

PACTS

Portland Area Comprehensive Transportation Committee

PACTS Policy Committee Meeting Notice

December 14, 2006
1:30 p.m.
PACTS, 68 Marginal Way, Portland

Agenda

1. Call to order

2. Minutes of the November 16th Meeting

3. Destination Tomorrow Final Report

Distribution of final reports and brief review of implementation status

4. Transportation Finance Reform

A. Presentation by John Melrose for the Maine Better Transportation Association and the Maine Transportation Funding Coalition

B. Overview by Neal Allen, John Duncan and Paul Schumacher of the agendas for the December 15th Legislators' Forum in Westbrook, and the York County forum in 2007

C. Discussion and next steps

5. TIP Amendment

Action on a staff proposal to increase funding for a Freeport project

6. Consent Agenda

7. Adjourn

Next Meeting: January 18th at 1:30

The Metropolitan Planning Organization for the Portland Urbanized Area

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Attachments for December 14th Policy Committee Meeting

Minutes of November 16, 2006 Meeting

Members Present: Rick Michaud, Chairman, Saco; Neal Allen, GPCOG; Mike Bobinsky, Portland; Pat Christian, Public Transit; David Cole, Gorham; Kathi Earley, Portland; Jim Gailey, South Portland; Joe Gray, Portland; Judy Harris (for Jeff Monroe), Portland; Mike McGovern, Cape Elizabeth; Tom Meyers, Public Transit; Tom Milligan (for John Bubier), Biddeford; Dale Olmstead, Freeport; Ron Owens, Scarborough; Ed Reidman (for Jerre Bryant), Westbrook; Jim Thomas, Old Orchard Beach; Nat Tupper, Yarmouth; Conrad Welzel, MTA

Members Absent: Anthony Plante, Windham; Nathan Poore, Falmouth; Paul Schumacher, SMRPC; Scott Seaver, North Yarmouth; Bill Shane, Cumberland

Staff and Guests: Maddy Adams, GPCOG; Linda Boudreau, Policy Com. Rep on PACTS Transit Study Committee; Peter Cavanaugh, METRO;; Julia Dawson, PACTS; John Duncan, PACTS; Eric Ortman, PACTS; David Willauer, GPCOG

1. **Call to Order.** Rick Michaud called the meeting to order at 1:30 p.m. Introductions were made.
2. **Minutes of October 19th, 2006 meeting.** *A motion was made and seconded to approve the minutes and all were in favor.*
3. **Regional Transit Coordination Study.** Tom Meyers, Chair of the Transit Study Committee, presented a PowerPoint which included:
 - a listing of committee members;
 - study purpose
 - study outline
 - Common themes – desired outcomes
 - Implementation continuum
 - Multi-dimensional nature of the recommendations and how to deal with them
 - An example of a recommendation
 - Next Steps

An extensive inventory of planning, management, operations and capital was completed. An expert was hired to take a closer look at the transit system from the eyes of a customer; he rode the transit system for a day. Case studies were also done, as well as an alternatives analysis.

An implementation continuum of the 4 C's was reviewed which included communication, coordination, collaboration and consolidation. A study committee met several times to refine the recommendation. Four subcategories were developed which included planning, operations, marketing and capital investment. Recommendations were then scored according to three broad criteria: increase revenue; reduce cost; and improve customer service, with short, medium and long-term timeframes. Many of the ideas that are being recommended are already being done on an informal basis.

The next steps will include outreach to boards and committees, public input, and refining the recommendations. The Final Report is expected to be completed in May.

Rick Michaud stated that the committee has done a great job and has gone further than he would have expected. *David Cole made a motion to accept the PACTS Regional Transit Study Coordination Study Progress Report, seconded by Mike Bobinsky. All were in favor of the motion.*

4. Transportation Improvement Program Topics.

4A. Action on Freeport project and policy proposals. Dale Olmstead and Donna Larson presented a PowerPoint regarding the South Street paving project, Main Street sidewalk project, and reconstruction of part of the road where the sidewalk would be improved – three projects in all. Donna explained that a patch was cut between the school and the library as a temporary fix. Thirty percent of the students walk to school but the path can be used only 70% of the year. Dale and Donna offered the following chronology of events:

- In late 2004, the Policy Committee approved the South Street paving project at \$73,609 (adjusted to \$92,000 in 2006).
- In March 2005, the Main Street reconstruction project was approved at \$540,000 (adjusted to 1.2 million in 2006).
- Freeport agreed to transfer South Street paving project money of \$92,000.
- Freeport suggested that MaineDOT not overlay that section of road at a cost of \$35,000. Freeport agreed to bypass engineered design to save money.
- EPS approved October 2005. Agreed to absorb cost overruns.
- October 05, funding reduced.

