Meeting Notes
Wilmington Urban Area Metropolitan Planning Organization
Transportation Advisory Committee
Date: June 24, 2009

Members Present:
Lanny Wilson, Chairman, NCBOT
Tommy Wallace, Town of Leland
Jonathan Barfield, Cape Fear Public Transportation Authority
Mac Montgomery, Town of Kure Beach
Alan Gilbert, Town of Carolina Beach
Mike Ballard, Town of Navassa
Laura Padgett, City of Wilmington
Bill Saffo, City of Wilmington
Jason Thompson, New Hanover County
Bill Sue, Brunswick County
Chuck Thurlow, Town of Belville
David Williams, Pender County

Staff Present:
Mike Kozlosky, Executive Director
Anthony Prinz, Transportation Planner
Joshuah Mello, Transportation Planner
Bill McDow, Transportation Engineer

1. Call to Order
Mr. Wilson called the meeting to order at 4:00 PM.

2. Approval of Minutes
The motion to approve the minutes for the April 29th meeting was made by Mr. Ballard and seconded by Mr. Barfield. The motion to approve the minutes carried unanimously.

3. Public Comment Period
Mr. Herbert Willis from Navassa told members he just got hold of the last meeting minutes and was looking at them. He said he was concerned and a little bit confused and requested the group to provide some clarity. He told members he was looking at phase 1 and asked if phase 1 is from US 421 to US 74/74.

Mr. Wilson said no. There are three sections, an "A" section, a "B" section and a "C" section. Mr. Willis asked what is the A section. Mr. Wilson said it is from US 17 to US 74/76. Mr. Willis asked what is the "B" section. Mr. Wilson stated that it is from US 74/76 back to US 421. Mr. Willis asked what phase is "C" considered. Mr. Sue said it is on the TIP but it is not funded. Mr. Wilson said it has funding currently but we have not come out with the new transportation improvement program which the Department of Transportation is currently working to complete. Mr. Willis said OK, he was looking at the minutes and he was seeing Phase 1 and Phase 2 and he needed some clarity on what was considered Phase 1 and Phase 2.

Mr. Pope stated that the current TIP has right-of-way funded for all the Wilmington Bypass. It has the construction funded from US 421 to US 74/76. That is what is currently in the TIP. What has brought some of the confusion is the MPO has voted to put the remainder of the economic stimulus dollars on that section that is unfunded for construction, which is from US 74/76 to US 17. If the Department can gather the funds to make that a full project, that probably will be built to start construction before we start the "B" section.

Mr. Wilson said that we would rather do the "B" section first, but it's all about the amount of money. The "B" section cost about twice as much as the "A" section and with the limited amount of resources that we currently have, we can build the "A" section as a project and so we're going to do that. We are going to make every effort and we hope to keep the "B" section on schedule, but we are competing with the other nine loops in the state. We want to do it, and it is currently on the TIP, but it is just going to be a matter of how the department stands with respect to the financing of all the urban loops in North Carolina. The "A" section is being built with money that is stimulus dollars and also using Garvey Bonds, so it is not normal loop-fund dollars. We are able to accelerate the project because we are using some non-traditional means of financing for this project. Mr. Wilson stated if the money were available and we had $240 million, we would jump over there and do the "B" section first, but we don't and there really is not a logical terminus to build just a portion of the project between US 74/76 and US 421.

Mr. Willis asked is there a big, big problem with the state getting that money from the government if we apply now. It seems like a lot of other people are able to get stimulus money and then go back and get more stimulus money. He told members the question in his mind is why can't we get the government to come on and help us out.

Mr. Wilson told him he would encourage him to contact the congressional delegation and ask them for additional funds. The funds that came to North Carolina were used for highway purposes and have to go through the Equity Formula. The Equity Formula was created by the General Assembly in 1989 as a fair and equitable way to divide transportation resources across the state. When these funds went through the equity formula, Division 3 got approximately $55 million and well over half of that money is being spent in Brunswick County. Mr. Pope said I-40 and Smith Avenue are being built with stimulus dollars. That left us about $20 million in stimulus dollars to put on the $100 million + project.

