

NC Capital Area Metropolitan Planning Organization Meeting Minutes - Draft Executive Board

One City Plaza
421 Fayetteville Street
Suite 203
Raleigh, NC 27601

Wednesday, May 20, 2020

4:00 PM

Conference Room

1. Welcome and Introductions

Notice: In order to protect the safety of the public, MPO partners, and staff during the COVID-19 States of Emergency, CAMPO is converting all meetings to a remote electronic format for the duration of the States of Emergency. The conference rooms and CAMPO Office are closed to meetings. Login information for each meeting can be found on both the homepage calendar and our Virtual Meeting Logistics webpage. This information was provided to the Executive Board Members and Alternates via email a week prior to the meeting.

Chair Hutchinson welcomed everyone, thanked them for their participation to ensure a quorum and explained the logistics and planned course of action for the virtual meeting, including the mandatory roll call.

Deputy Director Shelby Powell asked each Executive Board member or alternate to orally confirm attendance.

- Present:** 16 - William Allen III, Scott Brame, Corey Branch, John Byrne, TJ Cawley, Ronnie Currin, Joe Geigle, Jacques Gilbert, Virginia Gray, Chair Sig Hutchinson, RS "Butch" Lawter, Ken Marshburn, Neena Nowell, Bob Smith, Nina Szlosberg-Landis, and Board Member Harold Weinbrecht
- Absent:** 15 - Michael Grannis, Grady Hunt, Vice Chair Vivian Jones, Valerie Jordan, Catherine Knudson, Bob Matheny, Matt Mulhollem, Howard Penny, James Roberson, Perry Safran, Michael Schriver, Dick Sears, Edgar Smoak, Gus Tulloss, and Art Wright

2. Adjustments to the Agenda

There were no adjustments to the agenda.

3. Ethics Statement:

Chair Hutchinson read the Ethics Statement "In accordance with the State Government Ethics Act, it is the duty of every Executive Board member to avoid conflicts of interest. Does any Executive Board member have any known conflict of interest with respect to matters coming before the Executive Board today? If so, please identify the conflict and refrain from any participation in the particular matter involved." No members of the Executive Board identified issues with conflicts during this meeting.

The following information from the Ethics Commission for 2020 was then shared via screen presentation:

Executive Board members and alternates are required by law to file certain financial disclosures called the Statement of Economic Interest (SEI) and Real Estate Disclosure (RED) forms with the State Ethics Commission.

These two forms are due within 60 days of appointment and then every year thereafter.

Failure to file may result in fines of up to \$500 annually for an Executive Board member.

*As of 2019, the State Ethics Commission has a new electronic filing system:
<https://ef.ncsbe.gov/>*

This information was included in the previous agenda distribution emailing. A handout was also provided with full information and instructions for completing the forms.

4. Public Comments

Chair Hutchinson opened Public Comments and explained the parameters of this format. As there were no members of the public who wished to speak, Chair Hutchinson closed Public Comments.

5. Consent Agenda

Deputy Director Shelby Powell confirmed the consent agenda approval by roll call vote.

A motion was made by Member Will Allen III, seconded by Alternate Corey Branch to approve all items on the Consent Agenda. The motion carried by unanimous vote.

5.1

Executive Board April 15, 2020 Meeting Draft Minutes

Requested Action: Approve the Executive Board April 15, 2020 Meeting Draft Minutes

Attachments: [Executive Board April 2020 Meeting Minutes Draft](#)

5.2 FY 2020 Wake Transit Work Plan - 4th Quarter Amendment Request

Bret Martin, MPO Staff

Requested Action: Consider approval of the FY 2020 Wake Transit Work Plan 4th Quarter Amendment Request and authorize the Executive Director to sign the applicable project-level agreement should CAMPO be a necessary signing party.

Attachments: [Staff Report](#)
[Attachment A - Q4 FY 20 Work Plan Amendment Request](#)

6. Public Hearing**6.1 FY2020-2029 Transportation Improvement Program Amendment #1**

Gretchen Vetter, CAMPO Staff

Requested Action: Conduct a public hearing.

Attachments: [TIP Amendment #1](#)
[Staff Report](#)

Chair Hutchinson opened Public Hearing.

Ms. Gretchen Vetter, CAMPO Staff reported on this item.

