

**TRANSPORTATION ADVISORY COMMITTEE
MAY 20, 2009
MINUTES**

The Transportation Advisory Committee met on Wednesday, May 20, 2009 at 4:00 p.m. at Wake County Commons located at 4012 Carya Drive, Raleigh, NC with the following present:

Members

Chairman Bryan, presiding
Robert Ahlert
Dan Andrews
Harold Broadwell
Don Bumgarner
John Byrne
Frank Eagles
R. H. Ellington
Jan Faulkner
Hubert Gooch
Vivian Jones
Russell Killen
Donald Lancaster
Jeff Merritt
Julie Robison
Dick Sears
Elic Senter
Russ Stephenson
Gus Tulloss
Keith Weatherly
Ronnie Williams

Representing

Wake County
Clayton
Harnett County
Wendell
Zebulon
Fuquay-Varina
Rolesville
Angier
Morrisville
Granville County
Wake Forest
Knightdale
Franklin County
TTA
Cary
Holly Springs
Franklinton
Raleigh
Board of Transportation
Apex
Garner

Staff

Ed Johnson
Diane Wilson
Kenneth Withrow
Gerald Daniel
Robert McCain
Kyle Ward

Representing

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

Others

Wally Bowman
Chip Russell
David Joyner

Representing

NCDOT
TCC Chair
NC Turnpike Authority

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

AGENDA – APPROVED AS PRESENTED

There were no adjustment to the agenda requested; therefore, 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.

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. Sears moved approval of the Consent Agenda as presented. His motion was seconded by Mr. Senter, unanimously passed. Chairman Bryan ruled the motion adopted.

Items on the Consent Agenda were as follows:

MINUTES – APRIL 22, 2009 – APPROVED AS PRESENTED

Members had received a copy of the April 22, 2009 minutes in their agenda packets.

TAC ACTION: Approval of the April 22, 2009 Minutes. Consent Agenda Approval: Sears/Senter – unanimous.

FTA – ANNUAL SECTION 5307 SUB-ALLOCATIONS – APPROVED

The agenda reported in accordance with FTA Regulations, the MPO is required to submit a letter to the FTA regarding the distribution of the FY 2008 Appropriation between the City of Raleigh, TTA and the Town of Cary. Annually, funds are programmed and small amounts are sometimes “left on the table”. Research shows that \$2,271,647 can be amassed fro those funds not previously used. Attachment 5A provide the agreed upon distribution of the FTA Apportionment for Section 5307 and Section 5340 funds for FY 2008 and the redistribution of the funds not previously used. A grant application cannot be submitted to FTA until the attached letter has been submitted. The TCC reviewed this item on May 7, 2009 and forwards a recommendation of approval of the FTA Section 5307 and Section 5340 fund apportionments as presented.

TAC ACTION: Approve FTA Section 5307 and Section 5340 fund apportionments as shown in Attachment 5A. Consent Agenda Approval: Sears/Senter – unanimous.

2009-2015 MTIP ADMINISTRATIVE MODIFICATION #7 - TRIANGLE TRANSIT – APPROVED

The 2009-2015 MTIP reflected several projects for Triangle Transit for the regional rail project that was removed from the FY 2009-2015 TIP and replaced with two alternatives analysis/preliminary engineering and design projects for the regional rail system. Triangle Transit has requested that the project TE-4705B be added to the FY 2009-2015 TIP as an unfunded project. This action is needed to demonstrate to the Federal Transit Administration that Triangle Transit is making progress on the rail project. Members received background information in the agenda packets and the FY 2009-2015 TIP administrative modification adding this project. The TCC reviewed this item on May 7, 2009 and forwards a recommendation of adoption of Administrative Modification #7 to the 2009-2015 MTIP to add project TE 4705B.

TAC ACTION: Adopt Administrative Modification #7 to the 2009-2015 MTIP to add project TE-4705B. Consent Agenda Approval: Sears/Senter – unanimous.

2009-2015 MTIP ADMINISTRATIVE MODIFICATION #8 – ARRA PROJECTS – APPROVED

The agenda indicated at the April 18, 2009 TAC meeting, Administrative Modification #8 was made to distribute funding received by CAMPO from the American Recovery and Reinvestment Act (ARRA) of 2009. This modification added projects to the 2009-2015 MTIP which would be funded using these ARRA or “stimulus” funds. Subsequent to that meeting, the MPO was advised that two projects would require modification to reflect Right-of-Way purchase using these funds rather than only construction. Members received an attachment reflecting the changes needed.

