AGENDA

1. Roll Call

2. Approval of May 7, 2014 Meeting Minutes

3. Communications

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

5. Resolution TPB No. 90 Approving Amendment #5 to the 2014-2018 Transportation Improvement Program for the Madison Area & Dane County
   - USH 51/Stoughton Rd. (Cottage Grove Rd. - SB Bridge), Bridge Replacement [Cost/funding revisions, Const. in 2014]
   - McCoy Road (OCR Rail-Highway Crossing), Replace Signals and Gates [NEW, Const. in 2014-’15]
   - CTH AB (Yahara River Bridge), Bridge Replacement [Revise cost/funding & schedule, Const. in 2017]
   - Haight Farm Rd. (Bridge over Swan Creek), Bridge Replacement [Revise cost/funding & schedule, Const. in 2014]
   - E. Dyreson Rd. (Bridge over Yahara River), Bridge Replacement [Revise cost/funding, Const. in 2015]
   - CTH PB (Badger Mill Creek Bridges), Replacement of Bridges [Add second bridge, Revise cost/funding, Const. in 2016]


7. Review of WisDOT STP Urban Program Policy Guidance and Responses to MPO and WisDOT SW Region Questions

8. Revision to MPO Operating Rules and Procedures to Address New MAP-21 Requirement of Representation by Providers of Public Transportation in MPOs Serving a Transportation Management Area

9. Appointments to the Regional Intelligent Transportation Systems (ITS) Strategic Plan Advisory Committee

10. Recommendation Regarding the MPO’s Representative to the City of Madison’s Long-Range Transportation Planning Committee

11. Brief Update on the Bicycle Transportation Plan for the Madison Metropolitan Area and Dane County and County Bicycle Wayfinding Plan

12. Status Report by Madison Area TPB Members on Studies and Plans Involving the TPB:
   - USH 51/Stoughton Road (USH 12/18 to IH 39/90/94) Corridor EIS Study
   - USH 51 (McFarland to Stoughton) Corridor EIS Study
   - Beltline (USH 14 to CTH N) Corridor EIS Study
   - Interstate 39/90/94 (Madison to Wisconsin Dells) Corridor EIS Study
   - City of Madison Sustainable Transportation Master Plan

13. Discussion of Future Work Items:
   - Title VI Program
   - Public Participation Plan Update
   - Draft 2015-2019 Transportation Improvement Program
   - Section 5310 Program Application Cycle for CY 2015 Projects
   - Roadway Functional Classification Update
   - Revisions to STP Urban Project Scoring Criteria
   - Regional ITS Strategic Plan
Bicycle Transportation Plan Update
Bicycle Wayfinding Plan

14. Announcements and Schedule of Future Meetings
   • Election of officers at August meeting

15. Adjournment

Next MPO Meeting:

**Wednesday, August 6 at 6:30 p.m.**
Madison Water Utility Building, 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 avisenos por lo menos 48 horas antes de esta reunión, así que se puedan hacer los arreglos necesarios.*
Madison Area Transportation Planning Board (an MPO)
May 7, 2014 Meeting Minutes

1. Roll Call
   
   **Members present:** David Ahrens, Mark Clear, Ken Golden (arrived during item #8), Jeff Gust, Chuck Kamp, Steve King, Jerry Mandli (arrived during item #3), Al Matano, Ed Minihan (arrived during item #8), Chris Schmidt, Robin Schmidt
   
   **Members absent:** Judd Blau, Paul Lawrence, Mark Opitz
   
   **MPO Staff present:** Bill Schaefer, Renee Callaway, Mike Cechvala
   
   **Others present in an official capacity:** Dave Trowbridge (City of Madison Planning)

2. Approval of April 2, 2014 Meeting Minutes
   
   Moved by Kamp seconded by C. Schmidt, to approve the April 2, 2014 meeting minutes. Motion carried with King abstaining.

3. Communications
   
   - Letter from WisDOT approving amendment #3 to the 2014-2018 TIP.
   - Letter from Matano in support of the TIGER grant application for the freight rail improvement project, but adding concerns about WSOR with regards to various issues as discussed by the board at the previous meeting.

   Schaefer said he had informed Ken Lucht with WSOR about the board’s discussion and intent to include its concerns in the letter. Lucht responded with a note asking this not be done, listing all of the supporters for the project, and noting all of the issues WSOR has been working with the City of Madison and other communities on. He said WSOR has now set up quarterly coordination meetings. Schaefer said he shared that with Matano, Golden, and Ahrens. After receiving the letter, Lucht said it would not be included with the grant application.

   - Letter from Schaefer supporting the City of Madison’s TIGER grant application for funding to support station area planning around three potential BRT stations using a scenario planning tool.

4. Public Comment (for items not on MPO Agenda)
   
   None

5. Resolution TPB No. 89 Approving Amendment #4 to the 2014-2018 Transportation Improvement Program for the Madison Area & Dane County
   
   Schaefer said the amendment was for a small City of Madison safety project recently approved at the intersection of Aberg Avenue and Shopko Drive. The project will install signal heads over the travel lanes on Aberg.

   Moved by R. Schmidt, seconded by Kamp to approve Amendment #4 to the 2014-2018 Transportation Improvement Program for the Madison Area and Dane County. Motion carried.

6. Approval of Scoring and Priority Ranking of 2014-2018 Transportation Alternatives Program Project Applications for Consideration by WisDOT (taken up after item 8)
   
   Schaefer explained that even though the MPO will not receive a sub-allocation of funding for this project application cycle, WisDOT informed us the state would consider MPOs’ rankings of projects in its decision
on projects to fund with the statewide pool of money. Schaefer said the MPO received the notice just before the MPO technical committee meeting. Staff quickly scored and ranked the projects and distributed a preliminary draft of the project rankings the day of the meeting. Therefore, staff did not seek a recommendation from the committee, but rather encouraged members to send comments individually. Staff received two comments, one regarding the Westport project and another regarding the Sun Prairie project. Schaefer said staff prepared a final version of the scoring and ranking table for consideration by the board. Schaefer said there were 14 applications totaling almost $11 million. WisDOT indicated there is only $6 million available in the statewide pool of funding. Therefore, only one or perhaps two projects from the Madison area will likely be funded. However, he said he thought the scoring and ranking process had value for applicants going forward as the MPO will have funding for the next cycle in two years. He introduced Callaway, the MPO’s planner and Rideshare Etc. program coordinator, to review the projects.

Callaway reviewed the project applications, noting the high quality of the projects. She described the scope of work for each project. Golden questioned why the cost effectiveness score for the Lower Yahara River Trail project was so low. Callaway said that was because of the very high cost of the project, which has already received over $3 million in federal funding from the last funding cycle. Another $1 million is being requested. She explained the criterion assesses the costs relative to benefits, including the projected number of users. Matano said he objected to use of Transportation Alternatives funding for the CTH M and CTH PD underpasses, which are part of the street reconstruction and expansion projects and already have committed federal funding. Gust pointed out that the West Towne path would connect to a grade-separated path crossing of the Beltline that WisDOT is constructing as part of the High Point Road bridge replacement project. He also questioned the score for the Woodland Drive path and bike lanes project, noting the lack of bicycle facilities north of the lake. Schaefer said a major reason was the project ends at CTH M. It would have been stronger if the missing segment to Governor Nelson Park was included and also if they asked for funds just for the path and not the bike lanes. Callaway said the town received $360,000 in state funding for the project. Schaefer said the scoring emphasized the short-term versus longer term benefits of the projects.

Discussion followed regarding the scoring of the projects and their likelihood of being funded. Schaefer said staff had taken the criteria and sub-allocated points for each category similar to what was being done for the STP Urban project criteria being developed. Schaefer mentioned the email received from City of Sun Prairie planner Scott Kugler indicating the plan to reconstruct CTH C in 2016. If that is true, the city’s path project should receive an additional two points under the Opportunity/Risk category because it would allow the path to be constructed with the street project. Schaefer said because it is a relative low cost project it was more likely to be funded. He said staff thought it was unlikely WisDOT would award more funding to the Lower Yahara River Trail project. Gust asked if that would hurt the MPO’s chances of getting a project funded since it was ranked #1. Callaway said she didn’t think so. WisDOT would just go to the next highest ranked project they could fund. Schaefer said the issue could be mentioned in the communication to WisDOT. Matano expressed concern again about funding the over/underpass projects that are part of roadway projects. Golden commented that many projects are similar, i.e., mitigation for a roadway project. He mentioned the Beltline bridge project that was critical for the Southwest path.

R. Schmidt moved, Golden seconded, to approve the staff scoring and priority ranking of projects.

Mandli said he confirmed with his staff that the CTH C project was going forward. R. Schmidt said that would argue for awarding additional points to the Sun Prairie project. Schaefer said that would move it to #3 ahead of the CTH M underpass project.

Moved by R. Schmidt, seconded by Golden, to amend the original motion to approve the scoring and priority ranking of 2014-2018 Transportation Alternatives Program Project applications for consideration by WisDOT with an amendment to award City of Sun Prairie path project an additional two points, moving it to #3 in the rankings. Motion carried.
7. Presentation on the MPO’s TDM/Rideshare Program Activities

Callaway provided a presentation on the MPO’s Rideshare Etc. program activities. She said the core of the program was assisting individuals and businesses with transportation options to driving alone. This occurred through on-site programs, E-newsletters for company transportation coordinators, distribution of materials, and the program website. Assistance has also been provided the past few years through Sustain Dane’s Mpower Business Champion program. She said there were 919 new program registrants in 2013 with a total of 3,300 in the system. She said the list is updated every two years or so to make sure those on the list are still interested in participating in the program. She discussed the Guaranteed Ride Home Program and the annual advertising campaign. The advertising budget is small at $15,000 a year and included back-of-bus and online ads in 2013. Callaway said she has also been providing some assistance for Safe Routes to School programs. Other efforts she is supporting include the Madison Platinum Bicycling Working Group and the county’s Active Living Work Group. The latter group is working to support county communities in applying for bicycle friendly community status. MPO staff will also be managing a bicycle wayfinding project for the county. Finally, she mentioned the new county bicycle map that MPO staff had just completed.

8. Presentation on South Capitol TOD District Planning Study (taken up before items 6 and 7)

Schaefer said the study, which was funded through a federal TIGER grant, was wrapping up. He said a number of regionally significant transportation improvement concepts were being considered and he asked Dave Trowbridge from City of Madison Planning to provide a presentation on the concepts to the board. Trowbridge said this was the second phase of the study. The first phase developed a concept plan for redevelopment of the Madison Municipal Building and Government East ramp blocks. The city has now entered into negotiations with the developer that was selected on the development design and funding. The current study is looking at the broader area south of the Square.

Trowbridge reviewed the five elements of the study and draft recommendations. The elements include an evaluation of an intercity bus station location, Law Park path improvements, “gateway” street intersection and Wilson Street improvements, and possible pedestrian/bicycle bridge connections across John Nolen Drive to connect downtown to Law Park. He reviewed the recommended location and design concept for the bus station near the Kohl Center. The land is owned by the Boldt Company, which has approached the city about incorporating the bus station as part of redevelopment of the property. Discussion followed regarding local bus service in the area, the clientele of the intercity bus service (many students), and the difficulties with the current temporary intercity stop on University Avenue near the Chazen museum. The Law Park path improvement concepts included widening it and creating a separate pedestrian path. Clear commented that the separate pedestrian and bicycle path areas work well for the west end of the UW lakeshore path. Trowbridge reviewed the different bridge concepts and their locations from a plaza bridge to the east to more utilitarian bridges affixed to the side of Monona Terrace.

Trowbridge next reviewed the different gateway intersection improvement concepts, starting with the Blair-Wilson-Williamson-John Nolen Drive intersection. Concepts included a tunnel (with park above), roundabout, hovenring, and cul-de-sacing Wilson Street with a new intersection at Hancock and John Nolen Drive. Another option is to just relocate the driveway to the bicycle shop and other businesses southeast of the intersection further west to remove it from the intersection. Golden commented that if Wilson Street were cul-de-sac a bus only connection to Williamson would need to be explored as it is an important route. Clear noted the difficulty of adding another rail crossing. Trowbridge added that Traffic Engineering is also concerned about the grades for the new Hancock Street intersection. The recommendation for Wilson Street was to maintain as one-way, but remove parking on the south side to create a contra-flow bike lane. Golden commented that eliminating the parking west of MLK Jr. Blvd. would be problematic due to the amount of traffic flow to the health department building with people picking up documents, etc. Trowbridge agreed it was a major issue, especially with the need for loading zones.

Trowbridge the study committee was meeting the next night to review and determine the recommendations or alternatives to advance to the city council. R. Schmidt asked how this study related to other plans. Schaefer
said the study recommendations could be incorporated into the city and MPO transportation plans. Trowbridge said that some could be incorporated into planned projects such as the Blair Street reconstruction. The Law Park path improvement could be a stand-alone project.

9. Discussion and Consideration of Possible Letter to WisDOT on Plans for Verona Road (USH 18/151) and Corridor Studies of Stoughton Road (USH 51), USH 51 (McFarland to Stoughton), and the Beltline (USH 12/14/18/151)

Matano said he had asked Schaefer to put this item on the agenda. He handed out a draft letter that he wrote and asked for comments from board members before the next meeting.

10. Status Report by Madison Area TPB Members on Other Projects Involving the TPB

Schaefer said there weren’t any major updates to provide on the WisDOT studies. He reported on a public information meeting held for the City of Madison’s Sustainable Transportation Master Plan. The meeting was focused on getting input on two different land use scenarios being developed for the planning process. He said MPO staff had been working with City of Madison staff on the details of the two scenarios as well as on some pedestrian and bicycle analysis for the plan.

11. Discussion of Future Work Items

Schaefer said staff was working on a Title VI Program document that needed to be approved by the board in August. TIP project listings and STP-Urban project applications were due in early June. The STP Urban project applications would be reviewed with the board at the July meeting. The ITS plan proposals were due May 16. The technical and policy committees for the bicycle plan met to review and discuss the functional classification of bikeways and a bicycle level of service analysis that had been completed. The committees also provided input on draft plan goals and the outline for the plan report.

