

PACTS

Portland Area Comprehensive Transportation System

Policy Committee Meeting Notice

March 18, 2010
1:30 p.m.
GPCOG, 68 Marginal Way, Portland

Agenda

1. Call to order
2. Public Comment
3. Minutes of the January 21st Meeting
4. Programming Topics
 - A. Action on revised PACTS Credit Program proposal
 - B. Action on revised PACTS FTA 5307 Formula proposal
 - C. Action on proposal to short list the Bike/Ped proposals for 2012/2013 funding, and to do enhanced project scoping
5. Franklin Street Feasibility Study Phase I

Presentation by Markos Miller, Co-Chair of the Study Advisory Committee
6. Consent Agenda
7. Executive Director's Report
8. PACTS Video on Regional Transportation Issues and Opportunities
9. Adjourn

The Metropolitan Planning Organization for the Portland Urbanized Area

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Minutes of the January 21st Meeting

Members Present: Kathi Earley, Vice Chair, Portland; Neal Allen, GPCOG; Dan Bacon, Planning Com. Appt.; Kat Beaudoin, MaineDOT; Mike Bobinsky, Portland; Jerre Bryant, Westbrook; Bob Burns, Technical Com. Appt.; Ed Clifford, Public Transportation; David Cole, Gorham; Jim Gailey, South Portland; Tex Haeuser, South Portland; Tom Hall, Scarborough; Judy Harris, Portland; Alex Jaegerman (for Joe Gray), Portland; Gary Lamb (for Jack Turcotte), OOB; Mike McGovern, Cape Elizabeth; Peter Merfeld (for Conrad Welzel), MTA; Tom Meyers, Public Transportation; Tom Milligan (for John Bubier), Biddeford; Rick Michaud, Saco; Eric Pandora, Freeport; Nathan Poore, Falmouth; Anna Price, FHWA; Bill Shane, Cumberland; Nat Tupper, Yarmouth

Members Absent: Marnie Diffin, North Yarmouth; Tony Plante, Windham

Staff and Guests: Maddy Adams, GPCOG; John Duncan, PACTS; Carl Eppich, PACTS; Brad Foley, MaineDOT; Mike Laberge, MaineDOT; Steve Linnell, GPCOG; Nick Mavodones, CBITD; Paul Niehoff, PACTS; Ken Sweeney, MaineDOT

- 1. Call to order.** Kathi Earley, Vice-Chair, called the meeting to order at 1:00 p.m. Kathi welcomed Eric Pandora, Freeport's new representative, to the Policy Committee. Introductions were made.
- 2. Public Comment.** None.
- 3. Minutes of the November 19th meeting.** *Judy Harris moved approval of the minutes, with Mike Bobinsky seconding the motion. Motion passed.*
- 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.** Ken has been working on outlining an agreement with Cumberland as a pilot to see how this might work. They have a draft one-page MOA; it is still a work in progress. He read the three goals and said the idea is to keep it really open. At the end of the job, the engineer will certify that it was done according to plan. If you want to pave a road and make improvements, that is fine. It doesn't have to be brought up to a "built" standard. Nat asked where the review would happen – at the MaineDOT Regional Office or Augusta. In Cumberland's case, it is a substantial reconstruction so it would have to go to Augusta. Smaller projects could be worked out with the regional engineers. Ken stated that we want to be careful that we don't dictate how it is done but we want to be sure that there are no negative impacts. MaineDOT would be used more as a technical advisor. Mike B. asked if the legal requirements are mostly geared toward the safety aspect. Ken responded that it is about safety. Once you have completed the work, liabilities would come to the owner – MaineDOT. The idea is to make it palatable to the community to do this type of work. It is a great compromise.

Ken said they expected this to be in place in about four weeks or at least by the start of construction season. Kat added that this is a pilot. They will work with Cumberland to find out what went well and what didn't. An engineer wrote it up and now the MaineDOT legal people need to add their piece. Mike B. asked if out of state paving contractors have been considered. Ken responded that, historically, we have allowed communities to piggyback using our prices. Regarding the Cumberland waterline project on Route 100, Bill said that he hopes that he doesn't have to get road opening permits because that will add more cost. Ken

noted that the whole starting point of this is that we looked at our existing agreements and we looked at the opening permit to see if we could adjust it. Kathi asked if the towns should be contacting MaineDOT if they plan on doing something like this. Ken said that at least a phone call would be helpful, as they want to know what is happening on the roads.

