

CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION
Charlotte-Mecklenburg Government Center, Room 267
August 16, 2023 Meeting
Summary Minutes

Members Attending:

Ed Driggs (Charlotte), Denis Bilodeau (Cornelius), Rob Kidwell (Huntersville), Ernestine Staton (Marshville), Leigh Altman (Mecklenburg County), Jamie Lein (Marvin), Renee Garner (Matthews), John Higdon (Metropolitan Transit Commission), Fredrick Becker (Mineral Springs), James Kerr (Monroe) Stephen Rosenburgh (NCBOT-Division 10), Brad Richardson (Stallings), George Harris (Troutman), Ron Pappas (Waxhaw), Craig Horn (Weddington)

Non-Voting Members Attending:

Chuck Travis (NC Turnpike Authority)

1. Call to Order

Chair Ron Pappas called the August 2023 CRTPO Board meeting to order at 6:07 p.m.

2. Adoption of the Agenda

Summary:

Chair Pappas asked if any changes to the agenda were necessary. No changes were identified.

Motion:

Ed Driggs made a motion to approve the agenda. Denis Bilodeau seconded the motion. Upon being put to a vote, the agenda was adopted by acclamation.

3. Public Comment Period

There were no comments.

4. Ethics Awareness & Conflict of Interest Reminder

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

5. Consent Agenda

Summary:

Chair Pappas requested action on the following consent agenda items:

- a) July 19, 2023 CRTPO Board Meeting Minutes
- b) FY 2024 Unified Planning Work Program Amendment
- c) Mecklenburg Transportation System FTA 5307 TIP Amendment
- d) Marshville Bypass Tolling Study Resolution

Motion:

Mayor Becker made a motion to approve the consent agenda. Mayor Horn seconded the motion. Upon being put to a vote, the consent agenda was unanimously approved.

6. 2026-2035 TIP Development Process (NCDOT Prioritization 7.0)

Presenter:

Travis Johnson

Summary:

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

He began the presentation by stating that action is being requested for the CRTPO Board to approve the recommended Aviation; Bicycle and Pedestrian; Rail project lists and the amended Highway and Transit project lists for submission to NCDOT for scoring in Prioritization 7.0 (P7.0), which will develop the 2026-2035 TIP. Mr. Johnson stated that a public comment period began on June 22 and concluded on July 22 to obtain resident input on the proposed P7.0 project lists. A total of five comments were received, which expressed support for multimodal transportation projects. He then reviewed seven new transit projects that were submitted by CATS during the public comment period that are proposed to be amended into the recommended project lists. The next step in the process is for staff to enter the recommended projects into the NCDOT database prior to the September 30 deadline. Mr. Johnson concluded the presentation by stating that the TCC unanimously recommended that the CRTPO Board endorse the P7.0 project lists during the August 3 meeting.

Motion:

Mayor Higdon made a motion to approve the recommended Aviation; Bicycle and Pedestrian; Rail project lists and the amended Highway and Transit project lists for submission to NCDOT for scoring in P7.0, which will develop the 2026-2035 TIP. Ernestine Staton seconded the motion. Upon being put to a vote, the motion passed unanimously.

7. CRTPO Discretionary Grants Program Policy Guide Revisions

Presenter:

Jennifer Stafford

Summary:

Ms. Stafford 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 provide an overview of a series of recommended revisions to the CRTPO's discretionary policy guide. The Policy is used to prioritize and program all projects within the CRTPO planning area eligible to receive the funds. The revisions were developed at POC meetings throughout 2023 and recommended to the TCC following the July 13 meeting.

Ms. Stafford provided an overview of the following nine categories of revisions to the discretionary policy:

1. Revising the maximum funding amount allowed for one project
2. Adding a contingency on the construction phase
3. Requiring inflation to be added to estimates
4. Limiting shortfall awards on individual projects
5. Project readiness based on funding request
6. Increasing the highway safety score to 15 points from 10 points
7. Adding crash reduction and equity scoring criteria to highway and intersection projects
8. Adding air quality scoring methodology for ranking project applications for CMAQ and CRP funds
9. Administrative revisions that do not change the content of the Policy

She explained that action will be requested of the CRTPO Board to approve the revisions to the discretionary policy during the September 20 meeting. The CRTPO Board approved revisions will be used to develop quantitative scores for the projects that are submitted during the 2023 fall call. The fall project call began on August 14 and will conclude on October 13.

