PACTS Committees Task Force Agenda

August 3, 2020
10:00 – 11:30 a.m.

Zoom webinar: https://us02web.zoom.us/j/82183137680
Telephone: 1 646 558 8656; Webinar ID: 821 8313 7680

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.

Both the chat and Q&A features will be turned off during PACTS and GPCOG meetings to ensure full public access to telephone participants and to avoid the confusion of side conversations.

Public comment will be taken verbally during the public comment period. Members of the public who wish to speak should “raise their hands.” Participants joining by computer or mobile app can click on the “Raise Hand” button. Participants joining by telephone can dial *9.

1. Welcome

2. Summary of June 4 Task Force Minutes and Discussion (Attachment A) - 15 minutes

Staff Report
At the June 4 meeting, the group engaged in a broad discussion on PACTS committees, and generally agreed on several key themes:
• PACTS committees should be restructured, and the number of committee meetings should be reduced, to improve efficiency and reduce the burden on staff and members
• The current structure, with separate advisory committees focused on specific topics, is not conducive to holistic decision-making
• Municipalities often have several members serving on the various PACTS committees
• The funding framework should bring greater clarity to the programming of transit and roadway funds and reduce the need for separate committees dedicated to the programming of these funds
• The Policy Committee should be focused on high-level policy decisions and the Executive Committee should serve an administrative and coordinating function. There is redundancy in the membership and functions of the PACTS Executive and Policy Committees. There is a need for a PACTS governing body to be able to act on timely administrative and other items.
• The group generally supported the concept of eliminating the Planning, Technical, and Transit Committees and establishing a single broadly representative committee that would advise the PACTS governing body on a range of topics.

Proposed action: For information only.

3. Review of Draft Recommendations (50 minutes)

Staff Report
Staff has developed the following recommendations based on the discussion and guidance at the June 4 Task Force meeting.
<table>
<thead>
<tr>
<th>Existing Structure</th>
<th>Proposed Structure</th>
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<tr>
<td>Advisory</td>
<td><strong>Advisory Board</strong> to serve as the sole advisory committee.</td>
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<tr>
<td>Transit</td>
<td>• Function: perform the same functions, among others, as their predecessor committees.</td>
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<tr>
<td>Technical Planning</td>
<td>• Composition: to be comprised of planners, engineers, public works directors, town managers, financial officers, transit executives, alternative transportation advocates, and social equity advocates.</td>
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<td>• Membership: requires further discussion.</td>
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<td>• Meeting frequency: monthly and, as needed, to address high priority issues.</td>
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<tr>
<td>Executive Policy</td>
<td><strong>Policy Committee</strong> as the sole governing authority.</td>
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<td></td>
<td>• Function: perform the same functions as the current Executive and Policy committees.</td>
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<td></td>
<td>• Composition: to be comprised of PACTS member decision makers.</td>
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<td>• Membership: requires further discussion.</td>
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<td>• Meeting frequency: bi-monthly and, as needed, to address timely administrative and coordinating actions.</td>
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*Proposed action: Approve the draft recommendations, or direct staff on necessary revisions, for consideration at the October 22 PACTS Policy Committee meeting.*
PACTS
Portland Area Comprehensive Transportation System

PACTS COMMITTEES TASK FORCE MEETING MINUTES
June 4, 2020

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
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<tbody>
<tr>
<td>Chris Branch</td>
<td>Portland</td>
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<tr>
<td>Emily Cole-Prescott</td>
<td>Saco</td>
<td>Y</td>
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<tr>
<td>Eric Dudley</td>
<td>Westbrook</td>
<td>N</td>
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<tr>
<td>Maureen O’Meara</td>
<td>Cape Elizabeth</td>
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<tr>
<td>Patricia Quinn</td>
<td>NNEPRA</td>
<td>Y</td>
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<tr>
<td>Nat Tupper</td>
<td>Yarmouth</td>
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<td><strong>For GPCOG</strong></td>
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<td>Kristina Egan, Ryan</td>
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<td>Neale, Cecilia Smith</td>
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1. Welcome