5. Action on draft Three-Party Partnership Agreement Template. John D. provided background. The Executive Committee supports this and looked at it very carefully. He is very pleased to see the final document incorporating the comments from the Policy Committee. Mike M. thanked everyone for their work on this document and thought it was much improved. *Mike M. made a motion to incorporate MaineDOT's Three-Party Partnership Agreement into our project management process, and authorize the PACTS Executive Director to sign after MaineDOT and the municipality have agreed on the language in the agreement for each PACTS "MPO Allocation" project. The motion was seconded by Bill Shane.* Nat asked about #7 and #8 – what if the bids come in over 10% of the estimated cost? Mike L. responded that they had heard that the Committee didn't want to have PACTS involved in the construction phase, so it would be addressed in #3. Nathan noted that in #7 it says "either by PACTS or the Town" but in #8 PACTS isn't mentioned. Mike L. noted that political support or lack thereof is why PACTS was mentioned in #7. It was agreed that PACTS be removed from #7. Tex asked if municipalities would be able to adjust some of the wording. Kat said it would be helpful to get a suggestion about that now. If you are going to include #7 and #8, then we need to address Nat's concern. Mike L. explained the process. Mike M. strongly endorsed #8 because of the complications he encountered in Cape Elizabeth. *All were in favor of the motion.*

6. PACTS Programming Policy and Project Actions. John D. introduced the first three items (A & B involve using Holding PIN money).
A. Reconsideration of November vote on proposed Credit Program.
B. Amend Dunstan Corner project funding.
C. Amend 2012/2013 Intersections Set Aside.

6A. Reconsideration of November vote on proposed Credit Program. *Tom Hall made a motion to reconsider the credit program, seconded by Judy Harris.* There is approximately \$1,000,000 in the holding PIN minus \$90,000 for the Dunstan project, which leaves about 910,000 for the credit program. Tom H. has had more time to think about this and he wanted everyone to hear both sides. Bill explained that the idea was to get some minimal funding for those roads in the no funding category. Some communities would be able to get a little money back. It is not sustainable over many years but at this time it could go a long way. Most of the money in the Holding PIN came from two intersection projects that didn't go forward, and some of the money came from collector road projects that were withdrawn as well. David C. asked why whatever project is next on the list wouldn't get funded. John D. explained that if a project gets pulled then that money goes back into the Holding PIN, not to a specific project.

Mike M. mentioned that a section of Route 77 hasn't been paved since 1965. They don't have the traffic numbers, they don't have transit, etc. If he could say that the town has the potential to get some of the credit, it might get some town support. Mike B. said that it complements some of the things that Ken was saying earlier. Communities making an investment in a collector or other road with municipal money would get something out of the deal. In general, he supports it. He agrees with the question about sustainability but he also agreed with trying it out. David C. asked if there was any requirement that the credit be applied to a project that is already prioritized for construction. We have spent a lot of time

prioritizing projects. Will we go against that by supporting projects just because a town submits them? Kathi said to look at page 10 of the meeting packet which explains the eligibility requirements and the eligible uses of credit program funds.

John D. said that next September the Policy Committee would allocate the Credit Program funds based on proposals submitted by the communities before then. We don't have a process for if there is \$2 million in eligible requests and there is only \$1 million available. Projects from calendar years 2009 and 2010 would be eligible. Nat asked if the road would have to be brought up to completely built standards. An engineer will have to certify that it was done according to plan and that there are no negative impacts. Another question was how long a credit could be banked and thus go unused.

Mike M. moved that the PACTS Policy Committee endorse the concept and send it back to the Executive Committee to refine the use of the funds (and come up with answers to the questions that came up today). Nathan seconded the motion. Rick M. said that the highest priority for the region should be considered. David C. said he thought it was a great effort but there isn't enough money to sustain this. We are focusing on the wrong thing and we won't solve the real problem which is that we don't have the money to fix the roads. Bill asked what the smaller communities in PACTS do. Some will never get projects funded through PACTS so where do they go? All we are asking is that we try it for one biennium, and work out the eligibility requirements. Judy H. said she would like to take a more proactive look at this. Some PACTS communities don't get any money. We should consider allocating a certain percentage to the communities that never get funding. Jim G. noted that the larger communities get the majority of the money in PACTS. If this is an opportunity for the smaller communities to fund some projects, it is a good solution. Nat pointed out that the question about building to state standards needs to be clarified. Nathan suggested having two categories with a higher percentage for built roads and less of a percentage for built with a wink. A timeline should be developed for use of the money. Endorsement doesn't constitute approval; it will come back to the Policy Committee. ***The motion passed with Bob B., Rick M., Jerre B. and David C. in opposition.***

6B. Amend Dunstan Corner project funding. John D. provided background. The Executive Committee recommends the following to finance this \$3,350,000 project: (1) to use the \$263,000 that was 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. Dan Bacon distributed a handout and explained the project. The town has designed a new plan that improves Dunstan Corner. A \$6.2 million project (\$800,000 less than before) is being proposed. They have been working closely with MaineDOT and the Executive Committee. ***Rick M. moved to accept the Executive Committee recommendation (stated above). The motion was seconded.*** The original PACTS commitment was for \$263,000 for design money with the obligation to fund construction of the intersection project. Regarding 2012-2013 intersection proposals, four applications have been received – there was one from Yarmouth and three from Portland. Mike M. asked if we are abandoning our processes. Tom H. explained that Scarborough was going to do 60-40. They have changed the scope and come in at a lesser cost. Bill said that he wished everybody could have been at the Executive Committee meeting because Tom and Don explained it very thoroughly. This results in a good regional candidate. Mike M. applauded the Executive Committee for their work on this. Originally Scarborough was proposing one intersection and now they are proposing two but at a lot of cost to the town. There is a cap on the amount of money. Tom H. said that it was well received by the

Scarborough Council. *All were in favor of approving the recommendation.*

6C. Amend 2012/2013 Intersections Set Aside. No longer pertinent.