Ms. Vetter explained that CAMPO has officially received notification that the FY2020-2029 Transportation Improvement Program has been formally approved by the Federal Highway Administration, and that the focus of this effort is to bring the current TIP up to date. She said that CAMPO will amend the FY20-29 TIP to reflect changes made to the TIP and STIP while they were pending Federal review. CAMPO also received a request from GoTriangle to amend the 2020-2029 Transportation Improvement Program. This amendment would bring GoTriangle's \$20 million BUILD grant funding for their Raleigh Union Station Bus Component to the current year.

She expressed that the FY2020-2029 TIP Amendment #1 has been posted for public comment from April 17, 2020 to May 21, 2020. Ms. Vetter explained that, due to the recent state law regarding conducting meetings under a State-declared state of emergency, CAMPO will delay seeking Executive Board approval until their June 2020 meeting. The new state law dictates that the public comment period must remain open at least 24 hours after the public hearing has commenced.

There were no members of the public who wished to speak for this item.

The FY2020-2029 Transportation Improvement Program Amendment #1 Report was received as information.

6.2

FY 2021 Recommended Wake Transit Work Plan

Bret Martin, CAMPO Staff

Requested Action: Receive the FY 2021 Recommended Wake Transit Work Plan as information and hold a public hearing.

Attachments: [Staff Report](#)

[Attachment A - FY 2021 Recommended Wake Transit Work Plan](#)

Mr. Bret Martin, CAMPO Staff, reported on this item.

Mr. Martin stated that at its April 22, 2020 regular meeting, the Wake County Transit Planning Advisory Committee (TPAC) recommended a FY 2021 Wake Transit Work Plan to CAMPO and the GoTriangle Board of Trustees for their consideration of adoption in June. Mr. Martin said that a copy of the TPAC-recommended draft of the FY 2021 Wake Transit Work Plan was included with this agenda item and emphasized there have been some significant changes from the original Draft FY 21 Work Plan presented in February, due to the current CoVid-19 pandemic.

The TCC received this information at its May 7, 2020 meeting and CAMPO opened a 30-day public comment period on May 15th, which is anticipated to run through June 14, 2020. Mr. Martin said that the Executive Board is receiving the TPAC-recommended FY 21 Work Plan as information today. The Executive Board will consider adoption at its June 17, 2020 meeting, and the GoTriangle Board of Trustees is currently scheduled to consider adoption on June 24, 2020. Mr. Martin stressed the importance of more robust public communication efforts than usual due to these significant changes.

Mr. Martin reviewed changes to the assumed and budgeted revenues and expenditures for the Work Plan as a comparison to what was originally included in the draft released for public comment in January. He reiterated that due to revenue reductions, it will not be possible to fund all projects in the Draft FY 21 Work Plan. In transitioning from the FY 2021 Draft Wake Transit Work Plan released by the TPAC for public comment in January to the most recent TPAC-recommended version, an unfortunate but important reality to note is the FY 2021 Recommended Wake Transit Work Plan's response to uncertainty regarding public transportation sales tax collections during and recovering from the Coronavirus Disease 2019 (COVID-19) pandemic. With social distancing and 'stay-at-home' measures to control the spread of COVID-19, economic activity in the county has slowed immediately and in dramatic fashion. With this uncertainty for revenue, Mr. Martin said that the focus of the TPAC was on determining which projects absolutely need to be authorized for funding with immediacy in FY 2021. Projects that met certain strict criteria, such as operating projects that were initiated in prior fiscal years, those that are time sensitive, those that involve external time-sensitive grants as part of their overall funding mechanism, and community funding area projects exhibiting a high degree of readiness, were selected for recommendation of funding beginning on July 1st. The remaining projects are assigned to an 'unbudgeted reserve' queue that will be revisited in the fall of 2020 when sales tax data for the period most immediately impacted by the COVID-19 pandemic will have been acquired to more cautiously inform investment decisions for the remainder of FY 2021 and future years. Currently, the only data available to inform sales tax collections is anecdotal versus empirical.

