



Baltimore Regional Transportation Board

The Metropolitan Planning Organization for the Baltimore Region

BALTIMORE METROPOLITAN PLANNING ORGANIZATION

MINUTES OF THE 202nd MEETING OF THE BALTIMORE REGIONAL TRANSPORTATION BOARD

DRAFT

**May 26, 2009
9:00 A.M.**

EMPOWERED MEMBERS

Jon Arason, Director
Department of Planning & Zoning
City of Annapolis

Carl Balsler, Chief (Chair)
Division of Transportation Planning
Howard County Department of Planning & Zoning

Harvey Gold, Senior Transportation Planner
Anne Arundel County Office of Planning & Zoning

Don Halligan, Director
Office of Planning & Capital Programming
Maryland Department of Transportation

Emery Hines, Manager
Transportation Planning
Baltimore County Department of Public Works

Frank Johnson, Legislative Director (Vice Chair)
Carroll County Government

Jamie Kendrick, Deputy Director
Baltimore City Department of Transportation

Tony McClune, Deputy Director
Harford County Department of Planning & Zoning

Jim Wilkinson (for Diane Franks)
Air Quality Planning Division
Maryland Department of the Environment
(Non-voting member)

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Members: City of Annapolis, Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, Howard County, Maryland Department of Transportation, Maryland Department of the Environment (Non-Voting), Maryland Department of Planning (Non-Voting)

OTHERS PRESENT

Regina Aris, Baltimore Metropolitan Council (BMC)
Harvey S. Bloom, BMC
Monica Haines Benkhedda, BMC
Victor Bonaparte, BMC
Jamie Bridges, BMC
Dunbar Brooks, BMC
Tyson Byrne, BMC
Jeff Drinkwater, Baltimore City Dept of Planning, Technical Committee Chair
Bruce Gartner, Maryland Department of Transportation (MDOT)
Joan Gorsuch, BMC
Billy Hwang, MDOT
Angela Jones, KCI
Jamaica Kennon, State Highway Administration (SHA)
Keith Kucharek, SHA
Phyllis & John Lansing, Baltimore County League of Women Voters
Jud Malone, CAC Chair
Joseph Madison, Maryland Transit Administration (MTA)
Theo Ngongang, MDOT
Mike Nixon, MDOT
Sarah Powell, Baltimore City Department of Transportation
Kevin Racine, Citizen
Barry Robinson, Baltimore City Department of Transportation
Stephanie Yanovitz, BMC

The meeting was called to order at 9:05 A.M. by the Chair, Mr. Carl Balser.

APPROVAL OF MINUTES: A request for a motion to approve the minutes of the April 28, 2009 Baltimore Regional Transportation Board (BRTB) meeting was made by Mr. Balser. A motion was made by Mr. Jon Arason to approve the minutes and seconded by Mr. Jamie Kendrick.

PUBLIC PARTICIPATION OPPORTUNITY: There were no comments from the public at this time.

REPORT FROM CITIZENS ADVISORY COMMITTEE: Mr. Jud Malone, Chair, Citizens Advisory Committee (CAC), noted that at the May 6, 2009 meeting, the group heard a presentation about transit in two cities – Baltimore and the Dominican Republic with a comparison of transit planning efforts in these two locations. Mr. Malone said that the Committee also discussed Mr. Foster Nichols' letter that he submitted to the BRTB regarding a transportation vision for the Baltimore region and noted that the CAC did not come to any conclusions or endorsement of the letter. The two main themes of Mr. Nichols' comments focused on: 1) that a long-term vision process that doesn't get at the planning process and improve or change the way planning is done is an issue, and 2) if "we" spend a year creating a vision, then at the end of the year all "we" have is just a vision.

REPORT FROM THE TECHNICAL COMMITTEE: Mr. Jeff Drinkwater, Chair, said that the Technical Committee (TC) met on May 5, 2009. Mr. Drinkwater stated that TC members approved 2 resolutions for BRTB consideration: Resolution #09-23 – amendment to the FY 2008-2012 TIP, and Resolution #09-24 – approval of Alternatives Retained for Detailed Study for the proposed I-795 at Dolfield Boulevard/Pleasant Hill Road Interchange project Planning Study.

Mr. Drinkwater stated that he has received official notice that due to budget concerns, his contract with the Baltimore City Department of Transportation has not been renewed. His last work day will be Thursday, May 28th. He thanked the BRTB and the Baltimore Metropolitan Council (BMC) staff for their support and cooperation. Mr. Balsler thanked Mr. Drinkwater for his diligence and hard work and said that he will be missed.

