

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

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

Wednesday, October 16, 2019

4:00 PM

Conference Room

1. Welcome and Introductions

In Chair Weinbrecht's absence, Vice Chair Sig Hutchinson welcomed everyone to the meeting and asked if there were any new introductions to be made. Lori Bush was introduced as the alternate for the Town of Cary and Bobby Bunn identified himself as the alternate for the Town of Clayton. Vice Chair Sig Hutchinson also recognized that Scott Levitan from RTP was also in attendance.

Present: 15 - William Allen III, Don Bumgarner, Bobby Bunn, Lori Bush, John Byrne, TJ Cawley, Frank Eagles, Terry Hedlund, Vice Chair Sig Hutchinson, Vivian Jones, RS "Butch" Lawter, Nancy McFarlane, Howard Penny, Lewis Weatherspoon, and Joe Geigle

Absent: 10 - Virginia Gray, Valerie Jordan, Catherine Knudson, Ken Marshburn, Matt Mulhollem, Neena Nowell, Lance Olive, James Roberson, Dick Sears, and Edgar Smoak

2. Adjustments to the Agenda

There were no adjustments to the agenda.

3. Ethics Statement:

Vice Chair Sig 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.

4. Public Comments

Vice Chair Sig Hutchinson opened Public Comments. There were no members of the public present to speak. Vice Chair Sig Hutchinson closed Public Comments.

5. Minutes

5.1 Executive Board September 2019 Draft Minutes

Requested Action: Executive Board approval of draft minutes from September 2019 meeting.

Attachments: [Executive Board Meeting Minutes Draft 09.18.19](#)

Draft minutes for the September 18, 2019 meeting were distributed in the agenda packet.

A motion was made by Member Vivian Jones, seconded by Member John Byrne that the minutes from the September 18, 2019 Executive Board meeting be approved. The motion carried by unanimous vote.

6. Public Hearing

6.1 FY2020-2029 Transportation Improvement Program

Gretchen Vetter, MPO Staff

Requested Action: Conduct a Public Hearing. Consider approval of FY2020-2029 Transportation Improvement Program and Air Quality Conformity Determination Report.

Attachments: [Staff Report](#)

[DRAFT FY2020-2029 TIP](#)

[CAMPO 2020-29 TIP Conformity Determination 2019](#)

[CAMPO Changes Between DRAFT STIP 20-29 Jan 2019 and Final STIP 20-29 Sep 2019](#)

[PE Suspension Memo List - CAMPO Only Revised \(September 20, 2019\) By County](#)

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

Ms. Vetter reminded everyone that CAMPO staff updates the Transportation Improvement Program (TIP) every two years. A draft TIP has been completed that meets the federal requirement stating that the TIP and STIP must be identical.

Ms. Vetter added that CAMPO's public involvement policy requires that the draft TIP be released for a public review and comment period and that a public hearing be conducted to receive comment on the draft TIP.

Ms. Vetter explained that an Air Quality Conformity Determination Report is required as a supplement to the TIP.

Ms. Vetter expressed that staff has released the Draft 2020-2029 Transportation Improvement Program and supplemental Air Quality Conformity Determination Report for public review and comment from September 11, 2019 to October 14, 2019 and scheduled a public hearing at the October 16, 2019 Executive Board meeting.

Ms. Vetter called attention to the handouts provided to the Executive Board, which included Changes Between the Final STIP 20-29 September 2019/Draft STIP January 2019 and the Updated Project Suspension lists.

Member Vivian Jones requested for clarification on the Project Suspension lift handout for the projects which reflected a 'strike-through' marking. Ms. Vetter responded that this indicates a project for which the preliminary engineering had been previously been suspended, but is now back on track.

Member Nancy McFarlane asked about the suspended time frame. Ms. Vetter responded that NCDOT anticipates that the suspension will last between 3-6 months and should not affect Right of Way or Construction schedules.

Vice Chair Sig Hutchinson opened the Public Hearing. No members of the public were present to speak. Vice Chair Hutchinson closed the Public Hearing.

A motion was made by Member John Byrne, seconded by Member Howard Penny that the Executive Board approve the FY2020-2029 Transportation Improvement Program and Air Quality Conformity Determination Report. The motion carried by unanimous vote.