Mr. Martin presented information for what is currently proposed to begin on July 1, 2020:

FY 21 Recommended Bus Service Expansion

Route 21: Caraleigh Improvements (South Raleigh)

- *Existing Capacity Overloaded*
- *Increased Off-Peak Frequency*

GoApex Route 1 (Town of Apex)

- *Intra-Community Circulator*
- *Monday-Saturday*
- *All Day Hourly Frequencies*

FY 21 Recommended Capital Investments

- *Bus Stop Improvements for GoApex Route 1*
- *Bus Stop/Node Improvements for Morrisville Smart Shuttle*
- *Completion of New Bern Avenue BRT*

Mr. Martin concluded by providing an overview of community engagement activities conducted back in January and February for the Draft FY 2021 Work Plan, as well as responses received during a 30-day public comment period. These included community events, pop-ups, presentations, planning meetings, and in-person interactions; 200+ media, public officials, agency partners, TAC received a news release (English & Spanish); 600+ community organizations, elected officials and individual subscribers received email announcements; and 30+ TPAC representatives, partners and staff received electronic materials for distribution.

A total of 140 public comments were received in the form of three letters, 61 in person/emails, and 76 online submissions. The most common themes were bus service, proposed infrastructure and general investment, with GoRaleigh- and GoTriangle-proposed projects receiving the most feedback.

Mr. Martin reiterated that, due to the recent state law regarding conducting meetings under a declared federal emergency, CAMPO will accept comments from the public for up to 24 hours after the public hearing, and the Executive Board will consider approval at its June 2020 meeting.

Chair Hutchinson opened Public Hearing. As there were no members of the public who wished to speak for this item, Chair Hutchinson closed Public Hearing.

The FY 2021 Recommended Wake Transit Work Plan Report was received as information.

End of Public Hearings

As there were no additional members of the public who wished to speak, Chair Hutchinson closed Public Hearing.

7. Regular Agenda

7.1 CAMPO Projects and Programs Funding Update

Gretchen Vetter, CAMPO Staff

Requested Action: Receive as information.

Attachments: [Staff Report](#)

[COVID19 TIP Project Schedule Delays Released April 21](#)

[NCDOT Projects Authorized to Move Forward 5/5/2020](#)

Ms. Gretchen Vetter, CAMPO Staff reported on this item.

Ms. Vetter expressed that updated information is being released rapidly and that CAMPO is working diligently to share this information with all interested parties as quickly as possible. Ms. Vetter stated that the COVID19 virus has affected funding streams dedicated to transportation infrastructure, operations, service, and maintenance. These lower funding streams are causing NCDOT to delay a significant number of projects in the next fiscal year, as well as place other programs within the Department on hold.

Ms. Vetter reviewed information from the NCDOT May 4, 2020 press release regarding the revenue decline due to COVID-19 which has depleted NCDOT cash reserves. She stated that NCDOT's legally-required minimum cash balance has been reached and according to state law, once the department falls below the cash floor, they can no longer enter into new contracts that spend money on transportation projects. Ms. Vetter reviewed what NCDOT currently can and cannot do, which includes:

What NCDOT CAN do while below the cash floor:

- *Continue active projects*
- *Maintain existing infrastructure with existing supplies and staff*
- *Pay incoming invoices from private sector companies as long as funds exist*
- *Continue operating DMV functions*
- *Respond to emergency situations (with existing staff and materials)*
- *Hire new employees for critical, safety-related positions or DMV functions*

What NCDOT CANNOT do while below the cash floor:

- *Negotiate right of way purchases on projects not underway*
- *Purchase additional equipment, supplies or services for transportation projects unless obligated to make such a purchase in an existing contract*
- *Award new construction, engineering or repair contracts*

Ms. Vetter presented information regarding the current Move Forward list, which was a response to the NCDOT cash flow requirements. She stated that this list supersedes the previous PE suspension list and was included in the agenda packet. Ms. Vetter explained that this list, which is a living document, shows all of the SPOT projects that can move forward. Any project not listed has been put on hold. The current list contains SPOT projects already under contract, because if work were to stop on these, NCDOT would be forced to pay a fine to the contractor. Ms. Vetter provided the link to this current Move Forward list:

<https://connect.ncdot.gov/projects/Project-Management/Pages/default.aspx>

Ms. Vetter expressed that the LAPP Project guidance from NCDOT includes:

- *All work associated should stop if it can be stopped, even if previous approvals were given to defer payments.*

