

Draft Minutes of the Twenty First Joint Meeting of the

**ADVISORY COMMITTEES ON REGIONAL LAND USE PLANNING
AND REGIONAL TRANSPORTATION PLANNING**

DATE: November 29, 2018
TIME: 9:30 a.m.
PLACE: West Allis City Hall
7525 W. Greenfield Avenue
West Allis, Wisconsin

Members Present

Committee on Regional Land Use Planning

Julie Anderson Director of Public Works and Development Services, Racine County
Chair
Michael Amsden (alternate for Patricia Najera) Multi-Modal Manager,
City of Milwaukee Department of Public Works
Anthony Barth (alternate for Sheri Schmit) Planning Section Chief,
Wisconsin Department of Transportation
Robert Bauman Alderman, City of Milwaukee
Donna Brown-Martin Director, Milwaukee County Department of Transportation
Andy Buehler Director of Planning and Development, Kenosha County
Matthew Carran Director of Community Development, Village of Menomonee Falls
Paulette Enders Director of Development, City of Wauwatosa
Jason Fruth Planning and Zoning Manager, Waukesha County
Bob Harris Director of Planning and Development, City of Port Washington
Kristi Johnson Community Development Manager, City of Greenfield
Vanessa Koster Planning Manager, City of Milwaukee Department of City Development
Jeffrey Labahn Director, Community Development and Inspections, City of Kenosha
Maria Pandazi (alternate for Jennifer Andrews) City Planner, City of Waukesha
Douglas Seymour Director of Community Development, City of Oak Creek
Debora Sielski Deputy Planning and Parks Administrator,
Manager of Planning Division, Washington County
Andrew Struck Director, Planning and Parks Department, Ozaukee County

Committee on Regional Transportation Planning

Donna Brown-Martin Director, Milwaukee County Department of Transportation
Chair
Fred Abadi Director of Public Works, City of Waukesha
Samir Amin Engineer-In-Charge, City of Milwaukee Department of Public Works
Julie Anderson Director of Public Works and Development Services, Racine County
Anthony Barth (alternate for Sheri Schmit) Planning Section Chief,
Wisconsin Department of Transportation
Daniel Boehm President and Managing Director, Milwaukee County Transit System
David Cox Village Administrator, Village of Hartland

Peter Daniels City Engineer, City of West Allis
 Jon Edgren Director of Public Works/Highway Commissioner, Ozaukee County
 Douglas Ferguson Senior Analyst, Chicago Metropolitan Agency for Planning
 Liaison to Chicago Metropolitan Agency for Planning
 Michael Friedlander (alternate for Gail Good) Program and Policy Analyst,
 Bureau of Air Management, Wisconsin Department of Natural Resources
 Carolynn Gellings Manager of Engineering Services,
 Waukesha County Department of Public Works
 Thomas Grisa Director of Public Works, City of Brookfield
 Nik Kovac Alderman, City of Milwaukee
 Max Marechal City Engineer, City of West Bend
 Kimberly Montgomery Legislative Liaison Director, City of Milwaukee
 Jeffrey Polenske Commissioner of Public Works, City of Milwaukee
 Joseph Steier III (alternate for Scott Schmidt) Transit Manager, Washington County
 Brian Udovich Highway Operations Manager, Jefferson County
 Liaison to Jefferson County
 Charles Wade Chief, Planning Section, Bureau of Planning and Economic Development,
 Division of Transportation Investment Management, Wisconsin Department of Transportation
 Dennis Yaccarino Budget and Management Director,
 Department of Administration, City of Milwaukee
 Mark Yehlen Commissioner of Public Works, City of Racine

