

**TRANSPORTATION ADVISORY COMMITTEE  
MARCH 17, 2010  
MINUTES**

The Transportation Advisory Committee met on Wednesday, March 17, 2010 at 4:00 p.m. at the CAMPO offices, Professional Building, 127 W. Hargett Street, Suite 800, Raleigh, NC with the following present:

**Members**

Joe Bryan, presiding  
Harold Broadwell  
Don Bumgarner  
Frank Eagles  
R. H. Ellington  
Hubert Gooch  
Jackie Holcombe  
Vivian Jones  
Russell Killen  
Don Lancaster  
Charles Meeker  
Jeff Merritt  
Julie Robison  
Dick Sears  
Keith Weatherly  
Herman Wilkerson  
Ronnie Williams

**Staff**

Ed Johnson  
Chris Lukasina  
Diane Wilson  
Kenneth Withrow  
Brandon Watson  
Kyle Ward  
Richard Epps  
Shelby Powell  
Gerald Daniel  
Robert McCain

**Others**

Carl Dawson  
David Eatman  
Chip Russell  
Wally Bowman  
Liz Johnson

**Representing**

Wake County  
Wendell  
Zebulon  
Rolesville  
Angier  
Granville County  
Morrisville  
Wake Forest  
Knightdale  
Franklin County  
Raleigh  
Triangle Transit  
Cary  
Holly Springs  
Apex  
Creedmoor  
Garner

**Representing**

CAMPO Director  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff  
CAMPO Staff

**Representing**

Raleigh  
Raleigh  
TCC Chair  
NCDOT  
Morrisville

Jennifer Harris  
Kristin Maseman  
John Jergensen  
Tim Maloney  
Tim Gardiner  
Danny Johnson  
Jonathan Parker  
Scott Walston  
Sig Hutchinson  
John Hodges-Copple  
Mike Fendrick  
Matt Weioner

NC Turnpike Authority  
H. W. Lochner  
Granville County  
Wake County  
Wake County  
Fuquay-Varina  
TTA  
NCDOT  
Bicycle/Pedestrian Advocate  
Triangle J-COG  
Parsons-Brinckerhoff  
Parsons-Brinckerhoff

The meeting was called to order by Chairman Bryan with discussion and actions taken as shown:

**AGENDA – APPROVED**

Without objection, the agenda was approved as presented.

**PUBLIC COMMENTS – NONE RECEIVED**

Chairman Bryan announced this was an opportunity for comments from those in attendance. No one asked to be heard.

**MINUTES – FEBRUARY 7, 2010 – APPROVED AS PRESENTED**

Minutes of the February 7, 2010 meeting were provided in the agenda packets. Mr. Meeker moved approval of the minutes as presented. His motion was seconded by Mr. Sears, unanimously passed. Chairman Bryan ruled the motion adopted.

**CONSENT AGENDA**

All items on the consent agenda are considered to be routine and may be enacted by one motion. If a member requests discussion on an item, the item will be removed from the consent agenda and considered separately. Mr. Weather requested that Item 6 (Resolution Concerning H1451: Bicycle Protection Act) be removed from the agenda. Mr. Lancaster moved approval of the remainder of the consent agenda. His motion was seconded by Mr. Sears, unanimously passed. Chairman Bryan ruled the motion adopted.

The following items were on the Consent Agenda:

**2009-2015 MTIP AMENDMENT #4 AND AMENDMENT #5 – RELEASED FOR PUBLIC REVIEW AND COMMENT – PUBLIC HEARING SCHEDULED FOR APRIL 21, 2010 TAC MEETING**

In an effort to be better positioned for possible stimulus funding or other grant opportunities that may come available, the Capital Area Transit is requesting two MTIP amendments. The amendments will add two unfunded projects to the MTIP as follows:

Amendment #4: New Bern Avenue/College Park Corridor Project

A 7.5 mile roundtrip bus rapid transit route connecting downtown Raleigh with Wake Medical Center and Wake Technical Community College. The project will serve a large redevelopment area along the corridor, known as College Park.

The total cost for projects is \$13,947,250. A 20 percent local match commitment of \$2,789,450 from the City of Raleigh results in an Urban Circulator grant request for \$11,157,800 which is broken down as follows:

New Bern Rehab/Reconstruction - \$6,389,750: Includes the roadway rehabilitation/reconstruction along New Bern Avenue, including paving, streetscape, sidewalk, curb and gutter, utilities, etc.

BRT Hybrid Vehicles - \$3,000,000: The purchase of five hybrid vehicles, four peak hour vehicles and one reserve vehicle.

Support Facilities - \$500,000: Construction: hybrid vehicle charging station.

Signals, Signs, AVL, Pre-emption - \$557,500: Installation of pedestrian signals, signs, automatic vehicle locaters (AVL), signal priority for transit.

Transit Stations - \$3,500,000: Construction and amenities for 12 transit stations.

Members were provided with the amendment requested and a map and background data for review in their agenda packets.

