

**CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION**  
**Charlotte-Mecklenburg Government Center, Room 267**  
**June 19, 2019 Meeting**  
**Summary Minutes**

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**Members Attending:**

Greg Phipps (Charlotte), Michael Miltich (Cornelius), Jane Campbell (Davidson), Mark Gibbons (Huntersville), Jerry Morse (Indian Trail), James Mallory (Iredell County), Norma Carpenter (Marshville), Paul Bailey (Matthews), Lynda Paxton (Stallings), Michael Johnson (Statesville), Richard Helms (Union County), Scott Buzzard (Weddington), Brad Horvath (Wesley Chapel)

**Non-Voting Members Attending:**

Victoria Nwasike (Charlotte-Mecklenburg Planning Commission), Jerry Santoni (Iredell County Planning Board), Jim Walker (NC Turnpike Authority)

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**1. Call to Order**

Chairman Michael Johnson called the June 2019 CRTPO meeting to order at 6:00 p.m.

**2. Adoption of the Agenda**

Summary:

Chairman Johnson explained that the following three modifications to the agenda were recommended:

- Item 10, U-4714B, Old Monroe Road Project TIP Amendment: Modify from action requested to an information report;
- Item 12, FY 2020 UPWP Amendment: Additional Planning (PL) Funds: Remove from agenda.
- Item 13, Letter of Support for Repealing FAST Act Rescission: Modify from an information report to action requested to authorize the CRTPO Chairman to compose a letter of support for repealing the FAST Act Recession based upon the Board's priorities.

Chairman Johnson asked if any additional changes to the agenda were necessary. No changes were identified.

Motion:

Michael Miltich made a motion to adopt the revised agenda as presented. Mayor Bailey seconded the motion. Upon being put to a vote, the motion to adopt the agenda was approved unanimously.

**3. Public Comment Period**

Two people provided public comments.

1. Mayor Pro-Tem David Cohn, Indian Trail Town Council. Mayor Pro-Tem Cohn recognized the need for the Old Monroe Road widening project, however; the Town's local contribution of \$10 million from a 2011 bond referendum has not adequately advanced the schedule of the project. Mr. Cohn expressed concern regarding the fact that Indian Trail was the only municipality along the Old Monroe Road corridor that has submitted a local contribution for this project. Mr. Cohn asked the CRTPO to resolve the issue by finding a way to fund the project.
2. Councilwoman Shirley Howe, Indian Trail Town Council. Councilwoman Howe referenced the 2011 bond referendum for the Old Monroe Road and a commitment that NCDOT would have the project completed by the end of 2018. She explained that bond expired in 2018, but the Town has renewed it until 2021, prior to the scheduled construction date for this project. Councilwoman Howe stated that opposition to the superstreet design of this project has been communicated to NCDOT through a joint resolution between the Towns of Indian Trail and Stallings as well as during recent public meetings. Councilwoman Howe requested a delay in action by the CRTPO until the funding shortfall issue for the Old Monroe Road project is resolved.

**4. Ethics Awareness & Conflict of Interest Reminder**

Mr. Burke read the ethics awareness and conflict of interest reminder. No conflicts were identified.

**5. Consent Agenda**

Summary:

Chairman Johnson requested action on the sole consent agenda item: May 2019 meeting minutes.

Motion:

Mark Gibbons made a motion to approve the consent agenda. Michael Miltich seconded the motion. Upon being put to a vote, the consent agenda item was unanimously approved.

**6. CTP Alignment Amendment**

Presenter:

Felix Obregon, Charlotte DOT

Summary:

Mr. Obregon provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. The presentation's purpose was to obtain the Board's approval for an amendment to the highway map for a recommended roadway alignment within the Comprehensive Transportation Plan as requested by the City of Charlotte. He explained that the proposed realignment will provide improved traffic signal spacing with Savoy Corporate Drive along the Arrowood Road corridor between the I-485 interchange and S. Tryon Street in the south west area of Charlotte. In addition, Mr. Obregon stated that the realignment will provide full access to a future development that will improve network connectivity by providing a parallel road to I-485. He explained that action was requested in May to open a public comment period on this amendment, however; it was determined by staff that the rezoning process for the recommended realignment process is sufficient to meet the guidelines within the CRTPO's PIP, and the public comment period for the CTP can be waived. Mr. Obregon explained that the City of Charlotte held a community meeting with approximately 20 attendees, and held a public hearing on the rezoning with one resident that spoke during public comment on an issue that did not relate to the roadway realignment.