Guests and Staff Present

Michael Hahn Executive Director, SEWRPC
 Christopher Hiebert Chief Transportation Engineer, SEWRPC
 Ryan Hoel Deputy Chief Transportation Engineer, SEWRPC
 Andrew Levy Systems Planning Supervisor,
 Southeast Region, Wisconsin Department of Transportation
 Eric Lynde Chief Special Projects Planner, SEWRPC
 Benjamin McKay Chief Community Assistance Planner, SEWRPC
 Kevin Muhs Deputy Director, SEWRPC
 Nakeisha Payne Public Involvement and Outreach Manager, SEWRPC
 David Schilling Chief Land Use Planner, SEWRPC
 Andrew Stern Planner, Community Development and Zoning, City of Greenfield

CALL TO ORDER

Ms. Anderson called the joint meeting of the Advisory Committees on Regional Land Use Planning and Regional Transportation Planning to order at 9:35 a.m., welcoming those in attendance. She stated that roll call would be accomplished through circulation of a sign-in sheet.

REVIEW AND APPROVAL OF MINUTES OF THE JOINT MEETING OF THE ADVISORY COMMITTEES ON REGIONAL LAND USE PLANNING AND REGIONAL TRANSPORTATION PLANNING HELD ON AUGUST 15, 2018

Ms. Anderson noted that the minutes members received in their packets ahead of the meeting had been revised to correct an error and were resent via email and redistributed at the meeting. Ms. Anderson then asked if there were any questions or comments on the August 15, 2018, meeting minutes. There were

none. On a motion by Mr. Cox seconded by Mr. Buehler, the August 15, 2018, meeting minutes were approved unanimously.

CONSIDERATION OF “RECORD OF PUBLIC COMMENTS: AMENDMENT TO VISION 2050 INCORPORATING LAND USE CHANGES AND TRANSPORTATION IMPROVEMENTS RELATED TO THE PLANNED FOXCONN MANUFACTURING CAMPUS”

Ms. Anderson indicated that the next agenda item was a review by Mr. Lynde of the record of public comments. She noted that the record of public comments (available [here](#)) was distributed to members. Mr. Lynde explained that the record of public comments includes public comments received during two public comment periods. The first comment period was held from August 28 through September 30, 2018, on the draft amendment to VISION 2050 incorporating land use changes and transportation improvements related to the planned Foxconn manufacturing campus. The second comment period was held from October 26 through November 26, 2018, on the draft equity analyses of the proposed amendment to VISION 2050. He noted that comments regarding the proposed amendment to VISION 2050 are presented in Appendix A of the record of public comments and comments on the equity analyses are presented in Appendix D. He also noted that two public comments received after the draft record of public comments was prepared were distributed to members of the Committees and will be incorporated into the record of public comments document. Mr. Lynde then reviewed the summary of comments received.

Ms. Anderson asked if there were any questions or comments on the agenda item. Mr. Cox suggested clarifying in a motion that the record of public comments will include those comments received after the draft document was prepared. Ms. Anderson then asked for a motion to receive and file the “Record of Public Comments: Amendment to VISION 2050 Incorporating Land Use Changes and Transportation Improvements Related to the Planned Foxconn Manufacturing Campus,” with additional public comments to be included in the final document. Mr. Cox moved to receive and file the record of public comments with additional comments to be included in the final document and Mr. Seymour seconded the motion. The motion was approved unanimously.

REVIEW AND CONSIDERATION OF PROPOSED AMENDMENT TO VISION 2050 INCORPORATING LAND USE CHANGES AND TRANSPORTATION IMPROVEMENTS RELATED TO THE PLANNED FOXCONN MANUFACTURING CAMPUS

Ms. Anderson indicated that the next agenda item was a review by Mr. Lynde of the revised draft of the amendment to VISION 2050 incorporating land use changes and transportation improvements related to the planned Foxconn manufacturing campus. She noted that the revised draft of the VISION 2050 amendment document (available [here](#)) was distributed to members. She then asked Mr. Lynde to review the amendment. During the review, Mr. Lynde explained that comments from the August 15, 2018, joint meeting of the Advisory Committees; comments from the September 13, 2018, Environmental Justice Task Force meeting; and comments from the two public comment periods have been incorporated into the revised draft. He also explained that a document showing the proposed text revisions using track changes was distributed to members (available [here](#)). Mr. Lynde then reviewed the track changes document. The following comments and discussion points were made during the review:

1. Mr. Yaccarino referred to the Updated Financial Analysis of the VISION 2050 Transportation System and asked why funds could not be reallocated from highways to public transit within the Fiscally Constrained Transportation Plan (FCTP). Mr. Muhs responded that the FCTP can only

include projects that can be funded with existing and reasonably expected revenues, given restrictions in State and Federal law on the use of those revenues for specific types of projects or services. Mr. Muhs then explained that it could be possible to flex highway funding for public transit capital projects; however, much of the difference in the funding needed to implement the public transit element recommended in VISION 2050 is related to operations. Muhs also explained that the updated financial analysis now shows that expected revenues will be insufficient to complete the recommended reconstruction of several portions of the Region's arterial street and highway system by 2050.

2. Mr. Kovac described the FCTP as the part of VISION 2050 that can be implemented and asked whether the plan can recommend a change in State law to increase transit funding so the recommended transit improvements can be included in the FCTP. Mr. Muhs explained that past generations of the regional transportation plan have similarly only included projects that could be funded with existing and reasonably expected revenues. He further explained that metropolitan planning organizations, such as the Commission, have more recently started creating vision plans and identifying the funded portions of those plans; however, reallocating funding from the arterial street and highway system to public transit operation is not allowed under the FCTP. Mr. Kovac commented that he appreciates what has been added to the amendment regarding the equity impacts of not providing sufficient funding for transit, but the vision plan needs to be implemented. He suggested using the data presented in VISION 2050 as leverage in implementing the plan.
3. Mr. Bauman commented that the Equity Analysis of the Amended Transportation Component states that without additional funding to implement the public transit element of VISION 2050, a disparate impact on the Region's minority populations is likely to occur. Mr. Bauman then commented that there could be an impact on Federal funding for transportation projects in the Region in light of Federal regulations under the Civil Rights Act. He then suggested adding a recommendation that the Federal Highway Administration require the State to reallocate Federal funding for highways to public transit to mitigate the disparate impact. Mr. Muhs responded that the Federal Highway Administration provides flexibility in how many types of funds can be used, has limited influence over how the State uses its funding allocation. He noted that the Commission makes recommendations on how transportation funding should be allocated in its role as an advisory agency.
4. Mr. Boehm commented that there is an obligation to identify actions to mitigate disparate impacts and asked if this is done on an individual project basis. Mr. Muhs responded that equity analyses are conducted for major projects as part of an environmental impact statement (EIS). The outcomes of an EIS may require actions to mitigate disparate impacts. Mr. Muhs explained that State legislation allowing more funding for public transit would be a mitigation strategy and that the plan identifies this action to avoid disparate impacts on a systematic level.
5. Mr. Polenske commented that the amendment to VISION 2050 is very specific to transportation improvements to serve the Foxconn manufacturing campus. He commented that highway projects are moving forward while improved public transit service remains unfunded. He then commented that the State has approached public transit as a local issue; however, transit operators have not been provided with the means to improve public transit service. He further commented that the State is spending large amounts of money on economic development, but the people who need jobs will not be provided access to the jobs being created without additional funding for public

transit service improvements. He stated that the State needs to be involved in providing improved transit service and that involvement should be in place before the VISION 2050 amendment is approved by the Advisory Committees. Mr. Muhs responded that a large portion of funding for public transit comes from the State and the intent of approving the amendment today would be to provide State policy makers with a guide for connecting workers to new jobs through the transportation and land use recommendations in the Amendment.