Amendment #5: Capital Area Transit Park & Ride – Poole Road

Capital Area Transit currently owns approximately 7 acres of property on the east side of Office Way, directly across from the new Transit Operations and Maintenance Facility under construction on Poole Road. CAT intends to build a 200+ park and ride facility on this site. The location will provide a convenient park and ride link for all buses departing and returning to the new Transit Operations Facility from the Downtown Area. The frequent service to and from this lot will provide a high quality alternative for single occupancy vehicles entering the Downtown Raleigh area. In addition, the park and ride

lot is proposed to be located directly adjacent to Fire Station 12. The large volume of parking immediately adjacent to the fire station will allow the location to be used as an emergency staging area for natural disaster responses. The site was purchased with 100% local funding. It is anticipated that the value of the land will be used as the in-kind match for this project. The project is budgeted at \$3.5 million. Members received the amendment requested and a map and background data for review in their agenda packets.

**TAC Action:** Release Amendments 4 and 5 to the 2009-2015 MTIP for public review and comment beginning on March 19 with a written comment deadline of April 19 and schedule a public hearing to be conducted at the April 21, 2010 TAC meeting. Upheld on Consent Agenda: Lancaster/Sears – unanimous.

### **WAKE COUNTY TRANSIT PLANNING UPDATE – RECEIVED AS INFORMATION**

The agenda noted following the passage of House Bill 148 in the 2009 Session of the North Carolina Legislature, a project to complete information such as transit route data, transit ridership data and funding data needed to address the Wake County Board of Commissioners' and the Wake County Manager's interests regarding planning and implementation of transit services is underway. The Wake County Commissioners are requesting that the data above, along with proposed land use plans, service plans and financial plans be compiled into a written report for their review prior to scheduling a public referendum for a ½ cent sales tax on transit. Details on the documentation produced and being gathered were in the agenda packet. Several groups including the Wake County Managers, Transit Providers, the Land Use Community Infrastructure Development (LUCID) Group, Wake County planners, CAMPO staff and affordable housing providers have been approached for information and input on this effort. Several town boards have also requested information and input on this effort as well as a general update on the area's transit strategies. Upcoming town meetings as scheduled as follows:

March 9 <sup>th</sup>	6:30 p.m.	Town of Morrisville
March 22 <sup>nd</sup>	7:00 p.m.	Town of Wendell

A Joint TAC meeting to be held on Wednesday, March 31 will feature a discussion on the status of the Wake County Transit Plan and how Wake County is proceeding to prepare for a future referendum. Members received in their packets a copy of the draft Wake County Transit Documentation View.

**TAC Action:** Receive as information. Lancaster/Sears – unanimous.

**END OF CONSENT AGENDA**

**RESOLUTION CONCERNING H1451: BICYCLE PROTECTION ACT –  
DEFERRED TO APRIL 21, 2010 TAC MEETING**

Mayor Weatherly pulled this item from the Consent Agenda.

Mr. Withrow reviewed this item noting CAMPO's Bicycle/Pedestrian Stakeholders Group (BPSG) has concerns about the interpretation of H1451 (entitled an act to amend the laws related to the operation of bicycles) that could limit on-road bicycle use to designated bicycle lanes only. The TCC reviewed the position paper (provided in the agenda packet), created by the BPSG, and a draft resolution endorsing the paper at the January 7 TCC meeting, and generally concurred with the statements made in the position paper, which identified these major points:

- Reaffirms the League of American Bicyclists Cyclists Equity Statement, which encourages states to adopt fair, equitable and uniform traffic laws that are “vehicle-neutral” to the greatest extent possible
- State laws should allow the use of the right arm to signal a right turn where applicable
- While existing state law specifies a minimum two-foot safe passing distance between motorists and cyclists, the State of North Carolina should examine other states' minimum safe passing laws to determine their effectiveness
- Legal Strategies to combat harassment against any bicycle users along a highway should be suited for efficacy, enforceability and compliance with first amendment rights
- Any additions or revisions to the state traffic laws concerning bicycle usage should be integrated into other applicable sections

The BPSG adopted the Position Statement at their October 27, 2009 meeting and the Resolution at their December 8, 2009 meeting. The BPSG recommended the MPO adopted a resolution of support for the Position Statement. After considering the resolution at the February 4 TCC meeting, the TCC decided by consensus to delay adoption of the resolution to give members time to make edits to the proposed resolution. The revised resolution was included in the agenda packets.

Mr. Weatherly noted evidently there was concern from the Bike/Ped Stakeholders Group relating to the statute. He stated the statute comes from a liberal member of the General Assembly and he could see nothing wrong with the proposal. He questioned what the concerns are from the BPSG noting the language in the Statute seem sensible. He felt the language in the agenda was vague. Mr. Withrow indicated the purpose of the act was to

not go back in time regarding what we have as law. He stated the laws on the books are progressive in North Carolina but the problem has been there are a lot of accidents occurring. Mr. Withrow noted in light of the proposal by Sen. Harrison, the BPSG created a position paper addressing how to improve the protection for bicyclists. He addressed what the bicycle community would like to see included in the statute including equal access to roads, non-discrimination laws against bicyclists, right arm use. He indicated bicyclists want to be sure they can ride on roads like anybody else. Mr. Withrow stated this is not a discrimination for bicyclists or putting them above motorists but assuring they have the opportunity to use roads in the proper way like any other motorist. He felt anything back from that is not improving opportunities for bicyclists.

