

MEETING NOTICE

APPLETON (FOX CITIES) METROPOLITAN PLANNING ORGANIZATION (MPO) POLICY BOARD

DATE: Thursday, December 12, 2024

TIME: 5:00 p.m.

PLACE: FVTC DJ Bordini Center, Room BC143; 5 N Systems Drive, Appleton

AGENDA

1. Welcome and Introductions
2. Public Comment
3. Approval of Meeting Minutes from October 17, 2024
4. Staff Report
5. Discussion on the Cooperative Agreement for Continuing Transportation Planning for the Appleton (Fox Cities), Wisconsin Metropolitan Area between State of Wisconsin, Department of Transportation and the Appleton (Fox Cities) Metropolitan Planning Organization and the Valley Transit System
6. Discussion and Action on Resolution FC-05-024: Approval of Carbon Reduction Program Funding for Federal Fiscal Years 2025-2028 within the Urban Areas of the Appleton (Fox Cities) Metropolitan Planning Organization
7. Presentation and Discussion on Federal Performance Measure 1: Safety
8. Next Meeting Date: Thursday, February 20, 2025
9. Adjourn

Any person wishing to attend this meeting or hearing who, because of a disability, requires special accommodations should contact the East Central Wisconsin Regional Planning Commission at (920) 751-4770 at least three business days prior to the meeting or hearing so that arrangements, within reason, can be made.

MEETING MINUTES

Appleton (Fox Cities) Metropolitan Planning Organization
Policy Board
October 17, 2024

The meeting was called to order by Melissa Kraemer-Badtke at 5:00 PM.

1. Introductions

Committee Members Present

Joe Coenen	Town of Buchanan
Brian Van Lankveldt	Village of Little Chute
Bob Benz	Village of Sherwood
Ron McDonald	Valley Transit
Jack Anderson	Village of Greenville
Tom Buchholz	WisDOT
Ken Heckner	Village of Combined Locks
Allison Blackmer	Village of Harrison
Bob Schmeichel	Town of Neenah
Joy Hagen	Outagamie County
Dan Gabrielson	Outagamie County
Denise Fenton	City of Appleton
Justin Schumacher	Town of Freedom
Gary Timm	Town of Center
Jason Van Eperen	Town of Grand Chute
Vered Meltzer	City of Appleton
Austin R. Hammond	City of Menasha
Jane Lang	City of Neenah
Cari Lendrum	City of Neenah

ECWRPC Staff Present

Melissa Kraemer-Badtke	ECWRPC
Kim Biedermann	ECWRPC
Chris Colla	ECWRPC

Others Present

Justin Shell	WisDOT Central Office
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2. Public Comment – There was no public comment.

3. Election of Chair and Vice-Chair – Ms. Kraemer-Badtke opened nominations for chair. Mr. Hammond accepted the group’s nomination, seconded by Ms. Fenton. Motion carried unanimously. Mr. Hammond opened nominations for vice-chair; Mr. Van Eperen accepted the group’s nomination, seconded by Ms. Blackmer. Motion carried unanimously.

4. Special Order of Business: Mr. Justin Shell, Administrator for the Wisconsin Department of Transportation – Division of Transportation Investment Management: Mr. Shell presented on WisDOT programs and policies for local governments. Details on funding programs, including STP, Local Bridge, and Transportation Alternatives, were shared. Mr. Shell offered insight into how WisDOT spends funding to facilitate improvement projects. Ms. Kraemer-Badtke added more details on specific projects within the MPO funded by programs Mr. Shell shared. Additional details on agreements and adjustments to programs funding levels. To wrap up, Mr. Shell explained the process for continuing funding and budgeting, how Federal funding is sourced, how projects can be advanced, and expressed commitment to working with local governments and MPO’s to mitigate and impacts from changes in funding.

5. Staff Report: Ms. Kraemer-Badtke updated that East Central has received the signed redesignation agreements back from the Governor's office to officially finalize the redesignation process. She additionally clarified the voting and non-voting roles, with communities with over 5,000 in population having voting seats. Ms. Biedermann shared updates to the Congestion Management Process and Metropolitan Transportation Plan and the role of the Policy Board and Technical Advisory Committee. Additional updates were given on A NEW Avenue project, Trail Summit 2.0, Safe Routes to School projects,
6. Proposed Resolution FC-01-24: Amending the Appleton (Fox Cities) Metropolitan Planning Organization Transportation Improvement Program – 2024-2027: Mr. Colla detailed the role and contents of the TIP and the new amendments and changes. Ms. Kraemer-Badtke shared the role of the Policy Board and the process for TIP amendments moving through the State and Federal systems. Ms. Kraemer-Badtke fielded a question on the occurrence of public comment, sharing the several opportunities for comment during the process, and that East Central has not typically received public comment on the TIP in the past. Mr. Colla and Ms. Kraemer-Badtke further explained the full details of the projects in the TIP tables; Mr. Buchholz added info on WisDOT's TIP details. No public comment was received; no members of the public were present. Ms. Blackmer made a motion to approve, seconded by Ms. Fenton. The motion carried unanimously.
7. Proposed Resolution FC-02-24: Adopting the Appleton (Fox Cities) Metropolitan Planning Organization Transportation Improvement Program – 2025-2028: Mr. Colla discussed the role and process of the new 2025 TIP. He explained that the TIP must be updated on an annual basis and provide a schedule of projects receiving federal or state funding, or are considered to be regionally significant, over the course of a four-year period. A motion to approve was made by Ms. Blackmer, seconded by Mr. Meltzer. Motion carried unanimously.
8. Proposed Resolution FC-03-24: Amending the 2024 Unified Transportation Work Program and Budget and Requesting an Extension of Funding Eligibility to complete work from Calendar Year 2024 in Calendar Year 2025 for the Appleton (Fox Cities) Metropolitan Planning Organization: Ms. Kraemer-Badtke explained the process, and the reasons staff have been unable to meet several deliverables. The Metropolitan Transportation Plan, Congestion Management Process, and Intermodal freight facility study will be carrying funding into 2025. A motion to approve was made by Ms. Blackmer, seconded by Mr. Meltzer. Motion carried unanimously.
9. Proposed Resolution FC-04-24: Adopting the 2025 Unified Planning Work Program and the Annual MPO Self-Certification for the Appleton (Fox Cities) Metropolitan Planning Organization: Ms. Biedermann detailed the contents and self-certifications in the work program for 2025, including active transportation/multimodal projects, technical assistance, Metropolitan Transportation Plan, Title VI Plan, TIP software, GIS mapping, Performance Measures, and Safe & Accessible Transportation Options. Ms. Kraemer-Badtke added details on the use of primary levy funds. A motion to approve was made by Ms. Blackmer, seconded by Ms. Fenton. Motion carried unanimously.
10. Next Meeting Date: The next meeting date is scheduled for December 12th, 2024.
11. Adjourn: A motion was made by Ms. Blackmer, seconded by Ms. Fenton. Motion carried unanimously; meeting adjourned at 5:54 PM.