6D. FY 2011 Congressional earmark proposals. The Executive Committee recommends the following two proposals: (1) GO Maine Program proposal for \$850,000 to purchase 20 vans for their vanpool program. The Maine Turnpike Authority will provide the 20% match. (2) Scarborough proposal for \$1,000,000 to build a bridge for the Eastern Trail over the Nonesuch River, and for the trail linkage from the bridge to Wainwright Fields in South Portland. Jim Gailey thanked Scarborough for putting in this proposal; it is currently a big barrier. This would really carry this project forward. Tom pointed out that it is still very conceptual. It is a critical link; local match is a concern. David C. asked if PACTS scored the proposals. John D. said that it was a general recommendation using criteria developed by staff.

Neal explained that GO Maine is a statewide program that is fully funded by MTA and MaineDOT. There is a high demand for vans; this would strengthen the program. There was a question about the purchase of fuel efficient vans and Neal responded that the standards are determined by MaineDOT. *Mike B. moved approval of the recommendation to submit these two proposals. Jim Gailey seconded the motion and all were in favor.*

6E. Approve PACTS formula for programming FTA 5307 and STIC funds. Today's action is to approve the formula only, as the amount of funds has not yet been determined. Steve L. explained that each year we bring a formula to the Policy Committee for their approval. These funds provide capital and operating funds. A subcommittee was formed to develop the formula, and the PACTS Transit Committee was given updates during the process. The intent for several years has been to move to a performance-based formula. It is a four-step formula. Steve explained that we used to get a fair amount of STIC money and last year we didn't get very much so that was another reason to look more closely at the formula. The percentage amounts will change according to the funds received. *Nat made a motion to approve the formula as described, with Jim Gailey seconding the motion.*

Mike B. stated that the idea of moving to a performance-based allocation makes sense but his concern is regarding METRO's allocation and the adverse effects that might result from this. He didn't think the formula was ready for endorsement at this time. Alex stated that the Transit Committee members all voted in favor of this formula; he was the only vote in opposition. He showed the handout that was shared at the Transit meeting. The 7% base is held harmless. Only CBITD and METRO didn't get any performance-based money which caused him concern. The outcome is not really that good for regional transit. There should be an incentive without undue penalties. He recommended sending it to the Executive Committee. Ed explained that the numbers are uncertain and that is why the handout wasn't distributed. Last year the ShuttleBus didn't get as much money; it changes year to year. The performance piece is to try to keep up with ridership increases and route miles, etc. This is the first time that the ShuttleBus will see a reward for their improvement. Tom Meyers explained that this formula deals with equity, discipline and consistency. The Transit Committee has developed a formula that rewards performance. It is in the interest of everybody to have equitable resources. Last year three agencies took a hit. Thoughtful discussion went behind this recommendation. There were two subcommittee meetings and then it went before the full Transit Committee.

Mike M. said he likes the fact that it is performance based; however, he is concerned about

Alex's comments. *Mike M. made an amendment to the motion that this formula would apply for the funds expected up to a 10% increase. If any amount above that 10% is received, then the dollar amounts would need to be considered by the PACTS Transit Committee. The motion was seconded.* Judy said that performance measurement is different than what this group looked at -- they looked at numbers and miles. METRO cut routes to be more efficient. She said this formula is not performance based. Ed said ridership and miles were considered as well as customer service. Nathan stated that he has spent a fair amount of time on this subject. This is the biggest regional discussion that we have had since he has been with PACTS. This is not consistent with what we have done in the past. He pointed out that demand response providers are also getting a piece of the pie; in the BACTS area they do not. The demand response providers get paid for their service; he further explained. It is difficult to tell how many miles are outside of the PACTS region. *Mike B. made a motion to move this to the Executive Committee for their refinement. Jim Gailey seconded the motion. The motion passed with Mike McGovern, Jim Gailey, Rick Michaud, Tom Hall and one more in opposition.*

7. Amend the PACTS Unified Planning Work Program.

7A. Initiative for a transit-focused Greater Portland region. Carl explained. This is a revision of the scope of the Fixed Guideway Study. All of the PACTS committees have endorsed this idea. It includes the full PACTS region. The recommendation is for endorsement of the revised scope and approval of each municipality picking up a piece of the match through the PACTS assessment. *Jim Gailey moved the recommendation with Tex Haeuser seconding the motion.* Mike M. said that he doesn't support the project and feels it is a misuse of our assessment money. Nat was also concerned about the assessment. John D. explained that we adopted a \$90,000 assessment budget for the 15 towns to be billed over two years. Holding PIN money cannot be used for this.