Mr. Weatherly indicated the specifics are what he questioned. He noted he had been told the bicyclists object to having to use bicycle lanes where they exist. Mr. Withrow stated the group does object to having to use these lanes and also object to having to ride no more than 2 abreast.

Mr. Withrow explained when a car is driven on the road, debris is swept onto the side of the road and those using the bike lanes are liable to have to go around any blockages on the road. Bicyclists prefer to have free access like any other drivers and feel they are discriminated against. Mr. Weatherly stated the proposal states they do not have to ride in a bike lane when it is obstructed. The proposal also says they can make a right turn signal with their right hand. He felt there is some other agenda at work that he is not aware of. Mr. Weatherly stated there have been a number of conflicts in his community noting bicyclists at times do ride in huge packs. He felt riding no more than 2 abreast is reasonable and also felt bicyclists should use bike paths where they exist.

Mr. Withrow stated a bicycle is considered a vehicle according to law and bicyclists do not want to be discriminated against.

Mr. Meeker questioned if the TAC was being asked to endorse something other than the 5 items outlined in the agenda noting these 5 items do not address the issues raised by Mr. Weatherly. He stated the TAC is not being asked to take a position on the number of bicyclists that can ride abreast, etc. Ms. Jones indicated the position paper does address the things addressed by Mr. Weatherly and if the Resolution is approved, the position paper is approved. Mr. Eagles indicated if bicycles are to be treated as cars, bicyclists should stop riding past vehicles, running stop signs and should act equal if they want equal treatment.

Sig Hutchinson, Bicycle/Pedestrian and Greenway Advocate for the region, spoke relating to the required use of bike lanes noting real expert cyclists prefer not to have bike lanes but have access to the entire road. Moderate cyclists feel more comfortable with bike lanes. He explained why bike lanes can create problems for bicyclists noting they have to move out of the bike lane for turning movements, etc. and have to have the flexibility to move outside the lanes at intersections to provide for their safety and for the safety of motorists as well. Mr. Hutchinson stated there is no doubt cyclists should abide

the laws since they are vehicles and need to adhere to all road rules but they also deserve all the rights normal vehicles have on the roads.

Mr. Weatherly indicated the main issue relates to the number of bicyclists allowed to ride abreast. Mr. Hutchinson indicated courtesy is most important noting cyclists have the responsibility to be courteous, just as other drivers. He stated cyclists feel safer in groups and they have the right to use the full traffic lane and many times being in the traffic lane is safer than being in the bike lane. Chairman Bryan questioned if there is a reasonable number of bicyclists you can get in a lane noting there needs to be common sense involved.

Mr. Weatherly moved that action on this item be postponed until the April 21 meeting so all members have the opportunity to read the full House Bill, the position paper and other relevant documents before a vote is taken. His motion was seconded by Mr. Eagles, unanimously passed. Chairman Bryan ruled the motion adopted.

## **PUBLIC HEARINGS**

### **2009-2015 MTIP AMENDMENT #2 – I-85 IN GRANVILLE COUNTY – PUBLIC HEARING HELD – AMENDMENT APPROVED**

Wally Bowman, NCDOT, presented this item noting Project I-5141 involves a diamond-grinding project on I-85 in Granville County. A small portion of the project falls within the MPO's planning boundary and thus the project should be added to the MTIP. Members received a copy of the amendment needed in their agenda packets. He stated the TAC released this item in January for public comment and review. This item is on the agenda for a public hearing to receive comments. Following the close of the public hearing, the TCC and MPO staff recommended adoption of this amendment. Mr. Bowman explained this grinding is a pavement preservation method that is cost effective and provides a much smoother ride.

Chairman Bryan declared the hearing open.

No one asked to be heard, thus the hearing was closed.

Mr. Meeker moved approval of Amendment #2 as outlined. His motion was seconded by Mr. Gooch, unanimously passed. Chairman Bryan ruled the motion adopted.

### **MTIP AMENDMENT #3 – RAILROAD ALIGNMENT AT HOPSON ROAD AND CHURCH STREET – PUBLIC HEARING HELD – AMENDMENT APPROVED**

Wally Bowman, NCDOT, reviewed this item involving Project U-4716 that is a railroad alignment at Hopson Road and Church Street that needs to be added to the MTIP to match the project description in the STIP. Members received a copy of the amendment in their agenda packets. Following the close of the public hearing, the TCC and MPO staff

recommend adoption of Amendment #3. Mr. Bowman explained this railroad crossing is skewed and dangerous. The project is being funded through rail ARRA with no match required. He emphasized this is a very high priority project.

Chairman Bryan declared the hearing open.

No one asked to be heard, thus the hearing was closed.

Mr. Eagles moved approval of Amendment #3 as outlined. His motion was seconded by Mr. Sears, unanimously passed. Chairman Bryan ruled the motion adopted.