Submitted by
Chris Colla, Associate Planner
East Central WI Regional Planning Commission

TO: Appleton (Fox Cities) MPO Policy Board
FROM: Transportation Staff
DATE: December 12, 2024
RE: Staff Report – Appleton (Fox Cities) Metropolitan Planning Organization

Roadways

1. **Functional Class:** Staff received preliminary estimates of functional classification percentages for the Appleton (Fox Cities) Urban Area based on the new urban area boundary from WisDOT. It has been noted that within the new boundary, the urban area is nearing capacity of Collector roadways (15.6% of allowable 16%). WisDOT has recommended reclassification of some roadways to avoid reaching the threshold. At this time, staff is reviewing the functionally classified roadways within the urban area and the draft functional classification network can be viewed at this website: <https://www.arcgis.com/apps/dashboards/0388116bf08f4a36b41f4b2a26785eda>.

If the Appleton (Fox Cities) MPO Technical Advisory Committee members have questions regarding the draft functional classification update, please contact Casey Peters at 920-751-4770 ext. 6824 or at cpeters@ecwrpc.org. This will be discussed at the February Meeting and will be brought forward for a formal approval in mid-2025.

Active Transportation

2. **Trail Summit 2.0:** ECWRPC staff are working with community partners on planning Trail Summit 2.0. It is anticipated this event will be held on February 18, 2025. A Save the Date has been included in the meeting packet.
3. **Trail Video Inventory:** ECWRPC staff have been conducting video inventories of the local trail network. The purpose of this is to collect visual data on our trails, which can be used for future planning efforts and to highlight to the public the trails within the region.
4. **Complete Streets Toolkit and Guidebook:** Staff are developing a Complete Streets Toolkit and Guidebook to assist communities in understand the various options for complying with the Appleton (Fox Cities) MPO and Oshkosh MPO Complete Streets policy. This will consist of best practices and feature cross section options based on street typologies.
5. **Community Connectors Program (A NEW Avenue):** Lindsey Smith (City of Appleton), Esme Banks (Boys and Girls Club of the Fox Valley), and Brenna Root Whitby (ECWRPC) attended a Community Connectors convening in Washington, D.C. in mid-October. Content focused on preventing displacement and relationship and trust building in communities.

Safe Routes to School

1. **Community Engagement Session:** The Safe Routes to School team has been working with Traffic Analysis and Design Inc. to conduct community engagement sessions for the built environment and active transportation to and from school study. Staff recently held the third round of engagement for Neenah High School with District Administrators and Municipality staff to gather input.

SAVE THE DATE

FOR

TRAILS SUMMIT 2.0

2.18.2025

POPLAR HALL

8:30 AM - 3:30 PM

AN INVITATION WITH REGISTRATION LINK
WILL BE FORTHCOMING.

ABOUT EVENT:

This free Summit is your opportunity to be a part of shaping the future of trails in the region!

SPONSORS:

East Central Wisconsin Regional Planning Commission
The Community Foundation for the Fox Valley Region
Fox Cities Greenways
Fox River Navigational System Authority

TO: Appleton (Fox Cities) MPO Policy Board
FROM: Kim Biedermann, Principal Transportation Planner
DATE: December 12, 2024
RE: Discussion on the Cooperative Agreement for Continuing Transportation Planning for the Appleton (Fox Cities), Wisconsin Metropolitan Area between State of Wisconsin, Department of Transportation and the Appleton (Fox Cities) Metropolitan Planning Organization and the Valley Transit System

Federal code requires that written agreements must be established between MPOs, state departments of transportation, and providers of public transportation (23 CFR 450.314). The agreements, known as Cooperative Agreements, are to include “specific provisions for the development of financial plans that support the metropolitan transportation plan and the metropolitan [transportation improvement plan], and development of the annual listing of obligated projects.”

These cooperative agreements should be periodically reviewed and updated. The last cooperative agreement between ECWRPC, as the MPO for the Appleton (Fox Cities) planning area, the Wisconsin Department of Transportation (WisDOT), and Valley Transit was signed on January 5, 2017. In accordance with the requirement to periodically review the cooperative agreement and with the redesignation of the Appleton (Fox Cities) MPO policy board, it was deemed necessary to review and update the cooperative agreement.

A copy of the most recently adopted Cooperative Agreement is included and follows this memo.

Staff Recommendation: This is only for informational purposes and discussion; no action is necessary at this time.

**COOPERATIVE AGREEMENT FOR CONTINUING TRANSPORTATION
PLANNING FOR THE APPLETON, WISCONSIN METROPOLITAN AREA**
between
STATE OF WISCONSIN, DEPARTMENT OF TRANSPORTATION
and the
APPLETON METROPOLITAN PLANNING ORGANIZATION
and the
VALLEY TRANSIT SYSTEM
(Transit Operator)

This Cooperative Agreement is made and entered into between the State of Wisconsin Department of Transportation (hereinafter referred to as "WisDOT"), the **APPLETON** Metropolitan Planning Organization (hereinafter referred to as "MPO"), and the **VALLEY** Transit System, the operator of publicly owned transit services (herein referred to as "Transit Operator").

