

# PACTS

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## Portland Area Comprehensive Transportation System

### Policy Committee

### Meeting Notice

January 21, 2010

*1:00 p.m.*

GPCOG, 68 Marginal Way, Portland

### Agenda

1. Call to order, and welcome Eric Pandora, new Freeport member
2. Public Comment
3. Minutes of the November 19<sup>th</sup> Meeting
4. Conversation with MaineDOT's Ken Sweeney regarding standards when a municipality does capital improvements to a collector or arterial road with 100% municipal funds (30 minutes)
5. Action on draft Three-Party Partnership Agreement Template (10 minutes)
6. PACTS Programming Policy and Project Actions (60 minutes)
  - A. Reconsideration of November vote on proposed Credit Program
  - B. Amend Dunstan Corner project funding
  - C. Amend 2012/2013 Intersections Set Aside
  - D. FY 2011 Congressional earmark proposals
  - E. Approve PACTS formula for programming FTA 5307 funds
7. Amend the PACTS Unified Planning Work Program (20 minutes)
  - A. Initiative for a transit-focused Greater Portland region
  - B. MaineDOT proposal regarding Highway Simplification Study
8. Consent Agenda (7 action items) (20 minutes)
9. Executive Director's Report (10 minutes)
10. Adjourn

*The Metropolitan Planning Organization for the Portland Urbanized Area*

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## Minutes of the November 19<sup>th</sup> Meeting

**Members Present:** John Bubier, Chair, Biddeford; Neal Allen, GPCOG; Dan Bacon, Planning Com. Appt.; Mike Bobinsky, Portland; Joe Gray, Portland; Donna Larson (for Dale Olmstead), Freeport; Kathi Earley, Portland; Tom Hall, Scarborough; Judy Harris, Portland; Mike McGovern, Cape Elizabeth; Sandra Mowery (for David Cole), Gorham; Rick Michaud, Saco; Nathan Poore, Falmouth; Bill Shane, Cumberland; Nat Tupper, Yarmouth

**Members Absent:** Kat Beaudoin, MaineDOT; Jerre Bryant, Westbrook; Bob Burns, Tech Com Rep; Ed Clifford, Public Transportation; Mary Ann Conroy, Old Orchard Beach; Marnie Diffin, North Yarmouth; Jim Gailey, South Portland; Tex Haeuser, South Portland; Tom Meyers, Public Transportation; Anthony Plante, Windham; Paul Schumacher, SMRPC; Conrad Welzel, MTA

**Staff and Guests:** Maddy Adams, GPCOG; John Duncan, PACTS; Carl Eppich, PACTS; Brad Foley, MaineDOT; Mike Laberge, MaineDOT; Steve Linnell, GPCOG; Paul Niehoff, PACTS; Joyce Taylor, MaineDOT

1. **Call to order.** John Bubier called the meeting to order at 1:34 p.m.
2. **Public Comment.** None.
3. **Minutes of the October 22<sup>nd</sup> meeting.** Bill Shane asked that the names of members opposed to motions be listed in the minutes. Tom Hall asked that 40% be the amount identified in the minutes regarding the Dunstan Corner project (bottom of page 4). *With the above amendments, the minutes were approved.*
4. **Three Party Agreement.** Joyce Taylor, Assistant Director of Project Development, explained the reasons why the three-party agreement concept has come about. They hope that the three-party agreement will help with communication. It will indicate if you are on scope, etc. MaineDOT has gone from 428 employees to 327 in a short time. They don't want to pay for a lot of process. They are willing to hear from the Committee if they have changes to the wording.

John Bubier asked what drives the need for the three-party agreement and how it provides a solution for those needs. Brad responded. Bill asked what is broken; they have had positive relationships with the two-party agreements. PACTS cannot fix the politics; Councils change and priorities change, etc. Having communities pay 100% if a project gets halted is a big enough deterrent without having to do a three-party agreement. It is adding another layer of bureaucracy. It was also noted that #4 on page 5 would be difficult for the towns (the confidentiality language). What happens if MaineDOT walks away from the project (letter R on page 7)? There was also a question about #3 (iv) on page 3. Brad explained that this is a generic contract. Nat said he thought that once a project had a PIN, the federal dollars were not supposed to change. Brad responded that they are trying to get an answer about that from the Finance Dept.; they believe that PACTS dollars are fixed.

Joyce explained that the two-party agreements have gone through a lot of changes. One of the basic things was to get control over the ever-changing template. A great part of the three-party language might not be necessary but the funding commitment is necessary and would be spelled out. When they get to PDR, they want to make sure that the town will be providing their share. Change orders would not be signed by PACTS. Some of the language can be tweaked to get to what we are trying to get at. However, decision points should be defined. Page 3, #2(iii), states that scope changes

would have to go through the MPO. Mike McGovern explained the series of events with regard to the town center intersection project in Cape Elizabeth which was first funded in the 1990's. Throughout the process, there was a lack of communication; there was no consultation with the community. The town went through a number of different Councils during the process. A three-party agreement wouldn't have solved any of the problems that Cape Elizabeth ran into. We need a two party agreement at the beginning of the project with decision points along the way. A three-party agreement will just add more bureaucracy.

On page 3, #3 (vi), Rick Michaud asked if similar wording could be put in for MaineDOT. Joyce agreed. Many committee members felt that the two-party agreement would suffice if there were various checkpoints along the way. Joyce said the Committee was describing the way she's trying to go with this agreement. PACTS does have a role. She explained that the funding roller coaster is only going to get steeper and deeper. There could be checkpoints at the following times: at the PDR stage; before you buy right-of-way; final design, before you go out to bid; change orders; extra work. Too much money is being spent on process.

John B. suggested that there be a protocol or process page that explains what should happen at each step. Joyce noted that if you have construction funding, we are supposed to deliver it in that work plan. There are going to be some hard targets, at least internally at MaineDOT. We cannot leave money sitting because the money gets rolled or used for other projects. We need to deal with decision points along the way. There should be a point when we can talk about going for design exemptions or exceptions. There is a lack of communication and there needs to be a way to check in on the scope along the way. John B. recommended coming up with a description of a procedure rather than a three-party agreement. Joyce said it sounds like both MaineDOT and the communities want communication along the way. They will take that message back to MaineDOT. They want to deliver the project efficiently. She said they would be willing to make a commitment to attend these meetings every other month if that would be helpful; they want this to work. *Mike McGovern made a motion that we thank MaineDOT for their discussion on the three-party agreement and we look forward to continuing the dialogue on these agreements. Joe Gray seconded the motion and all were in favor.*

5. **Maine MPO's Transportation Finance and Operations.** John reported that two workshops have been held in Auburn. There are 16 ideas that came out of the workshops. Joe Gray asked what was meant by the last item on page 8 – Explore new roles for MPO's or RTA in Airport or Rail Operations. John D. explained that it is for the Bangor area; it is not relevant to us. Joe asked for further information on this item because he couldn't approve the recommendations not knowing what this means. Rick asked about #3 on page 9 – Revisit the MaineDOT requirement for local match on MPO projects. John D. explained that the parties at the workshop thought this should be reviewed. Towns outside the MPO's do not pay a local share. Mike B. stated that we should monitor the development of the new traffic movement process because that has implications.

