

**Madison Area Transportation Planning Board (an MPO)
November 4, 2009 Meeting Minutes**

1. Roll Call

Members present: Ken Harwood, Joe Chase, Paul Skidmore, Steve King, Chuck Kamp, Al Matano, John Vesperman, Eileen Bruskevitz, Duane Hinz, Mark Opitz, Joe Clausius (arrived at item #7), Jerry Mandli (arrived at item #8), Chris Schmidt (arrived at item #9).

Members absent: Robin Schmidt

Staff present: Bob McDonald, Bill Schaefer, Bob Pike

2. Approval of October 7, 2009 Meeting Minutes

Kamp moved, Harwood seconded, to approve the October meeting minutes. Motion carried with King abstaining.

3. Communications

None

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

None

5. Consideration of Resolution TPB No. 32 Approving the 2010 Unified Planning Work Program and the 2010-2012 Overall Program Design Report

Royce Williams, 2437 Fox Ave., Madison, commented that the inter-city bus terminal needed to be addressed in the work program and in the Transit Development Plan (TDP), especially since the TDP is addressing transit service improvements if the RTA is created and funded. He also noted that WisDOT recommended in its new state transportation plan the creation of additional inter-city bus service to Madison. He mentioned that a temporary terminal for Greyhound was now located off Stoughton Road south of the Dean clinic. He said it is a terrible location with respect to local bus service and is poorly signed.

Skidmore thanked Williams for his comments and asked Kamp to comment on the issue of the new Greyhound facility. Kamp responded that the terminal is in a building with facilities for ticketing, handling packages, and a small waiting area, but it had very limited local bus service connections. Kamp said Metro has been in contact with Greyhound to encourage them to look at other more centrally located sites with better Metro bus service and thinks Greyhound is exploring that possibility. He said he agrees the current situation is not ideal, but at least it is a facility and is better than nothing.

McDonald said that a correction sheet for the draft work program was included in the meeting packet. It lists proposed modifications in response to agency and public comments. One of the changes is to add an item to assist in agency efforts to plan an intermodal facility as needed. If WisDOT receives funding for high speed rail service, the timeframe for that will be sooner. However, the MPO has limited resources to devote to the issue given all of the other required work items. Language is also being added to say that a Title VI agreement will be prepared if required. McDonald said he does not think it is required because the City of Madison is the MPO's administrative agent and all of these requirements are handled through the City's Department of Civil Rights and associated policies and ordinances. The City Attorney's office is checking into this.

Moved by Kamp, seconded by Skidmore, to approve Resolution TPB No. 32 approving the 2010 Work Program with the changes in the correction sheet. Motion carried.

6. Consideration of Resolution TPB No. 33 Regarding Agreement for Specialized Transportation Coordination Services with Dane County

McDonald said this agreement is normally done in December or January after the county budget is approved, but he is bringing it to the MPO Board now because it takes awhile to get the contracts through the city and county processes. The funding is currently in the county budget. This agreement is for both MPO services and for Metro Transit services to support its advertising and transit promotion activities. The contract has been done for many years and the funding amounts for the MPO and Metro have not changed. Harwood asked if there was a contingency if the funding is reduced or eliminated in the county budget. McDonald answered that the Board's action simply authorizes the City to enter into the contract. If the county doesn't budget money for the services, the contract won't be executed.

Moved by Bruskevitz, seconded by Harwood, to approve Resolution TPB No. 33. Motion carried.

7. Consideration of Resolution TPB No. 34 Authorizing the City of Madison to Enter Into an Agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to Provide Transportation Planning Work Activities to CARPC in 2010

McDonald said this was a continuing annual agreement that the MPO has with CARPC. He noted that a new item #7 cover sheet and resolution was at members' places because the numbers have changed since the packets were sent out. CARPC is requesting a total of \$17,500 from WisDOT as opposed to \$20,000 and the MPO will be getting up to \$12,500 of that amount. The services to CARPC include conducting transportation impact analyses for all urban service area amendments and preparing the transportation section of the annual Trends report. The MPO has been providing these services to the RPC since the MPO function was removed from the RPC at the end of 1999.

