

CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION
Charlotte-Mecklenburg Government Center, Room 886 and Remote Participation
July 15, 2020 Meeting
Summary Minutes

Members Attending (in-person):

Michael Miltich (Cornelius)

Members Attending (via remote participation):

Julie Eiselt (Charlotte), Jane Campbell (Davidson), Dan Boone (Huntersville), Marcus McIntyre (Indian Trail), Ken Robertson (Iredell County), Ernestine Staton (Marshville), John Higdon (Matthews), George Dunlap (Mecklenburg County), Frederick Becker (Mineral Springs), Dale Dalton (Mint Hill), Lisa Qualls (Mooresville), Jack Edwards (Pineville), Lynda Paxton (Stallings), William Morgan (Statesville), Ron Pappas (Waxhaw), Lori Bailey (Wesley Chapel)

Non-Voting Members Attending (via remote participation):

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

1. Call to Order

Chairman Michael Miltich called the July 2020 CRTPO meeting to order at 6:05 p.m. He explained that this meeting would be conducted virtually, and then he reviewed the virtual meeting guidelines and etiquette. CRTPO Delegates and Alternates as well as residents were able to participate in the virtual meeting by using a combination of online meeting software, conference call, and live stream from the CRTPO's Facebook Page.

Chairman Miltich reminded the Board that usage of the chat box function within the online meeting software is part of the Board public record.

Chairman Miltich directed Mr. Burke to conduct a roll-call to determine if the following Bylaw requirements had been met for a quorum:

Section 3 – Quorums

A quorum of the MPO shall be constituted by the presence of:

- *at least ten (10) of the eligible voting members at the beginning of the meeting; and*
- *who together represent a minimum of 51% of the weighted votes; and*
- *that qualified voting members from jurisdictions representing at least two counties must be present.*
- ~~*Only members physically present shall count toward establishing a quorum. (Suspended by CRTPO Board chairman due to North Carolina State of Emergency Declaration)*~~

Mr. Burke conducted the roll-call and determined that a quorum of the Board had been met based upon the bylaws, and with the Chairman's omission of the clause for members to be physically present due to the State of Emergency declaration.

Chairman Miltich polled the Board to determine if votes can be cast by acclamation unless opposition ("nay" vote) from at least one Board member is made. The purpose of the vote by acclamation would be to minimize confusion if the votes were unanimous and to run the virtual meeting as efficiently as possible.

If an opposing vote to approve the particular vote by acclamation was cast, then the Chairman would direct the Secretary to conduct a roll call vote of each attending jurisdiction. If no opposing vote is cast a second time, then

the motion will be recorded as “approved unanimously by acclamation.” No opposition was voiced with this voting method from the Board for the meeting tonight.

2. Adoption of the Agenda

Summary:

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

Motion:

Chairman Miltich made a motion to the Board to adopt the revised agenda by acclamation unless at least one opposing vote is cast. No opposing vote was cast. Upon being put to a vote, the motion to adopt the agenda as presented was approved by acclamation.

3. Public Comment Period

Chairman Miltich asked if there were any public comments received prior to the meeting, or a resident participating remotely that wished to submit a comment. 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 Miltich requested action on the following three consent agenda items:

- 1) June 17, 2020 CRTPO Board Meeting minutes
- 2) 2020-2029 TIP Amendments
- 3) 2020-2029 TIP Amendment to program \$4.5 million in Consolidated Rail Infrastructure and Safety Improvements (CRISI) funds for the Mazeppa Road & NC 115/Norfolk Southern O Rail Line Grade Separation project in Mooresville.

Motion:

Chairman Miltich made a motion to the Board to approve the three consent agenda items by acclamation unless at least one opposing vote is cast. No opposing vote was cast. Upon being put to a vote, the motion to adopt the consent agenda was approved by acclamation.

6. FY 2021 Unified Planning Work Program Amendment

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 stating the requested action is to approve the following two amendments to the FY 2021 UPWP:

- a) Delete the \$121,000 in Planning (PL) funds for the Town of Davidson’s West Branch Greenway from the FY 2021 UPWP and program \$121,000 in STBG-DA funding for Preliminary Engineering in fiscal year 2021 of the 2020-2029 TIP. (This action requires both a UPWP amendment and a TIP amendment.)
- b) Add \$500,000 of Federal Transit Administration (FTA) Section 5303 funds to the UPWP to support the CONNECT Beyond initiative.

