

PACTS

Portland Area Comprehensive Transportation System

Policy Committee Meeting Notice

November 19, 2009
1:30 p.m.

GPCOG, 68 Marginal Way, Portland

Agenda

- 1. Call to order**
- 2. Public Comment**
- 3. Minutes of the October 22nd Meeting**
- 4. Three Party Agreement**

Action on the Three Party Agreement concept after a discussion with
MaineDOT's Joyce Taylor and Brad Foley
- 5. Maine MPO's Transportation Finance and Operations**

Action on a set of priorities developed at a workshop last week in Auburn
- 6. PACTS Credit Program**

Action on a proposal to create a one-time PACTS Credit Program
- 7. Consent Agenda**
- 8. Adjourn**

The Metropolitan Planning Organization for the Portland Urbanized Area
68 Marginal Way • Portland, Maine 04101
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org

Minutes of the October 22nd Meeting

Members Present: John Bubier, Chair, Biddeford; Genie Beaulieu, Freeport; Ed Reidman (for Jerre Bryant), Westbrook; Bob Burns, Tech Com Rep; Ed Clifford, Public Transportation; David Cole, Gorham; Kathi Earley, Portland; Jim Gailey, South Portland; Tex Haeuser, South Portland; Tom Hall, Scarborough; Judy Harris, Portland; Dan Jellis (for Nat Tupper), Yarmouth; Steve Linnell (for Neal Allen), GPCOG; Mike McGovern, Cape Elizabeth; Rick Michaud, Saco; Nathan Poore, Falmouth; Anna Price, FHWA; Bill Shane, Cumberland; Conrad Welzel, MTA

Members Absent: Dan Bacon, Planning Com. Appt.; Mike Bobinsky, Portland; Mary Ann Conroy, Old Orchard Beach; Marnie Diffin, North Yarmouth; Kat Fuller, MaineDOT; Joe Gray, Portland; Tom Meyers, Public Transportation; Anthony Plante, Windham; Paul Schumacher, SMRPC

Staff and Guests: Maddy Adams, GPCOG; John Duncan, PACTS; Carl Eppich, PACTS; Mike Laberge, MaineDOT; Paul Niehoff, PACTS; Lynne Powers, GPCOG

1. **Call to order.** John Bubier called the meeting to order at 1:35 p.m.
2. **Public Comment.** None.
3. **Minutes of the August 13th meeting.** *David Cole made a motion to approve the August 13th, 2009 minutes, seconded by Mike Bobinsky. All were in favor.*

4. **Transportation Funding Policy.**

4A. Report on meetings in Auburn and Augusta. About 35-40 people attended the meeting in Auburn to discuss the recommendations in the urban transportation policy study by John Melrose, and MaineDOT's traffic movement permit process. Steve Landry provided an update on the proposed changes to the traffic movement permit process at MaineDOT. Bill S. advised the committee to keep an eye on this issue because it is a whole different way of looking at it. It has some significant costs associated with it. Mike B. added that it moves more to a standard approach rather than each community having different standards. The group will meet again in November.

Kathi, John B. and John D. met with the Commissioner and Kat Fuller and a number of others the following day and had a good discussion. They covered a number of topics outlined in the packet. It was a good meeting to touch base with the Commissioner.

October 7th meeting of MBTA. Bruce Van Note gave an overview of the Highway Simplification Study. Melrose spoke of raising the gas tax and lowering car registration fees.

There was an MMA meeting on October 15th. Mike B. and John D. have volunteered to be on the Policy Working Group. Bill S. thought it would be a good idea for the Policy Committee to endorse John Duncan's appointment to the Committee. *He made a motion to have John Bubier write a letter to MMA stating the PACTS Policy Committee's endorsement of John Duncan as a committee member to the policy working group. Mike McGovern seconded the motion and all were in favor.*

4B. Action on role of PACTS in articulating regional needs. A meeting was recently held with Mike McGovern, Bob Burns, Kathi Earley and John Duncan. They reviewed what PACTS is currently doing and agreed that we should keep doing what we're doing. They spoke briefly about the fuel tax idea and agreed that we should not go there. Bob Burns disagreed and said that we

should be ready to become involved rather than not regarding the fuel tax issue. *He made a motion to amend #2 on Johns' report to change it to: PACTS should be ready to become involved with the fuel tax issue. The motion was seconded. All were in favor except two members (Nathan and Genie).* Bill S. agreed that we need to be more vocal. It is hard to rationalize the money that is being spent around the state when we have so many needs in our region. We need to be more proactive in transportation issues. Mike McGovern noted that Joe Gray had voiced his concern about PACTS becoming a political agency. We do need to be more proactive, with both the bureaucracy as well as the legislature. John B. mentioned that they had explored the idea of political involvement during their meeting with the Commissioner. We cannot use federal funds for political activity.

The idea of PACTS supporting the transportation bond issue was raised. *Mike McGovern made a motion that we allow organizations or entities to list PACTS as a supporter of the transportation bond.* We won't be putting any money into this but will let the PACTS name be listed as an organization that supports the Transportation Bond. *The motion was seconded.* David C. and Genie were not supportive of this and voiced their concerns. *The motion passed with three opposed (Genie, David C. Judy).*

After much discussion regarding the wording of the recommendations, *Nathan made a motion to replace the language in #2 with the following: Be ready to become involved in any conversation and consideration about the fuel tax by disseminating information and analysis to help decision makers in their effort to resolve the transportation funding crisis. All were in favor of the motion.*

Rick M. pointed out that we continuously need to improve the PACTS profile; we need to be assertive. We are not getting our fair share of funding. If we not at the table all the time, we lose. He would support going much further than this motion. Tex suggested that we could do more on TV. Tex moved that we add a #7 to have staff work towards preparing TV informational shows that highlight the transportation needs of the region that include discussions of transportation funding but could be disseminated to other TV outlets. Mike M. felt that a much deeper conversation needs to happen regarding television. There was no second to Tex's motion. Mike M. recommended that we have a communication strategy; he suggested that the Executive Committee talk about this.

