Memorandum

To: Madison Area Transportation Planning Board Members

From: Bob McDonald, Transportation Planning Manager

Date: July 24, 2009

Re: Wednesday, August 5, 2009 Madison Area Transportation Planning Board Meeting

Enclosed are an agenda and materials for the next Madison Area Transportation Planning Board meeting, to be held Wednesday, August 5, 2009 at 7 p.m. at the Madison Water Utility, 119 E. Olin Ave. Conference Room A-B. Please mark your calendars accordingly. If you have any questions, please call me at 266-4518 or send me an e-mail at rmcdonald@cityofmadison.com.

Enclosures
AGENDA

1. Roll Call

2. Approval of July 1, 2009 Meeting Minutes

3. Communications

4. Public Comment (for items not on MPO Agenda)

5. Election of Officers

6. Consideration of Madison Area TPB Resolution No. 28 Regarding Intercity Bus Transportation and the Badger Bus Terminal in the City of Madison

7. Consideration of Letter of Support Regarding City of Middleton’s TIGER Grant Application for an Intermodal Transportation Facility

8. Consideration of Madison Area TPB Resolution No. 29 Regarding Amendment #6 to the 2009-2013 Transportation Improvement Program for the Madison Metropolitan Area and Dane County
   • CTH K (CTH Q to CTH M) Resurfacing Project

9. Consideration of Release of Draft 2010-2014 Transportation Improvement Program (TIP) for the Dane County Area for Public Review and Comment

10. Discussion of the New Regional Transit Authority (RTA) Legislation and the Role of the MPO in the Formation of an RTA in Dane County

11. Status Report by TPB Board Members on Projects Potentially Involving the TPB:
   • Transport 2020 Implementation Task Force
   • USH 51 (USH 12/18 to I 90/94/39) Corridor Study
   • USH 51 (McFarland to Stoughton)
   • North Mendota Parkway Implementation Oversight Committee

12. Discussion of Future Work Items:
   • 2009-2013 Transit Development Plan (TDP)
   • 2010 Unified Planning Work Program
   • Congestion Management Plan

13. Announcements and Schedule of Future Meetings

14. Adjournment

Next MPO Meeting:

Wednesday, September 2 at 7 p.m.
Madison Water Utility, 119 E. Olin Ave., Room A-B

If you need an interpreter, materials in alternate formats, or other accommodations to access this meeting, contact the Planning & Development Dept. at (608) 266-4635 or TTY/TEXTNET (866) 704-2318.
Please do so at least 48 hours prior to the meeting so that proper arrangements can be made.

Si Ud. necesita un intérprete, materiales en formatos alternos, o acomodaciones para poder venir a esta reunión, por favor haga contacto con el Department of Planning & Development (el departamento de planificación y desarrollo) al (608)-266-4635, o TTY/TEXTNET (886)-704-2318.
Por favor avísenos por lo menos 48 horas antes de esta reunión, así que se puedan hacer los arreglos necesarios.
1. Roll Call

*Members present:* Ken Harwood, Duane Hinz, Joe Chase, Mark Opitz, Paul Skidmore, John Vesperman, Chris Schmidt, Steve King, Eileen Bruskewitz, Chuck Kamp, Robin Schmidt, Joe Clausius.

*Members absent:* Jerry Mandli

*Staff present:* Bob McDonald, Bill Schaefer, Bob Pike

2. Approval of May 21, 2009 Meeting Minutes

Skidmore moved, Kamp seconded, to approve the May 21, 2009 meeting minutes. Motion carried.

3. Communications

- Letter dated May 7, 2009 from City of Madison Mayor Cieslewicz and Metro Transit Manager Chuck Kamp requesting that the National BRT Institute provide a seminar in Madison. McDonald said the date has been set and is October 1, 2009 in the morning. Kamp added that two persons would be coming—one from the planning side and another from operations.
- Letter dated May 19, 2009 from WisDOT Secretary Busalacchi approving TIP Amendment #4 and incorporating the changes into the State TIP.
- Letter dated May 26, 2009 from WisDOT Secretary Busalacchi approving TIP Amendment #5.
- Letter dated May 29, 2009 from Senator Feingold providing an update and comments on the Economic Stimulus Bill funding situation for transportation projects in the state.
- Letter dated June 9, 2009 from FHWA regarding the Federal Certification Review of MPO planning activities that is taking place. McDonald said a short presentation would be made today. FHWA, FTA, and WisDOT staff met with MPO staff over the past two days and FWHA staff will be presenting a report to the Board at a later date.
- Letter dated June 2, 2009 from FTA Regional Administrator Simon to WisDOT Secretary Busalacchi approving TIP Amendment #3, which included two Metro Transit grants.

4. Public Comment (for items not on MPO Agenda)

Royce Williams, a member of the MPO’s Citizens Advisory Committee, commented on the Regional Transit Authority (RTA) enabling legislation that was adopted as part of the Budget Bill. He said he had prepared an analysis and commented that the governance structure for the Dane County RTA was unfortunate. The City of Madison was badly underrepresented with only two of nine members along with many other municipalities. The structure should have been based on the structure of the MPO Board on the basis of population. Also, there should have been a requirement that RTA Board appointees be elected officials or “operators of major modes of transportation” as with the MPO Board.

5. Special Order of Business

- U.S. Department of Transportation Comments and Discussion Related to the Federal Transportation Planning Review of the Madison Area Transportation Planning Board Activities

McDonald said the federal review of MPO planning activities is done every four years. He introduced Dave Jolicoeur from FWHA, who gave a short power point presentation explaining why such reviews are conducted and the purposes of the review. He emphasized that the review was not just of the MPO, but of the multi-agency transportation planning process. He said FHWA and FTA staff had met with WisDOT, MPO, and Metro Transit staff over the past two days, and a public hearing was held...
last night. Unfortunately, the meeting was sparsely attended by the public and Jolicoeur noted that the public missed an opportunity to learn about the planning process and upcoming projects. Jolicoeur then reviewed the nature of this planning process, the agencies involved, and products of the process. He said FHWA and FTA staff was seeking comments from the Board on the process. Any comments would be considered as part of the evaluation. A report supporting the certification determination will be issued following the close of the comment period which is open through July 16.

Opitz asked for clarification that the restructuring of the MPO Board that occurred was a result of the last certification review and that the MPO is now in compliance. McDonald said that was true. Robin Schmidt asked how many members of the public showed up last night and the answer was one person. She commented that it was difficult to get the public to attend meetings such as this and wondered if there were other ways to get input. McDonald said there are mechanisms to get input generally, which are outlined in the MPO’s public participation plan. However, he said the low turnout may in some ways be a good thing in that it shows people are not dissatisfied with the planning process. Matano said the public tends to get involved in particular transportation projects, but not as much at the regional planning level. He said he attended and received some good information about the Verona Road/West Beltline project. Kamp commented that he thought a good job was being done in terms of coordinating land use planning and transit planning and incorporating transit needs into the MPO planning process. An example is the update on the transit development plan, which is on the agenda tonight. Harwood commented that the solutions to our land use/transportation problems will come from long-range comprehensive planning. He said we needed to continue to try to get the public excited about planning and to understand its value rather than just focusing on controversial issues. He noted, for instance, the tourism industry, and the transportation needs that it brings. He said possible solutions such as light rail shouldn’t be dismissed just because it may take 10-15 years for them to be implemented. Matano noted that New Starts applications come from larger urban areas, but that Madison has advantages other communities do not have such as the Isthmus. He asked FTA staff person Bill Wheeler if it was realistic for Madison to get its application approved. Wheeler said the FTA doesn’t look at population, but rather ridership and cost effectiveness. Jolicoeur said comments could be provided to McDonald or emailed, mailed, or faxed to FHWA by the 16th.

6. Consideration of Letter of Comment Pertaining to Intercity Bus Transportation and the Badger Bus Terminal in the City of Madison

Matano handed out a draft letter that he had written. He suggested that Board members review it and provide comments to McDonald, who could edit it and send out for approval at the next meeting. Harwood suggested changing the focus to what the MPO and others can do to enable a multi-modal center to be built and incorporated into our existing transportation infrastructure. Skidmore agreed. He said two City of Madison transportation committees have taken up this issue and struggled with it. He said the focus should be on planning for a new facility and the mechanisms to make it happen, which is a regional issue. He added the draft letter is a good first cut and comments should be provided for the next meeting. Robin Schmidt said comments should be provided before the next meeting so a revised version can be sent out prior to the meeting. McDonald said that the MPO does not have the authority to address the issue, but could coordinate a discussion with those agencies at the state and local level that have implementation authority. Hinz said the City of Madison committees should be kept informed of any action the MPO takes. Kamp said Mayor Cieslewicz wanted to initiate discussions on a short-term solution. McDonald raised the issue of whether the document should be a resolution rather than a letter. With a resolution, the MPO could state its policy level position and this might be stronger.