Mr. Cook stated that the Town of Davidson submitted the West Branch Greenway project during the Fall 2019 call for discretionary funding for a planning-level study of the greenway corridor and it was approved by the Board during the February 2020 meeting. Since being approved, however, the town has requested funds be used for preliminary engineering instead of a planning study. The reclassification for the \$121,000 from PL to STBG-DA funding was recommended to the TCC. No additional funds are being added to this project at this time.

He explained that the CONNECT Beyond initiative is a twelve-county regional transit planning effort that will result in a single, coordinated transit vision for the study area. NCDOT is supporting the project with \$500,000 of its statewide FTA Section 5303 funds and requested that the CRTPO encumber the funds within its current UPWP.

Mr. Cook concluded his presentation by stating that the TCC unanimously recommended that the Board approve the two amendments to the FY 2021 UPWP during the July 2 meeting.

Motion:

George Dunlap made a motion to approve the FY 2021 UPWP amendments. Mayor Becker seconded the motion. Chairman Miltich asked if there were any opposing votes to the motion. No opposing vote was cast. Upon being put to a vote, the motion to adopt the FY 2021 UPWP amendments was approved by acclamation.

7. Supplemental Discretionary Funding Recommendation

Presenter:

Bjorn Hansen, Union County

Summary:

Mr. Hansen began his presentation stating the requested action is to approve \$2,960,827 of the CRTPO’s unobligated future year STBG-DA funding to four existing discretionary projects that have experienced shortfalls and amend the 2020-2029 TIP to allocate the funding to the existing discretionary projects.

Mr. Hansen displayed the following list of existing discretionary projects that have requested shortfall funds. He stated all requests include contingencies required by the CRTPO Discretionary Projects Policy.

Existing CRTPO Discretionary Project	Jurisdiction & Project Limits	Requested STBG-DA funds
McKee and Providence Rd Int. Imps. (C-5534)	City of Charlotte – Ballantyne Commons Pkwy/McKee Road and Providence Road	\$640,100
NC 75 and Old Providence Rd Int. Imps. (U-6248)	Town of Waxhaw - NC 75 and Old Providence Road	\$1,350,400
Downtown Sidewalk Improvements (EB-5930)	Town of Troutman: Sidewalk improvements Rumble St (Main St-Thomas St); Wagner St (Main St-West Av); Talley St (Main St-West Av)	\$495,287
Richardson Greenway South (EB-5932)	Town of Troutman – South Main Street from Troutman Elementary School to Jacobs Woods Subdivision.	\$475,040
Total		\$2,960,827

Mr. Hansen concluded his presentation by stating that the TCC unanimously recommended that the Board approve the \$2,960,827 in the CRTPO’s STBG-DA funds to the four existing projects that have experienced funding shortfalls during the July 2 meeting.

Motion:

Dan Boone made a motion to approve \$2,960,827 of the CRTPO’s unobligated future year STBG-DA funding to four existing discretionary projects that have experienced shortfalls and amend the 2020-2029 TIP to allocate the funding to the existing discretionary projects. Julie Eiselt seconded the motion. Chairman Miltich asked if there were any opposing votes to the motion. No opposing vote was cast. Upon being put to a vote, the motion to approve the shortfall funding to the four existing projects was approved by acclamation.

8. Archdale-Shopton Connector Comprehensive Transportation Plan Alignment Amendment

Presenter: Andy Grzyski, Charlotte DOT

Summary:

Mr. Grzynski began his presentation stating the requested action is to open a public comment period to receive input on a recommended amendment of the future Archdale-Shopton Road Connector alignment within the CRTPO's Comprehensive Transportation Plan (CTP). He explained that Charlotte DOT (CDOT) staff are requesting that the future alignment of the Archdale-Shopton Connector be amended within the CTP due to a development proposal submitted for several of the properties impacted by the potential alignment. The developer will build the portion of the Archdale-Shopton Connector on their property. He explained that CDOT supports the request because it meets the intent of the original connection, minimizes environmental impacts, and provides additional opportunities for future access to adjacent properties.