Stephen Rosenburgh stated that NCDOT utilizes a three percent annual inflation rate on project cost estimates and suggested that the recommended 10% inflation proposed for FY 2024 and 5% for FY 2025 within the discretionary policy revisions were excessive. Mayor Higdon inquired about the source of the inflation data that was utilized as part of the recommendation. Ms. Stafford responded to explain that the POC recommended that the CRTPO use higher inflation rates based upon the data provided by the Federal Reserve of St. Louis given

current economic trends and project delivery rates in the Charlotte Region. She added that the Federal Reserve of St. Louis is the industry standard for inflation data utilized by transportation economists.

Leigh Altman asked Megan Green (Mecklenburg County Air Quality) to explain the process to develop the air quality ranking as part of the discretionary program revisions. Ms. Green stated that the proposed air quality ranking is intended to measure the cost effectiveness of a project's annual emission reductions by utilizing a FHWA calculator input for Nitrogen Oxide from CMAQ funded projects and Carbon Dioxide input for CRP projects. She added that the calculation will allow for annual emissions reduction cost effectiveness comparisons across various transportation project types.

Ms. Altman then inquired about the eligibility of a roadway project for discretionary funds that is located outside of a municipal boundary in an Extra Territorial Jurisdiction (ETJ). Ms. Stafford responded to explain that CRTPO member counties and NCDOT Divisions may apply for the CRTPO's discretionary funds. Ms. Altman asked about the eligibility of a roadway project that is not maintained by NCDOT or municipality (i.e. Orphan Roads) for the CRTPO's discretionary funds. Ms. Stafford stated that the roadway must be included within FHWA's federal-aid system map to be eligible for the CRTPO's federal discretionary funds. Ms. Altman inquired to ensure that the CRTPO routinely awards the entire amount of funding to projects during each annual project funding call. Ms. Stafford responded to explain that the project application funding amounts always exceed the amount of funding available within each of the CRTPO's annual funding solicitations.

8. I-77 South Express Lanes Update

Presenter:

Ron Pappas & Brett Canipe, NCDOT

Summary:

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

Chair Pappas began the presentation by providing an overview of the history of the express lanes project along the I-77 South corridor between Uptown Charlotte and the South Carolina State Line. He explained that this project has been included in the CRTPO's 2050 MTP and is a current project in NCDOT's 2024-2033 STIP.

Mr. Canipe provided an overview of NCDOT's unsolicited proposal review by stating that the CRTPO approved the initial screening of the proposal and to conduct a comparative analysis during the February 15, 2023 meeting. Following CRTPO approval, a working group of NCDOT and CRTPO staff was formed to review the unsolicited proposals against NCDOT's Public Private Partnerships Policy and Procedures for compliance, technical and financial considerations, and difference of the existing express lanes project (I-5718) in the STIP.

He explained that the working group commenced on May 1 and during the August 10 meeting the working group recommended to NCDOT to not move forward with the proposal. The reason was the proposal's scope was not materially different than what was already submitted and programmed in the STIP. Mr. Canipe then reviewed the elements of scope within the unsolicited proposal against the project within the 2024-2033 STIP, and the relevant provisions within NCDOT's P3 policy.

Mr. Canipe then provided an update on the comparative analysis of potential P3 delivery and a traditional public option delivered through the NC Turnpike Authority to evaluate risk, financial feasibility, benefit-cost and value for money. Model development, updated cost estimates, and traffic and revenue forecasts are underway for the comparative analysis and are anticipated to be complete in the first quarter of 2024. A presentation to the CRTPO Board is anticipated to be conducted in the spring of 2024.

Ms. Altman and Mr. Bilodeau inquired about the working group's recommendation to reject the unsolicited proposal based upon the reason that the scope was not materially different than the project within the STIP, and

if the proposer had access to the planning specifications for the project. Mr. Canipe responded to explain that there was nothing within the proposal that would automatically disqualify it, but the subcommittee felt that it lacked an innovative construction delivery component. Mr. Canipe added that NCDOT reserves the right to reject an unsolicited proposal from advancing to a competitive bidding process for any reason. Mr. Bilodeau followed by asking if the project went to a public bid, then would the submitter need to modify the proposal. Mr. Canipe stated that if NCDOT wanted to move forward with a Public-Private-Partnership (P3) delivery option, it would need to be advertised publicly within a competitive bidding process.