Skidmore moved, Kamp seconded, to refer the item to the next meeting. Brusekewitz moved, Kamp seconded, to make a friendly amendment to the motion that staff draft a resolution based on Matano’s letter for consideration at the next meeting. Motion carried.
7. Review of Preliminary Listing and Ranking of Candidate Projects for STP Urban Funding for 2010-2014

McDonald said staff had received the applications and taken a first cut at scoring and ranking the projects. Most of the projects are those for which applications have previously been submitted. He said staff would be reviewing the scoring and ranking of projects with the MPO’s technical and citizen committees, but a preliminary draft was available. Schaefer pointed out the project scoring table that shows the points each project received under the different criteria. He then reviewed the draft priority project listings by year starting with the current 2009 projects. The major 2009 projects are the last phase of the E. Washington Avenue reconstruction involving the interchange at Aberg Avenue and STH 30 and the first phase of the Monona Drive reconstruction. Most of the work on Monona Drive will actually occur in 2010. The only major project in 2010 is the CTH M (Valley View Rd./Pleasant View Rd. extended) intersection and Pleasant View extension project. Part of the cost of this project is being funded with ARRA STP-Urban funds. He noted that the Mineral Point Rd./Pleasant View Rd. intersection and northern segment of the Pleasant View Rd. extension received ARRA STP-Urban funds and will also be done in 2010. The projects funded with ARRA STP-Urban funds are not shown. The first of the three major projects in 2011 is the first phase of the Mineral Point Road (CTH M/Junction Rd. Intersection) project. This involves reconstruction of the intersection with a partial grade separation, additional travel lanes and a bus lane on Mineral Point Road, additional lanes on CTH M south to Watts Road, and bicycle/pedestrian accommodations, including an overpass of Mineral Point Road and path system. The “modified jug handle” design was approved by the City of Madison’s Pedestrian, Bicycle, Motor Vehicle Commission at its last meeting. The other two projects are the reconstruction of University Avenue from Segoe Road to Allen Boulevard and the second phase of Monona Drive. The major projects in 2012 are the second phase of the Mineral Point Road intersection project, reconstruction and expansion of CTH M to four lanes from Watts Road to Valley View Road, and replacement of the pavement on Fish Hatchery Road from Wingra Drive to Emil Street just north of the Beltline. The major 2013 projects are reconstruction and expansion of CTH M from CTH PD to Cross Country Road and the final phase of Monona Drive. The major 2014 projects are the final segment of the CTH M corridor from CTH PD to Valley View Road and the reconstruction of E. Johnson Street from Butler to First Street.

Robin Schmidt asked if the shortage of funding this year for the East Washington Avenue and Monona Drive projects had been worked out, and Schaefer said he thought so. Harwood asked if the timing of the Pleasant View Rd. extension project is predicated on the new UW Research Park moving forward, and McDonald said no. Harwood commented that there is some planned development at the CTH M and CTH PD intersection and wondered if the design for the CTH M project took this into consideration. McDonald said that MPO staff is currently working with City of Madison staff on this and has generated travel forecasts based on a build out scenario of development in all four quadrants of the intersection and other West side neighborhoods. He added that the current plan to is to cul-de-sac Raymond Road on both ends as part of the reconstruction of the intersection. There have also been discussions with Meriter, which has proposed some possible medical office development in this area and that has been assumed as well for the traffic forecasts. McDonald also indicated that some alternatives are being considered for Raymond Road if the Meriter development were to go forward. Robin Schmidt mentioned that an 8-foot wide sidewalk is planned on the west side for the northern segment of Monona Drive to accommodate bicyclists who aren’t comfortable using the bike lanes. She noted the bike lanes will end north of Cottage Grove Road and there are no other special accommodations for bicyclists. She asked if there was any possible solution prior to reconstruction of that segment of the road. Schaefer said it would be difficult, but it is an issue to bring up with City of Madison staff to see if they have any ideas. Schmidt noted it wouldn’t be difficult to widen the sidewalk along Olbrich Park, but there would still be a gap. Skidmore suggested raising the issue with the City of Madison’s Pedestrian, Bicycle, Motor Vehicle Commission and the City Alderperson from that area.
8. Presentation of Potential Issues to be Addressed in the 2009-2013 Transit Development Plan

McDonald said the Transit Development Plan (TDP) is a 5-year strategic plan for transit improvements that is developed in concert with Metro Transit staff. Schaefer said a review group had been formed to oversee development of the TDP. One of the first tasks of the group was to review a draft of revised and expanded Metro service design guidelines and performance standards. At the most recent meeting, the group reviewed the document in the packet listing potential issues to be addressed in the TDP. He said it is a laundry list with some major issues and other more minor issues. He said it was the consensus of the group that a major focus of the TDP should be developing a service and financial plan for expanded transit services should an RTA be created and additional funding made available through the proposed sales tax. He noted that the number of overall service hours has actually decreased since 1998 though it is still about 15% higher than prior to implementation of the transfer point system. There are a number of related issues such as how to prioritize the potential new services. He said Metro staff would assist in costing out the services and comparing to anticipated new revenue. Two or more scenarios will probably be developed. Another issue that will be addressed in more detail as part of the Transport 2020 project, but which will probably be addressed to some extent is the need to restructure the bus service if the starter rail system was implemented. Some significant changes would be needed since none of the transfer points are on the rail line.

Skidmore suggested presenting this information to the City of Madison’s Transit & Parking Commission. Schaefer said a TPC representative is on the review group and presentations will be made to the TPC as the TDP goes forward. He said he didn’t see the issue of the intermodal transit station listed. Schaefer said it is listed, but he didn’t see it as something that would get resolved as part of the TDP. Kamp commented that he thought the MPO is the regional transportation planning agency and as such the legitimate entity to provide direction in terms of a service and financial plan or scenarios to be considered by the RTA if it is created. He also suggested expanding the membership of the TDP review group to include representatives from area communities. He questioned what action was required by the Board to include this scope of work in the TDP and expand the review group. McDonald suggested that simply directing staff to do the work as part of the TDP was probably the best route to go versus sending a letter to the County Executive or Mayor, which might politicize the TDP process.

Bruskewitz commented that she was still unclear how the RTA is created. King said he was involved in a meeting that reviewed the statute. The legislation allows the County Board to get the structure in place for an RTA, but the funding through the sales tax is dependent upon passage of a referendum. Bruskewitz said she was confused as to whom the mayors and others send their RTA appointments. Discussion continued about the process for creating the RTA and the transition period prior to the referendum being held. Matano said an argument could be made that the MPO should begin the planning work during the transition period. Kamp commented that there are aspects of the RTA that are political, such as the wording of the referendum, but he thought the MPO could play a lead role in terms of the service and financial planning. He said Metro was going to begin looking at some of the management models for the RTA. McDonald commented that the MPO could perhaps provide assistance in certain areas, but he doubted that the MPO would be allowed to be the lead agency. Opitz noted the RTA legislation uses the MPO planning area to define the jurisdictional area of the Dane County RTA, and recommended that the technical component of the RTA discussion be part of the TDP.

9. Status Report by TPB Board Members on Projects Potentially Involving the TPB

- Transport 2020 Implementation Task Force
  Matano said there was nothing new to report at this time. The study has been on hold pending the passage of RTA enabling legislation.

- USH 51 (USH 12/18 to I 90/94/39) Corridor Study
  Vesperman explained that this started as an operational and safety study, but would now need to be legislatively enumerated in order for the project to proceed through the EIS process. Therefore, the
timeline might need to be extended. There are some interim type improvements that could perhaps come out of the study in the short-term such as dealing with the safety problems at the Buckeye and Pflaum Road intersections.

- **USH 51 (McFarland to Stoughton)**
  Harwood reported that the Policy Advisory Committee was meeting tonight to review the different alternative routes. WisDOT received a great deal of input at the recent public informational meetings. He said the City of Stoughton favored a lower speed roadway through the city. Vesperman added that the expansion of CTH B is the center of controversy. Businesses in the corridor are concerned. An organic farm would also be impacted. He noted that this was a legislatively enumerated project that would lead to construction.

- **North Mendota Parkway Implementation Oversight Committee**
  Bruskewitz reported that the consultant would be reviewing a report on the three alternative routes and the USH 12 intersection at the next meeting. She said the Town of Springfield had hired a consultant to conduct some type of study to look at some options. Hopefully, the committee will be able to make a recommendation soon after that.