Mr. Grzynski stated a public comment period would be held from July 17 until August 17 on the amendment to the alignment. He stated engagement efforts will include: letters to property owners within 500 feet of the existing corridor, media releases, social media posts, and public comment opportunities at future Board meetings. Mr. Grzynski concluded his presentation by stating that the TCC unanimously recommended that the Board open a public comment period on the Archdale-Shopton Connector Alignment amendment during the July 2 meeting.

Jane Campbell identified a discrepancy in the public engagement period as it was depicted in the Board agenda packet and the PowerPoint presentation. Mr. Grzynski responded to explain that he will coordinate with CRTPO staff to ensure that the 30-day requirement for public engagement is met with July 17 as the start date.

Motion:

Chairman Miltich made a motion to the Board to open a public comment period to receive input on a recommended CTP amendment of the future Archdale-Shopton Road Connector alignment unless at least one opposing vote is cast. No opposing vote was cast. Upon being put to a vote, the motion to open the public comment period was approved by acclamation.

9. 2020 Federal Certification Review

Presenter: Loretta Barren, Federal Highway Administration

Summary:

Ms. Barren began her presentation providing an overview of the federal requirements for the certification review process for MPOs. She stated the FHWA and FTA jointly review and evaluate the transportation planning process for each MPO that is classified as a Transportation Management Area (TMA) within the United States every four years to determine if the process meets the requirements of federal law.

Ms. Barren explained the certification review process includes a review of various plans and processes such as the MTP, TIP, Public Involvement Plan (PIP), and Unified Planning Work Program (UPWP). She stated the review process also includes an opportunity for residents and Board members to provide comments about the transportation planning process.

Ms. Barren presented the outcomes of the Certification Review process which include two commendations, five recommendations and no corrective actions. The commendations included NCDOT's lead on setting CMAQ performance targets and coordination among regional throughout the Regional Transit Study.

The recommendations for CRTPO include:

- Update to NCDOT planning agreements with MPOs;
- Conduct qualitative and quantitative analyses to identify potential transportation impacts to Environmental Justice (EJ) populations within the update of the 2050 MTP;
- NCDOT to attend quarterly NCAMPO meetings to provide updates on performance measures and transportation planning;
- Coordinate with all public transit agencies in the planning area to ensure interests have been represented on the Board;
- Coordinate with transit providers regarding transit funding programs and policies.

10. Discretionary Policy Guide Amendments

Presenter: Jennifer Stafford

Summary:

Ms. Stafford stated the Discretionary Funds Policy Guide was adopted by the CRTPO Board in February 2019 and is used to prioritize and program all discretionary funded projects within the CRTPO planning area. She explained the five proposed amendments reflect lessons learned since the policy was adopted last year and will offer more clarification and transparency during future project calls.

She stated the first amendment adds a clause about the intent of Bonus Allocation (BA) funding within the Strategic Transportation Investment (STI) legislation. The intent of the BA funding is to offer an incentive to MPOs and their member jurisdictions to consider tolling fund the construction of eligible highway projects.

Ms. Stafford stated the second amendment includes a provision to exempt the policy's local match for Bonus Allocation (BA) funds. However, if the project using BA funds does not have funding authorization prior to the five-year deadline, the project will either be canceled or new discretionary funds may be applied requiring a minimum 20% match.

She stated the third amendment adds an additional criterion to the list of priorities for awarding CRTPO's discretionary funds. The new criterion states BA funding may be applied to projects which comply with STI law and allocated to highway projects within the county(ies) that the toll project is located.

Ms. Stafford explained the fourth amendment clarifies contingencies that should be applied to project cost estimates during the project submittal process. She stated the existing policy defines three project phases and lists the required contingencies per phase. The proposed amendment clarifies the three project phases by defining a percentage of completion. Ms. Stafford stated the planning project phase shall only be used when a project is expected to be constructed. The proposed amendment exempts planning studies from the contingency requirement within the cost estimate.