Regarding the make-up of the committee, many Policy Committee members had applied to be on the Policy Working Group. John B. thought that the two MaineDOT people should be staff and those spots should be filled by others. He also thought it was outrageous that Pike Industries had a seat on the committee. Bill asked why the BACTS Director is a member but the PACTS Director is not. He suggested that John B. write a letter requesting that John Duncan be on the committee representing the 15 PACTS municipalities. Many committee members had withdrawn their own appointments so that John could be the PACTS representative. Mike McGovern didn't think we should get involved; he didn't think it would get us anywhere to write such a letter.

Nathan thought it was far too early for us to be endorsing this. We should continue to offer our

input on subcommittees and keep a close eye on what the Policy Working Group is doing. Design flexibility is the only thing he can see coming out of this. He is very concerned that a decision will be made at the last minute and we won't be able to keep up with what they are doing. Mike McGovern asked if we plan to have John Melrose at future meetings and, if so, if he would be there for us or for statewide issues.

Rick M. had a concern about realigning boundaries (page 10, #4). Also, on Page 11, #6, he would rather see lane miles than VMT. There was some discussion about local option taxes and a statewide sales tax. John B. recommended tabling the item and bringing back some of today's discussion to the Policy Working Group. He asked Judy and Joe to put together some language on the concern of RTA's and the airport. John D. will continue to attend the meetings of the Policy Working Group and will keep the Policy Committee informed.

6. **PACTS Credit Program.** There was an hour-long discussion at the Executive Committee meeting at which some Policy Committee members attended including Tom Hall, Jim Gailey, and Anna Price. This write-up is the result of that meeting. Correction on bottom of page 13 – it should say 2011 instead of 2010. Tom was concerned about the sustainability of the program. He thought that the money should go to collector roads. John B. explained that this idea is trying to think out of the box. Tom pointed out that there are such limited funds available that a couple of projects will eat up the money. Mike L. agreed with Tom that money in the Holding PIN should be used for collector roads. Nathan said he thought this was supporting the Gorrill Palmer Study. Paul mentioned that Gorrill Palmer will be updating the Collector Roads study to determine what was done on the local level on collector roads.

*Mike Bobinsky moved approval of the one-time credit program, with Nathan seconding the motion. There were six in favor of the motion (Mike McGovern, Bill Shane, Mike Bobinsky, Kathi Earley, Nathan Poore and John Bubier) and seven opposed (Joe Gray, Sandra Mowery, Tom Hall, Dan Bacon, Donna Larson, Rick Michaud and Judy Harris). The motion failed.*

7. **Consent Agenda.** PACTS has decided not to do the joint ARRA Application for aerial photograph funds. We will continue to work on a regional multi-party aerial project. John D. spoke about the amount of money available and the specifications for the ARRA application and explained why we aren't applying. This is an economic stimulus package that just came out about three months ago. Towns want 6" resolution and this particular proposal is for 12" resolution which is being done through USGS. Paul mentioned that you can buy up to other options but it is different funding. If a town wanted to buy up, that would mean that the flight area would have to be changed. We will continue our conversation with GPCOG for the spring of 2011. Mike L. asked about the Census Bureau changing the procedure for defining urbanized areas (pg. 16). John D. responded that enlarging our urbanized area might be an implication.

Mike M. requested that action items be separate from the Consent Agenda. Regarding the Charlie Colgan growth projections, John D. hopes to get the forecasts in writing tomorrow.

8. **Adjourn.** The meeting adjourned at 3:25 p.m.

**Agenda Item 4 – Standards for when a municipality spends 100% municipal funds for a capital improvement on a collector or arterial road**

Staff Resource: Paul Niehoff and John Duncan

Recommendation: Discussion only

Background

Ken Sweeney, MaineDOT’s Chief Engineer, will join us today to describe and discuss a policy that MaineDOT is developing regarding standards that municipalities need to meet when making capital improvements on collectors and arterials. While Ken and the Department appreciate very much the expenditures that municipalities have been making on these roads, the Department has jurisdiction and responsibility to assure that appropriate capital improvements are made to them.

Ken will describe a 2-page MaineDOT/Municipality draft agreement which is currently under review by their legal division. He will send a copy to us before our meeting if it is ready to be shared.

**Agenda Item 5 – Three-Party Partnership Agreement Template**

Staff Resource: Paul Niehoff and John Duncan

Recommendation: Incorporate MaineDOT’s Three-Party Partnership Agreement into our project management process, and authorize John Duncan and Paul Niehoff to sign after MaineDOT, the municipality and PACTS staff have agreed on the language in the agreement for each PACTS “MPO Allocation” project.

Background

The Executive Committee recommends that the Policy Committee endorse the motion.

MaineDOT’s Joyce Taylor and Brad Foley met with us on November 19<sup>th</sup>. See minutes above. The result of that discussion is that MaineDOT drafted a simplified agreement, and subsequently responded to comments from staff and Executive Committee members.

The next three pages are an example of an agreement drafted for the Dunstan Corner project.

Paul is encouraging MaineDOT to allow the use of electronic signatures for these agreements. At the present time Paul understands this is acceptable, but will be verified.



**MAINE DEPARTMENT OF TRANSPORTATION  
THREE-PARTY PARTNERSHIP AGREEMENT**

**PIN 17343.00, “Scarborough, Dunstan Corner”**

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This agreement (the “Agreement”) is entered into among the State of Maine Department of Transportation (the “MaineDOT”), the Portland Area Comprehensive Transportation System (“PACTS”) and the Town of Scarborough (the “Town”), collectively known as the “Parties.”

**Whereas**, The Dunstan Corner intersection located in Scarborough is in need of improvements that will facilitate local and regional travel, improve pedestrian movements, address safety issues in high crash locations, and allow for future growth and development. See Attachment A.

**Whereas**, PACTS programmed PIN 17343.00 for inclusion in the Maine Department of Transportation (“MaineDOT”) Biennial Capital Work Plan for FY 2010-2011, using federal and state capital improvement funding allocated through MaineDOT;

**Whereas**, the Town supports the PACTS decision to program PIN 17343.00 (the “Project”); and

**Whereas**, the Parties have a mutual interest in ensuring that the Project is delivered on a reasonable schedule and within the budget programmed, using a process that maximizes communication and cooperation.

**Now Therefore**, the Parties agree that this document will cover the responsibilities of each during the design, permitting and right-of-way stages of the Project through completion of final Plans, Specifications and Estimate (“PS&E”), as follows:

- 1.) The total estimated cost of the Project is \$3,350,000, and the Parties agree to share costs – for the duration of the Project – as follows:
  - **PACTS** (federal share) – 65% of federally participating costs, capped at \$2,177,500. PACTS will program \$170,950 in FY 2010-2011 and \$2,006,550 in FY 2012-2013.
  - **MaineDOT** (state share) – 10%, of federally participating costs, capped at \$335,000. MaineDOT will program \$26,300 in FY 2010-2011 and \$308,700 in FY 2012-2013.
  - **Town** (local share) – 25% of federally participating costs, or \$837,500. The Town will program \$65,750 in FY 2010-2011 and \$771,750 in FY 2012-2013. Additionally, the town agrees to cover with local funds 100% of all Project costs exceeding \$3,350,000.
- 2.) MaineDOT will develop construction plans and specifications for PIN 17343.00 within the scope provided by PACTS, following MaineDOT’s standard project

development process to ensure optimum federal participation and adherence to federal and state regulations.