- *If construction contract has not been awarded, delay advertisement & stop work.*
- *If a consultant has not been procured to perform PE work, stop PE procurement.*
- *If ROW activities have not begun, do not start them.*
- *For any projects that have been awarded, consultants procured and work is moving forward, understand the deferral period is now indeterminate.*
- *Local jurisdictions need to understand they proceed at their own risk if they continue to move forward with any project phases after NCDOT has recommended they stop, as NCDOT is not sure when they can reimburse.*

Ms. Vetter added that FY21 LAPP projects will not be able to get their agreements started at this time, and that if CAMPO desires to award additional funding to any existing LAPP project, an agreement could not be executed at this time. She reiterated that there is no clear sense of how long these project delays will continue, but that NCDOT has volunteered to provide a funding report to the Executive Board on June 17, 2020.

The CAMPO Projects and Programs Funding Update Report was received as information.

7.2 Public Participation Plan Update - Electronic Meetings

Bonnie Parker, MPO Staff

Requested Action: Receive as information.

Attachments: [CAMPO Public Participation Plan 2020 Update draft redline version](#)
[CAMPO Public Participation Plan 2020 Update draft](#)

Ms. Bonnie Parker, CAMPO Staff reported on this item.

Ms. Parker stated that CAMPO follows both the Federal Highway Administration and the North Carolina state law guidance for Open Meetings.

Ms. Parker expressed that the Federal Highway Administration (FHWA) released guidance in April stating that MPOs may hold public meetings and accept public comments during meetings that are solely held online, or electronically, and that such information should be reflected in the MPO's Public Participation Plan (PPP). She explained that, out of an abundance of caution, MPO staff are recommending adding language to the PPP that specifically mentions the permissibility of electronic meetings, which includes the requirement of public notifications and means to access (view or listen to) meetings and requires the publicly posting of meeting materials. Ms. Parker stressed that CAMPO's current PPP already has more extensive requirements for public comment periods and public notices.

Ms. Parker explained that the North Carolina Open Meetings Law, which the MPO also abides by as stated in the PPP, includes language enabling electronic meetings and voting. Also, in the fall of 2019, the Executive Board adopted an updated PPP that incorporated language related to online participation, however, that language did not address meetings that are solely held electronically - with no in-person option available. Ms. Parker reiterated that the state Law passed on May 4, 2020 requires CAMPO Public Comment period to extend at least 24 hours after a public hearing has commenced, but only during an active State of Emergency. Although CAMPO's intention is not to hold online only meetings after the State of Emergency is lifted, the updated language would not limit CAMPO to the State of Emergency clause.

Ms. Parker concluded by stating that a Public Comment period will be open from May 1 - June 18, 2020, as any update to the PPP requires a 45-day public comment period. A public hearing will be held on June 17, 2020 and this item is anticipated to be considered for adoption by the Executive Board at their July 15, 2020 meeting. She added that materials are posted online.

Member TJ Cawley commented that the July meetings in the past have been cancelled. Ms. Parker responded that it would not be an issue if this was pushed to August.

The Public Participation Plan Update - Electronic Meetings Report was received as information.

8. Informational Item: Budget

- 8.1** **Operating Budget - FY 2020**
Lisa Blackburn, MPO Staff

Requested Action: Receive as information.

Attachments: [FY 20 Projected Budget QTR 3.pdf](#)

The Operating Budget Report was included in the agenda packet.

The Operating Budget Report was received as information.

- 8.2** **Member Shares FY 2020**
Lisa Blackburn, MPO Staff

Requested Action: Receive as Information

Attachments: [FY 20 Projected Member Dues QTR 3.pdf](#)

The Member Shares Report was included in the agenda packet.

The Member Shares Report was received as information.

9. Informational Item: Project Updates

- 9.1** Executive Board May 2020 Project Updates

Requested Action: Receive as information

Attachments: [Executive Board May 2020 Project Updates](#)

The Project Updates were included in the agenda packet.

The Project Updates item was received as information.

10. Informational Item: Staff Reports

CAMPO Executive Director Chris Lukasina provided updates to the 2014 Northeast area study.

He stated that there will be two virtual public symposiums held on June 9, 2020 and June 13, 2020. Mr. Lukasina provided the project link www.NEASUpdate.com which provides additional information on how to become involved to increase public engagement. He added that there is an online survey and interactive mapping tool there.

