PACTS Committee Task Force Agenda

June 4, 2020
1:30 – 3:00 p.m.
Zoom webinar: https://us02web.zoom.us/j/87314923242?pwd=ZjNwaG5MNVpuUHIzMlxTVEvWU1wUT09

As of March 31, 2020 PACTS and GPCOG are holding all committee meetings via Zoom conferencing technology. We remain committed to full public access and participation in our meetings through remote access during the COVID-19 crisis. Remote meetings will be held in accordance with the requirements of LD 2167, Public Law Chapter 618.

1. Welcome

2. Background and Committee Charge – 20 minutes

PACTS has identified several issues over the last year with our existing committee structure. At recent PACTS Executive and Policy Committee meetings, it was decided that a task force should be convened to explore in detail some of the challenges with PACTS’ committee structure and make recommendations for changes. This is an important opportunity to improve the efficiency and effectiveness of PACTS’ committees and our ability to serve the region. The committee will develop recommendations for consideration by the PACTS Policy Committee.

The committee is asked to consider four key areas of focus:

- Reducing the number of PACTS committees
- Expanding the participation of elected officials on PACTS committees
- Increasing the level of transit representation on PACTS committees
- Considering the addition of Community Transportation Leader seats on PACTS committees
Proposed action: For information only.

3. Summary of Other MPO Committee Structures (Attachments A, B, C and D) – 20 minutes

Staff Report
PACTS staff researched the composition of other Metropolitan Planning Organizations (MPOs) to inform the committee’s deliberations. Included in the meeting packet are a summary table and key takeaways from a survey done as part of 2017 a study by the U.S. Department of Transportation on MPO staffing and organizational structures. The study included a survey of 396 MPOs, with 279 respondents. Also included is a brief summary of the relevant findings and a graphic of a typical MPO committee structure from Transportation for America's The Innovative MPO.

The packet also includes summaries of the Boulder, CO, Bremerton, WA, and Burlington, VT MPOs (peer regions in the Transit Tomorrow analysis), as well as the Genesee Transportation Council (Rochester, NY), Delaware Valley Regional Planning Commission (Philadelphia, PA), and Birmingham (AL) Metropolitan Planning Organization.

Proposed action: Identify potential committee structures that may be appropriate for PACTS.

4. Overview of PACTS Committee Structure and Roles (Attachments E, F, and G) – 20 minutes

Staff Report
A visual graphic of PACTS’ current committee structure is included as Attachment E. PACTS has five standing committees and currently has two ad hoc committees focused on specific topics. The PACTS Bylaws were revised in April 2020. The revised Bylaws define the role of each PACTS standing committee. Note that the summaries below include only those items related to committee functions and responsibilities. The full Bylaws (Attachment F) are included for the committee’s information, as is the current PACTS committees membership list (Attachment G).
- **Policy Committee**
  - Standing, permanent committee within GPCOG with full and exclusive authority over all matters relating to PACTS' responsibilities as the region’s Metropolitan Planning Organization (MPO), including the PACTS budget
  - Full authority to establish subcommittees, working groups, other organizational structures, operating procedures and guidelines
  - Set the tone, establish the regional vision, and do high level policy development
  - Adopt annually the PACTS Transportation Improvement Program (TIP)
  - Ratify the biennial Unified Planning Work Plan (UPWP) and biennial list of MPO allocation projects
  - Meets quarterly, or more frequently if needed

- **Executive Committee**
  - Develop updates to the long-range transportation plan, and submit to the Policy Committee for endorsement
  - Develop the biennial UPWP for Policy Committee approval
  - Develop the biennial list of MPO allocation projects for Policy Committee ratification
  - Amend the PACTS TIP for MPO allocation capital projects, FTA capital and operating assistance projects, and all other federally funded projects
  - Adopt updates of the PACTS transit Six Year Capital and Operating Plan
  - Create and disband special committees
  - Meets monthly or as needed

- **Technical Committee**
  - Advise the Executive Committee on any and all matters for which the Executive Committee seeks its advice'
  - Focus on technical project and program review issues related to a issues including, but not limited to: road and highway preservation and construction, traffic control, different modes of transportation, and alternative modes
  - Advise the Planning and Technical Committees on questions related to strategic transportation planning issues
  - Pursue objectives of the Congestion Mitigation Plan and long-range transportation plan
  - Meets monthly or as needed
• **Planning Committee**
  - Advise the Executive Committee, Technical Committee, and staff on strategic transportation planning issues
  - Focus on long-range planning issues and relationships with other public planning issues, such as land use, economic development, environmental protection, resource conservation, and community enhancement
  - Implement the long-range transportation plan, monitor performance measures for assessing progress in attaining Congestion Mitigation Plan objectives, and report annually to the Executive Committee on progress
  - Meets monthly or as needed

• **Transit Committee**
  - Advise the Executive Committee on strategic public passenger transportation issues, in support of the long-range transportation plan
  - Develop and recommend to the Policy Committee a set of transit planning and programming policies and procedures for incorporation into the PACTS TIP Policies and Procedures
  - Update the SYCOP and send it to the Executive Committee for adoption
  - Authorize FTA-required Split Letters regarding the sub-allocation of FTA formula funds before the transit agencies send the Split Letters to MaineDOT and FTA
  - Recommend amendments to the PACTS TIP to the Executive Committee regarding the allocation of FTA formula funds
  - Meets monthly or as needed (note: the Transit Committee workshop typically meets monthly as well)