Recitals Section

WHEREAS, various federal grants and aids are available to WisDOT and/or the MPO, and various state grants and aids are available to the MPO for carrying out metropolitan transportation planning activities; and

WHEREAS, WisDOT is authorized by sec. 85.02, Wis. Stats. to direct, undertake and expend state and federal aid for planning, promotion and protection activities for all transportation modes; and

WHEREAS, the Governor of Wisconsin and local communities within the **APPLETON** Urbanized Area, through their authorized representatives, have jointly designated the MPO to carry out metropolitan transportation planning activities for the Metropolitan Planning Area; and

WHEREAS, the Transit Operator provides mass transportation services within the **APPLETON** Metropolitan Planning Area; and

WHEREAS, the Transit Operator is the designated recipient in the Urbanized Area for federal transit operating aids under Section 5307 of the Federal Transit Act, as amended; and

WHEREAS, metropolitan transportation planning activities come under the jurisdiction of the U.S. Department of Transportation Federal Highway Administration and Federal Transit Administration (hereinafter referred to as "USDOT") and are subject to the metropolitan planning requirements of 23 U.S.C. 134, section 5303 of the Federal Transit Act and implementing regulations at 23 C.F.R. 450; and

WHEREAS, the MPO, WisDOT and USDOT in consultation with the appropriate transportation providers enter into an annual unified planning work program (hereinafter referred to as the "Planning Work Program") as detailed in Article III Scope of Work of this agreement; and

WHEREAS, Metropolitan Planning Area boundaries for purposes of the federal planning provisions have been determined by agreement between the MPO and the Governor;

NOW THEREFORE, in consideration of these premises, and of their mutual and dependent needs, the parties hereto contract and agree as follows:

Article I: Statement of Purpose

WisDOT and the MPO, in cooperation with the Transit Operator, shall cooperatively undertake a continuing, cooperative, and comprehensive performance-based multimodal transportation planning and programming process for the Metropolitan Planning Area in accordance with state and local goals for metropolitan planning, the provisions of 23 USC 134, 49 USC 5303, and 23 CFR 450, and in accordance with the provisions of this Agreement.

Article II: Overall Responsibilities

A. The **MPO** shall be responsible for and shall be the lead agency in conducting the following transportation planning and programming activities pursuant to 23 CFR 450 and FTA Circular 4702.1B:

1. Formulating, adopting and periodically reviewing, updating and amending a long-range multimodal transportation plan for the Metropolitan Planning Area, which shall conform to all applicable Federal requirements;
2. Formulating and approving a short-range Transportation Improvement Program (TIP) for the Metropolitan Planning Area which shall cover a period of not less than 4 years and must have 4 years of projects and may include projects outside the Planning Area for information only. The TIP will provide a notice to the public that the public participation process used for its development meets the public participation requirements for the program of projects prepared by transit operators under 49 U.S.C. 5307;
3. Preparing and updating a mid-range (3-5 year) transit development plan (TDP) in cooperation with the Transit Operator. This plan shall include, but not be limited to, transit system policies and service demands, transit service reductions and extensions, transit fares, and transit system capital facility needs;

-OR-

Assist and participate with updating a mid-range (3-5 year) transit development plan (TDP) in cooperation with the Transit Operator. This plan shall include, but not be limited to, transit system policies and service demands, transit service reductions and extensions, transit fares, and transit system capital facility needs;

4. Coordination of short-range (e.g, TIP), mid-range (3-5 year) and long-range transit planning and programming with other transportation planning and programming, with cooperation and assistance from the Transit Operator;
5. Providing a forum for cooperative transportation planning and decision-making, and establishing a public participation process that ensures reasonable opportunities for early and continuing involvement of individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties in the review and evaluation of all transportation plans and programs, the latter to include special outreach efforts to those traditionally underserved by existing transportation systems;
6. Considering and implementing WisDOT transportation plans and planning guidance to the fullest extent consistent within local and regional goals;
7. Making data, assumptions, criteria, methodology, and analyses available to WisDOT and other participants in a timely manner;
8. Providing WisDOT with copies of all transportation plans and programs and all resolutions concerning their adoption, endorsement, or amendment;
9. Providing WisDOT with an annual self-certification that the MPO's transportation planning process conforms to all applicable Federal requirements pursuant to 23 CFR 450,
10. Complying with American Disabilities Act of 1990 plan certification procedures as required in 49 CFR 37. 139;
11. In air quality nonattainment and maintenance areas,
 1. assessing the conformity of the Metropolitan Planning Area long-range transportation plan and TIP with the Wisconsin State Implementation Plan for air quality management; and
 2. Conducting such additional air quality related transportation planning and analyses as shall be determined under a separate Memorandum of Agreement between the MPO, WDNR, WisDOT, USEPA, FHWA and FTA implementing Clean Air Act s. 176(c)(4)(E) requirements for a state conformity implementation plan;

12. Formulating and annually approving the Planning Work Program, which shall identify all transportation-related planning activities to be funded with state and federal financial aids and technical assistance in accordance with the provisions of this Agreement and the time schedule adopted by WisDOT;

13. In designated Transportation Management Areas:

1. Ensure the voting membership of the MPO policy body consists of:
 - 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; and
 - d. that that the official described in paragraph b shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described
2. Preparing and updating a Congestion Management Process (CMP) for the Planning Area which shall conform to all applicable federal requirements.

14. Cooperatively establishing all federally required MPO performance targets, sharing performance data and preparing system performance reports in coordination with WisDOT and Transit Operator (based on FHWA and FTA performance measure final rules publications); and the collection of data for state asset management plan per applicable federal regulations.

15. Maintaining a current Title VI Program as required by Federal Transit Administration's Title VI Circular 4702.1B in addition to the following:

1. Complete an annual report denoting any Title VI Investigations, Complaints and Lawsuits or reporting there had been none within the preceding year;
2. Reporting Title VI activities annually within the Unified Planning Work Program;
3. Updating the Title VI Program with approval by the MPO's Policy Board on a three year cycle.

16. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operator, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs;

17. Working with WisDOT and Transit Operators in the preparation of a financial plan for the transportation plan and transportation improvement program, including the cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.
18. Working cooperatively with WisDOT and Transit Operator in the preparation of an annual listing of obligated transportation projects funded under 23 U.S.C. or 49 U.S.C. Chapter 53.

B. WisDOT shall be responsible for, and shall be the lead agency in conducting, the following transportation planning and programming activities:

Actively participating in MPO activities to represent the state interests and ensure awareness and consideration of state transportation plans, programs, projects and policies in MPO decision-making.