End of Public Hearings

7. Regular Agenda

7.1

Major Projects Update

Joey Hopkins, NCDOT Division 5

Requested Action: Receive as information.

Attachments: [Staff Report](#)

Mr. Joey Hopkins, Division Engineer for NCDOT Division 5 reported on this item.

Mr. Hopkins introduced Mr. Marty Hoeman from the Communications Office for Division 5 and stated that Mr. Hoeman is working on the upcoming Transportation Fair. Mr. Hopkins also introduced Mr. Michael Kneis as an embedded staff member at NC Turnpike Authority.

Mr. Hopkins stated that there are multiple major highway construction projects underway around the Triangle, and provided an update to the Board on three major projects, including information on current schedules and designs for I-40 (I-5111/I-4739), I-440 (U-2719/U-4437) and Complete 540.

I – 40 Project Overview:

- Project Limits: I-40/I-440/I-87 Split to Cornwallis Rd in Johnston Co*
- Contract Bid Amount: \$360 Million*
- Contractor/Designer: ST Wooten Corp with RK&K*
- Project Awarded: July 2018*
- Completion: June 2022*
- All Lanes on I-40 by December 2021 (I-440 - US 70 Bypass)*
- Add two additional lanes in both directions of I-40*
- Modify Interchange at I-440*
- Replace Bridges at Rock Quarry Rd, US 70 Business, East Garner, White Oak, Swift Creek, NC 42 and Cleveland Rd*
- New interchange at Cleveland Rd*
- Modify interchange at NC 42*
- Collector distributor between NC 42/Cleveland*
- Modify interchange at Jones Sausage*
- Drainage: Rehabilitate or supplement cross lines*
- I-87 Signing*
- Structures accommodate future managed lanes*

1-40 Construction Status:

- I-440 to US 70 Bus*
- Drainage Complete, Median Widening, Paving, Barrier*
- Working I-440 Ramps and Interior Bents for Flyover*
- US 70 Bus to Cornwallis Rd*
- Constructing Outside Widening*
- US 70 Bus WB On-Ramp & Spur Construction*
- Cornwallis Rd to US 70 Bypass*
- Setting Barrier, Clearing, Drainage*
- NC 42/Cleveland Rd*
- RW and Utilities*
- Bridge Construction, Widening begins Spring 2020*

1-40 Moving Forward:

- I-440 to US 70 Bus*
- Complete Median Barrier and Shift Traffic to Inside Early 2020*

- US 70 Bus to US 70 Bypass
- Complete Outside Widening Late Summer/Fall 2020
- Continue Bridge Construction Throughout
- NC 42/Cleveland & Swift Creek Bridges
- Begin Work

Rock Quarry Road:

- Rock Quarry Rd Bridge to be Replaced
- Partnered with Raleigh on LAP project (U-6093) to Widen 0.8 Miles of Rock Quarry Rd from Old Birch Dr to Sunnybrook Rd.

Member Will Allen III asked if the I-40 project will include space for managed lanes, in addition to the two added lanes. Mr. Hopkins responded that space would be made available under newly constructed bridges for future managed lanes.

Median Access Part 1:

- Ramp off Existing Bridge at East Garner Rd (West of US 70 Bus)
- East Garner Rd Re-Opens May 2020
- ST Wooten asphalt plant moved to East Garner Rd
- Quarry site
- 21,375 Loads of Material Delivered Directly to Median

Median Access Part 2:

- Conveyor from ST Wooten Asphalt Plant to Median near Cleveland Rd

1-440 Project Overview:

- Project Limits: Lake Boone Tr to Walnut St
- Contract Bid Amount: \$346 Million
- Contractor/Designer: Lane Construction with HDR
- Project Awarded: October 2018
- Completion: July 2023
- Add Additional Lane in Each Direction
- Bring up to Current Interstate Standards
- Modify Existing Interchanges

Member Nancy McFarlane asked if the Western Blvd interchange will accommodate BRT. Mr. Hopkins replied that this type of interchange makes it difficult to have dedicated bus lanes going through all the ramp sections. However, NCDOT continues to meet with local staff as the BRT project moves forward to plan for things such as transit signal priority, and queue jumps. He also stated that the diverging diamond interchange works so well that it is not expected to slow down the buses going through it. Member Nancy McFarlane asked if the design of the interchange was just too far along to fit in the BRT lanes. Mr. Hopkins responded that the BRT project had not yet identified fixed guideway sections when the interchange was under design, so that was not included in the interchange design.