4C. Action on proposal to organize state bond for collector roads. John D. provided background. John D. met with Conrad Welzel and talked with Kat Fuller about floating general obligation bonds to fund transportation improvements. *Mike McGovern moved the recommendation to work with a coalition of stakeholders to organize a state bond for capital improvements for collector roads. Ed R. seconded the motion.* It was asked what was meant by organize. John B. explained that it is trying to get our citizens behind us. We will work with state and other transportation organizations to have an entity float a bond; we don't know what it is going to look like. Tom was concerned that this appears to be stepping closer to the political piece again. Jim G. explained that we are working with our delegation in Augusta to push this through. For it to work, it would have to be a statewide bond issue. John D. has worked with the MPO's statewide on this issue. Genie suggested talking to Cumberland or York County as they have bonding authority. John B. responded that that certainly is an option. *Two were opposed to the motion; all others were in favor.*

5. TIP Policies and Procedures for the FY 2012/FY 2013 Biennium

5A. Action on PACTS Credit Program Proposal. Reward the towns for putting 100% local dollars into rebuilding or rehabbing collector roads that are in bad shape. John D. explained.

It was asked what the effective date would be. Mike M. said that he spent a lot of money on his roads and would be upset if the effective date was June 30, 2009 versus July 1, 2009. The effective date would probably be calendar year 2009-2010.

This may not be the final version. The Executive Committee would like to see a larger credit. The 121 miles of roads are the ones that would be eligible for the credit. The credit does not need to be spent on collector roads. David C. felt that we were coming up with schemes to have the property tax pay for millions of dollars of road work. We need to step back and determine if we want to go down this road, as the problem is much bigger than that. He applauds the thought and the efforts behind this concept. John B. stated that the original proposal was if a town spent \$1,000,000 on its collector roads, then the town would get \$1,000,000 in credit. Bill said he has been trying to get a \$4.5 million improvement on Route 88 for paved shoulder and drainage for 17+ years. This is something that the state should have done years ago. They are out of options. If this credit applied, he could get \$250,000 for this project through the credit, which he could use for the overlay. Mike L. commented that he wasn't sure about the sustainability of this credit program. John B. explained that the old ways of doing things have to change; this is an attempt to come up with a new concept.

Mike B. noted that on page 9 it mentions projects being done to state standards; he thought we talked about projects not having to be done to state standards. What about flexible specifications? Anna stated that this is a creative idea; she appreciates PACTS trying to use what it has. She cautioned, however, that if you are using federal funds from your Holding PIN for the credit money, the project would have to meet federal standards. It was asked if this credit was limited to money in the Holding PIN and the response was no. We don't know yet what the estimated biannual payout would be. Also not yet discussed is if ARRA money would be considered as local funds. Mike L. suggested that we delay action on this until the eligibility is defined. **Mike McGovern moved that this item be referred to the Executive Committee. Nathan seconded the motion.** John Bubier suggested that a working group be set up to work on this. Anna Price, Tom Hall and Jim Gailey agreed to serve on the working group. **The motion to refer this item to the Executive Committee along with the working group was approved.** Eligibility, in particular, should be discussed.

5B. Adoption of the TIP Process Committee's recommendations. John D. reviewed the changes that had been made at the last meeting. Regarding the three-party agreement, Genie expressed concern that somewhere in this process there needs to be a financial accounting to the town to know what has been spent by MaineDOT on a project. **Rick M. moved to accept the TIP document, seconded by Mike Bobinsky.** There is a willingness to amend the policy after discussion of the credit idea. Tom H. stated that Scarborough is affected more than most towns; this appears to be a huge policy change. Bob B. explained that we are in a bind here; it is common sense management to maintain what we have. It only addresses 83 miles. There is no more cost effective way to do this than the way recommended in the report. We need to focus on the good roads. Bill S. felt that this is what we are already doing and putting it in a policy document scares him. Mike L. explained that the TIP Policy Committee went back and forth on this.

There was much discussion, both pro and con, regarding the collector roads set aside proposal. Gorrill Palmer will be updating the collector roads study based on work that was done in the past year. There will be more than 83 miles in the category. **Mike McGovern made a motion to defer the vote on #9 to after we vote on items 1-8 of the TIP Policy and Procedures document. The motion was seconded. The motion to approve items 1-8 of the TIP document passed with five votes in opposition.** Tom asked about the note** on page 10 regarding the Dunstan Corner project. That number is a moving target; he doesn't want to be tied to that number.