1. Informing the MPO relative to the availability, or anticipated availability, of State and Federal financial aids and technical assistance for metropolitan transportation planning activities; making all metropolitan planning funds authorized by 23 U.S.C. 104(f) and 49 U.S.C. 5305(d) available to the MPOs in accordance with a formula developed by the State DOT, in consultation with the MPOs, and approved by USDOT;
2. Providing information relative to the availability, or anticipated availability, of State and Federal financial aids for metropolitan transportation improvements and services that fall under local programming jurisdiction;
3. Providing information relative to the proposed programming of State and Federal financial aids for metropolitan transportation improvements and services, which fall under State jurisdiction;
4. Informing the MPO relative to Federal or State statutes, policies, regulations and guidelines, which bare upon metropolitan transportation planning and programming activities and contractual arrangements;
5. Developing statewide strategies and guidance for the preparation and scoping of the metropolitan area transportation system plan, improvement program, and Planning Work Program to address Federal and State planning requirements and goals;
6. Coordinating the development of the schedule and procedures for annual submittal and interagency review (including but not limited to FHWA and FTA) and approval of the Planning Work Program;

7. Providing technical support and data and information collected or maintained by WisDOT that is pertinent to the transportation planning work to be performed by the MPO under this Agreement;
8. Coordinate, review and comment on MPO's long-range transportation plan, in a timely manner, for use as a guide in statewide planning and programming activities;
9. Approving the MPO TIP on behalf of the Governor;
10. Developing the statewide long-range transportation plan and the Statewide Transportation Improvement Program (STIP) in cooperation with MPO, pursuant to the provisions of 23 U.S.C. 135;
11. Coordinating and reconciling MPO transportation plans and programs with statewide plans and programs as necessary to ensure connectivity within transportation systems, in cooperation with the MPO;
12. Including the metropolitan TIP without change in the STIP, directly or by reference, after approval of the TIP by the MPO and the Governor.
13. Monitoring the MPO's transportation planning process to ensure compatibility with State and USDOT programs and objectives and to certify compliance with applicable Federal requirements;
14. As may be necessary meet with policy board members including local elected officials and officials of major modes or systems of transportation, e.g. transit, major airports, maritime ports and rail operators, to ensure that the needs and concerns of the State of Wisconsin with respect to transportation planning are being effectively met in the ongoing operations of the MPO;
15. Cooperatively selecting and establishing performance targets, sharing performance data and analysis, supporting monitoring and reporting of system performance in coordination with the MPO and Transit Operators (based on FHWA and FTA performance measure final rules);
16. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operator, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs;
17. Working with the MPO and Transit Operators in the preparation of a financial plan for the transportation plan and transportation improvement program, including the cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.

18. Working cooperatively with the MPO and Transit Operators in the preparation of an annual listing of obligated transportation projects funded under 23 U.S.C. or 49 U.S.C. Chapter 53.

C. Each **Transit Operator** shall be responsible for and shall be the lead agency in conducting the following transportation planning and programming activities:

- Actively participating in MPO activities to represent the public transit interests and ensure awareness and consideration of public transit plans, programs, projects and policies in MPO decision-making.
1. Coordination of short-range (e.g, TIP), mid-range (3-5 year) and long-range transit planning and programming (e.g., Transit Development Plan) with other transportation planning and programming, with cooperation and technical assistance from the MPO;
 2. Providing information relative to the proposed programming of Federal, State and local funds for metropolitan transit system improvements and services that fall under the Transit Operator's jurisdiction;
 3. Preparing and submitting applications for State and Federal mass transportation capital and operating assistance grants and administering approved grants;
 4. Conducting preliminary engineering and final design studies relating to mass transportation capital facilities, including, but not limited to, transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock;
 5. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in the TDP;
 6. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;
 7. Endorsing the MPO metropolitan area transportation plan in a timely manner, for use as a guide in local transit planning and programming activities;
 8. Conducting transit marketing planning, including, but not limited to, the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;
 9. Conducting transit management planning, including but not limited to, activities related to personnel procedures and training programs, maintenance policies, fare collection and handling procedures, and accounting practices;

10. Collecting data to meet the requirements of 49 U.S.C. 5335;
11. Collecting data to meet the requirements of Wisconsin Administrative Code Trans 3, 4, and 8;
12. As may be necessary meet with policy board members including local elected officials and appropriate State officials to MPO ensure that the needs and concerns of the transit operator are effectively met in the ongoing operations of the MPO
13. Cooperatively selecting and establishing performance targets, sharing performance data and analysis, supporting monitoring and reporting of system performance in coordination with WisDOT and the MPO (based on FHWA and FTA performance measure final rules); and
14. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operator, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs.
15. Working with the MPO and WisDOT in the preparation of a financial plan for the transportation plan and transportation improvement program, including the cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.
16. Working cooperatively with the MPO and WisDOT in the preparation of an annual listing of obligated transportation projects funded under 23 U.S.C. or 49 U.S.C. Chapter 53.

Article III: Scope of Work

- A. The cooperative metropolitan transportation planning process shall be carried out in accordance with a Planning Work Program approved by the MPO, WisDOT and USDOT, in consultation with appropriate transportation providers have entered into the Planning Work Program, including budget and cost allocation. The Planning Work Program will be reviewed, approved and replaced annually. The original and all approved subsequent Planning Work Programs during the terms of this agreement shall be made part of this agreement, and made a part of this Agreement which shall constitute the scope of work to be performed under this Agreement.
- B. The Planning Work Program shall set forth a description of the specific metropolitan transportation planning activities and products to be completed each calendar year, the corresponding staff and budgetary requirements, and the allocation of the total costs between the participating agencies. Responsibility for the following planning activities shall be identified in the Planning Work Program, where applicable:

1. Preparing technical and other reports to assure documentation of the development, refinement and reappraisal of the transportation plan; and
 2. Conducting detailed corridor or subarea studies to evaluate major transportation investment alternatives and their social, economic and environmental impacts pursuant to 23 CFR 450.
- C. Upon adoption of the Planning Work Program by the MPO and approval by WisDOT and by USDOT funding agencies, WisDOT shall authorize the MPO to proceed with the Planning Work Program in writing, and in accordance with the terms and conditions of such approval.

The Planning Work Program may be amended during the course of the year upon written request of the MPO subject to (1) the written concurrence of WisDOT and USDOT funding agencies and (2) the availability of funding, if applicable.

- D. The cooperative metropolitan transportation planning process to be conducted under this Agreement and governed by the provisions of 23 CFR 450 shall encompass the Metropolitan Planning Area, as determined by agreement between the Governor and MPO.

