

PACTS Executive Committee

April 16, 2021

8:00 am

Meeting Minutes

Name	Affiliation	Attendance
Jim Bennett	Southern Subregion	Y
Chris Branch	Central Subregion	Y
Jennifer Brickett	MaineDOT	Y
Hope Cahan	PACTS Vice Chair	Y
Erin Courtney	Maine Turnpike Authority	
Eric Dudley	Western Subregion	Y
Greg Jordan	Transit Committee Chair	Y
Matt Sturgis	PACTS Chair	Y
VACANT	Northern Subregion	
For GPCOG		
Chris Chop, Andrew Clark, Kristina Egan		

1. Welcome

Matt Sturgis opened the meeting and welcomed the attendees.

2. Public Comment

No public comment was received.

3. Acceptance of the March 18 and April 6 Meeting Minutes

Jim Bennett moved to accept the March 18 and April 6 meeting minutes as written; Hope Cahan seconded. Chris Branch and Jen Brickett abstained, all others were in favor.

4. Preparing for Potential Transportation Earmarks

At its April 6 meeting, the Executive Committee discussed projects to submit for potential federal transportation earmark funding. Three priority projects included:

- Casco Bay Lines ferry replacement—\$12 million total, \$10.2 million in federal funding
- Regional Traffic Management System (RTMS) server upgrade—\$2.5 million total, \$1.875 million federal
- Funding towards the Collector Paving Program project backlog—\$38.0 million total, \$7.2 million federal requested

In advance of a final decision, the committee tabled the item and staff sought additional guidance. The deadline to submit projects to Congresswoman Pingree's office is April 23.

Hope moved to untable the item, Chris Branch seconded. All were in favor.

Jim felt it would be most beneficial to advance projects that would not otherwise receive funding from regular federal apportionments. Kristina Egan said the three projects represent the top unfunded priorities. An additional list of smaller TIP projects is also provided, should the committee choose to submit smaller projects to the Congresswoman's office. Kristina noted the TIP projects went through the usual public outreach process; some project ideas came from the December 2020 GPCOG call for projects; others came from the 2019 PACTS Priorities process, which included extensive public outreach.

Matt asked how regional transit funding might be affected if the ferry replacement were put forward. Kristina noted the ferry replacement could free up an estimated \$10 million for other transit projects. Hope felt the ferry was top priority. Greg echoed the ferry replacement's positive financial impacts, noting the ferry replacement would otherwise consume 50 percent of the region's regular FTA apportionment.

Hope asked whether the projects would be submitted in ranked order. Kristina said a ranking could be articulated when the projects are submitted.

Chris Branch was supportive of all three projects, and agreed the ferry was the top priority.

Jim moved to advance the three priority projects as presented to Congresswoman Pingree's office, in no particular order but with the understanding that staff could informally communicate a preference; Eric Dudley seconded. Jen Brickett abstained; all others were in favor.

Jim moved to authorize staff to communicate to Congresswoman Pingree's office that an additional list of TIP projects can be made available upon request if there is a desire for additional projects, and to authorize staff to advance those projects if necessary; Hope seconded. Jen Brickett abstained; all others were in favor.

Hope moved to authorize staff to issue a letter indicating that the projects can be added to the TIP; Jim seconded. Jen Brickett abstained; all others were in favor.

5. Designated Recipient Status

Hope moved to untable the item, Eric seconded. All were in favor.

At its March 18 meeting, the Executive Committee had requested information on the region's FTA designated recipient structure:

- *Best practice*—The FTA prefers one designated recipient per region. The greater Portland region has six, which is unusual for a relatively small region.
- *How the current structure was established*—After the 2010 Census, PACTS became a large MPO and was instructed to identify one or more designated recipients. In 2012, the PACTS Policy Committee voted to designate the current six designated recipients. The minutes from this meeting do not indicate significant discussion, and characterize the decision as pro forma. In 2013, MaineDOT Commissioner Bernhardt "designated" the six entities as "direct" recipients. The FTA, however, considers those entities as designated recipients because the status quo has since treated them as such.
- *How the structure would be changed*—Changing the region's designated recipient structure would require a letter from the governor and concurrence from each of the designated recipients. PACTS is not able to take unilateral

action. Staff have included information from other regions that have changed their designated recipient structure in light of inability to reach agreement on funding processes.

Since the March 18 meeting, the region's designated recipients unanimously agreed to the process used to allocate FTA funding as detailed in the Transportation Funding Framework. Additional unanimous agreement will be necessary in 2022, when operations funding is incorporated into the framework, and in 2025, when the 12 percent set-aside for system enhancement projects is evaluated.

Two key concerns were raised throughout the funding framework process: ensuring enough funding would be available for operations and maintenance, and the new PACTS committee structure resulting in new perspectives in decision making. It has not been the intent of these processes to pursue consolidation. PACTS seeks to advance a customer-focused system that operates regionally.

Hope referenced a model of the MPO serving as the region's designated recipient, which would allow for a process of transit agencies and other stakeholders to be involved, while still allowing decision making to move forward under a majority or supermajority. As chair of METRO, she noted METRO is not pursuing consolidation, but rather collaboration.

Matt asked for public comment.

- Hank Berg of Casco Bay Lines thanked the committee for considering the ferry replacement for earmarks. He noted that, regardless of which agencies are designated recipients, all parties must work collaboratively to allocate funding. He felt it was time to rebuild trust among partners, and did not support further investigation into changing the region's designated recipient structure.
- William Gayle of NNEPRA agreed, noting the new Executive Board would soon be in place.
- Scott Morelli of the City of South Portland felt, in the spirit of collaboration, there should not be discussion of changing agencies' designated recipient status. He noted there had been several agencies in opposition to the funding framework.

Jim noted the challenges of, on one hand, processes that allow one person or entity to prevent progress, and, on the other, processes controlled by only one person or entity. He felt the existing process is problematic.

Jen noted that MaineDOT fully agrees with the need for a customer-focused system. She supported working together to build off the success of recent meetings.

Greg reiterated that METRO is not pursuing consolidation, but rather seeks to advance a regional network that functions seamlessly for riders. He mentioned his past experience working in the Phoenix area, which has local administration of a regional system. He supported continuing to examine the designated recipient structure, including a model with the MPO as the designated recipient.

Matt supported continuing to gather information on the issue, but to prioritize a focus on customer experience and building back ridership.

Jim suggested returning to the issue in the future. He suggested framing the discussion around how a sound process might look. Kristina suggested hosting this conversation at the Policy Board level—of which each transit agency is a member—in 2022. The group agreed the conversation should be grounded in the principles of:

- Advancing collaboration between the agencies
- Ensuring the agencies have the proper amount of influence in the decision
- Avoiding a situation where one party could stall a regional process

6. Other Business

As this meeting is the final Executive Committee meeting, Matt thanked the committee members for their work. Hope thanked Matt for his leadership.

7. Adjourn

Hope moved to adjourn; Greg seconded. With no objection, the motion carried.