

PACTS

Portland Area Comprehensive Transportation System

Policy Committee Meeting Notice

May 20, 2010
1:30 p.m.
GPCOG, 68 Marginal Way, Portland

Agenda

1. Call to order
2. Public Comment
3. Minutes of the March 18th Meeting
4. MaineDOT's Highway Simplification Study
Briefing and discussion with MaineDOT Staff
5. MaineDOT Traffic Movement Permit Policy
Briefing and action of proposal to support the draft policy
6. Election of Policy Committee Officers for July 2010 to June 2011
7. TIP Funding Actions
 - A. Short List of Road Rebuild Proposals for Enhanced Project Scoping
 - B. Transit Committee Proposal to Move Funds
8. Executive Director's Report
9. Adjourn

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Minutes of the March 18th Meeting

Members Present: Kathi Earley, Vice Chair, Portland; Neal Allen, GPCOG; Kat Beaudoin, MaineDOT; Mike Bobinsky, Portland; Bob Burns, Technical Com. Appt.; Ed Clifford, Public Transportation; David Cole, Gorham; Joe Gray, Portland; Tex Haeuser, South Portland; Judy Harris, Portland; Mike McGovern, Cape Elizabeth; Sara Devlin (for Conrad Welzel), MTA; Tom Milligan (for John Bubier), Biddeford; Rick Michaud, Saco; Donna Larson (for Eric Pandora), Freeport; Nathan Poore, Falmouth; Bill Shane, Cumberland; Nat Tupper, Yarmouth

Members Absent: Jerre Bryant, Westbrook; Dan Bacon, Planning Com. Appt.; Marnie Diffin, North Yarmouth; Jim Gailey, South Portland; Tom Hall, Scarborough; Tom Meyers, Public Transportation; Tony Plante, Windham; Jack Turcotte, OOB

Staff and Guests: Maddy Adams, GPCOG; John Duncan, PACTS; Carl Eppich, PACTS; Brad Foley, MaineDOT; Mike Laberge, MaineDOT; Steve Linnell, GPCOG; Markos Miller; Paul Niehoff, PACTS; Sandy, Sierra Club

1. **Call to order.** Kathi Earley, Vice-Chair, called the meeting to order at 1:30 p.m.
2. **Public Comment.** Sandy from the Sierra Club voiced her support for the rail options from the Portland North Study. They believe that commuter rail investment would be better than rapid bus. The Sierra Club believes that attention should be focused on rail. Mike McGovern asked if the Sierra Club had any facts to support her statements. Sandy said she would send information to John Duncan. (NOTE: John has not yet received any information.)
3. **Minutes of the January 21st meeting.** *Bill Shane moved approval of the minutes, with Mike Bobinsky seconding the motion. All were in favor of the motion.*
4. **Programming Topics.**

4A. Action on revised PACTS Credit Program proposal. John D. introduced this item. The goal is to compensate municipalities that have spent 100% of their own money to rehabilitate or reconstruct a road. It is a one-time pilot program with approximately \$1,000,000 of federal and state money available. If this is created then the Policy Committee will be asked to allocate those funds later this summer or fall. The Executive Committee worked on whether or not we would require if projects done with local funds would have to meet state standards and the committee agreed that they should meet state standards. The money could be used on an existing PACTS project, a new project that gets funded this fall, or also for a proposal that has been submitted to PACTS that didn't get funded but was proposed by the community. Two examples were shown. Opposing views: it is pretty complicated for not very much money. A small number of towns would benefit from this program. We would be funding projects that are less regionally significant. The Policy Committee endorsed the concept in January and asked the Executive Committee to clarify a few things. That has been done.

Bill stated that since Cumberland would benefit greatly he would urge his recommendation for this pilot program. Cumberland has been very supportive of regional projects. There is no chance that Route 88 would ever be funded by PACTS so this will be the only opportunity for Cumberland to get any money from PACTS. They are working with MaineDOT to get this up to a built road standard. The program will not be around for long and he recommended that the Committee support it. It was asked if a town could bankroll the money and the response was only for an existing or new (February 2010) project or one that has been proposed. David C. has been an opponent of this program. His concern is that we

have such a small amount of money for our collector roads and we don't have money to keep our roads up to standard. This will erode the concept of giving money to current roads that need it. However, since it is a short-term pilot project, he is willing to try it out. It doesn't address the real problem which is that we don't have the money to take care of our roads. We need to be careful about conveying to people that money is available. Mike M. stated that the Executive Committee did a good job refining the credit idea and made it tighter. The policy calls for roads to be brought up to state standards (including with) design exceptions. He noted that if Cumberland were not in the PACTS region, the work would be eligible to be done by MaineDOT. However, MaineDOT might never get it done because of the cost. Kathi pointed out that the wording of the policy says that the project has to be completed in calendar year 2009-2010; we may need to fix that.

Nat Tupper made a motion to change #3 under Eligibility Requirements as follows: The local projects must have been substantially completed in 2009 or 2010... . Mike B. seconded the motion and all were in favor.

