

CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION
Charlotte-Mecklenburg Government Center, Room 267
July 17, 2019 Meeting
Summary Minutes

Members Attending:

Greg Phipps (Charlotte), Michael Miltich (Cornelius), Jane Campbell (Davidson), Mark Gibbons (Huntersville), Jerry Morse (Indian Trail), Norma Carpenter (Marshville), Mary Shkut (Marvin), Paul Bailey (Matthews), Frederick Becker (Mineral Springs), Lynda Paxton (Stallings), Michael Johnson (Statesville), Richard Helms (Union County), Steve Mahar (Waxhaw), 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)

1. Call to Order

Chairman Michael Johnson called the July 2019 CRTPO meeting to order at 6:05 p.m.

2. Adoption of the Agenda

Summary:

Chairman Johnson explained that the following modification to the agenda was recommended:

- Item 10, U-4714B, Old Monroe Road Project TIP Amendment: Modify from an information report to an action request.

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

Motion:

Mayor Becker made a motion to adopt the revised agenda as presented. Greg Phipps seconded the motion. Upon being put to a vote, the motion to adopt the agenda was approved unanimously.

3. Public Comment Period

There were no public comments.

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 following five consent agenda items:

- a. June 2019 meeting minutes;
- b. NCDOT Bicycle & Pedestrian Planning Grant Applications:
 1. Town of Mooresville Bicycle Plan
 2. Town of Indian Trail Bicycle & Pedestrian Plan
 3. Village of Marvin Bicycle & Pedestrian Plan
 4. Town of Waxhaw Pedestrian Plan

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

Presenter: Robert Cook

Summary:

Mr. Cook stated that the UPWP Subcommittee met on June 26, 2019 and recommended that the following projects be funded from the additional \$642,477 in Planning (PL) funds available for programming in FY 2020, and that the FY 2020 UPWP be amended accordingly.

Project	Amount Requested	Amount Recommended
Regional Transit Plan (CATS & CCOG)	492,477	342,477
North Corridor BRT (CATS)	100,000	80,000
Sub-Area Model (Matthews)	80,000	50,000
Critical Intersection Analysis (Union County)	240,000	120,000
Transportation Master Plan (Waxhaw)	60,000	50,000
	972,477	642,477

Motion:

Mayor Becker made a motion to amend the FY 2020 UPWP to program \$642,477 in FY 2020 Planning (PL) Funds. Dr. Miltich seconded the motion. Upon being put to a vote, the motion was unanimously approved.

7. Supplemental Discretionary Funding Recommendations

Presenter: Wayne Herron, TCC Vice-Chair

Summary:

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 (POC) 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 POC 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 the TCC unanimously recommended that the CRTPO Board approve \$56,595,516 of the CRTPO's unobligated prior year STBG-DA funding to twenty existing discretionary projects that have experienced shortfalls.

Mary Shkut questioned the reason that NCDOT requested additional STBG-DA funds to construct a sewer line extension to avoid a housing relocation for the New Town Road and Marvin Road roundabout project (U-6088). This information was provided within the factors contributing to the shortfall section of the spreadsheet within the agenda packet. Scott Cole explained that the footprint of the roundabout would impact the residence's septic field, and NCDOT is required to preserve a household's septic function if it is disrupted as a part of a public infrastructure project. Ms. Shkut stated that she supports the need for the U-6088 project from a congestion and safety improvement standpoint, but she was concerned about the expansion of the public sewer line due to the anticipated growth that the introduction of a public utility line may introduce.

Motion:

Mr. Gibbons made a motion to approve \$56,595,516 of the CRTPO's unobligated prior year STBG-DA funding to twenty existing discretionary projects that have experienced shortfalls as presented. Dr. Miltich seconded the motion.

Substitute motion:

Jerry Morse made a substitute motion to approve \$56,595,516 of the CRTPO's unobligated prior year STBG-DA funding with the recommendation to remove \$8 million of the requested STBG-DA funding from the Torrence Chapel Road and West Catawba Avenue intersection improvements shortfall request made by the Town of Cornelius and reallocate those funds to the Old Monroe Road widening project (U-4714B) in Indian Trail. Lynda Paxton seconded the motion.

Discussion on the substitute motion:

Mr. Morse explained that a \$10 million bond had passed by referendum in 2011 for roadway improvements along the Old Monroe Road corridor. He stated that the project was to be completed by 2014, but has been delayed on several occasions since that time. He stated that Indian Trail should not be responsible for contributing \$10 million towards this project because it has been delayed several times. Mr. Morse explained that Indian Trail did not submit a request for shortfall funding through the CRTPO because the Town had not yet withdrawn its support for the local contribution until after the request window had closed.