Article IV: Organization and Administration

A. The governing body of the MPO shall appoint and maintain such policy, citizen and/or technical advisory committees as deemed appropriate to effectively carry out the comprehensive metropolitan transportation planning process under this Agreement. WisDOT and the Transit Operator shall be represented on such policy and technical advisory committees.

B. MPO may enter into such institutional arrangements, service contracts or agency agreements as it deems necessary to carry out the scope of work under this Agreement with the understanding that the MPO shall remain accountable for completion of planning products in accordance with the Planning Work Program. All such contracts, subcontracts, agreements or other written understandings for services shall conform to the appropriate provisions of 23 CFR 200 as supplemented by 23 CFR 420.119 issued by the Federal Highway Administration (FHWA); Federal Transit Administration (FTA) Circular 42201.E and any changes or revisions thereto; and other applicable guidance the FTA, FHWA or USDOT may issue.

C. When consultants are to be employed in accomplishing work under this Agreement, all parties providing funding or technical support for such work shall have the right to review and advise on basic study methods and procedures and to review and approve subcontracts.

D. Nothing in this Contract shall be deemed as a waiver of WisDOT's nor the State's sovereign immunity consistent with Wisconsin State law.

Article V: Inspection of Work

WisDOT and USDOT shall, at all times during the effective period of this Agreement, be accorded proper facilities for inspection of the metropolitan transportation planning work activities and shall, in accordance with Article XI, have access to all data, information, records and documents pertaining to the work under this Agreement.

Article VI: Work Product

- A. WisDOT, the MPO and the Transit Operator shall give each other and applicable USDOT agencies adequate opportunity to review and comment on their respective reports produced under this Agreement prior to publication of the final report.
- B. All reports and documents published by all parties under this Agreement shall give credit to all other parties and to participating USDOT agencies and include appropriate disclaimer statements regarding representation of USDOT views or policies.
- C. WisDOT and USDOT shall each have the royalty-free nonexclusive and irrevocable right to reproduce, publish, distribute, or otherwise use, and to authorize others to use, the work produced under this Agreement for government purposes.

Article VII: Prohibited Interest

- A. No member, officer or employee of the MPO or any state or local public body during his or her tenure or for one year thereafter may have or acquire any interest whatsoever, direct or indirect, in this Agreement or proceeds thereof or any benefit arising therefrom.
- B. No member of or delegate to the Congress of the United States of America may have or acquire any interest whatsoever, direct or indirect, in this Agreement or proceeds thereof or any benefit arising therefrom.

Article VIII: Funding and Payment

- A. Funding levels and financial responsibilities for the continuing metropolitan transportation planning process shall be negotiated annually in conjunction with the preparation, review and approval of the Planning Work Program, and shall consider such factors as the availability of federal planning monies and state and local matching funds, statewide allocation formulas developed in cooperation with MPOs, and the relative benefits to participating agencies.

- B. Upon adoption of the Planning Work Program by the MPO and approval by WisDOT and by USDOT funding agencies, the Planning Work Program shall be deemed to constitute a part of this Agreement with respect to the scope of work and funding arrangements. Specific terms or conditions governing the financial aspects of the Planning Work Program will be set forth in WisDOT's annual authorization letter.
- C. All costs incurred during the progress of the metropolitan transportation planning work activities under this Agreement shall be shared by the MPO and the other participating agencies on the basis of the cost allocation schedule set forth in the approved Planning Work Program.

WisDOT's share of program costs, together with any USDOT share, which is administered by WisDOT, will be paid to the MPO following the receipt of a properly executed invoice, and a detailed status of expenditures report per WisDOT Unified Planning Work Program Handbook.

Progress reports containing a narrative and financial account of the work accomplished to date shall be furnished by MPO to WisDOT at no greater than a quarterly interval. These reports shall be due 30 days after the end of the first, second and third quarters, and 60 days after the final quarter.

WisDOT may withhold or delay approval of invoices if the MPO fails to submit progress reports or scheduled products in a timely and satisfactory manner. WisDOT shall provide reimbursement to the MPO within 15 business days so as to comply with federal planning requirements for the timely payment for all submitted and approved progress reports, finished products, and invoices.

Article IX: Cost Principles

A. Allowable Costs. Actual costs incurred by MPO under this Agreement shall be eligible for reimbursement provided the costs are:

1. Verifiable from the MPO's records;
2. Not included as match funds as prescribed by federal law or regulation for any other federally assisted program;
3. Necessary and reasonable for proper and efficient accomplishment of the approved Planning Work Program;
4. In conformance with the standards for allowability of costs set forth in 2 CFR 225 (Office of Management and Budget (OMB) Circular A-87, revised) and with applicable guidelines, regulations, or federal Agreement provisions issued by FHWA or FTA.

5. Not paid by the federal government under another assistance agreement unless authorized to be used as match funds under the other federal agreement and the laws and regulations governing such agreement; and
6. Provided for in the approved Planning Work Program.

No contributions where costs are not incurred, such as volunteer services or donated property, may be accepted as the non-federal share.

B. Indirect Costs. MPO costs charged on an indirect basis shall be supported by an indirect cost allocation plan and indirect cost rate proposal. Such plans shall be submitted with certification to WisDOT and the host agency's cognizant federal agency for approval prior to recovering any indirect costs included under this Agreement.

Article X: Property Utilization and Management

The MPO shall comply with the property management standards as set forth in 2 CFR 200, Subpart D, Property Standards.

Article XI: Records and Audits

- A. The MPO shall, for the program of continuing, comprehensive transportation planning and programming activities maintain an accounting system that adequately accounts for all funds provided for, accruing to, or otherwise received from the federal, state and local units of government, or any other quasi-public or private source under this Agreement.
- B. All eligible costs, including paid services and expenses contributed by the MPO, shall be charged to the approved Planning Work Program by the MPO and shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All accounting records and other evidence pertaining to the costs incurred by the MPO under this Agreement shall be maintained by the MPO and shall be clearly identified and readily accessible. WisDOT and USDOT shall have authority to audit, review, examine copy and transcribe any pertinent data, information, records or documents relating to this Agreement at any reasonable time. The MPO shall retain all records and documents applicable to this Agreement for a period of not less than three (3) years after final payment is made to WisDOT by the federal funding agencies.
- C. The MPO shall have a single, organization-wide financial and compliance audit performed by a qualified, independent auditor if required to do so under federal laws and regulations. (See 2 CFR Subpart F Audit Requirements.). This audit shall be performed in accordance with 2 CFR 200, and state single, organization-wide audit

guidelines issued by the Wisconsin Department of Administration (DOA). A copy of the audit shall be furnished to WisDOT.