Bill Shane made a motion to approve the revised one-time pilot Credit Program for which the Policy Committee will program funds in September 2010 from the PACTS Holding PIN. Mike B. seconded the motion. All were in favor except Rick Michaud.

4B. Action on revised PACTS FTA 5307 Formula proposal. Steve explained that the Policy Committee asked the Executive Committee to review the Transit Committee's proposed formula after many questions were raised at the January 21st meeting. The proposed formula was based on a considerable amount of work done by staff and the Transit Committee members over several months. Nat Tupper facilitated two meetings with the transit operators and interested parties to revisit the formula. As a result, the current version is not much different from what had been used but the biggest change is that it is based on 2009 numbers rather than 2007.

We are currently on continuing resolution. Five-twelfths of that money is available now but MaineDOT has decided not to apply for that yet. There will **not** be a STIC allocation this year. The transit providers decided that \$40,000 of the allocation received would be set aside for regional projects. Ed thanked Nat Tupper for his facilitation skills. Mike M. said that we should look at the inefficient administrative structure of the transit system to see if we can provide some incentives for more efficient administration. Mike B. mentioned that when the last RTP director left, they had tried to have RTP and METRO share a director but they didn't really get too far. Ed pointed out that the 2007 Regional Coordination Study addressed many of these issues and the transit providers are working together quite well as a result.

Today's vote is only to adopt the formula. The Policy Committee will be asked again to approve the funding once the funding number is available. *Tex made a motion to thank Nat Tupper for facilitating the meetings and to approve the FTA 5307 Formula proposal as presented on page 13 of the meeting packet. All were in favor of the motion.* Nat noted that this was an agreement on how to divvy up the funds for this year. The formula will need to be revisited again.

4C. Action on proposals to short list the Bike/Ped proposals for 2012/2013 funding, and to do enhanced project scoping. Paul reported that ten projects were received and ranked. They were presented to the Joint Technical/Planning Committee. The top five projects are recommended for EPS. After EPS is completed, the scope will be better clarified and the costs will be better spelled out. We are looking for the go ahead to EPS the selected projects. All of the proposals have Council endorsements. Communities have to pay 20% of the EPS. *David Cole made a motion to adopt the recommendation to initiate enhanced project scoping on the top five ranking proposals. Joe Gray seconded the motion and all were in favor.*

- 5. Franklin Street Feasibility Study Phase 1.** Markos Miller served as Co-Chair of the Advisory Committee; Boyd Marley is the other co-chair. PACTS funded this study and approved the feasibility study; he thanked the committee for their support. The committee includes a wide stakeholder group. Markos presented a PowerPoint addressing dangerous intersections, areas that are unsafe for pedestrians, traffic problems, and the lack of a “sense of place.” He reviewed the opportunities. The committee looked at a context sensitive solution model. All materials are available on line at www.portlandmaine.gov/franklinstreetarterial.htm .

Kathi thanked Markos. Mike B gave his compliments to Markos and Boyd Marley and said they took a real strong look at the corridor. The process was extremely well done. Who will approve the recommendations? The feasibility study results would need to be approved by the City of Portland. Mike M. applauded what the study committee is doing. The concept of having the waterfront half of Franklin Street be different from the top part would be great. John D. added that Carl has spent a great deal of time and effort on this as well – twenty-one meetings have been held.

- 6. Consent Agenda.** The consent agenda included one minor action item: To 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. ***Mike McGovern moved approval of the UPWP amendment as stated above with Nat seconding the motion. All were in favor.***
- 7. Executive Director’s Report.** Dale Doughty has been the Manager of Maintenance in the Bangor area and has been promoted to head of maintenance for the state. Steve Landry made a presentation on traffic movement permit policy to the Planning Committee. Members at the meeting liked what they heard and recommended that Steve come to a Policy Committee meeting to make a presentation. There will be a presentation on the East/West Corridor Study on April 29th.

Regarding the Jobs Bill, MaineDOT has a substantial candidate list. The process will be very similar to stimulus 1.

John reviewed the highlights from the Executive Director’s report. It was asked if MaineDOT’s “do no harm” approach regarding using local funds to repair or repave a road had been finalized. Bill said that regarding the Route 88 project, they are running into a stumbling block with the design exceptions. Without design exceptions it will not be considered a built road. If it is not considered a built road they wouldn’t be able to get the credit. The design exception piece is holding them up. They are asking for super elevation on the Route 88 project. All design exceptions have to be listed. Regarding repairing or repaving a road to a standard that doesn’t make the road worse, that is in place. Paul added that PACTS is on the case.

Brad stated that a definition of “built” road will need to be determined. MaineDOT wants to avoid owning the plan. He will look into this.

- 8. PACTS Video on Regional Transportation Issues and Opportunities.** John Duncan provided a brief introduction. DVD’s of the video are available for our communities to put on their local access channels. The video was shown. Kat said that it was a great job and she would like to have a copy. Bill would like a lead-in for each community so that the public will understand that they are connected. Mike McDade in Falmouth put the video together at a reduced cost. He is available if others are interested.
- 9. Adjourn.** The meeting adjourned at 3:00 p.m.