2. Background and Committee Charge
The PACTS Executive and Policy Committees this spring approved revisions to the PACTS Bylaws. The Executive Committee created this task force to review PACTS’ committee structure. This is an opportunity to improve PACTS’ efficiency and effectiveness and ability to serve and advance the region’s interests. The Executive Committee’s charge is to develop recommendations for the Policy Committee focused on:

- Reducing the number of committees
- Expanding the participation of elected officials
- Increasing the level of transit representation on committees
- Considering the addition of Community Transportation Leader seats on committees

The first task will inform our thinking on the others. We do not want to lose the history and experience in this group and in the PACTS committees, but we want to move past vested interests and start with a clean slate to make the best use of everyone’s time.
PACTS' five standing committees have 55 scheduled meetings in 2020. Two current ad hoc committees bring the total to 70 meetings. The staff time to prepare for these meetings detracts from our ability to work on other projects. Staff strives to make meetings meaningful and productive, but we have heard there is meeting fatigue among members. The sheer number of meetings and the time and resources dedicated to these meetings constrains staff’s ability to engage in planning and programming for the region. Hundreds of thousands of dollars are spent staffing committees each year.

The PACTS Reforms identified a need to better connect planning and programming. The goal is to develop a holistic multimodal approach connecting plans to funds. Our current committee structure actually encourages separation of planning and funding.

3. Summary of Other MPO Committee Structures
Staff developed a scan of other Metropolitan Planning Organizations (MPOs) committee structures. This includes the four *Transit Tomorrow* peer communities. MPOs of all sizes were included so it would not be limited to similarly sized MPOs. Takeaways from the report by the U.S. Department of Transportation include:

- Overall, the number of MPO committees declined from 2010 to 2016
- In 2016, 28% of MPOs had executive committees
- In 2016, 19% had transit committees. Many other MPOs have one or two transit agencies, and it is easier to represent transit agencies on committees
- In 2016, 92% had a technical committee. These are made up of staff with expertise in specific areas, as with PACTS’ Planning and Technical Committees.

Many MPO governing boards consist of elected officials. The technical committees are professional staff from municipalities, transit agencies, DOTs, etc., who do the bulk of
the work and present to the elected officials who make policy decisions. PACTS’ governing boards are mostly comprised of professional staff.

Every MPO has a governing body which may be referred to as a policy committee or a governance committee. PACTS’ Policy Committee is the policy-making body for the MPO. The Policy Advisory committees noted in the attachment are advisory committees to the governing body.

Nat said the PACTS Policy Committee used to be mostly municipal managers and public works directors. The Executive Committee was created to involve more elected officials and expedite the work. This led to the specialized subcommittees.

Emily said there is not a clear path to refer recommendations from one committee to another. These paths should be clear if we are going to have advisory committees. Kristina added that the Bylaws state the Planning and Technical Committees are advisory to the Policy Committee. In practice, Planning and Technical Committee recommendations often go to the Executive Committee, and the Policy Committee rubber stamps Executive’s decisions. This is changing somewhat, as with Policy rejecting the Transit Committee’s recommendation on RTP’s facilities request last year.

4. Overview of PACTS Committee Structure and Roles
The PACTS Bylaws were revised this spring, but the revision did not address committee responsibilities. The Executive Committee handles delineated tasks on behalf of the Policy Committee and meets monthly. Executive handles more administrative tasks and Policy handles major policy decisions. Planning and Technical have similar charges and Transit focuses on programming FTA public transportation funds and coordinating initiatives among the agencies.
Transit meets twice a month. Historically, Transit focused on programming Federal Transit Administration funds. Policy and Executive focused on Federal Highway Administration funds and rubber stamped the Transit Committee’s transit recommendations on transit funding. One of the PACTS reforms is for Policy and Executive to be more involved and informed in transit decisions. PACTS programs about $20M in transit and $6M in road funds annually. There is an unresolved issue over authority for transit funding. For most MPOs, the policy board allocates transit funds. PACTS documents make transit agencies designated recipients with authority over the Split Letter. Some transit agencies have contended that Policy does not have the authority to program transit funds. Consultant AECOM is looking at this issue and will prepare a memo, summarizing the findings.