• **TIP Committee**
  - Ad hoc advisory committee to the PACTS Policy Committee
  - Charged with recommending to the PACTS Policy Committee:
    ▪ Allocation of 2023 FHWA resources
    ▪ Updates and changes to the TIP Policies and Procedures and the Transit Policies and Procedures
    ▪ A funding prioritization framework (to be included in the Policies and Procedures) for programming all projects
  - Consists of members of the former TIP subcommittee and members of the PACTS Transit Committee
• Transit Tomorrow Project Advisory Committee
  o Temporary ad hoc committee established to support the development of the region’s long-range public transportation plan
  o Ensure that the plan’s vision, goals, and recommendations represent the region’s collective needs and desires
  o Advisory to the PACTS Policy Committee
  o Meets approximately every other month from 2018 to 2020
  o Provide regular feedback to GPCOG staff at key decision points, including selecting a consultant, sharing valuable local information and insights, soliciting broad public engagement, and reviewing draft visions, goals, and recommendations
  o Membership includes representatives from all seven transit agencies, municipal governments, MaineDOT, Maine Turnpike Authority, developers, community organizations, Transportation Demand Management professionals, and bike/ped professionals

Proposed action: Identify ways in which the responsibilities of existing PACTS committees overlap.

6. Discussion of Next Steps – 20 minutes

Proposed actions:
• Identify additional research and information needed by the task force
• Identify major benefits and barriers to combining committees
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U.S. DOT Study on MPO Staffing and Organizational Structures

Key Takeaways

• 28% of responding MPOs have an executive committee
  o Typically a sub-set of the MPO governing board (often consisting of
governing board officers and appointees)
  o Intended to make certain delineated policy decisions on behalf of governing
board
  o Streamlines decision-making process
  o Particularly useful if MPO governing boards are large and/or meet
infrequently
• 92% of MPOs have a technical committee
  o Usually comprised of professional and technical staff from member local
governments and modal agencies
  o Typically helps board members understand complex engineering and
planning concepts
  o Provides input on how MPO decisions are likely to impact local
constituencies
  o An effective technical committee facilitates the movement of information
between local agencies and MPO staff and provides important direction and
insight for staff
• 32% have citizen advisory committees
  o Represent local citizenry and provide input to the MPO process from that
perspective
  o Typically appointed by MPO governing board
• 14% have transportation disadvantaged advisory committees
  o Intended to represent perspective of individuals for whom common forms of
transportation are less available or accessible
• 35% have bicycle and ped advisory committees
  o Guide or approve the bicycle and pedestrian elements of all MPO documents
  o Bring together local stakeholders and agencies to resolve bike/ped issues
  o More common in large MPOs
• 19% have transit committees
- Help guide the transit planning process within the MPO planning structure
  - 7% have land use committees
    - Planning literature strongly suggests a close coordination between land use and transportation to achieve efficient and quality planning outcomes
  - Governing boards mostly meet monthly (49%), quarterly (21%), or bimonthly (15%)

**The Innovative MPO**

- Policy Board
  - Formally responsible for adopting regional transportation plans and policies
  - Determine their own representation and decision-making procedures
- Planning or Technical Advisory Committees/Subcommittees
  - Provide technical analysis, recommendations, and specialized knowledge to the policy board on specific planning strategies, projects, or issues
  - Technical committee is made up of local government technical staff with expertise in specific planning or engineering areas
  - May include transportation advocates with technical knowledge and a citizen’s perspective
  - Technical committee is typically responsible for reviewing and evaluating transportation-related plans and programs
- Citizen Advisory Committees
  - Used by most MPOs to provide a citizen’s view on transportation decision-making
  - Members typically represent a cross-section of the region in geography, cultural values, and transportation needs
PACTS
Major city: Portland  Population: 264,225  Area (Sq. Miles): 480
Structure: 5 standing committees plus 2 ad hoc/special
1. Policy Committee
2. Executive Committee
3. Technical Committee
4. Planning Committee
5. Transit Committee
6. TIP Committee
7. Transit Tomorrow Project Advisory Committee

Chittenden County Regional Planning Commission (CCRPC)
Area Served: 1 county
Peer Area Served: Burlington, VT
Major city: Burlington  Population: 156,567  Area (Sq. Miles): 618
MPO Membership: 19 municipal representatives and several agencies representing various sectors
Structure: 8 standing committees
1. Executive Committee
2. Finance Committee (FC)
3. Board Development Committee (BDC)
4. Unified Planning Work Plan Committee (UPWPC)
5. Transportation Advisory Committee (TAC)
6. Planning Advisory Committee (PAC)
7. Long Range Planning Committee (LRPC)
8. Clean Water Advisory Committee (CWAC)