Article XII: Certification Regarding Lobbying

- A. The MPO certifies, by signing this Agreement, to the best of his or her knowledge and belief, that:
1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- C. The MPO also agrees by signing this Agreement that it shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

Article XIII: Effective Date and Duration of Agreement

- A. This Agreement shall become effective upon execution by WisDOT, the MPO, and the Transit Operator and shall remain in force until terminated under provisions of Article XIV, or until superseded by a new agreement.
- B. This Agreement may be amended from time-to-time as facts or circumstances warrant or as may be required by OMB and/or state laws, administrative regulations, departmental orders, or guidelines having the full force and effect of law.
- C. This Agreement supersedes any previous cooperative agreement for metropolitan transportation planning.

Article XIV: General Provisions

- A. Choice of Law. This Agreement shall be interpreted in accordance with the statutes and laws of the United States of America and the State of Wisconsin.
- B. Entire Agreement. This Agreement together with those documents referred to herein contain the entire agreement of the parties and supersedes any and all prior COOPERATIVE AGREEMENT FOR CONTINUING TRANSPORTATION PLANNING agreements and draft agreements, or oral understandings between the parties.
- C. The State of Wisconsin may cancel this and any related contract in whole or in part, and without penalty due to nonappropriation of funds or for failure of the MPO and Transit Operators to comply with terms, conditions, and specifications of this contract by notice required in Article XV.
- D. Severability. If any provision of this Agreement or the application of this agreement is held invalid, the enforceability of all other provisions shall not be impaired.

Article XV: Termination Of Agreement

WisDOT, the MPO or the Transit Operator may terminate this Agreement by giving sixty (60) days written notice of such termination to the other parties. In the event of termination, the MPO will be entitled to receive just and equitable compensation for any satisfactory work completed under this Agreement to the effective date of such termination.

IN WITNESS WHEREOF, the parties have hereto caused this Agreement to be executed by their proper officers and representatives.

APPLETON METROPOLITAN PLANNING ORGANIZATION

By Jerry Erdmann Date 10-28-16
Jerry Erdmann, Chair, East Central Wisconsin Regional Planning Commission

STATE OF WISCONSIN, DEPARTMENT OF TRANSPORTATION

By Mark Gottlieb Date 1/5/17
Mark Gottlieb, Secretary

TRANSIT OPERATOR (VALLEY TRANSIT SYSTEM)

By Ronald C. McDonald Jr Date 11/03/2016
Name and Transit Representative
RONALD C. McDONALD JR

TO: Appleton (Fox Cities) MPO Policy Board
FROM: ECWRPC Transportation Staff
DATE: December 12, 2024
RE: Discussion and Action on Resolution FC-05-24: Approval of Carbon Reduction Program Funding for Federal Fiscal Years 2025-2028 within the Urban Areas of the Appleton (Fox Cities) Metropolitan Planning Organization

The Carbon Reduction Program (CRP) was established through the Bipartisan Infrastructure Law (BIL), providing funding for projects that reduce transportation emissions through a variety of means. The Appleton (Fox Cities) MPO is responsible for awarding funding to selected projects; projects can be federally funded up to 80% with a 20% local match. Application cycles run through 2028 with a total allocation of \$2,590,568 for the MPO over the duration of the program.

The Appleton (Fox Cities) MPO funding apportionment – per year through 2027 with funding available into 2028 – is \$647,642. The MPO received two project applications for the program. Both projects were screened by WisDOT and are eligible. East Central staff scored the projects; for additional information on project scoring criteria, contact Chris Colla at ccolla@ecwrpc.org.

Outagamie County: Intersections of CTH N & CTH OO

The intersections of CTH N & OO have two existing pre-timed traffic signals. High traffic volumes coupled with Little Chute High School, several major industrial enterprises, and a railroad line cause excessive queuing and delays during peak periods or when a train passes through. The project will upgrade the traffic signal infrastructure, including preemptive programming, and add pedestrian infrastructure for students and others. The need for pedestrian infrastructure improvements was identified by East Central's Safe Routes to School Team in their 2024 plan for the Little Chute School District.

The project is requesting \$171,280 for design in 2025 and \$1,054,960 for construction in 2027. Both those numbers are 80% of the total cost. While the total funding will be within the MPO's allocation for the program, coordination with WisDOT and another MPO is needed. WisDOT intends to use all funds programmed per year – and thus may shift funding away from an MPO that doesn't fully utilize their yearly allocation.