What's been lost by Freeport:

- Road reconstruction – Route 1: \$1,200,000
- South Street paving: \$92,000.
- MaineDOT maintenance pavement overlay: \$35,000
- Safety
- Sidewalk, if additional funding isn't secured: \$75,000.

The cost is high because of slopes and the need for a retaining wall, drainage and shoulder repair. The Town of Freeport is requesting that the South Freeport paving project be restored at a cost of \$92,000, as well as allowing the change in sidewalk scope of \$266,000. This would leave PACTS with about \$140,000 in undesignated funds. They would also like to recommend that proposals not funded in 2006 be given first priority when new funds become available.

Mike McGovern asked why Freeport doesn't just build a sidewalk through the woods. Dale responded that for five months out of the year the woods can't be used. Additionally, they would like to tie into an existing sidewalk for residents.

Staff is recommending against additional funding for this project because they are following the policies of the Board; this project was capped at a certain amount of money. Freeport did not know that they would lose the \$92,000. *A motion was made by Dale Olmstead to restore the \$73,609 funding for a South Street paving project, and to add the same 25% budget supplement programmed for all collector paving projects funded by PACTS during 2006. This makes a final program amount of \$92,011. Mike McGovern seconded the motion.* Nat had a question about the match issue. Mike Bobinsky asked if the funds were restored for paving but not for the sidewalk, if they could still go forward. Dale responded that \$92,000 is sufficient to pave South Street. Mike McGovern pointed out that Freeport made a legitimate attempt to work through the process but ended up losing in the end. The \$92,000 doesn't get Freeport the sidewalk, but it does get them back to even. Approval of this motion would restore funding that was once there. Mike B. pointed out that the policy is being tested here and we set these policies. *Nat Tupper made an amendment to the motion that \$92,000 be funded to Freeport to be used towards the project that is of a higher*

priority to the town – that being the sidewalk project. Dale Olmstead seconded the amendment. There were four in favor of the amendment and all others opposed. The amendment to the motion failed. The main motion to restore \$92,011 for the South Street paving project was approved.

Dale Olmstead made a motion to increase the scope and programmed amount for the Main Street sidewalk project from \$75,000 to \$341,000. Nat Tupper seconded the motion. Eric explained that changing the scope puts the project in the road category and not in the sidewalk category. Dale wanted the minutes to reflect that if the \$75,000 isn't used for this Freeport project at this time, then that money should remain in Freeport; Freeport should not lose the money. There was 1 in favor of the motion and all others opposed. Dale decided not to pursue draft motion #3.

4B. Action on staff proposal for use of the remaining 2008/2009 funds. Staff noted that \$92,000 of this money just got approved for Freeport so the number is down to \$403,000. *Mike McGovern made a motion to reserve the \$403,000 to address the potentially higher PDR estimates. The motion was seconded and all were in favor.*

5. PACTS Planning Work Program.

5A. Action on a proposal to change the funding source for recent EPS work. *Mike Bobinsky made a motion to amend the PACTS Unified Planning Work Program to change the funding for our \$41,339 in Enhanced Project Scoping (EPS) work done from our STP funds to our FHWA Planning Funds. Ron Owens seconded the motion and all were in favor.*

5B. Action on proposal for policy to drop funding for studies after 18 months. John explained the idea of having an 18-month clock on projects getting started -- getting started means signing of a contract with a consultant. Communities would be put on notice that they could lose funding for their study if the project has not started within 18 months. Mike suggested that the communities just be notified when their deadline is getting close rather than developing another policy. David Cole pointed out that this would prevent studies from just sitting around and leaving them in limbo. *David made a motion to adopt a policy whereby if 18 months passes without the signing of a consultant contract for a study, then the PACTS Policy Committee would withdraw the funding for the study. This policy would begin with the adoption of the new two-year planning budget next spring. Staff will make an effort to notify members of approaching deadlines (around the one-year mark). The motion was seconded.*

Currently there are three or four studies in Portland, one in Westbrook, and a regional traffic impact fee study that are waiting to be done. Mike felt that we were trying to solve the problem in the wrong manner; this is mandating that things get done. *There were two opposed to the motion and all others in favor; the motion passed.*

6. PACTS Bylaws. *A motion was made to change the status of GPCOG and SMRPC from voting to non-voting members on the Planning and Technical Committees. The motion was seconded and all were in favor.*

7. Consent Agenda. The consent agenda was approved.

8. Adjourn. The meeting adjourned at 3:30 p.m.

Agenda Item 3 – Destination Tomorrow Report

We are very pleased to report that the 2006 *Destination Tomorrow* final report has been printed. Copies will be available at the meeting. The document is on our website, www.pactsplan.org.