Chris asked if the funding framework would significantly reduce the Transit Committee’s work. Kristina noted that in the past, Transit had directed all transit plans and programming. Planning has moved to the project advisory committees in which transit agencies are some of many members. A regional multimodal framework will shift where transit funding decisions are made. Chris also asked how this discussion would change if it is determined that Transit, rather than Policy, is responsible for programming transit funds. Kristina said she would be surprised if that was the case given how it is handled by other MPOs. Ryan clarified the contention by some is that the transit agencies, not the Transit Committee per se, have authority over transit funds.

Ryan noted that committee agendas and packets are available online and give a sense of each committee’s focus. Patricia noted that PACTS is unique in that it encompasses several communities and jurisdictions. Other areas likely hit the population threshold with fewer jurisdictions. She added that understanding municipal contributions to transit agencies would help inform our thinking on how decisions are made. She clarified that the $20M transit funding cited earlier includes 5337 and 5307. Only CBL and NNEPRA are eligible for 5337 funds so that is handled differently.
5. Discussion of Next Steps

The group shared thoughts on the existing committee structure and opportunities. It was noted that it is not uncommon for members to serve on multiple committees. The Policy, Planning, and Technical Committees each have 18 municipal members. A municipality is represented by different people on different committees. This provides a variety of perspectives but adds to the number of committees and meetings. Collapsing committees would reduce the number of people involved, but not the number of municipalities represented. Planning and Technical could be combined and recommendations from each might benefit from the others’ perspective. The culture of planners and public works officials is different. Separation leads to a separation of planning and programming. It was noted that many MPOs do not have specific planning committees. MPOs may define technical committees differently than we do; they may be more diverse and inclusive than ours and have wider responsibilities including planning and programming.

The current TIP Committee includes transit, technical, planners, and others to develop a funding framework. This will inform if planning and programming of both road and transit funds can be done with such a large and diverse group. The funding framework will clarify the process and outcomes for the selection of projects.

Nat said historically the Policy Committee included a variety of municipal staff but few elected officials and was very technical. PACTS was told that Policy Committee membership needed to be 50% elected officials. Currently there is no requirement on elected official membership. The Policy Committee would meet infrequently and basically serve to rubber stamp decisions. While there was a need for an Executive Committee, power was not intended to move there; it would serve a managerial and coordinating, rather than a decision-making, function. This furthered Policy’s role as essentially a rubber stamp.
The TIP Committee may be an example of how to push work and decision-making down rather than up. An Advisory Services Board with planners, engineers, public works directors, town managers, financial officers, transit executives, alternative transportation advocates, and social equity advocates could provide a forum to discuss these issues holistically. This could change the current dynamic in which separate Tech and Planning Committees puts the perspective of public works against that of planners. Separating the perspectives by committee does not engender good decision-making. Resolving the transit funding authority issue is essential. We need the perspective of public transportation and alternative transportation. We have made much progress in making these a regular part of the conversation and in viewing our transportation system as a multimodal system and not a competition between modes.

Patricia said she thought this Board could take on the work normally done by the Transit Committee, and that there had previously been workshops made up of select members to address a topic and report back to the decision-making body. She agreed that keeping planning, technical, and transit separate makes it difficult to understand the different perspectives and there is value in bringing these perspectives together. The current committees could have a few delegates represent them on this new Board. She expressed concern about how many people would be on this new Board but thinks 18 people could be manageable. Having a Transit Committee meeting and workshop each month is a lot and the distinction is blurred.