**FY 2010-2011 UNIFIED PLANNING WORK PROGRAM (UPWP), SELF-CERTIFICATION AND PUBLIC INVOLVEMENT POLICY – HEARING HELD OPEN – TO BE PLACED ON APRIL 21, 2010 TAC AGENDA**

Mr. Withrow reviewed this item noting each year CAMPO is required to adopt a Unified Planning Work Program (UPWP) outlining the tasks that MPO staff will perform in the coming fiscal year. At the January 20, 2010 TAC meeting and February 4, 2010 TCC meeting, possible special study projects for funding in the coming year's program were discussed. At its February 17, 2010 meeting, the TAC pre-authorized release of the FY 2011 UPWP and associated documents, on March 8, 2010 for a 40-day public review and comment period. The schedule was reviewed as follows:

- |          |   |
|----------|---|
| March 8  | Public Review and Comment Period opened for the FY 2011 UPWP, Self-Certification and PIP                |
| March 17 | Public Hearing is conducted by TAC (the hearing may be held open until April 21 TAC meeting)            |
| April 1  | TCC recommends adoption of FY 2011 UPWP, Self-Certification and PIP, pending additional public comments |
| April 16 | Public Review and Comment Period closes   |
| April 21 | TAC closed public hearing and adopts final FY 2011 UPWP, Self-Certification and PIP                     |

Members received a copy of the Draft UPWP, the MPO Self-Certification Checklist and the corresponding responses and a copy of the current Public Involvement Process included in their agenda packets.

Mr. Withrow reviewed items included in the UPWP. This was presented at the March 4 TCC. Cary requested inclusion of the rail of NCR line consistent with the proposed advanced planning study from Raleigh to Morrisville. Cary wishes to put in \$150,000 which would include \$150,000 from CAMPO, NCDOT and TTA.

Chairman Bryan declared the hearing open.

No one asked to be heard, thus the hearing was closed.

Chairman Bryan indicated at our last meeting a major issue was identified as areas for business, protection of Harris Lake and explained there would be major unfunded transportation issues that would come forth if growth appears as presented in the plan. Mr. Withrow explained staff work is ongoing in this area currently. The Comprehensive Transportation Plan group has had meetings and is working very hard in producing a plan addressing those particular issues. The study is just beginning and will be coming forward with more information as those plans develop. Mr. Johnson explained the Comprehensive Transportation Plan is the outermost circle of planning and is a 30-50 year vision and worries more about what has merit rather than funding at this point. At the end of this calendar year the thoroughfare planning process will begin that will have to deal with funding. The CTP study being discussed should bring an extra level of effort to this area to allow Harnett and Wake Counties to get extra attention to address issues that do not get addressed. This will move us further along in getting the specifics that are needed. Ms. Robison indicated there is an earmark being requested that is part of the total. Mr. Johnson explained this is fast moving and noted Cary suggested \$150,000 that has not been approved by their Council yet. This is a partner study of railroad crossings to determine the right solution relating to having several trains and traffic of all modes in an area. Ms. Robison indicated this is important to the entire region and the County particularly with the high speed rail corridor. She reported the DOT Railroad Division endorses the request for the earmark and they are working in partnership with Cary and had given their seal of approval backing the project. Ms. Robison stated Cary is trying to do something good for the rail corridor.

Chairman Bryan indicated this hearing will remain open and action taken at the April 21 TAC meeting.

#### **CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECTS – ENDORSED**

Shelby Powell, MPO Staff, reviewed this item. She provided the history of this item noting the statewide CMAQ rescission in North Carolina totaled \$55 million. In January the TCC requested information on CAMPO's allocation figures for planning purposes. NCDOT Transportation Planning Branch Manager Mike Bruff indicated in late February or early March, allocation figures would be available for use in prioritizing CMAQ projects for the 2011-2017 STIP. On February 5 NCDOT CMAQ Manager Terry Arellano indicated to MPO staff that prioritization of CMAQ projects must be completed by February 12, 2010. Further discussions between the MPO and NCDOT Staff revealed that the prioritization was to be used as a tool to determine rescission impacts. It was also indicated that the Strategic Planning Office for Transportation (SPOT) was hoping to use local priorities to inform decisions made about the rescission. NCDOT also indicated if the MPO submitted no priority ranking for CMAQ projects, the benefit ratio numbers identified on individual applications would be used to determine priorities. The TCC's CMAQ subcommittee has met and at the direction of the TCC, presents a list of projects to be funded using CMAQ funds. This list is based on funding allocations originally

presented to the MPO by NCDOT, and is subject to change based on revised funding allocations when that information becomes available. The recommended CMAQ program funding allocation and accompanying documentation for submittal to NCDOT was included in the agenda packet.