Winnebago County: CTH AP - Midway Road

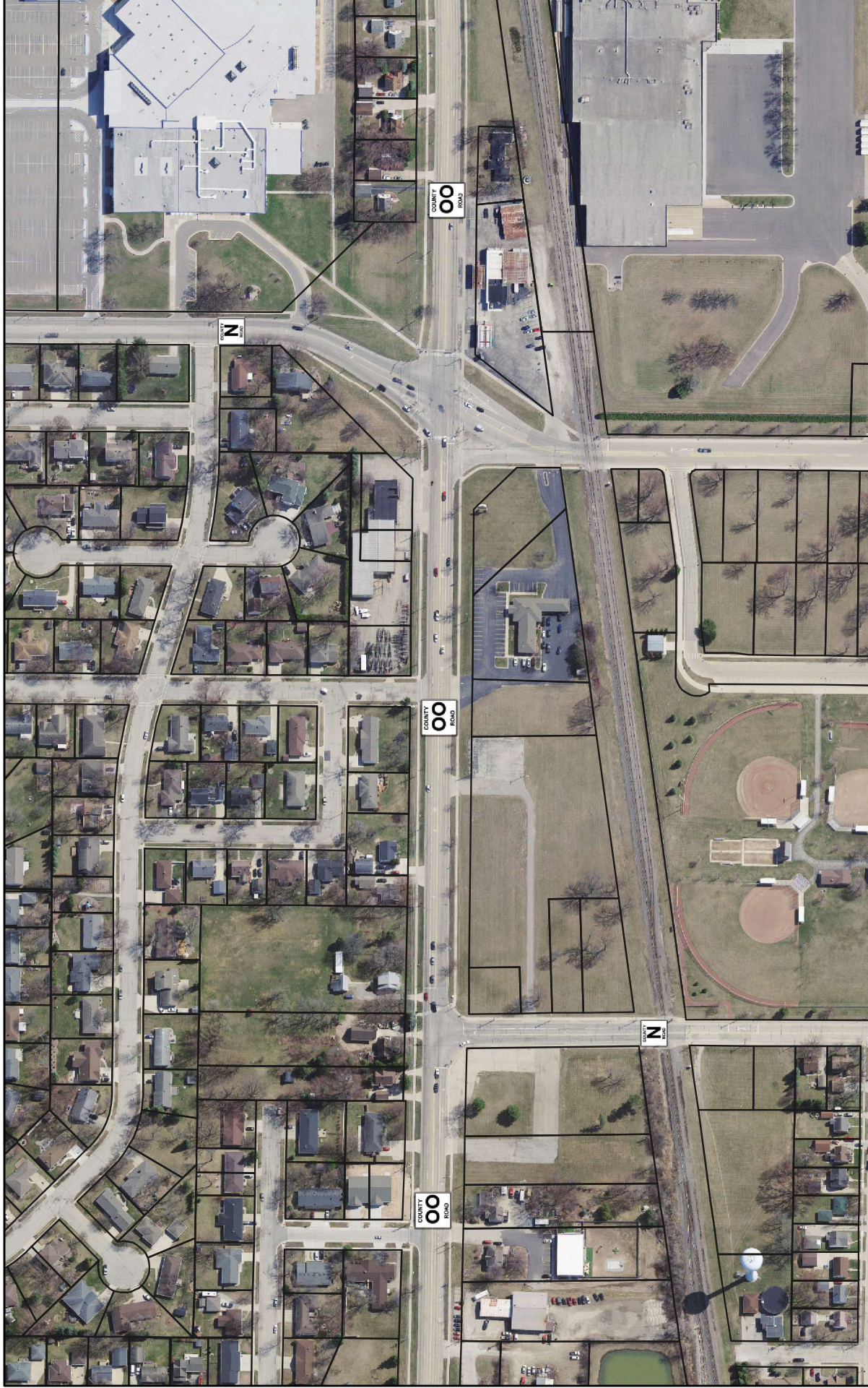
The project will re-stripe Midway Road from STH 441 – USH 10 (Oneida St) from four lanes down to three – one in each direction and a two-way left turn lane. A bicycle lane will be added on each side of the roadway. The project was previously presented to the Winnebago County Highway Committee in 2019 and approved for a traffic feasibility study, completed in December of that year confirming a similar level of service on the corridor in the new configuration. Carbon reduction will be addressed through a lane reduction and addition of a mode of active transportation.

The project is requesting to be funded at 80%, \$102,926.40 in Federal Fiscal Year 2028. The amount is within the MPO's yearly allocation.

Conversations with WisDOT have indicated both projects can be awarded at their requested funding levels, contingent upon federal and/or state funding availability within those years.

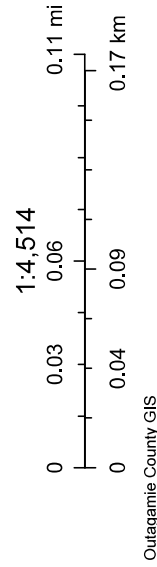
Staff Recommendation: Staff recommends discussion and action on Resolution FC-05-24: Approval of Carbon Reduction Program Funding for Federal Fiscal Years 2025-2028 within the Urban Areas of the Appleton (Fox Cities) Metropolitan Planning Organization.