Mike M. expressed his concern about the proposed three-party agreement and provided an example. This adds administrative cost to PACTS; we already have to deal with MaineDOT and we sometimes have to deal with DEP, Councils, citizens, etc. This adds cost, administrative overhead, and complexity by having more people involved in the process. It also makes PACTS an oversight agency. Mike B. noted that the efficiency of getting the agreements in place has been difficult, so if this helps streamline the process then he doesn't have an objection to it. Mike L. explained that what this does is codifies the relationship that we already have. Everything is spelled out in the project development process; it is a communication tool. It spells out who is going to do what; who is going to pay what; and how we are going to discuss things if we run into problems. This new agreement is signed right at the beginning and no money can be spent until there is an agreement. Mike M. stated that most of that is already in the two-party agreement; many committee members agreed. The staff time (attendance at meetings) was a concern. There was reluctance to go to a three-party agreement. Mike L. noted that MaineDOT will not work on projects unless there is a three-party agreement in place. **David C. made a motion to table this item (#9) and invite MaineDOT senior management to the next Policy Committee meeting to discuss this issue. Ed R. seconded the motion and it passed.**

6. **Consent Agenda.** *Kathi moved approval of the action item to endorse the addition of projects to the PACTS 2010-2013 TIP in order to be consistent with MaineDOT's addition to the State TIP (aka STIP) after our August adoption of our TIP. Mike M. seconded the motion.* Mike M. asked about the transfer of money from the withdrawn OOB roundabout project to three other OOB projects. Mike L. explained. Bill added that the Executive Committee discussed this issue for an hour. Mike M. recommended that the Policy Committee receive the minutes from the Executive Committee meetings as part of their Policy Committee package. David C. requested that items that need to be voted upon not be on the consent agenda. **Motion passed with one opposition.**
7. **Adjourn.** The meeting adjourned at 4:10 p.m. The three three-party agreement and the credit program will be the topics for the November Policy Committee meeting.

Agenda Item 4 – Three Party Agreement

Staff Resource: Paul Niehoff and John Duncan

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

Background

The Policy Committee discussed this subject in August and October, and asked that MaineDOT senior management share their perspective of on this subject. **Joyce Taylor**, the Assistant Director of MaineDOT’s Bureau of Project Development, and **Brad Foley**, the Highway Programs Manager, will join us today

The following bullets are PACTS staff’s perspective on why the MaineDOT is proposing expanding the city/state agreement by utilizing a new three party agreement. We have met many times with the MaineDOT and the three other MPO’s over the past year or so and have revised the language as it is currently written. Please note most of the tasks listed below are currently administered by the appropriate entity. The agreement will both improve and more consistently define the roles and responsibilities in the beginning of what can be a long project development phase transitioning into the construction phase. The bullets are not in any particular order either chronologically or of priority.

- ⇒ Lack of consistency, project schedule, funding requirements and role responsibilities have been unclear and inconsistent at times resulting in troublesome communication and misunderstandings.
- ⇒ MaineDOT/MPO’s quarterly meeting in Bangor where MaineDOT expressed concerned about processing change orders on MPO funded projects (non- PACTS) only to have the municipality express not being able to fund the overage.
- ⇒ Most of the municipal language in the three party agreement is consistent with and is an extension of the existing municipal/state agreement.
- ⇒ PACTS staff reviewing project funding reports with MaineDOT in 2007 and discovering expenditures to date prior to the municipality or PACTS staff being aware of the project kick-off.
- ⇒ In the past a scenario apparently occurred frequently where the MPO would fund a project, DOT would schedule a public meeting where the MPO was not in represented and the public’s presumption was the project was funded and developed independently by the DOT. Negative or non-supportive comments were directed specifically at the DOT.
- ⇒ Scope creep has occurred on projects without the knowledge or concurrence of the MPO which funded the project.
- ⇒ Direct communication between the DOT and the municipality can sometimes be difficult and the MPO can act as a facilitator and sometimes mediator.
- ⇒ When projects are withdrawn and outstanding expenditures need to be paid it has not been clear which entity is required to pay those expenditures.
- ⇒ MPO’s other than PACTS are directly involved with change orders. The three party agreement outlines the change orders process better.

Agenda Item 5 – Maine MPO’s Workshop Proposal

Staff Resource: John Duncan

Recommendation: Endorse recommendations on urban transportation finance and operations, and accept reports on Highway Simplification Study and Traffic Movement Permit rules work.

Background

Last week staff and six (6) Policy Committee members attended a second Maine MPO’s workshop. John Duncan opened the workshop. John Bubier facilitated the priority setting phase. John Melrose attended as a PACTS-paid resource.

Deputy Commissioner Bruce Van Note attended the entire workshop, and updated the group on the development of the **Highway Simplification Study**. Since then we have learned that Dave Cole will be the person from the PACTS area on the Policy Working Group:

Elwood Beal	Lisbon Public Works Director
Michelle Beal	Ellsworth City Manager*
Bob Belz	Auburn Public Works Director*
David Bernhardt	MaineDOT Maintenance and Operations Director
David Cole	Gorham Town Manager
Clint Deschene	Hermon Town Manager*
Greg Dore	Skowhegan Public Works Director
Richard Freethey	Brooklin Selectman*
Jim Hanley	Pike Industries
John Johnson	Jay Public Works Director*
Rob Kenerson	BACTS Director
Galen Larrabee	Knox Selectman*
Ryan Pelletier	St. Agatha Town Manager
John Sylvester	Alfred Selectman*
Bruce Van Note	MaineDOT Deputy Commissioner

* Appointed by MMA.

PACTS staff will participate in one or more of the study subcommittees on urban issues, boundaries, funding formulas, and roles and responsibilities.

Steve Landry made an extensive presentation on the MaineDOT proposal evolving to substantially change their **Traffic Movement Permit rules**. The participants were very supportive and asked many questions. See statewide map at the end of this packet regarding the cost per development trip in the combined labor market areas. Contact John Duncan for a copy of the proposed rule changes.

