PACTS TRANSIT COMMITTEE
MEETING AGENDA
April 2, 2020
3:00 – 4:00 p.m.
Zoom meeting: https://zoom.us/j/959270760

1. Welcome
Staff will provide a brief introduction to and overview of Zoom meeting procedures and tools.

2. Open Public Comments
Residents are welcome to provide up to three minutes of public comment on any issue, including items on the agenda.

3. Acceptance of January 9, 2020 Meeting Minutes (Attachment A)

4. Review and Recommendation for Capital and Operating Funding and Split Letter (Attachments B and C) - 20 Minutes

Note that the 2020 5337 split letter for Casco Bay Lines and Northern New England Passenger Rail Authority (Attachment C) is included for information only.

A. Recommend capital and operating funding for 2020 and 2021 and corresponding split letter

Staff Report:
At two recent meetings, the Transit Committee workshop discussed agency funding requests for 2020-2025. With the pending development of a comprehensive transportation funding prioritization framework for the PACTS region, the workshop decided to focus on funding amounts for 2020 and 2021, with the funding levels informed by future years. The consensus at the workshop was that the $1 million
reserve to cover exigencies need not be maintained and that future years need only not show a deficit. Initial agency requests resulted in a total funding deficit of approximately $875,000 in 2022. Revised requests yielded a surplus of approximately $157,000 in 2022 and of over $2 million in 2023 and beyond.

At the March 12 Transit Committee workshop, members expressed general support for the funding levels for 2020 and 2021, informed by the future years, as reflected in the spreadsheet included with the meeting materials. These amounts are reflected in the draft split letter (Attachment B).

**Proposed Action: Recommend the proposed funding amounts for 2020 and 2021 and the corresponding draft split letter for approval by the PACTS Executive Committee.**

B. Authorize MaineDOT to continue to assign 5339 funds for the PACTS region

MaineDOT has historically been assigned PACTS region 5339 funds since the inception of the Moving Ahead for Progress in the 21st Century Act (MAP-21) via the split letter. The annual funding amounts for the region from 2013 to 2019 were between $212,000 and $290,000. The funds can only be used for capital and MaineDOT has coordinated with RTP and YCCAC on an equitable split. MaineDOT’s continuing to assign these funds for the region is included in the draft split letter.

**Proposed Action: Authorize MaineDOT to administer FY5339 funds for the PACTS region in 2020.**
5. Discussion on Accessing Additional Federal Funds - 20 Minutes

Staff Report:
The CARES Act signed by the President on March 27th provides transit agencies across the country $25 billion dollars for transit infrastructure grants to “prevent, prepare for, and respond to coronavirus.” This relief becomes available this coming Friday.

Funds will be treated the same as if they were provided under 49 U.S.C. 5307 (Urbanized Area Formula Grants) and 49 U.S.C. 5311 (Formula Grants for Rural Areas), but will be distributed in the same proportion as the funds in fiscal year 2020 appropriations under 5307, 5311, 5337 and 5340. Funds under 5337 will be added to 5307 funds and administered under 5307. Funds will be distributed by April 3rd, 2020 based on FY2020 apportionment formulas. The limitation on the use of funds for operating expenses in urban areas is waived.

All of the funds must be used for “reimbursement for operating costs to maintain service and lost revenue due to the coronavirus public health emergency, including the purchase of personal protective equipment, and paying the administrative leave of operations personnel due to reductions in service.” The start date for reimbursable expenses is January 20th, 2020. These additional operating funds do not need to appear in the region’s or state’s Transportation Improvement Program or in the region’s long-range plan to quality.

Finally, the transit funds come from General Treasury Funds, not the Highway Trust Fund, so they are not subject to any limitation on obligations. Eligible projects can be funded with 100% federal funds.

The intent of this item is to discuss the process by which agencies apply for funds and if and how a regional approach can support this work.

Proposed Action: Determine next steps to support agencies in applying for available federal funds
6. Update on Automatic Vehicle Location Process

Staff Report:
Aubrey Miller is in discussion with Donna Tippett to finalize the scope and timing for this work. Aubrey has confirmed with Casco Bay Lines, METRO, and South Portland Bus Service that Donna’s proposed timeline, with the work being completed in September 2020, is consistent with their planning.

Proposed Action: For information only.