Moved by Bruskevitz, seconded by Hinz, to approve Resolution TPB No. 34. Motion carried.

8. Consideration of the Madison Area Transportation Planning Board Supporting Dane County Resolution No. 152, 2009-2010, Authorizing Dane County Membership in the Dane County Regional Transit Authority and Thereby Creating the Dane County Regional Transit Authority Pursuant to s. 66.1039 (2)(b) of the Wisconsin Statutes

Matano said he thought the MPO should weigh in on the Regional Transit Authority (RTA) resolution since the Board has expressed a desire to be more involved in the process. McDonald said the resolution was introduced by County Board Chair Scott McDonnell and was recommended for approval following a joint meeting of the Finance & Personnel and Public Works & Transportation Committees. It is on the County Board's agenda for action at its meeting on November 5. McDonald said the MPO has in the past supported state enabling legislation to allow jurisdictions in the state to create RTAs for the purposes of planning, funding, and implementing regional transit systems. McDonald said Opitz asked him to put together some numbers comparing the percent of population within the MPO planning area (also the RTA jurisdictional area) to the representation (i.e., number of appointments and percentage of votes) on the RTA Board by appointing authority. He pointed out the RTA jurisdictional area on a map. He said MPO staff had thought the area included all of the towns and City of Fitchburg that are only partially within the MPO planning area, but Legislative Council staff said their interpretation is that the RTA jurisdictional area is the same as the MPO planning area. The analysis regarding representation on the RTA Board is based upon 2000 Census data because more recent data is only available at the municipal level, not for portions of municipalities. He reviewed the table with the Board. He noted, for example, that all of the small cities and villages together have 30% of the population in the RTA jurisdictional area and four votes or 44% of the vote on the RTA. The towns have no appointments to the RTA and therefore don't have a percentage share of the vote. The County Executive and Governor have appointments, but they are not population based.

Opitz commented that the information was very helpful and thanked McDonald for putting it together. He said there has been quite a bit of debate about the representation on the RTA Board as set out in the state law. Many City of Madison residents have expressed concern that the city only has two of nine appointments yet has 60% of the population. Despite the fact that it is under-represented from a proportional population standpoint, the City of Madison is still supporting creation of the RTA and trusts that the Board will act in the best interests of the entire region. He said this offsets the towns' legitimate concern about not being represented. He said he strongly supports the RTA resolution.

Opitz moved, Kamp seconded, to support Dane County Resolution No. 152, 2009-'10, creating a Dane County RTA.

Skidmore commented that he was concerned about the City of Madison's under-representation on the RTA Board and especially the fact that the towns have no representative. Despite those concerns, he would still support the resolution.

Bruskewitz moved, Skidmore seconded, to amend the main motion to recommend that County Resolution No. 152 be amended to replace the text regarding a referendum on lines 83-85 with text from the resolution she had introduced that directs a referendum be placed on the countywide ballot at the Spring 2010 election asking the voters if the Dane County RTA shall levy a sales tax of 0.5% to support transit services that could include commuter rail, and stating that the resolution creating the RTA will not go into effect unless a majority of voters in the referendum support levying the sales tax.