County N & County OO Signals

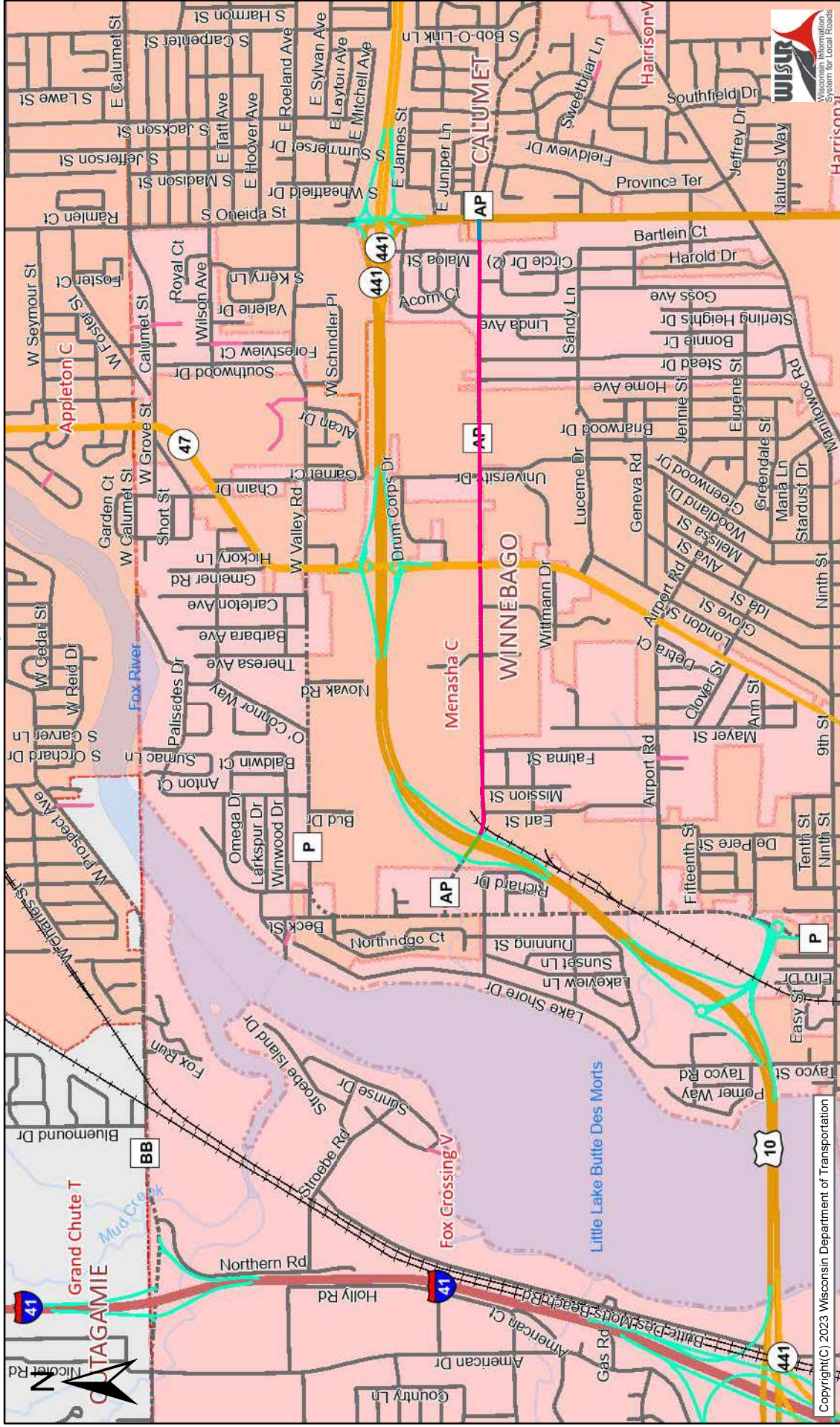


3/24/2023, 10:26:34 AM

Movement Impeded by RR Xing
Movement Unimpeded by RR Xing



WISLR Map



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wislr-f12

- 4 Traffic Lanes
- 5 Traffic Lanes
- 6 Traffic Lanes
- Railroads
- State Trunk Network
- Interstate Highway
- USH Highway
- USH Connecting Highway
- State Trunk Highways
- STH Connecting Highways
- On-Off Ramp
- Connector
- Frontage Road
- Wayside
- Rest Area
- Weigh Station
- County Roads
- County Trunk Hwy
- County Forest Roads
- Other County Roads
- Local Roads
- Municipal/Local Roads
- Ineligible Roads
- Rivers
- Lakes
- Cities/Villages/Towns
- City
- Village
- Town
- Counties



RESOLUTION NO. FC-05-24

APPROVAL OF CARBON REDUCTION PROGRAM FUNDING FOR FEDERAL FISCAL YEARS 2025-2028 WITHIN THE URBAN AREAS OF THE APPLETON (FOX CITIES) METROPOLITAN PLANNING ORGANIZATION

WHEREAS, the East Central Wisconsin Regional Planning Commission is the designated Metropolitan Planning Organization (MPO) for the Appleton (Fox Cities) Planning Area, and;

WHEREAS, the Carbon Reduction Program was prepared to meet the requirements of the Bipartisan Infrastructure Law (BIL), as prescribed by federal regulations, and;

WHEREAS, each MPO has its own allocation for the Carbon Reduction Program and is responsible for selecting projects, and;

WHEREAS, the Appleton (Fox Cities) MPO Technical Advisory Committee recommended approval of the Carbon Reduction Program projects, and;

WHEREAS, the Appleton (Fox Cities) MPO has a competitive process to select and approve Carbon Reduction Program projects, and;

WHEREAS, the selected local governments via their designated staff members have approved the following projects:

Project Description	Federal Funding Limit (80%)	Local Funding	Total Project Cost
Outagamie County: CTH N & CTH OO Intersections - Design	\$171,280	\$42,820	\$214,100
Outagamie County: CTH N & CTH OO Intersections - Construction	\$1,054,960	\$263,740	\$1,318,700
Winnebago County: CTH AP (Midway Rd)	\$102,926.40	\$25,731.60	\$128,658

NOW THEREFORE, BE IT RESOLVED BY THE APPLETON (FOX CITIES) METROPOLITAN PLANNING ORGANIZATION:

SECTION 1. That the Appleton (Fox Cities) MPO Policy Board approves each of the Carbon Reduction Program projects listed above at 80% of the eligible costs based on the final project application for the FFY 2025-2028 Carbon Reduction Program for the Appleton (Fox Cities) Metropolitan Planning Organization.

Effective Date: December 12, 2024

Submitted To: Appleton (Fox Cities) MPO Policy Board

Prepared By: Chris Colla, Associate Transportation Planner

Austin Hammond, Chair Appleton (Fox Cities)
MPO Policy Board

Attest: Melissa Kraemer Badtke—Exe Director
East Central WI Regional Planning Commission

Approval Date

TO: Appleton (Fox Cities) Policy Board
FROM: Chris Colla, Associate Planner
DATE: December 12, 2024
RE: Presentation and Discussion on Federal Performance Measure 1: Safety

The Bipartisan Infrastructure Law and predecessor legislation establish performance-based planning requirements for State Departments of Transportation, Metropolitan Planning Organizations, and providers of public transportation services. These regulations are codified in 23 CFR 490.

Federal Highway Administration establishes Performance Measures to ensure objective data and research inform investment and policy decisions to maximize the performance of the transportation system. Regulations specify the formula and acceptable data sources for each performance measure as well as the time period and frequency for setting targets. State DOT's MPO's, and transit agencies must set or adopt targets. Decision-makers can then utilize this information to ensure a targeted, effective distribution of funding and maximize improvements across all aspects of the transportation system.

Performance Measures establish data-driven targets and track progress toward achievement. The target is a quantifiable value to be achieved within a specific time period. Targets are set annually. PM1: Safety operates on a five-year rolling average.

Goals, objectives, performance measures, and targets are incorporated into the MPO's plans and programs, most notably the Metropolitan Transportation Plan and the Transportation Improvement Program. This helps track progress toward regional, state, and national goals. On October 2, 2024, the Wisconsin Department of Transportation issued their established targets for PM1. MPO's may either create their own measures or adopt the targets set by WisDOT; the Appleton (Fox Cities) MPO has traditionally adopted the WisDOT targets. MPO's have 180 days from the date WisDOT establishes its targets to establish their own targets or adopt the state's targets.

Table 1: WisDOT PM1 Performance Targets

Measure	2019 – 2023 Baseline Averages	2025 Safety Targets (2% Reduction)
Number of Fatalities	591.6	579.8
Rate of Fatalities per 100 million VMT	0.922	0.904
Number of Serious Injuries	3,145.0	3,082.1
Rate of Serious Injuries per 100 million VMT	4.906	4.808
Number of Non-Motorized Fatalities and Serious Injuries	388.6	380.8

Targets were established by calculating a 2% decrease from the current 5-year baseline averages. Once the targets are set, they must be amended into the Transportation Improvement Program.

Staff Recommendation This memo and presentation is for information only; action on PM1 will be taken at the next meeting.