Urban Transportation Finance and Operations

Thirteen members and staff from the state's four MPO's produced these priorities for consideration by their Policy Committees and subsequent submission to the MaineDOT Simplification Study in early December and to the Legislature in January.

The strategies are from the September workshop and the BACTS (Melrose) study. The asterisks are for the highest priorities per the "dot" voting on November 10th.

Staff from MaineDOT, Maine Tomorrow and the Service Center Coalition also participated.

New Revenues

1. Allow Local Option Taxes for Transportation *
2. Create Credits for Locally Funded State Road Improvements
3. Revisit the MaineDOT Requirement for Local Match on MPO Projects

New Distribution of Funding

1. Reimburse Compact Communities Fully for Maintenance on State Highways *
2. Expand funding for the Transit Bonus Program *
3. MaineDOT Fund Maintenance Paving for Urban State Roads
4. Realign MPO Jurisdictional Boundaries
5. Eliminate the Hold Harmless Provision
6. Do Shadow Tolling (MaineDOT Share Funds Based on Regional VMT)
7. Reimburse Compact Communities for Town Ways

Traffic Movement Planning and Reviewing

1. MPO/Local Administration Under Future New Traffic Movement Permit Process *
2. MPO's Prepare Area Traffic Movement Plans and Review Traffic Movement Permits on Regional Basis *
3. Explore Strengthening the Link Between MPO's and Economic Development

Project Design Standards Flexibility

1. Apply More Design Flexibility in Collector Road Improvements *

Regional Transportation Authority

1. Establish a Pilot Regional Transportation Authority *
2. Explore New Roles for MPO's or RTA in Airport or Rail Operations

The next four pages – taken from a summary of the September 30th workshop – provide details on each of these items.

New Revenues

1. Allow Local Option Taxes for Transportation

One means of providing more funds to urban compacts for transportation expenditures would be the adoption of local option taxes. A local option could be adopted by individual towns or done on a regional basis, such as through an MPO region. This would allow compacts to collect the revenues necessary to meet the disproportionate transportation expenses they incur.

A local option motor fuel excise tax was considered, but this approach faces some practical hurdles since the existing tax is collected at the wholesale level. However, a local option motor fuel sales tax deserves further consideration since it might be more easily integrated with the existing sales tax system implemented at the retail level. A very rough initial calculation suggests that a 1% sales tax on gas and diesel levied only within MPO's might generate \$2.5 - \$3.0 million or \$12.5 - \$15 million at 5%. These amounts could double if all MPO and urban compact communities implemented such an option. These calculations are based upon AVMT but a more detailed analysis should identify the locations of retail gas stations and estimated volumes.

Another option is the imposition of a local option sales tax on automotive and transportation related sales. For FY 08, taxable sales in this segment were \$3.4 billion statewide. Sales in urban compacts totaled nearly \$2.5 billion. A 1% local option sales tax would collect an additional \$25 million a year if all compact communities exercised the option.

There are some significant political challenges posed by this approach. The legislature has historically opposed the creation of local option taxes. Opposition would likely come from gas station operators in the case of a sales tax on motor fuels and by new and used car dealers in the case of a local option sales tax on vehicles.

2. Create Credits for Locally Funded State Road Improvements

Forum participants raised the concept of creating an option for communities to proceed at their own expense with the improvement of a state road contingent upon the community receiving a credit on future local match requirements of the MPO or MaineDOT. This concept offers some similarity to the so-called "advance construction" provision used by FHWA and MaineDOT.

3. Revisit the MaineDOT Requirement for Local Match on MPO Projects

Local share requirements for capital improvements on state roads should be revised to assure consistency of treatment between urban and rural areas. While the traditional MaineDOT 10-15% urban share requirement has been suspended, the Department is planning to institute an alternative policy that likely will have communities picking up costs beyond the pavement edge and for extras added to the standard MaineDOT design.

New Distribution of Funding

1. Reimburse Compact Communities Fully for Maintenance on State Highways

MaineDOT currently spends roughly \$23,000 per centerline mile for maintenance (Interstate and bridges included), but reimburses compact municipalities roughly \$7,900 per mile for the same work (excluding Interstate and bridges). The reimbursement level varies from year to year depending on overall URIP budget levels. Assuming full reimbursement at the State's cost, compact municipalities would receive an additional \$13.3 million a year. Work is needed to uniformly quantify the actual cost to communities which is expected to be less on average than the State rate of expenditure. Through a uniform data collection effort, municipalities could also better compare their spending practices and encourage a discussion among communities of best practices. This will improve the delivery of services and may cut costs. MPO's should consider leading this effort.

2. Expand funding for the Transit Bonus Program

The Transit Bonus Program is oversubscribed. According to forum participants, in FY 08 the program was funded at \$610,000 and this year is at \$533,000. It was noted that at this level of funding only 30% of requests are honored. The Transit Bonus Program was designed as an incentive for communities to support transit. It is the only currently available means for the highway fund to support transit. The Program was originally designed to increase URIP payments to a community dollar for dollar for each new dollar of assistance a community raised locally to support transit.