Agenda Item 4: MaineDOT's Highway Simplification Study

Member Resources: Dave Cole is on the Policy Working Group.
Mike Bobinsky is on the Urban Subcommittee.
John Bubier, Rick Michaud and Al Presgraves attended the April 13th Sounding Board meeting.
Dale Mitchell (Technical Committee) and Eric Street (Yarmouth) are on the Costs/Standards Subcommittee.

State Level Participants: Bruce Van Note, Dave Bernhardt, Dale Doughty and Pete Coughlan from MaineDOT, Kate Dufour (MMA) and John Melrose (Maine Tomorrow)

Staff Resources: John Duncan co-chairs the Urban Subcommittee.
Paul Niehoff has attended meetings of the Urban and Costs/Standards Subcommittees.

Recommendation: Discussion only

Background

Bruce Van Note, MaineDOT Deputy Commissioner, co-chairs the Policy Working Group with Clint Deschene (Hermon). John Sylvester, Alfred Selectman and MMA President, is also on the Policy Working Group. Bruce, John and Dave Cole will give us a briefing today.

There will be a Highway Simplification Study briefing at MMA on May 26th. Urban compact towns are invited to a 10:00 to 1:00 session. All towns will be invited to a 1:30 to 4:30 session.

The 2009 Legislature called for this study whose final report is due in July. The primary purpose of the study is to recommend how to simplify the complicated highway classification system and the complicated responsibilities for maintaining the state system shared by municipalities and MaineDOT. Participants have focused on:

- changes in state road maintenance responsibilities,
- funding equity for rural and urban places,
- the minor collectors “fix and swap” concept,
- more funding for minor collectors,
- the need for money funding for transportation in general, and a desire for a guarantee that the Legislature will provide adequate funding in the future.

Maintenance simplification initial principals are:

1. Town Ways – Solely a local responsibility year round, with the same rate of revenue sharing from MaineDOT inside and outside of compacts per lane mile of town way
2. Minor Collectors – Solely a local responsibility, year round, with the same rate of revenue sharing from MaineDOT inside and outside of compacts per lane mile of minor collector
3. Urban Arterials/Major Collectors – Solely a local maintenance responsibility inside compacts, year round (no seasonal distinctions) with one uniform rate of State reimbursement per lane mile for services rendered
4. Arterials/Major Collectors – Solely a State responsibility outside of urban areas

The Urban Issues Subcommittee has met eight times, including several times with the Costs/Standards Subcommittee. The Subcommittee is recommending that we continue to have urban compacts, but with a new name (still to be determined). MaineDOT and Maine Tomorrow have offered several criteria for determining where these new compact areas will be. The members are also considering that some areas would be required to be involved and others could volunteer. It would appear that the level of state reimbursement provided to municipalities for the added responsibilities on state roads in built-up areas may help to ensure that the “right” communities are on the list.

At our next Urban Subcommittee meeting we will continue working on:

1. The minimum criteria for the new built-up areas, and parameters for a town to choose to expand the built-up area beyond the minimum.
2. Consider MaineDOT’s new policy on local match rates for capital projects, and its implications. We expect MaineDOT to share that soon.
3. Details on retaining the existing federal “urban collector” classification for federal capital purposes.
4. Determine other urban topics to recommend be in the study’s final report and that someone address them in the foreseeable future. Topics might include adoption of a new traffic movement permit process (on today’s agenda!), and a local option sales tax on gas.

We will display today a map of the existing State Urban Compact Areas superimposed on the PACTS Funding Area. It shows some of the complexity that we are going to simplify!

Agenda Item 5 – MaineDOT Traffic Movement Permit Policy

Staff Resource: John Duncan

Member Resources: The Planning Committee voted to recommend that Steve Landry share his work with the Policy Committee.

Recommendation: A Policy Committee statement of support for the proposed changes to the traffic movement permit process, and a request that PACTS Staff and the Planning Committee work with MaineDOT and other stakeholders to promote the adoption of the proposed rule changes.

Background

MaineDOT and other stakeholders have developed some ideas for improving the traffic movement permit process. A key goal is to avoid the situation in which a proposed development has to pay a large sum to fix off-site traffic problems that were made in increments over time by a series of other nearby and distant residential and commercial developments.

Steve Landry, MaineDOT's Assistant State Traffic Engineer, will make a presentation. He has made this presentation to many groups around the state during the past year or so.

PACTS Staff and the Planning Committee strongly support the goals and the basic approach presented here today. Also, the state's four MPO's discussed the proposal favorably during our funding policy workshops in Auburn last fall.

MaineDOT prepared the next four pages and the Labor Market Areas map. We have a copy of the map on the wall at our meeting today.

Overview

Currently MaineDOT administers a process called the Traffic Movement Permit, which was formerly the traffic portion of the MaineDEP Site Location of Development Law. This portion was given to MaineDOT in 1999. Over the years, inequities in the process have surfaced.

A development is required to obtain a Traffic Movement Permit (TMP) if the traffic using the site generates 100 or more trips in the peak hour of generation as determined by the Institute of Transportation Engineers (ITE) Trip Generation guide. Once it is deemed that a permit is needed, the permittee must mitigate its traffic impact on the roadway system. Currently that requires the development to correct safety issues within the area of traffic influence as well as to take corrective actions if the Level of Service (LOS) falls below LOS D.