Mr. Willis asked how much is still lacking to do that project. Mr. Pope told him we have $20 million worth of stimulus dollars to put on some project within our six counties. Today we still have not come to a definite conclusion that we are definitely building the "A" portion of the Bypass.

Mr. Andy Koeppel told members he would like to address the issue of the inter-modal facility. He told members he hopes the board shares his view that it would be beneficial to ultimately acquire the U-Haul property. As he understands the situation, once the U-Haul property owners surrender the property, the owners will be NCDOT. Mr. Kozlosky stated that the Department of Transportation would own it for a certain amount of time and then it would be turned over to the City of Wilmington or WAVE Transit. Mr. Koeppel stated he would like to encourage the County and the City to take a look at the inventory of properties and see if any of those properties could potentially be worth while for U-Haul. He told members he feels given the cash situation that exists today, it may be worthy of attention just from an exploratory stance.

4. Old Business

None

5. New Business

a. Resolution supporting adoption of the Transit Needs Analysis for the Wilmington Multi-modal Transportation Center

Mr. Kozlosky told members that at the last meeting, there was a presentation on the Transit Needs Analysis for the Wilmington Multi-modal Transportation Center. Twenty-eight potential site designs were evaluated. The report identifies the preferred design and it also identifies the need to purchase the U-Haul property in order to build the multi-modal center. He said that staff is requesting adoption of this long-range transit needs analysis.

Ms. Padgett made the motion to adopt the Long Range Transit Needs Analysis for the Wilmington Multi-modal Transportation Center. Mr. Barfield seconded the motion.

Mr. Thurlow asked if the land-swap would be considered and fall into the same realm as buying U-Haul. Mr. Kozlosky told members staff had not looked into any type of land-swap. They are currently working with the Department of Transportation and the City of Wilmington to try to identify some funds to purchase the U-Haul property. Ms. Padgett stated that the plan indicated that the property needs to be acquired and does not state how the property is to be acquired. She said she does not know of any site big enough to reasonably swap in the City. It is certainly an idea that needs to be looked at if U-Haul would agree to a land swap. Mr. Wilson called for the vote. The motion carried unanimously.

b. Resolution supporting Senate Bill 222

Mr. Kozlosky told members on February 19, 2009, State Senator Boseman introduced Senate Bill 222 that would authorize the City of Wilmington to levy a ½ cent sale and use the tax for congestion relief. If approved by voter referendum, this bill would provide an alternative funding source to address automotive congestion purposes. It also includes a clause that will allow for this tax to sunset after seven years. This board previously worked with Representative McComas on a bill that would have allowed a ½ cent sales tax back in 2005. Representative McComas introduced that bill specifically for three projects. They were Independence Boulevard Extension, Military Cutoff Extension and the Dow Road Widening in Carolina Beach. Staff would recommend the language in this bill be changed to ensure no State TIP disadvantage to the City of Wilmington, the Department of Transportation would ensure that the City's participation does not cause disruption or delay on any projects that are currently in the State Transportation Improvement Program and that the funds could also be used for public transportation.

Mr. Kozlosky said it was his understanding that during a house committee meeting, that Senator Boseman indicated that these funds would not be able to be utilized for public transportation. Staff also recommended that the referendum be project specific so the projects included in the referendum would be outlined on the ballot. Staff also recommended if New Hanover County would want to participate, the revised language will provide the option for their participation.

Ms. Padgett stated one of her concerns is that only the City of Wilmington could participate. She said that traffic congestion is much more than just people living in the city. We have added the ability for New Hanover County to participate and she thinks that's critically important. She told member she does not see why the beach communities and other cities within the MPO shouldn't have the same ability, particularly since some of the beach communities would like to have bus service. She said she also thinks it needs to be project specific but she does not know how you're going to take money that needs to be used for operating expenses to create a functioning public transportation system and call it project specific. She stated that we could say public transportation and that non-public transportation projects have to be project specific.