- 3.) After the final PS&E package is prepared, MaineDOT and the Town will execute a formal Municipal/State Agreement covering the advertising, award, construction and construction engineering phases of the Project. The Municipal/State Agreement will include a schedule for collection of the Town's share of Project costs.
- 4.) MaineDOT will share information about the status of the Project with staff from PACTS and the Town at significant milestones to make sure the Parties remain in agreement about the scope, schedule and budget. This "check-in" process shall include the following, at a minimum:
  - Project kickoff/initial team meeting;
  - Preliminary alignment complete;
  - Preliminary design report (PDR);
  - Formal public meeting;
  - Plans, specifications and estimate (PS&E) complete.
  - Changes in the Project schedule or engineer's estimate.
- 5.) MaineDOT will consult with staff from PACTS and the Town before adjusting the Project scope. Additionally, PACTS and the Town will notify MaineDOT of any proposed changes in the Project limits or scope.
- 6.) The Parties will participate as partners in public meetings held to discuss the Project.
- 7.) If MaineDOT withdraws from the Project before it has been advertised for construction, and that action was not directed either by PACTS or the Town, MaineDOT will cover 100% of the Project costs incurred to date with state funds.
- 8.) If the Town withdraws its financial support for the Project as described in Section 1 above and MaineDOT, as a result, must cancel the Project before it has been advertised for construction, the Town will cover with local funds 100% of all preliminary engineering and right-of-way costs incurred by MaineDOT in reliance on the Town's commitment.

**IN WITNESS WHEREOF**, the parties hereto have executed this **AGREEMENT** effective on the date last signed.

\_\_\_\_\_ Date \_\_\_\_\_

John Duncan, Director,  
Portland Area Comprehensive Transportation System

\_\_\_\_\_ Date \_\_\_\_\_

Thomas Hall, Town Manager,  
Town of Scarborough

Joyce Taylor, Acting Director, Bureau of Project Development  
Maine Department of Transportation

## **Attachment A**

### **SCOPE OF WORK**

#### **MaineDOT PIN 17343.00, “Scarborough, Dunstan Corner.”**

Dunstan Corner consists of two tightly spaced, major intersections on U.S. Route 1 in Scarborough. These two intersections are the crossroads of Route 1 and three major collector roadways – Broadturn Road, Payne Road and Pine Point Road. These intersections exhibit poor levels of service, congestion, high levels of crashes and a high critical rate factor.

The Dunstan Corner intersections require improvement to facilitate local and regional travel, pedestrian provisions and movement, to remedy the high crash locations, and to enable future growth and development in this area of Scarborough and the northern portion of the Route 1 corridor in Saco.

PIN 17343.00 is intended to improve the level of service at the Dunstan Corner intersection and emphasize the use of Route One and Haigis Parkway as the preferred commuter route over Payne Road by:

- Separating the two intersections that make up Dunstan Corner to add capacity and improve the level of service of all of the legs of the intersections; and
- Designing the Dunstan Corner intersections in a way that maintains full access to Payne Road, but discourages the use of Payne Road as a commuter route.

## **Agenda Item 6 – PACTS Programming Policy and Project Actions**

Items A, B and C are related as follows:

- Creation of a Credit Program could use up our federal and state funds in our “Holding PIN” (the account financed from projects which have been withdrawn and completed projects with left over money). Those funds could also be shifted into our Intersection Set Aside.
- Support for the proposed revision to the Dunstan Corner project funding will use all of the federal and state funds in our 2012/2013 Intersection Set Aside.

Note: The proposed Credit Program was mentioned in last week’s *Forecaster* front page story about our collector funding policy adopted in October.

### **A. Reconsideration of November vote on proposed Credit Program**

Staff Resource: Paul Niehoff and John Duncan

Member Resources: Originally a proposal from the TIP Process Committee, and subsequently the consensus at the November Executive Committee meeting.

Motion to Reconsider November 19<sup>th</sup> Vote of the Policy Committee

On November 19<sup>th</sup> the Policy Committee voted 7 to 6 to defeat a proposal to create a Credit Program. See minutes above. At today’s meeting Tom Hall, as a member of the prevailing side on November 19<sup>th</sup>, will request a reconsideration of that vote.

***The Credit Program description from the November 19<sup>th</sup> Meeting Packet***

Recommendation: *Adopt a one-time pilot Credit Program for which the Policy Committee will program funds in October 2010 from the PACTS Holding PIN. If the program is considered a success then the members will consider other ways to finance it in the future.*

Context

*Recently adopted PACTS policy is to program PACTS funds to preserve the region’s 83 miles of collector roads which are in good condition and meet (or almost meet) MaineDOT standards.*

*Our municipalities have been spending 100% local funds to rehabilitate and reconstruct some of our 121 miles of collector roads in poor condition and/or do not meet MaineDOT standards – and they are likely to continue to do so.*

### Program Goal

*To help compensate our members for using 100% local funds spent to rehabilitate or reconstruct collector roads which are in poor condition and/or do not meet MaineDOT standards.*

### A 10% Credit and a \$250,000 Cap per Municipality

*The Policy Committee will program \$10,000 in federal and/or state funds – up to a limit of no more than \$250,000 – for every \$100,000 in local funds spent by the municipality. For example, the Town of Cumberland, which might spend \$3 million on Route 88 next year, would get a maximum of \$250,000.*

### Policy Committee Action in September 2010

*The Policy Committee will program the credit funds in September 2010 for locally-funded projects completed in calendar 2009 and 2010. Staff recommends that the Policy Committee program additional credit funds a year later for locally-funded projects completed in 2011 if there is money left in the Holding PIN.*

*PACTS staff will develop an “application form” for this Program in early 2010.*

### Eligibility Requirements

- 1. A municipality must spend at least \$500,000 in local funds on one or more of our collectors that must be brought up to standard or which need rehabilitation or reconstruction per the PACTS Regional Collector Road Assessment Study. This minimum enables staff at PACTS and MaineDOT to avoid administering small credits on small projects.*
- 2. The rehabilitation or reconstruction project must be completed to State standards. Consequently the roadway section will be added to the PACTS preservation list of collector roads which are built to standard. The road will then be eligible for future PACTS collector road preservation funding.*
- 3. The local project dollars must have been spent in calendar 2009 and 2010 (and 2011...see above).*

### Eligible Uses of Credit Program Funds

- 1. To reduce the local match on an existing or future PACTS project.*
- 2. As a contribution to any federally eligible transportation project which has been proposed and ranked through the PACTS MPO Allocation process. Conversely, a municipality may not “bank” a credit toward a future project proposal.*

PACTS Holding PIN

*The Policy Committee will finance up to \$1 million for the Credit Program from our Holding PIN. MaineDOT and PACTS staff estimate that the Holding PIN will have an approximate \$1 million balance next September. If the balance next September is less than \$1 million then staff will recommend an alternative amount.*

Staff Comments

*Staff realizes that the existence of this Credit Program will be only a minor incentive in a municipality's decisionmaking about using local funds to improve collector roads. Conversely, the 10% return might seem low, but it's better than nothing when a municipality has done what it has decided it needs to do in the first place.*

*We could increase the budget for this Credit Program by setting aside additional funds from our 2012/2013 MPO Allocation. However, it would probably have to come from our Collector Set Aside – and thereby reduce our funding for that high priority set aside. Another alternative – to reduce the funding in our Rebuild Roads Set Aside – appears infeasible because that is one of our only two Set Asides that can help MaineDOT to utilize National Highway System funding. Staff can explain further.*

*If this Credit Program works then we could encourage MaineDOT and FHWA to adopt a similar statewide program, or to add funding to the PACTS MPO Allocation for this purpose. Note that the creation of a statewide “credit program” is on the list of recommendations under Agenda Item 5 today (November 19<sup>th</sup>).*

## **B. Amend Dunstan Corner project funding**

Staff Resource: Paul Niehoff and John Duncan

### Recommendation:

On December 1<sup>st</sup> the Executive Committee members recommended the following financing plan for this \$3,350,000 project:

1. To use the \$263,000 that we programmed in October 2008 for design work (based on a \$5,000,000 cost estimate prepared by a PACTS consultant), and
2. To fund the balance of the project with the entire amount in our 2012/2013 Intersections Set Aside, plus the remaining amount needed from our Holding PIN.