Denver Regional Council of Governments (DRCOG)
Area Served: 9 counties
Peer Area Served: Boulder, CO
Major city: Denver  Population: 2,827,082  Area (Sq. Miles): 3,605
MPO Membership: 56 participating member governments
Structure: 7 standing committees plus non-standing, ad hoc committees
1. Executive Committee
2. Finance & Budget Committee
3. Performance & Engagement Committee
4. Nominating Committee
5. Advisory Committee on Aging
6. Regional Transportation Committee
7. Transportation Advisory Committee
8. Non-Standing / Ad Hoc Committees

Peninsula Regional Transportation Planning Organization (PRTPO)
Area served: 4 counties (one county is also part of the Puget Sound Regional Council)
Peer Area Served: Bremerton, WA
Major city: Bremerton  Population: 200,000  Area (Sq. Miles): 354
RTPO Membership: 4 counties, city governments, 8 Tribes, port districts, transit districts, and the WSDOT Olympic Region

RTPO Structure:
1. Lead Planning Agency
2. Executive Board and Executive Committee
3. Transportation Policy Board
4. Technical Advisory Committee (TAC)

Greater Buffalo-Niagara Regional Transportation Council (GBNRTC)
Area Served: 2 counties
Peer Area Served: Buffalo, NY Major city: Buffalo Population: 1,135,511 Area (Sq. Miles): 1,576
MPO Membership: 7 members (2 cities, 2 counties, and NYS Thruway Authority, the Niagara Frontier Transportation Authority and NYSDOT), plus 3 regional strategic stakeholders
Structure: There are two standing committees and several subcommittees
Standing Committees:
1. Policy Committee
2. Planning and Coordinating Committee (PCC)

PCC Subcommittees:
1. Transportation Projects
2. Long Range Plan
3. Cross Border Planning
4. Systems Management and Operations
5. Administration

Genesee Transportation Council (GTC)
Area Served: 9 Counties
Peer Area Served: n/a
Major city: Rochester Population: 878,672 Area (Sq. Miles): 1,312
MPO Membership: county and municipal representatives, and several agencies representing various sectors (no more than 40 voting members)
Structure: 3 standing committees
1. Executive Committee
2. Planning Committee
3. Special Committees

Birmingham Metropolitan Planning Organization (MPO)
Part of the Regional Planning commission of Greater Birmingham (RPC)
Area Served: 6 counties
Peer Area Served: n/a
Major city: Birmingham Population: 911,479 Area (Sq. Miles): 2,263
MPO Membership: representatives from municipal and county governments and transportation sectors
Structure: 4 committees managed by the Regional Planning Commission of Greater Birmingham (RPCGB)
1. Policy Committee
2. Advisory Committee
3. Transportation Technical Committee (Supports the Congestion Management Committee and the Transportation Improvement Program (TIP) Subcommittee)
4. Transportation Citizens Committee

Delaware Valley Regional Planning Commission (DVRPC)
Area Served: 9 county region in two states
Peer Area Served: n/a
Major city: Philadelphia  Population: 5,626,318  Area (Sq. Miles): 3,811
MPO Membership: 18 voting members plus non-voting members representing a large swath of government and various sectors
Structure: 1 Board, 6 committees, 4 task forces, 2 forums, 2 groups
  1. DVRPC Board (BOARD)
  2. Executive Committee
  3. Board Work Program Committee (WPC)
  4. Board Policy Analysis Committee (BPAC)
  5. Ethics Committee
  6. Regional Technical Committee (RTC)
  7. Regional Aviation Committee (RAC)
  8. Transportation Operations Task Force (TOTF)
  9. Public Participation Task Force (PPTF)
10. Delaware Valley Goods Movement Task Force (DVGMTF)
11. Regional Safety Task Force
12. Healthy Communities Task Force
13. Central Jersey Transportation Forum
14. Regional Community & Economic Development Forum (RCEDF)
15. Information Resources Exchange Group (IREG)
16. Urban Waterfront Action Group
Typical MPO structure. Source of information: Association of Metropolitan Planning Organizations.
Standing PACTS Committees

<table>
<thead>
<tr>
<th>PACTS Policy Committee</th>
<th>Ad Hoc Committees</th>
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<tbody>
<tr>
<td>PACTS Planning Committee</td>
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<tr>
<td>PACTS Technical Committee</td>
<td>Project Advisory Committee</td>
</tr>
<tr>
<td>PACTS Transit Committee</td>
<td>TIP Subcommittee</td>
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BYLAWS
PORTLAND AREA COMPREHENSIVE TRANSPORTATION SYSTEM
Amended April 23, 2020

ARTICLE I
Name
The name of this organization shall be the PORTLAND AREA COMPREHENSIVE TRANSPORTATION SYSTEM (known as PACTS).

ARTICLE II
Mission
PACTS is a “Metropolitan Planning Organization” established pursuant to Federal statute and rules. As such, PACTS is a collaborative effort of municipal, regional, State and Federal representatives responding to the transportation related goals and objectives of the greater Portland region and its citizens. PACTS develops plans, programs and funding priorities that seek to improve the safety, mobility, productivity, environmental quality and energy conservation of our region’s transportation facilities, systems and services.