12. Announcements and Schedule of Future Meetings

Schaefer announced that the board appointments were being processed. He said both Minihan and Lawrence would be reappointed.

The next meeting will be held Wednesday, June 4, 2014 at 6:30 p.m. at the Madison Water Utility Building, 119 E. Olin Ave., rooms A-B.

13. Adjournment

Moved by King, seconded by C. Schmidt to adjourn. Motion carried. The meeting adjourned at 8:43 PM.
May 14, 2014

George R. Poirier                                      Marisol Simon
Division Administrator                               Regional Administrator
Federal Highway Administration                      Federal Transit Administration
U.S. Department of Transportation                    U.S. Department of Transportation
525 Junction Rd. Suite 8000                         200 W. Adams Street, Suite 320
Madison, Wisconsin 53717                             Chicago, Illinois 60606

Dear Mr. Poirier and Ms. Simon:

Under the authority delegated to me by Governor Scott Walker, I am hereby approving the Madison Area Transportation Planning Board’s Amendment to the 2014-2018 Transportation Improvement Program (TIP) for the Dane County Urban Area. The amendment was approved and adopted by the Madison Area Transportation Planning Board on May 7, 2014. We will reflect by reference the 2014-2017 federal aid projects covered by this approval in our 2014-2017 Statewide Transportation Improvement Program (STIP).

Copies of the TIP Amendment and Resolution TPB Number 89 for the Madison Area Transportation Planning Board have been sent to the Federal Transit Administration and Federal Highway Administration, respectively. This TIP amendment represents a comprehensive, continuous, and cooperative effort between the MPO, local communities, affected transit operators, and the Wisconsin Department of Transportation (WisDOT), and is designed to meet the objectives of Title 23 USC 134 and 135 and their implementing regulations 23 CFR 450 and the 2035 regional transportation system plan.

We have determined that the proposed amendment: 1) is consistent with the adopted 2035 Regional Transportation System Plan, 2) conforms to state and national air quality standards as required by the Federal Clean Air Act Amendments of 1990, and 3) ensures that the TIP remains fiscally constrained in that federal funding resources are sufficient to support the new or modified projects.

Sincerely,

Mark Gottlieb, P.E.
Secretary

cc:    William Schaefer, MPO
       Chris Bertch, FTA
       Dwight McComb, FHWA
       Jeff Gust, WisDOT SW Region
       John Nordbo, WisDOT Bureau of Planning and Economic Development
June 19, 2014

MR. AL MATANO
CHAIRPERSON
121 S. PINCKNEY STREET, SUITE 400
MADISON, WI, 53703

Subject: Public Involvement Meeting.
        Project ID 5310-00-08
        Spring Green – Madison Stagecoach Rd. to Twin Valley Rd.
        Town of Cross Plains, USH 14, Dane County, WI

Dear Mr. Al Matano:

You are invited to attend a public involvement meeting about the USH 14 and Stagecoach Road construction project. The details of the meeting are as follows:

Date: Wednesday, July 16, 2014.
Time: Open house from 5 P.M. to 7:30 P.M.
Location: Town Center, 3734 County Road P (Between Bluff Valley Rd and W Mineral Point Rd)
           Cross Plains, WI 53528-9180

The meeting will be conducted as an informal, open house format. Maps showing the proposed design will be on display. Wisconsin Department of Transportation (WisDOT) representatives will be available to discuss the proposed project and address any questions or concerns.

The proposed safety improvement project involves installing centerline and shoulder rumble strips and shoulder resurfacing on 2.5 miles of USH 14, Stagecoach Road to Twin Valley Road. There will also be an intersection improvement consisting of a flush marked median that accommodates left and right turn movements. No land acquisition will be required for this project. Construction is scheduled for 2015.

Those who are hearing impaired and require an interpreter should contact the WisDOT by July 9, 2014. Please dial 711 to contact the Wisconsin Telecommunication Relay System, and then ask the communication assistant to contact Sue Nast of the WisDOT at (608) 242-8051.

If you have any questions or concerns about this project, we encourage you to attend the meeting. Stop by any time between 5 p.m. to 7:30 p.m. If you are unable to attend the meeting and/or would like to receive additional information, please contact me at (608) 242-8051 or by e-mail at Suzan.Nast@dot.wi.gov.

Sincerely,

[Signature]

Suzan K Nast, WisDOT - Project Manager
Re:
Resolution TPB No. 90 Approving Amendment #5 to the 2014-2018 Transportation Improvement Program (TIP) for the Madison Metropolitan Area & Dane County

Staff Comments on Item:
Another TIP amendment is required to change the scope, timing, and/or cost/funding of five bridge replacement projects – one located on a state highway, two on county truck highways, and two on local streets. The amendment is also being requested to add a rail-highway crossing safety project (signals, gates) on McCoy Road in the City of Fitchburg. The amendment is necessary to allow design or construction to occur this year or allow federal funding to be obligated this year for construction in 2015. The projects are consistent with the MPO’s regional transportation plan and the amendment will not affect the timing of any other programmed projects in the TIP.

Materials Presented on Item:
1. Resolution TPB No. 90 Approving Amendment #5 to the 2014-2018 TIP (including attachments)

Staff Recommendation/Rationale:
Staff recommends approval.
Resolution TPB No. 90
Amendment No. 5 to the 2014-2018 Transportation Improvement Program
for the Madison Metropolitan Area & Dane County

WHEREAS, the Madison Area Transportation Planning Board (TPB) – An MPO approved the 2014-2018 Transportation Improvement Program for the Madison Metropolitan Area & Dane County on October 2, 2013; and

WHEREAS, the Madison Area TPB adopted TPB Resolution No. 86 on February 5, 2014, approving Amendment No. 1 to the 2014-2018 TIP; adopted TPB Resolution No. 87 on March 5, 2014, approving Amendment No. 2 to the TIP; adopted TPB Resolution No. 88 on April 2, 2014, approving Amendment No. 3 to the TIP; and adopted TPB Resolution No. 89 on May 7, 2014, approving Amendment No. 4 to the TIP; and

WHEREAS, the Madison Metropolitan Planning Area transportation projects and some transportation planning activities to be undertaken using Federal funding in 2014–2017 must be included in the effective TIP; and

WHEREAS, another amendment is necessary to change the scope, timing, and/or cost/funding of five bridge replacement projects located on one state highway, two county truck highways, one local collector roadway, and one local street in the Madison Metropolitan Planning Area; and

WHEREAS, the amendment is also necessary to add an OCR rail-highway safety project on McCoy Road, a local collector roadway in the City of Fitchburg; and

WHEREAS, the TIP amendment will not affect the timing of any other programmed projects in the TIP and the TIP remains financially constrained as shown in the attached revised TIP financial tables (Table B-2 and Table C-1); 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 meeting agenda; and

WHEREAS, the new and revised projects are consistent with the 2035 Regional Transportation Plan Update: Madison Metropolitan Area & 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 No. 5 to the 2014-2018 Transportation Improvement Program for the Madison Metropolitan Area & Dane County, adding the following project as shown on the attached project listing table:

1. **REVISE** the cost and funding source of the USH 51/Stoughton Road (CTH BB/Cottage Grove Rd. - Southbound Bridge), Bridge Replacement project on page 36 of the TIP, increasing the federal NHPP and state funding, removing the state-funded right-of-way component, and revising the overall project cost.

2. **ADD** the McCoy Road (in City of Fitchburg) OCR-Rail Crossing Signals and Gates Replacement project to page 39.

3. **REVISE** the timing, cost, and funding source of the CTH AB/Buckeye Road (Yahara River Bridge), Bridge Replacement project on page 40, adding federal NHPP funding and revising the cost for preliminary engineering in 2014, and delaying construction to 2017.
4. **REVISE** the timing and cost/funding of the Haight Farm Road (formerly Lacy Road) Bridge over Swan Creek Replacement project on page 42, increasing the federal Bridge construction funding, advancing construction to 2014, and revising the construction cost.

5. **REVISE** the cost/funding of the Dyreson Road Bridge and Approaches Replacement project on page 52, increasing the state construction funding and revising the construction cost.

6. **REVISE** the scope, cost and funding source of the CTH PB (Badger Mill Creek Bridges), Bridge Replacement project on page 53, adding a second bridge to the project (B-13-0785), adding federal NHPP funding for preliminary engineering for Bridge B-13-0785 in 2014, adding federal NHPP funding for construction for both Bridge B-13-0784 and B-13-0785 in 2016, and revising the overall project cost.

Date Adopted

Al Matano, Chair
Madison Area Transportation Planning Board
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<tr>
<td>TOWN OF DUNN</td>
<td>DYRESON ROAD</td>
<td>PE</td>
<td>821</td>
<td>205</td>
<td>1,026</td>
<td></td>
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<tr>
<td></td>
<td>Replacement of bridge and approaches</td>
<td>ROW</td>
<td></td>
<td></td>
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<td>CONSTR</td>
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<td></td>
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<td>TOTAL</td>
<td>821</td>
<td>205</td>
<td>1,026</td>
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<tr>
<td></td>
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<td>NHPP</td>
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</tr>
<tr>
<td>TOWN OF VERONA</td>
<td>CTH PB</td>
<td>PE</td>
<td>66</td>
<td>16</td>
<td>92</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Badger Mill Creek Bridges (B-13-0784 and B-13-0785)</td>
<td>ROW</td>
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</tr>
<tr>
<td></td>
<td>Replacement of Two Bridges</td>
<td>CONSTR</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>TOTAL</td>
<td>66</td>
<td>16</td>
<td>92</td>
<td></td>
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<td>NHPP</td>
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</tbody>
</table>
Table B-2  
Summary of Federal Funds Programmed ($000s) and Those Available in the Madison Metropolitan Planning Area  
2014-2018 Transportation Improvement Program

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Program</th>
<th>Programmed Expenditures</th>
<th>Estimated Available Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Federal Highway Administration</strong></td>
<td>National Highway Performance Program</td>
<td>52,106</td>
<td>6,868</td>
</tr>
<tr>
<td>Bridge Replacement and Rehabilitation</td>
<td>835</td>
<td>1,000</td>
<td>1,132</td>
</tr>
<tr>
<td>Surface Transportation Program Madison Urban Area Flexible</td>
<td>3,217</td>
<td>5,509</td>
<td>8,688</td>
</tr>
<tr>
<td>Surface Transportation Program Flexible</td>
<td>7,606</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surface Transportation Program</td>
<td>1,910</td>
<td>3,296</td>
<td>0</td>
</tr>
<tr>
<td>Highway Safety Improvement Program</td>
<td>4,794</td>
<td>2,198</td>
<td>207</td>
</tr>
<tr>
<td><strong>Federal Transit Administration</strong></td>
<td>Section 5307 Urbanized Area Formula Program</td>
<td>6,938</td>
<td>6,816</td>
</tr>
<tr>
<td>Sec. 5339 Bus &amp; Bus Facilities</td>
<td>0</td>
<td>0</td>
<td>816</td>
</tr>
<tr>
<td>Sec. 5337 State of Good Repair</td>
<td>0</td>
<td>0</td>
<td>519</td>
</tr>
<tr>
<td>Section 5314 NRP &amp; Section 5339</td>
<td>1,747</td>
<td>164</td>
<td>0</td>
</tr>
<tr>
<td>Alt. Analysis Program**</td>
<td>57</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Section 5316 JARC Program</td>
<td>248</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* Fifth year of funding (2018) is informational only.  
** Carryover funding. For others, excludes carryover funding from previous year grants.  

Note:  
All state roadway projects using applicable funding sources (e.g., NHPP, STP State Flexible, BR) are programmed through 2018. Local BR and STP Rural projects are programmed through 2014. HSIP (other than annual small HES program) projects are programmed through 2015. SRTS projects are carryover from 2013. Local Enhancement/TA projects are programmed through 2014. Local STP Urban (Madison Urban Area) projects are programmed through 2018. Transit funding is not yet programmed and is based on needs and anticipated future funding levels (See also Table C-4 Metro Transit System Projected Expenses and Revenues on page C-8). Programmed transit funding for 2014 excludes carryover projects for which the Federal funding is already obligated (except for the Alternatives Analysis and TIGER funding).
Table C-1
Projected Expenses and Revenues of Transportation Projects in the Madison Metropolitan Planning Area
in Year of Expenditure Dollars\(^1\)