Mr. Meeker indicated the first time we will have money is 2013 and questioned if that is subject to rescission this year. Mr. Johnson responded those funds are not subject to rescission this year. In response to questioning, Ms. Powell indicated the original request from DOT in 2005 asked us to program funds for the 2009-2015 TIP. MPO decided to fund one bike project in Holly Springs, the NCSU project and Raleigh's signal system. That number assumes the 2011 and 2012 allocation is still there. Mr. Johnson explained the issue is with CMAQ and it was never indicated how much was rescinded in non-attainment areas. CAMPO's position is we were allocated an amount, we spent it and any rescission should be coming from somebody besides CAMPO and this is the position taken by the TCC. Ms. Robison stated perhaps if we don't think of that \$2 million as there, it should be moved so it doesn't come back to bite us. Ms. Powell reported staff is waiting for confirmation of new numbers from DOT. Mr. Johnson explained the current authorization has expired and there is no allocation for the next 5 years. He assumed we will continue getting what we received in years past and what we are doing is hypothesizing what we hope to get.

Mr. Weatherly suggested that CAMPO give them what we did before which is the entire list and felt it is misnomer that the word "prioritized" be included.

Mr. Meeker moved endorsement, for submittal to NCDOT, the list of CMAQ projects as presented by the TCC subcommittee. His motion was seconded by Mr. Weatherly, unanimously passed. Chairman Bryan ruled the motion adopted.

#### **FEDERAL RESCISSION –**

Mr. Johnson reviewed this item. He provided the history as outlined in the agenda. He reported NCDOT has not advised the MPO on how rescinded CMAQ funds will be applied across the state. The CMAQ rescission totals \$55 million statewide and \$13.2 million of our MPO's STP-DA funds. On January 20 the TAC directed staff to postpone recommendations on the source of this \$13.2 million in STP-DA funds until more information could be collected. On February 9 a meeting on rescission issues was held by the MPO with representatives of FHWA and NCDOT. A memorandum from Raleigh Mayor Meeker summarizing the meeting was included in the packets. The TAC then discussed establishing a master list of projects that could be used to quickly address the request for projects of certain types or criteria when new funding streams are developed. The list could be used annually to obligate all STP-DA funds for the MPO. The list of projects would be developed by submissions from member governments and agencies and could include preliminary engineering/design, right-of-way acquisition, construction, planning studies, enhancements, operational improvements, ITS projects or other projects meeting the criteria that would be established. Mr. Johnson further reported on February

15 a working group of the TCC met to begin the process of establishing the framework for a MPO multi-year transportation improvement projects implementation and tracking program. This program would schedule and track status of all individual phases of projects to fully utilize all possible sources of existing and future funding (federal, state and local) available for use by the MPO.

Mr. Johnson reviewed possible selection criteria as follows:

- (1) Projects that are highly effective transportation solutions for currently identified problems
- (2) Projects that can be advanced quickly
- (3) Projects that meet all eligibility requirements for funding type, such as successfully completing appropriate type of environmental study
- (4) Member government grant recipient must agree to administer all phases of project either directly or through qualified contracted services
- (5) Member government grant, recipient must agree to front the projects costs, pay the required local share of project costs and be reimbursed for the state/federal/other share(s) after completion
- (6) Geographic equity would be taken into account

The agenda noted the following day, NCDOT officials advised staff that progress was being made on establishing financial reports to track the status of both MPO projects and funding availability. CAMPO staff is to be among the first outside NCDOT to review, with review anticipated tentatively the week of February 22, 2010. Funding reports will be available first as monthly reports in MS Excel (editable) formats and eventual transition to direct system access. On February 23 a meeting was held with representatives of NCDOT, CAMPO and DCHC staff. A recap of this meeting provided by NCDOT was included in the agenda packet. DCHC has developed spreadsheets that will assist with tracking of projects and their phases – a copy was included in the agenda packet. Mr. Johnson indicated a tremendous amount of work has been done by staff on this item and the TCC met a number of times on this and substantial progress has been made noting there is a plan that all feel has merit.

Chris Lukasina reported the TCC has had several working groups dealing with this item. He explained the fiscal tracking system and the 2 phases for programming additional programs. He explained FY 2012 and beyond is referred to as the LAPP Program. The fiscal tracking system will track projects after they have been programmed. He explained initially we will end up with weekly reports and end up with monthly reports. He reviewed high priority projects, funding years and costs. Mr. Meeker questioned if DOT can get stimulus funds for Falls of Neuse Road project, are there other projects we can get going on September 1 and asked what are these projects. Mr. Johnson stated it is very doubtful there will be more stimulus funds. He stated any projects would need to be ready in the month of May; however, funds could be used for park and ride lots or we could get with NCDOT and find out what they have ready to go forward. Mr. Johnson

noted there is a list of projects of unfunded SPOT safety lists. He stated we do have two strategies we can move forward with if we need to.

Mr. Meeker felt we should be in a position so if Falls of Neuse project gets funded some other way we have back ups ready to go forward. He stressed these should be projects we want done and have them ready to go. Mr. Johnson stated the projects could not be authorized by September 30 noting this is what staff is intending to do with FY 2011.