ARTICLE III
Membership, Structure and Operation
Section 1. Eligibility. Eligibility for active membership in this metropolitan planning organization is based upon rules published on, February 14, 2007, in 23 CFR Part 450, as amended, and upon a vote of the PACTS Policy Committee effective January 24, 2013. In accordance with the Federal rules, the organizational structure of PACTS is based upon agreement among the units of general-purpose local governments in the urbanized area and the Governor of the State of Maine. The Federal rules further state that the elected officials of general-purpose local governments shall be represented in the organization.
Section 2. Appointments. Participation by an individual as a representative of a municipality, the Maine Department of Transportation (MaineDOT), the Maine Turnpike Authority (MTA), the Southern Maine Planning and Development Commission (SMPDC), and the seven public transportation organizations listed in Article IX, Section 2, shall be established by correspondence to the Executive Director of GPCOG from the chief elected or administrative officer of that organization, except in cases for which no such officer exists. Participation by that individual shall continue until the Executive Director of GPCOG is advised in writing of a new individual representative. Nothing in this Article III, Section 2 prohibits the PACTS Policy Committee from adopting term limits and staggered terms for itself or for any other PACTS committee.

Section 3. SMPDC. The Southern Maine Planning and Development Commission (SMPDC) representatives shall represent all communities within the SMPDC service area that are not otherwise represented on the committees. The SMPDC Executive Committee shall appoint its representatives. Participation by those individuals shall continue until they are replaced.

Section 4. PACTS Regions.

A. The PACTS Capital Management Area is the area on a map (Appendix A) adopted by the Policy Committee in May, 2014.

B. The PACTS Study Area is the area on a map (Appendix B) adopted by the Policy Committee on January 24, 2013. PACTS will spend federal transportation planning funds throughout the PACTS Study Area.

C. The areas described as four subregions on the PACTS Subregion Map (Appendix C) was adopted by the Policy Committee on January 24, 2013. The four subregions include the following municipalities:

- Southern Subregion: Arundel, Biddeford, Old Orchard Beach, Saco and Scarborough
- Central Subregion: Cape Elizabeth, Portland and South Portland
• Northern Subregion: Cumberland, Falmouth, Freeport, North Yarmouth and Yarmouth
• Western Subregion: Gorham, Raymond, Standish, Westbrook and Windham

Section 5. Voting. Each voting member of every PACTS committee will have one vote.

Section 6. Rule of Necessity. Whenever any PACTS Committee is unable to act due to so many members being absent or disqualified due to a conflict of interest, bias, or other legal reason that the Committee will not be able to meet its quorum requirement, those members present may take actions under the legal theory of “Rule of Necessity.” The members present may apply this rule when failure of the Committee to act at that meeting would seriously risk or certainly prevent a member organization from receiving federal or state transportation funds related to an item on the meeting agenda.

ARTICLE IV

Officers

Section 1. The officers of PACTS shall consist of Chairpersons and Vice Chairpersons for the Policy Committee, the Technical Committee, the Planning Committee and the Transit Committee.

Section 2. The two officers of each Committee shall represent different organizations. Effort shall be made, but it is not required, that the Chairpersons of each committee represent different organizations.

ARTICLE V

Portland Area Comprehensive Transportation System (PACTS) Policy Committee

Section 1. Name. Portland Area Comprehensive Transportation System (PACTS) Policy Committee.

Section 2. Members. The Committee membership will be established by the PACTS Policy Committee pursuant to 23 U.S. Code Section 134.

The PACTS Policy Committee members are:
Organization Representatives
Arundel 1
Biddeford 2
Cape Elizabeth 1
Cumberland 1
Falmouth 1
Federal Highway Admin 1 (non-voting)
Federal Transit Administration 1 (non-voting)
Freeport 1
Gorham 1
MaineDOT 1
MTA 1
North Yarmouth 1
Old Orchard Beach 1
Portland 6
Raymond 1
Saco 2
Scarborough 2
SMPDC 1 (non-voting)
South Portland 2
Standish 1
Westbrook 1
Windham 1
Yarmouth 1
Planning Committee 1
Technical Committee 1
Transit Committee 1

The basis for the number of municipal representatives is: one vote for the first 18,000 population or part thereof, and one additional vote for each additional 12,000 population or part thereof. The number of votes allocated to each municipality is adjusted, as warranted, after the release of decennial census data.

Section 3. Appointment of Members and Alternates; Qualifications.

A. Municipal Councils or Select Boards will select their PACTS Policy Committee representatives, who must be elected officials or their designees. Designees must be senior municipal staff with experience in transportation issues.

B. Municipal Councils or Select Boards will also select their Committee alternates, who must be either elected representatives or senior municipal staff with experience in transportation issues. Each municipality which has a single representative on the Policy Committee shall also appoint two alternates to the Policy Committee. Likewise, each
C. The Executive Director or Chief Executive Officer of the following agencies/organizations will select their Committee representatives: the Maine Department of Transportation (MaineDOT), the Maine Turnpike Authority (MTA), and the Southern Maine Planning and Development Commission (SMPDC).

D. The Transit, Planning, and Technical Committees will each appoint a representative as noted elsewhere in these Bylaws. In each case the Committee Chair will serve as a member of the Policy Committee, or if the Chair elects, the Committee will select a member to serve on the Policy Committee in the event that the Chairperson chooses not to serve on that Committee.