See the figures in the Three-Party Partnership Agreement on page 6 above for details.

### Background

PACTS and MaineDOT staff and the Executive Committee have spent significant time on this subject, including much of the Executive Committee December meeting (with Tom Hall and Dan Bacon).

The Policy Committee funded design work for this project with 2010/2011 funds. That work is about to begin.

The PACTS decision to fund design was a commitment to fund construction with 2012/2013 funds. *Today's motion puts a cap now on the PACTS contribution to the project – thereby eliminating the risk that this coming fall we might have to program more than this amount (per our policy) based on the MaineDOT Preliminary Design Report. (MaineDOT will begin the PDR work after today's action.)*

Scarborough is going to use municipal and developer funds to finance this year a \$2,850,000 improvement at the nearby intersection of Route One and the Haigis Parkway.

Tom Hall and Dan Bacon will display a concept plan at our meeting.

### C. Amend 2012/2013 Intersections Set Aside

Staff Resource: John Duncan

Recommendation: To amend the Intersection Set Aside, if necessary

#### Background

Actions taken under Agenda Items A and B may obviate the need for any action on this agenda item. For instance, support for Item B above would simply direct all of the \$3,000,000 to the Dunstan Corner project.

On December 1<sup>st</sup> the Executive Committee asked staff to solicit “short applications” for intersection projects in order to gauge the level of need. We received only four proposals. Paul can advise on the amount of funding requested

Last October the Policy Committee adopted the following Set Asides amount for the upcoming FY 2012/2013 biennium. In October 2010 the Policy Committee will program these funds for specific projects.

	<u>%</u>	<u>\$\$</u>	<u>Notes</u>
Collectors	57%	\$8,550,000	A major increase in response to Collector Study.
Intersections *	20%	\$3,000,000	Primarily to relieve bottlenecks. Urban oriented.
Rebuild Roads	10%	\$1,500,000	Arterial paving is done by MaineDOT.
Transit	9%	\$1,350,000	A statement for sustainable transportation policy.
Bike/Ped	4%	\$600,000	A statement for sustainable transportation policy.
Widen Roads	<u>0%</u>	<u>\$0</u>	A statement for sustainable transportation policy.
Total	100%	\$15,000,000	

## **D. FY 2011 Congressional Earmark Proposals**

Staff Resource: John Duncan

Recommendation: By consensus the Executive Committee recommends that PACTS submit these two proposals by tomorrow's deadline:

GO MAINE Program: Proposal for \$850,000 to purchase 20 vans for their vanpool program. The Maine Turnpike Authority will provide the 20% match.

Scarborough: Proposal \$1,000,000 to build bridge for Eastern Trail over Nonesuch River, and for the trail linkage from the bridge to Wainwright Fields in S. Portland.

### Background

The amounts requested include the 80% federal share and the required match. We have been advised to keep application at or below \$1,000,000.

Congresswoman Pingree's staff held a briefing on December 8<sup>th</sup>. On the 11<sup>th</sup> we solicited proposals from our members. In late December the Congresswoman's staff set a January 22<sup>nd</sup> deadline for submissions. (Senator Snowe's office recently set a February 12<sup>th</sup> deadline.)

Staff developed and used the following criteria based on past experience:

- Sustainable "green"
- Job creation and regional economic benefit
- Regional support and regional benefit.
- We would not likely fund with our MPO Allocation funds.
- Local match is certain
- Do not seek gap financing, and do not ask for more funding for our regional signal system unless it is a very strong top regional priority.

Staff asked the Congresswoman's staff for advice on the importance of the job creation and retention factor in their application form. The answer was that they will seriously consider proposals that do not have great job creation/retention benefits.

The following 14 other proposals were also submitted:

**Freeport:** Proposal for \$1,000,000 to upgrade the I-295 exit 20 interchange that is currently functioning at a service level F by signaling the northbound and southbound I-295 ramps at Desert Road and coordinating the new traffic signals with the existing signal at U.S. Route One. Widen the westbound Desert Road approach to

add a second left-turn lane, widen the southbound I-295 on-ramp to accommodate double left turns from Desert Road.

**Westbrook:** Proposal for \$935,000 to implement the Westbrook Downtown Streetscape Study with roadway and sidewalk work on Main Street.

**Portland:**

- Warren Ave reconstruction (to continue the work towards the Westbrook line)
- Extend Pearl Street to Marginal Way
- Restriping/ realignment of Congress St Corridor per Gorrill-Palmer Study
- Remove redundant ramps at Exit 5 and negotiate land ownership back to City for Economic Development
- Build the West Commercial Shared Use Path
- Implement the remainder of the Marginal Way Pedestrian Improvement Plan
- Augment the Riverside / Warren intersection (on NHS system) project in order to purchase Rug Depot and build a long-term improvement
- Purchase a Snowmelter
- Purchase property off Warren Ave for conservation and wetlands protection
- Do additional Regional Traffic Management System funding
- Implement bus rapid transit per the Portland North study outcomes
- Implement recommendations from the Regional Bike/Ped master plan

**Other Ideas:**

- Ed Clifford: Do a request for vehicles in coordination with MaineDOT.
- Elizabeth Trice and Hilary Frenkel:
  - Libbytown Trail construction (\$540,000)
  - Portland peninsula sidewalks and crosswalks ADA accessible (\$200,000)
  - Fore Creek Trail bridge (\$3,000,000?)
- Elizabeth Trice: also shelter and/or park 'n ride in Windham for future bus service.

## **E. Approve PACTS Formula for Programming FTA 5307 Funds**

Staff Resource: Steve Linnell

Recommendation: Approve the formula described below.

Note that the Policy Committee will also be asked to approve the actual dollar amounts when the formula is applied to the actual FTA 5307 appropriation to be made by Congress hopefully soon.

Background: The Transit Committee, at its meeting on January 14 approved the following formula offered by its FTA 5307 Subcommittee. Staff presented a hypothetical output of the formula based on a 7% increase in 5307 funds from 2009 and an equal amount of Small Transit Intensive Communities (STIC) funds.

The formula allocates FTA 5307 and STIC funds as follows:

- Divide the “base” portion of 5307 funds (up to 2007 amounts, or \$1.95 mm) based on the formula (BSOOB: 6.66%; CBITD: 17.34%; METRO: 58.61%; RTP: 7.35%; SPBS: 7.00%; YCCAC: 3.04%)
- Divide any additional 5307 funds based on performance, allocating 70% based on increased riders and 30% based on increased revenue vehicle miles using the composite of the two.