Tex explained that they have tried to be responsive to this committee. They have put a lot of work into this project and it is broader and has a good foundation. It could put us in good shape for future credits. Kat said this is a great concept, but by broadening it out you are not going to get a lot for \$40,000. It might be wiser to focus on one area and then see how it applies to the region. Carl said they discussed whether to keep it small or to broaden the scope. Jim G. said this study will have regional benefit. The more we dig into it, the more it will take off. Anna noted that there is a partnership with HUD, FTA, etc. about sustainability. The more you can do in this area the better chance you will have to get some study funding. *The motion to endorse the revised scope and each municipality picking up a piece of the match through their PACTS dues assessment passed, with some members in opposition (Jerre Bryant, Mick McGovern). Kat Beaudoin abstained.*

7B. MaineDOT proposal regarding Highway Simplification Study. John D. explained. *David Cole made a motion to approve the recommendation to amend our UPWP to budget \$20,000 to hire a consultant to assist MPO's and MaineDOT with Highway Simplification Study. Tom H. seconded the motion and it passed.*

8. Consent Agenda. *Mike B. moved approval of the consent agenda. Kat seconded and all were in favor.*

9. Executive Director's report. No action.

10. Adjourn. The meeting adjourned at 3:40 p.m.

Agenda Item 4A – PACTS Credit Program

Staff Resource: John Duncan and Paul Niehoff

Recommendation: The Executive Committee submits for consideration the revised one-time pilot Credit Program for which the Policy Committee will program funds in September 2010 from the PACTS Holding PIN.

Background

The Policy Committee endorsed the concept of the Credit Program in January and asked that staff and the Executive Committee refine the eligible uses of the funds and address questions about the “must meet state standards” question in light of that day’s presentation by MaineDOT’s Ken Sweeney.

The Revised PACTS Credit Program Proposal

The changes and clarifications endorsed by the Executive Committee are shown below in bold face and strikethroughs.

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 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, 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 **also** program **any remaining balance in the Holding PIN in September 2010 to other projects in order to put all the Holding PIN funds to work.** ~~additional credit funds a year later for locally-funded projects done in 2010 if there is money left in the Holding PIN.~~

PACTS staff will develop an “application form” for this Program this spring.

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 needs to be completed to State standards **(which may include design exceptions)**. Consequently the roadway sections improved to State standards 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 projects **must have been completed in 2009 or 2010, and the** dollars must have been spent **primarily** in calendar 2009 and 2010 ~~(and 2011...see above).~~

Eligible Uses of Credit Program Funds

1. To **increase the federal/state share (and thereby** reduce the local match) on an existing PACTS project which is still **unobligated. See example below.**

For instance, the federal funds could be used to increase the project’s share from the existing 65% federal to 80% federal (the maximum allowed). This example also applies to the next situation described below.

2. To **increase the federal/state share (and thereby** reduce the local match) on a 2012/2013 PACTS project. **(The Policy Committee will program the 2012/2013 projects in September.)**
3. To help finance any federally eligible transportation project which has been proposed and ranked **for the 2012/2013 programming process – though not necessarily funded** – through the PACTS MPO Allocation process. **See example below. (Note: MaineDOT policy prohibits less than 50% federal participation in a project.)**

4. ~~A municipality may not “bank” a credit toward a future project proposal. This will ensure that our Holding PIN funds get used soon.~~ The goal of this stricken sentence has been incorporated in Item 3 above.

PACTS Holding PIN

The Policy Committee will finance up to \$1 million **in federal and state funds** 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 fix 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.

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.

See examples on the next two pages.

Credit Program Examples

Example A: Currently Funded, but Unobligated Project

Falmouth completed the rehabilitation of a section of Brook Road and the entire length of Johnson Road in 2009. The locally funded cost of the Brook Road project was \$183,000 and the Johnson Road project was \$998,200. Therefore the 10% credit would be \$118,120 which can be used to offset the local match of a current or future unobligated project. This example uses the current Allen Avenue project which is in the 10/11 TIP programmed at \$414,000. Following this example is the second table which shows the use of the \$35,320 balance remaining after programming the funds toward the Allen Avenue project. Credit Example “B” is a future proposed project example which is the RT 880 Bike/Pedestrian application which I used a revised estimated cost of \$204,500. The examples are as follows:

Project	Cost/estimate	Fed %	Amount	State %	Amount or credit	Local %	Amount
Brook Road	\$183,000						\$18,300
Johnson Road	\$998,200						\$99,820
					Credit Amount:		\$118,120
Allen Avenue w/out credit	\$414,000	65%	\$269,100	10%	\$41,400	25%	\$103,500
Allen Avenue w/ credit	\$414,000	80%*	\$331,200	15%	\$62,100	5%	\$20,700
					Credit Balance at 5%		\$35,320

***80% maximum, 50% minimum required**

In this example Falmouth’s local match drops from 25% to 5% with the associated dollar local match amounts changing from \$103,500 to \$20,700. Note: in this example we are meeting the 80% federal maximum allowed while attempting to keep the fed/state ratios balanced in the holding PIN while retaining a 5% minimum local match. By doing so the credit balance is \$35,320 which could under the credit program be used for another Falmouth project such as the RT 88 sidewalk project as follows:

Project	Cost/estimate	Fed %	Amount	State %	Amount or credit	Local %	Amount
							Credit Balance from table above:
Rt 88 w/out credit	\$103,865	51%	\$52,660	8%	\$8,101	41%	\$43,104
Rt 88 w/ credit	\$103,865	78%	\$80,925	15%	\$15,165	7%	\$7,775

Example B: Pending Project Submittal

The following example is another way a municipality would be able to use a PACTS Collector Road Credit (CRC). In this situation another potential Falmouth project is used as an example. In this case, let's say Falmouth submitted a bike/pedestrian project for new sidewalks on RT 26/100 for an estimated project cost of \$204,500 but the project ranking relegated it below the funding cut-off. With the \$118,120 credit amount noted above PACTS could fund the project with the credit if Falmouth agreed to fund the remaining balance. However to do so the federal and state funding ratios must be considered as indicated in the following table:

Project	Cost/estimate	Fed %	Amount	State %	Amount or credit	Local %	Amount
Brook Road	\$183,000						\$18,300
Johnson Road	\$998,200						\$99,820
					Credit Amount:		\$118,120
Rt 26/100 Sidewalk Project	\$204,500	52%	\$106,340	6%	\$12,270	42%	\$85,890
					Credited Total:		\$118,610
					Balance (negative):		(\$490)

In this example the credit balance is negative which may occur periodically when balancing the funding ratios within the state policies of minimum and maximum percentages. Each credit case will require detailed assessment and most likely a report outlining the project being considered for calculating the credit and a detailed cost account of the project being considered for use of the credit. PACTS staff will make a recommendation to the Policy Committee for funding projects on a project by project basis.

Agenda Item 4B – PACTS Formula for Suballocation of FTA 5307 Funds

Staff Resource: Steve Linnell

Member Resources: The Executive Committee, the Transit Committee and Nat Tupper

Recommendation: Approve the formula described below and found on the next page, and thank Nat Tupper for his successful facilitation work with the stakeholders.

Background

On January 21st the Policy Committee asked that the Executive Committee review the Transit Committee's proposed formula for distributing the estimated \$2.4 million in FY 2010 FTA Section 5307 funds to the region's transit systems. The proposed formula was based on a lot of work done by staff and the Transit Committee members during several months.

On February 18th and 23rd Nat Tupper facilitated meetings of our region's transit systems. The meetings produced the revised formula in today's meeting packet.

The formula is used to allocate money to a veritable apples-oranges-pineapples array of transit organizations – a ferry, two paratransit systems and three fixed route bus systems. (NNEPRA is eligible for these federal funds, but has not requested any.)

The current version of the PACTS formula is not much different from what has been used successfully over many years, but it is complex:

- It has been based on two kinds of FTA money since 2007. The larger pot has been growing for many years. The smaller pot goes up and down from year to year. This year the region will not receive any of the smaller, performance based funding.
- The formula allocates most of the money based on a prior version of the formula that provides budget certainty to the transit systems from year to year. The remainder is allocated based on transit system performance, and sets aside a small portion of that for regional purposes.

The formula is on the next page.

Congress has not yet set the funding for these funds for FY 2010, and it is unknown when that will happen. The Federal Transit Administration requires that the Policy Committee take official action on the actual dollar amounts for each transit organization after Congress appropriates the funds. Therefore, even though we know now approximately how much Congress will appropriate, we will have to ask you to take a second action on this sometime later this year.

23-Feb-09
Allocation Formula for Calculating FY 2010 Section 5307 Funds

2007 Base

	A	B1	C1	D1	D2	D3
	2007	2008	08 - 07	2009	09 - 08	09 - 07
				2010	10 - 09	
5307 1.	\$1,954,598	\$2,119,687	\$165,089	\$2,253,660	\$133,973	\$299,062
STIC 2.	\$723,646	\$626,738	-\$96,908	\$140,553	-\$486,185	-\$583,093
Total 3.	\$2,678,244	\$2,746,425	\$68,181	\$2,394,213	-\$352,212	-\$284,031
				\$2,411,416	\$157,756	\$31,551
				\$2,379,865	\$126,205	

Operator	Current % Allocation	Current 5307 \$ Allocation	Current STIC \$ Allocation	Total 5307 Allocation
BSOOB	6.66%	\$130,176	\$48,195	\$178,371
CBITD*	17.34%	\$338,927	\$125,480	\$464,408
METRO	58.61%	\$1,145,590	\$424,129	\$1,569,719
RTP*	7.35%	\$143,663	\$53,188	\$196,851
SPBS	7.00%	\$136,822	\$50,655	\$187,477
YCCAC	3.04%	\$59,420	\$21,999	\$81,419
Total	100.00%	\$1,954,598	\$723,646	\$2,678,244