10. Discussion of Future Work Items
- 2009-2013 Transit Development Plan (TDP)
- 2010 Unified Planning Work Program
  McDonald said staff usually starts working on the draft work program in August, make a presentation in September, and seek Board action in October or November.
- Congestion Management Plan
  McDonald said this was a topic at the certification review meetings. Staff is starting to work on it and will be providing more information to the Board in the future.
- Potential Amendment to the Regional Transportation Plan 2030 Regarding the Verona Road Interchange Project
  McDonald said an amendment to the plan was needed to add the interim improvements for Verona Road and the Beltline interchange. The project is in the plan now only as a study. The project needs to be added with the cost identified and a demonstration of fiscal constraint. A 30-day comment period is required for plan amendments. He said there is a small concern because the EIS isn’t quite done. Vesperman said the draft EIS would be completed in the fall, but they are on a tight timeline and would like to start preliminary design work as soon as possible.

11. Announcements and Schedule of Future Meetings
  Opitz announced that the City of Middleton is planning to submit a Federal grant application for an intermodal facility (transit center, PnR, bike facilities) just southwest of the USH 12/USH 14 interchange. He noted why the location is ideal for such a facility and said he’d be seeking a letter of support from the MPO for the grant application. He said the City is working with WisDOT and UW-Madison on the project.

12. Adjournment
  Moved by Opitz, seconded by Skidmore, to adjourn. Motion carried.
### Re:

Consideration of Madison Area TPB Resolution No. 28 Regarding Intercity Bus Transportation and the Badger Bus Terminal in the City of Madison

### Staff Comments on Item:

At the July 1 meeting of the MPO Board, Matano distributed a draft letter regarding intercity bus transportation and the Badger Bus Terminal in the City of Madison. The Board directed staff to revise and reformat the letter into a resolution.

The resolution addresses the issue of the loss of the Badger Bus Terminal as a result of the impending redevelopment of the site which has been approved by the City of Madison Plan Commission. The decision is now subject to approval by the Madison Common Council.

### Materials Presented on Item:

Draft resolution and a copy of the letter distributed at the last Board meeting.

### Staff Recommendation/Rationale:

Staff recommends approval of the draft resolution
Resolution TPB No. 28  
Regarding Intercity Bus Transportation and the  
Badger Bus Terminal in the City of Madison

WHEREAS, the Madison Area Transportation Board (TPB) is the designated Metropolitan Planning Organization (MPO) for the Madison, Wisconsin Metropolitan Area with responsibilities to perform metropolitan transportation planning; and

WHEREAS, the City of Madison’s Common Council has approved the redevelopment of the site of the existing intercity Badger Bus Terminal at request of the owners of the facility without an alternate facility being identified to serve a similar function; and

WHEREAS, the decision to approve to redevelop the site is consistent with the City’s land use policies and plans to encourage the redevelopment of sites near downtown Madison into more dense developments that is more friendly to transit (transit-oriented development); and

WHEREAS, it has been determined that the property owner has met the conditions of the City’s ordinances to develop the site and that the City has no legal basis to deny the redevelopment of the site; and

WHEREAS, the MPO recognizes the importance of intercity bus service and is concerned about the impending loss of Madison's intercity bus terminal; and

WHEREAS, the Wisconsin Department of Transportation lacks regulatory authority over intercity bus service due to the deregulation of intercity bus service some 20 years ago and there appears to be no agency with the responsibility to solve this problem; and

WHEREAS, in the absence of such an agency, the MPO would like to provide coordination and leadership by assisting the intercity bus companies and the Madison community to develop short-term and long-term solutions to the problem presented by the loss of our community's intercity bus terminal; and

WHEREAS, that assistance should also include an attempt to identify the resources that are necessary to implement the short-term and long-term solutions; and

WHEREAS, to the extent possible, the MPO would like to assist the bus companies and any other interested government agencies in finding a temporary terminal or alternate locations for picking up passengers as one of the interim short-term solutions; and

WHEREAS, the MPO believes that, in the long-term, the Madison metropolitan area will ultimately need an intermodal station that brings all the various modes of transportation together; and

WHEREAS, it is expected that Madison may gain intercity passenger rail service to Milwaukee and Chicago in the very near future with a potential station at the Dane County Regional Airport, and that this station could be a full intermodal terminal that also provides for local bus, intercity bus, taxicab services and proposed local (commuter) rail services; and

WHEREAS, this potential intermodal facility would be able to combine local trips by different modes, as well as be able to complete intercity travel to or from Madison and get to or from local destinations within the Madison metropolitan area;
NOW, THEREFORE, BE IT RESOLVED the MPO recognizes the importance of intercity bus service and is concerned about the impending loss of Madison's intercity bus terminal; and

BE IT FURTHER RESOLVED the MPO offers to assist the intercity bus companies and the Madison community to develop short-term and long-term solutions to the problem presented by the loss of our community's intercity bus terminal, and that the assistance also include an attempt to identify the resources that are necessary to implement the short-term and long-term solutions.

Date Adopted  
Al Matano, Chair  
Madison Area Transportation Planning Board
Greetings:

The Transportation Planning Board, the Madison area metropolitan planning organization (MPO), is concerned about the impending loss of Madison's intercity bus terminal.

We recognize the importance of intercity bus service. At present, it is the only intercity transit available to Madison residents. There has been discussion of intercity rail transportation. In the most optimistic scenario, it is expected that Madison may gain rail service to Milwaukee, which will continue on to Chicago, as early as 2013, some three and one half years from now. Even in anticipation of that hope coming to fruition, it is in our best interests to take care of the service we have now.

We note that we do not have a regulatory "hook" that would prevent the loss of the current bus depot. The City of Madison Plan Commission has approved the development and the Madison Common Council is likely to in the near future. The review of zoning petitions by those bodies consists of analysis of land use considerations. It is the goal of Madison's land use plans to encourage the redevelopment of sites near downtown Madison into more dense developments. This will ultimately lead to an environment that is more friendly to transit (transit-oriented development). Further, a Wisconsin Department of Transportation official indicated to the MPO board that the State of Wisconsin also lacks regulatory authority over intercity bus service. He noted that the State deregulated intercity bus service some 20 years ago.

The MPO would like to assist the intercity bus companies and Madison as a community to develop short-term and long-term solutions to the problem presented by the loss of our community's intercity bus terminal. We note that there is no agency with responsibility to solve this problem. In the absence of such an agency, the MPO will attempt to take a positive role. The MPO will attempt to provide coordination and leadership to solve this problem. Further, the MPO will attempt to locate resources for long and short term solutions.

In the area of interim solutions, we hope to assist the bus companies in finding a temporary terminal. Although at least one bus company has indicated that it can sustain its operations by picking up and dropping off passengers on Madison's streets, we believe that some kind of facility is needed. To the extent possible, we will assist the bus companies and any other interested government agencies in pursuing such a solution.

As to long term solutions, we believe that Madison will ultimately need an intermodal station that brings various modes of transportation together. Local bus service and proposed local (commuter) rail service, as well as intercity bus and intercity rail, all could be housed in one location. If this location were to be at the Dane County Regional Airport, the fifth mode of air transportation would be joined as well. Taxicab service would add yet a sixth mode. If this goal is achieved, riders will enjoy a great deal of convenience in getting from place to place. Passengers will be able to combine local trips by different modes, as well as be able to complete intercity travel to or from Madison and get to or from local destinations within the Madison metropolitan area.

For all these reasons, resolving the issues of the loss of Madison's intercity bus terminal presents a set of problems, but at the same time a set of opportunities. The MPO looks forward to taking an active and positive role in bringing these issues to a successful conclusion.

Sincerely,

Al Matano
MPO chair

bus terminal statement 2009 07 01
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<td>Consideration of Letter of Support Regarding City of Middleton’s TIGER Grant Application for an Intermodal Transportation Facility</td>
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<th><strong>Staff Comments on Item:</strong></th>
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<td>At the July 1 meeting of the MPO Board, Mark Opitz explained that the City of Middleton would be applying for a TIGER Grant to construct an intermodal transportation facility in the southwest quadrant of the USH 12/14 interchange in the City of Middleton. Opitz asked if the MPO Board would provide a letter of support to go with the application. The Board agreed to provide a letter of support to be considered at its next meeting.</td>
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<th><strong>Materials Presented on Item:</strong></th>
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<td>Draft copy of the letter of support.</td>
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<td>Draft copy of a paper describing the project.</td>
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<td>Staff recommends approval of the letter of support</td>
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August 5, 2009

The Honorable Secretary Raymond LaHood
Federal Highway Administration
1200 New Jersey, Ave SE
Washington, DC 20590

Dear Secretary LaHood:

The City of Middleton, Wisconsin, is applying for a Transportation Investment: Generating Economic Recovery (TIGER) Discretionary Grant to develop a multimodal transportation center that will facilitate short- and long-term job creation along a key transit corridor serving the Madison Metropolitan Area.