Scott Buzzard recommended that a summary of the public comments received during the rezoning process should be provided during future CTP amendments.

Motion:

Dr. Miltich made a motion to (1) Approve an amendment to the Comprehensive Transportation Plan; and (2) Waive CRTPO public involvement requirements and recognize the City of Charlotte's rezoning public involvement activities as sufficient as per Section IV-B-1 of the Public Involvement Plan. Mayor Becker seconded the motion. Upon being put to a vote, the motion was unanimously approved.

**7. Union County CTP Alignment Amendments**

Presenter:

Bjorn Hansen, Union County

Summary:

Mr. Hansen provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. The presentation's purpose was to obtain the Board's approval to open a public comment period on a series of CTP amendments after the June CRTPO Board meeting, with a formal request to amend later in the summer after any comments have been addressed. He explained that the Union County Board of Commissioners took action to recommend the CTP amendments during the June 3 meeting. He explained that Union County has coordinated with the Towns of Indian Trail, Marvin, Waxhaw, Wingate, and Weddington to identify a series of CTP amendments to remove or modify new roadway alignments to reflect feasibility and local support. Mr. Hansen stated that the list of amendments in Union County reflects alignments that are not likely to be built due to environmental or built environment considerations, as well as updates to reflect completed road realignments. He then reviewed the 13 proposed CTP amendments, noting that 9 of which are roadway segment deletions and the remaining four are alignment modifications.

Mayor Becker provided a summary of the requested alignment modifications to the Waxhaw Parkway between NC 16 and NC 75 east of Waxhaw on behalf of the Town of Mineral Springs. He expressed concerns with the impact of the current alignment in the CTP in regard to existing development, whereas a previous iteration of the Waxhaw Parkway alignment would avoid such impacts. Mayor Becker recognized the need for this project, and that this project may be submitted to NCDOT as part of the Prioritization 6.0 process. He then requested that the amendment to the Waxhaw Parkway should be included within the public comment period.

Mr. Hansen explained that the amendments that he identified are minor in scope and did not require any detailed engineering analysis. Robert Cook stated that this amendment would have to undertake a separate public involvement process, that would begin by reviewing the proposed alignment modifications during a Transportation Staff meeting. Richard Helms recommended that Mr. Hansen convene the interested parties to review the alignment of the Waxhaw Parkway.

Motion:

Scott Buzzard made a motion to open a public comment period on amendments to the Comprehensive Transportation Plan. Greg Phipps seconded the motion. Upon being put to a vote, the motion was unanimously approved.

## **8. CATS-CRTPO Metropolitan Planning Agreement**

Presenter:

David McDonald

Summary:

Mr. McDonald stated that federal metropolitan planning regulations (23 CFR 450.314) require MPOs and transit agencies to establish written agreements that “cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process.” He explained that the CRTPO and CATS currently lack such an agreement. This issue was identified in CATS’s most recent triennial review with the Federal Transit Administration. Mr. McDonald concluded his presentation by stating that an MOA to address the sharing of financial information is attached to bring the CRTPO and CATS into full compliance of this requirement.

James Mallory asked if the Iredell County Area Transit System (ICATS) needs to develop an agreement with the CRTPO. Mr. McDonald explained that ICATS can be added as a signatory to the agreement between the CRTPO and CATS.

Motion:

Dr. Miltich made a motion to Approve the Metropolitan Planning Agreement between CATS and CRTPO and add ICATS as a signatory. Mr. Phipps seconded the motion. Upon being put to a vote, the motion was unanimously approved.