It is widely recognized that incremental development degrades the LOS along Maine's roadway system and that the incremental development gets a free ride. The entity that pushes the LOS over the edge to LOS E, is responsible for taking that corrective action. Since a developer cannot build a quarter or a half lane, the mitigation often creates additional capacity for others to get a free ride in the future. Another inequity happens in instances where the incremental development occurs in an adjacent town. Since municipalities have different ordinances with differing requirements on development projects, we often end up with an issue of one municipal land use ordinance having a detrimental impact on the roadway in the neighboring municipality.

The developer often has to perform a traffic study, creating a huge unknown in length of time between application and a permit and significant uncertainty regarding the cost of necessary improvements. This uncertainty has been a detriment to development in the past as both time and money are at an essence on many developments.

Proposal

In order to promote true equity in this process the proposal is to lower the threshold for requiring a TMP from the current 100 trips in the peak hour to 5 trips in the peak hour (which would take into account a 5 unit sub-division). A full traffic study would only be required for the projects generating 100 or more trips and the proposal is to streamline the existing TMP to focus on front door improvements only. The other projects captured by this reduction in threshold would not be required to perform a traffic study but would be required to pay an impact fee.

This reduction in threshold will capture a significant amount of the incremental development. A lower threshold does not in and of itself help, it is a first step. Currently there are applicants (100 and above) that don't have to do any mitigation. In addition to getting the smaller projects under our jurisdiction, the impact fee needs to be added to the mix. An Impact Fee truly levels the playing field as each development is paying the same dollar amount per trip and the trip is the true impact on the roadway.

The biggest challenge with impact fees is meeting the constitutional Nexus test and having a large enough area of influence to build up enough money to actually construct a future project.

In deliberating over the process, many different scenarios were looked at for the area of influence. Counties do not have any real correlation to the roadway systems in this state, corridors do not have real definitive end points, individual municipalities are too small and the entire state was too large. Labor Market Areas (LMA's) seemed to be a good fit. They are already defined, they have economic significance, they have defined corridors within them, they would take into account the impact of bedroom communities on the roadway system and they are large enough to collect enough money to construct future projects.

The next step was to create the impact fees to be charged and where they will be charged. There are many ways to establish an impact fee. MaineDOT has chosen the method of AADT/C (Average Annual Daily Traffic divided by the capacity of the roadway) to determine when sections of roadway will be over capacity in the year 2030. When AADT/C is greater than 9, then the capacity will be deemed to be exceeded and an impact fee will be calculated. MaineDOT will forecast current traffic counts to the year 2030 using accepted historical growth to calculate the increase in traffic. Once the congested areas are delineated, potential improvements will be calculated using a base price of \$7 million dollars/mile. Each LMA will have its own impact fee. Since many of the rural areas will not experience congestion in 2030, those areas will not see an impact fee imposed. Impact fees will be imposed as a dollar amount per trip.

The impact fees will only be assessed for congestion seen on the arterial roadways and not collector roads. A majority of the capacity projects the Department has worked on have been on the arterial roadways. Arterial roadways are roads that are used by travelers to get from one community to another; mobility on these roadways is paramount. Collector roadways are roadways that extend from one arterial to another and are used by vehicles to get from local roadways to arterials, collector to arterials or arterial to arterial. While they serve an important purpose, they are mostly used by local type traffic and are not of a regional type nature. The purpose of the impact fee is to serve the region (in this case the LMA). The nexus of the impact fee is to take care of the regional type traffic in the LMA.

The impact fees will be collected in separate escrow accounts for each LMA with an impact fee assessment. Impact fees can be held for up to 10 years and will accrue interest. If the Department has not used the impact fee in the 10 year time period, the money will be returned to the developer. The developers will be contacted when the money has been obligated towards expenditures on a project. The impact fee will be a line-item inside the escrow and first money in will be spent first and continue down the line as money is needed. It is unconstitutional to spend money collected through an impact fee on a project not within the area of influence (the LMA which the money was collected) and would need to be spent on a project that would relieve congestion, either adding capacity or a transportation demand management strategy.

Imposing the impact fee will cause growing pains at the start. As money is collected, especially from the incremental development, the inequities will diminish to a point where "the last guy in" is not paying for all the improvements. The money collected will eventually go into doing some kind of improvement and those improvements will lessen the impact fees in future years. To further promote equity, the growth in traffic will be reforecast by DOT every five years. Changes in growth forecasts, in either direction, will not be applied retroactively for development already permitted, whether constructed or not. By doing this, improvements made by the Department through the Work plan or expenditure of Impact Fees can be used to potentially lower the impact fee rate in the individual LMA's.

How is the impact fee imposed?

The ITE trip generation guide is used to determine the number of trips a development generates. In the guide, ITE breaks down the trips into 3 types: primary, diverted and pass-by. Primary trips are those trips in which the only purpose to leave the home is to get to the development, diverted trips are trips already on the system, but leave one corridor to get to a development on another corridor and pass-by trips is traffic already on the same roadway as the development and the only impact is turning into and out of the driveway.