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State and Federal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway Construction, Maintenance, etc.</td>
<td>110,995</td>
<td>16,181</td>
<td>40,484</td>
<td>55,598</td>
<td>20,642</td>
<td>243,899</td>
</tr>
<tr>
<td>STP Urban (Madison Urban Area)</td>
<td>3,217</td>
<td>5,647</td>
<td>9,128</td>
<td>7,695</td>
<td>7,674</td>
<td>33,361</td>
</tr>
<tr>
<td>STP TE/TA and STP Rural</td>
<td>1,910</td>
<td>6,679</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>8,589</td>
</tr>
<tr>
<td>Other State</td>
<td>2,327</td>
<td>825</td>
<td>231</td>
<td>237</td>
<td>243</td>
<td>3,863</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>118,449</td>
<td>29,331</td>
<td>49,843</td>
<td>63,530</td>
<td>28,559</td>
<td>289,712</td>
</tr>
<tr>
<td><strong>Dane County &amp; Communities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Operations and Maintenance</td>
<td>52,134</td>
<td>53,437</td>
<td>54,773</td>
<td>56,143</td>
<td>57,546</td>
<td>274,033</td>
</tr>
<tr>
<td>Street Construction</td>
<td>45,098</td>
<td>46,225</td>
<td>47,381</td>
<td>48,566</td>
<td>49,780</td>
<td>237,050</td>
</tr>
<tr>
<td>Street-Related Facilities</td>
<td>10,564</td>
<td>10,828</td>
<td>11,099</td>
<td>11,376</td>
<td>11,661</td>
<td>55,528</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>107,796</td>
<td>110,491</td>
<td>113,253</td>
<td>116,085</td>
<td>118,987</td>
<td>566,611</td>
</tr>
<tr>
<td><strong>Metro Transit</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Expenses</td>
<td>16,568</td>
<td>16,982</td>
<td>17,407</td>
<td>17,842</td>
<td>18,288</td>
<td>87,087</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>48,996</td>
<td>50,221</td>
<td>51,476</td>
<td>52,763</td>
<td>54,082</td>
<td>257,539</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>67,400</td>
<td>67,203</td>
<td>68,883</td>
<td>70,605</td>
<td>72,370</td>
<td>344,626</td>
</tr>
<tr>
<td><strong>Total Projected Expenses</strong></td>
<td>293,645</td>
<td>207,025</td>
<td>231,979</td>
<td>250,220</td>
<td>219,916</td>
<td>1,200,949</td>
</tr>
</tbody>
</table>

| Projected Revenues ($000s)\(^2\)              |      |      |      |      |      |                        |
| **State and Federal**                         |      |      |      |      |      |                        |
| Highway Construction, Maintenance, etc.       | 58,784 | 60,254 | 61,760 | 63,304 | 64,887 | 308,988               |
| STP Urban (Madison Urban Area)                | 6,163 | 6,592 | 6,741 | 6,909 | 7,082 | 33,487                |
| STP TE, STP Rural & SRTS                      | 3,324 | 3,407 | 3,492 | 3,580 | 3,669 | 17,472                |
| Other State                                   | 8,789 | 9,009 | 9,234 | 9,465 | 9,701 | 46,198                |
| **Subtotal**                                  | 77,060 | 79,261 | 81,227 | 83,258 | 85,339 | 406,145               |
| **Dane County & Communities**                 |      |      |      |      |      |                        |
| Street Operations and Maintenance             | 52,134 | 53,437 | 54,773 | 56,143 | 57,546 | 274,033               |
| Street Construction                           | 45,098 | 46,225 | 47,381 | 48,566 | 49,780 | 237,050               |
| Street-Related Facilities                     | 10,564 | 10,828 | 11,099 | 11,376 | 11,661 | 55,528                |
| **Subtotal**                                  | 107,796 | 110,491 | 113,253 | 116,085 | 118,987 | 566,611               |
| **Metro Transit**                             |      |      |      |      |      |                        |
| Capital Expenses                              | 16,568 | 16,982 | 17,407 | 17,842 | 18,288 | 87,087                |
| Operating Expenses                            | 48,996 | 50,221 | 51,476 | 52,763 | 54,082 | 257,539               |
| **Subtotal**                                  | 65,564 | 67,203 | 68,883 | 70,605 | 72,370 | 344,626               |
| **Total Projected Revenues**                  | 250,420 | 256,955 | 263,363 | 269,947 | 276,696 | 1,317,382             |

\(^1\) Roadway and transit inflation rate @ 2.5% per year applied to both expenses and revenues.

\(^2\) State and Federal highway and Metro Transit revenue estimates based upon spending levels from 2007-2011 (adjusted for inflation to 2014 dollars) with annual averages estimated and then projected for each funding source. Local revenues assumed to continue at annual averages expended in the past (adjusted for inflation).

\(^3\) Highway construction, maintenance expenses excludes projects (e.g., I-39/90 expansion) that are mostly outside Dane County and for which fiscal constraint is being handled at the state level.
Re:
Review of Draft Scoring and Priority Listing of Candidate Projects for STP Urban Funding for 2015-2019

Staff Comments on Item:
Each year as part of the annual process to update the Transportation Improvement Program (TIP), it is the responsibility of the MPO to score and prioritize candidate projects for Federal Surface Transportation Program (STP) - Urban funding. A description of the current selection process and project scoring criteria is included in Appendix A of the 2014-2018 TIP document at the following link:
http://www.madisonareampo.org/planning/improvementprogram.cfm

Staff has completed a preliminary draft of the project scoring and a priority listing of projects proposed for funding in 2015-2018 and 2019. The scoring and priority project listings will be reviewed with the MPO Technical Coordinating Committee (TCC) at its June 25 meeting. An interagency staff meeting is scheduled for July 16 to review the STP-Urban and other TIP project submittals and resolve any issues/discrepancies in the cost, cost sharing, and timing of the projects. A final draft version of the priority projects will be reviewed with the MPO Board at its August 6 meeting prior to the release of the Draft 2015-2019 TIP.

The list of priority projects, specifically the proposed changes in projects and their funding and timing, from what has been approved in the current TIP, is subject to policy guidance to be provided by WisDOT regarding issues such as calculation of our funding allocation, project substitutions, changes to project timing, etc. WisDOT was supposed to provide a draft of this guidance to us by Friday, June 20, but staff has yet to receive anything. Donna Brown-Martin, the new Director of WisDOT’s Bureau of Transit, Local Roads & RR/Harbors, will be at the MPO’s technical committee meeting on June 25 to discuss issues covered by the guidance.

A public hearing regarding the draft STP-Urban priority projects and the Draft 2015-2019 TIP is scheduled for the September 3 MPO Board meeting. MPO Board approval of the listings and the 2015-2019 TIP is anticipated at the October 1 meeting.

Materials Presented on Item:

Staff Recommendation/Rationale:
For information and discussion purposes only at this time.
<table>
<thead>
<tr>
<th>Project ID</th>
<th>Project Description</th>
<th>Year</th>
<th>Total Cost (thousands)</th>
<th>Percent</th>
<th>Proposed Federal Funds (thousands)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>5992-08-20,30-32</td>
<td>MPO Rideshare Program</td>
<td>2015</td>
<td>$405</td>
<td>80</td>
<td>$324</td>
<td>Ongoing support per MPO policy</td>
</tr>
<tr>
<td>5992-08-29,33-35</td>
<td>City of Madison Ped/Bike Safety Education Program</td>
<td>2015</td>
<td>$355</td>
<td>80</td>
<td>$284</td>
<td>Ongoing support per MPO policy</td>
</tr>
<tr>
<td>5992-09-31</td>
<td>McKee Rd./CTH PD (Meriter Way to Maple Grove Rd.)</td>
<td>2015</td>
<td>$12,160</td>
<td>50</td>
<td>$6,265</td>
<td>Includes bike/ped overpass for which city applied for TAP funding</td>
</tr>
<tr>
<td>5992-09-36</td>
<td>CTH M (2,500' N of CTH PD)</td>
<td>2016</td>
<td>$16,600</td>
<td>50</td>
<td>$5,590</td>
<td>Carryover project. Moved from 15. Incl. path, underpasses (one a TAP appl)</td>
</tr>
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<td>5992-09-41</td>
<td>Buckeye Rd.  (Monona Dr. to Stoughton Rd./USH 51)</td>
<td>2015</td>
<td>$2,130</td>
<td>50</td>
<td>$1,035</td>
<td>City moved from 2018.</td>
</tr>
<tr>
<td>5992-09-42</td>
<td>City of Madison Ped/Bike Safety Education Program</td>
<td>2019</td>
<td>$96</td>
<td>80</td>
<td>$77</td>
<td>Ongoing support per MPO policy. 3% Increase over 2018 funding amount.</td>
</tr>
<tr>
<td>34</td>
<td>Pleasant View Rd.  (Univ. Green to Greenway Blvd.) Phase 1</td>
<td>2018</td>
<td>$13,259</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2018.</td>
</tr>
<tr>
<td>34</td>
<td>Pleasant View Rd. (Greenway Blvd to Timber Wolf Trl) Ph 2</td>
<td>2019</td>
<td>$4,720</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2019.</td>
</tr>
<tr>
<td>32</td>
<td>McKennan Blvd.  (Gammon Ln. to Hammersley Rd.)</td>
<td>2015</td>
<td>$1,670</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2019.</td>
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<tr>
<td>30</td>
<td>Park Street (Park Lawn Pl. to Century Ave.)</td>
<td>2018</td>
<td>$340</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2016.</td>
</tr>
<tr>
<td>30</td>
<td>Parmerter St.  (Century Ave./CTH M to Greenbriar Rd.)</td>
<td>2016</td>
<td>$4,816</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2016.</td>
</tr>
<tr>
<td>28</td>
<td>High Road (Century Ave./CTH M to Ramsey Rd.)</td>
<td>2015</td>
<td>$256</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2016.</td>
</tr>
<tr>
<td>28</td>
<td>Parmerter Street  (University Ave. to Lee St.)</td>
<td>2016</td>
<td>$204</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2015.</td>
</tr>
<tr>
<td>28</td>
<td>Syene Rd.  (McCoy Rd. to Post Rd.)</td>
<td>2016</td>
<td>$760</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2015.</td>
</tr>
<tr>
<td>28</td>
<td>Mendota Ave.  (University Ave. to Allen Blvd./CTH Q)</td>
<td>2016</td>
<td>$228</td>
<td>50</td>
<td>$0</td>
<td>Request/scheduled for 2016.</td>
</tr>
<tr>
<td></td>
<td>Buena Vista Rd.</td>
<td>College Grove Rd/CTH ABB (3990/3990 to Sprong Rd)</td>
<td>CTH M/N. of CTH PD to 2,500' N of CTH PD</td>
<td>CTH M/N. of CTH PD to 500' N of CTH PD</td>
<td>CTH PD/N. of CTH PD to Sprong Rd</td>
<td>High Road (Century Ave./CTH M to Marathon)</td>
</tr>
<tr>
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<tr>
<td></td>
<td>1. Consistency</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>A. Must Be Based On Management Systems, Plans, TDP, RTP, Etc.</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>B. Prevents System Breakdown or Key System Element (High=6, Med=4, Low=2)</td>
<td>4</td>
<td>4</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>II. Improve Efficiency and Effectiveness of Reg. Transp. Sys.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. Safety and Security (High=6, Med=4, Low=2)</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>B. Congestion Relief (High=6, Med=4, Low=2)</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>C. Congestion Prevention (High=6, Med=4, Low=2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D. Cost Effective/Life Cycle Cost: Cost/# of people affected daily, then normalize (0-6)</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>E. Multi-modal (&gt;two modes=6, two modes=4, one mode=2)</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>F. Degree of Multi-modal Use (High=6, Med=4, Low=2)</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>G. Preserves Existing System (6 points if applicable)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>III. System Expansion</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>A. Demand: examples include volumes, load factors, etc. (High=6, Med=4, Low=2)</td>
<td>2</td>
<td>4</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>B. Transp. Corridor Preservation ROW (endangered=6, major=4, minor=2)</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>IV. External Impacts</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>A. Federal and State TCM Effectiveness (High=6, Med=4, Low=2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. Supports Land Use: 1. Promotes increased density around transit stations; 2. Promotes more efficient land use; 3. Reduces auto dependence (all three=6, two=4, one=2)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>C. Energy Conservation/Modal Shift: Directly promotes shift from SOV (rail, bus, HOV, or ped/bike)=6, indirect shift (park&amp;ride lots, signal intercon., etc.)=4, low impact=2</td>
<td></td>
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<td>D. Air pollution reduction (High=6, Med=4, Low=2)</td>
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<td>E. Noise Reduction (High=6, Med=4, Low=2)</td>
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<td>V. Complexity of Project Preparation</td>
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<td></td>
<td>High=6, Medium=4, Low=2</td>
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<td>VI. Land Use and Transportation System Change Interrelationship</td>
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<td>High=6, Medium=4, Low=2</td>
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<td></td>
<td>VII. Intermodal Connectivity</td>
<td>&gt; 3 modes=6, 3 modes=4, 2 modes=2</td>
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Note: Shaded columns are non-programmed projects seeking STP-Urban supplemental funding should it become available.
Re:
Review of WisDOT STP Urban Program Policy Guidance and Responses to MPO and WisDOT SW Region Questions

Staff Comments on Item:
Donna Brown-Martin, the new Director of WisDOT’s Bureau of Transit, Local Roads & RR/Harbors, informed MPO and WisDOT SW Region staff that her office would be distributing draft policy guidance regarding WisDOT’s administration of the STP Urban and Transportation Alternatives programs for review and comment. The guidance is supposed to address at least some of the issues and questions that have been raised concerning WisDOT’s new approach to running the local programs that is supposed to address federal and state fiscal constraint requirements, among other issues such as ensuring projects get completed in a timely manner.

WisDOT was supposed to provide the draft guidance document by last Friday, but MPO and WisDOT SW Region staff have not received it yet. Ms. Brown-Martin will be at the MPO’s technical committee meeting on June 25 to discuss issues covered by the guidance. MPO staff will report on those discussions and the draft guidance, if it is received before the board meeting.

Materials Presented on Item:
None

Staff Recommendation/Rationale:
For discussion purposes only.
**Staff Comments on Item:**

MAP-21, the current federal transportation legislation adopted in 2012, requires representation by providers of public transportation on MPOs that serve a transportation management area (TMA) (i.e., urbanized area population over 200,000) no later than October 1, 2014. The Madison Area TPB meets this requirement in practice since Metro Transit General Manager, Chuck Kamp, serves on the board. In fact, the Metro Transit General Manager has been appointed to the MPO Board ever since the MPO was last redesignated in 2007. However, the MPO redesignation agreement, which outlines the board structure and appointment requirements, does not require a transit agency representative.

In order to address this and the issue of appropriate central city and suburban community representation in light of the new expanded MPO planning area, the MPO suggested having the City of Madison adopt a resolution directing the Mayor to appoint a Metro Transit representative to the MPO Board as one of his/her six appointments. This would avoid having to essentially go through a redesignation process (but without the Governor’s signature) to formally make the change to the redesignation agreement. After talking with City of Madison Attorney John Strange and FHWA staff, it was determined that the best way to address the issue would be to amend the MPO’s operating rules and procedures.

On June 2, 2014 the FTA and FHWA issued final guidance on this issue. It is expected that the guidance will be incorporated into the transportation planning rule changes now being developed to meet the new MAP-21 planning requirements. The final guidance states:

> A representative of providers of public transportation should not also attempt to represent other entities on the MPO. For example, if a local elected official is also a member of the board of directors of a provider of public transportation and the elected official represents his or her local jurisdiction’s interests on the MPO, the local official should not also serve as a representative of public transportation providers generally.

Based on this language, MPO staff is recommending that the Metro Transit representative appointed by the Madison Mayor be either the Metro General Manager or a non-elected citizen member of the Transit & Parking Commission (TPC), but not an alderperson on the TPC. Because the guidance recommends a cooperative process with the MPO, State, and providers of public transportation for selecting the public transportation representative, staff is proposing that the MPO Board make a recommendation to the Mayor on the Metro Transit representative.