Opitz commented that voters in areas outside the RTA jurisdictional area would be voting under her proposal. Bruskewitz said the county could only hold a countywide referendum. However, the votes of residents outside the RTA area would not be counted. Opitz said that would not work politically. Skidmore asked if the referendum was advisory or binding, and Bruskewitz said it was advisory because the county does not have the authority to conduct a binding referendum. Kamp commented on the problems with the current transit funding situation, including inequities due to some jurisdictions receiving but not paying for service. He said it has made it difficult to plan and fund expansions of service. In speaking with RTA staff around the country, he said he was told the most important thing for a successful referendum was general public support for transit investments and a specific plan for transit improvements. The plan for transit improvements is still being developed and so a referendum in the spring is premature. He said it seems to him the spring referendum is designed to fail, not succeed, so he couldn't support the proposed amendment. Bruskewitz said that the public needs an opportunity to weigh in because the process thus far has not been open and transparent. She said she thinks the goal is to advance commuter rail even though that may not be some people's intention. She said she has always been a strong advocate for buses, specialized transportation, and other public transit, but commuter rail is the preferred alternative of the County Board. Harwood said his understanding was that before a sales tax was enacted there would be public support through a referendum. Opitz clarified that this was the publicly stated position of the County Executive, County Board Chair, and City of Madison Mayor. Harwood said he'd like to see that "codified." Opitz pointed out that the county RTA resolution calls for a referendum to seek voter approval of a sales tax.

Harwood asked about the relationship of the MPO and RTA. McDonald responded that working out this relationship is still in the process of being done and wouldn't be finalized until the bylaws of the RTA are formed and the relationship with the MPO negotiated. Currently, there is a three party agreement between the MPO, Metro Transit, and the Wisconsin Department of Transportation that specifies in detail the responsibilities of each agency. He said a similar agreement would likely be entered into with the RTA. Harwood commented that he was nervous because of his experience with the formation of the Capital Area Regional Planning Commission (CARPC). He felt that CARPC has made decisions that go beyond the scope of the responsibilities that were discussed during the agency's formation, and didn't want to see that happen with the RTA. He said he has supported creation of an RTA because he is an advocate for comprehensive planning, including transportation

planning, but is concerned about the impact on the MPO and its planning responsibilities. McDonald responded that the MPO would maintain a strong role because the MPO must approve all federal transportation funding and major projects would require such funding and must also be in the MPO's long-range transportation plan. Opitz asked Kamp if the RTA would benefit the bus system and how much of the sales tax funding he thought would be used for bus service improvements. Kamp answered that he didn't think that was an appropriate question at this point in time, but in all of the meetings he's attended it has been clear that the RTA would fund public transportation of all kinds—bus, rail, taxi, and specialized transportation. The mix of services that will be provided will be decided in the future. One potential scenario is that a first step involving expansion of the current bus transit system would be implemented using less than the full ½ cent sales tax in the event that further study is required for commuter rail. Bruskewitz asked McDonald if MPO consensus would still be required if the RTA proposed a project that didn't involve federal funding. McDonald said yes if the project was regionally significant. Bruskewitz commented that once the RTA was formed, it would have broad authority as a separate governmental authority with little accountability except for political pressure brought to bear by the appointing authorities.

Skidmore noted that the RTA could only fund and implement transit improvements. He also questioned whether persons outside the RTA area would be paying for the services. Matano said the sales tax applied to businesses located within the RTA area, so if residents outside the area or outside the county shopped at those businesses, they would pay the tax. King said the RTA Board would be accountable in much the same way MPO Board members are accountable as appointees of elected officials. There are other examples of such boards such as MATC. King said Bruskewitz's proposed language is not designed to promote creation of an RTA. Harwood questioned the appropriateness of the MPO Board suggesting a change in the language of a county resolution and then expressing support for the amended resolution. He suggested the MPO express general support for the formation of the RTA. Matano said the MPO's communication to the County Board is purely advisory and he doesn't think it is inappropriate to suggest alternative language for the resolution if that is desired. Skidmore concurred with Matano. Hinz said he favors the creation of an RTA, but didn't think the amendment to the motion affected it. Bruskewitz clarified that her proposed amendment recommends putting the referendum on the ballot in the spring election. Hinz responded that he didn't understand the need for the amendment because the county resolution calls for a referendum before a sales tax is enacted and will therefore give the public its say on the matter. Bruskewitz said her language includes a specific date for the referendum and specific language for it. Clausius commented that he supported creation of an RTA.