REPORT FROM THE INTERAGENCY CONSULTATION GROUP: In the absence of Mr. Emery Hines, Ms. Regina Aris reported on the May 20, 2009 Interagency Consultation Group (ICG) meeting. She noted that the ICG reviewed and approved the results of the conformity determination that will accompany the 2010-2013 Transportation Improvement Program (TIP). These documents were released on Friday for a 30-day public review. Ms. Aris noted that results of the conformity determination show that the TIP and the Plan support the air quality goals of the State Implementation Plan (SIP) for PM_{2.5}, Ozone and CO. Also, Ms. Aris said that at the May ICG meeting, BMC staff made a presentation on the results of MTA's onboard transit survey. There was also a discussion from the Environmental Protection Agency (EPA) regarding EPA's recent proposed endangerment finding for carbon dioxide from automobiles. EPA has also released the new MOVES emissions model which will likely be used on the TIP/conformity determination next year. Ms. Aris said that the Maryland Department of the Environment (MDE) also discussed a recent Federal Register notice stating that EPA is proposing to disapprove Baltimore's 8-hour ozone SIP. MDE has promised to keep the ICG in the loop with more information as it develops.

APPROVAL OF THE FISCAL YEAR 2010 UNIFIED PLANNING WORK PROGRAM: Mr. Harvey Bloom introduced Resolution #09-20 and noted that this resolution was reviewed and endorsed by the Technical Committee in April. The Chair delayed action on the approval of the FY 2010 UPWP to allow discussion and action on Agenda Item #9 to take place first. This item, approval of the UPWP Consultant Selection Process, is pertinent to action on the FY 2010 UPWP. It was deferred from last month's meeting to provide a more thorough review of consultant contract procedures and to allow the Board to respond to public comments on the UPWP. Mr. Frank Johnson thanked the BRTB Budget Subcommittee and BMC staff for their input. Mr. Balsler asked for a motion to approve Resolution #09-20. Mr. Kendrick made a motion for approval that was seconded by Mr. Johnson. Resolution #09-20 was unanimously approved.

APPROVAL OF AMENDMENT TO THE 2008-2012 BALTIMORE REGION TRANSPORTATION IMPROVEMENT PROGRAM: Mr. Bloom introduced Resolution #09-23 that includes two amendments to the 2008-2012 TIP. Mr. Bloom asked Baltimore City and Howard County to present their respective amendments: the Boston/O'Donnell Street Connector and the Central Maryland Transit Operations & Maintenance Facility and the associated public meetings. Mr. Kendrick informed the Committee that a public meeting was held in conjunction

with the Environmental Impact Statement on April 22, 2009. There were 25 comments received with most in favor of the viaduct over the train tracks for \$105 million versus \$44 million for the City's locally preferred alternative, Alternative 2. Mr. Balser informed the Committee that the public meeting for the Transit Operations & Maintenance Facility was held in conjunction with the April 28, 2009 Howard County Public Transportation Board meeting. There were about 12 people in attendance with no comments received. Mr. Balser asked for a motion to approve Resolution #09-23. Mr. Arason made a motion for approval that was seconded by Mr. Johnson. Resolution #09-23 was unanimously approved.

APPROVAL OF THE ALTERNATIVES RETAINED FOR DETAILED STUDY FOR INTERSTATE 795 AT DOLFIELD BOULEVARD/PLEASANT HILL ROAD: Mr. Bloom introduced Resolution #09-24 that identifies the alternatives retained for detailed study for I-795 at Dolfield Road. The State Highway Administration had several staff available to answer questions if needed. Hearing none, Mr. Balser asked for a motion to approve Resolution #09-24. Mr. Johnson made a motion for approval that was seconded by Mr. Don Halligan. Resolution #09-24 was unanimously approved.

APPROVAL OF UNIFIED PLANNING WORK PROGRAM CONSULTANT CONTRACT SELECTION PROCESS: Ms. Aris explained the background and subcommittee work that led to the documentation and expansion of the current BMC process for consultant selection. At the April BRTB meeting, members had tasked the Budget Subcommittee to work with BMC staff to put the current process in writing, clearly outlining how the BMC and local jurisdictions would contract with consultants to complete selected UPWP work tasks. Mr. Johnson, Chair of the BRTB Budget Subcommittee, thanked both the subcommittee and BMC staff for their work, explained the process the subcommittee followed to reach its recommendations, and briefly outlined the major steps in the proposed selection process. A motion to approve was made by Mr. Arason and seconded by Mr. Harvey Gold. A discussion of several sections of the proposal followed. Concerns raised focused on Technical Committee review of RFP's developed by local jurisdictions, the sequence of actions before and after the development of the UPWP budget and unnecessary references to Requests for Qualifications (RFQ's). Amendments to resolve these concerns were offered by Mr. Kendrick and accepted. Additionally, Mr. Kendrick also offered an amendment (seconded by Mr. Arason) that would strike the proposed requirement that disbursement of UPWP funding for BRTB member consultant activity would not be invoiced quarterly but rather when all work tasks and contract products are complete and submitted to the BMC. The amendment failed. Mr. Balser asked for a motion to approve Resolution #09-25. Mr. Kendrick made a motion for approval that was seconded by Mr. Halligan. Resolution #09-25, as amended successfully four times, was unanimously approved.