Attached is a revised version of the MPO Rules and Operating Procedures with proposed changes to address transit agency representation on the board as well as a few other editorial type changes (e.g., reflecting the new technical committee membership).

**Staff Recommendation/Rationale:**

Staff recommends approval of the revisions to the MPO rules and operating procedures with any suggested changes by the board.
Introduction

The Madison Area Transportation Planning Board (TPB), a Metropolitan Planning Organization (MPO), is the policy body responsible for cooperative, comprehensive regional transportation planning and decision making for the Madison Metropolitan Planning Area as designated by the Governor of the State of Wisconsin under Federal law and regulations. The Madison Area TPB was created through an intergovernmental agreement redesignating the MPO signed by the Governor and local units of government representing over 75% of the Madison Metropolitan Planning Area population, effective May 2, 2007. This agreement superseded and voided a redesignation agreement dated November 29, 1999.

The responsibilities of the Madison Area (TPB), an MPO, include:
1. Carrying out a cooperative, continuous and comprehensive planning process for making transportation investment decisions in the metropolitan area with program oversight from the Federal Highway Administration, the Federal Transit Administration and the Wisconsin Department of Transportation.
2. Preparing and maintaining a long-range multi-modal transportation plan.
3. Preparing and implementing an annual work program.
4. Preparing a transportation improvement program (TIP) to provide for transportation investments to meet metropolitan transportation needs.
5. Other duties as required to comply with State and Federal regulations.

These rules and operating procedures are adopted by the Madison Area TPB, an MPO, to facilitate the performance of its transportation planning and programming responsibilities and establish guidance on issues pertaining to the MPO that are not otherwise addressed in other documents.

SECTION I – AUTHORITY

The Madison Area TPB, an MPO, has authority granted under the redesignation agreement, effective May 2, 2007, and Federal laws and regulations, including but not limited to 23 U.S.C. 134 and 23 C.F.R. Section 450. Because the Madison Area TPB is not a corporate entity, the City of Madison serves as its fiscal and administrative agent.

SECTION II – BOARD MEMBERSHIP AND OFFICERS

A. Board Membership

1 These responsibilities are outlined under United States Code (23 USC 134 and 49 USC 5303-5306), 23 CFR 450.300-450.338, as amended by the Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112-141.

2 The composition of the Madison Area Transportation Planning Board is outlined under “An Agreement Redesignating the Metropolitan Planning Organization for the Madison Urbanized Area,” signed by then Governor Jim Doyle and those local units of government representing at least 75% of the population in the MPO Planning Area, including the largest incorporated city (Madison), effective on May 2, 2007.
The Madison Area TPB consists of fourteen (14) members appointed by the local units of government within the Madison Metropolitan Planning Area, Dane County, and the Wisconsin Department of Transportation. Each appointee to the MPO Policy Board must reside within the Madison Metropolitan Planning Area and shall serve until their successor is appointed.

The appointments to the MPO Policy Board are made as follows:

- The Mayor of the City of Madison appoints six (6) members. Appointees serve a period of two (2) years. A minimum of two-thirds or four (4) and a maximum of five (5) of the six appointees must be elected officials.\(^3\)

  **Representation by Public Transportation Provider:** One of the City of Madison appointments must include a representative of Metro Transit, the city-owned transit agency that is the major provider of public transportation in the metropolitan area and the designated recipient of Federal Transit Administration funding under the Urbanized Area Formula Program. The Metro Transit representative may be the Transit General Manager or a non-elected citizen member of the City of Madison’s Transit & Parking Commission, which oversees and sets policy for the transit system functioning as its board of directors. The Metro Transit representative should consider the needs of all eligible public transportation providers that provide service in the Metropolitan Planning Area. The MPO Policy Board shall make a recommendation on the Metro Transit representative for consideration by the Mayor.

  While not reflected in the 2007 redesignation agreement, this provision for a Metro Transit representative as one of the City of Madison Mayor’s appointments reflects the MPO Policy Board’s intent to institutionalize the long-standing practice since the MPO was last redesignated in 2007 to include a Metro Transit representative on the board (historically the General Manager) and meet the new MAP-21 requirement of representation by providers of public transportation in MPOs serving a transportation management area (TMA).\(^4\) While meeting the federal requirement, continued representation by Metro Transit on the board will also better enable the Madison Area TPB to meet transit-related planning requirements of MAP-21 and develop plans and TIPs that support a multi-modal regional transportation system.

- The Dane County Executive appoints three (3) members. Appointees serve a period of two (2) years. A minimum of two-thirds or two (2) of the three appointees must be elected officials.\(^3\)

- Three (3) members of the policy board shall be appointed by a simple majority vote of the chief elected officials of the cities and villages within the Metropolitan Planning Area other than

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\(^3\) Appointments that are not elected officials must be officials of public agencies or departments that administer or operate major modes of transportation in the metropolitan planning area, including staff or members from local boards and commissions with a focus on transportation or land use.

\(^4\) At its November 6, 2013 meeting, the MPO Policy Board voted to direct the City of Madison to continue to appoint a Metro Transit representative to the board to meet the new MAP-21 requirement for public transportation provider representation while also addressing the issue of appropriate central city and suburban community representation in light of the expanded planning area following the 2010 Census. One of the City of Madison representatives now becomes the Metro Transit representative. This avoids the need to go through essentially a redesignation process (without the Governor’s signature) in order to formally change the board structure as required in the 2007 redesignation agreement. See Section II.B below.
Madison. Appointees serve a period of two (2) years. A minimum of two-thirds or two (2) of the three appointees must be elected officials.

- One (1) member of the policy board shall be appointed by a simple majority vote of the Chairpersons of the towns with land area within the Metropolitan Planning Area. The appointee serves a period of two (2) years. The appointee must be an elected official.

- One (1) member shall be appointed by the Secretary of the Department of Transportation. The appointee serves a two-year term.

When making appointments, the appointing authorities are encouraged to keep in mind the MPO’s commitment to meeting the transportation needs of all citizens, particularly those who have traditionally been under-represented in the transportation planning process. These include the transit dependent, low-income and minority populations, Limited English Proficient persons, and persons with disabilities. The appointing authorities are also encouraged to consider the desirability of maintaining geographic balance within the municipality or among municipalities of board members appointed.

B. Changes to Policy Board Composition
Future changes to the composition of the Policy Board may be made to ensure appropriate representation as the number of local units of government within the MPO Planning Area increases. Per the 2007 redesignation agreement, such a change requires notification of the appointing authorities and all local units of government in the MPO Planning Area, a public hearing, and ratification by those units of government with at least 75 percent of the population within the MPO Planning Area, including the City of Madison. A simple majority vote of the Board is required to initiate this process to submit a change to the local units of government for ratification.

C. Procedure for Nomination and Voting on City/Village and Town Appointments
The MPO Transportation Planning Manager shall send a memo (either electronically or by mail) to the chief elected officials of all cities and villages and towns in the MPO Planning Area informing them of expiring or open appointments and requesting nominations to fill them. The memo shall include information on the appointment requirements and a deadline for submitting candidate names. Following receipt of the nominations, the MPO Transportation Planning Manager shall send out another memo/email to the chief elected officials with the list of candidates requesting a vote either via email or regular mail. It should be noted that voting for the candidates via this method is a matter of public record and therefore not confidential. The city/village appointee(s) must receive a vote from a majority of the chief elected officials of the cities/villages in the MPO Planning Area other than Madison. The town appointee must receive a vote from a majority of the Chairpersons of the towns in the MPO Planning Area. If no candidate receives a vote of the majority of the elected officials, the two or more candidates with the most votes will be resubmitted for a second vote. Following the voting, the Planning Manager shall send out a final memo/email informing the chief elected officials of the new appointments.
D. Changes to Appointments
While the terms of all appointments to the Board are two years, members may be replaced prior to
the end of their two-year term by the appointing authority. In such case, the new member fills the
remainder of the term of the member replaced.

For the city/village and town appointments, the process for removal of an appointment prior to the
expiration of the term can be initiated by a written request submitted to the MPO Transportation
Planning Manager by at least one-third of the chief elected officials of the cities/villages or
Chairpersons of the towns in the MPO Planning Area. Upon receipt of a request by the requisite
number of chief elected officials, the MPO Manager shall send a memo or email to all chief elected
officials for a vote on the removal of the appointee. If a majority of the chief elected officials vote
for removal, the procedure for nomination and voting on appointments shall be followed to appoint
a new member to fill the remainder of the term of the member removed.

E. Officers
The officers of the MPO Policy Board shall consist of a Chair and Vice Chair. Nominations for the
Chair and Vice Chair shall be made from the floor by Board members. Once nominations are
closed, Chair shall call a vote with separate votes for each officer. Election shall be by simple
majority vote.

The terms for the Chair and Vice Chair shall be one year, unless extended by a majority vote of the
Board. Election of the Chair and Vice Chair shall generally take place at the July meeting. In the
event that a vacancy occurs in either office, a successor shall be elected at the next Board meeting
to serve out the unexpired term.

1. Chair – The duties of the Chair shall be to: (a) consult with the MPO Transportation
Planning Manager in setting Board meeting agendas; (b) preside at all Board meetings; (c)
appoint MPO representatives to study committees and MPO subcommittees, as may be
required, with confirmation by the Board; (d) act as official signatory for MPO resolutions
and other documents; (e) serve as the official spokesperson of the MPO in reporting actions
taken by the MPO; and (f) perform such other duties as may be agreed to by the Board.

2. Vice Chair – The duties of the Vice-Chair shall be to preside at all Board meetings and act
as official signatory for MPO resolutions and other documents in the absence of the Chair.

In the absence of both the Chair and Vice Chair at a meeting, those present shall elect a chair pro
tem to preside at the meeting.

SECTION III – MPO COMMITTEES AND STAFF

A. Subcommittees of the MPO Policy Board
Subcommittees may be appointed by the MPO Policy Board Chair with confirmation by the Board
to consider such matters and perform such tasks as are referred to them by the Policy Board. Such

5 The Chair may also designate the MPO Transportation Planning Manager to communicate actions taken by
the MPO.
subcommittees may include MPO Technical Coordinating Committee members, local officials, public citizens, and others in addition to MPO Board members.

B. MPO Technical Coordinating Committee

1. Authority and Responsibilities
   The MPO Policy Board shall establish an intergovernmental Technical Coordinating Committee (TCC) with staff from local units of government in the metropolitan area and various agencies or facets of transportation planning to assist in carrying out its responsibilities. The TCC provides professional expertise in the development of the MPO’s transportation plans and programs, ensuring a high quality technical review of the planning process and a direct communication liaison with the Policy Board. The TCC shall review, coordinate, and advise on all transportation planning matters, and provide input to the Board on issues directed to it by the Board or MPO Transportation Planning Manager. Drafts of all required documents and programs shall be submitted to the TCC for review and recommendation to the Board.

2. Membership, Voting, and Officers
   The TCC is comprised of 19 voting and 2 non-voting members. For voting purposes, the ten representatives from the smaller cities and villages are paired with each pair having a combined vote. If both members are present, each has ½ vote. If only one member is present, that member has a full vote. The community pairs are Sun Prairie/DeForest, McFarland/Stoughton, Middleton/Waunakee, Cottage Grove/Monona, and Verona/Fitchburg.

   The TCC is comprised of the following agency staff:

   Voting TCC Members:
   City of Madison
      Traffic Engineer
      City Engineer
      Planning Division Director
   Metro Transit Planning Manager
   City of Fitchburg
      City Engineer or Planning Director
   City of Middleton
      Public Works or Planning Director
   City of Monona
      City Engineer
   City of Stoughton
      Public Works or Planning Director
   City of Sun Prairie
      Public Works or Planning Director
   City of Verona
      Public Works or Planning Director
   Village of Cottage Grove
      Public Work Director
The TCC shall elect a Chair and Vice Chair by simple majority vote of the voting members. The Chair shall be responsible for presiding at all meetings. The term of the Chair shall be two years. There shall be no limit on the number of terms a member may hold the office of Chair. In the absence of the Chair, the Vice Chair shall preside at the meeting. In the absence of either, the TCC shall select another member to preside at that meeting.

3. Meetings and Quorum
Regular meetings shall be held monthly in accordance with the annual meetings schedule included in the annual Unified Planning Work Program, unless cancelled by the MPO Transportation Planning Manager due to a lack of a sufficient number of agenda items. Special meetings may be held as needed. A quorum is formed by the presence of a simple majority of the voting membership or ten (10) members. Voting members may designate an alternate to attend meetings and represent them in their absence. Such designation may be on a standing basis or for a specific meeting. Alternates shall count for quorum purposes and have voting privileges. No action shall be taken without a quorum in attendance at that meeting.

4. Subcommittees of the TCC
The MPO Policy Board shall establish a standing Congestion Management Subcommittee of the TCC. In addition, additional ad hoc subcommittees may be created to address specific issues or projects.

(a) Congestion Management Subcommittee
   (1) Function
The Congestion Management Subcommittee shall be responsible for assisting in development and implementation of the MPO’s federally required Congestion Management Process (CMP). The CMP is a coordinated, systematic process for identifying and managing congestion in the region, using performance measures to direct funding towards projects and strategies that are most effective. The CMP is integrated into the overall metropolitan planning process and recognizes other transportation goals.

(2) Membership
The subcommittee shall include TCC members as well as other agency staff with expertise in traffic operations, Intelligent Transportation Systems (ITS), or other relevant fields.

(3) Meetings
The subcommittee shall meet as necessary to carry out its duties.

C. MPO Citizen Advisory Committee

1. Authority and Responsibilities
The MPO Policy Board shall establish a Citizen Advisory Committee (CAC). The CAC shall provide advice to the Board on transportation planning matters. Drafts of all required documents and programs shall be submitted to the CAC for review and recommendation to the Board.

2. Membership
The CAC shall consist of representatives of various public and/or private interest groups, the transportation industry, and local citizens to provide a broader base of review of the MPO’s programs and plans. The committee shall include a maximum of fifteen (15) members.

3. Meetings and Quorum
Regular meetings shall be held every other month in accordance with the annual meetings schedule included in the annual Unified Planning Work Program, unless cancelled by the MPO Transportation Planning Manager due to a lack of a sufficient number of agenda items. Special meetings may be held as needed. A quorum is formed by the presence of a simple majority of the members. No action shall be taken without a quorum in attendance at that meeting.