Chairman Johnson stated that Indian Trail's request to remove funding from another jurisdiction was a complete departure from the manner in which the CRTPO has allocated funding to projects during his tenure on the board.

Richard Helms stated that the Old Monroe Road widening project is critical to Union County given the amount of residential growth that is anticipated to occur.

Dr. Miltich explained that the \$8 million shortfall request is necessary to ensure mobility along West Catawba Avenue as well as I-77 due to the proximity of the Torrence Chapel Road intersection to the interchange in Cornelius. He explained that the jurisdictions that represent the recommended shortfall requests have followed the CRTPO's adopted process by submitting the applications during the prescribed timeframe. Dr. Miltich stated that it was inappropriate to divert from the discretionary funds policy on the first time that CRTPO was implementing it.

Jane Campbell expressed concern with the lack of communication between the affected communities and she did not support the deviation from the CRTPO's discretionary policy.

Mr. Gibbons asked if the recommendation for CRTPO to approve the \$56.5 million for the 20 projects was unanimously recommended by the TCC. Mr. Herron responded that it was a unanimous recommendation during the July 11 TCC meeting.

Upon being put to a vote, the substitute motion to approve \$56,595,516 of the CRTPO's unobligated prior year STBG-DA funding with the recommendation to remove \$8 million of the requested STBG-DA funding from the Torrence Chapel Road and West Catawba Avenue intersection failed based upon dissenting votes from the Charlotte, Cornelius, Davidson, Huntersville, Marvin, Matthews, Mooresville, Pineville, Statesville, Waxhaw, and Weddington delegates.

Following the failure of the substitute motion, the original motion to approve \$56,595,516 of the CRTPO's unobligated prior year STBG-DA funding to twenty existing discretionary projects was put to a vote. The motion passed with dissenting votes from the Indian Trail, Union County, and Weddington delegates.

8. Charlotte Area Transit System STIP Amendment

Presenters: David McDonald, CATS

Summary:

Mr. McDonald stated that action was requested to approve an amendment to the STIP to program \$292,000 in CMAQ funding previously flexed to the City of Charlotte to the I-77 Express Lane Bus Service project (TO-6164). He explained that the FTA has recently informed CATS that \$292,000 in CMAQ funding that was previously flexed to the City of Charlotte is near lapsing if it is not programmed to a project. The recommendation is to utilize the funding on a project that would put new bus service on the I-77 Express Lane Project (TO-6164). In order to accomplish this, an addition to the STIP is required.

Motion:

Dr. Miltich made a motion to approve an amendment to the STIP to program \$292,000 in CMAQ funding previously flexed to the City of Charlotte to the I-77 Express Lane Bus Service project. Ms. Campbell seconded the motion. Upon being put to a vote, the motion passed unanimously.

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

Presenter:

Scott Cole, 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 action was requested for the CRTPO Board to approve a proposed funding reallocation proposal as recommended by NCDOT to allocate state-controlled CMAQ funds to active STBG-DA and BA projects and to approve the addition of the NCDOT-recommended I-77 PPSL project to the Draft 2020-2029 STIP. He provided a brief overview of the I-77 Peak Period Shoulder Lanes (PPSL) project scope as a recap from the presentation given during the June CRTPO Board meeting. He explained that the purpose of this presentation is to provide list of projects being proposed for funding reallocation. Mr. Cole 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. Phipps asked if the I-77 Mobility Partners were invited by NCDOT to render their opinion regarding the PPSL project. Mr. Cole explained that NCDOT believes that the contract between I-77 Mobility Partners and the state would allow for the PPSL project to move forward without violating the terms of the agreement.

Chairman Johnson confirmed with Mr. Cole to ensure that the CRTPO would not be responsible for any cost overruns associated with the I-77 PPSL project. Mr. Cole confirmed Chairman Johnson's statement to be accurate based upon his understanding.

Motion:

Dr. Miltich made a motion to approve a proposed funding reallocation proposal as recommended by NCDOT to allocate state-controlled CMAQ funds to active STBG-DA and BA projects and to approve the addition of the NCDOT-recommended I-77 PPSL project to the Draft 2020-2029 STIP. Mr. Gibbons seconded the motion. Upon being put to a vote, the motion passed with dissenting votes from Marshville and Union County.

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

Presenters: Neil Burke and David Wasserman, NCDOT

Summary:

Mr. Burke began the presentation by providing a summary of staff coordination with the Town of Indian Trail and NCDOT regarding the Old Monroe Road project throughout the past month. He explained that staff had worked with Chairman Johnson to develop a series of options to resolve the \$10 million shortfall for this project, and the options were presented to members of the Indian Trail Town Council during a meeting on July 2. He explained that CRTPO staff also participated in a meeting on July 15 that was requested by the Town of Indian Trail's Mayor and the Mayor of Charlotte where the funding options were discussed.