Mr. Lukasina continued to review staff's proposal. He referred to project U9999B involving \$1.2 million for FY 2011 to enhance program services and reduce local member shares costs. \$1.2 million would go into bike/ped transit reserve fund. He referred to TIP U5118, Congestion Mitigation reserve involving \$6 million in FY 2011. He explained this proposal would over program what we know to be available STP-DA funds by 10% for FY 2011 and should a project slip or receive stimulus funding, we would have another project that could be included. Mr. Meeker expressed concern that one project may get behind so all the money would not be used. Mr. Johnson indicated there is no intent we will have \$6 million of projects but will have \$6 million of expenditures if the TAC approves this plan. Mr. Lukasina reviewed strategies A and B to flex funding to FTA or to flex funds to NCDOT for projects that are regionally significant that they have control over.

Mr. Meeker indicated we are in a similar position as last year noting there are no back up projects and this year we know there is the possibility of another rescission. He indicated there are members who cannot advance funds or pay a match and the recommended criteria would only allow large cities to receive funding. Mr. Meeker indicated we cannot let another rescission occur and there must be a plan B if we receive stimulus money or one of these projects is not ready to proceed on September 1. Mr. Lukasina indicated staff will be going back to the applicants and asking them how quickly they can get projects rolling. This would be looking at what would amount to fiscal year 2012 and beyond and looking at a way to avoid this down the road. He noted fiscal years 2010 and 2011 would have to be determined based on what we have in hand and moving forward from that must be determined.

Mr. Johnson stated we need to have projects up and ready to go and everyone is working toward that goal. He explained we are going to have one single program beginning in January for each type of project each area funds and will be procedures to handle that. He stated there is a multi-faceted plan.

Mr. Lukasina continued his presentation by reviewing mid term actions. He noted the UPWP would be supplemented at \$1.2 million a year. Beginning January, 2011, a consolidated annual call for projects would be initiated. The procedure for the call was reviewed. He noted this would consolidate what we currently have which are multiple calls, multiple applications and multiple rules. He explained it will take 9-10 months to go through the annual process with the idea of having them listed or ready to roll by the next fiscal year. The LAPP Program was reviewed which would involve scheduling and

tracking all local project phases in order to fully utilize all sources of funding available to MPO members. Transportation Investment scenarios in local transportation spending was reviewed. Mr. Lukasina then reviewed the possible 6 selection criteria as outlined on the agenda. Discussion followed relating to criteria #5 relating to the municipality having to pay up front costs. Mr. Johnson explained, as an example, if Knightdale wants to do a \$5 million project, they have to pay up front and then get reimbursed 80% later. He reported TCC staff members from smaller towns indicated they could not do this and felt it was an unfair criteria. Mr. Killen indicated this item would be a deal breaker for Knightdale and would never get any large projects. Mr. Johnson stated an infrastructure bank is needed but there is no money for that. Mr. Lukasina referred to problems with default and explained this is an issue still being worked through. He indicated the committee wanted to run this proposal by the TAC and wanted direction and then come back later in the summer or early fall with a flushed out program.

Ms. Robison questioned what is done now relating to criteria 4 and 5. Mr. Johnson reviewed current procedures for projects. Mr. Johnson stated he realized there are problems involved and was not sure of the solution at this point but must have a comprehensive consensus.

Mr. Johnson indicated we are talking about more money in the amount of \$8 million to \$14 million a year. Mr. Lukasina indicated if a particular phase of a project cannot be done in the year it is programmed, that phase should be moved to another year and another project can jump in and get that money. Ms. Robison stated, as she understood it, what has happened is the money is subject to being stalled in a position that it cannot move forward. Mr. Lukasina explained if a project is approved in FY 2010 and does not get obligated until 2012, that project will use our 2012 money. He explained this has to be thought of as cash versus money on a table. Mr. Killen questioned if criteria 5 comes from NCDOT with Mr. Johnson responding this is a federal government requirement.

Mr. Meeker again expressed concern that we have known this since last October and thought we had a plan on what to do last month and now we are here in the middle of March and learning we will not do that until January. He emphasized we are sitting here at risk of another rescission again. Mr. Johnson referred to the Timber Drive project noting this would involve equal payments over 3 years and will be let in May. He stated what is less probable is if the City of Raleigh can get \$4.578 million committed by September 30, particularly if the Public Works Committee takes several cycles to get it resolved. He stated there are tons of projects but the question is if there is consensus that this is fair and equitable distribution of projects.

Mr. Weatherly stated there is more money now and the pay up front requirement is a federal requirement and nothing can be done about that. He indicated for smaller town representatives to argue that Cary and Raleigh can use the money and the rest cannot is an issue that nothing can be done about. He stated he would not begrudge Raleigh and Cary on having more money because they can meet federal requirements. He stated when Apex can meet the requirements, he was sure funding will be available for them.

He indicated somebody has to take these funds. Mr. Johnson explained one thing discussed is asking DOT if they can be the implementing agency and they have responded they could take on approximately 5 projects per year; however, that is not in writing at this point. Mr. Dawson, City of Raleigh Public Works Director, has agreed to loan a Raleigh engineer so CAMPO can administer some projects but the City of Raleigh could not put funds up front for other areas.

Mr. Bowman explained smaller projects could be involved using as an example Judd Parkway which is a good example of one that might be shovel ready. He explained they are going ahead and doing environmental documents just in case. He stressed that federal documents have to be done. Mr. Bowman stated DOT can administer 30-40 extra projects per year and there is some money set aside in the agreement for contract administration. He also indicated a consultant could be hired for this purpose.