D. Madison Area TPB Staff
The City of Madison is responsible for providing professional staff services to the Madison Area TPB. Madison Area TPB staff are directed by Madison Area TPB policies and approved documents.

The Transportation Planning Manager of the Transportation Planning Services Section of the City of Madison Planning Division within the City’s Department of Planning & Community & Economic Development (hereinafter referred to as the “MPO Transportation Planning Manager”) shall be the chief staff person for the MPO Policy Board. The MPO Transportation Planning Manager shall be responsible for direction of all administrative and operational functions of the Madison Area TPB, including supervision of the TPB staff. The MPO Transportation Planning
Manager shall be responsible for preparing agendas, supporting documentation, information and technical support for TPB meetings, posting TPB meeting notices, maintaining accurate records of all TPB meetings, and transmitting notice of all official actions taken by the TPB to its constituent members, WisDOT, FHWA, and FTA.

The City of Madison Planning Division Director is the appointing authority and supervises the MPO Transportation Planner Manager. The City of Madison Planning Division Director is encouraged to communicate closely with and involve the MPO Policy Board and its Chair in the hiring of the MPO Transportation Planning Manager, who serves as the chief staff person for the Madison Area TPB. If the MPO Policy Board has concerns about the professional staff services it is receiving, the Board should communicate those concerns to the MPO Transportation Planning Manager and/or City of Madison Planning Division Director.

The Administrative Clerk for the Transportation Planning Services Section (hereinafter referred to as the “MPO Recording Secretary”) shall record all meetings.

SECTION IV – MPO BOARD MEETINGS

A.  Public Notice, Accessibility, and Conduct
All meetings shall be publicly noticed with both the City of Madison and Dane County. Agendas and meeting packets shall also be posted on the MPO’s website. Meetings shall be located in a place that is accessible to all persons, and conducted in conformance with Sections 19.81 to 19.98 of the Wisconsin Statutes, which set forth the public policy and requirements for open meetings of governmental bodies. Accommodations will be made for persons with disabilities if the attendee gives advance notice of a need for an interpreter, materials in alternate forms, or other accommodations to access the meeting.

B.  Meetings
   1.  Regular Meetings
      The MPO Policy Board shall generally meet once a month at a location to be determined by the Policy Board in consultation with the MPO Transportation Planning Manager.

      When there are insufficient agenda items for a meeting, the meeting will be cancelled at the discretion of the Chair. If the regular meeting date is a holiday, the meeting will be rescheduled or cancelled. However, a special meeting may be called in lieu of the regular meeting.

   2.  Special Meetings
      Special meetings may be held as needed and may be called at any time by the Chair. The Chair shall set the date, time, and place of the special meeting. In the absence of a Board Chair, the Vice Chair may call a special meeting.

      Telephonic participation for quorum purposes and voting is permitted for special meetings. A maximum of two members may participate via telephone. The public notice, accessibility, and conduct of the special meeting shall still meet state requirements for open meetings. The public notice for the meeting shall indicate those members that will
not be participating in person. For all meetings at which some members are participating via telephone, a roll call vote shall be conducted for all actions taken so the vote of each member can be acknowledged and recorded.

3. Joint Meetings
Joint meetings may be held with other agencies, committees, or commissions on items of mutual interest.

C. Agenda
Meeting agendas shall be prepared by the MPO Transportation Planning Manager in consultation with the Chair. Items for the agenda, accompanying information, and written communications intended for consideration as part of an agenda item should be received by the MPO Transportation Planning Manager no later than ten (10) days prior to the scheduled meeting. However, written communications received after this deadline will be reported and provided to the Board at the meeting.

All agendas and accompanying information packets shall be mailed to Board members and posted on the MPO’s website no later than seven (7) days in advance of the scheduled meeting. A mailing list for the agendas and minutes based on requests for same will be maintained by the MPO Recording Secretary.

Order of Business for Meetings

- Roll Call
- Approval of Minutes
- Communications
- Public Comment
  (Note: This item is intended to offer the public an opportunity to comment on an issue that is not on the agenda, such as introducing an issue that the person would like the MPO Policy Board to consider at a future meeting.)
- Public Hearing
  (Note: A set time is to be noticed)
- Items Intended for Action
  (Note: In general, items intended for action are to be presented to MPO Policy Board members with a staff report that includes a cover sheet with staff comments and recommendation/rationale, a copy of any applicable resolution, and any other accompanying materials to assist members in considering the item.)
- Other Items
  (Note: Items for which action may or may not be taken should also generally be presented with a staff report and accompanying materials, if available, to assist members in considering the item. A cover sheet may also be prepared for items intended for discussion only.)
- Status Report on Projects Potentially Involving the MPO
- Discussion of Future Work Items
- Announcements and Schedule of Future Meetings
- Adjournment
The Board may alter the above order of the agenda items at the meeting.

D. Public Comment
Persons wishing to speak on an agenda item must register and give the registration form to the MPO Recording Secretary, preferably before the item comes up on the agenda. The time limit for comments on items for which a public hearing has not been scheduled is three (3) minutes per person, unless waived by a 2/3s majority vote of the members present. Questions of the speaker may occur following the speaker’s presentation, unless questioning is anticipated to last longer than three minutes. Then questions will be held until after all public comments on the item.

E. Attendance
Board members are to inform the MPO Transportation Planning Manager or Administrative Clerk and Board Chair in advance (preferably two days) if they are not able to attend a meeting. Absences without advance notice or those of an avoidable nature will be recorded as unexcused. Board roster attendance information shall be provided to Board members on a biennial basis. The Chair may remind Board members of their responsibility to attend and participate in Board meetings in the event of poor attendance. If the problem persists, the Board may authorize the Chair to send a letter to the appointing authority or authorities informing them of the Board member’s poor attendance.

F. Motions
Motions shall be restated by the Chair before a vote is taken. The name of the maker of the motion and the person seconding it shall be recorded. A motion made at the following meeting to reconsider an item may be made, but if notice of reconsideration has not been published, the motion is to be referred to the next meeting so that adequate public notice can be provided.

G. Parliamentary Procedure
Board meetings shall be governed by *Roberts Rules of Order Newly Revised* unless otherwise provided for herein.

H. Quorum
A majority of the Board or eight (8) members shall constitute a quorum for the conducting of business and taking of official action. Board members are not permitted to designate an alternate to attend meetings for quorum and voting purposes when they cannot be present. Whenever a quorum is not present within thirty (30) minutes of the scheduled beginning meeting time, the Chair shall not call the meeting to order and the meeting shall be rescheduled to a time and date selected by the Chair.

I. Reports
The Board may ask for reports and recommendations, if any, from staff and the MPO Technical Coordinating Committee (TCC) and/or Citizen Advisory Committee (CAC) on any matters before it. [See Agenda regarding staff reports to accompany agenda items and Subsection B and D of Section III regarding the TCC and CAC.]
J. Voting
Voting shall be by voice. Only whether the motion or resolution passed or failed shall be recorded, unless a roll call is requested or a member requests that the votes cast be recorded by number and/or name. All persons will be assumed voting in the affirmative unless they verbally cast a “no” vote or indicate at the time of the vote that they wish to abstain. If there is any question, the Chair will restate the votes cast for record purposes.
[Note: It is advisable that members who abstain from voting indicate their reason(s) for doing so. If a member abstains from voting due to a conflict of interest, he/she should not participate in the discussion.]

A motion for reconsideration of any agenda item from a previous meeting may only be made by a member who was present at that meeting and voted on the prevailing side or who is recorded as an excused absence. All members who are in attendance at the meeting where reconsideration is being considered may vote on the issue.

SECTION V – PUBLIC HEARINGS

The Board shall schedule and hold public hearings on all items required by law (e.g., Regional Transportation Plan, Transportation Improvement Program) and may hold public hearings on any other matters.

A. Public Notice and Comments
Reasonable effort shall be made to notify affected local units of government and the general public of hearings through posting and mailing of notices, through the news media, and other means.

Persons wishing to speak at a hearing must register and give the registration form to the MPO Recording Secretary, preferably before the start of the hearing. The time limit for comments at a public hearing is five (5) minutes per person, unless waived by a two-thirds majority vote of the members present. Questions of the speaker may occur following the speaker’s presentation, unless questioning is anticipated to last longer than three (3) minutes. The Board will not engage in discussion or debate with the speakers. Further questions will be held until after all public comments are completed.

B. Conduct and Record of Hearing
At the beginning of the hearing, the Chair shall briefly identify the subject(s) under consideration and instruct the public on how the hearing will proceed. MPO staff may give a presentation on the subject, if deemed appropriate. Board members may then ask questions or pose questions during the presentation by permission of the Chair. Public comments will then be allowed. A record of the names, addresses, and positions of those appearing shall be made. If questions by the public are permitted, they shall be directed to the Chair. Any member of the Board may question a speaker on his/her statements. These rules may be suspended or modified, or a speaker allowed more time, with approval by a majority vote of the Board.
SECTION VI – PUBLIC PARTICIPATION PLAN AND UNIFIED PLANNING WORK PROGRAM

A. Public Involvement Plan
The Madison Area TPB shall develop and use a documented public participation plan that defines a process for providing citizens, affected public agencies, private transportation providers, users of the transportation system, and others with reasonable opportunities to be involved in the metropolitan transportation planning process in accordance with 23 C.F.R. Section 450.316.

B. Unified Planning Work Program and Budget
The Madison Area TPB shall annually develop, in cooperation with Wisconsin Dept. of Transportation and public transit operators, a Unified Planning Work Program (UPWP) and budget that outlines transportation planning activities to be performed using Federal and state transportation funding in accordance with 23 C.F.R. Section 450.308.

Because the City of Madison provides staff services and is the fiscal agent for the MPO, the MPO's budget is incorporated into the budget for the City’s Planning Division in the Department of Planning & Community & Economic Development. Preparation and review of the MPO Work Program and budget by MPO staff and Board shall occur along the same general timeline as the City’s budget process to ensure coordination and consistency of the Work Program and budget and consistency between the budgets approved by the MPO and the City of Madison.

SECTION VII – MISCELLANEOUS

No member of the MPO Policy Board shall take any action, which may be interpreted as representing the view of the MPO Policy Board as a whole unless he/she has been authorized to do so by the Board as a body or by the Chair.

Suspension or Amendment to the Bylaws and Operating Rules and Procedures – The Board may suspend or amend these rules and procedures by a two-thirds vote of the total membership (10 members).

MPO Board members shall be governed by the Code of Ethics of their appointing governmental bodies. In the event that the appointing governmental body does not have a Code of Ethics, the Board member shall simply strive to maintain high moral and ethical standards, including avoidance of conflicts between their personal interests and their public responsibilities as Board members.

SECTION VIII – AMENDMENTS

The Madison Area TPB Bylaws and Operating Rules and Procedures may be amended at any meeting by a simple majority vote of the Board present, provided the item has been publicly noticed. Amendments may be initiated by Board members or the MPO Planning Manager.
open or closed when the person who will be exposed approaches the equipment and the text shall be at least 10 millimeters (height). Labeling on the device must include the following statement:

Attention: This sunlamp product should not be used on persons under the age of 18 years.

(B) Manufacturers shall provide validated instructions on cleaning and disinfection of sunlamp products between uses in the user instructions.

(ii) Sunlamp products and UV lamps intended for use in sunlamp products. Manufacturers of sunlamp products and UV lamps intended for use in sunlamp products shall provide or cause to be provided in the user instructions, as well as all consumer-directed catalogs, specification sheets, descriptive brochures, and Web pages in which sunlamp products or UV lamps intended for use in sunlamp products are offered for sale, the following contraindication and warning statements:

(A) “Contraindication: This product is contraindicated for use on persons under the age of 18 years.”

(B) “Contraindication: This product must not be used if skin lesions or open wounds are present.”

(C) “Warning: This product should not be used on individuals who have had skin cancer or have a family history of skin cancer.”

(D) “Warning: Persons repeatedly exposed to UV radiation should be regularly evaluated for skin cancer.”

(c) Performance standard. Sunlamp products and UV lamps intended for use in sunlamp products are subject to the electronic product performance standard at §1040.20 of this chapter.

Dated: May 27, 2014.

Leslie Kux,
Assistant Commissioner for Policy.

[FR Doc. 2014–12546 Filed 5–29–14; 11:15 am]

BILLING CODE 4160–01–P

DEPARTMENT OF TRANSPORTATION
Federal Transit Administration
49 CFR Part 613

Federal Highway Administration
23 CFR Part 450

[Docket No. FTA–2013–0029]

Policy Guidance on Metropolitan Planning Organization (MPO) Representation

AGENCIES: Federal Transit Administration (FTA) and Federal Highway Administration (FHWA), DOT.

ACTION: Policy guidance.

SUMMARY: The FTA and FHWA are jointly issuing this guidance on implementation of provisions of the Moving Ahead for Progress in the 21st Century Act (MAP–21), that require representation by providers of public transportation in each metropolitan planning organization (MPO) that serves a transportation management area (TMA) no later than October 1, 2014. The purpose of this guidance is to assist MPOs and providers of public transportation in complying with this new requirement.

DATES: Effective June 2, 2014.

FOR FURTHER INFORMATION CONTACT:
Dwayne Weeks, FTA Office of Planning and Environment, telephone (202) 366–4033 or Dwayne.Weeks@dot.gov; or Harlan Miller, FHWA Office of Planning, telephone (202) 366–0847 or Harlan.Miller@dot.gov.

SUPPLEMENTARY INFORMATION:

Introduction

The FTA and FHWA are jointly issuing this policy guidance on the implementation of 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B), as amended by sections 1201 and 20005 of MAP–21, Public Law 112–141, which require representation by providers of public transportation in each MPO that serves an area designated as a TMA by October 1, 2014. A TMA is defined as an urbanized area with a population of over 200,000 individuals as determined by the 2010 census, or an area with a population of fewer than 200,000 individuals that is designated as a TMA by the request of the Governor and the MPO designated for the area. As of the date of this guidance, of the approximately 420 MPOs throughout the Nation, approximately 210 MPOs serve an area designated as a TMA. The FTA and FHWA will issue a joint notice of proposed rulemaking to amend 23 CFR part 450 and 49 CFR part 613 to make these planning regulations consistent with these and other current statutory requirements. Once FTA and FHWA issue a final rule amending the planning regulations, MPOs must comply with the requirements in those regulations.