Primary and diverted trips are looked at as a more regional type trips and the impact fee would be charged for those trips. Pass-by trips are basically local in nature, with their impacts only at the front door of the development. Developments will not be charged an impact fee for the pass-by trips, but those developments that generate more than 100 trips will be required to make front door improvements if necessary. A front door improvement is considered to be mitigation required to take care of potential queuing of traffic waiting to enter into the development. Usually the mitigation may include but is not limited to adding turn lanes (left and right), traffic signals, islands and/or other barriers that could be used to eliminate certain movements into or out of the developments.

The basic premise of the new proposal is that the developer is responsible for mitigating their impacts at the front door and for paying an impact fee for its primary and diverted trips.

Coordination with Municipal Impact Fees and Municipal Traffic Regulations

Since municipalities have their own statutory authority to regulate traffic, one potential issue could arise if the TMP asks for the front door fix and an impact fee, but the municipality requires other mobility improvements beyond those required by DOT. This takes away from the timeliness and surety in costs we are after. One way to address this situation is to deduct the cost of additional improvements (provided those improvements would have been asked for under current MaineDOT rules) from the potential impact fee being charged. The development will be only allowed to deduct the amount for necessary mobility improvements and not for amenities required by the municipality.

Some municipalities already have impact fees in place for roadway infrastructure improvements. MaineDOT will allow those impact fees to be deducted from the proposed impact fee provided the impact fee is for improvements to the MaineDOT roadway system and only for the portion of the impact fee related to future or already built roadway improvements.

Other Goals of the Proposal

Another goal of the proposed changes is to help increase alternate forms of transportation through implementation of Transportation Demand Management (TDM) techniques. The

current rules rely too heavily on construction of additional capacity to solve potential traffic problems. This often creates barriers and hardships for pedestrians and bicyclists and also takes significant land and money to construct the improvements. Those improvements then need to be maintained by the municipalities and the Department. In order to promote TDM, the Department is proposing to dedicate a portion of the money collected toward TDM measures. Currently research is continuing to explore this opportunity and determine a proper set aside for the TDM measures.

TDM measures need to be of the type that fit into a specific LMA. It is not meant to introduce trains in a municipality that can be serviced by busses, or busses into a municipality that could be served by shuttles. TDM could be the construction of Park and Ride lots, increased van-pooling, bike racks or lockers, etc. The money collected through the impact fee process for TDM measures is not meant to be used to take the place of money spent by individual municipalities on those measures, rather it is meant to supplement those costs to expand those measures. It is by expanding what is already in place and making those measures more reliable, that usage will increase.

Under the current rules, municipalities have the right to apply to the Department for delegated review authority of the Traffic Movement Permit (TMP). Under the proposed changes, the Municipalities with delegated review will be able to maintain their review authority, but impact fees charged for the development will go into the LMA escrow and not to the individual municipalities. Similarly any impact fee collected inside a Municipal Planning Organization would go into the escrow for the LMA and not for MPO purposes.

