</u> <u>June 30th</u> | <u>Study</u> <u>Status</u> |
|---|------------------------------|-------------------------------------|--|--|-------------------------------|
| May 2009 Regional Signal Study II | \$25,000 | \$0 | \$25,000 | \$0 | Study will start on April 1. |
| Jan. 2010 Regional Transit Focused Region | \$40,000 | \$7,640 | \$40,000 | \$0 | Study began in December |
| May 2009 Portland Forest Avenue | \$100,000 | \$0 | \$100,000 | \$0 | Study just started |
| May 2007 Transit Bus Route Study | \$30,000 | \$0 | \$30,000 | \$0 | Study just started |
| May 2009 Windham Comp. Transpo. Study | \$40,000 | \$0 | \$40,000 | \$0 | Study just started |
| Dec. 2010 Oakhill Pedestrian Plan | \$40,000 | \$0 | \$40,000 | \$0 | Study just started |
| Dec. 2010 Southern Maine Transit Coordination | \$30,000 | \$0 | \$30,000 | \$0 | Sign contract on April 22. |
| Total | \$305,000 | | Total | \$0 | |

Proposal for new Studies Time Clock

The Policy Committee adopted the following policy in November 2006.

1. Study proponents will work to start each PACTS-funded study within a year of adoption of the PACTS UPWP. If a year passes without the signing of a consultant contract, then the study proponent will provide monthly progress updates to PACTS staff. If 18 months passes without the signing of a consultant contract, then the Policy Committee will withdraw the funding.

The definition of "start" is the signing of a contract with a consultant. The 18-month clock starts on the date of adoption of the PACTS planning budget.

2. This policy also applies to future consultant studies added to the PACTS planning budget at other times during future biennia.
3. After the withdrawal of funds, the study proponent is eligible to submit the study proposal for funding in the next PACTS planning budget.
4. The Policy Committee may make exceptions to this policy for good cause.

Staff proposes that the 18 months time be shortened to 9 months, and that all studies adopted as part of the biennial UPWP (i.e. May 2011) lose any remaining PACTS funds at the end of the subsequent biennium (i.e. June 30, 2013).

Scope and budget for FTA-funded Work

Steve Linnell presented a draft budget at your last meeting. He will continue to work with the Transit Committee at their April 14th and May 12th meetings to finalize the scope and budget. Do you want to see more on this, or rely on Steve and the Transit Committee to finalize it?

Local Project Administration at PACTS

This is an update of our January proposal outline. Paul and John have been shaping this concept (still a work-in-progress) for two years.

Budget in current UPWP – \$0

Budget proposal for next UPWP – \$30,000 -- We would also charge to the hTIP projects.

Lead staff involved – Paul Niehoff

Local match required -- \$7,500 match for the “planning” funds, and match for the federal and state funds in the TIP projects.

Municipalities involved – The municipalities in which the projects are done.

The consensus at Paul’s meeting last week with high-level MaineDOT staff is that the concept of PACTS administering MPO projects is valid and worth continued review and discussions. As with most things, the “Devil is in the Details”.

We propose that PACTS locally administer the majority of PACTS funded projects including collector paving projects, sidewalk, bike lane and shared pathway projects and intersection projects including new signals. Some reconstruction or rehabilitation projects could also be administered under this program but if right-of-way is a major endeavor then perhaps the Department would develop and complete those projects at least initially.

The next steps would be:

- We budget \$30,000 in the next UPWP to help pay for staff (a person with a PE) to perform local project administration of all PACTS MPO Allocation projects. Most of the person’s work would be paid for directly from the capital projects.
- We continue to work on the details of this with MaineDOT and our members, and submit a final proposal to the Policy Committee in July.

The context is:

- Many locally administered projects get delayed due to other demands on municipal staff.
- LAP’s “lag” behind MaineDOT projects which affects MaineDOT’s project delivery percentages.
- Project administrative inconsistencies abound across the board. Improved consistency and efficiency are the basis for this proposal.
- Project development and delivery will be improved.
- Program will free up MaineDOT project managers for other work.

Our proposal is based on the following research and experience:

- Paul’s conversations with others on this subject at MaineDOT and FHWA during the past two years.
- Paul’s three years of PACTS TIP administrative experience with all of our municipal members and MaineDOT.
- Paul’s experience working in Auburn and Portland.
- Our research in preparation for the upcoming Project Efficiencies Team.
- Paul’s FHWA/MaineDOT working group work in 2008 and 2009.
- Our staff-member discussion on this subject in 2009.
- Paul was recently re-certified at a MaineDOT LPA Certification Course. John was also certified.
- The BACTS and ATRC Directors are PE’s.

Responses to public comments

Carl sent an email to the 150 people on our Interested Parties email distribution list on January 19th. Here is a summary of the comments from ten people, and staff responses. We have shared our responses with them.

- 1. Portland businessman – Four priorities for the region: METRO to buy some new buses, a connection west from the turnpike to the Gorham bypass, commuter bus service on I-295 to Freeport, and high speed tolling.**

Response: METRO will be in receipt of 7 new buses in 2011.