Mr. Wilson said he thought that was what they were trying to do with respect to public transportation. The employees in the current facility are working in deplorable conditions. NCDOT is moving out of the facility on Division Drive in two to three years, and it's going to be coming back to the city and county to assist in pay for a new bus maintenance facility.

Ms. Kozlosky clarified that this resolution also includes a provision that any projects that are identified would also be identified in the adopted Long Range Transportation Plan for the Wilmington Urban Area. Ms. Padgett asked who is going to pick those projects. Mr. Kozlosky said that has not been determined. Ms. Padgett stated that if only the city residents are going to pay, these will need to be projects that the Wilmington City Council approves.

Mr. Montgomery said he understood what Ms. Padgett is saying and he thinks the beach communities probably would like to participate, however they haven't discussed this item. One of the issues is if the county doesn't participate and the City of Wilmington does levy a tax, what office will handle that tax? Without the county participating, the three small beach communities are not staffed to collect and distribute these taxes.

Mr. Wilson said he believes the rational behind it was that the City of Wilmington would be the one to pass this and the City Council would have to approve the list. If the County were to do it, then of course the County Commissioners would approve the list. Ms. Padgett said the County already collects all of the taxes for everybody and distributes the money. This is an opportunity and it does not tell us we have to do it.

Mr. Barfield told members that from a county standpoint, he is not sure they would do this right now considering they just voted to add a quarter-cent sales tax on the referendum in November.

Mr. Thurlow stated that the bill is just putting this idea on the table so that all of us will have the opportunity if needed. Mr. Wilson told members this will allow everybody the option if they want to do it; this will be a tool in the tool box if you decide to use it.

Mr. Williams told members he felt it should be project specific. Mr. Wilson said he thinks that is what the people would want. Taxpayers would certainly want it to be project specific and that is what we are asking.

Mr. Saffo told members he was at the committee-hearing and listened to Senator Boseman specifically take questions from house-members who asked about the public transportation piece and they were very concerned about it. Senator Boseman stated that they would not be included and now we are changing this dramatically to include public transportation. He asked if anybody had contacted Senator Boseman.

Mr. Wilson told members the whole purpose of this resolution is to provide input to the Legislature through the comments of the TAC. Ms. Padgett said she could not support Ms. Boseman's bill without these changes. Mr. Wilson explained that the bill will give the opportunity and it doesn't say that you have to go and bring public transportation projects forward. This would be up to the City Council. All it is saying is that it gives you an opportunity that if you want to do that, you have that flexibility.

Mr. Montgomery told members he feels that we could do one or two things. We can write a resolution that supports exactly what will get passed or we can write a resolution that says what we feel should be included in the bill. If public transportation is important to us, then we have a responsibility to say public transportation is important. If in the long run it doesn't get into the bill, then it doesn't get into the bill. We are not the deciding factor. There are a lot of factors, but if we are going to tell the Legislature what it is we as a body feel, we should say what we feel and not just rubber-stamp everything the Legislature wants to do.

Mr. Sue made the motion to pass the resolution. Mr. Williams seconded the motion.

Mr. Wilson asked if members wanted to include the other municipalities in New Hanover County in the resolution. Mr. Kozlosky said it does not, as written. Mr. Montgomery told members he would like the resolution to include the other three municipalities.

Mr. Sue amended his motion to support authorizing the City of Wilmington to levy a one-half cent local sales and use tax for automotive congestion relief if approved by the voters in the City of Wilmington; however recommends the language in Senate Bill 222 be changed to

ensure that there shall be no State Transportation Improvement Program disadvantage if the City of Wilmington participates in the transportation improvement projects, the Department of Transportation shall ensure that the city's participation does not cause any disruption or delay to any of the projects that are in the State Transportation Improvement Program, the funds can be used for public transportation, the referendum on the ballot be project specific and also allow the Towns of Carolina Beach, Kure Beach, Wrightsville Beach and New Hanover County to participate if desired. The TAC also recommends that any projects completed under this local sales and use tax for automotive congestion mitigation purposes be included in the adopted Wilmington Urban Area Metropolitan Planning Organization's Long Range Transportation Plan. Mr. Williams seconded the amended motion and it carried unanimously.