On behalf of the Madison Area Transportation Planning Board, the Metropolitan Planning Organization (MPO) for the Madison Urban Area, I am writing to express the organization’s support for the proposed Transportation Center. The Madison Area MPO is the designated policy body responsible for cooperative, comprehensive regional transportation planning and decision making for the Madison Metropolitan Planning Area. At its August 5, 2009, meeting, the MPO Board approved its support for this project.

The Transportation Center is proposed to be located in the southwest quadrant of the USH 12 and 14 interchange and adjacent to a publicly-owned rail corridor. Regional transportation planners and political leaders have identified this hub as the western terminus for a planned commuter rail line extending from Middleton to the northeastern edge of Madison, where it would connect with High Speed Rail service to Milwaukee and Chicago and, eventually, the Twin Cities. The center would also be located at the planned junction for two regional bicycle trails.

A multimodal hub in this location will provide the region’s workforce with access to downtown Madison, the University of Wisconsin campus, and other sites on Madison’s Isthmus, thereby promoting job expansion and creation without increasing pressure on local roadways or increasing demand for parking. At the same time, the center will facilitate “reverse commuting” and enhance the ability of Madison area residents to reach the several thousand jobs, many of which are in the biotechnology and medical devices manufacturing sectors, that are located in west-metro business parks.

Local planning participants have targeted the structure to be designed to accommodate 500 parking spaces, a bus transfer area, and a commuter rail station. In addition, roof-top solar and wind turbines will be integrated with plug-in electric vehicle parking, and there will be direct links to nearby bicycle trails.

The City of Middleton is diligently planning this project in concert with the MPO as well as key entities in the region such as the Wisconsin Department of Transportation, University of Wisconsin, University Hospital, Dane County, and the City of Madison.
Thank you very much for your time and consideration of this important and innovative transportation and economic development initiative. Please do not hesitate to contact Robert McDonald, Transportation Planning Manager, at (608) 266-4518 or at rmcdonald@cityofmadison.com, if you have any questions about transportation planning in the Madison metropolitan area.

Sincerely,

Al Matano, Chair
Madison Area Transportation Planning Board

cc: Mike Davis, City of Middleton Administrator
    Kathleen Falk, Dane County Executive
    David Cieslewicz, City of Madison Mayor
    Frank Busalacchi, WisDOT Secretary
Western Station Transportation Center
— Middleton, Wisconsin —

Bus Service
Commuter Rail
Park and Ride
Bicycle Trail Link
Green Technologies
Pedestrian Connections
Carbon Reduction

“Workforce Link to the Central City”
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Contact:
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I: Introduction and Overview

The proposed Middleton Transportation Center project will be a key hub in the Madison Metropolitan Area’s transportation network that better connects the region, helps drive job creation, and contributes to the overall economic health of the Madison area. The project will help link University research to related business development opportunities, provide safer, more convenient access to and from downtown Madison, integrate renewable energy systems into the facility, and assist the City of Madison and the University of Wisconsin in their efforts to create jobs and encourage development without exacerbating traffic problems or creating the need for more parking.
II: Community Context and Site Description

The City of Middleton, Wisconsin, is one of the Madison metro area’s primary employment centers and sits at a key location within the region. Middleton is an established community immediately west of Madison and has a large employment base and a healthy local economy supported by growing high tech companies and industries. Middleton plays key roles in the region as a western gateway to the Madison area, an employment hub, and a residential community of choice.

The Madison regional economy is largely driven by the presence of the University of Wisconsin’s flagship campus and center of research, and by the presence of the Wisconsin State Capitol. The Madison area is the fastest growing region in Wisconsin with healthy employment growth partly spawned by the region’s emergence as a hub of research, advanced science, and biotechnology commercialization.

Middleton plays a key role in this regional economy. Middleton’s business and industrial areas have developed as places where technology-oriented companies, often closely tied to the University, locate to bring research and development into the market place. Further, as a highly livable, economically successful community with quality schools, an active downtown, and nice neighborhoods, Middleton is a favored residential community for the region’s workforce including large numbers of University and state workers.

The primary east/west corridor into Middleton is University Avenue (US-14), which is the main arterial connecting Middleton and the west side of Madison to the university campus and downtown Madison. The primary north/south corridor through Middleton is US-12 which loops around Madison’s south side and is a main route to and from Madison from the northwest. The proposed project site is at the intersection of these two important corridors and is located directly adjacent to a rail corridor that is planned to support commuter rail and a regional bicycle trail.
III: Transportation Need to be Addressed

The geography of the Madison area is very unique. Madison’s downtown and the University of Wisconsin campus are located on a narrow isthmus between two lakes. This distinctive geography is an important aspect of the City’s character and appeal, but creates difficult challenges from a transportation standpoint. With the region’s largest employment areas including major companies, four hospitals, the university, the State Capitol and state agency offices all located on the isthmus, commuter traffic is squeezed together as the workers enter the City. Further, the limited availability of land near these employment destinations limits the ability to build parking to meet workforce needs.

In order for Madison to continue to leverage its local assets and see employment growth in its downtown area, it is vital to find transportation solutions that provide access to these employment areas without the need for the region’s workforce to drive or park downtown. Without a clear strategy and significant investments focused on finding solutions to Madison’s unique transportation problems, the key engines of the regional economy will stall and the region’s potential for employment growth will not be fully realized.

Providing a multi-modal hub on Madison’s west side that provides the region’s workforce with access to the downtown will allow the downtown and the University campus to continue to expand and create jobs without increasing pressure on local roadways or increasing the demand for parking. The University of Wisconsin has taken the bold step of enacting a policy of not building more parking spaces on campus and instead encouraging faculty, staff, and students to use transit. Similarly, the City of Madison is striving to encourage job growth, greater employment density, and new housing in the central city area with the hope that densification can be achieved with limited use of space and resources for parking. The Middleton Transportation Center will contribute to these efforts by providing a parking option outside the central city area linked to convenient transit access into the downtown. At the same time, the center will facilitate “reverse commuting” and enhance the ability of workers to reach their jobs in the west-metro business parks.
IV: **Project Components**

The Western Station contains the following components:

- Park and ride (500 parking spaces)
- Bus transfer area
- Commuter rail station
- Roof-top solar and wind turbines integrated with plug-in electric vehicles
- Links to nearby bicycle trails, bike parking, train/bus-mounted racks
- Taxi service
- Smart traffic signals
- Modern waiting area with amenities
- Commuter-oriented retail
V: Project Outcomes and Benefits

Greater Workforce Mobility
- Connection to Hospitals, University, and downtown from west Madison, Middleton, and other areas further west
- Reduced demand for downtown parking by leaving cars in Middleton
- Access for reverse commuters who want an urban lifestyle in downtown Madison but commute to the private-sector employment areas in Middleton and the far west side of Madison

Linkages between Centers of Innovation and Research, Contributing to Job Creation
- Middleton’s employment areas
- UW Research – Institute for Discovery, etc.
- East isthmus

Maximization of the Midwest Rail Connection
- Connection from the west side of Madison to the route and station on the planned Midwest High Speed Rail route linking Madison to Milwaukee, Chicago, the Twin Cities, and other destinations
- Maximize investment value of Midwest High Speed Rail link to the region

Creation of a Bicycle Hub for Commuting
- Direct connection to regional trails extending east, west, and north
- Covered, secured bike storage
- Showers
- On-site bike shop, rentals, and repair

Reduced Vehicular Miles Traveled and Increased Transit Ridership
- The Transportation Center will complement existing and planned transit investments to increase ridership on the Madison Metro bus system and position the site for the proposed commuter rail project through Madison and the Midwest High Speed Rail initiative

Building a Green Energy and Transportation Technology Showcase
- Hybrid buses
- Smart signals
- Roof-top solar and wind turbines integrated with plug-in vehicles
- Neighborhood electric vehicles
- Stormwater filtration in the parking structure
VI: Consistency with TIGER Grant Selection Criteria

Primary Selection Criteria

a) **State of Good Repair** – The project will reduce traffic volumes on roadways that are already over-capacity. This will save in repair and maintenance costs of key arterial corridors into and through Madison.

b) **Economic Competitiveness** – The Transportation Center will help facilitate continued regional employment growth in key sectors, particularly in the bioscience and technology industries that are emerging from the University.

c) **Livability** – The project will enhance livability in Middleton and on Dane County’s west side by providing more convenient access to employment, new amenities for bicycling, and greater regional mobility. Further, by providing a transit link between growing west side employment areas and downtown Madison, the project will provide greater opportunities for downtown housing and urban living in Madison.