The formula then allocates STIC funds as follows:

- Set aside 10% of the STIC allocation (up to \$50,000) for regional projects, such as the regional map
- Divide the remaining funds based on performance as follows:
  - 80% based on increased ridership
  - 20% based on increased revenue vehicle miles

The 80/20 split is an attempt to mitigate the “efficiency penalty” that may be affecting the outcome for York County and RTP.

Using the estimated 7% increase for 5307 and 2009 STIC funding as a test scenario, the percentage allocations for each provider is as follows. Please note however that a change in the final dollar amounts from the two sources will yield different percentages.

BSOOB	10.9%
CBITD	13.3 %
METRO	44.9%
RTP	10.0%
SPBS	10.5%
YCCAC	9.9%
Regional	0.6%

The Transit Committee also asked staff to provide the Policy Committee with the following History of PACTS Urban Formula Transit Funding Allocations:

<b>FY</b>	<b>BSOOB</b>	<b>CBITD</b>	<b>GPCOG</b>	<b>METRO</b>	<b>RTP</b>	<b>SPBS</b>	<b>YCCAC</b>	<b>NNEPRA</b>	<b>Total</b>
1986	0	\$ 109,887	\$ 49,811	\$ 604,378	\$ 80,000	0	0		\$ 844,076.00
1987	0	\$ -	\$ 40,000	\$ 621,558	\$ 50,000	0	0		\$ 711,558.00
1988	0	\$ 32,403	\$ 43,000	\$ 421,323	\$ 123,807	0	0		\$ 620,533.00
1989	0	\$ 60,000	\$ 29,973	\$ 370,000	\$ 105,000	0	0		\$ 564,973.00
1990	0	\$ 60,824	\$ 30,412	\$ 375,846	\$ 106,729	0	0		\$ 573,811.00
1991	0	\$ 64,898	\$ 32,449	\$ 401,020	\$ 113,878	0	0		\$ 612,245.00
1992	0	\$ 72,847	\$ 36,424	\$ 450,139	\$ 127,826	0	0		\$ 687,236.00
1993	0	\$ 72,847	\$ 36,424	\$ 450,139	\$ 127,826	0	0		\$ 687,236.00
1994	0	\$ 89,204	\$ 44,602	\$ 551,215	\$ 156,528	0	0		\$ 841,549.00
1995	0	\$ 92,049	\$ 46,025	\$ 569,231	\$ 92,049	\$ 69,038	0		\$ 868,392.00
1996	0	\$ 64,058	\$ 35,588	\$ 466,203	\$ 88,970	\$ 56,941	0		\$ 711,761.00
1997	0	\$ 67,097	\$ 37,276	\$ 488,317	\$ 93,190	\$ 59,642	0		\$ 745,522.00
1998	0	\$ 134,562	\$ 43,449	\$ 563,114	\$ 61,089	\$ 66,767	0		\$ 868,981.00
1999	0	\$ 148,412	\$ 47,921	\$ 621,075	\$ 67,377	\$ 73,640	0		\$ 958,425.00
2000	0	\$ 161,446	\$ 52,130	\$ 675,618	\$ 73,294	\$ 80,107	0		\$ 1,042,595.00
2001	0	\$ 171,318	\$ 55,317	\$ 716,930	\$ 77,776	\$ 85,005	0		\$ 1,106,346.00
2002	0	\$ 187,351	\$ 60,494	\$ 770,346	\$ 99,487	\$ 92,207	0		\$ 1,209,885.00
2003	\$ 237,160	\$ 286,510	0	\$ 968,708	\$ 121,527	\$ 115,733	\$ 32,326		\$ 1,761,964.00
2004	\$ 118,567	\$ 308,838	0	\$ 1,043,847	\$ 130,899	\$ 124,733	\$ 34,883		\$ 1,761,767.00
2005	\$ 122,911	\$ 320,152	0	\$ 1,082,089	\$ 135,695	\$ 129,303	\$ 56,161		\$ 1,846,311.00
2006	\$ 133,006	\$ 346,294	0	\$ 1,170,489	\$ 146,785	\$ 139,796	\$ 60,711		\$ 1,997,081.00
2007	\$ 178,371	\$ 464,408	0	\$ 1,569,719	\$ 196,851	\$ 187,477	\$ 81,419		\$ 2,678,244.00
2008	\$ 178,371	\$ 465,182	0	\$ 1,615,383	\$ 196,851	\$ 189,037	\$ 93,051	\$ 8,550	\$ 2,746,425.00
2009	\$ 159,455	\$ 415,157		\$ 1,403,248	\$ 175,975	\$ 167,595	\$ 72,784	\$ -	\$ 2,394,214.00

<b>FY</b>	<b>BSOOB</b>	<b>CBITD</b>	<b>GPCOG</b>	<b>METRO</b>	<b>RTP</b>	<b>SPBS</b>	<b>YCCAC</b>	<b>NNEPRA</b>	<b>Total</b>
1986	-	13.0%	5.9%	71.6%	9.5%	-	-		100.0%
1987	-	0.0%	5.6%	87.4%	7.0%	-	-		100.0%
1988	-	5.2%	6.9%	67.9%	20.0%	-	-		100.0%
1989	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1990	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1991	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1992	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1993	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1994	-	10.6%	5.3%	65.5%	18.6%	-	-		100.0%
1995	-	10.6%	5.3%	65.6%	10.6%	8.0%	-		100.0%
1996	-	9.0%	5.0%	65.5%	12.5%	8.0%	-		100.0%
1997	-	9.0%	5.0%	65.5%	12.5%	8.0%	-		100.0%
1998	-	15.5%	5.0%	64.8%	7.0%	7.7%	-		100.0%
1999	-	15.5%	5.0%	64.8%	7.0%	7.7%	-		100.0%
2000	-	15.5%	5.0%	64.8%	7.0%	7.7%	-		100.0%
2001	-	15.5%	5.0%	64.8%	7.0%	7.7%	-		100.0%
2002	-	15.5%	5.0%	63.7%	8.2%	7.6%	-		100.0%
2003	13.5%	16.3%	-	55.0%	6.9%	6.6%	1.8%		100.0%
2004	6.7%	17.5%	-	59.3%	7.4%	7.1%	2.0%		100.0%
2005	6.7%	17.3%	-	58.6%	7.3%	7.0%	3.0%		100.0%
2006	6.66%	17.34%	-	58.61%	7.35%	7.00%	3.04%		100.0%
2007	6.66%	17.34%	-	58.61%	7.35%	7.00%	3.04%		100.0%
2008	6.49%	16.94%	0.00%	58.82%	7.17%	6.88%	3.39%	0.31%	100.0%
2009	6.66%	17.34%	0.00%	58.61%	7.35%	7.00%	3.04%		100.0%

## **Agenda Item 7 – UPWP Amendments**

### **A. To fund a Strategic Initiative for Greater Portland to become a Transit Focused Region (revised scope of the fixed guideway study)**

Staff Resource: Carl Eppich, Steve Linnell

Recommendation: Our Executive, Technical, Planning, and Transit Committees recommend endorsement by the Policy Committee

#### **Background**

Last May the Policy Committee adopted a \$40,000 budget for South Portland’s proposal for a “Fixed Guideway” study. The decision included a provision that a final scope of work be endorsed by the Policy Committee before consultant help is sought. PACTS and GPCOG staff have worked with area planners on a revised scope which has been endorsed by the Executive Committee (on Jan 5<sup>th</sup>), as well as the Technical and Planning Committees (January 12<sup>th</sup>) and Transit Committee (January 14<sup>th</sup>). Last spring South Portland committed to provide the \$8,000 local match, but given the region-wide change in scope we now propose that the PACTS Assessment be used as the source for matching funds.