1-440 Construction Update:

- Paving and Barrier for Traffic Shift
- Erosion Control and Clearing Throughout
- Median Work from I-40 to Western Blvd.
- Drainage and Paving
- Structure Replacement at Melbourne Rd
- Bridge Demolition Nearly Completed
- One Year Closure

- Grading Activities at Wade Ave Interchange
- Temporary Ramp Alignments from Wade Ave
- Utility Coordination

1-440 Moving Forward:

- Jones Franklin Rd Bridge
- Begin November
- Western Blvd Drainage Installation
- Begin November
- Hillsborough St Bridge
- Begin Late 2019
- Wade Ave Flyover and Bridges
- Begin Late 2019
- Blue Ridge Grade Separation
- Utility Relocations Ongoing
- Begin After Fair 2020

Blue Ridge Road Grade Separation:

- Closure Begins Winter 2020
- Reopens Summer 2022
- Hillsborough Closed 6 months
- Beryl Closed 10 months

Complete 540 Project Update - Design Build Contracts:

-R-2721A

Flatiron Constructors, Inc. / Branch Civil, Inc. JV
Lead design firm - Gannett Fleming, Inc.
\$183.5M

-R-2721B

Flatiron Constructors, Inc. / Branch Civil, Inc. JV
Lead design firm - HDR Engineering, Inc. of the Carolinas
\$159.98M

-R-2828

The Lane Construction Corporation / Blythe Construction, Inc. JV
Lead design firm – WSP USA Inc.
\$403.2M

Complete 540 Design

-R-2721A

4.3 miles

29 design submittals, including preliminary roadway plans, culvert survey reports
Construction plans roughly 20% complete

-R-2721B

4.9 miles

40 design submittals, including preliminary roadway plans, hydraulics design,
structure design
Construction plans roughly 30% complete

-R-2828

8.6 miles

133 design submittals, including right-of-way plans, hydraulics design, MOT plans,

structure design

Construction plans roughly 45% complete

Member Will Allen III asked if the Complete 540 project would include space for managed lanes similar to the I-40 project. Mr. Hopkins replied 540 will be a toll road and no additional managed lane project was envisioned in that corridor. Vice Chair Sig Hutchinson said that he understood that running transit buses was not on the current plan but perhaps it could be considered in the future. Mr. Hopkins confirmed this issue is under review as there will most likely be more pressure on general and toll roads across the Triangle. There are managed motorway projects funded in the STIP.

Complete 540 Right of Way:

-R-2721A

174 parcels

47 parcels acquired

127 parcels remaining

-R-2721B

187 parcels

57 parcels acquired

130 parcels remaining

-R-2828

220 parcels

22 parcels acquired

198 parcels remaining

Complete 540 Permitting:

-401 Water Quality Certification

-NC Department of Environmental Quality-Division of Water Resources

-Issued February 2019

-404 Permit

-US Army Corps of Engineers

-Imminent

-Permit Modifications

-Frequent agency coordination meetings

-Permit modification will reflect final design details and result in reduced environmental impacts

Complete 540 Legal Challenges:

-Federal lawsuit filed in May 2018

-Challenging National Environmental Policy Act (NEPA) approvals

-Challenging Section 7 of Endangered Species Act approvals

-US Fish and Wildlife Service

-National Marine Fisheries Service

-Challenge filed with the North Carolina Office of Administrative Hearings in April 2019

-Challenging Section 401 Water Quality Certification issued in February 2019

Complete 540 Settlement Agreement:

-Discussions regarding potential settlement began in March 2019

-Agreement in principal regarding settlement July 2, 2019

-Settlement agreement executed August 22, 2019

-All claims against all parties will be dismissed

-Federal court

- NC Office of Administrative Hearings
- Enacts protections for clean air, clean water and endangered aquatic species
- Eliminates costs associated with ongoing litigation, interest rate risk, and project delays
- Allows the project to move forward to construction
- Includes covenants not to sue (including Phase 2 – R-2829)

The Major Projects Update Report was received as information.