Mr. Wasserman provided information to the Board via a Power Point presentation, the contents of which are incorporated into the minutes. Mr. Wasserman began his presentation by providing information regarding the history of the project scope and funding status. He then provided an overview of the funding options that were developed in a meeting with Chairman Johnson, CRTPO staff, and NCDOT. The options that were presented to the Town of Indian Trail were as follows:

- A1. Apply for \$5 million in STBG-DA funding through the CRTPO's discretionary project process. NCDOT would provide a \$5 million match, and the Town of Indian Trail would receive \$2.5 million in Bonus Allocation funding. If awarded, construction would remain on schedule beginning in 2022;

A2. Apply for \$8 million in STBG-DA funding through the CRTPO's discretionary project process. If awarded, construction would remain on schedule beginning in 2022;

B. Move forward without any local funding, delaying right-of-way to 2026 and construction to 2028 and be re-evaluated in P6.0; and,

C. Indian Trail reinstates the \$10 million local contribution commitment.

Mr. Wasserman explained that the Town of Indian Trail must inform NCDOT and CRTPO on how it wishes to proceed by July 26. He then requested that the CRTPO Board take action to endorse one of the funding options as presented.

Chairman Johnson inquired about the terms of the local contribution should Indian Trail commit to funding a portion of the project cost. Mr. Cole explained that NCDOT is flexible and would be willing to identify a payment schedule that works for the Town. For example, if the Town committed \$10 million, NCDOT would develop the municipal agreement such that the Town would owe \$1 million per year over 10 years. Mr. Cole stated that the payment schedule would be memorialized within the municipal agreement with the Town.

Chairman Johnson directed Mr. Herron to give his assessment of how the Old Monroe Road widening project would score within the CRTPO's discretionary project process. Mr. Herron explained that it is the goal of the POC to support legacy projects to ensure that they receive the funding that they needed. Mr. Herron explained that additional points are awarded to projects with a greater local match, and based upon a project's shovel readiness.

Motion:

Dr. Miltich made a motion to endorse the delay of the Old Monroe Road widening project to right-of-way funded in FY 2026 and construction in FY 2028 if the Town of Indian Trail has not endorsed one of the funding options as presented by NCDOT. Mr. Gibbons seconded the motion. Upon being put to a vote, the motion was approved with dissenting votes from the Marshville, Union County, and Weddington CRTPO delegates.

11. Discretionary Projects & Federal Funds Rescission Update

Presenter:

Erin Kinne

Summary:

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

Ms. Kinne stated that the focus of her presentation was to provide an overview of the funding exchanges and adjustments that CRTPO has facilitated to ensure that the exposure of CMAQ and TAP funds is minimized prior to the federal rescission date of September 30, 2019. The CRTPO staff and the Project Oversight Committee have proposed funding reallocations to protect \$5.3 million in TAP funds and \$10.4 million in CMAQ funds. Ms. Kinne provided an update regarding the amount of funding where authorization is in progress. She concluded her presentation by providing a summary of a discretionary funding workshop for project managers on June 24, 2019.

12. CRTPO Board Retreat Recap

Presenter:

Robert Cook

Summary:

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

He began his presentation by summarizing the format of the CRTPO Board's inaugural retreat on May 30 and 31, 2019. A significant portion of the first day of the retreat focused on a ten-year retrospective on organizational changes

and regional growth. The second day of the retreat was focused on a series of table discussions to form the direction for the organization over the next several years. Board members were asked to rank their top eight guidelines during the second day of the retreat. Mr. Cook explained that the Board was also asked to develop a top five recommendations from the staffing assessment. He concluded his presentation by stating that staff will prepare a five-year budget.

13. Upcoming Agenda Items

Presenter:

Neil Burke

Summary:

An overview of the August agenda was provided. An education session will be held on Wednesday, August 21 from 5:00 pm until 6:00 pm regarding the implications for communities following the repeal of the North Carolina Map Act. David Wasserman from NCDOT will be giving the presentation.

The August 21 CRTPO Board agenda will include an update on the 2020-2029 STIP. NCDOT will release a revised draft 2020-2029 STIP on August 7, and staff will provide an overview of any project schedule changes. An information report will also be provided on the 2023-2032 TIP development process (NCDOT P6.0). Staff is currently coordinating the project submittal process for all modes.

Mr. Cook introduced the new Senior Principal Planner, Catherine Mahoney. He explained that Catherine had previously worked in the Charlotte Planning Design and Development department within the community and long-range planning division. Ms. Mahoney will be handling TIP related matters amongst other tasks.

18. Adjourn

The meeting adjourned at 7:53 p.m.