d) **Sustainability** – The plan for the Transportation Center includes the incorporation of advanced green technologies such as solar, wind turbines, and rainwater collection, into every aspect of the facility. Further, the project will reduce auto emissions and vehicle miles traveled by encouraging transit usage. Additionally, the site for the Center is a vacant brownfield identified by the City of Middleton as a redevelopment priority, so this project will transform an environmentally contaminated site into a valued regional amenity.

e) **Safety** – Many of the primary east/west roadways connecting Middleton to central Madison are outdated roads that are over-capacity, in need of repair, and hazardous. Providing more transit options will reduce traffic on these roads and cut down on crashes.

f) **Job Creation and Economic Stimulus** – In the short term, this project will create jobs in the construction of the facility itself. More importantly, the project will contribute to long-term job creation in key industries and will help drive the synergistic economic activity emerging in Madison through linkages between research on the University campus and business development on the region’s west side. By providing better access to the central city and reduced demand for parking in downtown Madison, the project will help facilitate business development in downtown Madison and in Madison’s east isthmus area, which is a priority for City of Madison policymakers.
Secondary Selection Criteria

a) **Innovation** – The project will utilize new technologies throughout the facility including rooftop wind and solar systems directly linked to plug-in parking stalls, neighborhood electric vehicles, smart traffic signals at access points into the facility, smart buses with GPS systems, and real-time scheduling information in the Center’s waiting areas.

b) **Partnership** – The City of Middleton is leading this effort in close partnership with Dane County, the City of Madison, the University of Wisconsin, UW-Hospital, and the State of Wisconsin.
Re:
Consideration of Resolution TPB No. 29 Regarding Amendment #6 to the 2009-2013 Transportation Improvement Program (TIP) for the Madison Metropolitan Area & Dane County Area.

Staff Comments on Item:
This TIP amendment is required to revise the listings for two projects. The first is the County Trunk Highway (CTH) K resurfacing project from CTH Q to CTH M, which must be amended to reflect that it now has programmed Federal ARRA (Economic Stimulus) funding under the STP – Rural Program. The project was selected for funding by WisDOT as part of the Stage 2 solicitation process. It is located outside the Madison Urban Area boundary so it was not eligible for STP – Urban Program funding, but it is within the MPO Planning Area and therefore must be in the TIP. The County hopes to use some Federal funding for design this year. Construction is in 2010. The second project is the Woodland Drive street reconstruction and ped/bike path project sponsored by the Village of Waunakee and programmed for construction in 2010. The Village secured an earmark of Federal funding for the project in SAFETEA-LU. The listing for the project must be changed to reflect the revised limits for the project. Because of insufficient funding, the project had to be stopped at Cobblestone Lane rather than extending further south to CTH M. In addition, the source of Federal funding was changed from the Transportation Enhancement (TE) Program to the STP – Urban Program since street reconstruction isn’t an eligible activity under the TE Program. The change does not affect the entitlement balance of STP – Urban funds for the Madison Urban Area.

Materials Presented on Item:
Resolution TPB No. 29

Staff Recommendation/Rationale:
Staff recommends adoption of Resolution TPB No. 29.
Resolution TPB No. 29

Amendment #6 to the 2009–2013 Transportation Improvement Program for the Madison Metropolitan Area & Dane County

WHEREAS, the Madison Area Transportation Planning Board (TPB) – A Metropolitan Planning Organization (MPO) approved the 2009–2013 Transportation Improvement Program for the Madison Metropolitan Area & Dane County on October 1, 2008; and

WHEREAS, the Madison Area TPB has approved five previous amendments to the 2009–2013 Transportation Improvement Program for the Madison Metropolitan Area & Dane County on January 7, March 4, April 3, May 6, 2009, and May 21, 2009; and

WHEREAS, the Madison Metropolitan Planning Area transportation projects and some transportation planning activities to be undertaken using Federal funding in 2009–2012 must be included in the 2009–2013 Transportation Improvement Program (TIP); and

WHEREAS, the American Recovery and Reinvestment Act of 2009 (ARRA) was passed on February 17, 2009, providing additional transportation funds under existing Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) programs for projects to be constructed in 2009 and 2010 to help promote multi-pronged efforts to stimulate the economy with additional goals, including improving the environment; and

WHEREAS, the Wisconsin Department of Transportation (WisDOT), which is responsible for implementing the Act, conducted a Stage 1 solicitation for local ARRA projects that can be constructed in 2009 and selected an initial list of local and State projects, and Amendment #3 to the 2009-2013 TIP was approved revising the listings for these projects (which were already in the TIP) and adding two projects for Metro Transit (City of Madison) funded with FTA ARRA funds; and

WHEREAS, WisDOT conducted a Stage 2 solicitation for local ARRA projects that can be ready for bidding by December 1 and constructed in 2010, and are eligible for funding under FHWA programs, including the Surface Transportation Program (STP) – Urban, STP – Rural, and Transportation Enhancements (TE); and

WHEREAS, the Madison Area TPB approved five local projects for STP-Urban ARRA funding, which were included as part of Amendment #5 to the 2009-2013 TIP; and

WHEREAS, WisDOT approved ARRA funding under the STP – Rural Program for an additional project sponsored by Dane County that is outside the Madison Urban Area, but within the Madison Metropolitan Planning Area, necessitating a TIP amendment to reflect the Federal ARRA funding; and

WHEREAS, an amendment is also needed to reflect revised project limits and funding program for the federally funded Woodland Drive Path sponsored by the Village of Waunakee; and

WHEREAS, the MPO’s public participation procedures for minor TIP amendments such as this have been followed, including listing the project on the Madison Area TPB agenda; and

WHEREAS, the project is consistent with the Regional Transportation Plan 2030 for the Madison Metropolitan Area and Dane County, the adopted long-range regional transportation plan for the Madison Metropolitan Planning Area:
NOW, THEREFORE, BE IT RESOLVED that the Madison Area TPB approves Amendment #6 to the 2009–2013 Transportation Improvement Program for the Madison Metropolitan Area & Dane County, revising the following project listing (with costs in $000s):

1. **REVISE** the funding for the County Trunk Highway (CTH) K (CTH Q to CTH M) resurfacing project in the Streets/Roadways section on page 35 as follows:
   - $10 (PE, Fed-STP-R (ARRA)) in 2009, $10 (Total) in 2009;
   - $590 (Const., Fed-STP-R (ARRA)), $280 (Const., State), $280 (Const., Local) in 2010, $590 $560 (Total) in 2010;
   - TIP Project #111-09-025; WisDOT Project ID #s 5825-00-00, -70.

2. **REVISE** the limits and funding program for the federally funded Woodland Drive Reconstruction and Ped/Bike Path project sponsored by the Village of Waunakee (TIP Project #111-07-005) in the Pedestrian/Bicycle Projects section on page 21 as follows:
   - Emerald Lane to Cobblestone Lane CTH M to Mill Rd.; $2,100 (Const., Fed-EN MAD-Earmark), $1,342 (Const., Local), $3,442 (Total) in 2010; Add the following note in the comments column “Does not count against STP-Urban entitlement balance for Madison area.”

____________________________    ______________________________________
Date Adopted         Al Matano, Chair
Madison Area Transportation Planning Board
Re: Discussion of the New Regional Transit Authority (RTA) Legislation and the Role of the MPO in the Formation of an RTA in Dane County

Staff Comments on Item:
There was discussion on this issue at the last meeting. The attached legislative language from the State Budget Bill answers some of the questions that were raised at the meeting such as the process for creating the RTA. There are still a number of issues that are not addressed by the legislative language such as funding and staffing of the RTA (if created) prior to implementation of the additional sales tax.

Materials Presented on Item:
RTA legislative language from 2009 Assembly Bill 75

Staff Recommendation/Rationale:
For discussion purposes only.
Vetoed 
In Part

Section 1488. 66.1039 of the statutes is created to read:

66.1039 Transit authorities. (1) Definitions. In this section:
(a) "Authority" means a transit authority created under this section.
(b) "Bonds" means any bonds, interim certificates, notes, debentures, or other obligations of an authority issued under this section.
(c) "Common carrier" means any of the following:
1. A common motor carrier, as defined in s. 194.01 (1).
2. A contract motor carrier, as defined in s. 194.01 (2).
3. A railroad subject to ch. 195, as described in s. 195.02 (1) and (3).
4. A water carrier, as defined in s. 195.02 (5).
(d) "Comprehensive unified local transportation system" means a transportation system that is comprised of motor bus lines and any other local public transportation facilities, the major portion of which is located within, or the major portion of the service of which is supplied to the inhabitants of, the jurisdictional area of the authority.
(e) "Madison metropolitan planning area" means the metropolitan planning area, as defined in 23 USC 134 (b) (1), that includes the city of Madison.
(f) "Municipality" means any city, village, or town.
(g) "Participating political subdivision" means a political subdivision that is a member of an authority, either from the time of creation of the authority or by later becoming a member.
(h) "Political subdivision" means a municipality or county.
(i) "Transportation system" means all land, shops, structures, equipment, property, franchises, and rights of whatever nature required for transportation of passengers within the jurisdictional area of the authority and, to the extent specifically authorized under this section, outside the jurisdictional area of the authority. "Transportation system" includes elevated railroads, subways, underground railroads, motor vehicles, motor buses, and any combination thereof, and any other form of mass transportation, but does not include transportation excluded from the definition of "common motor carrier" under s. 194.01 (1) or charter or contract operations to, from, or between points that are outside the jurisdictional area of the authority.
(2) Creation of transit authorities. (b) Dane County regional transit authority. 1. The Dane County regional transit authority, a public body corporate and politic and a separate governmental entity, is created if the governing body of Dane County adopts a resolution authorizing the county to become a member of the authority. Once created, this authority may transact business and exercise any powers granted to it under this section.
2. If Dane County adopts a resolution under subd. 1., any municipality located in whole or in part within the Madison metropolitan planning area on January 1, 2003, shall be a member of the authority.