7. Other Business

8. Adjourn

Upcoming Meetings:
- April 7, 8:30 a.m. – PACTS Executive Committee
- April 9, 9:30 a.m. – PACTS Transit Committee
- April 23, 3:00 p.m. – PACTS Policy Committee
- April 28, 1:00 p.m. – PACTS Transit Committee Workshop
- May 14, 9:30 a.m. – PACTS Transit Committee
PACTS

PACTS TRANSIT COMMITTEE
MEETING MINUTES
January 9, 2020
9:30 – 11:00 a.m. at GPCOG

In Attendance:

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<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
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<tbody>
<tr>
<td>Hank Berg, Vice Chair</td>
<td>Casco Bay Island Transit District</td>
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<tr>
<td>Lori Brann</td>
<td>MaineDOT</td>
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<td>Chris Chop</td>
<td>Maine Medical Center</td>
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<td>Robert Currie</td>
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<td>Jack De Berardinis</td>
<td>RTP</td>
<td>Y</td>
</tr>
<tr>
<td>Casey Gilbert</td>
<td>Portland Downtown</td>
<td>Y</td>
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<tr>
<td>Rebecca Grover</td>
<td>Maine Turnpike Authority</td>
<td>Y</td>
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<tr>
<td>Art Handman</td>
<td>City of South Portland</td>
<td>Y</td>
</tr>
<tr>
<td>Bruce Hyman</td>
<td>Planning Committee Appointee</td>
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<tr>
<td>Gregg Isherwood</td>
<td>Custom Coach &amp; Limousine</td>
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<tr>
<td>Greg Jordan, Chair</td>
<td>METRO</td>
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<tr>
<td>Patricia Quinn</td>
<td>NNEPRA</td>
<td>N</td>
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<tr>
<td>Tony Scavuzzo</td>
<td>BSOOB Transit</td>
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</table>

Guests

William Gayle NNEPRA (in place of Patricia) Y

GPCOG

Steph Carver Y
Kristina Egan Y
Ryan Neale Y

1. Welcome - The meeting was called to order at 9:31 a.m.

2. Open Public Comments - There were no public comments.
3. **Acceptance of December 12, 2019 Meeting Minutes**

   There were no comments or corrections to the minutes and the minutes were accepted without a vote.

4. **Discuss the Federal Transit Administration’s 1% Security Requirement**

   Ryan Neale noted that the group had talked previously about including a row in the Six Year Capital and Operating Plan (SYCOP) to capture agencies’ security funding. Ryan and Hank spoke to Federal Transit Administration staff following the January 7 PACTS Executive Committee meeting and did not hear anything that would indicate this was not appropriate. This could be included in each agencies’ 5307 tab in the SYCOP spreadsheet. Most agencies will not have a number in this category, as NNEPRA has historically provided the funds the region. NNEPRA expects to continue providing adequate funds to meet the region’s requirement going forward, and this will create a more formal process for tracking these funds.

   Hank Berg asked if this included 5307 and 5337 or was just limited to 5307. Ryan responded that it appears to just involve 5307 funds. It is 1% of the total 5307 allocation.

   In response to a question from Jack De Beradinis, Ryan said that NNEPRA has met this requirement for the region in years past. This has worked for other agencies. The expectation is that NNEPRA would continue to do so, this would just be a more formal process than we have had previously. Will said this would not change because it is part of the cost allocation for Amtrak. As long as the federal policy stays the same, NNEPRA would be spending between $250,000 and $300,000 annually on safety and security for Amtrak.
Hank said that the triennial review speaks to 1% of the agency’s budget. FTA removed this section a few weeks before Casco Bay Lines’ documentation was due but indicated that it is still a requirement. Greg Jordan noted that the requirement may say it is 1% of the agency’s budget but 1% of the region’s is sufficient if it can be documented. Lori Brann said that agencies do not have to spend any funds if it can be proven that adequate security measures are in place. Art Handman added that this is in the grant application.

Greg said that agencies may be able to document that expenditures are not necessary, but until that is done, the region’s transit agencies will rely on NNEPRA’s safety and security funding.

**Action:** Staff will add a line item to each agency’s 5307 tab in the SYCOP.

5. **Discuss Authority for Programming Federal Transit Funds in the PACTS Region**

Kristina Egan noted that we have had several discussions about whether the authority for programming the region’s transit funds lies with the transit agencies or with the PACTS Policy Committee. Staff has been working on this issue and has spoken with FTA to try to gain some clarity. The intent is to include the issue in the development of the transportation funding prioritization framework. The request for proposals was approved by the Policy Committee on January 7 and issued shortly thereafter. It includes having the consultant review guidelines, policies, and procedures to help us clear up any ambiguities.

In response to a question, Kristina said that the RFP is out but that a consultant has not yet been selected. Art Handman asked about the timeframe for development of the funding prioritization framework. Kristina said that a consultant is expected to be selected by March and that the funding prioritization framework will not be
complete until this summer at the earliest. The intent is for the SYCOP allocation process to go forward again this year.