To increase the accountability and transparency of the Federal-aid highway and Federal transit programs and to improve project decisionmaking through performance-based planning and programming, MAP–21 establishes a performance management framework. The MAP–21 requires FHWA to establish, through a separate rulemaking, performance measures and standards to be used by States to assess the condition of the pavements and bridges, serious injuries and fatalities, performance of the Interstate System and National Highway System, traffic congestion, on-road mobile source emissions, and freight movement on the Interstate System. The MAP–21 also requires FTA to establish, through separate rulemakings, state of good repair and safety performance measures, and requires each provider of public transportation to establish performance targets in relation to these performance measures.

To establish performance targets that address these performance measures, States and MPOs must coordinate their targets with each other to ensure consistency, to the maximum extent practicable. For transit-related performance targets, States and MPOs must coordinate their targets relating to safety and state of good repair with providers of public transportation to ensure consistency with other performance-based provisions applicable to providers of public transportation, to the maximum extent practicable. An MPO must describe in its metropolitan transportation plans the performance measures and targets used to assess the performance of its transportation system. Statewide and metropolitan transportation
improvement programs (STIPs and TIPs) must include, to the maximum extent practicable, a description of the anticipated effect of the program toward achieving the performance targets established in the statewide or metropolitan transportation plan, linking investment priorities and the highway and transit performance targets. These changes to the planning process will be addressed in FHWA and FTA’s anticipated joint rulemaking amending 23 CFR parts 450 and 49 CFR part 613.

As part of its performance management framework, MAP–21 assigns MPOs the new transit-related responsibilities described above, i.e., to establish performance targets with respect to transit state of good repair and transit safety and to address these targets in their transportation plans and TIPs. Representation by providers of public transportation in each MPO that serves a TMA will better enable each MPO to define performance targets and to develop plans and TIPs that support an intermodal transportation system for the metropolitan area. Including representation by providers of public transportation in each MPO that serves an area designated as a TMA is an essential element of MAP–21’s performance management framework and will support the successful implementation of a performance-based approach to transportation decisionmaking.

The FTA conducted an On-Line Dialogue on the MAP–21 requirement to include representation by providers of public transportation in each MPO that serves an area designated as a TMA from March 5 through March 29, 2013. Through this forum, FTA received input from MPOs, elected officials, transit agencies, and the general public, with over 3,000 visits to the Web site. Over 100 ideas were submitted from 340 registered users who also provided hundreds of comments and votes on these ideas. Participants discussed the complex nature of MPOs and the advantages of providing flexibility for MPOs and providers of public transportation to decide locally how to include representation by providers of public transportation in the MPO.

To assist MPOs and providers of public transportation in understanding and satisfying the new requirement by the statutory deadline, FTA and FHWA issued proposed policy guidance for review and comment on September 30, 2013, with a 30-day comment period, under Docket Number FTA–2013–0029. The FTA and FHWA received 53 individual responses that contained approximately 160 comments. This guidance incorporates FTA and FHWA’s responses to those comments.

**Summary Discussion of Comments Received in Response to the Proposed Guidance**

The proposed guidance sought comments on several specific issues: (1) the specifically designated representative; (2) the eligibility of representatives of providers of public transportation to serve as specifically designated representatives; (3) the cooperative process to select a specifically designated representative in MPOs with multiple providers of public transportation; (4) the role of the specifically designated representative; and (5) restructuring the MPOs to include representation by providers of public transportation.

The FTA and FHWA received 53 individual responses that contained approximately 160 comments: 25 MPOs, 10 providers of public transportation, 9 individuals, 4 trade associations, 4 others (including municipalities and advocacy organizations), and a State department of transportation. Several comments were outside the scope of this guidance and are therefore not discussed in this guidance. For example, some comments were specific to a situation in a particular metropolitan area. Where appropriate, FTA has reached out to the commenters to address their concerns. Comments pertaining to the guidance and FTA and FHWA’s responses are discussed below.

**The Need for Guidance in General**

The FTA and FHWA received 19 comments supporting the need for policy guidance to implement MAP–21’s changes to 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B). These commenters agreed that policy guidance would provide needed direction on how MPOs and providers of public transportation may meet the MAP–21 requirements for representation of providers of public transportation on MPOs.

The FTA and FHWA received three comments that stated the change in language to 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B) does not warrant policy guidance because of the long history of granting MPOs latitude in deciding the composition of their policy boards. Moreover, these comments stated that the responsibilities added by the new language can be addressed through the existing certification review process and do not warrant additional guidance.

The FTA and FHWA have determined that policy guidance is necessary to provide direction to MPOs and providers of public transportation on how to meet this new statutory provision within the 2-year time frame.

**A Specifically Designated Public Transportation Representative**

Twenty-three commenters expressed concurrence with the proposed guidance that the intent of the MAP–21 provision to include “representation by providers of public transportation” is that representatives of providers of public transportation, once designated, should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. Thirteen commenters indicated that they did not support that interpretation of the provision and urged FTA and FHWA to provide flexibility to allow MPOs to include transit representation in ways that would fit the unique circumstances of each metropolitan area. Two of these commenters asserted that MAP–21 did not change a local jurisdiction’s authority to assign voting rights to policy board members. One commenter stated there is no basis in law for requiring MPOs to alter their board compositions. Many asserted that including public transit agencies as non-voting members or on MPO technical or policy committees is adequate to satisfy 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B). A few commenters stated that a policy or technical committee would be more appropriate for transit decisionmaking, as MPO policy boards deal with many issues outside of transportation.

The clear intent of this legislative provision is to ensure that providers of public transportation are represented on the MPO board and should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. Contrary to the conclusions of some of the commenters, 23 U.S.C. 134(d)(2) and 49 U.S.C. 5303(d)(2) expressly provide that MPOs serving TMA must alter their board compositions, if necessary, in order to attain the statutorily required structure. Congress amended 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B) to provide that, among other mandatory MPO members, MPOs serving an area designated as a TMA specifically “shall consist of representation by providers of public transportation.” Congress also amended 23 U.S.C.

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9 FHWA RIN 2125–AF52; FTA RIN 2132–AB10. 

10 76 FR 60015 (Sept. 30, 2013).
(5)(B) and 49 U.S.C. 5303(d)(5)(B) to provide that an MPO “may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.” Additionally, the Conference Report accompanying MAP–21 states, “The conference committee requires the structure of all Metropolitan Planning Organizations include officials of public agencies that administer or operate public transportation systems within two years of enactment.” 

Congress also made clear that the term metropolitan planning organization refers to the “policy board” of the organization, not its advisory or non-decisionmaking elements. 

Multiple MPOs that serve areas designated as TMAxs commented that 23 U.S.C. 134(d)(3) and 49 U.S.C. 5303(d)(3) exempt them from having to comply with 23 U.S.C. 134(d)(2) and 49 U.S.C. 5303(d)(2) because the MPOs are acting pursuant to authority created under State law that was in effect on December 18, 1991. The exemption has existed in some form since 1991. The FTA and FHWA’s long-standing interpretation of this provision is that an exemption from the MPO structure requirements is only appropriate for an MPO where (1) the MPO operates pursuant to a State law that was in effect on or before December 18, 1991; (2) such State law has not been amended after December 18, 1991, as regards to the structure or organization of the MPO; and (3) the MPO has not been designated or re-designated after December 18, 1991. An MPO that claims an exemption should self-certify its exempt status with FTA and FHWA as part of the MPO certification process described at 23 CFR 450.334 or through some other documentation.

With respect to who should be eligible to represent providers of public transportation on the MPO, two commenters, including a transit industry trade association, requested that FTA and FHWA establish that the representative “must” be an elected official on the policy board of a provider being represented or a direct representative employed by a provider being represented. Another commenter expressed concern that the proposed qualifications of the representative were too specific. A few commenters requested that, in addition to the representative being an officer of a provider of public transportation or an elected official that serves on the board of directors of the provider of public transportation, the representative may also be a non-elected member appointed to the board of directors of the provider of public transportation. The FTA and FHWA concur that an appointed member of a public transportation provider’s board of directors also can serve as a representative of providers of public transportation on the MPO. In keeping with FTA and FHWA’s goal of providing flexibility to MPOs, the representative should be either a board member (elected or appointed) or officer of a provider of public transportation being represented on the MPO. The guidance remains suggestive rather than mandatory in this respect.

Fourteen entities requested that the guidance state definitively that a representative of providers of public transportation cannot fulfill multiple roles on an MPO board, for example, due to that person’s position as a local elected official or an appropriate State official. These commenters asserted that an “MPO board member cannot simultaneously represent multiple organizations” and that an elected official who is appointed to the MPO as a representative of that official’s local government does not necessarily represent the interests of transit, even if he or she happens to be on the public transportation provider’s board. Eight commenters asserted that the presence on the MPO of local elected officials should fully satisfy the new requirement. Seven commenters sought clarity generally on this provision. The FTA and FHWA agree that this proposed provision needed clarification. The policy guidance states that a public transportation representative on an MPO should not serve as one of the other mandatory MPO members set forth in 23 U.S.C. 134(d)(2) and 49 U.S.C. 5303(d)(2). For example, a member of an MPO board whose assignment comes by virtue of his or her position as an elected official should not also attempt to serve as a representative of providers of public transportation on the MPO board.

A few commenters highlighted the potential conflict that could arise when a representative of providers of public transportation is the subordinate of another MPO board member and the superior board member’s and the public transportation providers’ interests do not align. Two commenters noted that when a local government is the provider of public transportation, that local government effectively would be given an additional vote, upsetting a carefully constructed balance on the MPO.

Another commenter noted that a conflict could result when a public transportation provider other than the designated recipient serves as the representative of the providers of public transportation on the MPO board. The FTA and FHWA appreciate that recommending a separate and distinct representative of providers of public transportation could introduce a conflict or upset a carefully constructed balance on the MPO. However, 23 U.S.C. 134(a)(2) and 49 U.S.C. 5303(a)(2) state that “it is in the national interest . . . to encourage the continued improvement and evolution of the metropolitan and statewide planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators.” The MAP–21’s establishment of a performance-based approach to transportation decisionmaking evolves and improves the metropolitan and statewide planning processes, increasing the accountability and transparency of the Federal surface transportation program and improving project decisionmaking. The inclusion of a representative of providers of public transportation in each MPO that serves a TMA is a critical element of MAP–21’s performance management framework as it will enable the MPO to establish balanced performance targets and improve its ability to develop plans and programs that support an intermodal transportation system for the metropolitan area. As such, it contributes to the continued improvement and evolution of the cooperative and collaborative metropolitan planning process.

Three commenters suggested that the term FTA and FHWA used to refer to a public transportation representative on an MPO board, “specifically designated representative,” implied a role and responsibilities that differed from other members of the MPO board or “create[d] a subclass of board member.” This was not the intention of the proposed guidance. The guidance affirms that a representative of providers of public transportation on an MPO that serves a TMA, once designated, should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. The FTA and FHWA

12 The term “designated recipient” means “(A) an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, response, local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or (B) a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.” 49 U.S.C. 5302(4).
recognize that the term “specifically designated representative” generated considerable confusion. Consequently, the terms “representative of providers of public transportation” and “public transportation representative” replace it in the guidance.

Providers of Public Transportation

Eight commenters stated that to require the representative of providers of public transportation to be a direct recipient of the Urbanized Area Formula funding program is too restrictive, arguing that many large urbanized areas allocate transit funding through sub-recipients that would be precluded from participating in the MPO process. Four additional commenters interpreted this language to mean that a city or county that is not a direct recipient would be precluded from being able to represent transit interests on the MPO board. One commenter asserted that “all public transportation agencies within the MPO should be eligible to serve in this important role.”

The FTA and FHWA agree that the use of the term “direct recipient” was overly restrictive. The policy guidance clarifies that the representative of providers of public transportation on an MPO that serves an area designated as a TMA should be a provider of public transportation in the metropolitan planning area and a designated recipient, a direct recipient, or a sub-recipient of Urbanized Area Formula funding, or another public transportation entity that is eligible to receive Urbanized Area Formula funding. The FTA and FHWA recommend selecting a representative from among those public transportation providers that are eligible to receive Urbanized Area Formula funding because most Federal transit funding planned by MPOs serving TMAs is awarded under this program, and an eligible recipient of Urbanized Area Formula funding will be in the best position to represent transit interests on the MPO.

Process for the Selection of Public Transportation Representatives

Three providers of public transportation expressed support for the proposed policy that MPOs that serve an area designated as a TMA should cooperate with providers of public transportation and the State to amend their metropolitan planning agreements to include the cooperative process for selecting representatives of providers of public transportation on the MPO board. Conversely, providers commenting that MPOs should use a cooperative process to select representatives of providers of public transportation, eight MPOs encouraged either the elimination or the softening of this policy recommendation, which would be “an unnecessary burden” that is not needed to meet the goals of MAP–21.

The metropolitan planning agreement is a productive mechanism that facilitates the working relationships among MPOs, States, and providers of public transportation as they fulfill their metropolitan transportation planning requirements. Regulations require that MPOs, States, and public transportation operators cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process and that these responsibilities be clearly identified in written agreements among the MPO, the State, and the public transportation operators serving the metropolitan planning area. The process to select representatives of the providers of public transportation for the MPO board is one of the mutual responsibilities of the MPO, the State, and the providers of public transportation. Thus, FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to address the MAP–21 performance management requirements.

The guidance clarifies that an MPO board of an MPO that serves a TMA.

FTA and FHWA recommend that MPOs, States, and providers of public transportation may need to update their agreements to address the MAP–21 performance management requirements. The FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements, the FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements, the FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements, the FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements, the FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements, the FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation to amend their metropolitan planning agreements to document the process for selecting representatives of providers of public transportation. However, given the statutory deadline of October 1, 2014, and the expectation that MPOs, States, and providers of public transportation need to update their agreements to address the MAP–21 performance management requirements.

