

**PACTS Executive Board**

June 28, 2022

9:00–10:30 am

Meeting Minutes

Affiliation	Member	
Policy Board Chair	Matt Sturgis	✓
Policy Board Vice Chair	Hope Cahan	✓
Central Subregion Rep.	Keith Gray	✓
Central Subregion Rep.	Kate Lewis	✓
North Subregion Rep.	Scott LaFlamme	
South Subregion Rep.	Jim Bennett	
West Subregion Rep.	Eric Dudley	

Affiliation	Member	
MaineDOT	Ryan Neale	✓
Maine Turnpike Auth.	Erin Courtney	✓
Active Transp. Specialist	Kara Wooldrik	✓
RTAC Liaison	Tom Milligan	✓
Transit Rep.	Hank Berg	✓
Transit Rep.	Greg Jordan	✓
Transit Rep.	Jack DeBeradinis	

**1. Welcome**

Matt Sturgis opened the meeting and welcomed the attendees.

**2. Public Comment**

No public comment was received.

**3. Approval of the April 26 Executive Board Meeting Minutes**

Hank Berg moved to approve the April 26 meeting minutes as written; Hope Cahan seconded. Ryan Neale abstained; all others were in favor. (7–0–1)

**4. Staff Report**

Based on member feedback, staff will continue to balance detail and brevity in PACTS agenda packets and minutes.

At its May 3 meeting, the Regional Transportation Advisory Committee (RTAC) recommended for approval by the Policy Board the recommendations of the Complex Projects Task Force. The board will consider the recommendations at its July 28 meeting.

At its June 7 meeting, RTAC recommended for approval by the Policy Board a funding strategy for PACTS’ 2025 Federal Highway Administration (FHWA) allocation, detailed in Table 4-1 of the meeting packet. The board will consider the recommendations at its July 28 meeting. Staff anticipate increased funding due to the 2021 Infrastructure Investment and Jobs Act (IIJA) and will work to identify shovel-ready projects for any potential funding increases. Staff are also working with MaineDOT to determine

an updated funding formula, as PACTS has been flat-funded for 12 years despite increases in federal funding.

## **5. Connect 2045 Call for Projects Update**

The Connect 2045 Call for Projects is an opportunity for PACTS to identify and prioritize regionally significant projects for inclusion in the plan. Based on projected funding availability for the next 20 years, submitted projects will be ranked into either 1) a fiscally-constrained list comprised of the highest-scoring projects; or 2) an illustrative list comprised of projects that are aspirational in nature. This process ensures consistency between the plan and the projects that are selected, an ability to prioritize projects for additional funding opportunities, and compliance with federal guidance.

At its April 26 meeting, the Executive Board advised staff to develop the call for projects process and scoring criteria in consultation with RTAC. At its May 3 and June 7 meetings, RTAC provided input on the project evaluation criteria and scoring process. The scoring criteria presented in Attachment 5-A reflects this iterative development by RTAC.

Staff received 70 projects. Scoring will be underway soon and completed by early August. Sorting into the fiscally-constrained and illustrative lists will be informed by the projects' scores, budgets, and overall readiness.

Matt Sturgis asked for public comment. Ken Capron of Portland felt the requirement that Micro-Rail have a project sponsor was counter to federal guidance. Staff referred to materials circulated at the beginning of the process outlining the responsibilities of project applicants. Matt closed public comment.

Hope Cahan suggested staff conduct a process after the plan is approved to document lessons learned.

Greg Jordan asked how projects submitted by individual transit agencies would be handled to ensure compatibility with regional goals, for example as outlined in Transit Tomorrow. Staff noted there would be a process for staff and the transit agencies to review projects for opportunities to collaborate.

Greg asked how discretionary funding would factor into the fiscally-constrained list. Staff recommended documenting the region's history of securing discretionary funding but not including it, as the funding is not guaranteed. Staff will seek additional guidance from FHWA and the Federal Transit Administration (FTA).

Hank Berg asked which FTA funding streams will be assumed in the funding forecasts. Staff will consider the region's Section 5310 and 5339 funding and 12 percent of the region's Section 5307 funding. Staff confirmed maintenance needs are exempt from the call for projects.

**6. TIP Amendment: Biddeford-Saco-Old Orchard Beach Transit**

Biddeford-Saco-Old Orchard Beach Transit was awarded \$1,224,531 in FTA Section 5339c Low- or No-Emission Vehicle Program discretionary funding, to be matched with \$136,059 in local funding. The funds will support the installation of on-route pantograph charging infrastructure.