3. MaineDOT Funding for Maintenance Paving

Currently, MaineDOT is responsible for maintenance paving state aid and state highways in rural areas, but provides no assistance beyond URIP for compact communities to maintenance pave urban state roads. In lieu of the previous recommendation, the state might consider at least picking up the cost of maintenance paving on state roads within compacts and thus invest an additional \$4.2 million a year in compacts. This assumes 883 road miles paved once every seven years (126 miles/year) at 550 tons/mile and \$33,000 per mile (based on MaineDOT 2009 bid prices). For the next paving season MaineDOT is estimating the cost to be \$40-50,000 per mile.

4. Realign MPO Jurisdictional Boundaries

Consideration should be given to the benefits of realigning MPO boundaries to only include complete municipalities. The current situation, where only portions of some towns are in the MPO, blurs lines of authority and makes planning more difficult. Similarly, urban compacts only extend through the built up sections of communities. It would simplify and clarify responsibility for maintenance if the boundaries of the urban compacts were extended to also be consistent with MPO boundaries. Another alternative would be to realign MPO boundaries to reflect the commuter shed, best represented by the Labor Market Area. This would align MPOs with existing traffic patterns and provide the basis for thoughtful regional planning.

5. Eliminate the Hold Harmless Provision

The URIP hold harmless provision that has been in place for a decade hinders urban funding consistent with the URIP formula. The provision assures that communities receive no less than what they were receiving under the prior law. When URIP funding levels decline, the number of hold harmless communities rises along with the cost of this provision causing the urban reimbursement provisions that are part of the new law to receive less financial support. Changing this feature of the law will have an impact on rural communities and therefore needs to be part of the rural negotiations in MaineDOT's highway simplification study.

6. Do Shadow Tolling (MaineDOT Share Funds Based on Regional VMT)

“Shadow tolling” involves the concept of sharing highway fund revenue on the basis of vehicle miles traveled. If MaineDOT proportionally shared its revenue based on vehicle miles traveled, the compact communities would benefit because of the relatively higher density of travel on their State and State Aid Highways. The MPO's total Annual Vehicle Miles Traveled (AVMT) on all public roads as a percent of total state AVMT is 15.69 %.

7. Reimburse Compact Communities for Town Ways

To achieve greater urban–rural equity, municipalities should receive the same rate of state URIP support for town ways whether inside or outside of an urban compact. This would provide \$2 million in additional funds to urban compact communities assuming the reimbursement rate for town ways remains as is under current law.

Traffic Movement Planning and Reviewing

1. MPO/Local Administration Under Future New Traffic Movement Permit Process

MaineDOT is in the midst of a comprehensive reconsideration of Maine's Traffic Movement Permit law. Within this discussion MPO's and urban communities have the opportunity to consider their role in managing a reformed traffic movement permit law and collect the fees charged assuming they are also willing to pick up the associated capital development responsibilities. Under a new scheme of regulation, a community might locally administer the law and provide for more efficient integration of State and local traffic regulation and a more rational assessment of fees. Presently under current law, MaineDOT has delegated to the municipalities of Portland, Auburn and Lewiston authority to issue traffic movement permits.

2. MPO's Prepare Area Traffic Movement Plans and Review Traffic Movement Permits on Regional Basis

MPOs could be more effective if they were given the responsibility to prepare an area traffic movement plan that identifies investments needed to ease the flow of traffic and which serves as a guide for issuing traffic movement permits that may require funding of the needed investments. The planning area might encompass the region's commuter shed or Labor Market Area. Reviewing traffic movement permits on a regional basis would provide for a more comprehensive determination of the regional impact of development and could provide for consistent impact fees throughout a region. This approach would expand the technical expertise within an MPO and provide for the opportunity to coordinate offsite improvements in a comprehensive and cohesive way.

3. Explore Strengthening the Link Between MPO's and Economic Development

MPO's are co-located with regional planning and economic development agencies and enjoy cooperative relationships with these agencies. This existing partnership creates an opportunity to explore further the marriage of transportation and economic development. These entities should explore more deeply the notion of planning and investing in transportation developments that serve as catalysts for economic development. Such an initiative should provide a mechanism whereby the value of the economic development realized is recaptured to compensate for the transportation improvements.

Project Design Standards Flexibility

1. Apply More Design Flexibility in Collector Road Improvements

Forum participants also sought to advance a dialogue with MaineDOT on the Department's collector highway design standards with an eye toward lowering the costs of repair. Communities would like to explore design options that improve upon an existing substandard road but do not require full scale rehabilitation. This involves striking a different balance between what the traveling public needs and what they are willing to finance.

Regional Transportation Authority

1. Establish a Pilot Regional Transportation Authority

The previous recommendation suggested that the MPO be coterminous with municipal boundaries and that urban compact boundaries be the same as municipal boundaries. A set of contiguous urban compact communities should consider proposing to the Legislature the creation of a Regional Transportation Authority that performs all maintenance and operation duties otherwise performed in the area by MaineDOT except Interstate and bridge maintenance. An analysis of this concept may well lead to a less expensive approach for taxpayers. The new Authority would need strong guarantees from the State that it will be fairly compensated for the work done on state roads. The Authority could house MPO planning functions, raise revenues such as through the previously mentioned local option taxes, issue bonds for capital improvements, be a transit operator, manage cooperative purchasing of materials and services, perform highway maintenance or aspects of it like traffic signalization and stripping, provide engineering and project development services and serve as a regional clearinghouse for area traveler information services. This concept should be designed locally and negotiated with MaineDOT before being submitted to the Legislature. It was noted at the forum that AVCOG presently has the authority, with community consent, to issue bonds. Comment was also made on the need to have a resource locally that could provide technical support to communities wishing to perform "Locally Administered Projects" with MaineDOT.

