

RESOLUTION NO.: 23—2024-25

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 The Federal Aid Highway Act of 1962 requires a continuing, comprehensive
2 transportation planning process carried out cooperatively by the State and local
3 communities of each urban area of more than 50,000 population in order to qualify
4 transportation projects for federal aid.

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6 East Central Wisconsin Regional Planning Commission (ECWRPC) was designated as
7 the Appleton (Fox Cities) Metropolitan Planning Organization (MPO) by Wisconsin's
8 Governor in January 1974. Due to a population in excess of 200,000 following the 2010
9 U.S. Census, the Appleton (Fox Cities) Urban area was designated by the federal
10 government as a Transportation Management Area (TMA) in 2012. The ECWRPC
11 Board, consisting of elected and appointed officials from member counties within East
12 Central's ten (10) county region has served as the Policy Board for the Appleton (Fox
13 Cities) MPO since 1974. However, ECWRPC identified the creation of a separate
14 Appleton (Fox Cities) MPO Policy Board within their 2020 Strategic Plan.

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16 A change to the Appleton (Fox Cities) MPO Policy Board was identified as necessary by
17 ECWRPC, Federal Highway Administration (FHWA) and Federal Transit
18 Administration (FTA) to ensure that local elected officials representing 75% of the
19 affected population serve on the MPO Policy Board, consistent with federal requirements
20 as outlined in 23 CFR 450.310.

21
22 Outagamie County is located within the Appleton (Fox Cities) Metropolitan Planning
23 Organization. A new Appleton (Fox Cities) MPO Policy Board structure has been
24 developed by ECWRPC staff, in coordination with FHWA, FTA, WISDOT, and local
25 impacted communities, which is outlined in the attached Table.

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27 The main functions of the Appleton (Fox Cities) MPO Policy Board shall be to provide
28 policy guidance throughout the transportation planning process, review and approve the
29 Metropolitan Transportation Plan (MTP), Congestion Management Process,
30 Transportation Improvement Program (TIP), the Unified Planning Work Program
31 (UPWP), and promote the implementation of the TIP and UPWP.

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1 Approval of each governing body of the municipalities and counties located within the
2 Appleton (Fox Cities) Metropolitan Planning Area is necessary to demonstrate local
3 support for the formal request that the Governor redesignate the Appleton (Fox Cities)
4 MPO Policy Board structure as outlined in the attached table. Each local unit of
5 government located within the Appleton (Fox Cities) MPO area will be party to the
6 formal redesignation agreement (draft attached), and the final agreement will be
7 negotiated and executed between the State of Wisconsin Governor, ECWRPC, and the
8 local units of government.

9
10 NOW THEREFORE, the undersigned members of the Highway, Recycling and Solid Waste
11 Committee recommend adoption of the following resolution.

12 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support and approve
13 the new structure of the Appleton (Fox Cities) Metropolitan Planning Organization (MPO) Policy Board
14 as reflected in the attached Appleton (Fox Cities) Metropolitan Planning Organization Table, which by
15 reference is made a part hereof, and

16 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does agree to
17 participate in the Appleton (Fox Cities) MPO Policy Board meetings to ensure a continuing,
18 comprehensive, and cooperative transportation planning process for the Appleton (Fox Cities)
19 Metropolitan Planning Area, and

20 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
21 support the provisions as outlined in the attached Draft Agreement Redesignating the Metropolitan
22 Planning Organization Policy Board Structure For The Appleton (Fox Cities) Urbanized Area, which by
23 reference is made a part hereof, and the final Agreement will be negotiated and executed between the
24 State of Wisconsin Governor, East Central Wisconsin Regional Planning Commission, and the local
25 units of government, and

26 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
27 of this resolution to the Outagamie County Executive, the Outagamie County Development and Land
28 Services Director, and East Central Wisconsin Regional Planning Commission.