c. 2009-2010 Unified Planning Work Program Amendment

Mr. Kozlosky told members we are required to have an adopted budget by March 31st. When we presented the budget, we did not have the information from the federal registry on Section 5303 funds. We now have that information and we are asking the TAC to revise our adopted budget with the revised numbers. Mr. Montgomery made the motion to amend the 2009-2010 Unified Planning Work Program. Ms. Padgett seconded the motion and it carried unanimously.

d. Opening of the 45-day public comment period for the Wilmington MPO's Public Involvement Policy

Mr. Kozlosky told members that staff has revised the Public Involvement Policy. The changes include instruction on how to address the public during certain situations, as well as including Pender County and the Cape Fear Public Transportation Authority as members. The old policy requires conducting a 45-day public comment period and staff is asking this committee to open the comment period. Ms. Padgett made the motion to open the 45-day comment period. Mr. Wallace seconded the motion and it carried unanimously.

e. Re-allocation of funds for Military Cutoff Road Extension

Mr. Wilson told member at their next meeting, the NC Board of Transportation will be discussing moving the A-section (from US 17 to US 74/76) of the Wilmington Bypass up to funded for this year by utilizing Garvey Bonds and the remaining balance of money received in Division 3 from the federal stimulus package. There has been some concern about the money taken from the College Road/Oleander Drive project. Mr. Wilson stated that he would like to ask this board to consider taking the money that was going to be spent for Oleander Drive and College Road and ask the Department of Transportation to move those funds to extend Military Cutoff Road extension. If we don't, he is concerned that the funds will disappear. Mr. Wilson said he knows there is a shortage of funds and they are dealing with it. He said he thinks this board needs to go on the record saying that we want those funds applied to Military Cutoff Road extension to accelerate that project. This project is moving along and if it was a design/build, it could be under construction within the next five years.

Mr. Wilson told members the amendment is going through the Board of Transportation in July to do the "A"-section of the bypass, but we are not using the money that came from College Road/Oleander Drive project. We are using stimulus money and Garvey funds. So, if you really start to look at it, what's happening is that the money is still sitting out there some where. Without a place for the funds, it might evaporate.

Ms. Padgett asked where we stand on the "B" section of the bypass. Mr. Wilson said it is going to depend on the funding situation with the Department on all the loops. We are competing with all the western loops in the state. Right now, ours is listed as funded but he thinks there will probably be some adjustment. Ms. Padgett asked if it would do any good to put that money from Oleander Drive and College Road to the "B" section. Mr. Wilson stated that he wished that we could but it's too big of a project. The "B" section is $240 million and our best bet is to put it on something that is moving. If it is only partially funded, nothing is

going to occur and the money has already been allocated to buy the right-of-way for the Bypass.

Mr. Wilson told members we need to account for those funds set aside from the Oleander and College Road project.

Mr. Ballard asked if there was any way that the municipalities in Brunswick County, especially Navassa, could present a resolution on how important the bypass would be to them. If they could just start one part of it that they might have enough money to do the whole entire swing. Mr. Ballard told members that the citizens that attended the town council meeting last Thursday seemed to feel like we're getting short-changed to fund Section-A and not do Section-B. We need to relieve the traffic coming out of Wilmington and they are saying the Section-A is going to be a road to no-where.

Mr. Wilson told Mr. Ballard that he feels the same way but you have to view it like a puzzle and this is a piece of that puzzle. This gives us a better argument that the state should go ahead and finish our bypass. There is not enough money sitting there if you take all of it to build to a logical destination. The A-section is a project that we can go out the door and comply with the federal requirements on the stimulus dollars. We can be under construction before February of next year building it as a design/build project. Mr. Wilson told members he would rather do the B-section, but we have cut and looked and scraped, and there is just no way to come up with $240 million. Mr. Pope stated that just getting from US 421 to Cedar Hill Road is $140 million.