3. Any municipality located in whole or in part within Dane County that is not located in whole or in part within the Madison metropolitan planning area on January 1, 2003, may join the authority created under subd. 1. if the governing body of the municipality adopts a resolution to join the authority and the board of directors of the authority approves the municipality’s joinder.

4. The jurisdictional area of the authority created under this paragraph is the geographic area formed by the Madison metropolitan planning area combined with the territorial boundaries of all municipalities that join the authority under subd. 3.

5. For purposes of determining a municipality’s territorial boundaries and the geographic area formed by the Madison metropolitan planning area, annexed territory that was subject to an unresolved challenge on January 1, 2003, shall not be considered part of the annexing municipality or the Madison metropolitan planning area.

6. If a municipality joins the authority after the authority is created, the authority shall provide the department of revenue with a certified copy of the resolution that approves the joining and the joining shall take effect on the first day of the calendar quarter that begins at least 120 days after the department receives the certified copy of the resolution. The authority shall also provide the department with a description of the new boundaries of the authority’s jurisdictional area, as provided under sub. (4) (s) 2.

(c) Chippewa Valley regional transit authority. 1. The Chippewa Valley regional transit authority, a public body corporate and politic and a separate governmental entity, is created if the governing body of Eau Claire County adopts a resolution authorizing the county to become a member of the authority and the resolution is ratified by the electors at a referendum held in Eau Claire County. Once created, this authority may transact business and exercise any powers granted to it under this section.

2. If an authority is created under subd. 1., any municipality located in whole or in part within Eau Claire County shall be a member of the authority.

3. After an authority is created under subd. 1., Chippewa County may join the authority created under subd. 1. if the governing body of Chippewa County adopts a resolution to join the authority and the resolution is ratified by the electors at a referendum held in Chippewa County.

4. If Chippewa County joins an authority as provided in subd. 3., any municipality located in whole or in part within Chippewa County shall be a member of the authority.

5. The jurisdictional area of the authority created under this subsection is the territorial boundaries of Eau Claire County or, if Chippewa County also joins the authority as provided in subd. 3., the combined territorial boundaries of Eau Claire County and Chippewa County.

(e) Chequamegon Bay regional transit authority. 1. The Chequamegon Bay regional transit authority, a public body corporate and politic and a separate governmental entity, is created if the governing bodies of the counties of Ashland and Bayfield each adopt a resolution authorizing that county to become a member of the authority and each resolution is ratified by the electors at a referendum held in each county. Except as provided in subd. 2., once created, this authority shall consist of the counties of Ashland and Bayfield and any municipality located in whole or in part within these counties. Once created, this authority may transact business and exercise any powers granted to it under this section.

2. After an authority is created under subd. 1., any county other than Ashland County or Bayfield County may join this authority if the governing body of the county adopts a resolution authorizing the county to become a member of the authority, the resolution is ratified by the electors at a referendum held in the county, and the board of directors of the authority approves the county’s joinder. If a county becomes a member of an authority under this subdivision, any municipality located in whole or in part within the county shall also be a member of the authority.

3. The jurisdictional area of the authority created under this subsection is the combined territorial boundaries of the counties of Ashland and Bayfield and any county that joins the authority under subd. 2.

4. If a county joins the authority under subd. 2., after it is created, the authority shall provide the department of revenue with a certified copy of the resolution that approves the joining, a certification of the referendum results ratifying this resolution, and a certified copy of the authority’s board of directors approval. The county’s joining of the authority shall take effect on the first day of the calendar quarter that begins at least 120 days after the department receives this information. The authority shall also provide the department with a description of the new boundaries of the authority’s jurisdictional area, as provided under sub. (4) (s) 2.

(3) TRANSIT AUTHORITY GOVERNANCE. (a) The powers of an authority shall be vested in its board of directors. Directors shall be appointed for 4-year terms, except that directors appointed under par. (c) 5. shall serve 2-year terms. A majority of the board of directors’ full authorized membership constitutes a quorum for the purpose of conducting the authority’s business and exercising its powers. Action may be taken by the board of directors upon a vote of a majority of the directors present and vot-
ing, unless the bylaws of the authority require a larger
number.

(c) If an authority is created under sub. (2) (b), the
board of directors of the authority consists of the follow-
ing members:
1. Two members from the Madison metropolitan
planning area, appointed by the county executive and
approved by the county board.
2. Two members appointed by the mayor of the city
of Madison and approved by the common council.
3. One member appointed by the governor.
4. One member from each city, other than the city of
Madison, with a population of more than 15,000 located
in Dane County, appointed by the mayor of each such city
and approved by the common council.
5. One member from a village within the jurisdic-
tional area of the authority, or from a city within the juris-
dictional area of the authority other than a city from
which a member is appointed under subd. 2. or 4.,
applied by the Dane County Cities and Villages Asso-
ciation. A member appointed under this subdivision may
not serve more than one consecutive term. Board mem-
bership under this subdivision shall follow a rotating
order of succession and every village or city eligible to
have a member appointed from that village or city shall
have such a member appointed before any village or city
has an opportunity to have another member appointed
under this subdivision.

(d) 1. If an authority is created under sub. (2) (c), the
board of directors of the authority shall be determined by
resolution of the governing body of Eau Claire County or,
if Chippewa County also joins the authority as provided
in sub. (2) (c) 3., by resolution of the governing bodies of
Eau Claire County and Chippewa County, except that all
of the following shall apply:

a. The board of directors shall consist of not more
than 17 members.

b. The board of directors shall include at least 3
members from Eau Claire County, appointed by the county
executive and approved by the county board.

c. If Chippewa County joins the authority as provided
in sub. (2) (c) 3., the board of directors shall include at
least 3 members from Chippewa County, appointed by
the county executive and approved by the county board.

d. The board of directors shall include at least one
member from the most populous city of each county that
is a member, appointed by the mayor of the city and
approved by the common council of the city.

e. The board of directors shall include at least one
member from the authority’s jurisdictional area,
appointed by the governor.

2. If Chippewa County joins the authority as pro-
vided in sub. (2) (c) 3. and the governing bodies of Eau
Claire County and Chippewa County are unable to agree
upon a composition of the board of directors as specified
in subd. 1., the board of directors of the authority shall be
limited to the minimum members specified in subd. 1. b.
to e.

(f) 1. If an authority is created under sub. (2) (e), the
board of directors of the authority shall be determined by
resolution of the governing bodies of the counties of Ash-
land and Bayfield and of any county that joins the authority
under sub. (2) (e) 2., except that all of the following shall
apply:

a. The board of directors shall consist of not more
than 17 members, unless the minimum number of mem-
bers specified in subd. 1. b. to d. exceeds 17.

b. The board of directors shall include at least 3
members each from the counties of Ashland and Bayfield and
from any county that joins the authority under sub. (2) (e)
2., appointed by the county executive and approved by
the county board.

c. The board of directors shall include at least one
member from the most populous city of each county that
is a member, appointed by the mayor of the city and
approved by the common council of the city.

d. The board of directors shall include at least one
member from the authority’s jurisdictional area,
appointed by the governor.

2. If the governing bodies of the counties of Ashland
and Bayfield and of any county that joins the authority
under sub. (2) (e) 2. are unable to agree upon a composi-
tion of the board of directors as specified in subd. 1., the
board of directors of the authority shall be limited to the
minimum members specified in subd. 1. b. to d.

(hm) If any provision of this subsection provides for
the appointment of a member of an authority’s board of
directors by the mayor of a city that has no mayor, the
appointment shall instead be made by the chairperson of
the common council. If any provision of this subsection
provides for the appointment of a member of an author-
ity’s board of directors by the county executive of a
county that has no county executive, the appointment
shall be made by the chairperson of the county board.