29 Dated this ____ day of June 2024

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Respectfully Submitted,

HIGHWAY, RECYCLING AND SOLID
WASTE COMMITTEE

Joy Hagen

Daniel Nejedlo

Steve Thiede

Dennis Clegg

Jason Wegand

Duly and officially adopted by the County Board on: _____

Signed: _____
Board Chairperson

County Clerk

Approved: _____

Vetoed: _____

Signed: _____
County Executive

APPLETON (FOX CITIES) METROPOLITAN PLANNING ORGANIZATION

Updated 2/22 with adjusted MPA boundary populations

Member Jurisdiction	2020 Census		Policy Board Structure	
	Population within MPA Boundary	Population %	> 5,000 populaton = 1 vote; Additional vote(s) for each increment of 25K pop	
			Voting Seats	Advisory Seats
City of Appleton	75,913	30%	4	
Outagamie - 63,168				
Calumet - 11,304				
Winnebago - 1,441				
City of Neenah	27,319	11%	2	
Town of Grand Chute	23,650	9%	1	
Village of Fox Crossing	18,974	7%	1	
City of Kaukauna	17,094	7%	1	
City of Menasha	18,268	7%	1	
Winnebago - 15,261				
Calumet - 3,007				
Village of Greenville	12,118	5%	1	
Village of Harrison	12,091	5%	1	
Village of Little Chute	11,619	5%	1	
Village of Kimberly	7,320	3%	1	
Town of Buchanan	6,823	3%	1	
Town of Neenah	3,702	1%		1
Village of Combined Locks	3,634	1%		1
Town of Clayton	3,487	1%		1
Village of Sherwood	3,271	1%		1
Town of Center	1,859	1%		1
Town of Vandenbroek	1,627	1%		1
Town of Freedom	1,353	1%		1
Town of Kaukauna	1,020	0%		1
Town of Vinland	1,202	0%		1
Town of Ellington	945	0%		1
Village of Wrightstown	292	0%		1
Town of Woodville	149	0%		1
MUNICIPALITY TOTALS	253,730	100%	15	12

COUNTIES			Min. 1 vote; Additional vote(s) for each increment of 100,000 population	
Outagamie County	152,522	60%	2	
Winnebago County	71,386	28%	1	
Calumet County	29,822	12%	1	
COUNTY TOTALS	253,730	100%	4	0

REQUIRED MAJOR MODES OF TRANSPORTATION		
WISDOT		1
Valley Transit		1
Appleton International Airport		1
MAJOR MODES TOTALS		3

REQUIRED NON-VOTING MEMBERS		
FHWA		1
FTA		1
MPO Director		1
REQUIRED NON-VOTING MEMBER TOTALS		3

GRAND TOTAL POLICY BOARD SEATS	22	15
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% of pop w/direct representation	91.1%
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AN AGREEMENT REDESIGNATING THE METROPOLITAN PLANNING ORGANIZATION POLICY BOARD STRUCTURE FOR THE APPLETON (FOX CITIES) URBANIZED AREA

Introduction

The parties to this Agreement (hereinafter the "Signatories") hereby agree to the redesignation of East Central Wisconsin Regional Planning Commission arising out of the need to address actions recommended by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) pertaining to the organization and structure of the existing Metropolitan Planning Organization's Policy Board.

WHEREAS, The Metropolitan Planning Organization (MPO) for the Appleton (Fox Cities) Urban Area is charged, under Title 23 U.S.C., Section 134, as the organization responsible for cooperative transportation planning and decision making for the Appleton (Fox Cities) Metropolitan Planning Area, and;

WHEREAS, the Metropolitan Planning Area consists of the City of Appleton, the Appleton Urban Area, and all or portions of the contiguous cities, villages, and towns which are or are likely to become urbanized within a 20-year period as shown on the attached map and agreed to by the MPO and the Governor, and;

WHEREAS, the responsibilities of the Metropolitan Planning Organization 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 (FHWA), the Federal Transit Administration (FTA), and the Wisconsin Department of Transportation (WisDOT).
2. Preparing and maintaining a Metropolitan Transportation Plan.
3. Preparing and implementing an annual unified planning work program.
4. Preparing a transportation improvement program to provide for transportation investments to meet metropolitan transportation needs.
5. Preparing and maintaining the Congestion Management Process, the Public Participation Process and the Title VI plan.
6. Establishing operating rules and procedures.
7. Working in cooperation with Valley Transit.
8. Other duties as required to comply with State and Federal regulations, and;

WHEREAS, the Appleton (Fox Cities) Urban Area was created through an agreement between the Governor and East Central Wisconsin Regional Planning Commission (ECWRPC), effective January 15, 1974 designating the MPO for the Appleton (Fox Cities) Urban Area in accordance with federal law. East Central Wisconsin Regional

Planning Commission assumed the responsibility to conduct transportation planning and programming for the Appleton (Fox Cities) Urban area, and;

WHEREAS, the Appleton (Fox Cities) MPO Policy Board membership and voting structure was identified by ECWRPC, Federal Highway Administration, and Federal Transit Administration as requiring adjustments to ensure compliance with federal requirements, and;

WHEREAS, federal law allows for the redesignation of the Metropolitan Planning Organization by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the population within the Planning Area, including the largest incorporated city, and;

WHEREAS, a redesignation process to implement the necessary changes was initiated by ECWRPC, in partnership with FHWA, FTA, and WisDOT, in late 2023. On March 28, 2024, the East Central WI Regional Planning Commission Board took the first step in the process and approved a resolution in support of engaging the local impacted communities on the structure and membership of the Appleton (Fox Cities) MPO Policy Board to bring it into compliance with federal requirements, as outlined in 23 CFR 450.310, and;

WHEREAS, a Redesignation Agreement cannot be amended without the consent of all the Signatories, and so;

NOW, THEREFORE, IT IS MUTUALLY AGREED:

That the revised structure of the Appleton (Fox Cities) Metropolitan Planning Organization's Policy Board is described below.