Ms. Stafford stated the fifth amendment provides a definition for shortfall projects and criteria for evaluating the validity of shortfall requests. She explained the new criteria was presented for Information in June and was tested against the 2019 and 2020 shortfall applications.

Ms. Stafford concluded her presentation stating that the Board will be requested to approve the proposed amendments during the August 19 meeting. The amendments to the policy will be in effect for the start of the fall 2020 call for discretionary projects that will begin on August 17.

11. Transit Education Initiative Task Force

Presenter: Jerrel Leonard

Summary:

Mr. Leonard began his presentation stating that Chairman Miltich announced the formation of the Transit Education Initiative Task Force at the June Board meeting. The goals of this task force are to develop a shared understanding of federal funding for public transit amongst the four transit agencies within CRTPO and develop a potential recommendation to update the CRTPO's Section 5307 funds allocation formula.

Mr. Leonard displayed a slide identifying the task force membership and provided an overview of the first task force meeting that was held on June 30. He explained that that the task force identified the following four main tasks that should be undertaken:

- Receive presentations from each transit agency about their operations, trip data reporting and analysis procedures.
- Understand the rules and regulations regarding federal transit funding. This will help the task force understand transit funding sub-allocation options.
- Hear the transit metrics of each organization, what is reported and what it means and an overview of CRTPO's Transit Planner role.

- Receive a comparison of funding options and understand the history of the current 5307 and 5340 sub-allocation formulas.

Mr. Leonard conclude the presentation providing an overview of next steps of the task force. The group will determine a meeting schedule, develop agendas and detailed information as needed, and potentially develop a recommendation for updating the federal transit funding analysis formula. It is anticipated that the outcome of this task force will be a report to the Board identifying potential strategies to enhance transit coordination across the four agencies. The report is anticipated to be complete by the end of 2020.

12. CRTPO Comprehensive Transportation Plan Report

Presenter: Curtis Bridges

Summary:

Mr. Bridges began his presentation by stating that NCDOT had adopted an update to its Complete Streets Policy in 2019 with provisions to ensure that multi-modal facilities are incorporated into project development processes. The updated policy requires the multimodal recommendations from jurisdiction plans must be adopted within each MPO's adopted CTP in order to qualify for state funding for multimodal betterments on transportation projects. Mr. Bridges explained that staff developed a Draft CTP Report which includes local plan references and other common CTP elements to meet NCDOT's Complete Street Policy requirements. He added that additional amendments to the CTP maps may be necessary to reflect locally recommended facility types. Mr. Bridges then provided an overview of the CTP report. The document contains six chapters and six appendices. He concluded his presentation by stating that the Board will be requested to adopt the CTP report during the August 19 meeting. Following Board adoption, the NC Board of Transportation is scheduled adopt the document in the fall of 2020.

13. Upcoming Agenda Items

Presenter:

Neil Burke

Summary:

An overview of the August 2020 agenda was provided. The August 2020 CRTPO Board agenda will include the request for approval of the amendments to the discretionary policy guide, and adoption of the CRTPO CTP Report. Information reports will be provided on the 2050 MTP, update to the CRTPO's Transportation Conformity Memorandum of Agreement, and NCDOT's US 74 corridor study during the August meeting. An education session will be held on the Charlotte to Atlanta High-Speed Rail project at 5:00 p.m. prior to the Board meeting on August 19.

The Beyond 77 Study will hold virtual study vision and evaluation workshops on August 3-4. Attendees can attend one or both sessions.

14. Board Member Comments

Presenter:

Michael Miltich

Chairman Miltich requested comments from the Board. Lynda Paxton requested an update from NCDOT regarding the current financial situation due to the COVID-19 pandemic as well as a long-term outlook of sustainable revenues for transportation projects. Ms. Eiselt mentioned that the NC First Commission meeting will be held on July 31 and she will have additional information to share with the Board after that meeting. Mr. Burke added that he is working with NCDOT staff to schedule an education session on the current and future state of transportation funding prior to the September 16 Board meeting. He hopes to include Ms. Eiselt and Tony Lathrop within the education session because of their involvement on the NC First Commission.

15. Adjourn

The meeting adjourned at 7:02 p.m.