2. Explore New Roles for MPO's or RTA in Airport or Rail Operations

Forum participants expressed interest in exploring further the role of an MPO or an RTA in airport operations or rail operations when such modes are under the jurisdiction of municipalities. (This idea began with a similar concept in the BACTS Study.)

Agenda Item 6 – PACTS Credit Program

Staff Resource: John Duncan and Paul Niehoff

Member Resources: Originally the TIP Process Committee, and more recently the consensus of a meeting of the Executive Committee with Tom Hall, Jim Gailey and Anna Price

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

Context

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

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

Program Goal

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

A 10% Credit and a Cap per Municipality

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

Policy Committee Action in September 2010

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

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

Eligibility Requirements

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

Eligible Uses of Credit Program Funds

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

PACTS Holding PIN

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

Staff Comments

Staff realizes that the existence of this Credit Program will be only a minor incentive in a municipality’s decisionmaking about using local funds to 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. Staff can explain further.

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

Agenda Item 7 – Consent Agenda

1. In a combined effort PACTS and GPCOG will submit a **joint ARRA Application for Aerial Photographs funds** through the USGS for obtaining orthoimagery data. Staff will consider the Policy Committee's approval of this Consent Agenda as an endorsement of this application. More information will be available from Paul Niehoff and GPCOG staff at Thursday's meeting. There is no match required.
2. We have begun to prepare a **4-minute video** on PACTS and regional transportation issues. We will show it to our Legislative Delegations in Augusta, on local public access television stations and other venues. This will be the first in a series of videos. We will discuss this and other ideas with the Executive Committee next month. We recently spent 1.5 hours in a plane videotaping throughout the PACTS region. We also took still photos. Just ask if you would like to use what we have of your municipality.
3. Charles Colgan has just produced his Year 2030 forecasts for population growth in our municipalities for the Gorham East-West Corridor Study. They show a **significant increase** in growth compared with the past 20 years. We are reviewing the forecasts with Charlie and the region's municipal planners. **Please look** at the "land use scenarios" maps (one in this meeting packet) in our conference room when you are here. They could provoke a lot of discussion about how we want our region to grow in the next two decades.
4. MaineDOT will release next month the final report for their **I-295 Corridor Study**. PACTS and Turnpike Authority staff are reviewing the final draft. In 2006 the Policy Committee endorsed the study's general recommendations. The report is very well written, has excellent graphics, is thorough in scope, is responsive to the comments received from local officials and citizens, and clearly states that the long-term recommendations are not funded and will require substantial further study (based on significant monitoring of trends) and coordination with stakeholders before implementation.
5. The Bangor City Council recently chose to not renew City Manager **Ed Barrett's** contract. Ed was active with BACTS. **Debby Fossum** has retired from her position as Gorham Town Planner. The White House recently announced that **Sandy Blitz** will head up the new agency that is charged with investing in the economic development of Maine, New Hampshire, Vermont, and parts of upstate New York. That new agency, the Northern Border Regional Commission, also recently received \$1.5 million to begin operations.
6. John Duncan recently attended the annual meeting of the national **Association of MPO's** in Savannah, Georgia. Here are some highlights.
 - Several presentations on federal legislation related to climate change and transportation policy and funding. EPA and HUD are likely to work more closely with U.S. DOT in the future.

- The Census Bureau might change its procedures for defining Urbanized Areas. *This could mean a significant increase in the size of PACTS in 2012.*
 - A major national study on green house gas reduction strategies estimates only an annual 1% increase in the cost of fuel in the next 20 years.
 - Several sessions on land use and transportation planning.
7. Carl recently attended the **Railvolution** annual conference in Boston. Here are some highlights.
- The Federal interagency "Livable Communities" initiative, between U.S. DOT, U.S. Housing and Urban Development (HUD) and the EPA will guide funding opportunities for transportation. See <http://www.epa.gov/dced/2009-0616-epahuddot.htm>
 - Nationwide, the population is trending into Transit Oriented Development (TOD) residences at an increasing rate: 6 million live in TOD zones today, and 16 million or more by 2030.
 - MPOs like PACTS are taking a more proactive role in planning growth along transit corridors. The growth of TOD residences is primarily limited by the rate of expansion of transit systems.
 - States like Maine with older and aging populations will benefit in infrastructure cost savings by attracting and retaining people in mixed age, walkable, transportation efficient corridors and communities.
8. Paul Niehoff and Carl Eppich have distributed the application forms for TIP proposals. **Proposals are due on January 8th.**
9. Our **Regional Bike and Pedestrian Plan** (Paul Niehoff) and our **Regional Signal Coordination Study** (Carl Eppich) are almost done. See signals study map below. MaineDOT has secured the **ARRA funds** (that Carl applied for) for the some new signal coordination on Brighton Avenue as recommended in the study.