Jack asked if voting among the members on the SYCOP would be put aside and if decisions would be made by PACTS administration or staff. Kristina said that decisions would be made by the PACTS Policy Committee and that this is how it has been done in the past. The Transit Committee would recommend the SYCOP for approval by the PACTS governing board. She noted that Art has made the point that the governing body does not need to approve the split letter but in the past the PACTS Policy Committee has approved it.

Kristina said that we want to make sure there are no issues with the process. She noted that the PACTS bylaws list the Transit Committee as a body under the governing committee. We will proceed this way unless there is other direction from the consultant.

Greg noted that some of the confusion is inherent in the regulations which state that transit agencies are obligated to approve the split letter each year. The regulations also say that the governing body approves the Transit Improvement Program (TIP) which reflects the SYCOP. Those two things are in conflict as the split letter is approved each year and the TIP is a long-range plan covering multiple years. Art said the regulations also say that the transit agencies are obligated to provide the TIP elements to the MPO. Kristina said we want to clarify this so we are clear moving forward.

Hank said another element is that the designated recipients decide and based on the regulations the governing body will incorporate those decisions into the TIP. Kristina said there are different opinions around the table and this is why it will be helpful to have a third party provide guidance.
Art asked if FTA has provided any guidance. Kristina said the consultant will get FTA’s opinion on this. To date, FTA’s guidance has been that it is up to the region to determine how funds are allocated. This may be something that needs to be clarified by the PACTS Policy Committee.

6. Review Transit Committee Task List
Ryan noted that there was discussion at the last Transit Committee meeting about the status of specific tasks. The Committee had asked staff to create a tracking list for these items. The spreadsheet lists the item, its status, and any relevant notes. The intent is for staff to use this internally to track progress and report to the Committee regularly. Future agenda items are added to meeting agendas as appropriate and a list of upcoming agenda items will be included in meeting agendas.

Bruce asked about the timing of the Automatic Vehicle Location item. Ryan said that he and Aubrey have had several conversations with vendors and others and are hoping to have some guidance in the near future. Bruce asked if there was funding to maintain the existing system while new options are being explored. He noted that the existing systems seem to be less reliable in the last year or so. Ryan said that staff is focusing on getting the next iteration right going forward.

In response to a question from Art, Ryan said that staff’s intent is to make sure that the systems will be able to communicate and share data appropriately going forward. Art noted this would involve incorporating the electronic fare payment as well. Greg said that the main thing GPCOG can assist with is making sure that there is an integrated public-facing piece to the AVL data. As long as the data can be integrated, agencies can use different systems, but the public-facing piece will look like a single system. A separate issue might be the future development of a unified fare app.
Chris asked if this would replace or complement Southern Maine Transit Tracker. Ryan said that the new system would provide this service and hopefully be an improvement over Southern Maine Transit Tracker.

7. **Review Proposed 2020 Calendar for Reporting on Previously Approved Regionally Administered Discretionary (RAD) Projects**

Ryan noted that the Committee has already approved the RAD reporting template. The calendar is included with the template to provide agencies with advance notice of when the updates will be expected.

Greg asked if the agency reporting templates would be included in the meeting packet and the group agreed that this would be helpful. Going forward, Ryan will provide reminders ahead of time to the reporting agencies.

8. **Other Business**

Hank noted that estimates for Casco Bay Lines’ new vessel are much higher than projected. The plans include consideration of a diesel-electric hybrid propulsion system. A driving factor of the cost is Central Maine Power’s peak pricing. Batteries would need to be added because it is cost prohibitive to charge during peak times. CBL is planning to approach the Public Utilities Commission and probably others on the issue. This affects buses and cars as well.

Greg said that it is timely to coordinate as BSOOB and METRO are advancing electric buses in the next 18 months. They may not be charging during peak periods but are concerned with demand charges particularly if there is overhead charging infrastructure involved.

Kristina suggested having a meeting of those who are concerned about this with her and Chris Hall to think about the policy considerations involved. CMP’s pricing could have negative impacts on several things that are being advanced. Hank said
CBL can't move forward with the design until this is resolved. The funding is not available to accommodate CMP's peak pricing. Tony noted that we would not want to move toward sustainability and have it be more expensive than traditional fuels.

**Action:** Staff will work on convening a meeting or conference call with Greg, Hank, Tony, Kristina, Chris, Julie Rosenbach of South Portland, and Troy Moon of Portland.