1. 5307 D1¹: Based on FTA '09 + 7%
 Incremental Difference D2¹ = D1¹ - C1¹

2. Regional Projects
 D2² = D2¹ x 20%, not to exceed \$40,000

FY 2007, 2008 & 2009 Formulae and Amounts approved by PACTS Policy and MaineDOT

B. 2010 Draft Formula

Operator	Rev V-M 2007	Rev V-M 2009	Growth	Boardings 2007	Boardings 2009	Growth	Composite 3. 30/70	Composite 3. 20/80	Boardings 2009
BSOOB	105,318	126,948	21,630	63,502	93,776	30,274	27,681	28,545	3.6%
CBITD*	59,663	59,876	213	855,273	760,097	(95,176)	(66,559)	(76,098)	29.0%
METRO	828,484	780,854	(47,630)	1,360,981	1,352,446	(8,535)	(20,264)	(16,354)	51.7%
RTP*	633,869	671,142	37,273	132,904	147,855	14,951	21,648	19,415	5.6%
SPBS	215,310	223,562	8,252	189,487	220,834	31,347	24,419	26,728	8.4%
YCCAC	116,391	240,119	123,728	38,764	41,949	3,185	39,348	27,294	1.6%
Total	1,959,035	2,102,501	143,466	2,640,911	2,616,957	(23,954)	113,095	101,982	

Operator	2009 Base 5307 Allocation	2009 Performance Factor 5307	2010 Balance 5307 Allocation - 20%	2010 Total 5307 Allocation	2010 Total % Allocation	= Total 2010 - Total 2009 Change	% Change
BSOOB	\$150,094	24.48%	\$30,890	\$180,983	7.51%	\$21,529	13.50%
CBITD*	\$390,785	-58.85%	\$0	\$390,785	16.21%	-\$24,372	-5.87%
METRO	\$1,320,870	-17.92%	\$0	\$1,320,870	54.78%	-\$82,378	-5.87%
RTP*	\$165,644	19.14%	\$24,157	\$189,801	7.87%	\$13,826	7.86%
SPBS	\$157,756	21.59%	\$27,249	\$185,005	7.67%	\$17,410	10.39%
YCCAC	\$68,511	34.79%	\$43,909	\$112,420	4.66%	\$39,636	54.46%
Total	\$2,253,660		\$126,205	\$2,379,865	98.69%	-\$14,348	5.60%
Regional				\$31,551	1.31%	\$31,551	100%
				\$2,411,416	100.00%	\$17,203	0.72%

Agenda Item 4C – Action on Bike/Ped Proposals for 2012/2013 Funding

Staff Resource: Paul Niehoff and Carl Eppich

Member Resources: Technical and Planning Committees

Recommendation: Short list the top five ranking proposals and initiate enhanced project scoping of them.

Background

We received ten bike/pedestrian applications totaling \$3,708,000 for our set-aside funding amount of \$600,000.

The table on the next page lists those projects in rank order. In the joint meeting of the Planning and Technical Committees on March 9th the members voted to recommend to the Policy Committee to do enhanced project scoping (EPS) of the top five ranked candidates. The EPS work helps us to refine the proposal scopes and budgets before making final programming decisions this fall.

See 2010 Schedule on Page 19 for

Programming for All PACTS

FY 2012/FY 2013 Biennium Projects

March 9th Recommendations from Planning and Technical Committees

				SCORING CRITERIA																		
				Points available:										Destination Tomorrow								
				1	1	1	1	3	3	3	3	3	3	3	3	3	3	3	3	3	up to 5	up to 5
<u>Municipality</u>	<u>Project Name</u>	<u>Scope and Location</u>	<u>Proposed Cost * Est.</u>	In Growth Area	PACTS '09 Bike-Ped Plan	Relates to transp Network/Public Transp	Closes Gaps in Existing Infrastructure	Improves Safety	Users (type, number)	Neighborhood Benefit	Regional Benefits	Cost Effectiveness	Maintain/improve	Regional Intersection	Expand transp. System	Avoid new highway	Land Use Connection	Enhance Public Transp system	Access mgmt./street connectivity	Livability/Re develop	Public Private partnership	Multi-municipality*
Portland	I-295/Exit 7 Pedestrian Connect Project	Marginal Way/Franklin to Back Cove Old Bog Road	\$230,000	1.0	1.0	1.0	1.0	1.5	3.0	2.5	2.0	2.5	2.5	2.0	2.0	2.0	2.0	1.0	1.0	2.5	0.0	0.0
S. Portland		Between St John Street and Deering Ave.	\$109,494	0.0	1.0	1.0	1.0	1.5	2.5	2.5	3.0	2.5	1.5	0.5	2.5	2.0	2.0	1.0	0.5	2.5	*0	0.0
Portland	Park Ave Bicycle/Pedestrian Enhancements	Town Center to Ft Williams	\$187,000	1.0	1.0	1.0	1.0	2.5	2.5	2.0	1.5	2.5	1.5	2.0	1.5	1.0	0.0	1.0	1.0	2.5	0.0	0.0
Cape E.	Shore Road Path	Downtown Wbrook	\$980,000	1.0	1.0	1.0	1.0	2.5	2.0	2.5	1.5	1.5	2.0	0.0	2.0	0.5	2.0	0.0	1.0	2.5	*0	0.0
Westbrook	Downtown Streetscape Implement		\$154,440	1.0	1.0	1.0	1.0	2.0	1.5	2.0	0.5	2.0	2.0	1.5	1.0	0.5	2.5	1.5	0.5	2.5	0.0	0.0
Yarmouth	Bike/Pedestrian Path Along Rt 1	Hannaford Plaza to East Maine Street	\$400,000	1.0	1.0	1.0	1.0	2.0	2.5	2.0	2.0	1.5	1.5	0.5	2.0	0.5	2.0	0.0	0.0	2.0	0.0	0.0
Portland	Tukeys Bridge Connections	Both bridge ends	\$91,000	1.0	1.0	1.0	0.0	3.0	2.0	1.5	2.5	1.5	1.5	1.5	0.5	1.5	1.0	0.5	0.0	1.5	0.0	0.0
Gorham	Sidewalk Improvements at Gorham Village Center	Intersection of Routes 25 and 114	\$336,328	1.0	1.0	0.0	0.0	3.0	1.5	2.5	1.0	2.0	2.0	1.5	0.0	0.0	1.5	0.5	0.5	2.5	0.0	0.0
Falmouth	Gray Road Sidewalk	Rt 26/100 bet Leighton Rd & Presumscot River Bridge	\$244,560	1.0	1.0	1.0	1.0	2.0	1.0	1.5	1.0	1.0	1.5	0.5	1.0	0.0	1.5	1.5	1.5	2.0	0.0	0.0
Cumberland	Tuttle Road Sidewalks	Meadow Way to Twin Brooks	\$1,130,000	1.0	1.0	1.0	0.0	2.0	1.5	1.5	0.5	0.5	1.5	0.0	1.5	0.0	2.0	0.0	0.0	2.5	0.0	0.0
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> In the March Technical and Planning Joint Meeting the members voted to recommend for enhanced project scoping. </div>			Total of Proposal Cost Estimates																			
			\$3,862,822																			
			\$600,000																			
			ESTIMATED PACTS Bike/Ped/Other Set Aside Amount:																			