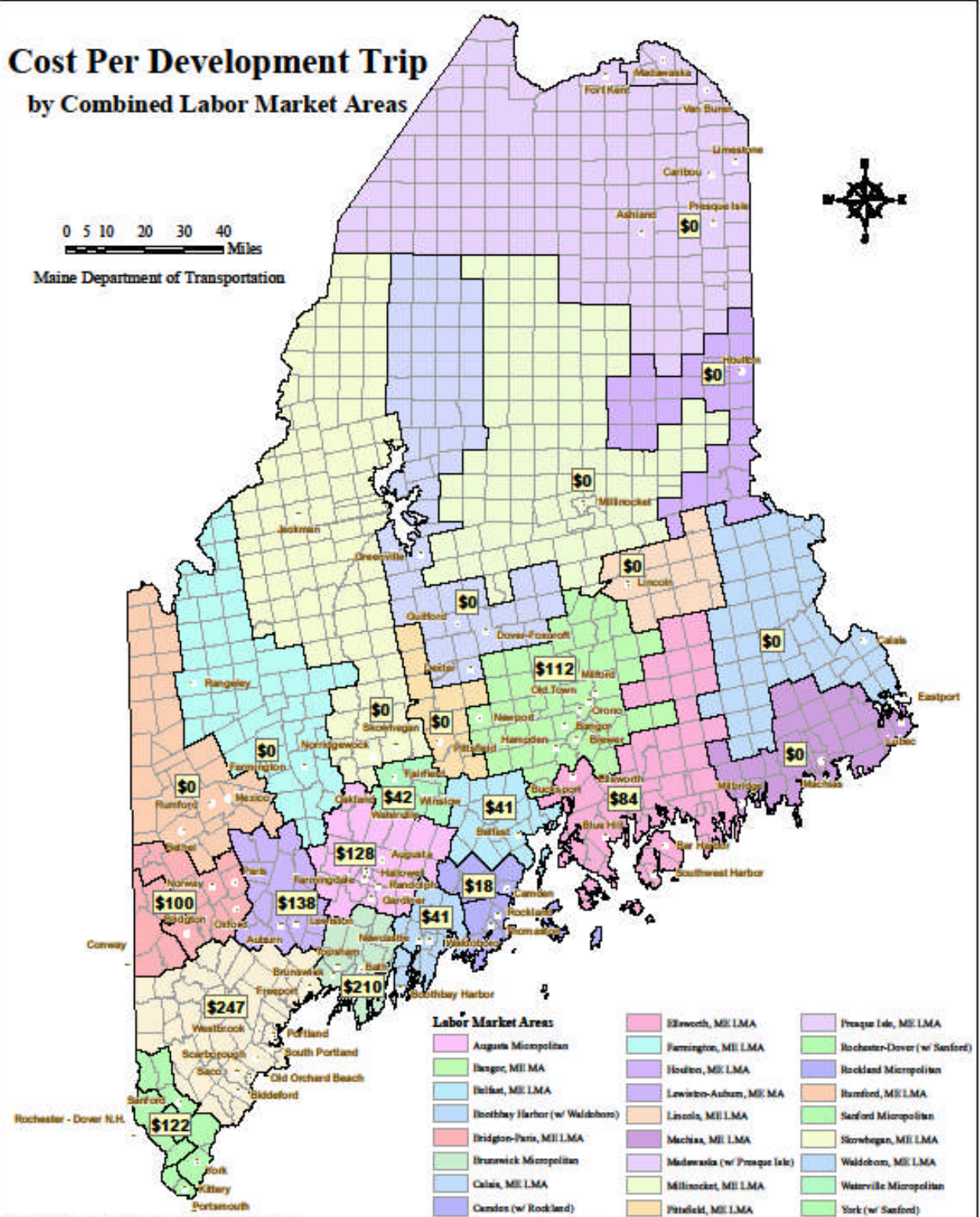
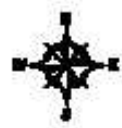
The current rules have limited flexibility when it comes to determining trip generation of a certain type development. Under the new rules, it is proposed that developers be given more of an opportunity to show that some Maine developments differ in trip generation rates than the nationwide averages used in the ITE Trip Generation Guide. The rules would give guidelines for what is expected in order to develop new generation rates. At a minimum the guidelines would set requirements for number of counts, days of the week and times of the year counts would be considered valid.

One potential problem yet to be resolved by going to daily trips is that it may cause an inequity on those developments that only have a peak hour one day out of the week (ie church). One potential solution to this could be converting these types of development to a weekly trip rate and dividing by the number of days to get a modified daily rate. This option is still being researched.

Cost Per Development Trip by Combined Labor Market Areas



Maine Department of Transportation



Labor Market Areas

- | | | |
|--------------------------------|-----------------------------|------------------------------------|
| Augusta Metropolitan | Ellsworth, ME LMA | Presque Isle, ME LMA |
| Bangor, ME MA | Ferrington, ME LMA | Rochester-Dover (w/ Sanford) |
| Belfast, ME LMA | Houlton, ME LMA | Rockland Metropolitan |
| Boothbay Harbor (w/ Waldoboro) | Lewiston-Auburn, ME MA | Ramford, ME LMA |
| Bridgton-Paris, ME LMA | Lincoln, ME LMA | Sanford Metropolitan |
| Brunswick Metropolitan | Machias, ME LMA | Stonewagon, ME LMA |
| Calais, ME LMA | Madawaska (w/ Presque Isle) | Waldoboro, ME LMA |
| Camden (w/ Rockland) | Millinocket, ME LMA | Waterville Metropolitan |
| Conway (w/ Bridgton-Paris) | Pittsfield, ME LMA | York (w/ Sanford) |
| Dover-Foxcroft, ME LMA | Portland-South Portland MA | Regional Service Centers |
| | Portland (w/ Sanford) | Cost/Trip Generated by Development |

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Agenda Item 6 – Election of Officers for July 2010 to June 2011

Staff Resource: John Duncan

Nominating Committee: John Bubier, Bill Shane and Mike Bobinsky (the existing and immediate past two Chairs)

Recommendation: Elect Katherine Earley and Nathan Poore as the Chair and Vice Chair, respectively, of the Policy Committee for July 2010 to June 2011

Background

This is consistent with the Policy Committee's practice of rotating the Chair and Vice Chair positions in sequence from the northern, central and southern "subareas" of the PACTS region. As the incoming Vice Chair, Nathan will begin three years of service on our Executive Committee – one year as Policy Vice Chair, then a year as Policy Chair and then a year as Policy Past Chair. We thank Kathi Earley, Bill Shane, John Bubier and Bill Shane for their three years.