TAC ACTION: Adopt Administrative Modification #8 to the 2009-2015 MTIP to provide additional funding breakdown. Consent Agenda Approval: Sears/Senter – unanimous.

JOB ACCESS/REVERSE COMMUTE (JARC) AND NEW FREEDOM FUND APPLICATION – ENDORSED

The agenda stated CAMPO solicited applications for the Job Access/Reverse Commute and New Freedom Grant Funding program from February 13 through March 27, 2009. An application workshop was held on February 25, 2009 for interested agencies. A total of six applications were received as of March 27, 2009 and all were presented to the review committee that met on April 13 to discuss the projects and provide a recommendation to the TCC. Members received a table of projects recommended for funding in their packets. The TCC reviewed this item on May 7, 2009 and forwarded a

recommendation of endorsement of funding of JARC and New Freedom grant applications as proposed.

TAC ACTION: Endorse funding of JARC and New Freedom grant applications as proposed. Consent Agenda Approval: Sears/Senter – unanimous.

THIS IS THE END OF THE CONSENT AGENDA

PUBLIC HEARING ITEMS

2035 LONG-RANGE TRANSPORTATION PLAN – APPROVED; AIR QUALITY CONFORMITY DETERMINATION REPORT – APPROVED

Chairman Bryan reviewed the information included in the agenda that indicated the draft reports for the 2035 Long-Range Transportation Plan (LRTP) and for its companion Air Quality Conformity Determination (AQCD) were provided in the agenda packets on March 18, 2009. The TAC pre-authorized at that meeting release of the documents for public review and comment, pending receipt of the final draft of these documents. The actual release date for the LRTP and AQCD was March 24, 2009. The MPO's Public Involvement Policy calls for a minimum 30 days for public review and comment and conducting of a public hearing to receive comments on these documents. The 30 day comment period closed April 22, 2009. At their April 22, 2009 meeting the TAC conducted the public hearings on the documents and the hearings remained open until this meeting. The TCC reviewed this item on May 7, 2009 and forwards a recommendation of adoption of the 2035 LRTP and its companion Air Quality Conformity Determination. Mr. Johnson reported no comments had been received to this point.

Chairman Bryan announced the hearing on the LRTP continued.

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

Mr. Sears moved adoption of the 2035 LRTP. His motion was seconded by Ms. Faulkner, unanimously passed. Chairman Bryan ruled the motion adopted.

Chairman Bryan announced the hearing on the Air Quality Conformity Determination Report continued.

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

Mr. Sears moved adoption of the Air Quality Conformity Determination Report on the 2035 LRTP. His motion was seconded by Mr. Williams, unanimously passed. Chairman Bryan ruled the motion adopted.

2009-2010 UNIFIED PLANNING WORK PROGRAM (UPWP) – APPROVED

Mr. Johnson reviewed this item. During the fall of 2008, staff and TCC subcommittee members began work on the 2009-2010 UPWP. At the March 18, 2009 meeting, the TAC received a copy of the draft UPWP and information on major planning activities proposed for the coming year including the NC 50 Corridor Study, the MPO/CAT Mid-Range Transit Plan and Development of Comprehensive Transportation Plans for member counties. As a part of the UPWP development process, the MPO performs a self-certification review whereby it reviews planning processes and self-certifies that the MPO is fulfilling all federal requirements for the 3-C transportation planning processes. The checklist and responses were included in the March 18, 2009 TAC packet. The MPO's Public Involvement Policy calls for a minimum 30 days for public review and comment and conducting of a public hearing to receive comments on these documents. The 30 day comment period closed April 22, 2009. At their April 22, 2009 meeting the TAC conducted public hearings on the documents and the hearings were left open until this meeting. The TCC reviewed this item on May 7, 2009 and forwarded a recommendation of adoption of the 2009-2010 UPWP and Self Certification review.

Chairman Bryan announced the hearing on the 2009-2010 UPWP Planning Work Program continued.

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

Mr. Jones moved approval of the 2009-2010 Unified Planning Work Program. His motion was seconded by Mr. Williams, unanimously passed. Chairman Bryan ruled the motion adopted.