Four commenters expressed concern that the requirement to specify the role and responsibilities of the representative of providers of public transportation would place restrictions on the role of the transit representative. This is not the intent. The FTA and FHWA encourage, but do not require, MPOs, States, and providers of public transportation that provide service in the metropolitan planning area and, in exercising this responsibility, the representative should have equal decisionmaking rights and responsibilities as the other members that are on the policy board of an MPO that serves a TMA.

While one commenter expressed support for the proposal that MPOs serving TMAs should amend their bylaws to describe the collaborative process of selecting representatives of providers of public transportation and the role the selected representative should play “because it would help ensure that transit-related issues and interests are appropriately and meaningfully represented in MPO decision-making,” 10 commenters expressed strong concern, claiming that the proposal was unnecessary, onerous, and that it had no basis in law. The proposed policy guidance did not propose to require MPOs to establish or amend bylaws, but only recommended such action. The FTA and FHWA have retained in the policy guidance that MPOs should amend their bylaws, if the MPO has them, to provide that a public transportation representative should consider the needs of all eligible public transportation providers that provide service in the metropolitan planning area and, in exercising this responsibility, the representative should have equal decisionmaking rights and responsibilities as the other members that are on the policy board of an MPO that serves a TMA.
authorities as the other members that are on the policy board of an MPO that serves a TMA. The guidance also recommends that an MPO could affirm these two policies in a board resolution or other documentation.

Restructuring MPOs To Include Representation by Providers of Public Transportation

Eighteen commenters expressed support for the proposal that an MPO that serves a TMA that has multiple providers of public transportation should cooperate with the eligible providers to determine how the MPO will include representation by providers of public transportation on its policy board. The example methods that FTA and FHWA described in the proposed guidance included having all providers represented by a single board position, rotating the board position among several providers, or proportional representation of all eligible providers on the board. Many commenters proposed that representation should not be limited to a single transit representative. Thirteen commenters proposed that all providers of public transportation that operate in a TMA should be given representation on the MPO board. One commenter opined that “each transit agency/provider should have a vote in matters before the MPO rather than having several transit providers share a single vote.” Another commenter suggested that “the best approach is one that rotates the board position among all eligible providers.”

Still another commenter proposed that “all efforts be made to include the largest providers of public transportation in a region” as this policy would “ensure that the majority of public transportation users were represented in the MPO decision making process.”

The FTA and FHWA acknowledge that there are multiple ways to include representation of providers of public transportation on MPO boards and note that many MPOs currently do so. For example, the Regional Transportation Council of the North Central Texas Council of Governments (NCTCOG); the Portland, Oregon, MPO (JPACT); the Miami Valley Regional Planning Commission; the National Capital Region Transportation Planning Board that serves the Washington, DC, metropolitan area; and the Ozarks Transportation Organization in Springfield, Missouri, all cited their inclusion of transit representatives as voting members on their MPO boards.

An MPO serving one of the Nation’s newest TMAs, the Portland Area Comprehensive Transportation System (PACTS) MPO in Portland, Maine, accommodates representation by providers of public transportation on the MPO policy board through a cooperative process. As documented in the PACTS bylaws, seven providers of public transportation serve on the Transit Committee of PACTS. The PACTS Transit Committee identifies a representative from the seven providers to serve on the Policy Committee, the Technical Committee, the Planning Committee, and the Executive Committee, and to represent transit for the entire metropolitan planning area. The representatives serve for 2 years and may serve successive terms.

The policy guidance provides MPOs, States, and providers of public transportation with the flexibility to determine the most effective arrangement to best serve the interests of the metropolitan planning area.

Policy Guidance

Representatives of Providers of Public Transportation

By October 1, 2014, MPOs that serve an area designated as a TMA must include “(A) local elected officials; (B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and (C) appropriate State officials.” The requirement to include “representation by providers of public transportation” is a new requirement under MAP–21. The intent of this provision is that representatives of providers of public transportation, once designated, should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. This expectation reflects the long-standing position of FHWA and FTA with respect to statutory required MPO board members.

A representative of providers of public transportation should be an elected or appointed member of the provider’s board of directors or a senior officer of the provider, such as a chief executive officer or a general manager. A representative of providers of public transportation should not also attempt to represent other entities on the MPO. For example, if a local elected official is also a member of the board of directors of a provider of public transportation and the elected official represents his or her local jurisdiction’s interests on the MPO, the local official should not also serve as a representative of public transportation providers generally.

An MPO is exempt from the structure requirements of 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2) if (1) the MPO operates pursuant to a State law that was in effect on or before December 18, 1991; (2) such State law has not been amended after December 18, 1991, as regards the structure or organization of the MPO; and (3) the MPO has not been designated or re-designated after December 18, 1991. An MPO that claims an exemption should self-certify its exempt status with FTA and FHWA as part of the MPO self-certification process described at 23 CFR 450.334 or through some other documentation.

Eligible Providers of Public Transportation

To select representatives of providers of public transportation, MPOs, States, and providers of public transportation have the flexibility to determine the most effective process that best serves the interests of the metropolitan planning area. The FTA and FHWA encourage MPOs that serve an area designated as a TMA to amend their metropolitan planning agreements in cooperation with providers of public transportation and the State to include the cooperative process they have developed to select representatives of providers of public transportation for inclusion on the MPO board. The Metropolitan Transportation Planning rule at 23 CFR 450.314 provides for metropolitan planning agreements in which MPOs, States, and providers of public transportation cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. Alternatively, an MPO should formally adopt the cooperative selection process through a board resolution or other documentation.

15 Cooperation means that “the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.” 23 CFR 450.184.

Role of a Representative of Providers of Public Transportation

A representative of providers of public transportation should consider the needs of all eligible public transportation providers that provide service in the metropolitan planning area. In exercising this responsibility, the representative should have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA. An MPO serving a TMA should formally establish through a board resolution the role and responsibilities of a representative of providers of public transportation, including, at a minimum, that the transit representative should (1) consider the needs of all eligible providers of public transportation in the metropolitan planning area and to address those issues that are relevant to the responsibilities of the MPO, and (2) have equal decisionmaking rights and authorities as the other members that are on the policy board of an MPO that serves a TMA.

To the extent that an MPO has bylaws, the MPO should, in consultation with transit providers in the TMA, develop bylaws that describe the establishment, roles, and responsibilities of transit representatives. These bylaws should explain the process by which the public transportation representative will identify transit-related issues for consideration by the MPO policy board and verify that transit priorities are considered in planning products to be adopted by the MPO. In TMAs with multiple providers of public transportation, the bylaws also should outline how representatives will consider the needs of all eligible providers of public transportation and address issues that are relevant to the responsibilities of the MPO.

Restructuring MPOs To Include Representation by Providers of Public Transportation

Title 23 U.S.C. 134(d)(5)(B) and 49 U.S.C. 5303(d)(5)(B) provide that an MPO may be restructured to meet the law’s representation requirements without having to secure the agreement of the Governor and units of general purpose government as part of a redesignation.

There are multiple providers of public transportation within most TMAs. An MPO that serves an area designated as a TMA that has multiple providers of public transportation may need to cooperate with the eligible providers to determine how the MPO will meet the requirement to include representation by providers of public transportation. There are various approaches to meeting this requirement. For example, an MPO may allocate a single board position to eligible providers of public transportation collectively, providing that one representative of providers of public transportation must be agreed upon through a cooperative process. The requirement for representation might also be met by rotating the board position among all eligible providers or by providing all eligible providers with proportional representation. However the representation is ultimately designated, the MPO should formally adopt the revised structure through a board resolution, bylaws, a metropolitan planning agreement, or other documentation, as appropriate.

Apart from the requirement for representation on the MPO’s policy board, an MPO also may allow for transit representation on policy or technical committees. Eligible providers of public transportation that do not participate on the MPO’s policy board may hold positions on advisory or technical committees.

The FHWA and FTA encourage MPOs, States, local stakeholders, and providers of public transportation to take this opportunity to determine the most effective governance and institutional arrangements to best serve the interests of the metropolitan planning area.

Issued on: May 21, 2014.

Therese McMillan,
Deputy Administrator, Federal Transit Administration.
Gregory G. Nadeau,
Deputy Administrator, Federal Highway Administration.

DATES:
This correction is effective on June 2, 2014, and is applicable March 31, 2014.

FOR FURTHER INFORMATION CONTACT:
Jeanne Royal Singley at (202) 317–6798 (not a toll-free number).

BACKGROUND:

The final regulations that are subject of this document are under section 3504 of the Internal Revenue Code.

Need for Correction

As published, final regulations (TD 9662) contain errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, 26 CFR part 31 is corrected by making the following correcting amendments:

PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME TAX AT THE SOURCE

Paragraph 1. The authority citation for part 31 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

§ 31.3504–2 [Corrected]

Par. 2. In § 31.3504–2, paragraph (e)(9) Example 9, the language “Corporation U” is removed and the language “Corporation V” is added in its place.

Martin V. Franks,
Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 31

[TD 9662]

RIN 1545–BJ31

Designation of Payor To Perform Acts Required of an Employer; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correcting amendment.

SUMMARY: This document contains corrections to final regulations (TD 9662) that were published in the

Federal Register on Monday, March 31, 2014 (79 FR 17860) relating to section 3504 of the Internal Revenue Code (Code) providing circumstances under which a person (payor) is designated to perform the acts required of an employer and is liable for employment taxes with respect to wages or compensation paid by the payor to individuals performing services for the payor’s client pursuant to a service agreement between the payor and the client.

BILLING CODE 4910–22–P
**Staff Comments on Item:**

The MPO is working with the City of Madison Traffic Engineering Division to prepare a regional Intelligent Transportation Systems (ITS) Plan. ITS involves the application of a broad range of advanced technologies and management techniques to manage traffic, public transit, incidents/special events, emergencies, maintenance/construction projects, as well as the data generated from these systems. Examples include advanced traffic signal systems that can modify signal timings at intersections in response to traffic conditions, the automated vehicle location (AVL) system Metro currently uses to track a transit vehicle’s location in real time and compare against the schedule, and systems to provide real-time parking availability information.

The plan will identify high priority projects and the cost to implement them. Just as importantly, it will also define the roles and responsibilities of the agencies involved in planning, designing, and maintaining these systems as well as responder agencies. It will establish a framework for ongoing, coordinated multi-agency efforts to ensure that ITS strategies implemented are integrated and complementary. This will ensure that ITS projects are cost effective and eligible for federal funding. Attached is the detailed scope of work for the project from the RFP.

A consultant team has been selected and the project is expected to get going in early July and last about a year. An advisory committee is being set up to oversee the project, comprised mostly of technical staff representing stakeholder agencies that will be involved in planning and maintaining the ITS and using data from them. Two workshops are planned to a wider group of agency stakeholders as well as presentations to policymaker group. A draft membership list for the committee is attached for consideration by the board. In some cases, a specific individual has not been identified, but just the agency. There is a slot for an MPO board member if someone is interested in serving on the committee.

**Materials Presented on Item:**

1. Scope of Work for the ITS Plan from the Request for Proposals
2. Draft ITS Plan Advisory Committee Membership List

**Staff Recommendation/Rationale:**

Staff recommends appointment of the committee with the understanding some membership changes may occur as the project moves forward.
SECTION 2: SCOPE OF WORK

2.1. Background and Project Description

The Madison metropolitan area is the fastest growing in Wisconsin. The City of Madison is the second-fastest growing of Midwest cities with a population of 200,000 or more. The City of Madison and greater metro area face unique geographic constraints due to the fact that downtown Madison sits on an isthmus and lakes and natural resources create additional barriers to area traffic circulation. As a result, for example, the South/West Beltline (USH 12/14/18/151) is the only continuous east-west roadway through the Madison area to the south connecting to the Interstate. Unlike many large metropolitan areas, the Interstate system does not serve downtown Madison.

There are very limited opportunities for roadway capacity expansion inside the Beltline and Interstate system. As a result, transportation system management and operations strategies, including ITS, and transportation demand management strategies by necessity must play a major role in managing congestion in the Madison area. Non-recurring congestion from crashes, disabled vehicles, work zones, adverse weather conditions, and planned special events accounts for a significant amount of congestion, affecting travel reliability on the entire transportation system. Madison has numerous special events throughout the year, including UW-Madison and WIAA athletic events, World Dairy Expo, Madison Marathon and Triathlon, Rhythm & Booms show, Ride the Drive event, and Monona Terrace convention center events. ITS strategies are particularly effective in managing congestion from special events and other sources of non-recurring congestion.

Aside from congestion management, ITS strategies also have the ability to provide many other benefits, including improved traveler safety, emergency management, transit speed/reliability, parking management, inter-agency communication, staff efficiency, and data management. One of the MPO’s primary motivations for preparing the ITS plan is to develop a short- and long-term plan for implementation of ITS strategies that will provide the data needed to fully implement the MPO’s Congestion Management Process and facilitate more performance based multi-modal transportation planning.

WisDOT has developed a statewide ITS Architecture and has prepared a statewide Traffic Operations Infrastructure Plan that is primarily for the freeway system. However, a regional ITS plan is needed to create a vision and more detailed framework for the Madison metropolitan area that reflects local ITS goals and addresses the rest of the regional multi-modal transportation system. The plan must be prepared using the systems engineering process in accordance with USDOT guidelines. A regional ITS Operational Concept and Architecture is particularly important for fostering ITS integration and improving inter-agency communication, cooperation, coordination, and commitment. Identification of ITS stakeholder agency operational roles and responsibilities for all of the transportation services or functions and possibilities for institutional cooperation and coordination is an important component of this project. This will provide the foundation for inter-agency agreements or MOUs.

This project involves development of a Regional ITS Strategic Plan for the Madison, Wisconsin Metropolitan Area that creates a road map for implementation of an integrated system of ITS strategies to enhance the efficiency and safety of the transportation system and achieve other identified regional transportation system goals. The plan will build off of the work already completed by WisDOT focused primarily on the freeway system (Interstate 39/90, Interstate 94, and Beltline (USH 12/14/18/151) in the Madison area). The plan will help establish the need for ITS investments in the region, identify relative priorities to direct ITS investment, and identify specific projects to be deployed to meet identified needs. It will also establish a framework for ongoing, coordinated multi-agency efforts to ensure ITS strategies...
implemented in the region are integrated and complementary. As previously noted, the plan is to be prepared using the systems engineering process in accordance with USDOT guidelines. The multi-agency coordination and use of the systems engineering process will help with stakeholder buy-in and to ensure that ITS projects in the region are cost effective and eligible for federal funding.