E. The Federal Highway Administration and the Federal Transit Administration will appoint their own representatives.

F. All appointments will be made in writing, including via email, and directed to the GPCOG Executive Director or the Director’s designee.

Section 4. Vacancies. Any vacancies will be replaced by the appropriate appointing authority and communicated in writing, including via email, to the GPCOG Executive Director or the Director’s designee.

Section 5. Terms. Committee members will serve until a replacement member is appointed.

Section 6. Duties and Functions.

A. The Committee will perform all duties and functions required by federal law as the region’s Metropolitan Planning Organization. The Committee is established as a standing, permanent committee within GPCOG with full and exclusive authority over all matters relating to PACTS’s responsibilities as the region’s MPO, including the PACTS budget.

B. The Committee has full authority to establish subcommittees, working groups and other organizational structures, as well as operating procedures and guidelines, in the exercise of its authority under this Article.

C. The Committee will have a formal role in the GPCOG Executive Committee’s hiring, evaluation and termination of the GPCOG Executive Director. This participation must include a formalized process to include a representation of municipal PACTS Policy Committee members which are not members of GPCOG.

D. In addition, the Committee will:
1. Set the tone, establish the regional vision, and do high level policy development. This includes:

   a. To set the strategic direction for and endorse updates to the long-range transportation plan for the region.
   b. To collaborate with others to integrate our transportation work with other regional issues, such as housing, economic development and conservation.
   c. To set the overall strategic direction for the biennial Unified Planning Work Program.
   d. To endorse the biennial update of the PACTS TIP Policies and Procedures document which guides the programming of MPO Allocation projects and Federal Transit Administration (FTA) public transit funds.

E. Adopt annually the PACTS Transportation Improvement Program (TIP) – as federally required of metropolitan planning organizations – for submission to the FHWA and FTA.

F. Appoint the five sub-regional representatives to serve on the PACTS Executive Committee. Effort shall be made, but it is not required, that at least two elected officials serve on the PACTS Executive Committee.

G. Establish and amend the PACTS bylaws in conformity with the bylaws of GPCOG.

H. Approve, and to direct the GPCOG Executive Director or the Director’s designee to sign long-term contracts on behalf of PACTS.

I. Ratify the following budget decisions made by the Executive Committee:

   a) The biennial UPWP.
   b) The biennial list of MPO Allocation projects.

J. Return the budget decisions to the Executive Committee in the event that the Policy Committee finds them inconsistent with the Policy Committee’s strategic direction. The Policy Committee does not have the authority to amend these documents/actions.

K. Challenge subsequent Executive Committee amendments to the budget decisions if the members determine that the Executive Committee has not adequately followed the Policy Committee’s strategic direction. The challenge process goes as follows:

   a) The Executive Committee makes an amendment to a document ratified by the Policy Committee.
   b) Staff advises the Policy Committee of the amendment.
   c) At least five (5) municipalities challenge the amendment as inconsistent, and must say how it is inconsistent.
   d) The Policy Committee acts within 45 business days of the Executive Committee’s action. (If the Committee members convene but fail to have a quorum then the matter is closed.)
e) An inconsistency finding only undoes the amendment made by the Executive Committee. The Policy Committee does not have the authority to amend the amendment made by the Executive Committee.

L. Perform any other duties required by the Federal and State governments.

Section 7. Quorum. 10 members will comprise a quorum.

Section 8. Meeting Frequency. The Committee will meet quarterly, or more frequently if needed.

Section 9. Officers. The Committee will have a Chair and a Vice Chair.

a) Criteria. The two officers will represent different organizations and different subregions. Effort shall be made, but it is not required, that the Chairpersons represent different organizations. Effort shall be made, but it is not required, that at least one of the officers of the Policy Committee be an elected official.

b) Selection. A three-member Nominating Committee comprised of Policy Committee members chosen by the Executive Committee shall recommend a slate of officers for the Policy Committee.

c) Election. Officers will be elected by majority vote of the Policy Committee at the Committee’s first meeting of the PACTS fiscal year.

d) Duties. The officers of the Policy Committee shall also serve as the officers of the Executive Committee.

e) Term. The officers of the Policy Committee shall be elected for one-year terms and may be reappointed for only one consecutive year. The terms shall be based upon PACTS’ fiscal year, July 1 to June 30.

f) Vacancies. Vacancies in any office shall be filled by vote of the membership of the Policy Committee.

ARTICLE VI
PACTS Executive Committee

Section 1. Members.

The membership of the PACTS Executive Committee shall be as follows:

1. The Chairperson of the Policy Committee (1 year)
2. The Vice-Chairperson of the Policy Committee (1 year)
3. The Chairperson, or a designated member, of the Transit Committee (2 years)
4. A representative of the Maine Department of Transportation (2 years)
5. A representative of the Maine Turnpike Authority (2 years)
6. A representative of the Southern Subregion (2 years)
7. Two representatives of the Central Subregion (2 years)
8. A representative of the Western Subregion (2 years)
9. A representative of the Northern Subregion (2 years)

**Section 2. Terms.**

The years in parentheses above are the terms of each position. The individuals serving in the positions may be re-appointed, except for the Chairperson and Vice-Chairperson positions who may be reappointed for only one additional consecutive year. The Chairperson and Vice-Chairperson are eligible to represent subregions after their terms as officers.