Mr. Lukasina stated the immediate need is for FY 2010 and 2011 and the LAPP relates to 2012 and beyond. In response to how long it would take to get transit projects shovel ready, Mr. Eatman indicated this would take a minimum of 90 days and the June TAC meeting is when the TAC would have to approve them. Mr. Eatman noted historically it has taken a quarter to prepare projects. Mr. Bowman indicated there is a SPOT funding list and some do require right-of-way and utilities and would only be able to ask for that phase. He further noted there are a few projects that do not have those needs and could request construction authorization for those. Mr. Meeker indicated the most obvious action would be to ask member governments what they would like to put forth, particularly for design.

Mr. Johnson reported there is a call out for bike/ped projects closing April 15 and proposed starting a call to get some projects in the next 2 months in order to come up with a list. By that time he stated we are 4 months from the end of the fiscal year. Mr. Johnson reviewed the proposed process aiming for fiscal year 2011 for the \$6 million noting several months are needed to develop issues on how this would work annually and would start 8 months from now. Mr. Johnson indicated this is a plan recommended that the TAC authorize staff to proceed with. If this is approved, staff will be immediately asking member governments to submit projects looking at taking the money down in FY 2011 and not fiscal year 2010.

Ms. Jones indicated staff had put forth a reasonable plan and felt the TAC should support that plan. She felt; however, having all member governments paying up front and administering projects is unacceptable and this portion needs further work. As far as timeline, Ms. Jones felt the proposal is reasonable to assure we get as much money as possible and felt the plan should be approved.

Mr. Meeker stated he appreciated the support for staff but this is a 180 degrees from what was discussed one month ago to protect ourselves from rescission. He noted millions of dollars could be lost and the problem is not solved. He suggested that a group meet next week with staff to develop a plan to assure there isn't another rescission this year. He

questioned what would we do if in August one of the projects received stimulus money or gets stalled and cannot go forward. Mr. Lukasina suggested a plan C to flex some money with a May/June decision timeframe and should a project slip, there is the option B. If a call is done for shovel ready projects, that would be available as well.

Following lengthy discussion, Ms. Jones moved approval of the plan suggested by staff with continuing study of criteria 5. Her motion was seconded by Ms. Robison. Ms. Robison questioned if the motion addressed in some way short term actions for FY 2010. Ms. Jones responded that is a part of staff's plan involving back up strategy A or B. Ms. Robison questioned if strategy C which is a compromise is included.

Mr. Johnson indicated if it is the desire to do a shovel ready call for projects for those that can utilize funds before the September deadline, that can be done in any order or combination.

Mr. Meeker made a substitute motion that a small committee be appointed to meet with staff to come back with a solution to insure we have back up projects. His motion was seconded by Mr. Bumgarner.

Ms. Holcombe stated if the small group could come back with a recommendation on getting past the fronting of money (criteria 5), she would be in favor of the substitute motion noting she is from a small community and they cannot come up with those up front funds unless Raleigh is the banker. She indicated she would like to see specific suggestions on getting around this criteria. Mr. Meeker accepted this request as a friendly amendment to his motion.

Ms. Jones indicated if we are going to include the back up strategy C for a call for projects that in order to use the money in case Falls of Neuse or Timber Drive projects fall by the wayside, that should be done as soon as possible. She stated if this is put off another month it never will get done and felt it is important to get started and look at all issues we have after we get started. Mr. Broadwell stated he did not see why we can't do both – go ahead and vote and approve Ms. Jones' motion and at the same time appoint a group to meet as moved by Mr. Meeker.

Ms. Jones indicated she would amend her motion to indicate a committee be appointed to address the small towns issue but that is the only thing she would want the committee to address. Ms. Robison seconded the amended motion.

**Chairman Bryan indicated the motion as amended would approve the plan presented by staff and further review the issue in terms of how smaller communities will come up with upfront money and include Strategy C to assure all funds are allocated and avoid any future rescissions.** A vote on the motion was taken and passed with all members voting in the affirmative with the exception of Mayor Meeker and Mayor Eagles. Chairman Bryan ruled the motion adopted.

Mr. Meeker stated the motion passed made his substitution motion moot and withdrew his motion.

Chairman Bryan noted if there are projects ready, Raleigh and Cary should go ahead since they would have the upfront funds.

#### **NC TURNPIKE AUTHORITY SCOPING COMMENTS – APPROVED FOR SUBMITTAL TO NCDOT AND NC TURNPIKE AUTHORITY**

The Turnpike Authority presented information at the February TAC and the March TCC meetings regarding the Environmental Impact Statement being prepared for the southern portion of the I-540 Loop. The Turnpike Authority invited comments on the Scope of the project from the MPO, local governments and the public which are requested by March 31, 2010. Staff developed proposed comments for submittal which were included in the agenda packet.

Chairman Bryan moved approval of the comments for submittal to NCDOT and the NC Turnpike Authority. His motion was seconded by Mr. Broadwell, unanimously passed. Chairman Bryan ruled the motion adopted.