Building on past plans and studies, this effort will first evaluate the potential within the “core” areas and districts of our urban communities (Portland, South Portland, and Westbrook) where compact development already exists and transit service is provided. The study effort in the core will be complemented with evaluation for potential future expansion into the surrounding suburban areas. The intent is to explore methodologies for reaching regional goals such as a regional S.W.O.T. analysis -Strengths, Weaknesses, Opportunities, and Threats, and S.R.O.I., Sustainable Return On Investment for example, and others to be determined.

This study initiative is consistent with *Destination Tomorrow’s* Goal II: Mobility Safety and Accessibility: To improve the movement of goods and the mobility, accessibility and safety of people throughout the region. This goal contains Objective 3: *To expand accessibility in the region by non-automobile users*, which has two strategies that this study would explore, Strategy 23: Increase Transit and Strategy 25: Transit Oriented Development. This planning study is also consistent with Objective 4. *To direct through-traffic to use higher functionally classified roadways*, through Strategy 35: Increase Transit to Centers.

#### **Regional Goal of this study:**

The regional integration and coordination of transportation mobility, land use/urbanism, affordability and cost avoidance, and energy and resources efficiency for economic growth.

1. Identify and evaluate the regions “core” identifying geography/districts slated for or under consideration by local communities for compact, mixed-use, Transit Oriented Development (TOD) in: South Portland, Portland, and Westbrook
2. Create strategies that will promote growth and solve transportation/mobility issues (congestion, costs –fuel-, road maintenance, etc.):
  - a. By building on existing transit service through “Enhanced Service Districts”
  - b. Coordinate with ongoing regional transit route study and transit providers
3. Develop Plan for economic growth, while reducing “growth-induced” increases in climate-changing pollutants and increases in vehicle-miles-traveled which lead to congestion in urban areas
4. Based on an evaluation and correlation of mixed-use and higher density development, determine the optimal or potential balance between such development activity and the establishment of enhanced and new transit services.
5. Evaluate the projected future financial *and* ridership feasibility of enhanced transit service within these corridors under various development and funding scenarios, for alternative enhanced transit service strategies.
6. Include an evaluation of the economic benefits and viability within the study geography of existing routes, new routes on conventional urban buses, bus rapid transit, and the potential for fixed-guideway streetcar type transit.

**B. MaineDOT proposal regarding Highway Simplification Study**

Staff Resource: John Duncan

Recommendation: To amend our UPWP to budget \$20,000 to hire a consultant to assist MPO’s and MaineDOT with Highway Simplification Study.

*John Duncan is serving as the Co-Chair of the Urban Issues Subcommittee. The subcommittee met on January 7<sup>th</sup>, and will meet next tomorrow. See update on work of Urban Issues Subcommittee after the Background section.*

**Background**

MaineDOT has offered to add \$20,000 to our UPWP so that we can hire a consultant (probably Maine Tomorrow) to assist the Urban Issues Subcommittee. Here is a draft scope.

*The Consultant is retained by PACTS to assist it and other Maine MPO’s as well as the full membership of the Urban Issues Subcommittee in undertaking the charge of that Subcommittee as adopted through MaineDOT’s so-called Highway Simplification Study. The consultant agrees to attend up to seven meetings of the*

*Subcommittee to be conducted over the first six months of 2010. The consultant will assist the MPO's in further refining the "Policy Topics" summarized from the proceedings of two MPO workshops held in the fall of 2009 and will present these proposals to the Subcommittee. The consultant will then take the feedback from the Subcommittee on these topics as well as topics the Subcommittee chooses to add and consolidate all proposals into a draft presentation of the Subcommittee for its review and action.*

*The consultant further agrees to work with MaineDOT staff in analyzing data depicting current conditions such as demographics, state and local fiscal capacity, transportation systems and jurisdictional responsibilities. The consultant will work with MaineDOT staff in preparing forecasts of likely outcomes under various alternative policy scenarios articulated by the Subcommittee.*

*The consultant will be available to the MPO's for up to two discussion workshops to gather feedback on the deliberations of the Subcommittee. In addition, the consultant will be available to make a technical presentation on behalf of the Subcommittee to the Highway Simplification Policy Working Group, the Maine Service Centers Coalition and the Maine Municipal Association to support their deliberations and consensus building.*

*The consultant agrees to set aside up to 20 % of contract resources to support MaineDOT efforts to integrate the work of the Subcommittee with the overall final work product of the Policy Working Group.*

#### Charter for the Urban Issues Subcommittee

The Policy Working Group (PWG) for the Highway Simplification Study is chartering this subcommittee to evaluate the current systems of urban highway classifications and make recommendations to the PWG.

The Urban Issues Subcommittee group includes the following persons:

- Dale Doughty, MaineDOT, Co-chair
- Michelle Beal, Ellsworth
- **Mike Bobinsky, Portland**
- Jerry Dostie, Augusta
- **John Duncan, PACTS (elected Co-chair on January 7<sup>th</sup>)**
- **Rob Kenerson, BACTS & PWG**
- John Melrose, Maine Tomorrow
- Mike Roy, Waterville
- Chip Swan, Hampden

There are several separate and distinct definitions of boundaries that are applicable to urban areas: federal urbanized areas, state urban compacts, federal Metropolitan Planning Organization areas, and state winter compacts. A given municipality may

have two or more different urban boundaries or a municipality may qualify as “urban” under one set of criteria but not the other. Associated responsibilities for highway capital and maintenance are frequently unclear and confusing. The Urban Subgroup will:

1. Identify conflicts between the various urban classifications including the potential for confusion regarding maintenance and capital responsibilities and potential for roads to fall through the maintenance and capital cracks.
2. Evaluate the initial purpose of each classification and assess whether the criteria will support their respective purpose.
3. Make recommendations to the PWG regarding simplified criteria, grouping the urban classifications into as few boundaries as possible. These recommendations would need to comply with federal law. State law changes could be recommended.
4. Evaluate the way in which maintenance and capital improvements are funded within urban areas. Begin this evaluation with the recent study completed by Maine Tomorrow on the behalf of Maine’s four MPOs.
5. Investigate revenue sharing strategies and possible financing tools to assist urban areas finance much needed capital projects.
6. What other urban issues should the PWG consider?

This subcommittee will make reports to the PWG at each of their meetings. Any findings and recommendations will be approved by the PWG before they are published

## **Agenda Item 8 – Consent Agenda**

In November, the Policy Committee asked that the Consent Agenda include no major ones action items. This Consent Agenda includes the following minor actions, including four minor TIP amendments:

### **1. Endorse Regional Bicycle/Pedestrian Plan**

Staff considers this item to be “major” regional plan! However, we have worked closely with our other committees, so we are not going to ask for a lot of time from the Policy Committee.

Time permitting, Paul Niehoff will give an overview of the Plan. A draft of the plan is available at the PACTS blog site: <http://pactsblog.org/blog/>.

## 2. Endorse Regional Traffic Signal Coordination Study

Staff also considers this to be “major” regional plan! See an overview of it in our new report “Transportation Opportunities for Greater Portland”.