Phase 1 of the Gorham East-West Corridor Study included analysis of two scenarios for roadway capacity expansion to the west. However, further land use planning and transit expansion are a necessary first step Phase 1 concluded. Phase 2 will further evaluate the necessary land use and transit routes to develop, as well as determine the feasibility of a preferred roadway improvement.

As for a commuter bus on I-295, a recently completed MaineDOT study called “Portland North Alternative Modes” is due to report out this spring. Commuter bus expansion from Brunswick was a leading recommendation.

As for high-speed tolling on I-295, it is likely that if tolling were added to the corridor a modern high-speed tolling facility would be a studied alternative.

- 2. Area resident – Develop a better marketing campaign that will help expand the use of our public bus systems.**

Response: This is included in the FTA portion of the UPWP by GPCOG.

- 3. Portland resident – Two ideas. Reduce the speed limit on I-295 in order to make it safer and less congested. Also, consider tolls on I-295 north of Portland. Use some of the toll revenues to fund the recommendations in the Portland North Study**

Response on I-295 speed limit idea: PACTS has spoken with MaineDOT Planning staff on the I-295 speed limit idea, and has done some internet research on existing traffic engineering studies on this general concept. We have not added this to our planning work program, and nor has MaineDOT.

Response on I-295 toll idea: PACTS has included this concept in its 2010 regional transportation plan *Destination Tomorrow*. PACTS will pursue an analysis of this concept, and will reach out to the MaineDOT and Maine Turnpike Authority regarding the possibility of doing such an analysis.

- 4. Portland resident – Three ideas. Reduce the speed limit on I-295 in order to make it safer and less congested. Create a bus service for commuters from the suburbs and Portland’s neighborhoods. Run a commuter ferry service between South Portland and Portland.**

Response on I-295 speed limit idea: See above.

Response on bus service idea: Commuter bus service is a component of the Phase 2 Gorham East-West Corridor Study for the western suburbs. The area includes Gorham, Scarborough, South Portland, and Westbrook. Portland will need to be involved as well.

Response on commuter ferry idea: South Portland is exploring this in their comprehensive planning process. PACTS is not aware if Portland or the Casco Bay Ferry line has seriously considered it. It would require some origin and destination study and cost-benefit analysis.

- 5. Portland resident – Host a presentation by an MIT professor on the future mobility implications of our aging population.**

Response: This topic is surely a relevant one. The PACTS 2010 Regional Transportation Plan *Destination Tomorrow* documents that our region does not currently have a transportation solution for the growing elderly population. 1 in 4 in Maine will be over 65 by 2035 – Maine will be second only to Florida by 2035 in percentage of its citizens over age 65. This will likely be explored through the HUD grant process.

- 6. Portland city councilor – Create a regional rail plan to determine the best future use of rail infrastructure in the region.**

Response: The MaineDOT completed a state rail plan in 2010, which included the Greater Portland/PACTS area. No report has been made available yet. PACTS began a regional transit visioning study in early 2011, called “Moving Greater Portland...Towards a Transit Focused Region” with the intent of developing a regional plan with appropriate rail infrastructure (including streetcars, light rail, and commuter rail) for the first half of the 21st Century. A major regional transit planning effort is still needed as called for in the Gorham East-West Feasibility Study Phase 1.

- 7. Bicycling advocate – Three ideas. Create an aerial tramway or a monorail from South Portland to Congress Street. Build shoulders on Route 77 in Scarborough. Creation of a PACTS network of designated bike routes that are required by policy for funding to include 4 foot shoulders for durability, 11 foot travel lanes, wayfinding signage.**

Response: No response yet. Will do asap.

8. UNH Special Projects Director – Create a process whereby the five MPO’s between Portland and Haverhill think of rail/transit corridor improvements in a coordinated fashion.

Response: PACTS responded directly to the respondent, and talked with Southern Maine Regional Planning Commission (SMRPC) staff about this, but there was little traction in NH, and with SMRPC

9. Westbrook resident – Proposes monorail, maglev trains and a new highway to Connecticut. Long email.

Response: Until Disney arrives in Maine, along with its fortunes, this is all highly unlikely. The Amtrak Downeaster is starting a study to reduce travel times to Portland by 20 minutes, down to two hours.

10. Portland businessman – Fix intersection of Marginal Way and Franklin Street.

Response: This is a focus of the PACTS’ upcoming Franklin Corridor Feasibility Study Phase II, which includes an alternatives analysis and the development of a preferred alternative from the first phase study PACTS funded called Reclaiming Franklin Street. The phase 1 study included livability and multi-modal considerations, resulting in three alternative scenarios for the corridor. Phase 1 included a public process informing the desired improvements required in the corridor. Once Phase 2 feasibility is complete, the first project is intended to be the Marginal Way and Fox Somerset Street intersections with Marginal Way.

Coordination of future land use, highway and transit planning

The coordination of the policy development and analysis of opportunities and constraints on these topics is an important function of PACTS and our regional partners. During the next two years our region will focus on this topic with more resources than ever.