[Handout: Guidelines for UPWP Consultant Selection]

PRESENTATION ON BALTIMORE CITY DOWNTOWN CIRCULATOR SYSTEM: Mr. Kendrick introduced Mr. Barry Robinson, Chief of Transit & Maritime Services, and Sarah Powell, Special Transit Coordinator, both of the Baltimore City Department of Transportation. Mr. Robinson indicated that the proposed circulator system is a big advancement over the former DASH service with three routes and a dedicated funding source through an increase on the parking garage tax. The focus of service is to move people, not cars, around downtown with a fast, frequent and free bus network. In addition to the three transit routes, there is also the addition of

free water taxi service from Canton to Tide Point and Tide Point to Harbor East. Veolia Transportation is the contracted service provider and will operate and maintain the fleet of 21 hybrid buses as well as market the service. The buses will each seat 25 and have a capacity of 45 passengers. Ten minute headways are planned with dedicated bus lanes on Lombard and Pratt Streets. The Mayor will be announcing the name of the service, from the 2,700 submissions, on June 10th. The service will start in late summer in conjunction with vehicle delivery. The Maryland Transit Administration (MTA) will be providing the ADA complementary paratransit service associated with the new City service, although there is no new catchment area so this is not likely to increase MTAs workload. Annual operating costs are estimated to be approximately \$5.2 million.

[Handouts: Downtown Circulator Fact Sheet; Your New Ride – Things to Know About the “Ecosaver IV”; and Planned Operating Hours]

STATUS REPORT ON THE REAUTHORIZATION OF FEDERAL TRANSPORTATION

LEGISLATION: Mr. Bruce Gartner and Mr. Billy Hwang, Maryland Department of Transportation (MDOT) Office of Policy & Governmental Affairs, provided the BRTB an update on the development of new federal surface transportation legislation. First, Mr. Gartner related some statistics regarding the level of funding that Maryland received with the passage of SAFETEA-LU in 2005 then he proceeded with the 2 main themes for the upcoming authorization: program simplification and trust fund sustainability. Mr. Gartner also discussed the prospects for a stronger national freight policy and changes to the Federal Transit Administration’s New Starts program. A list of “earmark” projects submitted by MDOT to Maryland’s Congressional delegation was also reviewed. The discussion then changed to the third phase of the American Recovery and Reinvestment Act (ARRA) funds, known as Transportation Investments Generating Economic Recovery (TIGER) discretionary funds and the recently released guidelines. Mr. Gartner shared that MDOT was likely to pursue such funds for BRAC-related improvements and for the MARC Growth and Investment Plan.

[Handouts: Maryland’s Federal Surface Transportation Authorization Platform; Maryland’s Federal Surface Transportation Authorization Platform; MDOT Recommendations for Projects – FY 2010-2016 Surface Transportation Authorization Legislation; Supporting America’s Economic Recovery – Primary Selection Criteria; Supporting America’s Economic Recovery – Maryland Department of Transportation Summary; Discretionary Grant Programs for Transportation Projects under P.L. 111-5, The American Recovery and Reinvestment Act of 2009; and Primary Selection Criterion]

STATUS REPORT ON REGIONAL TRANSPORTATION VISION PLANNING: Mr. Johnson reported that as a result of a briefing to the BMC Board of Directors in April, BRTB has been directed to have a “draft” Vision scope by Fall of this year. He noted that the BRTB is working closely with the Planning Directors and their next meeting is Friday, May 29th. The next BMC Board of Director’s update is July 14th. Mr. Johnson noted that the BRTB is looking at specific performance indicators and goals to determine what the Vision plan will include, e.g., policy statements, projects, corridors, etc. Discussions also include a stakeholders group with representatives from transit, Homebuilders Association, realtors, Chambers of Commerce, and environmentalists.

PRESENTATION FROM THE NOMINATING COMMITTEE: Mr. Gold reported that the Nominating Committee consisted of Mr. Hines, Mr. Mike Nixon and himself. The Committee nominated Carroll County for Chair and Harford County for Vice-Chair. Mr. Balsler noted that a vote will be taken at the June BRTB meeting with nominations from the floor also being entertained at that time.