7.2

FY2018-2027 Transportation Improvement Program Amendment #10

Gretchen Vetter, MPO Staff

Requested Action: Receive as Information.

Attachments: [Staff Report](#)

[TIP Amendment #10](#)

[Suspension Memo List - Revised \(November 5, 2019\) By County](#)

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

Ms. Vetter stated that the NCDOT's STIP Unit notified the MPO of amendments to the FY2018-2027 State TIP, and that the MPO should update the TIP to reflect these changes in order to meet Federal regulations that state the TIP and STIP must be identical. Ms. Vetter added that the amendments also include the addition of Wake Transit Funding in response to the FY20 Wake Transit Work Plan Amendment.

Ms. Vetter disclosed that the FY2018-2027 TIP Amendment #10 has been posted for public comment from October 3, 2019 to November 4, 2019 and a public hearing is scheduled for the November 20, 2019 Executive Board meeting.

The FY2018-2027 Transportation Improvement Program Amendment #10 item was received as information.

7.3 Federal Rescission Update and FFY2019 Year End Report

Gretchen Vetter, CAMPO Staff

Requested Action: Receive as information.

Attachments: [Staff Report](#)

[LAPP Unobligated Funds report November Executive Board 2019](#)

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

Ms. Vetter reviewed the LAPP goal of avoiding future Federal rescissions to the maximum extent possible, and what efforts have been made from March 2019 to the present to draw down exposed funds.

Ms. Vetter outlined the anticipated remaining fund balances for STPDA, TAP, and CMAQ for the end of Federal fiscal year 2019. These balances were roughly \$4.8m, \$0, and \$3.2m, respectively.

Ms. Vetter shared information decided at the August 21, 2019 Executive Board Meeting, noting that the Executive Board made the following determination for outstanding LAPP projects:

- *FFY2019 LAPP projects are granted a grace period through FFY2020 to request funding authorization (September 2020).*
- *FFY2018 and prior LAPP projects are granted a grace period through the first quarter of FFY2020 to request funding authorization (December 31, 2019). If a project wishes to request funding authorization after this deadline but before the end of June 2020, the project must receive consideration and approval from the Executive Board prior to requesting funding authorization.*
- *Any project that does not reach their respective deadline and does not receive approval from the Executive Board to request funding authorization will be deprogrammed. That project is eligible to recompile for funding in future rounds of LAPP.*

Ms. Vetter noted there are currently three active bills proposed in Congress that would effectively cancel the rescission scheduled for July of 2020. The proposed bills and associated status are as follows: S 1992 Placed on Senate Legislative Calendar under General Orders (July 31), HR 3612 Currently under Review by House Committee on Transportation and Infrastructure Subcommittee on Highways and Transit (July 3), S 2302 Placed on Senate Legislative Calendar under General Orders (August 1).

Ms. Vetter emphasized that two rules which were temporarily suspended are now back in effect: 1) the 50/50 split on additional funding rule and 2) any project additional funding requests over one million dollars require prior Executive Board approval.

Ms. Vetter stated that CAMPO Staff would share a year-end funding report for Federal fiscal year 2019 at the next TCC and Executive Board meetings as well as any updates to the logistics of the federal rescission implementation.

The Federal Rescission Update and FFY2019 Year End Report items were received as information.

7.4 **2050 MTP Data Inputs**
Chris Lukasina, CAMPO Staff

Requested Action: Receive as information.

Attachments: [Staff Report](#)

CAMPO Executive Director Chris Lukasina reported on this item.

Mr. Lukasina stated that the MPO is in the beginning stages of developing the 2050 MTP, and that one of the first tasks is to develop the primary datasets used to create base conditions and future socio-economic data.