The following work is envisioned. We are pleased to report that there has been a great deal of regular communication and collaboration between the parties involved in this prospective work.

- GPCOG’s and SMRPC’s development of a sustainable development plan during the next three years (funded by HUD/EPA/DOT planning grant).
- Gorham East West Corridor Study *Phase II* led and funded by the Turnpike Authority and MaineDOT:
 - Study of potential new highways
 - Study of potential robust expansion of public transit
 - Study of regional and local land use policy options (including work to be done by GPCOG)
- PACTS-funded Gorham East West local land use planning in Gorham, Westbrook, Scarborough, South Portland and possibly Portland.
- GPCOG research into the potential benefits of a regional transit authority.

- PACTS follow up to our Transit Focused Region regional transit vision.

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 7: Updates from Staff and Committees

1. Staff recommends that **PACTS staff begin the four bike/ped projects** (under the LAP program) recently approved by the Policy Committee. Three of them are in Portland, and one is in South Portland. We hope to have time today to describe this concept to the Executive Committee and get some feedback.
2. Staff also proposes 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.
3. **PACTS will continue for the next ten years to be a “small” MPO.** This is based on our estimate of the 2010 Portland Urbanized Area population which was based on the 2010 Census municipal figures recently received. We estimate approximately 195,000 people (up from 188,000 in 2000) – which is less than the 200,000 “large” MPO threshold. The official UZA number will come out next spring.
4. The MaineDOT has decided that we cannot reprogram our \$240,000 (federal portion) that is no longer needed to help finance a CBITD vessel replacement. (The \$240,000 need has been funded with ARRA funds.) The Policy Committee reprogrammed it in February, but MaineDOT is now saying their substitution of “our” funds with ARRA funds does not give us the opportunity to reprogram the funds. **We have asked MaineDOT to reconsider this.**
5. The first meeting of our **Project Efficiencies Team** will be on April 12th.
6. Carl is going to submit a draft final report for **Destination Tomorrow** to MaineDOT next week. *He is also outlining the content for a companion brochure and video to be produced this spring.*
7. 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.

8. Carl Eppich and the **Transit Focused Region Initiative** team hosted two regional forums recently, and will hold two more later this week.
9. In February, Mike McGovern asked staff to develop an overview of the **trend in biennial TIP funding via PACTS** during the past ten years. See below.
10. May 3rd Executive Committee draft agenda:
 - Finish the Committee’s work on development of the next UPWP
 - Other

PACTS Trend in MPO Allocation and FTA 5307 Funds

April 2011

Amounts in millions. These figures do not reflect Holding PIN reallocations.

| <u>Biennium</u> | <u>MPO Allocation</u> (Federal+State+Local) | | <u>FTA 5307</u> (Federal Only) | |
|-----------------|--|--|-----------------------------------|----------|
| | <u>Amount</u> | <u>Notes</u> | <u>Amount</u> | |
| 2012-2013 | \$15.1 | Congress could change this. | \$4.5 | Estimate |
| 2010-2011 | \$15.1 | Increase due to increased federal and state funds. | \$4.5 | |
| 2008-2009 | \$10.3 | Reflects increased PACTS local match policy. See Note 1. | \$5.1 | |
| 2006-2007 | \$11.3 | Increase due to PACTS region expansion in 2002. See Notes 2 and 3. | \$4.7 | |
| 2004-2005 | \$7.3 | PACTS region expanded in late 2002, but MaineDOT kept old PACTS region for 04/05 \$\$. | \$3.6 | |
| 2002-2003 | \$7.1 | Increase per new MaineDOT policy on MPO funding? | \$3.0 | |
| 2001-2003 | \$5.3 | | \$2.2 | |
| 1975 to 2000 | \$3.5 | Amounts per biennium | < \$2.0 | |

Other Notes

1. This amount was a reduction from a \$13.9 million program that we had developed.
2. This amount was a reduction from an \$18 million program that we had developed. The reduction was necessary after Congress passed SAFETEA-LU in late 2005.
3. In July 2006 we also programmed a one-time \$1.6 million (state+local) per a special \$30 million appropriation by the Legislature.

Agenda Item 8: Finalize April Agenda for Policy Committee

1. Create 2011 TIP Process Committee
2. Create 2011 Credit Program
3. Receive a report on the work of the Project Efficiencies Team
4. Act on bylaw language proposal regarding voting rules in agenda above
5. Executive Director's Report...including the TIP funding trend sheet on the prior page
6. Update on the development of the next 2-year UPWP. We will send them the following materials:
 1. Schedule for completion of the UPWP
 2. Budget worksheet for FHWA-funded work
 3. PACTS Assessment history and proposal for next two years
 4. Carryover needs estimate
 5. Proposal for new Studies Time Clock
 6. Staff scores of proposals for new studies
 7. Budget worksheet for PACTS staff and GPCOG support
 8. Local project administration proposal
 9. Responses to public comments
 10. Coordination of future land use, transportation and transit planning
 11. Scope and budget for FTA-funded Work