Chairman Bryan announced the hearing on the Self Certification review for CAMPO 3-C transportation planning process continued.

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

Mr. Jones moved approval of the Self Certification review for CAMPO C-3 Transportation Planning process. His motion was seconded by Mr. Williams, unanimously passed. Chairman Bryan ruled the motion adopted.

END OF PUBLIC HEARINGS

NC CAPITAL AREA MPO FHWA/FTA CERTIFICATION REVIEW – RECEIVED AS INFORMATION

Mr. Johnson reviewed this item by explaining once every four years, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) conduct a review of MPO practices to ensure that Federal guidelines and mandates are being appropriately addressed. On April 27 and 28, 2009 this review was conducted for CAMPO. The MPO received a number of national level commendations as a result of this review. Members received a copy of the report prepared by FHWA outlining the findings. He explained there are some technical corrections staff is working on. He noted the report indicates CAMPO is alive and well and doing the MPO's business in a laudable fashion. Five national caliber comments were received and no corrective actions are necessary. Any suggestions made involved, in many cases, things the staff was considering doing. He stated the report was provided to the TAC for information.

Ms. Jones complimented staff noting the report indicates they are doing an excellent job. She indicated this MPO is fortunate to have them.

INTRODUCTION OF GUS TULLOSS – RECEIVED

Chairman Bryan introduced Gus Tulloss representing NC Board of Transportation, Division 4. He indicated Mr. Tulloss is from Rocky Mount and has been on the Board for more than one year and has been attending many meetings in his area. He stated he was glad Mr. Tulloss was attending this meeting and hoped he could attend these meetings in the future.

NC TURNPIKE AUTHORITY UPDATE – RECEIVED

Mr. Johnson recognized David Joyner, representing the NC Turnpike Authority, who was present to provide an update on NC Turnpike Authority projects. Mr. Johnson also recognized John Hodges-Copple, Triangle J-COG, who had been very helpful.

David Joyner provided a handout to members that provided an update of the last 8-9 months. He reported the project is, despite some ups and downs, doing well and is very close to happening and there is a target date of July 9, 2009 to issue bonds. He reviewed the history of the project noting it was ready to go in October; however, on September 16, 2009 Leland Bros. went under and the credit market froze. The Authority felt markets would soften up in the first quarter of this year and on January 30 they were told it didn't look like the credit markets would go up until the third or fourth quarter; therefore, they had to put together an alternate strategy. The current plan of finance under the restructured deal involves appropriation bonds backed by GAP funds, toll revenue bonds backed by project tolls, TIFIA loan backed by project tolls. A bond rating of AA is needed. Major activities since February were reviewed. The traffic and revenue study was updated to reflect the impact of the recession; rating agencies and Local Government Commission approved the restructured plan of finance; Assured Guaranty agreed to

provide bond insurance to get AA rating; all financing documents were approved by the Board of Directors and the contractors agreed to extend the bid to July 31. Current activities were reviewed including working with the General Assembly on passage of legislation to meet requirements to obtain insurance; negotiating price and conditions with Assured Guaranty, finalizing load commitment with TIFIA and evaluation use of Build America Bonds is ongoing. Mr. Joyner then reviewed the revised financing schedule. Following financing construction will be start in July, 2009; Triangle Parkway will open the fourth quarter of 2011 and Western Wake will open the fourth quarter of 2012. Mr. Joyner stated the Authority feels they are in great shape and prices are dropping on DOT lettings, however, the price on this project came in \$70 million below the engineer's estimate. Mr. Joyner explained the contractors have given 3 extensions already and have worked with the Authority very closely. Another extension was received from the contractor the previous week.

Chairman Bryan questioned why the Turnpike Authority did not want to rebid this project since bids are coming in lower than they were when this project was originally bid. He stated clearly most economic indicators are showing better pricing and contractors are now desperate for the business. Mr. Joyner responded there are a lot of things to look at. Chairman Bryan stated 1 out of 10 North Carolinians are unemployed and there is a \$4 billion budget gap in the State. Mr. Joyner indicated if the Authority could go out for bids in the first week or two of July, they would rebid the project; however, it would take 5-6 months to get ready to go out to bid. Once the bids are received, then the financing process must start over again including going to rating agencies, Local Government Commission for their approval, etc. After that there is still the BBB credit rating must be obtained. He noted there are a lot of uncertainties in going back and throwing everything out. Chairman Bryan questioned if there had been discussions with the contractor relating to their willingness to lower the price. Mr. Joyner responded the Authority has asked that but cannot negotiate with the winning bidder until there is a contract which will be after the project is let. He spoke to other uncertainties that could result from starting over including fuel costs, right-of-way costs, etc. He reiterated it is a big risk at this point to let the bids and financing go.