* Public/Private partnerships were indicated, however any additional point determined by EPS and commitment to funds beyond the required 25% local point for every 5% of cost contribution, beyond 25% local

Agenda Item 5 – Franklin Street Feasibility Study Phase I

Staff Resource: Carl Eppich

Member Resources: Kathi Earley and Mike Bobinsky

Recommendation: Discussion only

Markos Miller, a Portland resident who served as Co-Chair of the Franklin Street Feasibility Study Advisory Committee in 2009, asked for the opportunity to brief the Policy Committee on the results of the study. He will give us a 15-minute PowerPoint presentation.

MaineDOT was the lead agency, and collaborated closely with Portland staff and the Study Advisory Committee. Carl Eppich also participated throughout the study process. FHWA staff also participated.

PACTS provided the federal funding for the \$30,000 engineering consultant effort for the Phase I study. We have also budgeted \$100,000 toward a Phase II effort. Portland and MaineDOT staff are working up a final scope and budget for the Phase II work – which will require additional funding for design components.

The Advisory Committee for the Phase I effort – and all other parties involved – worked very hard and produced an exciting vision for significant changes to Franklin Street and its environs.

Agenda Item 6 – Consent Agenda

In November, the Policy Committee asked that the Consent Agenda include no major action items. This Consent Agenda is one minor action.

See the new “Executive Director’s Report” for other information topics.

Amend our Unified Planning Work Program (UPWP)

Amend our UPWP to budget \$3,000 to pay MaineDOT for one half of the cost of the air quality conformity analysis for our Destination Tomorrow Update this year. The \$3,000 will come from our PACTS model consultant budget: a reduction from \$46,459 to \$43,459.

MaineDOT has asked that we help to pay for their work (100 to 150 hours) this year to perform the federally-required “air quality conformity analysis” of the capacity-related improvements recommended in our 2010 Update of *Destination Tomorrow*. MaineDOT estimates a \$5,000 total cost for this, so we will likely spend less than the \$3,000 above.

This is a first-time request for this analysis that MaineDOT does periodically for us for no charge. The reasons for this request are that: (1) the state budget is tight, and (2) their conformity analysis is usually done for a variety of statewide purposes all at one time rather than this year when the only analysis is needed for us.

Note that our 2-year planning/administration budget includes a \$212,000 MaineDOT contribution. This is just over 20% of the budget, and is an increase from \$120,000 in each of the several recent budgets.

Agenda Item 7 – Executive Director’s Report

1. These committees met in February and/or March:
 - Executive Committee
 - Planning/Technical Joint Meeting
 - The *Destination Tomorrow* Update Subcommittee
 - Transit Committee – *still the busiest PACTS committee*
 - Traffic Signal Coordination Committee
 - Tri-Community Transportation Plan Committee
2. Please reserve **April 29th at noon** for a Policy Committee briefing on the Gorham East West Transportation and Land Use Corridor Study.
3. Staff is monitoring the Legislative and Congressional proposals for new transportation funding.

4. Paul Niehoff Activities

- He is working with Falmouth, Gorham, other towns and MaineDOT on fine-tuning and revising scopes and budgets for a large number of projects.
- Paul and Carl recently scored the received TIP proposals. They have begun the scoring of the Road Rebuild proposals.
- Paul has processed several Three Party Agreements. The process is going well.
- Finalizing the cost comparison research on road projects
- Paul has attended three Urban Subcommittee meetings and two meeting of the Standards Subcommittee for the Highway Simplification Study
- He is working with Gorrill-Palmer on the update of our 2008 Regional Collectors Assessment Study.
- Paul met recently with new staff in Old Orchard Beach.