Matano asked for a roll call vote on the proposed amendment by Bruskewitz to the main motion by Opitz. Voting Yes: 3 (Bruskewitz, Clausius, Skidmore); Voting No: 8 (Chase, Harwood, Hinz, Kamp, King, Mandli, Opitz, Matano); Abstaining: 1 (Vesperman); Absent: 2 (C. Schmidt, R. Schmidt). Motion to amend failed 3-8.

Skidmore commented that he supported the creation of an RTA, but thought a clarification was necessary and thanked Bruskewitz for her information. He also thanked Opitz for bringing up the issue of the representation on the board. He said he was very uncomfortable with the fact that the City of Madison had 60% of the population in the RTA area, but only two of nine representatives on the Board, but would still support the RTA. Perhaps this could be fixed in the future. Opitz said his purpose in bringing up the issue was simply that there is a leap of faith that needs to be made through the cooperative planning process. Matano suggested a technical correction to the reference to the MPO and the MPO planning area on lines 24-26 of the resolution. McDonald provided substitute language that the Madison metropolitan planning area "is the designated planning area" for the MPO.

A roll call vote was taken on the main motion by Opitz to support County Resolution No. 152. Voting Yes: 10 (Chase, Clausius, Harwood, Hinz, Kamp, King, Mandli, Opitz, Skidmore, Matano); Voting No: 1 (Bruskewitz); Abstaining: 1 (Vesperman); Absent: 2 (C. Schmidt, R. Schmidt). Motion carried 10-1.

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

- **Transport 2020 Implementation Task Force**

In response to a question about the impact of Dane County adopting the RTA resolution on the Transport 2020 process, McDonald said it would certainly strengthen the FTA New Starts application. He said he didn't know if that would sufficiently address the FTA's concerns regarding financing or whether the FTA would require the referendum to be passed before giving approval to begin preliminary engineering. FTA would probably want to see the results of the referendum. There was discussion that the RTA might become the applicant.

- **USH 51 (USH 12/18 to I 90/94/39) Corridor and USH 51 (McFarland to Stoughton) Corridor Studies**

Vesperman said there was nothing new to report on these two studies.

10. Discussion of Future Work Items

- 2009 Federal Certification Review of the MPO

McDonald said he didn't know when FHWA and FTA would have a draft report ready to present with their findings and recommendations.

- Transit Development Plan (TDP)

McDonald noted that as part of this process some transit service improvement scenarios were being developed for consideration by the RTA, if created. Kamp mentioned this during the discussion on the RTA resolution. McDonald also mentioned that the advisory committee was expanded to include staff representatives from additional suburban communities due to the expanded scope of the TDP.

- MPO Congestion Management Process

McDonald said work on this was one of the major efforts for next year. The issue was raised during the Federal Certification Review and it is likely that the report will include a requirement to enhance this process and document it.

- Five-year Interim Update of the Regional Transportation Plan 2030

McDonald said that this was another major work effort for next year. The first task, which has been started, is to analyze building permit data and then develop revised population, household, and employment forecasts for the year 2035 at the traffic zone level for developing revised traffic forecasts. Bruskewitz commented on the importance of the employment data.

11. Announcements and Schedule of Future Meetings.

McDonald said the December meeting would likely be cancelled. In view of that, he informed the Board that he would soon be formally announcing his retirement next month and his last day of work would be December 11. He said he has completed over 34 years of service, including 24 years with the former Dane County Regional Planning Commission (ten as Director of the MPO) and the last ten years with the City of Madison as the Director of the new MPO. He said most of the changes during that time have been good and he believes the MPO Board and staff will continue the tradition of dedication to doing good transportation planning. He said he sincerely appreciated the support of the MPO Board and staff and friends who have assisted me over the years and wished everyone well in all their future planning endeavors.

12. Adjournment