Note that the Technical, Transit and Planning Committees are in the process of electing their officers for the next two years per our bylaws. The Committee Chairs will be:

- Transit – Sara Trafton, RTP Executive Director
- Technical – Dan Jellis, Yarmouth Town Engineer
- Planning – Dan Bacon, Scarborough Planning Director

Agenda Item 7 – TIP Funding Actions

A. Short List of Road Rebuild Proposals for Enhanced Project Scoping

Staff Resource: Paul Niehoff and Carl Eppich

Recommendation: Request that PACTS staff initiate enhanced project scoping of the following three reconstruction proposals for funding under our Rebuild Roads Set Aside for the 2012/2013 program:

1. St. John Street between Park and Congress in Portland
2. Cummings Road in South Portland between Gannett Drive and the Westbrook city line
3. South Street in Freeport between West Street and Porter's Landing

Background

Staff recommends that we do enhanced project scoping (EPS) of these three proposals this summer in order to have better information about them. It appears that we will be able to fund construction of only two of these proposals with our \$1.5 million Rebuild Roads Set Aside budget (versus the \$2.2 million current estimate for the three). See page 15 in our TIP Policies and Procedures document for more on EPS.

Paul Niehoff and Carl Eppich collaborated in scoring the five proposals received. See the sheet on the next page which shows that these proposals scored 1, 2 and 3. Our scoring process for these proposals involves application of our Road Formula and our Destination Tomorrow scoring. See page 4 in our TIP Policies and Procedures document for more on the scoring process.

Paul will have reviewed the scores with the four municipalities that submitted proposals before today's meeting.

The EPS of the three proposals will cost approximately \$10,000. PACTS provides federal funds (in our UPWP) for 80% of the cost of the consultant EPS work. The municipalities pay the 20% balance.

Our TIP Policies and Procedures document (page 11) calls for staff to review this scoring with the Technical and Planning Committees before coming to the Policy Committee. We have not done so this year because there were so few proposals involved and because the top three proposals scored significantly ahead of the remaining two. As such, the recommendation seems quite straightforward.

PACTS Rebuild Roads Rankings for 2012-2013 Transportation Improvement Program (TIP)

				Points available: 80 Roadway Formula 24 Destination Tomorrow					
<u>Municipality</u>	<u>Project Name</u>	<u>Scope and Location</u>	<u>Proposed Cost Estimate</u>	Roadway formula score	Destination Tomorrow score	Adjustment to make roadway score 50% [Roadway score / 80 points available X 50%]	Adjustment to make Destination Tomorrow score 50% [Destination Tomorrow score / 24 points available X 50%]	FINAL COMBINED SCORE [out of 100 points available]	FINAL Rank
Cumberland	Tuttle Road	Main Street to I-295 overpass	\$4,430,000	12.25	3.5	7.66	7.29	14.95	5
Freeport	South Street	from West St. to Porter's Landing (Lower Mast Landing by DOT)	\$700,000	19.91	4.5	12.44	9.38	21.82	3
Portland	St. John Street	from Park Ave to Congress St.	\$495,000	26.82	11.0	16.76	22.92	39.68	1
South Portland	Cummings Road	from the southerly Gannett St. to Westbrook Town line	\$999,000	24.16	5.5	15.10	11.46	26.56	2
South Portland	Highland Avenue	from Anthoine St. to Scarborough Town line	\$1,120,000	14.84	3.5	9.28	7.29	16.57	4
Total of Proposal Cost Estimates			\$7,744,000						
<u>ESTIMATED</u> Set Aside Amount Available:			\$1,500,000						

B. Transit Committee Proposal to Move Funds

Member Resource: The Transit Committee

Staff Resource: Steve Linnell

Recommendation: To accept the Transit Committee's request for a project substitution to re-program \$144,670 in unused Transit Set Aside funds in order to fund the purchase of an RTP vehicle.

Background

Two completed PACTS Transit Set Aside projects have left over money that collectively add up to \$144,670. The two projects were the GPCOG Transportation Information Display System (TIDS) and the METRO "pulse" central bus stop enhancement project.

The Transit Committee recommends that \$144,670 be programmed to purchase a paratransit vehicle for RTP. Two years ago RTP requested funding for three vehicles under the PACTS Transit Set Aside and secured funding for only two vehicles based on the Transit Committee's recommendation to the Policy Committee. RTP has confirmed in writing that they have the necessary 20% match for the federal funds.

Our "Unspent Project Funds" policy on page 15 of our TIP Policies and Procedures documents states that: "Unspent MPO Allocation project funds are transferred into the PACTS "Holding PIN" for reprogramming by the Policy Committee."

Our "Project Substitution" policy on page 15 states that: "A municipality or transit agency may request to withdraw a PACTS MPO Allocation project in order to transfer its funds to another PACTS MPO Allocation project that requires additional funding." In this case, the RTP vehicle is not a funded project, but was requested of PACTS two years ago.

Our bylaws authorize the Executive Committee to act on substitution requests, but the request from the Transit Committee happened after the recent Executive Committee meeting. That is why this is on today's agenda.

Agenda Item 8 – Executive Director’s Report

1. PACTS Credit Program Status Report

The Policy Committee created this new one time pilot \$1,000,000 program in March. Paul Niehoff requested proposals from our members by April 15th. He received only three proposals (which would use only approximately \$350,000 of the \$1,000,000).