Greg asked about the SYCOP process and timeline. Ryan said that he was planning to send the draft SYCOP to agencies on January 10 and that initial requests and any supporting information are due by Friday, January 17. The agencies agreed that this was reasonable. The SYCOP’s assumption of 2% annual increases in 5307 was confirmed by Peter Butler at the January 7 Executive Committee meeting. Ryan will share the draft SYCOP, policy guidance, supplemental information forms, and an explanatory note on January 10. Agencies will be asked to fill out the appropriate spreadsheet(s) for their agencies, and Ryan will combine all of the initial requests into a master spreadsheet for consideration going forward. Greg noted that the SYCOP includes tabs for 5307 funds, 5337 funds, and discretionary funds.

Bruce and the group congratulated METRO for record ridership numbers last year.

Hank advised the group that he will be out of the state most of February.

**9. Adjourn**

The meeting adjourned at 10:01 a.m.
Dear Mr. Butler,

This letter is to inform you of the split of Section 5307 funding for the Portland, Maine UZA including: Biddeford, Saco, Old Orchard Beach Transit Committee (BSOOB Transit), Casco Bay Island Transit District (CBITD), Maine Department of Transportation (MaineDOT) acting for Regional Transportation Program (RTP) and York County Community Action Corporation (YCCAC), Greater Portland Transit District (METRO), Northern New England Passenger Rail Authority (NNEPRA), and South Portland Bus Service (SPBS).

This letter reflects the revision in the PACTS region FFY2019 5307 apportionment (from $10,474,738 to $10,471,782) that was made after the split letter was finalized in 2019. MaineDOT will continue to assign 5310 and 5339 funds for the region.

Portland, ME Urbanized Area - FFY2019 Full-Year Apportionment Split of Federal 5307 Funding

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<tr>
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<th>Capital</th>
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<th>Paratransit</th>
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*Regionally Administered Transit Discretionary Fund
Portland, ME Urbanized Area - FFY2020 Full-Year Apportionment Split of Federal 5307 Funding

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*Regionally Administered Transit Discretionary Fund

The Regionally Administered Discretionary (RAD) Program Balance is the current balance that has yet to be programmed for Operating, Capital, ADA Paratransit or Planning projects in FFY2020. The PACTS Transit Committee has developed an Expansion/Enhancement Policy and Application Process for selecting new projects and determining other eligible uses as agreed upon by the Committee that best serve the region. Any new service, regardless of funding source, must meet certain criteria to be eligible for funding support.

The undersigned agree that this apportionment is binding and in force for the specified amount of funds apportioned in FFY2019 and FFY2020. Requirements to utilize certain percentages of 5307 formula funds for other specific purposes will be handled by each provider in consultation with MaineDOT and/or FTA. Each agency receiving funds is responsible for grant filing, reporting, and matching requirements.

Tony Scavuzzo, Executive Director  
Biddeford, Saco, Old Orchard Beach Transit Committee

Hank Berg, General Manager  
Casco Bay Island Transit District

Art Handman, Director of Transportation  
City of South Portland

Greg Jordan, General Manager  
Greater Portland Transit District

Patricia Quinn, Executive Director  
Northern New England Passenger Rail Authority

Jack De Beradinis, Executive Director  
Regional Transportation Program

Robert Currie, Transportation Director  
York County Community Action Corporation

Bruce Van Note, Commissioner  
Maine Department of Transportation
March 13, 2020

Peter Butler
Acting Regional Administrator
Federal Transit Administration
Volpe Center
55 Broadway, Suite 920
Cambridge, Massachusetts 02142

Re: Section 5337 Portland Urbanized Area Second Allocation for FFY2020

Dear Regional Administrator Butler:

The Federal Transit Administration (FTA) has indicated that a full FFY2020 apportionment of $7,982,135 in MAP-21 Section 5337 State of Good Repair Formula Funds is available for the Portland Urbanized Area.

The total apportionment of $7,982,135 for FFY2020 is split $7,361,273 to the Northern New England Passenger Rail Authority (NNEPRA) (i.e. 92.22% of $7,982,135) and $620,862 to Casco Bay Island Transit District (CBITD) (i.e. 7.78% of $7,982,135).

Agency contributed Direct Route Miles (DRM) and Vehicle Revenue Miles (VRM), as submitted annually to the National Transit Database (NTD), will serve as the basis for all future 5337 allocation splits between NNEPRA and CBITD.

The undersigned agree that this apportionment is binding and in force for the specified amount of funds in FFY2020. Each agency receiving funds is responsible for grant filing, reporting, and matching requirements.

Sincerely,

Patricia Quinn
Executive Director
Northern New England Passenger Rail Authority

Henry Berg
General Manager
Casco Bay Island Transit District