#### **MPO JOINT LEGISLATIVE AGENDA – RECEIVED AS INFORMATION**

Mr. Johnson reported the Joint Legislative Agenda, adopted by the TACs of CAMPO and DCHC in April, 2006 was provided in the agenda packets. The TCC discussed this topic at their March 4, 2010 meeting. The Joint Legislative agenda was adopted by each MPO's TAC during the month of April 2006. Since adoption, several of the agenda items have been addressed and it may now be time to add items of importance to the region to the agenda. It is anticipated this will be discussed at the Joint TAC meeting on March 31, 2010.

Mr. Johnson stated there has been progress on gap funding and the intermodal bill was passed noting part of the issues from last year have been addressed. The challenge is underfunding to be able to address transportation challenges we have. Mr. Weatherly spoke in opposition to any transfer of any responsibility for road maintenance to municipalities and counties and requested this be added to the list. Mr. Weatherly moved that the legislative agenda include opposition to transfer of any responsibility for road maintenance to municipalities and counties. His motion was seconded by Mr. Sears, unanimously passed. Chairman Bryan ruled the motion adopted.

Chairman Bryan noted members could bring up any other items at the Joint TAC meeting.

### **INFORMATIONAL ITEMS – RECEIVED**

Ms. Jones referred to the Organizational Review Subcommittee noting this group met prior to this meeting. There will be another meeting prior to the TAC meeting on April 21, 2010. She indicated the subcommittee would have something for consideration at the next meeting.

Chairman Bryan stated County Manager Cooke will attend the Joint TAC meeting to discuss the transit plan. Mr. Johnson indicated DCHC expressed concern about transportation reform process not showing tangible results and doesn't look like funds are intended to be spent differently than in the past. He indicated until they go through the TIP, it would be premature to get into that.

Chairman Bryan stated North Carolina received \$545 million for high speed rail project. Virginia only received \$25 million and Georgia received nothing. This was because NCDOT's Rail Division had done their work and were prepared and in a position to use the funds. He stated when there are resources and plans done, those efforts are what put North Carolina in position to get these funds improve the rail corridor between Raleigh and Charlotte and then Richmond to Atlanta.

### **MPO STAFF REPORT – RECEIVED**

Ms. Powell referred to the Highway 50 project which has been high priority for years. She indicated the planning study is under way. She reported she will have the first project oversight team meeting tomorrow and two work shops to be held on March 30 and Shriners' Temple and April 1 at Vance Granville Community College. The website for this project is live. She noted many people present at this meeting are involved in that study. The phone survey for commuters will start next week to see what they think of existing conditions, etc. She stated the consultant team led by Kimley-Horn is working on land use scenarios.

### **NCDOT REPORT – RECEIVED**

Mr. Bowman reported the 401 groundbreaking was held last week. He indicated Franklin County sees this project as a benefit to them. The project is scheduled for completion November, 2011.

Mr. Bowman reported bids for the Rolesville Bypass will be let in April, 2010.

Mr. Bowman reported on an in-house strategic priority meeting held by the State relating to needs they have in the State from 2015-2020. The State has over \$54 billion worth of needs and \$10.5 billion in funding. He indicated this was a very interesting exercise noting they looked at all modes of transportation and kept in mind highways and bridges in shifting funding. He also spoke to the need to maintain the existing infrastructure and improve mobility.

Mr. Bowman reported there would be three regional meetings held and are looking at inviting between 3-4 members from each MPO or RPO. The Division 5 meeting will be held in Greensboro.

Mr. Bowman indicated there are no efforts on DOT's part to shove maintenance of highways to cities or counties. Chairman Bryan indicated he had heard this from Secretary Conti and the Executive Committee met with Governor Perdue and she stated it was not her idea. He noted someone is keeping this on the table. Mr. Bowman indicated if this were to happen there would have to be a source of funds for that purpose.

### **REPORT OF TURNPIKE AUTHORITY – RECEIVED**

Jennifer Harrison, Turnpike Authority, indicated they do have several activities ongoing in the study area and wetlands are being delineated and hydraulic studies are underway. She reported the first newsletter is being finalized for distribution to a large list. Mr. Weatherly stated a question came up at the Mayor's Association relating to noise barriers particularly around Cary, Apex and Holly Springs noting a buffer had to be removed. He noted he understood the Turnpike Authority is refusing to come to reasonable terms for sound barriers that will but up against the turnpike. He noted he was referred to a new neighborhood to be developed in the Western Wake Freeway area. Ms. Harris reported the Authority has determined what the wall size and length would need to be and understood a landscape plan is being developed. Ms. Robison stated this is a lesson learned and with the southern loop is should be anticipated there is development that could in the future be in the same predicament and wanted to be sure to protect future neighborhoods as the southern section gets underway. Mr. Weatherly stated there is a built up subdivision in Cary that is very concerned about noise. Mr. Meeker suggested that the Authority report to CAMPO what the Turnpike Authority can do to resolve this problem. Mr. Weatherly indicated the entire corridor should be included.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:00 p.m.

Respectfully submitted,

Brenda Hunt