Recent Committee Meetings

- November Executive Committee Topics
 1. Topics on today's agenda
 2. Regional aerial photography flight
 3. Franklin Arterial Corridor Study Phase II
 4. Transit Holding PIN
 5. PACTS "media activities" talk was tabled due to time limits
- December 10th Planning/Transit Joint Meeting

MaineDOT presentation on the Portland North Study

- The *Destination Tomorrow* Update Subcommittee

Currently identifying the major recommendations for this update, and updating the existing plan's 90 strategies (and eliminating many). The group has met six times. **Our goal is Policy Committee adoption of the Update next June.**

- Technical/Planning Joint Meeting Topics

1. Regional Bicycle/Pedestrian Plan
2. Information presentation on the many projects in the next few years on I-295 and the Turnpike

- Transit Committee Topics

1. Subcommittee report regarding continued discussion of potential revisions to the distribution formula for FTA Section 5307 funds
2. Regional route study, regional pass system, and transit in comprehensive planning
3. Regional automatic vehicle location project

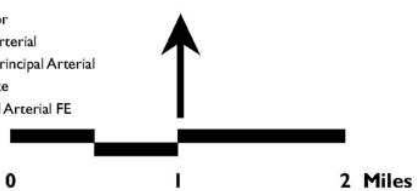
- Executive Committee draft December agenda

1. PACTS "media activities" plan
2. Report on proposal to expand the scope of the \$400,000 Franklin/Marginal intersection design project to the entire Franklin Street Arterial – and to incorporate the \$100,000 in our UPWP into that effort.
3. Report on proposal to change the scope of the recently approved Portland-South-Portland fixed guideway study to a broader regional transit oriented strategic initiative.
4. Overviews of Regional Bike/Ped Plan and Regional Traffic Signal Coordination Study
5. Overview of work to date on the Destination Tomorrow Update



Legend

- | | |
|---|---|
| <ul style="list-style-type: none"> Subsystem Boundary (Color Coded by Priority) Phase I Traffic Signal (RTMS Intersection Number) Adjacent Signals Considered for Subsystem Connection Railroad Surface Water Stream Municipal Boundary | <ul style="list-style-type: none"> Local Collector Minor Arterial Other Principal Arterial Interstate Principal Arterial FE |
|---|---|



PACTS Regional Traffic Signal Management System

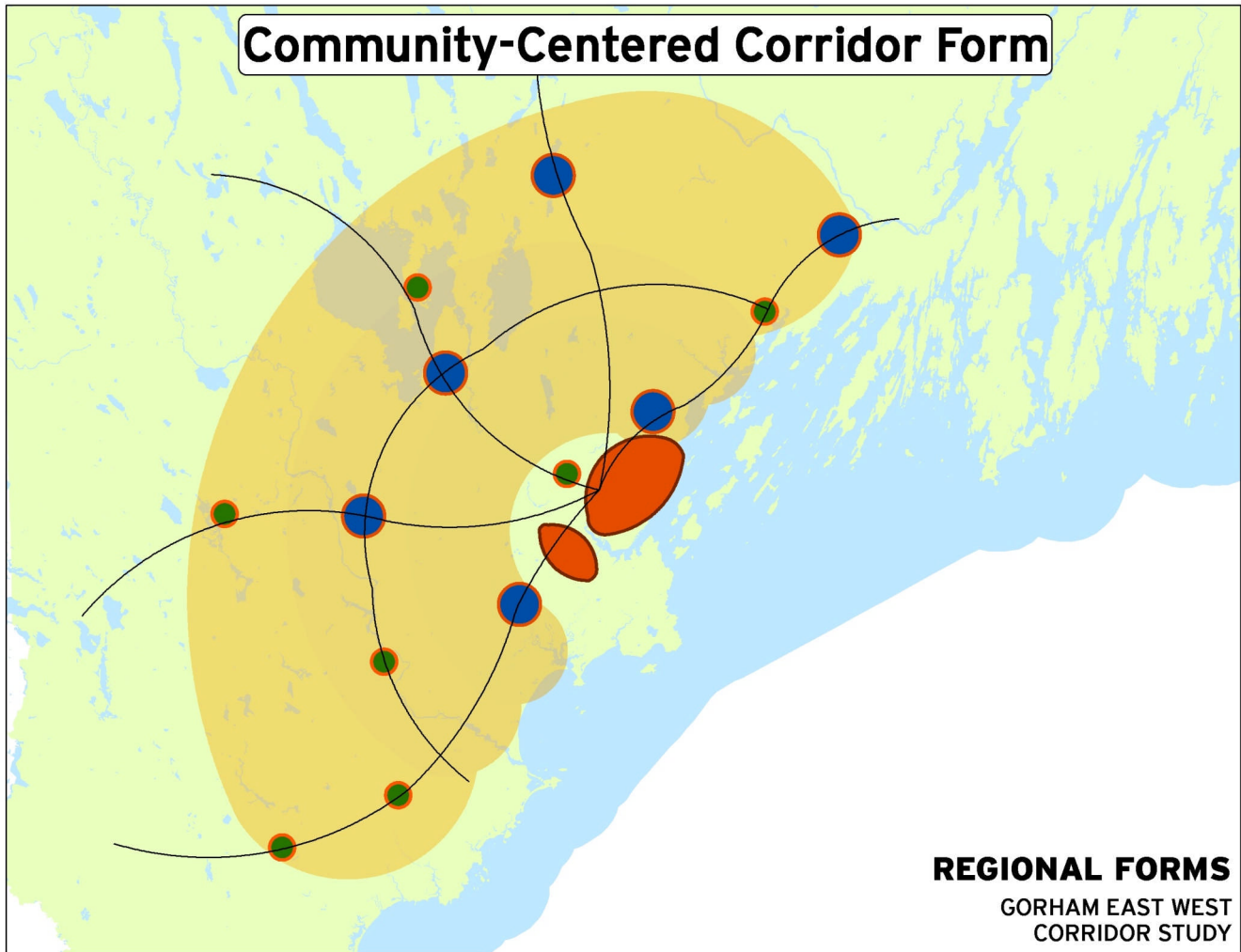
Phase I
Base Map

VHB Vanasse Hangen Brustlin, Inc.