(g) The bylaws of an authority shall govern its man-
agement, operations, and administration, consistent with
the provisions of this section, and shall include provi-
sions specifying all of the following:

1. The functions or services to be provided by the
authority.

2. The powers, duties, and limitations of the author-
ity.

3. The maximum rate of the taxes that may be
imposed by the authority under sub. (4) (s), not to exceed
the maximum rate specified in s. 77.708 (1).

4. The composition of the board of directors of the
authority, as determined under par. (d) or (f).

(4) POWERS. Notwithstanding s. 59.84 (2) and any
other provision of this chapter or chs. 59 or 85, an author-
ity may do all of the following, to the extent authorized
in the authority’s bylaws:
(a) Establish, maintain, and operate a comprehensive unified local transportation system primarily for the transportation of persons.

(b) Acquire a comprehensive unified local transportation system and provide funds for the operation and maintenance of the system. Upon the acquisition of a comprehensive unified local transportation system, the authority may:

1. Operate and maintain it or lease it to an operator or contract for its use by an operator.

2. Contract for superintendence of the system with an organization that has personnel with the requisite experience and skill.

3. Delegate responsibility for the operation and maintenance of the system to an appropriate administrative officer, board, or commission of a participating political subdivision.

4. Maintain and improve railroad rights-of-way and improvements on these rights-of-way for future use.

(c) Contract with a public or private organization to provide transportation services in lieu of directly providing these services.

(d) Purchase and lease transportation facilities to public or private transit companies that operate within and outside the jurisdictional area.

(e) Apply for federal aids to purchase transportation facilities considered essential for the authority's operation.

(f) Coordinate specialized transportation services, as defined in s. 85.21 (2) (g), for residents who reside within the jurisdictional area and who are disabled or aged 60 or older, including services funded under 42 USC 3001 to 3057n, 42 USC 5001, and 42 USC 5011 (b), under ss. 49.43 to 49.499 and 85.21, and under other public funds administered by the county. An authority may contract with a county that is a participating political subdivision for the authority to provide specialized transportation services, but an authority is not an eligible applicant under s. 85.21 (2) (e) and may not receive payments directly from the department of transportation under s. 85.21.

(g) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property or service.

(h) Acquire property by condemnation using the procedure under s. 32.05 for the purposes set forth in this section.

(i) Enter upon any state, county, or municipal street, road, or alley, or any public highway for the purpose of installing, maintaining, and operating the authority's facilities. Whenever the work is to be done in a state, county, or municipal highway, street, road, or alley, the public authority having control thereof shall be duly notified, and the highway, street, road, or alley shall be restored to as good a condition as existed before the commencement of the work with all costs incident to the work to be borne by the authority.

(j) Fix, maintain, and revise fees, rates, rents, and charges for functions, facilities, and services provided by the authority.

(k) Make, and from time to time amend and repeal, bylaws, rules, and regulations to carry into effect the powers and purposes of the authority.

(l) Sue and be sued in its own name.

(m) Have and use a corporate seal.

(n) Employ agents, consultants, and employees, engage professional services, and purchase such furniture, stationery, and other supplies and materials as are reasonably necessary to perform its duties and exercise its powers.

(o) Incur debts, liabilities, or obligations including the borrowing of money and the issuance of bonds under sub. (7) and (10).

(p) Invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in such obligations, securities, and other investments as the authority deems proper in accordance with s. 66.0603 (1m).

(q) Do and perform any acts and things authorized by this section under, through, or by means of an agent or by contracts with any person.

(r) Exercise any other powers that the board of directors considers necessary and convenient to effectuate the purposes of the authority, including providing for passenger safety.

(s) 1. Impose, by the adoption of a resolution by the board of directors, the taxes under subch. V of ch. 77 in the authority's jurisdictional area, except that no authority created under sub. (2) (b) may adopt such a resolution until a referendum is held in the authority's jurisdictional area on the question of whether the authority's board of directors may impose the taxes under subch. V of ch. 77 and the referendum is decided in the affirmative. If an authority adopts a resolution to impose the taxes, it shall deliver a certified copy of the resolution to the department of revenue at least 120 days before its effective date. The authority may, by adoption of a resolution by the board of directors, repeal the imposition of taxes under subch. V of ch. 77 and shall deliver a certified copy of the repeal resolution to the department of revenue at least 120 days before its effective date.

2. If an authority adopts a resolution to impose the tax, as provided in subd. 1., an authority shall specify to the department of revenue, as provided in this subdivision, the exact boundaries of the authority's jurisdictional area. If the boundaries are the same as the county lines on all sides of the authority's jurisdictional area, the resolution shall specify the county or counties that comprise the authority's entire jurisdictional area. If the boundaries are other than a county line on any side of the authority.
v that are not included in the list of 9-digit zip codes that are entirely within the authority's jurisdictional area and that are not included in any 9-digit zip code that is entirely within the authority's jurisdictional area. The authority shall provide a certified copy of the information required under this subdivision to the department, in the manner, format, and layout prescribed by the department, at least 120 days prior to the first day of the calendar quarter before the effective date of the tax imposed under sub.(1). If the boundaries of the authority's jurisdictional area subsequently change, the authority shall submit a certified copy of the information required under this subdivision to the department at least 120 days prior to the first day of the calendar quarter before the effective date of such change, in the manner, format, and layout prescribed by the department.

3. Notwithstanding sub.(1), an authority created under sub.(2) (c) may not impose the taxes authorized under sub.(1) unless the authorizing resolution under sub.(2) (c) 1. and, if applicable, sub.(2) (c) 3. as well as the referendum question on the referendum ballot specified in sub.(2) (c) 1. and, if applicable, sub.(2) (c) 3. clearly identifies the maximum rate of the taxes that may be imposed by the authority under sub.(1).

4. Notwithstanding sub.(1), an authority created under sub.(2) (e) may not impose the taxes authorized under sub.(1) unless the authorizing resolution under sub.(2) (e) 1. and, if applicable, sub.(2), as well as the referendum question on the referendum ballot specified in sub.(2) (e) 1. and, if applicable, sub.(2), clearly identifies the maximum rate of the taxes that may be imposed by the authority under sub.(1).

5. Limitations on Authority Powers. (a) Notwithstanding sub. (4) (a), (b), (c), (d), (q), and (t), no authority, and no public or private organization with which an authority has contracted for service, may provide service outside the jurisdictional area of the authority unless the authority receives financial support for the service under a contract with a public or other private organization for the service or unless it is necessary in order to provide service to connect residents within the authority's jurisdictional area to transit systems in adjacent counties.

(b) Whenever the proposed operations of an authority would be competitive with the operations of a common carrier in existence prior to the time the authority commences operations, the authority shall coordinate proposed operations with the common carrier to eliminate adverse financial impact for the carrier. This coordination may include route overlapping, transfers, transfer points, schedule coordination, joint use of facilities, lease of route service, and acquisition of route and corollary equipment. If this coordination does not result in mutual agreement, the proposals of the authority and the common carrier shall be submitted to the department of transportation for arbitration.

(c) In exercising its powers under sub. (4), an authority shall consider any plan of a metropolitan planning organization under 23 USC 134 that covers any portion of the authority's jurisdictional area.

6. Authority Obligations to Employees of Mass Transportation Systems. (a) An authority acquiring a comprehensive unified local transportation system for the purpose of the authority's operation of the system shall assume all of the employer's obligations under any contract between the employees and management of the system to the extent allowed by law.

(b) An authority acquiring, constructing, controlling, or operating a comprehensive unified local transportation system shall negotiate an agreement with the representative of the labor organization that covers the employees affected by the acquisition, construction, control, or operation to protect the interests of employees affected. This agreement shall include all of the provisions identified in s. 59.58 (4) (b) 1. to 8. and may include provisions identified in s. 59.58 (4) (c). An affected employee has all the rights and the same status under subch. IV of ch. 111 that he or she enjoyed immediately before the acquisition, construction, control, or operation and may not be required to serve a probationary period if he or she attained permanent status before the acquisition, construction, control, or operation.

(c) In all negotiations under this subsection, a senior executive officer of the authority shall be a member of the authority's negotiating body.

7. Bonds; Generally. (a) An authority may issue bonds, the principal and interest on which are payable exclusively from all or a portion of any revenues received by the authority. The authority may secure its bonds by a pledge of any income or revenues from any operations, rent, aids, grants, subsidies, contributions, or other source of moneys whatsoever.

(b) An authority may issue bonds in such principal amounts as the authority deems necessary.

(c) 1. Neither the members of the board of directors of an authority nor any person executing the bonds is personally liable on the bonds by reason of the issuance of the bonds.