5. Carl Eppich Activities

- Carl is organizing the Strategic Transit Focused Region Initiative. He led the process to write the consultant RFP. Proposals are due next week.
- He is working with Windham and Yarmouth staffs to organize their PACTS studies.
- He is working with Neal Allen and others to develop a proposal under their Sustainable Communities Planning Grant Program.
- Carl attended a livability conference in Seattle.
- Carl met Congresswoman Pingree while leading our contingent at her office for the required videos regarding the FY 2011 annual appropriations earmark proposals. Carl also recently submitted the earmark applications to our Congressional Delegation members. Carl charged his time to our local funds account.
- He is leading the *Destination Tomorrow* Update work.

6. Member Activities

- Bill Shane, Tony Plante and John Duncan recently presented to the Legislature's Transportation Committee regarding bad roads in our region.
- Eight PACTS staff and committee members attended the March 11th dinner meeting of the Maine Better Transportation Association. At that meeting Charles Colgan (USM) said that minimizing traffic congestion in the Greater Portland region should be one of MaineDOT's top priorities in terms of supporting Maine's economy.

7. The Executive Committee's March Meeting:

- Amended the PACTS 2010-2013 Transportation Improvement Program for \$6.1 million worth of projects as requested by MaineDOT. See Executive Committee minutes for details.
- Worked on most of the items on today's agenda.

8. MaineDOT's Highway Simplification Study

- The study is going well, and will be completed by July.
- Gorham's Dave Cole is on the Policy Working Group. BACTS is a member. John Duncan has attended several of their meetings.
- John Melrose is a consultant to MaineDOT and the MPO's for this effort.
- John Duncan and Mike Bobinsky are on the Urban Issues Subcommittee.
- The focus so far has been on road maintenance topics. Capital topics come later.
- A survey regarding the cost of maintaining state roads within compact areas was recently sent to municipalities – 75 have responded so far.

2010 Schedule for Programming for FY 2012/FY 2013 "MPO Allocation" Projects

Two Months Ago

Policy Committee committed funds for the Dunstan Corner intersection project. We will submit this formally to MaineDOT in October along with all other projects.

Spring

1. MaineDOT sends a letter with best estimate of federal funds for 2012/2013.
2. Staff confirms that all required council endorsements have been submitted.
3. Staff hires a consultant and begins the EPS of bike/ped shortlisted proposals.
4. Staff scores the Rebuild Road proposals and shares results with Planning and Technical Committees. Policy Committee endorses short list of proposals to undergo EPS. Staff hires a consultant and begins the EPS.
5. Staff works with Gorrill-Palmer on update of Collector Road Study for purposes of scoring collector road project proposals.
6. GPCOG staff and Transit Committee finish recommendations for Transit Set Aside projects.

Summer

1. MaineDOT, PACTS and municipal staff do field reviews of short listed collector road proposals.
2. Staff leads completion of EPS of Rebuild Road and Bike/Ped projects.

October

1. Policy Committee submits final list of all 2012/2013 projects to MaineDOT (including Dunstan Corner).
2. Policy Committee allocates Holding PIN funds per our Credit Program – if the Policy Committee establishes the program.
3. Municipalities submit council endorsements of programmed projects as confirmation that they will provide the local match based on the agreed scope and budget.

Agenda Item 8 – PACTS Video

Staff Resource: John Duncan

Recommendation: Enjoy the movie, help us get it shown as much as possible, and offer suggestions for its use.

Background

Last October the Policy Committee members encouraged staff to bring PACTS into the world of television. Here we are. This could be the first of several videos.

The primary purpose of the 7.5 minute video is to heighten awareness of the importance of our regional transportation systems in the eyes of the general public, and to tell them that the traditional funding sources are at risk. The second purpose is to promote the awareness of PACTS.

You can see it at: <http://www.youtube.com/watch?v=8ioC2TXHWng>. You can watch in HD by clicking on the button next to the speaker icon and selecting 720p.

We are very grateful for the excellent creative and technical work by Mike McDade, the director of the Falmouth public access television station, in creating this video for us. We also thank Nathan Poore for his suggestion that we work with Mike on this. Finally, we thank many of our members for suggesting locations to shoot important images of our region's transportation system.

Video Distribution Plan

1. Showed to Executive, Transit, Technical and Planning Committees.
2. Showed at the MBTA dinner meeting in South Portland last week.
3. Will distribute this to local public access television stations.
4. Your organizations will add links to it on your websites?
5. Put a link to it on the PACTS website.
6. The MBTA will put a link on its website.
7. Show it to the Portland Transportation Committee.
8. Show it at an April event of the Maine Association for Sustainable Transportation.
9. A GPCOG intern will show it soon in his graduate school class.
10. DVD's will be made.
11. Will also use it in future public meetings.
12. *Your suggestions?*