Mr. Lukasina stated that delays to any additional projects are to be expected due to NCDOT funding issues. This information is available on the NCDOT website, and CAMPO will post updates when received in the meeting chat box. Fluctuations to the NCDOT's cash floor can be viewed on the website. Mr. Lukasina reiterated that NCDOT has volunteered to provide a funding report to the Executive Board on June 17, 2020.

Mr. Lukasina expressed that, while CAMPO staff is still teleworking for the most part, operations are proceeding as usual even under these unique circumstances, and stated his appreciation for staff performance.

Member Corey Branch reported that the City of Raleigh is conducting a Southeast Area Plan and it looks like some of the area in the Northeast Area Study overlaps the City's study area. He suggested coordinating with City staff on that project.

TCC Chair - no report.

NCDOT Transportation Planning Division - no report.

NCDOT Division 4 – no report.

NCDOT Division 5 – Mr. Joey Hopkins stated that

- The NCDOT weekly report is a good tool to see where they stand fiscally. Currently they are still nearly \$100 million dollars below the cash floor, but this number can and will fluctuate.

-The short term goal is to keep all 600+ active projects moving forward. If work were to stop on these, NCDOT could be subject to fines on these contracts.

- 250 projects have been delayed. The remaining projects on the 'let list' are valued at approximately \$675 million dollars and are supported by either bonds or grants.

-A hiring freeze is in effect, and that a furlough will begin this week through June 2020. For most staff this will include a loss of 20 hours of pay.

-Many other operations have been stopped or suspended such as mowing and litter, which have been impacted and reduced due to budget restrictions.

-Some assistance from the General Assembly has been secured, which has agreed to delay the transfer of \$61 million dollars so that money can stay in the general NCDOT bank account. It has also given NCDOT the authority to spend \$300 million dollars through the CARES Act on maintenance programs; however, this is subject to Congress amending the CARES Act language to allow those funds to be used as replacement dollars.

NCDOT Division 6 – no report.

NCDOT Rail Division – absent.

NC Turnpike Authority – absent.

NCDOT Bicycle & Pedestrian Planning Division – absent.

Member TJ Cawley referenced Mr. Hopkins comment regarding the CARES Act language and the need for Congressional approval. He asked if individual or Executive Board assistance would be helpful. Mr. Hopkins responded that NCDOT is working closely with the North Carolina delegation and any assistance or support would be appreciated. Mr. Cawley said that specific language from NCDOT would be helpful. Chair Hutchinson agreed and stated he will work with CAMPO Executive Director Chris Lukasina and Joey Hopkins to secure this.

Chair Hutchinson thanked everyone for their participation and flexibility.

The Staff Reports item was received as information.

11. Adjournment

Upcoming Meetings/Events

Capital Area MPO TCC Meeting June 4, 2020
One Bank of America Plaza 10:00 - noon
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

Capital Area MPO TAC Meeting
One Bank of America Plaza
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

Capital Area MPO TCC Meeting *July 2, 2020*
One Bank of America Plaza *10:00 - noon*
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

Capital Area MPO TAC Meeting *July 15, 2020*
One Bank of America Plaza *4:00 - 6:00*
421 Fayetteville Street, Suite 203
Raleigh, NC 27601

Present: 52 - William Allen III, Mary-Ann Baldwin, Shannon Baxter, John Boyette, Scott Brame, Corey Branch, Teresa Bruton, Bobby Bunn, John Byrne, TJ Cawley, Ronnie Currin, Susan Evans, Don Frantz, Joe Geigle, Jacques Gilbert, Michael Grannis, Virginia Gray, Alvin Holden, Grady Hunt, Chair Sig Hutchinson, Cedric Jones, Vice Chair Vivian Jones, Valerie Jordan, Timothy Karan, Michael Kneis, Catherine Knudson, RS "Butch" Lawter, Terry Mahaffey, Ken Marshburn, Bob Matheny, Phil Matthews, Ben McDonald, Shaun McGrath, Matt Mulhollem, Neena Nowell, Howard Penny, James Roberson, Jennifer Robinson, Perry Safran, Michael Schriver, Vicki Scroggins-Johnson, Dick Sears, Bob Smith, Edgar Smoak, Gordon Springle, John Sullivan, Nina Szlosberg-Landis, Gus Tulloss, Terry Turner, Board Member Harold Weinbrecht, Bobby Wheeler, and Art Wright