## **9. STBG Funds Exchange**

Presenter:

David Wasserman, NCDOT

Summary:

Mr. Wasserman provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. The presentation’s purpose was to obtain the Board approval of a request to exchange \$24,000,000 of the CRTPO’s Surface Transportation Block Grant-Direct Attributable (STBG-DA) funds for an equal amount of STBG-Flex funds. The STBG-DA funds would be used by NCDOT to make bond payments for four projects: R-2123CE, Charlotte Outer Loop; I-3819A, U-2509, Independence Blvd; and I-5825 I-77 pavement rehabilitation. In turn, the STBG-Flex funds would be used to fund four CRTPO projects currently funded with STBG-DA funds: U-5108, Northcross Drive Extension; U-6105, Bailey Road Extension; U-6106 Gilead Road Widening, and U-5908, Main Street upgrade in Huntersville. There would be no effect on project schedules. The TCC unanimously recommended that the Board approve the exchange.

Motion:

Dr. Miltich made a motion to approve the \$24,000,000 exchange between the CRTPO's STBG-DA funds and NCDOT's STBG-Flex funds. Mayor Becker seconded the motion. Upon being put to a vote, the motion was unanimously approved.

**10. U-4714B, Old Monroe Road Project TIP Amendment**

Presenters: Scott Cole and David Wasserman, NCDOT

Summary:

Mr. Cole provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. Mr. Cole explained that he will provide information regarding the history of the project scope and Mr. Wasserman will provide information regarding the options to fund this project. Mr. Cole explained that this is a similar presentation to the report given to the Indian Trail Town Council during their June 11 meeting. He explained that NCDOT is pursuing the reduced conflict intersection (also known as superstreet) design for the U-4714B project because this concept reduces crashes along a corridor while allowing superior progression through traffic signals. Mr. Cole explained that NCDOT has worked to minimize impacts with existing property owners and developers. He explained that the Town of Indian Trail passed a bond referendum to accelerate the U-4714B project in 2011, and the project was not included in the STIP until 2015. Mr. Cole explained that the construction phase for the U-4714B project has been delayed from FY 2021 to FY 2022. The additional time will allow NCDOT to acquire the right-of-way for this project from the 150-175 properties along the corridor.

Mr. Wasserman began his portion of the presentation by summarizing the project schedule for the three phases of the U-4714 project. He explained that the Town of Indian Trail's decision to withdraw its local contribution has created a \$10 million funding gap for the U-4714B project. This action has caused NCDOT to develop the following options to resolve the funding shortfall:

- A. Town of Indian Trail could recommit to its \$10 million in local contribution
  - Right-of-way acquisition would begin within the next several months
  - Construction would be scheduled in FY 2022
- B. Replace with \$10 million from another project(s) w/in CRTPO in Division Needs category
  - Likely result in delay for other project(s)
  - Project could be selected through STI or locally selected (i.e., DA funded)
- C. Delay right-of-way for U-4714B to FY 2026 and construction to FY 2028
  - Project would be reprioritized in P6.0

Mr. Wasserman stated that the CRTPO needs to inform NCDOT of its decision regarding this project by the end of July to finalize the 2020-2029 STIP.

Chairman Johnson asked if the CRTPO could advance the project by allocating its STBG-DA funds to the project and then receiving the Bonus Allocation funds that would be allocated to this project. Mr. Argabright explained that the CRTPO would have to develop an agreement with Indian Trail to re-direct the BA funds and assign them in a similar manner to STBG-DA funds. The Bonus Allocation funds would need to be allocated to a project in Union County.

Jerry Morse explained that the primary reason for Indian Trail withdrawing its local contribution had to do with the delay in constructing the project. When the bond referendum was passed for this project in 2011, it was assumed that the U-4714 project would be completed by 2018. He stated that the \$10 million local contribution has not accelerated the project to the Town's satisfaction. Mr. Morse acknowledged that Indian Trail cannot modify the design of an NCDOT project.

Mr. Helms explained that the multiple delays for this project has led to increased project costs. He asked if the delay to the Matthews portion of the project (U-4714A) would allow funding reallocation to the Indian Trail portion of the project. Mr. Argabright explained that if \$10 million was reallocated within this project that it would leave a funding deficit for the Matthews portion of the project.