The public transportation representative on the Executive Committee shall serve for two years, and may serve successive terms.

**Section 3. Appointment of Members.**

a) The Chair and Co-chair will be elected as provided in Article V, section 9.

b) The public transportation seat will be filled by vote of the Transit Committee as provided in Article IX, Section 5.

c) The Executive Director or Chief Executive Officer of the Maine Department of Transportation (MaineDOT) and the Maine Turnpike Authority (MTA) will select their Committee representatives.

d) The Policy Committee will appoint two representatives from the Central Subregion, and one representative each from the Northern, Western, and Southern Subregions as provided in Article V, Section 6 (F).

All appointments will be made in writing, including via email, and directed to the GPCOG Executive Director or the Director’s designee.

**Section 4. Vacancies.** Any vacancies will be replaced by the appropriate appointing authority and communicated in writing, including via email, to the GPCOG Executive Director or the Director’s designee.

**Section 5. Qualifications.** Sub-regional representatives on the PACTS Executive Committee must also be members of the PACTS Policy Committee. Policy Committee “alternates” may not be selected to serve on the Executive Committee.

**Section 6. Substitutes for Members.** All members may send substitutes to meetings. Sub-regional substitutes must be Policy Committee members (not alternates) from the same subregion.
Section 7. Duties and Functions. The Executive Committee will:

A. Develop the updates to the long-range transportation plan for the region, and submit to the Policy Committee for endorsement. The members will follow the strategic direction provided by the Policy Committee.

B. Develop the biennial Unified Planning Work Program (UPWP). These duties include:
   
i. Offer strategic direction recommendations every two years for the upcoming UPWP to the Policy Committee prior to the official start of the development of the UPWP.
   
ii. Oversee the development of a UPWP which is consistent with the strategic direction provided by the Policy Committee.
     
iii. Submit a draft UPWP to the Policy Committee for ratification.
     
iv. Submit a revised draft UPWP to the Policy Committee for ratification in the event that the Policy Committee makes an inconsistency finding.
     
v. Make all subsequent amendments to the UPWP.
     
vi. Submit a revised draft amendment to the Policy Committee in the event that the Policy Committee makes an inconsistency finding regarding a UPWP amendment of the Executive Committee.
     
   vii. Enter into all contracts not in the purview of the Policy Committee.

C. Develop the biennial list of MPO Allocation projects and submit them to the Policy Committee for ratification. The members will follow the strategic direction provided by the Policy Committee in PACTS TIP Policies and Procedures.

D. Amend the PACTS Transportation Improvement Program for MPO Allocation capital projects, FTA capital and operating assistance projects, and all other federally funded projects in the PACTS region.

E. Adopt updates of the PACTS Transit Six Year Capital and Operating Plan developed by the Transit Committee.

F. Respond to Policy Committee challenges made to Executive Committee budget decisions.

G. Provide guidance and input to GPCOG staff and other PACTS Committees consistent with Article XIII of these Bylaws.

H. Create and disband special committees.

I. Appoint two members to each of the Technical and Planning Committees, and three members to the Transit Committee as detailed elsewhere in these Bylaws.
J. Adopt policies and procedures as needed to carry out the expressed functions and powers of the Executive Committee.

K. Take on other responsibilities as directed by the Policy Committee.

L. Select a Nominating Committee of three members drawn from the Policy Committee to nominate Policy Committee Officers and subregional representatives for the Executive Committee.

Section 8. Quorum. Attendance by five members of the Executive Committee will constitute a quorum.

Section 9. Meeting Frequency. The Committee will meet monthly, or as needed.

Section 10. Officers. The Chair and Vice Chair of the Policy Committee will also serve as the Chair and Vice Chair, respectively, of the Executive Committee.

ARTICLE VII
PACTS Technical Committee

Section 1. Members. The membership of the Technical Committee shall be as follows:

a. One voting member from each of the 18 PACTS municipalities, MaineDOT, MTA, and the Transit Committee.

b. Non-voting members from FHWA, FTA and SMPDC.

c. Two voting Executive Committee Appointees.

Section 2. Appointments.

A. Municipal Councils or Select Boards will select their Technical Committee representatives.

B. The Executive Director or Chief Executive Officer of the following agencies/organizations will select their Technical Committee representatives: the Maine Department of Transportation (MaineDOT), the Maine Turnpike Authority (MTA), and the Southern Maine Planning and Development Commission (SMPDC).

C. The Executive Committee will select two members to serve on the Technical Committee based on potential members’ interest in freight, marine, and air transport, and alternative transportation modes, energy, air and water pollution, and other environmental protection and community quality of life issues. These members shall be from the eighteen-municipality PACTS region.
D. The Transit Committee will vote to appoint a representative pursuant to Article IX of these Bylaws.

E. The Federal Highway Administration and the Federal Transit Administration will appoint their Technical Committee representatives.

F. All appointments will be made in writing, including via email, and directed to the GPCOG Executive Director or the Director’s designee.