6. Ms. Anderson asked for clarification regarding the potential actions that the Committees could take on the amendment, including approving, tabling, and denying. Mr. Muhs responded that approving the amendment would integrate the recommendations included in the amendment into the larger VISION 2050 plan. He explained that tabling the amendment could have the same outcome as denying the amendment depending on the length of delay. The reason the State has been able to move forward with projects on the surface arterials that serve the Foxconn campus is because projects are being constructed without Federal funds; however, an air quality conformity analysis would need to be conducted to allow those surface arterials to operate with additional capacity. The VISION 2050 amendment must be adopted prior to conducting the conformity analysis; therefore, new lanes cannot be used to provide additional capacity on the surface arterials until the VISION 2050 amendment is adopted.
7. Ms. Anderson asked if the Federal grant for IH 41/94 would be impacted by not approving the amendment. Mr. Muhs responded that expansion of IH 41/94 between the Mitchell Interchange and the State line is already included in VISION 2050. Ms. Brown-Martin asked if the Committees would need to approve the amendment to VISION 2050 before the State Transportation Improvement Program (STIP) is adopted to allow for capacity expansion on the surface arterials serving the Foxconn campus. Mr. Muhs responded that the need for a conformity analysis would require adoption of the VISION 2050 amendment prior to any amendment to the Regional Transportation Improvement Program or the STIP for capacity expansion on the surface arterials to move forward.
8. Mr. Polenske suggested tabling the amendment until new leadership is in place at the State level because the State needs to be a partner in improving public transit service to move forward in an equitable fashion. Mr. Grisa commented that having a set of recommendations in place may assist new leadership in increasing State funding for public transit service. Mr. Polenske responded that tabling the amendment could be an opportunity to create a greater sense of urgency at the State level for providing funding for public transit. Mr. Kovac noted that all of the recommendations and data in the amendment document are already available to policy makers and the public.
9. Mr. Boehm expressed concern regarding approving the FCTP portion of the amendment if it will have a disparate impact on minority populations and low-income populations. Mr. Grisa commented that the Committees are advisory to the Regional Planning Commission, which does not dictate decisions regarding regional plan implementation to the State. Mr. Muhs responded that the Regional Planning Commission has typically followed recommendations from advisory committees in the past. He explained that the challenge regarding mitigating the disparate impact of the FCTP is that the Commission is an advisory agency. He noted that the amendment does highlight the populations that bear the consequences if the public transit element of VISION 2050 is not implemented. Mr. Lynde noted that the proposed amended VISION 2050 would be the recommended plan, the FCTP identifies those portions of the vision that can be funded, and the

equity analyses identify the consequences of the FCTP. Once the amendment is adopted, the amendment and equity analyses can be formally communicated to State policy makers.

10. Mr. Kovac commented that the outcome of tabling the amendment is that the State may have to postpone striping additional lanes to increase capacity on the surface arterials serving the Foxconn campus. Mr. Polenske suggested tabling the amendment for a short period of time to allow a letter to be drafted outlining the challenges of implementing VISION 2050. Mr. Bauman commented that the incoming Governor may want a chance to review the letter before deciding to move ahead with the capacity expansion of the surface arterials. Mr. Bauman then commented that work has begun on capacity expansion without proper modeling of the potential demand for the capacity expansion.

[Secretary's Note: During the conduct of the preliminary engineering for the Foxconn development roads, the Wisconsin Department of Transportation conducted a traffic impact analysis. This traffic impact analysis used industry accepted trip generation rates from the Institute of Transportation Engineers Trip Generation Manual to estimate the potential number of trips the Foxconn development may be expected to generate based on the number employees, type of employment, and type of development. Using these estimates of trips to and trips from the development, along with known access points, the Department allocated trips to roadways such that potential impacts were identified under existing and forecast future conditions. The type of treatment recommended—capacity improvements, turn-lanes, signalization, etc.—is based on the needs of the development as well as the minimum level of service desired for the impacted roadways.

11. Mr. Fruth commented that the VISION 2050 amendment is positive, and approving the amendment would be less problematic if the financial constraints were identified without being referred to as a plan. Mr. Polenske commented that approval by the Committees may allow the State to continue treating public transit as a local issue. Postponing approval of the amendment until after a letter is drafted may encourage the State to change this view.