Lynda Paxton stated that there is merit in completing this project at once instead of constructing it in stages. She suggested that the funding could be reallocated from a lower scoring project, would result in a project schedule delay for the project.

Dr. Miltich warned the CRTPO about setting a precedent with this project. He explained that Cornelius had to contribute 20% of the project cost for a superstreet along West Catawba Avenue.

Greg Phipps encouraged the Town of Indian Trail to reconsider its local contribution to the project. A delay to this project will incur escalated costs, increased congestion and safety issues. In addition, the project would not offer its full potential of mobility benefits unless the entire project is constructed.

Mr. Morse asked about the \$31 million of STBG-DA funds that was previously allocated to the Old Monroe Road project. Mr. Wasserman explained that the STBG-DA funding was initially allocated to the U-4714B project, but was returned to the CRTPO once the project was funded as a part of the 2020-2029 TIP (NCDOT Prioritization 5.0). Mr. Morse suggested that a portion of the \$31 million could be reallocated to the U-4714B project. Chairman Johnson explained that the supplemental discretionary funding recommendations agenda item (#14) on tonight's agenda will determine how the prior year STBG-DA funds are allocated. Chairman Johnson directed staff to convene a meeting between NCDOT and Indian Trail to determine if an amicable solution can be developed prior to the July meetings.

#### **11. FY 2020 UPWP Amendment: I-77 Corridor Study Funding**

Presenter: Robert Cook

Summary:

Mr. Cook began his presentation by stating that the requested action was to approve an amendment to the FY 2020 UPWP to reflect the award by NCDOT of \$1 million of FY 2020 State Planning & Research (SPR) funding for the I-77 Corridor Study and to incorporate a more detailed description of the project within the UPWP. There is no local match for the SPR funds. He stated that the TCC unanimously recommended that the CRTPO Board approve the UPWP amendment during the June 6 meeting. Mr. Cook provided an overview of the scope of the I-77 corridor study from Statesville to Rock Hill, South Carolina. He explained that the scope and the consultant cost estimate are currently under review by NCDOT.

Motion:

Dr. Miltich made a motion to approve an amendment to the FY 2020 UPWP to reflect the award of FY 2020 State Planning & Research (SPR) funding for the I-77 Corridor Study and to incorporate a more detailed description of the project. Jane Campbell seconded the motion. Upon being put to a vote, the motion was unanimously approved.

#### **12. FY 2020 UPWP Amendment: Additional Planning (PL) Funds**

Presenter: Robert Cook

Summary:

Mr. Cook explained that the UPWP Subcommittee will meet to review requests from member jurisdictions for the FY 2020 additional PL funds. Final action is being requested during the July 17 meeting.

#### **13. Letter of Support for Repealing FAST Act Rescission**

Presenter: Robert Cook

Summary:

Mr. Cook explained that the passage of the FAST Act by congress included a provision to rescind up to \$7.6 billion of federal funding throughout the United States if the funds are unobligated by September 30, 2019. The rescission would affect the CRTPO's CMAQ, TAP, and PL funds. He explained that action is being requested tonight to give the CRTPO Chairman the authority to work with staff to develop text for a letter to congress, and direct it to our local delegation. The letter originated with the Association of MPO's. Mr. Cook explained that the CRTPO has been proactive in identifying and approving funding exchanges to minimize the exposure of its funds

to the federal rescission. He stated that the CRTPO will be hosting a workshop for discretionary project managers next Monday to ensure that all of its projects with funds affected by the rescission will understand the process to authorize these funds prior to the deadline of September 30, 2019.

Motion:

Dr. Miltich made a motion to give the CRTPO Chairman the authority to work with staff to develop text for a letter to congress, and direct it to our local delegation. Mayor Bailey seconded the motion. Upon being put to a vote, the motion was unanimously approved.