Carl Eppich led this for PACTS staff. Time permitting, he can give an overview at our meeting today. Carl worked with Kathi Earley, Mike Bobinsky, Eric Dudley, Jim Wendel, MaineDOT, other Portland staff and our consultant. They also coordinated their work with South Portland staff and consultants, and have a plan to connect to the Maine Mall Area traffic signal system. We also have \$25,000 in our UPWP to do another signal coordination study.

PACTS staff has led the effort to secure \$1,300,000 to implement the first phases of the \$7,000,000 in recommendations.

## 3. Amend our TIP per the recent FY 2010 earmark for our traffic signal coordination project

This is to formally amend our TIP to program the federal funding secured as described immediately above.

## 4. Amend our TIP per the recent FY 2010 earmark for the Bayside Trail in Portland

Congresswoman Pingree announced a \$200,000 earmark last month. We will have details available at our meeting.

## 5. Amend our TIP for CBITD project scope change

Casco Bay Island Transit District requests a TIP adjustment to an STP funded project. The \$200,000 STP allocation was originally intended for replacement vessel design. However, a portion of State Bond money was used instead. The \$500,000 bond was to be used for vessel maintenance and dry-docking. MaineDOT and FTA have determined that maintenance and dry-docking are eligible expenses for STP funds. The PACTS Transit Committee has approved this as a reasonable request. **In simple terms the two projects are being completed with the same amount of money, only the sources of funds were swapped.** After approval from the Policy Committee, MaineDOT and FTA will process the request from CBITD for a Scope Amendment.

## 6. Amend our TIP for three paving projects on arterials, as requested by MDOT

MaineDOT has three arterial paving projects for our region that need our TIP endorsement. Our Executive Committee has the authority to endorse these, but this request just came in and can be taken care of by the Policy Committee before the Executive Committee meets. Paul’s draft letter on next page tells the story.

# PACTS

## Portland Area Comprehensive Transportation Committee

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Draft pending Policy Committee action

Mike Laberge, MPO Coordinator  
Bureau of Transportation Systems Planning  
Maine Department of Transportation  
16 State House Station  
Augusta, Maine 04333-0016

### **PACTS FY 2010-2011 TIP Amendment Adding Three Road Paving Projects in the Town Of Scarborough**

Dear Mike:

The Portland Area Comprehensive Transportation System is requesting approval for amendments to its 2010-2013 Transportation Improvement Program to add three highway resurfacing projects in the PACTS region, in coordination with the Maine Department of Transportation:

PIN 15820.00, Scarborough, Payne Road: Highway resurfacing, beginning 0.01 mile north of Route 114 and extending northerly 0.63 mile. The project cost is an estimated \$372,356.13, with a federal share of 80% and a state share of 20%.

PIN 16669.00, Scarborough, Route 1: Highway resurfacing, beginning at the Saco/Scarborough town line, extending northerly 1.86 miles. The project cost is an estimated \$694,326.41, with a federal share of 80% and a state share of 20%.

PIN 16788.00, Scarborough to Falmouth, I-295 northbound: Preliminary engineering for highway resurfacing, beginning at the intersection of I-95 extending northerly 8.54 miles. The cost is an estimated \$274,313, with a federal share of 80% and a state share of 20%.

This request was approved by the PACTS Policy Committee during the January 21, 2010 meeting and is predicated on the MaineDOT incorporating appropriate comments made by the public if warranted.

If you have any questions, please give me a call.

Sincerely,

Paul Niehoff  
PACTS, Senior Transportation Planner

## 7. Endorse MDOT application for Livable Communities program

Staff Resource: Steve Linnell

### Recommendation

Endorse proposals from the South Portland Bus Service (SPBS) and Regional Transportation Program (RTP) who are applying for unallocated FTA discretionary grant funds. These applications, if successful, will have a positive impact on transportation service delivery. The two projects will **add new federal dollars to PACTS**. All applications **require MPO endorsement** if they are within the urbanized area. The PACTS Transit Committee supported both projects at their meeting on January 14, 2010 and voted to recommend Policy Committee endorsement. MaineDOT has asked the MPOs to prioritize the projects. Staff recommends the SPBS project be ranked higher. If approved by the Policy Committee, staff will prepare and forward an appropriate letter of endorsement.

### Background

On December 8, 2009, Federal Transit Administration announced a Bus and Bus Facilities Livability Initiative Program Grant opportunity (“Bus Livability Program”). There are \$150 million in unallocated funds available in this competitive program. MaineDOT screened preliminary applications state-wide and selected SPBS and RTP projects as two of the four they will put forward. Applications must be submitted to the FTA by MaineDOT on behalf of SPBS and RTP not later than February 8, 2010.

### South Portland Bus Service:

The South Portland Bus Service proposal will **close the funding gap** for the “**Mill Creek Transit Hub**” and **implement Transit Priority** on traffic signals in the area. \$122,880.00 of federal funds towards the Transit Hub portion of the project was approved by the PACTS Policy Committee as part of the FY10/FY11 FHWA Surface Transportation Program transit set-aside process. The Bus Livability Program grant request is for approximately \$166,000 of additional federal funds. The city has the required 20% matching funds.

This project will construct a new transit hub using a vacant 100’ x 100’ city-owned parcel of land that is adjacent to City Hall . There will be pullout spaces for three buses. There will be a fully enclosed structure that is aesthetically pleasing, comfortable and inviting. It will include a canopy adjacent to the bus pullout area that is an extension of the structure. The proposal includes designated handicapped parking spaces, lighting, benches, and seating, covered bike racks, cabling for internet access for follow-on ITS projects, landscaping, and inside heating. Sebago Technics, Inc. is the city’s design and engineering consultant. They have already completed a preliminary survey and engineering services for the planning and site design, including a complete budget detail.

In addition, the Transit Hub is centrally relocated within the area where traffic signals were upgraded in the Fall of 2009. This project was endorsed through the PACTS TIP process and funded through MaineDOT's Safety Program. In addition, the city invested approximately \$70,000 in other bicycle and pedestrian improvements. "Emergency Preemption" is already functioning on the signals. This component of the project will install emitters on buses that do not already have them, and upgrade equipment on the traffic signal control boxes to add the "Transit Priority" functionality. The Mill Creek Transit Hub and bus routes through the area are ideally positioned to take advantage of the traffic signals to improve the flow of transit buses through the area.

#### Regional Transportation Program:

Regional Transportation Program's proposal for Bus Livability Program funds is being made for \$400,000 for the purchase of 4 buses. These new vehicles will be put into service to meet growing need and increased demand for transit connections between Portland and the surrounding communities. These vehicles will be incorporated into the fleet and operated within RTP's current budget. The vehicles will not be designated *specifically* to a new service; they will be utilized to provide for identified unmet transit/mobility needs for workers, the elderly, people with disabilities and people in low-income categories. This proposal will add new federal dollars to the PACTS area and will bring additional transportation capacity to the region to serve current needs and future potential for development of the Lakes Region Transit Service.

RTP and GPCOG were successful in securing \$60,000 in technical assistance from the Community Transportation Association of America to scope and implement the Lakes Region Transit Service that has been under study and planning since 1999. (see attached proposal) The technical assistance work will begin in the spring of 2010. While the buses acquired through the Bus Livability Program grants will not be designated as Lakes Region Transit Service, based on the outcome of the CTAA study RTP plans to begin operating them in the areas identified in the previous Lakes Region studies. The Bus Livability Program opportunity will bring \$400,000 in federal dollars and RTP will contribute the 20% local match. No other state or local funds will be diverted for the acquisition of the new vehicles.