UPDATE ON THE MARYLAND DEPARTMENT OF TRANSPORTATION'S TRANSPORTATION / LAND-USE CLIMATE ACTION PLAN COORDINATING COMMITTEE:

Mr. Johnson reported on the May 14th Coordinating Committee meeting where initial recommendations from the various Work Groups were presented. Higher priority recommendations will go back to the Work Groups to develop an implementation plan that will be presented to the Coordinating Committee in late 2009. Mr. Bloom noted that MDOT will need to outline the expectations of the BRTB as a member of the Coordinating Committee. If there is to be a formal BRTB action at some point, the vetting process needs ample time to secure BRTB endorsement.

PRESENTATION ON RECOMMENDATIONS OF THE CITIZENS ADVISORY COMMITTEE REGARDING THE CURRENT PUBLIC PARTICIPATION PLAN:

Mr. Johnson reported that the CAC has worked very hard on putting together a series of recommendations for modifications to the Public Participation Plan (PPP) and public participation polices. He noted that the Executive Committee has reviewed the recommendations, but thought it best if the recommendations were presented to the full BRTB for their review. He noted that BMC staff has also reviewed the recommendations.

Ms. Monica Haines Benkhedda reported that in March the CAC submitted 4 pages of recommendations, including rationale for their recommendations. These recommendations build upon the CAC's May 2008 Resolution on Public Participation from the CAC to the BRTB, as well as President Obama's Memorandum on "Transparency and Open Government," signed on 21 January 2009.

The CAC's recommendations generally focus on two main areas: improvements to the public participation process and improvements to the content and format of the PPP document. Ms. Haines Benkhedda summarized these recommendations for the BRTB, reported that staff have been researching best practices for implementing a number of the recommendations, and asked BRTB members about the possibility of holding a work session to review and discuss the recommendations.

Members discussed the process for reviewing the CAC's recommendation and the possibility of holding a work session to deliberate implementation. Mr. Malone suggested that the CAC members would benefit from receiving a response back regarding their recommendations and proposed that the response could then be discussed jointly at the August CAC work session. Members decided that they would like to receive a presentation from BMC staff on their research findings and suggestions for implementing the CAC's proposals at the June BRTB meeting. The BRTB also agreed that at that time the Board would reconsider the possibility of hosting a work session to review and discuss their position on the recommended changes.

OTHER BUSINESS:

Mr. Victor Bonaparte distributed a memo regarding a schedule containing 5 steps for the preparation of the FY 2010 Unified Planning Work Program contracts. Mr. Bonaparte noted that he will e-mail Schedules B, D and E to the local jurisdictions today. Once BMC has received the signed contracts, the jurisdictions will be sent an official notice to proceed. Mr. Kendrick asked that he be sent the Baltimore City contracts this year.

[Handout: Memorandum dated May 26, 2009 re: FY 2010 UPWP Contracts]

Ms. Aris pointed out that a copy of the Draft Baltimore Region Transportation Improvement Program 2010-2013 and associated Draft Conformity Determination of *Transportation Outlook 2035* and the FY 2010-2013 TIP were provided to each member and asked that they be displayed in their respective Planning Departments. Twenty-one (21) libraries already have their copies and both documents are available online at www.baltometro.org. Ms. Aris noted that the 30-day public review for the TIP and Conformity Determination is underway with June 17 as the date for the public meeting for the TIP and conformity. A copy of the approved UPWP was also provided.

Ms. Aris also noted that MTA will likely use the June 17 date as their public meeting for Section 5307 and 5309 funds. Furthermore, an amendment to the 2008-2012 TIP – intersection improvements in two areas – Aberdeen Proving Ground and Ft. Meade (BRAC) – is currently out for public review. The BRTB will take action on the amendment in June.

Ms. Aris asked local jurisdiction BRTB members to work with MDOT regarding local projects to be funded through ARRA resources. She noted that Howard and Harford counties have been notified of federal-aid eligibility by the State Highway Administration (SHA) for their projects. She asked that the remaining jurisdictions let BMC know when their projects have been reviewed by SHA. Ms. Aris said that the objective is to conduct one 30-day public comment period and one public meeting for all projects to assist in meeting the September federal deadline. Ms. Aris reminded everyone that June 15 is the deadline to submit to the state for eligibility and September 15 is the deadline for projects to be included in the STIP.

[Handouts: Draft Baltimore Region Transportation Improvement Program 2010-2013 and associated Draft Conformity Determination of Transportation Outlook 2035 and the FY 2010-2013 TIP; Baltimore Region FY 2010 Unified Planning Work Program for Transportation Planning, May 2009]

Mr. Balser asked for a motion to adjourn the meeting. Mr. Arason made a motion to adjourn with Mr. Tony McClune seconding the motion. The meeting adjourned at 11:40 A.M.

Respectfully submitted,

Harvey S. Bloom, Secretary
Baltimore Regional Transportation Board