**14. Supplemental Discretionary Funding Recommendations**

Presenter: Wayne Herron, TCC Vice-Chair

Summary:

Mr. Herron provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. Mr. Herron stated that a funding round was held for supplemental STBG-DA funds to address shortfalls for existing CRTPO discretionary-funded projects from March 15 until April 8. The Project Oversight Committee reviewed the applications and developed funding recommendations during the April 11, May 13, and May 23 meetings. Mr. Herron explained that CRTPO's unprogrammed STBG-DA balance, which totals \$57.8 million, is the proposed source for this allocation of funds. \$56.5 million is being recommended for allocation to address funding shortfalls for the 20 existing projects. The Project Oversight Committee reviewed the applications and developed funding recommendations during the April 11, May 13, and May 23 meetings. Mr. Herron concluded his presentation by stating that action will be requested to approve the STBG-DA funding allocations during the July meeting.

Mr. Morse asked how these projects were scored and prioritized. Mr. Herron explained that these projects have been scored over several different funding cycles therefore the POC evaluated the requests based upon the ratio to the initial award amount and the amount of local match that the member jurisdiction provided. Mr. Coxe added that the POC has created the discretionary projects policy to make this process more transparent and ensure that the projects are being selected in a quantitative manner.

**15. I-77 North Peak-Period Shoulder Lanes**

Presenter:

Van Argabright, NCDOT

Summary:

Mr. Argabright provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes.

Mr. Argabright provided a brief overview of the I-77 Peak Period Shoulder Lanes (PPSL) project scope as a recap from the presentation given during the May CRTPO Board meeting. He explained that the purpose of this presentation is to provide list of projects being proposed for funding reallocation. Mr. Argabright stated that 20 of the CRTPO's active STBG-DA and Bonus Allocation projects have been identified for the funding reallocation of approximately \$47 million. There are eight bicycle and pedestrian projects and 12 roadway projects proposed within the funding exchange. These projects would receive equal allocations of NCDOT-controlled CMAQ funds. Mr. Argabright explained that NCDOT has revised its municipal agreement process to ensure that the revision of these agreements do not need to be approved by elected boards to exchange funding types.

Mayor Bailey questioned the need to undertake a fund exchange for the PPSL project when there has not been an opportunity to evaluate the benefits of the I-77 Express Lanes. Mr. Argabright stated that this is one of the recommended improvements that Secretary Trogdon is advancing as part of the local advisory committee. He explained that it is an interim enhancement for the I-77 Express Lanes project.

Mr. Phipps asked if NCDOT has met with Cintra to ensure that the PPSL project would not be identified as a compensation event as specified within the contract for the I-77 Express Lanes. Mr. Argabright stated that there has not been any discussions with Cintra regarding the PPSL project. Chairman Johnson added that there is language

within the NCDOT memorandum within the CRTPO Board agenda packet tonight that specify provisions within the contract for improvements within the existing lanes.

Chairman Johnson requested that a schedule of the amount of time that it will take to develop cost estimates and prioritize the segments of the PPSL project. Radha Krishna Swayampakala stated that the designs and traffic analysis will be completed by the fall, and the consultant team will then present options to prioritize segments of the PPSL project.

Mr. Helms requested that there should be a similar level of effort to identify funding for the Old Monroe Road project as there was with the I-77 PPSL project.

**16. CRTPO Board Retreat Recap**

Presenter:

Robert Cook

Summary:

Chairman Johnson determined that this agenda item will be presented during the July CRTPO Board agenda due to time constraints.

**17. Upcoming Agenda Items**

Presenter:

Neil Burke

Summary:

An overview of the July agenda was provided. Action will be requested to provide a funding recommendation for the Old Monroe Road (U-4714) project within Union County. An amendment to the FY 2020 UPWP will be requested to program the additional PL funds. Action will be requested to approve the recommended STBG-DA allocations to a series of the CRTPO's discretionary-funded projects. NCDOT is requesting action to approve the funding exchanges associated with the I-77 PPSL project and to approve the addition of this project in the 2020-2029 STIP. An information report will be provided regarding the outcomes from the CRTPO Board retreat.

**18. Adjourn**

The meeting adjourned at 8:25 p.m.