John Duncan will give an overview today of the status of work on the “Tier 1” strategies. See the tan colored insert in the Plan.

Eric Ortman deserves recognition for his great work in pulling this report together. Maddy Adams and Sue McIntyre and many other staff members at PACTS, GPCOG and SMRPC also deserve many thanks for their contributions.

Staff is drafting an 8-page summary brochure.

Neal Allen has suggested that we establish a working group to promote and monitor the implementation of the plan. A possible approach is for the eight officers (or the four chairpersons) of our standing committees to meet semi-annually with staff from PACTS, GPCOG and SMRPC in order to assess progress and to suggest new directions. Significant new directions for effort by PACTS staff and committees would need the endorsement of the Policy Committee.

Would you like to have a presentation to your council or board? John Duncan recently presented to the Westbrook Planning Board, the Yarmouth Rotary Club and the Falmouth Town Council.

The Press Herald recently printed the following article regarding the Plan. The Press Herald’s editor changed our submission in many places, but did not compromise the message.

December 8th Press Herald “Maine Voices” Article by Rick Michaud

The Portland region's transportation policy leaders have just released a plan to enhance our highways and public transportation systems in ways that will affect our economy and quality of life for a long time.

The problem is, the plan's outline for projects greatly exceeds the amount of funding currently available to spend on them.

How to solve that problem is the challenge confronting area communities, their citizens and state and federal lawmakers and agencies.

The Portland Area Comprehensive Transportation Committee, known as PACTS, has outlined its proposals in its "Destination Tomorrow" plan.

The committee, a federally designated group, plays a key role in the allocation of transportation funds in our region.

Our members include the Maine Department of Transportation, the Maine Turnpike Authority, our seven public transportation organizations, and the 15 municipalities from Biddeford to Freeport along the coast and inland to Windham and Gorham.

The Destination Tomorrow plan is a blueprint for a sustainable transportation system and for coordinating with land use development. It is built around these eight guiding policies:

- 1) Maintain our existing systems (our top priority);
- 2) Address safety and congestion at key intersections;
- 3) Strategically expand the capacity of our systems;
- 4) Avoid building new highways to the extent possible;
- 5) Strengthen the link between transportation investments and land use policies;
- 6) Apply access management to our highways;
- 7) Enhance, maintain and expand passenger transportation services; and
- 8) Promote community livability as a goal of transportation investments.

The estimated cost to implement the 20-year plan is \$1.024 billion. Unfortunately, the funding projected to be available during this period is only \$501 million, \$523 million short. In fact, the funding available will not enable us to maintain the system we have now, which is only the first of the eight policies listed above. This situation is echoed in all 50 states as well as at the federal level.

Members will meet with state legislators on Dec. 15, and have met with our congressional delegation during recent months. We plan to seek special funding for our region in 2009, when Congress reauthorizes five years of federal funding.

There are two major initiatives under way: First, the members have put a high priority on a regional transit coordination study. The study's draft recommendations call for significant improvements in communication, cooperation and coordination in the delivery of transportation services by our seven passenger transportation systems.

The second is the development of a set of procedures and incentives designed to enhance the connection between transportation plans and land use planning for major transportation projects. The plan also supports three proposals of MDOT and the MTA that would have major regional implications:

- Extend the Boston-Portland passenger rail service to Brunswick;
- Widen the turnpike where it passes through Portland, South Portland and Westbrook; and
- Construct a limited-access highway from Gorham to the turnpike.

Voters, lawmakers, the 15 town and city councils in the PACTS region and our congressional delegation will determine how much to spend on our transportation systems during the next five years -- and the next 20.

The recent addition of eight municipalities to this Greater Portland process has created a single transportation region whose decisions will shape commercial and individual choices for decades to come.

Agenda Item 4 – Transportation Finance Reform

A. Presentation by John Melrose for the Maine Better Transportation Association and the Maine Transportation Funding Coalition

This is an information item. The Maine Transportation Funding Coalition and the MBTA are preparing a proposal for consideration by the Legislature. PACTS is a member of the Coalition. John Duncan, Connie Garber and Peter Cavanaugh recently attended a Coalition meeting in Hallowell. John Melrose will seek your input today on the Coalition's draft proposals.

B. Overview by Neal Allen, John Duncan and Paul Schumacher of the agendas for the December 15th Legislators' Forum in Westbrook, and the York County forum in 2007

We will briefly review the purpose and scope of the two forums. We encourage you to attend, and to encourage your local and state elected officials to attend.