Mr. Driggs asked about the delivery timeline comparison between a P3 versus a traditional construction delivery within the STIP and how this aspect may have been factored into the working group's recommendation. Mr. Canipe stated that the comparative analysis will include a funding needs comparison within the two delivery methods based upon the project cost estimate, traffic and revenue analysis, and constraints such as the STI corridor cap. Mr. Canipe added that the timeline for the delivery of either funding option is currently undefined, but the comparative analysis will allow NCDOT to move forward with more certainty. Mr. Driggs followed up to inquire if the proposer will no longer automatically be shortlisted if the project advances to a public bidding process, and no additional analysis of the unsolicited proposal will be conducted at this time. Mr. Canipe agreed that the unsolicited proposer will not be automatically shortlisted if the project advances to a competitive bidding process. Mr. Driggs asked about upcoming action within the comparative analysis process next year. Mr. Canipe responded to explain that the results of the comparative analysis will be presented next year, and CRTPO will need to inform NCDOT as to how they would like to proceed, if at all.

Mayor Higdon asked if the data inputs from the unsolicited proposal will be utilized within the ongoing comparative analysis. Mr. Canipe responded to state that the comparison will consider a P3 delivery option in general and utilize the data inputs or assumptions from the unsolicited proposal.

9. Upcoming Agenda Items

Presenter:

Neil Burke

Summary:

The September 20 CRTPO Board agenda is anticipated to include the following agenda items:

Action items:

- CRTPO Discretionary Program Policy Revisions
- 2020 Census – CRTPO Planning Area Boundary

Information items:

- FTA 5307 Transit Agency Annual Reports
- CONNECT Beyond Update
- CRTPO Public Involvement Update

NCDOT and SCDOT, along with other local partners, will be launching the Metrolina Household Travel Survey this fall. The region conducts these travel surveys approximately every 10 years. The results of the survey are the major input into the regional travel demand model and are our most critical tool for understanding how people travel in the region. The survey will run from September 15 through November 2023. Approximately 5,000 surveys will be collected from randomly selected residents in the 12-county Metrolina region. Study participants will receive a gift card for their time. All survey results are confidential, and information collected is not shared to external parties.

FHWA provided the final report summarizing CRTPO's quadrennial certification review on July 31. We are pleased to report that the review resulted in no corrective actions and only three minor recommendations. FHWA staff has offered to conduct a presentation on the outcome and recommendations within the certification

review report. Please let CRTPO Board leadership or staff know if you would like this item placed on an upcoming agenda.

Jerrel Leonard announced that staff has been working with Centralina Regional Council to establish a kickoff meeting for the CRTPO Transit Providers Working Group (TPWG) in September. Prior to the kickoff meeting staff and CRC are conducting interviews with the four transit providers within the CRTPO planning area. CRC will be the primary facilitator for the TPWG.

10. Board Member Comments

Presenter:

Ron Pappas

Chair Pappas announced that the Request for Proposals for CRTPO legal services related to the MOU was issued on July 19 and closed on Friday, August 11. One proposal was received. Staff has begun reviewing the proposal and will provide feedback to the CRTPO Board.

Chair Pappas stated that 50 questions regarding the operations of the existing I-77 North Managed lanes between Mooresville and Uptown Charlotte were received from seven CRTPO Board members following the motion approved during the July 19 meeting. The questions have been provided to the I-77 Mobility Partners and NCDOT. Given that they deal with a wide range of complex issues, it will take I-77 Mobility Partners and NCDOT some time to review them and conduct research before a presentation can be conducted. A complete copy of the questions will be distributed to the CRTPO Board later this week.

Mr. Rosenburgh announced that the State Legislature voted Senate Bill 512 into law which will prescribe new parameters into the source of the appointments for members of the North Carolina Board of Transportation (NCBOT). He explained that NCBOT Division appointments will be the responsibility of the legislature and at-large appointments will be made by the Governor.

11. Adjourn

The meeting was adjourned at 7:09 p.m.