Chairman Bryan stated the Authority wants the toll to come off in 25-30 years and had heard Mr. Joyner mention 40 years and questioned what the proposed legislation is and how is that in conflict with what was approved by CAMPO. Mr. Joyner responded the bonds were always 39 years and the legislation allowed refinancing the shortest length of time to repay the bond. Chairman Bryan asked when Mr. Joyner comes back in July whether we would be breaking ground with Mr. Joyner responded he hoped to be breaking ground by July. Chairman Bryan thanked Mr. Joyner for the report and wished the Authority great success in getting the financing and getting this project done otherwise we would be waiting 25-30 years to get it done.

The report was received as information.

REPORT FROM THE TCC CHAIR – RECEIVED

Chip Russell, TCC Chair, reported the TCC's next meeting would be a work session held at Lake Wheeler to discuss the TIP. He extended an invitation to TAC members to attend the meeting to be held on Thursday, June 4, 2009 from 9:30 a.m. until 2:00 p.m. Lunch will be provided.

MPO STAFF REPORT – RECEIVED

Mr. Johnson reported he had previously announced that David Hyder from High Point would be the new planning manager; however, he would lose money on the sale of his house and had decided not to take the job. The position has been readvertised and Mr. Johnson stated he is still working on filling this position. He reported the office furniture is expected soon for the meeting room on the 8th floor of the Professional Building.

Mr. Johnson indicated traditionally July has been the TAC's vacation month. He noted there would be items to be handled in August and September.

Mr. Johnson announced that Gerald McDaniel is now a certified planner.

NCDOT REPORT – RECEIVED

Wally Bowman, NCDOT, stated he went to Fuquay-Varina to discuss the Judd Parkway project and reported the problem has been resolved. The project will not be funded by AARA or STP-DA funds but would work with them on some other funding.

Mr. Bowman spoke to the Timber Drive project noting currently the 7 year TIP and there are \$17 billion worth of DOT projects and only \$9 billion in revenues forecast causing some projects to slip. He indicated Timber Drive will remain on the May, 2010 letting list and noted it is fortunate at this time it is included.

Mr. Bowman reported 2 bids were let the previous day and the prices are still coming in low. He indicated the contractors are anxious to get these jobs. Bids received the previous day, but not awarded yet, were for I-440 and came in 23.6% under engineering estimates and I-540 resurfacing from I-40 to US 70 came in 31.8% under engineering estimates. He explained when we get through with stimulus projects on the list, there may be funds left over to fill in some gaps. He noted this is the third month in a row where bids are continuing to come in 15% to 25% lower. Mr. Bowman further reported they are ready to take bids on the extra lane on I-40 between US1/64 Interchange to Wake Avenue in June. Once the bids are received the contracts are awarded quickly. He indicated there will be a lot of work going on around Raleigh at one time. He indicated US 1 resurfacing through Franklin County will be done in June with stimulus funds.

Transportation Advisory Committee
May 20, 2009

Mr. Bowman indicated at the June TAC meeting he would report on the status of DOT projects for the CAMPO area including maps of resurfacing projects, spot safety intersection improvements and TIP projects.

Chairman Bryan advised that CAMPO staff is going around to various areas doing presentations and asked Diane Wilson to report on this. Ms. Wilson reported the Town of Wendell requested that she come and provide information on the CTP, MTIP, what is in the plans for them and the process for getting things into the plan and an overview of Transportation 101. She noted many times the commissioners do not have a grasp of what CAMPO does and why CAMPO does what they do. The presentation was followed by a question and answer session. Chairman Bryan urged members to take advantage of this noting transportation is in the forefront in this area.

ADJOURNMENT

There being no further business, upon motion of Mr. Eagles, seconded by Mr. Senter, unanimously passed, the meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Brenda Hunt