Section 3. Vacancies. Any vacancies will be replaced by the appropriate appointing authority and communicated in writing, including via email, to the GPCOG Executive Director or the Director’s designee.

Section 4. Terms. Committee members will serve until replaced with the following exceptions:

A. Committee members appointed by the Transit Committee shall serve for two years and may serve successive terms.

B. Participation by an Executive Committee Appointee on the Technical Committee shall be for a three-year term, and may be for successive terms.

Section 5. Duties and Functions. The Technical Committee will:

A. Advise the Executive Committee on any and all matters for which the Executive Committee seeks its advice. The Technical Committee shall focus on technical project and program review issues which relate to a broad scope of transportation issues (including, but not limited to, road and highway preservation and construction, traffic control, different modes of transportation and alternative transportation systems).

B. Advise the Planning Committee and the Executive Committee on questions related to strategic transportation planning issues.

C. Work with staff to develop and monitor performance measures for assessing progress in attaining objectives contained in the Congestion Mitigation Plan and the long range transportation plan for the region.

Section 6. Quorum. Attendance by representatives of five municipalities shall constitute a quorum.

Section 7. Meeting Frequency. The Technical Committee shall meet monthly, or as needed.

Section 8. Officers. The Technical Committee will have a Chair and a Vice Chair.

A. Selection: The officers of the Technical Committee shall be elected by a majority vote of the Committee. The terms shall be based upon PACTS' fiscal year, July 1 to June 30.
B. Qualifications: The two officers of the Committee shall represent different organizations. Effort shall be made, but it is not required, that officers represent different subregions.

C. Term: The officers of the Technical Committee shall be elected for two year terms or until their successors are elected. A majority vote of those present and voting shall elect. The terms shall be based upon PACTS’ fiscal year.

D. Vacancies: Vacancies in any office shall be filled by a vote of the membership of the committee.

**ARTICLE VIII**

**PACTS Planning Committee**

**Section 1. Members.** The membership of the Planning Committee shall be as follows:

a. One voting member from each of the 18 PACTS municipalities, MaineDOT, MTA, and the Transit Committee.

b. Non-voting members from FHWA, FTA, and SMPDC.

c. Two voting Executive Committee appointees.

**Section 2. Appointments.**

A. Municipal Councils or Select Boards will select their Planning Committee representatives.

B. The Executive Director or Chief Executive Officer of the following agencies/organizations will select their Planning Committee representatives: the Maine Department of Transportation (MaineDOT), the Maine Turnpike Authority (MTA), and the Southern Maine Planning and Development Commission (SMPDC).

C. The Executive Committee will select two members to serve on the Planning Committee based on potential members’ interest in freight, marine, and air transport, and alternative transportation modes, energy, air and water pollution, and other environmental protection and community quality of life issues. These members shall be from the eighteen-municipality PACTS region.

D. The Transit Committee will vote to appoint a representative pursuant to Article IX of these Bylaws.

E. The Federal Highway Administration and the Federal Transit Administration will appoint their Planning Committee representatives.
F. All appointments will be made in writing, including via email, and directed to the GPCOG Executive Director or the Director’s designee.

Section 3. Vacancies. Any vacancies will be replaced by the appropriate appointing authority and communicated in writing, including via email, to the GPCOG Executive Director or the Director’s designee.

Section 4. Terms. Committee members will serve until replaced with the following exceptions:

C. Committee members appointed by the Transit Committee shall serve for two years and may serve successive terms.

D. Participation by an Executive Committee Appointee on the Planning Committee shall be for a three-year term, and may be for successive terms.

Section 5. Duties and Functions. The Planning Committee will:

A. Advise the Executive Committee, the Technical Committee, and staff on strategic transportation planning issues. The Committee shall focus on long-range planning issues and relationships with other public planning issues, such as land use, economic development, environmental protection, resource conservation and community enhancement.

B. Work with staff to implement the long-range transportation plan for the region, to monitor performance measures for assessing progress in attaining objectives contained in the Congestion Mitigation Plans and to report annually to the Executive Committee on their progress.

Section 6. Quorum. Attendance by representatives of five municipalities shall constitute a quorum.

Section 7. Meeting Frequency. The Planning Committee shall meet monthly, or as needed.

Section 8. Officers. The Planning Committee will have a Chair and a Vice Chair.

A. Selection: The officers of the Planning Committee shall be elected by a majority vote of the Committee. The terms shall be based upon PACTS' fiscal year, July 1 to June 30.

B. Qualifications: The two officers of the Committee shall represent different organizations. Effort shall be made, but it is not required, that officers represent different subregions.

C. Term: The officers of the Planning Committee shall be elected for two year terms or until their successors are elected. A majority vote of those present and voting shall elect. The terms shall be based upon PACTS' fiscal year.
D. Vacancies: Vacancies in any office shall be filled by a vote of the membership of the committee.

ARTICLE IX
PACTS Transit Committee

Section 1. Members. The membership of the Transit Committee shall be as follows:

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<tr>
<td>Planning Committee Appointee</td>
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</table>

Section 2. Appointments.