C. Discussion and next steps

The MBTA, the Maine Transportation Funding Coalition, the York County Managers Association, MaineDOT and many others are working to develop consensus around transportation funding reform in Augusta. The role of PACTS, and the role of our members individually, is a subject for discussion and possible action today.

Agenda Item 5 – TIP Amendment

Staff Resource: Eric Ortman

Member Resource: Freeport

Recommendation: Staff recommends approval

Draft Motion

To program an additional \$141,036 for the construction of a sidewalk from Mallet Drive to Kendall Lane in Freeport with the agreement that the same conditions placed on other State-funded projects last August apply as follows:

1. The project must be advertised for construction by June 30, 2007.
2. Freeport pays a 20% (\$28,307) match for the \$112,829 available in State funds.
3. Freeport may not request additional PACTS funding for this project.

Background

Last August PACTS programmed \$1,300,000 in State funds for projects that had been cut or deferred due to the less-than-expected federal funding for 06/07. After the programming of the funds, and our October programming of 2008/2009 Federal funds, the only 06/07 cut or deferred project that had not received funding was Freeport's Main Street road reconstruction and sidewalk project.

MaineDOT staff recently advised PACTS staff that the programming of \$141,036 in August for the paving of a section of Industrial Park Road in Saco (PIN 14311) was a mistake, as the project is not eligible for state or federal funding because it is a local road. The funding was \$112,829 (80%) in State funds and \$28,307 (20%) in local funds per our policy for those funds.

The Policy Committee's August 17th programming of the \$1,300,000 plus match included a condition that the amounts programmed were the maximum PACTS contributions for the ten projects involved. The one remaining project eligible for the \$141,036 now available is the Freeport project.

Freeport's original Main Street reconstruction proposal to PACTS included the sidewalk (later funded as a stand alone bike-ped project at \$75,000 in the 06/07 program). PACTS staff recommends that the Policy Committee apply the \$141,036 to the sidewalk because:

1. Freeport's great interest in constructing the sidewalk component, as stated at our November meeting, and
2. Freeport's willingness to finance the balance of the project's costs with local funds.

The Freeport cost estimate is \$341,000 for the project. As the PACTS staff proposal is to increase PACTS funding from \$75,000 to \$216,036, Freeport would have to cover the gap of \$124,964. (The total Freeport contribution would be \$171,751 based on the \$18,750 local match for the 06/07 funds, plus the \$28,307 match, plus the \$124,964 "gap".)

Freeport and PACTS staff are aware that MaineDOT's current cost estimate just for construction is \$457,000. Despite the possibility that actual costs could significantly exceed Freeport's \$341,000 estimate, the Town is prepared to get the project done without additional funding from PACTS. See condition 3 above.

A key condition from Freeport's perspective is that the project be locally administered. Freeport staff is seeking MaineDOT support for the LAP approach.

The project administrators (Freeport or MaineDOT) would also have to organize the project scope and budget in ways that separate the federally-funded \$75,000 portion from the non-federal balance of the project.

Agenda Item 6 – Consent Agenda

Action Item

The Planning Committee has asked staff to provide access management technical assistance on local ordinances, and to promote the application of access management measures in our region. Staff is drafting a scope of work for review by the Planning Committee in January. There is a strong *Destination Tomorrow* basis for this effort:

- Guiding Policy 6 is “Implement Access Management Measures”.
- Strategy 60 calls for PACTS, GPCOG and SMRPC staff to provide technical assistance to municipalities in developing and refining smart growth ordinances.

Action on this Consent Agenda will serve to support the proposed initiative of staff and the Planning Committee.

Information Items

Draft agenda for January 18th meeting

- Ron Roy (MaineDOT) and Patricia Douglas (NNEPRA) will update us regarding passenger rail planning and financing.
- Action on a Planning Committee budget proposal to do Context Sensitive Solutions event and training workshop.
- Adopt an update of our Title VI and Public Participation Plan.

Committee Reports

- The Transit Committee met this morning regarding the Regional Transit Study and the process of funding future transit planning work.
- The Planning Committee heard presentations on a draft bill to broaden State law regarding MaineDOT’s ability to grant breaks in access on highways, and on the draft update of the PACTS Title VI and Public Participation Plan. The members also discussed access management issues (see action item above) and got an update on the organizing for two Context Sensitive Solutions events in April.
- The Technical Committee did not meet in December.

David Willauer hosted a well attended Greater Portland “annual meeting” regarding Intelligent Transportation Systems last week.