2. The bonds of an authority are not a debt of the participating political subdivisions. Neither the participating political subdivisions nor the state are liable for the payment of the bonds. The bonds of any authority shall be payable only out of funds or properties of the authority. The bonds of the authority shall state the restrictions contained in this paragraph on the face of the bonds.

8. Issuance of Bonds. (a) Bonds of an authority shall be authorized by resolution of the board of directors. The bonds may be issued under such a resolution or under a trust indenture or other security instrument. The bonds may be issued in one or more series and may be in the
form of coupon bonds or registered bonds under s. 67.09. The bonds shall bear the dates, mature at the times, bear interest at the rates, be in the denominations, have the rank or priority, be executed in the manner, be payable in the medium of payment and at the places, and be subject to the terms of redemption, with or without premium, as the resolution, trust indenture, or other security instrument provides. Bonds of an authority are issued for an essential public and governmental purpose and are public instrumentalities and, together with interest and income, are exempt from taxes.

(b) The authority may sell the bonds at public or private sales at the price or prices determined by the authority.

(c) If an officer whose signatures appear on any bonds or coupons ceases to be an officer of the authority before the delivery of the bonds or coupons, the officer’s signature shall, nevertheless, be valid for all purposes as if the officer had remained in office until delivery of the bonds or coupons.

(9) COVENANTS. An authority may do all of the following in connection with the issuance of bonds:

(a) Covenant as to the use of any or all of its property, real or personal.

(b) Redeem the bonds, or covenant for the redemption of the bonds, and provide the terms and conditions of the redemption.

(c) Covenant as to charge fees, rates, rents, and charges sufficient to meet operating and maintenance expenses, renewals, and replacements of any transportation system, principal and debt service on bonds creation and maintenance of any reserves required by a bond resolution, trust indenture, or other security instrument and to provide for any margins or coverages over and above debt service on the bonds that the board of directors considers desirable for the marketability of the bonds.

(d) Covenant as to the events of default on the bonds and the terms and conditions upon which the bonds shall become or may be declared due before maturity, as to the terms and conditions upon which this declaration and its consequences may be waived, and as to the consequences of default and the remedies of bondholders.

(e) Covenant as to the mortgage or pledge of, or the grant of a security interest in, any real or personal property and all or any part of the revenues of the authority to secure the payment of bonds, subject to any agreements with the bondholders.

(f) Covenant as to the custody, collection, securing, investment, and payment of any revenues, assets, moneys, funds, or property with respect to which the authority may have any rights or interest.

(g) Covenant as to the purposes to which the proceeds from the sale of any bonds may be applied, and as to the pledge of such proceeds to secure the payment of the bonds.

(h) Covenant as to limitations on the issuance of any additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds.

(i) Covenant as to the rank or priority of any bonds with respect to any lien or security.

(j) Covenant as to the procedure by which the terms of any contract with or for the benefit of the holders of bonds may be amended or abrogated, the amount of bonds, the holders of which must consent thereto, and the manner in which such consent may be given.

(k) Covenant as to the custody and safekeeping of any of its properties or investments, the insurance to be carried on the property or investments, and the use and disposition of insurance proceeds.

(l) Covenant as to the vesting in one or more trustees, within or outside the state, of those properties, rights, powers, and duties in trust as the authority determines.

(m) Covenant as to the appointing of, and providing for the duties and obligations of, one or more paying agent or other fiduciaries within or outside the state.

(n) Make all other covenants and do any act that may be necessary or convenient or desirable in order to secure its bonds or, in the absolute discretion of the authority, tend to make the bonds more marketable.

(o) Execute all instruments necessary or convenient in the exercise of the powers granted under this section or in the performance of covenants or duties, which may contain such covenants and provisions as a purchaser of the bonds of the authority may reasonably require.

(10) REFUNDING BONDS. An authority may issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. An authority may issue refunding bonds at such time prior to the maturity or redemption of the refunded bonds as the authority deems to be in the public interest. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium on the bonds, any interest accrued or to accrue to the date of payment of the bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture, or other security instruments. To the extent applicable, refunding bonds are subject to subs. (8) and (9).

(11) BONDS ELIGIBLE FOR INVESTMENT. (a) Any of the following may invest funds, including capital in their control or belonging to them, in bonds of the authority:

1. Public officers and agencies of the state.
2. Local governmental units, as defined in s. 19.42 (7u).
3. Insurance companies.
4. Trust companies.
5. Banks.
7. Savings and loan associations.
8. Investment companies.
10. Trustees.
11. Other fiduciaries not listed in this paragraph.

(b) The authority’s bonds are securities that may be deposited with and received by any officer or agency of the state or any local governmental unit, as defined in s. 19.42 (7u), for any purpose for which the deposit of bonds or obligations of the state or any local governmental unit is authorized by law.

(12) BUDGETS, RATES AND CHARGES; AUDIT. The board of directors of an authority shall annually prepare a budget for the authority. Except as provided in sub. (15m), rates and other charges received by an authority shall be used only for the general expenses and capital expenditures of the authority, to pay interest, amortization, and retirement charges on bonds, and for specific purposes of the authority and may not be transferred to any political subdivision. The authority shall maintain an accounting system in accordance with generally accepted accounting principles and shall have its financial statements and debt covenants audited annually by an independent certified public accountant.

(13) WITHDRAWAL FROM AUTHORITY. A participating political subdivision that becomes a member of an authority under sub. (2) (c) 4. shall withdraw from the authority if the county in which the municipality is located withdraws from the authority under this subsection and a participating political subdivision that joined an authority under sub. (2) (b) 3., (c) 3., or (e) 2. may withdraw from an authority if all of the following conditions are met:

(a) The governing body of the political subdivision adopts a resolution requesting withdrawal of the political subdivision from the authority and if the political subdivision joined the authority under sub. (2) (e) 2., the resolution is ratified by the electors at a referendum held in the political subdivision.

(b) The political subdivision has paid, or made provision for the payment of, all obligations of the political subdivision to the authority.

(c) If a participating political subdivision withdraws from an authority, the authority shall provide the department of revenue with a certified copy of the resolution that approves the withdrawal. The withdrawal is effective on the first day of the calendar quarter that begins at least 120 days after the department receives the certified copy of the resolution approving the withdrawal. If the political subdivision joined the authority under sub. (2) (e) 2., the authority shall also provide the department of revenue with a certified copy of the referendum results ratifying the withdrawal resolution and the department shall use the date that it receives this certification of referendum results for purposes of calculating the effective date of withdrawal under this paragraph. If the authority in which the withdrawing political subdivision continues to exist after the withdrawal, the authority shall provide information describing the exact boundaries of its jurisdictional area, as provided in sub. (4) (s).

(14) DUTY TO PROVIDE TRANSIT SERVICE. An authority shall provide, or contract for the provision of, transit service within the authority’s jurisdictional area.

(15m) DANE COUNTY HIGHWAY PROJECTS. An authority created under sub. (2) (b) may transfer revenues from taxes imposed by the authority under sub. (4) (s) to any political subdivision within the authority’s jurisdictional area to fund highway projects within the authority’s jurisdictional area. If any transfer is made under this subsection, the authority’s board shall determine the recipients and amounts of all such transfers, except that the authority may not transfer under this subsection more than 25 percent of revenues from taxes imposed by the authority under sub. (4) (s).

(17) OTHER STATUTES. This section does not limit the powers of political subdivisions to enter into intergovernmental cooperation or contracts or to establish separate legal entities under s. 66.0301 or 66.1021 or any other applicable law, or otherwise to carry out their powers under applicable statutory provisions. Section 66.0803 (2) does not apply to an authority.

SECTION 1488s. 66.1105 (2) (k) 20. of the statutes is amended to read:

66.1105 (2) (k) 20. A shopping center, or an office building, convention or trade center, hotel, motel or other nonresidential facility, which is located in or adjacent to a blighted area as defined by s. 66.1105 (2) (a) (ae), 66.1331 (3) (a) or 66.1333 (2m) (b) or in accordance with a redevelopment plan or urban renewal plan adopted under s. 66.1331 (5) or 66.1333 (6).

SECTION 1488u. 66.1105 (2) (a) of the statutes is renumbered 66.1105 (2) (ae).

SECTION 1488uc. 66.1105 (2) (ab) of the statutes is created to read:

66.1105 (2) (ab) “Affordable housing” means housing that costs a household no more than 30 percent of the household’s gross monthly income.

SECTION 1488ue. 66.1105 (2) (bq) of the statutes is created to read:

66.1105 (2) (bq) “Household” means an individual and his or her spouse and all minor dependents.

SECTION 1489. 66.1105 (6) (ae) of the statutes is created to read:

66.1105 (6) (ae) With regard to each district for which the department of revenue authorizes the allocation of a tax increment under par. (a), the department shall charge the city that created the district an annual adminis-