#### Prioritization

Both projects are appropriate for MPO support. Based upon the grant eligibility requirements as well as the review and selection criteria that will be used by the FTA in evaluating and awarding Bus Livability Program grants, it appears that the South Portland Bus Service proposal will be the more competitive project of the two. Hence, staff recommends it be ranked the higher of the two.

## **Agenda Item 9 – Executive Director’s Report**

1. PACTS staff has spent approximately 160 hours during the past six months participating in the Gorham East West Corridor Study. We expect to spend at least as much time on it during the coming six months.
2. These committee all met in January:
  - Executive Committee
  - Planning/Technical Joint Meeting
  - The *Destination Tomorrow* Update Subcommittee
  - Transit Committee
3. We recently wrote and distributed a 4-page piece entitled “Transportation Opportunities for Greater Portland”.
4. Later this month we will complete a 6-minute video on regional transportation issues and opportunities. We will show it to our Legislative Delegations in Augusta, on local public access television stations and other venues. This will be the first in a series. This is an exciting new venture here at PACTS. We are grateful to be working with Michael McDade, the director of Falmouth’s public access television department. He has some great experience to apply in making this kind of video.
5. We recently received 13 draft TIP applications. Final applications are due on February 12<sup>th</sup>.
6. John Bubier, Kathi Earley and John Duncan met recently at the Biddeford office of Senator Collins with Jennifer Duddy and Bobby Reynolds.
7. Staff had a great discussion earlier this month with the Executive Committee regarding our Outreach, Media and Education Work. *See details on final page.*
8. Paul has secured a \$10,000 grant from MaineDOT to do an assessment of pedestrian safety and access to bus stops. This is a recommendation in our new Bike/Ped Plan.
9. Maine Tomorrow and the Maine Affordable Housing Coalition have contacted us about submitting a joint application for funding under the new federal Sustainable Communities initiative. Carl is our contact on this.
10. MaineDOT, with input from local stakeholders, has selected a design/build team for the replacement of the Veterans Bridge. This will be a very exciting project! See Carl for details.
11. Personnel Changes
  - Henry “Hank” Berg starts as new CBITD General Manager this week.

- Anna Price to leave in March for a new FHWA position in Maryland
- Mary Ann Conroy to Kittery
- MaineDOT's Mimi Cerveny to New Jersey
- MaineDOT's Sara Behr to Bill Croce's job

12. We are going to participate during the next three years in a research project at the University of Vermont and the nearby federally-sanctioned Transportation Research Center regarding the decision making processes of PACTS and the MPO's in Burlington (VT) and Manchester (NH). This will involve signing a Memorandum of Understanding, and *interviews of our members*.

### **The Analysis of Complex Governance Network Dynamics: Emergent Patterns of Formation, Operation and Performance**

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A total of \$1.1 million is being requested from the NSF's Cyber-enabled Discovery and Innovation Program over the course of three years to fund the initial phases of this research program. Existing integrated land use and transportation models have been designed to forecast the scenarios of outputs and outcomes that arise as a result of certain policy decisions. However, these models generally represent the human and essentially cross-institutional governance systems as the "black box" that shape the design and implementation of policy tools. In practice, these black boxes are populated by inter-organizational networks of agents from the public, private and non-profit sectors, who span geographic scale, and implement complex decision heuristics. *To date, there have been no attempts to develop integrated models analyzing the complex structures and operational dynamics of inter-organizational networks that emerge to govern the regional-scale planning regimes across traditional administrative boundaries.* The aim of our research is to develop an integrated model of regional planning governance networks using Complex System Dynamics (CSD) and Agent-Based Modeling (ABM), generating a clear and compelling set of "governance informatics" in the process. Governance informatics are, essentially, pieces of information regarding the process dynamics of a network's underlying governance structures and functions. The following research question will be addressed: *How can the diffusion of informatics concerning the governance dynamics of a regional planning network shape the selection and implementation of particular policy strategies?* The development of agent-based models of inter-organizational regional planning networks will help advance the cyber-enabled discovery of emergent forms of innovative cross-jurisdictional organizational arrangements through the development of decision support systems (DSS) that support the interface between agents and the governance dynamics shaping their interactions. This project will be undertaken as a partnership between researchers from the University of Vermont's Transportation Research Center, SUNY Albany's Center for Technology in Government, Resource Systems Group, Inc., the Land Use Institute of the Vermont Law School and three regional planning networks in Northern New England: Burlington, Vermont (anchored by the Chittenden County Metropolitan Planning Organization); Portland, Maine (The Portland Area Comprehensive Transportation System (PACTS)); Manchester, New Hampshire (anchored by the Southern New Hampshire Planning Commission).

## Attachment to Executive Director's Report Regarding

### PACTS Outreach, Media and Education Work

In October the Policy Committee members had a brief conversation about the use of television and “new media”, and asked staff to describe a PACTS media strategy.

Our goal of our outreach, media and education work is **to articulate the region's transportation needs and priorities to the general public and elected and appointed decision makers**. A key component of this work is to generate credibility for and **awareness of PACTS** in order to get people's attention when we/they speak about the region's needs and priorities.

The following lists highlight our existing and new work in outreach, media and education.

#### Regular/Continuous Efforts

1. The PACTS **website**. Staff is reviewing its purpose and effectiveness.
2. **News releases** on PACTS activities. We have done few lately, but will do several soon.
3. New: We are experimenting with a **blog**, and posting items to **You Tube**.

#### Once or Multiple Times Per Year

1. Our **Annual Report** in June.
2. Our **Annual Meeting** in June.
3. Three or four “**sandwich symposia**”. Recent topics were “complete streets”, traffic calming and Peninsula Transit Study. Ideas for future topics?
4. PACTS quarterly **electronic newsletter**. We have done few lately, but intend to return to quarterly production.
5. PACTS staff and members meet periodically with state and federal elected officials or their staff **to discuss regional needs and priorities**. Attendance and presentations at committee meetings in the **Legislature**. Staff also attends meetings of the County Delegation, MBTA Legislative Committee, MaineDOT's Highway Simplification Study, Greater Portland Chamber
6. New: A **Congressional Delegation member** attend a Policy Committee meeting every year
7. New: Do a brief periodic **email to many at MaineDOT** on items on which we are collaborating with MaineDOT. Purpose will be to keep PACTS in front of many MaineDOT staff and remind them of our work with many parts of that organization.

#### When Needed

1. New: **Videos** on regional transportation (first one now in production). Show on **public access TV** stations throughout the region, and on **You Tube**. We will do more of them in 2010, including for the Destination Tomorrow Update.

2. **Speak to city and town councils** on regional transportation needs and about the PACTS process.
3. PACTS **Legislators Forums** every two years
4. **Brochures** – like the 2009 Collector Roads study summary, the 2009 “System is Crumbling” report, and our draft “Transportation Opportunities for Greater Portland”.
5. Letters to the editor, and “**Maine Voices**” pieces
6. Attend **editorial board** meetings.
7. **News conferences**...do for upcoming PACTS Bike/Ped plan
8. **Public forums**, such as for High Priority Projects in 2008. Might do in 2010 for Destination Tomorrow Update.
9. Transportation session on local **public access TV**.
10. PACTS votes to support referendum proposals, such as 2009 decision to be on MBTA list as **supporter of state transportation bond**.