Ms. Anderson then asked if there was a motion to approve or table the revised draft of the amendment to VISION 2050 incorporating land use changes and transportation improvements related to the planned Foxconn manufacturing campus. Mr. Polenske made a motion to table the vote for 60 days after January 1, 2019, and to transmit a letter to the incoming Governor and WisDOT Secretary advising them of the amendment and challenges of implementing VISION 2050. Mr. Bauman seconded the motion. Ms. Anderson asked for any further discussion on the motion. The following discussion points were made on the motion:

1. Ms. Montgomery commented that the State Legislature is unlikely to be receptive to the public transit recommendations included in the amendment. Mr. Kovac stated that he supports tabling the amendment because approving the amendment would result in approving capacity expansion of the surface arterials serving the Foxconn campus without proper modeling of the potential demand for the capacity expansion. Mr. Grisa commented that tabling the amendment may not encourage the State Legislature to work cooperatively with the incoming Governor. Ms. Anderson noted that the capacity expansion is based on local information and characteristics of

the proposed development. Mr. Barth commented that the determination of the amount and location of the capacity expansion associated with the Foxconn expansion has been a data driven process.

2. Ms. Brown-Martin expressed that she shares concerns of encouraging the status quo regarding State funding for public transit service. Ms. Brown-Martin then commented that there may be a better way to positively move forward on public transit improvements with the incoming Governor than to table the amendment.

Ms. Anderson asked for a roll call vote and a hand count vote on the motion. Both counts resulted in 17 votes in favor and 17 votes against. The motion failed.

Mr. Carran then made a motion to approve the revised draft of the amendment to VISION 2050 incorporating land use changes and transportation improvements related to the planned Foxconn manufacturing campus to provide the letter to the incoming Governor and WisDOT Secretary suggested earlier, and to include information from the letter outlining the challenges of implementing VISION 2050 in the Executive Summary of the amendment. Mr. Grisa seconded the motion. Ms. Anderson asked for any further discussion on the motion. Ms. Enders commented that including information from the letter in the Executive Summary of the amendment sends a stronger message than just transmitting the letter. Mr. Muhs commented that these points are included in the amendment, but could also be included in the front of the Executive Summary. Ms. Anderson asked for a hand count on the motion. The motion was approved with 22 votes in favor and 12 votes against.

COMMISSION STAFF UPDATE ON DEVELOPMENT OF FUTURE AMENDMENTS TO VISION 2050 RELATED TO FEDERAL PERFORMANCE MANAGEMENT REQUIREMENTS

Mr. Muhs provided an update on the development of future amendments to VISION 2050 related to Federal Performance Management requirements beyond the highway safety targets that were amended into the plan earlier in the year. He explained that these measures will be related to pavement and bridge conditions on area freeways and principal highways, transit safety and asset management, freight movement, emissions, peak hours of travel delay, and single-occupancy vehicle trips. He noted that an Advisory Committee meeting on the matter will likely occur in late February or March. Mr. Muhs then noted that the letter requested to the incoming Governor and WisDOT Secretary outlining the challenges of implementing VISION 2050 would be provided to the Committees for review and comment and staff will schedule a meeting of the Committees to discuss the letter if desired by the Committees. Ms. Anderson asked if there were any questions or comments on the agenda item. There were none.

DISCUSSION OF SCHEDULE AND LOCATION OF FUTURE JOINT ADVISORY COMMITTEE MEETINGS

Ms. Anderson noted that discussion of the schedule for future joint Advisory Committee meetings was handled under the previous agenda item.

PUBLIC COMMENTS

Ms. Anderson asked if there were any public comments. There were none.

ADJOURNMENT

Ms. Anderson thanked everyone for attending and asked for a motion to adjourn the meeting. Mr. Cox moved and Mr. Yehlen seconded the motion. The motion was approved unanimously. The meeting was adjourned at 11:05 a.m.

Respectfully submitted,

Kevin J. Muhs
Recording Secretary