Emily noted that having different perspectives in the same room could produce healthy conflict that would lead to better decisions.

Kristina said the Planning Committee has been looking for a purpose and to engage in the programming of funds. The Transit Tomorrow process acknowledged that a major plan needs broad participation. The Planning Committee therefore has not overseen any major plans, and this may be frustrating for members. We may want to consider an
arrangement in which each municipality has two representatives, with the hope that planning and public works would both be well represented. We would not want to reduce the number of committees and end up with no planners.

Chris shared the perception that the Technical Committee does not do much and should be redirected. He feels the Committee is getting into the details rather than focusing on policy and there is too much parochialism. The level of discussion needs to be elevated so they are focusing on more substantive issues and can make recommendations to a governing body. Having the single Board may help to elevate the discussion to a policy level. The Planning Committee met only once over an extended period, which would seem to indicate it is not necessary. We need the perspective of planning, public works, finance, transit, etc. but this is better accomplished with the Board that Nat described.

Chris said Executive and Policy meetings are often redundant because it is many of the same people hearing many of the same issues. More clear and up-front direction from MaineDOT would be helpful. Chris expressed support for the Board that Nat described. We should look at all opportunities to save time, such as reducing Transit Committee meetings. The Policy Committee should make decisions on regional priorities such as defining regionally significant projects rather than the details of particular projects.

Kristina summarized the proposal to push the working out of conflicts to a large advisory board including planners, public works, and transit agencies. Nat said he is undecided about pushing decision-making up or down. The Advisory Board should be focused on implementing governing body decisions and providing expertise to the governing body. Emily said we may not need to know if decision-making is pushed down or up and may just want to focus on the structure, such as whether each municipality has one or two representatives. Chris said this is like the Technical
Advisory Committee found in 92% of MPOs and could be like municipal staff providing guidance to elected officials.

Kristina said that if we follow this approach the guidance to members could be for a representative with technical expertise and a representative with decision-making authority (managers, including transit agency managers, and elected officials). This would provide a broad array of input. She suggested we have two committees: this Advisory Board and a governing committee. The Executive Committee includes the PACTS officers, subregional representatives, and the chairs of the other committees, MaineDOT, and MTA. Executive and Policy Committee meetings and agenda items are redundant because Executive makes recommendations to Policy.

Quorum has been an issue for the Policy Committee, but if we address that, Policy could meet six times per year and Executive could be eliminated. Staff would need to coordinate with MaineDOT and others on administrative actions, which are one of the reasons the Executive Committee meets monthly.

Quorum can be a challenge for all committees as some municipalities or organizations routinely do not attend. The group discussed transit representation on committees going forward. Kristina suggested all seven transit agencies be on the Advisory Board and each mode (ferry, fixed route, paratransit, and train) have a representative on the Policy Committee. Patricia said we would need to figure this out with the different agencies and different jurisdictions. She noted there would be opportunities for ad hoc working groups to develop recommendations on specific topics. Some things happen regularly, and we could address other issues as they arise. She noted the effort involved in assembling committee packets and this squeezing out other work.

Nat noted the question of how much funding is programmed by the Transit Committee, suggesting that the Transit Committee should be a separate group and meet regularly if
it is programming $20M annually. If that is not the case, a committee including transit, bike/ped, freight, and disability issues might be more efficient. He noted that freight is not well spoken for in PACTS’ structure.

The next step is for staff to develop a proposal or proposals based on today’s discussion for the group’s consideration. The intent is to complete this work in one additional meeting. The hope is that this group will come to strong consensus as the recommendations need to be owned by PACTS members rather than staff. Members of existing committees will need to know they will still have a voice in decision-making. The reduction of committees and committee meetings will involve a loss on some level for some people. Transit agencies will need to be assured they will still have some voice in decisions on transit funding.