Mr. Ballard asked how many years will this project be set-back. Mr. Wilson said there has not been a definite decision on the loop-money. We're competing with Charlotte, Fayetteville, Winston-Salem and Greensboro. If you look at ours versus Winston-Salem, they haven't got any of their loop completed and ours will be basically two-thirds complete when we construct the A-section. It gives us a good argument if this board is willing to go forward and use non-equity dollars to finish the A-section and then try to find money to do the B-section. The good news about the TIP is that it is going to be a realistic TIP that we feel like we can accomplish. That is why you are seeing a lot of projects that are going to be delayed because it's time to quit playing games with the public and come up with something that realistically has the funds in place to build over the next five years.

Mr. Wilson told members he does not want to loose the Oleander Drive/College Road money and we should to fight to bring it back.

Mr. Ballard told members he needs information to carry back to the next town Council meeting and he is still concerned about why they want to be flip-flopping on the projects. Mr. Sue told Mr. Ballard that he thinks it's the sentiment of this whole board that we would love to have the "B" Section built, but we can't get it so we have got to take something rather than nothing. Mr. Ballard said he understands that. Mr. Pope told members the B-section is still a funded project in the current TIP. but also realize that the current TIP is over-programmed based on the revenues.

Mr. Williams made the motion to request that the money that was going to be spent for Oleander Drive and College Road be designated to fund the Military Cutoff Road Extension project. Ms. Padgett seconded the motion and it carried unanimously.

6. Discussion

a. NCDOT Strategic Prioritization Office – Prioritization Tool

Mr. Kozlosky told members he wanted to update the TAC on the Strategic Prioritization Office of Transportation (SPOT) and their prioritization transportation tool. Based on Executive Order

#2, Governor Purdue wanted to become more transparent and data driven in identifying transportation priorities through the state. The Department of Transportation has been working since November of 2008 and provided a presentation to NC AMPO association. Mr. Kozlosky stated that he attended a workshop last week in which there was also a presentation. He sent a letter on behalf of the TAC and the MPO indicating the concerns about the prioritization process, the way the public is going to be involved, as well as the way the projects are selected. NCDOT is considering those comments. The TAC will be asked to prioritize the top 25 projects at their next meeting. We are still waiting on the 60-month "let-list" that will be provided to us following the Boards meeting in July. He wants to make everyone aware that we will consider prioritizing our top-25 projects using whatever model we deem appropriate and we will then submit those projects to NCDOT. They will be ranked on three categories- the state-wide tier, the regional tier and the sub-regional tier. This is a quantitative and qualitative analysis. Ms. Padgett asked how this ties into the long range plan. Mr. Kozlosky said we would want these projects to be identified in the LRTP. That is something we are still working on.

Mr. Pope said the MPO, as well as the Division, will be ranking projects 1 through 25 and that will be plugged into this equation to come up with a ranking to bring projects into the 5-year TIP.

Mr. Kozlosky told members the criteria to rank projects will be mobility, safety and infrastructure health and the quantitative analysis will be congestion, pavement condition or safety depending on the goal. You will also have qualitative analysis which will be the ranking by the Department as well as the MPO. After they prioritize these projects, they will be considered and go through the equity formula.

7. Updates

a. Citizen Advisory Committee (CAC)

Mr. Howard Loving, Chairman of the CAC, updated members on Cape Fear Commutes and the CAC activities.

b. NCDOT Project Update

attached

8. Announcements

a. Bike/Pedestrian meeting- August 14th at 5:15pm
b. Citizen Advisory Committee meeting- August 19th at 4pm

9. Adjournment

With no further business, the meeting was adjourned at 4:58 pm

Respectfully submitted

Mike Kozlosky
Executive Director
Wilmington Urban Area Metropolitan Planning Organization