PACTS **GPCOG**



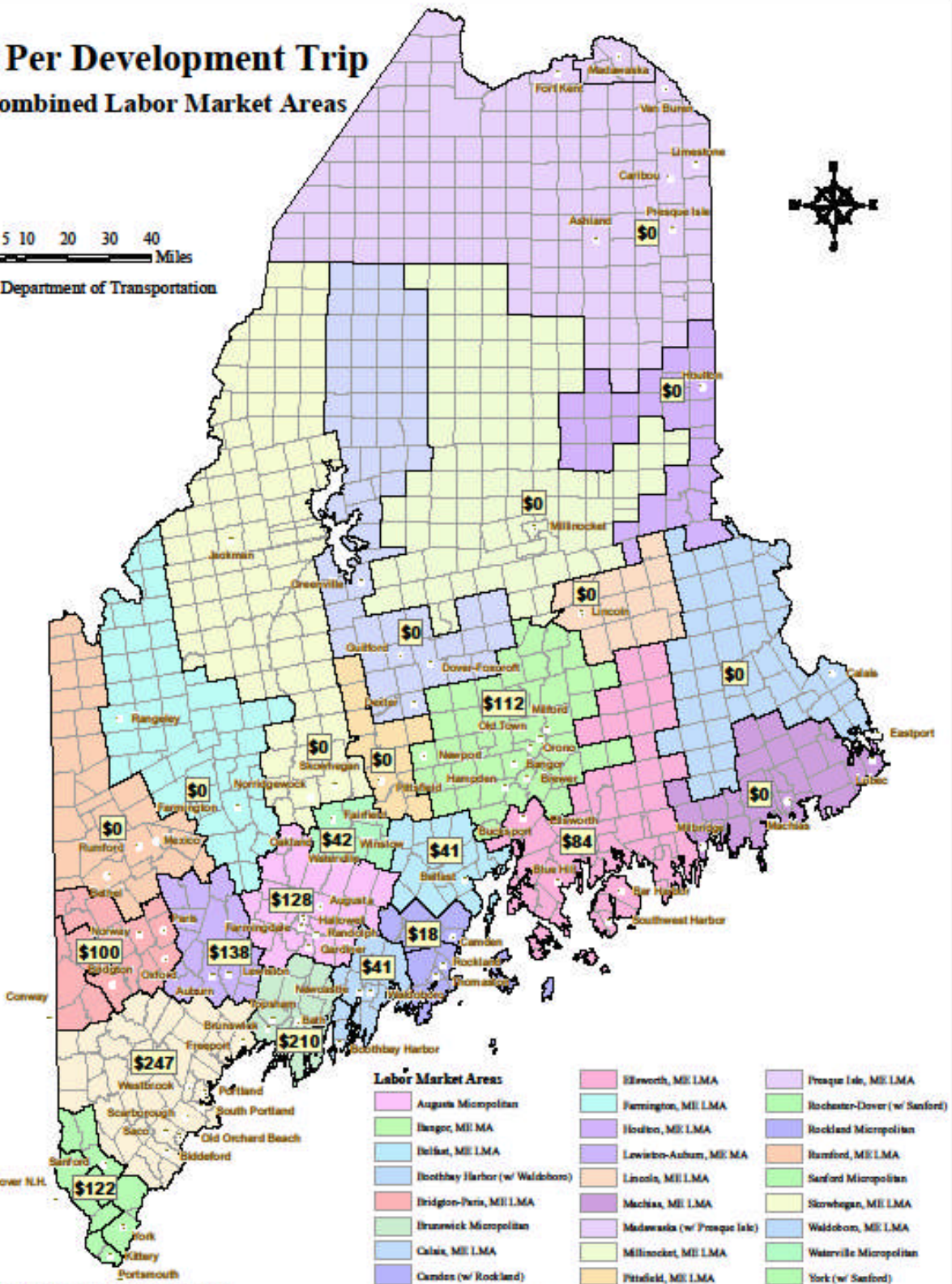
One of five “Regional Forms” discussed at
the October 29th Land Use Workshop



Cost Per Development Trip by Combined Labor Market Areas

0 5 10 20 30 40
Miles

Maine Department of Transportation



Labor Market Areas

- | | | |
|--------------------------------|-----------------------------|------------------------------------|
| Augusta Metropolitan | Ellsworth, ME LMA | Presque Isle, ME LMA |
| Bangor, ME MA | Farmington, ME LMA | Rochester-Dover (w/ Sanford) |
| Belfast, ME LMA | Houlton, ME LMA | Rockland Metropolitan |
| Boothbay Harbor (w/ Waldoboro) | Lewiston-Auburn, ME MA | Rumford, ME LMA |
| Bridgton-Paris, ME LMA | Lincoln, ME LMA | Sanford Metropolitan |
| Brunswick Metropolitan | Machias, ME LMA | Skowhegan, 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 |
| Portsmouth (w/ Sanford) | Portsmouth (w/ Sanford) | Cost/Trip Generated by Development |

DISCLAIMER - The Maine Department of Transportation provides this publication for information only. It is subject to revision and may be incomplete depending upon changing conditions. Reliance upon this information is at the user's own risk. The Department assumes no liability if injuries or damages result from this information.

Cost_per_development_trip_combined_LMAs_08142009