A. The Executive Director or Chief Executive Officer of the following agencies/organizations will select their Transit Committee representatives: Casco Bay Lines, the Maine Department of Transportation (MaineDOT), the Maine Turnpike Authority (MTA), METRO, Northern New England Passenger Rail Authority, Regional Transportation Program, Biddeford Saco Old Orchard Beach Transit, City of South Portland Bus System, and York County Community Action Corporation.

B. The Executive Committee will appoint three members to the Transit Committee who are representatives of either an organization or a member of the public concerned with public passenger transportation, and interested in promoting the goals of the long range transportation plan for the region. These members shall be from the eighteen-municipality PACTS region.

C. The Planning Committee will appoint a member to the Transit Committee.

D. All appointments will be made in writing, including via email, and directed to the GPCOG Executive Director or the Director’s designee.
Section 3. Vacancies. Any vacancies will be replaced by the appropriate appointing authority and communicated in writing, including via email, to the GPCOG Executive Director or the Director’s designee.

Section 4. Terms. Members will serve until their replacement is appointed with the following exception:

Participation by an Executive Committee Appointee on the Transit Committee shall be for a three-year term, and may be for successive terms.

Section 5. Duties and Functions. The Transit Committee will:

A. Advise the Executive Committee on strategic public passenger transit issues, in support of the principles outlined in the long-range transportation plan for the region.

B. Develop and recommend to the Policy Committee a set of transit planning and programming policies and procedures for incorporation into the PACTS TIP Policies and Procedures document.

C. Update the PACTS Six Year Transit Capital and Operating Plan and send it to the Executive Committee for adoption.

D. Authorize the FTA-required Split Letters regarding the sub-allocation of FTA formula funds before the transit agencies send the Split Letters to MaineDOT and FTA.

E. Recommend amendments to the PACTS Transportation Improvement Program to the Executive Committee regarding the allocation of FTA formula funds.

F. Select representatives to the Policy Committee, the Technical Committee, the Planning Committee and the Executive Committee. The representatives shall serve for two years, and may serve successive terms.

Section 6. Quorum. Attendance by representatives of four of the transit providers shall constitute a quorum.

Section 7. Meeting Frequency. The Transit Committee shall meet monthly, or as needed.

Section 8. Officers. The Transit Committee will have a Chair and a Vice Chair.

A. Selection: The officers of the Transit Committee shall be elected by a majority vote of the Committee. The terms shall be based upon PACTS' fiscal years, July 1 to June 30.
B. Qualifications: The two officers of the Committee shall represent different organizations. The officers of the Transit Committee shall be representatives of two of the region’s seven transit agencies.

C. Term: The officers of the Transit, Planning and Technical Committees shall be elected for two year terms or until their successors are elected. A majority vote of those present and voting shall elect. The terms shall be based upon PACTS' fiscal years, July 1 to June 30.

D. Vacancies: Vacancies in any office shall be filled by vote of the membership of each committee.

ARTICLE X
Meeting Procedures
The Parliamentary authority shall be the current edition of Robert's Rules of Order Newly Revised for all matters not covered in the bylaws.

ARTICLE XI
Administration of the Unified Planning Work Program
Section 1. The fiscal year of PACTS shall begin on the first day of July and shall end on the thirtieth day of June. The fiscal year shall constitute the budget and accounting year.

Section 2. PACTS activities are financed typically with Federal, State and local funds, but the activities may be financed with any sources of funds felt to be appropriate by the Policy Committee.

Section 3. GPCOG staff shall administer the work of PACTS in accordance with the agreement between GPCOG and PACTS dated January 25, 2018.

ARTICLE XII
Amendments
These bylaws may be amended by a simple majority vote of the representatives present and voting at any scheduled meeting of the Policy Committee. Members must be notified of a proposed amendment(s) prior to the meeting at which a vote is taken.
ARTICLE XIII

GPCOG Administration of PACTS

Section 1. Duties and Responsibilities.

A. The Executive Director of GPCOG is responsible for the administration of all PACTS affairs. The Executive Director will supervise the GPCOG Director of Transportation who will serve as PACTS senior staff leader.

B. GPCOG staff will:

1. Attend all PACTS Executive and Policy Committee meetings unless excused by the Chair, participating but not voting;
2. Faithful execution of all laws, Bylaw provisions and acts of the Executive and Policy Committees;
3. Prepare and submit a biennial budget and capital program to the Executive Committee on time;
4. Execute all amendments to the biennial UPWP with MaineDOT and any other appropriate parties;
5. Execute consultant contracts and contract amendments within approved budget limits;
6. Prepare and deliver to the Executive Committee a complete report on the financial and administrative activities of PACTS as of the end of each fiscal year, within 45 days of the fiscal year end unless the Executive Committee extends the reporting deadline for good cause for no more than an additional 45 days. These reports must be made available to the public;
7. Prepare any additional reports that the Executive Committee may require; and
8. Perform other duties concerning the affairs of PACTS as required by the Executive Committee.
APPENDIX A: PACTS Capital Management Area Map

*Adopted by the Policy Committee in May, 2014.*
Appendix B: PACTS Study Area

Produced by the Greater Portland Council of Governments - May 2, 2013
Appendix C: PACTS Subregions
## PACTS Executive Committee

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