B. Composition of the Appleton (Fox Cities) MPO Policy Board

The members of the Appleton (Fox Cities) Metropolitan Planning Organization Policy Board are appointed by the Wisconsin Department of Transportation, Valley Transit, City of Appleton, Outagamie, Calumet and Winnebago Counties, small villages, cities and towns within the Metropolitan Planning Area in recognition of their respective roles as the owners and operators of the major modes of transportation serving the Metropolitan Planning Area. Each appointee to the Policy Board shall reside within the Metropolitan Planning Area and shall serve until their successor is appointed. As of September 3, 2024, the Metropolitan Planning Organization Policy Board for the Appleton (Fox Cities) Urbanized Area and Appleton (Fox Cities) Metropolitan Planning Area consist of the following members:

(INSERT NEW POLICY BOARD STRUCTURE)

In addition, all appointments must be in accordance with Title 23, United States Code, Section 134, Paragraph (d)(2) that indicates the voting membership of the Policy Board shall consist of:

- a. Local elected officials;
- b. Officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and
- c. Appropriate State officials.

When each of the appointing authorities is making an appointment under condition (b) above, the MPO also accepts members in good standing that come from local boards and commissions with a focus on transportation or land use, including mayoral representatives, or representatives of the chief executive officer of any city, village, or town in the MPO Planning area with said focus.

Policy board members representing any local government jurisdiction or collective group of local government jurisdictions (such as Cities, Villages, or Towns) must be selected by the elected officials of the local government jurisdiction(s) they represent.

C. Future Changes to the Policy Board Composition

The composition of the Appleton (Fox Cities) MPO Policy Board will be reviewed following each decennial U.S. Census to ensure appropriate and proportional representation.

Revising the composition of the Policy Board (e.g. adding membership, the number or requirements of members appointed by each appointing authority) or expansion of the metropolitan planning area boundary does not necessarily require redesignation of the MPO.

A change to the Appleton (Fox Cities) MPO Policy Board can be made following the notification of the appointing authorities, all the local units of government in the MPO Planning Area, a public hearing on the proposed changes, and ratification by those units of government with 75 percent of the population in the planning area, including the City of Appleton as the largest incorporated city.

D. Designation of Fiscal Agent

East Central Wisconsin Regional Planning Commission shall be designated to serve as the fiscal agent for the Appleton (Fox Cities) Metropolitan Planning Organization.

- 1. Location. MPO staff will be provided by the East Central WI Regional Planning Commission
- 2. Matching Contribution. Outagamie, Calumet and Winnebago Counties shall be responsible for providing the local matching contributions, through their annual levy contribution to ECWRPC.

E. Initial Plan Updates

Subject to state and federal laws and fiscal constraint, to maintain consistency and continuity in the region planning efforts to-date the existing planning documents of the

previous MPOs are adopted, including the fiscally constrained TIPs, as the starting point for future updates, and prioritizing projects currently.

F. Effective Date and Conditions of the Agreement

1. This agreement is effective on **September 3, 2024** after obtaining signatures of approval by the Governor and representatives of units of government with 75 percent of the population in the MPO Planning Area, including Appleton as the largest incorporated city.
2. This agreement supersedes and voids the designation agreement entered into by the Governor and East Central Wisconsin Regional Planning Commission dated January 15, 1974.

G. Amendments

Any changes to the Redesignation Agreement shall be enacted by a written amendment executed by all signatories.

H. Non-Discrimination

In the performance of the services under this Agreement, the parties shall not discriminate against any employee or applicant because of race, religion, marital status, age, color, sex, handicap, national origin, or ancestry, income level, or source of income, arrest record or conviction record, less than honorable discharge, physical appearance, sexual orientation, political beliefs, or student status. The parties further agree not to discriminate against any subcontractor or person who offers to subcontract on this contract because of race, color, age, disability, sex or national origin.

WITNESS WHEREOF, the parties have caused this to be executed by individuals and officers duly authorized on the dates noted below.