Mr. Lukasina provided an overview of the 2050 MTP development schedule and introduced new technologies available to both TCC and Executive Board members as well as local staff for reviewing and updating roadway and transit networks, current employment, and future land use through CommunityViz and ArcGIS Online. This technology would allow for individual edits from members and their staff, and that each edit would be tracked and noted. Mr. Lukasina reviewed the expected schedule of events and stated that the schedule for Employment Review and CommunityViz have altered to reflect the following changes:

Expected schedule:

*-Existing Roadway Review – 4 to 6 weeks for review, verification, & edits
-Nov. / December – completion target December 31, 2019*

*-Employment Review - 4 to 6 weeks for review, verification, & edits
-Spring 2020*

*-CommunityViz: Placetypes, Development Status, Density Lookup Tables
-Winter / Early Spring 2020*

Member Will Allen III inquired if transit networkis were included in the road network review. Mr. Lukasina responded that transit agencies will review transit networks for current and future accuracy.

Mr. Lukasina emphasized the 'many eyes rule' and that the CAMPO staff would also be monitoring and doublechecking updated data to ensure accuracy.

The 2050 MTP Data Inputs Report was received as information.

8. Informational Item: Budget

8.1 **Member Shares FY 2019**
Lisa Blackburn, MPO Staff

Requested Action: Receive as Information

Attachments: [FY 19 Projected Member Dues QTR 4](#)

The Member Shares Report was included in the agenda packet.

The Member Shares Report was received as information.

- 8.2** **Operating Budget - FY 2019**
Lisa Blackburn, MPO Staff

Requested Action: Receive as information.

Attachments: [FY 19 Projected Budget QTR 4](#)

The Operating Budget was included in the agenda packet.

The Operating Budget Report was received as information.

9. Informational Item: Project Updates

- 9.1** Executive Board October 2019 Project Updates

Requested Action: Receive as information.

Attachments: [Executive Board October Project Updates](#)

The Project Updates Report was included in the agenda packet.

The Project Updates Report was received as information.

- 9.2** **Public Engagement Updates**
Bonnie Parker, MPO Staff

Requested Action: Receive as information.

Attachments: [Public Engagement Updates October Executive Board](#)

The Public Engagement Updates Report was included in the agenda packet.

The Public Engagement Updates Report was received as information.

10. Informational Item: Staff Reports

MPO Executive Director Chris Lukasina informed the Board that Mr. Evan Koff has been selected as the new Wake Transit Planner, and added that Mr. Koff had previous experience from the Winston-Salem MPO. Mr. Koff will be introduced at the next Executive Board meeting.

Mr. Lukasina said that the submission window for Transit and Bike - Ped project submittals had been broadened as SPOT 6 had been delayed. The Board will review and approve final lists after the holidays to meet the state deadlines in the spring.

Mr. Lukasina stated that the deadline is approaching for the "One Call For All" process, which includes applications for projects for both LAPP and the Annual Unified Planning Work Program.

Mr. Lukasina reminded everyone that the National AMPO conference will be held in Baltimore, from October 21-25, 2019, and that registration is still open. He strongly encouraged all to attend, as this will be an excellent opportunity to network with the other 400 MPO's.

Mr. Lukasina stated that the NC Bike Summit would be held from November 8-9, 2019 in Winston-Salem, North Carolina, and that Mr. Kenneth Withrow would be the appropriate staff contact for any questions concerning this event.

TCC Chair - no report.

NCDOT Transportation Planning Division - absent.

NCDOT Division 4 - no report.

NCDOT Division 5 - no report.

NCDOT Division 6 - no report.

NCDOT Rail Division - absent.

NC Turnpike Authority - Mr. Michael Kneis stated that the pipeline near Wake Tech on US-401 is being relocated to accomodate the future 540 interchange.

The Staff Report item was received as information.

11. Adjournment

Upcoming Meetings/Events

<i>AMPO Conference Baltimore, Maryland</i>	<i>October 21-25, 2019</i>
<i>Capital Area MPO TCC Meeting One Bank of America Plaza 421 Fayetteville Street, Suite 203</i>	<i>November 7, 2019 10:00 - noon</i>
<i>NC BikeWalk Summit Winston-Salem</i>	<i>November 8, 2019 10:00 - noon</i>
<i>Capital Area MPO TAC Meeting One Bank of America Plaza 421 Fayetteville Street, Suite 203 Raleigh, NC 27601</i>	<i>November 20, 2019 4:00 - 6:00</i>
<i>Capital Area MPO TCC Meeting One Bank of America Plaza 421 Fayetteville Street, Suite 203</i>	<i>December 5, 2019 10:00 - noon</i>