2.2. **Purpose of the Regional ITS Strategic Plan**

The Madison Area Transportation Planning Board – A Metropolitan Planning Organization (MPO) and the City of Madison Traffic Engineering (TE) Division/Parking Utility are seeking proposals from qualified consultants to assist MPO and City of Madison TE staff in developing a Regional Intelligent Transportation Systems (ITS) Strategic Plan for the Madison Metropolitan Area. The Regional ITS Plan is intended to supplement the Wisconsin Department of Transportation’s (WisDOT) Traffic Operations Infrastructure Plan (TOIP) for the freeway system and to further develop and refine the Wisconsin Statewide ITS Architecture for the Madison area (Link to the TOIP is here [http://www.topslab.wisc.edu/its/toip/](http://www.topslab.wisc.edu/its/toip/) and link to the Statewide ITS Architecture is here [http://www.topslab.wisc.edu/its/architecture/](http://www.topslab.wisc.edu/its/architecture/)).

The Regional ITS Plan is to be developed within the framework of the MPO’s 2035 Regional Transportation Plan (RTP) Update and Congestion Management Process (CMP) and designed to implement the recommendations of the RTP to meet its policy objectives and to assist in implementing the CMP. (Links to the RTP and CMP are here: [http://www.madisonareampo.org/planning/regionalplan.cfm](http://www.madisonareampo.org/planning/regionalplan.cfm) [http://www.madisonareampo.org/planning/documents/CMP_11_Final_Report_Web.pdf](http://www.madisonareampo.org/planning/documents/CMP_11_Final_Report_Web.pdf))

The planning effort will be guided by a staff advisory committee, likely consisting of the MPO’s Congestion Management Committee – a subcommittee of the MPO’s Technical Coordinating Committee – and other ITS stakeholders. The final product will be an ITS Plan report to be adopted by the MPO as a supplement to the MPO’s RTP and possibly by the City of Madison as part of its Sustainable Transportation Master Plan currently being developed.

2.3. **Scope of Work**

The scope of services involves the general tasks described below. It is expected that the Consultant selected for this project will have a high level of experience performing similar work. Respondents should build on these tasks, identifying more detailed sub-tasks, and are free to suggest additions and/or modifications to the tasks included within this scope as deemed appropriate given the project purpose and budget.

Respondents must propose a detailed scope of work describing individual work tasks and sub-tasks, and summarizing the work products and deliverables associated with each task. The tasks, deliverables, and personnel and budget assigned to them must be clearly identified.

The total anticipated budget for the project is between $150,000 and $200,000. Cost will be evaluated based on the best value as determined by the total cost as well as the overall composition of the cost. The City reserves the right to contract for all or only parts of the work described in this RFP. Please note: As stewards of public funds, the City maintains all adopted budgetary parameters in the performance of its contracts. The ability of the successful proposer to offer the lowest cost and maintain a sense of fiscal responsibility shall be favorably considered in the ranking and award of a contract.

**Task 1: Project Management Plan (PMP)**

Based on consultations with MPO and City of Madison Traffic Engineering staff and the project oversight committee, the Consultant shall prepare a detailed Project Management Plan for the project. The PMP
will refine the contract scope of work and be used to guide and monitor the project. The PMP will specify roles and responsibilities of the Consultant and other project participants, identify major project milestones, specific work task/sub-tasks and review/comment points, and provide a detailed schedule of work with all major deliverables and meetings.

The PMP should also include a stakeholder involvement and policy maker outreach plan. The plan should include a description of the recommended project advisory committee, any other stakeholder committee or group, and other avenues to involve stakeholders in the project. Techniques might include stakeholder surveys, interviews, questionnaires, workshops, or other tools. The plan should show how the stakeholder involvement and outreach interrelates with the various project work tasks and be integrated into the project timeline. The Consultant is expected to make arrangements for, and participate in, all workshops and other outreach meetings, and to document feedback obtained and responses to that feedback at the events.

It is expected that the consultant will attend and make presentations at a minimum of five (5) meetings of the project oversight committee, and make presentations at meetings of the MPO Technical Coordinating Committee, MPO Policy Board, and a joint meeting of the City of Madison transportation committees.

Regional ITS stakeholders include, but are not limited to: WisDOT Southwest Region; WisDOT Bureau of Traffic Operations/State Traffic Operations Center; WisDOT Bureau of Planning; City of Madison Traffic Engineering Division/Parking Utility; Dane County Public Works, Highway & Transportation Department; local public works departments; Metro Transit; Wisconsin and Dane County Emergency Management; Dane County Sheriff’s Dept.; Dane County Public Safety Communications (911) Center; Wisconsin State Patrol; City of Madison and other local police departments; UW-Madison Traffic Operations and Safety (TOPS) Laboratory; and Federal Highway Administration – Wisconsin Division.

**Task 2: Preparation of ITS Vision, Goals, Objectives, and Performance Measures**

The Consultant shall work with the project oversight committee to develop an ITS Strategic Plan vision, goals/objectives, and performance measures that build off of the measures in the MPO’s Regional Transportation Plan (RTP) and Congestion Management Process (CMP).

Performance measures identified in the RTP include: VMT; vehicle/bus/pedestrian/bicyclist crashes; registrants with the MPO’s TDM/Rideshare program; and transportation related GHG emissions. Performance measures identified in the CMP include: freeway and arterial travel time index; freeway non-recurring congestion; intersection level of service; transit on-time performance; transit demand/capacity ratio; and bicycle volume. These measures should be modified or added to based on ITS related objectives such as incident management, data management, and coordinated operations. Examples include: number of 511 calls; travel speed/time data collection sites; incident response/clearance time; number of secondary incidents; and inter-agency communications channels.

**Task 3: ITS Existing Conditions/Inventory Analysis**

The Consultant shall conduct an existing conditions/inventory analysis describing and mapping existing City of Madison, Metro Transit, WisDOT, Dane County, and other agency ITS infrastructure within Dane County as well as any currently planned ITS elements by these agencies.

A complete inventory of state ITS infrastructure already exists and is available through the UW-Madison TOPS Laboratory, which provides end to end support services for WisDOT and hosts and maintains the servers, database, and software licenses. The inventory includes signals, electronic signs, cameras,
microwave and loop detectors, fiber network, cabinets, vaults, pull boxes, road weather stations, and other devices. The data is available in a variety of formats, including GIS compatible formats. The City of Madison’s ITS infrastructure inventory is not as fully complete. The weakest part of the inventory is the loop detector locations. Some of the fiber network inventory is not currently in a GIS compatible format. City of Madison and MPO staff will provide the available data to the Consultant and assist the Consultant in converting data to a GIS compatible format as needed.

The Consultant shall also provide a summary assessment of identified vulnerabilities due to aging or unreliable equipment, power supplies, and communication paths. With the spatial inventory updated, the Consultant shall make a recommendation for how to host and maintain the information.

**Task 4: ITS Needs Assessment**

The Consultant shall conduct a needs assessment based on the ITS vision and goals/objectives and inventory analysis to identify potential uses for ITS technology by the various ITS stakeholder agencies.

The ITS needs should be categorized by functional area. These should include, but not be limited to: traffic operations/management, incident management, public transit management (operations, electronic payment, etc.), traveler information, parking management (city facilities), emergency management, maintenance and construction, infrastructure for bicyclists and pedestrians, safety, communications, and data management and archiving.

An evaluation of and recommendations for a local Traffic Operations Center should be included as part of this task. If it is determined that a physical center is needed, the evaluation should identify potential locations, space needs, staffing requirements, preliminary design, and estimated operations and maintenance costs.

**Task 5: Regional ITS Architecture**

The Consultant shall develop a Regional ITS Architecture that is consistent with the Wisconsin Statewide ITS Architecture and federal requirements, but updates and further refines the State Architecture for the Madison area. The current statewide architecture source file in .tbo format is available from the TOPS Lab and should be used as the starting point for refinement and updates.

The Regional ITS Architecture should be developed in close cooperation with WisDOT and with stakeholder input. The use of the architecture as part of the planning and project development and implementation process should be addressed. For example, an ITS project form might be developed and process identified for review to ensure a project’s conformity with the ITS Architecture. The maintenance of it and future updates should also be addressed.

**Task 6: ITS Concept of Operations**

The Consultant shall develop an ITS Operational Concept that provides a framework to foster ITS integration and improve inter-agency communication, cooperation, coordination, and commitment. It should focus on those transportation services that require significant integration and that are deemed most important for achieving the regional ITS vision and goals. This includes traveler information, traffic management, incident management, emergency management, and multi-modal coordination (e.g., transit signal priority).
As with the Architecture, the Operational Concept should be developed in close cooperation with ITS stakeholders, defining roles and responsibilities for operations as well as planning, construction, and maintenance. Specifically, it should allow ITS stakeholder agencies to understand how each operates and how their associated ITS elements can be used to help each agency achieve its mission.

The Operational Concept should address facilities, including an operations center and staffing of that if identified as a need in the assessment. It should support project design by providing a starting point that systems engineers can reference when designing systems, a federal requirement. It should be written in non-technical terms that allow all stakeholders to understand it and achieve buy-in.

**Task 7: ITS Implementation Plan**

The Consultant shall develop an ITS Implementation Plan, which establishes planned ITS project and strategy deployment for the different agencies in the region in near (5 year), mid-term (5-10 years), and long-term (10-20+ years) periods. The prioritized projects should be based on evaluation criteria developed based on the ITS goals, objectives, and performance measures.

Each project included in the implementation plan should include a description, capital and O&M cost estimates, primary implementing agency, expected benefits, and other comments or considerations for the project. Maps should be developed showing the location of proposed ITS infrastructure, including cameras, message signs, signals, weather stations, fiber or other communication equipment, real-time transit arrival signs, transit signal priority corridors, and traffic detection devices (auto, bicycle, pedestrian).

The implementation plan should address how it is consistent with the federal ITS architecture conformity and systems engineering requirements. It should also address considerations such as the need for inter-agency agreements, funding sources, operations and maintenance of ITS applications (including staffing and facility space issues), and the process for maintaining and updating the plan. Finally, the plan should include all of the considerations necessary for fostering ITS implementation and supporting the regional ITS program. This includes outreach, financial considerations (including funding sources and procurement methods), staffing, integrating ITS into the regional transportation planning process, and the general approach to ITS project planning and implementation. It is anticipated that the MPO will be responsible for leading that process in coordination with the City of Madison TE Division and WisDOT.

**Project Deliverables**

The major final deliverable for this project shall consist of a report or reports with technical appendices that documents the analysis, planning process, and different components of the ITS Plan. As previously noted, other deliverables should be identified for each task in the proposal. An executive summary of the final ITS Plan report shall be included. In addition, two PowerPoint presentations summarizing the plan shall also be provided to assist in educating and informing key audiences. One should be an “executive summary” and the other a more technical version. The Consultant shall identify all other deliverables for each of the tasks.

All final products shall be submitted electronically, in a format agreed to by the City and the Consultant, so that all text and graphics can be independently edited. All work materials generated, including but not limited to data analysis, photographs/illustrations, GIS files, meeting notes, and the report document will be the sole property of the City of Madison for use as the City deems appropriate.
Regional Intelligent Transportation Systems (ITS) Plan
for the Madison Metropolitan Area

Advisory Committee Members

Bill Schaefer, Planning Manager
Madison Area Transportation Planning Board – An MPO

David Dryer, Traffic Engineer, and Scott Langer, Assistant TE
City of Madison Traffic Engineering

Drew Beck, Planning Manager
Metro Transit

Gary Rylander, P.E., PTOE
Rylander Consulting/MPO Citizen Advisory Committee/City of Middleton Public Works Committee

Peter Rafferty, ITS Program Manager
UW-Madison Traffic Operations & Safety Laboratory

Thomas Woznick, Parking Operations Manager
City of Madison Parking Utility

Pam Dunphy, Deputy Commissioner
Dane County Public Works, Highway & Transportation Dept.

Kyle Hemp, Traffic Engineer, Freeway & ITS
WisDOT Southwest Region

Dave Faust or designee
City of Madison Information Technology Department

Lt. Carl Strasburg
City of Madison Police Department

Paul Keltner or designee
WisDOT Bureau of Traffic Operations/STOC

Dave Kopacz
Federal Highway Administration – Wisconsin Division

Sandy Beaupre or designee
WisDOT Bureau of Planning

Representative
Dane County Public Communications (911) Center
Representative
Dane County Department of Emergency Management

Representative
Dane County Sheriff’s Office

Rob Kennedy, Transportation Planner
University of Wisconsin-Madison Transportation Services

Eric Sundquist
Member, City of Madison Plan Commission & Long-Range Transportation Planning Committee/Director, UW-Madison/COWS State Smart Transportation Initiative

Policy Board Member
Madison Area Metropolitan Planning Board – An MPO

Representatives
Other Local Public Works/Police Departments (Fitchburg, Middleton, Sun Prairie) (depending upon interest)

Cc List

David Trowbridge, Transportation Planner [he didn’t want to be on the committee]
City of Madison Planning

Anne Monks
City of Madison Mayor’s Office

Other Stakeholders

Wisconsin Emergency Management Division – Dept. of Military Affairs

Wisconsin State Patrol
**Re:**
Recommendation Regarding the MPO’s Representative to the City of Madison’s Long-Range Transportation Planning Committee

**Staff Comments on Item:**
The composition of the City of Madison Long-Range Transportation Planning Committee includes two members from the MPO Policy Board who are City of Madison Mayor appointees. While the City of Madison Mayor makes the appointments, the MPO Policy Board makes a recommendation on them. The current MPO Board members on the committee are Chris Schmidt and Steve King. Chris Schmidt’s appointment expired on April 30. The Board needs to make a recommendation to either reappoint him or appointment someone else. Chris has indicated that he is interested in being re-appointed.

**Materials Presented on Item:**
None

**Staff Recommendation/Rationale:**
N/A