Receipt of the funding award requires an amendment to PACTS' 2022–2025 Transportation Improvement Program (TIP). The amendment was posted for a 10-day public comment period; no comment was received.

Greg Jordan moved to approve the TIP amendment as presented; Hope Cahan seconded. All were in favor. (10–0)

**7. Approval of the 2022 Five-Year Capital and Operating Plan**

One responsibility of PACTS is the annual programming of the FTA funding sources shown in Table 1:

**Table 1  
Regional FTA Transit Funding by Program**

Program	FY 2022 Apportionment
<b>Section 5307</b> , Urbanized Area Formula Grants	<b>\$13,883,171</b>
<b>Section 5310</b> , Enhanced Mobility of Seniors and Individuals with Disabilities Formula Grants	<b>\$309,684</b>
<b>Section 5337</b> , State of Good Repair Formula Grants	<b>\$13,213,697</b>
<b>Section 5339</b> , Bus and Bus Facilities Formula Grants	<b>\$291,815</b>

Section 5307 and 5337 funds are allocated via annual updates to the region's Five-Year Capital and Operations Plan (FYCOP).<sup>1</sup> Based on the transit agencies' projected funding needs and the region's available funding, staff and the agencies work to develop a balanced budget for the next five years.

Approval of the FYCOP finalizes funding for *the current year* (2022) only. This year, inflationary pressure and significant capital needs have created challenges in balancing the region's Section 5307

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<sup>1</sup> Historically, the region's Section 5310 and 5339 formula funds have been allocated to and administered by MaineDOT. Beginning this year, PACTS will retain these funds to improve consistency and clarity in administration of the region's federal funds. Staff will coordinate with RTP and YCCAC to identify needs for the region's Section 5310 funding. Staff recommend allocating the region's Section 5339 funding to South Portland Bus Service to support that agency's purchase of two replacement buses.

funding. Staff developed two versions of the proposed FYCOP: a "balanced" scenario that spreads Casco Bay Lines' 2022–2023 capital funding needs through 2025, and an "unbalanced" scenario. Approval of the "balanced" scenario would require a commitment of *future* (2023–2025) funds.

Lastly, staff recommend PACTS pursue a metrics-based approach for allocating the region's transit funds, for several reasons:

- The FYCOP is not rooted in regional goals or performance outcomes.
- Nationwide, many MPOs administer regional funding to multiple agencies via metrics-based formulas.
- The region's Section 5337 funding has long been split via a metrics-based formula; namely, according to the total directional route miles of Casco Bay Lines and NNEPRA.
- PACTS' Transportation Funding Framework, adopted in April 2021, requires the development and implementation of a "criteria-based process for allocating operating funds" by 2023.
- Federal regulation requires funding be allocated through performance-driven, outcome-based approaches.

Matt Sturgis asked for public comment. Tom Reinauer of YCCAC asked whether the existing Funding Framework Task Force would be the group to develop the metrics-based allocation process. Staff suggested the Transit Task Force do that work, as informed by national best practice and guidance from RTAC and the Policy Board.

Patricia Quinn of NNEPRA cautioned against developing a metrics-based process without fully understanding the impacts to the agencies. Matt closed public comment.

Hank Berg noted the recommendation to develop a metrics-based process for *all* funding goes beyond the Funding Framework's direction to develop such a process for *operations* funding. Staff agreed, but recognized the opportunity to develop a holistic and streamlined process.

The group discussed the implications of approving the "balanced" or "unbalanced" FYCOP scenario. Hank noted that the funding challenge was in part due to the replacement of Casco Bay Lines' Peaks Island ferry vessel. FTA allows funding to be spread out over multiple years as long as a commitment to future funding is identified in the split letter. He added that an additional vessel will not be needed for 10–12 years.

Hank moved to approve the FYCOP as presented in Attachment 7-A (the "balanced" scenario); Erin Courtney seconded.

Hank noted that any decision will not preclude Casco Bay Lines' pursuit of discretionary funding.

On the motion, all were in favor. (9–0)

The group directed staff to explore a metrics-based funding allocation process with the Transit Task Force, particularly as it may relate to maintenance funding. The group underscored the need for additional stakeholder input beyond the Transit Task Force into that process.

#### **8. Reprogramming 2023 PACTS MPI Funds**

Tom Milligan moved to approve Option 1 as presented in Attachment 8-B. With no second, the motion did not advance.

Kate Lewis moved to postpone the item to the July meeting; Keith Gray seconded. Tom was opposed; all others were in favor. (8–1)

#### **9. Other Business**

There was no other business discussed.

#### **10. Adjourn**

Hank Berg moved to adjourn; Greg Jordan seconded. All were in favor. (8–0)