- Falmouth has spent \$1,350,000 in local funds on Johnson Road and Middle Road, so is eligible for \$135,000 from the Credit Program. Paul and MaineDOT have applied \$39,000 toward the PACTS-funded Falmouth Route 88 sidewalk project in order to meet a MaineDOT project deadline. The balance is expected to be used for the PACTS-funded Allen Avenue project.
- Portland has spent approximately \$650,000 in local funds rebuilding a section of Read Street. Paul is working with Portland on options for using Credit Program funds – as was discussed with the Executive Committee recently.
- Cumberland expects to spend approximately \$4,000,000 in local funds this year on Route 88. This will make the Town eligible for \$250,000 from the Credit Program. Paul is working Bill Shane on the scope and budget of the Town’s recent bike/ped application to PACTS (which was not funded).

2. MaineDOT recently responded as follows to Bill Shane’s request for some MaineDOT design exceptions for his Route 88 locally-funded project (see above):

“MaineDOT believes that the reconstruction work the Town of Cumberland plans to do on part of State Route 88 will make that section of road eligible for future Federal pavement preservation funding. As we discussed at the MPO quarterly meeting in March, however, it is up to each MPO to determine whether newly rebuilt state-aid roads funded with local dollars qualify for pavement preservation funding through the MPO process.”

PACTS staff recommends that the Policy Committee determine that Route 88 will qualify for future PACTS pavement preservation funding (10 or 12 years from now) based on MaineDOT’s opinion above. We will bring this to the Policy Committee at a future meeting for action.

3. MaineDOT and the state’s transit systems are seeking a share of the new federal \$775 million program for bus purchase and rehabilitation.
4. Portland is hiring a Bicycle/Pedestrian Coordinator for the a 2-year position that is funded with federal stimulus funds.
5. Dick Doyle, the FTA Regional Administrator for our region since 1981, has just retired. Mary Beth Mello is serving as the Interim Administrator.

6. Carl Eppich is a new alternate member of the Steering Committee for the Gorham East West Corridor Study. He replaced Paul Niehoff. John Duncan is the primary member representing PACTS on the committee.
7. John Duncan recently agreed to have the MBTA list PACTS in support of the state transportation bond on next month's statewide election. This is consistent with the Policy Committee vote last fall allowing PACTS to be listed in support of the bond referendum last fall.
8. These committees met and/or are meeting in April and May:
 - Executive Committee
 - Planning Committee
 - The *Destination Tomorrow* Update Subcommittee
 - Transit Committee
 - Transit Operations Committee
 - Traffic Signal Coordination Committee
 - Tri-Community Transportation Plan Committee
 - The Technical Committee did not meet.
9. The Executive Committee Update
 - No April meeting.
 - On May 4th the members endorsed the staff proposal to move funds to a new section of Baxter Boulevard in Portland. See minutes in today's meeting packet for details on this, and other topics at that meeting.
 - June meeting agenda:
 1. "Hand-off" discussion of existing members with incoming members
 2. Review of the Executive Committee process – for submission to the Policy Committee in July
 3. Performance evaluation of the Executive Director
 4. Discuss July agenda for Policy Committee
10. The April 29th Policy/Planning Committees briefing on the Gorham East West Transportation and Land Use Corridor Study produced a great deal of discussion regarding the "Urban and Rural" regional land use concept.
11. GPCOG and PACTS staff are working with others to organize a \$1,000,000-plus study proposal under the HUD/EPA/DOT Sustainable Communities Planning Grant Program.
12. The PACTS video is being aired on ten (10) community television stations. Other stats include:
 - 500 viewings on YouTube at the PACTS website and others
 - Linked in the recent Greater Portland Chamber newsletter
 - Article in the Forecaster

- Links on websites of MBTA, MAST, PACTS....and any towns?
13. GPCOG Regional 2010 ReCOGnition Awards will be presented for the Transit Committee's "Regional Ride Guide" and the PACTS Video. Go PACTS!
 14. Paul Niehoff is making a presentation today on bicycle lanes at the Northeast ITE conference here in Portland.
 15. See list of other current PACTS Staff activities in May 13th email sent to all members.
 16. Steve Linnell continues to work as the region's Clean Cities Coordinator. PACTS provides \$30,000 over two years to support this effort.
 17. Freeport will extend School Street over to Bow Street this year. See PACTS study on this for details.
 18. MaineDOT will share a new local match policy in May.
 19. MaineDOT will share 5-Year Strategic Plan to implement their 20-year plan in May.
 20. There are discussions etc underway on highway design standards on at least three fronts in Maine:
 - Mike Laberge is writing a Highway Design Standards Innovation Report per the work done with the PACTS/MDOT/FHWA/ATRC/ETC working group.
 - The Highway Simplification Standards/Cost Subcommittee has developed standards for the proposed minor collector Fix and Swap plan.
 - Carl Eppich is working closely with MaineDOT and Portland on the Franklin Street Corridor Study Phase II.
 - John Duncan is going to serve on MaineDOT's Windham River Road context sensitive solutions study advisory committee.
 21. Here is the current schedule for PACTS programming of FY 2012/FY 2013 "MPO Allocation" Projects

March 2010

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 sent 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 (today) 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. The draft report will be received next week.
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.
3. Municipalities submit council endorsements of programmed projects as confirmation that they will provide the local match based on the agreed scope and budget